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HOUSE OF REPRESENTATIVES—Thursday, March 29, 2012

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. BASS of New Hampshire).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 29, 2012.

I hereby appoint the Honorable CHARLES F. BASS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and gracious God, we give You thanks for giving us another day.

We ask today that You bless the Members of the people's House to be the best and most faithful servants of the people they serve.

May they be filled with gratitude at the opportunity they have to serve in this place. We thank You for the abilities they have been given to do their work and to contribute to the common good. May they use their talents as good stewards of Your many gifts and thereby be true servants of justice and partners in peace.

Give each Member clarity of thought and purity of motive so that they may render their service as their best selves.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Missouri (Mrs. HARTZLER) come forward and lead the House in the Pledge of Allegiance.

Mrs. HARTZLER led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

VOICE OF TEXAS, KARINA GARDUNO

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

Mr. POE of Texas. Mr. Speaker, on Monday, I visited Hargrave High School in Huffman, Texas. Students at this school come from hardworking, rural, lower-middle class families. I met with 400 seniors, and almost every one of them had a job. I was impressed by their intelligent questions about government and the state of this country.

One student, Karina Garduno, asked me this:

Why should those of us that work hard have to sacrifice our tax dollars for free handouts to potheads and others that are too lazy to work? This has nothing to do with being black, brown or white, because I'm Hispanic. They should be made to try harder to find work and submit to drug testing to qualify for this money.

Mr. Speaker, Karina and several other students remember the concept many people have forgotten—personal responsibility. The American Dream means that if you work hard, you can do anything in this country. And it's the individual, not the Federal Government, who controls our future. Young

people must know that hard work still pays off because it is the American way.

And that's just the way it is.

A BALANCED DEFICIT-REDUCING BUDGET

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

Mr. CARNEY. Mr. Speaker, I rise today in support of a 10-year, \$4 trillion deficit-reduction plan that is both balanced and comprehensive. In the Congress today, there is now broad support in both parties from both Chambers to reduce the deficit by \$4 trillion over 10 years. That's the goal set by the President's deficit reduction commission.

Today, we will consider a number of budget proposals for fiscal year 2013. None of them is perfect, but it is critical that we come together behind a reasonable 10-year, \$4 trillion framework and start working on the details. Time is running out to fix this critical problem.

I believe the Van Hollen and the Cooper-LaTourette proposals are both frameworks that deserve support and consideration. Both of them are balanced and fair. They include revenue increases and spending cuts, and they don't undermine the fragile economic recovery in the short term.

Progress is difficult, and today's budget votes are only the first step. I look forward to working with my colleagues on both sides of the aisle on this difficult task.

ENERGY PRICES

(Mr. DUNCAN of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. DUNCAN of South Carolina. Mr. Speaker, when President Obama was inaugurated in January 2009, the average nationwide price for a gallon of gasoline was \$1.84. The 2012 March nationwide average has been \$3.89 or higher, reflecting a 110 percent increase. Keep in mind that every penny

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

increase in the price of gasoline costs the U.S. economy \$1 billion and American consumers \$4 million per day.

Now, last week, Secretary of Energy Steven Chu, while testifying in front of a House committee, was asked to grade his performance on American gasoline prices. He graded himself an "A"—an "A," America—when the price at the pump for American families has gone up over 110 percent.

I'm sorry, Secretary Chu, America doesn't grade on a curve. We give your performance and the performance of the administration's handling of energy in America the grade of "F."

FISCAL YEAR 2013 BUDGET

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

Mr. COSTA. Mr. Speaker, we all have our own ideas on how we should balance the budget, but missing in today's debate is a bipartisan approach to solve our Nation's fiscal problems. No one party has the answers. We can do this not through a Republican- nor a Democratic-proposed budget, unless we are willing to demonstrate bipartisanship.

That's why I'm opposing both the Republican and the Democratic proposals. These are not an answer to our Nation's fiscal problems. Instead, the Simpson-Bowles approach reflected in the Cooper-LaTourette substitute is the preferred approach that we need to follow.

Last night's votes and today's votes will once again demonstrate that the Congress is tone deaf. It's time to put our economy back on a path to fiscal sustainability and pass the Simpson-Bowles measure that last night fell far short. I suggest we cut \$4 trillion from the deficit over 10 years with spending cuts and tax reform to ensure solvency of entitlements such as Medicare and Social Security. It's time that we act in a bipartisan fashion.

OBAMACARE DESERVES AN "F" GRADE

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

Mrs. HARTZLER. Mr. Speaker, last week marked the 2-year anniversary of the President's health care law's going into effect, and as a former teacher, I think it's important that we look at and see how it makes the grade. I believe that if you compare it to the matrix of its failed promises that it deserves an "F."

They said that it would create jobs. It didn't. In fact, CBO says 800,000 people will lose their jobs because of it.

They said it would lower costs. It hasn't. Premiums have increased by over \$2,000 per individual.

They said that Americans would be able to keep their own plan and their own doctor. The administration's own estimates say that over 20 million Americans could lose employer-sponsored health care as a result of it.

Is it constitutional? I believe it's not. It's time to have grade A health insurance here in America, one that increases accessibility and affordability. That's what House Republicans are advancing, and that's what Americans deserve.

□ 0910

HAPPY 100TH ANNIVERSARY TO THE JUNIOR LEAGUE OF CHICAGO

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

Mrs. BIGGERT. Mr. Speaker, for 100 years, women in the Chicago area have been improving the world around them through the Junior League of Chicago. This summer, the Junior League will mark its centennial anniversary, and I join the current and past volunteers of this wonderful organization in celebrating its many contributions. In fact, from 1976 to 1978, I served as president of the Junior League and am eternally grateful for the opportunity this great organization gave me to work with the Head Start program in Chicago. It was the beginning of many wonderful and fulfilling years of public service.

Mr. Speaker, since Lucy McCormick Blair Linn founded the organization in 1912, the Junior League of Chicago has contributed more than 10 million hours of volunteer service. They have treated scarlet fever, funded epilepsy research, and launched what later became the Chicago Children's Museum. These are just a few of the examples over 100 years of service.

Today, I applaud the Junior League and wish its volunteers another 100 years of success.

A BUDGET FULL OF ENERGY

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

Mr. JOHNSON of Ohio. Mr. Speaker, today, House Republicans will stand up to business as usual in Washington and vote for a budget that will help our economy grow, guarantee the promise of Medicare for everyone, and put forth a true all-of-the-above energy strategy in America.

Now, compare this to President Obama's budget, one filled with more of his failed tax-and-spend policies, one in which he called for over \$45 billion in new taxes on energy production. With prices surging at the pump—more than doubling since President Obama took office—it's unconscionable that

he would want to further burden America's small businesses and families who are already struggling.

America sits on top of the largest amount of total recoverable energy resources in the world, including oil, natural gas, and coal. That's 1.3 trillion barrels of oil equivalent. Just imagine if we developed them as part of a real all-of-the-above strategy. Job creation would surge, gas prices would fall, and America would be one step closer to energy independence.

HOMES FOR HEROES ACT

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

Mr. AL GREEN of Texas. Mr. Speaker, I rise to say thank you to the many persons who supported the Homes for Heroes Act that passed the day before yesterday. This is an important piece of legislation that will place a person in HUD whose sole responsibility it is to monitor homelessness among our veterans. We believe that in solving the homelessness problem, we can also solve a lot of other problems that they have.

I would like to thank all of the persons on the committee, especially my chairman of the committee, Mr. BACHUS; my ranking member, Mr. FRANK; Ms. WATERS, who has helped me for years with this legislation. I would like to thank Mrs. BIGGERT and Mr. GUTIERREZ, the chair and ranking member of the subcommittee. I would also thank Mr. CANTOR, because I did have a chance to visit with him about this, and he helped to promote this legislation. Ms. PELOSI, of course, is a big supporter of our veterans, as is the case with Mr. HOYER.

Also, one additional person that was very helpful, Mr. HENSARLING. He and I had a great conversation about this, and he was very supportive and mentioned it in open mic at one of our hearings. So I thank everyone. Our veterans are better served.

God bless the United States of America and thank God for our veterans.

SURFACE TRANSPORTATION EXTENSION ACT OF 2012

Mr. WEBSTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 600 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 600

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4281) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit.

SEC. 2. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of March 29, 2012, providing for consideration or disposition of a measure extending expiring surface transportation authority.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. WEBSTER. Mr. Speaker, I rise today in support of this rule and the potential it holds for a bipartisan, bicameral agreement for a long-term transportation reauthorization bill.

House Resolution 600 provides for a closed rule for prompt consideration of H.R. 4281, the Surface Transportation Extension Act of 2012.

H.R. 4281 simply calls for a 90-day extension of current transportation legislation at existing funding levels. Without the extension, critical transportation programs around the country will begin to shut down Saturday night at midnight. The Federal Government will no longer be able to collect the user fees necessary to maintain the highway trust fund, and eventually it would be unable to pay obligations that have already been incurred for construction projects. Most importantly, according to recent reports, a shutdown Saturday would immediately furlough 3,500 Federal employees and put up to 130,000 highway projects at risk.

A 90-day extension is no one's ideal scenario; but at this juncture it appears necessary, necessary not only to avoid the calamity that comes from current legislation's expiration, but also necessary for the continued potential for a long-term reauthorization. With passage of this extension, a long-term reauthorization remains within reach.

The transportation bill passed out of the House Transportation and Infrastructure Committee has many laudable provisions. It streamlines and consolidates Federal transportation programs, cuts red tape and Washington bureaucracy, and increases funding flexibility to States and local governments, better leverages existing infrastructure resources, and encourages more private sector participation in rebuilding our Nation's infrastructure. It provides 5 years of certainty and stability with flat funding that is paid for without raising taxes.

I'm sure that the authors and proponents of the Senate bill can point to a menu of laudable policy provisions within their bill as well.

With this extension, we don't give up on the likelihood of the best of both bills being reconciled, and long-term certainty and stability can be provided to those tasked with rebuilding our Nation's transportation infrastructure.

To be sure, however, the task at hand remains avoiding expiration of the existing authorization this Saturday night. I don't have to reiterate the consequences that loom if we do not act. As the Chamber of Commerce wrote in a letter to the Members earlier this week: "An extension is not the best course of action, but it must be done."

Once again, Mr. Speaker, I rise in support of this rule and the potential this short-term extension holds for coming together in a bipartisan, bicameral way for a long-term authorization of our Nation's transportation programs.

I encourage my colleagues to vote "yes" on this rule, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Florida for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, where do I begin? This is one more opportunity lost, one more opportunity squandered by this Republican-controlled House.

We are just days away from the expiration of the laws that authorize our surface transportation programs, and yet here we are debating a politically charged, unnecessary, and partisan bill that just kicks the can down the road a few months.

Last month, this House began, but could not finish, consideration of the most partisan drafted—possibly the only partisan drafted—highway reauthorization bill in history. Let me repeat that. The House could not complete consideration of the Republican bill, a Republican bill that would have been considered a joke if it weren't such a serious breach of responsibility.

This is like a bad soap opera. Just when the twists and turns can't get more fantastical and crazy, someone comes up with an even zanier idea just to keep the plot lines moving along.

I'm waiting for the mysterious twin brother to show up.

□ 0920

The plotline here is that the Republican leadership keeps manufacturing ways not to do the simple thing, the right thing, and that is to pass the Senate bill, the 2-year bill that passed the Senate 74-22, clearly and overwhelmingly in a bipartisan fashion.

It's refreshing and a bit strange when the Senate can put their ideological differences aside and actually pass a decent bill. It's not every day that Senator BARBARA BOXER and Senator JAMES INHOFE agree on a bill, but that's what happened with the Senate bill.

Now, I'm not going to stand here and say that the Senate bill is the bill I would have drafted. To the contrary, I want a 5-year reauthorization that is fully funded, a bill that results in real jobs and a bill that invests in important areas like public transit.

While the Senate bill lasts for only 2 years, it is a good start and it is much better than the Republican proposal we have here today. For my colleagues who have a short memory, let me recap where we were last month.

The Republican leadership took a 1,000-page bill, undoubtedly the most partisan transportation bill in Congressional history, and made it worse. They took a bill that was written in secret and jammed through the Transportation Committee and inserted unrelated and controversial provisions like the Keystone pipeline, ANWR, offshore drilling, and cuts in Federal pensions. Even worse, they changed the rules in the middle of the game. Specifically, after everyone had submitted their amendments to the original single bill, Speaker BOEHNER decided to split it into three separate measures, which meant that many of the amendments could not be considered in the way that they were originally drafted.

Now, of course the Republicans quickly realized that they didn't have the votes for that bill and yanked it from the floor. It must have been pretty embarrassing because it's been over a month since they gave up on that bill.

And what has the Republican leadership been doing over the last month? Negotiating with House Democrats to reach a bipartisan compromise? Talking with the Senate on ways to properly reauthorize these programs and bring jobs back to the economy? Of course not. Over the past month, the Republican leadership has been sitting around pointing fingers and complaining that they can't move the transportation bill, even though Republicans are in control of this House.

It's the end of March, and Republicans can't get their act together to get a real transportation bill passed. You call that leadership? Give me a break.

Leadership is about governing. Leadership is about doing what's right. Honestly, Mr. Speaker, there's no leadership here.

Shame on this leadership for bringing us here today. Shame on this leadership for putting the American jobs on the line just because they cannot manage their own internal politics. That's right. By refusing to pass the Senate bill today, Republicans are putting American jobs on the line.

With the economy slowly recovering and with more than 2.7 million construction and manufacturing workers still out of work, why do Republicans want to play Russian roulette with this important jobs bill?

We should not be in this position today. This is a manufactured crisis, a crisis that is a product of a lack of leadership, a crisis that is a product of a lack of bipartisan cooperation.

Mr. Speaker, we had an opportunity to consider the Senate bill today, but the Rules Committee, mislabeled by some as the most open Rules Committee in decades, blocked that bill from consideration.

That's right. This new majority put this bill on the floor, sight unseen, and without any markup or hearing. They waived their own 3-day layover rule, and this is a closed rule. In fact, I can't even seem to find a CBO score for this bill. And this is the open process my colleagues on the Rules Committee are so proud of.

This is a completely closed rule. I offered the Senate bill as an amendment to this rule last night so that Members could have an opportunity to vote on it today, not in place of the Republican bill, but as a stand-alone amendment.

Speaker BOEHNER is fond of saying, let the House work its will, but apparently the Republicans on the Rules Committee do not believe in that philosophy because they blocked my amendment on a party-line vote. Why did they block my amendment? As the chairman of the Rules Committee is fond of usually saying, because they could.

Now, I will try one more time to offer the Senate amendment. Congressman TIM BISHOP introduced H.R. 14, the exact same language as the Senate-passed bill. If this House defeats the previous question, Congressman BISHOP will be able to offer his amendment to the Republican bill, not in place of, just alongside the Republican bill. The House, like Speaker BOEHNER promised, would then be able to work its will.

Now, it's clear, Mr. Speaker, that the Republican leadership is more concerned with political victories than with legislating. It is clear that the Republican leadership would rather score cheap political points with their right-wing base than promote and create jobs in America.

President Clinton was fond of saying, The perfect can't be the enemy of the

good. There's a perfectly good bipartisan Senate bill that would pass this House overwhelmingly if the Republican leadership decided to bring it up. But no, the Republican leadership would rather play chicken with people's jobs on the line instead of actually legislating, let alone legislating in a bipartisan way.

It is clear that when the far right wing of the far right wing opposes something, the Republican leadership crumbles like cheap asphalt.

I reserve the balance of my time.

Mr. WEBSTER. I yield myself such time as I may consume.

Mr. Speaker, in 2005, the Congress passed SAFETEA-LU, which is the last transportation reauthorization bill that was long term. There was, under the Democratic-controlled House, a bill proposed by the chairman that never made it to the floor, and because it didn't make it to the floor—my, my, my, how we've forgotten. It was only a couple of years ago. But it didn't make it. It expired. SAFETEA-LU expired in 2009, September 30, and there was a bill, never got marked up, never happened.

So what happens instead? Well, let's see. Number 1, Democrats did a 1-month extension. Number 2, there was a 1.5-month extension. Number 3, there was a 2.5-month extension. Number 4, there was a 1-month extension. Number 5, there was a 9-month extension. Number 6, there was a 2-month extension.

So, I'm not sure what you're talking about, but as far as lack of leadership, we are a long way from having that many extensions. We're a long way from having done what was done in the previous Congress.

I would suspect that we have an opportunity here, and that opportunity, the way to avoid a shutdown of the Nation's transportation programs this Saturday night, is to pass this extension. The only way we can get to that is pass this rule which allows for us to consider that extension.

The only way we can keep ourselves from having 3,500 Federal employees furloughed is to pass this extension. The only way we can keep 130,000 projects that are highway projects from being at risk is to pass this.

I reserve the balance of my time.

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

Let me respond to my friend.

The difference is that we have an overwhelmingly bipartisan compromise that has passed one of the Chambers here, the Senate. This is the choice we have: Do we do these short-term extensions so that cities and towns and States can't plan, or do we take this bipartisan compromise that the Senate has put together so that there's some certainty for our cities and towns and for our States?

I mean, that's the difference. What's happening here is that there is an in-

ternal fight within the Republican Party. The right wing is battling with the extreme right wing, and they can't agree with each other because you have people in the Republican Party who don't believe in the public sector.

So, as this economy is struggling to get back on its feet and we see some recovery, more and more every month, we could actually help that recovery. We could move things along. We could create more jobs if we were to act in a different way today.

But, instead, the right wing and the extreme right wing are having a fight within the Republican Party, so the Republican House leadership is paralyzed. That's not leadership. That's just irresponsible.

At this point, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy, and he is absolutely right. The passage of this rule and its approach is not the only way to avert a shutdown. And, in fact, the bill moving forward here is precisely the wrong approach because, sadly, what's going to happen is it's going to bifurcate the construction cycle.

There is work going on around the country that people want to move forward, and the approval of a 90-day extension means that people cannot plan for the entire construction cycle. If they take the gentleman's suggestion and approve the bipartisan Senate bill, there will be certainty, not just for this construction cycle, but the next year's construction cycle.

It's frustrating to watch our friends on the other side of the aisle play chicken. Remember the FAA shutdown where the Republicans in the House refused to accept a bill that passed the Senate overwhelmingly, 89 votes for the FAA? Instead they choose to leave town, putting out of work 70,000 construction workers and laid off 4,000 others in the FAA.

□ 0930

We don't have to play this sort of infrastructure chicken.

Later today, we are going to consider the worst budget for transportation in anybody's memory. The Republican budget that will be decided later today calls for a 46 percent reduction in transportation funding. There isn't enough money in the Republican budget to even pay for the areas that are already obligated.

I developed this, in a friendly way, in the Budget Committee, and they had to agree. There are \$6.5 billion more in actual outlay, contracts, roads, bridges, and transit projects that we're committed to than they would pay for.

It's sad that we've reached this point. I hope the House rejects this rule which will allow Mr. BISHOP to present the Senate bill for an up-or-down vote.

The Republicans are afraid that actually there will be dozens of their Members that will join us in a bipartisan vote.

It's a pipe dream that somehow we're better off cutting the construction cycle in half, not allowing people to plan, that somehow we'll come together and merge the worst transportation bill in history that would overturn 21 years of transportation reform and the agreement of President Reagan that we would dedicate money for transit, that we throw this out to the House bill that was so bad they wouldn't even have a hearing on it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. BLUMENAUER. I served for a dozen years on the Transportation Committee. I've worked with the Transportation Committee with Republican and Democratic chairs. This is an embarrassment that the process is not working. It doesn't have to be partisan and limited. We have two high-level commissions that call for more investment and reform.

The best approach is to vote on the Senate bill today, which I'm confident will pass, which is why they don't want to bring it to a vote, and then come together to work as we get past this election "Gong Show" process and be able to strike what truly is a grand bargain when we have all the moving pieces at the end of the year, when we're not staring down the barrel of goofy election politics, and people will actually be able to work on what's in the best interest of America.

What's in the best interest of America is rejecting this assault on transportation and dealing with rebuilding and renewing the country.

Mr. WEBSTER. Mr. Speaker, I appreciate the other side at least letting me know what they did over the last 2 years. They bifurcated the construction projects. They did it six times. At least now we know that they have knowledge of what they did during those times when they only gave, in some cases, 1-month extensions.

I yield 4 minutes to the gentleman from Florida (Mr. NUGENT), my colleague.

Mr. NUGENT. Mr. Speaker, I want to thank my friend from Florida and fellow Rules Committee member to allow me to speak today on behalf of this.

It's interesting to stand up here and listen to what comes across from the other side. They talk about the FAA bill. That's a bill that while they were in control of this area, since 2007, there was not a reauthorization of that bill until this year, until the 112th Congress came into power. We now have a 4-year reauthorization of the FAA bill that sat over on the other side while they had control of this House since 2007. There's been no action other than

just temporary fixes. The same goes now with this bill today in regards to transportation.

They want you to believe that the Senate passed this great bill out of the Senate, a 2-year fix. Let me tell you, Mr. Speaker, a 2-year fix in this industry is like nothing at all.

In speaking with developers and road construction folks in my State, they said a 6-month extension is as good as a 2-year extension, and basically all it does is keep their doors open. They don't hire new folks; they don't go out and purchase new equipment; they don't go to Caterpillar up in Peoria, Illinois, and buy more equipment. What they told me was that when the Senate came back out with an 18-month and 2-year extension, they canceled major equipment orders in Peoria, Illinois. They canceled those orders because there's no reason for them to invest millions of dollars in equipment on a 6-month, an 18-month, or a 2-year extension.

We should be standing here talking today about a 5- to 7-year extension of the highway bill. That's what we should be talking about. That gives those builders some certainty.

We talk about certainty. The other side talks about it at great length, but what certainty did they show when they had control of both houses, the Senate and the House, and the President? What did they show for an accomplishment, other than short-term fixes that have nothing to do with certainty? The construction industry hires based upon certainty, how far they can look out.

A major road builder that I talked to said: "Listen, RICH, it's just not going to work that way."

Mr. Speaker, what they're saying to us is that for them to spend money to hire new workers, they need to have some certainty that they're going to have a 5- to 7-year window to start building upon, not a 6-month fix, not an 18-month fix, not a 2-year fix.

Once again, the builders I'm talking to are saying that on these short-term fixes, all it does is keep the status quo alive. It allows them to keep the employees that they have, but they will not invest in new equipment, and they're not going to invest in hiring new employees because it's a short-term fix for them, not a long-term fix.

We had the opportunity to do a pay-for, and I agree with my friend from Worcester when we talk about we should have a pay-for 5- to 7-year transportation bill, not a short-term fix. But if we don't do a short-term fix today—you heard my colleague from Florida talk about what's going to happen on Sunday—all projects stop as we know it. That's not what this House should do. We need to pass the 90-day extension. We need to support this rule and pass the bill so we can eliminate uncertainty, not what we have today.

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

I want to thank my colleague on the Rules Committee for making, I think, a very strong case why we should reject the 90-day extension and pass a 2-year extension for this reason: because 90 days means nothing.

He diminishes the impact of 2 years. Most people I talk to would have preferred 2 years to 90 days. Here's the difference. We have a democratically controlled Senate that worked out a deal with Republicans. BARBARA BOXER and JIM INHOFE came together. They are very opposite individuals when it comes to politics, but they came together.

Here, the Republicans are fighting Republicans. Democrats have been locked out of this entire process.

Let's get real here. Let's be honest with the American people. The budget that you all are going to vote for later this afternoon decimates highway and road and bridge funding, which basically destroys, I think, the basis for a strong infrastructure program in this country. You're not here trying to argue about a better bill. You're trying to figure out a way to give States less, to give cities and towns less. That would undercut a lot of the projects that are being contemplated all across this country that will not only put people back to work but make us more economically secure. That's what this is all about. It's about trying to come up with an even lousier transportation bill than the one that you brought to the House floor.

At this point, I would like to yield 3 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I rise in opposition to the rule, and I oppose the motion to move the previous question.

I am growing more and more deeply concerned that our Republican colleagues simply don't get it. They do not understand that their ideological crusade to "starve the beast" has only resulted in starving the American worker.

Here we are today taking up the third version of the Republican kick-the-can infrastructure plan down the road in a single week, the third version in a week.

□ 0940

If that's not a complete failure of leadership, I don't know what is.

We are a mere 2 days away from the expiration of our highway programs, and they have their hands over their ears, desperate not to hear common-sense solutions like the bipartisan Senate highway bill.

Since the beginning of the 112th Congress, we have witnessed time and time again their "my way or the highway" approach to governing. As a result, job creation is suffering; working families

across the Nation are suffering; the construction industry is in the middle of the construction season, and it's suffering because House Republicans want to score political points with their ideological base rather than solve real-world problems with real-world solutions.

This week, the House Republicans were forced to remove two short-term highway extension bills from floor consideration because they would rather dig deeper into the conservative ranks of their caucus than reach across the aisle to discuss solutions for the American worker. Sadly, this is nothing new. They have been doing this for the past 15 months. We have lurched from self-created crisis to self-created crisis. I've counted at least five over the last 15 months. Yet they wonder why the American public's perception of Congress is at an all-time low.

Meanwhile, I've sponsored H.R. 14, the Senate highway bill, which is a bipartisan path forward that makes meaningful reforms and provides certainty to States. I am proud to be offering this bipartisan legislation in order to refocus the discussion on jobs and economic opportunities rather than that of the Republican message this week of tearing down Medicare and protecting the 1 percent at the expense of middle class families.

As of today, House Republicans have yet to put forward a credible highway reauthorization that puts Americans back to work. Their only attempt, H.R. 7, the Boehner-Mica authorization, was called the worst highway bill ever by Secretary of Transportation LaHood, a former distinguished Member of this body, a Republican. It was drafted in the dark of night without any Democratic input. It removed transit from the highway trust fund. It broke a 30-year bipartisan cooperation to fund transit, and it couldn't attract a single Democratic vote nor even a majority of Republican votes.

Over in the Senate, MAP-21 passed overwhelmingly with a bipartisan majority and is fully paid for, something House Republicans seem unable to come close to achieving. The MAP-21 pay-fors are less controversial than those contained in the House Republican bill. The Senate has estimated that MAP-21 will save 1.8 million jobs and will create up to 1 million more jobs. That's almost 3 million jobs wrapped up in this legislation. During a weak economic recovery that is looking for a jump-start, this is the kind of legislation we need to be passing.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. BISHOP of New York. House Republicans had their chance to address our infrastructure needs with H.R. 7. Instead, they chose to pander to their base and chase ideological extremes. I

am sorry to say their effort was an utter failure. MAP-21 has the support of Senate Democrats, Senate Republicans, House Democrats, and the administration.

It is time that the House Republicans got on board with job creation instead of fighting it. Americans want jobs and safe roads and bridges. The Senate passed the biggest jobs-creating bill in this Congress by an overwhelming bipartisan majority. We have the chance to do the same thing. Let's move H.R. 14, and let's put this country back to work.

Mr. WEBSTER. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Florida (Mr. MICA).

Mr. MICA. Thank you for yielding.

Mr. Speaker and my colleagues, let's just set the record straight. The other side says that this wasn't a bipartisan process.

First of all, the first hearing was held in the ranking Democrat member's hometown and district in West Virginia. We went from sea to shining sea, all the way to Los Angeles, in order to accommodate a bicameral, unprecedented bipartisan hearing in Los Angeles. Again, the comments that are made here do not reflect the reality. In the committee, we took 100 Democrat amendments, and we accepted about 20 of them. In addition to when we drafted the legislation, 60 percent of the recommendations of the Democrats were in the draft that came before the committee. Yet there is this stuff about it not being bipartisan.

Then the Republicans can't get it done. These are the people who cannot get it done. They controlled the House; they controlled the Senate; they controlled the White House during this entire process. They couldn't even get it to committee. They could not get the bill to committee. It passed a subcommittee.

So we have passed it. They've made bipartisanship in this committee a one-way street, and it wasn't that way before. They will close down major projects across this country if we don't pass this extension. Why are we here for this extension for 90 days? Because we offered 90 days to begin with, and they said, No, we won't do 90 days because we want to keep things stirred up. So we said, Well, what do you want? They said 60 days. Okay. In the spirit of bipartisanship, we'll go 60 days. So then they rejected that. Some of the Democrats threw each other under the bus, so to speak; and here we are at 90 days again.

So, folks, let's get the facts straight and the reality straight. Republicans want America to work and our infrastructure to be built.

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

Let's get the facts straight. Let's talk about this great bipartisan process.

All we're asking for today is to have an alternative to be voted on—one substitute. That's it. That's all we've been asking for; and we've been told, no, you can't. It's your way or the highway. That's not bipartisanship.

As for all of these great bipartisan amendments, let's everybody be clear on one thing: that not one single amendment has been considered to the transportation bill on this House floor. Not one single amendment has been allowed. You yanked the bill when, I guess, some of the extreme right wing got upset on your side for whatever reason, also because there were a lot of moderates who realized that the bill that you brought to the floor would bankrupt the highway trust fund, that it was bad policy for this country, and that it was not going to help rebuild our infrastructure.

So the only bipartisan proposal we have before us right now, which is not perfect but which is the only bipartisan product, is the Senate bill, which passed 74–22.

At this time, I would be happy to yield 1 minute to the ranking member of the Transportation Committee, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the gentleman for yielding.

I asked for this time only because the chairman referred to opening these hearings in my hometown of Beckley, West Virginia, which he did, and I appreciate that very much and the many other hearings he held across the country. Yet the question is, you have to learn from these hearings, and you have to incorporate that which you learn from these hearings into the bill that you end up finally writing, and I'm not sure that was done from what the gentleman heard from my home State.

In addition, which the gentleman from Massachusetts referred to, as to the bipartisanship of the other body, we all know in this town and across the country how hard it is to get that other body to agree on anything. Even if it were a resolution saying, "I love Mother," it's hard to get 60 votes over there for anything. Yet they got 72 votes for a bipartisan transportation bill. They got half of the Republican Members of that other body to support a bipartisan transportation bill. We have tried, as the gentleman from Massachusetts knows, to bring that up in the Rules Committee, to make it in order.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. RAHALL. I and the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from New York (Mr. BISHOP) have tried and tried and tried to bring that up and on the floor of the House. Yet we get turned down at every turn

in the road. At every corner in the road, we get turned down in our efforts to bring up the bipartisan Senate transportation bill. It is not very often that you will find such a measure produced by that other body. Yet they've done it this time, and we cannot get it brought up to the floor of this body.

Mr. WEBSTER. Mr. Speaker, pass the extension.

I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members to refrain from trafficking the well while a Member is under recognition.

Mr. MCGOVERN. Mr. Speaker, before I yield to the gentleman from Oregon (Mr. DEFAZIO), I just want to point out something for my colleagues here.

One of the reasons many of us prefer the Senate bill to even the House bill that you brought to the floor and then split up and then yanked from the floor is that the Senate bill sustains approximately 1.9 million jobs on an annual basis. The House Republican bill destroys 550,000 jobs compared to the current funding level. So what you had brought to the floor and then you yanked was a job killer.

At this point, I would like to yield 3 minutes to the gentleman from Oregon, the ranking member of the Highways and Transit Subcommittee, Mr. DEFAZIO.

Mr. DEFAZIO. This is really a discussion about the future of transportation in America, and there is a very basic difference.

The Republicans are being hung up because there is a substantial portion of their caucus that believes—truly believes—there is no Federal interest, that we should not have a national transportation policy and that it should be devolved to the States.

□ 0950

Well, that's what this looks like when you devolve to the States. Kansas Turnpike, 1956, Oklahoma said they'd build their section. They didn't. They were launching cars into Amos Switzer's cornfield for the next 8 years. This was about the failure of a 50-State transportation policy. They are being hung up by enough people on their side to hold up this bill by those who believe that this is the way the country should look in the future.

Now, we want jobs. Even if they could move their H.R. 7—which they can't because of this faction—they would cut funding by 20 percent. We've got 150,000 bridges on the Federal system, the National Highway System, that need repair or replacement. Forty percent of the pavement needs substantial redoing, not just resurfacing. There is a \$70 billion backlog on our legacy transit systems—that's our 20th century system—and there's no money in this for a 21st century system.

And this is their vision. Their vision, it's one of two visions. Cut 20 percent.

The Ryan budget actually would cut transportation by 35 percent from current levels. Or the Flat Earthers who say there's no Federal interest in a national transportation system. One of those three things is going to come out from their side; a 20 percent cut, a 35 percent cut, or no program.

We have an alternative. Let's vote on the Senate bill. When you can get 22 Republican Senators to vote to extend the program for 2 years—and we had one gentleman say, Oh, 2 years is nothing, no equipment orders. Well, guess what. I have a list here—and it's just the beginnings of a list—of seven State DOTs who have contacted the American Association of State Highway and Transportation Officials saying a 90-day delay will cost jobs; 40,000 jobs in North Carolina, and on down the list. Nevada, Maryland, Michigan, Rhode Island, West Virginia, and New Hampshire have all reported in about projects they're going to delay or cancel if we do another 90-day extension and we don't do the 2-year bill. The 2-year bill is enough certainty for these projects to move forward. No, it's not optimal. We need a real 5-year bill, but we don't need a 5-year bill that guts or destroys the program. But those are the alternatives you are offering us here.

Just give us one vote, just one vote. Let us vote on the Senate bill, which passed as a true bipartisan bill. This is not a bipartisan bill. The gentleman from Florida is a good friend. But look, we did not sit down and look at this bill and review it. It was presented to us.

Mr. WEBSTER. Mr. Speaker, again, I will go back over this list because we must have forgotten it since I presented it a few minutes ago.

The Democrats, when they were in control, passed a 1-month extension back on October 1, 2009; 1 month, no amendments; 1.5 months a little bit later, no amendments; 2.5 months, no amendments; 1 month, no amendments; 9 months, no amendments; 2 months, no amendments.

I'm not sure what they're talking about, Mr. Speaker. Pass the extension.

Mr. MCGOVERN. Mr. Speaker, on that, I would yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentleman very much.

Mr. Speaker, unemployment is going down, but there are people still unemployed. Right now we have a Senate bill on transportation, and many don't understand what that means. There is a wide gamut of highways and mass transit and infrastructure ready to be signed by the President of the United States so that millions of Americans can go to work, and this body won't allow us to vote for a bill that has already passed the Senate.

Higher funding levels to be able to build, build, build. More jobs, 1.9 million annualized. Buy America, do I love it. Buy America, making sure that we buy the products right here in America so that not only are we building with American workers but are also supplied by them. Providing guaranteed transit funding for all of America. The crumbling transit infrastructure, we're providing for it. And in Houston, Texas, we need those moneys, and we need the operational moneys.

So here's my point: Unemployment is going down. The President is moving forward on employing and empowering Americans. And they won't put the Senate bill, the bipartisan bill, on the floor.

Today we need to vote for the jobs here in America. I ask for a "no" vote on the rule.

Mr. WEBSTER. Could I inquire of Mr. MCGOVERN how many more requests for time he has?

Mr. MCGOVERN. I have the ranking member of the committee and myself.

Mr. WEBSTER. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this time, it's my privilege to yield 3 minutes to the gentleman from West Virginia (Mr. RAHALL), the ranking member of the Transportation Committee.

Mr. RAHALL. I thank the gentleman from Massachusetts for yielding.

Mr. Speaker, I would like to emphasize that the extension the majority is bringing to the floor this morning is too long, and it will do nothing but continue the uncertainty that States and businesses—small businesses, I might add—have faced since the expiration in the last long-term bill in August '09, 2½ years and eight extensions ago.

Uncertainty is what we are continuing by the passage of this extension today, uncertainty among the small business community in this country. They need the certainty with which to plan contracts.

This happens to be the springtime of the year, the time when contracts are let and when jobs are planned and when people need to know if they're going to be working or not—not 90 days from now. This is the contracting season with the work usually done during the summer and then concluded by the fall, and the bottom lines are added up.

We have already heard stories of small businesses that have had to cut back from 80 percent of their budget to 40 percent or less because they don't know what the Congress is going to do in terms of a long-term transportation bill. To elaborate on what my colleague from Oregon (Mr. DEFAZIO) had said, the impacts on our State DOTs of endless extensions and the inability to plan for current and future transportation needs are very real, very real. And here are just a few of the examples:

North Carolina has delayed projects totaling \$1.2 billion, affecting 41,000 jobs;

Nevada and Maryland each report 4,000 jobs are at risk due to projects being delayed;

Michigan has only let 35 percent of its projects, or \$180 million below its normal activity level, and it's delayed several large construction projects;

Rhode Island has delayed \$80 million worth of projects and planning for needed safety and structural improvements of a major interchange;

My home State of West Virginia reports that an extension would result in a 10 percent cut in programs, affecting over 1,200 jobs, and the State of West Virginia may be forced to shut projects down or delay payments to contractors to manage cash flow;

New Hampshire, Mr. Speaker, will not award contracts on \$60 million in projects that were recently bid, affecting 1,800 job years, and will delay \$115 million in bond issuance for the construction of two exits; and

Illinois estimates that the uncertainty posed by stopgap funding measures means that 4,500 jobs could be lost and that ongoing uncertainty will increase contractor risk and cause higher bids for construction projects.

Without congressional action on the Senate bill, many States in the Northeast and Midwest stand to lose an entire construction season. That would be a devastating blow to many States as they slowly recover from the worst construction downturn since the Great Depression.

While millions of construction jobs and much-needed infrastructure projects hang in the balance, our colleagues on the other side of the aisle have spent weeks driving in circles. They have at least been consistent and embraced this theme of uncertainty in their own internal deliberations.

Mr. WEBSTER. Mr. Speaker, I am prepared to close and will reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself the remainder of the time.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 3 minutes.

Mr. MCGOVERN. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide that immediately after the House adopts this rule, it will bring up H.R. 14, the Moving Ahead for Progress in the 21st Century Act. This is the House companion to the bipartisan Senate transportation bill that passed in the other body 74-22.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, this House of Representatives is not working for the American people. At a time when jobs should be the most important priority of this Congress, we have a leadership that talks about everything but jobs. And when it comes to jobs, nothing could be more important than passing a transportation bill.

□ 1000

The Republicans brought a terrible bill to the floor—so terrible, they couldn't even force their own Members to vote for it. They had to pull it. And now we're in this period of delay, delay, delay; kick the can down the road, kick the can down the road.

And what makes this situation unique, I would say to my friend from Florida, as compared to previous years, is that we actually have a bipartisan bill that has passed one of the Chambers—a bipartisan bill in the Senate that passed overwhelmingly, 74-22—authored by BARBARA BOXER and JIM INHOFE, two polar opposites of the political spectrum. They could come together.

They came together and put the American people first. They put jobs first. It wasn't about ideology. It wasn't about getting it perfect for either of them. And yet here we are, still fighting over the most ridiculous things and bringing the most inconsequential piece of legislation to the House floor when we should be focused on passing bills like this.

I'm told we need to do this because we're going on another recess. God forbid we stay here and actually work on something that will be meaningful for the American people. This bill is so important to our economy that, quite frankly, it's worth us staying here a few extra days and getting this thing done. Instead, we're going to kick the can down the road for 90 days. Next week nothing will be done. We'll come back, and then what? Then what will happen?

Essentially, what we're doing here is we're telling the American people that we're not putting them first. We're not putting jobs first. For the life of me, I can't understand why this Congress, this leadership, which claims to be open, won't even give us a vote. We can't even get a vote on the Senate bill. If you want to vote against the Senate 2-year extension and vote instead for your 90-day extension, fine. But let us have an opportunity to vote on something that will mean something to our communities, that will put people back to work. Why are you denying us this vote? I have yet to hear anybody say why we can't have a vote on this. We had no amendments debated on this House floor on the transportation bill. We ought to have this debated.

I urge my colleagues to vote "no" on the previous question so a little democ-

racy can happen here in the House of Representatives.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. WEBSTER. The situation we find ourselves in is certainly not ideal. I've been a strong proponent of a long-term reauthorization of Federal transportation programs. Recently, reauthorizations haven't been that long-term. But that's more often than not, also. The goal everyone is seeking is a long-term reauthorization. I hear that, the necessity of it, from all transportation officials all over the country, including my own State and in my own district.

Without the ability to plan over the course of several years—not 3 months, not 17 months—that lack of certainty has increased the operating costs. It increases cost uncertainty, and that is the death knell for critical infrastructure projects in this economy.

As my colleagues have noted, transportation reauthorization bills are typically bipartisan affairs. Unfortunately, we don't have a bipartisan, bicameral agreement on a viable long-term reauthorization yet. But the passage of this brief extension gives us the opportunity to once again bring both sides to the table to try to work out a collaborative effort and a collaborative solution to this problem. I think that's what the American people want. It's our responsibility to make sure that happens, and this is the last chance to do it before the current legislation expires at midnight on Saturday.

I ask my colleagues to join me in voting in favor of this rule.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 600 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 14) to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommitt with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after

the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 3 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Com-

mittee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WEBSTER. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 237, nays 178, not voting 16, as follows:

[Roll No. 146]

YEAS—237

Adams	Diaz-Balart	Hunter
Aderholt	Dold	Hurt
Akin	Dreier	Issa
Alexander	Duffy	Jenkins
Amash	Duncan (SC)	Johnson (IL)
Amodei	Duncan (TN)	Johnson (OH)
Austria	Elmers	Johnson, Sam
Bachmann	Emerson	Jones
Bachus	Farenthold	Jordan
Barletta	Fincher	Kelly
Bartlett	Fitzpatrick	King (IA)
Barton (TX)	Flake	King (NY)
Bass (NH)	Fleischmann	Kingston
Benishek	Fleming	Kinzinger (IL)
Berg	Flores	Kline
Biggert	Forbes	Labrador
Bilbray	Fortenberry	Lamborn
Bilirakis	Fox	Lance
Bishop (UT)	Franks (AZ)	Landry
Blackburn	Frelinghuysen	Lankford
Bonner	Galleghy	Latham
Bono Mack	Gardner	LaTourette
Boustany	Garrett	Latta
Brady (TX)	Gerlach	Lewis (CA)
Brooks	Gibbs	LoBiondo
Broun (GA)	Gibson	Long
Buchanan	Gingrey (GA)	Lucas
Bucshon	Gohmert	Luetkemeyer
Buerkle	Goodlatte	Lummis
Burgess	Gosar	Lungren, Daniel
Burton (IN)	Gowdy	E.
Calvert	Granger	Manzullo
Camp	Graves (GA)	Marchant
Campbell	Graves (MO)	Marino
Canseco	Griffin (AR)	McCarthy (CA)
Cantor	Griffith (VA)	McCauley
Capito	Grimm	McClintock
Carter	Guinta	McCotter
Cassidy	Guthrie	McHenry
Chabot	Hall	McKeon
Chaffetz	Hanna	McKinley
Coble	Harper	McMorris
Coffman (CO)	Harris	Rodgers
Cole	Hartzler	Meehan
Conaway	Hastings (WA)	Mica
Cravaack	Hayworth	Miller (FL)
Crawford	Heck	Miller (MI)
Crenshaw	Hensarling	Miller, Gary
Culberson	Herger	Mulvaney
Davis (KY)	Herrera Beutler	Murphy (PA)
Denham	Huelskamp	Myrick
Dent	Huizenga (MI)	Neugebauer
DesJarlais	Hultgren	Noem

Nugent	Rogers (MI)	Stearns
Nunes	Rohrabacher	Stivers
Nunnelee	Rokita	Stutzman
Olson	Rooney	Sullivan
Palazzo	Ros-Lehtinen	Terry
Paulsen	Roskam	Thompson (PA)
Pearce	Ross (FL)	Thornberry
Pence	Royce	Tiberi
Petri	Runyan	Tipton
Pitts	Ryan (WI)	Turner (NY)
Platts	Scalise	Turner (OH)
Poe (TX)	Schilling	Upton
Pompeo	Schmidt	Walberg
Posey	Schock	Walden
Price (GA)	Schweikert	Walsh (IL)
Quayle	Scott (SC)	Webster
Reed	Scott, Austin	West
Rehberg	Sensenbrenner	Westmoreland
Reichert	Sessions	Whitfield
Renacci	Shimkus	Wilson (SC)
Ribble	Shuler	Wittman
Rigell	Shuster	Wolf
Rivera	Simpson	Womack
Roby	Smith (NE)	Yoder
Roe (TN)	Smith (NJ)	Young (FL)
Rogers (AL)	Smith (TX)	Young (IN)
Rogers (KY)	Southerland	

NAYS—178

Ackerman	Fattah	Napolitano
Altmire	Frank (MA)	Neal
Andrews	Fudge	Olver
Baca	Garamendi	Owens
Baldwin	Gonzalez	Pallone
Barrow	Green, Al	Pascarell
Bass (CA)	Green, Gene	Pastor (AZ)
Becerra	Grijalva	Pelosi
Berkley	Gutierrez	Perlmutter
Berman	Hahn	Peters
Bishop (GA)	Hanabusa	Peterson
Bishop (NY)	Hastings (FL)	Pingree (ME)
Blumenauer	Heinrich	Polis
Bonamici	Higgins	Price (NC)
Boren	Himes	Quigley
Boswell	Hinches	Rahall
Brady (PA)	Hinojosa	Reyes
Braley (IA)	Hirono	Richardson
Brown (FL)	Hochul	Richmond
Butterfield	Holden	Ross (AR)
Capps	Holt	Rothman (NJ)
Capuano	Honda	Royal-Allard
Cardoza	Hoyer	Ruppersberger
Carnahan	Israel	Rush
Carney	Johnson (GA)	Ryan (OH)
Carson (IN)	Johnson, E. B.	Sánchez, Linda
Castor (FL)	T.	Sarbanes
Chandler	Keating	Schakowsky
Chu	Kildee	Schiff
Cicilline	Kind	Schrader
Clarke (MI)	Kissell	Schwartz
Clarke (NY)	Kucinich	Scott (VA)
Clay	Langevin	Scott, David
Cleaver	Larsen (WA)	Serrano
Clyburn	Larson (CT)	Sewell
Cohen	Lee (CA)	Sherman
Connolly (VA)	Lewis (GA)	Sires
Conyers	Lipinski	Slaughter
Cooper	Loeb	Smith (WA)
Costa	Loeb	Stark
Courtney	Lofgren, Zoe	Stutson
Critz	Lujan	Thompson (CA)
Crowley	Lynch	Thompson (MS)
Cuellar	Maloney	Tierney
Cummings	Markey	Tonko
Davis (CA)	Matheson	Tsongas
Davis (IL)	Matsui	Van Hollen
DeFazio	McCarthy (NY)	Velázquez
DeGette	McCollum	Vislousky
DeLauro	McDermott	Walz (MN)
Deutch	McGovern	Wasserman
Dicks	McIntyre	Schultz
Dingell	McNerney	Waters
Doggett	Michaud	Watt
Donnelly (IN)	Miller (NC)	Waxman
Doyle	Miller, George	Welch
Edwards	Moran	Wilson (FL)
Ellison	Murphy (CT)	Woolsey
Eshoo	Nadler	Yarmuth
Farr		

NOT VOTING—16

Black	Jackson (IL)	Meeks
Costello	Jackson Lee	Moore
Engel	(TX)	Paul
Filner	Mack	

Rangel Speier
Sanchez, Loretta Towns

Woodall
Young (AK)

□ 1029

Mr. PASCARELL changed his vote from “yea” to “nay.”

Messrs. PEARCE and ROKITA changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mrs. BLACK. Mr. Speaker, on rollcall No. 146 I was inadvertently detained in a meeting. Had I been present, I would have voted “yea.”

Stated against:

Ms. JACKSON LEE of Texas. Mr. Speaker, on rollcall No. 146 for H.R. 4281, I was detained because of meeting with constituents to allow the Senate Transportation bill to come to the Floor to save jobs and support new construction for transportation and infrastructure. Had I been present, I would have voted “nay.”

Mr. FILNER. Mr. Speaker, on rollcall 146, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1030

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 4281.

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

There was no objection.

Mr. MICA. Mr. Speaker, pursuant to House Resolution 600, I call up the bill (H.R. 4281) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 600, the bill is considered read.

The text of the bill is as follows:

H.R. 4281

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; RECONCILIATION OF FUNDS; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Surface Transportation Extension Act of 2012”.

(b) RECONCILIATION OF FUNDS.—The Secretary of Transportation shall reduce the amount apportioned or allocated for a program, project, or activity under this Act in fiscal year 2012 by amounts apportioned or allocated pursuant to the Surface Transportation Extension Act of 2011, Part II (title I of Public Law 112-30) for the period begin-

ning on October 1, 2011, and ending on March 31, 2012.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; reconciliation of funds; table of contents.

TITLE I—FEDERAL-AID HIGHWAYS

Sec. 101. Extension of Federal-aid highway programs.

TITLE II—EXTENSION OF HIGHWAY SAFETY PROGRAMS

Sec. 201. Extension of National Highway Traffic Safety Administration highway safety programs.

Sec. 202. Extension of Federal Motor Carrier Safety Administration programs.

Sec. 203. Additional programs.

TITLE III—PUBLIC TRANSPORTATION PROGRAMS

Sec. 301. Allocation of funds for planning programs.

Sec. 302. Special rule for urbanized area formula grants.

Sec. 303. Allocating amounts for capital investment grants.

Sec. 304. Apportionment of formula grants for other than urbanized areas.

Sec. 305. Apportionment based on fixed guideway factors.

Sec. 306. Authorizations for public transportation.

Sec. 307. Amendments to SAFETEA-LU.

TITLE IV—HIGHWAY TRUST FUND EXTENSION

Sec. 401. Extension of trust fund expenditure authority.

Sec. 402. Extension of highway-related taxes.

TITLE I—FEDERAL-AID HIGHWAYS

SEC. 101. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 111 of the Surface Transportation Extension Act of 2011, Part II (Public Law 112-30; 125 Stat. 343) is amended—

(1) by striking “the period beginning on October 1, 2011, and ending on March 31, 2012,” each place it appears and inserting “the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(2) by striking “ $\frac{1}{2}$ ” each place it appears and inserting “ $\frac{3}{4}$ ”; and

(3) in subsection (a) by striking “March 31, 2012” and inserting “June 30, 2012”.

(b) USE OF FUNDS.—Section 111(c)(3)(B)(ii) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 343) is amended by striking “\$319,500,000” and inserting “\$479,250,000”.

(c) EXTENSION OF AUTHORIZATIONS UNDER TITLE V OF SAFETEA-LU.—Section 111(e)(2) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 343) is amended by striking “the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(d) ADMINISTRATIVE EXPENSES.—Section 112(a) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 346) is amended by striking “\$196,427,625 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “\$294,641,438 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

TITLE II—EXTENSION OF HIGHWAY SAFETY PROGRAMS

SEC. 201. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2001(a)(1) of SAFETEA-LU (119 Stat. 1519) is amended by striking

“\$235,000,000 for fiscal year 2009” and all that follows through the period at the end and inserting “\$235,000,000 for each of fiscal years 2009 through 2011, and \$176,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2001(a)(2) of SAFETEA-LU (119 Stat. 1519) is amended by striking “and \$54,122,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “and \$81,183,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(c) OCCUPANT PROTECTION INCENTIVE GRANTS.—Section 2001(a)(3) of SAFETEA-LU (119 Stat. 1519) is amended by striking “\$25,000,000 for fiscal year 2006” and all that follows through the period at the end and inserting “\$25,000,000 for each of fiscal years 2006 through 2011, and \$18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(d) SAFETY BELT PERFORMANCE GRANTS.—Section 2001(a)(4) of SAFETEA-LU (119 Stat. 1519) is amended by striking “and \$24,250,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “and \$36,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(e) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—Section 2001(a)(5) of SAFETEA-LU (119 Stat. 1519) is amended by striking “for fiscal year 2006” and all that follows through the period at the end and inserting “for each of fiscal years 2006 through 2011 and \$25,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(f) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANT PROGRAM.—Section 2001(a)(6) of SAFETEA-LU (119 Stat. 1519) is amended by striking “\$139,000,000 for fiscal year 2009” and all that follows through the period at the end and inserting “\$139,000,000 for each of fiscal years fiscal years 2009 through 2011, and \$104,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(g) NATIONAL DRIVER REGISTER.—Section 2001(a)(7) of SAFETEA-LU (119 Stat. 1520) is amended by striking “and \$2,058,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “and \$3,087,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(h) HIGH VISIBILITY ENFORCEMENT PROGRAM.—Section 2001(a)(8) of SAFETEA-LU (119 Stat. 1520) is amended by striking “for fiscal year 2006” and all that follows through the period at the end and inserting “for each of fiscal years 2006 through 2011 and \$21,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(i) MOTORCYCLIST SAFETY.—Section 2001(a)(9) of SAFETEA-LU (119 Stat. 1520) is amended by striking “\$7,000,000 for fiscal year 2009” and all that follows through the period at the end and inserting “\$7,000,000 for each of fiscal years 2009 through 2011, and \$5,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(j) CHILD SAFETY AND CHILD BOOSTER SEAT SAFETY INCENTIVE GRANTS.—Section 2001(a)(10) of SAFETEA-LU (119 Stat. 1520) is amended by striking “\$7,000,000 for fiscal year 2009” and all that follows through the period at the end and inserting “\$7,000,000 for each of fiscal years 2009 through 2011, and \$5,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(k) ADMINISTRATIVE EXPENSES.—Section 2001(a)(11) of SAFETEA-LU (119 Stat. 1520) is amended by striking “and \$12,664,000 for the

period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “and \$18,996,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

SEC. 202. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(8) of title 49, United States Code, is amended to read as follows:

“(8) \$159,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1)(H) of title 49, United States Code, is amended to read as follows:

“(H) \$183,108,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(c) GRANT PROGRAMS.—Section 4101(c) of SAFETEA-LU (119 Stat. 1715) is amended—

(1) in paragraph (1) by striking “2011 and \$15,000,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and \$22,500,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(2) in paragraph (2) by striking “2011 and \$16,000,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and \$24,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(3) in paragraph (3) by striking “2011 and \$2,500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and \$3,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(4) in paragraph (4) by striking “2011 and \$12,500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and \$18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(5) in paragraph (5) by striking “2011 and \$1,500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and \$2,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking “2011 and \$7,500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and \$11,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking “and up to \$14,500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “and up to \$21,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA-LU (119 Stat. 1741) is amended by striking “2011 (and \$500,000 to the Federal Motor Carrier Safety Administration, and \$1,500,000 to the National Highway Traffic Safety Administration, for the period beginning on October 1, 2011, and ending on March 31, 2012)” and inserting “2011 (and \$750,000 to the Federal Motor Carrier Safety Administration, and \$2,250,000 to the National Highway Traffic Safety Administration, for the period beginning on October 1, 2011, and ending on June 30, 2012)”.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA-LU (119 Stat. 1744) is amended by striking “2011 and \$500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and

\$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(h) MOTOR CARRIER SAFETY ADVISORY COMMITTEE.—Section 4144(d) of SAFETEA-LU (119 Stat. 1748) is amended by striking “March 31, 2012” and inserting “June 30, 2012”.

(i) WORKING GROUP FOR DEVELOPMENT OF PRACTICES AND PROCEDURES TO ENHANCE FEDERAL-STATE RELATIONS.—Section 4213(d) of SAFETEA-LU (49 U.S.C. 14710 note; 119 Stat. 1759) is amended by striking “March 31, 2012” and inserting “June 30, 2012”.

SEC. 203. ADDITIONAL PROGRAMS.

(a) HAZARDOUS MATERIALS RESEARCH PROJECTS.—Section 7131(c) of SAFETEA-LU (119 Stat. 1910) is amended by striking “2011 and \$580,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and \$870,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(b) DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a) by striking “2011 and for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(2) in the first sentence of subsection (b)(1)(A) by striking “2011 and for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

TITLE III—PUBLIC TRANSPORTATION PROGRAMS

SEC. 301. ALLOCATION OF FUNDS FOR PLANNING PROGRAMS.

Section 5305(g) of title 49, United States Code, is amended by striking “2011 and for the period beginning on October 1, 2011, and ending on March 31, 2012” and inserting “2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012”.

SEC. 302. SPECIAL RULE FOR URBANIZED AREA FORMULA GRANTS.

Section 5307(b)(2) of title 49, United States Code, is amended—

(1) by striking the paragraph heading and inserting “SPECIAL RULE FOR FISCAL YEARS 2005 THROUGH 2011 AND THE PERIOD BEGINNING ON OCTOBER 1, 2011, AND ENDING ON JUNE 30, 2012.—”; and

(2) in subparagraph (A) by striking “2011 and the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(3) in subparagraph (E)—

(A) by striking the subparagraph heading and inserting “MAXIMUM AMOUNTS IN FISCAL YEARS 2008 THROUGH 2011 AND THE PERIOD BEGINNING ON OCTOBER 1, 2011, AND ENDING ON JUNE 30, 2012.—”; and

(B) in the matter preceding clause (i) by striking “2011 and during the period beginning on October 1, 2011, and ending on March 31, 2012” and inserting “2011 and during the period beginning on October 1, 2011, and ending on June 30, 2012”.

SEC. 303. ALLOCATING AMOUNTS FOR CAPITAL INVESTMENT GRANTS.

Section 5309(m) of title 49, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking the paragraph heading and inserting “FISCAL YEARS 2006 THROUGH 2011 AND THE PERIOD BEGINNING ON OCTOBER 1, 2011, AND ENDING ON JUNE 30, 2012.—”; and

(B) in the matter preceding subparagraph (A) by striking “2011 and the period begin-

ning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(C) in subparagraph (A)(i) by striking “2011 and \$100,000,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and \$150,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(2) in paragraph (6)—

(A) in subparagraph (B) by striking “2011 and \$7,500,000 shall be available for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and \$11,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(B) in subparagraph (C) by striking “2011 and \$2,500,000 shall be available for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and \$3,750,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(3) in paragraph (7)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i) by striking “2011 and \$5,000,000 shall be available for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “2011 and \$7,500,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(ii) in clause (i) by striking “for each fiscal year and \$1,250,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “for each fiscal year and \$1,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(iii) in clause (ii) by striking “for each fiscal year and \$1,250,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “for each fiscal year and \$1,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(iv) in clause (iii) by striking “for each fiscal year and \$500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “for each fiscal year and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(v) in clause (iv) by striking “for each fiscal year and \$500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “for each fiscal year and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(vi) in clause (v) by striking “for each fiscal year and \$500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “for each fiscal year and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(vii) in clause (vi) by striking “for each fiscal year and \$500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “for each fiscal year and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(viii) in clause (vii) by striking “for each fiscal year and \$325,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “for each fiscal year and \$487,500 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(ix) in clause (viii) by striking “for each fiscal year and \$175,000 for the period beginning on October 1, 2011, and ending on March 31, 2012.” and inserting “for each fiscal year and \$262,500 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(B) in subparagraph (B) by striking clause (vii) and inserting the following:

“(vii) \$10,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(C) in subparagraph (C) by striking “and during the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “and during the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(D) in subparagraph (D) by striking “and not less than \$17,500,000 shall be available for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “and not less than \$26,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(E) in subparagraph (E) by striking “and \$1,500,000 shall be available for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “and \$2,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

SEC. 304. APPORTIONMENT OF FORMULA GRANTS FOR OTHER THAN URBANIZED AREAS.

Section 5311(c)(1)(G) of title 49, United States Code, is amended to read as follows:

“(G) \$11,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

SEC. 305. APPORTIONMENT BASED ON FIXED GUIDEWAY FACTORS.

Section 5337(g) of title 49, United States Code, is amended to read as follows:

“(g) SPECIAL RULE FOR OCTOBER 1, 2011, THROUGH JUNE 30, 2012.—The Secretary shall apportion amounts made available for fixed guideway modernization under section 5309 for the period beginning on October 1, 2011, and ending on June 30, 2012, in accordance with subsection (a), except that the Secretary shall apportion 75 percent of each dollar amount specified in subsection (a).”.

SEC. 306. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA AND BUS GRANTS.—Section 5338(b) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking subparagraph (G) and inserting the following:

“(G) \$6,270,423,750 for the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(2) in paragraph (2)—

(A) in subparagraph (A) by striking “\$113,500,000 for each of fiscal years 2009 and 2010, \$113,500,000 for fiscal year 2011, and \$56,750,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “\$113,500,000 for each of fiscal years 2009 through 2011, and \$85,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(B) in subparagraph (B) by striking “\$4,160,365,000 for each of fiscal years 2009 and 2010, \$4,160,365,000 for fiscal year 2011, and \$2,080,182,500 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “\$4,160,365,000 for each of fiscal years 2009 through 2011, and \$3,120,273,750 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(C) in subparagraph (C) by striking “\$51,500,000 for each of fiscal years 2009 and 2010, \$51,500,000 for fiscal year 2011, and \$25,750,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “\$51,500,000 for each of fiscal years 2009 through 2011, and \$38,625,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(D) in subparagraph (D) by striking “\$1,666,500,000 for each of fiscal years 2009 and 2010, \$1,666,500,000 for fiscal year 2011, and \$833,250,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,”

and inserting “\$1,666,500,000 for each of fiscal years 2009 through 2011, and \$1,249,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(E) in subparagraph (E) by striking “\$984,000,000 for each of fiscal years 2009 and 2010, \$984,000,000 for fiscal year 2011, and \$492,000,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “\$984,000,000 for each of fiscal years 2009 through 2011, and \$738,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(F) in subparagraph (F) by striking “\$133,500,000 for each of fiscal years 2009 and 2010, \$133,500,000 for fiscal year 2011, and \$66,750,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “\$133,500,000 for each of fiscal years 2009 through 2011, and \$100,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(G) in subparagraph (G) by striking “\$465,000,000 for each of fiscal years 2009 and 2010, \$465,000,000 for fiscal year 2011, and \$232,500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “\$465,000,000 for each of fiscal years 2009 through 2011, and \$348,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(H) in subparagraph (H) by striking “\$164,500,000 for each of fiscal years 2009 and 2010, \$164,500,000 for fiscal year 2011, and \$82,250,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “\$164,500,000 for each of fiscal years 2009 through 2011, and \$123,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(I) in subparagraph (I) by striking “\$92,500,000 for each of fiscal years 2009 and 2010, \$92,500,000 for fiscal year 2011, and \$46,250,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “\$92,500,000 for each of fiscal years 2009 through 2011, and \$69,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(J) in subparagraph (J) by striking “\$26,900,000 for each of fiscal years 2009 and 2010, \$26,900,000 for fiscal year 2011, and \$13,450,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “\$26,900,000 for each of fiscal years 2009 through 2011, and \$20,175,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(K) in subparagraph (K) by striking “in fiscal year 2006” and all that follows through “March 31, 2012,” and inserting “for each of fiscal years 2006 through 2011 and \$2,625,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(L) in subparagraph (L) by striking “in fiscal year 2006” and all that follows through “March 31, 2012,” and inserting “for each of fiscal years 2006 through 2011 and \$18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(M) in subparagraph (M) by striking “\$465,000,000 for each of fiscal years 2009 and 2010, \$465,000,000 for fiscal year 2011, and \$232,500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “\$465,000,000 for each of fiscal years 2009 through 2011, and \$348,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(N) in subparagraph (N) by striking “\$8,800,000 for each of fiscal years 2009 and 2010, \$8,800,000 for fiscal year 2011, and \$4,400,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and in-

serting “\$8,800,000 for each of fiscal years 2009 through 2011, and \$6,600,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(b) CAPITAL INVESTMENT GRANTS.—Section 5338(c)(7) of title 49, United States Code, is amended to read as follows:

“(7) \$1,466,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(c) RESEARCH AND UNIVERSITY RESEARCH CENTERS.—Section 5338(d) of title 49, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “and 2010, \$69,750,000 for fiscal year 2011, and \$29,500,000 for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “through 2011, and \$33,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(2) by striking paragraph (3) and inserting the following:

“(3) ADDITIONAL AUTHORIZATIONS.—

“(A) RESEARCH.—Of amounts authorized to be appropriated under paragraph (1) for the period beginning on October 1, 2011, and ending on June 30, 2012, the Secretary shall allocate for each of the activities and projects described in subparagraphs (A) through (F) of paragraph (1) an amount equal to 47 percent of the amount allocated for fiscal year 2009 under each such subparagraph.

“(B) UNIVERSITY CENTERS PROGRAM.—

“(i) OCTOBER 1, 2011, THROUGH JUNE 30, 2012.—Of the amounts allocated under subparagraph (A)(i) for the university centers program under section 5506 for the period beginning on October 1, 2011, and ending on June 30, 2012, the Secretary shall allocate for each program described in clauses (i) through (iii) and (v) through (viii) of paragraph (2)(A) an amount equal to 47 percent of the amount allocated for fiscal year 2009 under each such clause.

“(ii) FUNDING.—If the Secretary determines that a project or activity described in paragraph (2) received sufficient funds in fiscal year 2011, or a previous fiscal year, to carry out the purpose for which the project or activity was authorized, the Secretary may not allocate any amounts under clause (i) for the project or activity for fiscal year 2012 or any subsequent fiscal year.”.

(d) ADMINISTRATION.—Section 5338(e)(7) of title 49, United States Code, is amended to read as follows:

“(7) \$74,034,750 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

SEC. 307. AMENDMENTS TO SAFETEA-LU.

(a) CONTRACTED PARATRANSIT PILOT.—Section 3009(i)(1) of SAFETEA-LU (119 Stat. 1572) is amended by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(b) PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.—Section 3011 of SAFETEA-LU (49 U.S.C. 5309 note; 119 Stat. 1588) is amended—

(1) in subsection (c)(5) by striking “2011 and the period beginning on October 1, 2011, and ending on March 31, 2012” and inserting “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(2) in the second sentence of subsection (d) by striking “2011 and the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(c) ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES PILOT PROGRAM.—Section 3012(b)(8) of SAFETEA-LU (49 U.S.C. 5310

note; 119 Stat. 1593) is amended by striking “March 31, 2012” and inserting “June 30, 2012”.

(d) OBLIGATION CEILING.—Section 3040(8) of SAFETEA-LU (119 Stat. 1639) is amended to read as follows:

“(8) \$7,843,708,500 for the period beginning on October 1, 2011, and ending on June 30, 2012, of which not more than \$6,270,423,750 shall be from the Mass Transit Account.”.

(e) PROJECT AUTHORIZATIONS FOR NEW FIXED GUIDEWAY CAPITAL PROJECTS.—Section 3043 of SAFETEA-LU (119 Stat. 1640) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “2011 and the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,”; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking “2011 and the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,”.

(f) ALLOCATIONS FOR NATIONAL RESEARCH AND TECHNOLOGY PROGRAMS.—Section 3046(c)(2) of SAFETEA-LU (49 U.S.C. 5338 note; 119 Stat. 1706) is amended to read as follows:

“(2) for the period beginning on October 1, 2011, and ending on June 30, 2012, in amounts equal to 47 percent of the amounts allocated for fiscal year 2009 under each of paragraphs (2), (3), (5), and (8) through (25) of subsection (a).”.

TITLE IV—HIGHWAY TRUST FUND EXTENSION

SEC. 401. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking “April 1, 2012” in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting “July 1, 2012”; and

(2) by striking “Surface Transportation Extension Act of 2011, Part II” in subsections (c)(1) and (e)(3) and inserting “Surface Transportation Extension Act of 2012”.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking “Surface Transportation Extension Act of 2011, Part II” each place it appears in subsection (b)(2) and inserting “Surface Transportation Extension Act of 2012”; and

(2) by striking “April 1, 2012” in subsection (d)(2) and inserting “July 1, 2012”.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of such Code is amended by striking “April 1, 2012” and inserting “July 1, 2012”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2012.

SEC. 402. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking “March 31, 2012” and inserting “June 30, 2012”:

- (A) Section 4041(a)(1)(C)(iii)(I).
- (B) Section 4041(m)(1)(B).
- (C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking “April 1, 2012” and inserting “July 1, 2012”:

- (A) Section 4041(m)(1)(A).
- (B) Section 4051(c).
- (C) Section 4071(d).

(D) Section 4081(d)(3).

(b) EXTENSION OF TAX, ETC., ON USE OF CERTAIN HEAVY VEHICLES.—Each of the following provisions of such Code is amended by striking “2012” and inserting “2013”:

(1) Section 4481(f).

(2) Subsections (c)(4) and (d) of section 4482.

(c) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of such Code is amended—

(1) by striking “April 1, 2012” each place it appears and inserting “July 1, 2012”;

(2) by striking “September 30, 2012” each place it appears and inserting “December 31, 2012”; and

(3) by striking “July 1, 2012” and inserting “October 1, 2012”.

(d) EXTENSION OF CERTAIN EXEMPTIONS.—Sections 4221(a) and 4483(i) of such Code are each amended by striking “April 1, 2012” and inserting “July 1, 2012”.

(e) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—

(1) IN GENERAL.—Section 9503 of such Code is amended—

(A) in subsection (b)—

(i) by striking “April 1, 2012” each place it appears in paragraphs (1) and (2) and inserting “July 1, 2012”; and

(ii) by striking “APRIL 1, 2012” in the heading of paragraph (2) and inserting “JULY 1, 2012”;

(iii) by striking “March 31, 2012” in paragraph (2) and inserting “June 30, 2012”; and

(iv) by striking “January 1, 2013” in paragraph (2) and inserting “April 1, 2013”;

(B) in subsection (c)(2), by striking “January 1, 2013” and inserting “April 1, 2013”.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking “April 1, 2012” and inserting “July 1, 2012”.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 201(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4607 11(b)) is amended—

(i) by striking “April 1, 2013” each place it appears and inserting “July 1, 2013”; and

(ii) by striking “April 1, 2012” and inserting “July 1, 2012”.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2012.

The SPEAKER pro tempore. The gentleman from Florida (Mr. MICA) and the gentleman from West Virginia (Mr. RAHALL) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Speaker, first I yield myself as much time as I may consume.

Mr. Speaker, and my colleagues, we know why we're here. We are here to pass a responsible extension so that people across America can go to work, that we can finish a long-term transportation bill, and that we can be responsible stewards of the trust which the taxpayers and the citizens of America sent us here for.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, March 29, 2012.

Hon. JOHN MICA,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MICA: I am writing concerning H.R. 4281, the “Surface Transpor-

tation Extension Act of 2012,” which is scheduled for floor consideration this week.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code. Title IV of this bill amends the Internal Revenue Code of 1986 by extending the current Highway Trust Fund expenditure authority and the associated Federal excise taxes to June 30, 2012. However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 4281, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, March 29, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4281, the “Surface Transportation Extension Act of 2012.” The Committee on Transportation and Infrastructure recognizes the Committee on Ways and Means has a jurisdictional interest in H.R. 4281, and I appreciate your effort to facilitate consideration of this bill.

I also concur with you that forgoing action on this bill does not in any way prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will include our letters on H.R. 4281 in the Congressional Record during floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation and I look forward to working with the Committee on Ways and Means as the bill moves through the legislative process.

Sincerely,

JOHN L. MICA,
Chairman.

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

Mr. Speaker, the pending legislation before this body today, at the eleventh hour, as a result of a tortuous process—excuse me, it's not been a process at all, but rather a series of stalled starts, retreats, and the failure by the Republican leadership to seize upon a reasonable solution to reauthorizing our Nation's transportation surface programs.

At first, the Speaker stated this was a jobs bill. Almost as soon as the words were out of his mouth, he countered himself by saying that investing in America's infrastructure has nothing to do with jobs at all. Nothing to do with jobs at all.

What came about then was a scheme to produce a 5-year reauthorization bill

coupled with that universal House Republican answer to all ills, which is to open up ANWR to drilling, drill, baby, drill, and then attempt to pay for some of the proposal on the backs of working-class Americans.

The surface transportation portion, H.R. 7, proposed to slash \$15.8 billion in highway funding to the States, destroying 550,000 American family-wage jobs over the coming years. Investment in roads, highways, and bridges would retrench in all but five States.

The Republican leadership also proposed to shift public transit revenue to highways and then bail out transit with a one-time transfer of \$40 billion from the general fund, while robbing middle class Americans to pay for the shuffle.

This is an idea that would make even the most hardened con artist green with envy. It is a shell game. It's a shell game, but it has no place in the hallowed Halls of Congress. It is a shell game, and it is a sham.

But it was not Democrats who took this ill-advised proposal down; it was Republicans. Over the course of 6 weeks, they caucused, they corralled, and they contorted themselves in trying to obtain 218 votes to pass H.R. 7. And they could not, which brings us to this week, when the Republican leadership decided to bring up a 90-day extension bill under suspension of the rules in the form of H.R. 4239.

But when this legislation was called up on Tuesday, it was done so as a 60-day extension. The House debated this measure. I asked for a vote, and the vote was postponed. As far as I know, that request for a vote is still pending, even as we debate a different bill now.

Then another curious thing happened. According to the publication *Transportation Weekly* yesterday, and I quote:

After more discussion among themselves, Republican leaders order Mica to reintroduce the 60-day version of his extension as a stand-alone bill, which can then be considered by the Rules Committee.

That bill is H.R. 4276.

The *Transportation Weekly* article yesterday then noted, and I quote again:

After still more discussion among themselves, Republican leaders order Mica to reintroduce the 90-day version of the extension as a stand-alone bill, which can then be considered by the Rules Committee as well.

Confused? Anybody confused?

That bill is now H.R. 4281, which we are currently debating. Who knows what we'll be debating the next hour.

And yet, during the course of last and this week, the Republican leadership could have scheduled the bipartisan, non-controversial, Senate-passed bill for consideration by this body. It could have been brought up any time by the Speaker, passed by this body in a bipartisan fashion, signed into law.

I make these points to illustrate the fast and loose means by which the Re-

publican leadership has been dealing with an extremely serious matter. Instead they're spinning their wheels in pursuit of the ill-conceived H.R. 7, which slashes investments in Federal aid to highways by \$15.8 billion from current levels at a time when more spending is needed to address structurally deficient bridges and maintain our highway system.

H.R. 7 reduces highway funding to all but five States.

H.R. 7 guts America's commitment to transit by a sleight-of-hand move that siphons away a portion of gas taxes which are dedicated to transit funding and instead proposes to fund transit with general revenue funds which is offset on the backs of workers.

H.R. 7 contains a bogus pay-for by linking opening up ANWR and changes in OCS oil and gas leasing, which only produce \$4.3 billion over a 10-year period.

H.R. 7 continues to send American dollars and jobs overseas through the inclusion of a "Buy America Light" requirement that does not fully cover transit rolling stock, Amtrak, and the Federal railroad loan program, while failing to crack down on DOT's waiver authority.

H.R. 7 places a roadblock on public participation in reviewing transportation projects by limiting and, in certain cases, outright waiving NEPA.

And H.R. 7 eliminates OSHA protections for hazmat workers and allows bad actors to continue to receive hazmat compliance exemptions.

So this body could have considered and passed the other body's bipartisan bill, which passed that body by a vote of 74-22. That's half of the Republican Members in the other body, and we know how difficult it is to get that other body to get 60 votes to cut off debate on any resolution or any bill. Even one saying "I love Mother" would be hard to pass in that other body. Yet, for a transportation bill, they came up with 72 votes.

That bill continues current funding levels, sustaining approximately 1.9 million jobs. The States will receive \$3.8 billion more in highway construction funding than H.R. 7 over the course of 2 years.

The Senate bipartisan bill eliminates many of the gaping loopholes in current law by American requirements, loopholes that are being exploited by foreign competitors like China, who are stealing American jobs.

The Senate bipartisan bill does not contain poison pills like H.R. 7, such as provisions to strip OSHA requirements for hazmat workers and efforts to finance highway construction on the backs of middle class workers.

I would note, Mr. Speaker, that we have tried, we have tried by every means available to us on this side of the aisle, to have this Senate-passed bill brought up for consideration in the

House, and not just through procedural motions. Yesterday, Representatives DEFAZIO, CORRINE BROWN, TIM BISHOP, and myself submitted that measure to the Rules Committee, asking them to make it in order as an amendment to the pending measure so we could vote on it today. We were denied.

Instead, we are on the floor today with the Republican leadership proposal to kick the can down the road for another 90 days so they can try to convince their conference to support something they have not been able to do over the last 6 weeks.

□ 1040

The fact of the matter is we need to be investing more, not less, if we are to keep pace with China, India, and our other international competitors. Today China spends 9 percent of its GDP per year on infrastructure. India spends 5 percent. The U.S. only invests 1.9 percent.

While our competitors are moving forward, the inability of the Republican leadership to reach out across party lines to House Democrats to address this bill is leaving America stuck in a ditch and putting American businesses at a disadvantage with companies around the world.

In 2008, a blue ribbon commission established as a result of the last multiyear surface transportation bill reported that the Federal Government must invest a minimum of \$62 billion a year just to maintain the Nation's roads and bridges in their present inadequate condition.

This bill comes nowhere close to that. Instead, it leads America down the opposite path. President Lyndon B. Johnson once said: "In large measure, America's history is a history of her transportation."

I say let us seize the moment and move forward without procedural gimmicks, without partisan brinkmanship, and do what is right for America, for the American worker, for American families, and for American values.

I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I yield myself 30 seconds, and then I would like to yield 2 minutes to the chair of the Highway Subcommittee, Mr. DUNCAN.

Mr. Speaker, my colleagues, let's just deal with the facts. The fact is that the Democrats had six amendments—1 month, 1.5 months, 2.5 months, 1 month, 9 months, and 2 months—when they controlled the House of Representatives and the Senate by huge majorities, and the White House. They couldn't even get it through committee. They could not get it through committee. These are the facts.

LIST OF TRANSPORTATION EXTENSIONS

Extension #1: A Democratic controlled House passed extension with a duration of 1-month from 10/01/2009 to 10/31/2009.

Extension #2: A Democratic controlled House passed extension with a duration of 1.5-months from 11/01/2009 to 12/18/2009.

Extension #3: A Democratic controlled House passed extension with a duration of 2.5-months from 12/19/2009 to 2/28/2010.

Extension #4: A Democratic controlled House passed extension with a duration of 1-month from 3/01/2010 to 3/28/2010.

Extension #5: A Democratic controlled House passed extension with a duration of 9-months from 3/29/2010 to 12/31/2010.

Extension #6: A Democratic controlled House passed extension with a duration of 2-months from 1/01/2011 to 3/04/2011.

Extension #7: A Republican controlled House passed extension with a duration of 7-months from 3/05/2011 to 9/30/2011.

Extension #8: A Republican controlled House passed extension with a duration of 6-months from 10/01/2011 to 3/31/2012.

Mr. DUNCAN of Tennessee. I thank the gentleman for yielding me this time.

Mr. Speaker, let me just say that Chairman MICA has performed great leadership of the Transportation and Infrastructure Committee, and he has tried in every way possible to work with everybody he possibly could. His task has been made much more difficult by the rule prohibiting earmarks. And as he just mentioned, the other side couldn't bring a bill out of committee and to this floor, a highway bill, in the last Congress when they controlled the House, the Senate, the White House, and still allowed earmarks. So we're in a very difficult situation at this point, and that's why we're here today asking for this 90-day extension.

H.R. 4281 extends the surface transportation programs through June 30 at funding levels consistent with fiscal year 2012. The transportation appropriations bill passed in November. This extension is clean and does not add any policy provisions. Without this extension, the transit and highway safety programs are set to expire this Saturday. This legislation will allow these programs to continue to operate as the spring construction season kicks off.

If Congress fails to pass this extension by Saturday, it will cost the highway trust fund about \$1 billion a week in lost revenue and put the brakes on 134,000 highway projects and 5,700 transit projects across the Nation. States that seek to be reimbursed for their Federal aid for highway and transit projects would be unable to receive Federal funds for the work they have completed. The Federal Highway Administration would furlough 3,500 of their employees, and work on environmental permits and project approvals for new construction projects would come to a screeching halt. Over 280,000 construction workers, Mr. Speaker, working on highway and bridge projects today could lose their jobs if Congress cannot pass this extension.

This country simply cannot afford a loss of such a magnitude during our tenuous road to economic recovery. Time magazine has a cover article this week describing our recovery as the wimpy recovery, and it's based primarily on pent-up demand.

We need to pass this extension so that we can work toward completing and finalizing H.R. 7, our long-term authorization reform bill.

Mr. RAHALL. Mr. Speaker, I yield at this time 4 minutes to the gentleman from Oregon (Mr. DEFAZIO), the distinguished ranking member on our Subcommittee on Highways and Transit.

Mr. DEFAZIO. This could or should be the most important jobs-creating bill in America, investing in our Nation's infrastructure, making our Nation more competitive in the international economy, more efficiently moving goods and people. The current system, a legacy of the 1950s, is falling apart.

The Republicans are telling us that this 90-day extension will be good for America. It will not be good for America because we have a better option before us. A bill passed by the United States Senate, a bipartisan bill, with 22 Republican Senators, half the Republican Senators supporting that bill, which would give us more funding without creating deficit and create more jobs than their pie-in-the-sky bill, H.R. 7, which they can't even get out of their own caucus here, because their own caucus is split.

There are a number of Republicans who do not believe we should have a national transportation system. They want to devolve it back to the States, go back to the pre-1950s.

The Speaker was forced to say to his caucus:

We are not making the claim that spending taxpayer money on transportation projects creates jobs. We don't make that claim, and we won't make that claim. What makes this a jobs bill is that it removes government barriers that are getting in the way of economic growth.

That's not what all the people engaged in rebuilding the Nation's infrastructure think. They think investment equals jobs. If we do this 90-day extension, the Association of General Contractors says that States will cut back from 50 percent to 40 percent of their planned projects because of the uncertainty created by this 90-day extension. We're going to lose half of the proposed projects this construction season around America, tens of thousands of jobs, needed investment because they've got a bunch of bozos in their caucus that don't believe we should have a national transportation system. They're fighting among themselves.

Give us a vote. Let us vote on the Senate bill.

It doesn't create deficit. It does create jobs. It does give us the investment we need.

The gentleman who spoke just before me, the gentleman from Tennessee, who is a good friend, under the bill they're trying to pry out of their caucus, which the Secretary of Transportation called the worst transportation

bill in history—and by the way, the Secretary is a Republican and served in this House for more than a decade. He says it's the worst bill ever in terms of policy and lack of investment. In the case of the gentleman from Tennessee, their H.R. 7, if they could get it out of caucus—and they can't—it would cost his State \$444 million over 5 years. That's lost investment. That's more than 10,000 jobs lost.

We have an opportunity today to take up a 2-year bill and provide certainty not only for construction jobs and for engineering jobs, but for people who manufacture construction equipment, for people with Made in America requirements who construct transportation equipment, our buses, our light rail, our streetcars, all the things that need building and replacing just for the existing system, let alone beginning to have a vision of building out a 21st century system. Our competitor nations around the world are doing it.

They are so dyspeptic on their side, they're arguing over whether or not the Federal Government should be involved in transportation. That's nuts. We settled that debate 60 years ago when Dwight David Eisenhower said this doesn't work. We have States building turnpikes that end in farmers' fields because the adjoining State couldn't afford to build their section of the turnpike. He said we need a coordinated national transportation policy.

We have an opportunity to improve on the one we have today by passing the Senate bill that does do some streamlining, it does do things that will help us spend the money more efficiently, and it maintains current levels of spending instead of reductions, and it does not have the uncertainty of a 90-day bill that is going to cost us half of the proposed projects this construction season.

Give us that chance. Let us have that vote. What are you afraid of? Are you afraid it might pass?

Mr. MICA. Mr. Speaker, I yield myself 45 seconds.

First of all, Mr. Speaker, I don't think it is appropriate that Members of my conference be referred to as bozos. I think that we have dedicated Americans, ladies and gentlemen, who serve this country and the Congress well.

The gentleman who just spoke on September 23, 2009, said:

Don't play politics with investments in our infrastructure, don't play politics with the economy, don't play politics with people's jobs, don't bring America to a screeching halt on October 1 and walk away from your obligation to extend this program.

Mr. Speaker, when they controlled the House in huge numbers, they could not pass that extension, nor could they pass, I'm told, any extension free-standing.

I reserve the balance of my time.

□ 1050

Mr. RAHALL. I yield 30 seconds to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I still agree with that quote. We shouldn't play politics. It has never been a partisan issue. You've made it into a partisan issue, and that quote was when you were opposing a 90-day extension and when I was saying don't play politics by opposing a 90-day extension at that point in time. But we're too far down the road. We didn't have an alternative then. We have an alternative now. Pass the Senate bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to address their remarks to the Chair.

Mr. MICA. I continue to reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I am honored to yield 2 minutes to the distinguished ranking member on the House Education and the Workforce Committee, the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, Americans all over the country know that our economy is improving, that the unemployment number is coming down, that people are finding jobs, that small businesses are doing better; but it's a very fragile recovery. That infrastructure bill that is waiting in the Senate, which was passed 74-22, is key to continuing the economic growth in this country for businesses, for families, and for people seeking jobs who have been laid off for a very long time.

But now what we see here today is a conscious decision. Rather than give the Obama administration and President Obama any help with the continuing growth in the economy, which these jobs would mean if we had a long-term extension of the highway bill for all across America, they've decided that they'll do a short-term extension. This is a party that has complained about uncertainty in the economy, about uncertainty in the business community—with a 90-day extension. Cities, counties, and State governments are going to have to rethink what they contract for—with a 90-day extension. There are those in the leadership who have already said, And then we'll need another 90 days. This construction season will be gone for equipment manufacturers, for engineers, for construction workers, all across the country in our local communities, who are in desperate need of infrastructure improvement.

But they've made a decision that they're going to fight President Obama with the jobs that belong to middle class Americans all across the country—jobs that people need today to feed their families. They've made a decision: inject uncertainty. Those contracts and those jobs won't be met, and that will somehow be a victory for the

Republicans in the House, but it will be a disaster for American families, for American workers, and for American businesses.

This kind of cold-blooded, political calculation to use the jobs of the American working people as political cannon fodder for your agenda in order to defeat the Obama administration is outrageous.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GEORGE MILLER of California. It should be rejected by your party, and it should be rejected by my party because, when you put American people's lives and their well-being and their family incomes and the economic growth in our communities on the line for this kind of partisanship, you should stop it. You should stop it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GEORGE MILLER of California. Mr. Speaker, you should stop banging the gavel, because this is a critical issue for the American people, for their families, for their livelihoods.

The SPEAKER pro tempore. The gentleman from California is no longer recognized.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Speaker, I would like to yield, at this time, 2 minutes to the chair of the Railroads Subcommittee, the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I wish the gentleman from California would have shown that kind of passion when the stimulus bill was passed 2 years ago and had come to the floor and said that the stimulus bill should be an infrastructure bill. There was only a very, very small portion—I think about \$68 billion of that \$800 billion stimulus package—that went to the infrastructure of this country. Where was the gentleman when that outrage was happening?

If you want real stimulation—and we believe this stimulates the economy in that this helps put concrete on our roads and repairs our bridges and puts people to work—this bill will do that, a 5-year bill. An 18-month bill is not going to put any kind of certainty out there. I correct myself. It will create certainty. The certainty is that it will bankrupt the trust fund in less than 2 years. Our bill that we've been trying to pass here, a 5-year bill, that's what the people back in the States want.

To the gentleman from Oregon, I'm surprised. He has been a long-time member of the T&I Committee and knows that a long-term transportation bill is better for the States, that it's better for the folks who build roads and employ people, and that that's what we need here. That's what we're trying to get at.

Mr. RAHALL. Will the gentleman yield?

Mr. SHUSTER. I will not yield to the gentleman from West Virginia. I know

the gentleman has plenty of time, and he can respond on his time.

This 90-day extension is a clean extension. It gives us the time to work on a 5-year bill. As I said, members on the Transportation and Infrastructure Committee know that a 5-year bill is something that would put certainty out there to the folks in the States—to the folks who are going to buy trucks, who are going to hire people, who are going to expand their businesses to build and rebuild these bridges and roads throughout the country. It doesn't make any sense to do an 18-month extension, which is basically what the Senate's bill does, and along the way bankrupt the trust fund.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman an additional 30 seconds.

Mr. SHUSTER. Our 5-year bill has significant reforms in it that will shorten the timeframe to build a highway. We all sit around here and we talk about streamlining government. That's what this bill does. It eliminates departments and consolidates departments in transportation, and it shortens the timeline of 14 to 15 years down to 7 to 8 years.

Now, it's tough to quantify the savings, but we all know that time is money. All of us have seen these projects that go on year, after year, after year. They balloon and they have cost overruns. This bill is going to solve a lot of those problems, so we need to pass this 90-day extension in order to be able to continue to work on a real solution to our infrastructure.

Mr. RAHALL. Mr. Speaker, I would remind the gentleman from Pennsylvania that the bill he is promoting, H.R. 7, means to his home State of Pennsylvania a cut of \$948 million, and it destroys some 32,983 good-paying jobs. For fiscal year 2016, in the State of Pennsylvania, the level of funding will be less than that for fiscal year 2004. That's what H.R. 7 would mean to the gentleman's home State of Pennsylvania.

Mr. SHUSTER. Will the gentleman yield?

Mr. RAHALL. You would not yield to me. I will not yield to you.

Mr. Speaker, I am proud to yield 3 minutes now to the gentleman from Missouri, a valued member of our committee, Mr. CARNAHAN.

Mr. CARNAHAN. I rise today in strong opposition to yet another lame, shortsighted extension of our surface transportation system.

I thank NICK RAHALL and PETER DEFAZIO for their staunch support of a real transportation-jobs bill.

This kick-the-can-down-the-road extension fails—it fails—to make progress in rebuilding America just at the time when our construction season is starting off this year. Our States and our local governments need certainty

to invest, to plan, to build America's infrastructure; and this ninth—yes, ninth—short-term extension only extends the uncertainty this Congress has repeatedly created.

In a bipartisan fashion, by a vote of 74-22—rare in the Senate these days—they passed a responsible 2-year, 2 million jobs bill that is a better path for the American people and the economy. This includes an estimated 36,500 jobs in my home State of Missouri. The construction sector and especially our building trades have been particularly hard-hit by this recession, with 1.9 million jobs lost at the depth of the recession. Currently, there are 1.4 million unemployed construction workers. Let's put them back to work.

I sit on the Transportation Committee where, 6 weeks ago, the Republican majority passed out a completely partisan transportation bill for the first time in history. Their bill would kill over a half a million jobs and cut investments in 45 States and in the District of Columbia, and it was dead on arrival in this House. So it is no surprise that here, 6 weeks later, we have not seen any action on the floor, because there is no support for their job-killing proposal. Now we're delaying again with yet another extension instead of taking up a true compromise passed by our colleagues in the Senate.

□ 1100

I was proud to be an original cosponsor when the Senate bill was introduced in the House as H.R. 14, and it's time the House take up that bipartisan bill. Let's pass it. Let's send it to the President.

Infrastructure is a national and urgent priority, and this body needs to start treating it that way. Infrastructure is one of the few areas where virtually everyone except the isolated, out-of-touch Republican majority agrees on what we need to do.

From the Chamber of Commerce to the AFL-CIO to everyone's transportation leaders back home, let's pass this bipartisan bill. Let's send it to the President's desk before the current transportation programs expire. It will bring the certainty that State and local governments need, that our construction industry, that our building trades are yearning for, are hungry for. They are hungry to go back to work.

I call on my colleagues to reject yet another short-term extension and pass H.R. 14, a 2-year, 2 million jobs bill to rebuild our crumbling infrastructure and put Americans back to work.

Mr. MICA. I yield 15 seconds to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman.

I dispute the gentleman from West Virginia's figures. Are we going to spend less? Yes, quite possibly. But we have to live within our means. And by

streamlining, I believe we'll spend that money out, and we'll create more jobs by streamlining.

Mr. RAHALL. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from New York (Mr. BISHOP) at this time, a valued member of our committee and the sponsor of H.R. 14, the other body's bipartisan transportation bill, which is twice as good as H.R. 7.

Mr. BISHOP of New York. I thank the gentleman for yielding.

Mr. Speaker, let me see if I have this right. Our Republican colleagues are telling us that we should forget about the 15 months that have passed since they started crafting the highway bill. They're telling us we should forget about the last 6 weeks during which time their bill, H.R. 7, imploded and the bipartisan MAP-21 bill passed the Senate with overwhelming bipartisan support. Now they're telling the American people that they simply need 3 additional months to find the money and shape a policy—an effort that thus far has eluded them—that can garner a majority of votes in the House and overcome the 60-vote threshold in the Senate and be signed by the President of the United States.

It gets better. On the very same day that they make this outrageous argument, they will vote for a Republican budget that slashes investment in transportation infrastructure by 46 percent, a 46 percent reduction in investment in infrastructure.

Now, if they're serious about this vote, if they're serious about seeing this destructive level of funding enacted into law, how can we take them seriously when they talk about a 5-year bill? They talk about certainty. How can we give the American people or the construction industry or construction workers certainty when they say, Just give us 90 more days and we'll craft a 5-year bill, but in the meantime, we want to cut highway funding by 46 percent? These don't line up. No reasonable person can take that seriously.

To make it even worse, at the end of today, we're going to adjourn the House for 2 weeks. Asking for a 90-day extension, but in the first 2 weeks of that 90-day extension, they're going to adjourn the House and go home. And they're going to do that while construction workers are wondering where their next paycheck is coming from. They're wondering how they're going to be able to provide for their families. This is unconscionable.

If Republicans want 90 more days, we should stay here and work through the issues with the bipartisan Senate bill MAP-21, H.R. 14, here in the House as the basis for these discussions. We know we can get it through the Senate; and I am confident that if Republicans are released by their leadership to vote for it, they'll vote for it here in the House.

Let's pass H.R. 14.

Mr. MICA. I continue to reserve the balance of my time.

Mr. RAHALL. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from West Virginia has 9 minutes. The gentleman from Florida has 23 minutes.

Mr. RAHALL. Madam Speaker, I am pleased to yield 2 minutes at this time to the distinguished gentlelady from the District of Columbia, ELEANOR HOLMES NORTON, the ranking member on our Economic Development and Public Buildings Subcommittee.

Ms. NORTON. I thank the gentleman for yielding.

The American people will be puzzled by why we can't get out what has traditionally been the most popular bill, the transportation bill. And they will hope that we're not on a road to the 20-plus extensions that we had with the FAA bill. It won't do to say, like two kids: You did it, too; therefore, we can do it.

None of us should have done it.

But in any case, we know we don't have to do it this time because the Senate has passed a bill that we could pass as well. So we know the compromise can happen because they've passed a bill with more than two-thirds of their own house, including many Republicans, signing on.

Compromise is possible if you believe in compromise, and I'm afraid that this bill shows that we have a majority that does not. They are on record saying that they must have 218 votes from their caucus alone. That says to the American people, we need to pass a bill that will have only people from our party voting for it. But, the Senate has passed a bill with both parties compromising. Which is the party that does not believe in compromise? You always have to compromise.

There is not a whole lot of difference in the amount of money in these bills; \$52 billion per year for the House, \$54 billion per year for the Senate.

The problem is poison pills. The problem is not treating the transportation bill as it has always been treated, as a bipartisan bill. The problem is not caring that you are effecting the recovery if you pass a series of 90-day bills.

We should be speeding the recovery instead of hanging, clinging to a bill that would kill half a million jobs.

It's time to compromise. This side is holding out its hand for a compromise. We need colleagues on the other side to hold out theirs.

Mr. MICA. I am going to continue to reserve the balance of my time and will close at the appropriate time.

Mr. RAHALL. Madam Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I just want to reiterate the point I made earlier. Outside of a minority of their caucus, I believe

a majority of the United States House of Representatives believes that Federal investment—using taxpayer dollars without creating deficit—that Federal investment and rebuilding our national infrastructure, the 150,000 bridges on the National Highway System that need substantial repair or replacement—the steel that goes into those bridges is made in America. The workers are American workers. The engineers are American engineers. The \$60 billion backlog in our existing transit systems, let alone giving Americans more fuel-efficient transit options, \$60 billion. Buses made in America, light railcars made in America, these are manufacturing jobs, engineering jobs, high-tech jobs. These are not just construction jobs.

The construction industry, itself, is devastated with double-digit unemployment. Passing this 90-day extension, according to the Association of General Contractors, a very Republican-leaning organization—80 percent of their political contributions go to the Republicans, so they are not partisan to our side of the aisle—they say that it is going to mean the States will go to a 40 or 50 percent reduction in their projects this summer because they are not assured beyond that 90 days that they're going to get their Federal reimbursements. Many States, unlike this body and unlike the Federal Government, have constitutional balanced budget requirements, something we should have nationally. But that's a debate for another day.

The point is that this temporary extension does cost us jobs, and the bill we'll vote on later today, the Ryan budget, would actually reduce transportation investments by 56 percent from current levels, which isn't even dealing with the already deteriorated infrastructure and is not putting people back to work.

□ 1110

So there's this kind of a mixed message on their side. They say, Well, just do the 90 days and then we'll do H.R. 7. Well, H.R. 7 will reduce spending and cost half a million jobs.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RAHALL. I yield the gentleman an additional 1 minute.

Mr. DEFAZIO. The budget they're going to vote on later today would reduce spending by 56 percent on transportation. That is mind-boggling in the face of what confronts our Nation, the challenges around the world, and the need for jobs.

There are people on their side of the aisle that just say, The government can't create jobs. They're hung up on this semantic thing. No, the government isn't creating the jobs. The government is investing taxpayer dollars without borrowing to let out private contracts to the lowest and best bid-

ders to build these projects with all products made in America—the strongest Made in America requirement.

So you can't tell me those things don't create jobs. Those are investments. They create jobs. Consumption and tax cuts don't create jobs. They want more tax cuts instead of investment in America. That is so wrong.

Let us vote on the bipartisan Senate bill. If 22 Republican Senators can support that bill, which would give us 2 years of stability, we ought to have a chance to vote on it in this House.

Mr. RAHALL. I yield 1 minute to the gentleman from Virginia, Mr. GERRY CONNOLLY.

Mr. CONNOLLY of Virginia. I thank my friend from West Virginia.

Madam Speaker, America's commuters and businesses want us to speed up transportation improvements. However, the House Republicans have offered only a speed bump. We face a transportation crisis, with bridges and roadways crumbling, millions of Americans stuck in gridlock, and transit improvements languishing.

We've known that the transportation authorization lapses on March 31, severely jeopardizing projects and jobs in every one of our States. The transportation vote today is nothing more than a 3-month Band-Aid. The Republican plan was rejected on a bipartisan basis because it disinvests in America, cutting \$361 million in my home State of Virginia alone.

America needs a real transportation plan: a plan that ensures that States and localities don't shut up projects this Sunday; a plan that creates jobs, putting the hard-hit construction industry back to work. Thankfully, there is such a plan. It's bipartisan. This month, the Senate passed a 2-year transportation plan by a vote of 74 22, including half of the Republicans present.

I urge Republican leadership to bring forward the bipartisan Senate bill. It's time to get America moving again.

Mr. RAHALL. Madam Speaker, I am honored to yield the customary 1 minute to the Democratic leader in the House of Representatives, the gentle lady from California (Ms. PELOSI).

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding, and I thank him for his tireless efforts on behalf of America's workers and for his attempts to bring to the floor a bipartisan transportation bill, as has been the custom in our House and as we do have the opportunity to do by taking up the Senate bill.

The bill in the Senate has bipartisan support—74, plus one who was absent but voting for the bill. Seventy-five Members of the Senate support that legislation. It is bipartisan. It creates jobs. It is worthy of our support.

It has the cosponsorship of the chair and the ranking member of the committee, from Chairwoman BARBARA

BOXER to Ranking Member INHOFE, a wide array of philosophical thinking, and all of it coming together around a bipartisan initiative.

The American people have a right to know why the Republicans in the Senate, the Democrats in the Senate, the President of the United States, and the House Democrats all support this bipartisan bill while the Republicans in the House are odd man out. It calls to mind when there was an odd man out on the payroll tax cut in December, when all the parties had come together in a bipartisan way.

But what is dangerous about what is happening here today is that this initiative, this kick-the-can-down-the-road, this my-way-or-no-highway-bill attitude is costing jobs. I'm sure that they have been reviewed—41,000 in North Carolina; 4,500 in Illinois; 4,000 in Maryland; and the list goes on and on—just because of the delay and the uncertainty that is injected into the system. This costs the taxpayers more, and small businesses suffer because they cannot proceed with contracts and the rest to go forward. And it is a job-loser, as I mentioned.

So this has nothing to recommend it except to be explained by the fact that the Republicans can't even bring their own transportation bill to the floor and pass it. Their own transportation bill is not a good bill, but at least it would take us to conference. They can't vote for their own bill. I don't know how it happens that they have a bill that they can't support.

But in addition to not being able to support their own bill—and it's interesting that the budget and transportation are on the floor at the same time—they have this bill, and yet in the budget that they are going to be voting on today, they have cut transportation funding in half: from \$90 billion to \$46 billion. That's \$44 billion worth of jobs, promotion of commerce, improving the quality of life of the American people, building the infrastructure of America, and that means mass transit and all the rest of that. Cut that in half. Oh, and by the way, give a tax break of over \$300,000 to the wealthiest people in America. Wealthy people get off fine. Middle class people pay. Small businesses pay. The taxpayer pays. Job-seekers and workers pay the price.

So I think it's really important to understand what the bipartisan National Governors Association has said:

A string of short-term extensions will only increase uncertainty for State and local governments and the private sector.

So, again, I call the House back to its bipartisanship on this legislation. The distinguished chairman, Mr. MICA, has been part of that bipartisanship in the past, and now they come up with a bill that the Republican Secretary of Transportation says is a job-loser and is dangerous to public safety. It's the

worst bill he's seen in his 35 years of public service, and his public service has been in this field. Again, it departs from bipartisanship.

So I urge my colleagues to not aid and abet the Republicans in going down this path that is not a good one, but to urge them to bring up the Senate bill. It can go to the President's desk today, putting people back to work immediately.

I urge my colleagues to vote "no."

Mr. RAHALL. Madam Speaker, may I inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from West Virginia has 2 minutes remaining, and the gentleman from Florida has 23 minutes.

Mr. RAHALL. I guess it's not very popular on his side of the aisle. He doesn't seem to have many speakers coming over. I haven't noticed many members of his committee to speak in favor of this extension today.

I am prepared to close. I would take some time from the distinguished chairman, if he'd be willing to yield me some of his time.

Mr. MICA. Madam Speaker, I yield 30 seconds to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. That's about all we're getting out of H.R. 7, too.

Madam Speaker, if the other side were serious about creating jobs, they would have worked in a bipartisan fashion in this body, as the other body did, to build a bill that could pass both bodies of the Congress and be signed into law. As the distinguished Democratic leader has just said, everybody is on board except the leadership of the House of Representatives on the Republican side.

Just as this Congress has done so many times before—and I have been in this body over three decades, involved in every transportation bill we've done over that time—every transportation bill we've done has been in a bipartisan fashion, passing this body by overwhelming margins.

□ 1120

Instead, today's leadership in this House has plowed full speed ahead writing a partisan proposal that is aimed at appealing to ideological spectrums of their party. Last month, Teamsters general president James Hoffa wrote in a letter:

How do eliminating OSHA protections for hazmat workers improve this Nation's crumbling roads and bridges? How do loopholes in "Buy America" protections put hundreds of thousands of construction workers back on the job?

Last month in a letter addressed to the Speaker of this body, the general president of the Laborers International Union, Terry O'Sullivan, wrote:

The House must return to the principles of sound governance and bipartisanship that has historically characterized consideration of the Surface Transportation Act.

He further noted:

The offsets used to pay for this bill are also irresponsible. Slashing the pay and retirement security of the hardworking Federal and postal employees is neither honest nor fair. It is an unacceptable attack on the hardworking people who provide essential services for veterans and Native Americans, process our mail, keep our skies safe, our parks clean, and help protect us from threats, both foreign and domestic.

As has already been noted, one of our key business groups in this country, the Associated General Contractors, has stated the following:

The majority of the work is supposed to go out in spring and get done by the fall. Instead of spending 60 or 70 percent of their budgets, our small businesses are going to cut back to 50 to 40 percent to make sure they have some cash in the fall.

That comes from one of the major business groups in this country responsible for putting people to work and responsible for getting our economy moving again. I urge that we take up the bipartisan Senate-passed bill and reject this extension.

I yield back the balance of my time.

Mr. MICA. Madam Speaker, I yield myself the balance of the time to close.

Madam Speaker and my colleagues, I think it might be time right now, Madam Speaker, that we call the Capitol Physician to come to the House floor. I think we should call the Capitol Physician because there appears to be on the other side a mass case of loss of memory, and I think that we need to clear up just a few facts in what has been said here.

Now, we have the gentlelady from California who happened to be the Speaker of the House. As I recall, the other side controlled the House by a huge margin, the Senate by a significant margin—most of the time I think it was 60 votes where you could do anything—and they controlled the White House for those 2 years. They could have done anything they wanted to do. President Obama, in fact, sent Secretary LaHood to Mr. Oberstar and me—I was the ranking Republican, he was the chair—and cut the knees right out from the Democrats and said he wasn't doing a long-term bill, he was doing an 18-month bill, which really sent a death signal to transportation and infrastructure projects.

In fact, the other side would be in the majority probably and I would be the ranking member if they had just done what they could have done. Then they tell you that we can't pass a bill. Well, let's deal with the facts. They six times had to do extensions. Not one extension was freestanding. In fact, one time they could not even pass the extension with the House, the Senate, and the White House. In March of 2010, they actually closed down programs.

Madam Speaker, we may need the House Physician because there are multiple cases of amnesia, and we need to remind folks about the facts and what they have forgotten.

Even in the extensions, I offered first a 90-day extension, and I know Speaker BOEHNER talked to the Senate and the other leaders and said we'll do a 90. No, we want to do a 60-day extension, they said. Then some of the Democrats felt like they were thrown under the bus, and the 60-day extension that they asked us to do, they couldn't get the votes for, they came down and spoke against yesterday.

Madam Speaker, there's something wrong here. I think we really need to get the Capitol Physician involved because the amnesia is very, very serious on the other side. They had earmarks. The last bill was passed with 6,300 earmarks. They had earmarks. They had control. They couldn't even pass a freestanding bill and get it to the full committee. So, again, I think the amnesia is pretty rampant on the other side.

I don't want this to be delayed any further because I want Americans to go back to work.

We offer here today a long-term bill that will put people who want jobs in this country back to work without earmarks and without tax increases. The end of the era of the biggest gorilla walking off with the most bananas is over, and we will pass responsible legislation, and we will get it done.

As the Cable Guy said, ladies and gentlemen, we're going to "Git-R-Done."

I yield back the balance of my time.

Ms. SCHAKOWSKY. Madam Speaker, today I voted against H.R. 4281, the Surface Transportation Extension Act. I oppose this legislation not because I oppose transportation funding—on the contrary—but because we can and should pass a better-funded and longer-term bill.

The unemployment rate in the construction industry is nearly double the national average. Over the past year, I have met with many of my constituents who work in the construction industry, including construction workers, designers, managers, engineers, contractors, and developers. The one thing they have all shared is that another short-term extension will not bring enough certainty to the industry to encourage the types of project development and job creation that our country needs.

I object to H.R. 4281 because there is a better bill we can pass right now. I am a co-sponsor of H.R. 14, or MAP-21, which is identical to the bill that passed the Senate with an overwhelming bipartisan majority, 74-22. MAP-21 would fund our transportation and infrastructure needs for two years. If the Republican leadership would allow that bill to come to the floor, we could pass it today. Instead, they have elected to play political games and pass a bill that promotes an unpredictable transportation future.

I can't support a 90-day extension that will bring another funding battle at the end of June, during the heart of our construction season in Illinois. This attempt to "kick the can down the road" will delay projects and risk 4,500 jobs in our state alone. We need to move forward with legislation that will provide our state, local communities, and small businesses the stability and predictability they

need. A short-term extension will do nothing to alleviate concerns about future funding and will not reduce unemployment.

Businesses and employees need the increased certainty that MAP-21 will provide. We owe it to our constituents to oppose a short-term extension in favor of that bipartisan, commonsense legislation that will protect and promote our economic and transportation needs.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to oppose H.R. 4281, the Surface Transportation Extension Act of 2012. I am opposing this measure because it is merely a 3-month extension, as opposed to a long-term reauthorization. States and municipalities need time to adequately plan their transportation projects, and these piecemeal extensions will not offer the certainty needed to see these projects through.

It has been more than a month since House Republicans reported their seriously flawed bill, and they do not have the votes to pass it. I have served on the Transportation Committee for 20 years, and up until now, the committee has worked in a bipartisan fashion to produce a sound and commonsense transportation policy.

Instead of voting on another extension, we should be considering the bipartisan Senate transportation bill. While I would prefer a longer reauthorization, the 2-year bipartisan Senate bill will provide the kind of investment in infrastructure and job creation that is desperately needed.

Mr. VAN HOLLEN. Madam Speaker, the bill on the Floor today is not the bill we should be debating. Rather than extending surface transportation law for the ninth time, we should vote on the Senate-passed, bipartisan MAP-21 bill, which has been introduced in the House as H.R. 14.

This debate is yet another example of the Republican Majority's absolute refusal to compromise—even with Senators in their own party. They have spent six weeks arguing internally about this legislation. They have refused to work across the aisle. And this week they have waited until Thursday, two days before the surface transportation law expires, to hold a vote on this issue.

This is not a time for games. We should be voting today on legislation to invest in critical infrastructure projects and support 1.8 million jobs nationwide. We should send legislation to the President to ensure a strong construction season for an industry facing 17.1 percent unemployment. Instead, the Republican Leadership insists on further delay.

Ms. MCCOLLUM. Madam Speaker, I rise in strong opposition to H.R. 4281. This three-month transportation authorization extension does nothing to address the long-term needs of America's crumbling infrastructure.

The National Governors Association is arguing against this unnecessary, shortsighted approach, saying: "a string of short-term extensions will only increase uncertainty for state and local governments and the private sector." Likewise, the U.S. Chamber of Commerce said earlier this week: "Frankly, there is no length of extension adequate for the construction industry, its workers, and the business community in general."

Earlier this month, the Senate passed a two-year transportation authorization with an

overwhelming bipartisan vote of 74–22. This Senate bill will save or create over two million jobs, including 28,100 jobs in Minnesota according to the U.S. Department of Transportation. If the Republican House leadership brought this legislation to the floor today it would pass with bipartisan support and reach the President's desk for signature prior to the expiration of the current authorization on Saturday.

However, the Republican majority is rejecting this bipartisan opportunity, which is guaranteed to authorize federal transportation programs at current levels for two years. Republican leaders refuse to even bring the Senate bill to the floor for a vote. Instead, they continue wasting time in negotiations with extreme Tea Party Members in their own caucus in an effort to bring a hyper-partisan, job-destroying transportation bill to the floor. The Republican transportation bill, H.R. 7, would cut funding for 45 states, including over \$313 million in cuts to Minnesota, and eliminate over 500,000 jobs nationwide. U.S. Secretary of Transportation Ray LaHood, a former Republican Congressman from Illinois, told Politico that H.R. 7 "is the most partisan transportation bill that I have ever seen." He added, "It's the worst transportation bill I've ever seen during 35 years of public service."

I agree with Secretary LaHood. Minnesota's economy and workers would be significantly harmed by H.R. 7. The construction industry in my state suffered the most significant job losses of any sector during the recent recession. Construction jobs are again being added in Minnesota but, as of March, only one quarter of the 46,000 construction jobs lost in the recession have been recovered. This Republican transportation bill would reverse the positive momentum for Minnesota's economy and throw thousands of workers back on the bench.

These devastating economic consequences are unacceptable and completely avoidable. I urge my colleagues to reject H.R. 7 and this short-term extension so the House can instead vote on the bipartisan Senate reauthorization to put Americans to work rebuilding our nation's infrastructure.

Ms. RICHARDSON. Madam Speaker, it's been 910 days and eight extensions since SAFETEA-LU expired. Today we find ourselves kicking the can once again as we take up extension number nine because this House Majority has failed to act.

Thankfully the Senate did act. Two weeks ago, Democratic and Republican Senators overwhelmingly voted, by a bipartisan majority of 74–22, to generate jobs, repair our roads and bridges, invest in our infrastructure, and strengthen our economy. Meanwhile, this body under Republican leadership has yet to put forward a credible highway reauthorization that puts Americans back to work.

MAP-21, the surface transportation authorization bill, passed by the Senate is by far the biggest jobs legislation Congress will consider this year.

It is imperative that the House of Representatives join the Senate in passing this bipartisan bill and send it to the President before the March 31st expiration of highway program funding or risk devastating job losses across the nation.

Madam Speaker, H.R. 14 will save 1.8 million jobs and creates up to 1 million more jobs.

The bill also provides consistency for states and maintains current funding levels for highways and public transportation, consolidates and streamlines highway programs, and establishes a national freight program. This national freight program will provide over \$2 billion dollars to upgrade our nation's goods movement system. That equates to \$336 million to the state of California alone over two years for freight infrastructure upgrades. These funds are critical to areas like my district where over 40 percent of our country's imports arrive each year via the Port of Los Angeles and Long Beach.

In addition, the bill would authorize another \$1 billion dollars in fiscal year 2013 for Projects of National and Regional Significance. In previous years, the Projects of National and Regional Significance provided funding to several projects that provide economic benefits by making it easier to move goods.

Madam Speaker, these two programs and this bill are essential for our country to remain competitive globally.

H.R. 14 also improves safety, and institutes performance measures and improves accountability for transportation infrastructure investments.

Now is the time for swift action by the House action on the bipartisan Senate bill that will save or create 132,000 transportation jobs and 45,000 transit jobs in my home state of California.

Transportation has long been a bipartisan issue—and the Senate continued this tradition. The House should follow suit and put America back to work by passing H.R. 14.

I encourage my colleagues to stop kicking the can down the road—start creating jobs—and defeat this extension.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 600, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 266, nays 158, not voting 7, as follows:

[Roll No. 147]

YEAS—266

Adams	Barrow	Bilirakis
Aderholt	Bartlett	Bishop (GA)
Akin	Barton (TX)	Bishop (NY)
Alexander	Bass (CA)	Bishop (UT)
Amodei	Bass (NH)	Black
Austria	Benishke	Blackburn
Bachmann	Berg	Bonner
Bachus	Biggert	Bono Mack
Barletta	Bilbray	Boswell

Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Buehson
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Capps
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Cravaack
Crawford
Crenshaw
Culbertson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)

Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
(TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Loeb
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Lynch
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCauley
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Peterson
Petri

NAYS—158

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Becerra
Berkley
Berman
Blumenauer
Bonamici
Boren

Brady (PA)
Brown (FL)
Butterfield
Campbell
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chu
Cicilline
Clarke (MI)

Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schock
Schradler
Scott (SC)
Scott, Austin
Scott, David
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberti
Tipton
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Flake
Fleming
Frank (MA)
Fluke
Gonzalez
Green, Al
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hincey
Hinojosa
Hirono
Holden
Holt
Honda
Johnson (GA)
Johnson, E. B.
Jordan
Kaptur

NOT VOTING—7

Filner
Jackson (IL)
Mack

Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowe
Lujan
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree (ME)
Price (NC)
Rahall
Reyes

Richardson
Richmond
Ross (AR)

Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schwartz
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sherman
Sires
Slaughter
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Velázquez
Vislowsky
Wasserman
Schultz
Waters
Pelosi
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

□ 1155

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution (H. Con. Res. 112) establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022, with Mrs. BIGGERT (Acting Chair) in the chair.

The Clerk read the title of the concurrent resolution.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, March 28, 2012, a request for a recorded vote on amendment No. 4 printed in House Report 112-423 by the gentleman from California (Mr. HONDA) had been postponed.

AMENDMENT NO. 4 IN THE NATURE OF A SUBSTITUTION OFFERED BY MR. HONDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HONDA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered. The vote was taken by electronic device, and there were—ayes 78, noes 346, not voting 7, as follows:

[Roll No. 148]

AYES—78

Andrews	Grijalva	Oliver
Bass (CA)	Gutiérrez	Pallone
Becerra	Hahn	Pascrell
Blumenauer	Hastings (FL)	Pastor (AZ)
Brady (PA)	Hincey	Pingree (ME)
Brown (FL)	Hirono	Price (NC)
Capuano	Holt	Richardson
Carson (IN)	Honda	Rothman (NJ)
Chu	Jackson Lee	Roybal-Allard
Clarke (MI)	(TX)	Rush
Clarke (NY)	Johnson (GA)	Ryan (OH)
Clay	Johnson, E. B.	Sánchez, Linda
Cleaver	Kaptur	T.
Clyburn	Kildee	Schakowsky
Cohen	Kucinich	Scott, David
Conyers	Lee (CA)	Serrano
Cummings	Lewis (GA)	Slaughter
Davis (IL)	Lofgren, Zoe	Stark
Deutch	Markey	Tonko
Doyle	McCollum	Velázquez
Edwards	McDermott	Waters
Ellison	McGovern	Watt
Farr	Miller (NC)	Waxman
Fattah	Moore	Welch
Frank (MA)	Moran	Wilson (FL)
Fudge	Nadler	Woolsey
Green, Al	Napolitano	

NOES—346

Ackerman	Austria	Barton (TX)
Adams	Baca	Bass (NH)
Aderholt	Bachmann	Benishek
Akin	Bachus	Berg
Alexander	Baldwin	Berkley
Altmire	Barletta	Berman
Amash	Barrow	Biggert
Amodei	Bartlett	Bilbray

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1155

Ms. WILSON of Florida changed her vote from “yea” to “nay”.

Messrs. CARSON of Indiana, SHULER, and ISRAEL changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 147, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013

The SPEAKER pro tempore (Mr. WEBSTER). Pursuant to House Resolution 597 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution, H. Con. Res. 112.

Will the gentlewoman from Illinois (Mrs. BIGGERT) kindly take the chair.

Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar

Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Eshoo
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson

Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Carnahan
Hinojosa
Hochul
Holden
Hoyer
Huelskamp
HuiZENGA (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loeb
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley

McMorris
Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schradler
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers

Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tsongas
Turner (NY)

NOT VOTING—7

Filner
Jackson (IL)
Mack

Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Webster
West
Westmoreland

Meeks

Paul
Rangel

Towns

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There are 2 minutes remaining.

□ 1214

Messrs. BUTTERFIELD and JOHN-
SON of Illinois changed their vote from
“aye” to “no.”

So the amendment was rejected.
The result of the vote was announced
as above recorded.

Stated for:

Mr. FILNER. Madam Chair, on rollcall 148,
I was away from the Capitol due to prior com-
mitments to my constituents. Had I been
present, I would have voted “aye.”

AMENDMENT NO. 5 IN THE NATURE OF A
SUBSTITUTE OFFERED BY MR. GARRETT

The Acting CHAIR. It is now in order
to consider amendment No. 5 printed in
House Report 112-423.

Mr. GARRETT. I have an amendment
at the desk.

The Acting CHAIR. The Clerk will
designate the amendment.

The text of the amendment is as fol-
lows:

Strike all after the resolving clause and in-
sert the following:

**SECTION 1. CONCURRENT RESOLUTION ON THE
BUDGET FOR FISCAL YEAR 2013.**

(a) DECLARATION.—Congress declares that
the concurrent resolution on the budget for
fiscal year 2013 is hereby established and
that the appropriate budgetary levels for fis-
cal year 2012 and for fiscal years 2014 through
2022 are set forth.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget
for fiscal year 2013.

**TITLE I—RECOMMENDED LEVELS AND
AMOUNTS**

Sec. 101. Recommended levels and amounts.

Sec. 102. Major functional categories.

**TITLE II—RECONCILIATION
SUBMISSIONS**

Sec. 201. Reconciliation in the House of Rep-
resentatives.

Sec. 202. Submission of reports on manda-
tory savings.

TITLE III—BUDGET ENFORCEMENT

Sec. 301. Discretionary spending limits.

Sec. 302. Restrictions on advance appropria-
tions.

Sec. 303. Emergency spending.

Sec. 304. Changes in allocations and aggre-
gates resulting from realistic
scoring of measures affecting
revenues.

Sec. 305. Allocation of new budget authority
for fiscal year 2013.

Sec. 306. Prohibition on using revenue in-
creases to comply with budget
allocations and aggregates.

Sec. 307. Application and effect of changes
in allocations and aggregates.

Sec. 308. Budget Protection Mandatory Ac-
count.

Sec. 309. Budget discretionary accounts.

Sec. 310. Treatment of rescission bills in the
House.

Sec. 311. Sense of the House regarding base-
line revenue projections.

Sec. 312. Sense of the House regarding long-
term budget projections.

Sec. 313. Make it easier to amend appropria-
tion bills.

TITLE IV—EARMARK MORATORIUM

Sec. 401. Earmark moratorium.

Sec. 402. Limitation of authority of the
House Committee on Rules.

TITLE V—POLICY

Sec. 501. Policy statement on health care
law repeal.

Sec. 502. Policy statement on bailouts of
State and local governments.

Sec. 503. Policy statement on means-tested
welfare programs.

Sec. 504. Policy statement on reforming the
Federal budget process.

Sec. 505. Policy statement on reforming
Federal regulation.

Sec. 506. Policy statement on medicare.

Sec. 507. Policy statement on deficit reduc-
tion through the cancellation
of unobligated balances.

Sec. 508. Policy statement on block granting
Medicaid.

**TITLE I—RECOMMENDED LEVELS AND
AMOUNTS**

**SEC. 101. RECOMMENDED LEVELS AND
AMOUNTS.**

The following budgetary levels are appro-
priate for each of fiscal years 2012 through
2022:

(1) FEDERAL REVENUES.—For purposes of
the enforcement of this resolution:

(A) The recommended levels of Federal
revenues are as follows:

Fiscal year 2012: \$1,887,000,000,000.

Fiscal year 2013: \$2,059,000,000,000.

Fiscal year 2014: \$2,249,000,000,000.

Fiscal year 2015: \$2,459,000,000,000.

Fiscal year 2016: \$2,627,000,000,000.

Fiscal year 2017: \$2,770,000,000,000.

Fiscal year 2018: \$2,892,000,000,000.

Fiscal year 2019: \$3,021,000,000,000.

Fiscal year 2020: \$3,173,000,000,000.

Fiscal year 2021: \$3,332,000,000,000.

Fiscal year 2022: \$3,499,000,000,000.

(B) The amounts by which the aggregate
levels of Federal revenues should be changed
are as follows:

Fiscal year 2012: —\$12,000,000,000.

Fiscal year 2013: —\$234,000,000,000.

Fiscal year 2014: —\$303,000,000,000.

Fiscal year 2015: —\$357,000,000,000.

Fiscal year 2016: —\$389,000,000,000.

Fiscal year 2017: —\$424,000,000,000.

Fiscal year 2018: —\$461,000,000,000.

Fiscal year 2019: —\$498,000,000,000.

Fiscal year 2020: —\$535,000,000,000.

Fiscal year 2021: —\$574,000,000,000.

Fiscal year 2022: —\$617,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes
of the enforcement of this resolution, the ap-
propriate levels of total new budget author-
ity are as follows:

Fiscal year 2012: \$3,069,000,000,000.

Fiscal year 2013: \$2,663,000,000,000.

Fiscal year 2014: \$2,512,000,000,000.

Fiscal year 2015: \$2,561,000,000,000.

Fiscal year 2016: \$2,632,000,000,000.

Fiscal year 2017: \$2,698,000,000,000.

Fiscal year 2018: \$2,788,000,000,000.

Fiscal year 2019: \$2,923,000,000,000.

Fiscal year 2020: \$3,035,000,000,000.

Fiscal year 2021: \$3,141,000,000,000.
 Fiscal year 2022: \$3,289,000,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012: \$3,120,000,000,000.
 Fiscal year 2013: \$2,818,000,000,000.
 Fiscal year 2014: \$2,653,000,000,000.
 Fiscal year 2015: \$2,654,000,000,000.
 Fiscal year 2016: \$2,713,000,000,000.
 Fiscal year 2017: \$2,764,000,000,000.
 Fiscal year 2018: \$2,834,000,000,000.
 Fiscal year 2019: \$2,970,000,000,000.
 Fiscal year 2020: \$3,081,000,000,000.
 Fiscal year 2021: \$3,186,000,000,000.
 Fiscal year 2022: \$3,340,000,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2012: –\$1,233,000,000,000.
 Fiscal year 2013: –\$759,000,000,000.
 Fiscal year 2014: –\$405,000,000,000.
 Fiscal year 2015: –\$195,000,000,000.
 Fiscal year 2016: –\$86,000,000,000.
 Fiscal year 2017: \$6,000,000,000.
 Fiscal year 2018: \$58,000,000,000.
 Fiscal year 2019: \$51,000,000,000.
 Fiscal year 2020: \$92,000,000,000.
 Fiscal year 2021: \$146,000,000,000.
 Fiscal year 2022: \$159,000,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012: \$16,076,000,000,000.
 Fiscal year 2013: \$17,003,000,000,000.
 Fiscal year 2014: \$17,586,000,000,000.
 Fiscal year 2015: \$17,967,000,000,000.
 Fiscal year 2016: \$18,266,000,000,000.
 Fiscal year 2017: \$18,520,000,000,000.
 Fiscal year 2018: \$18,737,000,000,000.
 Fiscal year 2019: \$18,954,000,000,000.
 Fiscal year 2020: \$19,129,000,000,000.
 Fiscal year 2021: \$19,252,000,000,000.
 Fiscal year 2022: \$19,352,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012: \$11,359,000,000,000.
 Fiscal year 2013: \$12,191,000,000,000.
 Fiscal year 2014: \$12,677,000,000,000.
 Fiscal year 2015: \$12,950,000,000,000.
 Fiscal year 2016: \$13,110,000,000,000.
 Fiscal year 2017: \$13,178,000,000,000.
 Fiscal year 2018: \$13,186,000,000,000.
 Fiscal year 2019: \$13,202,000,000,000.
 Fiscal year 2020: \$13,189,000,000,000.
 Fiscal year 2021: \$13,135,000,000,000.
 Fiscal year 2022: \$13,088,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2012 through 2022 for each major functional category are:

(1) National Defense (050):

Fiscal year 2012:
 (A) New budget authority, \$687,000,000,000.
 (B) Outlays, \$679,000,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$659,000,000,000.
 (B) Outlays, \$673,000,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$619,000,000,000.
 (B) Outlays, \$659,000,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$633,000,000,000.
 (B) Outlays, \$640,000,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$647,000,000,000.
 (B) Outlays, \$647,000,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$619,000,000,000.

(B) Outlays, \$608,000,000,000.

Fiscal year 2018:
 (A) New budget authority, \$635,000,000,000.
 (B) Outlays, \$618,000,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$653,000,000,000.
 (B) Outlays, \$639,000,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$672,000,000,000.
 (B) Outlays, \$657,000,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$690,000,000,000.
 (B) Outlays, \$675,000,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$709,000,000,000.
 (B) Outlays, \$699,000,000,000.
 (2) International Affairs (150):

Fiscal year 2012:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2022:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

(3) General Science, Space, and Technology (250):
 Fiscal year 2012:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2022:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

(4) Energy (270):
 Fiscal year 2012:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:
 (A) New budget authority, an amount to be derived from function 920.

(A) New budget authority, \$287,000,000,000.
 (B) Outlays, \$287,000,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$340,000,000,000.
 (B) Outlays, \$340,000,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$391,000,000,000.
 (B) Outlays, \$391,000,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$435,000,000,000.
 (B) Outlays, \$435,000,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$471,000,000,000.
 (B) Outlays, \$471,000,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$499,000,000,000.
 (B) Outlays, \$499,000,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$514,000,000,000.
 (B) Outlays, \$514,000,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$528,000,000,000.
 (B) Outlays, \$528,000,000,000.
 (19) Allowances (920):
 Fiscal year 2012:
 (A) New budget authority, \$2,109,000,000,000.
 (B) Outlays, \$3,120,000,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$1,770,000,000,000.
 (B) Outlays, \$1,911,000,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$1,644,000,000,000.
 (B) Outlays, \$1,745,000,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$1,641,000,000,000.
 (B) Outlays, \$1,727,000,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$1,645,000,000,000.
 (B) Outlays, \$1,726,000,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$1,688,000,000,000.
 (B) Outlays, \$1,765,000,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$1,718,000,000,000.
 (B) Outlays, \$1,781,000,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$1,799,000,000,000.
 (B) Outlays, \$1,860,000,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$1,864,000,000,000.
 (B) Outlays, \$1,925,000,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$1,937,000,000,000.
 (B) Outlays, \$1,997,000,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$2,052,000,000,000.
 (B) Outlays, \$2,113,000,000,000.
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2012:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2013:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2014:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2015:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2016:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2018:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2019:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2020:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2021:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2022:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 (21) Global War on Terrorism and related activities (970):
 Fiscal year 2012:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2013:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2014:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2015:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2016:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2017:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2018:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2019:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2020:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2021:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.
 Fiscal year 2022:
 (A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

TITLE II—RECONCILIATION SUBMISSIONS
SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS TO SLOW THE GROWTH IN MANDATORY SPENDING AND TO ACHIEVE DEFICIT REDUCTION.—(1) Not later than September 15, 2012, the House committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the House of Representatives. After receiving those recommendations, the Committee on the Budget of the House of Representatives shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON AGRICULTURE.—The Committee on Agriculture of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$54,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(B) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The Committee on Education and the Workforce of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$24,000,000,000 in outlays for fiscal year 2013 and by \$204,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(C) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$32,000,000,000 in outlays for fiscal year 2013 and by \$2,872,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(D) COMMITTEE ON FINANCIAL SERVICES.—The Committee on Financial Services of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$3,000,000,000 in outlays for fiscal year 2013 and by \$45,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(E) COMMITTEE ON NATURAL RESOURCES.—The Committee on Natural Resources of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$10,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(F) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—The Committee on Oversight and Government Reform of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$8,000,000,000 in outlays for fiscal year 2013 and by \$172,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(b) SUBMISSION PROVIDING FOR CHANGES IN REVENUE TO PREVENT TAX INCREASES AND ENACT H.R. 3400.—The Committee on Ways and Means of the House of Representatives shall report a reconciliation bill not later than September 15, 2012, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than \$234,000,000,000 for fiscal year 2013 and by not more than \$4,392,000,000,000 for the period of fiscal years 2013 through 2022.

(c) REVISION OF ALLOCATIONS.—(1) Upon the submission to the Committee on the Budget of the House of a recommendation that has

complied with its reconciliation instructions solely by virtue of section 310(b) of the Congressional Budget Act of 1974, the chairman of that committee may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(2) Upon the submission to the House of a conference report recommending a reconciliation bill or resolution in which a committee has complied with its reconciliation instructions solely by virtue of this section, the chairman of the Committee on the Budget of the House may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(3) Allocations and aggregates revised pursuant to this subsection shall be considered to be allocations and aggregates established by the concurrent resolution on the budget pursuant to section 301 of such Act.

SEC. 202. SUBMISSION OF REPORTS ON MANDATORY SAVINGS.

In the House, not later than September 15, 2012, all House committees shall identify savings amounting to one percent of total mandatory spending under its jurisdiction from activities that are determined to be wasteful, unnecessary, or lower-priority. For purposes of this section, the reports by each committee shall be inserted in the Congressional Record by the chairman of the Committee on the Budget not later than September 15, 2012.

TITLE III—BUDGET ENFORCEMENT

SEC. 301. DISCRETIONARY SPENDING LIMITS.

(a) DISCRETIONARY SPENDING LIMITS.—Spending limits for total discretionary Federal spending are as follows:

Fiscal year 2013: \$931,000,000,000 in new budget authority.

Fiscal year 2014: \$931,000,000,000 in new budget authority.

Fiscal year 2015: \$931,000,000,000 in new budget authority.

Fiscal year 2016: \$931,000,000,000 in new budget authority.

Fiscal year 2017: \$931,000,000,000 in new budget authority.

Fiscal year 2018: \$950,000,000,000 in new budget authority.

Fiscal year 2019: \$969,000,000,000 in new budget authority.

Fiscal year 2020: \$988,000,000,000 in new budget authority.

Fiscal year 2021: \$1,008,000,000,000 in new budget authority.

Fiscal year 2022: \$1,028,000,000,000 in new budget authority.

(b) ENFORCEMENT.—In the House, it shall not be in order to consider any bill or joint resolution, or amendment thereto or conference report thereon, that causes discretionary budget authority to exceed any level set forth in subsection (a).

SEC. 302. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—(1) In the House, except as provided in subsection (b), an advance appropriation may not be reported in a bill or joint resolution making a general appropriation or continuing appropriation, and may not be in order as an amendment thereto.

(2) Managers on the part of the House may not agree to a Senate amendment that would violate paragraph (1) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(b) EXCEPTION.—In the House, an advance appropriation may be provided for fiscal year 2013 and fiscal years 2014 for programs, projects, activities or accounts identified in

the joint explanatory statement of managers accompanying this resolution under the heading "Accounts Identified for Advance Appropriations" in an aggregate amount not to exceed \$23,565,000,000 in new budget authority.

(c) DEFINITION.—In this section, the term "advance appropriation" means any discretionary new budget authority in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2013.

SEC. 303. EMERGENCY SPENDING.

(a) DESIGNATIONS.—

(1) GUIDANCE.—In the House, if a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in paragraph (2). If such legislation is to be considered by the House without being reported, then the committee shall cause the explanation to be published in the Congressional Record in advance of floor consideration.

(2) CRITERIA.—

(A) IN GENERAL.—Any such provision is an emergency requirement if the underlying situation poses a threat to life, property, or national security and is—

(i) sudden, quickly coming into being, and not building up over time;

(ii) an urgent, pressing, and compelling need requiring immediate action;

(iii) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(iv) not permanent, temporary in nature.

(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(b) ENFORCEMENT.—It shall not be in order in the House of Representatives to consider any bill, joint resolution, amendment or conference report that contains an emergency designation unless that designation meets the criteria set out in subsection (a)(2).

(c) ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES.—It shall not be in order in the House of Representatives to consider a rule or order that waives the application of subsection (b).

(d) DISPOSITION OF POINTS OF ORDER IN THE HOUSE.—As disposition of a point of order under subsection (b) or subsection (c), the Chair shall put the question of consideration with respect to the proposition that is the subject of the point of order. A question of consideration under this section shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent of the point of order, but shall otherwise be decided without intervening motion except one that the House adjourn or that the Committee of the Whole rise, as the case may be.

SEC. 304. CHANGES IN ALLOCATIONS AND AGGREGATES RESULTING FROM REALISTIC SCORING OF MEASURES AFFECTING REVENUES.

(a) Whenever the House considers a bill, joint resolution, amendment, motion or conference report, including measures filed in compliance with section 201(b), that propose to change Federal revenues, the impact of such measure on Federal revenues shall be calculated by the Joint Committee on Taxation in a manner that takes into account—

(1) the impact of the proposed revenue changes on—

(A) Gross Domestic Product, including the growth rate for the Gross Domestic Product;

(B) total domestic employment;

(C) gross private domestic investment;

(D) general price index;

(E) interest rates; and

(F) other economic variables; and

(2) the impact on Federal Revenue of the changes in economic variables analyzed under paragraph (1).

(b) The chairman of the Committee on the Budget may make any necessary changes to allocations and aggregates in order to conform this concurrent resolution with the determinations made by the Joint Committee on Taxation pursuant to subsection (a).

SEC. 305. ALLOCATION OF NEW BUDGET AUTHORITY FOR FISCAL YEAR 2013.

For the purposes of budget enforcement, the allocation of new budget authority to the Committee on Appropriations of the House of Representatives for fiscal year 2013 is \$931,000,000,000. Such allocation shall be the allocation made pursuant to section 302(a)(1)(A) of the Congressional Budget Act of 1974 and shall be enforceable under section 302(f)(1) of that Act.

SEC. 306. PROHIBITION ON USING REVENUE INCREASES TO COMPLY WITH BUDGET ALLOCATIONS AND AGGREGATES.

(a) For the purpose of enforcing this concurrent resolution in the House, the chairman of the Committee on the Budget shall not take into account the provisions of any piece of legislation which propose to increase revenue or offsetting collections if the net effect of the bill is to increase the level of revenue or offsetting collections beyond the level assumed in this concurrent resolution.

(b) Subsection (a) shall not apply to any provision of a piece of legislation that proposes a new or increased fee for the receipt of a defined benefit or service (including insurance coverage) by the person or entity paying the fee.

SEC. 307. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the appropriate Committee on the Budget; and

(2) such chairman may make any other necessary adjustments to such levels to carry out this resolution.

SEC. 308. BUDGET PROTECTION MANDATORY ACCOUNT.

(a)(1) The chairman of the Committee on the Budget shall maintain an account to be known as the "Budget Protection Mandatory Account". The Account shall be divided into entries corresponding to the allocations under section 302(a) of the Congressional Budget Act of 1974 in the most recently adopted concurrent resolution on the budget,

except that it shall not include the Committee on Appropriations.

(2) Each entry shall consist only of amounts credited to it under subsection (b). No entry of a negative amount shall be made.

(b)(1) Upon the engrossment of a House bill or joint resolution or a House amendment to a Senate bill or joint resolution (other than an appropriation bill), the chairman of the Committee on the Budget shall—

(A) credit the applicable entries of the Budget Protection Mandatory Account by the amounts specified in paragraph (2); and

(B) reduce the applicable section 302(a) allocations by the amount specified in paragraph (2).

(2) Each amount specified in paragraph (1)(A) shall be the net reduction in mandatory budget authority (either under current law or proposed by the bill or joint resolution under consideration) provided by each amendment that was adopted in the House to the bill or joint resolution.

(c)(1) If an amendment includes a provision described in paragraph (2), the chairman of the Committee on the Budget shall, upon the engrossment of a House bill or joint resolution or a House amendment to a Senate bill or joint resolution, other than an appropriation bill, reduce the level of total revenues set forth in the applicable concurrent resolution on the budget for the fiscal year or for the total of that first fiscal year and the ensuing fiscal years in an amount equal to the net reduction in mandatory authority (either under current law or proposed by a bill or joint resolution under consideration) provided by each amendment adopted by the House to the bill or joint resolution. Such adjustment shall be in addition to the adjustments described in subsection (b).

(2)(A) The provision specified in paragraph (1) is as follows: “The amount of mandatory budget authority reduced by this amendment may be used to offset a decrease in revenues.”

(B) All points of order are waived against an amendment including the text specified in subparagraph (A) provided the amendment is otherwise in order.

(d) As used in this rule, the term—

(1) “appropriation bill” means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of fiscal year 2008 or any subsequent fiscal year, as the case may be.

(2) “mandatory budget authority” means any entitlement authority as defined by, and interpreted for purposes of, the Congressional Budget Act of 1974.

(e) During the consideration of any bill or joint resolution, the chairman of the Committee on the Budget shall maintain a running tally, which shall be available to all Members, of the amendments adopted reflecting increases and decreases of budget authority in the bill or joint resolution.

SEC. 309. BUDGET DISCRETIONARY ACCOUNTS.

(a)(1) The chairman of the Committee on the Budget shall maintain an account to be known as the “Budget Protection Discretionary Account”. The Account shall be divided into entries corresponding to the allocation to the Committee on Appropriations, and the committee’s suballocations, under section 302(a) and 302(b) of the Congressional Budget Act of 1974.

(2) Each entry shall consist only of amounts credited to it under subsection (b). No entry of a negative amount shall be made.

(b)(1) Upon the engrossment of a House appropriations bill, the chairman of the Committee on the Budget shall—

(A) credit the applicable entries of the Budget Protection Discretionary Account by the amounts specified in paragraph (2).

(B) reduce the applicable 302(a) and (b) allocations by the amount specified in paragraph (2).

(2) Each amount specified in subparagraph (A) shall be the net reduction in discretionary budget authority provided by each amendment adopted by the House to the bill or joint resolution.

(c)(1) If an amendment includes a provision described in paragraph (2), the chairman of the Committee on the Budget shall, upon the engrossment of a House appropriations bill, reduce the level of total revenues set forth in the applicable concurrent resolution on the budget for the fiscal year or for the total of that first fiscal year and the ensuing fiscal years in an amount equal to the net reduction in discretionary budget authority provided by each amendment that was adopted by the House to the bill or joint resolution. Such adjustment shall be in addition to the adjustments described in subsection (b).

(2)(A) The provision specified in paragraph (1) is as follows: “The amount of discretionary budget authority reduced by this amendment may be used to offset a decrease in revenues.”

(B) All points of order are waived against an amendment including the text specified in subparagraph (A) provided the amendment is otherwise in order.

(d) As used in this rule, the term “appropriation bill” means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of fiscal year 2013 or any subsequent fiscal year, as the case may be.

(e) During the consideration of any bill or joint resolution, the chairman of the Committee on the Budget shall maintain a running tally, which shall be available to all Members, of the amendments adopted reflecting increases and decreases of budget authority in the bill or joint resolution.

SEC. 310. TREATMENT OF RESCISSION BILLS IN THE HOUSE.

(a)(1) By February 1, May 1, July 30, and November 11 of each session of Congress, the majority leader shall introduce a rescission bill. If such bill is not introduced by that date, then whenever a rescission bill is introduced during a session on or after that date, a motion to discharge the committee from its consideration shall be privileged after the 10-legislative day period beginning on that date for the first 5 such bills.

(2) It shall not be in order to offer any amendment to a rescission bill except an amendment that increases the amount of budget authority that such bill rescinds.

(b) Whenever a rescission bill passes the House, the Committee on the Budget shall immediately reduce the applicable allocations under section 302(a) of the Congressional Budget Act of 1974 by the total amount of reductions in budget authority and in outlays resulting from such rescission bill.

(c)(1) It shall not be in order to consider any rescission bill, or conference report thereon or amendment thereto, unless—

(A) in the case of such bill or conference report thereon, it is made available to Members and the general public on the Internet for at least 48 hours before its consideration; or

(B)(i) in the case of an amendment to such rescission bill made in order by a rule, it is made available to Members and the general public on the Internet within one hour after the rule is filed; or

(ii) in the case of an amendment under an open rule, it is made available to Members and the general public on the Internet immediately after being offered; in a format that is searchable and sortable.

(2) No amendment to an amendment to a rescission bill shall be in order unless germane to the amendment to which it is offered.

(d) As used in this section, the term “rescission bill” means a bill or joint resolution which only rescinds, in whole or in part, budget authority and which includes only titles corresponding to the most recently enacted appropriation bills that continue to include unobligated balances.

SEC. 311. SENSE OF THE HOUSE REGARDING BASELINE REVENUE PROJECTIONS.

For purposes of constructing its baseline revenue projections, the Congressional Budget Office should assume that any tax provision which is scheduled to expire under current law will be extended through the duration of any budget forecast by Congressional Budget Office so as to ensure that expiring tax provisions and expiring spending programs (other than direct appropriations) are treated in like fashion.

SEC. 312. SENSE OF THE HOUSE REGARDING LONG-TERM BUDGET PROJECTIONS.

For purposes of constructing its ten-year and long-term budget projection reports, the Congressional Budget Office should include an alternative scenario that assumes that mandatory spending programs grow at the same rate as average, projected nominal gross domestic product (GDP).

SEC. 313. MAKE IT EASIER TO AMEND APPROPRIATION BILLS.

The first sentence of clause 2(c) of rule XXI of the Rules of the House of Representatives is amended by inserting “, except to the extent that it is a germane amendment to an authorizing provision or a line item appropriation of the bill under consideration” after “changing existing law”.

TITLE IV—EARMARK MORATORIUM

SEC. 401. EARMARK MORATORIUM.

(a) POINT OF ORDER.—It shall not be in order to consider—

(1) a bill or joint resolution reported by any committee, or any amendment thereto or conference report thereon, that includes a congressional earmark, limited tax benefit, or limited tariff benefit; or

(2) a bill or joint resolution not reported by any committee, or any amendment thereto or conference report thereon, that includes a congressional earmark, limited tax benefit, or limited tariff benefit.

(b) DEFINITIONS.—For the purposes of this resolution, the terms “congressional earmark”, “limited tax benefit”, and “limited tariff benefit” have the meaning given those terms in clause 9 of rule XXI of the Rules of the House of Representatives.

(c) SPECIAL RULE.—The point of order under subsection (a) shall only apply to legislation providing or authorizing discretionary budget authority, credit authority, or other spending authority, providing a Federal tax deduction, credit, or exclusion, or modifying the Harmonized Tariff Schedule in fiscal year 2012 or fiscal year 2013.

(d) INAPPLICABILITY.—This resolution shall not apply to any authorization of appropriations to a Federal entity if such authorization is not specifically targeted to a State, locality, or congressional district.

SEC. 402. LIMITATION OF AUTHORITY OF THE HOUSE COMMITTEE ON RULES.

The House Committee on Rules may not report a rule or order that would waive the

point of order set forth in the first section of this resolution.

TITLE V—POLICY

SEC. 501. POLICY STATEMENT ON HEALTH CARE LAW REPEAL.

It is the policy of this resolution that the Patient Protection and Affordable Care Act (Public Law 111-148), and the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152) should be repealed.

SEC. 502. POLICY STATEMENT ON BAILOUTS OF STATE AND LOCAL GOVERNMENTS.

It is the policy of this resolution that the Federal Government should not bailout State and local governments, including State and local government employee pension plans and other post-employment benefit plans.

SEC. 503. POLICY STATEMENT ON MEANS-TESTED WELFARE PROGRAMS.

(a) FINDINGS.—The House finds that:

(1) In 1996, President Bill Clinton and congressional Republicans enacted reforms that have moved families off of Federal programs and enabled them to provide for themselves.

(2) According to the most recent projections, over the next 10 years we will spend approximately \$10 trillion on means-tested welfare programs.

(3) Today, there are approximately 70 Federal programs that provide benefits specifically to poor and low-income Americans.

(4) Taxpayers deserve clear and transparent information on how well these programs are working, and how much the Federal Government is spending on means-tested welfare.

(b) POLICY ON MEANS-TESTED WELFARE PROGRAMS.—It is the policy of this resolution that the President's budget should disclose, in a clear and transparent manner, the aggregate amount of Federal welfare expenditures, as well as an estimate of State and local spending for this purpose, over the next ten years.

SEC. 504. POLICY STATEMENT ON REFORMING THE FEDERAL BUDGET PROCESS.

It is the policy of this resolution that the Federal budget process should be reformed so that it is easier to reduce Federal spending than it is to increase it by enacting reforms included in the Spending, Deficit, and Debt Control Act of 2009 (H.R. 3964, 111th Congress).

SEC. 505. POLICY STATEMENT ON REFORMING FEDERAL REGULATION.

It is the policy of this resolution that the cost of regulations on job creators should be reduced by enacting title II of the Jobs Through Growth Act (H.R. 3400), as introduced on November 10, 2011.

SEC. 506. POLICY STATEMENT ON MEDICARE.

(a) FINDINGS.—The House finds the following:

(1) More than 50 million Americans depend on Medicare for their health security.

(2) The Medicare Trustees Report has repeatedly recommended that Medicare's long-term financial challenges be addressed soon. Each year without reform, the financial condition of Medicare becomes more precarious and the threat to those in and near retirement becomes more pronounced. According to the Congressional Budget Office—

(A) the Hospital Insurance Trust Fund will be exhausted in 2022 and unable to pay scheduled benefits; and

(B) Medicare spending is growing faster than the economy and Medicare outlays are currently rising at a rate of 6.3 percent per year, and under the Congressional Budget Office's alternative fiscal scenario, direct spending on Medicare is projected to reach 7

percent of GDP by 2035 and 14 percent of GDP by 2085.

(3) Failing to address this problem will leave millions of American seniors without adequate health security and younger generations burdened with enormous debt to pay for spending levels that cannot be sustained.

(b) POLICY ON MEDICARE REFORM.—It is the policy of this resolution to protect those in and near retirement from any disruptions to their Medicare benefits and offer future beneficiaries the same health care options available to Members of Congress.

(c) ASSUMPTIONS.—This resolution assumes reform of the Medicare program such that:

(1) Current Medicare benefits are preserved for those in and near retirement, without changes.

(2) For future generations, when they reach eligibility, Medicare is reformed to provide a premium support payment and a selection of guaranteed health coverage options from which recipients can choose a plan that best suits their needs.

(3) Medicare will provide additional assistance for lower-income beneficiaries and those with greater health risks.

(4) Medicare spending is put on a sustainable path and the Medicare program becomes solvent over the long-term.

SEC. 507. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.

(a) FINDINGS.—The House finds the following:

(1) According to the Office of Management and Budget, Federal agencies will hold \$698 billion in unobligated balances at the close of fiscal year 2013.

(2) These funds represent direct and discretionary spending made available by Congress that remain available for expenditure beyond the fiscal year for which they are provided.

(3) In some cases, agencies are granted funding and it remains available for obligation indefinitely.

(4) The Congressional Budget and Impoundment Control Act of 1974 requires the Office of Management and Budget to make funds available to agencies for obligation and prohibits the Administration from withholding or cancelling unobligated funds unless approved by an act of Congress.

(5) Greater congressional oversight is required to review and identify potential savings from unneeded balances of funds.

(b) POLICY ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.—Congressional committees shall through their oversight activities identify and achieve savings through the cancellation or rescission of unobligated balances that neither abrogate contractual obligations of the Federal Government nor reduce or disrupt Federal commitments under programs such as Social Security, veterans' affairs, national security, and Treasury authority to finance the national debt.

(c) DEFICIT REDUCTION.—Congress, with the assistance of the Government Accountability Office, the Inspectors General, and other appropriate agencies should make it a high priority to review unobligated balances and identify savings for deficit reduction.

SEC. 508. POLICY STATEMENT ON BLOCK GRANTING MEDICAID.

It is the policy of this resolution that Medicaid and the Children's Health Insurance Program (CHIP) should be block granted to the states by enacting the State Health Flexibility Act of 2012 (H.R. 4160) as introduced on March 7, 2012.

Amend the title so as to read: "Concurrent resolution establishing the budget for the

United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal year 2012 and fiscal years 2014 through 2022."

The Acting CHAIR. Pursuant to House Resolution 597, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT. Madam Chair, I yield myself 2 minutes.

Last week, the House Republicans introduced a budget that takes the first step towards reversing the path to debt and decline that the President and his fellow Democrats have laid out for the American people. Today the Republican Study Committee, the RSC, builds off of that work and offers a plan to further cut spending and balance the budget in just 5 years.

With real spending cuts today, enforceable spending cuts for tomorrow, and commonsense changes to strengthen our Nation's safety net programs and pro-growth tax reform, we can finally restore much-needed certainty to the economy and reopen America for business.

To say that President Obama and Senate Democrats have failed to lead on the most predictable economic crisis in our history would be an understatement. Senate Democrats have not been in the debate at all, failing to pass a budget for over 1,000 days. The President's most recent attempt at a budget—well, it came a week late, and it adds literally trillions of dollars to our Nation's debt.

Every American family understands the necessity of a balanced budget. Families also understand that setting a budget sometimes is difficult. It requires difficult choices. But even with accounting gimmicks and the massive tax increases, our President's budget never, ever balances. This is a void in leadership, and it has substantial consequences on real Americans all across this country.

So, today, the RSC budget represents a clear, practical way for our economy to—what?—begin to grow again. How do we do that? First, we repeal ObamaCare once and for all. Next, we cut discretionary spending, and we eliminate programs that are unconstitutional, duplicative, or harmful. Perhaps most importantly, we don't kick this can down the road and punt these tough decisions. We actually save our national safety net programs that are currently going bankrupt today.

So with these commonsense solutions and by harnessing the power of competition between private insurance plans and improving at the same time the quality of care, we put Medicare on the path to long-term solvency. This offers a real plan for the future. Today I urge all to support the Republican Study Committee substitute.

I reserve the balance of my time.

Mr. VAN HOLLEN. I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Maryland is recognized for 15 minutes.

Mr. VAN HOLLEN. Madam Chairman, I yield myself such time as I may consume.

Yesterday we debated the Republican budget plan. Today, we have a plan that's more of the same, except on steroids.

As we debated yesterday, the question is not whether we should reduce the deficit or whether we should reduce the debt. Of course we should. The question is how we do it. And we should do it in a way that doesn't damage the ongoing economic recovery, which this proposal does. We should do it in a way that is balanced, meaning we have shared responsibility. The Democratic alternative that we'll debate shortly has that balance.

We make difficult spending cuts but we also cut a lot of the loopholes and special breaks in the Tax Code because if you don't do any of that to reduce the deficit, it means you've got to reduce the deficit at the expense of everyone and everything else. And that, unfortunately, is what this budget does as well.

It ends the Medicare guarantee for seniors. It slashes Medicaid very deeply, cutting the program by more than a third by the year 2022, where two-thirds of the funding for that program goes to seniors in nursing homes and disabled individuals. It cuts deeply into education funding, both for prekindergarten/preschool as well as college. It cuts deeply into those important investments, including transportation, which we were debating earlier today. In fact, their transportation proposal would cut transportation spending next year by 46 percent, even though we have 17 percent unemployment in the construction industry.

So this budget, like the one yesterday, makes the wrong choices for America. We can reduce our deficits and debt. Let's just do it in a balanced way with shared responsibility.

With that, I yield 2 minutes to the gentledady from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman from Maryland for yielding.

Madam Chairman, I rise in strong opposition to both the Garrett substitute and the Ryan budget.

Today's debate is about one thing: priorities. Should Nevada seniors be the priority for the United States Congress? Or should Wall Street and Big Oil companies be the priority? The Republican budget proposal answers that question very clearly.

Instead of tackling Nevada's record unemployment and foreclosure rates, Washington Republicans are, instead, advocating to kill Medicare by turning it over to profit-hungry insurance com-

panies. This proposal would raise the premiums for Nevada's seniors by up to \$6,000 a year.

□ 1220

Why would Republicans do this? In order to pay for more tax breaks for corporations that ship good-paying American jobs overseas or to continue taxpayer giveaways to Big Oil companies that made a record \$137 billion in profits last year alone?

Madam Chair, these are the wrong priorities. Wall Street millionaires and Big Oil companies don't need our help. They're doing just fine. But Nevada seniors are struggling to make ends meet. Putting private insurance companies in between patients and their doctors would just make things worse.

I encourage all of my colleagues to join me in rejecting this plan and any plan that has the wrong priorities and tries to kill Medicare by turning it over to private insurance companies whose only interest is profits and not the health and well-being of our seniors.

Mr. GARRETT. At this time, I yield 2 minutes to the chairman of the RSC, Mr. JORDAN.

Mr. JORDAN. I thank the gentleman for yielding.

I just want to respond to two arguments my friend from Maryland has made in his remarks and, frankly, made the last 2 days in this debate.

First, he says we need a balanced approach. Everyone understands when Democrats talk about a balanced approach, what they mean is raising taxes now and, oh, we promise—and you can count on this promise because it's coming from politicians—we promise we will cut spending later.

I would like to point out: If it's so important to raise taxes on the American people and on certain businesses, why in the world didn't the Democrats do this just 24 months ago when they controlled all of government? In fact, they had a filibuster-proof majority in the Senate just 24 months ago. If it was so critical, why didn't you do it then? So this balanced approach is not going to fly.

The other argument they make is somehow our proposal that Mr. GARRETT and his team put together, which I strongly support, that somehow it's going to hurt economic growth. Someone's got to explain to me how getting to balance in 5 years and then beginning to pay off a \$16 trillion debt, a debt that is now bigger than our entire economy, bigger than our entire GDP, someone's got to explain to me how that will hurt economic growth. I actually think it will probably prevent a downgrade, unlike last summer. If we'd have adopted this budget last summer, my guess is we wouldn't have gotten a downgrade from S&P.

So I just want to commend the gentleman from New Jersey and his team

for his hard work and make this final point.

One of the things that makes our country special is this simple phenomena: parents make sacrifices for their kids so that when they grow up they have life better than they did. They, in turn, do it for their children. And each generation in this country has done it for the next—until today.

Today, for the first time in American history, we have a political class who's living for the moment, spending for the moment, and sending the bill to the next generation. It is wrong; it is unfair; it is immoral. The only budget that's going to get us to balance in a reasonable period of time, in a commonsense period of time that the American people understand, is the budget that Mr. GARRETT and his team have put together.

So I strongly support it and urge my colleagues to vote "yes."

Mr. VAN HOLLEN. Madam Chair, I yield 1½ minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank my friend for yielding to me.

I rise in opposition to this budget and in opposition to the extreme Republican budget. Budgets are about priorities. And what are the priorities of my Republican friends? Protect the wealthiest in this country, protect big corporations, kill the seniors, and hurt middle class people. This is just nothing that makes sense.

Their budget slashes services for the elderly, slashes Pell Grants, slashes education services, slashes services of those with disabilities, and increases tax cuts for the wealthiest people and the wealthiest corporations. That's the Republican priority. They go after Medicare, go after Medicaid, and give increased tax breaks to wealthy people.

I don't think those are the priorities of the American people. I think the priorities of the American people are in the Democrat programs.

Let me remind my friend on the other side of the aisle, for 6 years, under Mr. Bush, they controlled the Senate and the House and the Presidency and did none of this—none of getting back to basics with the budget and red ink as far as the eye can see. So the newfound religion we see on the other side, please spare me.

What we do see from the other side, again, is to protect the wealthiest, Big Oil, big corporations, hurt Medicare and Medicaid, hurt the middle class, and tax breaks for the rich. Those are the Republican priorities.

On the Democratic side, we care about the average person who's struggling to make ends meet. We want to help the average person go to school. These are our priorities.

Which are the priorities of the American people? I think it's the Democratic priorities.

Mr. GARRETT. At this time, I yield 2 minutes to the gentleman from Louisiana, a man who understands that our

President has failed to lead by not presenting us a balanced budget, so he has presented one through the RSC, Mr. SCALISE.

Mr. SCALISE. I thank the gentleman from New Jersey for bringing this amendment forward, this budget that implements what we would consider a balanced approach, and that's what we call cut, cap, and balance.

That's what's so important about this amendment, this budget that we bring forward with the RSC, is that, number one, the most important thing is we finally control the wasteful Washington spending that has added mountains and mountains of debt on the backs of our children and grandchildren, which is just immoral. It's wrong and surely not fair to send the bill for all this spending to our children and grandchildren and continue it on autopilot, as President Obama's budget did—President Obama's budget, by the way, which got no votes. Not even one Democrat voted for the President's budget.

The contrast we bring here today is that in 5 years we will have a balanced budget under this amendment that's being brought forward. So we cut spending in areas where we've been needing to finally control spending like families are controlling spending back home.

When families deal with tough economic times, they've already done this. They tighten their belts and they make do with what they've got and they live within their means. And Washington has refused to do it. We finally put those fiscal constraints in Washington. But then we also put caps in place so that until we get to a balanced budget, there's a freeze on discretionary spending so that we're able to finally get to what is ultimately a balanced Federal budget in 5 years.

And we go further. Of course, we repeal ObamaCare, which is something that's been so devastating already to so many families that have lost the health care that they like, and so many other things like the tax increases that go with it—tax increases, by the way, which in many areas hit middle class families real hard. We abolish that.

We even go further. We save Medicare. President Obama's budget actually escalates Medicare's bankruptcy. In 12 years—and this, by the way, is from President Obama's own Medicare actuaries—Medicare goes bankrupt. They're willing to sit by and let that happen. We're not willing to do that. We're going to save Medicare. This budget does that, too. It has those reforms that Chairman RYAN brought forward that actually put Medicare back on a sustainable growth path.

And then we have commonsense tax reform that actually lowers overall rates.

This is a great budget that's been brought forward that's finally responsible to address our problems.

Mr. VAN HOLLEN. Madam Chair, I yield myself such time as I may consume.

Again, the reason the Republican budget and this budget do things like end the Medicare guarantee, do things like cut deeply into education for our kids' future, do things like cut Medicaid by over \$800 billion over 10 years, is because they're not asking the very wealthy to share more responsibility in reducing the deficit. In fact, they double down on tax cuts.

If you see from this chart from the Nonpartisan Tax Policy Institute, simply by locking in the portion of the Bush tax cuts that benefit the wealthy, millionaires, on average—people making over a million dollars a year—will get \$129,000. Then you heard talk about how they're going to drop the top rate from 35 percent to 25 percent. That would give people earning a million dollars over \$265,000.

On top of that, they say they're going to do that in a deficit-neutral manner. Well, to do that, you've got to make up \$4.6 trillion in revenue loss. They're going to do it by getting rid of all those deductions. One of the biggest ones is the mortgage interest deduction that helps middle-income people.

So the net result of what they're saying is more tax cuts for the folks at the very top financed by increasing the tax burden on middle-income Americans and financed by cutting important investments that help grow our economy.

With that, I yield 1½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Madam Chairman, this budget proposal is a stunningly radical document because at its core is a massive redistribution of income from the economically disadvantaged to the wealthiest members of our society.

In order to fund historic, unnecessary, and unsustainable tax cuts for the rich, this Republican budget would require us to nearly eliminate our ability as a government to invest in our physical and human infrastructure.

□ 1230

In other words, it shows no faith in our Nation's future. It puts our future in the hands of those who can afford to live in gated communities and invest in foreign economies. In fact, more than two-thirds of the non-defense cuts in this Republican plan come from programs that directly benefit low-income Americans. The path laid out by this resolution is one where, in my children's lifetime, most of the Federal Government, with the exception of defense, Social Security, and health care, would no longer have the money to function.

Now, what does it mean to virtually eliminate non-defense discretionary spending? That's a budgetary term.

But that includes research at NIH; roads and public transportation; transit funding; Head Start; education support; FBI; drug enforcement; food, meat, and drug inspections; no national park maintenance or environmental protection. That's what it means to virtually eliminate these functions of the government.

The Acting CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman from Virginia an additional 30 seconds.

Mr. MORAN. Madam Chairman, this is not a budget for the America that we know today. It's a budget for Grover Norquist's America—a radical, conservative fantasy land where government is no longer fiscally able to play a role protecting those who need it most, protecting our most precious natural resources and investing in the job creation initiatives that will enable us to move forward as a people. That is not a vision that we should want to see passed into law, let alone into reality.

Mr. GARRETT. Madam Chairman, at this time, I am pleased to yield 2 minutes to the gentleman from Kansas who understands that this administration has failed our children by continuing to take from them so this administration can spend today.

Mr. HUELSKAMP. I appreciate the hard work of my colleague from New Jersey.

Today I rise in proud support of the RSC budget that we're discussing here today. This budget offers a clear vision for fiscal responsibility and limited government as well as a path toward accomplishing that vision.

In just 3 days, the United States will have the highest corporate business tax rate in the world. In a matter of months, every American, every business owner and every investor will be subject to higher taxes as a result of the expiration of the Bush-Obama tax cuts. That's right, the Bush-Obama tax cuts will expire.

This budget addresses these looming challenges not only by proposing to lower tax rates, but it also includes the ticket to make them a reality with reconciliation instructions that require Congress to vote before September 15 on comprehensive tax reform that will actually create jobs in America.

On another note, this budget vastly improves Medicare and helps our most needy. The costs of this program are consuming our already cash-strapped Federal and State coffers. In many States, it's not uncommon to spend more on Medicaid than on K-12 education. In converting Medicaid to a block grant program, we will enhance State-level accountability, respect the 10th Amendment, and give States the freedom, flexibility and, yes, accountability they need in order to serve their citizens better at the local and State level.

I urge all my colleagues to support this budget as the answer to accomplishing America's priorities of cutting spending, keeping taxes low, creating jobs, and balancing our budget in a matter of years, not decades.

Mr. VAN HOLLEN. Madam Chairman, I yield 2 minutes to the gentleman from Oregon, a member of the Budget Committee, Mr. BLUMENAUER.

Mr. BLUMENAUER. Make no mistake, this budget is actually the heart of the budget philosophy of our friends from the other side of the aisle. This is where they want to take America. Do you remember last time it almost passed until the leadership was horrified, seeing that it was winning. Then they started twisting arms to have people change their votes so it would go down? It is disconnected from the real life consequences of average Americans and what America needs.

There's a certain irony. We just approved a short-term extension of the transportation bill which makes it impossible to use the full construction cycle this summer because the Republicans would not allow a vote on the bipartisan bill that passed the Senate. They were afraid it would pass and we would have stability for 2 years.

The Ryan Budget Committee budget will cut transportation 46 percent at a time when America's infrastructure desperately needs additional investment. And this budget doesn't even identify the depths of the cut. They shove it all into function 920, so it's disguised, but it's likely 10 percent or more below the already intolerable levels of the Ryan budget.

This is not what people are hearing from folks at home in terms of what America needs to put people back to work, to strengthen our communities, to deal with problems of water, sewer, transportation, failing bridges and transit. It fails a fundamental test of the partnership we've had for the last 66 years of a national priority to rebuild, renew, and focus on transportation and infrastructure.

This is just one more reason why we should reject both of these alternatives and support the program that has been offered by my friend from the Budget Committee.

Mr. GARRETT. At this time, I yield 3 minutes to the gentleman from South Carolina, who has been a stalwart leader in the legislation before us in trying to have the U.S. live within a balanced budget.

Mr. MULVANEY. Madam Chairman, I thank my colleague from New Jersey for the opportunity. We can and will, obviously, over the course of this day, say a lot about this budget—a lot of bad things about this budget. I prefer to focus on one positive thing above all others—one thing. This budget actually balances. The budget actually balances. Five years it takes to do that. It's not easy. In fact, it's very, very hard to do that.

It's easier to borrow money. In fact, the reason that we borrow so much money is because it's easier to do that than it is to go home and tell people that we have to make hard decisions in order to balance the budget, and we're afraid that if we go home and tell people that we have to make difficult decisions, that they won't send us back the next term. And make no mistake about it, the most important thing in many people's minds in this Chamber is to make sure they come back next term.

This budget challenges that. This budget balances.

The President's does not. We took it up last night, and it failed overwhelmingly. No one supported it. It never balances. Later today, we'll take up the Democratic budget, which also never balances. Budgets that never balance raise a legitimate moral question, a moral issue. If you borrow money with the intention of paying it back, that is debt. There's no question. If you borrow money intending to pay it back, it's debt. If you borrow money never intending to pay it back, that is theft. That is theft, and that is what the President's budget represents. That is what the Democrat budget represents. That's what so many budgets over the course of the last generations in this town have represented. We have borrowed money with no plan and no intention ever to pay it back. And too many budgets in here today will simply continue that cycle.

It's wrong. It's wrong to do to our children and our grandchildren, and it's wrong to do for ourselves. You should never take something and not even have a plan to pay it back. Say what you want to about the Republican Study Committee budget, say what you want to later on about the Republican budget that Mr. RYAN and the committee are offering, but at least at the very end of the day, they offer some way to pay back the money that we borrowed, and for those reasons alone, they merit our support.

Mr. VAN HOLLEN. Madam Chairman, we'll talk more later about the Democratic alternative and how we address the deficit in a serious and credible way without doing it in a manner that provides a windfall tax break to folks at the top at the expense of everybody else.

For now, I yield 2 minutes to the gentleman from New Jersey, a member of the Budget Committee, Mr. PASCARELL.

Mr. PASCARELL. Madam Chair, just when you thought it couldn't get any worse, it does. I've listened to these words, "Empty" and "pyrrhic" come to my mind. How in God's name can you speak across the floor to the people on this side and imply that the President is guilty of thievery or theft when, from 2001 to now, here's the record—and I'll wait if you want to interject. Please stand and say "you're wrong": 2001, tax cuts, not paid for; 2003, tax cuts, not paid for.

Mr. MULVANEY. Will the gentleman yield?

Mr. PASCARELL. No, not yet. I'm not finished. Then you can interject your thoughts. Don't look so startled, because what you've said is startling. You didn't pay for those two tax cuts, you didn't pay for two wars, and you didn't pay for the prescription drug plan that you put into effect. In fact, you didn't even vote for it, Mr. Chairman, yourself.

The point of the matter is, you pay for nothing, then you're accusing us—you're accusing those on this side of the aisle of not being responsible? Do you know what you've done? By 2020, the portion of the debt gets bigger because of those things you folks did a few years ago, and you have amnesia about it.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair must remind Members to address their remarks to the Chair, not to others in the second person.

□ 1240

Mr. MULVANEY. Will the gentleman yield?

Mr. PASCARELL. I yield to the gentleman from South Carolina.

Mr. MULVANEY. I thank my friend from New Jersey, for whom I have a great deal of respect, Madam Chairwoman. And what he says is correct. What he says is absolutely and without reservation correct. What this government did during the first half of this decade was wrong. Borrowing the money as we did was wrong. To continue it, Madam Chairwoman, is just as wrong.

Mr. PASCARELL. Madam Chairman, I take back my time. I think I've been generous about that.

The only difference is, the President who was the President in 2001—I'm glad you agree with me—came into circumstances very different from the President who raised his hand in January of 2009, wasn't it? In 2000, we had a surplus of \$5 trillion.

The Acting CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman another 30 seconds.

Mr. PASCARELL. When this President raised his hand, we were losing 750,000 jobs a year, number one; and, number two, we had a deficit beyond belief, Madam Chairman. And for us to compare, you must believe in fairy tales.

Now, if you want to talk about a budget that's in balance, we can do that; but if we continue on this path and not recognize history, we will never come to balance. Let's be honest.

Mr. GARRETT. At this time, I would like to yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK), who understands, first and foremost, that Washington must do what every family in the United States does, and that is to balance its budget.

Mr. McCLINTOCK. I thank the gentleman for yielding.

Madam Chairman, this Nation is on a collision course with a sovereign debt crisis, the magnitude of which we have never experienced. This is not some moonless night on the Atlantic. We are spending full speed ahead toward that iceberg of debt in the full light of day, and we can all see that plainly.

The House budget turns the ship just barely enough to avoid hitting that same hazard which has already wrecked Greece. The RSC budget turns us promptly and safely. It builds on the House Budget Committee's work, but within the budget passed by the House last year as adjusted by the sequester.

I've heard the descriptions—it's draconian, it's radical, it's extreme. It returns us to the spending levels before the Obama-Pelosi spending binge began in 2008. That might sound extreme to my friends across the aisle, but I assure them many families have been working within flat or even diminished family budgets since then and they have every right to expect that their government, over the next 5 years, does what they have already been doing over the past 5—work hard, waste not, and live within your means. If we were to do so, this Nation could see a balanced budget again within 5 years and redeem its rightful place as the respected financial leader of the world.

We know the challenge. We see the American Dream at risk. And we know that we have but a fleeting moment in history to avoid the hardest times our Nation has ever known.

We still have a chance to place our retirement systems on a sound financial footing, arrest the debilitating spiral of debt that threatens the very survival of our Nation, and return our economy to the prosperity it has known when it has enjoyed what Jefferson called a "wise and frugal government."

The Acting CHAIR. The gentleman from Maryland has 1¾ minutes remaining, and the gentleman from New Jersey has 3½ minutes remaining.

Mr. VAN HOLLEN. Madam Chairman, I reserve the balance of my time.

Mr. GARRETT. At this time, I'd like to yield 3 minutes then to the gentleman from Georgia (Mr. GRAVES), who also has been a leader on this in order to make sure that this House does what the American public asks for, to live within our means and to bring this country to prosperity.

Mr. GRAVES of Georgia. Madam Chair, these are serious times. We're hearing a lot of rhetoric here today. We've got some revisionist history. There's a lack of recollection that in 2006 and 2007 this body was in control by the Democrats, the Senate was controlled by the Democrats, and then the President inherited a mess from the Democrats that were in control of these bodies, of which he was a part. A

little bit of revisionist history going on here today.

But the fact that the Members on the other side can stand here and look into these cameras, into the faces of the children all across this Nation and not provide them a solution is appalling. Every time it is: let's push it off, let's push it off further. We have no plan to balance the budget, we have no plan to pay off the debt, but we have a balanced approach to continue down the same path. Now, a balanced approach, that's like straddling the fence: it gets you nowhere, and at some point you're going to fall off this fence, and it's going to hurt.

Today, we have the opportunity to reverse this trend of trillion-dollar deficits and balance the budget in 5 years. Today, we will decide whether to stop borrowing from the future to pay for the present. This budget presents a path to the balanced budget without raising taxes. It eliminates the death tax; it unlocks America's energy sources. This budget unleashes the power and ingenuity of America's job creators and addresses the entitlement elephant that is this impending path of insolvency that lays before us. In 6 years, Madam Chair, we will begin paying down the debt with this budget that's before us.

So we should no longer accept the Democrats' and President Obama's decision to take us down this road to ruin, because we have a choice. It's a choice between two destinies: it's a destiny of debt and dependency—the wrong path—or it's the choice of a different path. Maybe it's one of opportunity and prosperity, Madam Chair. I say we choose the path of opportunity and prosperity. This budget—the budget I refer to not as the RSC budget, but as America's budget—will put us on that path to prosperity and opportunity.

Madam Chair, I encourage every Member of this body, regardless of party, to support this budget because it is the children who are looking out on us today, looking for that solution, looking for a positive answer, and looking for us to work together. This is that opportunity.

Mr. VAN HOLLEN. Madam Chairman, I reserve the balance of my time.

The Acting CHAIR. The gentleman from New Jersey has 1 minute remaining.

Mr. GARRETT. If there are no other speakers, then I will close with the remaining time.

Madam Chairman, as we come to the floor today, it is agreed on both sides that there is plenty of blame to go around as to how we got into this mess. Republican and Democrat on both sides of the aisle, this administration and past administrations as well are to blame. We can point fingers all day at blame, but what we should come here today to do is point the finger at the solution to this problem.

The solution is the budget that we see on the floor today. The solution is the RSC budget that we have here today on the floor. The solution is to make sure that we do on the floor today what every single family in this country and what every single business in this country has always had to do, and that is to make the tough choices, and that is to make the hard choices, and that is to live within our means, and that is to have a balanced budget.

This is the only budget that will come to the floor today that will actually do all that. This is the only budget that will come that will make sure that we actually balance—not within 50 years, 40 years, 30 years, 20 years, 10 years. We will actually balance within 5 years, and we will do so at the same time that we protect the safety net for our seniors today and in the future. We will do so at the same time that we protect our children in the future. We will do so at the same time that we make sure that we do not borrow from the future to pay the bills today.

I ask you to support the only budget that does all those things. Support the RSC budget.

Mr. VAN HOLLEN. Madam Chairman, one thing I hope we can all agree on is that we need to protect our children and grandchildren and future generations. The question is not whether we need to do that. Of course we do. The issue is how. I keep hearing my colleagues come forward and passionately talk about that, but they're absolutely unwilling to take the balanced approach that has been recommended by bipartisan groups. Everyone that's looked at this challenge says we've got to take a combination of tough spending cuts, but we also need some revenue from closing tax loopholes and asking folks at the very top to go back to what they were paying during the Clinton administration—by the way, the last time that we had a balanced budget.

□ 1250

And yet, despite all that talk, they don't want us to close one loophole. In fact, almost every Republican in this House has signed this pledge to Grover Norquist saying they won't cut one tax loophole for the purpose of deficit reduction; that they won't ask folks making \$1 million to contribute any more to deficit reduction. In fact, they propose to give them another windfall tax cut.

That's the choice they make, and because of that choice, they cut our investment in education for our kids. They cut investments that will strengthen our economy, help build our infrastructure so we can outcompete and outbuild and outeducate the rest of the world. That's what we need to do for the future of our children.

I urge everybody to vote against this amendment.

I yield back the balance of my time. The Acting CHAIR. All time for debate has expired.

The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GARRETT. Madam Chair, in light of the fact that this House just weeks ago voted * * *

The Acting CHAIR. The gentleman will suspend.

The gentleman has not been recognized for debate.

RECORDED VOTE

Mr. GARRETT. I ask for a recorded vote.

The Acting CHAIR. A recorded vote has been requested. Those in favor of taking this vote by a recorded vote will rise. A sufficient number having risen, a recorded vote is ordered. Members will record their vote by electronic device.

The vote was taken by electronic device, and there were—ayes 136, noes 285, answered "present" 3, not voting 7, as follows:

[Roll No. 149]

AYES—136

- Adams Graves (GA) Olson
Akin Graves (MO) Palazzo
Amash Griffin (AR) Paul
Amodoi Griffith (VA) Pearce
Austria Guinta Pence
Bachmann Hall Pitts
Bartlett Harper Poe (TX)
Barton (TX) Harris Pompeo
Bishop (UT) Hartzler Posey
Black Hensarling Price (GA)
Blackburn Herger Quayle
Boustany Huelskamp Ribble
Brady (TX) Huizenga (MI) Rigell
Brooks Hultgren Rivera
Broun (GA) Hunter Roe (TN)
Bucshon Issa Rohrabacher
Buerkle Jenkins Rokita
Burgess Johnson (IL) Rooney
Burton (IN) Johnson, Sam Ross (FL)
Campbell Jordan Royce
Cassidy King (IA) Scalise
Chabot Kingston Schmidt
Chaffetz Kline Schweikert
Coble Labrador Scott (SC)
Coffman (CO) Lamborn Scott, Austin
Cole Lance Sensenbrenner
Conaway Landry Sessions
Culberson Lankford Shimkus
DesJarlais Latta Shuster
Duncan (SC) Long Shuster
Ellmers Lummis Simpson
Farenthold Manzullo Smith (TX)
Fincher Marchant Stearns
Flake McCaul Stutzman
Fleischmann McClintock Sullivan
Fleming McCotter Thompson (PA)
Flores McHenry Thornberry
Foxy McMorris Tipton
Franks (AZ) Rodgers Upton
Gardner Mica Walberg
Garrett Miller, Gary Walsh (IL)
Gingrey (GA) Mulvaney West
Gohmert Murphy (PA) Westmoreland
Goodlatte Myrick Wilson (SC)
Gosar Neugebauer Woodall
Gowdy Nunnelee Yoder

NOES—285

- Ackerman Baca Bass (CA)
Aderholt Bachus Bass (NH)
Alexander Baldwin Becerra
Altmire Barletta Benishek
Andrews Barrow Berg

- Berkley Green, Gene
Berman Grijalva Pastorel
Biggart Grimm Paulsen
Bilbray Guthrie Pelosi
Bilirakis Gutierrez Perlmutter
Bishop (GA) Hahn Peters
Bishop (NY) Hanabusa Peterson
Blumenauer Hanna Petri
Bonamici Hastings (FL) Pingree (ME)
Bonner Hastings (WA) Platts
Bono Mack Hayworth Price (NC)
Boren Heck Quigley
Boswell Heinrich Rahall
Brady (PA) Herrera Beutler Reed
Bralley (IA) Higgins Rehberg
Brown (FL) Himes Reichert
Buchanan Hinchey Renacci
Butterfield Hinojosa Reyes
Calvert Hirono Richardson
Camp Hochul Richmond
Canseco Holden Roby
Capito Holt Rogers (AL)
Capps Honda Rogers (KY)
Capuano Hoyer Rogers (MI)
Cardoza Hurt Ros-Lehtinen
Carnahan Israel Roskam
Carney Jackson Lee
Carson (IN) Johnson (GA)
Carter Johnson (OH)
Castor (FL) Johnson, E. B.
Chandler Jones
Chu Kaptur
Cicilline Keating
Clarke (MI) Kelly
Clarke (NY) Kildee
Clay Kind
Cleaver King (NY) Sanchez, Loretta
Clyburn Kinzinger (IL) Sarbanes
Cohen Kissell Schakowsky
Connolly (VA) Kucinich Schiff
Conyers Langevin Schilling
Cooper Larsen (WA) Schock
Costa Larson (CT) Schrader
Costello Latham Schwartz
Courtney LaTourrette Scott (VA)
Cravaack Lee (CA) Scott, David
Crawford Levin Serrano
Crenshaw Lewis (CA) Sewell
Critz Lewis (GA) Sherman
Crowley Lipinski Shuler
Cuellar LoBiondo Sires
Cummings Loeb sack Slaughter
Davis (CA) Lofgren, Zoe Smith (NE)
Davis (IL) Lowey Smith (NJ)
Davis (KY) Lucas Smith (WA)
DeFazio Luetkemeyer Southerland
DeGette Lujan Speier
DeLauro Lungren, Daniel
Denham E. Stark
Dent Lynch Stivers
Deutch Marino Sutton
Diaz-Balart Markey Terry
Dicks Matheson Thompson (CA)
Dingell Matsui Thompson (MS)
Doggett McCarthy (CA) Tiberi
Dold McCarthy (NY) Tierney
Donnelly (IN) McCollum Tonko
Doyle McGovern Tsongas
Dreier McDermott Turner (NY)
Duffy McGovern Turner (OH)
Duncan (TN) McIntyre Van Hollen
Edwards McKeon Velázquez
Ellison McKinley Visclosky
Emerson McNeerney Walden
Engel Meehan Walz (MN)
Eshoo Michaud Wasserman
Farr Miller (FL) Schultz
Fitzpatrick Miller (MI) Waters
Forbes Miller (NC) Watt
Fortenberry Miller, George Webster
Frank (MA) Moore Welch
Moran Miller (CT) Whitfield
Murphy (CT) Nadler Wilson (FL)
Fudge Napolitano Wittman
Gallegly Neal Wolf
Garamendi Noem Womack
Gerlach Noem Woolsey
Gibbs Nugent Yarmuth
Gibson Nunes Young (AK)
Gonzalez Oliver Young (FL)
Granger Owens Young (IN)
Green, Al Pallone Waxman

ANSWERED "PRESENT"—3

- Fattah Polis Waxman

NOT VOTING—7

- Filner Maloney Towns
Jackson (IL) Meeks
Mack Rangel

□ 1327

Messrs. DREIER, WALZ, BILIRAKIS, and YOUNG of Florida changed their vote from "aye" to "no."

Messrs. RIVERA, HARPER, THOMPSON of Pennsylvania, Mrs. ELLMERS, Messrs. SHIMKUS, HUNTER, HULTGREN, MICA, FINCHER, COFFMAN of Colorado, TIPTON, Ms. FOXX, Messrs. OLSON, MURPHY of Pennsylvania, SHUSTER, and BUCSHON changed their vote from "no" to "aye."

Messrs. ROSS of Arkansas, BISHOP of Georgia, CLAY, THOMPSON of Mississippi, and MILLER of North Carolina changed their vote from "present" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 149, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

Mr. RYAN of Wisconsin. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATHAM) having assumed the chair, Mr. THORNBERRY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 112) establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022, had come to no resolution thereon.

SURFACE TRANSPORTATION EXTENSION ACT OF 2012

Mr. MICA. Mr. Speaker, I ask unanimous consent that the ordering of the yeas and nays on the motion that the House suspend the rules and pass the bill (H.R. 4239) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, as amended, be vacated, to the end that the Chair put the question de novo.

The Clerk read the title of the bill.

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

Mr. HOYER. Reserving the right to object, and I have no intention of objecting, Mr. Speaker, but simply to say that we continue to believe on this side of the aisle that we could resolve this issue, as we have had this debate, over

a longer term and give confidence to the markets, give confidence to the States and localities by simply bringing the Senate bill to the floor and passing that bill.

With that, Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Without objection, the ordering of the yeas and nays on the motion that the House suspend the rules and pass H.R. 4239 is vacated, and the Chair will put the question de novo.

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and pass the bill, H.R. 4239, as amended.

The question was taken; and (two-thirds not being in the affirmative) the motion was rejected.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013

GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 112.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 597 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution, H. Con. Res. 112.

Will the gentleman from Texas (Mr. THORNBERRY) kindly resume the chair.

□ 1330

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution (H. Con. Res. 112) establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022, with Mr. THORNBERRY (Acting Chair) in the chair.

The Clerk read the title of the concurrent resolution.

The Acting CHAIR. When the Committee of the Whole House rose earlier today, amendment No. 5 printed in House Report 112-423 offered by the gentleman from New Jersey (Mr. GARRETT) had been disposed of.

AMENDMENT NO. 6 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. VAN HOLLEN

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-423.

Mr. VAN HOLLEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal year 2012 and for fiscal years 2014 through 2022.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-neutral reserve fund for job creation through investments and incentives.
Sec. 202. Deficit-neutral reserve fund for increasing energy independence and market stability.
Sec. 203. Deficit-neutral reserve fund for America's veterans and servicemembers.
Sec. 204. Deficit-neutral reserve fund for Medicare improvement.
Sec. 205. Deficit-neutral reserve fund for Transitional Medical Assistance.
Sec. 206. Deficit-neutral reserve fund for initiatives that benefit children.
Sec. 208. Deficit-neutral reserve fund for the Affordable Housing Trust Fund.
Sec. 209. Deficit-neutral reserve fund for college affordability.
Sec. 210. Deficit-neutral reserve fund for additional tax relief for individuals and families.

TITLE III—ENFORCEMENT PROVISIONS

Sec. 301. Point of order against advance appropriations.
Sec. 302. Adjustments to discretionary spending limits.
Sec. 303. Costs of emergency needs, Overseas Contingency Operations and disaster relief.
Sec. 304. Budgetary treatment of certain discretionary administrative expenses.
Sec. 305. Application and effect of changes in allocations and aggregates.
Sec. 306. Reinstatement of pay-as-you-go.
Sec. 307. Exercise of rulemaking powers.

TITLE IV—POLICY

Sec. 401. Policy of the House on jobs: Make it in America.
Sec. 402. Policy of the House on sequestration.
Sec. 403. Policy of the House on taking a balanced approach to deficit reduction.
Sec. 404. Policy of the House on Social Security reform that protects workers and retirees.
Sec. 405. Policy of the House on protecting the Medicare guarantee for seniors.
Sec. 406. Policy of the House on affordable health care coverage for working families.
Sec. 407. Policy of the House on Medicaid.
Sec. 408. Policy of the House on overseas contingency operations.
Sec. 409. Policy of the House on national security.

Sec. 410. Policy of the House on tax reform and deficit reduction.

Sec. 411. Policy of the House on agriculture spending.

Sec. 412. Policy of the House on the use of taxpayer funds.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2012: \$1,836,360,000,000.
Fiscal year 2013: \$2,064,353,000,000.
Fiscal year 2014: \$2,336,432,000,000.
Fiscal year 2015: \$2,604,734,000,000.
Fiscal year 2016: \$2,800,259,000,000.
Fiscal year 2017: \$2,962,336,000,000.
Fiscal year 2018: \$3,092,826,000,000.
Fiscal year 2019: \$3,234,194,000,000.
Fiscal year 2020: \$3,411,255,000,000.
Fiscal year 2021: \$3,586,187,000,000.
Fiscal year 2022: \$3,766,705,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2012: -\$62,857,000,000.
Fiscal year 2013: -\$228,986,000,000.
Fiscal year 2014: -\$214,752,000,000.
Fiscal year 2015: -\$211,550,000,000.
Fiscal year 2016: -\$215,847,000,000.
Fiscal year 2017: -\$232,303,000,000.
Fiscal year 2018: -\$259,463,000,000.
Fiscal year 2019: -\$284,378,000,000.
Fiscal year 2020: -\$296,765,000,000.
Fiscal year 2021: -\$320,765,000,000.
Fiscal year 2022: -\$348,776,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2012: \$3,239,647,000,000.
Fiscal year 2013: \$2,966,382,000,000.
Fiscal year 2014: \$2,984,444,000,000.
Fiscal year 2015: \$3,098,951,000,000.
Fiscal year 2016: \$3,308,049,000,000.
Fiscal year 2017: \$3,470,252,000,000.
Fiscal year 2018: \$3,637,710,000,000.
Fiscal year 2019: \$3,824,454,000,000.
Fiscal year 2020: \$4,037,028,000,000.
Fiscal year 2021: \$4,220,190,000,000.
Fiscal year 2022: \$4,431,285,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012: \$3,138,093,000,000.
Fiscal year 2013: \$3,064,546,000,000.
Fiscal year 2014: \$3,048,076,000,000.
Fiscal year 2015: \$3,130,366,000,000.
Fiscal year 2016: \$3,308,452,000,000.
Fiscal year 2017: \$3,435,565,000,000.
Fiscal year 2018: \$3,580,995,000,000.
Fiscal year 2019: \$3,799,150,000,000.
Fiscal year 2020: \$3,993,967,000,000.
Fiscal year 2021: \$4,187,928,000,000.
Fiscal year 2022: \$4,401,684,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2012: -\$1,301,733,000,000.
Fiscal year 2013: -\$1,000,193,000,000.
Fiscal year 2014: -\$711,644,000,000.
Fiscal year 2015: -\$525,632,000,000.
Fiscal year 2016: -\$508,193,000,000.
Fiscal year 2017: -\$473,229,000,000.
Fiscal year 2018: -\$488,169,000,000.
Fiscal year 2019: -\$564,956,000,000.

Fiscal year 2020: –\$582,712,000,000.
 Fiscal year 2021: –\$601,741,000,000.
 Fiscal year 2022: –\$634,979,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012: \$16,140,000,000,000.
 Fiscal year 2013: \$17,309,000,000,000.
 Fiscal year 2014: \$18,199,000,000,000.
 Fiscal year 2015: \$18,911,000,000,000.
 Fiscal year 2016: \$19,632,000,000,000.
 Fiscal year 2017: \$20,366,000,000,000.
 Fiscal year 2018: \$21,129,000,000,000.
 Fiscal year 2019: \$21,961,000,000,000.
 Fiscal year 2020: \$22,812,000,000,000.
 Fiscal year 2021: \$23,682,000,000,000.
 Fiscal year 2022: \$24,575,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012: \$11,424,000,000,000.
 Fiscal year 2013: \$12,498,000,000,000.
 Fiscal year 2014: \$13,290,000,000,000.
 Fiscal year 2015: \$13,894,000,000,000.
 Fiscal year 2016: \$14,477,000,000,000.
 Fiscal year 2017: \$15,023,000,000,000.
 Fiscal year 2018: \$15,578,000,000,000.
 Fiscal year 2019: \$16,210,000,000,000.
 Fiscal year 2020: \$16,871,000,000,000.
 Fiscal year 2021: \$17,565,000,000,000.
 Fiscal year 2022: \$18,311,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2012 through 2022 for each major functional category are:

(1) National Defense (050):

Fiscal year 2012:
 (A) New budget authority, \$560,847,000,000.
 (B) Outlays, \$620,526,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$553,925,000,000.
 (B) Outlays, \$582,924,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$564,074,000,000.
 (B) Outlays, \$568,196,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$574,336,000,000.
 (B) Outlays, \$565,518,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$585,581,000,000.
 (B) Outlays, \$578,055,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$598,841,000,000.
 (B) Outlays, \$585,091,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$612,097,000,000.
 (B) Outlays, \$592,763,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$625,362,000,000.
 (B) Outlays, \$610,522,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$639,661,000,000.
 (B) Outlays, \$625,015,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$653,962,000,000.
 (B) Outlays, \$638,965,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$671,019,000,000.
 (B) Outlays, \$659,506,000,000.
 (2) International Affairs (150):
 Fiscal year 2012:
 (A) New budget authority, \$47,798,000,000.
 (B) Outlays, \$47,509,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$50,338,000,000.
 (B) Outlays, \$48,965,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$49,241,000,000.
 (B) Outlays, \$49,664,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$47,643,000,000.
 (B) Outlays, \$49,988,000,000.

Fiscal year 2016:

(A) New budget authority, \$47,666,000,000.
 (B) Outlays, \$51,118,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$50,315,000,000.
 (B) Outlays, \$51,947,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$52,464,000,000.
 (B) Outlays, \$52,377,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$53,679,000,000.
 (B) Outlays, \$51,503,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$54,906,000,000.
 (B) Outlays, \$51,673,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$56,141,000,000.
 (B) Outlays, \$52,777,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$57,909,000,000.
 (B) Outlays, \$54,154,000,000.
 (3) General Science, Space, and Technology (250):
 Fiscal year 2012:
 (A) New budget authority, \$29,139,000,000.
 (B) Outlays, \$30,319,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$29,556,000,000.
 (B) Outlays, \$29,840,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$30,091,000,000.
 (B) Outlays, \$29,964,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$30,654,000,000.
 (B) Outlays, \$30,335,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$31,244,000,000.
 (B) Outlays, \$30,890,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$31,920,000,000.
 (B) Outlays, \$31,523,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$32,623,000,000.
 (B) Outlays, \$32,200,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$33,357,000,000.
 (B) Outlays, \$32,859,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$34,089,000,000.
 (B) Outlays, \$33,576,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$34,824,000,000.
 (B) Outlays, \$34,212,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$35,667,000,000.
 (B) Outlays, \$34,996,000,000.
 (4) Energy (270):
 Fiscal year 2012:
 (A) New budget authority, \$7,097,000,000.
 (B) Outlays, \$16,616,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$13,658,000,000.
 (B) Outlays, \$10,728,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$5,445,000,000.
 (B) Outlays, \$8,060,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$4,989,000,000.
 (B) Outlays, \$7,289,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$4,929,000,000.
 (B) Outlays, \$6,228,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$4,653,000,000.
 (B) Outlays, \$5,254,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$4,594,000,000.
 (B) Outlays, \$4,217,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$4,534,000,000.
 (B) Outlays, \$4,348,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$4,545,000,000.
 (B) Outlays, \$4,207,000,000.

Fiscal year 2021:

(A) New budget authority, \$4,507,000,000.
 (B) Outlays, \$4,133,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$4,618,000,000.
 (B) Outlays, \$4,174,000,000.
 (5) Natural Resources and Environment (300):
 Fiscal year 2012:
 (A) New budget authority, \$36,792,000,000.
 (B) Outlays, \$41,730,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$35,690,000,000.
 (B) Outlays, \$40,575,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$36,632,000,000.
 (B) Outlays, \$38,740,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$37,054,000,000.
 (B) Outlays, \$38,453,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$37,825,000,000.
 (B) Outlays, \$38,286,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$38,918,000,000.
 (B) Outlays, \$39,074,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$40,357,000,000.
 (B) Outlays, \$39,241,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$41,249,000,000.
 (B) Outlays, \$40,211,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$42,539,000,000.
 (B) Outlays, \$41,381,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$42,800,000,000.
 (B) Outlays, \$41,958,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$43,654,000,000.
 (B) Outlays, \$42,598,000,000.
 (6) Agriculture (350):
 Fiscal year 2012:
 (A) New budget authority, \$21,995,000,000.
 (B) Outlays, \$18,642,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$21,798,000,000.
 (B) Outlays, \$24,687,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$22,239,000,000.
 (B) Outlays, \$22,073,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$22,203,000,000.
 (B) Outlays, \$21,695,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$22,259,000,000.
 (B) Outlays, \$21,818,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$22,332,000,000.
 (B) Outlays, \$21,876,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$22,669,000,000.
 (B) Outlays, \$22,153,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$22,924,000,000.
 (B) Outlays, \$22,455,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$23,278,000,000.
 (B) Outlays, \$22,842,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$23,636,000,000.
 (B) Outlays, \$23,187,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$23,792,000,000.
 (B) Outlays, \$23,355,000,000.
 (7) Commerce and Housing Credit (370):
 Fiscal year 2012:
 (A) New budget authority, \$45,477,000,000.
 (B) Outlays, \$53,218,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$3,826,000,000.
 (B) Outlays, \$6,627,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$9,362,000,000.

- (B) Outlays, \$1,288,000,000.
Fiscal year 2015:
(A) New budget authority, \$9,413,000,000.
(B) Outlays, \$2,736,000,000.
Fiscal year 2016:
(A) New budget authority, \$10,253,000,000.
(B) Outlays, –\$4,429,000,000.
Fiscal year 2017:
(A) New budget authority, \$12,026,000,000.
(B) Outlays, –\$4,265,000,000.
Fiscal year 2018:
(A) New budget authority, \$14,421,000,000.
(B) Outlays, –\$2,777,000,000.
Fiscal year 2019:
(A) New budget authority, \$16,841,000,000.
(B) Outlays, –\$6,280,000,000.
Fiscal year 2020:
(A) New budget authority, \$24,581,000,000.
(B) Outlays, –\$272,000,000.
Fiscal year 2021:
(A) New budget authority, \$17,431,000,000.
(B) Outlays, \$2,342,000,000.
Fiscal year 2022:
(A) New budget authority, \$21,869,000,000.
(B) Outlays, \$4,043,000,000.
(8) Transportation (400):
Fiscal year 2012:
(A) New budget authority, \$138,613,000,000.
(B) Outlays, \$93,157,000,000.
Fiscal year 2013:
(A) New budget authority, \$88,544,000,000.
(B) Outlays, \$102,542,000,000.
Fiscal year 2014:
(A) New budget authority, \$102,347,000,000.
(B) Outlays, \$106,633,000,000.
Fiscal year 2015:
(A) New budget authority, \$109,043,000,000.
(B) Outlays, \$106,164,000,000.
Fiscal year 2016:
(A) New budget authority, \$116,124,000,000.
(B) Outlays, \$109,419,000,000.
Fiscal year 2017:
(A) New budget authority, \$122,750,000,000.
(B) Outlays, \$113,940,000,000.
Fiscal year 2018:
(A) New budget authority, \$129,482,000,000.
(B) Outlays, \$118,002,000,000.
Fiscal year 2019:
(A) New budget authority, \$94,622,000,000.
(B) Outlays, \$115,692,000,000.
Fiscal year 2020:
(A) New budget authority, \$96,439,000,000.
(B) Outlays, \$109,896,000,000.
Fiscal year 2021:
(A) New budget authority, \$98,300,000,000.
(B) Outlays, \$107,676,000,000.
Fiscal year 2022:
(A) New budget authority, \$100,295,000,000.
(B) Outlays, \$106,984,000,000.
(9) Community and Regional Development (450):
Fiscal year 2012:
(A) New budget authority, \$46,875,000,000.
(B) Outlays, \$26,976,000,000.
Fiscal year 2013:
(A) New budget authority, \$17,309,000,000.
(B) Outlays, \$24,510,000,000.
Fiscal year 2014:
(A) New budget authority, \$11,925,000,000.
(B) Outlays, \$26,152,000,000.
Fiscal year 2015:
(A) New budget authority, \$12,139,000,000.
(B) Outlays, \$25,757,000,000.
Fiscal year 2016:
(A) New budget authority, \$12,373,000,000.
(B) Outlays, \$19,690,000,000.
Fiscal year 2017:
(A) New budget authority, \$12,643,000,000.
(B) Outlays, \$16,323,000,000.
Fiscal year 2018:
(A) New budget authority, \$12,921,000,000.
(B) Outlays, \$14,101,000,000.
Fiscal year 2019:
(A) New budget authority, \$13,210,000,000.
(B) Outlays, \$13,648,000,000.
Fiscal year 2020:
(A) New budget authority, \$13,505,000,000.
(B) Outlays, \$13,846,000,000.
Fiscal year 2021:
(A) New budget authority, \$13,799,000,000.
(B) Outlays, \$14,383,000,000.
Fiscal year 2022:
(A) New budget authority, \$14,143,000,000.
(B) Outlays, \$14,758,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2012:
(A) New budget authority, \$160,479,000,000.
(B) Outlays, \$105,462,000,000.
Fiscal year 2013:
(A) New budget authority, \$84,966,000,000.
(B) Outlays, \$125,288,000,000.
Fiscal year 2014:
(A) New budget authority, \$77,217,000,000.
(B) Outlays, \$101,724,000,000.
Fiscal year 2015:
(A) New budget authority, \$81,107,000,000.
(B) Outlays, \$92,753,000,000.
Fiscal year 2016:
(A) New budget authority, \$89,167,000,000.
(B) Outlays, \$90,867,000,000.
Fiscal year 2017:
(A) New budget authority, \$99,263,000,000.
(B) Outlays, \$96,242,000,000.
Fiscal year 2018:
(A) New budget authority, \$103,842,000,000.
(B) Outlays, \$102,623,000,000.
Fiscal year 2019:
(A) New budget authority, \$107,681,000,000.
(B) Outlays, \$106,333,000,000.
Fiscal year 2020:
(A) New budget authority, \$108,531,000,000.
(B) Outlays, \$108,438,000,000.
Fiscal year 2021:
(A) New budget authority, \$109,586,000,000.
(B) Outlays, \$109,494,000,000.
Fiscal year 2022:
(A) New budget authority, \$111,236,000,000.
(B) Outlays, \$110,714,000,000.
(11) Health (550):
Fiscal year 2012:
(A) New budget authority, \$355,177,000,000.
(B) Outlays, \$356,534,000,000.
Fiscal year 2013:
(A) New budget authority, \$370,690,000,000.
(B) Outlays, \$373,346,000,000.
Fiscal year 2014:
(A) New budget authority, \$470,873,000,000.
(B) Outlays, \$460,817,000,000.
Fiscal year 2015:
(A) New budget authority, \$543,019,000,000.
(B) Outlays, \$538,690,000,000.
Fiscal year 2016:
(A) New budget authority, \$592,964,000,000.
(B) Outlays, \$596,718,000,000.
Fiscal year 2017:
(A) New budget authority, \$638,189,000,000.
(B) Outlays, \$640,646,000,000.
Fiscal year 2018:
(A) New budget authority, \$676,003,000,000.
(B) Outlays, \$674,869,000,000.
Fiscal year 2019:
(A) New budget authority, \$719,240,000,000.
(B) Outlays, \$718,169,000,000.
Fiscal year 2020:
(A) New budget authority, \$773,137,000,000.
(B) Outlays, \$761,714,000,000.
Fiscal year 2021:
(A) New budget authority, \$813,307,000,000.
(B) Outlays, \$812,132,000,000.
Fiscal year 2022:
(A) New budget authority, \$869,217,000,000.
(B) Outlays, \$867,542,000,000.
(12) Medicare (570):
Fiscal year 2012:
(A) New budget authority, \$492,317,000,000.
(B) Outlays, \$491,887,000,000.
Fiscal year 2013:
(A) New budget authority, \$515,143,000,000.
(B) Outlays, \$514,956,000,000.
Fiscal year 2014:
(A) New budget authority, \$543,057,000,000.
(B) Outlays, \$542,336,000,000.
Fiscal year 2015:
(A) New budget authority, \$567,752,000,000.
(B) Outlays, \$567,344,000,000.
Fiscal year 2016:
(A) New budget authority, \$616,689,000,000.
(B) Outlays, \$616,491,000,000.
Fiscal year 2017:
(A) New budget authority, \$633,918,000,000.
(B) Outlays, \$633,238,000,000.
Fiscal year 2018:
(A) New budget authority, \$655,457,000,000.
(B) Outlays, \$655,050,000,000.
Fiscal year 2019:
(A) New budget authority, \$716,751,000,000.
(B) Outlays, \$716,548,000,000.
Fiscal year 2020:
(A) New budget authority, \$768,019,000,000.
(B) Outlays, \$767,319,000,000.
Fiscal year 2021:
(A) New budget authority, \$819,327,000,000.
(B) Outlays, \$818,893,000,000.
Fiscal year 2022:
(A) New budget authority, \$898,877,000,000.
(B) Outlays, \$898,790,000,000.
(13) Income Security (600):
Fiscal year 2012:
(A) New budget authority, \$556,445,000,000.
(B) Outlays, \$555,592,000,000.
Fiscal year 2013:
(A) New budget authority, \$537,968,000,000.
(B) Outlays, \$536,052,000,000.
Fiscal year 2014:
(A) New budget authority, \$502,630,000,000.
(B) Outlays, \$499,737,000,000.
Fiscal year 2015:
(A) New budget authority, \$500,971,000,000.
(B) Outlays, \$498,015,000,000.
Fiscal year 2016:
(A) New budget authority, \$507,526,000,000.
(B) Outlays, \$509,143,000,000.
Fiscal year 2017:
(A) New budget authority, \$505,192,000,000.
(B) Outlays, \$502,503,000,000.
Fiscal year 2018:
(A) New budget authority, \$507,370,000,000.
(B) Outlays, \$500,732,000,000.
Fiscal year 2019:
(A) New budget authority, \$522,471,000,000.
(B) Outlays, \$520,539,000,000.
Fiscal year 2020:
(A) New budget authority, \$534,115,000,000.
(B) Outlays, \$532,567,000,000.
Fiscal year 2021:
(A) New budget authority, \$547,159,000,000.
(B) Outlays, \$545,756,000,000.
Fiscal year 2022:
(A) New budget authority, \$564,766,000,000.
(B) Outlays, \$568,249,000,000.
(14) Social Security (650):
Fiscal year 2012:
(A) New budget authority, \$145,379,000,000.
(B) Outlays, \$145,267,000,000.
Fiscal year 2013:
(A) New budget authority, \$53,216,000,000.
(B) Outlays, \$53,276,000,000.
Fiscal year 2014:
(A) New budget authority, \$31,892,000,000.
(B) Outlays, \$32,029,000,000.
Fiscal year 2015:
(A) New budget authority, \$35,135,000,000.
(B) Outlays, \$35,210,000,000.
Fiscal year 2016:
(A) New budget authority, \$38,953,000,000.
(B) Outlays, \$38,991,000,000.
Fiscal year 2017:
(A) New budget authority, \$43,140,000,000.
(B) Outlays, \$43,140,000,000.
Fiscal year 2018:
(A) New budget authority, \$47,590,000,000.

(B) Outlays, \$47,590,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$52,429,000,000.
 (B) Outlays, \$52,429,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$57,425,000,000.
 (B) Outlays, \$57,425,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$62,604,000,000.
 (B) Outlays, \$62,604,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$68,079,000,000.
 (B) Outlays, \$68,079,000,000.
 (15) Veterans Benefits and Services (700):
 Fiscal year 2012:
 (A) New budget authority, \$128,245,000,000.
 (B) Outlays, \$128,499,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$135,635,000,000.
 (B) Outlays, \$135,322,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$137,004,000,000.
 (B) Outlays, \$137,455,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$139,862,000,000.
 (B) Outlays, \$139,999,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$148,556,000,000.
 (B) Outlays, \$148,269,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$147,499,000,000.
 (B) Outlays, \$147,071,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$146,341,000,000.
 (B) Outlays, \$145,634,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$156,034,000,000.
 (B) Outlays, \$155,291,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$160,511,000,000.
 (B) Outlays, \$159,760,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$165,065,000,000.
 (B) Outlays, \$164,272,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$175,431,000,000.
 (B) Outlays, \$174,607,000,000.
 (16) Administration of Justice (750):
 Fiscal year 2012:
 (A) New budget authority, \$58,849,000,000.
 (B) Outlays, \$56,706,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$53,522,000,000.
 (B) Outlays, \$58,776,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$55,029,000,000.
 (B) Outlays, \$57,329,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$55,792,000,000.
 (B) Outlays, \$56,321,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$58,542,000,000.
 (B) Outlays, \$58,176,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$57,889,000,000.
 (B) Outlays, \$57,506,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$58,992,000,000.
 (B) Outlays, \$60,408,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$60,204,000,000.
 (B) Outlays, \$60,504,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$61,406,000,000.
 (B) Outlays, \$61,011,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$62,772,000,000.
 (B) Outlays, \$62,348,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$67,988,000,000.
 (B) Outlays, \$67,496,000,000.
 (17) General Government (800):
 Fiscal year 2012:
 (A) New budget authority, \$23,973,000,000.

(B) Outlays, \$29,646,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$25,294,000,000.
 (B) Outlays, \$26,783,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$27,248,000,000.
 (B) Outlays, \$27,648,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$29,213,000,000.
 (B) Outlays, \$29,438,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$31,348,000,000.
 (B) Outlays, \$31,564,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$33,532,000,000.
 (B) Outlays, \$33,409,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$35,771,000,000.
 (B) Outlays, \$35,538,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$38,141,000,000.
 (B) Outlays, \$37,666,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$40,450,000,000.
 (B) Outlays, \$40,043,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$42,876,000,000.
 (B) Outlays, \$42,359,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$45,339,000,000.
 (B) Outlays, \$44,794,000,000.
 (18) Net Interest (900):
 Fiscal year 2012:
 (A) New budget authority, \$337,693,000,000.
 (B) Outlays, \$337,693,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$345,961,000,000.
 (B) Outlays, \$345,961,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$360,091,000,000.
 (B) Outlays, \$360,091,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$399,457,000,000.
 (B) Outlays, \$399,457,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$464,949,000,000.
 (B) Outlays, \$464,949,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$535,939,000,000.
 (B) Outlays, \$535,939,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$608,498,000,000.
 (B) Outlays, \$608,498,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$678,230,000,000.
 (B) Outlays, \$678,230,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$740,230,000,000.
 (B) Outlays, \$740,230,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$790,661,000,000.
 (B) Outlays, \$790,661,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$841,746,000,000.
 (B) Outlays, \$841,746,000,000.
 (19) Allowances (920):
 Fiscal year 2012:
 (A) New budget authority, -\$3,400,000,000.
 (B) Outlays, -\$3,400,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$8,354,000,000.
 (B) Outlays, \$6,894,000,000.
 Fiscal year 2014:
 (A) New budget authority, -\$18,415,000,000.
 (B) Outlays, -\$10,353,000,000.
 Fiscal year 2015:
 (A) New budget authority, -\$17,300,000,000.
 (B) Outlays, -\$14,638,000,000.
 Fiscal year 2016:
 (A) New budget authority, -\$23,673,000,000.
 (B) Outlays, -\$21,738,000,000.
 Fiscal year 2017:
 (A) New budget authority, -\$25,200,000,000.
 (B) Outlays, -\$24,035,000,000.

Fiscal year 2018:
 (A) New budget authority, -\$26,716,000,000.
 (B) Outlays, -\$25,864,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$28,660,000,000.
 (B) Outlays, -\$27,864,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$37,461,000,000.
 (B) Outlays, -\$33,878,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$31,399,000,000.
 (B) Outlays, -\$33,094,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$74,705,000,000.
 (B) Outlays, -\$75,270,000,000.
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2012:
 (A) New budget authority, -\$76,687,000,000.
 (B) Outlays, -\$76,687,000,000.
 Fiscal year 2013:
 (A) New budget authority, -\$75,736,000,000.
 (B) Outlays, -\$75,736,000,000.
 Fiscal year 2014:
 (A) New budget authority, -\$77,697,000,000.
 (B) Outlays, -\$77,697,000,000.
 Fiscal year 2015:
 (A) New budget authority, -\$83,531,000,000.
 (B) Outlays, -\$83,531,000,000.
 Fiscal year 2016:
 (A) New budget authority, -\$85,226,000,000.
 (B) Outlays, -\$85,226,000,000.
 Fiscal year 2017:
 (A) New budget authority, -\$93,507,000,000.
 (B) Outlays, -\$93,507,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$97,066,000,000.
 (B) Outlays, -\$97,066,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$103,845,000,000.
 (B) Outlays, -\$103,845,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$102,878,000,000.
 (B) Outlays, -\$102,878,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$107,168,000,000.
 (B) Outlays, -\$107,168,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$109,655,000,000.
 (B) Outlays, -\$109,655,000,000.
 (21) Overseas Contingency Operations (970):
 Fiscal year 2012:
 (A) New budget authority, \$126,544,000,000.
 (B) Outlays, \$62,201,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$96,725,000,000.
 (B) Outlays, \$92,230,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$44,159,000,000.
 (B) Outlays, \$68,766,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$0.
 (B) Outlays, \$28,845,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$0.
 (B) Outlays, \$9,173,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$0.
 (B) Outlays, \$2,650,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$0.
 (B) Outlays, \$706,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$0.
 (B) Outlays, \$192,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$0.
 (B) Outlays, \$52,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$0.
 (B) Outlays, \$38,000,000.

Fiscal year 2022:

- (A) New budget authority, \$0.
 (B) Outlays, \$24,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-NEUTRAL RESERVE FUND FOR JOB CREATION THROUGH INVESTMENTS AND INCENTIVES.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for robust Federal investments in America's infrastructure, incentives for businesses, and support for communities or other measures that create jobs for Americans and boost the economy. The revisions may be made for measures that—

(1) provide for additional investments in rail, aviation, harbors (including harbor maintenance dredging), seaports, inland waterway systems, public housing, broadband, energy, water, and other infrastructure;

(2) provide for additional investments in other areas that would help businesses and other employers create new jobs; and

(3) provide additional incentives, including tax incentives, to help small businesses, non-profits, States, and communities expand investment, train, hire, and retain private-sector workers and public service employees; by the amounts provided in such measure if such measure does not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 202. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASING ENERGY INDEPENDENCE AND MARKET STABILITY.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) provides tax incentives for or otherwise encourages the production of renewable energy or increased energy efficiency;

(2) encourages investment in emerging clean energy or vehicle technologies or carbon capture and sequestration;

(3) provides additional resources for oversight and expanded enforcement activities to crack down on speculation in and manipulation of oil and gas markets, including derivatives markets;

(4) limits and provides for reductions in greenhouse gas emissions;

(5) assists businesses, industries, States, communities, the environment, workers, or households as the United States moves toward reducing and offsetting the impacts of greenhouse gas emissions; or

(6) facilitates the training of workers for these industries ("clean energy jobs"); by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 203. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND SERVICEMEMBERS.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) improves disability benefits or evaluations for wounded or disabled military personnel or veterans, including measures to expedite the claims process;

(2) expands eligibility to permit additional disabled military retirees to receive both disability compensation and retired pay (concurrent receipt); or

(3) eliminates the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation; by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017, or fiscal year 2012 to fiscal year 2022.

SEC. 204. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICARE IMPROVEMENT.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes improvements to Medicare, including making reforms to the Medicare payment system for physicians that build on delivery reforms underway, such as advancement of new care models, and—

(1) changes incentives to encourage efficiency and higher quality care in a manner consistent with the goals of fiscal sustainability;

(2) improves payment accuracy to encourage efficient use of resources and ensure that patient-centered primary care receives appropriate compensation;

(3) supports innovative programs to improve coordination of care among all providers serving a patient in all appropriate settings;

(4) holds providers accountable for their utilization patterns and quality of care; and

(5) makes no changes that reduce benefits available to seniors and individuals with disabilities in Medicare; by the amounts provided, together with any savings from ending Overseas Contingency Operations, in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 205. DEFICIT-NEUTRAL RESERVE FUND FOR TRANSITIONAL MEDICAL ASSISTANCE.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that extends the Transitional Medical Assistance program in title XIX of the Social Security Act through fiscal year 2014, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 206. DEFICIT-NEUTRAL RESERVE FUND FOR INITIATIVES THAT BENEFIT CHILDREN.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that improves the lives of children by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022. Improvements may include:

(1) Extension and expansion of child care assistance.

(2) Changes to foster care to prevent child abuse and neglect and keep more children safely in their homes.

(3) Changes to child support enforcement to encourage increased parental support for children, particularly from non-custodial parents, including legislation that results in a greater share of collected child support

reaching the child or encourages States to provide access and visitation services to improve fathers' relationships with their children. Such changes could reflect efforts to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty. When 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

SEC. 208. DEFICIT-NEUTRAL RESERVE FUND FOR THE AFFORDABLE HOUSING TRUST FUND.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that capitalizes the existing Affordable Housing Trust Fund by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 209. DEFICIT-NEUTRAL RESERVE FUND FOR COLLEGE AFFORDABILITY.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes college more affordable, including efforts to keep the interest rate on subsidized student loans from doubling in July 2013 at the end of the one-year extension of the current 3.4 percent interest rate assumed in the resolution, or efforts to ensure continued full Pell grant funding, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 210. DEFICIT-NEUTRAL RESERVE FUND FOR ADDITIONAL TAX RELIEF FOR INDIVIDUALS AND FAMILIES.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides additional tax relief to individuals and families, such as expanding tax relief provided by the refundable child credit, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

TITLE III—ENFORCEMENT PROVISIONS

SEC. 301. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—In the House, except as provided in subsection (b), any bill, joint resolution, amendment, or conference report making a general appropriation or continuing appropriation may not provide for advance appropriations.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal year 2014 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers to accompany this resolution under the heading "Accounts Identified for Advance Appropriations" in an aggregate amount not to exceed \$28,852,000,000 in new budget authority, and for 2015, accounts separately identified under the same heading; and

(2) for the Department of Veterans Affairs for the Medical Services, Medical Support

and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(c) DEFINITION.—In this section, the term “advance appropriation” means any new discretionary budget authority provided in a bill or joint resolution making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2013.

SEC. 302. ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.

(a) PROGRAM INTEGRITY INITIATIVES UNDER THE BUDGET CONTROL ACT.—

(1) SOCIAL SECURITY ADMINISTRATION PROGRAM INTEGRITY INITIATIVES.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2013 that appropriates amounts as provided under section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(2) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2013 that appropriates amounts as provided under section 251(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(b) ADDITIONAL PROGRAM INTEGRITY INITIATIVES.—

(1) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2013 that appropriates \$9,487,000,000 for the Internal Revenue Service for enhanced enforcement to address the Federal tax gap (taxes owed but not paid) and provides an additional appropriation of up to \$691,000,000, to the Internal Revenue Service and the amount is designated for enhanced tax enforcement to address the tax gap, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(2) UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2013 that appropriates \$60,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to \$15,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(c) PROCEDURE FOR ADJUSTMENTS.—Prior to consideration of any bill, joint resolution, amendment, or conference report, the chairman of the House Committee on the Budget

shall make the adjustments set forth in this subsection for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in this section.

SEC. 303. COSTS OF EMERGENCY NEEDS, OVERSEAS CONTINGENCY OPERATIONS AND DISASTER RELIEF.

(a) EMERGENCY NEEDS.—If any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts and such amounts are designated as necessary to meet emergency needs pursuant to this subsection, then new budget authority and outlays resulting from that budget authority shall not count for the purposes of the Congressional Budget Act of 1974, or this resolution.

(b) OVERSEAS CONTINGENCY OPERATIONS.—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2012 or fiscal year 2013 for overseas contingency operations and such amounts are so designated pursuant to this paragraph, then the allocation to the House Committee on Appropriations may be adjusted by the amounts provided in such legislation for that purpose up to the amounts of budget authority specified in section 102(21) for fiscal year 2012 or fiscal year 2013 and the new outlays resulting from that budget authority.

(c) DISASTER RELIEF.—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts and such amounts are designated for disaster relief pursuant to this subsection, then the allocation to the Committee on Appropriations, and as necessary, the aggregates in this resolution, shall be adjusted by the amount of new budget authority and outlays up to the amounts provided under section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) PROCEDURE FOR ADJUSTMENTS.—Prior to consideration of any bill, joint resolution, amendment, or conference report, the chairman of the House Committee on the Budget shall make the adjustments set forth in subsections (b) and (c) for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in this section.

SEC. 304. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the House Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

(b) SPECIAL RULE.—For purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

SEC. 305. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—In the House, any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this resolution.

(c) ADJUSTMENTS.—The chairman of the House Committee on the Budget may adjust the aggregates, allocations, and other levels in this resolution for legislation which has received final congressional approval in the same form by the House of Representatives and the Senate, but has yet to be presented to or signed by the President at the time of final consideration of this resolution.

SEC. 306. REINSTATEMENT OF PAY-AS-YOU-GO.

In the House, and pursuant to section 301(b)(8) of the Congressional Budget Act of 1974, for the remainder of the 112th Congress, the following shall apply in lieu of “CUTGO” rules and principles:

(1)(A) Except as provided in paragraphs (2) and (3), it shall not be in order to consider any bill, joint resolution, amendment, or conference report if the provisions of such measure affecting direct spending and revenues have the net effect of increasing the on-budget deficit or reducing the on-budget surplus for the period comprising either—

(i) the current year, the budget year, and the four years following that budget year; or

(ii) the current year, the budget year, and the nine years following that budget year.

(B) The effect of such measure on the deficit or surplus shall be determined on the basis of estimates made by the Committee on the Budget.

(C) For the purpose of this section, the terms “budget year”, “current year”, and “direct spending” have the meanings specified in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985, except that the term “direct spending” shall also include provisions in appropriation Acts that make outyear modifications to substantive law as described in section 3(4) (C) of the Statutory Pay-As-You-Go Act of 2010.

(2) If a bill, joint resolution, or amendment is considered pursuant to a special order of the House directing the Clerk to add as new matter at the end of such measure the provisions of a separate measure as passed by the House, the provisions of such separate measure as passed by the House shall be included in the evaluation under paragraph (1) of the bill, joint resolution, or amendment.

(3)(A) Except as provided in subparagraph (B), the evaluation under paragraph (1) shall exclude a provision expressly designated as an emergency for purposes of pay-as-you-go principles in the case of a point of order under this clause against consideration of—

(i) a bill or joint resolution;

(ii) an amendment made in order as original text by a special order of business;

(iii) a conference report; or

(iv) an amendment between the Houses.

(B) In the case of an amendment (other than one specified in subparagraph (A)) to a bill or joint resolution, the evaluation under paragraph (1) shall give no cognizance to any designation of emergency.

(C) If a bill, a joint resolution, an amendment made in order as original text by a special order of business, a conference report, or an amendment between the Houses includes

a provision expressly designated as an emergency for purposes of pay-as-you-go principles, the Chair shall put the question of consideration with respect thereto.

SEC. 307. EXERCISE OF RULEMAKING POWERS.

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

TITLE IV—POLICY

SEC. 401. POLICY OF THE HOUSE ON JOBS: MAKE IT IN AMERICA.

(a) FINDINGS.—The House finds that—

(1) the economy entered a deep recession in December 2007;

(2) a financial crisis in 2008 worsened the situation and by January 2009, the private sector was shedding 840,000 jobs per month;

(3) actions by the President, Congress, and the Federal Reserve helped stem the crisis, and job creation resumed in 2010;

(4) the economy has created 3.9 million private jobs over the past 24 consecutive months;

(5) as part of a “Make it in America” agenda, U.S. manufacturing has been leading the Nation’s economic recovery as domestic manufacturers regain their economic and competitive edge and a wave of insourcing jobs from abroad begins;

(6) despite the job gains already made, job growth needs to accelerate and continue for an extended period of time in order for the economy to fully recover from the recession; and

(7) job creation is vital to nation-building at home and to deficit reduction—CBO has noted that if the country were at full employment, the deficit would be about one-third lower than it is today.

(b) POLICY.—

(1) IN GENERAL.—It is the policy of this resolution that Congress should pursue a “Make it in America” agenda with a priority to consider and enact legislation to help create jobs, remove incentives to out-source jobs overseas, and instead support incentives that bring jobs back to the U.S.

(2) JOBS.—This resolution—

(A) assumes enactment of—

(i) the President’s \$50 billion immediate transportation jobs package;

(ii) other measures proposed in the American Jobs Act and reflected in the President’s budget; and

(iii) the President’s proposed surface transportation legislation;

(B) assumes \$1 billion for the President’s proposal to establish a Veterans Job Corps;

(C) assumes \$80 billion in education jobs funding for the President’s initiatives to promote jobs now while also creating an infrastructure that will help students learn and create a better future workforce, including \$30 billion for rebuilding at least 35,000 public schools, \$25 billion to prevent hundreds of thousands of educator layoffs, and \$8 billion to help community colleges train 2 million workers in high-growth industries with skills that will lead directly to jobs; and

(D) establishes a reserve fund that would allow for passage of additional job creation measures, including further infrastructure

improvements or other spending or revenue proposals.

SEC. 402. POLICY OF THE HOUSE ON SEQUESTRATION.

(a) FINDINGS.—The House finds that—

(1) the Budget Control Act of 2011 called upon the Joint Select Committee on Deficit Reduction and the Congress to enact legislation to achieve \$1.2 trillion in savings;

(2) the Joint Select Committee could not reach agreement and did not report savings legislation to the Congress;

(3) failure to enact the required savings triggered sequestration procedures as required under the Budget Control Act; and

(4) this resolution assumes the enactment of savings in excess of \$1.2 trillion, negating the need for sequestration to achieve the savings.

(b) POLICY.—It is the policy of the House that paragraphs (3) through (11) of section 251A of the Balanced Budget and Emergency Deficit Control Act, as amended by the Budget Control Act of 2011, shall be repealed.

SEC. 403. POLICY OF THE HOUSE ON TAKING A BALANCED APPROACH TO DEFICIT REDUCTION.

(a) FINDINGS.—The House finds that—

(1) the President’s budget request and every bipartisan analysis of the Nation’s future fiscal path have recommended deficit reduction through a balanced approach that includes both spending and revenue; and

(2) The President’s choices represent the right general balance of changes to spending and revenue.

(b) POLICY.—It is the policy of this resolution to reduce the deficit through a similar balance of spending and revenue changes. The resolution does not endorse any specific spending cuts or revenue proposals unless they are expressly stated in this resolution.

SEC. 404. POLICY OF THE HOUSE ON SOCIAL SECURITY REFORM THAT PROTECTS WORKERS AND RETIREES.

(a) FINDINGS.—The House finds that—

(1) Social Security is America’s most important retirement resource, especially for seniors, because it provides an income floor to keep them, their spouses and their survivors out of poverty during retirement benefits earned based on their past payroll contributions;

(2) in 2011, 55 million people relied on Social Security;

(3) Social Security benefits are modest, with an average annual benefit for retirees of less than \$15,000, while the average total retirement income is less than \$26,000 per year;

(4) diverting workers’ payroll contributions toward private accounts undermines retirement security and the social safety net by subjecting the workers’ retirement decisions and income to the whims of the stock market;

(5) diverting trust fund payroll contributions toward private accounts jeopardizes Social Security because the program will not have the resources to pay full benefits to current retirees; and

(6) privatization increases Federal debt because the Treasury will have to borrow additional funds from the public to pay full benefits to current retirees.

(b) POLICY.—It is the policy of this resolution that Social Security should be strengthened for its own sake and not to achieve deficit reduction. Because privatization proposals are fiscally irresponsible and would put the retirement security of seniors at risk, any Social Security reform legislation shall reject partial or complete privatization of the program.

SEC. 405. POLICY OF THE HOUSE ON PROTECTING THE MEDICARE GUARANTEE FOR SENIORS.

(a) FINDINGS.—The House finds that—

(1) senior citizens and persons with disabilities highly value the Medicare program and rely on Medicare to guarantee their health and financial security;

(2) in 2011, nearly 50 million people relied on Medicare for coverage of hospital stays, physician visits, prescription drugs, and other necessary medical goods and services;

(3) the Medicare program has lower administrative and program costs than private insurance for a given level of benefits;

(4) excess health care cost growth is not unique to Medicare or other Federal health programs, it is endemic to the entire health care system;

(5) destroying the Medicare program and replacing it with a voucher or premium support for the purchase of private insurance that fails to keep pace with growth in health costs will expose seniors and persons with disabilities on fixed incomes to unacceptable financial risks;

(6) shifting excess health care cost growth onto Medicare beneficiaries would not reduce overall health care costs, instead it would mean beneficiaries would face higher premiums, eroding coverage, or both; and

(7) versions of voucher or premium-support policies that do not immediately end the traditional Medicare program will merely cause traditional Medicare to weaken and wither away.

(b) POLICY.—It is the policy of the House that the Medicare guarantee for seniors and persons with disabilities should be preserved and strengthened, and that any legislation to end the Medicare guarantee and shift rising health care costs onto seniors by replacing Medicare with vouchers or premium support for the purchase of private insurance should be rejected.

SEC. 406. POLICY OF THE HOUSE ON AFFORDABLE HEALTH CARE COVERAGE FOR WORKING FAMILIES.

(a) FINDINGS.—The House finds that—

(1) making health care coverage affordable and accessible for all American families will improve families’ health and economic security, which will make the economy stronger;

(2) the Affordable Care Act signed into law in 2010 will expand coverage to more than 30,000,000 Americans and bring costs down for families and small businesses;

(3) consumers are already benefitting from the Affordable Care Act’s provisions to hold insurance companies accountable for their actions and to end long-standing practices such as denying coverage to children based on pre-existing conditions, imposing lifetime limits on coverage that put families at risk of bankruptcy in the event of serious illness, and dropping an enrollee’s coverage once the enrollee becomes ill based on a simple mistake in the enrollee’s application;

(4) the Affordable Care Act reforms Federal health entitlements by using nearly every health cost-containment provision experts recommend, including new incentives to reward quality and coordination of care rather than simply quantity of services provided, new tools to crack down on fraud, and the elimination of excessive taxpayer subsidies to private insurance plans, and as a result will slow the projected annual growth rate of national health expenditures by 0.3 percentage points after 2016, the essence of “bending the cost curve”; and

(5) the Affordable Care Act will reduce the Federal deficit by more than \$1,000,000,000,000 over the next 20 years.

(b) **POLICY.**—It is the policy of the House that the law of the land should support making affordable health care coverage available to every American family, and therefore the Affordable Care Act should not be repealed.

SEC. 407. POLICY OF THE HOUSE ON MEDICAID.

(a) **FINDINGS.**—The House finds that—

(1) Medicaid is a central component of the Nation’s health care safety net, providing health coverage to 28 million low-income children, 5 million senior citizens, 10 million people with disabilities, and 14 million other low-income people who would otherwise be unable to obtain health insurance;

(2) senior citizens and people with disabilities account for two-thirds of Medicaid program spending and consequently would be at particular risk of losing access to important health care assistance under any policy to sever the link between Medicaid funding and the actual costs of providing services to the currently eligible Medicaid population;

(3) Medicaid pays for 43 percent of long-term care services in the United States, providing a critical health care safety net for senior citizens and people with disabilities facing significant costs for long-term care; and

(4) at least 70 percent of people over age 65 will likely need long-term care services at some point in their lives.

(b) **POLICY.**—It is the policy of the House that the important health care safety net for children, senior citizens, people with disabilities, and other vulnerable Americans provided by Medicaid should be preserved and should not be dismantled by converting Medicaid into a block grant that is incapable of responding to increased need that may result from trends in health care costs or economic conditions.

SEC. 408. POLICY OF THE HOUSE ON OVERSEAS CONTINGENCY OPERATIONS.

(a) **FINDINGS.**—The House finds that it is the stated position of the Administration that Afghan troops will take the full lead for security operations in Afghanistan by the end of 2014.

(b) **POLICY.**—It is the policy of this resolution that consistent with the Administration’s stated position, no funding shall be provided for operations in Afghanistan through the Overseas Contingency Operations budget beyond 2014.

SEC. 409. POLICY OF THE HOUSE ON NATIONAL SECURITY.

(a) **FINDINGS.**—The House finds that—

(1) we must continue to support a strong military that is second to none and the size and the structure of our military and defense budgets have to be driven by a strategy;

(2) a growing economy is the foundation of our security and enables the country to provide the resources for a strong military, sound homeland security agencies, and effective diplomacy and international development;

(3) because it puts our economy at risk, the Nation’s debt is an immense security threat to our country, just as former Chairman of the Joint Chiefs of Staff Admiral Mullen has stated, and we must have a deficit reduction plan that is serious and realistic;

(4) the bipartisan National Commission on Fiscal Responsibility and Reform and the bipartisan Rivlin-Domenici Debt Reduction Task Force concluded that a serious and balanced deficit reduction plan must put national security programs on the table;

(5) from 2001 to 2010, the “base” Pentagon budget nearly doubled and, in 2010, the U.S. spent more on defense than the next 17 countries combined (and more than half of the amount spent by those 17 countries was from

seven NATO countries and four other close allies);

(6) last year, Admiral Mullen argued that the permissive budget environment had allowed the Pentagon to avoid prioritizing;

(7) more can be done to rein in wasteful spending at the Nation’s security agencies, including the Department of Defense—the last department still unable to pass an audit—such as the elimination of duplicative programs that were identified in a report issued last year by the Government Accountability Office;

(8) effective implementation of weapons acquisition reforms at the Department of Defense can help control excessive cost growth in the development of new weapons systems and help ensure that weapons systems are delivered on time and in adequate quantities to equip our servicemen and servicewomen;

(9) the Department of Defense should continue to review defense plans to ensure that weapons developed to counter Cold War-era threats are not redundant and are applicable to 21st century threats, which should include, with the participation of the National Nuclear Security Administration, examination of requirements for the nuclear weapons stockpile, nuclear weapons delivery systems, and nuclear weapons and infrastructure modernization;

(10) more than 94 percent of the increase in the Federal civilian workforce since 2001 is due to increases at security-related agencies—Department of Defense (31 percent), Department of Homeland Security (32 percent), Department of Veterans Affairs (26 percent), and Department of Justice (6 percent)—and the increase, in part, represents a transition to ensure civil servants, as opposed to private contractors, are performing inherently governmental work and an increase to a long-depleted acquisition and auditing workforce at the Pentagon to ensure effective management of weapons systems programs, to eliminate the use of contractors to oversee other contractors, and to prevent waste, fraud, and abuse;

(11) proposals to implement an indiscriminate 10 percent across-the-board cut to the Federal civilian workforce would adversely affect security agencies, leaving them unable to manage their total workforce, which includes contractors, and their operations in a cost-effective manner;

(12) ballistic missile defense technologies that are not proven to work through adequate testing and that are not operationally viable should not be deployed, and that no funding should be provided for the research or development of space-based interceptors;

(13) cooperative threat reduction and other nonproliferation programs (securing “loose nukes” and other materials used in weapons of mass destruction), which were highlighted as high priorities by the 9/11 Commission, need to be funded at a level that is commensurate with the evolving threat; and

(14) the Department of Defense should make every effort to investigate the national security benefits of energy independence, including those that may be associated with alternative energy sources and energy efficiency conversions.

(b) **POLICY.**—It is the policy of this resolution that—

(1) the sequester required by the Budget Control Act of 2011 should be rescinded and replaced by a deficit reduction plan that is balanced, that makes smart spending cuts, that requires everyone to pay their fair share, and that takes into account a comprehensive national security strategy that includes careful consideration of inter-

national, defense, homeland security, and law enforcement programs; and

(2) the Administration shall provide an additional bonus to members of the Armed Forces who serve in harm’s way. This bonus shall be provided from savings that are achieved by increasing efficiencies, eliminating duplicative programs, and reining in waste, fraud, and abuse at the Nation’s security agencies.

SEC. 410. POLICY OF THE HOUSE ON TAX REFORM AND DEFICIT REDUCTION.

(a) **FINDINGS.**—The House finds that—

(1) the House must pursue deficit reduction through reform of the tax code, which contains numerous tax breaks for special interests;

(2) these special tax breaks can greatly complicate the effort to administer the code and the taxpayer’s ability to fully comply with its terms, while also undermining our basic sense of fairness;

(3) the corporate income tax does include a number of incentives that help spur economic growth and innovation, such as extending the research and development credit and clean energy incentives;

(4) but tax breaks for special interests can also distort economic incentives for businesses and consumers and encourage businesses to ship American jobs and capital overseas for tax purposes; and

(5) the President’s National Commission on Fiscal Responsibility and Reform observed that the corporate income tax is riddled with special interest tax breaks and subsidies, is badly in need of reform, and it proposed to streamline the code, capturing some of the savings in the process, to achieve deficit reduction in a more balanced way.

(b) **POLICY.**—

(1) **POLICY ON INDIVIDUAL INCOME TAXES.**—

(A) The President and this resolution extend the middle class tax cuts, provide long-term relief from the Alternative Minimum Tax for tens of millions of middle class American families, and discontinue the additional estate tax relief resulting from the increased estate tax exemption and reduced maximum tax rate enacted in 2010.

(B) The President and this resolution assume the revenue from returning to the top two tax rates that were in effect when President Clinton left office. The National Commission on Fiscal Responsibility and Reform plan also assumes the revenue from returning to those top two tax rates for top earners.

(C) The President and this resolution extend policies that re-invest in domestic manufacturing; build up the renewable energy production capacity of the United States in order to limit our reliance on foreign oil; expand access to higher education; and support saving and capital formation.

(D) This resolution encourages the House Committee on Ways and Means to consider the various proposals made by the National Commission on Fiscal Responsibility and Reform to limit tax expenditures and raise revenue for deficit reduction; and expressly rejects the approach in the Republican resolution that provides millionaires with even larger tax cuts at the expense of middle-income taxpayers. This resolution protects middle-income taxpayers with adjusted gross incomes below \$200,000 (\$250,000 for married couples) and encourages the House Committee on Ways and Means to raise the revenue necessary in this resolution through tax expenditure reform proposals that would apply to households with over \$1 million in adjusted gross income, consistent with the

National Commission on Fiscal Responsibility and Reform's proposals to limit tax expenditures.

(E) In particular, this resolution encourages the House Committee on Ways and Means to consider various proposals for implementing a "Buffett Rule"—reflecting billionaire investor Warren Buffett's realization that he faces a lower effective tax rate than his secretary—to ensure that middle class families do not face higher effective tax rates than the wealthiest members of society.

(2) POLICY ON CORPORATE INCOME TAXES.—

(A) The President and this resolution propose elimination of subsidies for the major integrated oil and gas companies, and pernicious tax breaks that reward U.S. corporations that ship American jobs—rather than products—overseas for tax purposes.

(B) This resolution adopts those and other pro-growth corporate tax incentives in the President's proposals, such as: enhancing incentives for domestic manufacturing to support a "Make it in America" agenda, including providing a tax credit for companies that return operations and jobs to the U.S. while eliminating tax breaks for companies that move operations and jobs overseas; closing loopholes that allow businesses to avoid taxes, by subjecting more of their foreign earnings sheltered in tax havens to U.S. taxation; extending the research and development credit; and extending and enhancing clean energy incentives.

(C) This resolution therefore urges the House Committee on Ways and Means to consider the President's framework for business tax reform in determining how to best overhaul our corporate tax code so that it promotes economic growth and domestic job creation without increasing the deficit and the debt.

SEC. 411. POLICY OF THE HOUSE ON AGRICULTURE SPENDING.

It is the policy of this resolution that the House Committee on Agriculture should reduce spending in farm programs that provide direct payments to producers even in robust markets and in times of bumper yields. The committee should also find ways to focus assistance away from wealthy agribusinesses and toward struggling family farmers in a manner that protects jobs and economic growth while preserving the farm and nutrition safety net. Finally, it is the policy of this resolution that no Member of Congress should personally receive agriculture commodity payments, in any calendar year, the total of which exceeds 15 percent of the annual rate of basic pay for level II of the Executive Schedule under section 5313 of title 5, United States Code, as of January 1 of such calendar year.

SEC. 412. POLICY OF THE HOUSE ON THE USE OF TAXPAYER FUNDS.

It is the policy of this resolution that the House of Representatives should lead by example and identify any savings that can be achieved through greater productivity and efficiency gains in the operation and maintenance of House services and resources like printing, conferences, utilities, telecommunications, furniture, grounds maintenance, postage, and rent. This should include a review of policies and procedures for acquisition of goods and services to eliminate any unnecessary spending. The Committee on House Administration shall review the policies pertaining to the services provided to Members of Congress and House Committees, and shall identify ways to reduce any subsidies paid for the operation of the House gym, Barber shop, Salon, and the House din-

ing room. Further, it is the policy of this resolution that no taxpayer funds may be used to purchase first class airfare or to lease corporate jets for Members of Congress.

Amend the title so as to read: "Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and including the appropriate budgetary levels for fiscal year 2012 and fiscal years 2014 through 2022."

The Acting CHAIR. Pursuant to House Resolution 423, the gentleman from Maryland (Mr. VAN HOLLEN) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

We're here at a very important time for our country. As a result of extraordinary actions that have been taken over the last 4 years, and thanks to the tenacity of the American people and small businesses, we have begun to climb out of a big economic hole.

If you look at this chart right here, you'll see where we were back in January 2009, the first month President Obama was sworn in and took office. At that time, the economy was in total free fall. As a result of actions that were taken, we've begun to climb out of that hole and now we've had 24 months—consecutive months—of positive private sector job growth, creating about 4 million jobs in the economy.

We need to keep that job growth going, and that's what the Democratic alternative does. It builds on the President's proposals.

In here, we have the President's jobs plan—a plan which has been sitting in front of this body since he introduced it back in September. We took some action on the payroll tax cut. That was good. But the President has also called for a major infrastructure investment to modernize our roads and our bridges. We fund that plan, as opposed to the Republican budget which, as we've heard, slashes transportation—in fact, next year by 46 percent in spending—and which independent analysts have said will cost the economy 1.3 million jobs in 2013 and 2.8 million jobs in 2014. That is not the direction we should be going.

We need to nurture the fragile economy. We need to deal with our budget deficits in a credible way, which this does. It takes us from deficits over 8½ percent of GDP down to under 3 percent of GDP by 2015, and sustains them. And we do it in a balanced way by asking for shared responsibility.

I now yield 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the distinguished gentleman and my friend from Maryland.

Mr. Chairman, I rise in support of the Democratic substitute because the House Republican budget harms middle class families throughout our country.

Mr. Chairman, under the House Republican budget, Medicare is turned from a guaranteed benefit program into a bait-and-switch scheme where millionaires get more and seniors have to pay more.

Under the House Republican budget, if you're a millionaire, you get an additional \$394,000 tax cut. If you're an oil company, you get a bigger tax break. If you're a company that outsources jobs, you get a deeper tax break. But if you're a senior, you get as much as a \$6,000 increase in your medical costs. You get a bill from the Federal Government for your additional Medicare costs. If you're the child of a middle class family trying to go to college, you get an additional \$2,800 tuition increase.

The middle class has always been the backbone of the American economy, Mr. Chairman, and the House Republican budget kicks the middle class in the stomach.

The Democratic budget invests in education; the House Republican budget divests from education. The Democratic budget invests in our children; the Republican budget divests from our children. The Democratic budget invests in America's future; the House Republican budget divests from America's future.

And that is why we should pass this Democratic substitute, which invests and grows and strengthens the middle class, and quit investing in and growing and strengthening tax cuts for Big Oil companies and corporations that offshore our jobs.

Mr. RYAN of Wisconsin. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 15 minutes.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time, I yield 1 minute to the distinguished Speaker of the House, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me thank my colleague for yielding and let me say thanks to Chairman RYAN and members of the Budget Committee for a job well done.

This is a tough process, making real decisions about our path for the future. The interesting thing I've found about this debate that's gone on the last 2 days is that our team actually went and made the tough choices—made the tough choices to preserve freedom in America and to deal with our fiscal nightmare.

If you look at all the proposals we've seen in this debate, it's all more of the same. There are two things that are prevalent: let's raise taxes on the American people once again; and, secondly, let's kick the can down the road as if no one knows that Social Security, Medicare, and Medicaid are going broke. Oh, yes, all these proposals we've seen continue to kick the can down the road.

I think that the Path to Prosperity that Chairman RYAN and his committee have put together is a blueprint for America's future. We all know that we've got some \$16 trillion worth of debt already—\$1.3 trillion in a budget deficit this year alone. The American people know that they have got to live within their means; they have got to do a budget. They also know that you can't continue to spend money that you don't have.

And so I applaud my colleagues for the tough decisions they've made to try to do the right thing for the country and to lay out a real vision of what we were to do if we get more control here in this town. This is still a Democrat-run town.

The saddest thing I've seen, though, when it comes to a budget, is that while we did a budget last year—we're doing another budget this year, we're making tough decisions to help preserve Social Security and preserve Medicare—it has been 1,065 since the United States Senate has passed a budget. That's 1,065 days. Almost 3 years since they've had the courage to show the American people what their solutions are.

I think it's high time that we're serious about solving America's fiscal problems. The first step is actually doing a budget.

So, on behalf of my Republican colleagues, I would suggest that we support the Ryan budget. It's a real pathway to prosperity. It makes the tough decisions and puts us on a course that's sustainable, not just for our generation, but for our kids and grandkids.

Mr. VAN HOLLEN. I have great respect for the Speaker. I would just suggest that he may call it a tough choice to provide and lock in another round of tax cuts for the wealthiest Americans while cutting Medicaid by \$800 billion, a full one-third, by the year 2022. Two-thirds of that money goes to seniors in nursing homes and disabled individuals. I don't know if it's a tough choice. It's certainly the wrong choice. And that's what this debate is all about. It's not about whether we reduce our deficits, but how.

With that, I yield 2 minutes to the distinguished chairman of the Democratic Caucus, Mr. LARSON.

□ 1340

Mr. LARSON of Connecticut. Mr. Chairman, let me rise and commend the efforts of CHRIS VAN HOLLEN and the Budget Committee and rise in full support of their balanced and fair document that emphasizes shared sacrifice. Let me say to my Republican colleagues that this appears to us much like that great philosopher Lawrence Berra said, "deja vu all over again."

Franklin Delano Roosevelt, in another difficult period of our history, said that we need to prevail upon this country to come together and find the

warm courage of national unity that comes from shared sacrifice that would again demonstrate to the American people, especially the most frail amongst us and those in the middle class who are impacted the most, that we have national unity because we have guaranteed that no longer will they be in a position where they have to suffer while others would use government in a way to prosper and grow at the expense of the middle class.

There isn't a Member of this Chamber who doesn't have friends or family who aren't affected by the altering of Medicare, Social Security, or Medicaid. These are the tough decisions that are made every single day across the dinner table.

This fragile recovery impacts the most fragile amongst us and also is tearing asunder the very middle class that we seek to provide with the guarantee—the guarantee of a social safety net that provides them with Social Security, Medicare and, yes, health care, as well. That is why the Democrats have offered an alternative plan that underscores our convictions and our belief in Social Security, Medicare, and affordable health care.

Mr. RYAN of Wisconsin. Mr. Chairman, I would like to yield 2 minutes to the gentleman from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. Mr. Chairman, I thank the chairman of the Budget Committee. He's done a fantastic job.

And to the gentleman from Maryland, I know it's been difficult this week, you've stood in a difficult position, and now you're presenting your budget, and you've been in opposition to many of the budgets put forward, including the President's last night, and I know it's tough.

What we're addressing here right now, Mr. Chairman, I think, is a lot of numbers, a lot of charts and a lot of rhetoric. We hear that. But what we know is that Washington has not been forthright with the American people. For far too long, the top has been getting the bailout, the bottom has been getting a handout, and now who's going to get stuck with the bill? It's our kids. That's who's going to get stuck with the bill.

So why can't we, for once, instead of looking at the charts and numbers and throwing it all out there, just look through the lens of how will this budget impact our children and their future, their opportunity and their prosperity? Is this a budget that presents equal outcomes? Or is it going to be one that presents equal opportunities? Can we not look through that lens, for once, Mr. Chairman?

I would say that the budget that the gentleman has put forward is one more about equal outcomes. It's more taxes, it's more government, and it's more government solutions. Do you know

what? Why don't we provide more opportunities and more prosperity for the children of the next generation? That's the lens that I believe we should be looking through.

And this is why: because whether we believe it or not, whether we're willing to recognize it, we are scribes of time right now. History is being written based on the discussions, the outcome and the debate that we have. We are the ones who are determining what history will reflect back on and say we did at this time and what the future exists like later. What will we choose? What will we write? Will this be the chapter that concludes with the words "the end," or will we write a chapter that we can turn the page and hand the pens off to the next generation?

Mr. Chairman, it is my hope that we take our pen and that we pass it to the next generation, that we can turn the page, that we can move forward, and that we can provide a new chapter and a new beginning, one that is a beginning that leads to another future of opportunity and prosperity. I believe that only happens if we pass the Republican budget that we have before us today.

Mr. VAN HOLLEN. Mr. Chairman, I do think the focus should be on our children and on the future, and that's why our budget does not do some of the things the Republican budget does do, which is, for example, say that kids who have preexisting conditions, whether it's diabetes or asthma, get insurance. We make sure that those kids can't be excluded because of preexisting conditions. They don't. We make sure that the interest rates on student loans don't double this July, as their budget would allow, because we think it's important that those students have an opportunity to get the education to get ahead and succeed.

So I hope we will continue to focus on that question as we debate the choices that are being made in this budget.

I now yield 2 minutes to the gentleman from Kentucky, a member of the Budget Committee, Mr. YARMUTH.

Mr. YARMUTH. I thank my friend from Maryland.

Mr. Chairman, a recent analysis of American tax returns showed that in 2010, the top 1 percent of earners in the United States earned \$288 billion more than they had in 2009—\$288 billion more, the top 1 percent. In fact, that was 93 percent of all the additional income earned in the entire United States from year to year, 2009 to 2010.

Now, apparently, my friends on the Republican side were outraged that 7 percent of the additional income could slip away to the other 99 percent of American families because they came up with a budget that tried to rectify that immediately. I call it the "Republican 1 percent budget." It's a gift basket for billionaires and millionaires. It contains a permanent extension of the

Bush tax cuts, which have created an income gap in this country on par with Cameroon and Rwanda.

But the “Republican 1 percent budget” doesn’t stop there. It gives an additional tax break of \$150,000 a year for everyone making more than \$1 million a year. And it does that by dismantling Medicare, slashing education funding, transportation, and things like the SNAP program which help so many needy families in this country.

Mr. Chairman, income inequality has become the central tenet of Republican ideology. The budget we will probably vote on later makes their commitment to widening the income gap abundantly clear. That’s why I call the Republican budget, in addition to the “1 percent budget,” this is the “all for 1 budget.” It’s a budget that’s all for the 1 percent.

By contrast, the Democratic budget, the resolution we are offering now, is really the “one for all budget,” one budget that provides benefits for all Americans. It makes the critical investments that we need to make sure all Americans have equal opportunity and equal tools to realize the American Dream, and it makes sure that all contribute to the deficit reduction that we all are committed to. Everybody plays a part; everybody does their share.

I support the Democratic budget and urge my colleagues to do likewise.

Mr. RYAN of Wisconsin. Mr. Chairman, I would like to yield 2 minutes to the gentleman from New Hampshire, a member of the Budget Committee, Mr. GUINTA.

Mr. GUINTA. Mr. Chairman, thank you for the opportunity to speak on this substitute amendment.

Mr. Chairman, I find what’s going on in this country with the level of spending in America outrageous. People in this country have sent us here to do a job, to be leaders, and to solve problems. We have a current deficit of roughly \$1.3 trillion, something that is so high that so many people can’t even comprehend that number. We have a long-term debt approaching \$16 trillion.

This substitute today continues that path of spending money that we simply don’t have. I do thank the gentleman for at least offering a proposal—something that has not been done in the Senate—so we can debate in, I think, a reasonable way what the path is that his budget would propose versus the Path to Prosperity.

This proposal, the substitute proposal, does three things. Number one, it spends \$3.7 trillion of roughly \$1 trillion-ongoing deficits. Secondly, over the 10-year window, it spends \$44.7 trillion, continuing the long-term debt that we have found ourselves in currently. Finally, it doesn’t solve the significant drivers of our debt, and it doesn’t allow for an opportunity to preserve and protect Medicare, Medicaid, and Social Security.

The country wants us to be honest, the country wants leadership, and we continue to provide that in the House Budget Committee with the Path to Prosperity. I remind people that budget proposes stability and predictability by cutting \$5.3 trillion in spending, by reducing the tax on both individual and corporate to give us a fair, level playing field and predictability for the long term. And it reduces our short-term deficit about \$700 billion next year and continues to ensure we get on a path to balance. A balanced budget is the dream of every American, and we offer that opportunity in the Path to Prosperity.

With that, I urge a “no” vote on this amendment.

□ 1350

Mr. VAN HOLLEN. At this point I would reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time I will yield 2 minutes to the gentlelady from Tennessee (Mrs. BLACK), a member of the Budget Committee.

Mrs. BLACK. Mr. Chairman, in light of this week’s Supreme Court arguments on the health care law, I’d like to take a moment to talk about the contrast between our Path to Prosperity budget and the broken promises of that law.

As we’ve heard from so many of my colleagues in the last couple of days, we are on the verge of a debt crisis. I don’t think any of us can argue that. And this health care law, with a total price tag of \$1.76 trillion, would surely drive us over that cliff faster. Now, that is why, in the Path to Prosperity budget, we repeal the entire health care law, including the very dangerous IPAB, which would slash physician payment rates, forcing doctors to stop seeing Medicare patients. This 15-member, unelected board makes senior care even harder to access and puts bureaucrats between patients and their doctors.

Our plan for Medicare offers a choice for seniors, and they deserve a choice. We increase the competition between a guaranteed coverage option—and I want to repeat that, that this is a guaranteed coverage option—and traditional Medicare, and it allows seniors to choose. All of this would lower costs of the program while increasing the quality of care. This is the choice of two futures, both for our health care system and also the prosperity of our Nation.

Now, we can continue to go down the path of ObamaCare, where we see \$1.76 trillion in spending over 10 years. We also see \$525 billion in new taxes, fees, and penalties on families and small businesses. Or, we can repeal this law and put in place policies that increase competition, decrease costs, and ensure that our health care system is patient-focused.

We can continue to explode the size and scope of the Federal Government, as my colleagues on the other side of the aisle would like. If Democrats had their way, their budget would tax more, borrow more, spend more, and waste more of the hardworking taxpayer dollars.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. RYAN of Wisconsin. I yield the gentlelady an additional 30 seconds.

Mrs. BLACK. I find it interesting that last night this Chamber unanimously rejected the President’s 2013 budget that would be an absolute fiscal disaster. And yet this budget before us today again doubles down on those failed policies of the past. The American people are sick and tired of Washington’s culture of spend, spend, spend because they know there are consequences of living without a budget and spending more than what we take in.

What we’re doing here today is being honest with the American people. We are here to cut spending, reform programs in order to save them, and we make government smaller and less intrusive.

The Acting CHAIR. The gentleman from Wisconsin has 7½ minutes remaining. The gentleman from Maryland has 6 minutes remaining.

Mr. VAN HOLLEN. Thank you, Mr. Chairman.

I’m glad the gentlelady brought up the issue of health care and how these budgets impact health care.

She described their proposal as giving seniors a choice. It’s interesting that they would give seniors on Medicare a choice that they don’t want themselves to have, that they give Members of Congress a much better deal in health care than they would give to seniors on Medicare.

Here’s what their budget would do in ending the Medicare guarantee. This blue line shows the current level of support Medicare beneficiaries get from the Medicare program, up around 90 percent. That green line right there, that’s the level of support Members of Congress get from the Federal Employee Health Benefit Plan. You can see it’s steady; as costs go up, the support goes up proportionally. The Republican plan, that red line, is the one for seniors. That takes support steadily down relative to rising health care costs so that seniors would have to eat those rising health care costs. They bear the risk. That is a bad plan for American seniors. It’s a bad plan for America.

I now yield 2 minutes to the gentleman from Massachusetts, who has focused a lot on these issues as a member of the Ways and Means Committee, Mr. NEAL.

Mr. NEAL. Thank you, Mr. VAN HOLLEN.

What's striking about the debate that we're having today and this discussion is that essentially our Republican friends and colleagues are asking us to go back to the policies that got us here in the first place, the folly of those 6 years when they controlled the Presidency, when they controlled the Senate, and when they controlled the House of Representatives. So let me reacquaint all with their number forecast.

They offered \$1.3 trillion worth of tax cuts in 2001, and then came back in 2003 and said that wasn't enough; let's cut taxes by another trillion dollars. The underlying argument that they offered at the time was that this would jumpstart growth, despite the fact that as we came off the Clinton years with the greatest spurt of economic growth in the history of the world—a budget that was balanced for 4 successive years and 22 million jobs—their argument was: We can outdo that growth if we simply cut taxes by \$2.3 trillion—and, incidentally, not for the middle class. These tax cuts overwhelmingly went to people in the 1 percentile. Remember the theory that tax cuts pay for themselves?

So, let's contrast January 19, 2001 with the end of the Bush years—\$15 trillion worth of debt, deficits as far as the eye could see, all under the guise of economic growth. So, let me give you a number—not an opinion, but a fact. Those 8 years offered the most anemic economic growth at any time since Herbert Hoover was President of the United States. And what they ask for today in this budget is to have bigger tax cuts for wealthy people and eviscerate the guarantee of Medicare.

The Acting CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 30 seconds.

Mr. NEAL. This is the party, on the Republican side, that tried to privatize Social Security during those years, and all they want to do is shoehorn these legislative proposals into tax cuts for wealthy people. Their argument today, despite these record deficits, is, with revenue at 14.7 percent of GDP—headed toward the Eisenhower years—when the town has argued for years about revenue being between 19 and 21 percent, they're going to cut Medicare to give tax cuts for wealthy people.

Mr. RYAN of Wisconsin. Mr. Chairman, I'd like to yield 1½ minutes to the gentleman from South Carolina (Mr. MULVANEY), a member of the Budget Committee.

Mr. MULVANEY. Mr. Chairman, yesterday, before we had a chance to vote on the President's budget, I received a copy of a press release from the White House. It encouraged the House Democratic leadership to vote for this amendment. It encouraged the Democrats in the House to vote for the Van Hollen amendment, which I just

thought was worthy of getting up and talking about, very briefly.

It makes me wonder why the President didn't send a press release asking his Democrat colleagues to vote for his budget. It makes me wonder what the President is thinking. Does he like the Van Hollen budget better than his own budget? I mean, I guess there are some things to like. The President's budget raised taxes by \$1.9 trillion; the Van Hollen budget only raises taxes by \$1.7 trillion. The President's budget raised spending by \$1.5 trillion; the Van Hollen amendment only raises it by \$900 billion.

But it makes me wonder where the President is. Does the President think that his budget that he offered just a month ago raises taxes too much, raises spending too much? Is it too big of a tax-and-spend document, now he wants a little bit less of a tax-and-spend document? I guess the reason he likes the Van Hollen budget is that it raises taxes, it raises spending, and it never balances. I guess those are the consistencies between the Van Hollen budget and the President's budget that we unanimously defeated last night 414-0. So I guess the President likes budgets that raises taxes, raise spending, and never balance.

I would suggest to you, Mr. Chairman, as I have through this entire debate, that any balanced approach that does not end up in a balanced budget is no balance and is no budget. For that reason, I encourage us to defeat this amendment.

Mr. VAN HOLLEN. Mr. Chairman, I thought we were back to reality today instead of in the land of make-believe. Mr. MULVANEY offered an amendment yesterday that was not the President's budget. We debated that last night. I don't know why we're continuing that charade.

□ 1400

I yield 1 minute to the gentleman from Massachusetts (Mr. KEATING).

Mr. KEATING. I thank the gentleman for yielding.

There's been a lot of talk about kick the can down the road and kick the can down the road. I want to know what road that is?

The road I know, the road that gave me the American Dream, was the road to an education that's being undercut by this budget. It's a road to medical security that my grandparents worked hard and struggled for to give me. So that's the road we're talking about.

The other question I have is, What are we talking about? The budget offered by the Republicans kicks the can down the road all right, but that can is the middle class American.

Mr. RYAN of Wisconsin. At this time, Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. SOUTHERLAND).

Mr. SOUTHERLAND. I thank the chairman for yielding.

We have a lot of folks in the gallery today that have worked hard and saved money that they've earned to make their trip and to come here and listen to this debate. They understand that Santa Claus and a fairy tale is not going to pay for their transportation back. They get that. And they know that when they get back home, they're going to have to earn and work and find earned success if they want to bring their family back again. They get it. They get it. The American people get it.

At no point in time have the American people had to do more with less and the Federal Government has done less with more.

We hear a lot about fairness. True fairness does not come from wealth distribution. True fairness means rewarding merit, creating opportunity, and letting people rise. That has been a bedrock of the American system, the free enterprise system; and it is that free enterprise system that has given opportunity and rewarded people. And America has been benevolent with the gifts of being rewarded by hard work and honest dealings.

The Democratic budget does not support that; yet the Ryan budget or the Path to Prosperity, the Republican budget, does.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair reminds all Members not to refer to occupants of the gallery.

The gentleman from Maryland has 1¼ minutes remaining. The gentleman from Wisconsin has 5 minutes remaining.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. RYAN of Wisconsin. I yield 1½ minutes to the gentleman from Idaho (Mr. LABRADOR).

Mr. LABRADOR. Mr. Chairman, as I listened to the other side speak about their budget, it takes me back to growing up in Puerto Rico as a young man. And I'm very privileged to represent the people of Idaho right now, but I grew up in a very poor neighborhood. I grew up in a very poor environment in Puerto Rico.

I remember my mother taking me to the wealthier neighborhoods. And I remember her taking me to different places to the nicer stores, the nicer places in Puerto Rico and telling me that I had a choice, that I could work hard, I could play by the rules, I could do all the things I needed to do, and one day I could live in one of those homes, one day I could actually have those opportunities.

But if my mother would have had the same mentality that the other side has, I would have never been able to amount to anything in my life because what they believe is that the only way you can actually amount to something is if you take from the ones who have, if you're a "have-not."

My mother never believed in that. She never said some day she will own a beautiful home, you will own a beautiful car, you will own a beautiful house if you take away from the rich. She always said that was up to you to become somebody in your life. And that's the mentality that the other side has.

I have this chart here to show what really happened under the Democrats and the Republicans. If you see this, when the Democrats took control of Congress, we were at just under 5 percent unemployment. As soon as they took over Congress, and Barack Obama was elected, the unemployment rate went higher. And as soon as the Republicans were elected, the unemployment rate started going down. That's the path that we can have between the two parties.

Mr. RYAN of Wisconsin. At this time I yield 1½ minutes to the gentleman from Kansas (Mr. HUELSKAMP), a member of the Budget Committee.

Mr. HUELSKAMP. Mr. Chairman, today I rise in opposition to the budget offered by my colleague, Mr. VAN HOLLEN.

Then-Senator Obama, when campaigning for President, called President Bush unpatriotic for raising our national debt by \$4 trillion in 8 years, a figure he has surpassed in less than 4 years.

When then-Senator Obama voted against a debt limit increase he said, Leadership means the buck stops here. Instead, Washington is shifting the burden of bad choices today on to the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.

I agree with Senator Obama. If he believes this type of leadership was a failure and unpatriotic, then certainly so too should he think that about his budget and this budget here, for this budget would leave the U.S. with nearly \$25 trillion of debt by the end of 2022, despite a massive tax increase of \$1.7 trillion.

And despite the increase, this budget does not balance within the next 10 years, the next 20 years, and not even in 75 years. We can't wait. We can't wait, Mr. Chairman. We can't wait to balance the budget for 75 years.

Now more than ever, America needs leadership. As Senator Obama said, we cannot put the failures of today on the backs of the next generation. I agree, Senator Obama. So I reject this budget for the sake of our children and grandchildren.

Mr. VAN HOLLEN. Mr. Chairman, I would just remind my colleagues that at the end of the 8 years of the Bush administration, after the tax cuts, which helped create the deficits, we ended up losing over 600,000 private sector jobs. That's the result of trickle-down economics.

The last thing we want to do is go back to those policies. The Republican budget takes us back to our policies. We invest in jobs.

With that, I yield 1 minute to the distinguished Democratic leader, who's been focused on jobs, Ms. PELOSI.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding. And I want to rise to sing the praises of our Democratic members on the House Budget Committee, led by the gentleman from Maryland (Mr. VAN HOLLEN). Thank you for bringing us a balanced budget to the floor, a balanced option on how we go forward to the floor.

Yes, we know we have to make cuts, and we have to increase revenue, but most of all, we have to increase jobs. Growth is what is important.

And the difference between these two budgets, the budget that Mr. VAN HOLLEN is proposing and the Ryan Republican budget, is that the Ryan Republican budget loses jobs. The Van Hollen budget, the Democratic budget, is a job-creator. It's a job-creator.

It also invests in education. Think of it, if you're a student and you have a student loan, on July 1 your interest rate will double from 3.4 percent to 6.8 percent. The Ryan Republican budget says that's just fine. The House Democratic budget prevents that from happening.

And if you're a senior, the Ryan budget takes you down a path where the Medicare guarantee is cut. You may have to spend \$6,000 or more for less in terms of benefits.

All the while, while not protecting our students, while not creating jobs, while not protecting our seniors and their Medicare, the Ryan budget gives an over \$300,000 tax break to people making over \$1 million a year.

How can that be? How can that be?

The more people know about that budget, the more they know that it hurts them and their lives. The budget that is put forth by the House Democrats is a positive one for economic growth, for investing in our small businesses, for honoring the entrepreneurial spirit of America, for strengthening the middle class, for building ladders of opportunity for people who want to work hard, play by the rules, take responsibility for themselves to succeed as we re-ignite the American Dream.

So I thank you, Mr. VAN HOLLEN, for your leadership in putting a budget forth that is responsible, that honors our commitment to future generations, that reduces the deficit in a positive way, as opposed to Mr. RYAN's Republican budget. It doesn't even get to deficit reduction, ending that until close to 2040. I mean, the contrast could not be greater. The impact on America's families could not be greater.

Just think, seniors pay \$6,000 more for fewer benefits in Medicare, while they give a \$300,000 tax cut to the wealthiest people in our country.

□ 1410

You be the judge. Is that a budget that is a statement of your values?

Vote "yes" on the Van Hollen budget. Vote "no" on the Ryan Republican budget.

The Acting CHAIR. The gentleman from Maryland has 15 seconds remaining and the gentleman from Wisconsin has 2 minutes remaining.

Mr. RYAN of Wisconsin. I reserve the balance of my time.

The Acting CHAIR. Does the gentleman from Maryland wish to use his remaining 15 seconds?

Mr. VAN HOLLEN. Yes, I would. Thank you, Mr. Chairman.

Again, our Democratic alternative invests in the President's jobs proposal, a proposal that has been sitting here in the House of Representatives since September.

We reduced the deficit in a balanced and fair way. We make choices not to provide another tax break to the wealthiest but to say we need the combination of cuts and revenue, just like bipartisan commissions have done.

I urge adoption of the amendment.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself the balance of my time.

Let me just try to give, in a nutshell, the economic vision the minority leader just gave us. It kind of works like this:

Take more money from communities, from families, from small businesses and send it to Washington; swish it around the bureaucracy; make the decisions here; then, through trickle-down government, try to create jobs from government; borrow more money if that's not enough; then print more money if that's not enough over at the Federal Reserve; and we can make jobs in government.

It doesn't work. We've been trying this. Look at where we are today. Our debt is bigger than our economy. Look at the common theme we've seen before us. This budget, the House Democratic budget, has a \$1.7 trillion tax increase; the President's budget, a \$2 trillion tax increase; the CBC budget, a \$6 trillion tax increase; and least, but not last, the Progressive budget has a \$6.7 trillion tax increase. Is that for deficit reduction? No. It's for more spending.

The House Democratic budget has a \$4.6 trillion spending increase; the CBC budget, a \$5.2 trillion spending increase; the President's budget, a \$5.2 trillion spending increase; and the Progressive Caucus Budget, a \$6.6 trillion spending increase.

It is clear, they want you taxed more so they can spend more, and they never, ever balance the budget and they send us off a debt cliff.

This debt crisis is the most predictable crisis we've ever had in the history of this country, and we've got to stop this notion that we can just keep taking more and more and more from

families and businesses to spend us deeper into debt. It doesn't work.

With that, I urge a "no" vote on the House Democratic substitute.

I yield back the balance of my time.

The Acting CHAIR. All time for debate has expired.

The question is on the amendment offered by the gentleman from Maryland (Mr. VAN HOLLEN).

The question was taken; and the Acting CHAIR announced that the noes appeared to have it.

RECORDED VOTE

Mr. VAN HOLLEN. Mr. Chair, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 163, noes 262, not voting 6, as follows:

[Roll No. 150]

AYES—163

Ackerman	Frank (MA)	Pallone
Altmire	Fudge	Pascarell
Andrews	Garamendi	Pastor (AZ)
Baca	Gonzalez	Pelosi
Baldwin	Green, Al	Perlmutter
Bass (CA)	Grijalva	Peters
Becerra	Gutierrez	Pingree (ME)
Berkley	Hahn	Polis
Berman	Hanabusa	Price (NC)
Bishop (GA)	Hastings (FL)	Quigley
Bishop (NY)	Heinrich	Rahall
Blumenauer	Higgins	Reyes
Bonamici	Hinchev	Richardson
Boswell	Hinojosa	Richmond
Brady (PA)	Hirono	Rothman (NJ)
Braley (IA)	Holden	Royal-Allard
Brown (FL)	Holt	Ruppersberger
Butterfield	Honda	Rush
Capps	Hoyer	Ryan (OH)
Capuano	Israel	Sánchez, Linda T.
Cardoza	Jackson Lee (TX)	Sanchez, Loretta
Carnahan	Johnson (GA)	Sarbanes
Carney	Johnson, E. B.	Schakowsky
Carson (IN)	Kaptur	Schiff
Castor (FL)	Keating	Schwartz
Chu	Kildee	Scott (VA)
Cicilline	Langevin	Scott, David
Clarke (MI)	Larsen (WA)	Serrano
Clarke (NY)	Larson (CT)	Sewell
Clay	Lee (CA)	Sherman
Cleaver	Levin	Sires
Clyburn	Lewis (GA)	Slaughter
Cohen	Loftgren, Zoe	Smith (WA)
Connolly (VA)	Lowey	Speier
Conyers	Lujan	Stark
Costello	Lynch	Sutton
Courtney	Maloney	Thompson (CA)
Critz	Markey	Thompson (MS)
Crowley	McCollum	Tierney
Cuellar	McCarthy (NY)	Tonko
Cummings	McCormack	Tsongas
Davis (CA)	McDermott	Van Hollen
Davis (IL)	McGovern	Velázquez
DeGette	McNerney	Walz (MN)
DeLauro	Michaud	Wasserman
Deutch	Miller (NC)	Schultz
Dicks	Miller, George	Waters
Dingell	Moore	Watt
Doggett	Moran	Waxman
Doyle	Murphy (CT)	Welch
Edwards	Nadler	Wilson (FL)
Ellison	Napolitano	Woolsey
Engel	Neal	Yarmuth
Eshoo	Olver	
Farr	Owens	
Fattah		

NOES—262

Adams	Bachus	Biggert
Aderholt	Barletta	Bilbray
Akin	Barrow	Bilirakis
Alexander	Bartlett	Bishop (UT)
Amash	Barton (TX)	Black
Amodi	Bass (NH)	Blackburn
Austria	Benishek	Bonner
Bachmann	Berg	Bono Mack

Boren	Harris	Pearce
Boustany	Hartzler	Pence
Brady (TX)	Hastings (WA)	Peterson
Brooks	Hayworth	Petri
Broun (GA)	Heck	Pitts
Buchanan	Hensarling	Platts
Bucshon	Herger	Poe (TX)
Buerkle	Herrera Beutler	Pompeo
Burgess	Himes	Posey
Burton (IN)	Hochul	Price (GA)
Calvert	Huelskamp	Quayle
Camp	Huizenga (MI)	Reed
Campbell	Hultgren	Rehberg
Canseco	Hunter	Reichert
Cantor	Hurt	Renacci
Capito	Issa	Ribble
Carter	Jenkins	Rigell
Cassidy	Johnson (IL)	Rivera
Chabot	Johnson (OH)	Roby
Chaffetz	Johnson, Sam	Roe (TN)
Chandler	Jones	Rogers (AL)
Coble	Jordan	Rogers (KY)
Coffman (CO)	Kelly	Rogers (MI)
Cole	Kind	Rohrabacher
Conaway	King (IA)	Rokita
Cooper	King (NY)	Rooney
Costa	Kingston	Ros-Lehtinen
Cravaack	Kinzinger (IL)	Roskam
Crawford	Kissell	Ross (AR)
Crenshaw	Kline	Ross (FL)
Culberson	Kucinich	Royce
Davis (KY)	Labrador	Runyan
DeFazio	Lamborn	Ryan (WI)
Denham	Lance	Scalise
Dent	Landry	Schilling
DesJarlais	Lankford	Schmidt
Diaz-Balart	Latham	Schock
Dold	LaTourette	Schrader
Donnelly (IN)	Latta	Schweikert
Dreier	Lewis (CA)	Scott (SC)
Duffy	Lipinski	Scott, Austin
Duncan (SC)	LoBiondo	Sensenbrenner
Duncan (TN)	Loebuck	Sessions
Ellmers	Long	Shimkus
Emerson	Lucas	Shuler
Farenthold	Luetkemeyer	Shuster
Fincher	Lummis	Simpson
Fitzpatrick	Lungren, Daniel E.	Smith (NE)
Flake	Manzullo	Smith (NJ)
Fleischmann	Marchant	Smith (TX)
Fleming	Marino	Southerland
Flores	Matheson	Stearns
Forbes	McCarthy (CA)	Stivers
Fortenberry	McCaul	Stutzman
Fox	McClintock	Sullivan
Franks (AZ)	McCotter	Terry
Frelinghuysen	McHenry	Thompson (PA)
Gallely	McIntyre	Thornberry
Gardner	McKeon	Tiberi
Garrett	McKinley	Tipton
Gerlach	McMorris	Turner (NY)
Gibbs	Rodgers	Turner (OH)
Gibson	Meehan	Upton
Gingrey (GA)	Mica	Visclosky
Gohmert	Miller (FL)	Walberg
Goodlatte	Miller (MI)	Walden
Gosar	Miller, Gary	Walsh (IL)
Gowdy	Mulvaney	Webster
Granger	Murphy (PA)	West
Graves (GA)	Myrick	Westmoreland
Graves (MO)	Neugebauer	Whitfield
Green, Gene	Noem	Wilson (SC)
Griffin (AR)	Nugent	Wittman
Griffith (VA)	Nunes	Wolf
Grimm	Nunnelee	Womack
Guinta	Olson	Woodall
Guthrie	Palazzo	Yoder
Hall	Paul	Young (AK)
Hanna	Paulsen	Young (FL)
Harper		Young (IN)

NOT VOTING—6

Filner	Mack	Rangel
Jackson (IL)	Meeks	Towns

□ 1437

Mr. FARR and Ms. LINDA T. SANCHEZ of California changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 150, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

The Acting CHAIR. Pursuant to the rule, it is now in order to consider a final period of general debate, which shall not exceed 20 minutes, equally divided and controlled by the chair and ranking member of the Committee on the Budget.

The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, let me just start off by thanking all of the staff and the minority and their staff for the hard work.

I want to congratulate Mr. VAN HOLLEN for bringing his substitute to the floor. The minority does not need to do that, and I think that it is good for the process and the system that they do that.

In particular, I want to thank our Budget Committee staff: Alex Stoddard, Andy Morton, Austin Smythe, Charlotte Ivancic, Conor Sweeney, Courtney Reinhard, David Logan, Dennis Teti, Dick Magee, Eric Davis, Gerrit Lansing, Jane Lee, Jenna Speelman, Jim Herz, Jon Burks, Jon Romito, Jose Guillen, Justin Bogie, Marsha Douglas, Matt Hoffmann, Nicole Foltz, Paul Restuccia, Stephanie Parks, Steve Spruiell, Ted McCann, Tim Flynn, and Vanessa Day.

I also want to thank our personal office staff and the people who are over there at the Ford Building that not everybody sees but who work for the Congressional Budget Office. I had the privilege to meet with them last December while they were busy putting the payroll tax numbers together.

This year, the President's budget came late. Easter came early. Everyone was crunched. We worked them overtime, very hard. Now, we don't always like the estimates they necessarily give us, but I want to thank them for their dedication and their professionalism in making this process work.

With that, I will reserve the balance of my time.

PAUL RYAN PERSONAL OFFICE STAFF

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Majid Moghaddam, Marika Santoro, Marin A. Randall, Marion C. Curry, Mark Booth, Mark E. Sanford, Mark J. Lasky, Mark P. Hadley, Mark T. Grabowicz, Martin von Gnechten, Mary M. Froehlich, Matthew Goldberg, Matthew Pickford, Matthew Schmit, Maureen Costantino, Megan E. Carroll, Melinda B. Buntin, Melissa Merrell, Michael Bennett, Michael Levine, Michael S. Simpson, Mitchell A. Remy, Molly W. Dahl, Monte Ruffin.

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R. Derek Trunkey, Rae Wiseman, Raymond J. Hall, Rebecca Rockey, Rebecca V. Yip, Robert A. Sunshine, Robert G. Shackleton Jr., Robert McClelland, Robert W. Arnold, Robert W. Stewart, Rod Goodwin, Romain Parsad, Ron Gecan, Ronald L. Moore, Ryan G. Miller.

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Sheila Campbell, Sheila M. Dacey, Sherry Snyder, Simone Thomas, Stephanie Burns, Stephanie Cameron, Stephanie M. Ruiz, Stephen P. Rentner, Steven A. Weinberg, Stuart A. Hagen, Sunita C. D'Monte, Susan Willie, Susanne S. Mehlman.

T.J. McGrath, Tamara Hayford, Terry M. Dinan, Theresa A. Gullo, Thomas B. Bradley, Tiara P. Mizelle, Valentina Michelangeli, Vi Nguyen, Virginia Myers, Wendy Edelberg, Wendy Kiska, William J. Carrington, William Ma, William Randolph.

Mr. VAN HOLLEN. Mr. Chairman, I want to start by thanking all the members of the Budget Committee, Republicans and Democrats alike. We had a very good debate in the Budget Committee. We had a good debate here on the floor. And I want to thank all our colleagues. We obviously have deep differences, but I think everybody conducted this debate in a civil manner.

I also want to thank the chairman for the way he conducted the proceedings in the committee. And to all the staff, Republican and Democratic staff, I want to thank our team, headed by Tom Kahn. Many of them are here on the floor. As I think everybody knows, they've spent many, many, many late nights working on this budget. So I salute all of them as well as the folks over at the Congressional Budget Office.

□ 1440

We obviously think that this budget proposed by our Republican colleagues is the wrong choice for America.

I now yield 3 minutes to the distinguished Democratic whip, my friend, our colleague from the State of Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. RYAN, who is an outstanding Member of this body and my friend, and who is one of the most able among us, as well as Mr. VAN HOLLEN, who has been my close friend for many years and one of the most able among us, have just spent time thanking our staffs for the work that they have done. I share their view that our staffs have worked mightily. And, indeed, there has been much debate.

Tragically, the product we will produce today is far less than the sum of our parts in this body. It is, I would suggest to you, a product unworthy of the intellect that has been applied to it. It is a product, indeed, that I think will hurt America, not help America. It is a product that is too much politics and too little policy. It is a product of which I think this House can not be proud.

It is a product that relies on substantially undermining the security of seniors. I say that as one who has said repeatedly that in reaching a fiscally sustainable path we must deal with entitlements. We need to do so together, and we need to do so in a balanced way.

But there is no balance in this proposal. Seniors, middle class, the vul-

nerable, and working Americans are asked to pay the price of this agreement. And, indeed, not only are they asked to pay the price, but the best off among us is asked to do the least.

That's not the America of which we're all proud—that has worked together and sacrificed together at times, to come together to make a joint contribution to the welfare of this country.

This product is less than the sum of its parts. This product would undermine the guarantee of Medicare.

Again, we need to deal with entitlements, but not in a way, I tell my friends in this House, that undermines the guarantee of senior security as well as family security, so their children will know their parents are secure.

Ladies and gentlemen of this House, we had an agreement. I think that the gentleman from Wisconsin is an honorable man. He is my friend. I like PAUL RYAN. But I am sorely disappointed, I tell my friend.

We came to having a difference of opinion on what the number ought to be for this year's budget. You had a lower number. We had a higher number. We almost took the Nation to the brink—as a matter of fact, we took it to the brink—of default.

The Acting CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 1 minute.

Mr. HOYER. We came to the brink of default in this great Nation, the most creditworthy Nation on the face of the Earth, and were downgraded as a result of failing to get to an agreement. But when we got to an agreement, it was an agreement. And if we are able to rely on one another's words, we ought to keep our agreements.

It simply said that 302(a), which simply means, for the public, that the dollars we were going to spend on discretionary spending this fiscal year coming would be \$1.47 trillion. That's a lot of money, no doubt about it. Your side didn't like it, my side didn't like it, but we agreed on it.

That agreement is not carried out in this budget. How can we rely in the future on such an agreement? It asks seniors to pay the bill, the vulnerable to pay the bill, but not the wealthiest in America. It puts Medicare at risk and does not get us to where we want.

The Acting CHAIR. The time of the gentleman has again expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 30 seconds.

Mr. HOYER. In fact, it adds \$10 trillion, and then some magical formula that's somewhere out there, like waste, fraud, and abuse, we're going to find the money to pay for the \$10 trillion in tax cuts. That's by the extension of the Bush tax cuts and the 35 to 25. Some magical way, we're going to eliminate preference items. It doesn't say which ones. It doesn't say who's going to pay the bill.

Ladies and gentlemen, we can do better. The parts in this body are very good on both sides of the aisle—good intellect, good instincts, and a love for this country. We can do better.

Let's reject this budget. Let's do some real work. Let's come together and put this country on a fiscally sustainable path without harming our people.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time, I yield 2 minutes to our distinguished majority whip, Mr. MCCARTHY.

Mr. MCCARTHY of California. I thank the chairman of the Budget Committee for the work that he's done, both sides.

We've watched a lot of debate. This floor is supposed to be devised to have the power of the idea to win.

Mr. Chairman, we watched the President's budget come here and, unfortunately, unite us when nobody thought that was the direction to go.

We watched history be made on this floor for many years. It's always said that history repeats itself. In my short lifespan, if I'm really looking at where America stands, it stands much where we stood in 1980—a choice between two futures.

Have you ever thought for a moment the similarities of 1980 to today?

In 1980, America was afraid that Japan was going to surpass us in our economy. Today, we have fear of China and India being larger.

In 1980, Iran was holding Americans hostage. Today, they want to close the Strait of Hormuz. They want to develop missiles that hold the world hostage.

We had an energy crisis. Today, the price of gasoline is the highest it's ever been.

Every generation in America has been able to improve on the generation before it, but do you realize 1980 was the first time a majority of Americans believed the best days were behind us? 50.4 percent. Today, it's at 74. We had a challenge in our foreign policy. We literally had a President put a sweater on and tell us to turn the heater down.

Our biggest challenge is our debt that faces us.

Well, today we have a choice, a choice of two futures, just as we did in 1980. So the choice today is: Do you want that European model; or do you want something that faces our challenge, honest to the American people, and rises to the occasion?

When Ronald Reagan was sworn in at his inaugural, he said:

Our willingness to believe in ourselves and our capacity to perform great deeds; to believe that together, with God's help, we can and will resolve the problems which now confront us. And after all, why shouldn't we believe that? We are Americans.

Winston Churchill once said of America:

You can always count on them to do what's right after they've exhausted every other option.

We have exhausted every other option. This is an opportunity for a new path, for a new future.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, at this time, I would like to yield 1 minute to the distinguished majority leader of the House, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman from Wisconsin.

Mr. Chairman, I rise today in support of the House Republican budget resolution offered by my friend and colleague, the gentleman from Wisconsin, Chairman PAUL RYAN.

Mr. Chairman, people in this country are looking. They are desperate to see a strong signal from Washington that we are prepared to make the tough decisions necessary to address our Nation's fiscal crisis. Today, we will pass our budget that proposes real, honest solutions to create a stronger economy and a more certain future for our country.

□ 1450

Our budget takes bold steps that will get the fiscal house in order and will manage down the debt and deficit. It also strengthens the entitlement programs which are the biggest drivers of our debt. It reforms the Tax Code and prevents devastating defense cuts from taking place—all without raising taxes.

Mr. Chairman, we are seizing the opportunity to address what even the minority has admitted is the most predictable economic crisis in our Nation's history. Unfortunately, Mr. Chairman, those on the other side of the aisle seem to refuse to be able to deal with this crisis and actually propose a solution.

The Democratic-controlled Senate has failed to pass a budget in over 1,000 days, shirking its responsibility to the American people. And the President has refused to put forth any serious solution to pay down the historic debt and deficit that he helped create. In fact, the President's budget will actually aggravate the Nation's problems. President Obama's budget saddles the American people with massive tax increases, puts more burden on job creators, weakens our military and fails to provide a plan to save our entitlement programs. I believe these policies will fundamentally change our Nation for the worse.

In contrast, Mr. Chairman, our budget restores the system of free enterprise that has made America the greatest nation in the world. We propose a simpler, fairer, and more competitive Tax Code that will actually foster economic growth and job creation. Instead of picking winners and losers, our plan levels the playing field. Our budget lowers tax rates for taxpayers, broadens the base, and gets rid of loopholes and preferences so we can grow the economy and see more jobs created.

Mr. Chairman, our budget seeks to save our entitlement programs because we actually produce a plan to solve the disproportionate cause of our deficits in health care entitlements.

This commitment to lead, this commitment to find solutions and to actually put a plan in place is what has been missing from the debate in this town. And we ask our colleagues on the other side of the aisle to join us in that commitment to actually adopt a plan so that we can begin to make progress and send a signal to the American people that we get it and that we are here to help solve the problem.

Mr. Chairman, House Republicans are offering the American people a choice in terms of the direction this country will take. And I thank Chairman RYAN and the members of his Budget Committee for their hard work to produce this pro-growth, solutions-oriented budget. This document does begin to address the serious fiscal challenges we face and grow the economy so that our children have the same hope, opportunity, and ability to achieve success that our parents gave to us and their parents to them.

Mr. VAN HOLLEN. If I could ask how much time remains?

The Acting CHAIR. The gentleman from Maryland has 4½ minutes remaining. The gentleman from Wisconsin has 5½ minutes remaining.

Mr. VAN HOLLEN. I thank our colleagues for a vigorous debate, and I would remind everybody that just a few years ago when the President was sworn in, our economy was in a total free fall. The bottom was falling out, we had negative 8 percent GDP, and over 800,000 jobs were being lost every month. And as a result of extraordinary actions that were taken, along with the tenacity of the American people, we have climbed out of that hole that we inherited. We have now had 24 months of consecutive private-sector job growth. Let's keep that growth going.

The budget that the President proposed, the budget that the Democrats proposed, did that. It expanded investments in jobs. The Republican budget will cut our investment in transportation next year by 46 percent when we have 17 percent unemployment in the construction industry.

Independent analysts have said that their budget will cost us 1 million jobs this year and cost us 2 million jobs next year. That's not what we need. The Congressional Budget Office has said that over one-third of our current deficit is because of underemployment. Why would we want to add to underemployment, as the Republican budget does?

Now, in the long term, we've got to get our deficits under control. The issue is not whether we need to do that, the issue is how. As the previous speaker said, the question is the choice. Our

Republican colleagues overwhelmingly have signed this pledge saying they are not willing to close one tax loophole—not one penny—for the purpose of reducing the deficit. And when you say to folks making over \$1 million a year, you don't have to share any more responsibility of reducing the deficit, when you say to big oil companies we're going to keep going with the taxpayer subsidies, do you know what? You've got to take out the budget on everybody else, at the expense of seniors, at the expense of middle-income taxpayers, and at the expense of important investments in our economy. And that's what their budget does. That's why it ends the Medicare guarantee.

They're proposing to give seniors a deal that's a lot worse than we have for Members of Congress—worse than the one for Members of Congress, seniors on Medicare. They cut Medicaid by \$800 billion, more than one-third of the program, by 2022, putting seniors and disabled individuals at risk. They cut education investments and would allow interest rates on student loans to double this July. Those are not decisions that we make if we want a strong economy and a robust future for our children and grandchildren.

So this is all about choices, and we don't think that it's bold to provide tax breaks to millionaires while you're ending the Medicare guarantee for seniors. We don't think it's courageous to protect big taxpayer giveaways to companies that ship American jobs overseas while we're cutting investments in education, science, research, and infrastructure right here at home. We don't think it's fair to provide another round of taxcuts to folks at the very top. The Tax Policy Center says it's going to be close to \$400,000 on average for people making over \$1 million. We don't think it's fair to do that, financing those tax cuts by increasing taxes on middle-income Americans.

I would challenge our colleagues: show us how you make up for \$4.6 trillion in lost revenue from dropping that tax rate without socking it to middle-income taxpayers? So far, Republican colleagues have been absolutely incapable of showing us that they're not shifting the burden to middle-income taxpayers.

So, Mr. Chairman, it is all about choices. Unfortunately, we didn't pass the alternative Democratic budget. Let's not make the mistake of passing this Republican budget plan. We can do better. We can do what bipartisan groups have done, take a balanced approach, cut spending and also cut the loopholes for special interests. Let's do it in a way that the American people would say brings us together, rather than apart.

So I would urge rejection of this budget. It makes the wrong choice for America. I thank the chairman, and I thank my colleagues.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself the remainder of the time.

Mr. Chairman, we are bearing witness to history this week. Across the street, we are witnessing what could be the end of bureaucratic-controlled health care. What we are on the verge of witnessing is a powerful reaffirmation of the American idea, and we are finally having the debate we need to have.

Our rights come to us naturally, they come from God and nature, and not from government. This health care law is the latest and perfect example of the notion that government is now needed to grant us new rights. And if that is the case, then government has authority to ration, to regulate and to redistribute exactly how we exercise these new rights, such as health care. And if these new government-granted rights conflict with our constitutional rights and liberties, well, then, such is the sacrifice needed in the name of progress, or so the thinking goes.

Across the street, we are witnessing what could be a rejection of this line of thinking. The new health care law, which asserts unlimited power to the Federal Government to decide for Americans how they should go about getting their health care, simply is not compatible with the Constitution.

□ 1500

But the Justices who are considering this case, they've raised a very good point: If this is, at the end, a bureaucrat control of health care, what comes next? And if you listen to them, you may hear a pretty dim view of Congress' ability to solve this problem.

With respect, I would suggest that they take a look at what we are accomplishing here in this body today. Here, in this Chamber, we are witnessing the growing momentum of a new approach, one that maintains a critical role for government, but ultimately puts the American people in charge where they belong.

For the second year in a row, we are passing a budget that outlines a new approach to Medicare. We keep the protections that made Medicare a guaranteed promise for seniors throughout the years, but this is what we say to the bureaucrats who have mismanaged this program into bankruptcy: Enough. Your approach doesn't work. Government has never come up with the magic formula to micromanage America, let alone lower costs and improve quality. It's time to put 50 million seniors, not 15 bureaucrats, in charge of their own health care decisions.

Forcing insurance companies to compete, that's the only way to guarantee quality affordable health care for seniors that lasts for generations. That's the answer to what comes next. Let's keep building on the growing bipartisan consensus on how to improve patient-centered health care reform.

But putting our trust in Americans, it goes beyond health care. It is what this entire budget is all about. We get government bureaucrats out of the business of picking winners and losers in the economy because Americans should make their own decisions about what kind of car they drive or what kind of light bulb they use. We give power over the safety net programs to the States because we believe that governments that are closest to the people are in the best position to design programs for their unique communities, to get people on to lives of self-sufficiency and upward mobility.

When we lower tax rates by closing special interest loopholes, we're saying we in Washington don't need to micromanage people's decisions through the Tax Code. Let people keep more of their own hard-earned dollars; let them decide how to spend it. Economic growth, jobs, upward mobility, opportunity, these are what we're striving for, just like our parents did the same for us.

Mr. Chairman, it is so rare in American politics to arrive at a moment in which the debate revolves around the fundamental nature of American democracy and the social contract, but that is exactly where we are today. One approach gives more power to unelected bureaucrats, takes more from hardworking taxpayers to fuel the expansion of government, and commits our Nation to a future of debt and decline. This approach is proving unworkable in Congress, in our courts, and in our communities.

This contrast with our budget could not become clearer: We put our trust in citizens, not in the government. Our budget returns power to individuals, to families, to communities.

As these choices become clear, today's budget is a vote of confidence for the American experiment. We think that putting our trust in the American people will renew their trust in us. We think Americans should control their destinies, and we trust them to make the right choices about the future of our country.

Mr. Chairman, we think America is on the wrong track. We believe the President is bringing us toward a debt crisis and a welfare state in decline. We are offering the Nation a choice. We are offering the Nation a better way forward. And we are offering the Nation a plan to renew America and the American idea.

Mr. Chairman, let's have that vote.

I yield back the balance of my time.

Ms. WILSON of Florida. Mr. Chair, I rise today to voice my opposition to the House Republican budget which ends Medicare guarantees while giving huge tax cuts to millionaires and billionaires. As they have done countless times over the past three decades, the House Republicans are siding with millionaires and billionaires, while making life more difficult for seniors, students, and working people and

families. To fund an average tax cut of \$400,000 per year for people making more than \$1 million annually, they would take away the Medicare guarantee and the Affordable Care Act's provisions to close the donut hole and for free preventive care; destroy more than 4 million jobs through 2014; and cut funding for Pell Grants, K-12 education and Head Start. Instead of continuing with 30 years of failed trickle-down economic policy, we should be investing in our infrastructure, education and research—we need to pass the President's budget for our country's long-term economic health and to renew the American Dream for our children and grandchildren.

Mr. WOLF. Mr. Chair, I will vote today for H. Con. Res. 112, authored by Budget Committee Chairman PAUL RYAN, because we have a duty to address our nation's looming fiscal obligations. Simply put, we cannot continue to kick the proverbial can down the road.

When I came to the floor to vote for last year's budget, we were \$14 trillion in debt. Today, we are \$15.5 trillion in debt. It is projected we could be \$17 trillion in debt by the end of the year and \$21 trillion in debt by 2021.

This will be our fourth straight year of trillion dollar deficits. Four straight years.

We are currently spending 10 cents of every dollar on interest to finance the debt, even though we're borrowing money at historically low rates. If we realistically assume that rates will rise, we could be spending close to 1 out of every 6 dollars to finance the debt by the end of the decade. And that is under the best case scenario.

That is money that could be going to our national defense, repairing our roads and bridges or life-saving cancer research.

In 1970, 5 percent of debt held by the public was in foreign hands. In 1990, it was 19 percent. Today, more than 40 percent of our publically held debt is in foreign hands.

Who are our bankers? Nations such as China, which is spying on us, where human rights are an afterthought, and Catholic bishops, Protestant ministers and Tibetan monks are jailed for practicing their faith, and oil-exporting countries such as Saudi Arabia, which funded the radical madrasahs on the Afghan-Pakistan border resulting in the rise of the Taliban and al Qaeda.

Quite frankly this borrowing is unsustainable, dangerous and irresponsible.

That is why I have been willing to make the hard choices to ensure a better future for our children and grandchildren. Every two years I take an oath to support and defend the Constitution. I do not sign pledges to lobbyists or special interest groups.

That is why I have been working with my colleagues, through my assignment as chairman of the House appropriations subcommittee that funds the departments of Commerce and Justice, to cut \$95 billion in federal spending since the start of this Congress, including \$11 billion from my subcommittee alone.

That is why I have repeatedly voted against the payroll tax holiday, which steals from the Social Security Trust Fund. The most recent extension alone took \$93 billion and brought us nearly a month closer to the statutory debt limit. With just one vote in February, we prac-

tically wiped out all the \$95 billion savings from the cuts enacted since Republican took back control of the House.

I have speaking out about the need to get our nation's fiscal house in order since George W. Bush was in office.

In 2006 I introduced legislation to create an independent, bipartisan commission to address our debt and deficit. I called it the SAFE Commission, short for Securing America's Future Economy. It said everything should be on the table for discussion: all entitlement spending, all domestic discretionary spending, including defense spending, and tax reform, particularly changes to make the tax code more simple and fair and to end the practice of tax earmarks that costs hundreds of billions of dollars. Congress would be required to vote up or down on the commission's recommendations, just as was done in the base closing process.

I was glad to have been joined in this effort by my good friend and colleague JIM COOPER of Tennessee. Our legislation served as the blueprint for the president's National Commission on Fiscal Responsibility and Reform, commonly referred to as the Simpson-Bowles Commission. I am pleased Mr. COOPER and Mr. LATOURETTE produced a full substitute amendment that I believe is the right way forward. I commend them for their work.

The Simpson-Bowles Commission produced a credible plan that gained the support of a bipartisan majority of the commission's 18 members. Called "The Moment of Truth," the commission's report made clear that eliminating the debt and deficit will not be easy and that any reform must begin with entitlements. Mandatory and discretionary spending also has to be addressed as well other "sacred cows," including tax reform and defense spending.

Had just three more members of the Simpson-Bowles Commission supported the recommendations, this plan likely would have passed the Congress and be law today. I was disappointed that the president, and his administration, walked away from the commission. The president failed the country. And the Congress has also failed. This town is dysfunctional. If the plan had advanced, we would already be on our way in getting our nation's fiscal house in order.

We have to find a solution to this debt crisis. Failure is not an option.

Congress and the president must be willing to support a plan that breaks loose from the special interests holding Washington by the throat and return confidence to the country.

Congress and the president also need to be honest with the American people and explain that we cannot solve our nation's financial crisis by just cutting waste, fraud and abuse within discretionary accounts. The real runaway spending is occurring in our out-of-control entitlement costs and the hundreds of billions in annual tax earmarks. Until we reach an agreement that addresses these two drivers of our deficit and debts, we cannot right our fiscal ship of state.

I regret that the bipartisan Cooper amendment failed. But since it did, today I'm voting for the Ryan budget.

Like last year's proposal, this budget blueprint calls for significant reductions in discretionary spending, for reduced tax rates and for the repeal of the costly health care reform law.

The plan also points out that we can no longer ignore the trillions of dollars in unfunded liabilities that consume our budget. There may be disagreement on the significant changes in Medicare and Medicaid entitlement programs that he proposes, and while his plan is again silent on changes needed to reform Social Security entitlements, it does recognize that need. Mr. RYAN continues to pull back the curtain on the mandatory spending "elephant in the room," which we can no longer ignore.

I want to be clear: I would prefer for this House to pass the bipartisan Cooper-LaTourette budget, which is modeled on the bipartisan Simpson-Bowles plan. Even though there were some parts that I would have liked to change, I spoke in strong support of that budget proposal and continue to believe that it is the only plan that can pass the Senate. That proposal put everything on the table, and, more importantly, sought to achieve enough deficit reductions to turn off the need for the sequester that could be so harmful to our defense capabilities. But, again, as that bipartisan proposal failed to pass, I will support the Ryan plan.

I do not agree with everything in this proposal, and will work to improve future legislation. For example, I regret that this proposal does not offer more on ways to address Social Security and tax reform efforts.

This resolution also unfairly targets the federal workforce. While there are many federal employees in the Capital region, it is worth noting that more than 85 percent of the workforce is outside of Washington.

It is also worth noting that more than 65 percent of all federal employees work in agencies that support our national defense capabilities as we continue to fight the War on Terror. The first American killed in Afghanistan, Mike Spann, was a CIA agent and a constituent from my congressional district. CIA, FBI, DEA agents, and State Department employees are serving side-by-side with our military in the fight against the Taliban.

Let's also not forget the Border Patrol and Immigration and Customs Enforcement agents who are working to stop the flow of illegal immigrants and drugs across our borders.

Or the medical researchers at NIH working to develop cures for cancer, diabetes, Alzheimer's and autism.

Or the VA doctors and nurses treating veterans from World War II to today.

Or the FDA inspectors working to stop a salmonella outbreak. These are all federal employees.

Mr. Chair, enough is enough. It is simply wrong to claim, as the Ryan budget does, that these public servants "have been immune from the effects of the recession."

This budget also could be improved by providing for the needs of the most vulnerable in our society. As the Congress deals with the budget, we must always do it in a way that does not neglect the needs of the poor. Scripture (Proverbs 19:17) tells us, "He who is kind to the poor lends to the Lord." And in the New Testament Jesus talks a lot about the poor. Matthew 25 says that if we ignore the poor and hungry it is the same as ignoring him. But this budget resolution is an outline for future action, not an enacting piece of legislation that carries the weight of law.

The budget also seeks to shore up our defense capabilities for the next year by finding alternative savings to prevent the across-the-board cuts that are coming in January as a result of the Joint Committee on Deficit Reduction's bipartisan failure of leadership, which, regretfully, represents the larger failure of the President and both political parties.

Another example of this failure of leadership is the decision by the Senate not to even offer a budget proposal. While the Budget Control Act, BCA, does not require a new budget to establish FY 2013 spending levels, the BCA was passed with the assumption that the so-called supercommittee on deficit reduction would be successful. We need to have a robust debate in the public arena as everyone works to mitigate the harmful cuts that will result from the coming sequester. It is an abdication of responsibility for the Senate to refuse to put forth a budget.

This budget recognizes that our fiscal challenges are too great to wait until the next election. We, as elected representatives, have a duty to lead. We have a duty to put forth ideas within the public sphere and engage in debate. I'm ready to make the tough choices today. I vote for the Ryan budget so that the House can get to work.

Mr. PAUL. Mr. Chair, listening to the claims of the opponents of this budget, one would think it represented a full-frontal assault on the welfare state and the entitlements system. However, in fact—with all respect to Shakespeare—the sound and fury over this budget ultimately signifies nothing. Under this budget, the federal government will spend \$3.5 trillion next year, while under President Obama's budget the federal government will spend \$3.8 trillion. The small difference between the congressional budget and the President's hardly seem to justify the overheated rhetoric we hear emanating from both sides of the aisle.

Even under the most optimistic scenario, this supposedly radical plan does not balance the federal budget until my one-year old great-granddaughter will be in college. Under less optimistic assumption, my great granddaughter will be almost 30 before she sees a balanced federal budget. This assumes that Congress will adhere to this year's budget in future years, a dubious assumption since we cannot bind future Congresses to abide by our spending plans. The only budget this Congress cannot legally bind any future Congress to follow a budget we passed today.

The only budget this Congress controls is this year's budget. So why aren't we making substantial spending cuts this year, instead of putting off the hard choices?

Critics of this budget do have a point when they criticize this budget for misplaced priorities, since this plan calls for the federal government to continue to waste trillions of dollars in a future attempt to police the world. Mr. Speaker, through my years in public life I have explained the folly of our hyper-interventionist foreign policy; I will not rehash those arguments here. Instead, I will simply point out to my colleagues that we can no longer afford to spend trillions overseas.

Also, many of those who share my goal of unwinding the federal welfare and entitlement system understand the need to do without harming Americans currently reliant on the

system. That task will be much easier if we began by eliminating overseas militarism, foreign aid, and corporate welfare. Yet this so called radical budget treats the Pentagon as a sacred cow, as if closing one overseas base or canceling one contract for Lockheed-Martin will render America defenseless.

This budget bill not only fails to reduce spending by changing our foreign policy, it also fails to make any meaningful changes in domestic spending. While the bill does repeal the President's misguided national health care plan, and repeal a few other federal programs, it leaves the vast majority of the federal welfare-regulatory leviathan intact. Despite the claims of both proponents and opponents that this budget dramatically downsizes the federal government, it does not repeal one unconstitutional cabinet department, not even the Department of Education, which has no constitutional authority and if anything has diminished the quality of American education.

Mr. Chair, the problem facing the federal government is at root not a fiscal problem but a philosophical problem. Too many people in both parties have bought into the idea that the federal government should run the economy, run our lives, and run the world. Until that idea is repudiated and we once again embrace the principles of liberty and constitutional government we will not be able to address our fiscal problems. This budget does little to advance the goal of moving us toward a free society; therefore I urge my colleagues to reject it.

Mr. REYES. Mr. Chair, I rise today to strongly oppose the Republicans' budget proposal. I remain committed to creating jobs, expanding health care coverage, and promoting education, but this budget signals that the Republicans do not. In fact, this budget seems designed to have devastating effects on American families and businesses, and would dramatically damage our nation's improving economy. This legislation makes significant cuts to social programs and investments in education, destroys American jobs, and represents the latest in a series of Republican attacks on Medicare.

Although our economy is recovering from years of misguided policies, many Americans are still struggling to make ends meet. Gas prices have skyrocketed in recent months. Quality health care and education are becoming more expensive for the average American. Families are fighting to save their homes from foreclosure and escape from under mountains of debt.

Instead of focusing on these important issues, Mr. RYAN and the Tea Party have developed a budget that dramatically undermines the social safety net that so many Americans depend on. I believe that budgets are reflections of our values—and it is clear from this proposal that Mr. RYAN and the Tea Party do not possess the same values as ordinary Americans.

By turning Medicare into a voucher program, this budget would effectively end Medicare as we know it, and shift thousands of dollars of health costs onto seniors. But gutting Medicare is not enough for the Republicans. The Ryan budget would also cut more than \$1 trillion from Medicaid, and endanger health care coverage for over 60 million Americans, including low-income children, pregnant

women, nursing home patients, and persons with disabilities.

This budget also demonstrates the Republicans' lack of commitment to investing in America's youth. By proposing to cut funding for education by 45 percent, it is clear that the Republicans do not understand the importance of investing in education, and in science, technology, engineering, and math in particular, to ensure our nation's competitiveness in the global economy. At a time when states are drastically reducing their education budgets—including my home state, which recently cut funding for education by \$5 billion—the Republicans' budget attacks critical initiatives ranging from extra reading and math help for low-income students to much-needed financial aid for college. If Mr. RYAN and the Tea Party get their way, in 2014 nearly 10 million students would see their Pell Grants fall by more than \$1,000 dollars, and 200,000 children and their families would no longer be able to participate in Head Start.

In my 16 years proudly representing the people of my district, this is by far the worst piece of legislation that I have seen. Mr. RYAN and the Tea Party have once again put forward a budget to benefit the wealthy and special interests groups at the expense of middle-class Americans, seniors, veterans, and children. While this budget provides huge tax cuts for the richest one percent of Americans, it does nothing to stimulate the economy nor create jobs, and would adversely impact the Hispanic community and the residents of my district.

This budget yet again shows how out of touch the Republican Party is with the lives of ordinary Americans. Instead of focusing on creating jobs and putting Americans back to work, it extends the Bush tax cuts—which I voted against and continue to oppose—for the wealthiest Americans, and provides millionaires and billionaires with an average tax cut of \$150,000. To put this amount into perspective, \$150,000 would pay for: one year's worth of savings for a senior in the Medicare prescription drug "donut hole" (\$600); one school computer lab (\$40,000); one year of medical care for a veteran returning home (\$8,945); one grant for medical research on chronic diseases (\$50,000); one tax credit to make a year of college more affordable (\$2,500); one firefighter, police officer, or first responder kept on the job (\$42,000); and one college student receiving the maximum Pell Grant (\$5,550).

In today's economic climate, we don't need more subsidies for big oil and bigger tax loopholes for hedge fund managers on Wall Street. Yet, the Republicans have put forward a budget that provides huge tax cuts and subsidies for the mega-rich and corporations, while utterly failing to support vital investments in education, job training, research and development, and our nation's crumbling infrastructure.

For these reasons, I strongly urge my colleagues to oppose this ideological, radical budget, and stand firm in support of job creation, health care, and education for all Americans.

Mr. FARR. Mr. Chair, I rise today in strong opposition to the shortsighted foreign assistance cuts in Chairman RYAN's FY13 Budget. The Ryan Budget slashes our foreign aid by

10%, dangerously undermining some of the most low-cost, high-return tools in our national security toolbox. And why? Because the Chairman claims it will help to reduce the deficit. But the numbers tell a very different story. These foreign aid cuts amount to 0.2% reduction in our deficit. Two-tenths of one percent! Dr. Mike Tierney of The College of William & Mary put it best when he said, "Cutting foreign aid to address the budget crisis is like getting your hair cut in an effort to lose weight."

In our present fiscal environment, every dollar we spend must yield the highest possible return on our investment. And that means doing everything possible to efficiently reduce the threat of costly conflict and build stable, peaceful American allies. And who is on the frontlines of building peace? Our State Department diplomats, our USAID development professionals, our Peace Corps Volunteers, our US Institute of Peace civilian power, our Inter-American Foundation grassroots development capacity, to name a few. And the budget that supports this smart power amounts to less than 2% of our total budget. Talk about big return on small investment!

But the Ryan Budget cuts will also have real reverberations for US workers. Foreign aid creates strong markets for US goods; 11 of our top 15 trading partners are graduates of US foreign assistance programs. And one out of every five American jobs is tied to trade. So, not only does this ill-conceived budget jeopardize our national security efforts, it takes an unnecessary swipe at American workers in the midst of a fragile economic recovery.

Mr. Chair, make no mistake about it: I firmly believe we need to get our fiscal house in order. So for this reason, we must support foreign assistance because foreign assistance supports peace. And peace is the least costly, most important tool in our national security toolbox.

Mr. VAN HOLLEN. Mr. Chair, over the last two days, we have debated very different visions and choices for addressing the budgetary challenges facing our Nation. We do not have a difference on the question of whether or not we should reduce our long-term deficits and the debt. We must. We have a difference over how to do it.

Unfortunately, the Republican plan makes all the wrong choices. It abandons the economic recovery and ends the Medicare guarantee to seniors, while providing a whopping average tax break of almost \$400,000 for people making over \$1 million a year. This Republican plan will weaken economic growth. It rewards corporations that ship American jobs overseas, while slashing investments in education, in science and research, and infrastructure that help America grow our economy right here at home. In short, it is a path to greater prosperity, if you're already wealthy. But it leaves seniors, working Americans, and future generations behind.

During the course of this debate, we will have the opportunity to consider several alternatives to the Republican budget, offered by Democrats. Every single one of these alternatives is far superior to the Republican plan, because they embody a more sensible, fair approach to our fiscal challenges.

To be clear, the only Democratic alternative that I fully and wholly support is the one I will

offer. I have concerns with certain aspects of the other Democratic plans. I believe some of them rely too heavily on raising revenues and spend more than I think is necessary, and some of them make cuts to defense that I believe are too deep. Nevertheless, they provide important alternative approaches to reducing the deficit.

Another proposal was offered by Mr. COOPER and Mr. LATOURETTE. I commend these Members for offering an alternative budget. However, claims that their proposal embodied the recommendations of the Simpson-Bowles Commission are simply untrue. Most importantly, their proposal calls for significantly less revenue than Simpson-Bowles. It does this by changing the baseline used as the starting point for the revenue increase. The Simpson-Bowles baseline assumed the revenue generated by allowing the top tax rate to rise to 39 percent—as it is scheduled to do under current law. The Cooper-LaTourette proposal failed to account for that revenue. The difference is substantial—approximately \$1 trillion in revenue. I believe in truth-in-advertising, and Cooper-LaTourette is very different from Simpson-Bowles. It moves the goal posts. As a result, the Cooper-LaTourette proposal has a significantly higher ratio of spending cuts to revenue increases compared to the deficit reduction in the Simpson-Bowles package. The Cooper-LaTourette plan also differs from Simpson-Bowles in other respects, such as by making deeper cuts in spending for discretionary programs. And it cuts nondefense discretionary funding by \$350 billion more than required by the Budget Control Act over ten years—which is also inconsistent with Simpson-Bowles.

I continue to believe the original Simpson-Bowles proposal offers an important framework for achieving a bipartisan deficit reduction plan. I would also point out that both the President's budget and the Democratic alternative I have offered share many of the same principles as Simpson-Bowles. Indeed, Alan Simpson and Erskine Bowles said the following about the President's budget:

In the framework he announced in April and what he submitted to the Select Committee in September, the President embraced many of the goals and principles outlined by the Fiscal Commission and incorporated some of the policies we proposed. We are pleased that the President's latest budget continues to focus on deficit reduction and are also encouraged to see real, specific policies for limiting tax expenditures, slowing health care cost growth, and reducing spending throughout the government.

While they went on to urge the President to go further, they recognized that his budget was a step in the right direction. The Democratic alternative budget mirrors the overall framework of the President's budget, and actually reduces the deficit more than the President's plan.

The Acting CHAIR. All time for debate has expired.

Under the rule, the Committee rises. Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COFFMAN of Colorado) having assumed the chair, Mr. THORNBERRY, Acting Chair of the Committee of the Whole House on the state of the Union, re-

ported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 112) establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022, and, pursuant to House Resolution 597, he reported the concurrent resolution back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the concurrent resolution.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 228, nays 191, not voting 12, as follows:

[Roll No. 151]
YEAS—228

Adams	Foxx	McCarthy (CA)
Aderholt	Franks (AZ)	McCaul
Akin	Frelinghuysen	McClintock
Alexander	Gallegly	McCotter
Amodel	Gardner	McHenry
Austria	Garrett	McKeon
Bachmann	Gerlach	McMorris
Bachus	Gibbs	Rodgers
Barletta	Gingrey (GA)	Meehan
Bartlett	Gohmert	Mica
Bass (NH)	Goodlatte	Miller (FL)
Benishek	Gosar	Miller (MI)
Berg	Gowdy	Miller, Gary
Biggert	Granger	Mulvaney
Bilbray	Graves (GA)	Murphy (PA)
Billirakis	Graves (MO)	Myrick
Bishop (UT)	Griffin (AR)	Neugebauer
Black	Griffith (VA)	Noem
Blackburn	Grimm	Nugent
Bonner	Guinta	Nunes
Bono Mack	Guthrie	Nunnelee
Boustany	Hall	Olson
Brady (TX)	Hanna	Palazzo
Brooks	Harper	Paulsen
Buchanan	Harris	Pearce
Buehler	Hartzler	Pence
Burgess	Hastings (WA)	Petri
Burton (IN)	Hayworth	Pitts
Calvert	Heck	Poe (TX)
Camp	Hensarling	Pompeo
Campbell	Herger	Posey
Canseco	Herrera Beutler	Price (GA)
Cantor	Huizenga (MI)	Quayle
Capito	Hultgren	Reed
Carter	Hunter	Reichert
Cassidy	Hurt	Renacci
Chabot	Issa	Ribble
Chaffetz	Jenkins	Rigell
Coble	Johnson (IL)	Rivera
Coffman (CO)	Johnson (OH)	Roby
Cole	Johnson, Sam	Roe (TN)
Conaway	Jordan	Rogers (AL)
Cravaack	Kelly	Rogers (KY)
Crawford	King (IA)	Rogers (MI)
Crenshaw	King (NY)	Rohrabacher
Culberson	Kingston	Rokita
Davis (KY)	Kinzinger (IL)	Rooney
Denham	Kline	Ros-Lehtinen
Dent	Labrador	Roskam
DesJarlais	Lamborn	Ross (FL)
Diaz-Balart	Lance	Royce
Dold	Landry	Runyan
Dreier	Lankford	Ryan (WI)
Duffy	Latham	Scalise
Duncan (SC)	LaTourette	Schilling
Ellmers	Latta	Schmidt
Emerson	Lewis (CA)	Schock
Farenthold	LoBiondo	Schweikert
Fincher	Long	Scott (SC)
Fitzpatrick	Lucas	Scott, Austin
Flake	Luetkemeyer	Sensenbrenner
Fleischmann	Lummis	Sessions
Fleming	Lungren, Daniel	Shimkus
Flores	E.	Shuster
Forbes	Manzullo	Simpson
Fortenberry	Marchant	Smith (NE)
	Marino	Smith (NJ)

Smith (TX)	Tipton	Wilson (SC)
Southerland	Turner (NY)	Wittman
Stearns	Turner (OH)	Wolf
Stivers	Upton	Womack
Stutzman	Walberg	Woodall
Sullivan	Walden	Yoder
Terry	Walsh (IL)	Young (AK)
Thompson (PA)	Webster	Young (FL)
Thornberry	West	Young (IN)
Tiberi	Westmoreland	

NAYS—191

Ackerman	Frank (MA)	Napolitano
Altmire	Fudge	Neal
Amash	Garamendi	Olver
Andrews	Gibson	Owens
Baca	Gonzalez	Pallone
Baldwin	Green, Al	Pascrell
Barrow	Green, Gene	Pastor (AZ)
Barton (TX)	Grijalva	Perlmutter
Bass (CA)	Gutierrez	Peters
Becerra	Hahn	Peterson
Berkley	Hanabusa	Platts
Berman	Hastings (FL)	Polis
Bishop (GA)	Heinrich	Price (NC)
Bishop (NY)	Higgins	Quigley
Blumenauer	Himes	Rahall
Bonamici	Hinojosa	Rehberg
Boren	Hirono	Reyes
Boswell	Hochul	Richardson
Brady (PA)	Holden	Richmond
Braley (IA)	Holt	Ross (AR)
Brown (FL)	Honda	Rothman (NJ)
Butterfield	Hoyer	Roybal-Allard
Capps	Huelskamp	Ruppersberger
Capuano	Israel	Rush
Cardoza	Jackson Lee	Ryan (OH)
Carnahan	(TX)	Sánchez, Linda
Carney	Johnson (GA)	T.
Carson (IN)	Johnson, E. B.	Sanchez, Loretta
Castor (FL)	Jones	Sarbanes
Chandler	Kaptur	Schakowsky
Chu	Keating	Schiff
Ciilline	Kildee	Schrader
Clarke (MI)	Kind	Schwartz
Clarke (NY)	Kissell	Scott (VA)
Clay	Kucinich	Scott, David
Cleaver	Langevin	Serrano
Clyburn	Larsen (WA)	Sewell
Cohen	Larson (CT)	Sherman
Connolly (VA)	Lee (CA)	Shuler
Conyers	Levin	Sires
Cooper	Lewis (GA)	Slaughter
Costa	Lipinski	Smith (WA)
Costello	Loeb sack	Speier
Courtney	Lofgren, Zoe	Stark
Critz	Lowey	Sutton
Crowley	Lujan	Thompson (CA)
Cuellar	Lynch	Thompson (MS)
Cummings	Maloney	Tierney
Davis (CA)	Markey	Tonko
Davis (IL)	Matheson	Towns
DeFazio	Matsui	Tsongas
DeGette	McCarthy (NY)	Van Hollen
DeLauro	McCollum	Velázquez
Deutch	McDermott	Vislosky
Dingell	McGovern	Walz (MN)
Doggett	McIntyre	Wasserman
Donnelly (IN)	McKinley	Schultz
Doyle	McNerney	Waters
Duncan (TN)	Michaud	Waxman
Edwards	Miller (NC)	Welch
Ellison	Miller, George	Whitfield
Engel	Moore	Wilson (FL)
Eshoo	Moran	Woolsey
Farr	Murphy (CT)	Yarmuth
Fattah	Nadler	

NOT VOTING—12

Broun (GA)	Jackson (IL)	Pelosi
Dicks	Mack	Pingree (ME)
Filner	Meeks	Rangel
Hinchev	Paul	Watt

□ 1527

Mrs. LOWEY changed her vote from "yea" to "nay."

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 151, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

HOOR OF MEETING ON TOMORROW

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow; when the House adjourns on that day, it adjourn to meet at 11 a.m. on Tuesday, April 3, 2012; when the House adjourns on that day, it adjourn to meet at 11 a.m. on Friday, April 6, 2012; when the House adjourns on that day, it adjourn to meet at 10 a.m. on Tuesday, April 10, 2012; when the House adjourns on that day, it adjourn to meet at 2 p.m. on Friday, April 13, 2012; and when the House adjourns on that day, it adjourn to meet at 2 p.m. on Monday, April 16, 2012.

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

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 4281. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 29, 2012.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. Capitol,
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 703(c) of the Public Interest Declassification Act of 2000 (50 U.S.C.) 435 note), I hereby re-appoint Mr. David E. Skaggs of Longmont, Colorado to the Public Interest Declassification Board.

Thank you for your consideration of this re-appointment.

Sincerely,

NANCY PELOSI,
House Democratic Leader.

CAMDEN PROPERTY TRUST

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

Mr. OLSON. Mr. Speaker, I rise today to recognize a distinguished company

from the Houston area, Camden Property Trust.

Camden was recently recognized by Fortune Magazine as one of the 100 best companies to work for.

This is not the first time they've been named to such an esteemed list, as Camden consistently ranks among the most desirable places to work in America.

Camden is the only multifamily real estate company to be named to this prestigious list. They employ nearly 1,800 people in 13 States.

Camden provides conservative financial policies and a positive, dynamic work environment.

Camden is also committed to helping employees improve their personal and professional lives through outstanding training programs, mentoring, networking, and community service.

This commitment has helped Camden become a leader in their industry and a valued asset to the Houston area.

Mr. Speaker, I applaud their high standards and wish them continued success.

□ 1530

A PROMISE TO TRAYVON

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

Ms. WILSON of Florida. Mr. Speaker, I rise today because I made a promise to Trayvon. I made a promise to his mother. I promised to stand up for Trayvon. I promised that I would rise every day and let the world know how long it has been since he was murdered. Today marks 33 days since Trayvon's death—33 days without justice.

I want to let Trayvon know that I'm going home this evening. I'm going home because votes have finished for the week, but I will be back. This vigil will not stop. It will continue every day. Every day the House is in recess, I will tweet the world and update on how many days have passed without justice; and this Sunday, I will personally host a rally back home—Trayvon's home—in Miami, Florida.

Mr. Speaker, I want Trayvon to know that he is not forgotten. He is missed. He is loved. We will continue to stand up for justice for Trayvon.

STAFF SERGEANT JOSEPH D'AUGUSTINE

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

Mr. CRAWFORD. As cochairman of the House Explosive Ordnance Disposal Caucus and as a former Army EOD tech, I address you today with a heavy heart. On Tuesday of this week, Staff Sergeant Joseph D'Augustine was killed in Afghanistan by an IED. He was 29 years old.

Staff Sergeant D'Augustine was an EOD tech in the United States Marine Corps, and he had four tours of duty in Afghanistan and Iraq to his credit. He enlisted in the Marine Corps the day after he graduated from Waldwick High School in New Jersey in 2001. As an EOD tech, Staff Sergeant D'Augustine displayed the full extent of his bravery by clearing explosive threats in defending the lives of his fellow marines, soldiers, airmen, and sailors.

EOD techs, like Staff Sergeant D'Augustine, play an invaluable role in securing our freedom and in combating terrorism, but too often their heroic deeds go unreported.

Staff Sergeant D'Augustine is survived by his parents and three sisters. I am eternally grateful for Staff Sergeant D'Augustine's service to our country and for all the brave men and women who defend our freedoms at home and abroad as members of the armed services. On behalf of the Congressional EOD Caucus and the interservice EOD family, our thoughts and prayers are with the family of Staff Sergeant Joseph D'Augustine.

CONGRESS SHOULD NOT LET STUDENT LOAN INTEREST RATES GO UP

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

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today on a matter of great urgency for America's students and their families.

In just 3 months, if Congress does not act, millions of Americans will be thrown deeper into debt. That's because on July 1 the interest rates on need-based student loans will double, from 3.4 percent to 6.8 percent. This interest-rate hike will hit 7 million Americans who are already in financial need.

With rates at historic lows, for the Congress to let these interest rates double is highway robbery. Congress should not require students and families who can least afford it to pay twice as much in interest on the same loans they got a year before at lower rates. Congress should help make college more affordable, not more expensive. Congress should help families to get out from under the crushing debt, not pile on more.

Tens of thousands of students have asked Congress to act, but their pleas to help have been met with silence from the Republicans in Congress. Silence. Silence is not what they need. Action is what they need. Only Congress can set the rates for these student loans. The clock is ticking. Applications are being made to college, and the time to act is now. Congress should not let the interest student rate loans go up. Congress should not let the in-

terest rates double on these families and these students.

CHARLOTTE LUCAS

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

Mr. ROKITA. I rise today to recognize an Indiana-born and bred entrepreneur who exemplifies innovation and dedication.

Charlotte Lucas, along with her husband, Forrest, founded Lucas Oil Products in 1989. Under her leadership, Lucas Oil quickly established itself as a top-selling additive line in the trucking and automotive retail industry.

To Indiana, Charlotte is still the good-natured Hoosier who always enjoys meeting new people and who knows the importance of being there for people in need. Marked by common sense and a commitment to philanthropic interests, her leadership embodies the qualities emblazoned in the Hoosier spirit itself.

There is a slogan at Lucas Oil, Mr. Speaker, that reads: "It works." Well, I think the same can be said of Charlotte. Working on behalf of children, the elderly, race car drivers and their families, and many more other causes, she has provided so many with a better place to live, work, and raise a family. Whatever Charlotte does, it works.

As a man of faith, I believe we were put on this Earth to love one another and to make the best of the gifts the Lord has provided. When I look at Charlotte, her husband, Forrest, and how she shared her good fortune with our world, all I can say is, Amen. Charlotte Lucas exemplifies the American Dream in every way, and I am proud to honor her on her birthday in recognition of her devotion to her family, friends, employees, and our whole Hoosier community.

HATE CRIMES

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, just last week, I had the privilege of coordinating and working with other Members of Congress to hold a briefing with Judiciary Committee members to discuss the jurisdiction of the hate crimes. We were privileged at that time, in the midst of their mourning, to have there the parents of Trayvon Martin. I had the further privilege, though not wanted, to be in Sanford, Florida, before their city commission in order to discuss the absolute dereliction of duty that occurred in this terrible tragedy.

Now, many have raised the question of race. Let me be very clear: the race question comes into factor only because of jurisdictional Federal laws

with which they are now investigating this case; but this is a case for every American and every parent. As our Speaker did, it is a case to which everyone can ask the simple question. The State and Federal jurisdictions are looking at this, and they should review it. For those of us who believe that the perpetrator should be arrested, we maintain that. He should have been arrested and should be arrested; but this is a question for every parent:

When you send your children out to get Skittles and a tea, whether they should come back alive or whether you should have to find them in a morgue.

I remain persistent on finding justice for Trayvon but also justice for all of the other young people and others who have been victims of crimes like this, with guns, where people have used their language of suspiciousness and where all they were doing is walking on the streets of America.

AN EASTER PRAYER

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

Mr. GOHMERT. As this will be the last session before we go into the Easter district work period, I thought it was appropriate to look back at something historically, and I have a prayer that was given in the United States Senate in the 1940s by Senate Chaplain Peter Marshall. He said:

We pray to Thee, O Christ, to keep us under the spell of immortality.

May we never again think and act as if Thou wert dead. Let us more and more come to know Thee as a living Lord who hath promised to them that believe: Because I live, ye shall live also.

Help us to remember that we are praying to the Conqueror of Death, that we may no longer be afraid nor be dismayed by the world's problems and threats, since Thou hast overcome the world.

In Thy strong name, we ask for Thy living presence and Thy victorious power. Amen.

That was Senate Chaplain Peter Marshall. It is a good prayer, Mr. Speaker, to pray as we head for the Easter recess.

DETROIT GROWTH AND STABILITY ACT

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

Mr. CLARKE of Michigan. Mr. Speaker, today I will introduce the Detroit Growth and Stability Act, which will provide up to \$500 million in loans to the city of Detroit.

I am asking this House, this Congress, and this administration to give Detroit, the arsenal of democracy, a second chance—a second chance to build the best products, a second chance to create the best technologies that could be sold worldwide which will

create jobs, jobs not only for south-eastern Michigan—because our city and our suburbs are linked together—but also jobs throughout this country.

You see, the best way that we can renew America's economy, the most effective way, is to help rebuild Detroit. I urge your support for this important legislation.

□ 1540

REMEMBERING DR. CRAWFORD LONG

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

Mr. BROUN of Georgia. I rise today to commemorate a very important medical breakthrough that happened hundreds of years ago in Jefferson, Georgia. And that's the invention of general anesthesia. Tomorrow is Doctors Day, and I am pleased to take this time to honor Dr. Crawford Long, who gave the first general anesthetic for a surgical procedure in 1842. If it weren't for Dr. Long's discovery of ether as a general anesthetic, the world of medicine would not be as profound or innovative as it is today.

This is a proud claim for the city of Jefferson, Georgia, for the 10th Congressional District, and for the State of Georgia as a whole. It is a little known fact that Dr. Long's statue is in the U.S. Capitol as part of the National Statuary Hall Collection, but this tribute is well deserved, given his significant contribution to both science and to medicine.

I hope that all Georgians passing through Washington will take the time to stop by Dr. Long's statue to reflect upon this great Georgian's wonderful achievement to science and to humanity.

CLEARING THE NAMES OF JOHN BROW AND BROOKS GRUBER

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

Mr. JONES. Mr. Speaker, thank you very much.

I, again, come to the floor to talk about a 10-year journey that I have been on with two wives whose husbands were tragically killed on April 8, 2000. The pilot was John Brow, lieutenant colonel, and the copilot was Brooks Gruber. They were flying what's known as an Osprey. I will hold this up, Mr. Speaker. The Osprey has been one of the planes that the Marine Corps for so long has needed to replace the aged helicopters from the Vietnam era.

The sadness and the problem was that the MV-22 at the time that it was

being flown by Colonel Brow and Major Gruber was not ready for the mission it had been assigned to. Sadly, that night there were 17 young marines in the back of that V-22 that crashed on April 8 in Arizona. So a total of 19 marines were killed when the V-22 flipped and crashed and burned.

December of 2002, the wife of Major Brooks Gruber, Connie Gruber, who lives in my district, Jacksonville, North Carolina, the home of Camp LeJeune Marine Base, she sent me an email. And I want to read one paragraph:

I contacted you in hopes that leaders of integrity, free of bias, would have both the intelligence and the courage it takes to decide the facts for him/herself. If you do that, you will agree the "human factor/pilot error" findings should not stand as it is in military history. Again, I respectfully ask for your support. Please do not simply pass this matter along to General Jones without offering the support my husband and his comrades deserve. Please remember, these 19 marines can no longer speak for themselves. I certainly am not afraid to speak for them, and I believe somebody has to. Even though it is easier put to rest and forgotten, please join me in doing the right thing by taking the time to address this important issue.

Mr. Speaker, along the way, there have been so many people joining me in asking the Marine Corps to correct the press release that came out in July of 2000. And I will read from the press release:

Marine Corps Officials Say Combination of Factors Caused Osprey Accident: Confirms that a combination of "human factors" caused the April 8 crash of an MV-22 Osprey tilt-rotor aircraft that killed 19 marines.

It further stated, Mr. Speaker:

Although the report stops short of specifying pilot error as a cause, it notes that the pilot of the ill-fated aircraft significantly exceeded the rate of descent established by regulations for safe flight.

Commandant General Jones, who is now retired, stated:

The tragedy is that these were all good marines joined in a challenging mission. Unfortunately, the pilots' drive to accomplish that mission appears to have been the fatal factor.

Mr. Speaker, that is so erroneous, it is painful for me to even repeat it on the floor of the House.

I have spent 10 years trying to clear the names of Pilot Colonel John Brow and his copilot Major Brooks Gruber. If you look at the JAGMAN report, this is the report that was completed by three marine officers who were sent the day after the accident to Marana, Arizona, to investigate. And they published what was called a JAGMAN report. I would like to read the major section that I think says clearly that John Brow and Brooks Gruber were not at fault:

During this investigation, we found nothing that we would characterize as negligence, deliberate pilot error, or maintenance/material failure.

During this investigation, we found nothing that we would characterize as negligence, deliberate pilot error.

Mr. Speaker, I want to further read because this plane was not ready for the mission that it was assigned to by General Fred McCorkle, who was the general that oversaw aviation for the Marine Corps at the time. In fact, I will read from an expert, Philip Coyle, who understands the issue involved with this plane. He wrote me a page and a half in his support of clearing the names of John Brow and Brooks Gruber. And I will read one paragraph:

Considering that it was ignorance on the part of the Marine Corps that caused the April 2000 accident, the Marine Corps should make it clear to Major Gruber's family—with no ifs, ands, or buts—that Major Gruber was not responsible for the accident. I don't suppose the Marine Corps ever apologizes, but considering that the accident was their fault and not Major Gruber's, an apology to the family would be in order also.

Another one of those individuals who has joined us in this effort to clear the names is Rex Rivolo, well known in the aerospace industry as an expert:

The failure of the manufacturer, Bell-Boeing, and the Navy to characterize slow speed, high rate of descent handling qualities of the V-22 through flight testing, the failure to describe them for the aircrew in the NATOPS, and the failure to provide an adequate warning system in the aircraft were the causes of the mishap, not aircrew error.

Mr. Speaker, I reached out to the two attorneys who prosecuted, who filed suit against Bell-Boeing on behalf of the families. Jim Furman, himself a Vietnam helicopter pilot, was the attorney for the wives of John Brow and Brooks Gruber. Brian Alexander in New York and his associate Francis Young, they represented the 17 families whose sons were burned to death.

□ 1550

I'm not an attorney, Mr. Speaker, but I must say, knowing that Bell-Boeing settled for no one knows how much money because it is closed, but they settled with the families of the 19 marines who were burned to death. And Jim Furman has joined me in saying these two pilots had not been trained, there was no warning system. And, Mr. Speaker, the NATOPS manual is what pilots have between them that explains if you get into this kind of situation, you can read and see how to react. The NATOPS manual they had was written by an Army helicopter pilot, and nothing in there about vortex ring state, which is a phenomenon that can cause the plane, particularly a V-22, to flip. And Major Gruber and Colonel Brow had no idea.

Mr. Speaker, I would like to read comments from the attorney, Jim Furman:

If there was no human error, it was error for the program manager to certify the aircraft as airworthy when clearly it was not. Brow and Gruber found themselves in a position of having to do what they were not trained or qualified to do.

Jim Furman further stated:

It was not the mission of the operations evaluation crew to discover the new boundaries and limitations associated with the V-22. Engineering test pilots, under appropriate test conditions, should have done this. It is simply wrong and improper to place this burden upon Gruber and Brow. They did the best job they could have done under the circumstances.

Mr. Speaker, the wives, Connie Gruber and Trish Brow, are asking that the United States Marine Corps, on the letterhead of the Commandant of the Marine Corps, write one paragraph that says Colonel John Brow and Major Brooks Gruber, pilot and copilot, were not responsible for the accident on April 8, 2000.

I am very disappointed in the Marine Corps, quite frankly. I have Camp Lejeune Marine Base, New River Air Station, and Cherry Point Marine Air Station in my district. I'm not disappointed in the Marines and their magnificent fighting force for this country, but I never thought that I would be fighting for one paragraph with the United States Marine Corps.

These two pilots deserve better than having this blemish against their names.

Mr. Speaker, there are so many people that have joined in this. The three investigators, Colonel Mike Morgan, Colonel Ron Radich, and Major Phil Stackhouse, have given me letters independent of the JAGMAN report that have clearly stated that nothing in their investigation should indicate that this was pilot error. I have given this to the attorneys for the Commandant.

In addition, Jim Schafer, at the time a lieutenant colonel, was in the air in the third V-22. John Brow and Brooks Gruber were his friends. He's joined in this effort to clear their names.

It does not make any sense, Mr. Speaker, that the Marine Corps cannot do what has been asked by the wives. The wives have just asked for one paragraph that clearly states—and Mr. Speaker, quite frankly, the Marine Corps owes this to the families because they came out with this press release that I just read a moment ago, in 2000, and indicated that this was pilot error. They have seen all the information that I have accumulated in 10 years.

All the families are asking for their children. Connie Gruber has a little girl named Brooke. Trish has two boys, named Michael and Matthew. All they're asking is an official letter from the United States Marine Corps that the children can have for years to come, and whenever it comes up that the crash on April 8, 2000, in Arizona, was pilot error, Mr. Speaker, they can say, No, that's not true. I have a letter from the United States Marine Corps Commandant that clearly states that my father was not at fault.

Mr. Speaker, I want to thank The Hill magazine today. I'm sorry that I

had to be featured in it, because the most important thing about the article—and I want to thank Jeremy Herb, who spent so much time on this article. He interviewed the Commandant; interviewed General McCorkle, who was the aviation chief at the time of this crash; and he interviewed the wives. Again, they clearly understand that if you want to bring rest to two outstanding marines who have been blamed for this crash, Mr. Commandant, all you have got to do is write a letter with one paragraph in it. The wives have given you what they request.

I'm calling on the United States Marine Corps today, the Commandant of the Marine Corps, to please do what is right. You have the evidence. The attorneys that sued Bell-Boeing over this accident know more than anyone, including the Commandant, about what happened and who was at fault.

Again, Jim Furman and Brian Alexander have joined in this effort. I hope that the Marine Corps will give the wives what they're asking for.

Mr. Speaker, if we can ever bring this journey to an end, I intend to go to the cemetery in Jacksonville, North Carolina, with Connie Gruber and her daughter Brooke, and I want to walk to the grave of the husband and the father and say, Major Brooks Gruber, Rest in peace. The blame game is over. You're not to blame for the accident.

And then, Mr. Speaker, I would like to go with Trish Brow and her sons, Matthew and Michael, to Arlington and say the same thing to Colonel Brow. Colonel, you have earned the rest. You did nothing wrong to cause that accident.

Mr. Speaker, it makes no sense that these wives and their children have had to carry this burden because, Mr. Speaker, too many times articles are written, books are written, that say one accident in the history of the Osprey was caused by pilot error. And they're talking about John Brow and Brooks Gruber, and they're talking about the accident in Arizona.

I give you one quick example, Mr. Speaker. A book called "Leathernecks" was published about 4 years ago. The father of Colonel Brooks Gruber is living. His name is Bill Gruber. He lives in Naples, Florida. He fought for this country as a marine in the Korean War. He's carried the pain of this blemish on his son's name.

He called me a couple of years ago. He knew what I was trying to do for the families. He called me here in Washington, D.C., about 2 years ago, and said, Congressman, they've done it again. I said, What's that, Mr. Gruber?

On page 113 of the new edition of "Leathernecks" they've got a section on the Osprey. They say one accident was due to pilot error.

□ 1600

Mr. Speaker, I'm a strong man of faith, and I prayed every night that

God would touch the hearts of those who could make the decision to clear the names of Colonel John Brow and Major Brooks Gruber. And as long as I serve in the Congress, as long as I have the energy to fight for these two men, I will continue to fight until the Marine Corps does what is right. And what is right is to give Connie Gruber and Trish Brow an official letter with one paragraph on it. And we will ask that the Marine Corps issue a national press release that the commandant has done this so that the press in years to come will always be able to look at that press release by the Marine Corps and see that Colonel John Brow and Major Brooks Gruber, young men who died too early in their life, through no fault of their own, they were 17 young marines, the oldest being 23, in the back of the V-22 that crashed, that they are not at fault for this accident.

Mr. Speaker, as I do before I close, I ask God to please bless our young men and women in uniform and their families. I ask God to bless the families who have given a child dying for freedom in Afghanistan and Iraq. I ask God to please bless the families of John Brow and Brooks Gruber, and I ask God to touch the heart of the Marine Corps and the commandant to bring these two men's image to respect and not an image that is blemished by the accident. I ask God to bless my good friend sitting here and his family.

I ask God to bless everyone in America. I ask God to bless the House and Senate that we will do what is right in the eyes of God for God's people. And I ask God to please bless the President, that he will do what is right in the eyes of God for God's people. And three times I will ask, God please, God please, God please continue to bless America.

I yield back the balance of my time.

THE PROGRESSIVE MESSAGE

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

Mr. ELLISON. Well, Mr. Speaker, my name is KEITH ELLISON. I'm cochair of the Progressive Caucus, and I say, God, please bless WALTER JONES.

Mr. Speaker, we are here today with the Progressive Caucus message today. Our Web site is listed on the bottom, cpc.grijalva.house.gov. We come every week with the progressive message. The Progressive Caucus is a caucus in the Congress. There are several. Of course, the two big caucuses are the Democratic Caucus and the Republican caucus; but within both, there are different groups that have points of agreement that they come together around. On the Republican side, there's the Republican Study Group. On the Democratic side, there are several caucuses.

There's the Black Caucus, the Hispanic Caucus, and there is the Blue Dog caucus. There are different groups.

The Progressive Caucus is a caucus within the Democratic Caucus. We'd be happy to have Republican Members if they ever wanted to join, but all of our members are Democrats, and we believe that America should be a place where there's liberty and justice for all. That means whether you're Hispanic or Latino or African American, one America. We believe that the working men and women of America should get a fair, decent wage, and that the people who are most privileged in our society, God bless them, but they should pay adequate taxes so that we can afford the basic necessities of a society—schools, roads, take care of our environment and things like that. We believe we should stay out of these wars unless they're necessary to defend the American people, so we are promoting diplomacy, and we are very proud to say that we are the liberal caucus.

We're the Progressive Caucus. We're the ones who believe fairness, inclusion, and that, yes, the government has a responsibility, because it is our collective—the way we all come together as Americans to the poor, and we should stand by that and stick by that. That is who the Progressive Caucus is.

Now, Mr. Speaker, we've been dealing with the budget this week. It's been "budget week," you could say. We started out the week, we were talking about the Republican budget drafted by Mr. PAUL RYAN. We went from there, and we talked about the Democratic budget drafted by Mr. CHRIS VAN HOLLEN. And then, of course, the Progressive Caucus budget came up, the Black Caucus budget came up. I think Mr. MULVANEY came up with a budget proposal. They put the President's—a very, very watered down and inaccurate version of the President's budget up there, and we've been talking budget.

Mr. Speaker, when we talk about the budget, what we're talking about is the values and priorities of America. It's important to keep this in mind. What shows up in your budget is what you care about. What does not show up in your budget is what you don't care about. Now, Mr. Speaker, I always caution people not to just take their family budget and the United States budget and assume they're basically the same thing, one just is bigger than the other. That's not exactly accurate. There are important differences, and we shouldn't mix up the two. But in this way they are similar in that they reflect what it is that people value.

If you have a family and their budget, you can look at their budget; they spend a lot of money on entertainment, you can pretty much figure they value that. If they put a lot of money into food, you can figure they definitely

think that is a priority for them. You can go through the family budget and see what people spend their money on, see what people don't have in their budget, and then you can pretty much figure, well, maybe that's not a priority for them. Of course, they may not be able to afford it at this time. But if you talk about reasonably middle class people, their budget reflects what they care about, what matters and what doesn't.

And for our Nation, that certainly is true. If our Nation puts more money into warfare than it does into social uplift, jobs and the economy and infrastructure, that says something about who we are. If our national budget puts more money into infrastructure and jobs and putting people back to work, then that says something about who we are. The various budgets that have come up, Mr. Speaker, reflect what the various caucuses think is important and project a vision for our country. I want to talk about that today.

I want to start by talking about PAUL RYAN's budget. PAUL RYAN is the Republican Budget Committee chair. He's a nice guy. I don't have anything bad to say about him personally because he is actually a nice person. But the fact is we disagree in a significant way about what the priorities of America should be. For example, the Republican budget, 20 children will lose access to Head Start to pay for one millionaire's tax cut. That's their budget. Just if you want to understand what their tax cuts represent, it means 20 kids don't get to go to Head Start so that a millionaire can get a tax cut—150,000 equals 20 times 7,500. So, if you look at this tax cut, a millionaire's tax cut, which will amount to about \$150,000, these little guys don't get to go to Head Start.

Now, what is Head Start? Head Start is a great program for low-income kids to make sure that they have a chance at getting a quality education and don't fall behind in school. And so this is a great program. It has great results. These Head Start kids, 20 of them going to Head Start, versus what a millionaire's tax cut would be, which is \$150,000. Now, this is the choice we're making.

Mr. Speaker, we should not act like we're not making choices. We are making choices. We are deciding. My friends on the Republican side of the aisle like to say, oh, we shouldn't pick winners and losers. We're always doing it. They just pick the rich people, and we—I—pick the kids in Head Start.

Also, Mr. Speaker, if you just want to get a sense of what the Republican budget, what it does and what the tax cuts that it's calling for mean, Republican budget, 150 college students will have their Pell Grants cut by \$1,000 to pay for one millionaire's tax cut. So one millionaire's tax cut, \$150,000, but 150 times 1,000, all these kids, these col-

lege kids trying to make something of themselves, their Pell Grant is going to get whacked by 1,000 bucks.

So again, choices. Do we want to make sure the country club set is doing even better, or do we want to make sure that these aspiring engineers, these aspiring doctors and teachers, these aspiring police officers, these aspiring workers of tomorrow, will have a shot at an affordable college education?

□ 1610

This is what we're talking about. These are the choices that we're making, Mr. Speaker, and I think it's very important that Americans know it. It's critical that we know it.

Now, let's just not stop there. Let's talk about other critical choices being made, Mr. Speaker. Because I think it is so critical that as we're talking budget week and all the budget decisions that we are making, that we make it real clear to the American people what it is we're choosing.

Republican budget: 216 pregnant or postpartum women, infants, and children would lose access to WIC—that's the Women, Infants and Children program, and it provides food for poor women and their kids—to pay for one millionaire's tax cut. So, \$150,000 tax cut for a millionaire—again, this is the country club set—equals about 216 pregnant women or postpartum women and the amount of money that Americans give them so that they can have good nutrition for their kids. These are poor women. These are women who are struggling economically. But just because they're struggling economically, we don't want their kids to go without good, nutritious food. So as Americans, we have the WIC program. Well, they're going to get slashed out of the program because a millionaire needs a tax cut. That's the choice that we're making.

I want to talk about why we're making that choice in a minute, but I want to give one more example. Republican budget: 25 seniors paying \$6,000 or more for Medicare to pay for one millionaire's tax cut. So, if you're a millionaire and you get a tax cut under what the Republicans want to give you—you're already doing good, but they want you to even do better—that will mean that you've got about 25 seniors who have to pay \$6,000 a piece more for their Medicare. So, Mom, Dad—if you're my age, Mom and Dad are senior citizens. If you're younger, they're not. But if your parents or grandparents are on Medicare and they're doing all they can on their fixed income to make it, they're going to need a little extra help because we've got to make sure that that millionaire gets his \$150,000 tax cut. These are the choices that we're making.

Now, my friends in the Republican caucus—God bless them—it's not like

they don't like poor people. Many of them are very charitable. They give in their different walks of life, maybe their faith community, or whatever, they just don't think government should do it. This is what they say. They think that government needs to get out of that and let churches, mosques, synagogues, and other folks do it. Of course, that would mean that it wouldn't get done, because even though churches, mosques, and synagogues do great work, they can never possibly come up to meet the need that's out there.

What they're really believing is—this is what they really believe: They believe in something called trickle-down economics. They believe that if you give this millionaire 150,000 more dollars than he already has, he will maybe, hopefully, perhaps invest it in plant and equipment and maybe somebody will get a job because of it. Or maybe not. Or maybe he will invest in China. He'll improve jobs, but just not in America.

Nobody knows what they will do with this tax cut, but this is what the Republicans believe. They think that if you give rich people more money, they will invest in plant and equipment, create more economic activity, and it will trickle down to the rest of us. The only problem is that it has never worked. It doesn't stop them from saying it, but it's never worked.

In fact, the GOP budget will destroy more than 4 million American jobs in the next 2 years, according to the Economic Policy Institute. The Economic Policy Institute estimates that:

The shock to aggregate demand from near-term spending cuts would result in roughly 1.3 million jobs lost in 2013, and 2.8 million jobs lost in 2014, or 4.1 million jobs through 2014.

So, a little bit more than 4 million jobs over the next 2 years.

Now, people might think, well, KEITH, is that right? Well, yeah, it's right. And I'll tell you why it's right. It's right because when Republicans say we need to cut government waste, we need to cut government, cut government, cut government, they act as if there's just some Big Government thing over there, like it's a big giant piece of Styrofoam and they can just cut it and it doesn't change anything. What they're talking about cutting are Federal workers. They're talking about laying off Federal workers. And they're very derisive about government jobs and act like people who work for the government don't do anything of value—of course this is not true at all. But if you look on this chart right here, Mr. Speaker, it says:

I earn less than \$45,000 a year. Explain to me, GOP, how cutting my pay creates jobs.

This particular person is named Paul, and he is an Army depot worker. I think we need Army depot workers.

Teresa is a nurse—and this is her right here. She lives in my district. And she says:

Twelve percent of the salary I earn caring for veterans goes to my retirement. Explain to me, GOP, how cutting my retirement puts people to work.

Well, one of the things that they do in the Ryan budget is cut into Federal workers' retirement. They act like, oh, the government. No, the government is people. The government is nurses. The government is Army depot workers. And what about Federal prisons that keep dangerous criminals behind bars:

I pay more than \$9,000 a year for my family's health insurance. Explain to me, GOP, how cutting my take-home pay lowers unemployment.

This guy is a corrections officer. And thank goodness for correction officers or the streets that we live on wouldn't be so nice.

The bottom line is, when Republicans say, oh, we're going to shrink the size of government, what they mean is they're going to lay off and cut the pay and cut the employment benefits of Federal workers, people who work in prisons at risk to themselves, nurses who care for our veterans, people who are Army depot workers, and people who work in our parks and people who fix our roads and a whole lot of other people.

Here's a chart for you, Mr. Speaker. If you look at the Ryan budget, if you look at the GOP proposal, if you look at it and it could do what they want it to do, it could cause a loss of up to 7 million jobs by 2016. Because it would cut Federal workers, and then they wouldn't be able to have the money to spend in the neighborhoods they live in anymore. That would then have a ripple effect in their neighborhoods because they're buying less. For example, if that young nurse at the VA in Minnesota, if she doesn't have the same pay as she had before, then she can't buy as much as she bought before, then the company she shops at doesn't sell her as much as they have before. You do that enough, multiply it times enough people, and that company then needs to start laying off people. So it's a ripple effect, what the Republicans are asking for.

But if you look at what they wanted—and I'm talking about going all the way back to H.R. 1, which is their proposal—you would see repealing health care reform, that would cut about \$2 million; the GOP budget, that would cut about \$3 million; cuts to the Federal workforce, that would cut about 285,000; the so-called JOBS Act, that would cut a lot; the Fair Tax, that would cut; and they would just cut on down the line. What they're basically proposing is by shrinking government and by doing all that stuff, they're getting rid of people.

Now, I just want to be on the record because your words do get twisted. If

there is a Federal program that is not justifiable, and it's so poorly run that it's of no value to anyone, I'm okay with cutting it. I just want to say that on the record on the House floor, Mr. Speaker. I'm all right with cutting programs that don't work. But when you're talking about VA nurses and you're talking about corrections workers in Federal prisons, we need these people. They do good stuff. And I believe that we should stand by them as they stand by us.

The GOP budget—now going back to the budget we addressed today—will shift costs to seniors for the Medicare guarantee, according to the AARP. And what's AARP? That's the leading organization representing retired persons. And the CBO—what's the CBO? That is the Congressional Budget Office. And for folks who like to watch CSPAN, I'd just say, Mr. Speaker, you need to know what CBO is because this is very important, Congressional Budget Office. They're the nonpartisan group that says what's really going on with the numbers.

□ 1620

At the same time, it is raising the seniors' cost. This GOP budget gives those making more than a million a year an average tax cut of about \$394,000. So I put 150 up there a moment ago. That was the generic millionaire. The actual number is about 394 for the average millionaire, per year, on the average tax cut.

And also, the tax breaks for Big Oil companies. You know, they get about \$4 billion a year. I'm talking about if you look at Conoco, ExxonMobil, and all the Big Oil companies, they get about \$4 billion a year.

Now how much did you pay for gasoline?

I'm not saying that they're not good people. I'm not saying that they don't run a good business and supply an important product. I'm just asking you this: Does ExxonMobil really need your money through a tax subsidy? Do they?

I think that they don't need your money. I think they \$4 a gallon is taking care of them just fine. And I think it's outrageous that the Republican budget that we dealt with does not eliminate that tax break.

In short, the Big Oil companies who are gouging Americans at the pump and the wealthiest Americans win, while middle class and working class families get the short end of the stick.

Last year, oil profits—and this is an exact number or close to it. Last year, Big Oil profits totaled about \$137 billion. But you don't need to remember \$137 billion. All you need to remember is Big Oil profits were the biggest ever that the oil industry ever had. And yet we're forking it over to them through our tax money, not through the pumps.

Some people might think, well, of course we're paying them, KEITH,

through the pump. They give us gas. We've got to get to work, so we need to buy the gas.

I'm not talking about that. I'm saying they get—they can apply for grants and subsidies, and it all adds up to about \$4 billion a year. With soaring gasoline prices, Big Oil's 2012 profits will even be bigger. Yet Republicans want to give Big Oil more money in our tax dollars, and it just doesn't make any sense.

Now, of course you shouldn't expect the Big Oil companies like ExxonMobil to say we don't want the money. Of course they want the money. Who doesn't want money? Everybody does, including them. But the people who have a public responsibility to look out for the American people should be willing to say "no" to public subsidies for the ExxonMobils of this world.

And again, if you work for ExxonMobil, I'm not running you down. I'm just saying that you're doing well enough and you don't need the help of the American people. You can do fine on your own.

Now, those kids on Head Start need help. They need help. Those college kids need help, but not ExxonMobil executives.

The major consequence for Medicare and Medicaid, the Ryan budget, the Republican budget, has big consequences for Medicaid and Medicare. Many seniors will be forced to pay sharply higher premiums to stay in traditional Medicare and keep their current choice of doctors. New Medicare beneficiaries would pay more than \$1,200 more by 2030 and more than 6,000 by 2050.

Before, more seniors would gradually shift to private health insurance plans over time, increasing privatization of Medicare. More than 47 million Americans would lose health care insurance over 10 years because they would get rid of ObamaCare.

Now, my friends in the Republican aisle, when they say "ObamaCare," they don't mean it in a nice way. It's an insult. But you know what? Obama does care, so I don't mind them saying "ObamaCare." I hope they keep saying it, because they're just reminding Americans that Obama cares about them and that the people the Republicans want to look out for apparently do not.

States, under the Republican plan, would be forced to slash Medicaid eligibility benefits and payments to health care providers. Their budget shreds the Medicaid safety net and shifts health care costs to States and beneficiaries, blocking Medicaid. This shifts all risks, including future recessions, health care cost increases, and disasters to States and beneficiaries.

So, here's the thing. This Ryan budget, this Republican Ryan budget, it helps and takes care of the rich. It ignores everyone else, and it hurts the middle class.

The Republican budget would weaken the middle class in important ways. First and foremost, their plan ends the Medicare guarantee of decent health insurance in retirement. It also slashes critical middle class investments such as education and infrastructure by 45 percent and 24 percent, respectively—education by 45 percent, infrastructure by 24 percent.

Now, look. The American Society of Civil Engineers, Mr. Speaker, has told us that we have crumbling infrastructure in this country to the tune of about \$2.2 to \$3 trillion, a lot of money. And if you are living in any city across this country, you can drive over 75-year-old bridges. You can drive over potholes. Our sewage systems need upgrade.

I am from Minneapolis, Minnesota, a city I love so much; but back a few years ago, we had a bridge fall into the Mississippi River because the gusset plates, which are those plates that hold up the bridge, gave way because the adequate maintenance just wasn't maintained over time.

Now, it happened to us, but it could happen anywhere. There are many structurally deficient bridges across this Nation, literally thousands. We could put people back to work if we put the money into taking care of them. And not only would we have people working, we'd have to save bridges to go over. But the Republican majority, to use their phrase, kicks the can down the road and doesn't deal with this looming infrastructure crisis.

So let me just say this. I've talked a little bit about the so-called Ryan Republican budget. I don't want to spend all my time talking about it, but I do think it's important for Americans to know that this is a budget for the 1 percent. This is a budget for people who've got it well, who are doing fine.

Now, let me just tell you. I swear, I am a big fan of well-to-do people. I wish I were one of them. But my point is that you don't need to help people who already have a lot of help on their own, but you do need to help schoolkids, Head Start kids, pregnant moms, pregnant low-income moms, seniors. These people we should help. People who are doing fine, they don't need our help. They should do the helping, in my opinion. And yet the Ryan budget says we're just going to help the country club set, and I think that's not any way to have a budget.

I'm going to talk about the Progressive Caucus budget, but I just want you to know, first, that the Ryan Republican budget is no good budget for America. In fact, it's premised on the theory that rich people don't have enough money and poor people have too much. Really. That's the animating, organizing feature of their budget, that if we gave rich people more money, then they might invest it in plant and equipment, and then it'll

trickle down to the rest of us. And poor people have too much stuff; we can't afford it. We can't afford Head Start, can't afford WIC, can't afford home heating oil for seniors, can't afford Medicare, can't afford Medicaid. The poor folks are just, they're getting treated too well.

And that's basically what the theory is of the Republican budget, and so that's fine. And I respect them for being real honest about what they believe in, because a budget is a reflection of our values.

So now that we've talked about what they're talking about, let's talk about a real budget, not for the 1 percent, but a budget for all.

The Progressive Caucus budget has a name. The name of the Progressive Caucus budget is the Budget for All. That's the name of the Progressive Caucus budget because, unlike the Republicans' budget, which is a budget for the 1 percent, this is a budget for all.

Let me tell you what it does, Mr. Speaker. It creates 3.3 million jobs in the first 2 years. It cuts the deficit by nearly 7 trillion, \$6.8 trillion; no benefit cuts to Medicare, Medicaid and Social Security.

The Budget for All makes the American Dream a reality again for the vast majority of Americans. By putting Americans back to work, the Budget for All enhances our economic competitiveness by rebuilding the middle class and investing in innovation and education.

Our budget protects Medicare and Medicaid, Social Security, invests in America's future, and asks those who have benefited the most from our economy to pay their fair share.

Now, as I said, you can't have a budget—you can have a budget that cuts taxes for rich people if you then cut services for poor people. And you can have a budget that pays for infrastructure and education, but the money has to come from somewhere. And we ask people who already have lots of it to do a little more for their fellow Americans.

□ 1630

We're not hiding that fact. Yes, we would raise taxes on the wealthiest Americans. Not to punish them, because we don't think taxes are punishment, but because it's necessary to meet the needs of the Nation and any self-respecting patriot would do so if they could.

In fact, there is a group out there—and I would urge you to check them out, Mr. Speaker—called Patriotic Millionaires who understand that they may need to pay higher taxes.

If you already are making a million dollars a year, would you pay a little extra just to make sure that low-income pregnant women got some food for their kids? If you are already making a million or more a year, would you

pay a little extra to make sure that little kids had Head Start to go to? If you're already making a million dollars a year, Mr. Speaker, would you pay a little extra just to make sure that the Federal workers don't have their pensions cut to pay for your tax cut? That's just my thinking.

I don't want anybody to think the Republicans are mean. They do charitable work in their individual lives, and that's a fact and I think people ought to know that. But they don't think government has any role in helping people. I disagree with that and call on Americans, Mr. Speaker, to look carefully at the choices that they offer.

The Budget for All is not a budget for the 1 percent, it's not a budget for the 99 percent, but a budget for all because we care about the 1 percent too. We want even the 1 percent to live in a good Nation with fairness, with economic opportunity, with economic mobility, with good roads, good bridges, good education, clean water, clean air. We want this for everyone.

The Budget for All attacks America's persistently high unemployment levels with more than \$2.4 trillion over 10 years in job-creating investment. This plan utilizes every tool at the government's disposal to get our economy moving again, including direct-hire programs that create School Improvement Corps, Park Improvement Corps, Student Jobs Corps, and others; targeted tax incentives that spur clean energy, manufacturing, cutting-edge technological investment in the private sector; widespread domestic investment, including an infrastructure bank; a \$556 billion surface transportation, unlike this thing that they tried to pass today, which is a 3-month extension.

By the way, Mr. Speaker, can you believe it, the Republican caucus is always going on and on about uncertainty. What did they do? They created uncertainty by passing some 3-month transportation bill. My goodness, it boggles the mind actually.

Back to the Budget for All. There is approximately \$1.7 trillion in widespread domestic investment.

Unlike the Republican budget, the Budget for All substantially reduces the deficit and does so in a way that does not devastate what Americans value. We achieve these notable benchmarks by focusing on the true drivers of our deficit: unsustainable tax policy, wars overseas, and the policies that helped cause the recent recession, rather than putting the middle class and the social safety net on the chopping block.

The budget creates a fairer America; it ends tax cuts for the wealthiest 2 percent of Americans on schedule at the year's end; extends tax relief for middle class households and the vast majority of Americans; creates new tax

brackets for millionaires and billionaires in line with the Buffett Rule principle; eliminates Tax Code preferential treatment for capital gains and dividends; abolishes corporate welfare for oil, gas, and coal companies; eliminates loopholes that allow businesses to dodge their true tax liability; creates a publicly funded Federal election system that gets corporate money out of politics for good.

It responsibly and expeditiously ends our military presence in Afghanistan, leaving America more secure at home and abroad. It also adapts our military to address 21st century threats through modernization. The Department of Defense will spend less and stop contributing to the deficit, but they will have what they need to keep America strong, which is very important to all of us.

It provides a making-work-pay tax credit for families struggling with high gas and food costs; extends an earned income tax credit and child dependent care credit; invests in programs to stave off further foreclosure; invests in children's education by increasing education, training, and social services.

The Budget for All is a budget for all. I know that sounds repetitive, but it's important to note that the name of our budget reflects the reality of our budget; and the reality of our budget is that we want to see rich, poor, and everybody in the middle do well in America. That means a budget for all.

As I begin to wind down, Mr. Speaker, I just want to say that it is an honor to come before you to talk about the Budget for All, but it's also an honor to talk about the Ryan Republican budget because the Ryan Republican budget offers a very different vision of America than the Budget for All. The Ryan vision says that if we just could get rich people more money, they might create some plants and equipment that will hire the rest of us.

The Budget for All says: No, we're in this together, and we're going to ask the wealthiest to pay more to invest in health, education, transportation, and infrastructure so that we can have a stronger, better, greater America.

Two visions of a Nation. One says austerity for the middle and working class and the poor, and one says investment. One says if you are out of luck, you're on your own; and one says as Americans, we're all in this together.

I want to thank you, Mr. Speaker, for allowing me to be here and offer these contrasts, these choices for Americans as we close out what I call Budget Week.

I yield back the balance of my time.

ADJOURNMENT

Mr. ELLISON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 38 minutes

p.m.), under its previous order, the House adjourned until tomorrow, Friday, March 30, 2012, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5472. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Colonels Jon S. Lehr and Burdett K. Thompson, United States Army, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

5473. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Commercial Determination Approval (DFARS Case 2011-D041) (RIN: 0750-AH61) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5474. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting Buy American Act report for Fiscal Year 2011; to the Committee on Education and the Workforce.

5475. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report required by the Omnibus Appropriation, Public Law 105-277, Section 2215 on "Overseas Surplus Property"; to the Committee on Foreign Affairs.

5476. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on the status of Data Mining Activities, pursuant to Implementing Recommendations of the 9/11 Commission Act, Section 804; to the Committee on Foreign Affairs.

5477. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-333, "Targeted Retirement Distribution Withholding Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

5478. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-321, "Car Wash Employee Overtime Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5479. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-322, "Lottery Amendment Repeal Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5480. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-323, "Moratorium on Establishments Which Permit Nude Dancing Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

5481. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-327, "Workforce Job Development Grant-Making Authority Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

5482. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-328, "Board of Elections and Ethics Electoral Process Improvement Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5483. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-329, "Unemployment Anti-Discrimination Act of 2012"; to the Committee on Oversight and Government Reform.

5484. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-330, "Civil Marriage Dissolution Equality Act of 2012"; to the Committee on Oversight and Government Reform.

5485. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-332, "Unemployment Compensation Funds Appropriation Authorization Act of 2012"; to the Committee on Oversight and Government Reform.

5486. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-331, "DDOT Omnibus Conforming Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5487. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-57; Introduction [Docket: FAR 2012-0080, Sequence 2] received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5488. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; United States-Korea Free Trade Agreement [FAC 2005-57; FAR Case 2012-004; Docket 2012-0004, Sequence 1] (RIN: 9000-AM18) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5489. A letter from the Director, Administrative Office of the United States Courts, transmitting seventh annual report on crime victims' rights; to the Committee on the Judiciary.

5490. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone and Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL [Docket No.: USCG-2011-1108] (RIN: 1625-AA11, 1624-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5491. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Temporary Change for Recurring Fireworks Display within the Fifth Coast Guard District, Wrightsville Beach, NC [Docket No.: USCG-2011-0978] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5492. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule—Special Local Regulations; Key West World Championship, Atlantic Ocean; Key West, FL [Docket No.: USCG-2011-0942] (RIN: 1625-AA08) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5493. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Fourth Annual Chillounge Night St. Petersburg Fireworks Display; Tampa Bay, St. Petersburg, FL [Docket No.: USCG-2011-

6015] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5494. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Art Gallery Party St. Pete 2011 Fireworks Display, Tampa Bay, St. Petersburg, FL [Docket No.: USCG-2011-0774] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5495. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Seminole Hard Rock Winterfest Boat Parade, New River and Intracoastal Waterway, Fort Lauderdale, FL [Docket No.: USCG-2011-1011] (RIN: 1625-AA08) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5496. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks Display, Potomac River, National Harbor Access Channel, MD [Docket No.: USCG-2011-0976] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5497. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Department of Defense Exercise, Hood Canal, Washington [Docket No.: USCG-2011-1017] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5498. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Seagoing Barges [Docket No.: USCG-2011-0363] (RIN: 1625-AB71) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5499. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Container Crane Relocation, Cooper and Wando Rivers, Charleston, SC [Docket No.: USCG-2011-1045] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5500. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Orange Bowl International Youth Regatta, Biscayne Bay, Miami, FL [Docket No.: USCG-2011-0994] (RIN: 1625-AA08) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5501. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Truman-Hobbs alteration of the Elgin Joliet & Eastern Railroad Drawbridge; Illinois River, Morris, Illinois [Docket No.: USCG-2011-1058] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. DREIER: Committee on Rules. H.R. 2309. A bill to restore the financial solvency of the United States Postal Service and to ensure the efficient and affordable nationwide delivery of mail; with an amendment (Rept. 112-363 Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. BLACKBURN (for herself, Mr. ROE of Tennessee, Mrs. ELLMERS, Mr. GARRETT, and Mr. HUELSKAMP):

H.R. 4295. A bill to establish the Department of Energy and the Environment, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, Appropriations, Science, Space, and Technology, Transportation and Infrastructure, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. HARTZLER (for herself, Mr. STUTZMAN, Mr. KINGSTON, Mr. FRANK of Massachusetts, Ms. ROYBAL-ALLARD, and Mr. CRAVAACK):

H.R. 4296. A bill to amend the Food, Conservation, and Energy Act to repeal a duplicative program relating to inspection and grading of catfish; to the Committee on Agriculture.

By Ms. FOX (for herself, Mr. MCKEON, and Mr. HECK):

H.R. 4297. A bill to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st Century; to the Committee on Education and the Workforce, and in addition to the Committees on the Judiciary, Agriculture, Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY:

H.R. 4298. A bill to direct the Secretary of Labor to conduct a review of the forms related to obtaining workers' compensation benefits under the Federal Black Lung Benefits Program; to the Committee on Education and the Workforce.

By Mr. MCNERNEY (for himself and Mr. RUNYAN):

H.R. 4299. A bill to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to provide specially adapted housing assistance to individuals residing temporarily in housing owned by a family member; to the Committee on Veterans' Affairs.

By Mr. MCNERNEY (for himself and Mr. RUNYAN):

H.R. 4300. A bill to amend title 38, United States Code, to make permanent the authority to provide work-study allowance for certain activities by individuals receiving educational assistance by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. DUNCAN of South Carolina (for himself, Mr. WILSON of South Carolina, Mr. POE of Texas, Mr. HARRIS,

Mr. WESTMORELAND, Mr. GOHMERT, Mr. GRAVES of Georgia, Mr. BROUN of Georgia, Mr. MULVANEY, Mr. SCOTT of South Carolina, Mr. GOWDY, and Mr. LANDRY):

H.R. 4301. A bill to contribute to the growth of the American economy and the strength of American national security by streamlining regulatory permitting procedures and increasing domestic production from all energy sources; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, the Judiciary, Rules, Ways and Means, Agriculture, Armed Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington (for himself and Mr. MANZULLO):

H.R. 4302. A bill to reauthorize the Export-Import Bank of the United States; to the Committee on Financial Services.

By Mr. MCCAUL (for himself and Mr. MACK):

H.R. 4303. A bill to direct the Secretary of State to designate as foreign terrorist organizations certain Mexican drug cartels and submit a report on the activities the Department of State is taking to assist Mexico with drug cartel violence, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROONEY (for himself, Mr. THOMPSON of Pennsylvania, and Mr. LABRADOR):

H.R. 4304. A bill to clarify the definition of navigable waters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CHABOT (for himself and Mr. DEUTCH):

H.R. 4305. A bill to authorize the Attorney General to provide a grant to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing individuals; to the Committee on the Judiciary.

By Mr. FITZPATRICK (for himself and Mr. BLUMENAUER):

H.R. 4306. A bill to amend the Lacey Act Amendments of 1981 to prohibit the importation, exportation, transportation, and sale, receipt, acquisition, or purchase in interstate or foreign commerce, of any live animal of any prohibited wildlife species, and for other purposes; to the Committee on Natural Resources.

By Mr. LANKFORD:

H.R. 4307. A bill to prohibit the Ambassador's Fund for Cultural Preservation from making grants, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CLARKE of Michigan (for himself, Mr. CONYERS, Mr. CLEAVER, Ms. HANABUSA, and Ms. NORTON):

H.R. 4308. A bill to authorize the Secretary of the Treasury to provide growth and stability funding for the city of Detroit; to the Committee on Oversight and Government Reform.

By Mr. REICHERT (for himself and Mr. PASCRELL):

H.R. 4309. A bill to permit Federal officers to remove cases involving crimes of violence to Federal court; to the Committee on the Judiciary.

By Mr. MCKEON (for himself and Mr. SMITH of Washington) (both by request):

H.R. 4310. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes; to the Committee on Armed Services.

By Mr. JONES:

H.R. 4311. A bill to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit L06, Topsail, North Carolina; to the Committee on Natural Resources.

By Mr. BISHOP of New York (for himself, Mr. TURNER of New York, Mr. CROWLEY, Mr. KISSELL, Ms. RICHARDSON, Mr. TOWNS, Ms. NORTON, Mrs. DAVIS of California, and Mr. JONES):

H.R. 4312. A bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service; to the Committee on Oversight and Government Reform.

By Mr. BOSWELL (for himself and Mr. CRAWFORD):

H.R. 4313. A bill to amend the Food, Conservation, and Energy Act of 2008 to require an evaluation of county workload assessments for purposes of the closure or relocation of a county office for the Farm Service Agency, and for other purposes; to the Committee on Agriculture.

By Mrs. CAPPS (for herself, Mr. FARR, Mr. KEATING, Ms. HIRONO, Mrs. CHRISTENSEN, Ms. PINGREE of Maine, Ms. WOOLSEY, Mr. PIERLUISI, Ms. BORDALLO, Mr. SABLAN, Ms. LEE of California, and Mr. FALEOMAVAEGA):

H.R. 4314. A bill to amend the Coastal Zone Management Act of 1972 to require the Secretary of Commerce to establish a coastal climate change adaptation planning and response program, and for other purposes; to the Committee on Natural Resources.

By Mr. CARNAHAN (for himself, Mr. RANGEL, Ms. SPEIER, Mrs. CAPPS, Mr. COURTNEY, Mr. RYAN of Ohio, Ms. WATERS, Ms. MOORE, Mr. ALTMIRE, Ms. CHU, Ms. HAHN, and Ms. RICHARDSON):

H.R. 4315. A bill to amend title 38, United States Code, to provide for unlimited eligibility for health care for mental illnesses for veterans of combat service during certain periods of hostilities and war; to the Committee on Veterans' Affairs.

By Mrs. CHRISTENSEN (for herself, Mr. FALEOMAVAEGA, Ms. BORDALLO, and Mr. SABLAN):

H.R. 4316. A bill to amend chapter 2 of title II of the Trade Act of 1974 to include Guam, the Virgin Islands of the United States, American Samoa, and the Commonwealth of the Northern Mariana Islands in the definition of State for the purposes of the trade adjustment assistance for workers program; to the Committee on Ways and Means.

By Mr. DEUTCH (for himself and Mr. DOLD):

H.R. 4317. A bill to expand sanctions with respect to the energy sector of Iran, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ELLISON (for himself, Mr. KUCINICH, and Mr. MORAN):

H.R. 4318. A bill to prohibit the use, production, sale, importation, or exportation of any pesticide containing atrazine; to the Committee on Agriculture, and in addition

to the Committees on Energy and Commerce, Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL:

H.R. 4319. A bill to require the Federal Communications Commission to promulgate regulations to provide for accurate disclosures of the terms and conditions of prepaid telephone calling cards; to the Committee on Energy and Commerce.

By Mr. FATTAH:

H.R. 4320. A bill to amend the Congressional Budget Act of 1974 to require long-term cost benefit analyses of introduced bills; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH (for himself and Mr. BLUMENAUER):

H.R. 4321. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on heavy trucks and trailers, and for other purposes; to the Committee on Ways and Means.

By Mr. GOHMERT (for himself, Mr. DUNCAN of South Carolina, Mr. BARTON of Texas, Mrs. LUMMIS, Mr. FLEMING, Mr. WESTMORELAND, Mr. FRANKS of Arizona, Mr. RIBBLE, Mr. STUTZMAN, Mr. BERG, Mr. POE of Texas, Mr. CONAWAY, Mr. HALL, Mr. FARENTHOLD, Mr. CARTER, Mr. BRADY of Texas, Mr. CULBERSON, Mr. MCCAUL, Mr. MARCHANT, Mr. NEUGEBAUER, Mr. SESSIONS, Mr. SULLIVAN, and Mr. THORNBERRY):

H.R. 4322. A bill to clarify that a State has the sole authority to regulate hydraulic fracturing on Federal land within the boundaries of the State; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUIZENGA of Michigan (for himself, Mr. ROYCE, Mr. CLAY, and Mr. DAVID SCOTT of Georgia):

H.R. 4323. A bill to amend the Truth in Lending Act to improve upon the definitions provided for points and fees in connection with a mortgage transaction; to the Committee on Financial Services.

By Mr. KIND (for himself and Mr. MCDERMOTT):

H.R. 4324. A bill to amend the Internal Revenue Code of 1986 to expand the credit for employee health insurance expenses of small employers; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Mr. HOLT, Mr. OWENS, Ms. WOOLSEY, and Mr. WELCH):

H.R. 4325. A bill to provide that the Secretary of the Interior may accept bids on any new oil and gas leases of Federal lands (including submerged lands) only from bidders certifying that all oil produced pursuant to such leases, and all refined petroleum products produced from such oil, shall be offered for sale only in the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. MATHESON (for himself, Mr. BASS of New Hampshire, Mr. BILBRAY, Mr. BUTTERFIELD, Mr. COBLE, and Mrs. NAPOLITANO):

H.R. 4326. A bill to direct the Consumer Product Safety Commission to require residential carbon monoxide detectors to meet the applicable ANSI/UL standard by treating that standard as a consumer product safety rule, to encourage States to require the installation of such detectors in homes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAUD (for himself, Ms. RICHARDSON, Mr. ROE of Tennessee, Mr. JONES, Ms. HIRONO, Mr. JACKSON of Illinois, and Mr. MCGOVERN):

H.R. 4327. A bill to direct the Secretary of Veterans Affairs to recognize tinnitus as a mandatory condition for research and treatment by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MILLER of Michigan:

H.R. 4328. A bill to amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish a Great Lakes basin initiative for agricultural nonpoint source pollution prevention; to the Committee on Agriculture.

By Mr. MORAN (for himself, Mrs. CAPPS, Mr. POLIS, Mr. RANGEL, and Mr. ROTHMAN of New Jersey):

H.R. 4329. A bill to amend title 10, United States Code, to provide for the payment of monthly annuities under the Survivor Benefit Plan to a supplemental or special needs trust established for the sole benefit of a disabled dependent child of a participant in the Survivor Benefit Plan; to the Committee on Armed Services.

By Mrs. NOEM (for herself and Mrs. HARTZLER):

H.R. 4330. A bill to amend the Food, Conservation, and Energy Act of 2008 to clarify the maximum distance between Farm Service Agency county offices for purposes of the closure or relocation of a county office for the Farm Service Agency; to the Committee on Agriculture.

By Mrs. NOEM:

H.R. 4331. A bill to respond to the extreme fire hazard and unsafe conditions resulting from pine beetle infestation, drought, disease, or storm damage by declaring a state of emergency and directing the Secretary of Agriculture to immediately implement hazardous fuels reduction projects in the manner provided in title I of the Healthy Forests Restoration Act of 2003, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself and Mr. GUTHRIE):

H.R. 4332. A bill to amend section 505(j) of the Federal Food, Drug, and Cosmetic Act to extend the period for a first applicant, with respect to a generic drug, to obtain tentative approval without forfeiting the 180-day exclusivity period, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PAULSEN (for himself, Ms. MCCOLLUM, Mr. MCGOVERN, and Mrs. EMERSON):

H.R. 4333. A bill to amend the Food and Nutrition Act of 2008 to permit providers of eligible food purchasing and delivery services to be approved as retail food stores that ac-

cept and redeem supplemental nutrition assistance benefits; to the Committee on Agriculture.

By Mr. PEARCE:

H.R. 4334. A bill to establish a monument in Dona Ana County, New Mexico, and for other purposes; to the Committee on Natural Resources.

By Mr. RAHALL:

H.R. 4335. A bill to amend title 39, United States Code, to allow the Postal Regulatory Commission to set aside determinations by the United States Postal Service to close or consolidate postal facilities that would deny essential postal services to rural areas, communities, or small towns, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. REED (for himself, Mr. SCHOCK, Mr. BOUSTANY, Mr. HERGER, Mr. BERG, Ms. JENKINS, Mr. MARCHANT, Mr. BUCHANAN, Mr. BRADY of Texas, Mr. DAVIS of Kentucky, and Mr. ROSKAM):

H.R. 4336. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income of discharges of qualified principal residence indebtedness; to the Committee on Ways and Means.

By Mr. REED (for himself and Ms. HOCHUL):

H.R. 4337. A bill to limit the authority of the Administrator of the Environmental Protection Agency to implement certain actions related to Chesapeake Bay watershed total maximum daily loads, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLAN:

H.R. 4338. A bill to amend title 10, United States Code, to expand certain restrictions relating to the overhaul and repair of vessels in foreign shipyards to the Commonwealth of the Northern Mariana Islands; to the Committee on Armed Services.

By Mr. SABLAN (for himself, Mr. ANDREWS, Mr. HINOJOSA, and Ms. NOR-
TON):

H.R. 4339. A bill to amend the Wagner-Peyser Act to include the Commonwealth of the Northern Mariana Islands in the employment services provided under that Act; to the Committee on Education and the Workforce.

By Mr. SCHWEIKERT:

H.R. 4340. A bill to restrict assistance to Egypt unless the Government of Egypt holds free and fair elections; to the Committee on Foreign Affairs.

By Mr. STIVERS (for himself, Mr. SCHILLING, and Mrs. DAVIS of California):

H.R. 4341. A bill to direct the Secretary of Defense to establish a working group to review TRICARE policy with respect to providing health care to children and determine how to improve such policy, and for other purposes; to the Committee on Armed Services.

By Mr. WHITFIELD (for himself, Mr. ADERHOLT, Mr. CARNAHAN, Mr. COSTELLO, Mr. DUNCAN of Tennessee, Mr. JOHNSON of Illinois, and Ms. SEWELL):

H.R. 4342. A bill to provide for funding for construction and major rehabilitation for projects located on inland and intracoastal waterways of the United States, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition

to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLFF:

H.R. 4343. A bill to amend title 18, United States Code, to prohibit the President, the Vice President, Members of Congress, and other officers of the executive branch from lobbying on behalf of foreign governments or instrumentalities for 10 years after leaving office; to the Committee on the Judiciary.

By Mr. FRANKS of Arizona (for himself, Mr. FORTENBERRY, Mr. HARRIS, Mr. WESTMORELAND, Mr. FLEMING, Mr. HUELSKAMP, Mr. LAMBORN, Mr. DUNCAN of South Carolina, Mr. GOHMERT, Mr. MULVANEY, Mr. KINGSTON, Mr. PITTS, Mr. WALSH of Illinois, Mr. MANZULLO, and Mr. FLORES):

H.J. Res. 107. A joint resolution proposing an amendment to the Constitution of the United States relating to parental rights; to the Committee on the Judiciary.

By Ms. BUERKLE (for herself, Mr. JORDAN, Mr. WILSON of South Carolina, Mr. GOSAR, Mr. YODER, Mr. GOHMERT, Mr. WEST, Mr. SESSIONS, Mrs. MCMORRIS RODGERS, Mr. NEAL, Mr. RUSH, Mr. WESTMORELAND, Mr. KLINE, Mr. LAMBORN, Mr. CULBERSON, Mr. BROUN of Georgia, Mr. TURNER of New York, Mr. MCCAUL, Mr. BILIRAKIS, Mr. LANCE, Mr. HANNA, Mrs. BLACKBURN, Mr. HOLDEN, Mr. BOREN, Mr. BARTLETT, Mr. CHAFFETZ, Mr. AUSTRIA, Mr. GOWDY, Mr. GALLEGLY, Mr. TIBERI, Mr. KINGSTON, Mr. POE of Texas, Mr. STIVERS, Mr. BURTON of Indiana, Mr. RUNYAN, Mr. MCCLINTOCK, Mr. SMITH of New Jersey, Mr. HENSARLING, Mr. BACHUS, Mr. PENCE, Mr. DUNCAN of South Carolina, Mr. POSEY, Mr. CHABOT, Mr. BARTON of Texas, Mr. FLEMING, Mr. FLORES, Mr. FRANKS of Arizona, Mr. RIBBLE, Mr. HARRIS, Mr. GRAVES of Georgia, Mrs. LUMMIS, Mr. LANKFORD, Mr. FLEISCHMANN, Mr. STUTZMAN, Mr. CANSECO, Mr. PITTS, Mr. WALSH of Illinois, Mr. MANZULLO, Mrs. HARTZLER, Mrs. SCHMIDT, Mr. SHIMKUS, Mr. CARDOZA, Mr. KELLY, Mrs. ADAMS, Mr. JOHNSON of Ohio, Mrs. BACHMANN, Mr. MACK, and Mr. GRIF-
FITH of Virginia):

H. Con. Res. 115. Concurrent resolution recognizing the 64th anniversary of the independence of the State of Israel; to the Committee on Foreign Affairs.

By Mrs. BIGGERT:

H. Res. 602. A resolution encouraging people in the United States to recognize March 2, 2012, as Read Across America Day; to the Committee on Education and the Workforce.

By Mrs. BIGGERT (for herself and Mrs. DAVIS of California):

H. Res. 603. A resolution expressing support for designation of October 2, 2012, as World MRSA Day; to the Committee on Oversight and Government Reform.

By Mr. ISSA:

H. Res. 604. A resolution expressing the sense of the House of Representatives that the President exercised the recess appointment power despite the fact that neither the House of Representatives nor the Senate have been adjourned for a period in excess of three days during the Second Session of the 112th Congress; to the Committee on the Judiciary.

By Ms. ROYBAL-ALLARD (for herself, Ms. LEE of California, Mrs. LOWEY,

Mr. JACKSON of Illinois, Mr. MORAN, Mr. MCGOVERN, Ms. RICHARDSON, Mrs. NAPOLITANO, Mr. FARR, Mr. BACA, Mr. WAXMAN, Mrs. CAPPS, Mr. GONZALEZ, Mr. OLVER, Mr. FILNER, Ms. MATSUI, Ms. SCHAKOWSKY, Ms. WOOLSEY, Mrs. CHRISTENSEN, and Ms. DELAURO):

H. Res. 605. A resolution supporting the goals and ideals of National Public Health Week; to the Committee on Energy and Commerce.

By Mr. AUSTRIA (for himself, Mr. ROGERS of Kentucky, Mr. JORDAN, Mr. JOHNSON of Ohio, Mr. LATTA, and Mr. MCCAUL):

H. Res. 606. A resolution expressing the sense of the House of Representatives regarding the notice signed by the Administrator of the Environmental Protection Agency Lisa Jackson on March 27, 2012, entitled "Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units"; to the Committee on Energy and Commerce.

By Mr. LARSEN of Washington (for himself, Ms. HERRERA BEUTLER, Mrs. MCMORRIS RODGERS, Mr. DICKS, Mr. MCDERMOTT, Mr. REICHERT, Mr. SMITH of Washington, and Mr. HASTINGS of Washington):

H. Res. 607. A resolution congratulating Western Washington University on winning its first Division II NCAA National Basketball Title in the school's 110-year history; to the Committee on Education and the Workforce.

By Mr. RAHALL (for himself and Mr. BOUSTANY):

H. Res. 608. A resolution honoring the life and work of Arab-American writer Ameen Rihani and celebrating the 100th anniversary of the publication of the first Arab-American novel, "The Book of Khalid", by Ameen Rihani; to the Committee on Oversight and Government Reform.

By Mr. SENSENBRENNER (for himself and Mr. GEORGE MILLER of California):

H. Res. 609. A resolution expressing support for the people of Tibet; to the Committee on Foreign Affairs.

By Mr. SMITH of New Jersey (for himself and Mr. TURNER of New York):

H. Res. 610. A resolution expressing the sense of the House of Representatives that the President and the Secretary of State should continue to press Russian authorities for a full and complete accounting regarding the fate of Raoul Wallenberg; to the Committee on Foreign Affairs.

By Mr. STEARNS (for himself and Mr. BOREN):

H. Res. 611. A resolution promoting global energy supply security through increased cooperation among the United States, Turkey, Azerbaijan, Kazakhstan, Iraq, and Georgia; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. BLACKBURN:

H.R. 4295.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.

By Mrs. HARTZLER:

H.R. 4296.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 The United States Congress shall have power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Ms. FOXX:

H.R. 4297.
Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. MCKINLEY:

H.R. 4298.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power to . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCNERNEY:

H.R. 4299.
Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. MCNERNEY:

H.R. 4300.
Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. DUNCAN of South Carolina:

H.R. 4301.
Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact legislation pertaining to the rules and regulations for property owned by the United States pursuant to Article IV, Section 3, Clause 2 of the Constitution.

Authority for additional functions of this legislation having to do with tax credits are found within Article I, Section 7; and Article I, Section 8, Clause 1. Authority to stay misapplied regulations from the executive Branch stems from Article I, Section 8, Clause 3.

By Mr. LARSEN of Washington:

H.R. 4302.
Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 "all legislative powers herein granted shall be vested in a Congress."

By Mr. MCCAUL:

H.R. 4303.
Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8

By Mr. ROONEY:

H.R. 4304.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution which gives Congress the power "to regulate Commerce with foreign Nations, and among the several states, and within the Indian Tribes."

Additionally, this legislation enforces Amendments IV, V, VII, IX, and X of the Constitution.

By Mr. CHABOT:

H.R. 4305.
Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;

By Mr. FITZPATRICK:

H.R. 4306.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. LANKFORD:

H.R. 4307.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 and 3 and implied powers to not act in these areas.

By Mr. CLARKE of Michigan:

H.R. 4308.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mr. REICHERT:

H.R. 4309.
Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. MCKEON:

H.R. 4310.
Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to provide for the common Defence", "to raise and support Armies", "to provide and maintain a Navy" and "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution.

By Mr. JONES:

H.R. 4311.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. BISHOP of New York:

H.R. 4312.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. BOSWELL:

H.R. 4313.
Congress has the power to enact this legislation pursuant to the following:

The Necessary and Proper Clause. Article I, Section 8, Clause 18.

By Mrs. CAPPS:

H.R. 4314.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. CARNAHAN:

H.R. 4315.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1. "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives."

By Mrs. CHRISTENSEN:

H.R. 4316.

Congress has the power to enact this legislation pursuant to the following:

“Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.”

By Mr. DEUTCH:

H.R. 4317.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, clause 3, Congress has the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. ELLISON:

H.R. 4318.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

Article I, Section 8, Clause 3 of the United States Constitution

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. ENGEL:

H.R. 4319.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution. Congress has the power to enact this legislation, as well, under Article 1, Section 8, Clauses 1, 3 and 18.

By Mr. FATTAH:

H.R. 4320.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, which states the Congress shall have the power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GERLACH:

H.R. 4321.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GOHMERT:

H.R. 4322.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment stating that “[t]he powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

Article IV, Section 3, Clause 2 providing that “Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States”

By Mr. HUIZENGA of Michigan:

H.R. 4323.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3.

By Mr. KIND:

H.R. 4324.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I: “Congress shall have the power to lay and collect taxes.”

By Mr. MARKEY:

H.R. 4325.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MATHESON:

H.R. 4326.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. MICHAUD:

H.R. 4327.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. MILLER of Michigan:

H.R. 4328.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. MORAN:

H.R. 4329.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article 1, Section 8, Clause 12, 13, and 14.

By Mrs. NOEM:

H.R. 4330.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause.

By Mrs. NOEM:

H.R. 4331.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. PALLONE:

H.R. 4332.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PAULSEN:

H.R. 4333.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. PEARCE:

H.R. 4334.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. RAHALL:

H.R. 4335.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 of the United States Constitution, known as the Postal Clause or the Postal Power, empowers Congress “To establish Post Offices and post Roads”. The Clause has been construed to give Congress the enumerated power to des-

ignate mail routes and construct or designate post offices, with the implied authority to carry, deliver, and regulate the mails of the United States as a whole.

Article I, Section 8, Clause 18 of the United States Constitution which states that the Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. REED:

H.R. 4336.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: Congress has the power to lay and collect taxes

By Mr. REED:

H.R. 4337.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States. This clause allows Congress to regulate interstate commerce. In this case, this legislation is necessary to reduce burdens on interstate commerce.

By Mr. SABLAN:

H.R. 4338.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 13 and 14), which grants Congress the power to provide and maintain a Navy and to make rules for the government and regulation of the land and naval forces.

By Mr. SABLAN:

H.R. 4339.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. SCHWEIKERT:

H.R. 4340.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, § 8, Clause 3 of the Constitution: “To regulate Commerce with foreign Nations, and among the several States” & Art. 1, § 9, Clause 7 “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. STIVERS:

H.R. 4341.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 11–14 of the United States Constitution.

By Mr. WHITFIELD:

H.R. 4342.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution

By Mr. WOLF:

H.R. 4343.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is found in the power of Congress “provide for the common Defense and general welfare of the United States,” as enumerated in Article 1, Section 8 of the United States Constitution.

By Mr. FRANKS of Arizona:

H.J. Res. 107.

Congress has the power to enact this legislation pursuant to the following:

The Parental Rights Amendment is introduced pursuant to Article V: "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution . . ."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 9: Mr. SCOTT of South Carolina, Mr. DANIEL E. LUNGREN of California, Mrs. CAPITO, and Mr. COFFMAN of Colorado.
- H.R. 14: Ms. WOOLSEY.
- H.R. 32: Ms. SLAUGHTER.
- H.R. 59: Mr. LUETKEMEYER.
- H.R. 157: Mr. FLORES.
- H.R. 174: Mr. ROTHMAN of New Jersey and Mr. PASCRELL.
- H.R. 192: Mr. PETERS.
- H.R. 300: Ms. RICHARDSON.
- H.R. 476: Mrs. BLACK and Mr. SOUTHERLAND.
- H.R. 498: Mr. DAVIS of Kentucky and Mr. MACK.
- H.R. 531: Mr. TONKO.
- H.R. 605: Mr. ROHRBACHER.
- H.R. 664: Ms. BORDALLO and Mr. ISRAEL.
- H.R. 733: Mr. BUTTERFIELD.
- H.R. 750: Mr. STEARNS.
- H.R. 797: Ms. FUDGE.
- H.R. 860: Mr. TURNER of Ohio.
- H.R. 870: Mr. COSTELLO.
- H.R. 891: Mr. HECK.
- H.R. 893: Mr. PASTOR of Arizona.
- H.R. 904: Mr. GARDNER.
- H.R. 931: Mr. GRAVES of Georgia.
- H.R. 941: Mr. CONNOLLY of Virginia.
- H.R. 942: Mr. NUNES and Mr. BRALEY of Iowa.
- H.R. 948: Mr. RIGELL.
- H.R. 972: Mr. POE of Texas.
- H.R. 997: Mr. QUAYLE.
- H.R. 1004: Mr. SCHILLING.
- H.R. 1005: Mr. BOREN.
- H.R. 1066: Mr. RANGEL, Ms. BERKLEY, Mr. LYNCH, Mr. REYES, Mr. SHERMAN, Mr. ANDREWS, Mr. FRANK of Massachusetts, and Mr. RUSH.
- H.R. 1161: Mr. CLARKE of Michigan.
- H.R. 1169: Mr. LUJAN.
- H.R. 1172: Mr. CLAY.
- H.R. 1175: Ms. BALDWIN, Mr. WALZ of Minnesota, Mr. STEARNS, Mr. ANDREWS, Mr. ROSS of Arkansas, and Ms. BONAMICI.
- H.R. 1182: Mr. STEARNS.
- H.R. 1244: Mr. FORBES.
- H.R. 1259: Mr. DANIEL E. LUNGREN of California.
- H.R. 1321: Mr. TURNER of New York, Mr. CALVERT, and Mr. SCHOCK.
- H.R. 1335: Mr. JACKSON of Illinois.
- H.R. 1340: Ms. ROS-LEHTINEN.
- H.R. 1351: Ms. BONAMICI.
- H.R. 1370: Mr. LOBIONDO.
- H.R. 1375: Ms. EDWARDS.
- H.R. 1385: Mrs. BIGGERT.
- H.R. 1448: Mr. PRICE of North Carolina.
- H.R. 1449: Ms. EDWARDS.
- H.R. 1465: Mr. PIERLUISI.
- H.R. 1474: Mr. SMITH of Texas.
- H.R. 1545: Mr. POE of Texas.
- H.R. 1558: Mr. DENT.
- H.R. 1612: Mr. LUJAN.
- H.R. 1653: Mr. REED and Mr. FLORES.
- H.R. 1675: Mr. YOUNG of Alaska and Mr. HOLT.
- H.R. 1700: Mr. WOODALL.

- H.R. 1718: Mr. LANCE.
- H.R. 1724: Mr. SMITH of Washington.
- H.R. 1738: Mr. FORBES.
- H.R. 1742: Mr. CRITZ.
- H.R. 1789: Mr. FILNER.
- H.R. 1802: Mrs. ROBY.
- H.R. 1897: Mr. STIVERS, Ms. SLAUGHTER, Mr. ANDREWS, and Mr. LUJAN.
- H.R. 1903: Mr. JACKSON of Illinois.
- H.R. 1946: Mr. SCHIFF.
- H.R. 2028: Mr. DEFAZIO and Mr. HONDA.
- H.R. 2082: Ms. FUDGE.
- H.R. 2088: Ms. FUDGE and Mr. WALZ of Minnesota.
- H.R. 2106: Mr. PENCE and Mrs. ELLMERS.
- H.R. 2108: Mr. BOUSTANY.
- H.R. 2139: Mr. DENT, Mr. HURT, Mr. KIND, Mr. GIBBS, Mr. GUTHRIE, and Mr. BUCHANAN.
- H.R. 2140: Mr. JOHNSON of Ohio.
- H.R. 2168: Mr. LATHAM.
- H.R. 2179: Mr. KLINE.
- H.R. 2194: Mr. PRICE of North Carolina.
- H.R. 2245: Mr. ROHRBACHER.
- H.R. 2256: Mr. POLIS, Mr. REICHERT, Ms. LEE of California, Mr. PRICE of North Carolina, Mr. RANGEL, and Mr. CAPUANO.
- H.R. 2257: Mr. LATOURETTE.
- H.R. 2295: Mr. SCHILLING.
- H.R. 2310: Mr. FATTAH.
- H.R. 2311: Mr. ROSS of Florida and Mr. QUIGLEY.
- H.R. 2313: Mr. LATHAM.
- H.R. 2335: Mr. MICA, Mr. BARLETTA, Mr. KELLY, Mr. LUCAS, Mr. TIPTON, Mr. FINCHER, Mrs. HARTZLER, and Mr. MCCARTHY of California.
- H.R. 2479: Mr. TONKO and Ms. TSONGAS.
- H.R. 2505: Mr. OLVER.
- H.R. 2514: Mr. STEARNS.
- H.R. 2529: Mr. LOBIONDO.
- H.R. 2540: Ms. CLARKE of New York.
- H.R. 2557: Mr. BARLETTA.
- H.R. 2569: Mr. SMITH of Washington, Mr. NEAL, Ms. SCHWARTZ, Mr. HEINRICH, Mr. LARSON of Connecticut, Mr. CARNEY, Ms. HOCHUL, Mr. POLIS, Mr. HIMES, Mr. RICHMOND, Mr. GRIJALVA, Mr. HOLDEN, Mrs. CAPPAS, Mr. HOLT, and Mr. CARNAHAN.
- H.R. 2599: Mr. CONYERS and Mr. CALVERT.
- H.R. 2697: Mr. MARCHANT, Mr. GARDNER, Mr. AUSTIN SCOTT of Georgia, and Mr. WOODALL.
- H.R. 2717: Mr. TURNER of Ohio, Ms. HAHN, Mr. SHUSTER, and Mr. POLIS.
- H.R. 2866: Mr. LATOURETTE.
- H.R. 2900: Mr. MCHENRY.
- H.R. 2978: Mr. GOSAR.
- H.R. 2989: Mr. SAM JOHNSON of Texas.
- H.R. 3000: Mr. HUELSKAMP, Mr. MULVANEY, and Mr. GRAVES of Georgia.
- H.R. 3001: Mr. TIERNEY, Mr. MILLER of Florida, and Mr. PAULSEN.
- H.R. 3032: Mr. FORBES.
- H.R. 3039: Mr. TONKO.
- H.R. 3046: Mr. MCINTYRE.
- H.R. 3061: Mr. KEATING, Mr. DUNCAN of South Carolina, and Mr. MICA.
- H.R. 3067: Ms. BUEKLE, Mr. PETERS, Mr. TIERNEY, Mr. COSTELLO, Ms. PINGREE of Maine, Mr. GARDNER, Mr. YOUNG of Florida, Mr. KISSELL, Mr. DIAZ-BALART, Mr. FARENTHOLD, Mr. GUTIERREZ, Mr. TURNER of New York, Mrs. BACHMANN, Ms. JENKINS, and Mr. MCINTYRE.
- H.R. 3068: Mr. HUNTER.
- H.R. 3074: Mr. DUNCAN of South Carolina.
- H.R. 3100: Mr. SESSIONS.
- H.R. 3151: Mr. REYES and Mr. PETERS.
- H.R. 3187: Mr. TURNER of Ohio, Mr. MURPHY of Connecticut, and Ms. BROWN of Florida.
- H.R. 3238: Mr. PRICE of North Carolina.
- H.R. 3264: Mr. STEARNS.
- H.R. 3307: Mr. RUNYAN, Mr. PETERS, Mr. JACKSON of Illinois, and Mr. COURTNEY.
- H.R. 3364: Mr. TONKO, Mr. LOBIONDO, and Mr. ENGEL.
- H.R. 3395: Mr. MCINTYRE.
- H.R. 3420: Mr. TONKO.
- H.R. 3461: Mr. KILDEE, Mr. WEST, Mr. BONNER, Mr. MARINO, Mr. BRALEY of Iowa, Mr. HINOJOSA, Mrs. EMERSON, Mr. CRENSHAW, Mr. ROGERS of Michigan, Mr. LOBIONDO, Mr. AMASH, Ms. CASTOR of Florida, and Mr. TONKO.
- H.R. 3485: Ms. FUDGE.
- H.R. 3487: Ms. JENKINS.
- H.R. 3506: Mr. ROSS of Arkansas and Mr. HANNA.
- H.R. 3523: Mr. COSTA, Mr. CARDOZA, Mr. WOODALL, Mr. BARTLETT, Mr. SHULER, Mr. STIVERS, Mr. WILSON of South Carolina, Mr. MCINTYRE, Mr. KISSELL, Mr. SCALISE, Mr. BILBRAY, Mr. GRIFFITH of Virginia, Mr. PETERSON, and Mr. OWENS.
- H.R. 3526: Mr. WOOLSEY and Mrs. BIGGERT.
- H.R. 3565: Mr. SCOTT of South Carolina.
- H.R. 3569: Mr. COLE.
- H.R. 3586: Mr. WITTMAN and Mr. LOBIONDO.
- H.R. 3618: Mr. PIERLUISI.
- H.R. 3619: Mr. JACKSON of Illinois.
- H.R. 3627: Mr. HASTINGS of Florida.
- H.R. 3634: Mr. BARTLETT and Mrs. BLACKBURN.
- H.R. 3640: Mr. CALVERT.
- H.R. 3643: Mr. JOHNSON of Georgia, Mr. KINGSTON, and Mr. PLATTS.
- H.R. 3652: Mrs. ELLMERS and Mrs. HARTZLER.
- H.R. 3664: Ms. NORTON.
- H.R. 3676: Mr. CARTER.
- H.R. 3687: Mr. COLE.
- H.R. 3713: Mr. BLUMENAUER and Ms. ZOE LOFGREN of California.
- H.R. 3728: Mr. FORBES.
- H.R. 3737: Mr. LOBIONDO.
- H.R. 3747: Mr. HINCHEW and Ms. WOOLSEY.
- H.R. 3767: Mr. COFFMAN of Colorado, Mr. GUTHRIE, and Mrs. ADAMS.
- H.R. 3770: Mr. PITTS.
- H.R. 3780: Mr. SCHIFF.
- H.R. 3803: Mr. ROONEY, Mr. MCCLINTOCK, Mr. MCCAUL, Mr. LABRADOR, and Mr. DAVIS of Kentucky.
- H.R. 3826: Mr. PASCRELL, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. WALZ of Minnesota, Ms. BALDWIN, and Mr. GUTIERREZ.
- H.R. 3828: Mr. BROUN of Georgia.
- H.R. 3831: Mr. HALL and Ms. ZOE LOFGREN of California.
- H.R. 3839: Mrs. MALONEY.
- H.R. 3849: Mr. SCHWEIKERT.
- H.R. 3877: Mr. AUSTIN SCOTT of Georgia.
- H.R. 3884: Mr. LANGEVIN.
- H.R. 3903: Ms. NORTON.
- H.R. 3916: Mr. BRADY of Pennsylvania, Ms. LEE of California, Mrs. NAPOLITANO, Mr. MICHAUD, and Mr. JACKSON of Illinois.
- H.R. 3991: Mr. MICA and Mr. ROONEY.
- H.R. 3993: Ms. HAHN and Mr. TONKO.
- H.R. 4000: Mr. AUSTIN SCOTT of Georgia.
- H.R. 4035: Mr. PAULSEN and Mr. NEAL.
- H.R. 4040: Mr. BACHUS, Mr. BURGESS, Mrs. CHRISTENSEN, Mr. CULBERSON, Mr. GRAVES of Missouri, Mr. GRAVES of Georgia, Mr. HARPER, Mr. LABRADOR, Ms. LEE of California, Mr. LOEBSACK, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MILLER of North Carolina, Mr. OWENS, Mr. PALAZZO, Mr. SMITH of Texas, Mr. SULLIVAN, Mr. TIERNEY, Mr. WALDEN, Mr. WALZ of Minnesota, and Mr. WESTMORELAND.
- H.R. 4045: Mr. FRANKS of Arizona, Mr. SCHILLING, Mr. TERRY, Mr. WALBERG, Mr. GOHMERT, Mr. FORTENBERRY, Mr. CONAWAY, and Mr. LAMBORN.
- H.R. 4049: Mr. DEUTCH.
- H.R. 4055: Ms. HANABUSA.
- H.R. 4057: Ms. HANABUSA.

- H.R. 4077: Mr. ELLISON, Mr. CALVERT, Mr. PASCRELL, Mr. JOHNSON of Ohio, Mr. CARNAHAN, and Mr. WOLF.
 H.R. 4089: Mr. ROONEY.
 H.R. 4114: Mr. SCHILLING.
 H.R. 4120: Mr. BARTLETT, Mr. RAHALL, Mr. CLARKE of Michigan, and Mr. TIERNEY.
 H.R. 4122: Ms. CASTOR of Florida.
 H.R. 4126: Mr. POLIS.
 H.R. 4133: Mr. WILSON of South Carolina, Mr. NUNNELEE, Mr. LANDRY, Ms. GRANGER, Mrs. ADAMS, Mr. FINCHER, Mr. McKEON, Mr. CONAWAY, Mr. HUELSKAMP, Mr. AUSTRIA, and Mr. THOMPSON of Pennsylvania.
 H.R. 4134: Mr. OWENS, Mr. WAXMAN, and Mr. ROONEY.
 H.R. 4157: Mr. BERG, Mr. SCHOCK, Mr. BOUTSTANY, Mr. SENSENBRENNER, Mr. HERGER, Mrs. NOEM, Mr. ROKITA, Mr. SCHRADER, Mr. HASTINGS of Washington, Mr. WALDEN, Mr. GARDNER, Mrs. BACHMANN, Mr. HUELSKAMP, Mr. FLAKE, Mrs. MILLER of Michigan, and Mr. NUNNELEE.
 H.R. 4160: Mr. GRAVES of Georgia.
 H.R. 4165: Ms. MCCOLLUM and Mr. BOREN.
 H.R. 4169: Mr. JACKSON of Illinois, Mr. MCCAUL, and Mr. FARR.
 H.R. 4170: Mr. FILNER and Mr. CONYERS.
 H.R. 4180: Mr. BURTON of Indiana, Mr. HERGER, Mr. THORNBERRY, Mr. BERG, Mr. CANSECO, and Mr. DUFFY.
 H.R. 4196: Mr. McDERMOTT, Mr. DAVIS of Illinois, Mr. BACA, Mr. BERG, Mr. THOMPSON of California, Mr. GENE GREEN of Texas, Mr. NUNES, Mr. REED, Mr. BECERRA, and Mr. ROSKAM.
 H.R. 4200: Mr. ALEXANDER, Mr. BURTON of Indiana, Mr. CRAVAACK, Mr. LANKFORD, Mr. GRIFFIN of Arkansas, Mr. LANDRY, and Mr. GOWDY.
 H.R. 4215: Mr. ROSS of Arkansas.
 H.R. 4228: Mr. FARENTHOLD.
 H.R. 4229: Mr. HEINRICH, Mr. ELLISON, Ms. ESHOO, Mr. HOLT, Mr. YOUNG of Alaska, Mr. FALCOMAVAEGA, Mr. LEVIN, and Mrs. SCHMIDT.
 H.R. 4231: Mr. MCINTYRE.
 H.R. 4236: Mr. BOSWELL.
 H.R. 4237: Mr. BROUN of Georgia.
 H.R. 4238: Mr. CARNAHAN.
 H.R. 4255: Mr. BUCHANAN and Mr. AUSTIN SCOTT of Georgia.
 H.R. 4256: Mr. NUNNELEE, Mr. KLINE, Mr. LANKFORD, Mr. ROKITA, Mr. WESTMORELAND, Mr. FRANKS of Arizona, Mr. COLE, Mr. FLORES, Mr. FORTENBERRY, Mr. FLEMING, Mr. DUNCAN of South Carolina, Mr. GRAVES of Georgia, Mr. GOHMERT, Mr. BONNER, Mr. SCALISE, Mr. LABRADOR, Mr. CANSECO, Mr. COBLE, Mrs. LUMMIS, and Mr. GIBSON.
 H.R. 4266: Mr. NADLER.
 H.R. 4270: Mr. LUETKEMEYER.
 H.R. 4271: Mr. JACKSON of Illinois, Mr. ELLISON, Ms. SPEIER, Mr. MICHAUD, Mr. PIERLUISI, Ms. TSONGAS, and Mr. MURPHY of Connecticut.
 H.R. 4284: Mr. BOSWELL.
 H.R. 4290: Mr. CONYERS, Mr. GRIJALVA, and Mr. RUSH.
 H.R. 4293: Ms. HAHN.
 H.J. Res. 88: Mr. HEINRICH.
 H.J. Res. 93: Mr. GARDNER.
 H.J. Res. 103: Mr. BERG and Mr. FORBES.
 H.J. Res. 106: Mr. FLEMING, Mr. CHABOT, and Mr. PENCE.
 H. Con. Res. 110: Mr. MILLER of Florida, Mr. CONAWAY, Mr. QUAYLE, Mr. HUELSKAMP, and Mr. GRIFFIN of Arkansas.
 H. Con. Res. 113: Mr. LANDRY, Mr. SAM JOHNSON of Texas, Mr. FRANKS of Arizona, Mr. BROUN of Georgia, and Mr. SCOTT of South Carolina.
 H. Res. 460: Mr. HONDA.
 H. Res. 549: Ms. WATERS.
 H. Res. 564: Mr. JACKSON of Illinois.
 H. Res. 568: Mr. AMODEI, Mr. BACHUS, Mr. BROUN of Georgia, Mr. CANSECO, Ms. CHU, Mr. CICILLINE, Mr. CONAWAY, Ms. DELAURO, Ms. GRANGER, Mr. GUINTA, Ms. HERRERA BEUTLER, Mr. HEINRICH, Mr. HIGGINS, Mr. HIMES, Ms. HIRONO, Mr. JOHNSON of Ohio, Mr. LANGEVIN, Mr. LATTA, Mr. LEWIS of Georgia, Mr. NUNNELEE, Mr. POLIS, Mr. ROONEY, Mr. STEARNS, Ms. SUTTON, and Mr. THOMPSON of Pennsylvania.
 H. Res. 573: Mr. FILNER, Ms. DELAURO, and Mr. HONDA.
 H. Res. 583: Mr. PASCRELL.
 H. Res. 584: Mr. PASCRELL.
 H. Res. 589: Mrs. CAPPS.
 H. Res. 592: Mr. HASTINGS of Florida, Ms. CASTOR of Florida, Mr. LANDRY, Mr. TURNER of New York, and Mr. HUNTER.
 H. Res. 601: Mr. FRANK of Massachusetts.

SENATE—Thursday, March 29, 2012

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

PRAYER

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

Let us pray.

Eternal God, our dwelling place in all generations, help us to run when we can, to walk when we ought, and to wait when we must.

Give our lawmakers this day the wisdom to follow Your guidance. Illuminate them with Your Divine Light, providing them with a discernment greater than their own. Sustain them by the radiant vision of the ultimate triumph of Your truth. May they sense Your presence and make this day one of constant inner conversation with You. Lord, give them a productive day as they cast their burdens on You.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 29, 2012.

To the Senate:

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

DANIEL K. INOUE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume

consideration of the motion to proceed to S. 2230, the Paying A Fair Share Act, with the time until 11:30 a.m. equally divided and controlled between the two leaders or their designees. The majority will control the first 30 minutes and the Republicans the next 30 minutes.

The filing deadline for second-degree amendments to S. 2204 is 10:30 a.m. this morning.

At 11:30 a.m., there will be a cloture vote on the Repeal Big Oil Tax Subsidies Act.

The Transportation bill expires at the end of this month, so that will have to be addressed before we leave this week. We are waiting to see what the House is doing. As I think a lot of people know, they have tried, the Republican leadership there has tried, to bring up a bill on two separate occasions. They had to bring it down because they did not have the votes to pass what they wanted. So I assume something will pass over there—I guess. We have been waiting all week. I am confident they can scrounge up 218 votes.

BIG OIL SUBSIDIES

Mr. REID. Mr. President, over the past decade, the five major oil companies have made more than \$1 trillion—that is not billions; it is “T,” trillions. They have also taken home billions of dollars in taxpayer subsidies—our money they have also taken—to add to those grossly exaggerated profits. They get these subsidies they do not need.

You do not need to take my word for it. Even oil executives admit an industry making hundreds of billions of dollars in profits every year does not need a handout from the American taxpayer.

Former Shell CEO John Hofmeister said a decade of high gas prices is incentive enough for oil companies to drill for more oil:

My point of view is that with high oil prices, such subsidies are [totally] unnecessary.

We agree. So do almost 80 percent of the American people. There is no reason for these companies—five companies last year made \$137 billion—to need subsidies from the American taxpayer.

So today Senate Republicans are going to have a chance—another chance, another opportunity—to show Americans where they stand on this issue. I hope they will allow us to invoke cloture on this and to complete this legislation today. They appear poised, however—what I have heard

from my friends on the other side of the aisle—to pick the pockets of American taxpayers in order to line the pockets of these oil executives.

But unless we vote to repeal these wasteful giveaways, the country will spend another \$25 billion over the next decade making these rich oil companies that much richer.

The oil executives who benefit from this bad policy—and the Republicans who go to bat for them—want you to believe repealing taxpayer subsidies will increase gas prices. It is not true. The only effective way to bring down prices at the pump is to reduce our reliance on foreign oil.

We have made progress toward that during the Obama years. For almost the 4 years he has been in office, domestic oil production has increased every year, and America’s dependence on foreign oil has decreased every year.

Everyone should hear again what I said: During the Obama years, domestic oil production has increased, dependence on foreign oil has decreased.

Last year, America used a lower percentage of foreign oil than at any time in almost two decades, thanks to President Obama’s smart energy policies. We have heard speeches in the last couple days here in effect saying: Drill, baby, drill. We are doing a good job. We cannot produce our way out of this mess we are in. America controls less than 2 percent of the oil in the world. We use more than 20 percent of it. And even though we are doing better—and that is good—we must lessen our dependence. We must become energy independent. And we can do that.

There are huge discoveries of natural gas that the Republicans voted against using. Can you imagine that? A bipartisan bill, Menendez-Burr, to use the natural gas. We have more natural gas reserves than any other country in the world. So we wanted to start a program here: Why don’t we use some of it? Boone Pickens—by the way, who is not a Democrat—it is his idea, joined by others: to move the big fleets we have. Millions of these 18-wheelers every day use all this fuel unnecessarily. We could convert these to natural gas—less polluting, easier on the engines. But the Republicans voted against that. I guess the oil companies would rather we use their oil.

The prices at the pump continue to rise. That is because chanting, as I said, “drill, baby, drill” is not a comprehensive solution to this Nation’s energy problems, including high gas prices. We know what is going on in the Middle East. We know there are

complicated issues. We need to continue responsible domestic oil exploration. But we cannot drill our way to energy independence, as I have said. America must also invest in clean energy technologies that will free us from our addiction to oil over the long term.

President Obama was in Nevada last week. Between a place called Railroad Pass and my home in Searchlight, there is a huge what we used to call a dry lake. On that—Boulder City now owns that real estate—they have allowed huge construction projects of solar. You drive by that—it used to be, when I was a little boy, we would drive by that dry lake, and if you looked out there, it looked as though there was water. It was a mirage. Now it is not a mirage. It looks like a lake because there are all those solar panels—more than a million of them there producing huge amounts of energy, nonpolluting. That is the way it should be. We should do lots more of that.

Repealing \$24 billion in lavish subsidies to oil companies would pay for those clean energy investments, with money to spare. With the savings, we can help move forward proven technologies such as solar, wind, advanced batteries, and even next-generation vehicles. We can give innovators the tools they need to bring the next electric car or advanced solar panel from the drawing board to the boardroom.

As most everyone knows, my wife has not been well, so I have not been going to Nevada as much as I had over the 30 years I have been here. But I am going out this coming week because she is doing much better. One of the people I am going to visit next week is a man by the name of Byron Georgiou, who has developed a company for electric cars. I am looking forward to that. They are a manufacturer there in Nevada. It is programs like this that we need. We need to give innovators the tools they need to bring the next electric car, as we have in Nevada, or advanced solar panel from the drawing board to the boardroom, and we can pay down the deficit with the money that is left over. But we cannot do any of that if we continue to give taxpayer dollars to the most profitable corporations in the world—corporations that made, as I indicated, a record \$137 billion in profits last year. It is easy to keep track of because there are only five of them, these multinational corporations.

This morning, when the Republicans consider whether to put oil company coffers ahead of taxpayers' wallets, I hope they consider this fact: The five major oil companies raked in last year \$260,000—it is actually more—more than \$260,000 in profits every minute of every day for 1 year. They did not take Christmas off. It was still made during Christmas: \$265,000 a minute. During Thanksgiving, New Year's, they got the money; more than \$260,000 a

minute. That is a huge amount: \$260,000 in profits every minute—every minute—24 hours a day, 7 days a week. It takes a typical family 5 years to earn what those oil companies took home in profits in a single minute last year.

American families are struggling. Big oil companies are not. Before my Republican colleagues vote to send another taxpayer dollar to Big Oil, I hope they will consider the \$260,000 a minute, and I hope they will make the right decision as we vote at 11:30 today.

RESERVATION OF LEADER TIME

Mr. REID. Mr. President, would the Chair announce the business of the day.

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

IMPOSING A MINIMUM EFFECTIVE TAX RATE FOR HIGH-INCOME TAXPAYERS—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2230, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 339 (S. 2230) a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11:30 a.m. will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

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

The PRESIDING OFFICER (Mrs. GILLIBRAND). Without objection, it is so ordered.

BIG OIL SUBSIDIES

Mr. LAUTENBERG. Madam President, I rise today in a moment when America is in crisis, and I don't think we are paying appropriate attention to the problems that befall our society. There are still too many people out of work, too many people who can't afford health care presently, and too many people who can't educate their children because they don't have the means. They are struggling. Millions of homes are still on the edge of foreclosure. And here we see a situation that is unacceptable under any stretch of the imagination.

I rise today to talk to the American people who are struggling every week to provide the necessities for family life. At the same time, I ask my Repub-

lican colleagues why they would insist on continuing tax subsidies—gifts, really—to multibillion-dollar oil companies at the expense of ordinary, hard-working, middle-income families. Right now, these families are forced to come up with \$4 per gallon—\$60 to \$80 dollars, typically—to fill the tank every time they have to go to the gas station. That is a huge burden. The big five oil companies have made almost \$1 trillion in profits in the last decade. Look at how much money these companies made in the last year alone. It was a record \$137 billion between the big five oil companies.

Look at them: ExxonMobil—these poor guys need a subsidy. They only made \$41 billion—\$41 billion—in a single year. Look down the list. The last of the five must believe that trying to catch up is pretty tough. They only made \$12 billion. That is Conoco, the last. In 1 year, they made \$12 billion.

Given how well these companies are doing, why are we giving them billions of dollars in tax breaks? The legislation we are voting on today presents a better idea. It says we should end these tax breaks and instead invest in clean energy solutions that can break our dangerous dependence on oil.

Investing in renewable energy has helped launch industries that create jobs and clean up our air and provide homemade — homemade — American power. Clean energy is also our best chance to break through spiraling gas prices and our reliance on foreign oil. One would think our colleagues on the other side of the aisle would want to put a stop to the punishing effects of higher and higher gas prices on middle-income working people. Why wouldn't they want to end America's dependence on fossil fuels and eliminate needless tax breaks for oil companies? Two words: Big Oil.

Big Oil is doing all it can to protect their tax breaks. Even a retired chairman and CEO of Exxon said it is not necessary; they do not need it. But they are taking it. Big Oil is doing all it can to protect their tax breaks, and the Republicans are lining up to help Big Oil.

It is time to tell the truth. Making oil companies pay their fair share in taxes is not going to raise the price of gas, contrary to what they publish. It just means Big Oil executives might have to trim their sail a little bit and share in the problems we have. A long time ago when I was a soldier, we had an excess profits tax for companies that made, in a way, unconscionable amounts of money based on the situation our country was facing. So it is just a matter of sharing some of the responsibility our country has in order to keep everybody feeling as though they are participating in the American dream, not a nightmare.

While millions of Americans are struggling every week to pay their

bills, everybody should take a look at how much oil companies are paying their executives. Here is a fellow who personally runs ExxonMobil, the CEO, and he was paid \$29 million last year. That is what I said, \$29 million. Conoco Phillips' CEO received \$18 million, and Chevron's exec made \$16 million in income in 1 single year.

By the way, that is from money earned for an essential product. When we look at gasoline, it almost compares to having medicines available because when we look at the cost of gasoline, we might ask: What would it take to educate all the children who can learn? Way less than we see demonstrated on these charts and their balance sheets. Working men and women in this country on average make just over \$27,000 a year—\$27,000 a year.

I don't begrudge high profits. I really don't. I ran a big company, a company I helped start, which has 45,000 employees. It is a huge company. It is a company that calculates the employment records every month. The company is called ADT. So I don't mind big profits.

The question is, Who are you taking them from and how critical is the product they are being forced to buy? Right now, people are paying an average of \$3.91 per gallon of gas.

What about the people who live in other places? We picked at random a county in Mississippi. The county is called Issaquena County. Last year, the entire income for all the people in that county who were working was just over \$16 million. All the people in a single county made \$16 million. This poor guy at Chevron made \$16 million by himself, and the others would leave all of those in that county way behind. A single oil company CEO made more in 1 year than all the people in that county put together. These hard-working people are already contributing to the income of oil executives whenever they fill up their gas tanks. Is it fair to ask them to chip in with their tax dollars to pay even more toward these record-setting salaries?

Over the last 10 years, CEO pay at Exxon and Chevron has more than tripled. Over the same period, gas prices have nearly tripled. The picture is clear: Working people are struggling to fill up their tanks while oil executives are struggling to carry their big fat paychecks to the bank. It is almost beyond belief that Senators are lining up to protect tax breaks for oil companies—some Senators, I say—beyond belief.

I say to them: Mind your responsibilities. You were elected not just by oil company executives or even oil company employees. Let's focus on the hard-working Americans who are paying more and more at the gas pump, the clean energy workers who might lose their jobs, and our men and women in uniform who put their lives on the line to protect oil supplies.

The American people know these subsidies are unnecessary, that they are ineffective, and they are immoral considering the conditions that exist in our society. Continuing to subsidize oil companies only increases our dependence on dirty fuels. It keeps us on a dead-end road to sky-high energy bills, more oil spills, and dangerous pollution levels.

So I call on my colleagues to kick Big Oil off of the welfare rolls and invest in clean energy jobs. Let's end the industry's tax breaks and break our country's addiction to oil and other dirty fuels. Let's invest in clean energy and smart transportation, not windfalls for oil industry executives and lobbyists. Let's make certain our children and our grandchildren inherit a country that is fiscally sound, morally responsible, and free from its dependence on oil.

Let's not worry about the oil companies. They can take care of themselves. Let's stop this drain on our society, this drain on working-class citizens. Let's pay attention to the millions and millions of people in America who say: Just give us a chance, give us a chance to make a decent living; give us a chance to educate our children; give us a chance to keep our jobs; give us a chance to maintain our homes; get us off the possible foreclosure line. That is what we are looking for.

That is the purpose of this legislation—to say to the American people: Look in this Chamber, Mr. and Mrs. America. Look in this Chamber and see the people who are supporting Big Oil profit fattening. Look at those who are supporting these profits.

Again, I don't mind companies making profits, but when the profits come in almost blood money, when you think of the effect gasoline has on family life, it is unfair, it is indecent, and it is improper.

With that, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

THE PRESIDING OFFICER. The Republican leader is recognized.

MR. MCCONNELL. Our friends on the other side, the Senate Democrats, have put on a clinic this week on how not to run a serious legislative body. If they have achieved anything at all, it is to make Americans even more frustrated with Congress, as if that were possible.

Faced with skyrocketing gas prices, Senate Democrats turned to a bill that even they admit doesn't lower them. Then, to make matters worse, they blocked Republicans from offering anything that might. That was their brilliant plan on how to deal with gas prices: raise taxes on energy companies, when gas is already hovering around \$4 a gallon, then block consideration of anything else just to make sure gas prices don't go anywhere but up.

Somehow they thought doing this would set up some kind of political win

for them, which, frankly, I don't understand. I mean, I can't imagine anybody giving them any high-fives for not lowering gas prices. But, anyway, that was obviously the plan. It appears to have fallen short because now they want to move off this issue and on to another political vote to yet another debate where the goal isn't to make a difference but, rather, to make a point—to increase taxes not lower prices at the pump.

Well, I don't expect this next vote will have the political punch they expect either. But that is the Democratic plan anyway. It is getting quite tedious. Day after day after day, Senate Democrats all choose to come out here not so we can make an actual difference in the lives of working Americans and families struggling to fill the gas tank, but so we can watch them stage votes for show. For some reason they thought they would put some political points on the board this week if the American people saw them voting for a tax hike we all knew ahead of time didn't have the votes to pass.

That didn't work. If anyone has any doubt about that, just ask yourself why they were moving to actually get off of it. Now they think they will score political points by staging another vote on a tax hike we know doesn't have the votes to pass.

None of this makes sense to me. But that is how the Democrats have chosen to run this place. If they want to keep trying to distract the American people from the fact they do not have any solutions to the problems we face, that is their prerogative. But that is not going to keep Republicans from talking about ours. That is not going to keep us from trying to actually make a difference around here.

Surveys show two-thirds of Americans disapprove of the way the President is handling high gas prices.

We know high gas prices are having a negative impact on Americans' daily lives. So we think the American people are entitled to this debate. They sent us to do something other than put on a show, and that is why we will continue to insist on a serious debate.

The majority leader frequently complains there isn't any time to focus on priorities such as cybersecurity, postal reform, and the Export-Import Bank, not to mention maybe passing a budget for the first time in 3 years. Yet he seems to find the time to hold not one but two political show votes on tax hikes.

The way I see it, the American people didn't send us to score political points. As I said, they sent us to make a difference. So I will be voting against this tax hike on American energy manufacturers, and I would urge my colleagues to do the same.

I hope that when the Senate returns in April, Democrats will have heard from their constituents and will focus

on jobs and prices at the pump—rather than the latest political vote.

Mr. REID. Madam President, if my friend would yield. I have a unanimous consent request.

Mr. MCCONNELL. I will be happy to yield.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the cloture vote on S. 2204, which is currently set for 11:30, be moved to start at 11:15.

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

Mr. REID. Members should not be worried about this because we will keep the vote open until at least noon. So everybody who was scheduling to vote at 11:30 can still do that.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HEALTH CARE

Mr. MCCONNELL. Madam President, we have all been following what has been going on across the street this week with great interest. While we all have our preferences, none of us knows at this point how the Supreme Court will rule. But one thing we should all be able to agree on is that the President's health care bill is a mess, an absolute mess.

The American people clearly don't like it. Polls show the majority want the law repealed. More than two-thirds of the public, including most Democrats, believe the core of this bill is unconstitutional. It is loaded, literally loaded with broken promises.

The President said it would lower costs. It is, in fact, raising costs. Proponents said it would create jobs. Now we know it means fewer jobs. The President said families would save on their premiums. They are, in fact, going up. He said people would be able to keep the insurance they have and like. They will not. CBO's most likely prediction finds 3 to 5 million Americans will lose their current plan every single year. The President said he would protect Medicare, but, instead, the law raids Medicare for over \$500 billion, cutting billions from hospitals, nursing homes, hospices, and Medicare Advantage.

The President promised the American people their taxes wouldn't go up one penny. Two years later, the American people found out their taxes will be going up by more than \$550 billion. The Joint Committee on Taxation found no fewer than 11 separate taxes and penalties that fall squarely on the middle class.

Remember the CLASS Act? The administration said it would be fiscally stable and would reduce the deficit. A couple months ago, it was determined to be unsustainable and was shut down before it even began.

The President told the American people, "Federal conscience laws will remain in place." Two years later, he turned around and gave his approval to HHS to mandate that religious-affiliated schools, universities, hospitals, and charities would have to violate their religious tenets or pay a hefty fine.

Finally, the health care law will increase Medicaid rolls by nearly 25 million people, costing already cash-strapped States another \$118 billion—money many Governors, including Kentucky's, don't know where to get.

This law is bad for Kentucky, it is bad for the country, and it is bad for health care. Americans don't want it. Regardless of what the court decides this summer, it should be repealed and it should be replaced. It should be replaced with commonsense reforms that lower costs and that Americans actually want—reforms that protect jobs and State budgets, reduce the deficit, reform entitlements, and strengthen Medicare.

One broken promise is one too many. This law is full of broken promises from top to bottom.

Two years ago, then-Speaker PELOSI said we would have to pass this bill to find out what was in it. Now we know. The American people have had a chance to decide for themselves. They don't like it. They want it repealed, and that is what we plan to do.

TORNADO RELIEF

Madam President, I once again share with my colleagues stories of the heartbreaking events in my home State of Kentucky in the aftermath of the horrific wave of storms and tornadoes that ravaged my State, along with several others in the Midwest, earlier this month.

As I have already stated on the floor, these were very severe tornadoes, with at least 11 funnel clouds confirmed by the National Weather Service to have touched down in my State, blowing at wind speeds up to 125 miles an hour.

We know 24 Kentuckians lost their lives and more than 300 were injured. Many homes, churches, schools, and places of business were destroyed. Scenes of destruction still exist across the State in places such as Magoffin County, Menifee County, Kenton, Morgan, Laurel, Lawrence, Martin, Pulaski, Johnson, and Trimble, all those counties in my State which were among the hardest hit.

Kentuckians are working hard to rebuild. I am pleased to say that despite the tragedy of lives lost, families grieving, and memories destroyed forever, there is some good news to report; that is, how inspiring it is to see so many

good-hearted Kentuckians come together to provide for their neighbors in the wake of these tornadoes.

Take, for example, the congregation of Arthur Ridge Baptist Church in the town of East Bernstadt, located in Laurel County. Thanks to the leadership of Pastor Steve Smith, Arthur Ridge Baptist Church opened its doors within hours of the storm's end to provide food and shelter for those who needed it.

Pastor Smith kept the church doors open for 24 hours a day and served up to 700 meals a day to local residents who had no food, no kitchen, and no home to call their own. According to Pastor Smith, people from all over the area pitched in. Folks from different churches worked to prepare meals, and many residents donated items such as dishes, silverware, toiletries, pillows, and blankets for care packages to distribute to the victims of the storm. Local businesses did their part too. The nearby Little Caesar's pizza in London gave away 120 pizzas in 1 day, soon after the tornadoes. Many other local restaurants donated food as well.

Thanks in part to the efforts of Pastor Smith and the congregation of Arthur Ridge Baptist Church, life is just a little bit better for many in East Bernstadt. At first, the church had to tend to people's most immediate and "simple needs—water, a hot meal, an air mattress to sleep on," says Pastor Smith, who is a Laurel County native and has been the pastor at Arthur Ridge now for 6 years. He says, however, "People are over the shock and awe."

Weeks after the tornadoes passed, the church was still open 14 hours a day, distributing 125 to 150 meals a day and running a clothing distribution center. Pastor Smith's latest focus was on finding a place to set up donated washing and drying machines so local storm victims without homes can actually clean their clothes.

Over 3,500 people have registered to volunteer in the region, and as of last week over 25,000 meals had been served to displaced families.

This is just one story of how many Kentuckians have joined together to help the least fortunate in my State. Hawk Creek Baptist Church in Laurel County, First Baptist Church of East Bernstadt, and Trinity Freewill Baptist Church of Martin County also opened their doors to provide shelter and relief to displaced Kentuckians and the volunteers working to help them in the days after the disaster struck.

Jim Paul, director of the organization called Ken-Tenn Relief Team, was in East Bernstadt the morning after the storms with food supplies. He trucked in a tractor-trailer load of donated food and other items and personally volunteered dozens of hours in at least three counties to aid storm victims.

In Morgan County, the local Appalachian Regional Healthcare hospital suffered serious damage. Every second-floor window of the hospital was literally blown out, doors were torn off their hinges, and part of the roof was ripped off. Dozens of people were injured and the patients had to be evacuated to nearby hospitals.

Luckily, Martie and Teresa Johnson, owners of a nearby Wendy's restaurant, stepped in to help. They served 450 hot meals to the cleanup crew who came in to repair the Morgan County ARH hospital and also traveled to Salyersville and gave away food there.

One television station in Hazard, WYMT, held a telethon to raise money for victims across the State. I was pleased to play a small part in that effort myself, as the television station asked me to record a greeting describing the devastating effects of the tornados. The people of the region raised over \$180,000 in the telethon for disaster relief.

The local J.C. Penney of Corbin donated clothing and shoes to area elementary school students, and the employees of the store took up a collection to donate winter, spring, and summer clothing for the children.

"Some of [the employees] don't have a lot to give, but when this came up, they all wanted to know what else we needed," says Tiffany Flint, the Corbin J.C. Penney store manager.

We hope it will help the children to look good and feel good. We just wanted to do this to help them get back on their feet.

The men's soccer team from Kentucky's University of the Cumberlands donated some of their time to help the less fortunate. Head soccer coach Brenton Benware, his staff, and nearly 30 student athletes drove to East Bernstadt to help clean up debris in the area.

"Going . . . was just another reminder of how blessed we really are," said Coach Benware. "I think we were all deeply affected by what we saw and reminded how important it is to serve and help our neighbors in times of need."

While there, the University of the Cumberlands soccer team may have run into the soccer team from Union College, which also traveled to Laurel County to help. The team stacked wood from downed trees, cleared debris from backyards, and helped a man move a displaced steel roof that the tornado had deposited in his yard.

Union College dean of students Debbie D'Anna was responsible for sponsoring the trip, while the school's campus food services donated snacks and bottled water, and James Jimerson of the school's physical plant loaned out tools. Local businesses, such as Knox Hardware and Pope's Lumber, donated work and cleaning supplies. Many faculty, staff and students of Union College donated items such as food, clothing, and other essentials.

In Salyersville, a town in Magoffin County, the block known as "Restaurant Row" was hit by a tornado and nearly every restaurant on it destroyed. One of the few left was a Dairy Queen owned by Doug and Sue Mortimer.

On the night of the storms, they opened their restaurant, running on generator power, and served free meals to the volunteers working to clean up the wreckage.

Several Home Depot stores in Kentucky and Indiana contributed to the relief efforts as well. In the West Liberty area, district manager Becky Young and store manager Jim Householder coordinated donations of approximately \$2,600, and Jim's store employees were out immediately after the storm handing out paper towels, trash bags, and gloves to relief volunteers.

Other Home Depot stores in Kentucky and Indiana, led by district manager Tim Choate and district human resource manager Lee Ann Bruce, donated thousands of dollars' worth of products such as chainsaws, gloves, respirators, tarps, water, and trash bags to organizations such as the Henryville Fire Department and local United Way chapters. And store employees volunteered to assist those organizations in the recovery.

Lowe's stores in Kentucky have also pitched in, providing gloves, tarps, shovels, bleach, and other supplies to communities all across the State. In addition to over \$300,000 donated by the company to relief efforts after the storms, the Lowe's district manager for Kentucky, Stephen West, dispatched "Lowe's Heroes," store employees who are volunteering their time and construction know-how.

Local Walmart stores in Kentucky as well as the company's foundation have provided tens of thousands of dollars' worth of water, cleaning supplies, baby food, diapers, and more to help the community. Bob Gound, the market human resources manager for Walmart locations in eastern Kentucky, has taken the lead in coordinating these efforts. And local store employees are making bag lunches and handing them out in the hardest-hit Kentucky communities.

I have seen firsthand in my recent visits to the Bluegrass State both how severe the destruction is, and how hard the people of Kentucky are working to rebuild and lift their neighbors out of the dire circumstances that the cruel forces of nature have put so many of them in.

It is thanks to altruistic and generous Kentuckians like Pastor Steve Smith, among many others, that I am confident that the Kentuckians hurt by these storms will recover. I and my staff throughout the State have heard so many heart-warming stories like the few I have just shared that it would not be possible for me to recite them all on this Senate floor.

But I hope that the few stories I have shared are more than enough to reassure my colleagues, the people of Kentucky, and the world that we Kentuckians are stout of heart and firm in our resolve. We will prevail over this tragedy. We will rebuild towns like East Bernstadt to be better than they were before. And the families of Kentucky will hopefully one day heal the wounds in their hearts and continue on.

TRIBUTE TO LAURA DOVE

Madam President, I know I have inconvenienced the Senator from Georgia, but I have one more rather brief comment. I would like to say a few words about Laura Dove, who is leaving us this week, sitting right here at the table on the Republican side of the Chamber in the well.

For C-SPAN2 watchers out there, Laura is the assistant secretary for the minority. We wish she were the assistant secretary for the majority, but she is assistant secretary for the minority, which means she is one of the people who make this place run every day but whose names you don't hear on the rollcall.

She has put in her time, starting out as a page in high school and later moving to the Republican cloakroom. She did a stint at the Senate Republican Conference and the National Republican Senatorial Committee. And then Dave Schiappa, the Secretary for the Minority, hired her back into his shop about 10 years ago.

And she's done a fabulous job. Senate work is in Laura's DNA. Her dad's a past Senate parliamentarian. And she's been an invaluable member of the floor team for as long as I can remember—counseling members on the floor, working with committees to clear legislation, and doing countless other essential tasks, big and small, that nobody watching from home would even notice.

She always has a smile, always handles the pressure down in the well with a cool-head, and I know she's been an anchor for Dave over the years. So we will miss having her around.

And we wish her all the best as she moves onto other things.

I know she wants to travel with her husband Dan, and her two children Jakey and Abby. I don't think any of us would be surprised if Laura came back. But for now, I thank her for her service to the Senate.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. I would note that it is never an inconvenience to be deferred by a beautiful lady, and again I take all the remarks made by the leader about Ms. Dove, and I would add one thing about the best and greatest institution in America, the U.S. Senate, and that is that a young mother of two has become an institution to herself. Laura, we appreciate all you have done.

MISSILE DEFENSE

Mr. ISAKSON. Madam President, I rise to talk about two specific subjects, one of them a very troubling comment picked up by a microphone that was not believed to be live, made by President Obama to President Medvedev of Russia. It is a troubling comment to me because I spent most of the previous year in the Senate as a member of the Foreign Relations Committee working on the New START treaty, which the Senate adopted with 71 favorable votes a year ago, a treaty that is a treaty on offensive missiles, not defensive missiles nor strategic missiles.

It is a treaty that began under Ronald Reagan, was ratified by George H.W. Bush shortly after the fall of the Berlin Wall, was extended under George W. Bush and terminated a couple of years ago and needed to be renewed. It is a treaty that did three things. First of all, it reduced offensive weapons held by the Russians and the Americans; second, gave us unilateral access to Russia and the Russians unilateral access to us to trust but verify the warheads that existed; and third, new identification systems and holographs that made it almost impossible to hide or mimic nuclear warheads. It is a comprehensive treaty that is important to America, important to the free world, and, quite frankly, important to Russia.

I would like to quote from the Washington Post exactly what the President was picked up as having said when he was talking to Mr. Medvedev after their official conversation.

I quote from the Washington Post:

On all these issues, but particularly missile defense, this, this can be solved—

I underline, nobody knows what “this” means—

but it’s important for him to give me space.

President Medvedev said back:

Yeah, I understand.

Then the President said the following:

This is my last election. After my election, I [will] have more flexibility.

That flexibility obviously refers back to “this,” which was in the first comment.

So as a continuing member of the Foreign Relations Committee, one who is proud of the work we did on the START treaty but one who understands particularly the commitments of the country, I think it important that the President clarify what “this” meant and how flexibility would be applied if he were reelected as President of the United States for this reason: In the President’s letter to the Senate to endorse the New START treaty and ask for its ratification, he said the following: that he pledged in his message to the Senate on the New START treaty “to continue development and deployment of all stages of the Phased

Adaptive Approach to missile defense in Europe, including qualitative and quantitative improvements to such system.” That is a unilateral statement.

I met with Vice President JOE BIDEN in his office outside this Chamber during the debate. Vice President BIDEN committed the administration in terms of continuing on missile defense. I met with Secretary of State Clinton. I met with Ellen Tauscher, who was one of the chief negotiators and chief operatives, a former Member of the House working for the State Department. There was never any wiggle room nor need for flexibility. The United States was committed to missile defense in Europe, we remain committed to this day, and it is important that the President reaffirm that and it not be in any way confused or blurred by the comments picked up by that microphone. It is too important to the country, it is too important to this body, and it is too important to me for us to be able to trust the words of each other, not to find out sometime later that they want flexibility to possibly move from those words. Nuclear defense clearly is very sensitive with the Russians, and I understand that. If there are negotiations on that, that ought to be in the open, not after we have time for flexibility. It ought to be forthright.

I also would like to add that there is another missile defense issue that looms out there that we have to pay attention to. Israel is surrounded by missiles with warheads to injure the people of that country and take the country down. A missile defense system for Israel would be equally as important as missile defense deployment would be for the Eastern European countries.

So missile defense was a vision of Ronald Reagan’s, continued under every President of the United States since Ronald Reagan, and it is important that we remain committed to it. I believe it is particularly important to understand what the President said, particularly on missile defense, what “this” meant when he asked for flexibility, because there should be no wiggle room in our desire to protect and defend democracy not only in the United States but around the world.

Madam President real quickly, we talked all week about gas prices, and there has been a lot of demonization from both sides. I am a pretty simple guy. I was a businessman for 33 years, went and got a degree in college in business, studied economics in high school, and learned one principle of free enterprise and competition: prices are determined by supply and demand. If your supply goes down and your demand goes up, your prices go up. On the contrary, if the supply is plentiful and demand goes down, your prices go down. You can blame gas companies,

presidents’ salaries, anything you want to blame; the fact is, we are talking out of the side of our mouth—and particularly in the administration—when it comes to exploration for natural resources in the United States of America, and only can we become energy independent when we develop all of our resources. I support that. I drive a hybrid car. I am not just somebody who talks about it, I believe it is important. It reduces my consumption, it extends my miles per gallon, and it is better for the environment.

But we have proven through the Solyndra and other cases that some of the alternative energy sources were either not perfected or frankly just don’t work. So while we are developing ones that do, we should be robustly exploring in the gulf, in Alaska, in the Midwest, in the Northwest, and offshore, such as my State of Georgia, the resources we know exist to raise the supply of petroleum in the United States and lower the price to the American taxpayer.

All four sources of energy that are safe and reliable should be promoted. That includes nuclear energy. I am very proud and I am thankful to the President that he issued the loan guarantee on the first reactors licensed in this country since 1978. They are in Plant Vogtle in Augusta or Burke County, GA. But his Chairman of the Nuclear Regulatory Commission voted no on that final approval. He was outvoted 4 to 1, but he voted no. That sends a signal that we may talk on one hand about having robust development of all resources, but when it comes to playing our hand on the actual vote, we really don’t do it. The same thing is true with the Keystone Pipeline. You can’t just approve the pipeline to the south without connecting it to the north because if you do, you don’t get the petroleum.

We can blame whomever we want to blame, but the fact is facts are stubborn, and supply and demand is what dictates price. We should robustly be exploring the natural resources of the United States for America to have less dependence on foreign oil and more dependence on our own oil where we know we have resources. We should pay attention to our environment and recognize that no country in the world has done a better job in the modern era since the industrial revolution of cleaning up its environment than the United States of America. No one looks after their environment harder than the United States of America. We owe it to our people to look equally hard at the cost of gasoline, the price of petroleum, and the robust exploration of our own natural resources here at home for less dependency overseas.

I yield the floor and defer to the Senator from Louisiana, who has a lot of offshore resources of his own.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I rise to talk about one of the most pressing challenges Louisiana families—indeed, most American families—face, and that is the price at the pump and the enormous hit that is to their family budgets, their pocketbooks, their wallets. It is really making life very difficult in the midst of a very weak economy.

A few years ago the price was \$1.84. That was on the day Barack Obama was sworn in as President of the United States. Now it has more than doubled; it is \$3.80-plus. It seems to be rising every day, and that is a real crisis to a lot of American families. We should be committed here in the Senate, here in Washington, to connecting with the real world and focusing on real problems and real crises. For millions of Louisiana and American families, that is absolutely it. Unfortunately, I don't see real solutions and a real policy to address that coming out of the President or some of my colleagues on the Senate floor. Right now, to the minute, as we speak on the Senate floor, the President is speaking at the White House, and he is laying out his proposal to raise taxes on domestic energy companies and domestic oil and gas production. That is not a policy that is going to help Louisiana and American families with the price at the pump. In fact, it is a policy that is going to make it worse and not better.

Folks get it in the real world. They certainly do in Louisiana. When we increase taxes on something, those are costs that almost every business, if they possibly can, is going to pass on to consumers. That is pushing prices up, not down.

It is also the first rule of economics, as my colleague from Georgia said, supply and demand. If we tax something more, we get less of it. If we increase taxes on domestic energy producers, on domestic oil and gas, we will get less of it. Less supply means the price goes up. So those are two compelling reasons this proposal is not going to help Louisiana families and American families with their struggles with the price at the pump. It is going to make it even worse, when it has been getting worse on its own for a lot of related reasons, very dramatically. So that is not a policy. That is not a commonsense or a real-world solution.

Likewise, one of the few other things I have heard from the President in terms of this matter is essentially begging other countries to increase their production. I don't think that is a policy worthy of America either. I think the perfect symbol for that approach is the President bowing to the princes of Saudi Arabia. It is a symbol of his approach of trying to deal with the price at the pump, and it is not good enough and it is not worthy of the American people.

Other folks have also adopted this approach. Senator SCHUMER, our col-

league in this Chamber, recently wrote Secretary of State Clinton on February 28, 2012, just a few weeks ago:

To address this situation—

Meaning the price at the pump—

I urge the State Department to work with the government of Saudi Arabia to increase its oil production, as they are currently producing well under their capacity.

Begging Saudi Arabia is not an adequate solution, and it is not a policy worthy of America.

President Obama's own Energy Secretary Chu said even more recently, on March 20 of this year:

We're very grateful that Saudi Arabia has extra capacity and it feels confident that it can fulfill any potential deficits, at least the way the current markets are now, the current demand I should say, are now.

Again, begging Saudi Arabia, begging the Middle East, begging other countries, that is not an adequate policy and it is not a policy worthy of America.

President Obama has done a world tour doing some of this in other countries. Notably, on March 20, 2011, when my part of the country was still struggling with the de facto moratorium in the Gulf of Mexico, a permit logjam blocking us from producing good, reliable American energy, putting Americans, Louisianans to work, the President went to Brazil to beg them to produce their resources and to promise them that the United States would be a great customer. Quote:

We want to help you with the technology and support to develop these oil reserves safely. And when you're ready to start selling, we want to be one of your best customers. At a time when we've been reminded how easily instability in other parts of the world can affect the price of oil, the United States could not be happier with the potential for a new, stable source of energy.

He means drilling in Brazil. I have to say this was like rubbing salt in the wound to most Louisianans. As I said, this was March 2011, a year ago, and we were still suffering from a continuing de facto moratorium that the President had imposed following the BP incident. So he was going to Brazil and urging them to drill, urging them to explore, committing America to that, and refusing to do it in America in the Gulf of Mexico. That is not a commonsense solution. That is not a real-world policy. That is not a policy worthy of America. None of this begging is.

Other countries do have an energy policy, and it is not begging; it is developing. It is controlling their own future. Very recently in the press there have been reports that PetroChina has now become the leading company publicly traded in terms of production of oil, far surpassing Big Oil and all the other companies that have been demonized by my colleagues on the left on the Senate floor.

Madam President, I ask unanimous consent to have the press report printed for the RECORD.

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

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 29, 2012]

PETROCHINA PRODUCED MORE OIL THAN INDUSTRY GIANT EXXON MOBIL IN 2011

(By Associated Press)

NEW YORK.—A big shift is happening in Big Oil: an American giant now ranks behind a Chinese upstart.

Exxon Mobil is no longer the world's biggest publicly traded producer of oil. For the first time, that distinction belongs to a 13-year-old Chinese company called PetroChina. The Beijing company was created by the Chinese government to secure more oil for that nation's booming economy.

PetroChina announced Thursday that it pumped 2.4 million barrels a day last year, surpassing Exxon by 100,000. The company has grown rapidly over the last decade by squeezing more from China's aging oil fields and outspending Western companies to acquire more petroleum reserves in places like Canada, Iraq and Qatar. It's motivated by a need to lock up as much oil as possible.

The company's output increased 3.3 percent in 2011 while Exxon's fell 5 percent. Exxon's oil production also fell behind Rosneft, the Russian energy company.

PetroChina's rise highlights a fundamental difference in how the largest petroleum companies plan to supply the world as new deposits become tougher to find and more expensive to produce.

Every major oil company has aggressively pursued new finds to replace their current wells. But analysts say Western oil firms like Exxon Mobil have been more conservative than the Chinese, mindful of their bottom line and investor returns. With oil prices up 19 percent in 2011, they still made money without increasing production.

PetroChina Co. Ltd. has a different mission. The Chinese government owns 86 percent of its stock and the nation uses nearly every drop of oil PetroChina pumps. Its appetite for gasoline and other petroleum products is projected to double between 2010 and 2035.

"There's a lot of anxiety in China about the energy question," says energy historian Dan Yergin. "It's just growing so fast."

While PetroChina sits atop other publicly traded companies in oil production, it falls well short of national oil companies like Saudi Aramco, which produces nearly 8 million barrels a day. And Exxon is still the biggest publicly traded energy company when counting combined output of oil and natural gas. PetroChina ranks third behind Exxon and BP in total output of oil and natural gas.

PetroChina is looking to build on its momentum in 2012.

"We must push ahead," PetroChina chairman Jiang Jiemin said in January.

PetroChina has grown by pumping everything it can from reserves in China, estimated to contain more than 6.5 billion barrels. It drilled thousands of oil wells across vast stretches of the nation's northern grasslands. Some of those fields are ancient by industry standards, dating close to the beginning of China's communist government in the 1950s.

The commitment to aging fields distinguishes PetroChina from its biggest Western rivals. Exxon and other major oil companies typically sell their aging, low-performing fields, or they put them out of commission.

PetroChina also has been on a buying spree, acquiring new reserves in Iraq, Australia, Africa, Qatar and Canada. Since 2010,

its acquisitions have totaled \$7 billion, about twice as much as Exxon, according to data provider Dealogic.

Several other Chinese companies have become deal makers around the globe as well. Total acquisitions by Chinese energy firms jumped from less than \$2 billion between 2002 and 2003 to nearly \$48 billion in 2009 and 2010, according to the International Energy Agency. More times than not, the companies are paying above the industry average to get those deals done.

It's making some in the West nervous.

In 2005, for example, CNOOC Ltd., a company mostly owned by the Chinese government tried to buy American oil producer Unocal. U.S. lawmakers worked to block the deal, asking President Bush to investigate the role the Chinese central government played in the process. Chevron Corp. eventually bought Unocal for \$17.3 billion.

"There's a resistance to Chinese investment in (U.S.) oil and gas," Morningstar analyst Robert Bellinski says. "It's like how Japan was to us in the 1980s. People think they're going to take us over. They're going to buy all of our resources."

That's unlikely to happen. It doesn't make economic sense to export oil away from the world's largest oil consumer.

But the Chinese could make it tougher for Big Oil to generate returns for their shareholders. China's oil companies have been willing to outspend everyone and that drives up the price of fields and makes it more expensive for everyone to expand.

"You now have to outbid them," says Argus Research analyst Phil Weiss. "If you can't, you're going to have access to fewer assets."

Longer term, Chinese expansion globally will bring benefits to the U.S. and other economies. By developing as many oil wells as possible—especially in Africa, Iraq and other politically unstable regions—China will help expand supply.

"Frankly, the more risk-hungry producers there are, the more oil will be on the market, and the cheaper prices are," says Michael Levi, an energy policy expert at the Council on Foreign Relations.

Despite its swift expansion, PetroChina and other Chinese companies still have much to prove to investors, analysts say.

PetroChina's parent, China National Petroleum Corp., for example, has spent millions of dollars in Sudan to provide highways, medical facilities and shuttle buses for the elderly. Oil companies typically don't do that. All of that increases the cost of business and minimizes the returns for shareholders.

In 2009 and 2010, PetroChina's profit margins for its exploration and production business were only about two-thirds that of Exxon Mobil's. Its stock price has climbed less than 1 percent, in the past year, compared with a 3.7 percent rise in the stock of Exxon Mobil Corp.

"You have to ask yourself: What is the purpose of PetroChina?" Bellinski says. "It is to fuel China. That's it. Although they're a public company, I'm very skeptical that they have any interest in shareholder value creation."

Mr. VITTER. The Chinese are not going around the world begging. The Chinese are developing. The Chinese are trying to control their own destiny, and PetroChina is now the leading company in terms of producing oil.

Petrobras in Brazil is another example. Brazil is developing its resources

very aggressively. That is what I referred to when the President went there a year ago and applauded them and encouraged them with giving them U.S. resources to do it in terms of loan guarantees, and the President absolutely promised we would be a great customer.

The Brazilians are not traveling the world begging. The Brazilians are controlling their own destiny. The Brazilians are responsibly developing their own resources, and our President even applauds that while refusing to do the same in this country.

Madam President, I ask unanimous consent to have the press report printed in the RECORD.

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

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Times, Jan. 19, 2012]

CHINA GETS JUMP ON U.S. FOR BRAZIL'S OIL—
TWO EXPORT PACTS A COUP FOR BEIJING
(By Kelly Hearn)

BUENOS AIRES.—Off the coast of Rio de Janeiro—below a mile of water and two miles of shifting rock, sand and salt—is an ultradeep sea of oil that could turn Brazil into the world's fourth-largest oil producer, behind Russia, Saudi Arabia and the United States.

The country's state-controlled oil company, Petrobras, expects to pump 4.9 million barrels a day from the country's oil fields by 2020, with 40 percent of that coming from the seabed. One and a half million barrels will be bound for export markets.

The United States wants it, but China is getting it.

Less than a month after President Obama visited Brazil in March to make a pitch for oil, Brazilian President Dilma Rousseff was off to Beijing to sign oil contracts with two huge state-owned Chinese companies.

The deals are part of a growing oil relationship between the two countries that, thanks to a series of billion-dollar agreements, is giving China greater influence over Brazil's oil frontier.

Chinese oil companies are pushing to meet mandatory expansion targets by inking deals across Africa and Latin America, but they are especially interested in Brazil.

"With the Lula and Carioca discoveries alone, Brazil added a possible 38 billion barrels of estimated recoverable oil," said Luis Giusti, a former president of Venezuela's state oil company, PDVSA, referring to the new Brazilian oil fields.

"That immediately changed the picture," he said, adding that Brazil is on track to become "an oil giant."

During Mrs. Rousseff's visit to China, Brazil's Petrobras signed a technology cooperation deal with the China Petroleum & Chemical Corp., or Sinopec.

Petrobras also signed a memorandum of understanding with Sinochem, a massive state-owned company with interests in energy, real estate and agrichemicals.

The Sinochem deal aims to identify and build "business opportunities in the fields of exploration and production, oil commercialization and mature oil-field recovery," according to Petrobras.

The relationship with China goes back to at least two years before Mr. Obama came to Brazil to applaud the oil discovery and tell Mrs. Rousseff:

"We want to work with you. We want to help with technology and support to develop these oil reserves safely, and, when you're ready to start selling, we want to be one of your best customers."

China rescued Petrobras in 2009, when the oil company was looking at tight credit markets to finance a record-setting \$224 billion investment plan. China's national development bank offered a \$10 billion loan on the condition that Petrobras ship oil to China for 10 years.

A chunk of Brazil's oil real estate appeared on China's portfolio in 2010, when Sinopec agreed to pay \$7.1 billion for 40 percent of Repsol-YPF of Brazil, which has stakes in the now internationally famous Santos Basin, and the Sapinhoa field, which has an estimated recoverable volume of 2.1 billion barrels. Statoil of Norway also agreed that year to sell 40 percent of the offshore Peregrino field to Sinochem.

Last year, Sinopec announced it would buy 30 percent of GALP of Brazil, a Portuguese company, for \$3.5 billion. GALP has interests in the Santos Basin and a 10 percent stake in the massive Lula field.

"The \$5.2 billion cash-in we will get from Sinopec is paramount for our strategy in Brazil," GALP CEO Manuel Ferreira de Oliveira told Bloomberg News.

"It will give us a rock-solid capital base as we enter a decisive investment period at the Santos Basin. This operation values our existing Brazilian assets at \$12.5 billion and is really a landmark for the company and for our shareholders."

News reports in December said Sinopec is the current favorite to buy stakes in Brazilian oil owned by Britain's BG Group, which also has interests in the massive fields of Carioca, Guara, Lula and Lara.

On Jan. 8, the French company Perenco announced it was selling Sinochem a 10 percent stake in five offshore blocks located in the Espirito Santos Basin. Some of the transactions still await approval by Brazil's government.

In December, Venezuelan Oil Minister Rafael Ramirez publicly reiterated his government's commitment to an oil refinery joint venture with Petrobras.

That project reportedly is set to be funded by China's national development bank. Some news reports have quoted the head of China's development bank saying that new deals with Brazil are under consideration.

James Williams, an energy economist with the U.S. consulting group WTRG Economics, said the Chinese are taking on big risks with ultra-deep-water investments.

"But for them, the benefits are greater, as they become partners with companies that have better technology and expertise," he said.

Mr. VITTER. According to recent press reports, there is a budding and building relationship between Brazil and China, and China is taking advantage and forming contracts to take advantage of that resource. We should learn a thing or two from other folks around the world, and we should not just beg; we should build and develop. We should take our own future into our own hands, and we have an enormous opportunity to do that.

The United States is actually the single most energy-rich country in the world, bar none. When we look at total energy resources, we lead the world. Russia is second, and other countries

follow way behind. Saudi Arabia is third but cannot compare in terms of total resources. No Middle Eastern country can compare, and China is below that. We have the resources. We are the single most energy-rich country in the world, and this map shows it.

We have enormous reserves, particularly shale in the West, natural gas in finds on land, and offshore enormous potential of reserves of oil. Literally, there are hundreds of years' worth. So what is the problem? The problem is we are the only country in the world that puts well over 90 percent of those resources off-limits and doesn't develop them, but we can do better.

We can reasonably, responsibly, and safely open that access. We can do what Brazil is doing; we can do what China is doing. We do not have to beg. We can have a policy worthy of America and Americans. We can take control of our own destiny.

What will that mean? It will mean great U.S. jobs, which by definition cannot be outsourced. We cannot have a domestic energy job producing good, reliable energy in the United States and outsource it to China or India. We will build more energy independence, not having to beg Saudi Arabia or go to Brazil as a customer or anything else. We will even increase revenue to lower deficit and debt. After the Federal income tax, the biggest source of revenue to the Federal Government is royalty or revenue on domestic oil production. It is second only to Federal income tax. It would be enormous new revenue to reduce deficit and debt. And, of course, we can help lower the price at the pump. We can increase supply, which lowers the price.

So I urge us to do what the American people want us to do: to adopt common sense, to adopt a real policy, and to take control of our own destiny. Begging is not a policy, at least not one worthy of Americans. This tax proposal to increase taxes on U.S. oil companies and domestic oil production is not a policy that will do anything but increase the price at the pump, decrease supply, and that is the opposite of what we need. Let's do what will make a difference: increase supply, control our own destiny, and do more right here at home.

I yield back the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

RISE TO THE OCCASION

Mr. BOOZMAN. Madam President, in a moment I am going to speak about energy. But, first of all—as I was waiting to have the opportunity to do this—I want to thank Senator MCCONNELL for giving us an update on what is going on in Kentucky. We do a lot of very important things here. One of the things I am going to talk about, energy, is one of the most important, and yet it is good to hear the stories of ordinary Americans doing extraordinary

things. This truly is what our country is all about, and my thoughts and prayers are with the people of Kentucky. But it is so refreshing—we talk a lot about our problems, but the strength of America is people like the folks in Kentucky and all throughout America who rise to the occasion as they need to.

The increasing price of gas is a costly reminder of how dependent our country is on foreign oil. This is one of the most pressing issues we face today because the price at the pump directly impacts our everyday lives, and Arkansans are telling me they are worried about what it is doing to their bottom line.

Americans are frustrated with the increase in the cost of gas, and rightfully so. In my home State of Arkansas, the cost for a regular gallon of gas is up 22 cents from a month ago according to AAA. The letters, calls, e-mails and Facebook posts I receive from Arkansas are saying the same thing. It is harder to fill their tanks while making ends meet.

Arkansas families are faced with tough choices because the rising prices are dipping into their family's disposable income. The increase in the price of gas puts a strain on family budgets.

Earlier this week I hosted a townhall with Arkansans throughout the State. While I expected the major discussion to be about this issue, I was surprised at how much it dominated the conversation. During the event we took an informal poll asking participants if the increase of gas has forced significant changes in their daily habits. Seventy-eight percent of those who answered said the price had a significant impact.

Sarah, from Mountain Home, AR, said on her Facebook page that the increase in gas prices has forced her family to allocate more money for fuel expenses, which leaves less money for food, making it frustrating. Sarah and other Arkansans should not have to choose between getting gas to get to work and the necessities they need in the household.

Chris from Mena, AR, wrote that he notices an increase in the price of groceries. He said:

People should be aware of how fuel costs affect everything we buy and do.

I agree with Chris because the increased price for gas adds to the transportation costs that are passed along to consumers.

Donnie Smith, the CEO of the Springdale-based Tysons Food, told the Arkansas Business Journal that with Springdale as a price point, there has been an increase of more than 55 percent in the cost of diesel in the past 5 years. This is significant because the company uses fuel to transport feed to family farmers, chickens to and from the farms, and the finished products to customers around the world.

American families and businesses deserve a plan that will help bring down

the prices at the pump. The legislation before this Chamber proposed to raise taxes on American energy producers. This will not change supply and demand, as Senator ISAKSON talked about a few minutes ago. These are basic truths. Supply and demand does control costs. This will do nothing to that.

Again, hard-working Americans will be left with the bill as a result if this bill were passed. I believe the better way begins with adopting an energy strategy that increases production of American energy in a clean, efficient way through developing wind, solar, and hydrogen technologies as well as tapping into the vast majority of natural resources our country is blessed with.

The reality of our country's non-existent energy policy is it forces us to rely on the Middle East for oil. We import about 9 million barrels of oil every day, half of our supply. This is costly to our economy, our citizens, and it threatens our national security. This is the only developed country in the world that refuses to use its natural resources. Opening Alaska's Wildlife Refuge and increasing offshore exploration on the Outer Continental Shelf is a step in the right direction that puts us on a path of energy independence. We can boost our domestic energy supply through the development of the Keystone XL Pipeline. The proposed 1,700-mile pipeline would transport 700,000 barrels of oil per day from Canada to U.S. refineries in the gulf coast and allow us to get reliable and secure oil from our largest trading partner and trusted ally. Unfortunately, while I support this project and voted in favor of it several times in this Chamber, the project was rejected by the majority after President Obama took the time to lobby his Members to vote against it after vetoing the project earlier this year.

There is no time like today to pass legislation to fully utilize the resources we have been blessed with in our country, but this should not come at the cost of our energy producers.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from Michigan.

Ms. STABENOW. Thank you very much, Mr. President. If the Chair would please let me know when I have used 5 minutes, I would appreciate that.

We have a very important vote in front of us that goes to the question of whether consumers are going to continue to be held hostage by basically having one energy source at the pump or whether we are going to give competition to the oil companies and if we are going to give consumers choice.

I believe we need to do everything; there is no question about that in my mind, but that doesn't mean having a Tax Code that has embedded in it for

almost 100 years special tax breaks and subsidies for the oil companies, and the other new clean energy alternatives that are growing and creating jobs in our country do not have the same treatment. In fact, they limp along with a tax cut that expires every year, not sure if it is going to continue, which is what is happening right now.

People are losing their jobs right now in the areas of wind production and other areas because they are not sure what is going to happen. Yet we give preferential treatment to an industry right now whose top five companies are making about \$260,000 a minute—a minute. For people in Michigan, the average wage does not equal \$260,000 a year, yet \$260,000 a minute in profits for the oil companies, and we as customers, as consumers, have the great privilege of on the one hand paying whatever they want to charge at the pump because there are no alternatives and not enough choices, and at the same time out of the other pocket we get to subsidize them.

One hundred years ago those subsidies probably made a lot of sense. I am sure I would have voted for them as we were starting the new industrial economy and incentivizing the production of oil certainly made sense. I still support the efforts for small businesses and local efforts, but the top five companies do not need taxpayer subsidies right now when they have the highest profits of any business in the world.

So what are we talking about? We are talking about—in tough times and budget deficits and when we need to be focused on jobs and getting us off of foreign oil—making choices that make sense for the future and not the past. That means closing down these special subsidies for the top five companies that, again, are earning profits of about \$260,000 every single minute, and turning those dollars over to new clean energy alternatives such as biofuels, wind, solar, electric batteries, and all of the things that need to happen—including natural gas, which my colleague from New Jersey has been a champion of—so that we actually have real competition and we can actually go look at the price at the pump and say, you know what, it is too much; I am going to do something else.

We are beginning that process with new electric vehicles and I am proud that those are being made in Michigan. We have advanced biofuels right now. If we didn't have advanced biofuels at the pump in the few places we do, we would actually see prices a dollar higher on average than they are right now. So there is a little bit of competition, but we have a long way to go.

This bill takes dollars from subsidies that are no longer needed, that don't make sense from the American taxpayers' standpoint or an energy standpoint, and turns them over to continue 19 different tax cuts for entrepreneurs,

small businesses, and those who are creating the new clean energy alternatives in the future.

Some of my colleagues on the other side have said that taking away government subsidies will increase prices. It is amazing to me that somehow Friday seems to increase prices; Memorial Day seems to increase prices. I think whatever the market will bear increases prices. But when the CEOs of the big five companies came to the Finance Committee I actually asked them—because folks are saying taking away government subsidies for them will increase prices. I said: How much do we have to pay you to bring down the price? Give me a number. How much do we have to pay you to bring down the price?

Finally, one of the CEOs actually said: Well, I did not say we would be raising gas prices at the pump. I did not hear anyone else say that, either.

So that is what they said. They were not willing to go on record as saying they would raise the prices at the pump.

Instead of throwing huge government handouts at some of the most profitable companies ever, we should be paying down the debt and we should be providing tax cuts for the jobs and the new alternatives for the future, and I urge my colleagues to support this very important bill.

Thank you, Mr. President.

Mr. ENZI. Today I wish to discuss high gasoline prices and to express my concern that the legislation we are debating will only cause the price at the pump to increase. We need to have a serious debate about energy policy in the Senate. We have not passed substantial energy legislation since 2007, and without a sound energy policy, we will continue to see price instability.

Unfortunately, the legislation we are debating is not that sound energy policy. Instead, it is an effort at political theater, designed to force a vote on a proposal that the majority finds politically popular.

Republicans understand that the problem we face today will not be solved by taxing the five largest oil companies. Unlike the majority, we understand that you cannot expect to lower energy prices when you increase taxes. Increasing taxes will lead to higher prices.

I want to see lower prices, and so I oppose S. 2204. Instead of passing this legislation, the Senate should take up any one of the ideas my colleagues and I have proposed.

The Senate should pass legislation to approve the Keystone XL Pipeline so we can obtain more of our energy from Canada as opposed to countries like Saudi Arabia. The Senate should pass legislation to prohibit the EPA from implementing its greenhouse gas policy—which will make it more difficult to use our most abundant, domestic en-

ergy source—coal—to power our homes, businesses, and daily lives.

The Senate should pass legislation to open up more areas of the Outer Continental Shelf to exploration and production, and should require the administration to grant permits for responsible energy development. We should also pass legislation to open up a small area of the Arctic National Wildlife Refuge, ANWR, to energy development.

Any one of those actions would have a much more positive impact on our Nation's energy situation than the legislation we are debating today. S. 2204 is an effort to punish the Nation's five largest energy companies because oil prices are high.

Republicans stand ready to have a serious debate on energy because we know our policies are the best solution for achieving energy security. We recognize that the problems we are facing are an undersupply of oil as well as an instability in some countries where a substantial amount of oil is produced.

To address these issues, I want to produce more American oil on American soil. I want to see more oil produced in regions like the ANWR. I want to determine what technology is needed to recover the nearly 800 billion barrels of oil shale that the Rand Corporation has suggested are recoverable. I want to see permits granted in areas of Wyoming so we can develop our State's coal bed methane. We also want to see more wind turbines and solar energy panels in places where they make sense.

Republicans truly support an "all of the above" approach. We support traditional sources like coal, oil, and natural gas. We support alternative sources like wind and solar. And our record shows that to be the case.

President Obama claims to support an "all of the above" approach. However, his record shows something different. Earlier this week, his administration released a rule that will make it exceedingly difficult to build a coal-fired power plant in the future. That action follows his administration's decision in 2010 to put a moratorium on leasing in the Gulf of Mexico and their decision to put in place policies that make it more difficult to develop natural resources on our Federal lands. President Obama claims to support natural gas—at the same time his administration seeks to stop hydraulic fracturing, the tool that has allowed us to access our abundant natural gas reserves.

President Obama also claims that there isn't a silver bullet to bring prices down. That may be true, but if you add up all of his administration's efforts to hold up American energy production, there are a number of measures we could undertake to make our situation better. Unfortunately, the legislation we are debating today is not one of those measures.

What's further unfortunate about S. 2204 is that it is an attempt to punish a sector of our economy that is doing well. The oil and gas sector has created jobs during the recession and employs more than 9 million American workers. It is a sector that employs a lot of people in my State. In 2010, more than 21,000 workers were employed in the oil and gas industry in Wyoming. Instead of punishing these companies for their success, we should be finding ways to work with them so they can put more Americans back to work.

It is valuable to have a discussion about energy like we have had this week. It allows us to point out the differences between the vision we offer of more production and more jobs versus the vision of our colleagues on the other side, which is essentially higher taxes and higher energy prices. When we have finished voting on S. 2204, which everyone acknowledges will fail, we should sit down and have a full debate about our energy future. I am confident that our vision is the right one if we want an America that has a secure energy future.

I urge my colleagues to oppose S. 2204.

Mrs. FEINSTEIN. Mr. President, I rise to speak in support of the Repeal Big Oil Tax Subsidies Act, which I have cosponsored.

This legislation would repeal five specific tax subsidies and a royalty relief provision to the largest oil companies, which simply do not need them and which our Federal Government definitely cannot afford. And this bill would invest the savings from repealing these subsidies to extend vital clean energy incentives that have recently expired. It would also save billions of dollars in order to reduce the deficit.

This is a simple vote, really. If you are for subsidizing profitable and polluting industries and raising taxes on clean, innovative, and renewable energy companies, you should not support this bill. But if you are for fiscal responsibility, balancing the Federal budget, and investing in a cleaner energy industry that is less dependent on international oil markets and suppliers, you should vote yes.

If you are against increasing taxes on clean energy sources such as wind, solar, and energy efficiency, you should vote yes. And if you believe that we cannot afford to spend Federal dollars subsidizing an industry that needs no help, you should vote yes.

Oil prices have risen to well above \$100 per barrel, and according to AAA, California currently has the highest gasoline prices of any State in the continental United States, currently at \$4.30 per gallon of regular unleaded.

But these higher prices are not the result of a change in the cost of producing and refining oil.

According to a Finance Committee analysis of the SEC filings of the three

largest oil companies in the United States that filed, it costs them an average of \$11 to produce one barrel of oil. At today's prices that is nearly \$100 in pure profit for each barrel.

The result is massive oil company profits on the backs of American consumers. Last year, the top five oil companies made more than \$135 billion in profit. That is an increase of 80% over what they made in 2010.

Yet the largest oil companies are not using these profits to produce more oil. Oil production for the biggest five oil companies was down 4 percent last year.

Instead of using their enormous revenues to invest in drilling, the big five oil companies are buying back stock, issuing dividends, and lobbying governments.

For example, Shell Oil's profits increased by 54 percent between 2010 and 2011. But its production decreased by 3 percent.

And the American taxpayer is providing oil subsidies that increase profits, stock prices, and dividends—and don't produce more oil or lower gasoline prices.

U.S. taxpayers subsidize these hugely profitable oil companies to the tune of over \$2 billion dollars per year, year after year.

Some Members of Congress still believe these subsidies lead to lower gas prices, despite all evidence to the contrary.

As Severin Borenstein, the codirector of University of California Center for the Study of Energy Markets, recently said:

The incremental change in production that might result from changing oil subsidies will have no impact on world oil prices, and therefore no impact on gasoline prices.

According to an analysis by the Congressional Research Service, repealing tax subsidies for Big Oil would not result in higher gasoline prices.

CRS concludes that because the current \$100-per-barrel price of oil far exceeds the cost of production, it is unlikely that a small increase in taxes would reduce output in a manner that decreases supply resulting in higher gasoline prices.

Yet these subsidies continue.

This bill eliminates five tax subsidies that lower the tax burden for oil companies without producing a public benefit.

These changes will prevent oil companies from deducting things like payments to foreign governments and also prohibit oil companies from claiming that oil production is "domestic manufacturing" deserving of incentives designed to help manufacturers compete with Chinese factories.

This legislation also includes the key provisions of the Deepwater Drilling Royalty Relief Prohibition Act, a bill Senator BILL NELSON and I introduced to eliminate royalty relief that rewards dangerous oil drilling methods.

By eliminating sections 344 and 345 of the Energy Policy Act of 2005 that provided mandatory royalty relief for deepwater gas and oil production on the Outer Continental Shelf, this bill will ensure that Americans receive fair value for federally owned mineral resources.

In 2005, Congress created this royalty-relief program to encourage exploration and production in the ocean's very deepest waters.

But the BP Deepwater Horizon catastrophe showed that safety and response technologies are not sufficient in deep waters to justify this incentive.

When the Deepwater Horizon well blew out, 11 people died and 17 others were injured. Oil and gas rushed into the Gulf of Mexico for 87 days.

Oil slicks spread across the Gulf of Mexico, tar balls spoiled the pristine white sand beaches of Florida, wetlands were coated with toxic sludge, and more than one-third of Federal waters in the gulf were closed to fishing.

This week, the National Academy of Sciences found that plumes of subsurface oil substantially damaged a community of deep-sea gulf corals.

Drilling in deep water presents substantially more challenges and technical difficulties than drilling in shallow water or on shore.

The ocean currents on the surface and in the water column exert torque pressure on the pipes and cables, which are longer and heavier.

The ocean pressure increases dramatically at depth, and the pressure in a well can exceed 10,000 pounds per square inch.

The volume of drilling mud and fluids is greater, and many technical procedures can only be accomplished with the use of remotely controlled robots thousands of feet below the surface.

Methane hydrate crystals form when methane gas mixes with pressurized cold ocean waters, and the likelihood of these crystals forming increases dramatically at a depth of about 400 meters.

This crystallization repeatedly impeded efforts to stop the gushing oil and was a primary reason it took so long to stop BP's Deepwater Horizon spill.

Bottom line: the risks of drilling for oil in thousands of feet of water are far higher than other oil exploration methods, and spills are both ecologically devastating and hard to stop.

American taxpayers should not forego revenue in order to incentivize this most dangerous form of offshore drilling. It is not good environmental policy, and it is not good energy policy either.

I believe that global warming is the biggest environmental crisis we face, and the biggest culprit of global warming is manmade emissions produced by the combustion of fossil fuels like oil and coal.

That is why I believe it is unconscionable that Congress allowed the taxes on renewable sources of energy to go up on December 31, while taxpayer-funded subsidies continue to finance production of fossil fuels.

I have worked with my colleagues on a number of legislative initiatives designed to reduce greenhouse gas emissions, increase energy efficiency, and incentivize the use of renewable energy.

One of our biggest victories has been an aggressive fuel economy law, called the Ten in Ten Fuel Economy Act, which was enacted in 2007.

In order to implement this law, the Obama administration has raised fleetwide fuel economy standards to 35.5 mpg in 2016—a 40-percent increase above today's standard. The fleetwide average will rise to 54.5 mpg by 2025.

This is important because these standards will dramatically reduce the economic burden of massive swings in the price of oil and gasoline on American families.

By 2025, the average new car will reduce what an American family spends on gasoline by \$5,200 to \$6,600 during the life of vehicle, and that is assuming relatively affordable gas prices in the \$3 per gallon range.

If prices were to stay at today's levels, this law will save American families even more money.

The other positive development is that the domestic renewable energy industry has grown dramatically over the last few years due to the Federal incentives that are expiring and which this legislation would extend.

The Treasury Grants Program, which expired in December, has helped fund the installation of more than 22,000 renewable energy projects with a generating capacity of more than 14,000 megawatts.

The production tax credit has allowed wind power capacity to more than triple since 2005. If the production tax credit is not extended by the end of this year, Navigant Consulting estimates that annual installations of wind will drop by more than 75 percent, wind-supported jobs will decline from 78,000 in 2012 to 41,000 in 2013, and total wind investment will drop by nearly two-thirds, from \$15.6 billion in 2012 to \$5.5 billion in 2013.

We simply cannot afford as a nation to abandon the renewable energy industry just as it is emerging as a major force in our economy.

These are private sector jobs in a growing industry that is competing globally.

Just 2 years ago, the United States added more new capacity to produce renewable electricity than it did to produce electricity from natural gas, oil, and coal combined, for the first time. A great deal of this growth can be attributed to government renewable energy incentives. That is where public

investment in energy development should go.

The Obama administration has offered up millions of acres of Federal land for oil extraction by oil companies. As a result, production on these Federal lands has increased.

In fact, of the over 12,000 permits that the Obama administration has issued since 2009, 7,000 sit idle.

But the fact is that whether or not the Federal government has opened enough land to oil drilling has almost nothing to do with gas prices, even though many politicians argue it does.

According to a statistical analysis of 36 years of monthly, inflation-adjusted gasoline prices and U.S. domestic oil production by the Associated Press released this month, "there is no statistical correlation between how much oil comes out of U.S. wells and the price at the pump."

The AP writes:

If more domestic oil drilling worked as politicians say, you'd now be paying about \$2 a gallon for gasoline. . . . More oil production in the United States does not mean consistently lower prices at the pump.

Since February 2009, U.S. oil production has increased 15 percent when seasonally adjusted. Prices in those 3 years went from \$2.07 per gallon to \$3.58. It was a case of drilling more and paying much more.

U.S. oil production is back to the same level it was in March 2003, when gas cost \$2.10 per gallon when adjusted for inflation. But that is not what prices are now.

I don't believe oil companies need taxpayer dollars to help them out. They are already reaping record profits.

Over the last decade, the five largest oil companies have enjoyed nearly \$1 trillion in profits and tens of billions of dollars in taxpayer subsidies. Yet we continue to use taxpayer dollars to add to their bottom line. This is unacceptable.

Oil reserves are a public resource. When a private company profits from those public resources, American taxpayers should receive a royalty as compensation. And when oil companies profit by charging \$4 per gallon of gas, they should pay income taxes like the rest of us do instead of relying on billions of dollars of tax subsidies to avoid their obligations.

In these critical economic times, every cent of the people's money should be spent wisely.

I urge my colleagues to support this legislation.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I have been monitoring the debate on my Repeal Big Oil Tax Subsidies Act and I keep hearing over and over from our friends on the other side of the aisle that if we keep giving the oil companies taxpayer money, they will do the

right thing. The problem is we already know that is not true.

First of all, the United States has only 2 percent of the world's oil reserves, so we cannot drill our way out of this problem even if we wanted to. But, more importantly, we cannot trust the big five oil companies to simply do the right thing.

Let's look at the record. Last year, the big five oil companies took \$2 billion of your money and saw their profits shoot up to \$137 billion—an impressive 75-percent increase in profits. Did they use that extra money we gave them in our subsidies to produce more oil? No, they didn't. They took your money and they didn't produce a drop more of oil. Despite the fact that overall U.S. oil production is higher now than it has been in the last 8 years, last year these five companies actually produced 4 percent less oil.

So here is another way to look at it. As each of these companies pocketed our subsidies to pad those profits, they did not use this windfall to produce more oil. If we take the word of our friends on the other side of the aisle, we have a contract, in essence, with these five companies. We pay them \$2 billion and they give us more oil. Last year, they broke that contract and produced less. So it appears that these poor oil companies took the taxpayers' \$2 billion and instead of having to suffer with only \$135 billion in profits, they made \$137 billion in profits last year.

Mr. INHOFE. Will the Senator yield for a question?

Mr. MENENDEZ. I would be happy to at the end of my remarks.

What a heartwarming story of Robin Hood in reverse—taking from the American taxpayer to give to the rich. So congratulations, Big Oil, you got \$2 billion extra in profits and we got 4 percent less oil.

But, of course, we are not just seeing less oil, we are also seeing the American driver gouged with higher gasoline prices. What happens when taxpayers are forking over \$2 billion in subsidies a year to highly profitable oil companies that, in turn, produce less? We get a double whammy with \$4-a-gallon gas at the pump and a bigger burden on taxpayers. How is that a fair return on our taxpayer dollars? It is pretty generous to Big Oil, which stands to profit \$1 trillion over the next decade while getting \$24 billion in subsidies, but it is a bad deal for consumers struggling to make ends meet.

First, the Repeal Big Oil Tax Subsidies Act takes back \$24 billion in taxpayer subsidies to Big Oil and stops that insanity. The next step the bill takes is investing in alternatives to oil—biofuels, natural gas, propane, and a refueling infrastructure for these fuels as well. By investing in these alternatives we finally give Big Oil some competition in the marketplace that

will give consumers the choice to use cheaper fuels as well as drive down gas prices.

For those reasons, I urge my colleagues to join me in getting back to reality and stop subsidizing industries that need it the least and start investing in the 21st century industries that will help us compete with China, that will create jobs, that will improve our environment and make us more energy secure. It is time we stopped trusting Big Oil to do the right thing with our money and use it on things that actually make sense.

With that, I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I have one question before this morning's vote—one simple question: Is this the best we can do? Is this the best we have to offer folks who are staring at \$4-a-gallon gasoline, a bill that even Democrats admit won't do anything at all to lower the price of gas, and a process that blocks any other idea from even coming to the floor for a vote? Is this the best we can do? No other idea has been allowed other than a proposal that will inevitably raise the price of gasoline at the pump. Does anybody think the Senate has done its job on this issue?

Well, if you don't, if you think we should do more for the American people at a time when they are paying \$4 a gallon for gas than raise taxes on energy manufacturers and block a pipeline from Canada, then you ought to vote against cloture. You should stand with Republicans and insist we do more to lower gas prices in this country.

I see the President made a statement a little while ago in support of this proposed tax hike. My question is: Where was the White House when the Democrats voted to actually get off of this proposal? Maybe they were too busy lining up votes against the Keystone Pipeline. Maybe the President was too busy telling the Russians about how he is hoping for more flexibility.

My point is Democrats don't have to take orders from the White House. They don't need to serve the President's political strategy. They can do what their constituents want them to do on this issue. They can vote to stay on this bill and fight for real solutions to the problems of high gas prices and any other number of issues the Democrats refuse to face, for that matter. We can use this institution to actually make a difference. I hope at some point that is what my colleagues on the other side decide to do.

Mr. President, I yield the floor.

The PRESIDING OFFICER. All time has expired.

REPEAL BIG OIL TAX SUBSIDIES ACT—RESUMED

Pending:

Reid amendment No. 1968, to change the enactment date.

Reid amendment No. 1969 (to Amendment No. 1968), of a perfecting nature.

Reid motion to commit the bill to the Committee on Finance with instructions, Reid amendment No. 1970, to change the enactment date.

Reid amendment No. 1971 (to (the instructions) amendment No. 1970), of a perfecting nature.

Reid amendment No. 1972 (to amendment No. 1971), of a perfecting nature.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on S. 2204, a bill to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation.

Harry Reid, Robert Menendez, Benjamin L. Cardin, Jeff Merkley, Patrick J. Leahy, Michael F. Bennet, John F. Kerry, Al Franken, Tom Udall, Jeanne Shaheen, Bill Nelson, Daniel K. Akaka, Claire McCaskill, Christopher A. Coons, Jack Reed, Richard Blumenthal.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 2204, a bill to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH) and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted: "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 63 Leg.]

YEAS—51

Akaka Durbin Lieberman
Baucus Feinstein Manchin
Bennet Franken McCaskill
Bingaman Gillibrand Menendez
Blumenthal Hagan Merkley
Boxer Harkin Mikulski
Brown (OH) Inouye Murray
Cantwell Johnson (SD) Nelson (FL)
Cardin Kerry Pryor
Carper Klobuchar Reed
Casey Kohl Reid
Collins Lautenberg Rockefeller
Conrad Leahy Sanders
Coons Levin Schumer

Shaheen Tester Warner
Snow Udall (CO) Whitehouse
Stabenow Udall (NM) Wyden

NAYS—47

Alexander Enzi Moran
Ayotte Graham Murkowski
Barrasso Grassley Nelson (NE)
Begich Heller Paul
Blunt Hoeven Portman
Boozman Hutchison Risch
Brown (MA) Inhofe Roberts
Burr Isakson Rubio
Chambliss Johanns Sessions
Coats Johnson (WI) Shelby
Coburn Kyl Thune
Cochran Landrieu Toomey
Corker Lee Vitter
Cornyn Lugar Webb
Crapo McCain Wicker
DeMint McConnell

NOT VOTING—2

Hatch Kirk

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The senior Senator from Missouri.

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

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

Mrs. MCCASKILL. Mr. President, we just had a vote. Imagine for a minute we had a government that was spending too much money, and imagine for a minute that we needed to spend less money; that we needed to change our Tax Code to a Tax Code that was fair, simpler, and didn't pick winners and losers. Imagine for a minute this was a crisis, and imagine for a minute this crisis was being wielded like a political 2 by 4 by the majority of the Republicans who serve in the Senate—the debt crisis.

Then imagine for a minute that we had the most profitable corporations in the history of the planet and they were booking \$30 billion in profit every quarter; over \$130 billion in profits year after year, didn't matter whether the economy was bad, good or indifferent—amazing profits.

Then imagine for a minute this government—that doesn't have enough money, where the debt is the political talking point of my friends across the aisle—tries to do something simple by saying maybe we shouldn't be spending money on the most profitable corporations in the world. That is what this vote just was.

How seriously can we take anybody who talks about debt reduction if they are not willing to pluck the low-hanging fruit of subsidies to a group of folks who, frankly, in Missouri, I guarantee you most people I represent would say are the least deserving of extra help from the Federal Government right now.

If we think about it, what we are doing is we are borrowing money to prop up, to the tune of billions of dollars a year, already wildly profitable corporations that don't have to pay us

royalties because they get to deduct the royalties they pay other countries.

Seriously, if this was a fairytale I was reading to my grandsons—if I was reading this fairytale to Ian or Levy or Isaac—they would say: Well, this obviously is fiction because this couldn't be true. But it is, and that is what I call the definition of a special interest—that oil is so special around here, wields so much power and so much money that it turns all the talk about debt reduction into empty rhetoric.

Last year, the five companies spent \$38 billion boosting their share prices just through stock buybacks—\$38 billion in stock buybacks last year. In other words, the five largest oil companies spent in a single year on stock buybacks alone what they are claiming they need in taxpayer-funded subsidies over the next 10 years.

According to ExxonMobil's quarterly filings, every time the price of oil goes up by \$1, they bring in \$350 million in annual profit. These companies don't need these subsidies.

I hear people say, Well, if you don't give them the subsidies—which, by the way, is chickenfeed to them. What, \$6 billion, \$8 billion a year is nothing if you are banking \$30 billion in profits a quarter. I have heard people say, If you don't give them this extra help, then they are going to quit exploring for oil and the price of gas will go up. That is so dumb. They have had these subsidies for 30, 40, 50 years. I think most of Americans realize the price of oil has gone up just fine during that time. We are paying plenty at the gas pump right now, and they have got those subsidies. How is that working out for us? Those subsidies are really keeping down the price of gasoline, aren't they?

The former Shell CEO, John Hofmeister, is on record as saying:

In the face of sustained high oil prices it is not an issue—for large companies—of needing the subsidies to entice us into looking for and producing more oil . . . my point of view is that with high oil prices such subsidies are unnecessary.

This is the CEO of Shell. He is admitting on the record that these subsidies are unnecessary. At the time the Shell CEO said that, the price of oil was trading between \$95 and \$98 a barrel. Currently, it is at \$105 a barrel. Contrary to the claims that some are making, eliminating these subsidies will not raise gas prices.

Last year, the companies spent \$70 million to lobby to keep their subsidies. They get about \$30 in tax breaks for every \$1 they spend in lobbying. No wonder they spent that much on lobbying.

I want to take people at their word, and I want to take people seriously about debt reduction. I have cosponsored spending caps with my Republican colleagues. I have worked hard on reforming the way we spend money around here, whether it is contracting

or earmarks. But with all due respect, I don't know how the American people can take anyone seriously about debt reduction if they are not willing to cut off from the spigot the most wealthy, profitable corporations in the history of the world.

How will we ever be able to look our grandchildren in the eye and say, You know, we took care of your future by making sure that our government was fiscally balanced. How can we ever do that if we can't do this as an easy first step? Can you imagine how paralyzed this place will be when we start talking about the kinds of cuts that hurt people who need them? And by the way, they are willing to make those. Talk about fairness. Think about this for a minute, economic fairness.

The Ryan budget would want to hold onto more tax breaks for multimillionaires—in fact, do more tax breaks for multimillionaires—while they say to seniors, You know, we think it is time for you to wrestle with insurance companies for your health care. I know what it is like to wrestle with insurance companies for health care. Every American does. My mom doesn't have to. She is on Medicare. It gives her peace of mind.

If you look at what our friends are proposing in terms of fairness and you look at the vote we just had, in Missouri we would say that dog don't hunt. It doesn't work.

I hope in good faith that my Republican colleagues will quit thinking we need to continue to write checks to the wealthiest corporations in the history of the planet. I think Missourians—when I fill up my gas tank over the next 2 weeks as I travel around Missouri, I am going to stop people at the gas station and say, Do you think the royalties ExxonMobil pays to another country should be deducted from what they owe us? Think about that. It is ludicrous in this financial environment that we are in, in the U.S. Government. There are real people hurting out there, and we need to treat them fairly. We can start by pushing Big Oil away from the taxpayer trough, and I hope my colleagues on the other side of the aisle will reconsider and that we will get a chance to vote on this again and that they can show the American people we all get it.

Madam President, I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Rhode Island.

AFFORDABLE CARE ACT

Mr. WHITEHOUSE. Madam President, I rise today to talk about the changes the affordable care act is making to the way care is delivered in our health care system. This is a topic that has not received much public attention. Instead, the public debate has largely focused on contentious flashpoints such as the individual mandate or preposterous false claims about

death panels or rationing or socialized medicine.

While these contentious debates have raged on, there has been a quiet, steady, and important effort made by the health care industry, by State and local leaders, and by the Obama administration to improve our model of health care delivery. Progress made on these efforts is steadily transforming the care that is delivered under our health care system, from care that is disorganized and fragmented and often riddled with error, to care that is coordinated, efficient, and the high quality Americans deserve. By improving the quality of care and our health outcomes, these delivery system reforms promise to significantly reduce health care costs. Care gets better, costs go down, a true win-win.

I came to the floor today to release a report on health care delivery system reform and on the administration's progress implementing these provisions of the affordable care act. I undertook this project with the support and assistance of Chairman HARKIN and Senator MIKULSKI, both strong advocates and experienced legislators on the types of reforms that are highlighted in the report.

The report makes the case for the reforms our country urgently needs in order to tackle our health care cost problem. My report defines five priority areas of health care delivery system reform: payment reform, quality improvement, primary and preventive care, administrative costs, and health information infrastructure. It outlines the potential cost savings in each area.

It also highlights successes across the country from leading private health providers such as Geisinger Health Systems in Pennsylvania, Intermountain Healthcare in Utah, and the Marshfield Clinic in Wisconsin, to the State of Vermont's Blueprint for Health, to several examples in my home State of Rhode Island, which has shown great leadership. We have much to learn from these efforts, and the affordable care act gives us the tools to support this type of reform across the country.

The problem is our health care delivery system remains clumsy and wasteful. We spend more than 18 percent of America's gross domestic product on our health care system every year. To put that into context, the highest any other industrialized country spends is approximately 12 percent of gross domestic product on health care. Eighteen percent United States of America; least efficient other industrialized country in the world, 12 percent. Huge room for improvement. In a nutshell, we overspend and underachieve.

The President's Council of Economic Advisers estimated that over \$700 billion a year can be saved without compromising health outcomes. The Institutes of Medicine put the savings from

these kinds of reforms at \$765 billion a year. The New England Health Care Institute projected \$850 billion in savings annually, and the Lewin Group and former Bush Treasury Secretary Paul O'Neill have estimated the savings at \$1 trillion a year. Whichever is accurate, this is clearly an enormous opportunity and it is right before us. We can achieve better results for American patients and families, and spend less to do it.

As I said, the solutions fall into five priority areas: payment reform, primary and preventive care, measuring and reporting quality, administrative simplification, and health information infrastructure. These solutions do not cut benefits; they do not increase premiums. Instead, they realign incentives to reduce or get rid of overpriced or unnecessary services, inefficiently delivered care, excessive administrative costs, and missed prevention opportunities.

In this report, we outline actual savings and care improvements that can be found in each priority area. For example, payment reform refers to the new payment reform models that pay doctors more for getting better results, as opposed to ordering more procedures.

In 2010, Blue Shield of California collaborated with Hill Physicians Medical Group and Catholic Healthcare West, California's largest hospital chain, on a pilot program for the California Public Employees Retirement System. The pilot program focused on improved coordination of care by sharing clinical and case management information across medical facilities and among physicians.

In its first year, the Blue Shield pilot program reported impressive results: Readmissions were reduced by 15 percent; hospital days were reduced by 15 percent; inpatient stays of 20 or more days were reduced by 50 percent, cut in half—all saving millions of dollars.

In primary and preventive care—as a country, we don't devote nearly enough resources to primary care and prevention. Only 6 percent to 8 percent of health care spending goes to primary care, to your regular doctor appointments. That is less than the percentage that goes in private insurance to insurance company overhead.

According to the Centers for Disease Control and Prevention, to give an example: When colorectal cancer is found early and treated, the 5-year survival rate is 90 percent. But screening rates for colorectal cancer are low. The National Health Interview Survey found that in 2005, only half the population aged 50 and older received recommended screening for colon cancer. The American Cancer Society has found that increased colorectal screening in the pre-Medicare population could save lives and reduce subsequent Medicare treatment costs by \$15 billion over 11 years.

On measuring and reporting quality, we don't do this anywhere near well enough. Nearly 1 in every 20 hospitalized patients in the United States gets a hospital-acquired infection. This is very expensive and it is preventable. A hospital-acquired infection should be a never event. Yet it costs our health care system approximately \$2.5 billion a year in harmful costs we could avoid.

Administrative simplification. The proportion of the U.S. health care dollar that is lost to administration has always been high relative to our peer countries. The cost of administration by insurance companies is not only high itself, but it creates a shadow cost imposed on providers who have to fight back against the insurance company claims denial apparatus, and that cost is probably even higher.

A study published in Health Affairs documented that physicians spent on average 142 hours annually interacting with health plans, totaling nearly 7 percent of total health care costs. That is just the physician's time. That doesn't count all the nonphysician office staff dedicated to administration and chasing the insurance companies.

Last, health and information technology. Health information technology is the essential underlying framework for health care delivery system reform. It is the foundation on which other delivery system reforms can be built. In 2000, the Institute of Medicine estimated the number of deaths resulting from medical error as high as 98,000 American deaths annually. The most common cause of those preventable injuries and deaths in hospitals was medication errors, which can be reduced dramatically through the adoption of computerized physician order entry systems—health information technology.

The reform areas my report discusses synchronize with one another, and there is a growing national movement of providers and payers and States that recognize their critical importance. Focusing on quality rather than quantity and focusing on efficiency rather than volume will better serve not only their patients but their bottom line.

The report I am releasing today looks at 45 provisions in the affordable care act that promote these delivery system reforms. From the discussion one would not know that virtually one-third of the affordable care act was about these delivery system reforms because they have been noncontroversial, but they are in there and they are important.

The report also assesses the administration's progress in implementing them. We found that the administration has already implemented 25 provisions fully and made significant progress on two others. The complexity and sheer number of reforms included in the law make this accomplishment in a relatively short period of time noteworthy.

In addition to the hurdles presented by our fragmented health care system, there has been resistance in Congress to the administration's implementation efforts that has also created barriers. For the 20 delivery system provisions that have not yet been implemented, lack of congressional funding is a significant factor in delaying their forward progress.

In these reform provisions, the affordable care act is supporting and building upon the efforts undertaken by the private sector by realigning incentives in the health care system to support private sector efforts. A broad array of pilot and demonstration programs has been launched, from which best practices will be deployed nationwide. The process to get to a more sustainable path will be one of, as CBO Director Elmendorf said, "experimentation and learning. It will be a process of innovation."

The affordable care act improves the conditions that allow that innovation to take place, and it has the mechanisms needed to propagate those reforms widely throughout the system as quickly as possible once they are proven effective.

American ingenuity can overcome our toughest challenges, not through command and control but through dynamic, flexible, and persistent experimentation, learning, and innovation. We are at a fork in the road on our health care future. One path we could travel is to protect the dysfunctional status quo and cut benefits to pay for the waste. That is the way a lot of my colleagues want to go.

The other way is to shift incentives so that we innovate toward better, safer health care—which costs less. We as Americans need to trust that the path of innovation and experimentation is the right one and not give up on these efforts.

Last year, George Halvorson, who is the CEO of Kaiser Permanente and knows a little something about health care, said it this way:

There are people right now who want to cut benefits and ration care and have that be the avenue to cost reduction in this country and that is wrong. It's so wrong it's almost criminal.

He continued:

It's an inept way of thinking about health care.

The affordable care act has the tools that enable providers to focus on quality rather than quantity, efficiency rather than volume, and patients rather than their bottom line, to avoid the inept way of thinking about health care.

As I close, let me say that throughout the process of writing this report I found one thing to be glaringly absent; that is, a cost savings goal set by the administration for us to reach toward on these delivery system reform provisions.

In 1961, President Kennedy declared that within 10 years the United States would put a man on the Moon and return him safely. This message was clear, it was direct, and it created accountability. As a result, a vast mobilization of private and public resources occurred to collaborate in innovative ways to achieve the President's purpose.

While the issue facing our country in health care is different, the urgency and the need to mobilize the public and private sectors toward improving quality and reducing cost is the same. So I challenge the administration to set a cost-savings target for delivery system reform. A cost-savings target will focus, guide, and spur the administration's efforts in a manner that vague intentions to bend the health care cost curve will never do. It also will provide a measurable goal by which we can evaluate our progress.

A clear and public goal will help make this vision of our health care system a reality. It will drive forward progress, and it will generate momentum to achieve that goal.

I urge the administration: Set a goal you are prepared to be accountable to meet.

When President Kennedy announced in September of 1962 that America would strive to put a man on the Moon, he said:

We choose to go to the moon in this decade . . . not because [it is] easy, but because [it is] hard, because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one we are willing to accept, one we are unwilling to postpone, and one which we intend to win.

We need to face the challenge posed by the rising health care costs in our system. We need to recognize we cannot postpone finding a solution. We can win this challenge, we can drive our system toward a sustainable path of higher quality care and improved outcomes, and we can do so by setting clear goals and supporting the measures in the affordable care act that propel us in that direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I want to speak for a moment to the issue that was raised by my colleague from Missouri. Senator CLAIRE McCASKILL came to the Senate floor to take note of the vote that had just been issued, the rollcall that was just finished on a measure offered by Senator MENENDEZ from New Jersey. It was pretty straightforward.

Here is what it said: The Federal tax subsidies of \$2 billion a year to the biggest oil companies in America should end right now. The money in those subsidies should be used to develop other forms of energy—good for our future, clean for our environment, lessening our dependence on foreign oil—and the

balance should be put into reduction of our deficit. Two billion dollars a year is going to the four biggest oil companies in America.

How are they doing? We all know how they are doing. Last year, again, they broke all records in the history of American business, reporting profits of \$137 billion. The notion that we would take away \$2 billion from these oil companies and put it into deficit reduction and energy research that could be good for our future seems like a given. In fact, it seems so easy that when we had a vote earlier this week to bring up this measure, over 90 Senators voted yes; let's go to it.

What happened on this vote today? We needed 60 votes, which sadly has become the norm in this Chamber. We needed 60 out of 100 Senators to say stop the fat-cat subsidies to the oil companies. We couldn't get it. We got exactly two Republican Senators to vote with us—two. It is a sad reality that many of the same Senators who wax eloquent on the Senate floor about our deficit and what to do about it, when it comes to a simple, straightforward vote to stop this wasteful, unwarranted subsidy to the most profitable companies on Earth, could not bring themselves to say no to Big Oil.

Meanwhile, families and businesses all across Chicago, IL, and America are paying more and more at the pump. Last Sunday I saw my first one—hang on, America; you are going to see one too—\$5.03 a gallon. It was downtown Chicago at a BP station. Hang on tight, there is more to come from these oil companies that will then turn around and report the biggest profits ever in American business history.

We pay at the pump and we pay with our taxes. What is left? Here was our chance to stand up and do something. We know \$4 billion is not going to change the oil industry, and it is not going to change Washington. But at least it was a statement about where we stand when comes to age-old indefensible tax subsidies to the biggest and most profitable companies in America. We couldn't bring ourselves to do it.

I agree with Senator MCCASKILL. These folks who get up and wail and cry about the deficit—call up this rollcall and ask them where in the heck they were when we had one chance to do something positive.

It is not the biggest disappointment of the week. There are two others that trump it. I have to tell you, it is hard for me to believe that again we were unable to get a bipartisan group together to start the conversation about post office reform in America. It is the most honored Federal agency.

When people are asked across America, what agency of government do they have a positive feeling about, it is the post office. They make jokes about it—we all do—but we know in our heart

of hearts it is the best Postal Service in the world. We can still take an envelope and for less than 50 cents put it in a box and be confident that in a matter of a couple of days or three it is going to be delivered in the lower 48.

There are not many countries on Earth that even get close to making that claim for less than 50 cents. It is so good that the so-called package express folks who were trying to make this a private sector undertaking use the post office. They use the post office because of the efficiency of their delivery for the last mile of delivery.

So we have a problem. Fewer people are using first-class mail. They are using e-mail, bill payer. Revenues are down. Postal employees are down to around 600,000. Those who are retired are around 450,000. We need to bank money for retirees in the future. We are facing the need to make some hard choices about the Postal Service.

The Postmaster General came to my office about 5 months ago now. We sat down with Mr. Donahoe and said: Before you make harsh decisions about the Postal Service, closing post offices, reducing the mail deliveries and the like—before people's jobs are on the chopping block or at least in question, give Congress a chance to at least come up with a better approach.

Historically, that was a challenge Congress always accepted because we knew when it is something that big and important as the Postal Service, which is enshrined in our Constitution, it is our job. We are supposed to do that work.

So I asked him to postpone, if he would, until May 15, any closures of facilities so the House and the Senate could have a chance to act. I have been waiting. It has been hard to get into the Senate calendar. This week was our chance. Senator HARRY REID said we are going to bring it up because it is an important debate. We need to get together.

We called the bill on the Senate floor to move to this debate on the post office. To their credit, the independent Democratic chairman of the jurisdictional committee, Senator JOE LIEBERMAN of Connecticut, and the Republican ranking member, Senator SUSAN COLLINS of Maine, both voted to move to this measure.

I felt good about the fact that they were working together, along with TOM CARPER of Delaware and others, in a bipartisan effort to make this post office what we need it to be. I have confidence in Senators LIEBERMAN and COLLINS because they have done historic work in the past when it came to reforming our intelligence agencies after 9/11; the two of them did it. I credit them, many times publicly, for their bipartisan cooperation. Here we had another chance: We are going to bring postal reform to the floor, and we failed to get 60 votes.

Unfortunately, we could not get more than five from the other side of the aisle to even engage in the debate on Postal Service reform. Now we will be gone for 2 weeks. When we return, it will be a lot closer to April 15 and a lot more challenging for us to get anything done. Those two disappointments—that we could not seize \$4 billion in savings for the deficit in oil company subsidies and that we wouldn't accept our responsibility to deal with postal service reform—I am afraid that has been matched and trumped by what is going on in the House of Representatives.

Think about this: Two weeks ago we passed a bipartisan bill on the floor of the Senate for the Federal Transportation bill. When it comes to our economy and its future, it is hard to think of anything more important than investing in highways, mass transit, airports and ports, and rail lines to make sure that we have an economy ready to compete in the 21st century, that businesses can locate in America with confidence that their products can move to the markets as quickly as possible.

This bill comes up every 5 years, and it is a political piece of cake. Democrats and Republicans agree. We all have needs in our States and districts, and we always come together with a bipartisan bill. We did in the Senate.

Two Senators couldn't be further apart on the political spectrum than BARBARA BOXER of California and JIM INHOFE of Oklahoma. But you know what. They accepted their political responsibility and came up with a bipartisan Federal transportation bill that passed the Senate 74 to 22.

Meanwhile, what was happening in the House? The House was just one crash after another. Their first highway bill went nowhere—rejected. Their second highway bill they would not even call for a vote. Time passed, and more and more of these measures were falling apart. They withdrew the chairman of the committee in the House in charge of it and said: We are going to put somebody else in. They brought in another name. I couldn't keep up with it.

The Speaker of the House and the House Republican caucus made a dog's breakfast out of this Federal Transportation bill. Today, to add insult to injury, they not only would not call our bipartisan bill, which is all we have asked for—I see Senator BOXER on the floor. All we said is, bring the Boxer-Inhofe bill to a vote in the House. It is a bipartisan bill. It is good for this country. For goodness' sakes, vote on it.

No, we are not going to do it. If it isn't the House Republican bill, we are not going to consider it.

What do they do instead? Senator BOXER can explain what they did instead. They said: We will kick the can down the road. We will extend the

highway taxes for 90 days and get back to you later.

A person might think, no harm, no foul. Just extending it 90 days, there is no harm. Wrong. State after State, county after county will tell you that this 90-day extension freezes efforts to build projects across America and will cost us at least 100,000 jobs. The number may be much larger, but it will cost us at least 100,000 jobs. Do we need jobs at this moment in time in America? I should say so. In the midst of a recovery from a recession, one of the areas hit the hardest is the construction industry. And it is not just a matter of the workers out there on the job, it is all of their suppliers. The truck-drivers, the material men, and all of them are now going to be put on hold because the Speaker of the House refuses to call a bipartisan Senate transportation bill for a vote.

That is all we asked—up or down, call it for a vote. Why wouldn't he call it for a vote? Because it would pass. To his embarrassment, it would pass. Well, he got his way, I guess. He is going to send us a 90-day extension. The alternative of letting the highway trust fund lapse is not a reasonable one, not one any of us would embrace. But what a wasted opportunity.

My colleague and good friend, who is sitting right here and has been in this business, the House and the Senate, for a long time, poured her heart and soul into that Federal Transportation bill. She accomplished what nobody thought she could. When she said she was going to sit down with Senator JIM INHOFE of Oklahoma and work it out, we said: Bet that works; the two of them are so different. But when it comes to this measure, they see eye to eye. They worked it out. I am proud of what they did. I didn't like everything in the bill, but nobody does. But I voted for it, saying it is bipartisan, it moves our country forward, and it creates almost 3 million jobs. The Boxer-Inhofe bill creates and saves almost 3 million jobs. Is that important at this moment in our history? You bet it is. If you are not in favor of creating good-paying jobs right here in America for American families, what the heck are you doing in this business? And instead, the House said: No, we will not even let you vote on this measure. House Democrats tried the entire week to get this measure up. Even a few—just a few—House Republicans spoke up and said: Bring it up for a vote. It wasn't good enough.

I know the Senator from California is here, and I want to give her a chance to say a word about the impact of the measure that just passed the House of Representatives. She has gone in it, in many cases State by State, to measure what it means to just extend the highway trust fund and not pass a bill that can create and save up to 3 million jobs. She told me that in my State, it was something like 4,000.

Mrs. BOXER. More than that—about 4,500.

Mr. DURBIN. There are 4,500 jobs lost if we let the federal transportation program expire this summer because Speaker BOEHNER refuses to call up this bill. That is the reality. Is it any wonder that the approval rating of Congress is in single digits when you take a hard look at what this does to our Nation? At a time when we need Congress to work together, the Speaker will not call the bipartisan bill from the Senate. The Senate will not take up postal reform. The Senate refuses to even cut the \$4 billion subsidy to the biggest oil companies in America.

It is a disappointment to me because many of us worked hard to come here. I feel honored to have this job and feel a responsibility to the people we represent. I think the Senate, on those two votes I mentioned, and the House with their action today have let down the people of this country.

I would like to yield to the Senator from California. I have another statement to make, but I want to give her a chance.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I ask unanimous consent to speak for 5 minutes and then return the floor to Senator DURBIN.

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

Mrs. BOXER. I was going to wait until the House actually sent over this extension before saying anything, but I was so impressed with Senator DURBIN's explanation that I felt I should come to the floor and thank him so much. His leadership on this and also, Madam President, your deep concern for your State, which actually has the largest job loss numbers because they are being very conservative about what they do on the ground—not everybody understands the way the transportation programs work in our States. The Federal Government pays for about 75 percent of many projects and the State pays 25 percent. But the States go out and they front the money and then they bill the Federal Government. Well, the signal that has been sent from the House today is a disastrous signal because it is a signal to all of our States that they better beware because there is no guarantee they will ever get those funds back from the Federal Government.

You know, I love it when we make history here, but I love it when we make good history here. Today, by the House's action, I believe they have become the first House of Representatives ever to allow this highway trust fund to go bankrupt because right now the fund is not sufficient and has to be filled. That is why part of the wonderful result of the Senate bill—and Senator INHOFE and I appreciate getting a lot of credit, but we actually had four

committees that did their work: Senators JOHNSON and SHELBY over in Banking, and we had Senators ROCKEFELLER and HUTCHISON over in Commerce. But a very tough job was given to Senator BAUCUS, and he worked hand-in-glove with the Republicans, particularly with Senators such as Senator THUNE, to come up with a pay-for.

Well, here we have an extension with no revenues in it, Madam President, so naturally your State is very worried, as are all of our States, and I am going to quickly go through what we know so far. We know that Illinois is having big trouble because their contract-letting cannot go forward in 12 particular jobs, and that is going to result in a scaleback of 4,500 jobs. They are scaling back right now, as Senator DURBIN said, at a time when we need jobs. North Carolina has 41,000 jobs that cannot be filled. Nevada has 4,000 jobs, Maryland has 4,000, and Michigan has 3,500. I see the great Senator from Rhode Island here. We got word from his director, Mike Lewis, from the Rhode Island Department of Transportation, that there are job delays, and it looks as if 1,000 jobs will not be filled. In West Virginia, 1,200 jobs will not be filled.

We are in trouble. You know what, it is like taking a hammer and hitting your head: Why do they do it? They don't have to. They don't have to do this. They are wreaking havoc on the Nation with this extension. And Chairman MICA said today: This must be the last extension. Fine. It should not even be an extension. They should take up and pass the Senate bill. How many bills do we have that have 74 votes in favor? And if Senator LAUTENBERG had not been at a funeral, it would have been 75. Three-quarters of this Senate came together around this bill. So the House is wreaking havoc on the Nation. Right now, you could fill 14 Super Bowl stadiums with unemployed construction workers—1.4 million. And why are they doing it? Because they don't want to deal in any way with the Democrats.

Senator INHOFE and I were so thrilled to work together. I see the senior Senator from Alaska who helped us draft our bill with Senator BEGICH. They crossed party lines. We have a great bill. Is it perfect? Of course not. Is it strong? Yes. Is it paid for? Yes. Will it protect 1.9 million jobs and create an additional million? Yes. That is great news. But the House has decided—the only people in America not to get this is the House of Representatives over there, the Republicans.

I see my colleague here, and I am glad to yield for him.

Mr. WHITEHOUSE. I wonder if the Senator would yield for a question.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Setting aside the questions that this raises about the

House's ability to govern, which I think are raised by this issue but focusing on this highway question, it is now the end of March. If we go 90 days, 30 days takes us through the end of April, 30 more days takes us through the end of May, and 30 more days takes us through the end of June. There is a seasonal component to getting this work done, is there not? What is the effect of our entire highway, road, and bridge industry having no certainty about what their funding is going to be until practically the Fourth of July with the construction season then underway?

Mrs. BOXER. Well, the question is very important. This is the worst possible time because now, if you can't enter into new contracts, you lose the building season. And it is particularly brutal right now on the businesses and on the workers.

Let me be clear. This is a 90-day extension without any hopes of them finishing their work. They didn't say that in the 90 days, they would get the job done, get to conference, and get the bill to the President; they are just saying 90 days with no commitment to go to conference.

I will come back and we will attempt to attach the Senate bill to the extension. Madam President, I hope you will have the opportunity to work on that with me because our States are counting on us, and we have to be strong and we have to keep fighting for one simple premise: that the House should have the right to vote on the Senate-passed bill.

I am very proud to be here. I will be here this afternoon as long as it takes. I say to my friend from Rhode Island, I hope he can be there, as well as my friend from Illinois. As soon as we get their extension, which makes no commitment to go to conference, we are going to try to attach the Senate bill to the extension and send it into conference, and I hope my friends will be here to help me with that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I see my friend from Alaska is on the floor, and I would like to yield to her and ask unanimous consent that I be recognized after her statement.

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

The Senator from Alaska.

Ms. MURKOWSKI. Thank you, Madam President. I appreciate the courtesy of my colleague from Illinois, and I also will follow on Senator BOXER's comments on the importance of this highway transportation bill.

I think we recognize that, while far from being perfect—I am not convinced we develop any perfect legislation around here—it is an extraordinarily good-faith effort, a very strong bipartisan demonstration in this body, and

deserves to have this support. I applaud Senator BOXER and Senator INHOFE for their work on that.

VIOLENCE AGAINST WOMEN ACT

Madam President, just very briefly, I wanted to take a few minutes this morning to speak about an event that just happened outside on the lawn of the Capitol. About maybe 50 or 60 Alaskans and some wannabe Alaskans gathered in a rally, a march that we have entitled "Choose Respect." This is an effort that has stemmed from the actions of our Governor in Alaska to shine the spotlight on domestic violence and sexual assault and to come together as communities, as a State, to speak up and to turn around the statistics that are so devastating in our State when it comes to domestic violence and sexual assault.

Over the past few years, the Governor has led the charge in organizing rallies in the State of Alaska during the last week of March. This morning in our State there will be 120 different rallies going on in communities such as Anchorage and Fairbanks, our larger communities, but also in smaller villages such as Kooskia and Tanana, communities where the numbers are small but the passions on the issues I think are very strong and robust. The Governor has commissioners in Barrow, in Tanana, in Cordova, in Nome, and in Galena, all leading the march to stand up and speak out about domestic violence. I wish to acknowledge what the Governor has done in his effort to spotlight this and to work to reduce the rates of domestic violence, sexual assault, and child abuse through this "Choose Respect" initiative. We have great Alaskans standing together and, again, a real commitment to make a difference.

Unfortunately, my colleagues have heard me say this before, that in a State such as Alaska where I think we have unparalleled beauty, we also have an ugly side to our State that is manifested in statistics we see with violence against women and particularly violence against Native women. Violence against Native women has reached epidemic proportions. We are at a point where Native women experience domestic violence and sexual assault at rates 2½ times higher than other races. In the lower 48, women on reservations are 10 times more likely to be murdered. Systematic legal barriers and ineffectual or deficient law enforcement mechanisms result in women, children, and families living in fear. In Alaska, nearly one in two women has experienced partner violence and close to one in three has experienced sexual violence. Overall, nearly 6 in 10 Alaska women have been victims of sexual assault or domestic violence. This is absolutely unacceptable. That is the reality we are living with as a State now, and it is absolutely unacceptable.

Alaska's rate of forcible rape between 2003 and 2009 was 2.6 times higher than

the national rate. Tragically, about 9 percent of Alaska mothers reported physical abuse by their husband or their partner during pregnancy or in the 12 months prior to pregnancy. These are horrifying statistics.

These statistics bring me to the issue of violence against women and the Violence Against Women Act, or VAWA, the bill we have been talking about and hopefully will be bringing to the floor soon. A measure such as this I think is incredibly important as a vehicle for us to stand behind women and men. It doesn't make any difference if one is from a rural part of the country or an urban part of the country; it is an issue that I think we know rips at the heart of who we are.

In so many of the Alaskan villages, victims of domestic violence and sexual assault face some pretty unique challenges and therefore horrific challenges. It may be that there is no full-time law enforcement presence, there is no local justice infrastructure. In many situations villages are landlocked. There are no roads in. The only way in and out is by airplane. So we have a situation where we can have an individual who has been victimized, with no law enforcement presence in the community whatsoever. It may take State troopers days—days—to be able to respond to an incident, depending on weather conditions. Imagine yourself in that situation. You have been a victim of domestic violence. You seek help. There is none in the village and no way away from your perpetrator.

I think we recognize that one thing we can and must do is make sure there is a safety net available to address the immediate survival needs of the victim and the survival needs of their children in the short term. Only with this level of confidence can one gather the courage to leave an abusive situation.

One final comment on VAWA, and then I will yield to my colleague who has given me the courtesy of the floor right now. I think we recognize in Alaska that the Violence Against Women Act does offer a ray of hope, if you will, for those who are not only the victims but for those who help assist the victims of domestic violence and sexual assault in our villages. It will provide for some increased resources to our rural and to our very isolated communities. It will help to establish a framework for the Alaskan Rural Justice Commission which has been a great venue to make sure we are all understanding what the tools are and how we adapt to those tools. It also recognizes Alaska's Village Public Safety Officer Program as law enforcement so that VAWA funds can be directed to providing a full-time law enforcement presence in places that have none.

We have a lot of issues we need to work through. We believe the reauthorization of VAWA will help us with that.

So as we join with other Alaskans in the State and those here in Washington, DC, to choose respect for all women, for all in our communities, I think it is important that there are some tools we can put in place to help not only the people of my State but victims of domestic violence wherever they may be.

With that, I thank my colleague from Illinois for yielding, and I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

THE DREAM ACT

Mr. DURBIN. Madam President, the Senate is not a place for sprinters, only long-distance runners, because sometimes we need patience beyond human endurance to see an idea that one believes is meritorious finally make it—to get passed by the Senate and maybe even the House or maybe even signed into law. Sometimes it happens quickly; more often it takes a long time.

My personal story that kind of leads when it comes to examples is the DREAM Act, which I introduced 11 years ago. This was legislation that addressed a problem I learned about from my Chicago office. We got a phone call. The phone call was from a mother. She was Korean American and she ran a drycleaners. In Chicago, 75 percent or more of the drycleaning establishments are owned by Korean families. She came to this country years before, brought her little girl with her, and then raised a family, and she became an American citizen.

Fast forward to her little girl who became a musical prodigy. In fact, she was in demand at some of the best music institutions in America, including the Julliard School of Music and the Manhattan Conservatory of Music, offering her admission to come and develop her skills as a concert pianist. As her daughter filled out the form to apply to these schools, she turned to her mother and said: Where it says "nationality" what should I write? Her mother said: I don't know. We never filed any papers for you after you came to America. The daughter said: What can we do? The mother said: We can call DURBIN.

So they called my office and we checked with the Immigration Service. They came back and said, the law is very clear that when a child is brought to this country and through no fault of their own is undocumented, the law is clear they have to leave for at least 10 years. They have to go back to wherever they were before or anywhere they want to go, but they can't be here. I thought to myself: This girl did nothing wrong. Mom and dad didn't file the papers and here she is in this predicament.

So I introduced the DREAM Act. It has five simple provisions. Here is what it says: If you came to the United States as a child, if you have been a

long-term U.S. resident, if you have good moral character, if you graduate from high school and you either complete 2 years of college or serve in the U.S. military, we will put you on a path to become a citizen of the United States. You have to earn it. We are not going to give it to you, but we are going to give you that chance. Just because mom and dad may have done an illegal act, we will not hold you as a child responsible for it.

The net result of this bill, when it becomes law, will strengthen our military—and we have the support from military leaders all across the United States; they want these young men and women to enlist. They will bring diversity and talent to the military. It will also mean they will be contributing to America with their higher education. They are going to be tomorrow's doctors and engineers, soldiers and teachers. We don't want to lose their talents. We don't want them educated in America for 13 years and then cast aside. We want them to stand and be part of our future and make us a stronger Nation.

Keep in mind that for most of these students it comes as a shock when they finally ask the questions and get the answers and realize the flag they have been pledging allegiance to every single day is not the flag of their country. They are people without a country. That is what the DREAM Act is about—to give them a chance.

We have asked the Obama administration on a bipartisan basis to not deport these eligible young people, for they have done nothing wrong. If they do something wrong, it is another story. But if they have done nothing wrong, don't focus on deporting them. What we are trying to do is to give them a chance—just a chance—to earn their way to the American dream. I think the administration's new deportation policy is sensible and I think these young people deserve a chance.

I can give these speeches for a long time and they don't mean much until we meet the DREAM Act students. Let me show my colleagues two handsome young men from Illinois: Carlos and Rafael Robles. I met them both. Carlos and Rafael were brought to the United States by their parents when they were children. Today, Carlos is 22, Rafael is 21. They grew up in suburban Chicago in my home State of Illinois. They graduated from Palatine High School where they were both honor students. In high school, Carlos was the captain of the tennis team and a member of the varsity swim team. He volunteered with Palatine's physically challenged program where every day he helped to feed lunch to special needs students. Carlos graduated from Harper Community College and is now attending Loyola University in Chicago majoring in education. His dream is to become a teacher. Do we need more good teachers in America? You bet we do.

Listen to what one of Carlos's high school teachers said about him:

Carlos is the kind of person we want among us because he makes the community better. This is the kind of person you want as a student, the kind of kid you want as a neighbor and friend to your child, and most germane to his present circumstance, the kind of person you want as an American.

One of Carlos's college professors wrote and said:

He is, very simply, the finest student I have ever had the opportunity to mentor.

Rafael, his younger brother, has a lot in common with Carlos. In high school, Rafael was captain of the tennis team and a member of the varsity swim team and soccer team. He graduated again from Harper Community College—understand these young men would attend college in America with no Federal assistance—none. They have to pay for it out of their pocket. So he graduated from Harper Community College. Now he is at the University of Illinois in Chicago where he is majoring in architecture.

Here is what one of Rafael's teachers in high school said about him:

Rafael is the kind of person I have taught about in my Social Studies classes—the American who comes to this country and commits to his community and makes it better for others. Raffi Robles is a young man who makes us better. During my 28 year career as a high school teacher, coach, and administrator, I would place Raffi in the top 5 percent of all the kids with whom I have ever had contact.

Here is the unfortunate part of the story about these two amazing young men. They were both placed in deportation proceedings. I asked the administration to consider their request to suspend their deportations and they agreed to do it, for the time being. I think it was the right thing to do. Carlos and Rafael are represented by volunteer lawyers in Chicago.

After I met Carlos and Rafael, they sent me a letter asking Members of Congress to support the DREAM Act, and here is what they said:

We ask you today to see it in your heart to do the right thing, to listen, and to reward the values of hard work and diligence, values that made America the most beautiful and prosperous country in the world and that we're sure got you, as members of Congress, to where you are today in life. These are values we have come to admire and respect in the American people. We will continue to uphold these values until the last of our days—we hope eventually as citizens of the United States, a country we now see as home.

So I ask my colleagues who are critical of the administration's deportation policy or have difficulties with the DREAM Act, Would America be a better place if Carlos and Rafael are deported? Of course not. These two young men grew up here, they were educated here, they have done well here, they have earned their way here. They want to be part of our future.

They are not isolated examples. There are literally thousands of them

just like Carlos and Rafael across this country.

When I introduced this bill 11 years ago, and I would give a speech like this and leave a hall, I could count on, if it were nighttime, someone standing by my car quietly as I approached and started to leave. They would ask me: Senator, can I speak to you for a minute.

Sure.

Senator, I am one of those students. They were afraid of being deported if they raised their hand and identified themselves at the meeting. That has all changed now, and it has changed for the better. These young men and women are courageously stepping forward to identify themselves. It is no longer a mystery of who they are or what they want to be. They are real flesh and blood. They are children. They are the people you sit next to in church. They are the folks who are working hard next to your son or daughter in the library at school. You are cheering them on on the football field. You are watching them lead the USC Marching Trojan Band. You are watching as they are aspiring to become tomorrow's scientists, engineers, doctors, lawyers, and teachers. They deserve a chance, and we should give them that chance by passing the DREAM Act.

I hope my colleagues will consider doing that as quickly as possible. They want peace of mind, they want a future, and we need them in America's future.

Madam President, I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from North Carolina.

Mrs. HAGAN. Madam President, I ask unanimous consent to speak as in morning business.

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

TRIBUTE TO SENATOR BARBARA MIKULSKI

Mrs. HAGAN. Madam President, I come here today to pay tribute to Senator BARBARA MIKULSKI on becoming the longest serving woman in the history of Congress.

First and foremost, I feel deeply privileged to be able to serve alongside Senator MIKULSKI. She blazed a path that allowed the rest of us, and people like me, to be here today. Along the way, she distinguished herself as not only a leader and tenacious advocate for the people of Maryland but for all Americans.

Senator MIKULSKI's path to the U.S. Senate prepared her well to be an effective fighter for her constituents. Ever the dedicated public servant, Senator MIKULSKI worked as a Baltimore social worker, community activist, and as a city council member. She brought an urgency and an unrelenting commitment to service to her work and the people she represented. It can be seen in the legislation she has fought for

and the causes she has championed during her 25 years in the Senate.

I am proud to say the first bill I cosponsored when I came to the Senate 3 years ago was one of Senator MIKULSKI's—the Lilly Ledbetter Fair Pay Act. This bill—which ensures that no matter your gender, race, national origin, religion, age or disability, you will receive equal pay for equal work—the fight to get it signed into law is a perfect example of the tenacity and sense of fairness that drives BARBARA MIKULSKI.

I am particularly grateful to her for her mentorship. On the day I was sworn in to the Senate, I was standing in the back of the Chamber waiting to walk down to the well. My colleague from North Carolina, Senator BURR, was with me. Senator MIKULSKI came up to me and asked who was going to escort me to the well to be sworn in. I, obviously, said: My colleague from North Carolina. She said: Well, you need a woman too. And with that, I was both humbled and honored to have her escort me down the Chamber aisle to be sworn in as a U.S. Senator.

Her generosity in sharing her experience and her expertise did not stop on that day. She is always encouraging, supportive, and eager to foster a spirit of teamwork. I especially appreciate that Senator MIKULSKI embraces the need for bipartisanship, which no doubt is why she is and has been so effective, accomplished, and widely respected.

Everyone knows well and respects Senator MIKULSKI for her advocacy on behalf of women and families. In this regard, she is truly a role model. During the debate on health care reform, her tireless fight to ensure that women's preventive services, including screenings for breast cancer and cervical cancer, would be covered with no out-of-pocket expenses is legendary.

Her ability to see and understand people's needs is clearly reflected in her Spousal Anti-impoverishment Act, which protects seniors across the country from going bankrupt while paying for a spouse's nursing home care. It is no wonder she is beloved, not only in the Third District, which she represented for 10 years in the House, but by all the people of Maryland whose interests she fights for every single day.

As one of the 17 women now serving in the Senate, it is hard to imagine what it must have been like when she arrived here 25 years ago as one of two women. I am grateful she and the other female Senators have paved the way.

BARBARA MIKULSKI is the dean of the women Senators, and her bipartisan women's dinners are among my favorite Senate traditions. I thank Senator MIKULSKI for her leadership and strong belief in the empowerment of women in our communities and in public office. For those of us who came to Washington to make a difference, BARBARA MIKULSKI has set a very high bar.

I congratulate Senator MIKULSKI for this extraordinary and historic accomplishment. I look forward to many more years of serving alongside her.

SURFACE TRANSPORTATION ACT

Mrs. HAGAN. Madam President, I will speak for a couple minutes on the Transportation bill.

I have come to the floor to express my support for passing the Senate bill before the current Transportation authorization expires this Saturday. This would create and sustain nearly 41,000 jobs in North Carolina and across the country close to 3 million jobs.

Earlier today, the House passed a short-term 90-day extension. Unfortunately, passing another stopgap extension is not the solution that businesses, States, and the entire country needs.

Short-term extensions create instability and uncertainty in funding, and without that certainty, States such as mine, North Carolina, cannot plan or move forward with projects, which jeopardizes tens of thousands of projects and millions of jobs in America. Once again, that is 41,000 jobs in North Carolina.

Upgrading our infrastructure is not a Democratic or a Republican priority; it is truly an American priority.

The Senate Transportation funding bill makes critical investments in transportation and infrastructure in North Carolina and across our Nation.

The return on investment, when it comes to infrastructure, is high. Moody's estimates that for every \$1 spent on infrastructure, our GDP is raised about \$1.59.

Additionally, for every \$1 billion spent on infrastructure, 11,000 to 30,000 jobs are created—jobs that North Carolina desperately needs.

Failure to pass the Senate Transportation bill could put these millions of jobs and \$1.2 billion worth of North Carolina construction projects in jeopardy.

This Transportation bill we are talking about is truly an economic engine. My State currently receives only about 92 cents for every \$1 we pay into the highway trust fund. This new legislation would ensure that at least 95 percent of North Carolina's payments to the highway trust fund will come back to our State—nearly 3 percent more than we currently receive.

Maintaining and upgrading our infrastructure is not just about creating jobs in the construction sector; it is the lifeblood of our communities. We need to make sure businesses have roads to access their plants and factories, rail, ports, and airport runways to export goods across the globe and to keep pace with the 24/7 global economy.

To put this in a global perspective, China currently spends four times as much on infrastructure as we do in the United States. We cannot allow this to continue. This is about staying competitive and leveraging commonsense

investments that will enable our economy to grow.

This Transportation funding bill will be used to improve our roads, bridges, and mass transit systems—projects that will put North Carolinians back to work and help American businesses compete in our global economy.

I urge my colleagues to take up and pass the Senate Transportation funding bill without delay.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

(The remarks of Mr. HOEVEN pertaining to the introduction of S. 2264 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HOEVEN. Madam President, with that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 15 minutes as in morning business.

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

JUSTICE GINSBURG ON CONSTITUTIONS

Mr. GRASSLEY. Supreme Court Justice Ginsburg, on a recent trip to Egypt, made comments that garnered public notice. She said:

I would not look to the U.S. Constitution if I were drafting a constitution in the year 2012. I might look at the constitution of South Africa.

She also spoke favorably of the Canadian Charter of Rights and Freedoms and the European Convention on Human Rights.

Although some people have criticized Justice Ginsburg for speaking negatively about the U.S. Constitution while abroad, I think she has a right to say what legal documents countries should consider that are now writing constitutions. But I do not agree with her those other constitutions are better examples of constitutions today than the U.S. Constitution is.

Some people who have criticized Justice Ginsburg's preference for the other constitutions she named have focused on the positive rights contained in those documents. Some of those constitutions, such as South Africa's, protect the right to "make decisions concerning reproduction," to "inherent dignity," and the right to have an environment protected "through reasonable legislative and other measures that prevent pollution and environmental degradation." The European Convention on Human Rights guarantees a right to education. Of course, none of these constitutions contain

anything like a second amendment right for the citizens to defend themselves.

Our Constitution is all about limiting the power of government. Americans do not fully trust the power of government, and Americans insist on rights that are protected against government action. In other words, our Constitution was intended to last for centuries, with the same meaning, even as those principles were applied to new situations. Our judges should reflect that philosophy, which is at the heart of our Constitution. If other countries feel differently, that is their right.

I think praise for those foreign constitutions rather than our own raises a much more serious issue—the role of the judiciary. Our Constitution made a judiciary that was the least dangerous branch, as Hamilton said. Policy is to be made by elected officials who answer to the voters and can be replaced; whereas, judges, under our Constitution, cannot be replaced. They have a lifetime position, short of impeachment.

The foreign constitutions that were named create a much different judiciary. The Canadian Supreme Court has stated their charter of rights and freedoms "must be capable of growth and development over time to meet new social, political and historical realities often unimagined by its framers. The judiciary is the guardian of the Constitution and must, in interpreting its provisions, bear these considerations in mind."

The European Convention has been interpreted by the European Court of Human Rights to be a "living instrument."

Madam President, these are explicit statements—that Justice Ginsburg's preferred constitutions are "living constitutions." A living constitution is one in which the meaning changes over time. Judges decide that new circumstances require a living constitution to mean something it did not mean sometime before. They say the constitution must keep up with the times. A living constitution can mean whatever judges want it to mean, completely contrary to what our forefathers had in mind when they wrote our Constitution.

Our Constitution is not a living constitution. Judges are not to make up its meaning as they go along over time. Even President Obama's Supreme Court nominees told us the role of a judge under our Constitution is not to interpret words however they believe new circumstances might warrant. "It's the law all the way down," Justice Kagan said. We should be skeptical of a living constitution that opens the door for judges to impose their values, not those of the Framers of the Constitution, on the citizenry of this country.

The Canadian Charter says it "guarantees the rights and freedoms set out

in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and Democratic society." The Canadian Supreme Court interprets that provision in light of a highly generalized four-part test that invites judges to insert their own policy preferences.

Similarly, the South African Constitution provides that its rights can be limited if they "are reasonable and justifiable in an open and democratic society based on human dignity, equality, and freedom." It tells courts explicitly to apply a six-part subjective balancing test that allows judges to interpret this provision however they want.

How would you like to live under a constitution such as that?

These constitutions Justice Ginsburg endorses invite judges to rule however they want on any question of rights. That is not consistent with traditional American notions of the rule of law, of a government of laws and not a government of people. Some judges may prefer constitutions in which judges are free to displace democratic decision-making on policy questions that are to be decided by elected representatives of the people under our Constitution. I do not. Our Constitution does not. We do not live in a government of, by, and for the judiciary.

But no one should think that the Canadian or the South African Constitutions fully protect rights that Americans think are precious, such as freedom of speech. Under the Canadian Charter, reasonable limits on free speech include prohibiting so-called hate speech against a group.

Finally, it is important to recognize why some of us on the Judiciary Committee continue to press judicial nominees on their adherence to the Constitution without reference to foreign law. For instance, Justice Breyer has stated that foreign judges also interpret "texts that more and more protect basic human rights." He has stated that he looks to the decisions of the European Human Rights Court and to Canadian cases as well, because they are "relevant" even if they do not control. He says, "[W]e can learn something about our law and our documents from what happens elsewhere."

What Justice Ginsburg did was to make very clear that which had only been implied in the past, making very clear that there are some in this country who feel that our venerable Constitution is outdated. If they treat that document as it was written and understood by the Framers, then their decisions will often lead to results they do not like as a policy matter. But if they can cite decisions from foreign courts and interpret constitutions that contain all kinds of different rights and that give judges unbridled power to make policy decisions at the expense of the elected representatives of the peo-

ple, then they can reach decisions that our Constitution otherwise would not allow.

It is not simply a disinterested survey of what other courts around the world are doing. It opens the door to a search for preferred liberal activist outcomes. These are the very high stakes at issue when we discuss whether it is appropriate for judges to cite or rely on foreign law in interpreting the U.S. Constitution.

We need to preserve, protect, and defend the Constitution of the United States. We need to preserve, protect, and defend the rights of American citizens. Justice Ginsburg and others who have a judicial longing for other constitutions that protect different rights and give unelected judges power that, under our Constitution, self-governing people exercise themselves—I tell those judges, including Justice Ginsburg, that is the wrong approach.

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

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to speak for up to 5 minutes as in morning business.

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

OIL SUBSIDIES

Mr. BROWN of Ohio. Mr. President, just a few minutes ago, I was presiding over the Senate and I heard remarks from my friend, the senior Senator from Missouri, CLAIRE McCASKILL, who sits next to me. I was intrigued by her response to the vote that had just taken place for my colleagues who preach every day about deficit reduction. As Senator McCASKILL said, they had an opportunity to pick the lowest hanging fruit there is, take away the tax breaks and the tax dollar subsidies that go to the oil interests in this country.

Think about that. We are giving incentives. Taxpayers are spending hard-earned dollars coming from workers in Dayton and Springfield and Akron and Canton that go directly to the most profitable industry in the history of the world, perhaps, particularly the big five oil companies, making billions and billions of dollars. Yet we are simply saying it is OK to give them those kinds of tax breaks and tax subsidies.

That is even putting aside the fact that every time there is a pipeline outage or every time there is a fire in a refinery or every time there is turmoil in the Middle East, the oil companies and the speculators use it as a chance to spike up oil prices. They do it over and over like clockwork. A problem in

Iran? Prices go up. A fire in a refinery? Prices go up. An outage in a pipeline? Prices go up.

The Presiding Officer from Vermont, with his bill, has led this effort to get the Commodity Futures Trading Commission and the Department of Justice to put the government on the side of the motorist, of small businesses, of the consumer. Just as Senator McCASKILL said earlier, to save tax dollars is really obvious and, on the other side, to make sure we go after the speculators when they rip us off.

According to a recent study, 56 cents of the price of every gallon of gas you buy when you go to the pump in gas stations all over America goes to the hedge fund operators and speculators. That is about \$10 to \$12 to \$15 a tank depending on how big a car you drive.

On the one hand, we are not saying no more tax breaks. On the other hand, we are not saying to the speculators: Stop this. You are not going to get away with this anymore. The government has to be on the side of the middle class here and fight back.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

SURFACE TRANSPORTATION ACT

Ms. LANDRIEU. Mr. President, I am going to speak for about 10 minutes. If someone else comes to the floor, I will be happy to shorten that, but I had to come to the floor to support the leadership of Senator BARBARA BOXER and Senator INHOFE from Oklahoma, who have worked for over a year to bring a very balanced and fundamentally important and essential infrastructure bill to the floor of the House.

We have many arguments on this floor. We have been arguing about judges. I heard Senator GRASSLEY give a pretty tough speech voicing his opinion of some of our Supreme Court Justices. I do not agree with much of what he said, but he is entitled to his opinion. We have those debates. There are good people on both sides. We are debating oil taxes and whether the oil industry is paying too much or too little. You could have arguments about that.

But even our children in kindergarten and even our citizens who do not pay attention to some more difficult arguments understand roads, bridges, and mass transit. They understand hardhat jobs. They see people every day laying bricks, pouring concrete, going to work at steel mills and factories that produce the materials that build our infrastructure. They drive over potholes all day long. They ride down the interstates with 18-wheelers whizzing by them in smaller cars because they are trying to be more fuel efficient, with their heart in their chest, with their children in the backseat, and they look up to Congress, to the House of Representatives, and say: Where is our Transportation bill?

This Transportation bill was not written by one Senator and voted on by

a slim majority. This Transportation bill that the House refuses to even consider was built by one of the more progressive and one of the most conservative Members of this body. It was voted on almost unanimously out of committee, brought to the floor of the Senate just a couple of weeks ago, and received over 75 votes in a body that cannot decide about our judges, really, we can't decide about the post office, we can't decide about oil and gas taxes. But 75 of us said that we are tired of running our highways and our transit on 90-day, 30-day, 60-day extensions. I think this is the 26th short-term extension since 2009. What way is this to run a government?

For the other side of this building that talks about putting business practices to work, let's be more efficient in the way we operate, and let's operate more like a business, do you know, Mr. President, any business in America, large or small, that operates with a 30-day vision? Do you know one? I don't know one. I understand businesses have 6-month plans, a year, but they always have that 5-year long range. They might have 6-month goals. I don't know one business in America that operates on a 30-day plan.

Here we are at the ninth hour again. We have a bill. We produced a bill. If the House had a bill—I am a centrist—if the House had a bill, I would be working with the middle of the road over there, trying to say: This is what your bill does. This is what our bill does. We can't have our way completely here in the Senate, although I would like to have our way more of the time, but I understand.

They do not have a bill. They do not have a bill to negotiate because they cannot even get a bill together among the three committees of jurisdiction over there.

Again, if they had a bill, I know Senator BOXER and Senator INHOFE would be happy to negotiate. Maybe they want a 4-year bill, we want a 2, maybe we negotiate a 3. They don't like the mass-transit portion; we like the mass-transit portion; we could come to some terms. They don't like the way the formula works; we like the general way the formula works; we could come to terms. I understand that.

But what I do not understand, what no one in the country understands—what the mayors are having a hard time understanding, what the Governors are having a hard time understanding and the businesses that operate in my State, represented by the chamber of commerce, the NFIB, and the Main Street Alliance of small businesses from the left to the center to the right—what they do not understand is how you do not have a bill at all and you have not been able to put one together. We have now been in this Congress for a year and a half. You have had 1½ years to put a bill together, and you have not come up with one.

We put one together that looks pretty good. No one that I know of from any group has said anything really bad about our bill. It is pretty plain in one sense. It is not changing the course of Western civilization; it is just trying to fund roads, bridges, and transit, which is fundamental to the operations not only of our government but our economy and, frankly, the economy of the world because without highways it is hard to import or export products. This bill has impacts way beyond America.

For the life of me, I cannot understand how the House of Representatives is going to leave and go on vacation and think they have done their job by giving us another 90-day extension.

I do not know what the leadership is going to do, but I want my vote recorded as no. I am not going to hold up everybody here over the holidays, but I want to say that I want my vote recorded as no. I am not going to continue to support 30-day, 60-day, 90-day extensions to a transportation bill that really, in the scheme of things, should not be that complicated to pass. There are other much more controversial things about which we could be having very serious debates. Building highways and roads and transit should not be one of them.

We are hurting jobs. We heard the Republicans—I cannot blame the Republicans in the Senate. I think they have been for the most part really terrific, actually, working with Senator BOXER. They have even given a majority of the votes. So I guess my focus is really on the Republicans in the House. I don't think they have taken the time to really look at the Senate bill to see how balanced it is, and one part I wish they would read, which is the part I want to talk about for the next 5 minutes—and I know other Senators are here to speak—I hope the gulf coast Members from Texas, Louisiana, Mississippi, Alabama and Florida—and together that is a pretty big coalition; I don't know the total number, but I think there have to be over 75 Members from Texas, Louisiana, Alabama, Mississippi, and Florida—I hope they read the section of the Transportation bill that talks about the RESTORE Act.

I have spent a great deal of time over here with my good friend and wonderful leader, Senator SHELBY, with Senator BOXER, with over 300 organizations, for over a year, to build a bill that is now part of the Transportation bill that, in addition to building highways in Florida and transit and roads in Alabama and Mississippi, will also for the first time in the history of our country—the first time—direct a significant portion of penalty money paid by a polluter, BP, that polluted the gulf coast—a good company in some ways but really messed up that well, though, and they just spilled gallons and gallons and millions of barrels of oil. We have shrimp that are coming in

our nets with no eyes. We have turtles that are washing up on our shores dead. We have research needs in the gulf coast that—there has been no time in our history where we have needed that money more.

My question is to the gulf coast Republican Members and Democratic Members. What is it about this bill that is driving you so crazy that you can't accept \$10 billion that the Federal Government is trying to give you? Because that is what the RESTORE Act could potentially send to the gulf coast, a portion of the fine. We don't know whether that fine is going to be \$5 billion or \$10 billion or \$20 billion, but we do know it is going to be substantial because under current law they have to pay \$1,000 for every barrel spilled or \$4,200 if it was gross negligence.

In the Senate Transportation bill, this body showed rare bipartisan support and concern for the gulf coast, America's energy coast. We showed an understanding of the great erosion that is taking place in the delta of Louisiana, which drains 40 percent of the continent. We showed understanding that so much of our shipping and seafood industry relies on this coast—not that the other coasts are not vitally important—and we showed we understand the underinvestment that has been made. So 75 percent of the Senate basically stood and said: OK. Let's redirect this penalty money to where the injury is. That is the RESTORE Act, and that is in the Senate bill we sent over to the House, which they have absolutely just rejected.

I don't know what magic there is about the next 90 days, but I know what I am going to do. I am going to register my vote as no, and I am going to go home and work harder in Louisiana and along the gulf coast to explain to the people of our region how much is at stake by getting a longer term Transportation bill. Maybe 2 years is not as long as we would like to have, but it is better than 30 days, it is better than 60 days, and it is better than 90 days.

I will ask and explain that not only is the Transportation bill vital for Louisiana's projects but for approving the RESTORE Act, which I know the House has indicated their support for. They have indicated a support for the concept of the RESTORE Act, but the act itself is in the Transportation bill.

So I am going to wrap-up. There are other Members on the floor who will speak. I thank the leader, BARBARA BOXER, who is here.

But for 90 days let's get back to work and go for a long-term Transportation bill that is a real jobs bill that will help the whole country but particularly the gulf coast with the RESTORE Act.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I see the Republican leader is on the floor, and I understand there may be a unanimous consent that is propounded, and I can offer some remarks in the context of an objection and a counterproposal, if the minority leader would like to proceed now.

Mr. MCCONNELL. I would say to my friend from Rhode Island, I am not the one who will be asking consent.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak until I get a signal from the majority leader that he will seek recognition, at which point I will yield the floor.

I wished to follow in the footsteps of Senator LANDRIEU of Louisiana and reflect my own dismay and dissatisfaction with the situation we are in right now. The House extension on the highway bill, which we are going to be asked to proceed with, is going to cost—as far as the estimates I can see so far—around 100,000 jobs, and that is damage to our economy. That is a self-inflicted wound. More specifically, it is a House-inflicted wound, and I would very much like to see the Senate fight to force action on the Senate highway bill. It is a bipartisan bill with amendments and is fully paid for. This is a serious bill, as opposed to inflicting this kind of damage on our economy with a short-term extension.

Does the majority leader seek recognition?

Mr. REID. Yes, I do.

The PRESIDING OFFICER. The majority leader.

SURFACE TRANSPORTATION EXTENSION ACT OF 2012

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to H.R. 4281, the Surface Transportation Extension Act, which was received from the House and is now at the desk; that the bill be read three times and the Senate proceed to vote on that matter.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. There are several of us who reserve our right to object. What the House has done is guaranteed job losses for this country. They are already dithering on the Senate bill. Their not taking it up for a vote has cost us about 100,000 jobs. Thousands of businesses are at stake, and eventually we are talking about 3 million jobs at stake. The fact that they would do this without any commitment to get to conference, without any commitment to finish their job and run off on vacation is the reason I am reserving the right to object.

I ask that the unanimous consent request be modified so an amendment, which is at the desk, the text of S. 1813, the surface transportation bill, passed by the Senate on March 14, 2012, by a large bipartisan majority vote of 74 to 22, be agreed to; the bill, as amended, be read a third time and passed; and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection to the request for modification?

Mr. MCCONNELL. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. The problem with accepting the Boxer amendment is that it would shut down the Federal-Aid Highway Program, which means States wanting reimbursement for projects will not get paid. It will cause already nervous State Department of Transportation directors to cut back further on the work because there will be no reimbursements on Federal projects, and it would cost the highway trust fund \$100 million per day for any day the gas tax is not collected, thereby adding to the deficit.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. CARDIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Reserving the right to object, and I was listening to the distinguished Republican leader, let me challenge some of the assumptions so maybe we can get to a consent. In talking to Members of the House of Representatives, I am very confident there is ample support to pass not only the bipartisan surface transportation bill that passed this body by an overwhelming vote but a consensus bill that came out of our committees by unanimous vote in both the Environment and Public Works Committee and the Banking Committee. There is general agreement that this bill should be enacted into law.

I am confident that if the Speaker of the House brings this bill to the floor of the House of Representatives, it will be passed. There are adequate votes for it.

To my friend, the distinguished Republican leader, here is the problem: If we pass another short-term extension, we are going to lose jobs. In my own State of Maryland, we cannot let the contracts on major maintenance projects with a 90-day extension. We cannot move forward with the planning of our highways, our bridges, our transit systems with another short-term extension. This takes us to the middle of the summer. We lose the construction season on getting transportation work done.

I urge the distinguished leader that we do have the opportunity to pass the bill right now, and if we stand firm and tell the House of Representatives we want to do what is right for the American people, that in the Senate we had a bipartisan bill, a consensus bill—what's happening in the House is extremely partisan. Let's get together on the most important jobs bill we can pass. It is thousands of jobs in Maryland, and it is millions of jobs in this Nation that are affected by passing a surface transportation bill.

With that, I am hoping I convinced the distinguished Republican leader.

I ask unanimous consent that the request be modified so that an amendment, which is at the desk, the text of S. 1813, the surface transportation bill, passed by the Senate on March 14, 2012, by a large bipartisan majority vote of 74 to 22, be agreed to; the bill, as amended, be read a third time and passed; and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. MCCONNELL. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. I will spare the Senate the repetitious repeating of my remarks with regard to the initial Boxer modification, but the principles remain the same.

I object.

The PRESIDING OFFICER. Objection is heard. Is there objection to the original request?

Mr. WHITEHOUSE. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I would like to join my colleagues in trying to find a way to attach the Senate bill which passed this body better than 3 to 1, with a huge bipartisan majority, which is a good bill. It was paid for and had weeks of collegial work, back and forth, with bipartisan amendments, which is a serious bill that every major business group in the country, every major labor group in the country, and even environmental groups are supporting.

As the Senator from Maryland has said, it would certainly virtually be passed by the House if the Speaker would only bring it up, but for partisan reasons the House has refused to even bring it up for a vote. Instead, they sent us this extension which will cost 100,000 jobs.

It is my view that if we can send it back in this form, we will not experience the parade of horrors that the distinguished Republican leader has suggested because it will not come to that point. They will, in fact, pass the Senate bill and we will have a real highway bill and not a partisan extension that kills 100,000 jobs.

It is 1,000 jobs in my home State of Rhode Island. We have over 10 percent unemployment. This is a self-inflicted wound that hits Rhode Island, that hurts my home State. It makes no sense. Therefore, I ask, again—and I apologize for coming back to this, but I think it is important that we try to defend this body, which has worked well together, which has made a sensible, serious bill and is being infected by the dysfunction that is presently taking place in the House. This extension is a representation of that dysfunction.

So I again ask unanimous consent that the majority leader's request be modified so the amendment at the desk, the text of our highway bill, S. 1813, be added to the bill, that the text be agreed to; the bill, as amended, be read a third time and passed; and the motions to reconsider be laid upon the table.

I thank both the majority leader and minority leader for their patience.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. SCHUMER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I am not going to object, but I wish to reiterate the comments of my colleagues from California, Maryland, and Rhode Island. I know my colleague from Louisiana will do the same. We have a broad bipartisan bill. Transportation and highways are a linchpin of our economic recovery, not only in the jobs they create now, rebuilding and building highways, but in making our economy more efficient.

China is building four times the infrastructure we are. India is building more infrastructure than we are, and in the Senate—to the credit of both sides—we have a broad bipartisan bill that moves us forward. It is not everything I would want or any of us would want. It was put together masterfully by Senator BOXER and Senator INHOFE, who are political opposites.

The House, in its paralysis—because there is a small group who, frankly, don't believe the government should be an infrastructure at all—ties it in a knot and forces us with the awful choice of either shutting things down because they are not going to budge or just renewing an old bill which needs updating, which throws people out of work. They are creating paralysis in this country in the case of infrastructure and in many other cases.

If the public wants to know why the country is not growing at a greater rate, wants to know why there is such high unemployment in the construc-

tion industries, look at the ideologues over there and their refusal to face reality, to deal with their colleagues, and to put this country—not us—in a take-it-or-leave-it position. This 90-day extension is not the way to go. The way to go is to pass the Senate bill, and I hope those on the other side of the aisle, pushed by outside folks from business management and others all across the country, will see the error of their ways and change their ways over the next few months.

I thank my colleague, and I yield the floor.

The PRESIDING OFFICER. Is there objection to the original request?

Ms. LANDRIEU. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. And I might object, because I think this is a very serious matter. I am reserving the right to object because, as the majority leader well knows, if we would follow Senator BOXER's leadership, sending the Senate bill back to the House, we would not only not lose any jobs, we would create 1.9 million jobs, and for the Restore Act, which is very important to the gulf coast, it would create another 300,000 jobs.

The only action that is going to cause job loss is the action we are basically being forced to accept right now, sent over by a partisan House of Representatives, to go to another short-term extension. This country doesn't need short-term extensions, it needs long-term answers, and it needs jobs they can count on.

Every business in America relies on this Transportation bill. We have now been going to short-term extensions for 3 years. It is time to stop.

I want my leader, who is on the Senate floor, to know I may object in the next few minutes, but I absolutely will object to any other short-term resolution on this bill for as long as this Congress is in session. This is enough.

Now, had this bill gotten out of here with just Democrats on it, I would say we don't have a leg to stand on because we don't have a balanced bill, and we can't jam this through on the other side. But this bill got out of here with 75 or 76 votes. Now, 2 years is not 5 years, but it is better than 3 months. It is a bill we could pass and build on. It is a bill that assures people can go to sleep tonight knowing they have a job tomorrow.

So I object to the minority leader's comments about this bill, that our action is going to lose jobs. No, we have been here working hard to save jobs. I hope when the Republicans go home they will hear from the business community, from the right, the middle, and the left; I hope they will hear from environmental groups: What are you guys doing?

The final comment I want to make as I am objecting is, if the House had a

bill, then this would be a negotiation between two bills. The problem is they don't even have a bill. How do we negotiate with a group that doesn't have a bill? They have ideas, they have philosophies, they have platforms, and they have speeches, but they don't have a bill. We couldn't negotiate with them if we wanted to. There is no bill.

This is why we are telling the country: Look, we don't know what their problem is—they have many—but we have a bill. So if they can't get their bill together, take the one we put together. But, no, that is too simple for them.

So I am reserving the right to object. I am going to listen to what my leader has to say, and I might object. I know everybody wants to go home. I know we want to have this unanimous consent agreement. But my State not only has its transportation money wrapped up in this, it has its hope for the future wrapped up because the Restore Act is in that bill.

For the first time, this Senate stood up since I have been here and said: You are right, gulf coast. You do a lot. You have been injured a lot, and we are going to help you. So that bill is in there too, which is why I am hard-pressed to say I will vote for a 90-day extension.

So reserving the right to object, I ask unanimous consent the request be modified so an amendment, which is at the desk, the text of S. 1813, the surface transportation bill, passed by the Senate on March 14, 2012, by a large bipartisan majority of 74 to 22 be agreed to; the bill, as amended, be read a third time and passed; and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request of the majority leader?

Without objection, it is so ordered.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4281) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill, having been read the third time, the question is on the passage of the bill.

The bill (H.R. 4281) was passed.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, this has been a difficult time for everyone, and we have what none of us wanted. Our bill was passed in the Senate by a very nice bipartisan margin. I hope during the Easter recess, the House will be

able to come back with something they can—as Senator LANDRIEU mentioned, at least have some piece of legislation they can give to us and try to work toward a conclusion or accept our bill, which is our preference.

So I appreciate very much the comments of my colleagues, and I appreciate their patience and understanding of the situation we find ourselves in, which is not a good one.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I know my colleague Senator COLLINS is waiting to speak. I will be very brief.

Let's be clear what just happened. What just happened is the House sent us a 90-day extension of our transportation programs with not one dime of revenue in there to fund those, and the highway trust fund is on the road to bankruptcy. So they are the first in my memory—the first legislative body in the Capitol—to ever extend for this period of time without a dollar, which means an acceleration of bankruptcy of the trust fund.

What else did they do? They just guaranteed 100,000 people are not going to get their jobs, and they guaranteed hundreds of businesses are not going to get jobs. They sent out a signal that America should be ready for hardship because they didn't even have the decency to put in that extension a written commitment to produce a bill, to get to conference with us, and to get a bill to the President. No, they run off on their vacation and leave people twisting in the wind.

Well, I want it to be known I am one of the chairs who worked on the bill. There are many other people who were fantastic on this bill from both sides of the aisle. I know—I spoke to Senator INHOFE today about this—we want this bill done. I am going to use every tool at my disposal as one Senator to keep the pressure on the Republican House.

Speaker BOEHNER: You are not Speaker of the Republicans, you are Speaker of the House. Reach your hand across the aisle, as Senator INHOFE reached across the aisle to me and I reached across to him; and JAY ROCKEFELLER reached across to Senator HUTCHISON and she reached across; and TIM JOHNSON reached across to SHELBY and he reached across; and MAX BAUCUS had an array of Republicans work with him in the Finance Committee. We know we can do this.

But what the House has done is send a very clear message of job loss and hardship. It is unacceptable. I look forward to working on this every single day. Now we have 90 days. Tomorrow it will be 89, and then 88. We are going to count down, and we are going to keep the pressure on, and we are not going to let this transportation program go up in smoke because it has been in place since Dwight Eisenhower was President.

It is a sad day for America today, a very sad day. But we will never give up over here, and JAMES INHOFE isn't going to give up, and we are going to fight hard to get a bill.

Mr. BAUCUS. Mr. President, I rise to discuss the revenue title to the highway bill that the Senate passed earlier this month.

Gandhi said: "Truth quenches untruth."

I rise to quench untruth. I understand some of our colleagues in the House have mischaracterized the Senate's highway bill by saying that it wasn't paid for.

Nothing could be further from the truth.

The Senate highway bill is fully paid for and supports more than 1.6 million jobs across the country. It will also ensure there is still money in the Highway Trust Fund at the end of the bill's 2-year authorization.

I want to explain exactly how we fund this bill so everyone is clear.

As chairman of the Committee on Finance, I worked very hard with members of both parties to put together a funding package that would:

First, pay for a reauthorization bill through September of 2013;

Second, not add a single dime to the deficit or the debt; and,

Third, not leave the Highway Trust Fund bankrupt at the end of the proposed reauthorization.

According to estimates from the Congressional Budget Office and the U.S. Department of Transportation, the Highway Trust Fund needs \$5.6 billion to pay for the Senate's proposed reauthorization.

In addition, the U.S. Department of Transportation said we need a so-called "cushion" of extra money in the Highway Trust Fund at the time of the bill's proposed September 30, 2013 expiration.

I am pleased to report that Senate Republicans and Democrats ultimately came together to put \$9.2 billion into the Highway Trust Fund within the next two years, paying for the bill and leaving a sizable \$3.6 billion cushion at the end of the authorization period.

Actually, in total, we put \$14 billion into the Highway Trust Fund within the budget window of the next 10 years.

Focusing on the nexus to transportation and energy, we were able to transfer an immediate \$3 billion surplus in the Leaking Underground Storage Tank trust fund—the so-called "LUST Fund"—into the Highway Trust Fund. This was an idea offered by a number of Finance Committee Republicans. Like the Highway Trust Fund, the LUST Fund relies on the fuel tax for funding.

In addition, Finance Committee Republicans also proposed routing a third of the future fuel tax revenues intended for this storage tank fund into the Highway Trust Fund. This raises nearly another \$700 million over 10 years.

Next, we transferred into the Highway Trust Fund revenues that the general fund would receive from fees on cars that don't comply with fuel efficiency standards and the tariff on foreign automobile imports.

Together, these provisions provide nearly \$5 billion for the Highway Trust Fund, with about \$1.6 billion coming in the first 2 years.

Then, we replenished the general fund for the amounts we moved into the Highway Trust Fund. We did this by clamping down on tax cheats and unscrupulous Medicare providers, as examples.

Finally, after accommodating Republican Senators' concerns at markup to rework some elements of our proposal, we accepted a widely supported idea to stabilize required contributions into pension plans.

The pension plan beneficiaries will still be able to rely on the plans getting funded, but employers will have a more predictable and realistic schedule for how much to contribute.

This provision raised sufficient revenue to enable us to then transfer another \$4.5 billion into the Highway Trust Fund in the first 2 years, bringing the 2-year total to about \$9.2 billion, well more than the \$5.6 billion needed to just pay for the bill.

This pension stabilization provision raised more than \$9 billion in total, which also enabled us to accept a Republican amendment to put additional money into the Highway Trust Fund in future years. This brought the 10-year total to approximately \$14 billion, as I stated earlier.

My understanding is that this increase in general fund revenue to plus up the Highway Trust Fund would be considered acceptable under the House Republicans' proposed budget with its "Reserve Fund."

It is also my understanding that the House's proposed 5-year bill will leave the Highway Trust Fund at the brink of insolvency by the bill's proposed conclusion, unlike the Senate's carefully crafted compromise that I have just described.

The House leadership should not make inaccurate claims about the Senate's bill to camouflage their own inability to pass a long-term bill and unwillingness to work out compromises.

We just passed yet another short-term extension to provide funding for only 90 days. We can't keep kicking the can down the road. Pretty soon there will be no road left to kick the can down.

The easiest way to work together and forge a solution to create jobs and fund our Nation's highway system is for the House to take up the Senate's bill. It's a good bill. It provides certainty so businesses and communities can plan construction projects and create jobs.

It is fully paid for. In fact, it ensures the Highway Trust Fund will remain

solvent even after the end of the bill. It gives us time to address the longer-term needs of our national program, and how we are going to pay for it.

The House Republican leadership should set partisanship aside. They should realize there are no Republican or Democratic roads or bridges. There are only American ones. It is time to work together and not leave the Highway Trust Fund insolvent.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

HEALTH CARE REFORM

Ms. COLLINS. Mr. President, during the past week, the Supreme Court heard arguments on the constitutionality of President Obama's health care law. This week also marks the 2-year anniversary of the President's signing that law.

There is no question that our health care system required and still requires significant reform. In passing this law, however, Congress failed to follow the Hippocratic oath of "first, do no harm." The new law increases health care costs, hurts our seniors and health care providers, and imposes billions of dollars in new taxes, fees, and penalties. This, in turn, will lead to fewer choices and higher insurance costs for many middle-income American families and most small businesses—the opposite of what real health care reform should do.

I find it particularly disturbing that President Obama's health care law does not do enough to rein in the cost of health care and to provide consumers with more affordable choices. In fact, Medicare's Chief Actuary estimates the law will increase health care spending across the economy by more than \$300 billion. The nonpartisan Congressional Budget Office says the law will actually increase premiums for the average family plan by \$2,100. Moreover, a recent report issued by the CBO found that the new law will cost \$1.76 trillion between now and the year 2022. That is twice as much as the bill's original 10-year pricetag of \$940 million.

The new law will also mean fewer choices for many middle-income Americans and small businesses. All individual and small group policies sold in our country will soon have to fit into one of four categories. One size does not fit all.

In Maine, almost 90 percent of those purchasing coverage in the individual market have a policy that is different from the standards in the new law.

I am also very concerned about the impact of the law on Maine's small businesses, which are our State's job

creation engine. The new law discourages small companies from hiring new employees and from paying them more. It could also lead to onerous financial penalties even for those small businesses that are struggling to provide health insurance for their employees.

According to a Gallup survey taken earlier this year, 48 percent of small businesses are not hiring because of the potential cost of health insurance under the new law. The Director of the Congressional Budget Office has testified that the new health care law will mean 800,000 fewer American jobs over the next decade.

Even when the law tries to help small businesses, it misses the mark. For example, I have long been a proponent of tax credits to help small businesses afford health insurance for their employees. The new credits for small businesses in the health care law, however, are so poorly structured and phased out in such a way that businesses will actually be penalized when they hire new workers or pay their employees more. Moreover, they are temporary. The tax credits are temporary and can only be claimed for 2 years in an insurance exchange.

I am also very concerned that the new law is paid for, in part, through more than a \$500 billion cut in Medicare—a program which is already facing serious long-term financing problems. It simply does not make sense to rely on deep cuts in Medicare to finance a new entitlement program at a time when the number of seniors in this country is on the rise. We need to fix and save Medicare, not add to its financial strains.

Moreover, according to the administration's own Chief Actuary, those deep Medicare cuts could push one in five hospitals, nursing homes, and home health providers into the red. I am particularly concerned about the impact on rural States like Maine. Many of those providers could simply stop taking Medicare patients. That would jeopardize access to care for millions of our seniors.

It did not have to be that way. The bitter rhetoric and the partisan gridlock over the past few years have obscured the very important fact that there are many health care reforms that have overwhelming support in both parties.

For example, we should have been able to agree on generous tax credits for self-employed individuals and small businesses to help them afford health insurance. That would have reduced the number of uninsured Americans. We should have been able to agree on insurance market reforms that would prevent insurance companies from denying coverage to children who have preexisting conditions, that would permit children to remain on their parents' insurance policies until age 26, that would require standardized claim

forms to reduce administrative costs, and that would allow consumers to purchase insurance across State lines. Those are just some examples of health care reforms that would enjoy and do enjoy widespread bipartisan support.

We also should be able to agree on delivery system reforms that reward value over volume and quality instead of quantity. We should be able to agree on reforms that increase transparency throughout the health care system so consumers can compare prices and quality more easily.

I know the Presiding Officer's State, and Dartmouth College in particular, has done a great deal of work in this area, as have many health care providers and many hospitals in the State of Maine. They are experimenting with new delivery models that will help them better control chronic disease treatments, which, in turn, will not only improve the quality of health care but also help to lower costs.

We should be able to agree on ways to address the serious health care workforce shortages that plague rural and small-town America. Simply having an insurance card will do you little or no good if there is no one available to provide the health care.

In short, I believe we made—Congress made—a real error in passing ObamaCare. We should repeal the law so we can start over, to work together in a bipartisan way to draft a health care bill that achieves the consensus goals of providing more choice, containing health care costs, improving quality and access, and making health care coverage more affordable for all Americans.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

Mr. SESSIONS. Madam President, I am here today to share a new and stunning revelation unearthed by my staff on the Senate Budget Committee. One of my responsibilities as the ranking member is to look at the long-term cost of legislation, so we wanted to ascertain the long-term cost of the President's health care bill—I mean the kind of long-term cost analysis that has been going on for a number of years with regard to Medicare, Social Security, and Medicaid, over a 75-year period. I was floored by what we discovered.

First, let's put in a little context. President Obama told the American people repeatedly that his health care bill would cost \$900 billion over 10 years and that it would not add one dime to the public debt. But we have shown that the cost score for the first 10 years of implementation, when the bill is fully implemented, is actually \$2.6 trillion—almost three times as much.

In addition, the offsets used to reduce the law's official cost were enormous and phony, as I have discussed before and will detail at another time. These are unacceptable offsets. You have heard the story of Mr. Mistoffelees, the Napoleon of Crime. I say that this bill is the Napoleon of criminal offsets. The more we learn about the bill, the more we discover it is even more unaffordable than was suspected.

Over a period of about 3 months, our staff worked diligently to estimate the new unfunded liability that would be imposed by the passage of this legislation. This is not the total cost of the bill but the unfunded mandatory coverage obligations incurred by the U.S. Government on behalf of the people of the United States over a period of time.

An unfunded obligation is basically the amount of money we will have to spend on a mandatory expense that the bill does not have a funding source to meet—money we don't have but money we are committed to spend. It is this kind of long-term unfunded obligation that will place this Nation's financial situation at such great risk. It is the thing that has called witness after witness before the Budget Committee, on which I am ranking member, who tell us we are on an unsustainable path. That means money we will either have to print, borrow, or tax to meet the obligations we would incur as a people as a result of the passage of this bill.

For instance, it is widely agreed that Social Security has an unfunded liability of \$7 trillion over 75 years. That is an enormous sum. It is double the entire amount of the U.S. budget today. My staff used the models that are used by the Centers for Medicare and Medicaid Services. They talked with the individual experts about these numbers and worked diligently to come up with a figure using appropriate methods. That figure, using the administration's own optimistic assumptions and claims about the cost of the law, is an incredible \$17 trillion that would be added to the unfunded liabilities of the United States over the next 75 years. That is more than twice the unfunded liability of Social Security.

I wish to emphasize that this \$17 trillion figure is not an estimate based on what we think the bill will really cost if all the administration's claims and promises were to be proven false—and certainly there have been matters proven false already. We used the ad-

ministration's own figures. So the unfunded liability is almost certainly not going to be less than \$17 trillion, but if any more of the administration's claims unravel—as so many already have—the cost of the program's unpaid-for obligation will rise radically higher than \$17 trillion. For instance, former CBO Director Douglas Holtz-Eakin, an expert in these matters, says that millions more individuals may lose their current employer coverage and be placed into the government-supported exchanges than currently projected—than what the administration has projected. But we didn't follow Mr. Holtz-Eakin's arguments or concerns; we took the administration's assumptions.

Let me briefly explain some of what now comprises this additional \$17 trillion in unfunded obligations.

Madam President, \$12 trillion is for the health care law's premium subsidy program. You see, the law created new regulations that drive up the price of insurance for millions of Americans. The writers of the law knew it would inflate the cost of insurance premiums, so to cover that cost, they had to include new government subsidies so people could pay for their more expensive insurance.

On Medicaid, this new health care law has added another \$5 trillion to its unfunded liabilities. This is on top of the substantial unfunded obligations the Federal and State governments have already had to take on in order to support Medicaid. They have protested vigorously to us, warning of these additional deep expenditure requirements that are falling on the States.

These figures don't even account for the dozens of new bureaucracies that will be created to implement the President's health care law or the expansion of the bureaucracies. Those costs are not included in the \$17 trillion or the cost estimates the administration used for the bill. For instance, the IRS has requested 4,000 new IRS agents and \$300 million in additional funds for their part in implementing the new law.

At a time when we should be trying—we have to—to shore up programs that are threatened by default—Medicare, Social Security, Medicaid—this health care law adds an entirely new obligation—one we cannot pay for—and puts the entire financing of the U.S. Government in jeopardy. We don't have the money. We don't have another \$17 trillion in unfunded liabilities that we can add to our account. We have to reduce the ones we have. This has been obvious for several decades. People have talked about it repeatedly.

Instead of doing something about those programs that are headed to bankruptcy, we add—under this President's determined insistence and a straight party-line vote—one of the largest unfunded mandates in history on top of what we already have. How

can we possibly justify this? It cannot be justified.

This bill has to be removed from the books because we don't have the money. There are a lot of other reasons, but that is one of them. It is incapable. It would be absolutely irresponsible for this Congress to maintain a law that would run up this kind of debt—2½ times the unfunded obligations of Social Security—and we are worried about our children being able to have their Social Security checks on time.

This is not a little bitty matter, it is important. So I will be sending a letter to the GAO, the Government Accountability Office. They do these kinds of scorings over 75 years. We will ask them to construct their independent estimate of the unfunded health care law obligations. I believe they will be similar to the ones my staff has produced. I hope they are better, but I am afraid they are not. And even if they come close to what we have calculated, it is pretty clear that the money that will be coming in could be far less and the obligations could be far more than what are being projected, as Mr. Holtz-Eakin and others have said. It is an urgent matter.

I plan to come to the floor in the coming days to continue to explain the true fiscal cost facts about this legislation. There are many other serious problems with it. It is unpopular, unaffordable, unconstitutional, and it has to be repealed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I appreciate the opportunity to speak. I ask unanimous consent to speak as in morning business.

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

Mr. CARPER. Madam President, I feel compelled to say a word on the heels of our colleague from Alabama, whom I salute as he heads off into the setting Sun. I wish him well and to have a good break.

When I was in the Navy during the Vietnam war, when we weren't flying a lot of missions off the coast of Cambodia and Vietnam, we flew into a lot of other countries, including Japan. I have always had an interest in Japan in terms of the way they provide health care. One thing that intrigues me about that is that they spend half as much money for health care as we do. They spend 8 percent of gross domestic product. We spend 16 percent of gross domestic product. They get better outcomes—everything from longer life expectancy to lower rates of infant mortality—and they cover everybody. They cover everybody. It is not socialized medicine. They have a private health care delivery system and private health insurance companies as

well as we do, but they get a better result for about half the money we do, and we have to compete with them.

It is not a fair competition. We have our businesses that are competing directly with the Japanese and, frankly, with other countries as well. But when they are spending half as much money for health care, and we are trying to compete our businesses against theirs, it is not a fair fight. It is like having one arm tied behind our back.

For years, Presidents, Members of Congress—Democrat and Republican—have talked about this challenge—the fact we spend so much more money for health care than the rest of the world, and we don't get better results and, in a lot of cases, we get worse results and we don't cover everybody. We have a lot of people uncovered. That is not smart.

For years, for decades, nobody took it on. They tried during the Clinton administration but gave up during that course. They didn't have the kind of bipartisan support that is needed. Frankly, we didn't have the bipartisan support I would like to have had on health care reform when we took it up during the earlier part of this current administration.

A lot of people have focused on the individual mandate as being constitutional or unconstitutional. I am not a lawyer. I don't pretend to be an expert on that stuff. I studied a little economics when I was a Navy ROTC midshipman at Ohio State. When I got out of the Navy and moved to Delaware to get an MBA under the GI bill, I studied some more economics and all, but I don't pretend to be a lawyer. But I do know this: Health insurance companies have said to all of us—Democrats, Republicans, Presidents, now and in the past—look, if you expect us to provide health insurance for folks with preexisting conditions, you have to make sure the pool of people we have to cover includes not just people who have preexisting conditions—not just people who are sick or have illnesses or conditions that are expensive to treat—you have to make sure we have a pool of people to insure that includes some healthy people.

The way some countries deal with this is they mandate for everybody to have coverage. We didn't want to do that. We didn't want to mandate that everybody have coverage, but we wanted to incentivize people, including healthier people—including healthier young people the ages of my sons who are in their early twenties—to make sure at least some of those young men and women end up in that pool, so healthy people end up in that pool.

So part of the request from the health insurance industry, in return for doing away with preexisting conditions and basically screening out sick people, saying they are not going to provide coverage for them, was to

make sure a lot of healthier people ended up being in that health insurance pool.

The way we decided to do it in the health care bill, in the law rather than just mandate people get coverage, was to incentivize them. If they choose not to, that is their business. If they happen to be poor, we will help them pay down their cost for health care. But if they are not poor, and they have the financial means, we would like for them to get coverage. We are not going to mandate it, but the first year we have the means to be able to have coverage and they choose not to, there will be a fine or a penalty of some kind—maybe a couple hundred bucks, and that will increase not to \$1,000 or \$2,000, but it will go up several hundred dollars in order to encourage people to get the coverage.

At the end of the day, some people will say: I am paying \$600—whatever it ends up being. Maybe instead of paying this fee I should just go ahead and get some health insurance coverage. The idea is to provide some plans that are reasonably affordable so folks can take advantage of them.

So that is the issue of the mandate. The Supreme Court will decide whether under the commerce clause of the Constitution that just as we compel people to pay into Social Security, it can be a similar kind of compulsion to say we would like people to get covered for health care, but in this case not to mandate it, as we do with Social Security. So we will see how it works out in the Supreme Court.

They heard arguments this week, and I am sure the arguments will continue on the air waves, at townhall meetings, and on television for months to come and maybe beyond that. Who knows. But the heart and soul of the health care reform legislation has less to do with mandates for me than it does with how to get better health care outcomes for less money. For me, that is it—better health care outcomes for less money.

We don't have to look at Japan and other countries to figure that out. All we have to do is look at places such as Minnesota's Mayo Clinic, in Ohio the Cleveland Clinic, Pennsylvania's health care delivery system, which is called Geisinger, Utah's Intermountain Healthcare, and California's Kaiser Permanente. What do they have in common? They get better health care outcomes for tens of millions of people for less money than most other health care delivery systems in this country. Better results for less money.

How do they do it? Well, they have figured out what works, and they do more of that. They figured out what doesn't work to get better health care outcomes for less money, and they do less of that. They have moved away from what we call a fee-for-service approach to health care.

People get sick, they go see a doctor, they go see a nurse. They have visits and get shots or they get lab tests done or get x-rays or MRIs. We treat people when they get sick. For years, that is the way we have done health care in this country, including Medicare and Medicaid. Much smarter ideas have come out of Cleveland's clinic, and they have a huge health care clinic in northern Ohio, the Mayo Clinic, Geisinger in Pennsylvania, Intermountain in Utah, and Kaiser Permanente mostly in California.

Here is what they do. They do not just incentivize health care providers—doctors, nurses, and hospitals—to work on people when they are sick. Their incentive works entirely different. What they do in those places is focus on how to keep people healthy, not just how to incentivize the doctors, hospitals, and nurses to keep people healthy, but how do we incentivize the patient, the person whose health is at stake, how do we incentivize them to take personal responsibility for their own health care.

In my mind that is the heart and soul of the health care reform right there. Among the smart things that work are large purchasing pools. We have an 8-million-person pool for us that we are part of. Members of Congress, our staffs, all Federal employees, Federal retirees, and our dependents are part of a huge purchasing pool called the Federal Employees Health Benefits Plan. It is approximately 8 million people. We don't have 8 million Federal employees, but we have 8 million people when we add in retirees and dependents and so forth. We are part of this big health care purchasing pool. We get lower prices.

It is not free. We pay about 28 percent of the cost of our premiums as Federal employees and servants, if you will, to people in our respective States, and our employers, the taxpayers, pay the other 72 percent or so.

But what we are going to do is provide the opportunity for individuals, for families, for businesses—small and midsize businesses—all over the country, in less than 24 months, to be able to join a similar kind of purchasing pool. We are going to start them, and every State—New Hampshire, Delaware, Alabama, and every other State—will have the opportunity to have their own large purchasing pool to be able to take advantage of lower administrative costs.

The administrative costs for our Federal Employees Health Benefits Plan is \$3 out of every \$100 of the cost of the premium. So \$3 out of every \$100 of premium costs goes for administration. In most plans for individuals, for families and small businesses, it is more like 20 or 30 percent. So 3 percent for our large purchasing pool, and we will have those available, in fact, in every State.

The other thing we have going for us in the Federal Employees Health Benefits Plan is we use private health insurance plans. We are not using socialized medicine or stuff like that. The private health insurance plans in the country can sign up and say they want to be able to offer their plans to the folks who are Federal employees with dependents, to Federal retirees, and so we can choose among them. So there is a lot of competition between those health insurance companies, and we get the benefit from that competition. It drives down cost. Competition helps drive down cost and improves the range of opportunities.

The other thing I like about the law is that, for the most part, insurance can't be sold across State lines. But we make an exception. I will use Delaware as an example. We are boundaried on the west by Maryland, to the north by Pennsylvania, and to the east by New Jersey. When we establish our own health insurance pool in 2014, we will have about 900,000 people. So we will have a huge health insurance pool, but we are sure not going to have 8 million people.

But what we will have under the law is the opportunity to create an interstate compact between Maryland or Delaware or Delaware and Pennsylvania or Delaware and New Jersey or maybe all of the above and have a multistate purchasing pool or exchange. The great thing about this approach is we, No. 1, will have a bigger pool, which will drive down administrative costs and increase the competition.

The health care that would be available in Delaware plans could be offered in Maryland, could be offered in Pennsylvania or offered in New Jersey. So we would have a larger purchasing pool, more competition, and a better deal for the consumer. I think that is another part of the heart and soul.

So two things, and I will close on this and then turn to what I came to the floor to talk about. But I was inspired by my friend from Alabama. In terms of the key reforms in the health care legislation, No. 1, move away from fee-for-service—just paying for treating people when they are sick. Migrate away from that. We still need to treat people when they are sick, but migrate to a system like we have at Mayo, Cleveland Clinic, Geisinger, Intermountain Health, and Kaiser Permanente where they focus on how we keep people well. Focus on prevention and wellness and focus on treating people in a coordinated fashion as a team, not as individual providers. Very smart.

The other key element is this idea of creating these large purchasing pools and trying to incentivize people to be part of the health care delivery system by taking better care of themselves. So those are the two keys.

GAS PRICES

Mr. CARPER. Madam President, I want to switch gears and talk a little about gas prices. Madam President, I don't know what kind of vehicle you drive most of your miles in while in New Hampshire. The vehicle I drive most of my miles in, and have been driving in Delaware for 11 years now, is a Town and Country Chrysler minivan. When I stepped down as Governor in 2001, my old Chevrolet Corsica was about 12 or 13 years old, and my wife said: Don't you think it is about time to get something new? So I took my oldest son Christopher, who was about 12 at the time, and I said: Let's go out and shop for a new car. I thought it would be a man thing, a dad and son thing.

So we went out and drove Porsches, we drove Ferraris, and we bought a 2001 Chrysler Town and Country minivan, which he laments to this day. Anyway, fast-forward 11 years, and we had a meeting yesterday morning, as you know, with the CEO of Chrysler-Fiat, and I mentioned at the meeting that we bought this vehicle when I stepped down as Governor, and 11 years later—later this week—the odometer will reflect the numbers 300,000 and counting. It will have over 300,000 miles. We are going to go over 300,000 miles. So it was built to last. What a great car, built in this country, a terrific vehicle. But when I stopped and got gas last weekend, we paid about \$3.81, and the prices continue to go up—mostly up, sometimes down, and then back up again.

What I would like to do is talk a little about high gas prices and how it puts pressure on all budgets, including the budget of my own family. We drive that vehicle a whole lot and, hopefully, will drive it a few more miles before it is ready to sit more in the driveway and take a rest.

I want to begin by acknowledging that I go home just about every night and talk to people literally almost every day, morning or evening, in Delaware. I will cover the State this weekend and for the next week or two during our recess, so I hear a lot directly from the folks I am privileged to represent about their concerns about gas prices at the pump and the kind of pressure it puts on the budgets within their own families.

I understand gas prices are at their peak. Actually, they have been higher than this. I think they were a little over 4 bucks during part of the Bush administration, but this is as high as they have been for some time. It puts a strain on American families and American businesses, and it threatens to impede or slow down our economic recovery, which is actually moving at a pretty good pace. Unfortunately, the solution is not as simple as some would suggest. If it were, we would not be having this discussion every year or two around the same time.

I am asked sometimes: Why don't we just drill more in this country? Some assume high gas prices at the pump must mean we have slowed down or stopped drilling at home.

Many are surprised by the answer, and the answer is we are drilling more in America. In fact, I believe—correct me if I am wrong—but we are drilling more in this country than we have for at least the last 8 years. Because we are drilling more, the United States is now a net oil exporter, not a net oil importer. This country, which for years we said we are the Saudi Arabia of coal, is now on its way to becoming the Saudi Arabia of natural gas. As we have opened for drilling additional acres onshore, offshore, off Alaska, and the gulf, we are in a position to become a net oil exporter.

The Obama administration has made available millions of acres for oil and gas exploration in the last year or two, approving more than 400 drilling permits since the new safety standards were put in place. These safety standards, we may recall, were implemented to make sure we didn't have a repeat oilspill disaster such as the BP oilspill that occurred almost 2 years ago today.

We have been joined on the floor by Senator NELSON of Florida, who remembers all too well the oil that washed up in places such as Pensacola, where I did basic training on my way to becoming a naval flight officer. But since we got that straightened out and put in place tighter restrictions for drilling safeguards, 400 or so new drilling permits just since then have been put in place with stronger safety standards.

As a result, we have a record number of oil rigs operating right now, more working oil and gas rigs than the rest of the world combined. Let me say that again. With the changes that have been made, the increases in permitting in a year or two, we now have a record number of oil rigs operating right now, more working oil and gas rigs than the rest of the world combined—combined. Yet of the millions of acres our government has allowed for oil and gas development, only 25 percent of those acres are being used for production.

We have a chart that demonstrates that rather graphically. If you will, think of all this as the millions of acres that are available for oil and gas development in this country. Of all these in the orange, we have the percentage that are producing acres, that actually have permits and the oil and gas companies could be drilling; 25 percent of these are producing acres and 75 percent of these are nonproducing acres. It is not because people are drilling and coming up with dry holes; it is because, in many cases, they are not drilling.

Keep that picture in mind. You know the old saying, a picture is worth a

thousand words. This is worth at least 500, maybe even more than that.

Mr. NELSON of Florida. Would the Senator yield for that point?

Mr. CARPER. I would be happy to yield.

Mr. NELSON of Florida. Would the Senator believe that in the Gulf of Mexico, of all the production there, the percentage is even worse in all those acres that are under lease, which is 32 million acres.

Mr. CARPER. Just in the gulf?

Mr. NELSON of Florida. Just in the gulf, 32 million acres. Guess how many acres are actually drilled and producing?

Mr. CARPER. Eight million.

Mr. NELSON of Florida. Six million.

Mr. CARPER. Really.

Mr. NELSON of Florida. Six. So 26 million acres are under lease in the Gulf of Mexico and are not being produced.

Mr. CARPER. I thank the Senator for that.

Mr. NELSON of Florida. Wouldn't it suggest that they ought to use it or lose it?

Mr. CARPER. It certainly would. I thank the Senator for sharing that point with us.

So here we are, more drilling in America, onshore and offshore. We are no longer a net oil importer. We have 75 million acres that are leased and have yet to be tapped, and a lot of those are down in the gulf, as Senator NELSON suggests. Yet American consumers are still paying more at the pump.

All the while, the five largest oil companies, BP, Chevron, ConocoPhillips, ExxonMobil, Royal Dutch Shell Group did pretty well. They made about \$137 billion last year. To top it off, these companies received billions of dollars in taxpayer subsidies to drill for oil and gas, even as they are making very healthy—I think record-breaking—profits.

This doesn't make a whole lot of sense to me, but let me stop. I wish to be clear on this point. I don't think any of us should begrudge the oil and gas companies their success. They have a fair amount at risk when they drill for oil or gas, and it is not a business without risk. But this is also a business with enormous payoffs and enormous rewards for assuming those risks.

But I do question giving away billions of taxpayer dollars in drilling subsidies at a time when we are running record Federal deficits to established and successful industries that I don't think need a whole lot of financial incentive to drill more in this country. If they can make 100 or 110 bucks a barrel or so, that is pretty good incentive, at least in my mind.

Why? Because at the end of this day, it is not the solution. We can't drill our way out of the situation we are in.

I am told that, today, America consumes some 19.5 million barrels every

day. The primary reason that amount is so high is because Americans have very little choice at the pump; and until recently, we had very little choice in the automotive showrooms. That has changed rather dramatically in 5 years, and it is going to change a whole lot more. But we can choose between oil and oil most of the time when we pull into a gas station to fill up. Basically, every American driver's dollars are a foregone conclusion to the oil industry.

What do we need to do about this? How about some choice. Maybe we can give Americans a choice. In the chart we have, we have solar. Some of the new vehicles that are being made actually have solar panels on their roofs.

Here we have wind. We are harnessing a lot of wind around the country. Hopefully, before long we will harness it off the east coast, maybe from North Carolina up to Maine, to provide electricity. It will help provide the juice they need for these hybrid electric vehicles that are being made more and more. We have nuclear. We have a lot of nuclear in the mid-Atlantic and the Northeast that can provide electricity, if you will, the juice, for these hybrid electric vehicles.

Here, we have companies such as Dupont in our State working with BP to actually create—not corn ethanol but ethanol, cellulosic ethanol out of corn stovers. What is a corn stover? That is the cornstalk, that is the corncob, that is the leaf of the corn—and create a fuel called biobutanol that we will hear more about in the years to come that has better energy density than corn ethanol. It mixes better with gasoline than corn ethanol. It actually travels through pipelines. Corn ethanol doesn't do that. It is like all the things corn ethanol is not.

That is the kind of stuff we ought to be doing. We need to be incentivizing—not only being involved in the R&D of that stuff but also encouraging its being used, and I think market forces will take it from there, whether the choice is natural gas, converting large diesel vehicles into using natural gas, electricity from clean energy or biofuels or nuclear.

For the first time in 30 years, the Nuclear Regulatory Commission has just approved the construction of two nuclear powerplants. We went 30 years without building a new nuclear powerplant. Two are underway right now down in Georgia. They use a new design called the AP-1000, also just approved by the Nuclear Regulatory Commission. The new design is one that literally shuts down a nuclear plant. If we have a hurricane or if we have an earthquake or if we have a tsunami, basically it shuts itself down. We don't have to worry about the problems they had in Fukushima, where they lost communication, where they lost the pumping system, where all this and

that happened, everything that could go wrong went wrong. These systems under the AP-1000 basically shut down by themselves. It is a much smarter approach, and it is the way the two new powerplants in Georgia are going to be built. That is part of the solution as well.

But we need investments in new fuels and investments in new vehicles and new infrastructure to use these new American-made alternative fuels. We already have vehicles that can run on biofuels and natural gas and electricity. We had the folks from the U.S. Navy in the other day, including some people from down in Florida, and they are flying Navy airplanes, Air Force airplanes, using a 50-50 mixture of jet fuel and biofuel and with no degradation in performance. We need to make those vehicles—whether they are aircraft or cars, trucks, and vans—make those vehicles and the fuels for those vehicles more available to the American people, in this case our Armed Forces. We need a choice. We need a greater choice than what we have had, and the bill offered by Senator MENENDEZ actually starts to give us that choice.

I am getting close to the end, so let me just say that instead of giving billions of dollars to oil companies to continue what they are already doing, why don't we put some Federal dollars in to work to allow real choices at the pump? It turns out that some of the folks who are doing some cutting-edge work in this turn out to be some of these oil companies. Some of the best biofuels work is being done by, I think, outfits like BP and Shell. Rather than incentivize them just to drill more, why don't we incentivize them to come up with alternative and biofuels and other kinds of renewable forms of energy? They shouldn't be cut out of that. They are energy companies. They are not just oil and gas companies. Let's incentivize them to create energy.

I wish to go back a couple years. I wish to go back to 2002. I am told that from 2002 to 2010, Chevron spent something like roughly \$4.5 billion globally; from 2002 to 2010 they did it on research and development for renewables and alternatives including geothermal, biofuels, advanced batteries, wind and solar, as well as on energy-efficient measures. That is about \$4.4 billion.

In 2010 alone, ExxonMobil invested about \$67 million in research and development in oil alternatives, mainly in algae research. That same year, BP spent \$284 million. ConocoPhillips spent something like \$34 million on research and development and demonstrations in alternative fuels.

Again, the idea is these oil companies are doing R&D. Why don't we incentivize them to do R&D for renewable fuel, not oil and gas. Oil and gas, at \$100 a barrel, \$90 a barrel, they don't

need a whole lot in terms of incentives to drill. Let's incentivize them to do the renewable fuels.

I wish to be mindful of our time and be mindful of my colleague waiting. Let's close by saying let's put Federal dollars into choices at the pump that are developed in America. I will say that again.

We are taking money from the Treasury. We are using that money to incentivize the creation of more energy—in some cases more fuel. Rather than just incentivizing creation of traditional fuel that comes out of the ground, the oil, why don't we incentivize some of those same oil companies and a bunch of folks that aren't oil companies to create renewable fuels, the kind I just mentioned, that will be produced in America, that will help us lower our costs and create jobs while they are doing it?

If we want an apple today, when is the best time to plant a tree? The best time to plant a tree is probably 10 years ago, perhaps 6 years ago, if we nurture and care for that tree. That is what we are dealing with today. We need to start investing today for the choices in lower utility costs at the pump tomorrow.

As to building of the Keystone Pipeline, which is supported by some, opposed by others—the southern part of that is actually underway. The rest is going to be going through an approval process and should be worked out within the next year—is not going to solve the price at the pump today. What we need is what we call an all-of-the-above approach—an all-of-the-above approach—which includes nuclear, includes offshore wind, onshore wind, includes biofuels, solar, natural gas in big diesel vehicles that we transform to take natural gas—all of the above.

That is what we need to do. We need to nurture new investments for alternative fuels so we can see the economic gains sooner rather than later. I think Senator MENENDEZ's legislation does that. That is why I am calling on my colleagues to support that kind of approach, whether it is this particular approach or something similar to that.

That pretty much wraps up what I want to say. I want to thank my friend from Florida for being a voice of reason on this subject. This is a guy who is good on just using some common sense.

My dad was a naval chief petty officer for 30-some years. He used to say to my sister and me: Just use some common sense. We must not have had much as kids because he sure said it a lot. But I think the commonsense approach is an all-of-the-above approach. We need to do all of the above, and we need to incentivize the oil companies and a lot of other folks not just to drill for oil but actually to make sure there are good alternatives to that.

With that I yield to my friend and colleague and bid you adieu.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Madam President, I came to the floor to talk about an outstanding citizen in our State. But before I do, while my colleague is here, I just want to thank him for a very well-reasoned statement.

What we need is overall income tax code reform. My colleague from Delaware and I have the privilege of sitting on the Finance Committee. Even though the prospects for Tax Code reform are very slim between now and the election, perhaps shortly thereafter we can get about the seriousness of the Tax Code, making it more fair, more simple, taking revenue that otherwise escapes the Treasury because it goes into all these tax preferences called tax expenditures, tax loopholes, and use that revenue to lower everybody's rates, including the individual rates and the corporate rates.

That is eminently common sense. The reason I want to point this out is because our friend from Delaware has just pointed out one of those loopholes in an industry that is certainly not hurting because the five top oil companies in the last quarter—that is 90 days—had profits, not revenue—the five top—north of \$25 billion for five companies for 90 days—not revenue, profit.

We do not begrudge them the profit. But should there be these tax preferences that have been etched into the Tax Code over a century that, in fact, allow this industry to have tax preferences—in other words, deductions—of \$4 billion a year?

I think that would be a place we could start on tax preferences. You are obviously not going to get it in the context of the politics of an election. And you are not going to get it in isolation. We are going to have to look at the overall Tax Code and start making it more fair for the American taxpayer. I daresay there are not very many American taxpayers who think that the IRS Tax Code is a fair code.

Mr. CARPER. Or simple.

Mr. NELSON of Florida. Or simple. And as a result I thank him for his elucidation of what is a place that we could start. It is not right or left; it is not R or D; it is common sense.

One other thing I would add to the excellent presentation of the Senator, and that is that as the cost of gas creeps higher and higher—and in parts of Florida it is now \$4 a gallon, and oil is being sold on the international marketplace at something like \$120 a barrel—how much of that is from speculation of people who buy and sell oil contracts for future delivery? How much is from people who are not users of the oil, such as an airline that would clearly have reason to want to lock in a fixed price for oil in the future as a

hedge against that price of oil going up because they are going to use that oil as fuel in their airline? No, these are the ones who are merely flipping like hamburgers the contracts, over and over, which has a tendency to raise the price of oil.

The price of a barrel of oil as it rises then clearly is going to affect the price we pay when we go into the gas station and put gas in our gas tank.

If we would start using some common sense in our approach to these things and do it in a fair way, I think we could get along so much better and the American people would feel so much better about their Tax Code.

I thank the Senator for his presentation.

Mr. CARPER. If my friend would yield to me for one more minute, a lot of people go out this time of year and they buy new cars, trucks, and vans. Traditionally the spring is when people shop for vehicles. Go back a couple of years, to 2007. In 2007 we sold 16 million cars, trucks, and vans in this country. In 2009, as we had fallen into the great recession, car sales and truck sales fell to 9 million units; from 16 million to 9 million in less than 24 months.

That has changed now. We are on our way. The CEO of Chrysler was here yesterday and said they are on their way to record profits. They paid back the rest of the money we invested in them as taxpayers. But people are starting to buy vehicles again. The average life of vehicles people own in this country is 11 years, like my Chrysler Town and Country minivan. But this is the time people will start to trade in vehicles or buy something more energy efficient.

Unlike 5 years ago, people can go into a Ford, Chrysler, GM dealership, and foreign labels as well, and buy vehicles that get 30, 35, 40 miles per gallon and more. And finally, the availability of credit has come back. I say to people who have that ability, thinking about trading and trading up, this is a great time to do it—great vehicles, great quality and much better efficiency, and that is part of the solution as well.

Mr. NELSON of Florida. I thank the Senator for pulling up the chart that showed the amount of acres that are under lease and the minuscule portion of those acres—this is domestic production. We all know that domestic production has shot up in the last 3 years, considerably. Yet, of that domestic production, there still is so much capacity that is already leased out there.

I use the example of the Gulf of Mexico. In the central and the western gulf, there are 32 million acres under lease and only 6 million acres of that 32 million are actually drilled and produced.

There is ample opportunity for additional domestic energy production on top of the substantial increase of production that has occurred over the

course of the last several years if we would stop fighting about this, if we would stop beating each other over the head politically with this and get serious.

Senator CARPER remembers when he and I were young Congressmen, we had a good example of leadership. We had Tip O'Neill, the Speaker in the House, and we had Bob Michel, the Republican leader. The two of them would get into their fights but they were personal friends, so at the end of the day when it was time to stop talking and get together and build consensus to get a workable solution, they could do it. We need that kind of model operating in Washington, DC, and State capitals around the country.

Mr. CARPER. Amen.

TRIBUTE TO ROSEMARY ARMSTRONG

Mr. NELSON of Florida. Madam President, I came to the floor today because I want to congratulate a Floridian, Rosemary Armstrong, along with her husband Sandy Weinberg. I want to congratulate Rosemary because she has been such a long-time advocate of pro bono legal work in our State.

She is a marvelous lawyer, a graduate of Columbia, and why she is to be congratulated at this point is that she has received the 2012 Tobias Simon Pro Bono Service Award. It is the highest honor in the State of Florida bar for pro bono legal work in our State.

This year marks the 30th anniversary of the Tobias Simon award, and it was named after the well-known civil rights attorney in Florida. The award honors the work of private lawyers for 30 years now, who provide free voluntary legal services to the poor.

Over the past 25 years, Rosemary has used her time and she has used her talent to provide those pro bono legal services. She has volunteered with the Tampa Bay Area Legal Services Volunteer Lawyers Program since 1986. She has donated 1,200 pro bono hours directly to serve those in need. She was elected to the Bay Area Legal Services Board and she served as a board member for 22 years. She has served as president of that board for 3 years.

Rosemary has handled so many cases in so many areas of the law, including elder law, housing, and juvenile dependency cases. Of particular note is the significance of her work with victims of domestic violence. Rosemary was recognized last year for her work with the Florida Bar President's Pro Bono Service Award.

This award is further recognition of her commitment and dedication to making sure everyone is well represented when they have to go through the legal process. She is supported by her family. She is supported by her husband, a fellow lawyer, Sandy Weinberg.

Again, congratulations, Rosemary Armstrong, for receiving the Tobias Simon Pro Bono Service Award.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO MATT RUTHERFORD

Mr. HARKIN. Mr. President, I come to the floor today to speak about a truly remarkable American—a truly remarkable visionary, a dreamer, an adventurer, a doer, and, most important, a young man who has devoted himself to the service to others far and above the normal call of duty. This young man's name is Matt Rutherford. I will tell my colleagues about him and his remarkable adventure and his feat that has been unparalleled.

He is a 30-year-old Ohioan, and here is what he has been doing since June 13 of last year. On June 13 of last year, he set sail in his 36-year-old, 27-foot Albin Vega boat named St. Brendan. He left Annapolis, MD, on June 13, 2011, and is attempting to sail nearly 25,000 miles from Annapolis, MD, up the east coast, all the way around Newfoundland, up by Greenland, through the Northwest Passage, all the way over to Alaska, then from Alaska all the way down to Cape Horn, around Cape Horn, up South America, and back into Annapolis. Now, what is so remarkable about that? Well, it has never been done before. He is doing this solo, and he is doing it nonstop. Think about that. He has never touched land and has not stopped since he left here 289 days ago.

The trip has taken Matt through some of the Earth's most treacherous oceans, including the Arctic Ocean, the oceans up around Alaska, Aleutian Straits, of course all the way down through the Pacific, around treacherous Cape Horn, and all this in a 27-foot boat, the kind of boat most sailors would maybe be comfortable on off the Eastern Shore in the Chesapeake Bay but not on a journey such as this. As I said, he has not set foot on dry land for the entire journey—a remarkable adventure.

If my colleagues wish to learn more about him, they can go to his Web site, which is called www.solotheamericas.org, and they can read all about his amazing journey. He updates his trip. The last update was yesterday. He is right now east of Cuba and the Dominican Republic, right down here, and his last posting was what he called "Home Stretch." He hopes to enter the Chesapeake Bay by April 12, making his first

landfall in nearly a year in Annapolis on April 13.

The Scott Polar Institute in Cambridge, England, has recognized Matt as the first person in history to make it through the fabled Northwest Passage alone, nonstop, and on such a small sailboat. It has never been done before. One would think that would be enough. No. He has continued on his incredible, remarkable journey.

Now, one might say: Why is he doing that? He is just doing it to set a record.

He has set a lot of records already. Why is he doing it? He is doing it to raise money for Chesapeake Region Accessible Boating. It is an Annapolis-based organization to provide sailing opportunities for physically or developmentally disabled people—for kids and young people who are disabled but who like to sail. And this organization, Chesapeake Region Accessible Boating, does just that—provides them that opportunity.

I had the privilege of talking to Matt Rutherford last week. He called me on his satellite phone. It was an exciting phone call for me because I have watched—I don't know Matt Rutherford personally, but I have watched his journey, and, of course, I am very enthused about the Chesapeake Region Accessible Boating organization. So in talking with him by phone I was really impressed by his courage, his character, his audacity. Above all, I am impressed by the fact that he is doing this for a cause larger than himself to make it possible for more people with disabilities to share in his passion for sailing.

Helen Keller once said, "It is a terrible thing to see and yet have no vision." Well, Matt Rutherford has the gift of sight. He also has the gift of vision and indomitable courage. He is one of those remarkable human beings who dream big, who are driven by big challenges, who refuse to accept the limits and the boundaries that so-called reasonable people want to place on us. What is more, he has placed himself in the service of others less fortunate than himself.

As the lead sponsor of the Americans With Disabilities Act, I am particularly impressed that Matt is using his voyage to raise money to help people with disabilities to partake in this wonderful pastime of sailing—something which I have enjoyed all my adult life since I was in the Navy. He is doing this so that children and adults can have the same opportunity. The reason I am so enthused about this is that one of the fundamental aspects of the ADA—the Americans With Disabilities Act—is that people with disabilities should be able to participate fully in all aspects of society, and that includes access to recreational opportunities such as sailing, which can be exhilarating and empowering for children and adults with a wide range of disabilities.

I salute Matt Rutherford for his courage, for his love of sailing, and being willing to share that with the disabled community, and for using this adventure, this almost death-defying trip. For anyone who knows what it is like to be on a 27-foot boat, to go from here all the way down to Cape Horn, that is incredible. Any one of numerous storms or anything could have sunk his little boat. He has had a lot of different adventures. He sprung a leak. He has been working on that leak ever since. Someplace around here, South America, he lost his engine, so he no longer has an engine, and he keeps patching his leak all the time. Every day he has to patch his leak. So he is fighting a leak every day in his boat. Just going around Cape Horn with the tremendous waves and cross currents around Cape Horn—to take a small boat through there singlehandedly is, as I said, death-defying.

Right up in here, right off the coast of Brazil someplace, he almost got run over by a freighter. At night, he had gone to sleep for a little bit. He has a light in his boat so people can see him at night. He woke up and he looked out and saw this red light and a green light with nothing in between it coming at him. Well, it was a huge freighter, and as the Presiding Officer knows, red on one side, green on the other, bearing down on him. He turned, and it missed him just by a few feet and almost sunk him in the bow wave of the freighter that went by. So those are the kinds of things Matt has lived with almost every day for 289 days.

Matt has great skill, great courage. He is making a difference. He is going to make a difference for a lot of people. I especially think of young people with disabilities who would like to sail, and because of this organization, Chesapeake Bay Accessible Boating, they will have the opportunity to do so.

So, again, this is one of the nice things we see happening in America. We think there are no individuals with that individual kind of courage to take on the elements, to risk their lives. Well, we still have them, and Matt Rutherford stands in a line of great adventurers in our history. I applaud him for his brave spirit, and I wish him safe passage on his home stretch and on the final leg of his epic journey.

He joins the ranks of Joshua Slocum who, on Spray, was the first person to circumnavigate the globe solo. He wrote a wonderful book: "Sailing Alone Around the World." He did it before the turn of the last century. He did it in the 1890s. He also joins the ranks of the next great person who sailed alone, Sir Francis Chichester, on the Gypsy Moth IV not too many years ago, who circumnavigated the globe. So to Joshua Slocum and Sir Francis Chichester we can now add Matt Rutherford, on St. Brendan, for an incredible journey around both of the Americas, solo and

nonstop. It has never been done before, and it may never be done again. And he is doing it for the best of all reasons.

A courageous young man, Matt Rutherford. He is going to be back, as I said, hopefully by April 12. I hope to meet him. I have never met the young man, but I have followed his journey and his courage. He is the kind of person who just gives heart and spirit to all of us, to know there is nothing we can't do if we set our minds and our hearts to it and if we have the willpower and the courage to take it on. So I hope to meet him when he comes back—again, this young man of great courage. I hope the home stretch is one with fair winds and following seas.

Before I yield the floor, I mentioned that Matt Rutherford was doing this for the Chesapeake Region Accessible Boating organization that provides boating for people with disabilities. I would urge anyone who is interested in this and who wants to see what a great organization it is, they can go to their Web site—it is very simple—www.crabsailing.org. It is a great organization that helps people with disabilities to take up sailing and learn the art and the craft of sailing.

So, again, hats off to a remarkable young man on a remarkable journey. I wish him fair winds and a following sea in his home stretch.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

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

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

(The remarks of Mr. DURBIN pertaining to the introduction of S. 2280 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DURBIN. Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Rhode Island.

HONORING OUR ARMED FORCES

SERGEANT DENNIS WEICHEL

Mr. REED. Mr. President, I rise today, along with my colleague from Rhode Island, to pay tribute to SGT Dennis Weichel, a Rhode Islander who served in the Rhode Island National Guard.

On March 22, Sergeant Weichel was in a convoy with his unit in Laghman Province, Afghanistan. Some children were in the road and Sergeant Weichel

and other troops got out to move the children to safety. Most of the children moved out of the way, but one little girl went back to the road. As an MRAP approached, Sergeant Weichel pulled her out of the vehicle's path, but in doing so he was hit by the vehicle. He was medically evacuated to Jalalabad Medical Treatment Facility, where a surgical team worked to stabilize him. But, tragically, he died from his injuries. Because of his heroic actions, the little girl he saved was unharmed in the accident. He will be laid to rest this Monday in Rhode Island, a hero—someone who exemplifies the qualities of the American soldier: selfless sacrifice for others.

Sergeant Weichel joined the National Guard in 2001. He was posthumously promoted to sergeant. He previously deployed to Iraq as a member of Detachment 2, Headquarters, Headquarters Company, 3rd Battalion, of the 172nd Infantry, Mountain. In November 2011, he mobilized for deployment to Afghanistan with the 1st Battalion, 143rd Infantry Regiment.

Each generation of Americans is called upon to protect and sustain our democracy, and there are no greater heroes than the men and women who have worn the uniform of our Nation and who have sacrificed for our country to keep it safe and to keep it free.

It is our duty to protect the freedom they sacrificed their lives for through our service, our citizenship. We must continue to keep their memories alive and honor their heroism, not simply by words but by our deeds as citizens of this country.

Today our thoughts are with Sergeant Weichel's mother Linda, his father Dennis, brother Craig, his sisters Christine and Charlene, his children Nicholas and Hope and their mother Amanda, and his fiancée Ashley and their daughter Madison, and all his family and friends and his comrades-in-arms. We join them in commemorating his sacrifice and honoring his example of selfless service, of love, of courage, and of devotion to the soldiers with whom he served and the people of Afghanistan he was trying to help.

Sergeant Weichel is one among many Rhode Islanders who have proven their loyalty, their integrity, and their personal courage by giving the last full measure of their lives in service to our country in Afghanistan, in Iraq, and elsewhere around the globe and throughout the years. Today we honor his memory and all those who have served and sacrificed as he did.

Sergeant Weichel joins a roll of honor that includes the following Rhode Islanders killed since September 11, 2001:

SPC Dennis Poulin, Army National Guard; SGT Michael Paranzino, Army; PFC Kyle Coutu, Marine Corps; LTJG Francis L. Toner, IV, Navy; PO3 Ronald A. Gill, Jr., Coast Guard; SGT Michael R. Weidemann, Army; SGT

Moises Jazmin, Army; SSG Dale James Kelly, Jr., Army National Guard; SGT Brian R. St. Germain, Marine Corps; SGT Dennis J. Flanagan, Army; 2LT Matthew S. Coutu, Army; LCPL Holly A. Charette, Marine Corps; SSG Christopher S. Potts, Army National Guard; LCPL John J. Van Gyzen, IV, Marine Corps; CPT Christopher S. Cash, Army; LCPL Matthew K. Serio, Marine Corps; MSG Richard L. Ferguson, Army; SFC Curtis Mancini, Army Reserve; CPT Matthew J. August, Army; CW5 Sharon T. Swartworth, Army; SPC Michael Andrade, Army National Guard; SGT Charles T. Caldwell, Army National Guard; SSG Joseph Camara, Army National Guard; and SGT Gregory A. Belanger, Army Reserve.

All of these men and women have given their lives in the last decade in Afghanistan and Iraq. It is a roll of honor. It is a roll that Sergeant Weichel joins. It should be, for us, a roll not just to recognize and remember but to recommit to trying in some small way to match their great sacrifice for this great Nation.

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

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, it is with great sadness but also considerable pride that I join Senator REED today to honor the service of SGT Dennis P. Weichel, Jr., of the Rhode Island National Guard, who died 1 week ago today while serving our country in Afghanistan.

Dennis' actions in defense of the lives of vulnerable civilians embody the most noble spirit of service, sacrifice, and loyalty found in the hearts of the men and women serving our Nation in uniform in the most dangerous corners of the globe. In particular, they reflect the spirit of service of the Rhode Island National Guard, which is the second most heavily deployed State guard in the country.

Dennis, who was 29 years old, lived in Providence. He had joined the Rhode Island National Guard in 2001, and he deployed to Iraq in 2005 in support of Operation Iraqi Freedom as a member of Company D, 3rd Battalion, 172nd Infantry, Mountain, Regiment. In November 2011, Dennis mobilized with Company C, 1st Battalion, 143rd Infantry Regiment, 56th Troop Command, to Camp Atterbury, IN. His unit deployed forward to Afghanistan just this month.

He had only been in Afghanistan a few weeks when his unit encountered a group of children on its way out of the Black Hills Firing Range in Laghman Province. The children were scavenging in the road for brass shell casings, which are recyclable for money in Afghanistan.

Dennis, a father of three, hopped down from his vehicle to help move the children safely out of the path of the

convoy of trucks and armored vehicles. As the heavy trucks rumbled past, it appears a young Afghan girl darted back into the road to grab one last brass shell casing. Seeing one of his unit's Mine Resistant Ambush Protected Vehicles bearing down on the girl, Dennis reacted swiftly and selflessly, lifting the girl to safety and placing himself in the path of the 16-ton MRAP.

I am sure this was a parent's instinct and that Dennis had in mind his own children: Nicholas, age 8; Hope, age 6; and baby Madison. Dennis was evacuated to the Jalalabad Medical Treatment Facility, and there he succumbed to his injuries.

Dennis leaves behind his fiancée Ashley, the mother of their 8-month-old baby girl Madison. He leaves behind his former wife Amanda, who is mother to his son Nicholas and his daughter Hope. He leaves behind his mother and father Linda Reynolds and Dennis Weichel, Sr.

My deepest and heartfelt sorrows and prayers go out to all of Dennis's family and to his friends. Senator REED and I will join them this weekend to pay our respects when Dennis comes home for the last time to Rhode Island.

Dennis acted with instinctive bravery on that road in Laghman Province. His action reflected the selfless dedication of an American soldier and the heart of a father toward a child. Dennis has been posthumously promoted from the rank of specialist to sergeant, and his family will receive the Bronze Star he has been awarded for heroism.

The writer Joseph Campbell once described a hero as someone who has given his or her life to something bigger than one's self. In giving his life to save one small child, SGT Dennis Weichel has reflected great honor upon our military and its best traditions and this great Nation and the values for which it stands. He will justly be remembered a hero.

Mr. President, I yield the floor.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EPA

Mr. WHITEHOUSE. Mr. President, I wish to take some time this evening to congratulate our Environmental Protection Agency and to thank them for the rule they proposed this week regarding new coal-fired powerplants.

They have taken a certain amount of heat over this rule and have been criticized. But I come from Rhode Island,

and Rhode Island is a downwind State from the coal-fired powerplants of the Midwest. We pay the price for the coal power those Midwestern States burn. We pay the price in children coming in to our hospitals with asthma attacks. We pay the price in ozone levels that are outside our control. We are a State that contributes very little in pollution to other States, but we are on the receiving end. We are down the gun barrel of the big array of coal-fired powerplants in the Midwest.

They have not only continued to burn dirty coal, they have built particularly high stacks so the emissions from that coal plant get pushed into the high atmosphere and they move east toward Rhode Island in the prevailing winds and we experience that as smog, as ozone, as air pollution. So there is an element of deliberateness to this.

There are places in this country that are in compliance with air quality standards because they have put their emissions up high enough that it lands somewhere else. Rhode Island is often out of compliance with air quality standards, and it is not from emissions in our home State. So we hear a lot from the coal-burning polluters about all the terrible things the EPA rule is going to cause. It is going to cause nothing but good in Rhode Island.

It is outrageous that on a bright, clear summer day one can be driving in to work in Rhode Island and hear over the car radio the announcer letting us know that today is going to be a bad air day in Rhode Island. We look out the window and it looks absolutely beautiful, but it is going to be a bad air day, they tell us. Infants should be kept indoors in air-conditioning, seniors should not go outside, people with breathing difficulties should stay indoors, and everyone should avoid vigorous physical activity because the air quality is too poor. That is not a price a carbon polluter in one State should get to require the seniors, the children, the families in another State to have to pay.

I am delighted EPA has begun to apply this rule. Unfortunately, it only applies to new powerplants. So the existing coal-burning powerplants that create so much of this pollution in our State, we are going to need to continue to work to crack down on until these States are sufficiently responsible in their use of power and in how they burn fuel to generate their power that they are not exporting bad air and pollution to other States.

As important as this is to Rhode Island as a downwind State, as important it is to protect the lungs of our kids and our families, this is also an important step for EPA to have taken because of the global problem we have from carbon pollution. The carbon pollution we are unleashing as a country—frankly, as a species across the globe—

is having a dire effect in our atmosphere. It is having a dire effect in our oceans. It is truly causing our climate to change and the changes are going to be very difficult and very dangerous for our country in the future. That is not just my opinion. That is the opinion of our military leaders. That is the opinion of our national defense intelligence establishment. It is treated as a fact in those responsible quarters of our government.

Unfortunately, here and down there in the House of Representatives, there is a campaign of denial that is being propagated that is clearly supported by the polluting industries and has the purpose of protecting their financial interests and enabling them to continue to profit from the harm they are imposing on our oceans and on our atmosphere.

It would be nice if the laws of government could supersede the laws of nature. It would be nice if we could repeal the laws of physics, the laws of chemistry, the laws of biology, but we can't. It is arrogance to presume we could. The fact of what the carbon pollution is doing to our world can be denied in this Chamber, it can be denied down the hall in the House of Representatives all day long and all night long, and it is not going to change the result. It is actually only recently that there was a denial industry attacking the problem of climate change and trying to minimize it, trying to mock it, trying to distract people from it.

In the past, the denial industry was pointed elsewhere. In the past, the denial industry was supporting the tobacco companies in convincing people it wasn't that bad for them. The science isn't complete yet. Don't worry. There is still doubt.

It deployed itself against lead. When the dangers of lead paint became known, the denial industry went to bat for the lead industry. It denied that lead was very poisonous, said it only happened to very poor people, went through all their rigmarole. The same process: create doubt about a scientific concern in order to prevent action being taken to protect people. Now they have turned on carbon pollution.

But before they turned from tobacco and lead to carbon pollution, it was pretty well accepted how basic this science is. The first scientist to determine that carbon dioxide would have the effect of warming the atmosphere if its concentration increased was a scientist named Tyndall. I think he was Irish and wrote in England in 1865. Around the time of the Civil War, this was discovered.

By the year I was born, in 1955, there are basic texts that describe that the more carbon pollution we put into the air, the more it traps heat, the warmer the climate gets.

It is virtually indisputable what is happening to the oceans. We are not

talking projections. We are not talking estimates. We are talking measurements, and the measurements show the acidity of our oceans and the increase in acidification is happening faster than it has in 3 million years. The extent of the carbon dioxide in our atmosphere now, measured, is outside of a bound that has been maintained on the surface of our planet for 800,000 years—8,000 centuries. That is a long time. We have only been farming as a species for about 10,000 years. So 800,000 takes us way back to a very primitive species. Through all that time, we have been in this bandwidth of carbon in our atmosphere and now we are out of it. We are flying out of it, and it is getting worse all the time.

Instead of taking it seriously in this building, we are listening to the siren song of the big-money polluters, as if the laws of government, the laws of Congress could repeal the laws of nature that we know—the laws of physics, the laws of chemistry, the laws of biology that are causing this to happen.

I appreciate very much the Presiding Officer, the junior Senator from Minnesota, having been so energetic and helpful in continuing to bring this thought to the Senate floor. I think we had an effective and important colloquy on the floor several weeks ago discussing this very point. I think it is important that from time to time we stand and remind our colleagues that there is a truth to this matter. The truth is that we are releasing unprecedented, massive amounts of carbon pollution into our atmosphere that, as a matter of science, the laws of physics, warm the atmosphere, and that warming atmosphere creates dramatic changes in our weather, in our coasts, in our sea levels. Our coasts are probably going to be hit the hardest of anyplace, and Rhode Island is a coastal State.

The ocean absorbs the pollution, so the harm is not just in the atmosphere and to the climate, it is to the ocean itself as its pH level changes from the absorption of carbon. Nobody doubts that the ocean absorbs carbon. There is no credible debate on that. You can measure the ocean's pH.

It is important that every once in a while we tell the truth on this because the time is coming very close when it will be past the tipping point of taking the action we need to take to protect ourselves, protect our coasts, our economy, our national security.

I wanted to take this moment as the week ended to come and share my thoughts again on this subject. I will continue to do it from time to time because I think it is important that America be a country that tells the truth about problems, and I think it is important that Rhode Island, as an ocean State, be as protected as we can from the changes we see coming.

The IPCC just reported on the weather effects of climate change and said that you cannot assign a particular storm to the effects of climate change, but in various areas you can connect the threat to climate change with varying degrees of certainty. With respect to the threat from sea-level rise and from worsened storms driving that raised sea ashore and causing flooding and damage, the certainty range was 90 to 100 percent. If we are not going to listen to warnings that the scientists now tell us are 90 to 100 percent certain, we are really making a grievous mistake.

I will conclude by thanking the Presiding Officer again for his support and help. I hope the time comes when this body can actually treat this problem in a serious and sober way and the dark hand of the polluting industry tapping on our shoulders and whispering in our ears and telling us what we can and cannot say is pushed back and instead we stand in the light of day, in the light of science and fact, and behave responsibly about the changes that are coming and our role in causing these changes.

I see the distinguished Senator from Georgia in the Chamber, and I yield the floor.

Mr. CHAMBLISS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO FURMAN BISHER

Mr. CHAMBLISS. Mr. President, next week the annual Masters Tournament will begin in Augusta, GA. It is a beautiful time of the year in our part of the world, and certainly Augusta is a little piece of Heaven, particularly this time of year.

As that tournament begins next week, there is going to be a sad note in the air because of the fact that Furman Bisher, a giant in the world of journalism, a man who has covered the Masters for the last 50 or so years, died last week at his home in Atlanta. He died at the age of 93 and passed away peacefully in his home after a storied career as one of the Nation's foremost sports writers. It was a career that lasted an astonishing 60 years.

After nearly six decades of elegant observations of the sports world for the Atlanta Journal-Constitution, Furman pecked out his final column before his October 2009 retirement on the thinning keys of his trusty Royal typewriter. His choice of instrument to convey his thoughts in this age of instantaneous, inane chatter says a lot

about why newspaper readers after so many years continued to seek out Furman Bisher's column in the AJC's sports pages.

It all came down to this: Furman's graceful prose, courtly voice and sharp observations were unfailingly backed up by old-fashioned shoe-leather reporting. He gloried in doing his homework, making that extra call, interviewing one more player or assistant coach or trainer, in order to breathe even more life into the game or the race or the fight for his readers.

It's also why Furman became a Georgia—and an American—institution. Simply put, Furman loved sports. And he loved journalism. At age 90, he was still driving out on summer nights to cover minor-league ballgames.

In his career, Furman scored many journalistic knockouts, including a 1949 interview with Shoeless Joe Jackson—the only one Jackson ever gave—regarding his involvement in the 1919 Black Sox scandal.

He got stock tips from Ty Cobb and watched Jack Nicklaus' 1986 Masters victory. He sat in the press box at countless Falcons games at Atlanta-Fulton County Stadium and covered the Olympics, both winter and summer. He even had a hand in bringing professional sports teams to Atlanta.

He wrote 11 books, including co-authoring two editions of a Hank Aaron autobiography. And at The Masters Tournament in Augusta every April, Furman reigned among the azaleas and oaks as the dean of the sports press corps.

In a testament to his longevity in a tough business, until his retirement, Furman covered every Kentucky Derby since 1950, and every Super Bowl but the first one.

He even branched out into TV. Although I did not grow up in Atlanta, I have heard from many people that preachers across the city would cut sermons short so that their congregations could be home for Furman's kickoff on "Football Review."

Along the way, he earned the respect of his colleagues and the loyalty of his readers, garnering writing awards too numerous to mention. He served as president of the National Sportscasters and Sportswriters Association from 1974-1976, and of the Football Writers Association of America from 1959-1960. His features appeared in *The Saturday Evening Post*, *Golf Digest* and *Sports Illustrated*, to name but a few.

In 1961, *Time* magazine named him one of the five best columnists in the Nation. I would argue that that honor fit until the very end.

No less than the great Jack Nicklaus said of Furman's retirement: He might be turning in his last column for the newspaper, but Furman will never stop writing or giving his opinion. I guess you could say that when it comes to the last writings of Furman Bisher, I will believe it when I don't see it.

Furman would close every column with a single valediction—the word "selah"—a Hebrew word that ends many Psalms and that exhorts the reader to reflect.

It is appropriate, then, to reflect on Furman's long, fruitful life and career, one that began in Atlanta as the Korean War was starting, when Joe Louis was still boxing, when the Minneapolis Lakers were the NBA champs, before Willie Mays had joined the major leagues and before *Sports Illustrated* magazine even existed.

In all the ensuing years, Furman chronicled the triumphs and the travails of the sports world and its often-all-too-human heroes. As Furman would say, "Selah."

I am thankful for Furman Bisher. I am pleased to have been the recipient of reading many of his articles through the years and also very proud to have called him a very good friend over the years. He was a gentleman who will be missed for his professional career as well as just being a great person and a great individual.

HEALTH CARE

Mr. CHAMBLISS. The political world this week has been focused on the U.S. Supreme Court and the arguments that have taken place over there with respect to what has been referred to as ObamaCare.

I rise today to discuss how the 2-year-old health care law is forcing more government intrusion into the lives of Americans.

After all, what could be more intrusive than the Federal Government telling you the type of health care coverage you must purchase? "Purchase this product or face a penalty."

With this law, I believe the American people have recognized that Congress has exceeded its constitutional authority. Just this week, a poll conducted by The Hill found that 49 percent of likely voters believe that the Supreme Court will rule against the constitutionality of the health care law, while only 29 percent believe it will be upheld. The American people have to ask themselves whether we should be able to punish citizens based whether they purchase a product from the private sector.

The Commerce Clause only allows the Federal Government to regulate "existing activity" that affects interstate commerce. I hope this distinction will be recognized by our justices on the Supreme Court. With no end in sight to escalating health care costs, Republicans want to see innovation within the private sector to bring about changes to our health care system. Today, Medicare and Medicaid are running up our national debt and bankrupting our states. One would think less government involvement, not more, would help bring health care

costs under control. Instead, the health care law builds on this administration's desire to have the Federal Government control Americans' health care decisions. To this end, the Obama administration has created 159 new boards, bureaucracies and programs under ObamaCare.

As of this month, the administration has released more than 12,000 pages of regulations related to the law. The secretary of Health and Human Services will have the power to make more than 1,700 rulings affecting Americans and the health care they seek. Time and time again, my colleagues and I have warned that adding more red tape and bureaucratic oversight that will affect the relationship between you and your doctor is not the prescription Americans are looking for.

We want to protect the relationship between the patient and physician. Consultation between the patient and the physician should be the determining factor in what procedures that patient chooses, not someone who sits on a panel in Washington, DC.

However, this may well be the case as the health care law concentrates power in the U.S. Preventive Services Task Force. This is the same task force that in November 2009 recommended that women between the ages of 40 and 49 no longer obtain annual mammograms. These are the types of recommendations that Washington bureaucrats could make in the future. I especially understand the importance of early detection of cancer, having been there myself, and will fight to see that individuals, through the recommendations of their doctors, are in charge of determining their own health care procedures.

Throughout the debate 2 years ago we constantly heard from folks on the other side of the aisle that if you liked your health care coverage, you could keep it. Well, guess what. According to the latest CBO estimates, you can ask 5 million people who will see their employer-sponsored health care end in 2016 whether they had the opportunity to keep what they like.

Further, the incentives for employers to drop their coverage and move employees onto a taxpayer-subsidized plan means we could see up to 35 million Americans lose their current coverage over the first 10 years of implementation of this law.

Washington is now in the business of reducing the flexibility of consumer-driven health care policies such as health savings accounts and flexible spending arrangements. Congress created health savings accounts to allow health care consumers who wish to participate in the program more control over their own money and how they choose to spend that money for health care services. Now contributions to these arrangements will be limited to \$2,500 per year, and over-the-counter

medications will require a prescription if they are purchased within these tax-free dollars. This is already leading to doctors having to fill out more paperwork so an individual can walk into a drugstore to purchase aspirin or cold medicine. Yet again this is another glaring example of bureaucratic meddling in the lives of American consumers.

Small businesses are also feeling the intrusive effects of ObamaCare. In the most recent survey of small businesses by the U.S. Chamber of Commerce, an astounding 74 percent of small business owners surveyed said the health care law makes it harder for businesses to hire more employees. Think about that for a moment. Three out of four small business owners are having difficulty hiring because of the uncertainty of health care costs.

Finally, our States are also feeling the heavy hand of more government control. The Medicaid expansion that begins in 2014 will make it increasingly difficult for State leaders to balance their budgets due to strict maintenance of effort requirements. These requirements prevent States from designing health care programs specifically tailored for their own citizens.

Medicaid currently consumes about one-quarter of State budgets and ObamaCare creates the largest expansion of the program since its inception. Through 2023, the cost to States is now estimated to be an additional \$118 billion. In my home State of Georgia, the expansion will cost the State about \$2.5 billion through 2020. Money in the budget to pay for this expansion will come at the expense of higher education, transportation, and law enforcement services. Nationally 24.7 million people who will be added to the Medicaid rolls will be entering a broken system where patients are denied access to about 40 percent of the physicians because reimbursement rates do not keep up with medical costs.

Two years ago the legislative process that unfolded before us was not something any Senator should be proud of today. Backroom deal making and forcing legislation through under a subversive process left the American people angry and upset with Congress. If we don't understand that, just look at the approval rating of Congress today, and this played a major role in that approval rating.

I hope in the future we will have an opportunity to revisit the system. Our system does need reforming, but it needs to be done in the right way and it needs to be done in a very transparent way. I hope we can come up with a solution that is actually supported by the American public, not solutions that make the American public angry.

I yield the floor.

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

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

OBAMA/MEDVEDEV EXCHANGE

Mr. WICKER. Mr. President, I come to the floor today greatly disturbed and upset, as are many Americans, by the comments President Obama made on Monday to outgoing Russian President Dmitry Medvedev at the nuclear security summit in Seoul, Korea. The exchange, which was accidentally recorded by a Russian journalist, suggests that President Obama's stance on missile defense will change after the November election. It implies that the President is willing to make more concessions to an authoritarian government that has caused Americans concern time and time again. It raises questions about what else might be hidden on the President's agenda if he secures a second term in the White House.

Americans can view the recording themselves as President Obama tells Mr. Medvedev:

On all these issues, but particularly missile defense, this can be solved but it's important for him [Putin] to give me space.

"Him" meaning former and future President Vladimir Putin. Mr. Medvedev responds by saying:

Yeah, I understand. I understand your message about space. Space for you.

President Obama then goes on to say:

This is my last election. After my election, I have more flexibility.

It is unbelievable and chilling that President Obama would make his election a factor in how he deals with an important national security issue that could have dangerous implications for America and its allies. Even the hint of compromising on our missile defense capability is reckless when the prospect of nuclear-armed missiles is a real and growing threat.

Equally alarming is the looming question lingering over what the President actually means when he says "more flexibility." The administration continues to press for resetting bilateral relations but fails to follow through on an approach that takes into consideration how Russia has not made good on its promises in the past. Simply put, we cannot trust the Russian Government to keep its word. We have no reason to believe that greater cooperation will come from giving the Russians what they want.

The question now arises: How can we trust our own President not to say one thing before the election and yet do something entirely different afterwards? Let us not forget the Russian Ambassador vetoed two United Nations Security Council resolutions supporting the Syrian people, a move that prompted the U.S. Ambassador to the United Nations, Susan Rice, to say that Russia decided to stand with a

dictator. Indeed, Russia seems comfortable standing beside a dictator.

In addition, Russian officials rejected the idea of tougher sanctions against Iran despite a report from the International Atomic Energy Agency reinforcing concerns about Iran's nuclear program. Russia also voted against the United Nation's General Assembly resolution expressing concern over the "violations of civil, political, economic, social and cultural rights" in North Korea.

Many of my colleagues and I have come to the floor on multiple occasions to express our concern with Russia's deteriorating rule of law and respect for human rights. This is not the kind of relationship President Obama promised when he pressed for passage of the new START treaty in late 2010 over strong objections from many of my colleagues. It sends the wrong signal to our allies throughout Europe who are worried about undue pressure from Russia. At the end of the day, better U.S.-Russian relations are not a foregone conclusion, and President Obama would be wise to remember that one-sided promises are not the means to get there. He should also not forget that the Constitution requires the advice and consent of the Senate on foreign policy decisions.

Over the coming months the Senate will likely take up several issues related to Russia, and I look forward to having a frank discussion about the President's ideas and the President's intentions. Mr. Obama's comments in Seoul are only one instance of the President pledging to have more flexibility after election day, but they rightly cause us to speculate about what else he expects to do. Americans are right to wonder what other promises are being made that we do not know about.

At the end of the exchange in Seoul, President Obama and President Medvedev clasped hands and Mr. Medvedev promised, "I will transmit this information to Vladimir." In other words, but for the accident of an open microphone, the President's intentions would have been known by Mr. Putin, but not known by the American people. Mr. Medvedev's reply is a grim reminder of what happens when one person is able to seize unrestrained power, as Mr. Putin has demonstrated, and should be a lesson for all of us. It also should give all Americans pause as we approach this fall's election.

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

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

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

IMPOSING A MINIMUM EFFECTIVE TAX RATE FOR HIGH-INCOME TAXPAYERS—MOTION TO PROCEED—Continued

Mr. REID. Mr. President, the motion to proceed to Calendar No. 339, S. 2230 is now pending; is that correct?

The PRESIDING OFFICER. The Senator is correct.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 339, S. 2230, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

Harry Reid, Sheldon Whitehouse, John D. Rockefeller IV, Barbara Boxer, Patrick J. Leahy, Jeff Bingaman, Richard J. Durbin, Daniel K. Akaka, Al Franken, Jack Reed, Mark Begich, Sherrod Brown, Carl Levin, Richard Blumenthal, Bernard Sanders, Debbie Stabenow, Charles E. Schumer, Patty Murray.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived and the vote on the motion to invoke cloture on the motion to proceed to S. 2230 occur on Monday, April 16, when the Senate resumes legislative session immediately following the vote on the confirmation of Stephanie Dawn Thacker.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that at a time to be determined by the majority leader, in consultation with Senator MCCONNELL, the Senate proceed to executive session to consider Calendar No. 231; that there be 2 hours for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on Calendar No. 231; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, I mentioned

to the majority leader I have to do some more consultation over here in order to clear this nomination, but for the moment I must object.

The PRESIDING OFFICER. Objection is heard.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

IIHF 2014 WORLD ICE HOCKEY CHAMPIONSHIP

Mr. DURBIN. Mr. President, in the last few years, we have seen dictator after dictator tumble across the world: Qadhafi in Libya, Ben Ali in Tunisia, Mubarak in Egypt, Saleh in Yemen, and eventually Bashar al-Assad in Syria.

Yet there is one dictator who hangs on. He is the last dictator in Europe. You may not be familiar with his name, but they certainly know him in neighboring countries. He is the strong-man President of Belarus, Alexander Lukashenko.

For more than 20 years, he has ruled Belarus with an iron fist—using a barbaric combination of repression, intimidation, and torture to maintain power. He is so bold as to continue to call his security services the KGB. Can you imagine in today's world calling your security service the same name as the dread security service of the Soviet Union, the KGB?

Under Lukashenko's reign, elections have been consistently rigged, arrests have been made for political purposes, and the public's basic freedoms of speech, assembly, association, even religion—which we take for granted—are severely restricted.

As shown in this photograph I have in the Chamber, this is Alexander Lukashenko, the last dictator in Europe, the President of Belarus.

On December 19, 2010, Lukashenko was given an opportunity to ease the iron grip of his police state and move closer to democracy by holding a legitimate Presidential election. He could not bring himself to do it. He orchestrated a fraudulent election, and then he turned around on the day of the election and arrested all of his opponents who had the audacity to run against him and threw them in prison. How about that?

I was in Belarus shortly afterwards and met with their families. These people were distraught, beside themselves about what had happened.

One of these detainees who was eventually released came and saw me in November, Ales Mikhalevich, one of the Presidential candidates who had been

arrested, tortured, and denied basic legal rights for months. Recently he had been given political asylum in the Czech Republic, where he continues to fight for human rights in Belarus. His wife and daughters, whom I met in Minsk, in Belarus, are still being harassed by the KGB as of today.

Ales Mikhalevich and others from the hundreds who were imprisoned have been released, but others were not so lucky.

Mikalai Statkevich, a Presidential candidate, was sentenced to 6 years and can barely receive the medical assistance he needs.

Andrei Sannikau, another Presidential candidate, was sentenced to 5 years in prison for having the boldness to run against this dictator.

A number of other political activists who have engaged in political activity which we take for granted in the United States have been languishing in prison. I thought about it this week, as the demonstrators gathered in front of the Supreme Court, marching back and forth with signs, how we take that for granted. You try to do that in a country like Belarus, you will end up in prison. Thank God the United States has a much better standard when it comes to basic rights.

Here are the names of some of the other activists Lukashenko has thrown in prison: Zmitser Dashkevich, Eduard Lobau, Paval Sevyarynets, Zmister Bandarenka, Ales Byalyatski, Mikalai Autukhovich.

Authoritarians frequently torture these activists, trying to pressure them to sign letters admitting a guilt that does not exist. But I want to speak about something that is going to come up where Belarus and Lukashenko are going to become international celebrities.

On February 16, Mikhalevich, whom I mentioned earlier, was one of the 13 who picketed the headquarters of Praugue-based automobile company Skoda, a subsidiary of Volkswagen.

Why did they picket Skoda?

Skoda is one of the major sponsors of the International Ice Hockey Federation's World Championship, and has been for the last 19 years. In fact, Skoda's this automobile company's—relationship with the Hockey Federation is one of the longest lasting sponsorships. And much to the disbelief of the rest of the world, the International Ice Hockey Federation has chosen to host its championship in Belarus. Why? Because Lukashenko, the dictator, is such a big fan of hockey. All the while, political prisoners, including Presidential candidates, will be languishing in prison because of this dictator.

Companies such as Skoda, Nike, and Reebok are among the major corporate sponsors of this federation that is holding its championship in Belarus.

Last year, I joined Congressman MIKE QUIGLEY of Chicago and National

Hockey League Hall of Famer turned European Parliamentarian Peter Stastny and wrote to the International Ice Hockey Federation President Rene Fasel, urging that the 2014 games in Belarus be suspended until the political prisoners are released. How can anyone celebrate the excitement of a world-class sports championship when people are languishing in prison for their political beliefs? They ignored our request.

I spoke to USA Hockey, which represents the United States in this federation. They paid no attention.

It turns out the International Ice Hockey Federation will be meeting next month in Finland. Belarus is likely to be on the agenda. It should be. It should be at the top of the agenda.

The honor of hosting this prestigious international sporting event in a country where the President is regarded as Europe's last dictator is hardly a reflection of the quality of the sport that is involved.

An ardent fan of ice hockey and the head of the Belarus national Olympic committee, rewarding Lukashenko with the 2014 World Ice Hockey Championship ignores his regime's atrocities.

I have tried to reach out to Skoda, owned by Volkswagen, Nike, Reebok, and other sponsors to let them know their image is at stake too if they validate this dictator's policies and give honor to a country which does not recognize the basic freedoms.

This photograph I have in the Chamber shows Skoda's CEO, Winfried Vahland, in the center, along with Hockey Federation President Fasel on the right, as they celebrate Skoda's commitment to sponsor the world championship through 2017.

Skoda contends its sponsorship of the event does not indicate approval of what is going on in Belarus—simply their dedication to hockey. That does not show much courage.

Lukashenko's preparations for this ice hockey tournament indicate that Belarus is expecting a lot of visitors and a big economic boost.

I am once again calling on the International Ice Hockey Federation in their meeting in Finland to consider this matter at the top of their agenda and to suspend their plans to hold the Federation Championship in Belarus in 2014.

There are many other countries around the world more than anxious to join them and make this a championship well deserving with a host country that is one we can be proud of.

My feelings about this are not alone. The European Union recently widened sanctions against Lukashenko and his cronies. Lukashenko promptly recalled his Belarusian representative to the EU, after which EU Ambassadors were withdrawn from Belarus.

After a summit in Brussels earlier this month, Lukashenko—never at a

loss for words—criticized the European Union politicians and railed on the German Foreign Minister Guido Westerwelle, the first openly gay minister in Germany. President Lukashenko said:

It is better to be a dictator than gay.

That is a quote. He went on to say:

Belarusians deserve to host the World Championship in 2014 in Belarus.

That is incredible. What sports organization wants to validate those comments?

I want to close by saying, I hope the International Ice Hockey Federation's Annual Congress will make the right decision in May. I hope its corporate sponsors will feel a little uneasy being associated with Dictator Lukashenko and his policies in Belarus. I hope they will suspend the 2014 Championship unless the political prisoners are at least released and that other international sporting groups, such as the International Cycling Union, follow their example.

I want the United States, in partnership with the European Union, to continue to place pressure on Lukashenko to open his political system and to stand by the Belarusian people in their efforts to bring justice to their country.

REMEMBERING JUDGE WILLIAM HIBBLER

Mr. DURBIN. I wish to pay tribute to a great man and a great judge who passed away unexpectedly earlier this month. Judge William Hibbler had served with distinction as a Federal district court judge in the Northern District of Illinois since 1999. Bill Hibbler cared so deeply about Chicago that it sometimes surprised people to learn that he actually started life in a small town in Alabama.

His family moved to Chicago when he was a child. He graduated from St. Mel High School on the West Side and later from the University of Illinois at Chicago. He worked as a substitute teacher in the Chicago public school system to help pay his tuition at DePaul University School of Law. He started his legal career in private practice but soon felt the call of public service so he went to work as an assistant State's attorney in Cook County.

In 1986, he became an associate judge of the Cook County Circuit Court, and he served in that capacity for 13 years, until he joined the Federal bench. Judge Hibbler was active in community service throughout his career. He was a mentor to many young people.

During his confirmation hearing before the Senate Judiciary Committee, I noted that some judges have an unfortunate tendency to look down on the people who come before them once they put on the judges' black robes, and I asked Judge Hibbler what type of

temperament he would bring to the Federal bench. His answer said so much about the kind of man Bill Hibbler was and about his values. He said, "The opportunity to serve is a wonderful opportunity, and we should never forget that."

Judge Hibbler died on March 19. He was 65 years old. The esteem in which he was held is evident in comments by other judges and by lawyers who appeared before him.

Chief Judge Jim Holderman of the Northern District praised Judge Hibbler as "an outstanding jurist who cared deeply about our system of justice and displayed an unparalleled sense of fairness." Thomas Bruton, clerk of the U.S. District Court for the Northern District of Illinois, said: "Judge Hibbler was a friend to everyone who met him. He was gracious, kind and a mentor to many in this court."

U.S. Attorney Patrick Fitzgerald said, "He was a wonderful judge and wonderful person, who treated everyone who appeared before him with great respect." His friend, 7th Circuit Court of Appeals Judge Anne Claire Williams, said that Judge Hibbler "wasn't what you would call a man of many words, but each day, in his own quiet way, he made a difference in the world."

I am proud to have joined then-Senator Carol Moseley-Braun in urging President Clinton to nominate Judge Hibbler to the Federal bench 13 years ago. His many years of distinguished service on the Federal bench only deepened my respect for him. William Hibbler loved the law, and he loved justice. He also loved his family very deeply, and I wish to offer my sincere condolences to his wife Regina, his son William, and his daughter Aviv. We are grateful for the service that their husband and father provided to the Chicago community, and we will miss him.

TRIBUTE TO MR. LEONARD GILLIAM

Mr. MCCONNELL. Mr. President, today I wish to pay tribute to a true American hero who honorably answered the call to serve his country in its dire time of need, Mr. Leonard Gilliam of Laurel County, KY.

Mr. Gilliam was born in McWhorter, KY, in 1919. The 92-year-old has had an incredible life on this Earth thus far. Leonard was a country boy who had lived on his family farm his entire life. He was the first boy from McWhorter to get the call from the U.S. Army in 1941; he was 21 years old.

The newly enlisted men, along with Gilliam, headed to basic training in Fort Thomas, KY. Gilliam was trained in artillery; during training he learned how to man a tank gun. After training ended he was transferred to Fort Benning, GA, where he would reside

until December of 1941. The attack on Pearl Harbor led to the declaration of war, which for Gilliam would mean being deployed to the front.

The young Leonard Gilliam knew that going to war would be difficult, and his bringing up had prepared him to face the difficult road ahead. He had spent his childhood working on the farm and walking through fields and creeks, to and from the Twin Branch School, every day. But what the eager Gilliam did not foresee was the opportunities he would be presented with during his time in the service. A chance to see the world and forge a lifelong friendship were not in the then 21-year-old's plans back then.

His much needed experience with tanks landed him a spot on the front lines, and Gilliam entered the war in Casablanca, North Africa. He traveled through Algeria, Morocco, and Tunisia before heading towards Europe. Gilliam was called to invade the island of Sicily on July 10, 1942. He was later awarded the Bronze Arrowhead for his courageous actions during the invasion.

Gilliam spent time in Sicily guarding POWs. He remembers eating with them, talking with them, and even giving them cigarettes. Looking back, he says that the prisoners were some of the finest people he has ever met. He stayed at the prison in Sicily until he was called to go to Normandy. He arrived in France a mere 4 days after the invasion of the beach on June 6, 1944.

The hardships experienced by Gilliam in France were some of the toughest times of the war for him. But in the midst of a dark shadow cast by war, Gilliam met Vayne McCoy, a fellow tank gunner who would soon become his best friend. The two friends helped each other see the end of the war, and then they lost track of each other once they had returned back to the States. It wasn't until 1997—53 years later—when the two would reunite. The two war buddies shared a deep bond, one that they continue to share to this day.

The veteran now recalls the warm welcome he received when he finally made his return trip home in 1945 after 3 years overseas. Mr. Gilliam is a modest man. He feels like he is undeserving of the hero's welcome he received after World War II. He believes that the real heroes were the ones that "stayed over there," the ones who made the ultimate sacrifice for their country and never got the chance to come home.

The former soldier now enjoys life as a full-time family man. He is a husband, father, grandfather, and great-grandfather. Leonard is a remarkable man who has been on a once-in-a-lifetime adventure. Even after all that he has been through, both the good and the bad, he is still grateful he had opportunity. Although he says he wouldn't go on a trip around the world again for \$1 million, he doesn't regret getting to see the world for free the first time.

In November 2011, there was an article about Mr. Leonard Gilliam published in the Sentinel Echo Silver Edition, a magazine based in Laurel County, KY. Mr. President, I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Sentinel Echo: Silver Edition, Nov. 2011]

WORLD WAR II: A TRIP AROUND THE WORLD
(By Carrie Dillard)

Leonard Gilliam remembers the days when he and his family "didn't have a cable bill, water bill or electric bill." The 92-year-old Laurel County native has lived on his family farm his whole life.

He was born in 1919 in McWhorter. It was a time when, he said, "everybody used a mule pair, everybody had a milk cow and some beef cattle, and everybody had their own hogs."

You worked hard, he said. Kept your house warm buying coal for \$1 a ton at the mines or a jug of kerosene for 10 cents a gallon. You cooked on a wood stove, and there were always chores to do.

He had to "go through the field and cross the creek twice" on his walk to Twin Branch School each day, so when he joined the U.S. Army in 1941, he was used to walking.

During the course of his military career, Gilliam would spend approximately three years overseas, engage in six major battles and one invasion. He would end his days in World War II in Berlin, Germany, during the Army occupation in July 1945.

Gilliam was drafted. "They didn't draft until (age) 21 in those days," he said. He was the first one in the McWhorter community who got the call.

"There was a busload of us left London early one morning," he said, on their way to Fort Thomas, Kentucky. In less than two days, a contingent from all across the state filled a train headed to Fort Bragg, North Carolina, for basic training.

Gilliam was trained in artillery. He would later man the tank gun, causing him to lose nearly all of his hearing.

He served in the 2nd Armored Division (Hells on Wheels) under division commander George S. Patton, who once said the 2nd Armored Division "could do the impossible" because he trained them.

Gilliam was at Fort Benning, Georgia, when the Japanese attacked Pearl Harbor in 1941.

"They put more guards out, more security," he said, "as war was declared." Gilliam and his division began more practices and maneuvers, traveling back and forth from Georgia and North Carolina, until his deployment overseas. In total, Gilliam would serve six six-month tours overseas.

As a gunner, he said "the tanks were needed on the front" as soon as they arrived in Casablanca, North Africa. They traveled to Algeria, Morocco, and Tunisia, and on July 10, they invaded the island of Sicily, for which Gilliam was awarded a Bronze Arrowhead.

"Sicily was an interesting place," Gilliam said. It was there he worked as a security officer at an old penitentiary, guarding POWs.

"I had a gun and they didn't, but they didn't give me any trouble," he said.

In fact, he said, once they got acquainted, the POWs were "some of the finest people I met."

He said he'd put his gun up and sit down to eat with the prisoners. They ate the same rations—MREs (meal, ready to eat) just as the soldiers did, and were even given cigarettes.

Gilliam said he and his fellow soldiers were put on a boat in Sicily and weren't told where they were headed.

"It looked like we was going to the United States," he said, "but we was going toward England."

They were on the water at Thanksgiving, and, shortly thereafter, landed in Liverpool.

The invasion of Normandy took place on June 6, 1944. Gilliam arrived just four days later.

Although he describes it as some of the roughest times in the war, it is also where he met a good friend: Vayne McCoy.

McCoy was five years younger than Gilliam, and took to him like a younger brother. Both Gilliam and McCoy were on tanks. Gilliam's was called "Crimson Tide," McCoy's "Churchill."

The two lost track of one another after the war, but reunited in 1997, more than 50 years later. Today, they "get together pretty often," Gilliam said, their families becoming like family to each other.

Gilliam said the Germans were smart, and without the combined effort of the U.S. Army and Air Force, they would not have succeeded in driving them back.

In September 1944, Gilliam crossed the Belgium border, but it wasn't an easy trek. He said it rained the whole way there and turned to snow; it was the coldest winter he'd ever felt.

The Battle of the Bulge was upon them. Standing in knee-deep snow, Gilliam said he and his fellow soldiers would fire their guns and huddle around the tank to keep warm. He was nearly overcome by the exhaust fumes from the machine just trying to get warm. Gilliam suffers from the effects of frostbite to this day.

For a time, Gilliam and his company stayed in a local farmer's barn. The owners, he said, knew of their presence, and he said the owners were overjoyed to help.

Without the protection of that barn, they likely "would have frozen to death." Gilliam said the group held up in that barn, sleeping in the hayloft, for three weeks until temperatures got warmer.

Gilliam said he remembers the faces of young children as they made the journey across France, Belgium, and Holland.

"The children were standing and waving at us. If we halted for some reason, they'd climb the tanks and hug everybody."

"The look on those little children's faces, you was glad to have done that for them," he said.

In April 1945, Gilliam said his outfit met the Russians on the Elbe River.

"For me, the war ended. I didn't fire another shot."

Gilliam said soldiers returning from World War II got a hero's welcome, but veterans of other wars, like the Korean War or Vietnam, did not receive the same respect. "Soldiers of the Korean War didn't get that welcome when they came home," he said. "They could've used a welcome home, too." But Gilliam has never considered himself a hero. Those are the ones who gave the ultimate sacrifice, he said. In 238 days of battle, the 2nd Armored Division suffered 7,348 casualties, including 1,160 killed in action.

"The heroes didn't come back. They're still there."

His older brother, Blane, was among them. Blane Gilliam, an Army radio operator who was serving in the Pacific, was killed in action/missing in action at age 30. Gilliam received word of his death around the time he reached Germany.

Following the war, Gilliam returned home and married Wilma George, who was 11 years his junior.

"Here I was a 25-year-old man, been around the world on a killing spree," he said. They were married for 61 years and had three children—Wanda, Coy and Linda. Today, Gilliam has three grandchildren and two great-grandchildren. He is a member of Twin Branch Methodist Church.

"I wouldn't make that trip (again) for one million dollars," he said. "But I got to see the world (for free)."

TRIBUTES TO SENATOR BARBARA MIKULSKI

Ms. SNOWE. Mr. President, I rise today in light of last week's celebration here in the Senate, to recognize the truly historic and remarkable accomplishment of my good friend and colleague, Senator BARBARA MIKULSKI.

As we all know, Senator MIKULSKI just last week achieved another stunning milestone as she became the longest-serving woman in the history of the United States Congress, surpassing Congresswoman Edith Nourse Rogers. Of course, it was at the outset of this 112th Congress that Senator MIKULSKI overtook Maine's legendary Senator Margaret Chase Smith. To say it's been quite a Congress for the Gentle Lady from Maryland is the height of understatement indeed.

In the process of paying tribute to Senator MIKULSKI, I discovered some interesting information, namely that three out of the four longest serving women in the Congress were actually born in Maine—Congresswoman Rogers, Senator Smith, and myself as third longest serving woman in both the Senate and the House.

Senator Smith of course served Maine and Congresswoman Rogers represented the 5th District of Massachusetts. Both were Republicans, and both were born in Maine. And so, let me just say, as one who is privileged enough to fall into the same categories, on behalf of the great State of Maine which appears to produce women of tremendous endurance at both ends of the U.S. Capitol, we could not be more proud of the Senator from Maryland.

But the commonalities don't end there—far from it. In addition to the overlapping biographical information I just referenced, it is a point of tremendous pride that all three of us also placed the highest of premiums on serving those who have served our Nation by giving every fiber of their being to protect, defend, and secure our cherished freedoms—our courageous men and women in uniform and our veterans.

Born in Saco, ME, Edith Nourse Rogers authored legislation that made her one of the great champions of our men and women in the military as well as our Nation's veterans. As a Member of Congress, Edith Rogers displayed a work ethic worthy of her Maine roots

and was known as "the busiest woman on Capitol Hill."

During her storied 35-year career spanning from 1925 to 1960—still the longest tenure of any woman in the history of the U.S. House of Representatives, Congresswoman Rogers counts among her long-lasting achievements the securing of \$15 million to develop a national network of veterans' hospitals in the Veterans' Administration Act, the creation of both the Women's Army Corp and the landmark GI Bill of Rights.

She also proposed the establishment of a Cabinet-level Department of Veterans Affairs immediately after World War II an achievement that would finally take place in 1989. She was held in such high esteem by our veterans that the American Legion presented her with the Distinguished Service Cross—the first woman ever to receive that prestigious honor.

The incredible inroads and contributions that Edith Rogers made on behalf of our military, Senator Smith mirrored in the Senate. And just as an aside, I think it is worth noting that both shared a floral trademark, demonstrating that they could legislate in what was then very much a man's world without sacrificing their femininity or grace. Representative Edith Rogers wore an orchid or gardenia, and Senator Smith would don her signature rose.

A lifelong native of Skowhegan, Maine, Senator Smith was also a trailblazer and a woman of phenomenal firsts—the first woman to be elected in her own right to the United States Senate; the first woman to serve on the Armed Services Committee; the first woman to serve on the Appropriations Committee; the first woman to have her name placed in nomination for the Presidency by either major political party, in 1964; the first civilian woman to sail on a United States destroyer in wartime; the first woman to break the sound barrier in a U.S. Air Force F-100 Super Sabre Fighter—at 800 miles per hour, I might add.

In fact, that reminds me of the time in 1992 when Senator Nancy Kassebaum came to visit me in Maine, and we traveled together to see Senator Smith at her home and library. Senator Smith gave us a wonderful tour—despite her failing health at the time, and I recall asking her about a bright orange suit I saw that was hanging on one of the walls. And she replied that it was her flight suit from the time she broke the sound barrier. She then told me about how she had initially questioned the less than flattering color tone until she learned that the bright orange would help them find her if she had to eject! But for all of her courage, fearlessness, and monumental leadership, one of Senator Smith's indelible achievements was shepherding the historic Women's Armed Services Integration Act.

Mr. President, I am forever humbled by the shoulders I have been so proud to stand upon. As I recall the milestones of both Congresswoman Rogers and Senator Smith, especially for our veterans and armed forces, I cannot help but think of how they paved the way for my service as the only Republican woman Senator on the Personnel Subcommittee of the Senate Armed Services Committee, battling as I was at the time in the late 1990s for the fair and equitable treatment of women in the services, including assurances that men and women would train as they fight—side-by-side!

For all of their joint accolades, neither Senator Smith nor Congresswoman Rogers set out to forge news paths for women in politics. In fact, upon winning her first election to the House, Congresswoman Rogers declared, "I hope that everyone will forget that I am a woman as soon as possible." What we remember about these amazing women, born in Maine, is their great integrity, love of country, and a desire to serve. No wonder they have inspired legions of women, myself included.

Thank you, Mr. President. I yield the floor.

Mr. LEAHY. Mr. President, I would like to take a moment to honor Senator BARBARA MIKULSKI for recently becoming the longest serving woman in the history of the United States Congress. However, in doing so, I am reminded that this milestone does not define her legacy. Rather, her legacy as a coalition builder and a tenacious advocate of the marginalized defines Senator MIKULSKI's tenure as a public servant for the people of Maryland.

Throughout her career, Senator MIKULSKI pioneered the role women play in today's Congress. When she joined the Senate in 1987, Senator MIKULSKI became one of two female Senators and the first Democratic woman ever to join the upper chamber. These achievements were not due to a famous husband or father; Senator MIKULSKI was elected because of her integrity and her fiery and compassionate character. Her personal and professional experiences over the past 35 years make Senator MIKULSKI an excellent mentor for first-term female members, leading to the appropriate title: "Dean of Women." I was recently reminded of "the Dean's" ability to rally the support of female colleagues as Senator MIKULSKI and seven of 17 female senators lent their support for the reauthorization of the Violence Against Women Act on the floor of the Senate. Her efforts are emblematic of a unique ability to orchestrate voices in defense of the voiceless.

Just as the Violence Against Women Act provides support to both male and female victims of domestic abuse, Senator MIKULSKI's legacy as a champion of the exploited transcends the concept of gender. From her roots as a social

worker and community organizer, Senator MIKULSKI has constantly stood for social justice. She was a driving force in the landmark Lilly Ledbetter Fair Pay Act of 2009, which furthered protections for women and others faced with discrimination in the workplace. Equal pay for equal work is a principle that Senator MIKULSKI will continue to defend. From the young lady who delivered groceries to seniors, to a passionate defender of the ethnic American, Senator MIKULSKI continues to stand in solidarity with those forced to live in the margins.

I have been proud to serve in the Senate with Senator MIKULSKI for over two decades, and I have enjoyed working with her on many issues, in addition to our time serving together on the Subcommittee on the Department of State and Foreign Operations for many years. Perhaps most memorable is a CODEL we took to sub-Saharan Africa in 1990.

While my colleagues and I applaud Senator MIKULSKI on the longevity of her career, we more importantly take this moment to celebrate the leadership and achievements that characterize her 35 years of service. How long she has served bears witness to how well she has represented the people of Maryland.

Mr. CASEY. Mr. President, I would like to pay tribute to my colleague, Senator BARBARA MIKULSKI, who is now the longest serving woman in the history of the Congress and congratulate her on reaching this important milestone. Senator MIKULSKI is an inspiration to us all. She had broken down not only multiple gender barriers, but legislative, economic and societal barriers as well.

Throughout her career, Senator MIKULSKI has been a champion for those who are often forgotten. Hubert Humphrey once said the moral test of government is how it treats those in the dawn of life, the twilight of life and the shadows of life. Senator MIKULSKI took this message to heart. Her life has been a life of service. She spent her career as a tireless advocate, first as a social worker in Baltimore on the city council and then in the House of Representatives where she served 10 years before coming to the Senate. For the past 25 years she has continued this advocacy and has been a strong voice on the Senate floor, as well as on the HELP Committee. I have been fortunate to serve on the HELP Committee with Senator MIKULSKI since 2009.

One of the things Senator MIKULSKI is best known for is providing good constituent services. This is something all Senate offices do and it often gets overlooked by the national and international issues of the day. But this speaks to one of the most important duties of a Senator. When your constituent's mother dies in a country halfway around the world and you sud-

denly need a passport or a visa, when a veteran is not getting the benefits he is entitled to or when an older citizen cannot afford to heat their home, they can turn to their Senator's local office for help. Senator MIKULSKI makes sure she and her staff provide help to that family or veteran or older citizen.

BARBARA MIKULSKI knows, and her work demonstrates, that the job of a Senator is not only about numbers and budgets, it is about helping people, especially the vulnerable and those without a voice or a lobbyist.

Again, I congratulate BARBARA on her accomplishment and I look forward to working with her and continuing to fight for our children, our workers and our families with her in the years ahead.

Mr. PRYOR. Mr. President, I come to the floor today to celebrate the service of Senator BARBARA MIKULSKI, one of the most tenacious and effective senators to serve in the U.S. Senate. This month, following 41 years of public service, Senator MIKULSKI has reached a new milestone in serving in the U.S. Congress longer than any woman in history. But as she has said, "It's not how long you serve, but how well you serve." Both the State of Maryland and the entire Nation have benefited from Senator MIKULSKI's stamina as well her energy, intellect, and compassion. Today, we can see the difference she has made in our schools, health care, paychecks, and workplaces.

Senator MIKULSKI follows in the footsteps of the legendary Hattie Caraway of Arkansas. As the wife of Thaddeus Caraway, a former Congressman and U.S. Senator for Arkansas, Hattie assumed her husband's place in the Senate following his death in 1931. She once said, "The time has passed when a woman should be placed in a position and kept there only while someone else is being groomed for the job." A year later, she ran for reelection, becoming the first woman elected to a 6-year term. She surpassed several milestones, including serving as the first female Senator to preside over the Senate and the first woman to serve as the chairwoman of a committee.

It would take 74 more years until a woman senator chaired a subcommittee of the Senate Appropriations Committee. Senator MIKULSKI, now at the reins of the Subcommittee on Commerce, Justice, and Science, has shown great leadership and vision as chairwoman and it has been a privilege to work with her. While we share many interests, we have worked most closely to advance the growth of science parks, strengthen law enforcement, and ensure U.S. companies can compete in the 21st century. I look forward to a continued partnership, congratulate Senator MIKULSKI on this historic achievement, and express my deep appreciation for all that she has done.

Mr. AKAKA. Mr. President, I rise to honor and extend my warmest aloha to my longtime colleague, a fellow member of the House freshman class of 1977, and very dear friend, Senator BARBARA A. MIKULSKI, for setting a new benchmark in her career and a significant milestone in this institution: becoming the longest serving woman in the history of the U.S. Congress. With each of her many accomplishments, she inspires the next generation of young American women, and she makes their dreams that much more attainable.

My colleague from Maryland has been a true trailblazer for women in Congress. In 1987, she earned the distinction of becoming the first-ever woman U.S. Senator from Maryland, as well as the first woman Democrat to serve in both the House and the Senate. Last year, she also became the longest serving female in Senate history.

BARBARA has not only witnessed the number of females climb from just 21 when she first came to Congress in 1977 to the 92 female members serving today, her actions and spirit helped to make that feat possible. She continues to be a distinguished leader, mentor, and friend to all of her colleagues in Congress, not just the women. Although we have more work to do to eliminate gender bias and discrimination, I am glad to see that Congress has become more representative of the United States.

Throughout her over 35 years in Congress, BARBARA has remained a fearless advocate for women, working-class Americans, and Federal workers across the country, a steadfast protector of the environment, and a relentless champion of civil rights in this country.

Raised by Polish-American small business owners, she has been a longtime defender of labor rights and a fierce proponent of establishing fair and equal working conditions for all Americans regardless of race, sex, or disability. This cause led her to author the landmark women's and worker's rights legislation, the Lilly Ledbetter Fair Pay Act, which I cosponsored, to guarantee women equal pay for equal work.

Being from a State that, like Maryland, has a large population of Federal workers, I have worked very closely with BARBARA on many issues to support our government employees. From the time that we entered the House together, she has always been a strong partner and stalwart champion for the rights of our Nation's Federal workforce, including fair pay and benefits for the dedicated men and women who make our government more secure, effective, and efficient.

BARBARA is an embodiment of the democratic spirit and continues to be a leader. She uses her great wit, humor, and boundless energy to urge Congress

to take up important issues and then works with Members on both sides of the aisle to resolve differences and come together to achieve real solutions that help real working Americans every day. This is a testament to the fact that as she became the longest serving woman in the history of Congress, she has never forgotten her purpose—to make America better.

I again want to extend my aloha and my congratulations to Senator BARBARA MIKULSKI for this amazing achievement. It is a pleasure to serve with you. Thank you for your many years of outstanding service and genuine friendship, and I wish you the best as you continue your important work here in Congress.

Mrs. MCCASKILL. Mr. President, I rise today to honor my colleague and mentor, Senator BARBARA MIKULSKI, and to celebrate her legacy as the longest serving woman in Congress. For over 35 years, Senator MIKULSKI has proudly served the people of Maryland as a tireless advocate and a selfless public servant. It is my privilege to honor her today.

The great-granddaughter of Polish immigrants, Senator MIKULSKI grew up appreciating the value of hard work and service. On the weekends she worked in her parents' East Baltimore grocery store delivering groceries to homebound elderly. It was then that BARBARA developed her deep passion for helping others.

After earning her master's degree in social work from the University of Maryland, BARBARA started a career as a social worker with Catholic Charities and Baltimore's Department of Social Services. An outspoken advocate for at-risk youth and the elderly, she quickly earned a reputation as a fighter and was elected to the Baltimore City Council in 1971. After 5 years on the city council, BARBARA ran for Congress.

In 1976, BARBARA began her first term representing Maryland's Third Congressional District. As one of only 18 women in the House of Representatives, BARBARA was a member of a small but mighty group. During her 10 years in the House, she gained a reputation as a fighter, and in 1986 the people of Maryland again chose her to represent them but this time in the Senate.

As one of only two female Senators, and the first woman elected to the Senate in her own right, Senator MIKULSKI was met with much skepticism. While outnumbered, BARBARA's determination and dedication to her constituents shined through. BARBARA is a steadfast proponent of greater access to higher education, a leader on the front of women's health, and an unwavering supporter of America's veterans. She is determined to stand up for those who are often forgotten.

A few weeks ago, BARBARA shared a touching story that I think exemplifies her character.

When BARBARA first ran for Senate in 1986, she had the opportunity to get to know Harriet Woods, who was campaigning as a Democrat for the Missouri Senate seat. BARBARA saw the significance of having two female candidates for Senate, and she was certain both of them would win. Unfortunately, it wasn't meant to be for Harriet Woods, who lost to Republican John Danforth.

On BARBARA's first day she was shown her desk on the Senate floor—she opened it and saw Harry Truman's autograph. She had Harry Truman's desk. While she was delighted to have that desk, she knew that it really belonged to the Senator from Missouri and relinquished it. She said that for years she thought about that desk and hoped that it would someday be returned to a Democrat from Missouri.

Twenty years later, on election night in 2006, BARBARA watched the election results come in from around the country—and in Missouri, in particular. She said she stayed up late in the night waiting for the final result. Once she learned of the results from Missouri, she knew that the desk that had been accidentally given to her all of those years ago would finally be returned, where it belonged. I am so pleased to know that the Truman desk was shared, if only briefly, with my friend BARBARA MIKULSKI.

BARBARA MIKULSKI is a trailblazer, a role model, and an advisor to the other women in the Senate. Today there are 17 women in the Senate, and much of that progress can be attributed to Senator MIKULSKI's leadership.

Mr. President, I ask that the Senate join me in congratulating Senator MIKULSKI on this milestone and thank her for her 35 years of leadership, friendship, and service.

Mr. KOHL. Mr. President, today I would like to honor Senator BARBARA MIKULSKI's amazing life and career as she becomes the Senate's longest serving woman Senator. She has been a role model and inspiration to women across the country as she broke barriers in public life. When she first came to the Senate she was one of only a handful of women ever to serve in the U.S. Senate and now she is one of 17 women here on the Senate floor. Her service has made it easier for girls to dream about one day being a Senator—or President.

Senator MIKULSKI and I shared a similar experience growing up: her parents, William and Christine, opened and operated Willy's Market, a small grocery store in their working class neighborhood in East Baltimore. My parents also opened a small grocery store in Milwaukee—the first of what would become the Kohl's Food Stores and then Kohl's Department Stores.

As we have already heard here on the floor, her father would frequently open the store early so local steel workers could buy their lunches before their shift began. He would also extend credit to help customers who were having a hard time making ends meet. William Mikulski's neighbors didn't go hungry with him as their grocer. BARBARA worked at the store, and helped deliver groceries to homebound seniors in their neighborhood. She got to know her neighbors well, and she understood the important issues facing her community.

Much of what we both experienced working in our family stores and watching our parents work so hard to provide superior service to their customers, ensuring their children understood the value of hard work, treating others fairly and with dignity, and giving back to the community, influenced our views on customer service. Those views have translated into Senator MIKULSKI's constituent service here in the Senate.

BARBARA's enthusiasm and commitment to serving the people of Maryland has resulted in too many victories to mention here, but I do want to point out a few of the projects we have worked on together on the Agriculture Appropriations subcommittee.

Senator MIKULSKI and I have worked closely over the years to protect USDA agriculture research in Beltsville, MD. Beltsville is a historic and crucial part of the USDA's research arm. In fact it is the largest agriculture research facility in the world and does valuable work developing the next generation of crops and farming methods that will feed a growing planet. We've also worked together on increasing funding for the Food and Drug Administration, ensuring that the food we eat and medicine we rely upon is safe.

In my work as the chairman of Agriculture Appropriations subcommittee, I have been especially thankful for the times when BARBARA has spoken passionately about the important programs we fund through the subcommittee. She has been a stalwart supporter of farmers throughout Maryland and across the country, and a true friend here in the Senate. It has been an honor to serve with her.

Mr. ALEXANDER. Mr. President, my late friend Alex Haley, the author of "Roots," lived his life by the motto "Find the Good and Praise It." That is an easy thing to do when talking about BARBARA MIKULSKI, a friend and colleague with whom I have worked closely since I joined the Senate.

I would like to add my congratulations to those of my colleagues on Senator MIKULSKI reaching the milestone of becoming the longest serving woman in Congress. This is a remarkable achievement for a remarkable woman. For over 35 years, that is almost 13,000 days, BARBARA MIKULSKI has dedicated

herself to serving the people of Maryland and representing them here in Congress.

Although Senator MIKULSKI is a proud partisan, she is one of the best advocates of bipartisanship. She understands the need to work together, to learn from one another's point of view, and to strike a deal so that each side can get something of value and move forward.

I have found that when you have BARBARA MIKULSKI by your side in a debate you always seem to win. She brings passion and dedication and tenacity to every issue she works on. Her love of the Senate, Congress in general, and the American people is infectious.

When Senator MIKULSKI and I have worked together it has always been a delightful experience. Whether authorizing the Teach for America program to allow college graduates to become teachers in our Nation's worst schools; passing America COMPETES, where we improved our energy research programs and STEM education initiatives; or working on higher education where we share a passion for eliminating costly and unnecessary Federal regulations, BARBARA MIKULSKI is a tireless friend and ally.

Congratulations, Senator MIKULSKI. The Senate is proud of you, Maryland is proud of you, and the country is proud of you.

Mr. NELSON of Nebraska. Mr. President, today I wish to offer congratulations to my friend and colleague, Senator BARBARA MIKULSKI, on becoming the longest serving woman Senator in American history.

As Senator MIKULSKI has said, "It's not only how long I serve, but how well I serve." And she has served very, very well. Not only does Senator MIKULSKI serve in the best interests of the people of her native Maryland, but her service continues to improve the lives of Americans from coast to coast.

This comes as no surprise for a person who began her career helping at-risk children and seniors as a social worker in Baltimore. Senator MIKULSKI's nightly commute home from Washington ensures that she will not forget who she works for or where she comes from. The truth is, she never left.

Her commitment and connection to her constituents benefits us all. Her advocacy for access to better health care, improving the quality of education, investing in innovation, and protecting human dignity are not bound by the borders of Maryland. Her service benefits the people of Baltimore, MD, but also the people of Broken Bow, NE.

It is an honor to serve with Senator MIKULSKI. I enjoy her company, I respect her strength, and I admire her commitment.

Congratulations to Senator BARBARA MIKULSKI on her record-setting service. We are all the better for it.

JOB ACT

Mr. TOOMEY. Mr. President, I rise today to speak on H.R. 3606, the Jumpstart Our Business Startups, or JOBS, Act, which the Senate passed on Thursday, March 22, 2012, by a vote of 73 to 26. I am particularly pleased that H.R. 3606 included language from S. 1824, the Private Company Flexibility and Growth Act, which I introduced on November 8, 2011, with Senator CARPER. We authored this important measure to update the shareholder threshold after which entities must register their securities with the Securities and Exchange Commission. This and other provisions contained in H.R. 3606 will provide companies and small banks with the flexibility to grow, which will in turn lead to economic growth and job creation.

As the Commission amends its rules implementing title V of H.R. 3606, it is important that it be mindful of Congress's intent that the rules provide clear guidance to issuers on how to comply with the new provisions. For instance, section 503 of the JOBS Act requires that the SEC adopt safe harbor provisions that issuers can follow when determining whether holders of their securities received the securities pursuant to an employee compensation plan in transactions that were exempt from the registration requirements of section 5 of the Securities Act of 1933.

The issues that we would expect the Commission to address when adopting the safe harbor provisions include the steps issuers can take to obtain comfort that securities are held by persons who received the securities pursuant to an employee compensation plan and whether the issuance of those securities were exempt from Securities Act registration. To provide issuers appropriate comfort under the rules, the Commission could adopt a safe harbor provision that allows issuers, absent actual knowledge of information to the contrary, to rely on information it has about a person at the time the securities are issued. The Commission could also adopt a safe harbor provision that allows issuers to consider an issuance of securities exempt from the Securities Act if it has a reasonable belief that the exemption existed at the time the securities were issued.

The definition of an "employee compensation plan" should be interpreted broadly. For purposes of determining whether a person is an employee who need not be counted when an issuer is calculating the number of holders of record under section 12(g)(1)(A) of the Securities Exchange Act of 1934, the term "employee" would include persons who are current or former employees of the issuer. We would also include but not limit this exemption to other persons such as surviving spouses or family members who inherit equity securities from the employee and who need not be included in the calculation

of the number of holders of record. "Employee compensation plans" would include but is not limited to a written compensatory benefit plan or written contract as defined in SEC rule 701 under the Securities Act of 1933.

In revising rule 506 and rule 144A to remove the prohibitions on general solicitation or general advertising, the Commission should consider practice in the market for rule 144A securities and ensure that offerings and sales of rule 144A securities can proceed on the same basis as they do currently, including from a state blue sky perspective, regardless of whether there is general solicitation or general advertising.

The Commission should also consider adopting similar safe harbor provisions for how issuers can determine whether their investors are accredited for purposes of revised Exchange Act section 12(g)(1)(A) and whether securities are held by persons who purchase such securities in crowdfunding transactions described under new Securities Act section 4(6), in accordance with new Exchange Act section 12(g)(5)(B). We believe these additional safe harbor protections would provide important guidance for issuers and should be strongly considered by the SEC.

Mr. BROWN of Massachusetts. Mr. President, I wish to rise to speak about jobs and the Massachusetts innovation economy.

In July 2010, the Kauffman Foundation noted that "startups aren't everything when it comes to job growth. They're the only thing." In fact, the Kauffman Foundation found that "without startups, there would be no net job growth in the U.S. economy." In Massachusetts, where we have the second largest venture capital market in the country, venture capital helps drive our innovation technology. Massachusetts public companies that were once venture-backed start-ups account for 775,151 jobs and \$190 billion in revenue in the United States.

However, in the current economic climate, institutional investors are wary of investing in ideas that carry significant entrepreneurial and technological risk. With a high risk of failure and often a lack of collateral, small startup companies cannot qualify for traditional commercial loans. Alternative capital markets are therefore critical to these engines of future economic prosperity. To give entrepreneurs and start-ups the access to capital they need to get their businesses off the ground, I introduced the Democratizing Access to Capital Act—S. 1791—to legalize crowdfunding on November 2, 2011. Crowdfunding will create a new alternative market for capital formation by allowing every American—regardless of income or wealth—to invest in a start-up or a great idea. And according to an economic model by Regional Economic Models, Inc.—REMI, crowdfunding has the potential to increase the number of start-ups by 10

percent, potentially creating hundreds of thousands of new jobs.

Recognizing that crowdfunding could provide a huge new growth engine for the Massachusetts tech sector and the Internet, our brightest economic frontier, I wrote to President Obama on February 3, 2012 to ask for his help in urging the Senate to pass crowdfunding legislation. On February 27, 2012, I hosted a roundtable with Massachusetts entrepreneurs and small businesses at Boston City Hall. And on February 29, 2012, I called on my colleagues to work together and pass a crowdfunding bill in a speech from the Senate floor.

At the same time, entrepreneurs from the Cambridge Innovation Center created a petition to show Congress their support for crowdfunding. These entrepreneurs founded *wefunder.com* to rally support for crowdfunding. On March 5, 2012, *wefunder.com* and *MassChallenge*, a not-for-profit organization dedicated to supporting the work of entrepreneurs, hosted a roundtable on crowdfunding in Boston. As of March 26, 2012, 3 thousand investors pledged to invest \$7.5 million when crowdfunding becomes legal.

On March 8, 2012, the House of Representatives passed the Jumpstart Our Business Startups (JOBS) Act by a vote of 390-23, which included crowdfunding legislation. President Obama also issued a statement in support of the JOBS Act. Although my focus was on legalizing crowdfunding, I felt that the JOBS Act bill lacked basic investor protection standards that would give investors some confidence and help the market grow. I worked with Senators MICHAEL BENNET and JEFF MERKLEY to introduce a bipartisan compromise crowdfunding bill, the CROWDFUND Act—S. 2190, on March 13, 2012. On March 22, 2012, the Senate passed the CROWDFUND Act as an amendment to the JOBS Act, which was approved by a vote of 73-26.

The CROWDFUND Act sets the framework for developing a new market in which entrepreneurs can raise capital and ordinary investors can invest in new ideas. To create a new marketplace for investment, the CROWDFUND Act creates investor protections that are designed to balance entrepreneurs' ease of access to capital with the need for transparency.

In prescribing requirements for issuers, the CROWDFUND Act addresses the importance of providing investors accurate information. While financial disclosures are necessary for investors to make wise investment decisions, the importance of disclosure should be balanced with individuals' right to privacy. The SEC should therefore, under its rulemaking authority provided in Section 4A(b), clarify that entrepreneurs will not be asked to disclose individual personal tax returns. In addition, while the bill clearly

states that issuers should be liable for material misrepresentations or omissions, issuers should not be held liable for misstatements or omissions that were made by mistake. The standard of liability for issuers as described in Section 4A(c) should be "due diligence." In other words, issuers must do their "due diligence" to make sure that the information that they are providing to potential investors is accurate. This is a widely accepted liability standard.

Although issuers may not advertise the specific terms of an offering, the CROWDFUND Act ensures that issuers are allowed to generally advertise their offerings through email and social media channels, as long as the intermediary website remains the location for all offerings. Potential investors should be given enough information about offerings to spark their interest. To discourage fraudulent operators, provide proper investor education and "crowdvetting" of opportunities by impartial third parties, issuers should not be allowed to encourage investment outside of the intermediary. In addition to facilitating communication between issuers and investors, intermediaries should allow fellow investors to endorse or provide feedback about issuers and offerings, provided that these investors are not employees of the intermediary. Investors' credentials should be included with their comments to aid the collective wisdom of the crowd.

Regulated intermediaries are necessary for investor protection; however, intermediaries should not be over-regulated. Specifically, none of the requirements placed on intermediaries should prevent an intermediary or funding portal from removing or preventing the public display of an offering that it deems not credible. To guarantee the quality of offerings, intermediaries should be able to employ a Kickstarter-like process, in which the staff of an intermediary determines which issuers are invited to present their offerings to site visitors. Intermediaries should also be allowed to inform its users about offerings that may interest them, provided that this is not explicitly or implicitly recommending the offering to an investor. Although intermediaries must only provide offering proceeds to issuers once the issuers' target offering amount is reached, intermediaries should not be required to escrow proceeds.

To streamline the offering process, it makes sense to allow intermediaries to place a hold on investor credit cards until an offer is fully subscribed. At that time, investors' credit cards should be charged and the proceeds immediately transferred to the issuer. Intermediaries should also be permitted to act as the holder of record for offerings that they facilitate to reduce compliance complexity for issuers

and to increase the likelihood of subsequent funding from institutional investors. Providing holder of record services will reduce compliance complexity for issuers and place the burden of managing crowdfunded investors on the intermediary. Without this mechanism, issuer capitalization tables may become unwieldy, discouraging subsequent funding from institutional investors. In addition, intermediaries should be allowed to take an equity stake in offerings. This however, does not mean that intermediaries should be able to choose which offerings to participate in but rather it should be a standard process for any offering that the intermediary facilitates. This will incentivize an intermediary to focus on issuer quality over quantity, providing more vetting for investors and greater alignment of interests. Of course, any equity stakes by the intermediary must be fully and meaningfully disclosed to investors. Of course, any equity stakes by the intermediary must be fully and meaningfully disclosed to investors. The SEC should carefully monitor any developments in this area and adjust practices, including restricting the ability for intermediaries to take equity positions, should fraud or manipulative practices arise.

Although the CROWDFUND Act requires intermediaries to register with the SEC and become members of a self-regulatory association, all rules, regulations and registration requirements should be developed with minimal burden and cost to the intermediaries. The SEC and any relevant self-regulatory association should bear in mind that these costs will ultimately be passed through to issuers—costs should not undermine the goals of crowdfunding to create low-burden alternative means of raising capital. In addition, the crowdfunding community may develop its own self-regulatory association to specifically oversee crowdfunding intermediaries.

While preemption of State securities law is necessary for crowdfunding to function, State securities regulators should play a role in crowdfunding offerings. In addition to allowing limited State securities registration, State should retain its authority to take enforcement action with regard to any issuer or intermediary. Further, where state authority is not specifically preempted, the SEC will not presume preemption. State securities regulators are the first line of defense against fraud and their ability to continue to combat fraud should not be curtailed.

Finally, I urge the SEC to take seriously the statutory directive to complete within 270 days of enactment the rulemaking necessary to make the law effective. Crowdfunding entrepreneurs and intermediaries are eagerly awaiting the rules to take full advantage of crowdfunding's potential to unlock

capital for start-ups and small businesses. Based on my office's interactions with the SEC, I believe that the SEC is committed the success of this new market, and the rulemaking should be easily completed within 270 days.

Few entrepreneurs take a new start-up to a mature company on their own. New ideas need the support of investors to survive and thrive. Investments power payrolls across our nation and every sector. It's the grease that keeps the gears in the American economy turning. Crowdfunding will allow small businesses to bypass Wall Street and go straight to Main Street for financing. We know that new businesses are the source of all of the net job creation in the United States. This CROWDFUND Act provides an avenue for new growth for that crucial sector with unlimited potential.

Mr. BENNET. Mr. President, I wish to discuss our bipartisan efforts to pass a crowdfunding amendment that provides needed flexibility but also ensures that crowdfunding has sufficient oversight and investor protections. I was proud to work with Senators MERKLEY and BROWN in crafting this bipartisan proposal. The Senate passed our amendment by a 64 to 35 margin. The House of Representatives subsequently passed our language when it considered the JOBS legislation earlier this week.

As the Securities and Exchange Commission works to implement this new law, it is my hope that it will recognize that the funding portal registration process is meant to be more streamlined and less burdensome than traditional broker-dealer registration. Given the size of the investments that are likely to occur in crowdfunding, the SEC should work to provide an appropriate level of oversight without making it cost-prohibitive to become a funding portal.

Funding portals should be allowed to organize and sort information based on certain criteria. This will make it easier for individuals to find the types of companies in which they can potentially invest. This type of capability—commonly referred to as curation—should not constitute investment advice or recommendations, which the law otherwise prohibits.

Similarly, funding portals should be allowed to engage in due diligence services. This would include providing templates and forms, which will enable issuers to comply with the underlying statute. In crafting this law, it was our intent to allow funding portals to provide such services.

We also sought to provide the Securities and Exchange Commission sufficient flexibility to promulgate rules to ensure individuals have the necessary information and protections to make informed investment decisions. It is my hope that the Commission will ex-

ercise such discretion judiciously and will not create a regulatory regime that is too cumbersome and expensive for funding portals to operate or for issuers to sell their securities. In preparing the law, we sought to find the right balance, preserving basic investor protections while ensuring enough entrepreneurial flexibility to help this promising medium take off for the good of our economy. I am hopeful that the Commission will respect this balance as it moves forward to implement this law.

Finally, we provided 270 days for the Commission to implement this new law. I hope the SEC will make every effort possible to meet this deadline.

HOUSE BUDGET PROPOSAL

Mr. BAUCUS. President Kennedy said that "to govern is to choose."

When you put away the charts and graphs, budgets are about choices. These choices impact our children's schools, business owners' bottom lines, and families' paychecks. And they affect how we care for our wounded veterans when they return home from fighting for us.

The House has chosen to pass the House Budget Committee chairman's budget.

Just as it did last year, this budget makes a stark choice. It shows where the House's priorities are.

Under the House plan, millionaires would receive an average tax cut of at least \$150,000. Meanwhile, seniors would eventually have to pay nearly \$6,000 more for their health care. That is a big increase when the average senior has a fixed income of only \$25,000 a year.

Most Americans would agree that this doesn't pass the smell test.

We know we need to reduce our deficit.

But asking seniors to pay an additional quarter of their income for their health care while giving millionaires a six-figure tax break just isn't fair. It is certainly not balanced. And it is the wrong choice.

The House plan would also end the Medicare Program seniors know today. It would eliminate guaranteed benefits. It would charge seniors more for their prescriptions. It would make them pay for the screenings and doctor visits they get free now.

The millions hurt by this plan include former members of our Armed Forces who served for more than 20 years or were injured while on duty. This budget leaves these military retirees—and other seniors—high and dry.

It takes a lot of courage to serve a full career in the military. But there is nothing courageous about cutting care for our military retirees. I will stand up for our military and our seniors and make sure they have the health care they need.

The House budget also increases the eligibility age for Medicare from 65 to 67 years old. That means seniors would be forced to work later in life, just to keep their health care.

And the House budget replaces Medicare with a voucher program.

Seniors would have to use these fixed-price vouchers to purchase private insurance or Medicare. But this voucher wouldn't cover seniors' health care needs.

Seniors would be forced to make up the difference by spending thousands of dollars out of their own pockets.

To make matters worse, under the House plan, seniors would be paying more and getting less.

Private insurance companies would get to dictate what care seniors can get—and what they can't. Private companies could say a senior can't have hospice or nursing home care or they could limit hospital stays or prescription drug coverage.

The House plan would end the guaranteed benefits that Medicare protects today.

I won't let this happen. I won't let others break our promise to America's seniors. I won't let anyone dismantle Medicare.

Besides ending the Medicare seniors rely on today, the House budget does not solve our country's deficit problem. It just makes seniors and middle-class families pay more than their fair share.

Fortunately, this is not the only option we have to reduce our country's debt. We have another choice—the path we took with health reform.

We know our long-term deficits are in part due to health care costs. For the past several decades, these costs have been growing faster than inflation. This makes Medicare more expensive for the government.

That is why health reform focused on lowering overall health care costs.

This lowers premiums for seniors enrolled in Medicare today. And it helps keep the program strong for generations to come.

If we hadn't passed health reform, the deficit would be more than \$1 trillion higher over the next two decades.

If we hadn't passed the affordable care act, health care spending would have doubled. We passed health reform to bend the cost curve and slow this cost growth.

Last week marked the second anniversary of the health care reform law. We are already seeing results. According to CBO, over the next 10 years, per-person Medicare costs will decrease by four percentage points compared to the past thirty years.

How did we make this progress?

We know that when doctors and hospitals don't talk to each other, patients receive the same tests twice and other duplicative services. Health reform improves coordination by giving providers incentives to work together.

We know that expensive diseases can be better managed if they are caught early. Health reform provides free preventive care to catch and treat costly chronic conditions.

We know criminals try to rip off taxpayers. Health reform provides law enforcement new tools to protect Medicare and Medicaid from fraud and recoup taxpayer dollars.

We know that some of the best ideas to lower costs don't come out of Washington. They come from our communities. Health reform leverages these good ideas by partnering with the private sector.

This is the path we need to continue down. We need to ensure these tools are successful and work to improve them. We need to build on these reforms to keep saving consumers' and taxpayers' money.

As we look to solving our country's largest problems, we need to remember our priorities.

We need to focus on fairness. We need to remember that the choices we make matter.

The choices we made in the affordable care act are making our health care system more efficient. These choices are lowering costs for everyone.

The House plan chooses to ignore rising health care costs. It simply shifts risks and costs onto the backs of America's seniors.

That is a plan that is not right for seniors. It is not right for our health care system. And it is not right for our future. The American people know which choice we should make.

HEALTH CARE

Ms. COLLINS. Mr. President, this week marks the 2-year anniversary of the signing into law of President Obama's health care bill. There was no question that our health care system required substantial reform. In passing this law, however, Congress failed to follow the Hippocratic oath, "first do no harm." The new law increases health care costs, hurts our seniors and health care providers, and imposes billions of dollars in new taxes, fees, and penalties. This will lead to fewer choices and higher insurance costs for many middle-income Americans and most small businesses—the opposite of what real health care reform should do.

I find it particularly disturbing that President Obama's health care law does not do enough to rein in the cost of health care and provide consumers with more affordable choices. In fact, Medicare's Chief Actuary estimates that the law will increase health spending across the economy by \$311 billion, and the nonpartisan Congressional Budget Office says the law will actually increase premiums for an average family plan by \$2,100. Moreover, a recent report issued by the CBO found

that the new law will cost \$1.76 trillion between now and 2022. That is twice as much as the bill's original 10-year price tag of \$940 billion.

The new law also means fewer choices for many middle-income Americans and small businesses. All individual and small group policies sold in the United States will soon have to fit into one of four categories. One size simply does not fit all. In Maine, almost 90 percent of those purchasing coverage in the individual market have a policy that is different from the standards in the new law.

I am also very concerned about the impact the law will have on Maine's small businesses, which are our State's job creation engine. The new law discourages small businesses from hiring new employees and paying them more. It could also lead to onerous financial penalties, even for those small businesses that are struggling to provide health insurance for their employees. According to a 2012 Gallup Survey, 48 percent of small businesses are not hiring because of the potential cost of health insurance under the health care law, and the Director of the Congressional Budget Office has testified that the new law will mean 800,000 fewer American jobs over the next decade.

Even where the law tries to help small businesses, it misses the mark. For example, I have long been a proponent of tax credits to help small businesses cover employee health insurance costs. The new credits for small businesses in the health care law, however, are poorly structured. They are phased out in such a way that businesses will actually be penalized when they hire new workers or pay their employees more. Moreover, they are temporary and can only be claimed for 2 years in the exchange.

Finally, I am very concerned that the new law is paid for, in large part, through more than \$500 billion cuts to Medicare, a program which already is facing long-term financing problems. It simply does not make sense to rely on deep cuts in Medicare to finance a new entitlement program at a time when the number of Medicare beneficiaries is on the rise.

Moreover, according to the administration's own Chief Actuary, these deep cuts could push one in five hospitals, nursing homes, and home health providers into the red. Many of these providers could simply stop taking Medicare patients, which would jeopardize access to care for millions of seniors.

It doesn't have to be this way. The bitter rhetoric and partisan gridlock over the past few years have obscured the very important fact that there are many health care reforms that have overwhelming support in both parties. For example, we should be able to agree on generous tax credits for self-employed individuals and small businesses to help them afford health in-

surance, thus reducing the number of uninsured. We should be able to agree on insurance market reforms that would prevent insurance companies from denying coverage to children who have preexisting conditions, permit children to remain on their parents' policies until age 26, require standardized claim forms to reduce costs, and allow consumers to purchase insurance across State lines.

We should be able to agree on delivery system reforms that reward value rather than volume and quality over quantity and that increase transparency throughout the health care system. And we should be able to agree on ways to address the serious health care workforce shortages that plague rural and smalltown America. Simply having an insurance card will do you no good if there is no one available to provide the care.

In short, we should repeal ObamaCare so that we can start over to work together to draft a health care bill that achieves the consensus goals of providing more choice, containing health care costs, improving quality and access, and making health care coverage more affordable for all Americans.

BETTER HEALTH REWARDS PROGRAM ACT OF 2012

Mr. WYDEN. Mr. President, I wish to advocate for legislation my colleague, Senator PORTMAN, and I have coauthored that focuses on driving better health outcomes for America's seniors through the use of real, positive financial incentives.

I think we can all agree on a theory—the best health care is often the least expensive, and it is often health care you can have real control over—prevention.

According to the Hastings Center, 76 percent of Medicare spending is on patients with five or more chronic diseases: stroke, heart disease, diabetes and cancer lead the way. And with \$2.7 trillion spent annually on health care, one of the best ways to slow the growth of that spending is to keep Americans healthier, and to do that, we have to reduce the prevalence of chronic disease.

I think Medicare can help spark that transformation. It is a large Federal program, some of the smartest health policy links the Federal Government and the private sector, and, most important, the Federal Government already pays for seniors to have an annual physical.

At present, when seniors leave that physical, too often there is no game plan or specific steps a senior can take to get healthier in the year ahead. Seniors get a bunch of numbers about their tests, possibly a prescription, and some medical lingo about their general health, but mostly everyone just hopes

things will turn out OK at the next physical. Maybe it was an OK year, and that extra dessert wasn't a problem after all.

We believe that if the Federal Government is already paying for that physical, it is only common sense to wring every possible advantage for seniors out of it, specifically by giving seniors the tools to make changes that promote good health and reward them for staying motivated.

That is exactly what the bill I have written with Senator PORTMAN does. Typically, the assumption has always been that preventive care means more services. But in this case, government already pays for the service—the \$3.8 billion on the annual wellness visit—and we are saying, let's get more out of that visit.

Here is how our legislation—the Medicare Better Health Rewards Program Act—would do that:

First, it is voluntary. Since we hear a little discussion about mandates these days, this is voluntary.

In year 1, a senior has their physical, has their tests run, and their health provider has a conversation with them about their health. They come up with a plan to use the next year so that the senior can get healthier. The provider then lets Medicare know their patient is participating.

In year 2, the senior comes back for their next annual wellness visit. Again, tests are run, and they discuss the changes that may have occurred over the last year. If they have gotten healthier and their provider confirms it, they are eligible for a Healthy Reward. If they haven't, they still had their physical at no out of pocket cost to them. Their provider still gets paid. The same happens again in year 3.

Finally, the money to pay these rewards comes from the fact that as participating seniors get healthier, Medicare is spending less money on them. They are saving the system money. If that occurs, those seniors who are getting healthier will be able to share in the savings.

Bottom line: Innovation is rampant in American health care, and we are fresh with a new strategy to bring a fresh wave of innovation to Medicare.

I would like to thank Senator PORTMAN for working with me on this new approach to Medicare reform, and I urge my colleagues to join us in co-sponsoring our legislation.

DISTRICT OF COLUMBIA EMANCIPATION DAY

Mr. CARDIN. When Congress returns to session on Monday, April 16, 2012, we will recognize an important anniversary and holiday here in Washington. That day will be the 150th anniversary of District of Columbia Emancipation Day. Nine months before President Abraham Lincoln issued the Emanci-

pation Proclamation in January 1862, the President signed the District of Columbia Compensated Emancipation Act. The act ordered the release of the 3,100 enslaved persons of African descent held in the Nation's capital. District of Columbia residents were therefore known as the "First Freed" slaves by the Federal government during the Civil War.

In 1865 the Confederacy surrendered and the Civil War ended, and later that year the 13th Amendment to the Constitution was ratified, which states that: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

Emancipation Day celebrations were held annually in the District of Columbia from 1866 through 1901, and resumed in 2002. In 2005 Emancipation Day was made an official public holiday in the District of Columbia.

On March 6, 2012, the District of Columbia City Council adopted ceremonial resolution 19-207. The resolution finds this anniversary to be "an important, historic occasion for the District of Columbia and the nation and serves as an appropriate time to reflect on how far the District of Columbia and the United States have progressed since institutionalized enslavement of people of African descent. Most importantly, the 150th anniversary reminds us to reaffirm our commitment to forge a more just and united country that truly reflects the ideas of its founders and instills in its people a broad sense of duty to be responsible and conscientious stewards of freedom and democracy." I ask unanimous consent to place a copy of this resolution in the RECORD at the end of my statement.

(See exhibit 1.)

In the recent past, we have been blessed to celebrate numerous historic achievements for African-Americans in Washington, DC and throughout the Nation, including the election of the first African-American President of the United States, the dedication of the Rev. Martin Luther King, Jr. Memorial, and the groundbreaking for the National Museum of African American History and Culture. I congratulate the District of Columbia government and its residents on this historic anniversary.

EXHIBIT 1

A CEREMONIAL RESOLUTION: 19-207—IN THE COUNCIL OF THE DISTRICT OF COLUMBIA, MARCH 6, 2012

To recognize and preserve the cultural history and heritage of the District of Columbia; to formally recognize the 150th anniversary of District of Columbia Emancipation Day on April 16, 2012, as an important day in the history of the District of Columbia and the United States in that, on April 16, 1862, 9 months before President Abraham Lincoln signed the Emancipation Proclamation on

January 1, 1863 to begin to end institutionalized slavery in America, President Lincoln signed the District of Columbia Compensated Emancipation Act to release the 3,100 enslaved persons of African descent held in the nation's capital, making them the "first freed" by the federal government, at a cost of nearly \$1 million, in 1862 funds, paid to the people who enslaved them; to recognize that, after the Civil War, formerly enslaved people and others commemorated the signing of the 1862 act by parading down Pennsylvania Avenue in festive attire, with music and marching bands, proclaiming and celebrating freedom in the District of Columbia Emancipation Day Parade, which was received by every sitting President of the United States from 1866 to 1901; and to recognize that, on March 7, 2000, the Council of the District of Columbia voted unanimously to establish April 16th as a legal private holiday, the Emancipation Day Parade resumed in the nation's capital in 2002, and, on April 5, 2005, District of Columbia Emancipation Day was made a legal public holiday, recognized annually on April 16th.

Whereas, on April 16, 1862, President Abraham Lincoln signed the District of Columbia Compensated Emancipation Act ("Emancipation Act") during the Civil War;

Whereas, the Emancipation Act provided for immediate emancipation of 3,100 enslaved men, women, and children of African descent held in bondage in the District of Columbia;

Whereas, the Emancipation Act authorized compensation of up to \$300 for each of the 3,100 enslaved men, women, and children held in bondage by those loyal to the Union, voluntary colonization of the formerly enslaved to colonies outside of America, and payments of up to \$100 to each formerly enslaved person who agreed to leave America;

Whereas, the Emancipation Act authorized the federal government to pay approximately \$1 million, in 1862 funds, for the freedom of 3,100 enslaved men, women, and children of African descent in the District of Columbia;

Whereas, the Emancipation Act ended the bondage of 3,100 enslaved men, women, and children of African descent in the District of Columbia, and made them the "first freed" by the federal government during the Civil War;

Whereas, nine months after the signing of the Emancipation Act, on January 1, 1863, President Lincoln signed the Emancipation Proclamation of 1863, to begin to end institutionalized enslavement of people of African descent in Confederate states;

Whereas, on April 9, 1865, the Confederacy surrendered, marking the beginning of the end of the Civil War, and on August 20, 1866, President Andrew Johnson signed a Proclamation—Declaring that Peace, Order, Tranquility and Civil Authority Now Exists in and Throughout the Whole of the United States of America;

Whereas, in December 1865, the 13th Amendment to the United States Constitution was ratified establishing that "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction";

Whereas, in April 1866, to commemorate the signing of the Emancipation Act, the formerly enslaved people and others, in festive attire, with music and marching bands, started an annual tradition of parading down Pennsylvania Avenue, proclaiming and celebrating the anniversary of their freedom;

Whereas, the District of Columbia Emancipation Day Parade was received by every sitting President of the United States from 1866 to 1901;

Whereas, on March 7, 2000, at the Twenty Seventh Legislative Session of the Council of the District of Columbia, Councilmember Vincent B. Orange, Sr. (D-Ward 5) authored and introduced, with Carol Schwartz (R-At Large), the historic District of Columbia Emancipation Day Amendment Act of 2000, effective April 3, 2001 (D.C. Law 13-237; D.C. Official Code §§ 1-612.02a, 32-1201), and on that same date moved an emergency version of the legislation that established April 16th as a legal private holiday;

Whereas, the District of Columbia Emancipation Day Emergency Amendment Act of 2000, which established April 16th as a legal private holiday, was passed unanimously by the Council on March 7, 2000, and signed into law on March 22, 2000 by Mayor Anthony A. Williams;

Whereas, on April 16, 2000, to properly preserve the historical and cultural significance of the District of Columbia Emancipation Day, Councilmember Orange hosted a celebration program in the historic 15th Street Presbyterian Church, founded in 1841 as the First Colored Presbyterian Church;

Whereas, on April 16, 2002, after a 100-year absence, the District of Columbia, spearheaded by Councilmember Orange with the support of Mayor Anthony Williams, returned the Emancipation Day Parade to Pennsylvania Avenue, N.W., along with public activities on Freedom Plaza and evening fireworks (D.C. Official Code § 1-182);

Whereas, the District of Columbia Emancipation Day Parade and Fund Act of 2004, effective March 17, 2005 (D.C. Law 15-240; D.C. Official Code § 1-181 et seq.), established the Emancipation Day Fund to receive and disburse monies for the Emancipation Day Parade and activities associated with the celebration and commemoration of the District of Columbia Emancipation Day;

Whereas, the District of Columbia Emancipation Day Amendment Act of 2004, effective April 5, 2005 (D.C. Law 15-288; D.C. Official Code § 1-612.02(a)(11)), established April 16th as a legal public holiday;

Whereas, on April 16, 2005, District of Columbia Emancipation Day was observed for the first time as a legal public holiday, for the purpose of pay and leave of employees scheduled to work on that day (D.C. Official Code § 1-612.02(c)(2));

Whereas, April 16, 2012, is the 150th anniversary of District of Columbia Emancipation Day, which symbolizes the triumph of people of African descent over the cruelty of institutionalized slavery and the goodwill of people opposed to the injustice of slavery in a democracy;

Whereas, the Council of the District of Columbia remembers and pays homage to the millions of people of African descent enslaved for more than 2 centuries in America for their courage and determination;

Whereas, the Council of the District of Columbia remembers and pays homage to President Abraham Lincoln for his courage and determination to begin to end the inhumanity and injustice of institutionalized slavery by signing the District of Columbia Compensated Emancipation Act on April 16, 1862;

Whereas, the alignment of the (1) election of the first African-American President of the United States, Barack H. Obama; (2) dedication of the Rev. Martin Luther King, Jr. Memorial; (3) groundbreaking for the National Museum of African American History

and Culture; (4) 150th anniversary of the District of Columbia Emancipation Day; and (5) 150th anniversary of the Emancipation Proclamation on January 1, 1863, are historically important for the District of Columbia and for the United States; and

Whereas, the 150th anniversary of District of Columbia Emancipation Day is a singularly important occasion that links the historic Presidency of Abraham Lincoln with the equally historic Presidency of Barack H. Obama, as the first President of the United States of African descent.

Resolved, by the Council of the District of Columbia. That this resolution may be cited as the "District of Columbia Emancipation Day—150th Anniversary Recognition Resolution of 2012".

SEC. 2. The Council of the District of Columbia finds the 150th anniversary of District of Columbia Emancipation Day is an important, historic occasion for the District of Columbia and the nation and serves as an appropriate time to reflect on how far the District of Columbia and the United States have progressed since institutionalized enslavement of people of African descent. Most importantly, the 150th anniversary reminds us to reaffirm our commitment to forge a more just and united country that truly reflects the ideals of its founders and instills in its people a broad sense of duty to be responsible and conscientious stewards of freedom and democracy.

SEC. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

FINANCIAL LITERACY MONTH

Mr. AKAKA. Mr. President, my friend and colleague from Wyoming, Senator ENZI, and I have once again submitted a resolution to designate April as "Financial Literacy Month" to raise public awareness of this important issue. I would like to first thank the cosponsors of the resolution, Senators BAUCUS, BLUNT, BROWN of Ohio, CARDIN, CARPER, COCHRAN, COONS, CRAPO, DURBIN, HAGAN, INOUE, JOHNSON of South Dakota, KOHL, LANDRIEU, LAUTENBERG, MENENDEZ, MURRAY, and WICKER. I appreciate their hard work and support in working to increase the level of financial literacy for people of all ages across America. I also thank the Senate for taking up this resolution and passing it with unanimous consent last night.

This is the tenth and final year that I have introduced this resolution, which highlights our Nation's need for investments in financial literacy, commends current efforts and initiatives to promote financial education, and encourages the administration and private institutions to continue to work toward creating a more financially literate public.

Financial literacy empowers individuals to be able to appropriately evaluate credit opportunities, successfully save and invest for long-term financial goals in an increasingly intricate marketplace, and responsibly manage their personal, professional, and family finances. It is essential that we continue to make strides toward improving edu-

cation and consumer protection, while giving individuals the necessary tools to build more financially stable families, businesses, and communities. As we continue along the path to economic recovery, it is imperative that the basics of economics, credit, and personal finance become a fundamental fixture in the American school system.

The Council for Economic Education recently released their 2011 "Survey of the States: Economic and Personal Finance Education in Our Nation's Schools." According to this survey, there have been great improvements in financial literacy since the first survey in 1998. However, troublingly, in the past 2 years, progress has slowed and in some cases even reversed. Specifically, only 22 States require students to take an economics course as a high school graduation requirement, and only 16 States require the testing of student knowledge in economics. In addition, only 12 States require students to take a personal finance course either independently or as part of an economics course as a high school graduation requirement.

Also, alarmingly, according to the Gallup-Operation HOPE Financial Literacy Index, while 69 percent of American students strongly believe that the best time to save money is now, only 57 percent believe that their parents are saving money for the future. Despite clear progress in this area over the past 15 years, these most recent trends are disturbing.

There is no better time than now to invest in a better-educated, more financially savvy public. With the increased complexity of and access to today's financial products, the unscrupulous nature of predatory lenders as they enticed millions of families into complicated loans they could not afford nor understand, and people having to make important life decisions at a younger and younger age, it is critical that we ensure that students are empowered by a sound financial education by the time they graduate from high school. Our Nation cannot afford another housing crisis, and the best way to safeguard against that risk is education and promotion spreading knowledge.

I would like to thank the various organizations and individuals who are doing their part to ensure the education of personal finance reaches as many Americans as possible. Teachers, parents, financial institutions, non-profit organizations, Governors, legislators, and other decision makers must be leaders on this issue just as all of us owe it to ourselves and our country to have adequate knowledge of personal finance.

As policymakers, we must champion these issues year round, not just in the month of April. However, focusing on Financial Literacy Month in April allows us to have a designated month

when we can focus our efforts, take stock of what has been working, and improve on our work for the coming year. I thank my colleagues again for passing this resolution.

TRIBUTE TO JENNIFER L. SMITH

Mr. CONRAD. Mr. President, I rise along with my colleague, the ranking member of the Budget Committee, Senator SESSIONS, to pay tribute to Jennifer L. Smith, who is retiring this week after more than 32 years of distinguished service to the Congress.

Ms. Smith began her congressional career in 1979, working in the Senate. While working, she attended law school at night and became one of the Senate's Assistant Parliamentarians. She has since served as an Assistant Counsel for the House Budget Committee, the General Counsel for the Senate Budget Committee, and the Deputy General Counsel for CBO. In 2006, she returned to the Senate Parliamentarian's Office as the Senate Precedents Editor and in 2010 returned to CBO as the Associate General Counsel.

In each of her roles, Ms. Smith worked tirelessly to ensure that the decisions of each office were carefully researched, well reasoned, and fully documented.

As an attorney for CBO, Ms. Smith ensured that CBO's estimates of legislation were based on a solid understanding of the law. Her skills as an attorney have been highlighted in the diverse issues she has worked on while at CBO, ranging from immigration, to Social Security to lease-purchase issues. Her knowledge of appropriations law, copyright law, and the ethics rules of the House of Representatives rivals those of the most acknowledged experts in those fields.

Ms. Smith's excellent work has been recognized throughout her career. In 2005, for instance, as CBO's Deputy General Counsel, she received a CBO Director's Award for outstanding performance, one of many such awards.

Ms. Smith has exemplified CBO's high standard of professionalism, objectivity, and nonpartisanship. As chairman, I greatly appreciate the sacrifices that Ms. Smith—as well as her family—has made in assisting the Budget Committee and Congress.

I would like to turn to my colleague, Senator SESSIONS, for his remarks.

Mr. SESSIONS. I thank the chairman and join him in commending Ms. Smith for her many years of dedicated, faithful, and outstanding service to CBO, to the Senate through her work in the Parliamentarian's Office and the Budget Committee, and to the Congress and American people. We wish her all the best in her well-deserved retirement.

We hope our colleagues will join us in thanking Ms. Smith—and really all of the hard-working employees at the Congressional Budget Office—for her and their service.

ADDITIONAL STATEMENTS

RECOGNIZING THE OAHU MATH LEAGUE

• Mr. AKAKA. Mr. President, I wish to recognize the math coaches and teachers of the Oahu Math League, OML, for their outstanding service for the students of Hawaii. The Hawaii Council of Teachers of Mathematics created the OML more than 40 years ago to supplement the traditional math curriculum in Hawaii's schools and to provide students with an outlet to represent their schools in academic competition. The league is comprised two senior varsity divisions as well as one junior varsity division. The various teams represent 28 of Oahu's schools, both public and private, and over 35 coaches, each dedicated to the promotion of mathematics education in the State of Hawaii.

I wish to acknowledge the students who spend their free time after school and on weekends to prepare and compete in the OML's seven grueling meets each academic year. These students devote their extracurricular time to mastering difficult mathematic techniques and theories in order to challenge themselves in the pursuit of academic excellence. Their commitment to their education is exemplary and should be commended.

However, these young men and women would not be able to participate in the OML competitions were it not for the support and knowledge of the fundamentals of math given to them by their coaches and teachers. These devoted men and women work many hours a week outside the school day in preparation for these competitions.

I would like to recognize both the foresight of OML's founders, as well as the enduring passion and tireless diligence of the many outstanding teachers who volunteer their time and efforts each school year to make the league a success. In particular, I would like to note the extraordinary commitment of several of OML's most active supporters: Thomas Yamachika, Carl Wheeler, Hank Koszewski, Phil Abe, Clarence Kanja, Lance Suzuki, Clayton Akatsuka, Kathleen Goto, and Amy Yonashiro.

I also want to thank the nine dedicated math teachers and OML coaches, who spend a combined total of 68 hours a week preparing for meets outside of the regular school day and represent more than 180 years of math instruction and service. They are Calvin Fukuhara of Kamehameha School, Michael Park of Iolani School, Tim Cantley and Deborah Kula of Sacred Hearts Academy, Michael Ida of Kalani High School, Carolyn Okunaga of Mililani High School, Chenfu Chiang of Hanalani High School, Hal Parker of Punahou School, and Joyce Kanja of Mid-Pacific Institute.

As an educator and former principal, I know firsthand about the countless

hours that go into student extracurricular activities when the school day ends. It makes me proud to see these outstanding educators embody the spirit of service. Their dedication to their field and to the students of Hawaii is undeniable. I send my best wishes to the students, their families, teachers, and coaches and to the Oahu Math League for continued success in the future.●

TRIBUTE TO COLONEL ROBERT WALK

• Ms. AYOTTE. Mr. President, today I rise to congratulate Robert Walk who is retiring from the U.S. Army with the rank of colonel. Robert dedicated more than 30 years of his life to serving our Nation as both an Active and Reserve officer. New Hampshire has been very fortunate to have a man such as Robert serving in the Army, and I am privileged to recognize his accomplishments today.

Robert comes from a patriotic family with a long history of honorable service. He chose to follow in the footsteps of his father, the late COL James Frederick Walk of Hanover, and his grandfathers, BG Arthur Richard Walk, U.S. Army, and LTC and Dartmouth College professor—Ralph Arthur Burns, Army Air Force. His brothers, LTC William Arthur Walk and LTC James Bradford Walk, all answered the same call to service.

After receiving a degree in chemical engineering from the University of New Hampshire, he served for 11 years on active duty in the Army, where he met his wife, LTC M. Angela S. Walk. Following his active-duty service, he continued his career in the Army Reserve, serving as a traditional reserve officer while pursuing a master's degree in environmental engineering. As a traditional Reserve officer, Robert held a variety of positions, working in the Army Reserve's Homeland Security Office, and in the congressionally directed Domestic Preparedness Program, before transitioning to active Guard Reserve status. His final position was serving as the chief of staff of the U.S. Strategic Command Center for Combating Weapons of Mass Destruction at Fort Belvoir.

Even in retirement, I am confident that Robert will continue to serve his Nation. On behalf of all New Hampshire residents and all Americans, I am proud to thank Robert and his entire family for their service to our great Nation.●

UNITED FARM WORKERS OF AMERICA 50TH ANNIVERSARY

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in celebrating the 50th anniversary of the United Farm Workers of America, the Nation's largest farmworkers union.

In 1962, Cesar Chavez, the preeminent figure in the movement for farm laborers' rights in the 20th century, founded the National Farm Workers Association, which later became the United Farm Workers, UFW.

Mr. Chavez's steely determination and use of nonviolent protest tactics in the Delano grape strike of 1965–1970; the fasts of 1968, 1972, and 1988; and numerous other strikes around the Nation became an organizing model and inspiration for the labor movement.

Driven by its core values of integrity, innovation, empowerment, nonviolence and "Si Se Puede" attitude, the UFW has worked valiantly and tirelessly over the past half century to achieve a number of historic gains for farmworkers. The vigorous advocacy of the UFW has enabled farmworkers to secure higher wages and safer working conditions, reduced exposure to the use of harmful and toxic pesticides, and equality and opportunities for their families.

Today, the UFW remains an ardent protector and advocate for the rights and interests of farmworkers in 10 States. The union's proud legacy of social justice and civil rights is alive and thriving.

The story of the first 50 years of the United Farm Workers is a testament to the value of perseverance and social justice. I applaud the indefatigable commitment of all UFW members, past and present, to bring justice and equality to farmworkers and to future generations.

As the members and friends of the United Farm Workers gather to celebrate this auspicious occasion, I congratulate them on their 50th anniversary and wish everyone a memorable anniversary and continued success.●

EAST BAY MUNICIPAL UTILITY DISTRICT

● Mrs. FEINSTEIN. Mr. President, I wish today to recognize the significant contributions that the East Bay Municipal Utility District in Oakland, CA, is making with respect to renewable energy production. East Bay Municipal Utility District is a regional water and wastewater treatment agency serving the needs of the citizens of Alameda and Contra Costa Counties in the San Francisco Bay area. I am proud to note that with 1.3 million customers in the east bay region, this agency is leading the way in developing sustainable energy and water conservation practices that benefit the region.

On April 3, the East Bay Municipal Utility District's board of directors will formally dedicate a project that will create clean energy for the region and help ensure that waste materials that would otherwise be sent to landfills are reused. This new project is the Power Generation Station Renewable Energy Expansion Project and it builds

on the successful Resource Recovery Program that is already serving as a model for other wastewater treatment plants across the Nation.

The Power Generation Station Renewable Energy Expansion Project will utilize biogas, methane, produced from anaerobic digesters to power electrical generators and a new 4.6-megawatt clean-burn turbine. The source materials used by the anaerobic digesters will be waste that is currently being sent to garbage dumps. As a result of this new project, EBMUD's total production capacity at its wastewater treatment plant will be 10.6 megawatts, enough capacity to meet the electrical power demands of 13,000 homes.

The innovative Power Generation Station Renewable Energy Expansion Project will allow the East Bay Municipal Utility District to be the first agency of its kind in the Nation to generate all its own energy entirely from the production of biogas generated from waste materials. Excess energy, above and beyond that needed to meet the electrical power demands of running the wastewater treatment plant, will be sold back to the electrical grid, thereby helping to keep customer rates low by reducing EBMUD's power bill and increasing revenues from the sale of electricity. Increasing the generation of green energy supports California's goal of increasing clean energy while reducing greenhouse gas emissions. This project is particularly important because EBMUD is currently generating so much biogas from waste material that it is forced to flare the excess biogas.

At a time when all of us must find ways to reduce energy consumption and help generate renewable energy, I commend the board of directors and the employees of the East Bay Municipal Utility District for the foresight they have shown in developing and growing the Resource Recovery Program and in the construction of this important sustainable energy project. This project serves as a reminder to each of us that we can find ways to develop high-quality public services and reduce operating costs through innovative thinking and the use of technology. I congratulate East Bay Municipal Utility District for leading the way on developing clean energy.●

TRIBUTE TO COLONEL RICHARD C. GROSS

● Mr. GRAHAM. Mr. President, I ask my colleagues to join me in recognizing COL Richard "Rich" C. Gross on the occasion of his promotion to brigadier general in the U.S. Army. This is a tremendous honor, for which he should be especially proud.

A devoted patriot, Rich has dedicated the past 27 years to serving our Armed Forces and protecting our Nation. After graduating from the U.S. Mil-

itary Academy at West Point, he was commissioned in the U.S. Army as a second lieutenant in the Infantry. Rich's first assignment took him to the 82nd Airborne Division at Fort Bragg, NC, where he served in numerous leadership positions. While there, he was accepted into the Army's Funded Legal Education Program. In 1993, he graduated from the University of Virginia School of Law and entered the U.S. Army Judge Advocate General's, JAG, Corps. He later earned a master's degree in strategic studies from the U.S. Army War College at Carlisle Barracks, PA.

As a JAG, Rich served in numerous positions across the world. He began serving in the 101st Airborne Division, Fort Campbell, KY. After assignments at the U.S. Army Litigation Division in Arlington, VA, and the 1st Special Operational Detachment—Delta, Fort Bragg, he was assigned to the V Corps, Heidelberg, Germany, as the deputy staff judge advocate, SJA. Most recently, he served as the SJA for U.S. Central Command, USCENTCOM, at MacDill AFB, Tampa, FL.

I had the opportunity to serve with Rich in Kabul, Afghanistan, and was able to see firsthand his strong work ethic, good character, and integrity. As the chief legal advisor for the International Security Assistance Force, ISAF, and SJA for U.S. Forces—Afghanistan, USFOR-A, Rich is an invaluable asset to our Armed Forces and, as a leader, has set an example for other service men to follow.

Rich has received numerous awards, including the Defense Superior Service Medal, the Legion of Merit, the Bronze Star with two Oak Leaf Clusters, the Defense Meritorious Service Medal, the Army Meritorious Service Medal with Oak Leaf Cluster, and the Non-Article 5 NATO Medal. He is a recipient of the U.S. Army Ranger Tab, Master Parachutist Badge, Air Assault Badge, and Expert Infantryman Badge.

I ask the Senate join me in congratulating Richard C. Gross on his promotion to Army, brigadier general. We thank him for his lifelong dedication to our Armed Forces and Nation. I wish Rich the very best in his future endeavors.●

REMEMBERING JUDGE DAVID HUFF

● Mr. HELLER. Mr. President, today we honor the life and service of Judge David Huff, whose passing on March 27, 2012 signifies a great loss to Nevada's judiciary. David's commitment to the people of the State of Nevada will never be forgotten. I send my condolences and prayers to David's family in this time of mourning.

David served the communities of Fallon and Yerington for 15 years as District Court Judge for Nevada's Third Judicial District Court and the

recently-formed Tenth Judicial District Court. Since being elected to the bench in 1996, David's main priority was to maintain and secure justice for the residents of Churchill and Lyon Counties. Throughout his career, David was deeply invested in community efforts to improve the justice system by developing policies that promoted excellence in court administration.

As a Vietnam veteran and Navy Justice School graduate, David made a commitment to his country long before he served the great State of Nevada. He joined the United States Navy and after being deployed, worked for the Judge Advocate General's—JAG—Corps to provide military individuals with legal support and assistance. David also served as a military judge, demonstrating his continued resolution to upholding the laws of our land.

Throughout his life, David maintained a dedication to the preservation of justice and integrity which I am honored to commend. Today, I join the Churchill County community and citizens of the Silver State to celebrate the life of an upstanding Nevadan and dedicated advocate on behalf of our State.●

TRIBUTE TO DR. JOHN HITT

● Mr. NELSON of Florida. Mr. President, today I pay tribute to a great Floridian, Dr. John Hitt, who earlier this month celebrated his 20th anniversary as the president of the University of Central Florida.

First and foremost, I would like to congratulate him on reaching this milestone, and thank him and his wife Martha for everything they have done for Central Florida over the past 20 years. When they arrived at UCF in 1992, Dr. Hitt outlined five goals for UCF that have held steadfast for two decades.

He wanted the school to offer the best undergraduate education available in Florida and achieve international prominence in key programs of graduate study and research. He wanted the school to provide international focus to UCF's curricula and research programs, become more inclusive and diverse, and to be America's leading partnership university.

This innovative vision and entrepreneurial spirit have led to UCF becoming our nation's 2nd largest university and a place among America's premier metropolitan research universities.

When Dr. Hitt arrived in Orlando, he knew that the key to making UCF a world-class university and a vital force in Central Florida was going to be through the power of partnerships.

It would be through partnerships with our community and State colleges where UCF accepts 29 percent of all Florida community and State college transfer students, making it the No. 1 destination for transfer students in the

State university system and among the top universities in the United States for community college transfer students.

It would be through partnerships with industry and government that led to the growth of the Central Florida Research Park—one of the top five research parks in the country—and to the founding of the Florida High Tech Corridor Council, which links the resources and talent of UCF, the University of South Florida, and the University of Florida with high-tech companies.

And, it would be through partnerships that are profoundly transforming Central Florida, such as those that led to the creation of the UCF College of Medicine which has become the cornerstone for a growing medical sciences cluster of facilities known as the "Medical City at Lake Nona."

A few weeks ago, Dr. Hitt told the UCF community that if he had learned anything in 20 years, it was that our greatest danger is not to dream too large, but to dream too small. In the years that he has led UCF—and in the 50 years that he has had Martha at his side—John Hitt has stayed true to his ideals, his vision, and his heart.

Mr. President, Dr. Hitt is fond of saying that UCF "stands for opportunity." That is in no small part because of his strength of character, bold vision and steady leadership. As UCF celebrates its 50th anniversary next year, Dr. Hitt's unique approach to tackling challenges and creating opportunities has taken UCF from promise to prominence. On this special anniversary, I thank Dr. Hitt for not straying from the five visionary goals that he outlined in his inaugural address two decades ago—and for showing us what is possible through passion and partnership.

Thank you, Dr. Hitt.●

TRIBUTE TO JOHN W. ROWE

● Ms. SNOWE. Mr. President, today I wish to pay tribute to John Rowe, an individual whose keen intellect and indefatigable work ethic have transformed him into one of the country's most respected voices in the energy industry—and one that I have relied on throughout my congressional career as a source for honest analysis of public policy relating to climate change and energy markets.

Earlier this month, John spent his first day of retirement teaching students at a charter school that he financed and founded in Chicago—an action which embodies a career that has prioritized responsibility, competition, and above all, a commitment to embracing challenges. Indeed, John not only leaves Exelon a stronger company, but he bequeaths a legacy of vision and innovation to the utility sector that will truly reverberate for gen-

erations to come. It has often been noted that John holds the distinction of being the longest serving utility executive in the United States, which is also a remarkable reflection of the degree to which he is considered a pre-eminent and trusted voice on a range of issues from national climate policies to transmission and environmental regulations.

To think that it all began in Maine. In reflecting upon the origins of his career, John described to the New York Times last summer that he was told he could either try to become a CEO through a long and arduous climb up the corporate ladder, or he could "go to some fairly small company that is in really big trouble and is willing to take a lot of risk." And the rest, as they say, is history—to the everlasting benefit of the energy industry.

John, who had virtually no experience in the energy sector, moved to Maine and joined Central Maine Power, or CMP, as CEO in 1984—as the company was confronting unparalleled challenges. It was also after he came to CMP that my husband, the former Governor of Maine Jock McKernan, and I first met John.

In Maine, John quickly demonstrated exceptional business acumen and quickly altered the discussion in Maine from one of confrontation to one of collaboration that involved regulators and the rest of the business community. He carried that experience forward to New England Electric Systems where he became a forceful voice for deregulation of the electricity markets in the 1990s. Always a strong proponent of increasing competitiveness in the electricity market, John realized that the electricity industry was on course toward a new paradigm when he remarked to the Bangor Daily News in 1995, "We're on a route to increasing competition, and that is unlikely to be turned around."

John steadfastly maintained that ideology throughout the rest of his career, and while he left Maine and New England for his work at Exelon and its predecessor, Unicom, he indisputably continued to influence public policy throughout the country—garnering him numerous industry accolades, including Edison Electric Institute's Distinguished Leadership Award, the Keystone Center Leadership in Industry Award, Chicagoland Chamber of Commerce Burnham Award for Business and Civic Leadership, as well as an induction to the Chicago Business Hall of Fame. But most invaluable to the Nation has been his ever-steady and thoughtful commentary on the development of sensible policies that would reduce greenhouse gas emissions while providing certainty for business investments.

Rather than challenging regulations, John has led the effort to replace antiquated Clean Air Act rules with market-based solutions that provide environmental dividends at a reduced cost

to industry and consumers. Specifically, as cochair of the National Commission on Energy Policy, he developed the report, "Ending the Energy Stalemate," which called for increasing and reforming fuel economy standards, addressing climate change through a mandatory market-based trading program, and increasing the development and distribution of energy-efficient products.

Specifically, the report stated that, "improving passenger vehicle fuel economy is by far the most significant oil demand reduction measure proposed by the Commission." As a coauthor of the "Ten-in-Ten" Fuel Economy Title of the 2007 Energy Independence and Security Act, I took these recommendations to heart, and with Senator FEINSTEIN, embarked on an initiative to achieve historic fuel economy standards based upon this law—which, given the increasing prices for gasoline, could not be more imperative.

However, John's true expertise, starting with his initial effort to stop the campaign to close a nuclear plant in Maine, focuses on developing a regulatory environment that provides safe nuclear power to consumers. As the operator of the largest nuclear fleet in the United States, John has meticulously worked to address the current challenges confronting additional nuclear power in the United States, while also preemptively positioning the industry for unanticipated impediments. The American nuclear power fleet is the safest in the world in part because of his unparalleled contributions.

At a time when trust of institutions, companies, and public policymakers has eroded, it is difficult to lose John's voice as a head of one of the most influential companies in the United States. John has always demonstrated a trust with his colleagues as well as policymakers, and I look forward to watching his continued contributions following his retirement as chief executive officer of Exelon.

I wish John and his wife, Jeanne, the very best in the next chapter of their lives, and I look forward to continuing to work with an individual who believes in cost-effective development of clean energy in the United States, is champion of competition, and is committed to responsibility throughout society.●

TRIBUTE TO JAMES MCCORMICK

● Mr. ROCKEFELLER. Mr. President, last week, an extraordinary West Virginian, James McCormick, received a national award, Citizen Service Before Self Honors, from the Congressional Medal of Honor Foundation. This nonprofit is dedicated to education and awareness about the Congressional Medal of Honor. James McCormick was recognized by this distinguished group for his extraordinary

commitment to his fellow veterans. Mr. McCormick returned from service and rather than thinking of just himself, he realized that his fellow veterans needed to work and they needed housing.

His deep understanding of the needs of returning veterans led to the creation of his nonprofit, Raising Cane Farms. The vision is simple but important. Raising Cane Farms is an organic, environmentally friendly farm located in Mason County, WV, that grows and market bamboo for multiple uses, including sales to manufacturers of bamboo products, produce sellers, restaurants, and landscapers. But beyond that, the farm will also serve as an educational facility and place to employ veterans and provide quality jobs in an outdoors, veteran-friendly environment using both the outdoors and fellowship with other veterans to help them recover from combat disabilities.

Raising Cane Farms has been helped by dedicated partners including the Farmer Veteran's Coalition, FVC, that provided support to clear the land, build roads, establish a watering system, and build a greenhouse. Other partners include Work Vessels for Veterans, which helped with funding for a trailer, marketing and Web development support, and important introductions to other veteran farmers including Veteran Farm's pioneer Adam Burke.

As the longest serving member of the Senate Veterans' Affairs Committee, I am deeply moved by the courage of our veterans and their ongoing service to our country and their colleagues. James McCormick is such an inspiration.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:50 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5. An act to improve patient access to health care services and provide improved

medical care by reducing the excessive burden the liability system places on the health care delivery system.

H.R. 1339. An act to designate the City of Salem, Massachusetts, as the Birthplace of the National Guard of the United States.

At 1:54 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4281. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

ENROLLED BILL SIGNED

At 6:23 p.m., a message from the House of Representatives, delivered by Mr. Bias, one of its reading clerks, announced that the Speaker pro tempore (Mr. THORNBERRY) has signed the following enrolled bill:

H.R. 4281. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. REID).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1339. An act to designate the City of Salem, Massachusetts, as the Birthplace of the National Guard of the United States; to the Committee on Armed Services.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5. An act to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5516. A communication from the Secretary of the Commission, Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Commodity Pool Operators and Commodity Trading Advisors: Compliance Obligations" (RIN3038-AD30) received in the Office of the President of the Senate on March 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5517. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant

to law, the report of a rule entitled “Tuberculosis in Cattle and Bison; State and Zone Designations; New Mexico; Correction” (Docket No. APHIS 2008-0124) received in the Office of the President of the Senate on March 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5518. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “*Bacillus pumilus* strain GHA 180; Exemption from the Requirement of a Tolerance” (FRL No. 9343-1) received during adjournment of the Senate in the Office of the President of the Senate on March 23, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5519. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to Cooperative Threat Reduction Programs (DCN OSS-2012-0407); to the Committee on Armed Services.

EC-5520. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the Department of Defense’s fiscal year 2010-2018 Strategic Workforce plan; to the Committee on Armed Services.

EC-5521. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the annual Developing Countries Combined Exercise Program Report of Expenditures for Fiscal Year 2011; to the Committee on Armed Services.

EC-5522. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Secretary’s personnel management demonstration project authorities for Department of Defense Science and Technology Reinvention Laboratories; to the Committee on Armed Services.

EC-5523. A communication from the Principal Military Deputy, Office of the Assistant Secretary of Defense (Research, Development and Acquisition), transmitting, pursuant to law, a notification of plans to donate the destroyer ex-EDSON (DD 946) to the Saginaw Valley Naval Ship Museum for permanent berthing and public display in Bay City, Michigan, received in the Office of the President of the Senate on March 26, 2012; to the Committee on Armed Services.

EC-5524. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC-5525. A communication from the Chief of the Recovery and Delisting Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Establishing a Manatee Refuge in Kings Bay, Citrus County, FL” (RIN1018-AX27) received during adjournment of the Senate in the Office of the President of the Senate on March 23, 2012; to the Committee on Energy and Natural Resources.

EC-5526. A communication from the Deputy Chief of the National Forest System, Department of Agriculture, transmitting, pursuant to law, a report relative to the detailed boundary for the Allegheny Wild and Scenic River in Pennsylvania, added to the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

EC-5527. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Maine; Regional Haze” (FRL No. 9652-1) received during adjournment of the Senate in the Office of the President of the Senate on March 23, 2012; to the Committee on Environment and Public Works.

EC-5528. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources” (FRL No. 9653-3) received during adjournment of the Senate in the Office of the President of the Senate on March 23, 2012; to the Committee on Environment and Public Works.

EC-5529. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Protection of Stratospheric Ozone: Amendment to HFO-1234yf SNAP Rule for Motor Vehicle Air Conditioning Sector” (FRL No. 9651-3) received during adjournment of the Senate in the Office of the President of the Senate on March 23, 2012; to the Committee on Environment and Public Works.

EC-5530. A communication from the Acting Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for the Chiricahua Leopard Frog” (RIN1018-AX12) received during adjournment of the Senate in the Office of the President of the Senate on March 23, 2012; to the Committee on Environment and Public Works.

EC-5531. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Revised Endangered Status, Revised Critical Habitat Designation, and Taxonomic Revision for *Monardella linoides* ssp. *viminea*” (RIN1018-AX18) received during adjournment of the Senate in the Office of the President of the Senate on March 23, 2012; to the Committee on Environment and Public Works.

EC-5532. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Terrestrial Environmental Studies for Nuclear Power Stations” (Regulatory Guide 4.11, Revision 2) received in the Office of the President of the Senate on March 26, 2012; to the Committee on Environment and Public Works.

EC-5533. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, a legislative proposal relative to amending the Atomic Energy Act of 1954 and the Energy Reorganization Act of 1974; to the Committee on Environment and Public Works.

EC-5534. A communication from the Acting Director of Human Resources, Office of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Toxic Substances, received in the Office of the Presi-

dent of the Senate on March 27, 2012; to the Committee on Environment and Public Works.

EC-5535. A communication from the Acting Director of Human Resources, Office of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Toxic Substances, received in the Office of the President of the Senate on March 27, 2012; to the Committee on Environment and Public Works.

EC-5536. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Interest on Untimely Paid Vessel Repair Duties” (RIN1515-AD74) received during adjournment of the Senate in the Office of the President of the Senate on March 23, 2012; to the Committee on Finance.

EC-5537. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled “Report to the Congress on the Implementation of the Medicare Self-Referral Disclosure Protocol”; to the Committee on Finance.

EC-5538. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled “Plan to Implement a Home Health Agency Value-Based Purchasing Program”; to the Committee on Finance.

EC-5539. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of a Danger Pay Allowance for Nigeria; to the Committee on Foreign Relations.

EC-5540. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, certification for the export of defense articles, to include technical data, and defense services related to the export of firearms to the Government of India, Ministry of Home Affairs in the amount of \$1,000,000 or more; to the Committee on Foreign Relations.

EC-5541. A communication from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled “Revising Standards Referenced in the Acetylene Standard” (RIN1218-AC64) received in the Office of the President of the Senate on March 19, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5542. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Revision of Organization and Conforming Changes to Regulations” (Docket No. FDA-2012-N-0222) received in the Office of the President of the Senate on March 26, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5543. A communication from a Member of the Ronald Reagan Centennial Commission, transmitting, pursuant to law, a report relative to the Commission’s activities; to the Committee on the Judiciary.

EC-5544. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “2-Propenoic acid, 2-methyl-, 2-ethylhexyl ester, telomer with 1-dodecanethiol, ethenylbenzene and 2-

methyloxirane polymer with oxirane monoether with 1,2-propanediol mono(2-methyl-2-propenoate), hydrogen 2-sulfobutanedioate, sodium salt, 2,2'-(1,2-diazenediyl)bis[2-methylpropanenitrile]-initiated; Tolerance Exemption" (FRL No. 9339-9) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5545. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acetamiprid; Pesticide Tolerance" (FRL No. 9340-7) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5546. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: New Threshold for Peer Reviews of Noncompetitive Contracts" ((RIN0750-AH66) (DFARS Case 2012-D018)) received in the Office of the President of the Senate on March 27, 2012; to the Committee on Armed Services.

EC-5547. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Repeal of Case-by-Case Reporting" ((RIN0750-AH67) (DFARS Case 2012-D020)) received in the Office of the President of the Senate on March 27, 2012; to the Committee on Armed Services.

EC-5548. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Inflation Adjustment of Threshold for Acquisition of Right-Hand Drive Passenger Sedans" ((RIN0750-AH65) (DFARS Case 2012-D016)) received in the Office of the President of the Senate on March 27, 2012; to the Committee on Armed Services.

EC-5549. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Separation of Combined Provisions and Clauses" ((RIN0750-AH38) (DFARS Case 2011-D048)) received in the Office of the President of the Senate on March 27, 2012; to the Committee on Armed Services.

EC-5550. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of intent to use fiscal year 2010 Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) funds for Global Threat Reduction activities in Libya; to the Committee on Armed Services.

EC-5551. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (7); Amdt. No. 3466" (RIN2120-AA65) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5552. A communication from the Senior Program Analyst, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (30); Amdt. No. 30829" (RIN2120-AA65) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5553. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules (4); Amdt. No. 499" (RIN2120-AA63) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5554. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BRP-Powertrain GmbH and Co KG Rotax Reciprocating Engines" ((RIN2120-AA64) (Docket No. FAA 2011-0836)) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5555. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Creation of a Low Power Radio Service" (MB Docket No. 99-25; FCC 12-28) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5556. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Creation of a Low Power Radio Service; Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations" (MB Docket No. 99-25; FCC 12-29) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5557. A communication from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a report entitled "2011 Report to Congress on the Disclosure of Financial Interest and Recusal Requirements for Regional Fishery Management Councils and Scientific and Statistical Committees; to the Committee on Commerce, Science, and Transportation.

EC-5558. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2011; to the Committee on Energy and Natural Resources.

EC-5559. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, a report of the Board's health and safety activities relating to the Department of Energy's defense nuclear facilities during calendar year 2011; to the Committee on Energy and Natural Resources.

EC-5560. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Construction Permit Fees" (FRL No. 9654-2) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Environment and Public Works.

EC-5561. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky; Regional Haze State Implementation Plan" (FRL No. 9653-8) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Environment and Public Works.

EC-5562. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determinations of Clean Data for the 2006 24-Hour Fine Particulate Standard for the Harrisburg-Lebanon-Carlisle-York, Allentown, Johnstown, and Lancaster Non-attainment Areas" (FRL No. 9654-1) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Environment and Public Works.

EC-5563. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Sulfur" (FRL No. 9654-4) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Environment and Public Works.

EC-5564. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's updated Strategic Plan for the period of fiscal year 2008 through fiscal year 2013; to the Committee on Environment and Public Works.

EC-5565. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "United States-Korea Free Trade Agreement" (RIN1515-AD86) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Finance.

EC-5566. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Tobacco Prevention and Control Activities in the United States, 2008-2009"; to the Committee on Health, Education, Labor, and Pensions.

EC-5567. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the Administration's Annual Report on The Notification and Federal Employee Anti-discrimination and Retaliation Act for fiscal year 2011; to the Committee on Homeland Security and Governmental Affairs.

EC 5568. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-321, "Car Wash Employee Overtime Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5569. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-322, "Lottery Amendment Repeal Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5570. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-323, "Moratorium on Establishments Which Permit Nude Dancing Temporary Act of 2012"; to the Committee on

Homeland Security and Governmental Affairs.

EC-5571. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-327, "Workforce Job Development Grant-Making Authority Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5572. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-328, "Board of Elections and Ethics Electoral Process Improvement Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5573. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-329, "Unemployed Anti-Discrimination Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5574. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-330, "Civil Marriage Dissolution Equality Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5575. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-331, "DDOT Omnibus Conforming Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5576. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-332, "Unemployment Compensation Funds Appropriation Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5577. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-333, "Targeted Retirement Distribution Withholding Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5578. A communication from the Secretary to the Board, Railroad Retirement Board, transmitting, pursuant to law, the Railroad Retirement Board's fiscal year 2011 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5579. A communication from the Director, Facilities Services Directorate, Department of Defense, transmitting, pursuant to law, the Facilities Services Directorate/Pentagon Renovation and Construction Program Office (PENREN) annual report; to the Committee on Armed Services.

EC-5580. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2011 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-5581. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Neurological Devices; Classification of the Near Infrared Brain Hematoma Detector" (Docket No. FDA 2012-M-0206) received in the Office of the President of the Senate on March 29,

2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5582. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Agreements and Memoranda of Understanding Between the Food and Drug Administration and Other Departments, Agencies, and Organizations" (Docket No. FDA-2012-N-0205) received in the Office of the President of the Senate on March 29, 2012; to the Committee on Health, Education, Labor, and Pensions.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-68. A resolution adopted by the Senate of the State of Michigan memorializing the Congress of the United States to enact legislation to ensure that amounts credited to the Harbor Maintenance Trust Fund are used solely for the dredging, infrastructure, operation, and maintenance of federally authorized ports, harbors, and waterways; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 97

Whereas, domestic shippers and importers using Great Lakes and coastal ports pay more than a billion dollars per year in federal harbor maintenance taxes. Congress established the tax to fund harbor operation and maintenance, particularly dredging, at these ports; and

Whereas, despite a nearly \$6 billion balance in the Harbor Maintenance Trust Fund, our nation's dredging needs are not being met. Throughout our nation and particularly in the Great Lakes region, the lack of dredging has forced shippers to operate inefficiently and carry lighter loads, costing them millions of dollars each year; and

Whereas, the Obama Administration has only budgeted about half of the revenue collected through the harbor maintenance tax for maintaining our nation's harbors. Last year, nearly \$1.5 billion were collected from shippers, but only \$758 million has been allocated for dredging harbors in Michigan and other coastal states; and

Whereas, during the current turbulent economic conditions, we must make every effort to support economic activity by maintaining the infrastructure necessary for commerce. Essentially by, using harbor maintenance taxes placed in the Harbor Maintenance Trust Fund to finance and balance other portions of the federal budget, we are breaking our promise to the shippers paying the tax and hurting our nation's economic recovery; and

Whereas, current congressional legislation (H.R. 104 and S. 412) would ensure that harbor maintenance taxes are only used for their intended purpose to maintain our nation's harbors; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation to ensure that amounts credited to the Harbor Maintenance Trust Fund are used solely for the dredging, infrastructure, operation, and maintenance of federally-authorized ports, harbors, and waterways; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United

States House of Representatives, and the members of the Michigan congressional delegation.

POM-69. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing a request for an amendments convention to be called for the purpose of proposing an amendment to the U.S. Constitution which shall provide that an increase in the federal debt requires approval from a majority of the legislatures of the separate states; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 87

Whereas, Article V of the Constitution of the United States provides authority for a convention to be called by the Congress of the United States for the purpose of proposing amendments to the constitution upon application of two-thirds of the legislatures of the several states, an "amendments convention"; and

Whereas, the legislature of the state of Louisiana favors the proposal and ratification of an amendment to said constitution which shall provide that an increase in the federal debt requires approval from a majority of the legislatures of the separate states. therefore, be it

Resolved, Section 1. That, as provided for in Article V of the Constitution of the United States, the legislature of the state of Louisiana herewith respectfully applies for an amendments convention to be called for the purpose of proposing an amendment which shall provide that an increase in the federal debt requires approval from a majority of the legislatures of the separate states.

Section 2. That the amendments convention contemplated by this application shall be entirely focused upon and exclusively limited to the subject matter of proposing for ratification an amendment to the constitution providing that an increase in the federal debt requires approval from a majority of the legislatures of the separate States.

Section 3. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made application for an equivalently limited amendments convention.

Section 4. That a certified copy of this application be dispatched by the secretary of state (or other responsible constitutional officer) to the president of the United States Senate, to the speaker of the United States House of Representatives, to each member of the applicant's delegation to the United States Congress, and to the presiding officers of each house of the several state legislatures, requesting their cooperation in applying for the amendments convention limited to the subject matter contemplated by this application.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 2297. A bill to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes (Rept. No. 112-154).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2159. A bill to extend the authorization of the Drug-Free Communities Support Program through fiscal year 2017.

EXECUTIVE REPORTS OF
COMMITTEES

The following executive reports of nominations were submitted:

By Mr. JOHNSON of South Dakota, for the Committee on Banking, Housing, and Urban Affairs.

Christy L. Romero, of Virginia, to be Special Inspector General for the Troubled Asset Relief Program.

*Richard B. Berner, of Massachusetts, to be Director, Office of Financial Research, Department of the Treasury, for a term of six years.

*Jeremy C. Stein, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2004.

*Jerome H. Powell, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2000.

*Jeremiah O'Hear Norton, of Virginia, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for the remainder of the term expiring July 15, 2013.

By Mr. LEAHY for the Committee on the Judiciary.

Gregory K. Davis, of Mississippi, to be United States Attorney for the Southern District of Mississippi for the term of four years.

Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit.

Gershwin A. Drain, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Robin S. Rosenbaum, of Florida, to be United States District Judge for the Southern District of Florida.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. STABENOW (for herself, Mr. HELLER, Mr. MENENDEZ, Mr. BROWN of Ohio, Mr. MERKLEY, and Mr. ISAKSON):

S. 2250. A bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt; to the Committee on Finance.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 2251. A bill to designate the United States courthouse located at 709 West 9th Street, Juneau, Alaska, as the Robert Boochever United States Courthouse; to the Committee on Environment and Public Works.

By Mr. HARKIN:

S. 2252. A bill to rebuild the American middle class by creating jobs, investing in our future, building opportunity for working families, and restoring balance to the tax code; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. FRANKEN):

S. 2253. A bill to require individuals who file under the Ethics in Government Act of 1978 to disclose any financial accounts that are or have been deposited in a country that is a tax haven; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself and Mr. WHITEHOUSE):

S. 2254. A bill to direct the Attorney General to establish uniform standards for the exchange of controlled substance and prescription information for the purpose of preventing diversion, fraud, and abuse of controlled substances and other prescription drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself and Mrs. BOXER):

S. 2255. A bill to amend chapter 1 of title 36, United States Code, to add Welcome Home Vietnam Veterans Day as a patriotic and National observance; to the Committee on the Judiciary.

By Mr. REED (for himself and Ms. STABENOW):

S. 2256. A bill to amend the Public Health Service Act to provide grants for community-based mental health infrastructure improvement; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself and Mr. REED):

S. 2257. A bill to increase access to community behavioral health services for all Americans and to improve Medicaid reimbursement for community behavioral health services; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SNOWE (for herself, Ms. LANDRIEU, Mrs. HUTCHISON, Mrs. BOXER, Mr. ALEXANDER, and Mr. CORKER):

S. 2258. A bill to amend the Internal Revenue Code of 1986 to make permanent the rule providing 5-year amortization of expenses incurred in creating or acquiring music or music copyrights; to the Committee on Finance.

By Mr. TESTER (for himself, Mrs. MURRAY, Mr. BURR, Mr. BEGICH, Mr. WEBB, Mr. ISAKSON, Mr. BROWN of Massachusetts, Mr. BOOZMAN, Mr. MORAN, Mr. WICKER, Mr. ROCKEFELLER, Mr. AKAKA, Mr. BROWN of Ohio, and Mr. SANDERS):

S. 2259. A bill to provide for an increase, effective December 1, 2012, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HARKIN:

S. 2260. A bill to allow taxpayers the opportunity to specify their choice of Federal budget priorities, and for other purposes; to the Committee on Finance.

By Mr. CONRAD (for himself, Mr. HOEVEN, and Mr. BAUCUS):

S. 2261. A bill to amend the Food, Conservation, and Energy Act of 2008 to establish a revenue loss assistance program, repeal the direct payment and ACRE programs, extend commodity programs through 2017, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. JOHNSON of South Dakota (for himself, Ms. MURKOWSKI, Mr. INOUE, and Mr. BEGICH):

S. 2262. A bill to amend the Public Health Service Act to reauthorize and extend the

Fetal Alcohol Syndrome prevention and services program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself and Mr. BROWN of Ohio):

S. 2263. A bill to authorize the Secretary of Education to establish the National Program for Arts and Technology Act as a Federal program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself, Mr. BLUNT, Ms. KLOBUCHAR, Mr. CRAPO, and Mr. JOHANNES):

S. 2264. A bill to provide liability protection for claims based on the design, manufacture, sale, offer for sale, introduction into commerce, or use of certain fuels and fuel additives, and for other purposes; to the Committee on Environment and Public Works.

By Mr. INHOFE:

S. 2265. A bill to amend title XVIII of the Social Security Act to cover screening computed tomography colonography as a colorectal cancer screening test under the Medicare program; to the Committee on Finance.

By Mr. BURR:

S. 2266. A bill to improve sharing of immigration information among Federal, State, and local law enforcement officials, to improve State and local enforcement of immigration laws, and for other purposes; to the Committee on the Judiciary.

By Mrs. GILLIBRAND:

S. 2267. A bill to reauthorize the Hudson Valley National Heritage Area; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 2268. A bill to ensure that all items offered for sale in any gift shop of the National Park Service or of the National Archives and Records Administration are produced in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL:

S. 2269. A bill to permit voluntary economic activity; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. FRANKEN, Ms. KLOBUCHAR, and Mr. CONRAD):

S. 2270. A bill to amend the Farm Security and Rural Investment Act of 2002 to improve energy programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FRANKEN (for himself, Ms. SNOWE, and Mr. ENZI):

S. 2271. A bill to amend the Internal Revenue Code of 1986 to extend the time for making S corporation elections, and for other purposes; to the Committee on Finance.

By Ms. MURKOWSKI:

S. 2272. A bill to designate a mountain in the State of Alaska as Mount Denali; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 2273. A bill to designate the Talkeetna Ranger Station in Talkeetna, Alaska, as the Walter Harper Talkeetna Ranger Station; to the Committee on Energy and Natural Resources.

By Mr. ROBERTS (for himself, Ms. STABENOW, and Mr. CONRAD):

S. 2274. A bill to require the Secretary of Agriculture to establish a nonprofit corporation to be known as the Foundation for Food and Agriculture Research; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 2275. A bill to amend the Rural Electrification Act of 1936 to establish a grant

program within the rural broadband program of the Department of Agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRASSLEY (for himself, Mr. COONS, Mr. COBURN, and Mr. SESSIONS):

S. 2276. A bill to permit Federal officers to remove cases involving crimes of violence to Federal court; to the Committee on the Judiciary.

By Mr. THUNE:

S. 2277. A bill to respond to the extreme fire hazard and unsafe conditions resulting from pine beetle infestation, drought, disease, or storm damage by declaring a state of emergency and directing the Secretary of Agriculture to immediately implement hazardous fuels reduction projects in the manner provided in title I of the Healthy Forests Restoration Act of 2003, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. VITTER:

S. 2278. A bill to provide for an exemption for community banks to certain escrow requirements under the Truth in Lending Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KERRY (for himself and Mr. ISAKSON):

S. 2279. A bill to amend the R.M.S. Titanic Maritime Memorial Act of 1986 to provide additional protection for the R.M.S. Titanic and its wreck site, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself and Mr. HARKIN):

S. 2280. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WHITEHOUSE:

S. 2281. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen the ability of the Food and Drug Administration to seek advice from external experts regarding rare diseases, the burden of rare diseases, and the unmet medical needs of individuals with rare diseases; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INHOFE (for himself, Mrs. BOXER, Mr. VITTER, Ms. LANDRIEU, Mr. COCHRAN, Mr. JOHNSON of South Dakota, and Ms. KLOBUCHAR):

S. 2282. A bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017; to the Committee on Environment and Public Works.

By Mr. TESTER:

S. 2283. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to include procedures for requests from Indian tribes for a major disaster or emergency declaration, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CASEY:

S. Res. 411. A resolution congratulating the Pennsylvania State University IFC/Pan-

hellenic Dance Marathon on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; to the Committee on the Judiciary.

By Ms. LANDRIEU (for herself and Mr. BROWN of Ohio):

S. Res. 412. A resolution commending the African Union for committing to a coordinated military response, comprised of 5,000 troops from Uganda, the Central African Republic, the Democratic Republic of Congo, and South Sudan, in order to fortify ongoing efforts to arrest Joseph Kony and senior commanders of the Lord's Resistance Army and to stop the crimes against humanity and mass atrocities committed by them; to the Committee on Foreign Relations.

By Mr. CASEY:

S. Res. 413. A resolution supporting the designation of April 2012 as National Autism Awareness Month; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself and Mrs. HAGAN):

S. Res. 414. A resolution commemorating the 125th anniversary of the University of North Carolina at Pembroke; considered and agreed to.

By Mr. WICKER (for himself and Mr. PRYOR):

S. Res. 415. A resolution designating April 4, 2012, as "National Association of Junior Auxiliaries Day"; considered and agreed to.

By Ms. STABENOW (for herself, Mr. UDALL of Colorado, Mr. JOHANNES, Mr. ISAKSON, Mr. BROWN of Ohio, Ms. LANDRIEU, and Mrs. HUTCHISON):

S. Res. 416. A resolution supporting the designation of April as Parkinson's Awareness Month; considered and agreed to.

By Mr. MERKLEY (for himself, Mrs. FEINSTEIN, Mr. UDALL of New Mexico, Mr. AKAKA, Mr. COONS, Mr. TESTER, Mr. WYDEN, Mr. BEGICH, Mr. BROWN of Ohio, and Mr. JOHNSON of South Dakota):

S. Res. 417. A resolution supporting the goals and ideals of National Public Health Week; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TOOMEY (for himself, Mr. VITTER, Mr. LEE, Mr. DEMINT, Mr. COBURN, Mr. BURR, Mr. KYL, and Mr. RISCH):

S. Con. Res. 37. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022; to the Committee on the Budget.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 38. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

By Mr. PAUL (for himself, Mr. DEMINT, and Mr. LEE):

S. Con. Res. 39. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022; to the Committee on the Budget.

ADDITIONAL COSPONSORS

S. 57

At the request of Mr. INOUE, the name of the Senator from Washington

(Mrs. MURRAY) was added as a cosponsor of S. 57, a bill to amend the Internal Revenue Code of 1986 to modify the application of the tonnage tax on certain vessels.

S. 260

At the request of Mr. NELSON of Florida, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 260, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 543

At the request of Mr. WYDEN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 543, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property.

S. 604

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 604, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 687

At the request of Mr. CONRAD, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 687, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 816

At the request of Mr. BROWN of Ohio, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 816, a bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes.

S. 1174

At the request of Mr. ROBERTS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1174, a bill to provide predictability and certainty in the tax law, create jobs, and encourage investment.

S. 1336

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1336, a bill to prevent immigration fraud and for other purposes.

S. 1421

At the request of Mr. PORTMAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1421, a bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative

work in the District of Columbia and its environs, and for other purposes.

S. 1479

At the request of Mr. CASEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1479, a bill to preserve Medicare beneficiary choice by restoring and expanding Medicare open enrollment and disenrollment opportunities.

S. 1597

At the request of Mr. BROWN of Ohio, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1597, a bill to provide assistance for the modernization, renovation, and repair of elementary school and secondary school buildings in public school districts and community colleges across the United States in order to support the achievement of improved educational outcomes in those schools, and for other purposes.

S. 1718

At the request of Mr. WYDEN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1718, a bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

S. 1737

At the request of Mr. BENNET, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1737, a bill to improve the accuracy of mortgage underwriting used by Federal mortgage agencies by ensuring that energy costs are included in the underwriting process, to reduce the amount of energy consumed by homes, to facilitate the creation of energy efficiency retrofit and construction jobs, and for other purposes.

S. 1832

At the request of Mr. ENZI, the names of the Senator from Hawaii (Mr. INOUE) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 1832, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 1910

At the request of Mr. LIEBERMAN, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from California (Mrs. BOXER), the Senator from Maryland (Mr. CARDIN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Illinois (Mr. DURBIN), the Senator from Minnesota (Mr. FRANKEN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Iowa (Mr. HARKIN), the Senator from Massachusetts (Mr. KERRY), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Mr. LEVIN), the Senator from Oregon (Mr. MERKLEY), the Senator from Maryland (Ms. MIKULSKI), the Senator

from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1910, a bill to provide benefits to domestic partners of Federal employees.

S. 1990

At the request of Mr. LIEBERMAN, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 2062

At the request of Mr. PAUL, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2062, a bill to amend the Lacey Act Amendments of 1981 to repeal certain provisions relating to criminal penalties and violations of foreign laws, and for other purposes.

S. 2065

At the request of Mr. KYL, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2065, a bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to modify the discretionary spending limits to take into account savings resulting from the reduction in the number of Federal employees and extending the pay freeze for Federal employees.

S. 2072

At the request of Mr. FRANKEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2072, a bill to discourage disincentives to the housing missions of government sponsored enterprises and require consistent putback risks at the enterprises to assist homeowners.

S. 2076

At the request of Mr. FRANKEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2076, a bill to improve security at State and local courthouses.

S. 2103

At the request of Mr. LEE, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2165

At the request of Mrs. BOXER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2169

At the request of Mr. MCCONNELL, the name of the Senator from Mis-

issippi (Mr. WICKER) was added as a cosponsor of S. 2169, a bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate.

S. 2213

At the request of Mr. THUNE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2213, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 2245

At the request of Mr. BARRASSO, the names of the Senator from Utah (Mr. LEE), the Senator from Tennessee (Mr. CORKER) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 2245, a bill to preserve existing rights and responsibilities with respect to waters of the United States.

S. RES. 356

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. Res. 356, a resolution expressing support for the people of Tibet.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

S. RES. 399

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 399, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, crimes against humanity, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

S. RES. 402

At the request of Mr. COONS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 402, a resolution condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 2251. A bill to designate the United States courthouse located at 709 West 9th Street, Juneau, Alaska, as the Robert Bochever United States Courthouse; to the Committee on Environment and Public Works.

Mr. BEGICH. Mr. President, I come to the floor today to introduce a piece of legislation honoring a great Alaskan. Robert Boochever was a giant of my state's judicial community for over 60 years—even longer than Alaska has been a State. This legislation, naming the Juneau Federal courthouse facility in Judge Boochever's honor, is a fitting tribute to his legacy.

Robert Boochever first came to Alaska in 1946, after having fought in World War II as a Captain in the U.S. Army. In territorial Alaska, he was an Assistant U.S. Attorney for two years, before joining a private practice in Juneau for almost 25 years, and was before long, one of the most respected lawyers in the state. He served as President of the Juneau Bar Association and the Alaska Bar Association.

In 1972, Governor Egan tapped Boochever to serve as an Associate Justice on the Alaska Supreme Court. He served on the court for eight years, three of which he had the honor of being the fourth ever Chief Justice of the Alaska Supreme Court.

President Jimmy Carter nominated Judge Boochever to be a Judge of the United States Circuit Court of Appeals for the Ninth Circuit on May 22, 1980. He was quickly confirmed by the U.S. Senate and received his commission to the Federal bench about a month later. This made Judge Boochever the first ever Alaskan to be a judge on the Ninth Circuit, a court he would serve on for the next thirty years.

Judge Boochever is well known for his commitment to the city and the people of Juneau. He lived in Juneau and maintained an office there for most of his life. Even when he moved to California in his later years to facilitate travel and communications, he still maintained his Juneau office and returned to it every year with his clerks.

In addition to his impressive record of accomplishments and his years of public service, Judge Boochever was known for his love and commitment for the law. He is well known as a tireless advocate for the rights of the disadvantaged and for his strong commitment to protecting individual freedoms and First Amendment rights.

Naming the Juneau Federal courthouse facility in Judge Boochever's honor is broadly supported by Alaskans and so appropriate because he kept his chambers there for many years. In fact, this effort has the support of the Juneau Bar Association, the Alaska Bar Association's Historians Committee, the Mayor of Juneau, and many of its residents.

For all these reasons, today I am proud to introduce this legislation to designate the United States Courthouse in Juneau as the Robert Boochever United States Courthouse. He was a great man and this is a fine way to remember all he did for my State.

Mr. President, I ask unanimous consent the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2251

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ROBERT BOOCHEVER UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 709 West 9th Street, Juneau, Alaska, shall be known and designated as the "Robert Boochever United States Courthouse".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the "Robert Boochever United States Courthouse".

By Mr. DURBIN (for himself and Mr. FRANKEN):

S. 2253. A bill to require individuals who file under the Ethics in Government Act of 1978 to disclose any financial accounts that are or have been deposited in a country that is a tax haven; to the Committee on Homeland Security and Governmental Affairs.

Mr. DURBIN. Mr. President, the old adage that sunlight is the best disinfectant is an old adage for one main reason: It is true.

That is why I am introducing the Financial Disclosure to Reduce Tax Haven Abuse Act of 2012, to require candidates for Federal office and certain Federal employees to disclose any financial interest they or their spouse hold that is held in an offshore tax haven.

It might seem ridiculous that we don't already know whether candidates and Members of Congress are using offshore tax havens. However, under current law, those individuals are not required to account for where their financial interests are held.

A January 26, 2012, article in the Los Angeles Times reported that Mitt Romney—a candidate for the Republican nomination for President—failed to disclose a number of accounts in countries with very low tax burdens.

Specifically, according to a review of the candidate's tax returns and financial disclosure statements:

At least 23 funds and partnerships listed in the couple's 2010 tax returns did not show up or were not listed in the same fashion on Romney's most recent financial disclosure, including 11 based in low-tax foreign countries such as Bermuda, the Cayman Islands and Luxembourg.

The Romney campaign called the discrepancies "trivial."

But this information is not trivial to the American people's trust in government, and the use of offshore tax havens is not trivial to our economy.

Studies have found that tax offshore tax havens, and other similar loop-

holes, cost taxpayers \$100 billion per year.

I want to commend Senators LEVIN and CONRAD for the work they have done to shine a light on these nefarious practices.

Those two Senators successfully included a provision in the Senate Transportation bill that will give the Treasury Department greater tools to crack down on offshore tax haven abuse. It is an important step forward, but more must be done.

The American people are rightly concerned that the wealthy and well-connected are skirting our laws to avoid taxation, and they deserve to know that the people who hope to represent them in Washington—and those who are trying to attain those positions—aren't cheating the system.

Nothing in this bill impinges on an individual's right to hold financial interests within the global economy. If there is a legitimate reason for a candidate or a Member of Congress or any other individual who files a financial disclosure to hold their money in an account on the Cayman Islands, they should have no problem explaining it to voters. But any individual who has or wants to have the public's trust should be honest about practices they have engaged in that cost the taxpayers they wish to represent billions of dollars every year. This is an important step that we must take to restore the public trust.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 2253

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Financial Disclosure to Reduce Tax Haven Abuse Act of 2012".

SEC. 2. DISCLOSURE OF ACCOUNTS HELD IN TAX HAVENS.

Section 102(b)(1) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by inserting "with a specific accounting of any financial interest held by the covered individual or their spouse in a country that is considered as a tax haven as listed by the Secretary of the Treasury and made available to the filer" after "calendar year"; and

(2) inserting at the end the following: "In compiling the list of tax havens under subparagraph (A), the Secretary of the Treasury should consider for inclusion those jurisdictions which have been previously and publicly identified by the Internal Revenue Service as secrecy jurisdictions in Federal court proceedings."

By Mr. REED (for himself and Ms. STABENOW):

S. 2256. A bill to amend the Public Health Service Act to provide grants

for community-based mental health infrastructure improvement; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce, along with my colleague, Senator STABENOW, the Community-Based Mental Health Infrastructure Improvements Act.

According to the Mental Health Association of Rhode Island, 38,000 adults and 11,000 children in the state have a serious mental illness, and approximately 15 percent of Rhode Island adults report suffering from serious psychological distress every year. Unfortunately, mental illness is often linked to poor physical health—obesity, high blood pressure, and high cholesterol.

Community mental health centers help these individuals get the mental and behavioral health care that they need to lead healthier, more productive lives through no or low-cost treatments. This cost structure has been particularly critical throughout the recent recession and as our economy continues to recover. Individuals and families didn't have to forgo health care because they lost their job or health insurance. The proof is in the numbers. In just the last 6 months of 2010, Community Mental Health Centers in Rhode Island treated nearly 30,000 individuals. The demand for care will only grow as more Americans gain access to comprehensive, affordable health insurance in 2014.

It is critical that Community Mental Health Centers have the infrastructure necessary to treat every individual who needs care. In Rhode Island, some of the community mental health centers are in older buildings that need updating. Others need more space to be able to meet current demand and prepare for the expected increase in patients in 2014. These needs are true of community mental health centers across the country. The Community-Based Mental Health Infrastructure Improvements Act would help ensure that Community Mental Health Centers have the resources to construct and modernize these mental and behavioral health facilities.

I am pleased that this legislation has been included in a broader mental health care bill, the Excellence in Mental Health Act, that I joined Senator STABENOW in introducing today. I look forward to working with my colleagues to improve our mental and behavioral health care delivery system, and urge my colleagues to support these important bills.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2256

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community-Based Mental Health Infrastructure Improvements Act".

SEC. 2. COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENT.

Title V of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

"PART H—COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENTS

"SEC. 560. GRANTS FOR COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENTS.

"(a) GRANTS AUTHORIZED.—The Secretary may award grants to eligible entities to expend funds for the construction or modernization of facilities used to provide mental health and substance abuse services to individuals.

"(b) ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

"(1) a State that is the recipient of a Community Mental Health Services Block Grant under subpart I of part B of title XIX and a Substance Abuse Prevention and Treatment Block Grant under subpart II of such part; or

"(2) an Indian tribe or a tribal organization (as such terms are defined in sections 4(b) and 4(c) of the Indian Self-Determination and Education Assistance Act).

"(c) APPLICATION.—A eligible entity desiring a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing—

"(1) a plan for the construction or modernization of facilities used to provide mental health and substance abuse services to individuals that—

"(A) designates a single State or tribal agency as the sole agency for the supervision and administration of the grant;

"(B) contains satisfactory evidence that such agency so designated will have the authority to carry out the plan;

"(C) provides for the designation of an advisory council, which shall include representatives of nongovernmental organizations or groups, and of the relevant State or tribal agencies, that aided in the development of the plan and that will implement and monitor any grant awarded to the eligible entity under this section;

"(D) in the case of an eligible entity that is a State, includes a copy of the State plan under section 1912(b) and section 1932(b);

"(E)(i) includes a listing of the projects to be funded by the grant; and

"(ii) in the case of an eligible entity that is a State, explains how each listed project helps the State in accomplishing its goals and objectives under the Community Mental Health Services Block Grant under subpart I of part B of title XIX and the Substance Abuse Prevention and Treatment Block Grant under subpart II of such part;

"(F) includes assurances that the facilities will be used for a period of not less than 10 years for the provision of community-based mental health or substance abuse services for those who cannot pay for such services, subject to subsection (e); and

"(G) in the case of a facility that is not a public facility, includes the name and executive director of the entity who will provide services in the facility; and

"(2) with respect to each construction or modernization project described in the application—

"(A) a description of the site for the project;

"(B) plans and specifications for the project and State or tribal approval for the plans and specifications;

"(C) assurance that the title for the site is or will be vested with either the public entity or private nonprofit entity who will provide the services in the facility;

"(D) assurance that adequate financial resources will be available for the construction or major rehabilitation of the project and for the maintenance and operation of the facility;

"(E) estimates of the cost of the project; and

"(F) the estimated length of time for completion of the project.

"(d) SUBGRANTS BY STATES.—

"(1) IN GENERAL.—A State that receives a grant under this section may award a subgrant to a qualified community program (as such term is used in section 1913(b)(1)).

"(2) USE OF FUNDS.—Subgrants awarded pursuant to paragraph (1) may be used for activities such as—

"(A) the construction, expansion, and modernization of facilities used to provide mental health and substance abuse services to individuals;

"(B) acquiring and leasing facilities and equipment (including paying the costs of amortizing the principal of, and paying the interest on, loans for such facilities and equipment) to support or further the operation of the subgrantee;

"(C) the construction and structural modification (including equipment acquisition) of facilities to permit the integrated delivery of behavioral health and primary care of specialty medical services to individuals with co-occurring mental illnesses and chronic medical or surgical diseases at a single service site; and

"(D) acquiring information technology required to accommodate the clinical needs of primary and specialty care professionals.

"(3) LIMITATION.—Not to exceed 15 percent of grant funds may be used for activities described in paragraph (2)(D).

"(e) REQUEST TO TRANSFER OBLIGATION.—An eligible entity that receives a grant under this section may submit a request to the Secretary for permission to transfer the 10-year obligation of facility use, as described in subsection (c)(1)(F), to another facility.

"(f) AGREEMENT TO FEDERAL SHARE.—As a condition of receipt of a grant under this section, an eligible entity shall agree, with respect to the costs to be incurred by the entity in carrying out the activities for which such grant is awarded, that the entity will make available non-Federal contributions (which may include State or local funds, or funds from the qualified community program) in an amount equal to not less than \$1 for every \$1 of Federal funds provided under the grant.

"(g) REPORTING.—

"(1) REPORTING BY STATES.—During the 10-year period referred to in subsection (c)(1)(F), the Secretary shall require that a State that receives a grant under this section submit, as part of the report of the State required under the Community Mental Health Services Block Grant under subpart I of part B of title XIX and the Substance Abuse Prevention and Treatment Block Grant under subpart II of such part, a description of the progress on—

"(A) the projects carried out pursuant to the grant under this section; and

"(B) the assurances that the facilities involved continue to be used for the purpose

for which they were funded under such grant during such 10-year period.

“(2) REPORTING BY INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—The Secretary shall establish reporting requirements for Indian tribes and tribal organizations that receive a grant under this section. Such reporting requirements shall include that such Indian tribe or tribal organization provide a description of the progress on—

“(A) the projects carried out pursuant to the grant under this section; and

“(B) the assurances that the facilities involved continue to be used for the purpose for which they were funded under such grant during the 10-year period referred to in subsection (c)(1)(F).

“(h) FAILURE TO MEET OBLIGATIONS.—“(1) IN GENERAL.—If an eligible entity that receives a grant under this section fails to meet any of the obligations of the entity required under this section, the Secretary shall take appropriate steps, which may include—

“(A) requiring that the entity return the unused portion of the funds awarded under this section for the projects that are incomplete; and

“(B) extending the length of time that the entity must ensure that the facility involved is used for the purposes for which it is intended, as described in subsection (c)(1)(F).

“(2) HEARING.—Prior to requesting the return of the funds under paragraph (1)(B), the Secretary shall provide the entity notice and opportunity for a hearing.

“(i) COLLABORATION.—The Secretary may establish intergovernmental and interdepartmental memorandums of agreement as necessary to carry out this section.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2013 through 2017.”.

By Ms. STABENOW (for herself and Mr. REED):

S. 2257. A bill to increase access to community behavioral health services for all Americans and to improve Medicaid reimbursement for community behavioral health services; to the Committee on Health, Education, Labor, and Pensions.

Ms. STABENOW. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 2257

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Excellence in Mental Health Act”.

SEC. 2. ESTABLISHING COMMUNITY BEHAVIORAL HEALTH CENTERS.

Section 1913 of the Public Health Service Act (42 U.S.C. 300x-2) is amended—

(1) in subsection (a)(2)(A), by striking “community mental health services” and inserting “behavioral health services (of the type offered by federally-qualified community behavioral health centers consistent with subsection (c)(3))”;

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

“(1) services under the plan will be provided only through appropriate, qualified

community programs (which may include federally-qualified community behavioral health centers, child mental health programs, psychosocial rehabilitation programs, mental health peer-support programs, outpatient addiction treatment programs, acute detoxification services, and mental health primary consumer-directed programs); and”; and

(B) in paragraph (2), by striking “community mental health centers” and inserting “federally-qualified community behavioral health centers”; and

(3) by striking subsection (c) and inserting the following:

“(c) CRITERIA FOR FEDERALLY-QUALIFIED COMMUNITY BEHAVIORAL HEALTH CENTERS.—

“(1) IN GENERAL.—The Administrator shall certify, and recertify at least every 5 years, federally-qualified community behavioral health centers as meeting the criteria specified in this subsection.

“(2) REGULATIONS.—Not later than 18 months after the date of the enactment of the Excellence in Mental Health Act, the Administrator, in consultation with State Mental Health and Substance Abuse Authorities, shall issue final regulations for certifying non-profit or local government centers as centers under paragraph (1).

“(3) CRITERIA.—The criteria referred to in subsection (b)(2) are that the center performs each of the following:

“(A) Provide services in locations that ensure services will be available and accessible promptly and in a manner which preserves human dignity and assures continuity of care.

“(B) Provide services in a mode of service delivery appropriate for the target population.

“(C) Provide individuals with a choice of service options where there is more than one efficacious treatment.

“(D) Employ a core staff of clinical staff that is multidisciplinary and culturally and linguistically competent.

“(E) Provide services, within the limits of the capacities of the center, to any individual residing or employed in the service area of the center, regardless of the ability of the individual to pay.

“(F) Provide, directly or through contract, to the extent covered for adults in the State Medicaid plan under title XIX of the Social Security Act and for children in accordance with section 1905(r) of such Act regarding early and periodic screening, diagnosis, and treatment, each of the following services:

“(i) Screening, assessment, and diagnosis, including risk assessment.

“(ii) Person-centered treatment planning or similar processes, including risk assessment and crisis planning.

“(iii) Outpatient mental health and substance use services, including screening, assessment, diagnosis, psychotherapy, medication management, and integrated treatment for mental illness and substance abuse which shall be evidence-based (including cognitive behavioral therapy and other such therapies which are evidence-based).

“(iv) Outpatient clinic primary care screening and monitoring of key health indicators and health risk (including screening for diabetes, hypertension, and cardiovascular disease and monitoring of weight, height, body mass index (BMI), blood pressure, blood glucose or HbA1C, and lipid profile).

“(v) Crisis mental health services, including 24-hour mobile crisis teams, emergency crisis intervention services, and crisis stabilization.

“(vi) Targeted case management (services to assist individuals gaining access to needed medical, social, educational, and other services and applying for income security and other benefits to which they may be entitled).

“(vii) Psychiatric rehabilitation services including skills training, assertive community treatment, family psychoeducation, disability self-management, supported employment, supported housing services, therapeutic foster care services, and such other evidence-based practices as the Secretary may require.

“(viii) Peer support and counselor services and family supports.

“(G) Maintain linkages, and where possible enter into formal contracts with the following:

“(i) Federally qualified health centers.

“(ii) Inpatient psychiatric facilities and substance use detoxification, post-detoxification step-down services, and residential programs.

“(iii) Adult and youth peer support and counselor services.

“(iv) Family support services for families of children with serious mental or substance use disorders.

“(v) Other community or regional services, supports, and providers, including schools, child welfare agencies, juvenile and criminal justice agencies and facilities, housing agencies and programs, employers, and other social services.

“(vi) Onsite or offsite access to primary care services.

“(vii) Enabling services, including outreach, transportation, and translation.

“(viii) Health and wellness services, including services for tobacco cessation.

“(4) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed as prohibiting States receiving funds appropriated through the Community Mental Health Services Block Grant under subpart I of part B of this title from financing qualified community programs (whether such programs meet the definition of eligible programs prior to or after the date of enactment of this subsection).

“(5) LIMITATION.—With respect to federally-qualified behavioral health centers authorized under this subsection, 20 percent of the total number of such centers shall become newly eligible to receive reimbursement under this section in each of the first 5 years after the initial year of eligibility through fiscal year 2022. In implementing this paragraph, the Secretary shall ensure geographic diversity of such sites, take into account the ability of such sites to provide required services, and the ability of such sites to report required data.”.

SEC. 3. MEDICAID COVERAGE AND PAYMENT FOR COMMUNITY BEHAVIORAL HEALTH CENTER SERVICES.

(a) PAYMENT FOR SERVICES PROVIDED BY FEDERALLY-QUALIFIED COMMUNITY BEHAVIORAL HEALTH CENTERS.—Section 1902(bb) of the Social Security Act (42 U.S.C. 1396a(bb)) is amended—

(1) in the heading, by striking “AND RURAL HEALTH CLINICS” and inserting “. FEDERALLY-QUALIFIED COMMUNITY BEHAVIORAL HEALTH CENTERS, AND RURAL HEALTH CLINICS”;

(2) in paragraph (1), by inserting “(and beginning with fiscal year 2013 with respect to services furnished on or after January 1, 2013, and each succeeding fiscal year, for services described in section 1905(a)(2)(D) furnished by a federally-qualified community behavioral health center)” after “by a rural health clinic”;

(3) in paragraph (2)—

(A) by striking the heading and inserting “INITIAL FISCAL YEAR”;

(B) by inserting “(or, in the case of services described in section 1905(a)(2)(D) furnished by a federally-qualified community behavioral health center, for services furnished on and after January 1, 2013, during fiscal year 2013)” after “January 1, 2001, during fiscal year 2001”;

(C) by inserting “(or, in the case of services described in section 1905(a)(2)(D) furnished by a federally-qualified community behavioral health center, during fiscal years 2010 and 2011)” after “1999 and 2000”;

(D) by inserting “(or, in the case of services described in section 1905(a)(2)(D) furnished by a federally-qualified community behavioral health center, during fiscal year 2013)” before the period;

(4) in paragraph (3)—

(A) in the heading, by striking “FISCAL YEAR 2002 AND SUCCEEDING” and inserting “SUCCEEDING”;

(B) by inserting “(or, in the case of services described in section 1905(a)(2)(D) furnished by a federally-qualified community behavioral health center, for services furnished during fiscal year 2013 or a succeeding fiscal year)” after “2002 or a succeeding fiscal year”;

(5) in paragraph (4)—

(A) by inserting “(or as a federally-qualified community behavioral health center after fiscal year 2011)” after “or rural health clinic after fiscal year 2000”;

(B) by striking “furnished by the center or” and inserting “furnished by the federally qualified health center, services described in section 1905(a)(2)(D) furnished by the federally-qualified community behavioral health center, or”;

(C) in the second sentence, by striking “or rural health clinic” and inserting “, federally-qualified community behavioral health center, or rural health clinic”;

(6) in paragraph (5), in each of subparagraphs (A) and (B), by striking “or rural health clinic” and inserting “, federally-qualified community behavioral health center, or rural health clinic”;

(7) in paragraph (6), by striking “or to a rural health clinic” and inserting “, to a federally-qualified community behavioral health center for services described in section 1905(a)(2)(D), or to a rural health clinic”.

(b) INCLUSION OF COMMUNITY BEHAVIORAL HEALTH CENTER SERVICES IN THE TERM MEDICAL ASSISTANCE.—Section 1905(a)(2) of the Social Security Act (42 U.S.C. 1396d(a)(2)) is amended—

(1) by striking “and” before “(C)”;

(2) by inserting before the semicolon at the end the following: “, and (D) federally-qualified community behavioral health center services (as defined in subsection (1)(4))”.

(c) DEFINITION OF FEDERALLY-QUALIFIED COMMUNITY BEHAVIORAL HEALTH CENTER SERVICES.—Section 1905(1) of the Social Security Act (42 U.S.C. 1396d(1)) is amended by adding at the end the following paragraph:

“(4)(A) The term ‘community behavioral health center services’ means services furnished to an individual at a federally-qualified community behavioral health center (as defined by subparagraph (B)).

“(B) The term ‘federally qualified community behavioral health center’ means an entity that is certified under section 1913(c) of the Public Health Service Act as meeting the criteria described in paragraph (3) of such section.”.

SEC. 4. COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENT.

Title V of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

“PART H—COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENTS

“SEC. 560. GRANTS FOR COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENTS.

“(a) GRANTS AUTHORIZED.—The Secretary may award grants to eligible entities to expend funds for the construction or modernization of facilities used to provide mental health and substance abuse services to individuals.

“(b) ELIGIBLE ENTITY.—In this section, the term ‘eligible entity’ means—

“(1) a State that is the recipient of a Community Mental Health Services Block Grant under subpart I of part B of title XIX and a Substance Abuse Prevention and Treatment Block Grant under subpart II of such part; or

“(2) an Indian tribe or a tribal organization (as such terms are defined in sections 4(b) and 4(c) of the Indian Self-Determination and Education Assistance Act).

“(c) APPLICATION.—A eligible entity desiring a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing—

“(1) a plan for the construction or modernization of facilities used to provide mental health and substance abuse services to individuals that—

“(A) designates a single State or tribal agency as the sole agency for the supervision and administration of the grant;

“(B) contains satisfactory evidence that such agency so designated will have the authority to carry out the plan;

“(C) provides for the designation of an advisory council, which shall include representatives of nongovernmental organizations or groups, and of the relevant State or tribal agencies, that aided in the development of the plan and that will implement and monitor any grant awarded to the eligible entity under this section;

“(D) in the case of an eligible entity that is a State, includes a copy of the State plan under section 1912(b) and section 1932(b);

“(E)(i) includes a listing of the projects to be funded by the grant; and

“(ii) in the case of an eligible entity that is a State, explains how each listed project helps the State in accomplishing its goals and objectives under the Community Mental Health Services Block Grant under subpart I of part B of title XIX and the Substance Abuse Prevention and Treatment Block Grant under subpart II of such part;

“(F) includes assurances that the facilities will be used for a period of not less than 10 years for the provision of community-based mental health or substance abuse services for those who cannot pay for such services, subject to subsection (e); and

“(G) in the case of a facility that is not a public facility, includes the name and executive director of the entity who will provide services in the facility; and

“(2) with respect to each construction or modernization project described in the application—

“(A) a description of the site for the project;

“(B) plans and specifications for the project and State or tribal approval for the plans and specifications;

“(C) assurance that the title for the site is or will be vested with either the public entity or private nonprofit entity who will provide the services in the facility;

“(D) assurance that adequate financial resources will be available for the construction or major rehabilitation of the project and for the maintenance and operation of the facility;

“(E) estimates of the cost of the project; and

“(F) the estimated length of time for completion of the project.

“(d) SUBGRANTS BY STATES.—

“(1) IN GENERAL.—A State that receives a grant under this section may award a subgrant to a qualified community program (as such term is used in section 1913(b)(1)).

“(2) USE OF FUNDS.—Subgrants awarded pursuant to paragraph (1) may be used for activities such as—

“(A) the construction, expansion, and modernization of facilities used to provide mental health and substance abuse services to individuals;

“(B) acquiring and leasing facilities and equipment (including paying the costs of amortizing the principal of, and paying the interest on, loans for such facilities and equipment) to support or further the operation of the subgrantee;

“(C) the construction and structural modification (including equipment acquisition) of facilities to permit the integrated delivery of behavioral health and primary care of specialty medical services to individuals with co-occurring mental illnesses and chronic medical or surgical diseases at a single service site; and

“(D) acquiring information technology required to accommodate the clinical needs of primary and specialty care professionals.

“(3) LIMITATION.—Not to exceed 15 percent of grant funds may be used for activities described in paragraph (2)(D).

“(e) REQUEST TO TRANSFER OBLIGATION.—An eligible entity that receives a grant under this section may submit a request to the Secretary for permission to transfer the 10-year obligation of facility use, as described in subsection (c)(1)(F), to another facility.

“(f) AGREEMENT TO FEDERAL SHARE.—As a condition of receipt of a grant under this section, an eligible entity shall agree, with respect to the costs to be incurred by the entity in carrying out the activities for which such grant is awarded, that the entity will make available non-Federal contributions (which may include State or local funds, or funds from the qualified community program) in an amount equal to not less than \$1 for every \$1 of Federal funds provided under the grant.

“(g) REPORTING.—

“(1) REPORTING BY STATES.—During the 10-year period referred to in subsection (c)(1)(F), the Secretary shall require that a State that receives a grant under this section submit, as part of the report of the State required under the Community Mental Health Services Block Grant under subpart I of part B of title XIX and the Substance Abuse Prevention and Treatment Block Grant under subpart II of such part, a description of the progress on—

“(A) the projects carried out pursuant to the grant under this section; and

“(B) the assurances that the facilities involved continue to be used for the purpose for which they were funded under such grant during such 10-year period.

“(2) REPORTING BY INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—The Secretary shall establish reporting requirements for Indian tribes and tribal organizations that receive a grant under this section. Such reporting requirements shall include that such Indian

tribe or tribal organization provide a description of the progress on—

“(A) the projects carried out pursuant to the grant under this section; and

“(B) the assurances that the facilities involved continue to be used for the purpose for which they were funded under such grant during the 10-year period referred to in subsection (c)(1)(F).

“(h) FAILURE TO MEET OBLIGATIONS.—

“(1) IN GENERAL.—If an eligible entity that receives a grant under this section fails to meet any of the obligations of the entity required under this section, the Secretary shall take appropriate steps, which may include—

“(A) requiring that the entity return the unused portion of the funds awarded under this section for the projects that are incomplete; and

“(B) extending the length of time that the entity must ensure that the facility involved is used for the purposes for which it is intended, as described in subsection (c)(1)(F).

“(2) HEARING.—Prior to requesting the return of the funds under paragraph (1)(B), the Secretary shall provide the entity notice and opportunity for a hearing.

“(i) COLLABORATION.—The Secretary may establish intergovernmental and interdepartmental memorandums of agreement as necessary to carry out this section.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2013 through 2017.”

SEC. 5. EXPANDED PARTICIPATION IN 340B PROGRAM.

Section 340B(a)(4) of the Public Health Service Act (42 U.S.C. 256b(a)(4)) is amended by adding at the end the following:

“(P) An entity receiving funds under subpart I of part B of title XIX of this Act for the provision of community mental health services.

“(Q) An entity receiving funds under subpart II of part B of title XIX of this Act for the provision of treatment services for substance abuse.”

By Mr. HOEVEN (for himself, Mr. BLUNT, Ms. KLOBUCHAR, Mr. CRAPO, and Mr. JOHANNIS):

S. 2264. A bill to provide liability protection for claims based on the design, manufacture, sale, offer for sale, introduction into commerce, or use of certain fuels and fuel additives, and for other purposes; to the Committee on Environment and Public Works.

Mr. HOEVEN. Mr. President, I rise to introduce bipartisan energy legislation, the Domestic Fuels Act. This legislation is designed to help hard-working Americans with the high fuel prices, the high gas prices they are paying at the pump. This legislation will truly help us do “all of the above” when it comes to producing and providing lower cost energy for American consumers, American businesses, and to fuel our economy, help create jobs, and also to create greater national energy security. It is part of what I believe we need to do to truly have an energy security plan for our country.

I wish to take a few minutes to talk about the Domestic Fuels Act. We are going to start with a quick review of gas prices. As we all very well know,

gas prices are high, and they continue to go higher. AAA indicated this week the national average for a gallon of gasoline is \$3.91 a gallon. Gasoline prices, over the last 3 years of the current administration, have more than doubled from about roughly \$1.87 to the national average today of more than \$3.90. I believe there are nine States right now where, on average, gas is more than \$4 a gallon. In Chicago, for example, I believe it is about \$4.68. Over here, a few blocks from the Capitol, I checked not too long ago and it was \$4.39 a gallon.

This puts enormous pressure and strain on American consumers, hard-working Americans, every day, when they are being forced to fill their car at the gas pump and spend close to \$4 per gallon. Some predictions are that later this summer, it may go to \$5 a gallon. Clearly, we have to find a way to help with gasoline prices across this country.

What it comes down to is supply and demand. More supply creates downward pressure on gasoline prices; more demand, of course, pushes prices higher. So we have to find ways to increase the supply and increase the supply in a dependable way. That means not only increasing supply now but having policies in place that increase supply now and in the future.

We need to send signals to the market that we are serious about growing our supply of energy—all types of energy—certainly gas and oil but all types of energy in this country, as well as working with our neighbors we can count on, such as Canada, for more supplies to help reduce the price of gasoline and, frankly, reduce the cost of all types of energy to help get the economy going, to have more national security and more jobs to put the 13 million people who are unemployed back to work. Energy is a key aspect of creating the type of economic environment that will help us do that.

This chart shows our current level of crude oil production. The first bar shows that between ourselves and Canada, we produce just under 10 million barrels of crude and crude equivalent right now. In North America—Canada and the United States—we produce under 10 million barrels of crude today. That comes not only from conventional oil but oil shale, tight oil, oil sands, Arctic, and offshore—all these different sources.

Under the current policies, we can see by looking at this next bar that over the next 15 years the supply of oil and gas coming from Canada and the United States will shrink. Under the current policies and the current approach, without the kind of energy policy we need in this country, we actually will have less oil and gas from Canada and the United States over the next 15 years.

The key is this: We have to implement the kind of energy policy that

will help us produce more energy, oil and gas, and from all sources, traditional and renewable. That is what we are talking about with this Domestic Fuels Act.

The third bar on this chart shows that just from oil and gas, with the right kinds of policies over the next 15 years—this is a 15-year timeframe—we can produce more oil and gas in Canada and the United States than we consume. So before we bring in other types of energy—biofuels and any other types, any renewable energy we want to include, just from oil and gas, with the right kinds of policies in Canada and the United States, over the next 15 years we can produce more energy than we consume.

Think what that means in terms of helping bring down the price of gasoline and in terms of creating jobs in our country; think of what that means in terms of national security, not needing to depend on crude oil from the Middle East. That is just with the right policies to develop more oil and gas. Of course, we can develop all the other types of energy resources as well.

Let’s not take 15 years to get this done. Let’s have a plan for national energy security that gets it done in the next 5 to 7 years. There is no question we can do it. We can absolutely do it. How do we do it? Very simple and very common sense. When we talk about producing “all of the above,” let’s actually do that. Let’s not say “all of the above” and then block energy production. Let’s have the kinds of energy policies in place, traditional sources and renewable sources, on a bipartisan basis. Let’s put the types of policies in place that will truly help us get to energy security, and let’s do it over the next 5 to 7 years. Let’s increase oil production in the United States and Canada. Let’s have the policies that help us produce more oil onshore and off. Let’s increase natural gas production and usage.

Again, let’s join with Canada and do this with North American energy. We have incredible potential with Canada. We are the closest friends and allies in the world. Let’s increase the renewable fuels we produce right here at home. We can do that with a market-based approach. Let’s increase our use of renewable fuels with market-based approaches that work. Let’s use technology to drive energy production—produce more energy—with better environmental stewardship.

We can do all these things. When we talk about an energy security plan or the path to energy security in our country, these are very commonsense steps. I have bills, as do other Members of this body, on a bipartisan basis, to do all these things—increase oil production, increase the use of natural gas, increase renewables with market-based approaches, and use technology to drive energy and do it with better environmental stewardship.

One of the things I submitted legislation to do is approve the Keystone Pipeline. It is an issue that has been very much in the national discussion. It has gotten a lot of attention. It is a straightforward concept. It simply says let's develop the infrastructure in our country, so that as we produce more oil in Canada—Canada has the third largest oil reserves in the world. No. 1 is Saudi Arabia, No. 2 is Venezuela, and No. 3 is Canada. Let's work with Canada to tap and use more of that oil. If we don't, it will go to China. But we can do it. We simply have to develop the infrastructure and work with Canada.

What has the opposition to that oil development been? A number of arguments have come up. The main one behind it is, some people say we don't want to produce oil in the oil sands; we don't want to do that. The concern, in their opinion, is greenhouse gas. It has about a 6-percent higher greenhouse gas emission than conventional drilling production.

The important point is—going back to the last chart, which I mentioned in the national energy security plan is let's use technology to produce more energy with better stewardship. What I mean is, when we talk about the oil sands, rather than using the current excavation method, 80 percent of the new development is going to in situ, which is essentially drilling. So it is basically the same footprint and same greenhouse gas emissions as conventional drilling for oil and gas. So let's use that new technology to produce more energy, more oil in the Canadian oil sands, and do it with better environmental stewardship.

We will then be getting oil from a dependable ally, rather than getting 30 percent of our crude from the Middle East and Venezuela. It is just common sense. We win with more energy at a lower cost. We win with job creation, and we win with better environmental stewardship. We need to just get the right policies, the right law, and the right approach to how we regulate these things in place.

That is what the Domestic Fuels Act is all about. It is an example of exactly how we do that. The Domestic Fuels Act essentially says, all right, when we pull up to the gas station, we should be able to get whatever fuel provides the best energy for what we need at the best possible price.

It is about consumer choice, and it is about lowering the cost at the pump.

Right now, when you pull in, very often the petroleum retail marketer has multiple tanks in order to dispense various types of fuel. It might be traditional gasoline from petroleum, it might be some blend of petroleum and ethanol, he might have biodiesel, and increasingly service stations, gas stations, are looking to market natural gas. But think about it. If they have to

have a different set of tanks, different set of piping, and different dispensers for each type of fuel, then they have to make a choice, don't they. They can maybe offer gasoline from petroleum, they can maybe offer some ethanol blend, they can maybe offer biodiesel, or maybe they try natural gas; right?

But if they have to have tanks and pumps and piping for each one, think of the cost—hundreds of thousands of dollars.

So how do you get consumer choice? How do you get consumer choice in there? Also, how do you get the lowest price? If petroleum-based gasoline versus ethanol-based is cheaper, well, then, maybe they want to offer straight petroleum, not have a blend. But if they can mix it with ethanol, offer even up to E85, and that is cheaper, they may want to offer that. If they want to offer biodiesel rather than traditional diesel or if they want to offer natural gas—because increasingly we have trucks and buses particularly in our urban areas using natural gas—how do they do it? That is the point.

What this act provides is that the EPA has to streamline the process so a service station or gas station can use their existing tanks and equipment so they can decide to offer any one of those products. Now we have more consumer choice and we have a way to drive down prices at the pump—drive down the cost of gasoline, drive down the cost of biofuels, drive down the cost of natural gas, or whatever it is—consumer choice, lower prices, and that extends back through the production chain as well. If I produce ethanol, if I produce biodiesel, if I produce gasoline or natural gas, I know I am going to be able to market those products to consumers.

This is about looking to the future instead of looking to the past. This isn't about government spending any more money. This is about the government empowering industry, empowering entrepreneurship, empowering the energy sector, and empowering our consumers with choice and lower costs at the pump. It is just common sense. It is just common sense. We give the marketer a way to market whatever product makes the most sense and whatever best serves the consumers at the best price. We give them liability protection so they know they can go forward and offer these different products without worrying about being sued and losing their livelihood so they are willing to do it. We provide a clear and simple pathway so they know what they have to accomplish in order to best serve their consumers and build their business.

This is about the right kind of legal framework. This is about the right kind of legislation that is clear, understandable, and empowering. This is how we get government working for people rather than people working for

government. This is how we build the right kind of energy future based on all of the above. This isn't just about saying, hey, let's do all of the above when it comes to energy development. This is about doing it. This is about making a difference for the American consumer, and we can do it.

This legislation is bipartisan legislation. I am very pleased Senator ROY BLUNT of Missouri is cosponsoring it with me, along with AMY KLOBUCHAR of Minnesota, MIKE CRAPO of Idaho, and I believe we will have many others joining us on both sides of the aisle. Also, we are working with Representative JOHN SHIMKUS in the House who will be introducing companion legislation as well.

The other point I want to make in concluding is that we have broad-based support from companies and people who work in the traditional energy sector as well as the renewable energy sector, who make the equipment that dispense gasoline and other types of fuel products and the people who sell gasoline and all types of fuel. They are all onboard.

Let me give an example. From the renewable fuels energy sector, we have the Renewable Fuels Association endorsing this legislation, and also Growth Energy. From traditional oil and gas, the American Petroleum Institute has endorsed this legislation, as has Tesoro Corporation and ExxonMobil, and there are many others. From the service stations—the marketers that actually dispense the product—endorsing this legislation is the National Association of Convenience Stores, the Society of Independent Gasoline Marketers of America, the Petroleum Marketers Association of America, and the National Association of Truck Stop Operators. From the people who make the equipment, the manufacturers that make the equipment, we have received endorsements as well from the American Fuel and Petrochemical Manufacturers and also the Outdoor Power Equipment Institute.

Look, everybody is onboard. Now we need to get to work and get it in place. This is about building the right kind of energy future for our country. We have to get going. Gasoline prices are \$4 at the pump, and they are going higher. We can do something about it, and that is exactly what we need to do.

I urge my colleagues to join me in this effort on behalf of the American people.

By Mr. FRANKEN (for himself, Ms. SNOWE, and Mr. ENZI):

S. 2271. A bill to amend the Internal Revenue Code of 1986 to extend the time for making S corporation elections, and for other purposes; to the Committee on Finance.

Mr. FRANKEN. Mr. President, today I am introducing the Small Business

Election Simplification Act with my friends, Senators SNOWE and ENZI.

I want to thank them for this collaboration, and I especially want to acknowledge Senator SNOWE for her leadership. As Ranking Member of the Committee on Small Business and Entrepreneurship, Senator SNOWE is one of the Senate's experts on small business issues. She is always working to make sure that the Federal Government meets the needs of small businesses and is committed to creating the best possible environment for entrepreneurs.

That is exactly what our legislation is about—making it easier and more straightforward for entrepreneurs to start small businesses.

When starting up a new business, entrepreneurs often choose to organize their business as an S Corporation because of its simplicity. Owners of S Corporations report business income on their individual tax returns. So instead of having their business profits taxed at the corporate level of 35 percent, they pay taxes at their individual income tax rate. Not only is this simpler, but it also often saves small business owners money.

To become an S Corporation, small business owners have to go through what's called an "election process" and submit an election form to the IRS. The deadline to submit this election form is currently set a year in advance of the tax return deadline for businesses. This means that a new small business owner must know to submit the election form a full year before they have to do their taxes.

Unsurprisingly, many first-time business owners are unaware of this rule and therefore miss the election deadline. These taxpayers must wait an additional year before their business becomes an S Corporation, which can have serious tax consequences. Or they must go through a late election process with the IRS, which can be time-consuming and costly.

This is a real problem. In 2009, nearly 100,000 S Corporation returns could not be processed as filed. That was almost a quarter of all new S Corporation filings. Missing or late elections is one of the main reasons that returns are rejected as filed.

The National Taxpayer Advocate—whose job is to watch out for the needs of taxpayers—described the current S Corporation election process as an undue burden on small businesses. Simplifying the S Corporation election process was one of 11 legislative recommendations outlined in the National Taxpayer Advocate's 2011 Annual Report to Congress.

Our legislation does just that. The Small Business Election Simplification Act would extend and coordinate S Corporation deadlines. It would match the S Corporation election deadline for new businesses with the deadline for

tax returns. This would reduce the number of taxpayers who inadvertently miss the S Corporation election deadline and suffer negative tax consequences.

To further simplify the process and reduce paperwork, our legislation would also allow new small businesses to elect to become an S Corporation simply by designating the election on their S Corporation tax return. This would eliminate the need for business owners to fill out an additional election form.

Here in the Senate, we are always saying that small businesses are the engine of our economy; that they are the job creators; and that we need to support entrepreneurs coming up with the next big idea that will get our economy growing again.

Passing the Small Business Election Simplification Act is one thing we can do to help them. It can make a difference right now. By making it easier and more straightforward for new small businesses to become S Corporations, our legislation would free business owners to concentrate on the important stuff—like growing their business and hiring new workers, instead of worrying about IRS election form deadlines and learning about complicated business tax rules.

I urge my colleagues to support this legislation and send it to the President's desk to be signed into law as soon as possible.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2271

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Election Simplification Act".

SEC. 2. EXTENSION OF TIME FOR MAKING S CORPORATION ELECTIONS.

(a) IN GENERAL.—Subsection (b) of section 1362 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) WHEN MADE.—

“(1) RULES FOR NEW CORPORATIONS.—Except as provided in paragraph (2)—

“(A) IN GENERAL.—An election under subsection (a) may be made by a small business corporation for any taxable year at any time during the period—

“(i) beginning on the first day of the taxable year for which made, and

“(ii) ending on the due date (with extensions) for filing the return for the taxable year.

“(B) CERTAIN ELECTIONS TREATED AS MADE FOR NEXT TAXABLE YEAR.—If—

“(i) an election under subsection (a) is made for any taxable year within the period described in subparagraph (A), but

“(ii) either—

“(I) on 1 or more days in such taxable year and before the day on which the election was made the corporation did not meet the requirements of subsection (b) of section 1361, or

“(II) 1 or more of the persons who held stock in the corporation during such taxable year and before the election was made did not consent to the election,

then such election shall be treated as made for the following taxable year.

“(C) ELECTION MADE AFTER DUE DATE TREATED AS MADE FOR FOLLOWING TAXABLE YEAR.—If—

“(i) a small business corporation makes an election under subsection (a) for any taxable year, and

“(ii) such election is made after the due date (with extensions) for filing the return for such year and on or before the due date (with extensions) for filing the return for the following taxable year,

then such election shall be treated as made for the following taxable year.

“(2) RULES FOR EXISTING C CORPORATIONS.—In the case of any small business corporation which was a C corporation for the taxable year prior to the taxable year for which the election is made under subsection (a), the rules under this paragraph shall apply in lieu of the rules under paragraph (1):

“(A) IN GENERAL.—An election under subsection (a) may be made by a small business corporation for any taxable year—

“(i) at any time during the preceding taxable year, or

“(ii) at any time during the taxable year and on or before the 15th day of the 3d month of the taxable year.

“(B) CERTAIN ELECTIONS MADE DURING 1ST 2½ MONTHS TREATED AS MADE FOR NEXT TAXABLE YEAR.—If—

“(i) an election under subsection (a) is made for any taxable year during such year and on or before the 15th day of the 3d month of such year, but

“(ii) either—

“(I) on 1 or more days in such taxable year and before the day on which the election was made the corporation did not meet the requirements of subsection (b) of section 1361, or

“(II) 1 or more of the persons who held stock in the corporation during such taxable year and before the election was made did not consent to the election,

then such election shall be treated as made for the following taxable year.

“(C) ELECTION MADE AFTER 1ST 2½ MONTHS TREATED AS MADE FOR FOLLOWING TAXABLE YEAR.—If—

“(i) a small business corporation makes an election under subsection (a) for any taxable year, and

“(ii) such election is made after the 15th day of the 3d month of the taxable year and on or before the 15th day of the 3rd month of the following taxable year,

then such election shall be treated as made for the following taxable year.

“(D) TAXABLE YEARS OF 2½ MONTHS OR LESS.—For purposes of this paragraph, an election for a taxable year made not later than 2 months and 15 days after the first day of the taxable year shall be treated as timely made during such year.

“(3) AUTHORITY TO TREAT LATE ELECTIONS, ETC., AS TIMELY.—If—

“(A) an election under subsection (a) is made for any taxable year after the date prescribed by this subsection for making such election for such taxable year or no such election is made for any taxable year, and

“(B) the Secretary determines that there was reasonable cause for the failure to timely make such election,

the Secretary may treat such an election as timely made for such taxable year.

“(4) MANNER OF ELECTION.—Elections may be made at any time as provided in this subsection by filing a form prescribed by the Secretary. For purposes of any election described under paragraph (1), the Secretary shall provide that the election may be made on any timely filed small business corporation return for such taxable year, with the consents of all persons who held stock in the corporation during such taxable year included therewith.

“(5) SECRETARIAL AUTHORITY.—The Secretary may prescribe such regulations, rules, or other guidance as may be necessary or appropriate for purposes of applying this subsection.”.

(b) REVOCATIONS.—Paragraph (1) of section 1362(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking “subparagraph (D)” in subparagraph (C) and inserting “subparagraphs (D) and (E)”, and

(2) by adding at the end the following new subparagraph:

“(E) AUTHORITY TO TREAT LATE REVOCATIONS AS TIMELY.—If—

“(i) a revocation under subparagraph (A) is made for any taxable year after the date prescribed by this paragraph for making such revocation for such taxable year or no such revocation is made for any taxable year, and

“(ii) the Secretary determines that there was reasonable cause for the failure to timely make such revocation,

the Secretary may treat such a revocation as timely made for such taxable year.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to elections for taxable years beginning after the date of the enactment of this Act.

By Ms. MURKOWSKI:

S. 2273. A bill to designate the Talkeetna Ranger Station in Talkeetna, Alaska, as the Walter Harper Talkeetna Ranger Station; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation that would officially rename the Talkeetna Ranger Station in Talkeetna, Alaska, the Walter Harper Talkeetna Ranger Station.

The Talkeetna Ranger Station, which is the home of Denali National Park’s mountaineering rangers, sits just about 100 miles south of the entrance to the park. Of course, the landmark that’s most commonly linked to both the park and the ranger station itself happens to be the mountain that features a summit which represents the highest point in North America: Denali.

In fact, anybody who intends to attempt a climb of Mt. McKinley is required to first stop at the Talkeetna Ranger Station for their permit and mountain orientation.

It is only fitting, then, that we honor the memory of Alaska Native Walter Harper by forever linking his name with this specific ranger station. It was Mr. Harper, that 100 years ago next year became the first person to reach the summit of Mt. McKinley.

My bill is a simple one, and it is not likely to gain much notice outside of Alaska. Within my home state, how-

ever, this small gesture means a great deal. Alaskans, like the people who call any other state home, are proud of the historical accomplishments of their fellow Alaskans. Walter Harper was one such Alaskan, and his feat is one that will always be remembered.

Certainly, officially designating the Talkeetna Ranger Station—the very building where any hiker today planning to climb Mt. McKinley is required to first stop—the Walter Harper Talkeetna Ranger Station is a fitting tribute to the man himself, as well as his spot in our state’s history books.

June 7 of next year, 2013, will mark the 100 year anniversary of Mr. Harper’s historic climb. It would truly be special for Alaska and Alaskans to have this designation in place by that date.

By Mr. GRASSLEY (for himself, Mr. COONS, Mr. COBURN, and Mr. SESSIONS):

S. 2276. A bill to permit Federal officers to remove cases involving crimes of violence to Federal court; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I rise today in support of a bill that I am introducing on behalf of a bipartisan group of Senators, the Officer Safety Act of 2012, S. 2276. This bill allows a Federal law enforcement agent, who stops a violent crime while off-duty and is indicted in a State court for those actions, to petition for the State criminal prosecution against him to be removed to Federal court.

The bill effectuates this change by amending the Federal removal statute, found in 28 United States Code, Section 1442, to clarify when a Federal law enforcement officer is acting under the color of his office.

As a 2003 Judiciary Committee report stated, “Law enforcement officers are never ‘off-duty.’” Many are required to carry an off-duty weapon. When they fly on personal business, they are expected to carry their weapon and check-in with the airline as a Federal law enforcement agent so they can defend the pilots and passengers if something bad happens. In fact, Federal agents are specifically paid to be available 24 hours a day, 7 days a week. Agents can be disciplined if they are not available when called.

They are not even allowed to engage in activities on their personal time that regular citizens take for granted, like coaching their kids’ sports teams, if it might interfere with their ability to respond to a crisis.

Federal law enforcement agents are extensively trained, at the expense of the taxpayer for the benefit of the taxpayer. They not only train in basic academies, but they are required to participate in additional and regular training and re-certifications many times each year. If training is missed or if standards are not up to par, the

agent is disciplined or removed. Federal law enforcement agencies take training requirements very seriously. The United States is known for having the best trained Federal law enforcement officers in the world.

So what if one of these exceptionally trained Federal law enforcement agents walks into the grocery store on a Saturday and witnesses a woman being repeatedly hit by her husband; do we want him to walk past the woman? No. The taxpayers spend money on his training so that he can protect victims, not walk away from them. In this situation, we all hope that he would use his training to protect the victim. But when he steps in to protect the victim from a crime of violence occurring in his presence, he risks state criminal prosecution and damage to his career. That might lead him to hesitate. This is contrary to good public policy. If we were the victim in this scenario, every one of us would want that Federal law enforcement officer to help us.

If a Federal agent acts to protect an individual in his presence from a crime of violence, as taxpayer dollars have trained him to do, and then is indicted in State court for that act, he should have the right to defend himself within the Federal court system.

So the Officer Safety Act amends the removal statute, found in Title 28, United States Code, Section 1442, to clarify when a Federal law enforcement officer is acting under the color of his office. This bill does not provide immunity for law enforcement agents, and it does not grant them additional authority. It doesn’t even guarantee that the case will be moved from State to Federal court: the State will be heard and its position will be weighed by the judge before deciding if removal is appropriate. It does allow a Federal law enforcement officer/agent, who is indicted in a State court for actions related to his protection of a victim of a violent crime that is committed in the officer’s presence, to petition for that criminal case to be removed to Federal court, where the officer will be required to defend his actions.

Current law provides that removal is proper so long as defendants demonstrate that they are officers of the United States that acted “under color of” their office and have a “colorable federal defense”.

In general, a Federal agent acts “under color of” his office when he takes actions that are necessary and reasonable for the discharge of his Federal responsibilities. Accordingly, the prototypical example of a Federal officer acting under color of his office is a Federal law enforcement officer who kills someone while performing an act related to Federal law enforcement and, in the subsequent State homicide prosecution, claims he was acting in self-defense and/or is entitled to official immunity. The Supreme Court has

upheld this prototypical example as appropriate for removal from State court to Federal court.

The primary restraint on the current statute's scope is its limitation to defendants who acted under color of Federal office or, in other words, while performing official duties. Defendants must show in their petition for removal that there is a causal nexus between the actions challenged and their Federal duties.

The history of the removal statute explains why this is important. The statute dates back to 1815. It was passed in response to the New England States' opposition to the trade embargo with England during the War of 1812. The law provided for the removal to Federal court of any suit or prosecution commenced in State court against a Federal customs officer or other persons enforcing Federal customs laws. Thus, Federal agents did not need to fear performing their jobs because the local authorities opposed the embargo and wanted to stop them from enforcing it.

A few decades later, the U.S. Government encountered a similar problem in South Carolina, which in 1833 declared certain Federal tariff laws unenforceable within its borders. Congress responded by authorizing the removal of any suit or prosecution commenced in a State court against an officer of the United States for the enforcement of the Federal revenue laws.

During the Civil War and the Reconstruction era, Congress' disenchantment with State courts in the South led to new Federal officer removal laws. In the 1863 Habeas Corpus Act, Congress provided for the removal of suits or prosecutions against persons acting under Federal authority for actions, or failures to act, during the Civil War. In addition, Congress passed a removal statute similar to those of 1815 and 1833, authorizing the removal of suits or prosecutions commenced in State court against Federal officers for actions, or omissions, related to the collection of Federal revenue. However, it was not until the enactment of the Judicial Code of 1948 that Congress extended the statute to cover all Federal officers.

The courts view the history behind section 1442 and its statutory predecessors as justification for construing the statute broadly to assure the supremacy of U.S. law and protect Federal operations against interference from State judicial proceedings.

This bill does not infringe upon States' rights, as they retain the same due process rights to be heard on the question of removal that have existed since the early 1800s. In fact, this Congress passed a bill by unanimous consent that amended this statute, without a word about States' rights.

Today, Federal law enforcement officers, whether or not in uniform, re-

quire protections when they take actions to assist citizens. Civil liability protections are provided to officers under The Good Samaritan Act, codified at Title 28, United States Code, Section 2671. This bill, the Officer Safety Act, while modeled on the Good Samaritan Act, is narrower, more restrictive, and provides no liability protection. Rather, this bill clarifies the "color of law" prong required in the removal process, as courts have invited Congress to clarify.

The bill makes no change to the current standards governing when removal is permissible, and therefore leaves alone existing standards and case law. But it provides that in three situations, the law enforcement officer who is a defendant in a State criminal prosecution will be deemed to have acted under color of his or her office: when the officer protects a victim from a violent crime committed in the presence of the officer; when the officer provides immediate assistance to an individual who suffered or is about to suffer imminent bodily harm; and when the officer prevents the escape of an individual the officer reasonably believes committed or was about to commit, in the presence of the officer, a crime of violence that resulted in or was likely to result in serious bodily injury. I believe that in these situations, the Federal courts should always determine that the law enforcement officer acted under the color of his or her office for purposes of determining whether to grant the officer's removal petition. But the courts remain free to determine under current law that there are other circumstances in which an officer seeking removal satisfies the color of office standard.

So the bill is a modest change that nevertheless provides an important layer of safety for the people who risk their lives day-in and day-out to protect us. It will help make our communities safer and protect those who are sworn to guard and serve the American public.

This principle and this bill are supported by the Federal Law Enforcement Officers Association, the Federal Bureau of Investigation Agents Association, and the National Border Patrol Council.

I want to thank Senator COONS, a member of the Committee on the Judiciary, who co-chairs the Senate Law Enforcement Caucus, and is a co-sponsor on this bill. He understands the need to support law enforcement officers who risk their lives every day so that we can sleep safely at night.

Further, I want to thank Senators COBURN and SESSIONS, also members of the Judiciary Committee and co-sponsors. They, too, understand this allows us to support Federal agents without spending a dollar.

"Law enforcement officers are never 'off-duty.'" To expect them to standby

while a victim suffers violent acts in his presence is contrary to the oath they take to protect and renders their tax-funded training wasted as a citizen becomes a victim. Please join me in protecting those who protect us.

By Mr. DURBIN (for himself and Mr. HARKIN):

S. 2280. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, last week, the Consumer Financial Protection Bureau reported that outstanding student loan debt in America has hit the \$1 trillion mark—student loans.

A CFPB official was cited by Bloomberg News saying that "excessive student debt could slow the recovery of the housing market, as young people repay money for their education rather than buying homes." Massive student debt is also affecting consumers' ability to purchase goods and services.

Yesterday, at the Subcommittee on Financial Services and General Government hearing focusing on student debt, Treasury Secretary Geithner came to talk about it. While the overall growth of student indebtedness is troubling, the most pressing concern is private student loans.

Secretary Geithner also recognized that private student loans do not come with any of the consumer protections that Federal loans do. Private student loans are far riskier. Federal student loans have fixed, affordable interest rates—3.4 percent. They also have a variety of consumer protections. The Federal loans have forbearance in times of economic hardship, and they offer manageable repayment options, such as the income-based repayment plan.

Private student loans, on the other hand, often have high variable interest rates—some have been quoted at 18 percent, the kind of rates you are careful about when it comes to your credit—and they have hefty origination fees and a lack of repayment options. Private lenders have targeted low-income borrowers with some of the riskiest, highest cost loans.

In many respects, private student loans are like credit cards—except unlike credit card debt, private student loan debt can never be discharged in bankruptcy. In 2005, Congress changed the bankruptcy laws. I want to make a point here: I voted against it. Congress changed the bankruptcy laws and included a provision making private student loan debts nondischargeable in bankruptcy, except in the rarest of circumstances. I have never found one that qualifies. That means students are stuck with their loans for life.

While the volume of private student loans is down from its peak a few years ago when it accounted for 26 percent of all student loans, private lending is still aggressively promoted by the for-profit college industry. The Project on Student Debt reports that 42 percent of for-profit college students had private loans in 2008, up from 12 percent 5 years earlier. For-profit college students also graduate with more debt than their peers who graduate from public or private and non-private colleges. Many for-profit colleges employ a business model that steers students into private student loans because of the 90/10 rule.

For the record, private for-profit schools can only receive 90 percent of their revenue from the Federal Government. They are the closest darn thing to a Federal agency you have ever seen, except they are making millions of dollars at the expense of the government and unsuspecting students and their families. So to find the 10 percent of nonfederal money, for-profit schools get the students to sign up to pay for 10 percent of their education in private student loans, even if they qualify for Federal loans, which are a much better deal.

The 90/10 rule that requires at least 10 percent of revenue from non-Federal student aid sources makes this an imperative for many for-profit schools. As a result, many students are encouraged to take up private loans when they are still eligible for Federal loans—even when the lenders know the students are going to default—so schools can comply with the 90/10 rule.

Kari Schaab contacted my office seeking relief from her burdensome student debt. She received a bachelor of arts from the International Academy of Design and Technology, a for-profit college. When she spoke to an admissions representative, she was enrolled almost immediately. Looking back, she says of the school: “They take whoever is willing to pay.”

She was assured she would be able to obtain a position in her field that would help her pay off her student debt. Reflecting on her experience, she said: “I was young and didn’t understand how much I would owe or what the loans were. I trusted them.”

After completing her BA program, she decided that she would pursue a master’s in her field. What she found out shocked her. No schools would accept her degree. It was a worthless diploma. With no job, no future in her chosen field, and about \$58,000 in debt, she decided to switch careers entirely so that she would be able to pay off her student loans.

She currently attends Oaktown Community College for nursing. She is unable to get a mortgage because of her old student loan debt of \$58,000. Worse yet, her parents, trying to help her out, took out \$19,000 in loans to help pay her tuition. Her parents are currently

in chapter 13 bankruptcy, but that loan won’t be discharged.

We need to begin now to address this looming student debt bomb crisis. We need to protect students and prevent more students from stepping into the same traps that have caught so many others.

Today, Senator TOM HARKIN and I are introducing the Know Before You Owe Private Student Loan Act of 2012. Here is what it says: It requires the prospective borrower’s school to confirm the student’s enrollment status, the cost of attendance, and the estimated Federal financial aid assistance before the private student loan is approved. Often, students haven’t applied for Federal student aid before they are asked to apply for private student loans, which are not nearly as generous or flexible.

Requiring school certifications also gives the school the opportunity to make students aware of Federal Government student aid options.

The bill requires schools to counsel the student about their options, tell them how the private student loan will affect those options, and what it will cost to repay the loans. Basics.

In addition, schools will be required to inform students about the differences between Federal and private student loans. And the differences are dramatic. This will give students time to weigh their options, make a choice, and be informed.

When students such as Kari contact my office about their student loans, they often don’t know the difference between the two types of loans. They said: “It was just a student loan, Senator.” Most go on to say that if they had known, they would have thought more carefully about a private student loan and the debt they were incurring.

For those students who do decide to take out a private student loan, the bill requires lenders to provide the borrower with quarterly up-to-date information about their balance and interest rate.

Finally, the bill requires lenders to report information to the Consumer Financial Protection Bureau about how many students are taking out loans and at what rates. There is very little information about private student loans currently available. More information will help Congress and the CFPB effectively inform consumers about these private student loans.

This legislation is supported by a huge coalition of education, student, and consumer organizations. I want to thank TOM HARKIN for his work on this bill, especially all of the hard work he has put in on these for-profit colleges.

Mr. President, it is finally dawning on a lot of Members of Congress as they see programs such as “Frontline” talking about the for-profit college industry, and as they meet these students who are going to these worthless for-profit colleges—students who are

just stacking up debt for a worthless diploma—it is time for our Federal Government to step up. How can we blame a student or their family if they are going to a school where we, the Federal Government, are willing to offer Pell grants and Federal loans? What is a student to think? Well, if it is good enough for the Federal Government to loan money, it must be a good school.

In fact, in many instances—in most instances—these for-profit schools are not good schools. They are not offering a good education. There are exceptions, but too many of them are just bad operations. We subsidize them. Ninety to ninety-five percent of their revenue comes straight from the Federal Government. When they talk about freezing Federal employees’ salaries, we ought to freeze the employees at these for-profit schools. They are the closest thing to Federal employees we have—95 percent Federal. We don’t hear that from the other side of the aisle. But it is a fact.

I will tell you this: This student loan debt bomb we are facing, which I talked to Secretary of the Treasury Geithner about yesterday, is going to explode on us, just as the subprime market loans did. More and more students are going into default. They can’t pay back these student loans, and they are going to face life decisions that will change their futures and the future of the American economy.

We now have 40 percent of students who are making payments on their student loans—40 percent. Sixty percent are not. Some are still in school, I will concede that point, but many of them just can’t do it. We pile this debt on, we give them preferred treatment in the Bankruptcy Court so the lenders can’t have the debt discharged, and we sit there and watch as the lives of these young people deteriorate.

As one young lady testified at my hearing that she borrowed \$37,625 from the Federal government, \$40,925 in private loans. She went to the Harrington College of Design in the suburbs of Chicago and ended up with a worthless diploma—worthless. Five years later, her debt is no longer \$78,000; it is \$98,000. It just keeps going up. She pays \$830 a month, and the private student loan debt is exploding right in front of her. She can’t pay it. She doesn’t know what she is going to do. She said she is going to have to give up the little home she and her husband just bought. It looks pretty desperate for her, and her desperate situation faces her at the age of 32—32.

How do we let this happen? Don’t we have an obligation as a government, as a people, to stop this exploitation of children and their families? That is what is going on.

This bill I have put in today will require these schools—all schools—to tell

the students first that they have Federal loan eligibility left. It is 3.4 percent, not 18 percent. There is loan forgiveness if they become a nurse or a teacher. It is based on the amount of income they have later in life what their repayment is going to be. If they do get into trouble, they can have a delay in payment without watching their loan just stack up. These are basic things we build into the law to help students. Students and their families ought to know that, and that is what this bill is about.

I commend this bill to my colleagues. I hope they will join Senator HARKIN and me. I want to offer this on the Senate floor, and I want some colleagues to go home and face this student loan issue and listen to the families they represent. We are hearing from our Web site, and I invite students and families to come to my official Web site to tell their stories. As we learn what it is all about, we see the need to move on this, and move quickly.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 2280

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Know Before You Owe Private Student Loan Act of 2012".

SEC. 2. AMENDMENTS TO THE TRUTH IN LENDING ACT.

(a) IN GENERAL.—Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)) is amended—

(1) by striking paragraph (3) and inserting the following:

“(3) INSTITUTIONAL CERTIFICATION REQUIRED.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), before a creditor may issue any funds with respect to an extension of credit described in this subsection, the creditor shall obtain from the relevant institution of higher education where such loan is to be used for a student, such institution’s certification of—

“(i) the enrollment status of the student;

“(ii) the student’s cost of attendance at the institution as determined by the institution under part F of title IV of the Higher Education Act of 1965; and

“(iii) the difference between—

“(I) such cost of attendance; and

“(II) the student’s estimated financial assistance, including such assistance received under title IV of the Higher Education Act of 1965 and other financial assistance known to the institution, as applicable.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), a creditor may issue funds with respect to an extension of credit described in this subsection without obtaining from the relevant institution of higher education such institution’s certification if such institution fails to provide within 15 business days of the creditor’s request for such certification—

“(i) the requested certification; or

“(ii) notification that the institution has received the request for certification and

will need additional time to comply with the certification request.

“(C) LOANS DISBURSED WITHOUT CERTIFICATION.—If a creditor issues funds without obtaining a certification, as described in subparagraph (B), such creditor shall report the issuance of such funds in a manner determined by the Director of the Consumer Financial Protection Bureau.”;

(2) by redesignating paragraphs (9), (10), and (11) as paragraphs (10), (11), and (12), respectively; and

(3) by inserting after paragraph (8) the following:

“(9) PROVISION OF INFORMATION.—

“(A) PROVISION OF INFORMATION TO STUDENTS.—

“(i) LOAN STATEMENT.—A creditor that issues any funds with respect to an extension of credit described in this subsection shall send loan statements, where such loan is to be used for a student, to borrowers of such funds not less than once every 3 months during the time that such student is enrolled at an institution of higher education.

“(ii) CONTENTS OF LOAN STATEMENT.—Each statement described in clause (i) shall—

“(I) report the borrower’s total remaining debt to the creditor, including accrued but unpaid interest and capitalized interest;

“(II) report any debt increases since the last statement; and

“(III) list the current interest rate for each loan.

“(B) NOTIFICATION OF LOANS DISBURSED WITHOUT CERTIFICATION.—On or before the date a creditor issues any funds with respect to an extension of credit described in this subsection, the creditor shall notify the relevant institution of higher education, in writing, of the amount of the extension of credit and the student on whose behalf credit is extended. The form of such written notification shall be subject to the regulations of the Consumer Financial Protection Bureau.

“(C) ANNUAL REPORT.—A creditor that issues funds with respect to an extension of credit described in this subsection shall prepare and submit an annual report to the Consumer Financial Protection Bureau containing the required information about private student loans to be determined by the Consumer Financial Protection Bureau, in consultation with the Secretary of Education.”.

(b) DEFINITION OF PRIVATE EDUCATION LOAN.—Section 140(a)(7)(A) of the Truth in Lending Act (15 U.S.C. 1650(a)(7)(A)) is amended—

(1) by redesignating clause (ii) as clause (iii);

(2) in clause (i), by striking “and” after the semicolon; and

(3) by adding after clause (i) the following:

“(ii) is not made, insured, or guaranteed under title VII or title VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); and”.

(c) REGULATIONS.—Not later than 365 days after the date of enactment of this Act, the Consumer Financial Protection Bureau shall issue regulations in final form to implement paragraphs (3) and (9) of section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by subsection (a). Such regulations shall become effective not later than 6 months after their date of issuance.

SEC. 3. AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.

(a) AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.—Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by striking paragraph (28) and inserting the following:

“(28)(A) The institution shall—

“(i) upon the request of a private educational lender, acting in connection with an application initiated by a borrower for a private education loan in accordance with section 128(e)(3) of the Truth in Lending Act, provide certification to such private educational lender—

“(I) that the student who initiated the application for the private education loan, or on whose behalf the application was initiated, is enrolled or is scheduled to enroll at the institution;

“(II) of such student’s cost of attendance at the institution as determined under part F of this title; and

“(III) of the difference between—

“(aa) the cost of attendance at the institution; and

“(bb) the student’s estimated financial assistance received under this title and other assistance known to the institution, as applicable; and

“(ii) provide the certification described in clause (i), or notify the creditor that the institution has received the request for certification and will need additional time to comply with the certification request—

“(I) within 15 business days of receipt of such certification request; and

“(II) only after the institution has completed the activities described in subparagraph (B).

“(B) The institution shall, upon receipt of a certification request described in subparagraph (A)(i), and prior to providing such certification—

“(i) determine whether the student who initiated the application for the private education loan, or on whose behalf the application was initiated, has applied for and exhausted the Federal financial assistance available to such student under this title and inform the student accordingly; and

“(ii) provide the borrower whose loan application has prompted the certification request by a private educational lender, as described in subparagraph (A)(i), with the following information and disclosures:

“(I) The availability of, and the borrower’s potential eligibility for, Federal financial assistance under this title, including disclosing the terms, conditions, interest rates, and repayment options and programs of Federal student loans.

“(II) The borrower’s ability to select a private educational lender of the borrower’s choice.

“(III) The impact of a proposed private education loan on the borrower’s potential eligibility for other financial assistance, including Federal financial assistance under this title.

“(IV) The borrower’s right to accept or reject a private education loan within the 30-day period following a private educational lender’s approval of a borrower’s application and about a borrower’s 3-day right to cancel period.

“(C) For purposes of this paragraph, the terms ‘private educational lender’ and ‘private education loan’ have the meanings given such terms in section 140 of the Truth in Lending Act (15 U.S.C. 1650).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the effective date of the regulations described in section 2(c).

SEC. 4. REPORT.

Not later than 24 months after the issuance of regulations under section 2(c), the Director of the Consumer Financial Protection Bureau and the Secretary of Education shall jointly submit to Congress a report on the

compliance of institutions of higher education and private educational lenders with section 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by section 2, and section 487(a)(28) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)), as amended by section 3. Such report shall include information about the degree to which specific institutions utilize certifications in effectively encouraging the exhaustion of Federal student loan eligibility and lowering student private education loan debt.

By Mr. INHOFE (for himself, Mrs. BOXER, Mr. VITTER, Ms. LANDRIEU, Mr. COCHRAN, Mr. JOHNSON of South Dakota, and Ms. KLOBUCHAR):

S. 2282. A bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017; to the Committee on Environment and Public Works.

Mr. INHOFE. Mr. President, today I am pleased to introduce the reauthorization of the North American Wetlands Conservation Act, NAWCA. This bill has overwhelming bipartisan support, and I am pleased to have Senators BOXER, VITTER, LANDRIEU, COCHRAN, JOHNSON, and KLOBUCHAR as original cosponsors.

In fact, this is a conservation program that has long enjoyed support on both sides of the aisle. Back in 2006, I worked with my colleagues to pass the last reauthorization of this program by unanimous consent and was pleased that President Bush signed the bill into law.

This bill also has the support of many conservation and hunting groups including: Archery Trade Association, Association of Fish and Wildlife Agencies, Boone and Crockett Club, Bowhunting Preservation Alliance, Catch-A-Dream Foundation, Congressional Sportsmen's Foundation, Conservation Force, Dallas Safari Club, Delta Waterfowl, Ducks Unlimited, Izaak Walton League of America, Mule Deer Foundation, National Assembly of Sportsmen's Caucuses, National Rifle Association, National Trappers Association, National Wild Turkey Foundation, North American Bear Foundation, North American Grouse Partnership, Orion-The Hunters' Institute, Pheasants Forever, Pope and Young Club, Public Lands Foundation, Quail Forever, Quality Deer Management Association, Rocky Mountain Elk Foundation, Ruffed Grouse Society, Safari Club International, Texas Wildlife Association, The Conservation Fund, Theodore Roosevelt Conservation Partnership, Whitetails Unlimited, Wildlife Forever, and Wildlife Management Institute

NAWCA was first enacted in 1989 and incentivizes non-federal contributions to maintain and restore wetland habitat throughout North America. Since its inception, each Federal dollar has been matched, on average, by \$3.20 in

state and private funds. Not only do these funds help to support waterfowl populations that were once nearing all time lows, these voluntary projects also support nearly 7,500 new jobs annually.

The success of this program lies in the fact that these projects are not top down regulations coming from the Federal Government. These projects involve multiple partners from private organizations and the Federal Government who work together voluntarily to protect and restore millions of acres of wetlands.

In my home State of Oklahoma, NAWCA currently has 12 projects either completed or underway. These projects have conserved 26,869 acres of wildlife habitat and leveraged \$11.3 million in partner contributions. These projects benefit outdoor recreation, hunting and fishing, as well as boosting local economies.

NAWCA is a great example of how environmental conservation should be achieved. This program should put to rest the notion that voluntary efforts aren't successful. I would argue that these voluntary programs have been more successful and more cost effective than other mandatory Federal regulations.

I look forward to this reauthorization moving quickly through the Senate. Thank you.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 411—CONGRATULATING THE PENNSYLVANIA STATE UNIVERSITY IFC/PANHELLENIC DANCE MARATHON ON ITS CONTINUED SUCCESS IN SUPPORT OF THE FOUR DIAMONDS FUND AT PENN STATE HERSHEY CHILDREN'S HOSPITAL

Mr. CASEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 411

Whereas the Pennsylvania State University IFC/Panhellenic Dance Marathon (referred to in this preamble as "THON") is the largest student-run philanthropy in the world, with 700 dancers, more than 300 supporting organizations, and more than 15,000 volunteers involved in the annual event;

Whereas student volunteers at the Pennsylvania State University annually collect money and dance for 46 consecutive hours at the Bryce Jordan Center for THON, bringing energy and excitement to the Pennsylvania State University campus for the mission of conquering pediatric cancer and promoting awareness of the disease to thousands of individuals;

Whereas all THON activities support the mission of the Four Diamonds Fund at Penn State Hershey Children's Hospital, which provides financial and emotional support to pediatric cancer patients and their families and funds research on pediatric cancer;

Whereas, each year, THON is the largest donor to the Four Diamonds Fund at Penn

State Hershey Children's Hospital, having raised more than \$88,000,000 since 1977, when the 2 organizations first became affiliated;

Whereas, in 2012, THON set a new fundraising record of \$10,686,924.83, surpassing the previous record of \$9,563,016.09, set in 2011;

Whereas THON—

(1) has helped more than 2,000 families through the Four Diamonds Fund;

(2) is helping to build a new Pediatric Cancer Pavilion at Penn State Hershey Children's Hospital; and

(3) has supported pediatric cancer research that has caused some pediatric cancer survival rates to increase to nearly 90 percent; and

Whereas THON has inspired similar events and organizations across the United States, including at high schools and institutions of higher education, and continues to encourage students across the United States to volunteer and stay involved in great charitable causes in their communities: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Pennsylvania State University IFC/Panhellenic Dance Marathon (referred to in this resolution as "THON") on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; and

(2) commends the Pennsylvania State University students, volunteers, and supporting organizations who worked hard to put together another record-breaking THON.

SENATE RESOLUTION 412—COMMENDING THE AFRICAN UNION FOR COMMITTING TO A COORDINATED MILITARY RESPONSE, COMPRISED OF 5,000 TROOPS FROM UGANDA, THE CENTRAL AFRICAN REPUBLIC, THE DEMOCRATIC REPUBLIC OF CONGO, AND SOUTH SUDAN, IN ORDER TO FORTIFY ONGOING EFFORTS TO ARREST JOSEPH KONY AND SENIOR COMMANDERS OF THE LORD'S RESISTANCE ARMY AND TO STOP THE CRIMES AGAINST HUMANITY AND MASS ATROCITIES COMMITTED BY THEM

Ms. LANDRIEU (for herself and Mr. BROWN of Ohio) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 412

Whereas the Lord's Resistance Army (LRA) is one of Africa's oldest and most violent armed groups, responsible for committing crimes against humanity against civilian populations, including women and children, and believed to be operating since 2006 in the Central African Republic, the Democratic Republic of Congo, and what would become South Sudan;

Whereas the ongoing atrocities committed by LRA members target innocent civilians, including women and children, and include abduction, murder, mutilation, burning and looting of villages, and destruction of communities and livelihoods, causing the massive displacement of human populations and creating a humanitarian crisis;

Whereas the abduction of children and their forced conversion into LRA fighters is an LRA hallmark and involves initiating children into combat through brutal methods and brainwashing and subjects girls to forced sexual slavery and servitude;

Whereas the governments of those countries most affected by the LRA's reign of terror for over twenty years, including Uganda, the Central African Republic, the Democratic Republic of Congo, and what would become Southern Sudan, are leading efforts, with international support, to apprehend Kony and neutralize the LRA;

Whereas the African Union convened a regional ministerial meeting in October 2010 to bring together countries affected by the LRA, the United Nations, and international partners to address the LRA threat and promote humanitarian assistance and development aid to affected populations, and subsequently authorized, in November 2011, the Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army (RCI-LRA), with a mission to strengthen the operational capabilities of the affected countries and create an environment conducive to stabilizing those areas;

Whereas, on March 5, 2012, the nonprofit organization Invisible Children reinvigorated the national and global dialogue on the LRA and Kony by engaging millions of young citizens via creative social media and inspiring them to demand action and accountability of global leaders, which in turn has mobilized leaders within and outside of the United States Government in support of these concerns;

Whereas, on March 24, 2012, the African Union's Special Envoy for the LRA, Francisco Madeira, and Head of the United Nations' Regional Office for Central Africa, Abou Moussa, launched the operational phase of RCI-LRA by formally announcing the planned deployment of up to 5,000 soldiers to advance anti-LRA and anti-Kony efforts, and the next day formally inaugurated the Headquarters of the Regional Task Force in South Sudan to coordinate efforts to eliminate Kony and neutralize the LRA;

Whereas, in December 2008, Operation Lightning Thunder, a multinational effort, failed to capture and kill Kony in northern Congo, and escaping LRA fighters killed more than 800 civilians, abducted at least 160 children, and pillaged villages en route to the Central African Republic in an incident known as the Christmas Massacres, according to Human Rights Watch; and

Whereas enhanced international and regional cooperation and coordination are necessary to apprehend Kony and LRA leaders while protecting civilian populations against devastating retaliatory attacks: Now, therefore, be it

Resolved, That the Senate—

(1) commends the African Union for committing to enhanced troop deployments that will fortify the military response to the Lord's Resistance Army, in coordination with the Governments of Uganda, the Central African Republic, the Democratic Republic of Congo, and the Republic of South Sudan, in order to strengthen ongoing efforts to arrest Joseph Kony and senior commanders of the Lord's Resistance Army;

(2) supports increasing collaboration and coordination between the African Union and the Governments of Uganda, the Central African Republic, the Democratic Republic of Congo, and the Republic of South Sudan so that together they may swiftly and effectively implement RCI-LRA and bring Kony's criminal spree to an end;

(3) supports ongoing efforts by members of the United States Armed Forces currently deployed to serve as advisors to and partners of these national militaries and African Union forces; and

(4) supports continued efforts by the Secretary of State, the Secretary of Defense,

and other representatives of the United States Government to work with partner nations and the international community to strengthen the operational capabilities of African Union and other regional military forces deployed as part of RCI-LRA to protect civilians and neutralize the leadership of the Lord's Resistance Army.

SENATE RESOLUTION 413—SUPPORTING THE DESIGNATION OF APRIL 2012 AS NATIONAL AUTISM AWARENESS MONTH

Mr. CASEY submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 413

Whereas autism is a general term used to describe a group of complex developmental brain disorders known as pervasive developmental disorders, commonly known as autism spectrum disorders;

Whereas autism is a neurodevelopmental disorder that results in difficulties with communication and social interaction, as well as repetitive behaviors;

Whereas autism affects individuals differently, mildly affecting some and significantly disabling others;

Whereas according to a 2012 report published by the Centers for Disease Control and Prevention, as of 2008, autism affects an estimated 1 in every 88 children in the United States, including 1 in 54 boys, which is a 23 percent increase from 2006;

Whereas autism is 4 times more likely to be diagnosed in boys than in girls;

Whereas autism can affect anyone regardless of race, ethnicity, or other factors;

Whereas the lifetime incremental cost of caring for a person with autism is \$3,200,000;

Whereas the cost nationally of caring for persons affected by autism is estimated to be at least \$90,000,000,000 per year;

Whereas the number of autistic adults grows daily and, absent fundamental breakthroughs, will continue to increase in the years and decades ahead;

Whereas it is both a moral and fiscal imperative that services be made available that maximize the potential of each unique adult living with autism to contribute to the greatest extent possible to the society and economy of the United States;

Whereas it is well established that early intervention can improve outcomes by significantly improving the cognitive, language, and adaptive skills of people with autism;

Whereas the promise of early intervention is not being realized as close to 80 percent of adults with autism, even those without an intellectual disability, are unemployed and living at home with relatives rather than independently;

Whereas a variety of physical, medical, and mental-health issues may accompany autism, resulting in marked functional impairment in all activities of daily living;

Whereas these conditions may include epilepsy, Down syndrome, fragile X syndrome, gastrointestinal problems, immune-system disorders, sleep disturbance, sensory integration dysfunction, and metabolic disorders;

Whereas many individuals on the autism spectrum face co-occurring mental-health challenges, including anxiety, obsessive compulsions, and depression;

Whereas individuals living with autism are highly valued and deserve the highest level of dignity and acceptance by society; and

Whereas April 2012 would be an appropriate month to designate as National Autism Awareness Month to increase public awareness of the need to support individuals with autism and the family members and medical professionals who care for individuals with autism: Now, therefore, be it

Resolved, That the Senate—

(1) expresses support designating April 2012 as National Autism Awareness Month;

(2) recognizes and commends both individuals living with autism and the parents and relatives of those individuals for the sacrifice and dedication in providing for the special needs of autistic individuals and for absorbing financial costs for specialized education, medical clinical interventions, and support services;

(3) recognizes that—

(A) autism is a major public health crisis that is taking an enormous toll on millions of families who need answers that can come only through further research;

(B) meeting the education, employment, and service-provision needs of individuals on the autism spectrum is a clear and compelling public policy issue that requires a rapid national response; and

(C) individuals and families are desperate to access services that are, at this point, inadequate to meet the current and growing needs of individuals with autism;

(4) stresses the need to begin early intervention services soon after a child has been diagnosed with autism, noting that there is a strong consensus that intensive treatment as soon as possible following diagnosis can significantly improve cognitive functioning, language, and adaptive behavior, reduce the cost of lifetime care, and yield the most positive life outcomes for children with autism;

(5) recognizes—

(A) the importance of assistance in the areas of comprehensive early intervention, health, recreation, job training, employment, housing, transportation, and early, primary, and secondary education; and

(B) that with access to, and assistance with, this type of service and support, individuals with autism can live rich, full, and productive lives;

(6) recognizes that services for transitioning youth and adults with autism are an especially pressing need, as are services that enhance the safety of individuals with autism of any age; and

(7) recognizes that by providing adequate service and support at crucial points in life, adults with autism can become tax-paying citizens with productive and rewarding lives.

SENATE RESOLUTION 414—COMMEMORATING THE 125TH ANNIVERSARY OF THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE

Mr. BURR (for himself and Mrs. HAGAN) submitted the following resolution; which was considered and agreed to:

S. RES. 414

Whereas the University of North Carolina at Pembroke (referred to in this preamble as "the University") was founded on March 7, 1887, in Robeson County, North Carolina by an act of the General Assembly of North Carolina;

Whereas the University, originally named the Croatan Normal School, was created in response to a petition from the Indian people of Robeson County;

Whereas the University was founded for the purpose of training American Indian school teachers;

Whereas the University opened in the fall of 1887 with 15 students and 1 teacher;

Whereas the University moved to its present location in Pembroke, North Carolina in 1909;

Whereas a 2-year program beyond high school was added to the University in 1926;

Whereas the length of the program of college studies at the University was extended to 4 years in 1939;

Whereas, in 1941, the General Assembly of North Carolina changed the name of the University to Pembroke State College for Indians;

Whereas, until 1953, the University was the only State-supported 4-year college for Indians in the United States;

Whereas, in 1969, the General Assembly of North Carolina changed the name of the University to Pembroke State University and made the University a regional State university that provided instruction at both the undergraduate level and the graduate level;

Whereas, in 1972, the General Assembly of North Carolina established the 17-campus University of North Carolina system and made Pembroke State University 1 of the constituent institutions of the system;

Whereas, on July 1, 1996, Pembroke State University became the University of North Carolina at Pembroke;

Whereas, today, approximately 6,000 students from diverse backgrounds are enrolled in 41 undergraduate programs and 17 graduate programs at the University of North Carolina at Pembroke; and

Whereas March 7, 2012, marks the 125th anniversary of the founding of the University of North Carolina at Pembroke: Now, therefore, be it

Resolved, That the Senate commemorates the 125th anniversary of the University of North Carolina at Pembroke.

SENATE RESOLUTION 415—DESIGNATING APRIL 4, 2012, AS “NATIONAL ASSOCIATION OF JUNIOR AUXILIARIES DAY”

Mr. WICKER (for himself and Mr. PRYOR) submitted the following resolution; which was considered and agreed to:

S. RES. 415

Whereas the National Association of Junior Auxiliaries and the members of the National Association of Junior Auxiliaries provide valuable service and leadership opportunities for women who wish to take an active role in their communities;

Whereas the mission of the National Association of Junior Auxiliaries is to encourage member chapters to render charitable services that—

- (1) are beneficial to the general public; and
- (2) place a particular emphasis on providing for the needs of children; and

Whereas since the founding of the National Association of Junior Auxiliaries in 1941, the organization has provided strength and inspiration to women who want to effect positive change in their communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 4, 2012, as “National Association of Junior Auxiliaries Day”;

(2) recognizes the great contributions made by members of the National Association of Junior Auxiliaries to their communities and to the people of the United States; and

(3) especially commends the work of the members of the National Association of Junior Auxiliaries to better the lives of children in the United States.

SENATE RESOLUTION 416—SUPPORTING THE DESIGNATION OF APRIL AS PARKINSON’S AWARENESS MONTH

Ms. STABENOW (for herself, Mr. UDALL of Colorado, Mr. JOHANNS, Mr. ISAKSON, Mr. BROWN of Ohio, Ms. LANDRIEU, and Mrs. HUTCHISON) submitted the following resolution; which was considered and agreed to:

S. RES. 416

Whereas Parkinson’s disease is the second most common neurodegenerative disease in the United States, second only to Alzheimer’s disease;

Whereas there is inadequate comprehensive data on the incidence and prevalence of Parkinson’s disease, as of 2011, it is estimated that the disease affects from 500,000 to 1,500,000 people in the United States;

Whereas although research suggests the cause of Parkinson’s disease is a combination of genetic and environmental factors, the exact cause and progression of the disease is still unknown;

Whereas there is no objective test for Parkinson’s disease, and the rate of misdiagnosis can be high;

Whereas symptoms of Parkinson’s disease vary from person to person and include tremors, slowness, difficulty with balance, swallowing, chewing, speaking, rigidity, cognitive problems, dementia, mood disorders, such as depression and anxiety, constipation, skin problems, and sleep disruptions;

Whereas medications mask some symptoms of Parkinson’s disease for a limited amount of time each day, often with dose-limiting side effects;

Whereas ultimately the medications and treatments lose their effectiveness, generally after 4 to 8 years, leaving the person unable to move, speak, or swallow;

Whereas there is no cure, therapy, or drug to slow or halt the progression of Parkinson’s disease; and

Whereas increased education and research are needed to help find more effective treatments with fewer side effects and, ultimately, an effective treatment or cure for Parkinson’s disease: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of April as Parkinson’s Awareness Month;

(2) supports the goals and ideals of Parkinson’s Awareness Month;

(3) continues to support research to find better treatments, and eventually, a cure for Parkinson’s disease;

(4) recognizes the people living with Parkinson’s who participate in vital clinical trials to advance knowledge of the disease; and

(5) commends the dedication of local and regional organizations, volunteers, and millions of Americans across the country working to improve the quality of life of persons living with Parkinson’s disease and their families.

SENATE RESOLUTION 417—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PUBLIC HEALTH WEEK

Mr. MERKLEY (for himself, Mrs. FEINSTEIN, Mr. UDALL of New Mexico, Mr. AKAKA, Mr. COONS, Mr. TESTER, Mr. WYDEN, Mr. BEGICH, Mr. BROWN of Ohio, and Mr. JOHNSON of South Dakota) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 417

Whereas the week of April 2, 2012, through April 8, 2012, is National Public Health Week;

Whereas the theme for National Public Health Week in 2012 is “A Healthier America Begins Today: Join the Movement”;

Whereas since 1995, public health organizations have used National Public Health Week to educate the public, policymakers, and public health professionals about issues that are important to improving the health of people in the United States;

Whereas preventing diseases and injuries is critical to helping people live longer, healthier lives while managing health-related costs;

Whereas chronic diseases, such as heart disease, cancer, and diabetes are responsible for millions of premature deaths and cause the people in the United States to miss 2,500,000,000 days of work each year, resulting in lost productivity totaling more than \$1,000,000,000,000;

Whereas in 2012, people in the United States are living 78 years on average, but only 69 of these years are spent in good health;

Whereas despite providing some of the best health care in the world, the United States still ranks below many countries in life expectancy, infant mortality, and many other indicators of healthy life;

Whereas studies have shown that small strategic investments in prevention could result in significant savings in health-care costs; and

Whereas in communities across the United States, more people are changing the way they care for their health by avoiding tobacco use, eating healthier, becoming more physically active, and preventing unintentional injuries at home and in the workplace: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Public Health Week;

(2) recognizes the efforts of public-health professionals, the Federal Government, States, municipalities, local communities, and every person in the United States in preventing disease and injury;

(3) recognizes the role of public health in improving the health of people in the United States;

(4) encourages increased efforts and resources to improve the health of people in the United States through—

(A) strategies to promote community health and prevent disease and injury; and

(B) strengthening of the public health system of the United States; and

(5) encourages the people of the United States to learn about the role of the public health system in improving health in the United States.

SENATE CONCURRENT RESOLUTION 37—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2013, AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2014 THROUGH 2022

Mr. TOOMEY (for himself, Mr. VITTER, Mr. LEE, Mr. DEMINT, Mr. COBURN, Mr. BURR, Mr. KYL, and Mr. RISCH) submitted the following concurrent resolution; which was referred to the Committee on the Budget:

S. CON. RES. 37

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) **DECLARATION.**—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2014 through 2022.

(b) **TABLE OF CONTENTS.**—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

- Sec. 101. Recommended levels and amounts.
- Sec. 102. Social Security.
- Sec. 103. Postal Service discretionary administrative expenses.
- Sec. 104. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-reduction reserve fund for improper payments.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

- Sec. 301. Discretionary spending limits for fiscal years 2013 through 2022.
- Sec. 302. Point of order against advance appropriations.
- Sec. 303. Emergency legislation.
- Sec. 304. Adjustments for the extension of certain current policies.
- Sec. 305. Budgetary treatment of certain discretionary administrative expenses.
- Sec. 306. Application and effect of changes in allocations and aggregates.
- Sec. 307. Adjustments to reflect changes in concepts and definitions.
- Sec. 308. Exercise of rulemaking powers.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2022:

(1) **FEDERAL REVENUES.**—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

- Fiscal year 2013: \$2,060,819,000,000.
- Fiscal year 2014: \$2,222,217,000,000.
- Fiscal year 2015: \$2,462,866,000,000.
- Fiscal year 2016: \$2,651,643,000,000.
- Fiscal year 2017: \$2,812,231,000,000.
- Fiscal year 2018: \$2,947,218,000,000.
- Fiscal year 2019: \$3,089,164,000,000.
- Fiscal year 2020: \$3,244,913,000,000.
- Fiscal year 2021: \$3,407,296,000,000.
- Fiscal year 2022: \$3,575,255,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

- Fiscal year 2013: −\$232,519,000,000.
- Fiscal year 2014: −\$328,967,000,000.
- Fiscal year 2015: −\$353,418,000,000.
- Fiscal year 2016: −\$364,462,000,000.
- Fiscal year 2017: −\$382,107,000,000.
- Fiscal year 2018: −\$405,071,000,000.
- Fiscal year 2019: −\$429,409,000,000.
- Fiscal year 2020: −\$463,107,000,000.
- Fiscal year 2021: −\$499,656,000,000.
- Fiscal year 2022: −\$540,226,000,000.

(2) **NEW BUDGET AUTHORITY.**—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

- Fiscal year 2013: \$2,843,410,000,000.
- Fiscal year 2014: \$2,740,320,000,000.
- Fiscal year 2015: \$2,759,701,000,000.
- Fiscal year 2016: \$2,864,230,000,000.
- Fiscal year 2017: \$2,939,983,000,000.
- Fiscal year 2018: \$3,016,732,000,000.
- Fiscal year 2019: \$3,164,003,000,000.
- Fiscal year 2020: \$3,285,545,000,000.
- Fiscal year 2021: \$3,393,042,000,000.
- Fiscal year 2022: \$3,561,218,000,000.

(3) **BUDGET OUTLAYS.**—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

- Fiscal year 2013: \$2,883,512,000,000.
- Fiscal year 2014: \$2,759,155,000,000.
- Fiscal year 2015: \$2,755,846,000,000.
- Fiscal year 2016: \$2,860,688,000,000.
- Fiscal year 2017: \$2,920,044,000,000.
- Fiscal year 2018: \$2,995,110,000,000.
- Fiscal year 2019: \$3,133,308,000,000.
- Fiscal year 2020: \$3,240,510,000,000.
- Fiscal year 2021: \$3,361,584,000,000.
- Fiscal year 2022: \$3,529,438,000,000.

(4) **DEFICITS(ON-BUDGET).**—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

- Fiscal year 2013: \$822,692,000,000.
- Fiscal year 2014: \$536,938,000,000.
- Fiscal year 2015: \$292,980,000,000.
- Fiscal year 2016: \$209,045,000,000.
- Fiscal year 2017: \$107,812,000,000.
- Fiscal year 2018: \$47,892,000,000.
- Fiscal year 2019: \$44,144,000,000.
- Fiscal year 2020: −\$4,403,000,000.
- Fiscal year 2021: −\$45,712,000,000.
- Fiscal year 2022: −\$45,817,000,000.

(5) **PUBLIC DEBT.**—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

- Fiscal year 2013: \$16,899,735,000,000.
- Fiscal year 2014: \$17,623,701,000,000.
- Fiscal year 2015: \$18,107,497,000,000.
- Fiscal year 2016: \$18,496,863,000,000.
- Fiscal year 2017: \$18,791,789,000,000.
- Fiscal year 2018: \$19,055,263,000,000.
- Fiscal year 2019: \$19,364,135,000,000.
- Fiscal year 2020: \$19,655,060,000,000.
- Fiscal year 2021: \$19,829,669,000,000.
- Fiscal year 2022: \$20,012,601,000,000.

(6) **DEBT HELD BY THE PUBLIC.**—The appropriate levels of debt held by the public are as follows:

- Fiscal year 2013: \$12,263,719,000,000.
- Fiscal year 2014: \$12,888,838,000,000.
- Fiscal year 2015: \$13,276,755,000,000.
- Fiscal year 2016: \$13,567,838,000,000.
- Fiscal year 2017: \$13,754,302,000,000.
- Fiscal year 2018: \$13,878,371,000,000.
- Fiscal year 2019: \$14,000,008,000,000.
- Fiscal year 2020: \$14,081,861,000,000.
- Fiscal year 2021: \$14,055,939,000,000.
- Fiscal year 2022: \$14,049,329,000,000.

SEC. 102. SOCIAL SECURITY.

(a) **SOCIAL SECURITY REVENUES.**—For purposes of Senate enforcement under sections

302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

- Fiscal year 2013: \$675,120,000,000.
- Fiscal year 2014: \$731,427,000,000.
- Fiscal year 2015: \$772,640,000,000.
- Fiscal year 2016: \$821,698,000,000.
- Fiscal year 2017: \$872,014,000,000.
- Fiscal year 2018: \$919,303,000,000.
- Fiscal year 2019: \$965,008,000,000.
- Fiscal year 2020: \$1,010,593,000,000.
- Fiscal year 2021: \$1,055,547,000,000.
- Fiscal year 2022: \$1,102,093,000,000.

(b) **SOCIAL SECURITY OUTLAYS.**—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

- Fiscal year 2013: \$759,733,000,000.
- Fiscal year 2014: \$824,066,000,000.
- Fiscal year 2015: \$865,245,000,000.
- Fiscal year 2016: \$909,347,000,000.
- Fiscal year 2017: \$959,079,000,000.
- Fiscal year 2018: \$1,013,231,000,000.
- Fiscal year 2019: \$1,072,290,000,000.
- Fiscal year 2020: \$1,136,188,000,000.
- Fiscal year 2021: \$1,202,306,000,000.
- Fiscal year 2022: \$1,271,585,000,000.

(c) **SOCIAL SECURITY ADMINISTRATIVE EXPENSES.**—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

- Fiscal year 2013:
 - (A) New budget authority, \$5,767,000,000.
 - (B) Outlays, \$5,879,000,000.
- Fiscal year 2014:
 - (A) New budget authority, \$6,005,000,000.
 - (B) Outlays, \$6,010,000,000.
- Fiscal year 2015:
 - (A) New budget authority, \$6,075,000,000.
 - (B) Outlays, \$6,060,000,000.
- Fiscal year 2016:
 - (A) New budget authority, \$6,100,000,000.
 - (B) Outlays, \$6,120,000,000.
- Fiscal year 2017:
 - (A) New budget authority, \$6,120,000,000.
 - (B) Outlays, \$6,110,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$6,140,000,000.
 - (B) Outlays, \$6,130,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$6,150,000,000.
 - (B) Outlays, \$6,120,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$6,170,000,000.
 - (B) Outlays, \$6,150,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$6,190,000,000.
 - (B) Outlays, \$6,170,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$6,230,000,000.
 - (B) Outlays, \$6,220,000,000.

SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

- Fiscal year 2013:
 - (A) New budget authority, \$260,000,000.
 - (B) Outlays, \$260,000,000.
- Fiscal year 2014:
 - (A) New budget authority, \$260,000,000.
 - (B) Outlays, \$260,000,000.
- Fiscal year 2015:
 - (A) New budget authority, \$260,000,000.
 - (B) Outlays, \$260,000,000.

Fiscal year 2016:
 (A) New budget authority, \$260,000,000.
 (B) Outlays, \$260,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$260,000,000.
 (B) Outlays, \$260,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$270,000,000.
 (B) Outlays, \$270,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$270,000,000.
 (B) Outlays, \$270,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$280,000,000.
 (B) Outlays, \$280,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$290,000,000.
 (B) Outlays, \$290,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$290,000,000.
 (B) Outlays, \$290,000,000.

SEC. 104. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2022 for each major functional category are:

(1) National Defense (050):
 Fiscal year 2013:
 (A) New budget authority, \$553,906,000,000.
 (B) Outlays, \$587,915,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$564,056,000,000.
 (B) Outlays, \$577,237,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$574,318,000,000.
 (B) Outlays, \$573,792,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$585,563,000,000.
 (B) Outlays, \$584,659,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$598,824,000,000.
 (B) Outlays, \$590,418,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$612,080,000,000.
 (B) Outlays, \$605,148,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$625,346,000,000.
 (B) Outlays, \$618,413,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$639,645,000,000.
 (B) Outlays, \$629,709,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$653,946,000,000.
 (B) Outlays, \$641,009,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$664,275,000,000.
 (B) Outlays, \$653,333,000,000.
 (2) International Affairs (150):
 Fiscal year 2013:
 (A) New budget authority, \$26,373,000,000.
 (B) Outlays, \$36,907,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$24,356,000,000.
 (B) Outlays, \$26,031,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$20,850,000,000.
 (B) Outlays, \$21,977,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$18,951,000,000.
 (B) Outlays, \$21,968,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$20,534,000,000.
 (B) Outlays, \$22,351,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$21,570,000,000.
 (B) Outlays, \$22,387,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$21,587,000,000.
 (B) Outlays, \$20,726,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$21,571,000,000.
 (B) Outlays, \$19,641,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$21,726,000,000.

(B) Outlays, \$19,594,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$22,150,000,000.
 (B) Outlays, \$19,958,000,000.
 (3) General Science, Space, and Technology (250):
 Fiscal year 2013:
 (A) New budget authority, \$25,020,000,000.
 (B) Outlays, \$27,356,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$25,200,000,000.
 (B) Outlays, \$26,215,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$25,150,000,000.
 (B) Outlays, \$25,420,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$25,210,000,000.
 (B) Outlays, \$25,310,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$25,180,000,000.
 (B) Outlays, \$25,160,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$25,130,000,000.
 (B) Outlays, \$25,150,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$25,250,000,000.
 (B) Outlays, \$25,120,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$25,120,000,000.
 (B) Outlays, \$25,110,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$25,110,000,000.
 (B) Outlays, \$25,140,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$25,120,000,000.
 (B) Outlays, \$25,110,000,000.
 (4) Energy (270):
 Fiscal year 2013:
 (A) New budget authority, \$4,073,000,000.
 (B) Outlays, \$9,874,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$2,354,000,000.
 (B) Outlays, \$4,854,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$1,389,000,000.
 (B) Outlays, \$2,272,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$1,272,000,000.
 (B) Outlays, \$1,582,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$893,000,000.
 (B) Outlays, \$1,269,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$598,000,000.
 (B) Outlays, \$454,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$448,000,000.
 (B) Outlays, \$424,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$297,000,000.
 (B) Outlays, \$166,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$139,000,000.
 (B) Outlays, -\$37,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$115,000,000.
 (B) Outlays, -\$90,000,000.
 (5) Natural Resources and Environment (300):
 Fiscal year 2013:
 (A) New budget authority, \$29,491,000,000.
 (B) Outlays, \$33,124,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$27,246,000,000.
 (B) Outlays, \$30,762,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$27,288,000,000.
 (B) Outlays, \$29,079,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$26,336,000,000.
 (B) Outlays, \$27,547,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$26,614,000,000.
 (B) Outlays, \$27,433,000,000.

Fiscal year 2018:
 (A) New budget authority, \$27,123,000,000.
 (B) Outlays, \$27,235,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$27,100,000,000.
 (B) Outlays, \$26,990,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$27,091,000,000.
 (B) Outlays, \$26,965,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$26,233,000,000.
 (B) Outlays, \$26,415,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$25,101,000,000.
 (B) Outlays, \$24,779,000,000.
 (6) Agriculture (350):
 Fiscal year 2013:
 (A) New budget authority, \$20,359,000,000.
 (B) Outlays, \$23,551,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$19,737,000,000.
 (B) Outlays, \$19,688,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$18,606,000,000.
 (B) Outlays, \$18,202,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$17,235,000,000.
 (B) Outlays, \$17,184,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$17,264,000,000.
 (B) Outlays, \$17,104,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$17,647,000,000.
 (B) Outlays, \$17,201,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$17,565,000,000.
 (B) Outlays, \$17,106,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$17,771,000,000.
 (B) Outlays, \$17,436,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$16,799,000,000.
 (B) Outlays, \$16,405,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$14,776,000,000.
 (B) Outlays, \$14,386,000,000.
 (7) Commerce and Housing Credit (370):
 Fiscal year 2013:
 (A) New budget authority, \$3,014,000,000.
 (B) Outlays, \$6,719,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$7,953,000,000.
 (B) Outlays, -\$1,763,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$5,163,000,000.
 (B) Outlays, -\$5,843,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$3,169,000,000.
 (B) Outlays, -\$11,077,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$3,191,000,000.
 (B) Outlays, -\$12,668,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$3,069,000,000.
 (B) Outlays, -\$13,522,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$2,633,000,000.
 (B) Outlays, -\$19,742,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$2,416,000,000.
 (B) Outlays, -\$20,586,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$1,191,000,000.
 (B) Outlays, -\$14,782,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$3,373,000,000.
 (B) Outlays, -\$13,896,000,000.
 (8) Transportation (400):
 Fiscal year 2013:
 (A) New budget authority, \$83,447,000,000.
 (B) Outlays, \$83,477,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$83,714,000,000.
 (B) Outlays, \$83,714,000,000.

Fiscal year 2015:
 (A) New budget authority, \$73,132,000,000.
 (B) Outlays, \$73,132,000,000.

Fiscal year 2016:
 (A) New budget authority, \$74,224,000,000.
 (B) Outlays, \$74,224,000,000.

Fiscal year 2017:
 (A) New budget authority, \$75,369,000,000.
 (B) Outlays, \$75,369,000,000.

Fiscal year 2018:
 (A) New budget authority, \$75,471,000,000.
 (B) Outlays, \$75,471,000,000.

Fiscal year 2019:
 (A) New budget authority, \$75,491,000,000.
 (B) Outlays, \$75,491,000,000.

Fiscal year 2020:
 (A) New budget authority, \$76,594,000,000.
 (B) Outlays, \$76,594,000,000.

Fiscal year 2021:
 (A) New budget authority, \$76,679,000,000.
 (B) Outlays, \$76,679,000,000.

Fiscal year 2022:
 (A) New budget authority, \$77,753,000,000.
 (B) Outlays, \$77,753,000,000.

(9) Community and Regional Development
 (450):
 Fiscal year 2013:
 (A) New budget authority, \$10,910,000,000.
 (B) Outlays, \$18,067,000,000.

Fiscal year 2014:
 (A) New budget authority, \$11,070,000,000.
 (B) Outlays, \$14,760,000,000.

Fiscal year 2015:
 (A) New budget authority, \$11,156,000,000.
 (B) Outlays, \$13,652,000,000.

Fiscal year 2016:
 (A) New budget authority, \$11,180,000,000.
 (B) Outlays, \$12,140,000,000.

Fiscal year 2017:
 (A) New budget authority, \$11,469,000,000.
 (B) Outlays, \$11,305,000,000.

Fiscal year 2018:
 (A) New budget authority, \$11,373,000,000.
 (B) Outlays, \$11,151,000,000.

Fiscal year 2019:
 (A) New budget authority, \$11,328,000,000.
 (B) Outlays, \$11,120,000,000.

Fiscal year 2020:
 (A) New budget authority, \$11,213,000,000.
 (B) Outlays, \$11,088,000,000.

Fiscal year 2021:
 (A) New budget authority, \$11,209,000,000.
 (B) Outlays, \$11,083,000,000.

Fiscal year 2022:
 (A) New budget authority, \$11,094,000,000.
 (B) Outlays, \$11,020,000,000.

(10) Education, Training, Employment, and
 Social Services (500):
 Fiscal year 2013:
 (A) New budget authority, \$62,036,000,000.
 (B) Outlays, \$73,744,000,000.

Fiscal year 2014:
 (A) New budget authority, \$54,249,000,000.
 (B) Outlays, \$63,575,000,000.

Fiscal year 2015:
 (A) New budget authority, \$58,206,000,000.
 (B) Outlays, \$60,760,000,000.

Fiscal year 2016:
 (A) New budget authority, \$64,259,000,000.
 (B) Outlays, \$64,638,000,000.

Fiscal year 2017:
 (A) New budget authority, \$72,102,000,000.
 (B) Outlays, \$70,124,000,000.

Fiscal year 2018:
 (A) New budget authority, \$74,092,000,000.
 (B) Outlays, \$74,522,000,000.

Fiscal year 2019:
 (A) New budget authority, \$75,745,000,000.
 (B) Outlays, \$76,082,000,000.

Fiscal year 2020:
 (A) New budget authority, \$73,441,000,000.
 (B) Outlays, \$75,069,000,000.

Fiscal year 2021:
 (A) New budget authority, \$84,685,000,000.
 (B) Outlays, \$86,222,000,000.

Fiscal year 2022:
 (A) New budget authority, \$85,935,000,000.
 (B) Outlays, \$87,210,000,000.

(11) Health (550):
 Fiscal year 2013:
 (A) New budget authority, \$351,276,000,000.
 (B) Outlays, \$348,874,000,000.

Fiscal year 2014:
 (A) New budget authority, \$359,806,000,000.
 (B) Outlays, \$350,469,000,000.

Fiscal year 2015:
 (A) New budget authority, \$355,012,000,000.
 (B) Outlays, \$351,167,000,000.

Fiscal year 2016:
 (A) New budget authority, \$337,600,000,000.
 (B) Outlays, \$341,489,000,000.

Fiscal year 2017:
 (A) New budget authority, \$340,444,000,000.
 (B) Outlays, \$343,524,000,000.

Fiscal year 2018:
 (A) New budget authority, \$349,829,000,000.
 (B) Outlays, \$350,156,000,000.

Fiscal year 2019:
 (A) New budget authority, \$356,785,000,000.
 (B) Outlays, \$357,360,000,000.

Fiscal year 2020:
 (A) New budget authority, \$374,642,000,000.
 (B) Outlays, \$364,901,000,000.

Fiscal year 2021:
 (A) New budget authority, \$372,368,000,000.
 (B) Outlays, \$372,596,000,000.

Fiscal year 2022:
 (A) New budget authority, \$381,779,000,000.
 (B) Outlays, \$381,829,000,000.

(12) Medicare (570):
 Fiscal year 2013:
 (A) New budget authority, \$522,984,000,000.
 (B) Outlays, \$522,403,000,000.

Fiscal year 2014:
 (A) New budget authority, \$548,036,000,000.
 (B) Outlays, \$547,168,000,000.

Fiscal year 2015:
 (A) New budget authority, \$572,325,000,000.
 (B) Outlays, \$571,965,000,000.

Fiscal year 2016:
 (A) New budget authority, \$621,067,000,000.
 (B) Outlays, \$620,947,000,000.

Fiscal year 2017:
 (A) New budget authority, \$639,206,000,000.
 (B) Outlays, \$638,574,000,000.

Fiscal year 2018:
 (A) New budget authority, \$662,055,000,000.
 (B) Outlays, \$661,696,000,000.

Fiscal year 2019:
 (A) New budget authority, \$724,868,000,000.
 (B) Outlays, \$724,716,000,000.

Fiscal year 2020:
 (A) New budget authority, \$777,760,000,000.
 (B) Outlays, \$777,070,000,000.

Fiscal year 2021:
 (A) New budget authority, \$830,549,000,000.
 (B) Outlays, \$830,135,000,000.

Fiscal year 2022:
 (A) New budget authority, \$917,881,000,000.
 (B) Outlays, \$917,837,000,000.

(13) Income Security (600):
 Fiscal year 2013:
 (A) New budget authority, \$513,373,000,000.
 (B) Outlays, \$515,821,000,000.

Fiscal year 2014:
 (A) New budget authority, \$461,277,000,000.
 (B) Outlays, \$463,340,000,000.

Fiscal year 2015:
 (A) New budget authority, \$451,283,000,000.
 (B) Outlays, \$453,210,000,000.

Fiscal year 2016:
 (A) New budget authority, \$446,514,000,000.
 (B) Outlays, \$447,559,000,000.

Fiscal year 2017:
 (A) New budget authority, \$432,177,000,000.
 (B) Outlays, \$432,813,000,000.

Fiscal year 2018:
 (A) New budget authority, \$423,429,000,000.
 (B) Outlays, \$424,396,000,000.

Fiscal year 2019:
 (A) New budget authority, \$433,742,000,000.
 (B) Outlays, \$434,038,000,000.

Fiscal year 2020:
 (A) New budget authority, \$433,849,000,000.
 (B) Outlays, \$434,361,000,000.

Fiscal year 2021:
 (A) New budget authority, \$438,811,000,000.
 (B) Outlays, \$438,911,000,000.

Fiscal year 2022:
 (A) New budget authority, \$458,886,000,000.
 (B) Outlays, \$459,223,000,000.

(14) Social Security (650):
 Fiscal year 2013:
 (A) New budget authority, \$53,216,000,000.
 (B) Outlays, \$53,216,000,000.

Fiscal year 2014:
 (A) New budget authority, \$31,892,000,000.
 (B) Outlays, \$31,892,000,000.

Fiscal year 2015:
 (A) New budget authority, \$35,135,000,000.
 (B) Outlays, \$35,135,000,000.

Fiscal year 2016:
 (A) New budget authority, \$38,953,000,000.
 (B) Outlays, \$38,953,000,000.

Fiscal year 2017:
 (A) New budget authority, \$43,140,000,000.
 (B) Outlays, \$43,140,000,000.

Fiscal year 2018:
 (A) New budget authority, \$47,590,000,000.
 (B) Outlays, \$47,590,000,000.

Fiscal year 2019:
 (A) New budget authority, \$52,429,000,000.
 (B) Outlays, \$52,429,000,000.

Fiscal year 2020:
 (A) New budget authority, \$57,425,000,000.
 (B) Outlays, \$57,425,000,000.

Fiscal year 2021:
 (A) New budget authority, \$62,604,000,000.
 (B) Outlays, \$62,604,000,000.

Fiscal year 2022:
 (A) New budget authority, \$68,079,000,000.
 (B) Outlays, \$68,079,000,000.

(15) Veterans Benefits and Services (700):
 Fiscal year 2013:
 (A) New budget authority, \$134,495,000,000.
 (B) Outlays, \$133,755,000,000.

Fiscal year 2014:
 (A) New budget authority, \$136,990,000,000.
 (B) Outlays, \$136,084,000,000.

Fiscal year 2015:
 (A) New budget authority, \$139,829,000,000.
 (B) Outlays, \$139,039,000,000.

Fiscal year 2016:
 (A) New budget authority, \$148,058,000,000.
 (B) Outlays, \$147,074,000,000.

Fiscal year 2017:
 (A) New budget authority, \$146,491,000,000.
 (B) Outlays, \$145,327,000,000.

Fiscal year 2018:
 (A) New budget authority, \$144,633,000,000.
 (B) Outlays, \$143,406,000,000.

Fiscal year 2019:
 (A) New budget authority, \$153,640,000,000.
 (B) Outlays, \$152,378,000,000.

Fiscal year 2020:
 (A) New budget authority, \$157,369,000,000.
 (B) Outlays, \$156,086,000,000.

Fiscal year 2021:
 (A) New budget authority, \$161,120,000,000.
 (B) Outlays, \$159,802,000,000.

Fiscal year 2022:
 (A) New budget authority, \$171,001,000,000.
 (B) Outlays, \$169,302,000,000.

(16) Administration of Justice (750):
 Fiscal year 2013:
 (A) New budget authority, \$57,081,000,000.
 (B) Outlays, \$54,641,000,000.

Fiscal year 2014:
 (A) New budget authority, \$47,580,000,000.
 (B) Outlays, \$50,298,000,000.

Fiscal year 2015:
 (A) New budget authority, \$47,260,000,000.

(B) Outlays, \$49,154,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$48,935,000,000.
 (B) Outlays, \$50,540,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$47,052,000,000.
 (B) Outlays, \$48,728,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$46,895,000,000.
 (B) Outlays, \$48,529,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$46,775,000,000.
 (B) Outlays, \$47,360,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$46,691,000,000.
 (B) Outlays, \$46,705,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$46,934,000,000.
 (B) Outlays, \$46,896,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$51,782,000,000.
 (B) Outlays, \$51,510,000,000.
 (17) General Government (800):
 Fiscal year 2013:
 (A) New budget authority, \$22,220,000,000.
 (B) Outlays, \$22,962,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$21,995,000,000.
 (B) Outlays, \$22,022,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$21,710,000,000.
 (B) Outlays, \$21,844,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$21,490,000,000.
 (B) Outlays, \$21,737,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$21,037,000,000.
 (B) Outlays, \$21,077,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$21,163,000,000.
 (B) Outlays, \$21,155,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$21,284,000,000.
 (B) Outlays, \$21,310,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$21,297,000,000.
 (B) Outlays, \$21,417,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$21,403,000,000.
 (B) Outlays, \$21,376,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$21,500,000,000.
 (B) Outlays, \$21,477,000,000.
 (18) Net Interest (900):
 Fiscal year 2013:
 (A) New budget authority, \$356,871,000,000.
 (B) Outlays, \$356,871,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$372,006,000,000.
 (B) Outlays, \$372,006,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$406,919,000,000.
 (B) Outlays, \$406,919,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$460,941,000,000.
 (B) Outlays, \$460,941,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$515,503,000,000.
 (B) Outlays, \$515,503,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$553,551,000,000.
 (B) Outlays, \$553,551,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$599,832,000,000.
 (B) Outlays, \$599,832,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$636,232,000,000.
 (B) Outlays, \$636,232,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$658,704,000,000.
 (B) Outlays, \$658,704,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$680,273,000,000.
 (B) Outlays, \$680,273,000,000.

(19) Allowances (920):
 Fiscal year 2013:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2014:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2015:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2016:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2017:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2018:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2019:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2020:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2021:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2022:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2013:
 (A) New budget authority, -\$76,736,000,000.
 (B) Outlays, -\$76,736,000,000.
 Fiscal year 2014:
 (A) New budget authority, -\$79,197,000,000.
 (B) Outlays, -\$79,197,000,000.
 Fiscal year 2015:
 (A) New budget authority, -\$85,031,000,000.
 (B) Outlays, -\$85,031,000,000.
 Fiscal year 2016:
 (A) New budget authority, -\$86,726,000,000.
 (B) Outlays, -\$86,726,000,000.
 Fiscal year 2017:
 (A) New budget authority, -\$96,507,000,000.
 (B) Outlays, -\$96,507,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$100,566,000,000.
 (B) Outlays, -\$100,566,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$107,845,000,000.
 (B) Outlays, -\$107,845,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$114,878,000,000.
 (B) Outlays, -\$114,878,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$117,168,000,000.
 (B) Outlays, -\$117,168,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$119,655,000,000.
 (B) Outlays, -\$119,655,000,000.
 (21) Global War on Terror and Related Activities (970):
 Fiscal year 2013:
 (A) New budget authority, \$90,000,000,000.
 (B) Outlays, \$51,000,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$20,000,000,000.
 (B) Outlays, \$20,000,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2016:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2017:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.

Fiscal year 2018:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2019:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2020:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2021:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2022:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR IMPROPER PAYMENTS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by eliminating or reducing improper payments and use such savings to reduce the deficit. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 6 and 11 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2013 THROUGH 2022.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits other than those allocated to function 970 for war efforts overseas in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term “discretionary spending limit” means—

(1) for fiscal year 2013, \$985,469,000,000 in new budget authority and \$1,118,113,000,000 in outlays;

(2) for fiscal year 2014, \$995,547,000,000 in new budget authority and \$1,079,448,000,000 in outlays;

(3) for fiscal year 2015, \$1,004,921,000,000 in new budget authority and \$1,053,804,000,000 in outlays;

(4) for fiscal year 2016, \$1,015,924,000,000 in new budget authority and \$1,060,609,000,000 in outlays;

(5) for fiscal year 2017, \$1,030,766,000,000 in new budget authority and \$1,066,221,000,000 in outlays;

(6) for fiscal year 2018, \$1,043,364,000,000 in new budget authority and \$1,080,039,000,000 in outlays;

(7) for fiscal year 2019, \$1,056,286,000,000 in new budget authority and \$1,091,895,000,000 in outlays;

(8) for fiscal year 2020, \$1,069,722,000,000 in new budget authority and \$1,104,053,000,000 in outlays;

(9) for fiscal year 2021, \$1,085,565,000,000 in new budget authority and \$1,115,780,000,000 in outlays; and

(10) for fiscal year 2022, \$1,103,426,000,000 in new budget authority and \$1,134,954,000,000 in outlays.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2012 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal years 2013 and 2014 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,500,000,000 in new budget authority in each year; and

(2) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(d) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate

amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) INAPPLICABILITY.—In the Senate, section 402 of S. Con. Res. 13 (111th Congress) shall no longer apply.

SEC. 303. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits), and section 301 of this resolution (relating to discretionary spending). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms “direct spending”, “receipts”, and “appropriations for discretionary accounts” mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provi-

sion shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) INAPPLICABILITY.—In the Senate, section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, shall no longer apply.

SEC. 304. ADJUSTMENTS FOR THE EXTENSION OF CERTAIN CURRENT POLICIES.

(a) ADJUSTMENT.—For the purposes of determining points of order specified in subsection (b), the Chairman of the Committee on the Budget of the Senate may adjust the estimate of the budgetary effects of a bill, joint resolution, amendment, motion, or conference report that contains one or more provisions meeting the criteria of subsection (c) to exclude the amounts of qualifying budgetary effects.

(b) COVERED POINTS OF ORDER.—The Chairman of the Committee on the Budget of the Senate may make adjustments pursuant to this section for the following points of order only:

(1) Section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go).

(2) Section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits).

(3) Section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits).

(c) QUALIFYING LEGISLATION.—The Chairman of the Committee on the Budget of the Senate may make adjustments authorized under subsection (a) for legislation containing provisions that—

(1) amend or supersede the system for updating payments made under subsections 1848 (d) and (f) of the Social Security Act,

consistent with section 7(c) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139);

(2) amend the Estate and Gift Tax under subtitle B of the Internal Revenue Code of 1986, consistent with section 7(d) of the Statutory Pay-As-You-Go Act of 2010;

(3) extend relief from the Alternative Minimum Tax for individuals under sections 55 and 59 of the Internal Revenue Code of 1986, consistent with section 7(e) of the Statutory Pay-As-You-Go Act of 2010; and

(4) extend middle-class tax cuts made in the Economic Growth and Tax Relief Reconciliation Act of 2001 (Public Law 107-16) and the Jobs and Growth Tax Relief and Reconciliation Act of 2003 (Public Law 108-27), consistent with section 7(f) of the Statutory Pay-As-You-Go Act of 2010.

(d) **LIMITATION.**—The Chairman shall make any adjustments pursuant to this section in a manner consistent with the limitations described in sections 4(c) and 7(h) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139).

(e) **DEFINITION.**—For the purposes of this section, the terms “budgetary effects” or “effects” mean the amount by which a provision changes direct spending or revenues relative to the baseline.

(f) **SUNSET.**—This section shall expire on December 31, 2011.

SEC. 305. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committees on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

SEC. 306. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) **APPLICATION.**—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) **BUDGET COMMITTEE DETERMINATIONS.**—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 307. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency

Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 308. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

SENATE CONCURRENT RESOLUTION 38—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID (for himself and Mr. MCCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 38

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, March 29, 2012, through Sunday, April 1, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, April 16, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, April 13, 2012, on a motion offered pursuant to this concurrent resolution by its majority leader or his designee, it stand adjourned until 2 p.m. on Monday, April 16, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

SENATE CONCURRENT RESOLUTION 39—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2013, REVISING THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEAR 2012, AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2013 THROUGH 2022

Mr. PAUL (for himself, Mr. DEMINT, and Mr. LEE) submitted the following concurrent resolution; which was referred to the Committee on the Budget:

S. CON. RES. 39

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) **DECLARATION.**—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2013 through 2022.

(b) **TABLE OF CONTENTS.**—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-reduction reserve fund for the sale of unused or vacant Federal properties.
Sec. 202. Deficit-reduction reserve fund for selling excess Federal land.
Sec. 203. Deficit-reduction reserve fund for the repeal of Davis-Bacon prevailing wage laws.
Sec. 204. Deficit-reduction reserve fund for the reduction of purchasing and maintaining Federal vehicles.
Sec. 205. Deficit-reduction reserve fund for the sale of financial assets purchased through the Troubled Asset Relief Program.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

Sec. 301. Discretionary spending limits for fiscal years 2012 through 2022, program integrity initiatives, and other adjustments.
Sec. 302. Point of order against advance appropriations.
Sec. 303. Emergency legislation.
Sec. 304. Adjustments for the extension of certain current policies.
Sec. 305. Point of order against any budget resolution without the passage of a balance budget amendment.

Subtitle B—Other Provisions

Sec. 311. Oversight of Government performance.
Sec. 312. Application and effect of changes in allocations and aggregates.
Sec. 313. Adjustments to reflect changes in concepts and definitions.
Sec. 314. Rescind unspent or unobligated balances after 36 months.

TITLE IV—RECONCILIATION

Sec. 401. Reconciliation in the Senate.
Sec. 402. Directive to the Committee on the Budget of the Senate to replace the sequester established by the Budget Control Act of 2011.

TITLE V—CONGRESSIONAL POLICY CHANGES

Sec. 501. Policy statement on social security.
Sec. 502. Policy statement on medicare.
Sec. 503. Policy statement on tax reform.

TITLE VI—SENSE OF CONGRESS

Sec. 601. Regulatory reform.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2022:

(1) **FEDERAL REVENUES.**—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

- Fiscal year 2012: \$1,896,000,000,000.
Fiscal year 2013: \$1,615,000,000,000.
Fiscal year 2014: \$1,740,000,000,000.
Fiscal year 2015: \$2,261,000,000,000.
Fiscal year 2016: \$2,406,000,000,000.
Fiscal year 2017: \$2,651,000,000,000.
Fiscal year 2018: \$2,965,000,000,000.
Fiscal year 2019: \$3,186,000,000,000.
Fiscal year 2020: \$3,419,000,000,000.
Fiscal year 2021: \$3,663,000,000,000.
Fiscal year 2022: \$3,822,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

- Fiscal year 2012: -\$23,000,000,000.
Fiscal year 2013: -\$675,000,000,000.
Fiscal year 2014: -\$845,000,000,000.
Fiscal year 2015: -\$537,000,000,000.
Fiscal year 2016: -\$559,000,000,000.
Fiscal year 2017: -\$521,000,000,000.
Fiscal year 2018: -\$365,000,000,000.
Fiscal year 2019: -\$312,000,000,000.
Fiscal year 2020: -\$257,000,000,000.
Fiscal year 2021: -\$214,000,000,000.
Fiscal year 2022: -\$263,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

- Fiscal year 2012: \$3,519,858,000,000.
Fiscal year 2013: \$3,084,004,000,000.
Fiscal year 2014: \$3,106,658,000,000.
Fiscal year 2015: \$3,117,000,000,000.
Fiscal year 2016: \$3,283,243,000,000.
Fiscal year 2017: \$3,458,011,000,000.
Fiscal year 2018: \$3,659,956,000,000.
Fiscal year 2019: \$3,893,357,000,000.
Fiscal year 2020: \$4,090,845,000,000.
Fiscal year 2021: \$4,262,660,000,000.
Fiscal year 2022: \$4,464,458,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

- Fiscal year 2012: \$3,565,725,000,000.
Fiscal year 2013: \$3,109,085,000,000.
Fiscal year 2014: \$3,098,368,000,000.
Fiscal year 2015: \$3,092,240,000,000.
Fiscal year 2016: \$3,256,795,000,000.
Fiscal year 2017: \$3,408,942,000,000.
Fiscal year 2018: \$3,594,222,000,000.
Fiscal year 2019: \$3,842,333,000,000.
Fiscal year 2020: \$4,027,530,000,000.
Fiscal year 2021: \$4,208,224,000,000.
Fiscal year 2022: \$4,417,978,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

- Fiscal year 2012: \$1,043,000,000,000.
Fiscal year 2013: \$795,000,000,000.
Fiscal year 2014: \$631,000,000,000.
Fiscal year 2015: \$62,000,000,000.
Fiscal year 2016: \$31,000,000,000.
Fiscal year 2017: -\$111,000,000,000.
Fiscal year 2018: -\$285,000,000,000.
Fiscal year 2019: -\$302,000,000,000.
Fiscal year 2020: -\$395,000,000,000.
Fiscal year 2021: -\$504,000,000,000.
Fiscal year 2022: -\$501,000,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

- Fiscal year 2012: \$11,368,000,000,000.
Fiscal year 2013: \$12,197,000,000,000.
Fiscal year 2014: \$12,912,000,000,000.
Fiscal year 2015: \$13,084,000,000,000.
Fiscal year 2016: \$13,230,000,000,000.
Fiscal year 2017: \$13,147,000,000,000.
Fiscal year 2018: \$12,912,000,000,000.
Fiscal year 2019: \$12,631,000,000,000.
Fiscal year 2020: \$12,261,000,000,000.

Fiscal year 2021: \$11,787,000,000,000.
Fiscal year 2022: \$11,328,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

- Fiscal year 2012: \$11,242,000,000,000.
Fiscal year 2013: \$12,089,000,000,000.
Fiscal year 2014: \$12,812,000,000,000.
Fiscal year 2015: \$12,966,000,000,000.
Fiscal year 2016: \$13,076,000,000,000.
Fiscal year 2017: \$13,017,000,000,000.
Fiscal year 2018: \$12,784,000,000,000.
Fiscal year 2019: \$12,534,000,000,000.
Fiscal year 2020: \$12,191,000,000,000.
Fiscal year 2021: \$11,739,000,000,000.
Fiscal year 2022: \$11,290,000,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

- Fiscal year 2012: \$627,000,000,000.
Fiscal year 2013: \$698,000,000,000.
Fiscal year 2014: \$728,000,000,000.
Fiscal year 2015: \$770,000,000,000.
Fiscal year 2016: \$819,000,000,000.
Fiscal year 2017: \$868,000,000,000.
Fiscal year 2018: \$914,000,000,000.
Fiscal year 2019: \$958,000,000,000.
Fiscal year 2020: \$1,004,000,000,000.
Fiscal year 2021: \$1,049,000,000,000.
Fiscal year 2022: \$1,096,000,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

- Fiscal year 2012: \$770,420,000,000.
Fiscal year 2013: \$813,569,000,000.
Fiscal year 2014: \$857,048,000,000.
Fiscal year 2015: \$901,705,000,000.
Fiscal year 2016: \$950,000,000,000.
Fiscal year 2017: \$1,004,219,000,000.
Fiscal year 2018: \$1,063,321,000,000.
Fiscal year 2019: \$1,127,719,000,000.
Fiscal year 2020: \$1,197,313,000,000.
Fiscal year 2021: \$1,269,310,000,000.
Fiscal year 2022: \$1,345,264,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

- Fiscal year 2012:
(A) New budget authority, \$5,822,000,000.
(B) Outlays, \$5,793,000,000.
Fiscal year 2013:
(A) New budget authority, \$5,868,000,000.
(B) Outlays, \$6,108,000,000.
Fiscal year 2014:
(A) New budget authority, \$6,043,000,000.
(B) Outlays, \$6,269,000,000.
Fiscal year 2015:
(A) New budget authority, \$6,223,000,000.
(B) Outlays, \$6,386,000,000.
Fiscal year 2016:
(A) New budget authority, \$6,418,000,000.
(B) Outlays, \$6,379,000,000.
Fiscal year 2017:
(A) New budget authority, \$6,616,000,000.
(B) Outlays, \$6,379,000,000.
Fiscal year 2018:
(A) New budget authority, \$6,838,000,000.
(B) Outlays, \$6,794,000,000.
Fiscal year 2019:
(A) New budget authority, \$7,071,000,000.
(B) Outlays, \$7,024,000,000.

Fiscal year 2020:

- (A) New budget authority, \$7,304,000,000.
(B) Outlays, \$7,257,000,000.
Fiscal year 2021:
(A) New budget authority, \$7,543,000,000.
(B) Outlays, \$7,494,000,000.
Fiscal year 2022:
(A) New budget authority, \$7,796,000,000.
(B) Outlays, \$7,745,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2011 through 2021 for each major functional category are:

- (1) National Defense (050):
Fiscal year 2012:
(A) New budget authority, \$549,397,000,000.
(B) Outlays, \$559,626,000,000.
Fiscal year 2013:
(A) New budget authority, \$562,462,000,000.
(B) Outlays, \$587,049,000,000.
Fiscal year 2014:
(A) New budget authority, \$562,462,000,000.
(B) Outlays, \$587,807,000,000.
Fiscal year 2015:
(A) New budget authority, \$570,643,000,000.
(B) Outlays, \$574,208,000,000.
Fiscal year 2016:
(A) New budget authority, \$579,797,000,000.
(B) Outlays, \$580,181,000,000.
Fiscal year 2017:
(A) New budget authority, \$591,058,000,000.
(B) Outlays, \$583,077,000,000.
Fiscal year 2018:
(A) New budget authority, \$602,310,000,000.
(B) Outlays, \$587,825,000,000.
Fiscal year 2019:
(A) New budget authority, \$613,550,000,000.
(B) Outlays, \$603,494,000,000.
Fiscal year 2020:
(A) New budget authority, \$625,785,000,000.
(B) Outlays, \$615,208,000,000.
Fiscal year 2021:
(A) New budget authority, \$638,070,000,000.
(B) Outlays, \$627,214,000,000.
Fiscal year 2022:
(A) New budget authority, \$651,718,000,000.
(B) Outlays, \$645,558,000,000.
(2) International Affairs (150):
Fiscal year 2012:
(A) New budget authority, \$57,684,000,000.
(B) Outlays, \$50,501,000,000.
Fiscal year 2013:
(A) New budget authority, \$14,024,000,000.
(B) Outlays, \$20,680,000,000.
Fiscal year 2014:
(A) New budget authority, \$20,680,000,000.
(B) Outlays, \$15,069,000,000.
Fiscal year 2015:
(A) New budget authority, \$11,666,000,000.
(B) Outlays, \$11,423,000,000.
Fiscal year 2016:
(A) New budget authority, \$11,423,000,000.
(B) Outlays, \$12,347,000,000.
Fiscal year 2017:
(A) New budget authority, \$12,746,000,000.
(B) Outlays, \$13,359,000,000.
Fiscal year 2018:
(A) New budget authority, \$13,359,000,000.
(B) Outlays, \$13,471,000,000.
Fiscal year 2019:
(A) New budget authority, \$14,318,000,000.
(B) Outlays, \$14,318,000,000.
Fiscal year 2020:
(A) New budget authority, \$14,619,000,000.
(B) Outlays, \$11,335,000,000.
Fiscal year 2021:
(A) New budget authority, \$14,921,000,000.
(B) Outlays, \$11,541,000,000.
Fiscal year 2022:
(A) New budget authority, \$15,217,000,000.
(B) Outlays, \$11,742,000,000.
(3) General Science, Space, and Technology (250):

- Fiscal year 2012:
 (A) New budget authority, \$29,836,000,000.
 (B) Outlays, \$31,175,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$19,605,000,000.
 (B) Outlays, \$18,914,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$19,962,000,000.
 (B) Outlays, \$19,222,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$20,319,000,000.
 (B) Outlays, \$18,518,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$20,682,000,000.
 (B) Outlays, \$18,849,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$21,052,000,000.
 (B) Outlays, \$19,186,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$21,249,000,000.
 (B) Outlays, \$19,529,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$21,812,000,000.
 (B) Outlays, \$19,878,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$22,203,000,000.
 (B) Outlays, \$20,234,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$22,600,000,000.
 (B) Outlays, \$20,596,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$23,005,000,000.
 (B) Outlays, \$20,964,000,000.
- (4) Energy (270):
 Fiscal year 2012:
 (A) New budget authority, \$9,886,000,000.
 (B) Outlays, \$18,342,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$923,000,000.
 (B) Outlays, \$2,882,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$976,000,000.
 (B) Outlays, \$2,349,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$1,003,000,000.
 (B) Outlays, \$1,649,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$857,000,000.
 (B) Outlays, \$801,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$886,000,000.
 (B) Outlays, \$829,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$914,000,000.
 (B) Outlays, \$856,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$944,000,000.
 (B) Outlays, \$885,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$973,000,000.
 (B) Outlays, \$912,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$1,003,000,000.
 (B) Outlays, \$940,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$1,021,000,000.
 (B) Outlays, \$955,000,000.
- (5) Natural Resources and Environment (300):
 Fiscal year 2012:
 (A) New budget authority, \$37,109,000,000.
 (B) Outlays, \$42,242,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$24,206,000,000.
 (B) Outlays, \$23,864,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$23,864,000,000.
 (B) Outlays, \$23,928,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$24,441,000,000.
 (B) Outlays, \$22,864,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$24,912,000,000.
 (B) Outlays, \$23,178,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$25,401,000,000.
 (B) Outlays, \$23,571,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$26,392,000,000.
 (B) Outlays, \$24,430,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$26,745,000,000.
 (B) Outlays, \$24,747,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$27,636,000,000.
 (B) Outlays, \$25,441,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$27,558,000,000.
 (B) Outlays, \$25,561,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$27,904,000,000.
 (B) Outlays, \$25,787,000,000.
- (6) Agriculture (350):
 Fiscal year 2012:
 (A) New budget authority, \$22,686,000,000.
 (B) Outlays, \$19,646,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$20,143,000,000.
 (B) Outlays, \$22,255,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$20,600,000,000.
 (B) Outlays, \$19,523,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$20,545,000,000.
 (B) Outlays, \$20,545,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$20,567,000,000.
 (B) Outlays, \$19,628,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$20,518,000,000.
 (B) Outlays, \$19,549,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$20,811,000,000.
 (B) Outlays, \$19,765,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$21,010,000,000.
 (B) Outlays, \$19,990,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$21,275,000,000.
 (B) Outlays, \$20,266,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$21,560,000,000.
 (B) Outlays, \$20,514,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$21,631,000,000.
 (B) Outlays, \$20,583,000,000.
- (7) Commerce and Housing Credit (370):
 Fiscal year 2012:
 (A) New budget authority, \$42,288,000,000.
 (B) Outlays, \$42,685,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$12,386,000,000.
 (B) Outlays, \$11,996,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$12,332,000,000.
 (B) Outlays, – \$552,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$12,332,000,000.
 (B) Outlays, – \$1,240,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$11,997,000,000.
 (B) Outlays, – \$4,202,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$15,199,000,000.
 (B) Outlays, – \$4,255,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$15,864,000,000.
 (B) Outlays, – \$5,765,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$16,368,000,000.
 (B) Outlays, \$2,829,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$16,930,000,000.
 (B) Outlays, \$2,174,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$17,448,000,000.
 (B) Outlays, \$1,283,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$17,820,000,000.
 (B) Outlays, \$230,000,000.
- (8) Transportation (400):
 Fiscal year 2012:
 (A) New budget authority, \$88,325,000,000.
 (B) Outlays, \$91,171,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$77,499,000,000.
 (B) Outlays, \$80,200,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$76,644,000,000.
 (B) Outlays, \$80,149,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$77,240,000,000.
 (B) Outlays, \$81,869,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$78,217,000,000.
 (B) Outlays, \$83,149,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$79,069,000,000.
 (B) Outlays, \$84,439,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$79,014,000,000.
 (B) Outlays, \$83,270,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$80,669,000,000.
 (B) Outlays, \$84,969,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$81,266,000,000.
 (B) Outlays, \$85,940,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$81,783,000,000.
 (B) Outlays, \$87,078,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$82,635,000,000.
 (B) Outlays, \$88,495,000,000.
- (9) Community and Regional Development (450):
 Fiscal year 2012:
 (A) New budget authority, \$18,783,000,000.
 (B) Outlays, \$24,628,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$11,998,000,000.
 (B) Outlays, \$13,439,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$12,036,000,000.
 (B) Outlays, \$13,336,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$12,256,000,000.
 (B) Outlays, \$12,761,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$12,478,000,000.
 (B) Outlays, \$12,725,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$12,701,000,000.
 (B) Outlays, \$11,854,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$12,932,000,000.
 (B) Outlays, \$11,621,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$13,163,000,000.
 (B) Outlays, \$11,835,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$13,401,000,000.
 (B) Outlays, \$12,073,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$13,645,000,000.
 (B) Outlays, \$12,325,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$13,890,000,000.
 (B) Outlays, \$12,647,000,000.
- (10) Education, Training, Employment, and Social Services (500):
 Fiscal year 2012:
 (A) New budget authority, \$88,578,000,000.
 (B) Outlays, \$105,484,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$33,898,000,000.
 (B) Outlays, \$42,292,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$30,868,000,000.
 (B) Outlays, \$32,933,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$32,868,000,000.

(B) Outlays, \$29,490,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$33,437,000,000.
 (B) Outlays, \$29,870,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$42,660,000,000.
 (B) Outlays, \$37,022,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$46,337,000,000.
 (B) Outlays, \$43,104,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$49,313,000,000.
 (B) Outlays, \$45,960,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$49,859,000,000.
 (B) Outlays, \$47,385,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$50,122,000,000.
 (B) Outlays, \$50,122,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$50,554,000,000.
 (B) Outlays, \$47,920,000,000.
 (11) Health (550):
 Fiscal year 2012:
 (A) New budget authority, \$357,821,000,000.
 (B) Outlays, \$358,737,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$338,159,000,000.
 (B) Outlays, \$334,163,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$348,397,000,000.
 (B) Outlays, \$338,935,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$359,620,000,000.
 (B) Outlays, \$357,023,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$365,157,000,000.
 (B) Outlays, \$364,094,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$374,943,000,000.
 (B) Outlays, \$373,308,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$385,894,000,000.
 (B) Outlays, \$381,726,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$397,015,000,000.
 (B) Outlays, \$392,850,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$417,710,000,000.
 (B) Outlays, \$403,283,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$419,586,000,000.
 (B) Outlays, \$415,086,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$431,913,000,000.
 (B) Outlays, \$427,453,000,000.
 (12) Medicare (570):
 Fiscal year 2012:
 (A) New budget authority, \$487,762,000,000.
 (B) Outlays, \$487,661,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$509,976,000,000.
 (B) Outlays, \$510,212,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2015:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2016:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2017:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2018:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2019:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2020:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.

Fiscal year 2021:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2022:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 (13) Income Security (600):
 Fiscal year 2012:
 (A) New budget authority, \$534,107,000,000.
 (B) Outlays, \$533,175,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$355,125,000,000.
 (B) Outlays, \$347,966,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$362,716,000,000.
 (B) Outlays, \$355,966,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$362,163,000,000.
 (B) Outlays, \$357,163,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$369,163,000,000.
 (B) Outlays, \$369,695,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$368,254,000,000.
 (B) Outlays, \$364,817,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$371,087,000,000.
 (B) Outlays, \$636,453,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$385,838,000,000.
 (B) Outlays, \$383,743,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$396,715,000,000.
 (B) Outlays, \$395,180,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$408,219,000,000.
 (B) Outlays, \$407,134,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$422,855,000,000.
 (B) Outlays, \$427,176,000,000.
 (14) Social Security (650):
 Fiscal year 2012:
 (A) New budget authority, \$779,797,000,000.
 (B) Outlays, \$776,213,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$823,017,000,000.
 (B) Outlays, \$819,677,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$866,901,000,000.
 (B) Outlays, \$863,317,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$912,103,000,000.
 (B) Outlays, \$908,091,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$960,918,000,000.
 (B) Outlays, \$956,379,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$1,075,559,000,000.
 (B) Outlays, \$1,010,794,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$1,075,559,000,000.
 (B) Outlays, \$1,070,115,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$1,140,590,000,000.
 (B) Outlays, \$1,134,743,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$1,210,617,000,000.
 (B) Outlays, \$1,204,570,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$1,283,153,000,000.
 (B) Outlays, \$1,276,804,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$1,360,160,000,000.
 (B) Outlays, \$1,353,009,000,000.
 (15) Veterans Benefits and Services (700):
 Fiscal year 2012:
 (A) New budget authority, \$126,263,000,000.
 (B) Outlays, \$126,262,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$132,924,000,000.
 (B) Outlays, \$133,660,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$135,032,000,000.
 (B) Outlays, \$135,471,000,000.

Fiscal year 2015:
 (A) New budget authority, \$138,369,000,000.
 (B) Outlays, \$138,367,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$147,201,000,000.
 (B) Outlays, \$146,698,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$146,175,000,000.
 (B) Outlays, \$145,526,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$145,004,000,000.
 (B) Outlays, \$144,303,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$154,685,000,000.
 (B) Outlays, \$153,943,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$159,160,000,000.
 (B) Outlays, \$158,409,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$163,701,000,000.
 (B) Outlays, \$163,701,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$173,802,000,000.
 (B) Outlays, \$172,995,000,000.
 (16) Administration of Justice (750):
 Fiscal year 2012:
 (A) New budget authority, \$51,700,000,000.
 (B) Outlays, \$54,471,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$50,998,000,000.
 (B) Outlays, \$38,113,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$41,766,000,000.
 (B) Outlays, \$40,926,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$42,296,000,000.
 (B) Outlays, \$40,215,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$45,028,000,000.
 (B) Outlays, \$42,812,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$43,922,000,000.
 (B) Outlays, \$41,759,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$44,527,000,000.
 (B) Outlays, \$42,294,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$45,216,000,000.
 (B) Outlays, \$41,863,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$45,915,000,000.
 (B) Outlays, \$41,951,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$46,787,000,000.
 (B) Outlays, \$42,718,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$51,306,000,000.
 (B) Outlays, \$47,151,000,000.
 (17) General Government (800):
 Fiscal year 2012:
 (A) New budget authority, \$24,163,000,000,000.
 (B) Outlays, \$30,033,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$21,262,000,000.
 (B) Outlays, \$18,354,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$21,414,000,000.
 (B) Outlays, \$19,949,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$21,586,000,000.
 (B) Outlays, \$20,149,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$21,762,000,000.
 (B) Outlays, \$20,373,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$22,114,000,000.
 (B) Outlays, \$20,531,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$22,470,000,000.
 (B) Outlays, \$20,836,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$22,893,000,000.
 (B) Outlays, \$21,252,000,000.

Fiscal year 2020:
 (A) New budget authority, \$23,227,000,000.
 (B) Outlays, \$21,614,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$23,622,000,000.
 (B) Outlays, \$21,904,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$23,933,000,000.
 (B) Outlays, \$22,217,000,000.
 (18) Net Interest (900):
 Fiscal year 2012:
 (A) New budget authority, \$224,064,000,000.
 (B) Outlays, \$224,064,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$183,281,000,000.
 (B) Outlays, \$183,281,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$184,653,000,000.
 (B) Outlays, \$184,653,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$211,497,000,000.
 (B) Outlays, \$211,497,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$293,109,000,000.
 (B) Outlays, \$293,109,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$361,394,000,000.
 (B) Outlays, \$361,394,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$440,040,000,000.
 (B) Outlays, \$440,040,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$501,224,000,000.
 (B) Outlays, \$501,224,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$536,534,000,000.
 (B) Outlays, \$536,534,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$565,473,000,000.
 (B) Outlays, \$565,473,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$588,933,000,000.
 (B) Outlays, \$588,933,000,000.
 (19) Allowances (920):
 Fiscal year 2012:
 (A) New budget authority, \$45,400,000,000.
 (B) Outlays, \$45,400,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$57,358,000,000.
 (B) Outlays, \$57,358,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$71,118,000,000.
 (B) Outlays, \$71,118,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$79,148,000,000.
 (B) Outlays, \$79,148,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$92,742,000,000.
 (B) Outlays, \$92,742,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$91,236,000,000.
 (B) Outlays, \$91,236,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$86,010,000,000.
 (B) Outlays, \$86,010,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$56,114,000,000.
 (B) Outlays, \$56,114,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$58,063,000,000.
 (B) Outlays, \$58,063,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$58,990,000,000.
 (B) Outlays, \$58,990,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$55,589,000,000.
 (B) Outlays, \$55,589,000,000.
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2012:
 (A) New budget authority, \$91,535,000,000.
 (B) Outlays, \$91,535,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$95,678,000,000.

(B) Outlays, \$95,678,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$96,030,000,000.
 (B) Outlays, \$96,030,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$101,010,000,000.
 (B) Outlays, \$101,010,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$104,680,000,000.
 (B) Outlays, \$104,680,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$117,921,000,000.
 (B) Outlays, \$117,921,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$123,045,000,000.
 (B) Outlays, \$123,045,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$133,352,000,000.
 (B) Outlays, \$133,352,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$138,451,000,000.
 (B) Outlays, \$138,451,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$144,197,000,000.
 (B) Outlays, \$144,197,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$150,911,000,000.
 (B) Outlays, \$150,911,000,000.
 (21) Global War on Terrorism (970):
 Fiscal year 2012:
 (A) New budget authority, \$126,544,000,000.
 (B) Outlays, \$126,544,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$50,000,000,000.
 (B) Outlays, \$50,000,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2015:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2016:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2017:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2018:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2019:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2020:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2021:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2022:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 (22) Congressional Health Insurance for Seniors (990):
 Fiscal year 2012:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2013:
 (A) New budget authority, \$3,125,000,000.
 (B) Outlays, \$3,125,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$539,435,000,000.
 (B) Outlays, \$532,135,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$466,210,000,000.
 (B) Outlays, \$468,810,000,000.

Fiscal year 2016:
 (A) New budget authority, \$494,278,000,000.
 (B) Outlays, \$494,278,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$513,342,000,000.
 (B) Outlays, \$511,342,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$544,406,000,000.
 (B) Outlays, \$542,406,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$577,470,000,000.
 (B) Outlays, \$575,470,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$623,534,000,000.
 (B) Outlays, \$623,534,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$666,598,000,000.
 (B) Outlays, \$664,598,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$712,662,000,000.
 (B) Outlays, \$710,662,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF UNUSED OR VACANT FEDERAL PROPERTIES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any unused or vacant Federal properties. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 202. DEFICIT-REDUCTION RESERVE FUND FOR SELLING EXCESS FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any excess Federal land. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 203. DEFICIT-REDUCTION RESERVE FUND FOR THE REPEAL OF DAVIS-BACON PREVAILING WAGE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports from savings achieved by repealing the Davis-Bacon prevailing wage laws. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 204. DEFICIT-REDUCTION RESERVE FUND FOR THE REDUCTION OF PURCHASING AND MAINTAINING FEDERAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills,

joint resolutions, amendments, motions, or conference reports that achieve savings by reducing the federal vehicles fleet. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 205. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF FINANCIAL ASSETS PURCHASED THROUGH THE TROUBLED ASSET RELIEF PROGRAM.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling financial instruments and equity accumulated through the Troubled Asset Relief Program. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2012 THROUGH 2022, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) **SENATE POINT OF ORDER.**—

(1) **IN GENERAL.**—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) **SUPERMAJORITY WAIVER AND APPEALS.**—

(A) **WAIVER.**—This subsection may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) **APPEALS.**—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) **SENATE DISCRETIONARY SPENDING LIMITS.**—In the Senate and as used in this section, the term “discretionary spending limit” means—

(1) for fiscal year 2012, \$1,201,863,000,000 in new budget authority and \$1,308,512,000,000 in outlays;

(2) for fiscal year 2013, \$934,104,000,000 in new budget authority and \$1,023,435,000,000 in outlays;

(3) for fiscal year 2014, \$891,861,000,000 in new budget authority and \$965,519,000,000 in outlays;

(4) for fiscal year 2015, \$906,188,000,000 in new budget authority and \$943,141,000,000 in outlays;

(5) for fiscal year 2016 \$921,824,000,000 in new budget authority and \$955,362,000,000 in outlays;

(6) for fiscal year 2017, \$939,918,000,000 in new budget authority and \$964,874,000,000 in outlays;

(7) for fiscal year 2018, \$958,654,000,000 in new budget authority and \$974,728,000,000 in outlays;

(8) for fiscal year 2019, \$977,693,000,000 in new budget authority and \$998,696,000,000 in outlays;

(9) for fiscal year 2020, \$997,939,000,000 in new budget authority and \$1,018,172,000,000 in outlays;

(10) for fiscal year 2021, \$1,018,340,000,000 in new budget authority and \$1,038,189,000,000 in outlays; and

(11) for fiscal year 2022, \$1,040,081,000,000 in new budget authority and \$1,064,838,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) **ADJUSTMENTS IN THE SENATE.**—

(1) **IN GENERAL.**—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment or motion thereto or the submission of a conference report thereon—

(A) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) **ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.**—

(A) **ADJUSTMENTS.**—The Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, allocations to the Committee on Appropriations of the Senate, and aggregates for one or more—

(i) bills reported by the Committee on Appropriations of the Senate or passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committee on Appropriations of the Senate;

(iii) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Committee on Appropriations of the Senate; or

(iv) conference reports; making appropriations for overseas deployments and other activities in the amounts specified in subparagraph (B).

(B) **AMOUNTS SPECIFIED.**—The amounts specified are—

(i) for fiscal year 2012, \$126,544,000,000 in new budget authority and the outlays flowing therefrom;

(ii) for fiscal year 2013, \$50,000,000,000 in new budget authority and the outlays flowing therefrom;

(iii) for fiscal year 2014, \$0 in new budget authority and the outlays flowing therefrom;

(iv) for fiscal year 2015, \$0 in new budget authority and the outlays flowing therefrom;

(v) for fiscal year 2016, \$0 in new budget authority and the outlays flowing therefrom;

(vi) for fiscal year 2017, \$0 in new budget authority and the outlays flowing therefrom;

(vii) for fiscal year 2018, \$0 in new budget authority and the outlays flowing therefrom;

(viii) for fiscal year 2019, \$0 in new budget authority and the outlays flowing therefrom;

(ix) for fiscal year 2020, \$0 in new budget authority and the outlays flowing therefrom;

(x) for fiscal year 2021, \$0 in new budget authority and the outlays flowing therefrom; and

(xi) for fiscal year 2022, \$0 in new budget authority and the outlays flowing therefrom.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(b) **DEFINITION.**—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

SEC. 303. EMERGENCY LEGISLATION.

(a) **AUTHORITY TO DESIGNATE.**—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) **EXEMPTION OF EMERGENCY PROVISIONS.**—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits), and section 301 of this resolution (relating to discretionary spending). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) **DESIGNATIONS.**—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) **DEFINITIONS.**—In this section, the terms “direct spending”, “receipts”, and “appropriations for discretionary accounts” mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) **POINT OF ORDER.**—

(1) **IN GENERAL.**—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) **SUPERMAJORITY WAIVER AND APPEALS.**—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) INAPPLICABILITY.—In the Senate, section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, shall no longer apply.

SEC. 304. ADJUSTMENTS FOR THE EXTENSION OF CERTAIN CURRENT POLICIES.

(a) ADJUSTMENT.—For the purposes of determining points of order specified in subsection (b), the Chairman of the Committee on the Budget of the Senate may adjust the estimate of the budgetary effects of a bill, joint resolution, amendment, motion, or conference report that contains one or more provisions meeting the criteria of subsection (c) to exclude the amounts of qualifying budgetary effects.

(b) COVERED POINTS OF ORDER.—The Chairman of the Committee on the Budget of the

Senate may make adjustments pursuant to this section for the following points of order only:

(1) Section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go).

(2) Section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits).

(3) Section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits).

(c) QUALIFYING LEGISLATION.—The Chairman of the Committee on the Budget of the Senate may make adjustments authorized under subsection (a) for legislation containing provisions that—

(1) amend or supersede the system for updating payments made under subsections 1848 (d) and (f) of the Social Security Act, consistent with section 7(c) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139);

(2) amend the Internal Revenue Code of 1986, in order to establish a single, flat tax rate of 17 percent consistent with section 7(d) of the Statutory Pay-As-You-Go Act of 2010; and

(3) extend relief from the Alternative Minimum Tax for individuals under sections 55 59 of the Internal Revenue Code of 1986, consistent with section 7(e) of the Statutory Pay-As-You-Go Act of 2010.

(d) DEFINITION.—For the purposes of this section, the terms “budgetary effects” or “effects” mean the amount by which a provision changes direct spending or revenues relative to the baseline.

(e) SUNSET.—This section shall expire on December 31, 2012.

SEC. 305. POINT OF ORDER AGAINST ANY BUDGET RESOLUTION WITHOUT THE PASSAGE OF A BALANCE BUDGET AMENDMENT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any budget resolution following the enactment of this resolution until a balance budget amendment to the Constitution has been adopted.

(b) SUPERMAJORITY WAIVER AND APPEALS IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(2) APPEALS.—An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(c) SUNSET.—This section shall expire after the ratification of an amendment to the Constitution requiring a balanced budget.

Subtitle B—Other Provisions

SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the Government Accountability Office’s High Risk list reports. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 314. RESCIND UNSPENT OR UNOBLIGATED BALANCES AFTER 36 MONTHS.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall require that any unobligated or unspent allocations be rescinded after 36 months.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments resulting from the required rescissions shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

TITLE IV—RECONCILIATION

SEC. 401. RECONCILIATION IN THE SENATE.

(a) SUBMISSION TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.—

(1) IN GENERAL.—Not later than September 1, 2012, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the United States Senate. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON FOREIGN RELATIONS.—The Committee on Foreign Relations shall report changes in law within its jurisdiction sufficient to reduce direct spending by \$2,864,000,000 for the period of fiscal years 2013 through 2022.

(B) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$2,432,000,000 for the period of fiscal years 2013 through 2022.

(C) COMMITTEE ON AGRICULTURE, NUTRITION, AND ENERGY.—The Committee on Agriculture, Nutrition, and Energy shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$6,100,000,000 for the period of fiscal years 2013 through 2022.

(D) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Committee on Environment and Public Works shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$3,422,000,000 for the period of fiscal years 2013 through 2022.

(E) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$1,584,000,000,000 for the period of fiscal years 2013 through 2022.

(F) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$3,473,634,000,000 for the period of fiscal years 2013 through 2022.

(G) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$7,818,000,000 for the period of fiscal years 2013 through 2022.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

SEC. 402. DIRECTIVE TO THE COMMITTEE ON THE BUDGET OF THE SENATE TO REPLACE THE SEQUESTER ESTABLISHED BY THE BUDGET CONTROL ACT OF 2011.

(a) SUBMISSION.—In the Senate, the Committee on the Budget shall report to the Senate a bill carrying out the directions set forth in subsection (b).

(b) DIRECTIONS.—The bill referred to in subsection (a) shall include the following provisions:

(1) REPLACING THE SEQUESTER ESTABLISHED BY THE BUDGET CONTROL ACT OF 2011.—The language shall amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established under that section consistent with this concurrent resolution.

(2) APPLICATION OF PROVISIONS.—The bill referred to in subsection (a) shall include language making it application contingent upon the enactment of the reconciliation bill referred to in section 401.

TITLE V—CONGRESSIONAL POLICY CHANGES

SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window as follows:

(1) The legislation must modify the Primary Insurance Amount formula between 2018 and 2055 to gradually reduce benefits on a progressive basis for works with career-average earnings above the 40th percentile of new retired workers.

(2) The normal retirement age will increase by 3 months each year starting with

individuals reaching age 62 in 2017 and stopping with the normal retirement age reaches the age of 70 for individuals reaching the age of 62 in 2032.

(3) The earliest eligibility age will be increased by 3 months per year starting with individuals reaching age 62 in 2021 and will stop with the reaches age 64 for individuals reaching the age 62 in 2028 or later.

SEC. 502. POLICY STATEMENT ON MEDICARE.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare as follows:

(1) Enrolls seniors in the same health care plan as Federal employees and Members of Congress, similar to the Federal Employee Health Benefits Plan (FEHBP).

(2) Beginning on January 1, 2014, the Director of the Office of Personnel Management shall ensure seniors currently enrolled or eligible for Medicare will have access to Congressional Health Care for Seniors Act.

(3) Prevents the Office of Personnel and Management from placing onerous new mandates on health insurance plans, but allows the agency to continue to enforce reasonable minimal standards for plans, ensure the plans are fiscally solvent, and enforces rules for consumer protections.

(4) The legislation must create a new “high-risk pool” for the highest cost patients, providing a direct reimbursement to health care plans that enroll the costliest 5 percent of patients.

(5) Ensures that every senior can afford the high-quality insurance offered by FEHBP, providing support for 75 percent of the total costs, providing additional premium assistance to those who cannot afford the remaining share.

(6) The legislation must increase the age of eligibility gradually over 20 years, increasing the age from 65 to 70, resulting in a 3-month increase per year.

(7) High-income seniors will be provided less premium support than low-income seniors.

SEC. 503. POLICY STATEMENT ON TAX REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a tax reform that broadens the tax base, reduces tax complexity, includes a consumption-based income tax, and a globally competitive flat tax as follows:

(1) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax rate of 17 percent on adjusted gross income. The individual tax code shall remove all credits and deductions, with exception to the mortgage interest deduction, offsetting these with a substantially higher standard deduction and personal exemption. The standard deduction for joint filers is \$30,320, \$19,350 for head of household, and \$15,160 for single filers. The personal exemption amount is \$6,530. This proposal eliminates the individual alternative minimum tax (AMT). The tax reform would repeal all tax on savings and investments, including capital gains, qualified and ordinary dividends, estate, gift, and interest saving taxes.

(2) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax of 17 percent on adjusted gross income. The business tax code shall remove all credits and deductions, offsetting these with a lower tax rate and immediate expensing of all business inputs. Such inputs shall be determined by total revenue from the sale of good and services less purchases of inputs from other firms less wages, salaries, and

pensions paid to workers less purchases of plant and equipment.

(3) The individuals and businesses would be subject to taxation on only those incomes that are produced or derived, as a territorial system in the United States. The aggregate taxes paid should provide the ability to fill out a tax return no larger than a postcard.

TITLE VI—SENSE OF CONGRESS

SEC. 601. REGULATORY REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform as follows:

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies.

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the policy of Congress to vote on the Executive In Need of Scrutiny Act, legislation that would require all regulations that impose a burden greater than \$100 million in economic aggregate may not be implement as law unless Congress gives their consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It shall be the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every 2 years unless repromulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily require regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed \$100,000,000 in aggregate economic costs.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1998. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 2297, to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes.

SA 1999. Mr. REID (for Mr. PAUL) proposed an amendment to the resolution S. Res. 80, condemning the Government of Iran for its state-sponsored persecution of its Baha’i minority and its continued violation of the International Covenants on Human Rights.

TEXT OF AMENDMENTS

SA 1998. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 2297, to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes; as follows:

On page 5, after line 6, add the following:

SEC. 4. PROJECT FOR NAVIGATION, WASHINGTON CHANNEL, DISTRICT OF COLUMBIA.

(a) IN GENERAL.—The portion of the project for navigation of the Corps of Engineers at Potomac River, Washington Channel, District of Columbia, as authorized by the Act

of August 30, 1935 (chapter 831; 49 Stat. 1028), and described in subsection (b), is deauthorized.

(b) DESCRIPTION OF PROJECT.—The deauthorized portion of the project for navigation is as follows: Beginning at Washington Harbor Channel Geometry Centerline of the 400-foot-wide main navigational ship channel, Centerline Station No. 103+73.12, coordinates North 441948.20, East 1303969.30, as stated and depicted on the Condition Survey Anacostia, Virginia, Washington and Magazine Bar Shoal Channels, Washington, D.C., Sheet 6 of 6, prepared by the United States Army Corps of Engineers, Baltimore district, July 2007; thence departing the aforementioned centerline traveling the following courses and distances: N. 40 degrees 10 minutes 45 seconds E., 200.00 feet to a point, on the outline of said 400-foot-wide channel thence binding on said outline the following 3 courses and distances: S. 49 degrees 49 minutes 15 seconds E., 1,507.86 feet to a point, thence; S. 29 degrees 44 minutes 42 seconds E., 2,083.17 feet to a point, thence; S. 11 degrees 27 minutes 04 seconds E., 363.00 feet to a point, thence; S. 78 degrees 32 minutes 56 seconds W., 200.00 feet to a point binding on the centerline of the 400-foot-wide main navigational channel at computed Centerline Station No. 65+54.31, coordinates North 438923.9874, East 1306159.9738, thence; continuing with the aforementioned centerline the following courses and distances: N. 11 degrees 27 minutes 04 seconds W., 330.80 feet to a point, Centerline Station No. 68+85.10, thence; N. 29 degrees 44 minutes 42 seconds W., 2,015.56 feet to a point, Centerline Station No. 89+00.67, thence; N. 49 degrees 49 minutes 15 seconds W., 1,472.26 feet to the point of beginning, the area in total containing a computed area of 777,284 square feet or 17.84399 acres of riparian water way.

SA 1999. Mr. REID (for Mr. PAUL) proposed an amendment to the resolution S. Res. 80, condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights; as follows:

On page 5, line 4, strike the words "all available".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 29, 2012, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 29, 2012, at 10 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Com-

mittee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 29, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 29, 2012, at 2:15 p.m., to hold a African Affairs Subcommittee hearing entitled, "A Closer Look at Nigeria: Security, Governance, and Trade."

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of Senate, in order to conduct a hearing entitled, "FDA User Fee Agreements: Strengthening FDA and the Medical Products Industry for the Benefit of Patients" on March 29, 2012, at 10 a.m., in room 216 of the Hart Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 29, 2012, at 9:30 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on March 29, 2012, at 10 a.m., to conduct a hearing entitled "S. 2219, the "Democracy Is Strengthened by Casting Light on Spending in Elections Act of 2012 (DISCLOSE Act of 2012)."

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on March 29, 2012, at 10 a.m. in room 432 of the Russell Senate Office building to conduct a hearing entitled "The FY 2013 Budget Request for the Small Business Administration."

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

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Ad Hoc

Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 29, 2012, at 10 a.m. to conduct a hearing entitled "Contracts: How Much Are They Costing the Government?"

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 29, 2012, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. ISAKSON. Mr. President, I ask unanimous consent that Cate Cravath, Katie Hoppe, and Michael Finn, interns with the Budget Committee, be granted the privilege of the floor during the remainder of today's session.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Lucy Stein and Sarah Newman of my staff be granted floor privileges for the duration of today's session.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 344, 346, 422, 493, 494, 495, 496, 499, 500, 504, 505, 506, 507, 511, 514, 515, 516, 517, 520, 521, 522, 523, 524, 525, 526, 541, 543, 544, 546, 547, 548, 549, 550, 551, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 608, 614, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 641, 642, 643, 648, 649, and all nominations placed on the Secretary's desk in the Foreign Service; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. MCCONNELL. Mr. President, I will not be objecting, but I do want to briefly make a comment. This is the result of a successful discussion among the majority leader, the White House, and myself. Based on the White House assurance that there will be no recess appointments during the upcoming adjournment, I will not be objecting.

I wish to say to my friend, the majority leader, this is the way we ought to be conducting business. I think it was a successful negotiation, and I certainly do not object.

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

Mr. REID. Mr. President, very quickly—I know the Republican leader is in a hurry—I agree. This is the way we should legislate. I hope—maybe not in the 2-week period we come back, but after that—we start doing appropriations bills. We are both committed—the Republican leader and I—we are committed to doing appropriations bills this year, and we have to do that. We cannot let other things stand in the way of getting them done. I appreciate the cooperation of the White House and my friend the Republican leader.

The nominations considered and confirmed are as follows:

FEDERAL DEPOSIT INSURANCE CORPORATION

Martin J. Gruenberg, of Maryland, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term expiring December 27, 2018.

DEPARTMENT OF THE TREASURY

Thomas J. Curry, of Massachusetts, to be Comptroller of the Currency for a term of five years.

DEPARTMENT OF STATE

Michael A. Hammer, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor to be an Assistant Secretary of State (Public Affairs).

DEPARTMENT OF ENERGY

Charles DeWitt McConnell, of Ohio, to be an Assistant Secretary of Energy (Fossil Energy).

David T. Danielson, of California, to be an Assistant Secretary of Energy (Energy Efficiency and Renewable Energy).

LaDoris Guess Harris, of Georgia, to be Director of the Office of Minority Economic Impact, Department of Energy.

Gregory Howard Woods, of New York, to be General Counsel of the Department of Energy.

STATE JUSTICE INSTITUTE

James R. Hannah, of Arkansas, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2013.

Daniel J. Becker, of Utah, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2013.

DEPARTMENT OF STATE

Roberta S. Jacobson, of Maryland, a Career Member of the Senior Executive Service, to be an Assistant Secretary of State (Western Hemisphere Affairs).

Elizabeth M. Cousens, of Washington, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

Elizabeth M. Cousens, of Washington, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations.

DEPARTMENT OF JUSTICE

Michael E. Horowitz, of Maryland, to be Inspector General, Department of Justice.

DEPARTMENT OF COMMERCE

Rebecca M. Blank, of Maryland, to be Deputy Secretary of Commerce.

FEDERAL TRADE COMMISSION

Jon D. Leibowitz, of Maryland, to be a Federal Trade Commissioner for a term of seven years from September 26, 2010.

Maureen K. Ohlhausen, of Virginia, to be a Federal Trade Commissioner for a term of seven years from September 26, 2011.

DEPARTMENT OF JUSTICE

Kathryn Keneally, of New York, to be an Assistant Attorney General.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Maurice A. Jones, of Virginia, to be Deputy Secretary of Housing and Urban Development.

FEDERAL DEPOSIT INSURANCE CORPORATION

Thomas Hoenig, of Missouri, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of six years.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Deepa Gupta, of Illinois, to be a Member of the National Council on the Arts for a term expiring September 3, 2016.

Christopher Merrill, of Iowa, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

NATIONAL COUNCIL ON DISABILITY

Stephanie Orlando, of New York, to be a Member of the National Council on Disability for the remainder of the term expiring September 17, 2011.

Stephanie Orlando, of New York, to be a Member of the National Council on Disability for a term expiring September 17, 2014.

Gary Blumenthal, of Massachusetts, to be a Member of the National Council on Disability for a term expiring September 17, 2013.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Wendy M. Spencer, of Florida, to be Chief Executive Officer of the Corporation for National and Community Service.

DEPARTMENT OF THE TREASURY

Mary John Miller, of Maryland, to be an Under Secretary of the Treasury.

UNITED STATES TAX COURT

Kathleen Kerrigan, of Massachusetts, to be a Judge of the United States Tax Court for the term of fifteen years.

DEPARTMENT OF THE TREASURY

Alastair M. Fitzpayne, of Maryland, to be a Deputy Under Secretary of the Treasury.

DEPARTMENT OF HOMELAND SECURITY

Margaret Ann Sherry, of Virginia, to be Chief Financial Officer, Department of Homeland Security.

INTER-AMERICAN FOUNDATION

Eduardo Arriola, of Florida, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring October 6, 2016.

J. Kelly Ryan, of Maryland, to be a Member of the Board of Directors of the Inter-American Foundation for the remainder of the term expiring September 20, 2012.

OVERSEAS PRIVATE INVESTMENT CORPORATION

Michael James Warren, of the District of Columbia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2014.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

David J. McMillan, of Minnesota, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation, vice Scott Kevin Walker.

Wenona Singel, of Michigan, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

DEPARTMENT OF JUSTICE

Anuj Chang Desai, of Wisconsin, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2011.

Anuj Chang Desai, of Wisconsin, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2014.

Dennis J. Erby, of Mississippi, to be United States Marshal for the Northern District of Mississippi for the term of four years.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Earl W. Gast, of California, to be an Assistant Administrator of the United States Agency for International Development.

DEPARTMENT OF STATE

Anne Claire Richard, of New York, to be an Assistant Secretary of State (Population, Refugees, and Migration).

Tara D. Sonenshine, of Maryland, to be Under Secretary of State for Public Diplomacy.

Robert E. Whitehead, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Togolese Republic.

Larry Leon Palmer, of Georgia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Barbados, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines.

Jonathan Don Farrar, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Panama.

Phyllis Marie Powers, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nicaragua.

Nancy J. Powell, of Iowa, a Career Member of the Senior Foreign Service, Personal Rank of Career Ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to India.

FARM CREDIT ADMINISTRATION

Bruce J. Sherrick, of Illinois, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

Chester John Culver, of Iowa, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

Catherine Allgor, of California, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring September 27, 2014.

DEPARTMENT OF JUSTICE

Thomas M. Harrigan, of New York, to be Deputy Administrator of Drug Enforcement.

DEPARTMENT OF STATE

Gina K. Abercrombie-Winstanley, of Ohio, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malta.

Julissa Reynoso, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Oriental Republic of Uruguay.

William E. Todd, of Virginia, a Career Member of the Senior Executive Service, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Cambodia.

Jacob Walles, of Delaware, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Tunisian Republic.

Pamela A. White, of Maine, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Haiti.

John Christopher Stevens, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Libya.

Tracey Ann Jacobson, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kosovo.

Kenneth Merten, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Croatia.

Mark A. Pekala, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Latvia.

Richard B. Norland, of Iowa, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Georgia.

Jeffrey D. Levine, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Estonia.

DEPARTMENT OF STATE

Frederick D. Barton, of Maine, to be an Assistant Secretary of State (Conflict and Stabilization Operations).

Frederick D. Barton, of Maine, to be Coordinator for Reconstruction and Stabilization.

Linda Thomas-Greenfield, of Louisiana, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Director General of the Foreign Service.

FEDERAL DEPOSIT INSURANCE CORPORATION

Jeremiah O'Hear Norton, of Virginia, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for the remainder of the term expiring July 15, 2013.

DEPARTMENT OF JUSTICE

Gregory K. Davis, of Mississippi, to be United States Attorney for the Southern

District of Mississippi for the term of four years.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE FOREIGN SERVICE

PN1345 FOREIGN SERVICE nominations (4) beginning Olga Ford, and ending Margaret Shu Teasdale, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2012.

PN1347 FOREIGN SERVICE nominations (65) beginning Terry L. Murphree, and ending Andrew J. Wylie, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2012.

PN1408 FOREIGN SERVICE nominations (2) beginning Morgan D. Haas, and ending Stephen L. Wixom, which nominations were received by the Senate and appeared in the Congressional Record of February 29, 2012.

NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of and the Senate proceed to the consideration of Presidential nominations 1134, 1135, 1136, 1137, and 1312; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table, there be no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD and the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

IN THE COAST GUARD

The following named officer for appointment as Vice Commandant of the United States Coast Guard and to the grade indicated under Title 14, U.S.C., Section 47:

To be vice admiral

Vice Adm. John P. Currier

The following named officer for appointment to a position of importance and responsibility in the U.S. Coast Guard and to the grade indicated under Title 14, U.S.C., Section 50:

To be vice admiral

Rear Adm. Paul F. Zukunft

The following named officer for appointment to a position of importance and responsibility in the U.S. Coast Guard and to the grade indicated under Title 14, U.S.C., Section 50:

To be vice admiral

Vice Adm. Manson K. Brown

The following named officer for appointment to a position of importance and responsibility in the U.S. Coast Guard and to the grade indicated under Title 14, U.S.C., Section 50:

To be vice admiral

Rear Adm. Peter V. Neffenger

The following named officers for appointment to the grade indicated in the United States Coast Guard Reserve under Title 10, U.S.C., Section 12203(A):

To be captain

Patrick K. Aboagye
David R. Allen

William F. Csisar

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nominations: Calendar Nos. 258, 259, 262, and 264; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table, there be no intervening action or debate; that no motions be in order to any of the nominations; that any related statements be printed in the RECORD and President Obama be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Phyllis Nichamoff Segal, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2013.

Lisa M. Quiroz, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring February 8, 2014.

Marguerite W. Kondracke, of Tennessee, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring June 10, 2014.

Richard Christman, of Kentucky, to be a Member of the Board of Directors of the Corporation for National and Community Service for the remainder of the term expiring October 6, 2012.

Mr. REID. I know there is one Senator very happy about that. That is Senator MIKULSKI. I am glad we were able to get this done.

NOMINATION DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of and the Senate proceed to the consideration of Presidential nomination 1311, Christy L. Romero, of Virginia, to be special inspector general for the Troubled Asset Relief Program, which was reported out by the Banking Committee today; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table, there be no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF THE TREASURY

Christy L. Romero, of Virginia, to be Special Inspector General for the Troubled Asset Relief Program.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR NO. 460

Mr. REID. Mr. President, I ask unanimous consent that on Monday, April 16, 2012, at 4:30 p.m., the Senate proceed to executive session to consider Calendar No. 460; that there be 60 minutes for debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote with no intervening action or debate on Calendar No. 460; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 38, the adjournment resolution, which was submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 38) to provide for the conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 38) was agreed to, as follows:

S. CON. RES. 38

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, March 29, 2012, through Sunday, April 1, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, April 16, 2012, or such other time on that day as may be specified by its Majority Leader or

his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, April 13, 2012, on a motion offered pursuant to this concurrent resolution by its majority leader or his designee, it stand adjourned until 2 p.m. on Monday, April 16, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

PROMOTING THE DEVELOPMENT OF THE SOUTHWEST WATERFRONT IN THE DISTRICT OF COLUMBIA

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 352, H.R. 2297.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2297) to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the Lieberman amendment, which is at the desk, be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any related statements be printed in the RECORD as if read.

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

The amendment (No. 1998) was agreed to, as follows:

(Purpose: To deauthorize a portion of the project for navigation of the Corps of Engineers at Potomac River, Washington Channel, District of Columbia)

On page 5, after line 6, add the following:

SEC. 4. PROJECT FOR NAVIGATION, WASHINGTON CHANNEL, DISTRICT OF COLUMBIA.

(a) IN GENERAL.—The portion of the project for navigation of the Corps of Engineers at Potomac River, Washington Channel, District of Columbia, as authorized by the Act of August 30, 1935 (chapter 831; 49 Stat. 1028), and described in subsection (b), is deauthorized.

(b) DESCRIPTION OF PROJECT.—The deauthorized portion of the project for navigation is as follows: Beginning at Washington Harbor Channel Geometry Centerline of the 400-foot-wide main navigational ship channel, Centerline Station No. 103+73.12, coordinates North 441948.20, East 1303969.30, as stated and depicted on the Condition Survey Anacostia, Virginia, Washington and Magazine Bar Shoal Channels, Washington, D.C., Sheet 6 of 6, prepared by the United States

Army Corps of Engineers, Baltimore district, July 2007; thence departing the aforementioned centerline traveling the following courses and distances: N. 40 degrees 10 minutes 45 seconds E., 200.00 feet to a point, on the outline of said 400-foot-wide channel thence binding on said outline the following 3 courses and distances: S. 49 degrees 49 minutes 15 seconds E., 1,507.86 feet to a point, thence; S. 29 degrees 44 minutes 42 seconds E., 2,083.17 feet to a point, thence; S. 11 degrees 27 minutes 04 seconds E., 363.00 feet to a point, thence; S. 78 degrees 32 minutes 56 seconds W., 200.00 feet to a point binding on the centerline of the 400-foot-wide main navigational channel at computed Centerline Station No. 65+54.31, coordinates North 438923.9874, East 1306159.9738, thence; continuing with the aforementioned centerline the following courses and distances: N. 11 degrees 27 minutes 04 seconds W., 330.80 feet to a point, Centerline Station No. 68+85.10, thence; N. 29 degrees 44 minutes 42 seconds W., 2,015.56 feet to a point, Centerline Station No. 89+00.67, thence; N. 49 degrees 49 minutes 15 seconds W., 1,472.26 feet to the point of beginning, the area in total containing a computed area of 777,284 square feet or 17.84399 acres of riparian water way.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 2297), as amended, was read the third time and passed, as follows:

H.R. 2297

Resolved, That the bill from the House of Representatives (H.R. 2297) entitled "An Act to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes," do pass with the following amendment:

On page 5, after line 10, add the following:
SEC. 4. PROJECT FOR NAVIGATION, WASHINGTON CHANNEL, DISTRICT OF COLUMBIA.

(a) IN GENERAL.—The portion of the project for navigation of the Corps of Engineers at Potomac River, Washington Channel, District of Columbia, as authorized by the Act of August 30, 1935 (chapter 831; 49 Stat. 1028), and described in subsection (b), is deauthorized.

(b) DESCRIPTION OF PROJECT.—The deauthorized portion of the project for navigation is as follows: Beginning at Washington Harbor Channel Geometry Centerline of the 400-foot-wide main navigational ship channel, Centerline Station No. 103+73.12, coordinates North 441948.20, East 1303969.30, as stated and depicted on the Condition Survey Anacostia, Virginia, Washington and Magazine Bar Shoal Channels, Washington, D.C., Sheet 6 of 6, prepared by the United States Army Corps of Engineers, Baltimore district, July 2007; thence departing the aforementioned centerline traveling the following courses and distances: N. 40 degrees 10 minutes 45 seconds E., 200.00 feet to a point, on the outline of said 400-foot-wide channel thence binding on said outline the following 3 courses and distances: S. 49 degrees 49 minutes 15 seconds E., 1,507.86 feet to a point, thence; S. 29 degrees 44 minutes 42 seconds E., 2,083.17 feet to a point, thence; S. 11 degrees 27 minutes 04 seconds E., 363.00 feet to a point, thence; S. 78 degrees 32 minutes 56 seconds W., 200.00 feet to a point binding on the centerline of the 400-foot-wide main navigational channel at computed Centerline Station No. 65+54.31, coordinates North 438923.9874, East 1306159.9738, thence; continuing with the aforementioned centerline the following courses and distances: N. 11 degrees 27 minutes 04 seconds W., 330.80 feet to a point, Centerline Station No. 68+85.10, thence; N. 29 degrees 44 minutes 42 seconds W., 2,015.56

feet to a point, Centerline Station No. 89+00.67, thence; N. 49 degrees 49 minutes 15 seconds W., 1,472.26 feet to the point of beginning, the area in total containing a computed area of 777,284 square feet or 17.84399 acres of riparian water way.

CONDEMNING THE GOVERNMENT OF IRAN FOR HUMAN RIGHTS VIOLATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 345, S. Res. 80.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 80) condemning the Government of Iran for its state-sponsored persecution of the Baha'i minority and its continued violation of the International Covenants on Human Rights.

There being no objection, the Senate proceeded to consider the resolution.

AMENDMENT NO. 1999

Mr. REID. Mr. President, I ask unanimous consent that the Paul amendment, which is at the desk, be agreed to and that the Senate proceed immediately to a voice vote on adoption of the resolution, as amended.

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

The amendment (No. 1999) was agreed to, as follows:

On page 5, line 4, strike the words "all available".

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 80), as amended, was agreed to.

Mr. REID. Mr. President, I further ask unanimous consent that the preamble be agreed to, the motion to reconsider be laid upon the table with no intervening action or debate, and that any related statements be printed in the RECORD.

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

The preamble was agreed to.

The resolution, as amended, with its preamble reads as follows:

S. RES. 80

Whereas, in 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, and 2009, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i faith;

Whereas the 2010 Department of State International Religious Freedom Report stated, "Since the 1979 Islamic Revolution, more than 200 Baha'is have been killed, and many have faced regular raids and confiscation of property.";

Whereas the 2009 Department of State Human Rights Report stated, "The government [of Iran] continued to repress Baha'is and prevent them from meeting in homes to worship. It banned them from government

and military leadership posts, the social pension system, and public schools and universities unless they concealed their faith.";

Whereas, on October 15, 2010, the United Nations Secretary-General issued a special report on human rights in Iran, stating that "the Baha'i, who comprise the country's largest non-Muslim religious minority, face multiple forms of discrimination and harassment, including denial of employment, Government benefits and access to higher education";

Whereas, on December 21, 2010, the United Nations General Assembly adopted a resolution (A/RES/65/226) noting "serious ongoing and recurring human rights violations" in Iran, including against the Baha'i community;

Whereas, in November 2007, the Ministry of Information of Iran in Shiraz jailed Baha'is Ms. Raha Sabet, 33, Mr. Sasan Taqva, 32, and Ms. Haleh Roohi, 29, for educating underprivileged children, and gave them 4-year prison terms;

Whereas Ms. Sabet remains imprisoned in Iran;

Whereas Ms. Sabet, Mr. Taqva, and Ms. Roohi were targeted solely on the basis of their religion;

Whereas, in March and May of 2008, intelligence officials of the Government of Iran in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the members of the coordinating group for the Baha'i community in Iran;

Whereas, in August 2010, the Revolutionary Court in Tehran sentenced the 7 Baha'i leaders to 20-year prison terms on charges of "spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth";

Whereas the lawyer for these 7 leaders, Mrs. Shirin Ebadi, the Nobel Laureate, has been denied all access to the prisoners and their files;

Whereas these 7 Baha'i leaders were targeted solely on the basis of their religion;

Whereas, in February 2011, the Revolutionary Court in Tehran sentenced human rights activist and follower of the Baha'i faith, Navid Khanjani, to a 12-year prison term on charges of "propaganda against the regime by publishing news, reports, and interviews with foreign TV and radio," among others;

Whereas the Government of Iran is party to the International Covenants on Human Rights; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) authorizes the President and the Secretary of State to impose sanctions on "the officials of the Government of Iran and other individuals who are responsible for continuing and severe violations of human rights and religious freedom in Iran": Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven leaders and all other prisoners held solely on account of their religion, including Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, and Mr. Navid Khanjani;

(3) calls on the President and Secretary of State, in cooperation with the international community, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion, including Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, and Mr. Navid Khanjani; and

(4) urges the President and Secretary of State to utilize measures, such as those available under the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 and Executive Order 13553, to sanction officials of the Government of Iran and other individuals directly responsible for egregious human rights violations in Iran, including against the Baha'i community.

EXPRESSING SUPPORT FOR THE PEOPLE OF TIBET

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of Calendar No. 347, S. Res. 356.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 356) expressing support for the people of Tibet.

There being no objection, the Senate proceeded to consider the resolution, which had been reported by the Committee on Foreign Relations without amendment and an amendment to the preamble, as follows:

[Omit the part printed in boldface brackets and insert the part printed in *Italic*.]

S. RES. 356

Whereas Tibet is the center of Tibetan Buddhism, and His Holiness the Dalai Lama, Tenzin Gyatso, is the most revered figure in Tibetan Buddhism;

Whereas the Government of the People's Republic of China continues to enforce policies that infringe on fundamental freedoms of Tibetans, including punitive security measures against monasteries, mass arrests, and restrictions on freedom to practice religion;

Whereas both the Dalai Lama and the Kalon Tripa, Dr. Lobsang Sangay, the prime minister democratically elected by the Tibetan exile community, have specifically stated that they do not seek independence for Tibet from China;

Whereas, in his inaugural address on August 8, 2011, Kalon Tripa Sangay stated that he will "continue the Middle-Way policy, which seeks genuine autonomy for Tibet within the People's Republic of China";

Whereas, according to the Department of State's 2011 Report on Tibet Negotiations, since 2002, nine rounds of talks between the Government of the People's Republic of China and envoys of the Dalai Lama "have not borne concrete results";

Whereas, despite persistent efforts by the Dalai Lama and his representatives, the Government of the People's Republic of China and envoys of the Dalai Lama have not held any formal dialogue since January 2010;

[Whereas, since March 2011, at least 16 Tibetans have set themselves on fire, and at least 12 have died;]

Whereas, since March 2011, more than two dozen Tibetans have set themselves on fire, and at least 19 have died;

Whereas the repressive policies of the Government of the People's Republic of China have created an environment of despair, hopelessness, and frustration among many Tibetans;

Whereas, on November 1, 2011, the United Nations Special Rapporteur on Freedom of Religion or Belief, Heiner Bielefeldt, expressed concern over "restrictive measures" implemented by the Government of the People's Republic of China in Tibetan monasteries, stating that such measures "not only curtail the right to freedom of religion or belief, but further exacerbate the existing tensions, and are counterproductive" and affirming that "the right of members of the monastic community, and the wider community to freely practice their religion, should be fully respected and guaranteed by the Chinese Government";

Whereas, on January 24, 2012, Maria Otero, Under Secretary for Civilian Security, Democracy and Human Rights, and United States Special Coordinator for Tibetan Issues, issued a statement expressing concern about "reports of violence and continuing heightened tensions in Tibetan areas of China, including reports of security forces in Sichuan province opening fire on protesters, killing some and injuring others";

Whereas the Constitution of the People's Republic of China guarantees freedom of religious belief for all citizens, but the July-December 2010 International Religious Freedom Report of the Department of State states that "the [Chinese] government's repression of religious freedom remained severe in the Tibet Autonomous Region and other Tibetan areas";

Whereas, on March 10, 2011, His Holiness the Dalai Lama announced that he would relinquish his last remaining governmental duties in the Central Tibetan Administration, and would turn over political authority to the leadership democratically elected by Tibetans in exile;

Whereas, on March 20, 2011, the Tibetan government in exile conducted competitive democratic elections that were monitored by international observers and deemed free, fair, and consistent with international standards;

Whereas nearly 50,000 people in over 30 countries, more than half of all the eligible Tibetan exiles voters, participated in the March 20, 2011, elections;

Whereas Dr. Lobsang Sangay was elected Kalon Tripa, or prime minister, of the Central Tibetan Administration after receiving 55 percent of votes in the March 20, 2011, election and was inaugurated on August 8, 2011;

Whereas Kalon Tripa Sangay was selected to study in the United States under the Department of State's Tibetan Scholarship Program, earning a doctorate in law from Harvard University, and served as a Senior Fellow at the East Asian Legal Studies Program at Harvard Law School;

Whereas Kalon Tripa Sangay, while at Harvard University, promoted dialogue among Tibetan exiles and Chinese students and visiting Chinese scholars to enhance mutual understanding and advance the prospects for reconciliation; and

Whereas it is the objective of the United States Government, consistent across administrations of different political parties and as articulated in the Tibetan Policy Act of 2002 (subtitle B of title VI of Public Law 107-228; 22 U.S.C. 6901 note) to promote a sub-

stantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives in order to secure genuine autonomy for the Tibetan people within China;

Mr. REID. I ask unanimous consent that the Senate proceed to a vote on this matter.

The PRESIDING OFFICER. Without objection, the question is on agreeing to the resolution.

The resolution (No. 356) was agreed to.

Mr. REID. I ask unanimous consent that the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the motions to reconsider be laid upon the table, with no intervening action or debate; and any statements relating to the resolution be printed in the RECORD.

The committee-reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

S. RES. 356

Whereas Tibet is the center of Tibetan Buddhism, and His Holiness the Dalai Lama, Tenzin Gyatso, is the most revered figure in Tibetan Buddhism;

Whereas the Government of the People's Republic of China continues to enforce policies that infringe on fundamental freedoms of Tibetans, including punitive security measures against monasteries, mass arrests, and restrictions on freedom to practice religion;

Whereas both the Dalai Lama and the Kalon Tripa, Dr. Lobsang Sangay, the prime minister democratically elected by the Tibetan exile community, have specifically stated that they do not seek independence for Tibet from China;

Whereas, in his inaugural address on August 8, 2011, Kalon Tripa Sangay stated that he will "continue the Middle-Way policy, which seeks genuine autonomy for Tibet within the People's Republic of China";

Whereas according to the Department of State's 2011 Report on Tibet Negotiations, since 2002, nine rounds of talks between the Government of the People's Republic of China and envoys of the Dalai Lama "have not borne concrete results";

Whereas despite persistent efforts by the Dalai Lama and his representatives, the Government of the People's Republic of China and envoys of the Dalai Lama have not held any formal dialogue since January 2010;

Whereas, since March 2011, more than two dozen Tibetans have set themselves on fire, and at least 19 have died;

Whereas the repressive policies of the Government of the People's Republic of China have created an environment of despair, hopelessness, and frustration among many Tibetans;

Whereas, on November 1, 2011, the United Nations Special Rapporteur on Freedom of Religion or Belief, Heiner Bielefeldt, expressed concern over "restrictive measures" implemented by the Government of the People's Republic of China in Tibetan monasteries, stating that such measures "not only curtail the right to freedom of religion or belief, but further exacerbate the existing tensions, and are counterproductive" and affirming that "the right of members of the

monastic community, and the wider community to freely practice their religion, should be fully respected and guaranteed by the Chinese Government";

Whereas, on January 24, 2012, Maria Otero, Under Secretary for Civilian Security, Democracy and Human Rights, and United States Special Coordinator for Tibetan Issues, issued a statement expressing concern about "reports of violence and continuing heightened tensions in Tibetan areas of China, including reports of security forces in Sichuan province opening fire on protesters, killing some and injuring others";

Whereas the Constitution of the People's Republic of China guarantees freedom of religious belief for all citizens, but the July-December 2010 International Religious Freedom Report of the Department of State states that "the [Chinese] government's repression of religious freedom remained severe in the Tibet Autonomous Region and other Tibetan areas";

Whereas, on March 10, 2011, His Holiness the Dalai Lama announced that he would relinquish his last remaining governmental duties in the Central Tibetan Administration, and would turn over political authority to the leadership democratically elected by Tibetans in exile;

Whereas, on March 20, 2011, the Tibetan government in exile conducted competitive democratic elections that were monitored by international observers and deemed free, fair, and consistent with international standards;

Whereas nearly 50,000 people in over 30 countries, more than half of all the eligible Tibetan exiles voters, participated in the March 20, 2011, elections;

Whereas Dr. Lobsang Sangay was elected Kalon Tripa, or prime minister, of the Central Tibetan Administration after receiving 55 percent of votes in the March 20, 2011, election and was inaugurated on August 8, 2011;

Whereas Kalon Tripa Sangay was selected to study in the United States under the Department of State's Tibetan Scholarship Program, earning a doctorate in law from Harvard University, and served as a Senior Fellow at the East Asian Legal Studies Program at Harvard Law School;

Whereas Kalon Tripa Sangay, while at Harvard University, promoted dialogue among Tibetan exiles and Chinese students and visiting Chinese scholars to enhance mutual understanding and advance the prospects for reconciliation; and

Whereas it is the objective of the United States Government, consistent across administrations of different political parties and as articulated in the Tibetan Policy Act of 2002 (subtitle B of title VI of Public Law 107-228; 22 U.S.C. 6901 note) to promote a substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives in order to secure genuine autonomy for the Tibetan people within China: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the death of Tibetans who have self-immolated and deplores the repressive policies targeting Tibetans;

(2) calls on the Government of the People's Republic of China to suspend implementation of religious control regulations, reassess religious and security policies implemented since 2008 in Tibet, and resume a dialogue with Tibetan Buddhist leaders, including the Dalai Lama or his representatives, to resolve underlying grievances;

(3) calls on the Government of the People's Republic of China to release all persons that

have been arbitrarily detained; to cease the intimidation, harassment and detention of peaceful protestors; and to allow unrestricted access to journalists, foreign diplomats, and international organizations to Tibet;

(4) calls on the Secretary of State to seek from the Government of the People's Republic of China a full accounting of the forcible removal of monks from Kirti Monastery, including an explanation of the pretext or conditions under which monks were removed and their current whereabouts;

(5) commends His Holiness the Dalai Lama for his decision to devolve his political power in favor of a democratic system;

(6) congratulates Tibetans living in exile for holding, on March 20, 2011, a competitive, multi-candidate election that was free, fair, and met international electoral standards;

(7) reaffirms the unwavering friendship between the people of the United States and the people of Tibet; and

(8) both—

(A) calls on the Department of State to fully implement the Tibetan Policy Act of 2002 (subtitle B of title VI of Public Law 107-228; 22 U.S.C. 6901 note), including the stipulation that the Secretary of State seek "to establish an office in Lhasa, Tibet, to monitor political, economic, and cultural developments in Tibet", and also to provide consular protection and citizen services in emergencies; and

(B) urges that the agreement to permit China to open further diplomatic missions in the United States should be contingent upon the establishment of a United States Government consulate in Lhasa, Tibet.

CONDEMNING VIOLENCE BY SYRIA AGAINST JOURNALISTS AND EXPRESSING SENSE OF THE SENATE FOR FREEDOM OF THE PRESS IN SYRIA

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 348, S. Res. 391.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 391) condemning violence by the Government of Syria against journalists, and expressing the sense of the Senate on freedom of the press in Syria.

There being no objection, the Senate proceeded to consider the resolution which had been reported by the Committee on Foreign Relations without amendment and an amendment to the preamble, as follows:

[Omit the part printed in boldface brackets and insert the part printed in italic.]

S. RES. 391

[Whereas United Nations Security Council Resolution 1738 (2006) obliges states to ensure the safety of journalists in war zones;]

Whereas United Nations Security Council Resolution 1738 (2006) stresses the obligations of states under international law to ensure the safety of journalists in war zones;

Whereas, since the uprisings in Syria began in January 2011, the Government of Syria has denied entry to foreign journalists and arrested, abducted, beaten, tortured, and

killed journalists, photographers, and bloggers to prevent the free flow of accurate information to the outside world;

Whereas restrictions imposed by the Government of Syria on media have made it extraordinarily difficult to verify death tolls and the exact nature and course of events within the country;

Whereas Syrian state media reports differ significantly from the few independent reports that make their way out of Syria;

Whereas Reporters Without Borders, an international nongovernmental organization that advocates freedom of the press and freedom of information, has listed Bashar al-Assad as a Predator of Freedom of the Press;

Whereas the League of Arab States called for the media to be allowed into Syria during its monitoring mission that was suspended indefinitely on January 28, 2012, due to the "critical deterioration of the situation" in Syria;

Whereas freelance journalist Ferzat Jarban was tortured and killed on November 19 or 20, 2011, after filming protests in Al-Qassir, Syria;

Whereas videographer Basil al-Sayed died on December 27, 2011, from a gunshot wound he suffered 5 days earlier at a checkpoint in the Baba Amr neighborhood in the city of Homs, Syria;

Whereas Shukri Abu al-Burghul of the state-owned daily Al Thawra and Radio Damascus died on January 3, 2012, in Damascus, Syria from a gunshot wound to the head he suffered four days earlier;

Whereas Gilles Jacquier, a correspondent with France 2 television, was killed in a grenade explosion on January 11, 2012, while covering demonstrations in the city of Homs;

Whereas freelance journalist Mazhar Tayyara, a videographer and photojournalist who contributed to Agence France-Presse and other international outlets, was killed by government forces' fire in the city of Homs on February 4, 2012;

Whereas New York Times correspondent Anthony Shadid died of an asthma attack on February 16, 2012, while attempting to leave Syria after reporting inside the country for a week, gathering information on the Free Syrian Army and other armed elements of the resistance to the government of President Bashar al-Assad;

Whereas freelance journalist Rami al-Sayed, who filmed videos of Syrian security forces' repressive acts, was killed on February 21, 2012, while covering the bombardment of the city of Homs by Government of Syria forces;

Whereas journalist Marie Colvin of the Sunday Times, a United States citizen, and freelance photojournalist Remi Ochlik were killed on February 22, 2012, after their makeshift press center in Homs was struck by rockets fired by Government of Syria forces;

Whereas, on February 22, 2012, Department of State Spokesman Mark Toner stated, "[T]oday, we're also clearly deeply troubled and saddened by reports that American journalist Marie Colvin and French journalist Remi Ochlik were killed today in Homs as a result of the intense shelling, the ongoing intense shelling by the Syrian regime. . . . We, of course, extend our deepest condolences to their families and loved ones and just note that their sacrifice in chronicling the daily suffering of the people of Homs stands as a testament to journalism's highest standards.";

Whereas 13 opposition activists in Syria were killed during a weeklong attempt to rescue 4 foreign journalists, 2 of whom were injured, who were trapped in Homs as a re-

sult of the bombardment by the Government of Syria that killed Marie Colvin and Remi Ochlik;

Whereas videographer Anas al-Tarsha, who documented unrest in the besieged city of Homs, was killed by a mortar round while filming the bombardment of the city's Qarabees district on February 24, 2012;

Whereas, from 1992 through 2010, zero journalists were killed in Syria according to the Committee to Protect Journalists; and

Whereas the Government of Syria has continued to arbitrarily arrest and detain prominent Syrian journalists and bloggers:

Mr. REID. I ask that the Senate now vote on this matter.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 391) was agreed to.

Mr. REID. I ask unanimous consent that the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the motions to reconsider be laid upon the table, with no intervening action or debate; and any statements relating to the resolution be printed in the RECORD.

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

The committee-reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

S. RES. 391

Whereas United Nations Security Council Resolution 1738 (2006) stresses the obligations of states under international law to ensure the safety of journalists in war zones;

Whereas, since the uprisings in Syria began in January 2011, the Government of Syria has denied entry to foreign journalists and arrested, abducted, beaten, tortured, and killed journalists, photographers, and bloggers to prevent the free flow of accurate information to the outside world;

Whereas restrictions imposed by the Government of Syria on media have made it extraordinarily difficult to verify death tolls and the exact nature and course of events within the country;

Whereas Syrian state media reports differ significantly from the few independent reports that make their way out of Syria;

Whereas Reporters Without Borders, an international nongovernmental organization that advocates freedom of the press and freedom of information, has listed Bashar al-Assad as a Predator of Freedom of the Press;

Whereas the League of Arab States called for the media to be allowed into Syria during its monitoring mission that was suspended indefinitely on January 28, 2012, due to the "critical deterioration of the situation" in Syria;

Whereas freelance journalist Ferzat Jarban was tortured and killed on November 19 or 20, 2011, after filming protests in Al-Qassir, Syria;

Whereas videographer Basil al-Sayed died on December 27, 2011, from a gunshot wound he suffered 5 days earlier at a checkpoint in the Baba Amr neighborhood in the city of Homs, Syria;

Whereas Shukri Abu al-Burghul of the state-owned daily Al Thawra and Radio Damascus died on January 3, 2012, in Damascus,

Syria from a gunshot wound to the head he suffered four days earlier;

Whereas Gilles Jacquier, a correspondent with France 2 television, was killed in a grenade explosion on January 11, 2012, while covering demonstrations in the city of Homs;

Whereas freelance journalist Mazhar Tayyara, a videographer and photojournalist who contributed to Agence France-Presse and other international outlets, was killed by government forces' fire in the city of Homs on February 4, 2012;

Whereas New York Times correspondent Anthony Shadid died of an asthma attack on February 16, 2012, while attempting to leave Syria after reporting inside the country for a week, gathering information on the Free Syrian Army and other armed elements of the resistance to the government of President Bashar al-Assad;

Whereas freelance journalist Rami al-Sayed, who filmed videos of Syrian security forces' repressive acts, was killed on February 21, 2012, while covering the bombardment of the city of Homs by Government of Syria forces;

Whereas journalist Marie Colvin of the Sunday Times, a United States citizen, and freelance photojournalist Remi Ochlik were killed on February 22, 2012, after their makeshift press center in Homs was struck by rockets fired by Government of Syria forces;

Whereas, on February 22, 2012, Department of State Spokesman Mark Toner stated, "[T]oday, we're also clearly deeply troubled and saddened by reports that American journalist Marie Colvin and French journalist Remi Ochlik were killed today in Homs as a result of the intense shelling, the ongoing intense shelling by the Syrian regime. . . . We, of course, extend our deepest condolences to their families and loved ones and just note that their sacrifice in chronicling the daily suffering of the people of Homs stands as a testament to journalism's highest standards.";

Whereas 13 opposition activists in Syria were killed during a weeklong attempt to rescue 4 foreign journalists, 2 of whom were injured, who were trapped in Homs as a result of the bombardment by the Government of Syria that killed Marie Colvin and Remi Ochlik;

Whereas videographer Anas al-Tarsha, who documented unrest in the besieged city of Homs, was killed by a mortar round while filming the bombardment of the city's Qarabees district on February 24, 2012;

Whereas, from 1992 through 2010, zero journalists were killed in Syria according to the Committee to Protect Journalists; and

Whereas the Government of Syria has continued to arbitrarily arrest and detain prominent Syrian journalists and bloggers: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the Government of Syria to immediately open the country up to independent and foreign journalists and immediately end its media blackout;

(2) condemns in the strongest possible terms the Government of Syria's abuse, intimidation, and violence towards journalists, videographers, and bloggers;

(3) calls on the Government of Syria to immediately release all journalists, videographers, and bloggers who have been detained, arrested, or imprisoned;

(4) pays tribute to the journalists who have lost their lives while reporting on the conflict in Syria;

(5) commends the bravery and courage of journalists who continue to operate in harm's way;

(6) supports the people of Syria seeking access to a free flow of accurate news and other forms of information;

(7) recognizes the critical role that technology plays in helping independent journalists report the facts on the ground;

(8) condemns all acts of censorship and other restrictions on freedom of the press, freedom of speech, and freedom of expression in Syria;

(9) strongly condemns all nations that assist or enable the Government of Syria's ongoing repression of the media; and

(10) reaffirms the centrality of press freedom to efforts by the United States Government to support democracy and promote good governance around the world.

EXPRESSING SENSE OF SENATE IN SUPPORT OF NATO AND NATO SUMMIT BEING HELD MAY 20 THROUGH 21, 2012

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 349, S. Res. 395.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 395) expressing the sense of the Senate in support of the North Atlantic Treaty Organization and the NATO summit to be held in Chicago, Illinois, from May 20 through 21, 2012.

There being no objection, the Senate proceeded to consider the resolution which had been reported by the Committee on Foreign Relations without amendment and an amendment to the preamble, as follows:

[Omit the part printed in boldface brackets and insert the part printed in italic.]

S. RES. 395

Whereas the North Atlantic Treaty, signed April 4, 1949, in Washington, District of Columbia, which created the North Atlantic Treaty Organization (referred to in this preamble as "NATO"), proclaims: "[Members] are determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law. They seek to promote stability and well-being in the North Atlantic area. They are resolved to unite their efforts for collective defence and for the preservation of peace and security.";

Whereas NATO has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and throughout the world for over 60 years;

Whereas the NATO summit in Chicago, Illinois, is an opportunity to enhance and more deeply entrench those principles, which continue to bind the alliance together and guide our efforts today;

Whereas the new Strategic Concept, approved in Lisbon, [Spain] *Portugal* in November 2010, affirms that all NATO members "are determined that NATO will continue to play its unique and essential role in ensuring our common defence and security" and that NATO "continues to be effective in a changing world, against new threats, with new capabilities and new partners";

Whereas the Chicago Summit will mark a critical turning point for NATO and a chance to focus on current operations, future capabilities, and the relationship between NATO and partners around the world;

Whereas the Chicago Summit will be the first NATO summit held in the United States since the 50th anniversary summit was held in Washington, District of Columbia, in 1999 and the first NATO summit held outside of Washington, District of Columbia;

Whereas NATO Secretary General Anders Fogh Rasmussen said, "Chicago is a city built upon diversity, and on determination. Those are values that underpin NATO too.";

Whereas the Chicago Summit presents an opportunity to show to the world the Heartland of the United States—the site of the first elevated railway, the first skyscraper in the world, the busiest futures exchange in the world, and the starting point for historic Route 66;

Whereas the thousands of visitors to the Chicago Summit will have the opportunity to enjoy the hospitality of the city of Chicago, the 77 distinct neighborhoods in Chicago, and the State of Illinois; and

Whereas the contributions of generations of immigrants have made the city of Chicago and the State of Illinois what they are today and the ancestral homelands of the immigrants now contribute to making NATO the organization it is today;

Mr. REID. I ask that we now have a vote on this matter, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (No. 395) was agreed to.

Mr. REID. I ask unanimous consent that the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the motions to reconsider be laid upon the table, with no intervening action or debate; and any statements relating to the resolution be printed in the RECORD.

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

The committee-reported amendment was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

S. RES. 395

Whereas the North Atlantic Treaty, signed April 4, 1949, in Washington, District of Columbia, which created the North Atlantic Treaty Organization (referred to in this preamble as "NATO"), proclaims: "[Members] are determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law. They seek to promote stability and well-being in the North Atlantic area. They are resolved to unite their efforts for collective defence and for the preservation of peace and security.";

Whereas NATO has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and throughout the world for over 60 years;

Whereas the NATO summit in Chicago, Illinois, is an opportunity to enhance and more deeply entrench those principles, which continue to bind the alliance together and guide our efforts today;

Whereas the new Strategic Concept, approved in Lisbon, Portugal in November 2010, affirms that all NATO members “are determined that NATO will continue to play its unique and essential role in ensuring our common defence and security” and that NATO “continues to be effective in a changing world, against new threats, with new capabilities and new partners”;

Whereas the Chicago Summit will mark a critical turning point for NATO and a chance to focus on current operations, future capabilities, and the relationship between NATO and partners around the world;

Whereas the Chicago Summit will be the first NATO summit held in the United States since the 50th anniversary summit was held in Washington, District of Columbia, in 1999 and the first NATO summit held outside of Washington, District of Columbia;

Whereas NATO Secretary General Anders Fogh Rasmussen said, “Chicago is a city built upon diversity, and on determination. Those are values that underpin NATO too.”;

Whereas the Chicago Summit presents an opportunity to show to the world the Heartland of the United States—the site of the first elevated railway, the first skyscraper in the world, the busiest futures exchange in the world, and the starting point for historic Route 66;

Whereas the thousands of visitors to the Chicago Summit will have the opportunity to enjoy the hospitality of the city of Chicago, the 77 distinct neighborhoods in Chicago, and the State of Illinois; and

Whereas the contributions of generations of immigrants have made the city of Chicago and the State of Illinois what they are today and the ancestral homelands of the immigrants now contribute to making NATO the organization it is today: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the service of the brave men and women who have served to safeguard the freedom and security of the United States and the whole of the transatlantic alliance;

(2) honors the sacrifices of United States personnel, allies of the North American Treaty Organization (referred to in this resolution as “NATO”), and partners in Afghanistan;

(3) remembers the 63 years NATO has served to ensure peace, security, and stability in Europe and throughout the world;

(4) reaffirms that NATO, through the new Strategic Concept, is oriented for the changing international security environment and the challenges of the future;

(5) urges all NATO members to take concrete steps to implement the Strategic Concept and to utilize the NATO summit in Chicago, Illinois, to address current NATO operations, future capabilities and burden-sharing issues, and the relationship between NATO and partners around the world;

(6) conveys appreciation for the steadfast partnership between NATO and the United States; and

(7) expresses support for the 2012 NATO summit in Chicago.

PROMOTING PEACE AND STABILITY IN SUDAN

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 350, S. Res. 397.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 397) promoting peace and stability in Sudan, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution which had been reported by the Committee on Foreign Relations with an amendment and an amendment to the preamble, as follows:

[Strike all after the enacting clause and the preamble (the part in boldface brackets) and insert the part printed in italic.]

S. RES. 397

[Whereas conflict between the Government of Sudan and the Sudan People’s Liberation Movement-North (SPLM-N) has been ongoing since June 2011 in Sudan’s border state of South Kordofan and since September 2011 in the border state of Blue Nile, resulting in a humanitarian crisis;

[Whereas the Government of Sudan has refused repeated requests by the United States Government, the United Nations, the African Union, the League of Arab States, nongovernmental organizations, and others to allow humanitarian access to the conflict areas;

[Whereas the Governments of Sudan and South Sudan signed a memorandum of understanding on non-aggression and cooperation in Addis Ababa on February 12, 2012, agreeing to respect each other’s sovereignty and refrain from launching any attack against the other, including bombardment;

[Whereas the United Nations estimates that more than 130,000 refugees have fled South Kordofan and Blue Nile for South Sudan, Ethiopia, and elsewhere since June 2011, and hundreds of thousands more have been internally displaced or severely affected by conflict;

[Whereas the Government of Sudan bombed the Yida refugee camp in South Sudan on November 10, 2011;

[Whereas both the Government of Sudan and the Sudan People’s Liberation Movement-North have reportedly prevented civilians from leaving Blue Nile and Southern Kordofan;

[Whereas the Famine Early Warning Systems Network (FEWSNET), funded by the United States Agency for International Development, estimated in March 2012 that conflict-affected areas of South Kordofan would deteriorate further in coming weeks to Phase 4 emergency levels of food insecurity (one step before being classified as a famine), due mainly to conflict and government policies that have limited cultivation, displaced the population, restricted trade, and refused access for international humanitarian assistance;

[Whereas the United Nations Security Council issued a statement on February 14, 2012, expressing deep and growing alarm with the rising levels of malnutrition and food insecurity in some areas of Southern Kordofan and Blue Nile, calling on the Government of Sudan to allow immediate access to United Nations personnel, and urging the Government of Sudan and the Sudan People’s Liberation Movement-North to agree to an immediate cessation of hostilities and return to talks to address the issues that have fueled the current conflict;

[Whereas the United Nations High Commissioner for Refugees appealed urgently to donors in February 2012 for \$145,000,000 to assist refugees from South Kordofan and Blue Nile;

[Whereas President Barack Obama released a statement in June 2011 calling on the Government of Sudan and the Sudan People’s Liberation Movement-North to agree immediately to a ceasefire, end restrictions on humanitarian access and United Nations movements, and agree on security arrangements for Southern Kordofan and Blue Nile States through direct, high-level negotiations as opposed to the use of force;

[Whereas President Obama released a statement on February 2, 2012, strongly condemning the bombing by the Armed Forces of Sudan of civilian populations in Southern Kordofan and Blue Nile States in Sudan, which stated that aerial attacks on civilian targets are unjustified, unacceptable, and a violation of international law and compound the ongoing crisis in these areas;

[Whereas neither South Kordofan nor Blue Nile were able to complete the popular consultation process with the Government of Sudan as stipulated in the Comprehensive Peace Agreement (CPA) before violence broke out;

[Whereas, despite the independence of South Sudan on July 9, 2011, many key issues between Sudan and South Sudan remain unresolved, including transit fees for oil pipeline use, citizenship, the status of Abyei, and border demarcation;

[Whereas the goal of democratic governance reform in Sudan as envisioned in the CPA has not been met;

[Whereas, in addition to the growing conflict-induced humanitarian and human rights crisis in Sudan’s southern border states, the humanitarian crisis and ongoing insecurity in Darfur continues; and

[Whereas the United Nations High Commissioner for Refugees estimates that more than 4,000,000 people in Sudan remain internally displaced, and in 2011, though for the first time since the Darfur conflict began, more Darfuris voluntarily returned to their homes (87,000) than were newly displaced (70,000), and additional tens of thousands are being displaced in southern Sudan:] Now, therefore, be it

Whereas conflict between the Government of Sudan and the Sudan People’s Liberation Movement-North (SPLM-N) has been ongoing since June 2011 in Sudan’s border state of Southern Kordofan and since September 2011 in the border state of Blue Nile, resulting in a humanitarian crisis;

Whereas the Government of Sudan has refused repeated requests by the United States Government, the United Nations, the African Union, the League of Arab States, nongovernmental organizations, and others to allow humanitarian access to the conflict areas;

Whereas the Governments of Sudan and South Sudan signed a memorandum of understanding on non-aggression and cooperation in Addis Ababa on February 12, 2012, agreeing to respect each other’s sovereignty and refrain from launching any attack against the other, including bombardment;

Whereas the United Nations estimates that more than 130,000 refugees have fled Southern Kordofan and Blue Nile for South Sudan, Ethiopia, and elsewhere since June 2011, and hundreds of thousands more have been internally displaced or severely affected by conflict;

Whereas the Government of Sudan bombed the Yida refugee camp in South Sudan on November 10, 2011;

Whereas both the Government of Sudan and the Sudan People’s Liberation Movement-North have reportedly prevented civilians from leaving Blue Nile and Southern Kordofan;

Whereas the Famine Early Warning Systems Network (FEWSNET), funded by the United

States Agency for International Development, estimated in March 2012 that conflict-affected areas of Southern Kordofan would deteriorate further in coming weeks to Phase 4 emergency levels of food insecurity (one step before being classified as a famine), due mainly to conflict and government policies that have limited cultivation, displaced the population, restricted trade, and refused access for international humanitarian assistance;

Whereas the United Nations Security Council issued a statement on February 14, 2012, expressing deep and growing alarm with the rising levels of malnutrition and food insecurity in some areas of Southern Kordofan and Blue Nile, calling on the Government of Sudan to allow immediate access to United Nations personnel, and urging the Government of Sudan and the Sudan People's Liberation Movement-North to agree to an immediate cessation of hostilities and return to talks to address the issues that have fueled the current conflict;

Whereas the United Nations High Commissioner for Refugees appealed urgently to donors in February 2012 for \$145,000,000 to assist refugees from Southern Kordofan and Blue Nile;

Whereas President Barack Obama released a statement in June 2011 calling on the Government of Sudan and the Sudan People's Liberation Movement-North to agree immediately to a ceasefire, end restrictions on humanitarian access and United Nations movements, and agree on security arrangements for Southern Kordofan and Blue Nile States through direct, high-level negotiations as opposed to the use of force;

Whereas President Obama released a statement on February 2, 2012, strongly condemning the bombing by the Armed Forces of Sudan of civilian populations in Southern Kordofan and Blue Nile States in Sudan, which stated that aerial attacks on civilian targets are unjustified, unacceptable, and a violation of international law and compound the ongoing crisis in these areas;

Whereas neither Southern Kordofan nor Blue Nile were able to complete the popular consultation process with the Government of Sudan as stipulated in the Comprehensive Peace Agreement (CPA) before violence broke out;

Whereas, despite the independence of South Sudan on July 9, 2011, many key issues between Sudan and South Sudan remain unresolved, including transit fees for oil pipeline use, citizenship, the status of Abyei, and border demarcation;

Whereas the goal of democratic governance reform in Sudan as envisioned in the CPA has not been met;

Whereas, in addition to the growing conflict-induced humanitarian and human rights crisis in Sudan's southern border states, the humanitarian crisis and ongoing insecurity in Darfur continues; and

Whereas the United Nations High Commissioner for Refugees estimates that, although for the first time since the Darfur conflict began, more Darfuris (87,000) voluntarily returned to their homes than were newly displaced (70,000), tens of thousands of additional people are still being displaced in southern Sudan and more than 4,000,000 people in Sudan remain internally displaced in total. Now, therefore, be it

Resolved, [That the Senate—

[(1) welcomes the memorandum of understanding on non-aggression and cooperation signed between the Governments of Sudan and South Sudan in Addis Ababa on February 12, 2012;

[(2) calls on the Government of Sudan and the Sudan People's Liberation Movement-North to reach a mutually beneficial political agreement;

[(3) urges the Government of Sudan to allow immediate and unrestricted humani-

tarian access to South Kordofan, Blue Nile, and all other conflict-affected areas of Sudan;

[(4) encourages the Government of Sudan and the Sudan People's Liberation Movement-North to declare a cessation of hostilities to allow food and essential supplies to reach affected civilians;

[(5) implores the Governments of Sudan and South Sudan to refrain from any support of proxy forces;

[(6) urges the Government of Sudan and the Sudan People's Liberation Movement-North to allow civilians to leave the two states voluntarily and seek refuge in more secure areas; and

[(7) supports the current efforts of the Obama Administration, working with partners in the international community, to facilitate humanitarian access to affected areas, to encourage all relevant parties to return to the negotiation table to reach agreements associated with the conclusion of the Comprehensive Peace Agreement, to mitigate violence in the interim, and to allow full humanitarian access.]

That the Senate—

(1) welcomes the memorandum of understanding on non-aggression and cooperation signed between the Governments of Sudan and South Sudan in Addis Ababa on February 12, 2012;

(2) calls on the Government of Sudan and the Sudan People's Liberation Movement-North to reach a mutually beneficial political agreement;

(3) urges the Government of Sudan to allow immediate and unrestricted humanitarian access to Southern Kordofan, Blue Nile, and all other conflict-affected areas of Sudan;

(4) encourages the Government of Sudan and the Sudan People's Liberation Movement-North to declare a cessation of hostilities to allow food and essential supplies to reach affected civilians;

(5) implores the Governments of Sudan and South Sudan to refrain from any support of proxy forces;

(6) urges the Government of Sudan and the Sudan People's Liberation Movement-North to allow civilians to leave Southern Kordofan and Blue Nile voluntarily and seek refuge in more secure areas; and

(7) supports the current efforts of the Obama Administration, working with partners in the international community, to facilitate humanitarian access to affected areas, to encourage all relevant parties to return to the negotiation table to reach agreements associated with the conclusion of the Comprehensive Peace Agreement, to mitigate violence in the interim, and to allow full humanitarian access.

Mr. REID. I ask unanimous consent that the committee-reported substitute be agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

Mr. REID. I ask the Senate now vote on adoption of the resolution, as amended.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (No. 397), as amended, was agreed to.

Mr. REID. I further ask unanimous consent that the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the motions to reconsider be

laid upon the table, with no intervening action or debate; and any statements relating to the resolution be printed in the RECORD.

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

The committee-reported amendment was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 397

Whereas conflict between the Government of Sudan and the Sudan People's Liberation Movement-North (SPLM-N) has been ongoing since June 2011 in Sudan's border state of Southern Kordofan and since September 2011 in the border state of Blue Nile, resulting in a humanitarian crisis;

Whereas the Government of Sudan has refused repeated requests by the United States Government, the United Nations, the African Union, the League of Arab States, nongovernmental organizations, and others to allow humanitarian access to the conflict areas;

Whereas the Governments of Sudan and South Sudan signed a memorandum of understanding on non-aggression and cooperation in Addis Ababa on February 12, 2012, agreeing to respect each other's sovereignty and refrain from launching any attack against the other, including bombardment;

Whereas the United Nations estimates that more than 130,000 refugees have fled Southern Kordofan and Blue Nile for South Sudan, Ethiopia, and elsewhere since June 2011, and hundreds of thousands more have been internally displaced or severely affected by conflict;

Whereas the Government of Sudan bombed the Yida refugee camp in South Sudan on November 10, 2011;

Whereas both the Government of Sudan and the Sudan People's Liberation Movement-North have reportedly prevented civilians from leaving Blue Nile and Southern Kordofan;

Whereas the Famine Early Warning Systems Network (FEWSNET), funded by the United States Agency for International Development, estimated in March 2012 that conflict-affected areas of Southern Kordofan would deteriorate further in coming weeks to Phase 4 emergency levels of food insecurity (one step before being classified as a famine), due mainly to conflict and government policies that have limited cultivation, displaced the population, restricted trade, and refused access for international humanitarian assistance;

Whereas the United Nations Security Council issued a statement on February 14, 2012, expressing deep and growing alarm with the rising levels of malnutrition and food insecurity in some areas of Southern Kordofan and Blue Nile, calling on the Government of Sudan to allow immediate access to United Nations personnel, and urging the Government of Sudan and the Sudan People's Liberation Movement-North to agree to an immediate cessation of hostilities and return to talks to address the issues that have fueled the current conflict;

Whereas the United Nations High Commissioner for Refugees appealed urgently to donors in February 2012 for \$145,000,000 to assist refugees from Southern Kordofan and Blue Nile;

Whereas President Barack Obama released a statement in June 2011 calling on the Government of Sudan and the Sudan People's

Liberation Movement-North to agree immediately to a ceasefire, end restrictions on humanitarian access and United Nations movements, and agree on security arrangements for Southern Kordofan and Blue Nile States through direct, high-level negotiations as opposed to the use of force;

Whereas President Obama released a statement on February 2, 2012, strongly condemning the bombing by the Armed Forces of Sudan of civilian populations in Southern Kordofan and Blue Nile States in Sudan, which stated that aerial attacks on civilian targets are unjustified, unacceptable, and a violation of international law and compound the ongoing crisis in these areas;

Whereas neither Southern Kordofan nor Blue Nile were able to complete the popular consultation process with the Government of Sudan as stipulated in the Comprehensive Peace Agreement (CPA) before violence broke out;

Whereas, despite the independence of South Sudan on July 9, 2011, many key issues between Sudan and South Sudan remain unresolved, including transit fees for oil pipeline use, citizenship, the status of Abyei, and border demarcation;

Whereas the goal of democratic governance reform in Sudan as envisioned in the CPA has not been met;

Whereas in addition to the growing conflict-induced humanitarian and human rights crisis in Sudan's southern border states, the humanitarian crisis and ongoing insecurity in Darfur continues; and

Whereas the United Nations High Commissioner for Refugees estimates that, although for the first time since the Darfur conflict began, more Darfuris (87,000) voluntarily returned to their homes than were newly displaced (70,000), tens of thousands of additional people are still being displaced in southern Sudan and more than 4,000,000 people in Sudan remain internally displaced in total: Now, therefore, be it

Resolved, That the Senate—

(1) welcomes the memorandum of understanding on non-aggression and cooperation signed between the Governments of Sudan and South Sudan in Addis Ababa on February 12, 2012;

(2) calls on the Government of Sudan and the Sudan People's Liberation Movement-North to reach a mutually beneficial political agreement;

(3) urges the Government of Sudan to allow immediate and unrestricted humanitarian access to Southern Kordofan, Blue Nile, and all other conflict-affected areas of Sudan;

(4) encourages the Government of Sudan and the Sudan People's Liberation Movement-North to declare a cessation of hostilities to allow food and essential supplies to reach affected civilians;

(5) implores the Governments of Sudan and South Sudan to refrain from any support of proxy forces;

(6) urges the Government of Sudan and the Sudan People's Liberation Movement-North to allow civilians to leave Southern Kordofan and Blue Nile voluntarily and seek refuge in more secure areas; and

(7) supports the current efforts of the Obama Administration, working with partners in the international community, to facilitate humanitarian access to affected areas, to encourage all relevant parties to return to the negotiation table to reach agreements associated with the conclusion of the Comprehensive Peace Agreement, to mitigate violence in the interim, and to allow full humanitarian access.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that we proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 414, S. Res. 415, and S. Res. 416.

There being no objection, the Senate proceeded to consider the resolutions.

Mr. REID. I ask unanimous consent that the three resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate on any of those three measures, and any statements related to the resolutions be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 414

Commemorating the 125th anniversary of the University of North Carolina at Pembroke

Whereas the University of North Carolina at Pembroke (referred to in this preamble as "the University") was founded on March 7, 1887, in Robeson County, North Carolina by an act of the General Assembly of North Carolina;

Whereas the University, originally named the Croatan Normal School, was created in response to a petition from the Indian people of Robeson County;

Whereas the University was founded for the purpose of training American Indian school teachers;

Whereas the University opened in the fall of 1887 with 15 students and 1 teacher;

Whereas the University moved to its present location in Pembroke, North Carolina in 1909;

Whereas a 2-year program beyond high school was added to the University in 1926;

Whereas the length of the program of college studies at the University was extended to 4 years in 1939;

Whereas, in 1941, the General Assembly of North Carolina changed the name of the University to Pembroke State College for Indians;

Whereas, until 1953, the University was the only State-supported 4-year college for Indians in the United States;

Whereas, in 1969, the General Assembly of North Carolina changed the name of the University to Pembroke State University and made the University a regional State university that provided instruction at both the undergraduate level and the graduate level;

Whereas, in 1972, the General Assembly of North Carolina established the 17-campus University of North Carolina system and made Pembroke State University 1 of the constituent institutions of the system;

Whereas, on July 1, 1996, Pembroke State University became the University of North Carolina at Pembroke;

Whereas, today, approximately 6,000 students from diverse backgrounds are enrolled in 41 undergraduate programs and 17 graduate programs at the University of North Carolina at Pembroke; and

Whereas March 7, 2012, marks the 125th anniversary of the founding of the University of North Carolina at Pembroke: Now, therefore, be it

Resolved, That the Senate commemorates the 125th anniversary of the University of North Carolina at Pembroke.

S. RES. 415

Designating April 4, 2012, as "National Association of Junior Auxiliaries Day"

Whereas the National Association of Junior Auxiliaries and the members of the National Association of Junior Auxiliaries provide valuable service and leadership opportunities for women who wish to take an active role in their communities;

Whereas the mission of the National Association of Junior Auxiliaries is to encourage member chapters to render charitable services that—

(1) are beneficial to the general public; and
(2) place a particular emphasis on providing for the needs of children; and

Whereas since the founding of the National Association of Junior Auxiliaries in 1941, the organization has provided strength and inspiration to women who want to effect positive change in their communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 4, 2012, as "National Association of Junior Auxiliaries Day";

(2) recognizes the great contributions made by members of the National Association of Junior Auxiliaries to their communities and to the people of the United States; and

(3) especially commends the work of the members of the National Association of Junior Auxiliaries to better the lives of children in the United States.

S. RES. 416

Supporting the designation of April as Parkinson's Awareness Month

Whereas Parkinson's disease is the second most common neurodegenerative disease in the United States, second only to Alzheimer's disease;

Whereas there is inadequate comprehensive data on the incidence and prevalence of Parkinson's disease, as of 2011, it is estimated that the disease affects from 500,000 to 1,500,000 people in the United States;

Whereas although research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, the exact cause and progression of the disease is still unknown;

Whereas there is no objective test for Parkinson's disease, and the rate of misdiagnosis can be high;

Whereas symptoms of Parkinson's disease vary from person to person and include tremors, slowness, difficulty with balance, swallowing, chewing, speaking, rigidity, cognitive problems, dementia, mood disorders, such as depression and anxiety, constipation, skin problems, and sleep disruptions;

Whereas medications mask some symptoms of Parkinson's disease for a limited amount of time each day, often with dose-limiting side effects;

Whereas ultimately the medications and treatments lose their effectiveness, generally after 4 to 8 years, leaving the person unable to move, speak, or swallow;

Whereas there is no cure, therapy, or drug to slow or halt the progression of Parkinson's disease; and

Whereas increased education and research are needed to help find more effective treatments with fewer side effects and, ultimately, an effective treatment or cure for Parkinson's disease: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of April as Parkinson's Awareness Month;

(2) supports the goals and ideals of Parkinson's Awareness Month;

(3) continues to support research to find better treatments, and eventually, a cure for Parkinson's disease;

(4) recognizes the people living with Parkinson's who participate in vital clinical trials to advance knowledge of the disease; and

(5) commends the dedication of local and regional organizations, volunteers, and millions of Americans across the country working to improve the quality of life of persons living with Parkinson's disease and their families.

MEASURE READ THE FIRST TIME—H.R. 5

Mr. REID. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

Mr. REID. I now ask for a second reading, but I object to my own request. The reason I am doing this is to place the bill on the calendar under rule XIV.

The PRESIDING OFFICER. Objection is heard.

The bill will be read the second time on the next legislative day.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that on Thursday, March 29, through Monday, April 16, the majority leader, Senator WEBB, and Senator ROCKEFELLER be authorized to sign duly enrolled bills or joint resolutions.

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

APPOINTMENTS AUTHORITY

Mr. REID. I ask unanimous consent that notwithstanding the upcoming recess or adjournment, the President of the Senate, the President pro tempore of the Senate, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

TRIBUTE TO LAURA DOVE

Mr. REID. Mr. President, I was surprised earlier today when I was told by David Schiappa and Gary Myrick that somebody I care about a great deal is going to leave the Senate. I am so surprised. I served here when her dad was

the Parliamentarian and I thought so much of him. He was a very courageous man. He jeopardized his position here in the Senate doing what he thought was right. He looked at the law. It didn't matter to him if it were a Republican asking for a decision or a Democrat, he did what he thought was right. I have so much admiration for Bob Dove.

Then I have gotten to know his daughter Laura, whom we all care about a great deal. She is somebody I can joke with or be serious with. She understands what my obligation is here as the majority leader and she doesn't hold it against me. She knows I am trying to do what I think is right.

She has been dedicated to making the Senate a better place during her 10 years as the assistant Republican secretary. This is her last week with us so, for me, since we are going to go out of session, this is her last day with us. She is an example of how this operation works.

Mr. President, I read through this stack of stuff very quickly. Could I have arranged all that myself? No. It is the Laura Doves of the Senate who allow us to get our work done. She was a page, just like these young boys and girls here, as a teenager. She may work for the other party but, as far as I am concerned, I never hesitated to ask her a question when somebody on this side wasn't available and she never hesitated to tell me what she thought or give me the information I was seeking. Her work is essential and she has done it with dedication.

Laura, I really have appreciated our relationship. Please give my warm regards to your very fine father. I have heard a little about what you are going to do in the next little bit. I hope as you have that motor home and come to Las Vegas, hopefully this summer, you will come to Searchlight, because that will be a place you have never been—I am sure of that. What could I do with you there, though? I could show you my home.

Anyway, I am so grateful to you for being the nice person you are.

ORDERS FOR MONDAY, APRIL 2, TO MONDAY, APRIL 16, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted on the following dates. The reason we are going through this pro forma session which we thought we were through with is the House has not acted yet on agreeing to what we have done. But it is very clear there will be no recess appointments, period, because we are not going to be in recess, we hope. We hope the House will go along with us. But that is what Senator MCCONNELL and I have worked for and it has been accomplished.

So I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, April 2, at 2 p.m.; Thursday, April 5, at 11 a.m.; Monday, April 9, at 10 a.m.; Thursday, April 12, at 2 p.m.; and that the Senate adjourn on Thursday, April 12, until 2 p.m. on Monday, April 16, unless the Senate has received a message from the House that it has adopted S. Con. Res. 38—which will be the adjournment resolution—and if the Senate has received such a message, the Senate will stand in adjournment until 2 p.m. on Monday, April 16, under the provisions of S. Con. Res. 38; further, that when the Senate convenes at 2 p.m. on Monday, April 16, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; further, following any leader remarks, the Senate will resume consideration of the motion to proceed to S. 2230, the Paying a Fair Share Act, with the time until 4:30 p.m. equally divided and controlled between the two leaders or their designees; and that at 4:30 p.m., the Senate proceed to executive session under the previous order.

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

PROGRAM

Mr. REID. Mr. President, there will be two rollcall votes then, on Monday, April 16. The first vote will be on Judge-to-be Thacker, we hope—that will be the fourth circuit—and the second vote will be a cloture vote on the motion to proceed to the tax measure that is on the calendar.

ADJOURNMENT UNTIL MONDAY, APRIL 2, 2012, AT 2 P.M.

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 2 p.m. on Monday, April 2, unless the Senate has received a message from the House that it has adopted S. Con. Res. 38, in which case the Senate will stand adjourned until 2 p.m. on Monday, April 16, under the provisions of S. Con. Res. 38.

Thereupon, the Senate, at 6:26 p.m., adjourned until Monday, April 2, 2012, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

PATRICK A. MILES, JR., OF MICHIGAN, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF MICHIGAN FOR THE TERM OF FOUR YEARS, VICE MARGARET M. CHIARA, RESIGNED.

DANNY CHAPPELLE WILLIAMS, SR., OF OKLAHOMA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS, VICE DAVID E. O'MEILIA, TERM EXPIRED.

PATRICK J. WILKERSON, OF OKLAHOMA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS, VICE JOHN WILLIAM LOYD, TERM EXPIRED.

AMTRAK BOARD OF DIRECTORS

YVONNE BRATHWAITE BURKE, OF CALIFORNIA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS. (NEW POSITION)

EXECUTIVE OFFICE OF THE PRESIDENT

PATRICIA K. FALCONE, OF CALIFORNIA, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE PHILIP E. COYLE, III.

DEPARTMENT OF STATE

DOUGLAS M. GRIFFITHS, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MOZAMBIQUE.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MARIA ROSARIO JACKSON, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016, VICE TERENCE ALAN TEACHOUT, TERM EXPIRED.

DISCHARGED NOMINATIONS

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

COAST GUARD NOMINATION OF VICE ADM. JOHN P. CURRIER, TO BE VICE ADMIRAL.

COAST GUARD NOMINATION OF REAR ADM. PAUL F. ZUKUNFT, TO BE VICE ADMIRAL.

COAST GUARD NOMINATION OF VICE ADM. MANSON K. BROWN, TO BE VICE ADMIRAL.

COAST GUARD NOMINATION OF REAR ADM. PETER V. NEFFENGER, TO BE VICE ADMIRAL.

COAST GUARD NOMINATIONS BEGINNING WITH PATRICK K. ABOAGYE AND ENDING WITH WILLIAM F. CSISAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 1, 2012.

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

CHRISTY L. ROMERO, OF VIRGINIA, TO BE SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 29, 2012:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

PHYLLIS NICHAMOFF SEGAL, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2013.

LISA M. QUIROZ, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING FEBRUARY 8, 2014.

MARGUERITE W. KONDRACK, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING JUNE 10, 2014.

RICHARD CHRISTMAN, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 6, 2012.

FEDERAL DEPOSIT INSURANCE CORPORATION

MARTIN J. GRUENBERG, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DE-

POSIT INSURANCE CORPORATION FOR A TERM EXPIRING DECEMBER 27, 2018.

DEPARTMENT OF THE TREASURY

THOMAS J. CURRY, OF MASSACHUSETTS, TO BE CONTROLLER OF THE CURRENCY FOR A TERM OF FIVE YEARS.

DEPARTMENT OF STATE

MICHAEL A. HAMMER, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (PUBLIC AFFAIRS).

DEPARTMENT OF ENERGY

CHARLES DEWITT MCCONNELL, OF OHIO, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY).

DAVID T. DANIELSON, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENERGY EFFICIENCY AND RENEWABLE ENERGY).

LADORIS GUESS HARRIS, OF GEORGIA, TO BE DIRECTOR OF THE OFFICE OF MINORITY ECONOMIC IMPACT, DEPARTMENT OF ENERGY.

GREGORY HOWARD WOODS, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF ENERGY.

STATE JUSTICE INSTITUTE

JAMES R. HANNAH, OF ARKANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2013.

DANIEL J. BECKER, OF UTAH, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2013.

DEPARTMENT OF STATE

ROBERTA S. JACOBSON, OF MARYLAND, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AN ASSISTANT SECRETARY OF STATE (WESTERN HEMISPHERE AFFAIRS).

ELIZABETH M. COUSENS, OF WASHINGTON, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

ELIZABETH M. COUSENS, OF WASHINGTON, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS.

DEPARTMENT OF JUSTICE

MICHAEL E. HOROWITZ, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF JUSTICE.

DEPARTMENT OF COMMERCE

REBECCA M. BLANK, OF MARYLAND, TO BE DEPUTY SECRETARY OF COMMERCE.

FEDERAL TRADE COMMISSION

JON D. LEIBOWITZ, OF MARYLAND, TO BE A FEDERAL TRADE COMMISSIONER FOR A TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2010.

MAUREEN K. OHLHAUSEN, OF VIRGINIA, TO BE A FEDERAL TRADE COMMISSIONER FOR A TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2011.

DEPARTMENT OF JUSTICE

KATHRYN KENEALLY, OF NEW YORK, TO BE AN ASSISTANT ATTORNEY GENERAL.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MAURICE A. JONES, OF VIRGINIA, TO BE DEPUTY SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

FEDERAL DEPOSIT INSURANCE CORPORATION

THOMAS HOENIG, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR A TERM OF SIX YEARS.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DEEPA GUPTA, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016.

CHRISTOPHER MERRILL, OF IOWA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016.

NATIONAL COUNCIL ON DISABILITY

STEPHANIE ORLANDO, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 17, 2011.

STEPHANIE ORLANDO, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2014.

GARY BLUMENFELD, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2013.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

WENDY M. SPENCER, OF FLORIDA, TO BE CHIEF EXECUTIVE OFFICER OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

DEPARTMENT OF THE TREASURY

MARY JOHN MILLER, OF MARYLAND, TO BE AN UNDER SECRETARY OF THE TREASURY.

UNITED STATES TAX COURT

KATHLEEN KERRIGAN, OF MASSACHUSETTS, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR THE TERM OF FIFTEEN YEARS.

DEPARTMENT OF THE TREASURY

ALASTAIR M. FITZPAYNE, OF MARYLAND, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY.

DEPARTMENT OF HOMELAND SECURITY

MARGARET ANN SHERRY, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOMELAND SECURITY.

INTER-AMERICAN FOUNDATION

EDUARDO ARRIOLA, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2016.

J. KELLY RYAN, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 20, 2012.

OVERSEAS PRIVATE INVESTMENT CORPORATION

MICHAEL JAMES WARREN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2014.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

DAVID J. MCMILLAN, OF MINNESOTA, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION.

WENONA SINGEL, OF MICHIGAN, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION.

DEPARTMENT OF JUSTICE

ANUJ CHANG DESAI, OF WISCONSIN, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2011.

ANUJ CHANG DESAI, OF WISCONSIN, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2014.

DENNIS J. ERBY, OF MISSISSIPPI, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF MISSISSIPPI FOR THE TERM OF FOUR YEARS.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

EARL W. GAST, OF CALIFORNIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

DEPARTMENT OF STATE

ANNE CLAIRE RICHARD, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF STATE (POPULATION, REFUGEES, AND MIGRATION).

TARA D. SONENSHINE, OF MARYLAND, TO BE UNDER SECRETARY OF STATE FOR PUBLIC DIPLOMACY.

ROBERT E. WHITEHEAD, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE TOGOLESE REPUBLIC.

LARRY LEON PALMER, OF GEORGIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BARBADOS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ST. KITTS AND NEVIS, SAINT LUCIA, ANTIGUA AND BARBUDA, THE COMMONWEALTH OF DOMINICA, GRENADA, AND SAINT VINCENT AND THE GRENADINES.

JONATHAN DON FARRAR, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PANAMA.

PHYLLIS MARIE POWERS, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO REPUBLIC OF NICARAGUA.

NANCY J. POWELL, OF IOWA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, PERSONAL RANK OF CAREER AMBASSADOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO INDIA.

FARM CREDIT ADMINISTRATION

BRUCE J. SHERRICK, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL AGRICULTURAL MORTGAGE CORPORATION.

CHESTER JOHN CULVER, OF IOWA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL AGRICULTURAL MORTGAGE CORPORATION.

JAMES MADISON MEMORIAL FELLOWSHIP
FOUNDATION

CATHERINE ALLGOR, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR A TERM EXPIRING SEPTEMBER 27, 2014.

DEPARTMENT OF JUSTICE

THOMAS M. HARRIGAN, OF NEW YORK, TO BE DEPUTY ADMINISTRATOR OF DRUG ENFORCEMENT.

DEPARTMENT OF STATE

GINA K. ABERCROMBIE-WINSTANLEY, OF OHIO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALTA.

JULISSA REYNOSO, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ORIENTAL REPUBLIC OF URUGUAY.

WILLIAM E. TODD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF CAMBODIA.

JACOB WALLE, OF DELAWARE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE TUNISIAN REPUBLIC.

PAMELA A. WHITE, OF MAINE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HAITI.

JOHN CHRISTOPHER STEVENS, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LIBYA.

TRACEY ANN JACOBSON, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KOSOVO.

KENNETH MERTEN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CROATIA.

MARK A. PEKALA, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LATVIA.

RICHARD B. NORLAND, OF IOWA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO GEORGIA.

JEFFREY D. LEVINE, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ESTONIA.

FREDERICK D. BARTON, OF MAINE, TO BE AN ASSISTANT SECRETARY OF STATE (CONFLICT AND STABILIZATION OPERATIONS).

FREDERICK D. BARTON, OF MAINE, TO BE COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.

LINDA THOMAS-GREENFIELD, OF LOUISIANA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DIRECTOR GENERAL OF THE FOREIGN SERVICE.

FEDERAL DEPOSIT INSURANCE CORPORATION

JEREMIAH O'HEAR NORTON, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR THE REMAINDER OF THE TERM EXPIRING JULY 15, 2013.

DEPARTMENT OF JUSTICE

GREGORY K. DAVIS, OF MISSISSIPPI, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF MISSISSIPPI FOR THE TERM OF FOUR YEARS.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH OLGA FORD AND ENDING WITH MARGARET SHU TEASDALE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 2, 2012.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH TERRY L. MURPHREE AND ENDING WITH ANDREW J. WYLIE, WHICH NOMINATIONS WERE RECEIVED BY THE

SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 2, 2012.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MORGAN D. HAAS AND ENDING WITH STEPHEN L. WIXOM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 29, 2012.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE COMMANDANT OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 47:

To be vice admiral

VICE ADM. JOHN P. CURRIER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE U.S. COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. PAUL F. ZUKUNFT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE U.S. COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

VICE ADM. MANSON K. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE U.S. COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. PETER V. NEFFENGER

COAST GUARD NOMINATIONS BEGINNING WITH PATRICK K. ABOAGYE AND ENDING WITH WILLIAM F. CSISAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 1, 2012.

DEPARTMENT OF THE TREASURY

CHRISTY L. ROMERO, OF VIRGINIA, TO BE SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM.

EXTENSIONS OF REMARKS

REMEMBERING MSG CLARENCE O.
LYALL

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. HOYER. Mr. Speaker, I rise to pay tribute to a man who put his life in harm's way for our country as a member of the iconic 101st Airborne Division's Easy Company during World War II. MSG Clarence Odell Lyall, a longtime resident of Leonardtown, Maryland, passed away on March 19.

The 101st Airborne Division was created in 1942 to put American boots on the ground in some of the most treacherous enemy-held territory—in possibly the most dangerous way possible. Paratrooper tactics were still very new, and the risks of jumping out of an aircraft, let alone into a warzone, were enough to give even some of our bravest soldiers pause. But for the men who were formed into the Division's E Company, known as "Easy Company," landing safely on the ground was only the first obstacle.

On June 6, 1944, Clarence—"Clancy," to those of us who were fortunate to know him—jumped with Easy Company a few miles from Utah Beach in the opening hours of Operation Overlord, and he landed in a tree. He was so laden with heavy equipment that another soldier had to cut him down to safety. After the Normandy beachhead was secured, Clancy fought in France, the Netherlands, Belgium, and Germany in Operations Market Garden and the Battle of the Bulge. The exploits of Easy Company were highlighted in the book *Band of Brothers* and the television miniseries of the same name.

Clancy's service to our country continued long after the Second World War came to a close. After the war, Clancy was honorably discharged. But he re-enlisted and went on to a military career that took him from occupation duty in West Germany to service in the Korean War and even a stint as an observer at the Battle of Dien Bien Phu in Vietnam in 1954, escaping the besieged town just two weeks before the fall of its French garrison. Over the course of his career, Clancy made an astounding four combat jumps, earned twenty-five decorations and citations, and retired as a Master Sergeant.

Since leaving the Army, Clancy continued to serve his country and community as a VFW Commander, President of the Veterans of the Battle of the Bulge, and President of the American Legion Vice Commander Lions Club. He served on the Southern Maryland Veterans Advisory Board and was a member of the Order of the Purple Heart in support of our wounded veterans.

I was proud to represent Clancy in Congress for so many years, and I continue to be in awe of what he and others in Easy Com-

pany and across the Armed Forces achieved during World War II. Their sacrifices, their courage, their bonds of brotherhood through unspeakable difficulty have ensured the lasting triumph of democracy.

Clancy Lyall was my dear friend, and I join in thanking Clancy for his service to this nation and to our community in Southern Maryland, and I offer my condolences to his wife, Liz, their five children, eight grandchildren, and one great-grandchild.

HONORING CODY PAE

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Cody Pae of the Fulton High School Wrestling team for winning the Class 2 Missouri State Wrestling Championship in the 126-pound weight class.

Mr. Pae and his coaches should be commended for all their hard work throughout the regular season and for bringing home the state title in the Class 2 126-pound weight class to his school and community. This is his third state medal and first state title.

I ask that you join me in recognizing Mr. Pae for a job well done.

CALVARY EPISCOPAL CHURCH OF INDIAN ROCKS BEACH, FLORIDA CELEBRATES ITS 50TH ANNIVERSARY

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. YOUNG of Florida. Mr. Speaker, Calvary Episcopal Church of Indian Rocks Beach, Florida, which I have the privilege to represent, will celebrate its 50th anniversary of service to our community next month and I would ask my colleagues to join me in saying congratulations to the members of this tremendous family oriented church.

The effort to establish this church began in 1954 and in April of 1962, this small church located on a beautiful piece of waterfront property opened its doors. With its mission statement expressing the congregation's belief that "God is calling us to make known His truth and to convey His love to all," Calvary Episcopal has become a key part of this beach community.

The church's energetic and beloved leader is Father Robert Wagenseil. Father Bob as he is affectionately called, traveled from New York 16 years ago to pay the church a visit,

and never left. Together with the church's Deacon, The Reverend Melissa Sands, and Music Director and Parish Administrator Lynn Vera, Calvary Episcopal and Father Bob serve the church community in a combination of traditional and unique ways.

In addition to their wonderful music, Father Bob's inspirational messages, and the prayers they share together, the families of Calvary Episcopal reach out to help feed the hungry through an exceptional volunteer food bank. They teach our children through Sunday school programs and even a unique summer sailing school led by Father Bob. He tells me that one of his highlights every year is the graduation ceremony for his Intrepid Sailors.

They provide computer skills training in their church computer lab to help the unemployed and the underemployed. And Father Bob and the church have formed a special bond with the local fire fighting community and in particular Pinellas Suncoast Fire and Rescue and the Indian Rocks Volunteer Firemen's Association.

Mr. Speaker, I have had the privilege to worship at Calvary Episcopal with my family and I can tell you that Father Bob and the members of his church always find new ways to amaze me both spiritually and through the compassion they show their neighbors in need. Please join me in saying congratulations to the members of Calvary Episcopal on their first 50 years of ministry and service.

RECOGNIZING THE TOWN OF LURAY, VIRGINIA AS IT CELEBRATES ITS 200TH ANNIVERSARY

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. CANTOR. Mr. Speaker, I am proud to recognize the Town of Luray, Virginia as it celebrates its 200th anniversary.

The Town of Luray was founded in 1812 and is the county seat of Page County, Virginia. Tucked away in the rolling hills of the Shenandoah Valley, Luray boasts of breathtaking views and is steeped in rich history.

Perhaps best known for the Luray Caverns, Luray is home to the largest and most popular caverns in the East. Upon its discovery by Andrew Campbell on August 13th, 1878, the Smithsonian Institute sent nine scientists to examine the caverns and reported the following: ". . . it is safe to say that there is probably no other cave in the world more completely and profusely decorated with stalactite and stalagmite ornamentation than that of Luray." Even today, this sentiment remains the same. The Luray Caverns now attract more than 500,000 visitors each year from around the world. Luray is lucky to be home to such a historic and significant token of natural beauty.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

There is no doubt why the Town of Luray is such a popular attraction for those just passing through or visiting from many states away. When not touring the caverns, you can find visitors of Luray enjoying the 106-mile scenic Skyline Drive, or nestled into a cozy bed and breakfast. The Appalachian Trail also passes through Luray, where hikers can climb through the peaks and valleys of the Shenandoah region and explore the area first-hand.

Luray residents will celebrate and honor the Town's rich history with events and activities throughout the year, which began with a "Celebrate Luray" event back in February.

Mr. Speaker, please join me in congratulating the citizens of Luray as they celebrate the town's bicentennial, and wishing them all the best for their continued growth and success.

HONORING ANDREW RODRIGUEZ,
WINNER OF THE 2011 JAMES E.
SULLIVAN AWARD

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. MORAN. Mr. Speaker, I rise today to honor Alexandria, Virginia resident Andrew Rodriguez, on his receipt of the highly-esteemed Amateur Athletic Union (AAU) 2011 James E. Sullivan Award. The award honors the nation's outstanding amateur athlete and has annually been presented since 1930. Finalists were selected from personal nominations following a review by the AAU Sullivan Award Executive Committee. Renowned recipients of the Award include: Mark Spitz, Jackie Joyner-Kersey, Florence Joyner, Peyton Manning, Michael Phelps, J.J. Redick, Tim Tebow, and Shawn Johnson, just to name a few.

As you may know, the AAU is dedicated to promoting amateur athletics throughout this nation and is one of the largest non-profit volunteer sports organizations in the U.S. For over 100 years, AAU has remained committed to helping young people develop as both athletes and as valued citizens of their communities. The Sullivan Award, which is in its 82nd year, making it even older than the Heisman trophy, salutes amateur athletes who not only succeed in sports, but who also exhibit strong moral character in their daily lives.

In order to be considered, Sullivan Award nominees must demonstrate talent, excellent character, leadership and sportsmanship—all qualities that Andrew has certainly surpassed during his career at the United States Military Academy at West Point. He recently received the Army's first Campbell Trophy and the National Football Foundation National Scholar-Athlete award, which recognizes the nation's best in combined academic success, community leadership, and performance on the football field. Andrew currently carries a 4.14 GPA as a mechanical engineering major and ranks third academically in his class of 1,052 cadets.

In addition to his exemplar character and scholarly record, Andrew is a senior linebacker on Army's football team and delivered 140 career tackles in 23 career games. Andrew suf-

fered what many thought was a career-ending injury and missed the entire 2010 football season, but through determination and hard work, recovered and returned for the 2011 season as team captain.

Andrew is an outstanding leader both on the field and in the classroom. He has been very active in giving back to his community and honoring our military by spending many hours visiting the injured at Walter Reed Army Medical Center. He follows his father, Commanding General of the U.S. Army Forces Command David Rodriguez, and sister Amy, in a family tradition at West Point.

Mr. Speaker, I am honored to ask my colleagues to join AAU and myself in congratulating Andrew on his outstanding achievement. We can all see that he is an exceptional, strong leader, and I very much look forward to following his continued success. It is truly an honor to represent Andrew and his family in the United States Congress, and I sincerely thank them for their commitment to our nation.

RECOGNIZING THE 60TH WEDDING
ANNIVERSARY OF DR. J.O.
"ROCKY" MAYNES JR. AND BEKI
SIGWORTH-MAYNES

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. PASTOR of Arizona. Mr. Speaker, it is my great pleasure to congratulate Rocky and Beki Maynes on the occasion of their 60th wedding anniversary—a milestone reached January 19, 2012 and celebrated by the couple's ten children, thirty grandchildren, four great-grandchildren and other family and close friends. Verma and I have known and worked with this wonderful couple for many years and we sincerely wish them our heart-felt congratulations.

Rocky and Beki met at Arizona State College, (now ASU), where Beki was studying music on a scholarship, and Rocky was pursuing a degree in education and language studies. In their eventual careers that followed, Rocky became the Director of Migrant Children Education for the State of Arizona, a position he held for many years until his retirement in 1990. Prior to being Director, he served as a dedicated teacher to countless Arizona high school and college students. Beki's leadership as president of the Glendale Women's Club and Glendale Historical Society helped advance both organizations' important missions, yet her most valued role remained as a mother to her and Rocky's large, ever-growing family.

Anyone who knows Rocky and Beki can attest to their great love for all of their children, grandchildren and great-grandchildren—a love deeply rooted first in their devotion to one another. Yet, this couple, time and time again, looked to the larger community and its needs, prompting Rocky and Beki to be proactive in serving others and furthering access to high-quality education for all children. Such efforts have proven to benefit numerous Arizona families, a testament to Rocky and Beki and especially their marriage, a source of continued strength and support for both of them.

In celebrating Rocky and Beki's 60th Anniversary, we reflect on the life they have built with one another, and join in congratulating them on what truly is an accomplishment of great significance.

Mr. Speaker, I am proud to recognize Dr. and Mrs. Maynes on their 60th wedding anniversary and join with their family in wishing them many more years of continued happiness, health, and innumerable blessings.

HONORING MRS. PATRICIA
ANDRADE

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month, I rise today to honor Patricia Andrade, a remarkable leader in the South Florida community.

Mrs. Andrade was born in Venezuela and has been living in the United States for more than 20 years. She holds both a law degree from Universidad Santa Maria and an International Diploma in Human Rights from the United Nations Association in Venezuela. These academic achievements have directly contributed to her campaign against human rights abuses by Hugo Chavez, following his rise to power.

In 2004, Mrs. Andrade founded the Venezuela Awareness Foundation, an organization whose focus is denouncing and defending human rights in Venezuela. Her commitment to democracy and respect for human rights around the world is a daily battle, yet she perseveres and finds motivation in all the Venezuelans living under oppression today. Mrs. Andrade works to keep close contact with political prisoners' family members and goes to great lengths to alleviate their economic hardships. Once a year, she works to promote education in Venezuela by providing political prisoners' children with school supplies including uniforms, books, and registration expenses.

Mrs. Andrade is also a weekly columnist in Miami's newspaper El Nuevo Herald, along with other Venezuelan online news sites. To further promote awareness of Venezuela's current situation and the abuse of human rights, she participates in different forums and conferences throughout South Florida and Germany.

Mr. Speaker, I am honored to pay tribute to Mrs. Patricia Andrade for her continued service to the South Florida community and to all Venezuelans who continue to be oppressed daily by Chavez' fist. I ask my colleagues to join me in recognizing this remarkable individual and wish her continued success.

HONORING GREENVILLE
INDUSTRIAL COLLEGE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an institution noted for

its resounding leadership, the Greenville Industrial College of Greenville, Mississippi.

Greenville Industrial College was founded in 1904 by Greenville native, Reverend Dr. A.B. Bolden. Dr. Bolden, along with other community pioneers purchased the land for the Greenville Industrial College from Dr. E.P. Brown and his family in the early 20th century.

The two-story brick building was located in the African-American community of "Brown's Addition", named after Dr. E.P. Brown. It was under the leadership of Dr. Bolden that the first chapter of this dynamic organization's history began.

The mission of the Greenville Industrial College is to provide African-American students with the necessary skills to make a successful transition to post secondary education or work, and to prepare these students to successfully compete in a global market. Since the 1900s, the college has offered career and technology programs which include theology, masonry, carpentry and machinery.

The college has produced many prominent members of society which include the famous Bishop Clarence LaVaughn Franklin, Willie Richardson of the National Football League Baltimore Colts, and Walter Jake Turnbull, founder of the Harlem Boys Choir.

Mr. Speaker, I ask my colleagues to join me in recognizing the Greenville Industrial College for its remarkable work in developing our citizens, our economy, and the great state of Mississippi.

IN RECOGNITION OF MR. MICHAEL L. FOWLER, SR.—MORTICIAN OF THE YEAR

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. BISHOP of Georgia. Mr. Speaker, it is my pleasure and honor to extend my personal and heartfelt congratulations to Mr. Michael L. Fowler, Sr., on being named Mortician of the Year for the 4th District of the Georgia Funeral Service Practitioners Association, Inc. A celebration will be held in his honor on Saturday, March 31, 2012, at 7 p.m. at Albany Technical College in Albany, Georgia.

Mr. Fowler was born in Columbia, South Carolina, to Roland and Rosie Fowler. Following his birth, Mr. Fowler's family moved to Georgia where he was educated in the Dougherty County, Georgia Public School System and graduated from Dougherty Comprehensive High School. After graduating from high school, Mr. Fowler would go on to earn a degree in Mortuary Science from Gupton Jones College in Atlanta, Georgia.

A Certified Funeral Service Practitioner and a Licensed Funeral Director and Embalmer, Mr. Fowler performs Trade Embalming for many funeral homes in Georgia and Florida. He also founded and currently owns Fowler's Removal Service. As a retired Death Investigation Specialist for the Georgia Bureau of Investigation, he holds numerous certifications in the fields of Medicolegal Death Investigation, Death Scene Reconstruction, and Grief Management.

A strong leader with an exceptional work ethic, Mr. Fowler is the current President of the Georgia Funeral Service Practitioners Association. He also serves on the Georgia State Board of Funeral Service and is an active member of the Academy of Graduate Embalmers, Academy of Professional Funeral Service Practice, Albany Chamber of Commerce and the National Association for the Advancement of Colored People.

Of his many commendable qualities, one of the things I admire most about Mr. Fowler is his altruistic willingness to volunteer his time and lend his professional services to needy families who have lost loved ones to tragic accidents and natural disasters. As a member of the National Disaster Medical System's Disaster Mortuary Team (DMORT) and Kenyon International Service, Mr. Fowler has assisted in the morgue operations of mass fatalities associated with the Albany, Georgia floods of 1994 and 1998; the 1997 crash of Korean Airlines Flight 801 in Guam; the 9/11 World Trade Center terrorist attacks in 2001; the 2004 tsunami in Asia; Hurricane Katrina; Hurricane Rita; and the 2010 Haiti earthquake.

In conjunction with his professional accomplishments, Mr. Fowler lives a life of service and faith. He has been a member of Evangelical Faith Ministries, Inc. for 45 years and has served as a Deacon for the last 33 years. Additionally, he founded the S.O.L.A.C.E. (Stretching Out Loving Arms Creating Encouragement) Program for impoverished and at-risk youth in Southwest Georgia. Moreover, he co-facilitates the Let's Stay Together Marriage Enrichment Program; is Board Chair of Love and Mercy Outreach Programs, Inc.; and serves on the Community Development Council for the City of Albany.

Michael L. Fowler, Sr., has accomplished many things in his life but none of this would have been possible without the enduring love and support of his loving wife, Rosa, and wonderful children and grandchildren.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Mr. Fowler for his outstanding professional achievements, dedicated community service and many good deeds on behalf of families all around the world who have lost loved ones to unforeseen tragedies.

HONORING THE 75TH ANNIVERSARY OF WRIGHT-HENNEPIN ELECTRIC COOPERATIVE

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mrs. BACHMANN. Mr. Speaker, I rise today to acknowledge the 75th anniversary of the Wright-Hennepin Electric Cooperative in Rockford, Minnesota. Today, March 29, 2012, the annual membership meeting will take place in celebration of their fruitful beginning on March 29, 1937.

Wright-Hennepin Electric was formed at the height of the Great Depression to meet the electrical needs of rural central Minnesota. Today, they provide service for more than 46,000 homes and businesses and continue to provide groundbreaking services to their cus-

tomers in Wright and the western Hennepin counties.

Wright-Hennepin Electric is an industry leader in helping home and business owners save money, reduce energy consumption, and determine when alternative energy resources might be a good fit for their needs. Additionally, Wright-Hennepin Electric has expanded into security monitoring for 50,000 homes in 32 states and three Canadian provinces. Innovative business expansions like this help keep this magnificent company a step ahead of the rest.

Also importantly, Wright-Hennepin Electric is an active member of the community. Annually, high school students may apply to receive college scholarships from them. Each year one lucky student also receives a trip to our Nation's capital. It is possible that many of our congressional Members have met with some of these students participating in the Electric Cooperative Youth Tour program which makes this opportunity possible.

Many local charities and non-profits are also supported by Wright-Hennepin Electric as recipients of thousands of dollars of donations. Lastly, Wright-Hennepin Electric has been recognized by chambers, local governments, and businesses as a responsible corporate citizen and valued member of the communities they serve.

Congratulations on this 75th milestone, members and staff of Wright-Hennepin Electric Cooperative.

HONORING ILIANA CURRA

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month, I rise today to honor Ms. Iliana Curra, a Cuban patriot who is the epitome of a freedom fighter. Her life's story has been one of hardship but has also been one of valor.

Ms. Curra was born in 1959 in Regla, Havana during a year of great turmoil in Cuba. As a result, she was unable to complete High School and began working at the young age of seventeen as a secretary. At this time, her political problems also began. She was transferred from one job to the next and cast as "disloyal," commonly done to those who opposed the regime.

On July 16, 1992, she was arrested and detained for 84 days at the Headquarters of State Security, known as Villa Marista, for spreading "propaganda." Upon her release, Ms. Curra courageously joined the opposition, the National Agenda Movement. After several arbitrary arrests, she was sentenced to three years in the Women's Correctional Facility for her political beliefs and associations. During this time, Ms. Curra witnessed horrendous and inhumane treatment. After completing her sentence, Ms. Curra was exiled from Cuba and began a new life in Miami, Florida.

In 1998, a year after her release, Ms. Curra started working for the freedom of Cuba. She began sharing her firsthand experiences of human rights abuses in Cuba, and continued

fighting against the tyrannical Castro regime. Her life's mission will not cease until the Cuban people are truly free.

Mr. Speaker, I am honored to pay tribute to Iliana Curra for her continued service to the South Florida community, and solidarity with the Cuban people. A true advocate for democracy and human rights, she dedicates every second of her life to freedom and justice. She is an inspiration not only to women, but to all of us. I ask my colleagues to join me in recognizing this outstanding individual, and wish Ms. Curra continued success and happiness in the future.

CELEBRATING THE LIFE OF
DONALD HILL

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. MARCHANT. Mr. Speaker, it is with great pride that I celebrate the life of Donald E. Hill. A lifelong Christian who leaves behind a wife he married 42 years ago, Donald was an upstanding member of both his professional and personal communities, and worked as an attorney for 36 years. In his career he specialized in employment law, business law and estate planning.

Donald's personal life made a great impact on the lives of those around him. He and his wife Carol—along with their two sons—attended First Evangelical Free Church for over 30 years, and he served as a deacon, elder, chairman and regular Sunday school teacher. He was also involved with the Wichita Prayer Breakfast, Rotary, the Christian Legal Society and the Wichita Art Museum, and prided himself on being politically involved.

Donald, who was laid to rest on March 3, 2012, was a truly rare individual who put God, family and friends before himself time and time again. Whether it was at work, home or church, Donald saw to it that those around him received the full benefit of the blessings he himself had been given. We are all grateful to have known this wonderful man.

Mr. Speaker, it is my honor to have been part of Donald Hill's family for many years, and I am greatly saddened by his passing. I ask all my distinguished colleagues to join me in celebrating his life.

TRIBUTE TO WOMEN'S HISTORY
MONTH

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise today to pay tribute to Women's History Month and to recognize the many contributions women have made to our community.

Specifically, I want to recognize these remarkable women from South Florida for their dedication and commitment: Annie Baker, Bishop Catherine P. Baskin, School Board Member Dorothy Bendross-Mindingall, Mayor

Daisy Black, Patricia Jennings Braynon, Baltena Brown, Rhea Brown, Queen Brown, Senator Larcenia Bullard, Vanessa Woodard Byers, Representative Daphne Campbell, Lillian Cooper, Emma Curry, Nancy Dawkins, Martha C. Day, Lucia Davis-Raiford, Patricia Daniels, Melodie Delancey, Barbara Dent, Earlene P. Dotson, Gail Ash Dotson, Dr. Barbara Edwards, Gussie J. Ervin, Commissioner Betty Ferguson, Dr. Dorothy Jenkins Fields, Susie W. Francis, Regina Jollivette Frazier, Kimberly Gaines, Patricia Garrett, Mayor Shirley Gibson, Emily Gunther, Elsie Hamler, Thomasina Hargrove, Alexis Harris, Debi Harris, Karen Hawkins, Bea Hines, Bertha Henry, Nicole Henry, Anne T. Herriott, Cheryl Holder, Janice Powell Hopton, Vikki Hoshing, Andrea Ivory, Sandra Jackson, Jeanne F. Jacobs, Juanita B. Johnson, Commissioner Barbara Jordan, Yolanda Cash-Jackson, Pamela Jones, Renee S. Jones, Juliet King, Linda Kelly Kearson, Juanita A. Lane, Pamela Luckie Latimore, Betty Major, Congresswoman Carrie P. Meek, Sigilenda Miles, Yvette Miley, Tracey Mourning, Georgia McClean, Shirleyon McWhorter, Bobbie Mumford (Posthumously), Maud P. Newbold, Beverly E. Nixon, Adora Obi Nweze, Dr. Rozlyn Paschal, Enid C. Pinkney, Bernadette Poitier, Michele Paramore, Tammy Reed, Rachel Reeves, Zarifa Reynolds, Collette Hart Richardson, Donna Riley, Treska Rodgers, Akua Scott, Sherrilyn Scott, Claudia Slater, Rhoda Shirley, Commissioner Michelle Spence Jones, Representative Cynthia Stafford, Jessie A. Stinson, Kay M. Sullivan, Mayor Myra Taylor, Penelope Townsley, Dr. Andrea Trowers, Priscilla Thompson, Rosetta Vickers, Sandy Walker, Thelma Walker, Representative Barbara Watson, Dolores Washington, Eloise Washington, Patrenia Washington, Gwendolyn Welters, Rhonda Wimberley, Heather Woolery-Lloyd, Geneva Woodard, Jacquelyn White, Bobbie Jones Wilfork, Mattie Williams, Katrina Wilson-Davis, Ellen Wright, Commissioner Audrey Edmonson, Rhonda Vangates, Georgia Ayers, Kim McCray, Deborah Owens, Misty Brown, Vice-Mayor Felicia Brunson, Commissioner Barbara Sharief, Marlene Bastien, Renita Holmes, Debra Toomer, Lavern Ellie-Scott, Carlina Paul, Lucy Tundra, Josie Portier, Dr. Mae Christian, Tangela Sears, Barbara Hardemon, Stephanie Bromfield, Retha Boone, Lottie Hines, Karen Cartwright, Jackie Bell, Elaine Black, Annie Neasman, Dr. Evalina Bestman, Roslyn Frazier, Chief Therese Homer, Thelma Gibson, Frankie Rolle, Corkie Dozier, SHEMELE Jenkins, Geraldine Washington, Thema Campbell, Kiani Nesbitt, Marjorie Spicer, Sonya Flowers, Rita Pierre, Velma Lawrence, Terri Rutherford, Julia Brown, Beatrice Louissaint, Woodie Lesesne, Dr. Brenda Snipes, Carmen Morris, Sandra St. Amand, Faye Davis, Cheryl Mizell, Penelopy Townsend, Bloneva Jones, Inez Johnson, Joanna Chestnut, Ann Foster, Sharon Anderson, Belinda Tucker, Mary Francisco, Sharette Hepburn, Virginia Hepburn, Lenora Miller, Catherine McFarland, Mamie Jenkins, Mary Robinson, Virla Barry, Mary McRae, Esther Roundtree-Johnson, Dr. Mary A. Tumpkin, Dr. Gloria Williams, Farrah Wilson, LaKeshia Wilson-Rochelle, Prophetess Charlene Holts, Karen Andre, Farah Juste, Romanita Ford, Opal Jones, Willowstine

Lawson, Bernadette Morris, Aletha Player, Sharon Pritchett, Diana Ragbeer, Councilwoman Lisa Davis, Councilwoman Felicia Robinson, Commissioner Rose Tydus, Commissioner Dorothy Johnson and Jennifer Adger Grant.

I am proud to stand and pay tribute to all of these dynamic women, and say thank you on behalf of all the constituents of Florida's 17th Congressional District.

HONORING MR. BILLY CLAY FOR
HIS SERVICE TO THE GREENWOOD,
MISSISSIPPI COMMUNITY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a man of great valor and integrity, Mr. Billy Clay. In October 2004, Mr. Clay founded The Greenwood Mentoring Group at the Jessie B. Henderson-Inez Beck Learning Center in the city of Greenwood, Mississippi. The Mentoring Group opens its doors five days a week to provide after school tutoring to neighborhood youth. The program has helped to increase the academic success and self-esteem of many youth in Greenwood, Mississippi and surrounding areas.

For more than 30 years, Mr. Clay has rendered countless hours of service to the young people throughout the Greenwood community. Not only is Mr. Clay a pillar within his community but is a little league baseball coach. As a role model, he plays a pivotal role in raising awareness on the various issues facing their community. He continues to be a strong voice for the community as he facilitates outreach in the community among sororities, fraternities, and other community organizations to make a positive and lasting impression in the lives of Greenwood community youth. Mr. Speaker, I ask you and our colleagues to join in congratulating Mr. Billy Clay for his service to the Greenwood community.

HONORING STATE ATTORNEY
KATHERINE FERNANDEZ RUNDLE

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DIAZ-BALART. Mr. Speaker, as we celebrate Women's History Month, I rise to honor State Attorney Katherine Fernandez Rundle, an outstanding individual serving the South Florida community.

Mrs. Fernandez Rundle was appointed to her position in 1993, and has subsequently been re-elected five times. Throughout her career, she has served South Florida admirably and has been a stalwart supporter of the community. Over the past two decades, she has served Miami-Dade County with distinction and has worked diligently to maintain the safety of our community. Her leadership has been critical in the creation of numerous programs dealing with issues that affect our area such

as teen truancy, domestic violence, child support, and victim's rights.

Mrs. Fernandez Rundle served as the first and only Hispanic female on the State Constitutional Revision Council. Her passion and interest in public service is in large part due to the inspiration of her father, Dr. Carlos Benito Fernandez, one of Miami's first Hispanic Judges and a founding member of the Cuban American Bar Association, the largest Hispanic legal organization of which Mrs. Fernandez Rundle was elected its first female President in 1991.

Additionally, the State Attorney's office is the fourth largest district attorney's office in the nation with over 1,200 employees, 300 of them prosecutors also known as Assistant State Attorneys. Her office is the only prosecutor's office in the state that protects the rights of children with the creation and enforcement of a strict child support program. Other programs that have been established under her direction are the Juvenile Gun Offenders Program, the S.T.A.R.T. Program, and the Second chance Sealing and Expungement Program. Amongst her duties as State Attorney, she is also a founding member and Vice-President of Women of Tomorrow, a mentoring program that looks to inspire and motivate young at-risk high school women. In addition, Mrs. Fernandez Rundle is also very active in other organizations including City Year Miami, Amigos for Kids, and Mothers Against Drunk Driving (MADD).

Mr. Speaker, I am honored to pay tribute to State Attorney Katherine Fernandez Rundle for her continued service to the South Florida community and I ask my colleagues to join me in recognizing this remarkable individual.

HONORING J'DEN COX

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating J'den Cox of the Hickman High School Wrestling team for winning the Class 4 Missouri State Wrestling Championship in the 220-pound weight class.

Mr. Cox and his coaches should be commended for all their hard work throughout the regular season and for bringing home the state title in the 220-pound weight class to his school and community. This is his third state championship. He is the Tribune Wrestler of the Year with his unofficially compiled 526 takedowns.

I ask that you join me in recognizing Mr. Cox for a job well done.

CONGRATULATING THE REELECTION OF PRESIDENT MA YING-JEOU OF THE REPUBLIC OF CHINA

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. HONDA. Mr. Speaker, on January 14, 2012, the Honorable Ma Ying-jeou was elected to a second term as the President of the Republic of China. I would like to take this opportunity to congratulate President Ma and the people of Taiwan on the strength and vitality of their commitment to democracy.

For over a half century, Taiwan has been a strong, democratic ally to the United States in the Asia-Pacific region and across the world. Our peoples have enjoyed a close friendship forged by our political, economic, cultural, and strategic ties. Taiwan's sustained economic and sociopolitical development has set an admirable exemplar that many countries seek to emulate. Taiwan's global scope and leadership has transcended many sectors, particularly healthcare. Taiwan boasts one of the most innovative and efficient healthcare systems in the world. As an advocate for building mutual relationships, I am confident that the U.S.-Taiwan bond will only become stronger with Taiwan's inclusion in the U.S. Visa Waiver Program. Over 400,000 Taiwanese citizens visit the United States each year; this could increase by 20 to 30 percent once Taiwan gains admission into the U.S. Visa Waiver Program.

As Chair Emeritus of the Congressional Asian Pacific American Caucus, I know firsthand the importance this partnership holds for our Taiwanese-American communities. According to the 2010 Census there are approximately 230,000 Taiwanese-Americans currently living here in the United States, many of whom live in my home district in Silicon Valley. Taiwanese-Americans are frequently highly educated contributors to the vibrancy of the U.S. economy, and this is reflected in their sectors of employment. The majority of Taiwanese-Americans work in management, business, finance, information technology, sciences and engineering. As a representative of ethnically diverse Silicon Valley, I proudly join Taiwanese-Americans and the technology industry in celebrating the growing, collaborative economic relationship between the United States and Taiwanese companies.

Many of these advances are attributed to President Ma's strong and visionary leadership during his first term as president. I commend President Ma and his Administration for their tremendous strides in working toward stability amidst international economic uncertainty and in strengthening cross-strait relations with the People's Republic of China. President Ma's reelection is a testament to the people of Taiwan supporting his efforts and leadership. In fact, Taiwan's presidential race elicited unprecedented grassroots organization, from everyday citizens to business executives, to rally support for President Ma's reelection. The Taiwanese people have truly spoken, and their approval of President Ma's rapprochement policy with the People's Republic of China is an encouraging beacon from which we can all learn.

Once again, I congratulate President Ma Ying-jeou and the people of the Republic of China for a highly celebrated election. I look forward to my upcoming visit to Taiwan and meeting with President Ma. It will be a pleasure to continue working with President Ma and his Administration to strengthen our U.S.-Taiwan partnership and ensure peace and stability for our peoples, the region, and the world.

HONORING MS. TINA MATTE

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month I rise today to honor Ms. Tina McCain Matte, an outstanding individual and someone who has continuously supported the Southwest Florida community.

Ms. Matte is currently serving as President of Gravina, Smith, Matte & Arnold, an influential marketing and public relations firm located in Fort Myers. The firm specializes in developing long-term, results-oriented public relations programs for regional residential and commercial developments, resorts, governmental agencies, professional firms and non-profit organizations. She has excelled in her position as President and in 2008 was named a Top 50 Power Player by Gulfshore Business, in recognition of her influence and leadership in Southwest Florida. The Florida Public Relations Association has also awarded her numerous times for her excellent service.

Amongst her duties as president she has also found the time to be active in her community. From 2002-2008 she was appointed by then Governor Jeb Bush to serve on the Supreme Court Judicial Nominating Commission, where she served as chair from 2006-2007. Currently, Ms. Matte serves on the Board of Directors for the Salvation Army, as well as Floridians for Better Transportation, a statewide business and transportation association committed to making transportation safer and more efficient in Florida. Throughout her career, Ms. Matte has served the community admirably and has been a stalwart leader in the state.

Mr. Speaker, I am honored to pay tribute to Ms. Tina McCain Matte for her continued service to the Miami community and I ask my colleagues to join me in recognizing this remarkable individual.

COMMEMORATING THE 40TH ANNIVERSARY OF CRAFTON HILLS COLLEGE IN YUCAIPA, CALIFORNIA

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LEWIS of California. Mr. Speaker, I rise today to commemorate the 40th anniversary of one of the most dynamic centers of learning in my district: Crafton Hills College, in Yucaipa, California.

I have spoken to my colleagues before about this fine community college. It has grown from an initial 881 students in 1972 to more than 5,600 today. The faculty continues to expand, with more than 90 full-time teachers and administrators. More than 150,000 students have expanded their education and found new job skills at Crafton.

As many of my colleagues are aware, community colleges have become a haven for many of our fellow citizens who have lost jobs and are desperately seeking new skills to advance their place in our economy. Crafton Hills has certainly been one of those havens, offering more than 60 degrees and certificates ranging from Radiologic Technology to Internet Web Design. The college has maintained its high standards and student services despite facing its own budget cutbacks.

In just the past few years, the campus has seen a number of wonderful additions. Even as they faced tough economic times, voters in our area approved a bond measure that paid to build a 60,000-square-foot Learning Resource Center, which now houses the library, a computer center, an art gallery and a tiered auditorium. The bond also paid for installation of a fabulous new swim center, which incorporates the competitive pool used in the 2004 Olympic trials in Long Beach, California. I was pleased to help arrange moving the pool to the campus.

The campus will soon dedicate a seven-acre Solar Farm that will provide nearly all of the college's electrical needs, as well as taking a tremendous load off of the public electrical grid. All of these improvements are clear evidence that Crafton Hills College is laying the groundwork to be a top educational institution for decades to come.

Finally, Mr. Speaker, I want to once again praise the college for its role in the San Bernardino Regional Emergency Training Center at the San Bernardino International Airport. Established with the support of the Federal Aviation Administration, the center has trained hundreds of firefighters from across the nation in how to handle commercial aircraft fires—with real-life scenarios set in the fuselage of a former jet-liner. I have no doubt that many lives will be saved in the future by firefighters who have learned their techniques here.

Mr. Speaker, Crafton Hills College is a top example of the kind of center for higher education that will train our future workers, researchers and academics. Please join me in congratulating the college's administration, faculty and students for their efforts, and wish them success for the future.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. GEORGE MILLER of California. Mr. Speaker, during rollcall No. 139 on March 28, 2012, I was unavoidably detained and unable to cast my vote. Had I been present, I would have voted "no" on ordering the previous question, so that the House could consider the bipartisan Violence Against Women Act.

A TRIBUTE TO TOM LEDERER

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to pay tribute to Tom Lederer. A lifelong resident of Philadelphia who gave much to the community, Tom was called by his Creator on Thursday March 22nd.

Thomas John Lederer was born on September 29, 1934 in Philadelphia to a family that believed in the principles of democratic government and civil service. His father Miles served as both Chair of the Democratic Party in Philadelphia and as a state legislator. His brothers Raymond and Bill would also serve in the legislature, with Ray becoming a member of Congress. Tom's brother Miles headed the local Riggers Union, while his brother Fran was the Chief of the County Detectives. Tom spent a lifetime serving as an inspector with the Philadelphia Water Department and raising kids, first his own six and then sixteen grandchildren. He also served the community as Boy Scout leader, community organizer and educator.

He was an active member of his Church, St. Michael's Roman Catholic, and his community. He was a Board Member of the Roman Catholic Alumni Association, Past President of the St. Joseph Prep Father's Club, Chairman of Kensington South Neighborhood Advisory Committee, Boy Scout Master of Troop 488, Member of the Horticultural Society of Philadelphia and Penn State's Gardening Progress program, winner of a "Black Eye" community award, but most of all he was "Pop" to his sixteen grandchildren.

However, in his mind, his most proud association was being Rita Lavery's husband. Born two days apart, they were married for 56 years and friends for 70 of his 77 years. They started kindergarten at St. Michaels on the same day and were classmates and pals thereafter.

Together with Tom's wife, Rita, his six children, his sixteen grandchildren, and all his family and friends, I mourn his passing but celebrate his life.

HONORING MS. GERRY SMITH

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DIAZ-BALART. Mr. Speaker, as we celebrate Women's History Month, I rise to honor one of South Florida's finest community leaders, Ms. Geraldine "Gerry" Smith.

Ms. Smith currently serves as President of the Women's Club of Hialeah. She was born and raised in Hialeah and has dedicated her time and efforts to our community. She has a passion for helping others, and relishes her current role as president. Previously she worked on the School Board in Hialeah, a position she enjoyed and served admirably. More recently, she has found a way to combine her artistic ability and her passion for the commu-

nity by providing an educational hobby for local senior citizens.

Every Saturday morning Ms. Smith teaches a group of senior citizens how to make jewelry, along with other activities. Her goal is to ensure that senior citizens have a great time and remain active after retirement. She also donates her time and money to Angel's Reach, an organization which helps children with autism. Together with the Women's Club of Hialeah, Ms. Smith actively supports the autistic community in South Florida.

Mr. Speaker, I am honored to pay tribute to Ms. Gerry Smith for her continued service to the South Florida community and I ask my colleagues to join me in recognizing this remarkable individual.

HONORING TREY SMITH

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Trey Smith of the Moberly High School Wrestling team for his first Class 2 Missouri State Wrestling Championship. Mr. Smith won by decision in the 152-pound weight class.

Mr. Smith and his coaches should be commended for all their hard work throughout the regular season and for bringing home the state championship title in the Class 2 152-pound weight class to his school and community.

I ask that you join me in recognizing Mr. Smith for a job well done!

RECOGNIZING THE MOUNT VERNON GIRLS BASKETBALL STATE CHAMPIONSHIP

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LONG. Mr. Speaker, I rise today to congratulate the girls of the Mount Vernon Lady Mountaineers Basketball Team for winning the Missouri Class 3 State Championship.

Basketball is a sport that challenges the human spirit and tests the mental and physical abilities of the players. These girls, Amelia Bramer, Sally Cowherd, Danielle Goodman, Madison Hadlock, Jenna Kleine, Tamiaya Henderson, Audrey LaSalle, Blair Tettenhorst, Shailyn Benbrook, Mackenzie Farmer, Kaylee Hood, Megan Pope, and Shea Vandergrift, faced those challenges and as a result became a team. They trained as one, they competed as one, and together though their hard work and dedication they won the Missouri Class 3 State Championship.

Of course, the basketball players aren't the only champions; they had an outstanding team of talented coaches supporting them and guiding them along the way. I commend Head Coach Doug Hepler and assistant coaches Bridgett Schmutz, and Tom Cox, on an amazing accomplishment and a job well done.

The Lady Mountaineers team had an edge against each and every one of their opponents; their friends, family, and fans attended the games, cheered them on throughout the basketball season and followed them to Columbia for the state championships. The Mount Vernon community is justifiably proud of their team, and the team is fortunate to have such strong support from their community.

As if winning a state championship isn't enough of an accomplishment, the Mount Vernon Lady Mountaineers Team has the distinct honor of winning it two of the last three years. This shows that our athletes and coaches in Mount Vernon are among the best in America and can stand proud in their accomplishments.

But even more important than that, the girls of the Mount Vernon Basketball team will have memories to last a lifetime. They've had that extraordinary opportunity to live the dream of anyone who has ever dreamed of competing with the best and achieving victory.

I urge my colleagues to join me in congratulating the Mount Vernon Lady Mountaineers Basketball Team, the Missouri Class 3 State Champions.

HONORING JOSEPH C. THOMAS
FOR HIS SERVICE TO THE STATE
OF MISSISSIPPI

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, former Mississippi State Senator Joseph C. Thomas. Senator Thomas is a lifelong resident of Yazoo City, Mississippi. He is a graduate of Jackson State University where he received a Bachelor of Science Degree in Business Administration and is a proud graduate of the University of Mississippi's School of Banking. After 30 years of service Senator Thomas retired as Vice President of AmSouth Bank.

In 1977, Senator Thomas received the Jackson State University Business Award and was selected by the Mississippi Economic Council as one of 50 outstanding young men under the age of 35 in the state of Mississippi. In that same year, he was also the recipient of the National Association for Equal Opportunity in Higher Education Award in Washington D.C. A lover of history, Senator Thomas has served as Chairman of the Oakes African-American Culture Center since its start in 1992, earning him recognition as one of the most prominent Afro-American historians in the state of Mississippi.

Senator Thomas is a lifelong public servant. He served as National Treasurer and Executive Vice President of the Friends of Amistad, a national organization in support of the Amistad Research Center in New Orleans, Louisiana. He served on the Jackson State University National Development Foundation Board of Directors, served as Chairman of the Management Team of the Yazoo County Fair and Civic League, Inc., and was president of

the League Management Team Corporation, whose purpose is to provide housing for the elderly and handicapped.

In 1984 Senator Thomas was appointed to the Yazoo City Public Service Commission, where he served as Vice Chairman from 1986 to 1995, and was elected Chairman in April 2000. He also headed the Policy Council and on the Board of Directors of the American Public Power Association, a national organization representing about 2,000 not-for-profit community owned electric utilities. Senator Thomas has also served as President of the Yazoo City Municipal School Board as well as Vice Chairman of the Mississippi Real Estate Appraisal Board.

In 2003, his lists of public service accomplishments were increased when he was elected as State Senator in Mississippi's 21st District. During his terms in office, he served on the Economic Development & Tourism, Education, Finance, Insurance, Judiciary, Division B and Public Health & Welfare Committees. In addition to his work in the State Legislature, Mr. Thomas has served on the National Conference of State Legislatures Health Committee and the Southern Conference of State Legislatures Education Committee.

Senator Thomas is married to the former Elizabeth Wilburn of Benton, Mississippi, and they are the parents of three children, Joseph, Jr., Kirk, and Whitney. They also have two grandchildren, Tytianna and Kameron.

Mr. Speaker, I ask my colleagues to join me in recognizing former State Senator Joseph C. Thomas for his unyielding dedication and service to Yazoo City, Mississippi and the entire state of Mississippi.

NATIONAL ESSENTIAL TREMOR
AWARENESS MONTH

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. YODER. Mr. Speaker, today, I express my support and recognize March as National Essential Tremor Awareness Month. Essential Tremor, commonly known as ET, is a progressive neurological condition that impacts the lives of up to 10 million Americans. Every day those afflicted with this disorder face a rhythmic trembling of the hands, head, voice, legs or trunk. Daily activities that many of us take for granted, such as eating, drinking and writing, may become unbearable or even impossible.

Unfortunately, there is no medical test to easily diagnose this condition and it is often confused with Parkinson's disease and dystonia. In addition, due to stereotypes, embarrassment and a general lack of awareness, many people with ET never seek medical care or treatment. This can lead to more medical issues such as depression or isolation.

For these reasons, I appreciate the efforts of my predecessor, Rep. Dennis Moore, who recognized the importance of early awareness of this condition and in 2010 introduced legislation to declare the month of March as National Essential Tremor Awareness month.

Today, on the second anniversary of the passage of this legislation, I am happy to do

my part to help increase awareness of this debilitating condition. I am honored to represent the home of the International Essential Tremor Foundation in Lenexa, Kansas. The IETF has served as an invaluable resource for thousands of its members since 1988, providing global educational information, services and support.

Most of all, the IETF provides hope. Staff, board members and volunteers work tirelessly to empower those with ET in Kansas and across the nation to regain control of their lives by providing educational opportunities, treatment options and coping skills necessary to minimize the impact of ET and improve the quality of life for those who suffer. I commend them for their outstanding efforts and look forward to working together to raise awareness and eventually, find a cure.

TRIBUTE TO MS. BERNIE WONG,
PRESIDENT OF THE CHINESE
AMERICAN SERVICE LEAGUE ON
HER RECEIPT OF PRESIDENT
OBAMA'S CHAMPION OF CHANGE
AWARD AT THE WHITE HOUSE

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DAVIS of Illinois. Mr. Speaker, I consider Ms. Bernie Wong to be among the very best of Social Workers in the United States of America or any place else in the world today. Bernie is being cited by President Obama for her outstanding leadership and development of the Chinese American Service League in Chicago. The Champion of the "Change Award," recognizes a small select group of Americans who embody, innovate, educate and build. The Award ceremony is held at the White House to honor those who exemplify Cesar Chavez's core values including service to other, knowledge, innovation, acceptance of all people, and respect for life and the environment. Bernie Wong is being recognized for her tireless efforts on behalf of Chinese Chicagoans. Ms. Wong is one of ten individuals nationwide to receive this prestigious honor.

Bernie Wong was the youngest of seven children and grew up poor, but never realized it. A product of a catholic school upbringing, Bernie learned early in life the meaning of generosity and compassion for others. Bernie's mother was always available to help others in need and would take Bernie and her siblings to visit the sick every week and provide food for people. Experiences in Bernie early years set the stage for her mission driven approach to serving others with dignity and respect. At eighteen, Bernie left Hong Kong for Sioux City, Iowa where she earned a four year scholarship to pursue a Bachelors' Degree in Sociology from Briar Cliff College. She went on to earn a Masters' Degree in Social Work from Washington University in St. Louis, MO. Bernie truly understand what poor new immigrants face when confronted by completely different culture and language. This realization gave her the courage to gather a few

friends and begin the task of building the Chinese American Service League from the ground up.

Founded in 1978, with a desk and chairs, the Chinese American Service League is now the largest and most comprehensive social service agency in the Midwest dedicated to the needs of Asian Americans. Housed in the award winning Kam L. Liu Building, and supported by an annual budget of \$12 million, CASL's program reach over 17,000 clients each year. CASL services everyone in need, but primarily focuses on serving Chinese American immigrants in the metropolitan Chicago area. CASL's clients are low-income and a significant portion served is newly arrived immigrants. These individuals often have little formal education and possess a few transferable skills. Since 90% of CASL's clients speak little to no English, they find themselves unable to access needed social services. CASL provides a critical safety-net by employing over 400 multilingual professionals and support staff. CASL serves a vital niche in the community, often taking referrals from other social service agencies, neighborhood organizations, and government institutions in order to serve clients with specific language or other special needs. Bernie is a true she-roe and leader in her community. She is indeed a champion of change and I salute President Obama for recognizing it. She deserves every accolade that we can shower upon her.

HONORING CLAUDIA PUIG

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month, I rise today to honor Ms. Claudia Puig, a highly recognized national broadcast executive with over 26 years of experience in the U.S. Hispanic media market.

Ms. Puig was born in Cuba but was forced into exile after her father, a Cuban hero, was taken from her side by the tyrannical Castro regime. Since that time, Ms. Puig has worked hard and established herself as one of Miami's premier broadcast executives. She began her career in advertising/sales at AT&T BellSouth; having a strong work ethic, she quickly achieved Elite Club status, making her one of the company's top performers. A few years later, Ms. Puig accepted an opportunity in broadcasting and has held management positions in the country's top Radio Broadcasting companies ever since.

In 1997, Ms. Puig joined Univision Radio, formerly known as the Hispanic Broadcasting Corporation, as General Manager of their four radio properties. After years of continued success, she was promoted to her current position as Senior Vice President/Eastern Regional Manager. Ms. Puig's current responsibilities are extensive, from the overall supervision of operations, finances, sales to programming for Univision Radio in Miami, Puerto Rico, and New York's nine radio stations. During her tenure, her leadership has been remarkable and has resulted in high revenues

and ratings, particularly for Univision Radio in Miami and Puerto Rico.

Ms. Puig's accomplishments go beyond her professional career; her commitment to community service has led to leadership roles in several Miami charitable and civic groups. She was appointed by Governor Jeb Bush to serve as a member of Florida International University's Board of Trustees, and was recently reappointed by Governor Rick Scott. Ms. Puig currently serves as the Chair of the Florida Association of Broadcasters.

Mr. Speaker, I am honored to recognize Ms. Claudia Puig for her outstanding professional career and dedication to our community in South Florida. I ask my colleagues to join me in recognizing this accomplished individual, and wish her continued success in the future.

RECOGNIZING THE CONTRIBUTIONS OF OUR FEDERAL WORKFORCE

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. FORBES. Mr. Speaker, today, the House of Representatives will vote on a budget proposal that will begin to turn the tide away from Washington's habitual deficit spending. I applaud the House Budget Committee for making difficult choices to cut spending, for finding creative solutions to our country's fiscal challenges, and for taking vital action to stop planned cuts to our national defense—cuts that our military leaders have labeled as "catastrophic." Addressing our nation's fiscal problems is one of my top priorities; however, I believe this can be done in a responsible fashion that does not undercut our nation's federal workforce.

Federal employees have dedicated their lives to public service. They protect our nation's borders, defend our cities and communities from terrorism, provide critical assistance in the wake of natural disasters, and support and treat our nation's military personnel and veterans. At the same time, as our neighbors, they live, work, pay taxes, and spend the money that is helping to build economic growth in the private sector in Virginia.

I believe we must reduce the size of our federal government in order to achieve greater efficiency and effectiveness, but as we do so, we must never lose sight of the fact that a capable federal workforce is vital to that goal and we must recognize the contributions of our federal employees as we work to ensure our government is capable of meeting our country's future challenges.

IN HONOR OF JAMES J. SWEENEY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. MEEHAN. Mr. Speaker, today I rise to honor John Sweeney of Havertown, Pennsylvania. Mr. Sweeney entered the United States

Navy after graduating from high school in 1943, and served aboard the USS *Hancock*. The *Hancock* took part in some of World War II's most pivotal battles, including the invasions of the Philippines, Iwo Jima and Okinawa. Mr. Sweeney was honored for his heroic service and awarded the Philippines Liberation Medal, two Battle Stars and a Presidential Unit Commendation.

It was during his time in the Navy, that Mr. Sweeney befriended his shipmate, John Finn. Lt. Finn received the Medal of Honor for his heroic actions at Pearl Harbor. During the Japanese surprise attack, Lt. Finn manned his machine gun and fought off the Japanese Zeroes for two and half hours even as he took an onslaught of bullets and shrapnel. And for the past nine years, John Sweeney has tirelessly worked to honor Lt. John Finn, who passed away in 2009.

On February 15th, 2011, those efforts proved successful as the Navy announced that a new guided missile destroyer will be named the USS *John Finn*. For these efforts Mr. Sweeney is being honored by American Legion Post 667 in Havertown. On behalf of a grateful nation, I congratulate Mr. Sweeney on his efforts to ensure that Lt. Finn's name and legacy lives on, and for his service during World War II, reflecting great credit upon himself and the United States Navy.

HONORING DR. TERRY CHRISTENSEN UPON HIS RETIREMENT FROM SAN JOSE STATE UNIVERSITY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise with my colleagues, Congresswoman ANNA ESHOO and Congressman MIKE HONDA, to acknowledge and honor Dr. Terry Christensen upon his retirement from San Jose State University.

Terry has been a Professor of Political Science at San Jose State University (SJSU) since 1970. He received his B.A. at Stanford University and his PhD in Political Science at University of North Carolina at Chapel Hill. He is a specialist on state and local politics and the media frequently call on him for analysis of politics in California and Silicon Valley.

Having served on numerous civic committee and commissions, he created and currently directs the political science department's internship program. He is the SJSU Coordinator for the Sacramento Semester Intern Program, the Panetta Congressional Internship Program, and the SJSU Poli Sci Congressional Internship Program. Terry works hard to give back to his students and stimulate interest in government.

In 1998, Terry was named San Jose State University's Outstanding Professor. The 2006 Political Science Class recognized him as Professor of the Year. He is a prolific writer and students regard him as a legend at SJSU.

He served for 2.5 years as founding Executive Director of CommUniverCity San Jose, which is a partnership among the City of San

Jose, SJSU, and the Five Wounds and Brookwood Terrace neighborhoods. CommUniverCity San Jose seeks to empower students and residents and to build community by organizing service-learning projects that address education, community health and improvements to the neighborhood environment.

In order to preserve Terry's legacy, San Jose State University is creating a scholarship program in his name.

We hereby honor Terry Christensen, on the special occasion of his retirement and wish him all the best in the years to come. We commend Terry for his valuable service to our community and wish him the best in his future endeavors. We are very fortunate to have benefited from his compassion, expertise, and commitment. He has left his mark in San Jose State University and the larger community.

CELEBRATING NATIONAL SOCIAL
WORKERS MONTH

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I rise today to celebrate the month of March as National Social Workers Month. Social workers serve a critical role in our society, one that is deserving of our attention, respect and commendation. Upon becoming a social worker, one embraces a very simple but essential mission: to enhance the well-being of others and to help meet the basic needs of all people, especially the most vulnerable. In working towards that goal, social workers work in adolescent and youth development; aging and family care giving; child protection and family services; health care navigation; mental and behavioral health treatment and military and veterans assistance. Social workers are key to holding our social safety net together. They work to prevent the vulnerable in our country from falling through the cracks.

The Social Work Department at the Clayton County Public School System is a shining example of the importance of social workers. The department works to foster student performance, school completion and success in the workplace by assisting students in attaining the maximum benefits from their education. These excellent social workers collaborate with families and communities to remove barriers that interfere with student performance. Please join me today in thanking the Clayton County Public School social workers, and social workers nationwide for their hard work and dedication. I have great expectations that they will continue to serve us with the same excellence that they have always displayed.

KEY ALLIANCES IMPROVE RE-
GIONAL SECURITY AND PROTECT
CRITICAL U.S. INTERESTS

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. REYES. Mr. Speaker, I rise today to remind my colleagues of the critical importance of our strategic allies. While some in Congress say that the United States should focus our efforts to defend our nation on building walls and restricting entry at our borders, we must continue to address the global threat of terrorism through cooperation and coordination with our allies.

While I am sure that most everyone would agree with the general concept that nations should work together to fight terrorism, I wanted to mention two countries to give my colleagues concrete examples of the critical importance of our alliances and the need to cultivate these relationships.

Turkey has a key strategic position, controlling the Bosphorus Straits and sharing a border with Syria, Iran and Iraq. A member of the North Atlantic Treaty Organization (NATO), Turkey has been a strong ally to the United States and to all of Europe. Turkey has proven to be an important partner as US forces have left Iraq and regional tensions have increased as the situation in Syria continues to devolve and Iran pursues nuclear technologies. Turkey's importance to the US and the world will continue to increase in the future, and Turkey will be critical to maintaining peace and stability.

At a time when the US and NATO continue to maintain a large military presence in Afghanistan, Azerbaijan is a valued partner. From providing critical access to Afghanistan to helping fight the flow of illegal drugs that fund Taliban insurgents, Azerbaijan has repeatedly proven their commitment to the fight against terrorism. As Azerbaijan continues to develop democratic institutions and a civil society, their contributions to regional and global security will increase even more. At a time when all of our alliances are being tested, the partnership between the United States and Azerbaijan remains strong.

The world is a safer place for all when we combine our efforts to fight those criminals who seek to use terror as a means to achieve their goals. When we work together, we become more than the sum of our parts. I urge my colleagues to support our nation's efforts along with those of our allies like Turkey and Azerbaijan to secure and protect our citizens.

HONORING REGGIE COPELAND,
MOBILIAN OF THE YEAR

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. BONNER. Mr. Speaker, I rise today to congratulate Mobile City Council President Reggie Copeland who was recently named "Mobilian of the Year" by the Cottage Hill

Civitan Club. I cannot think of anyone in our community who is more deserving of this high honor than Reggie.

Over 70 years ago, Reggie and his family moved to Mobile. He attended Murphy High School, Spring Hill College and the University of Alabama-Mobile Campus. During his school years, Reggie was a star athlete in football, basketball and softball. And as a young man, he developed a passion for athletics that not only taught him the value of sportsmanship, but instilled in him the very best qualities of success through teamwork.

After answering his country's call in the Korean conflict, Reggie returned stateside to embark on a long journey that would take him from the basketball courts to public office. After serving as a nationally recognized collegiate basketball official for 25 years and taking the role of executive with Alabama Power Company for an equal amount of time, Reggie found even greater challenges in leading the City of Mobile.

In 1985, he was elected to the Mobile City Council and has been re-elected six times. Currently, Reggie is in his second term as President of the City Council.

Among his long and storied history of community involvement, Reggie is credited with helping establish Mobile's Junior Miss Program, known today as the Distinguished Young Woman of America, and also helped bring the Magnolia Grove Golf Course, of the world-renowned RSA/Robert Trent Jones Golf Trail, to town.

He also led the construction, and later expansion, of the Copeland-Cox Tennis Center, which bears his name, and is generally considered one of the finest public municipal tennis complexes anywhere in the country.

Councilman Copeland also played a major role in helping reestablish minor league baseball in our city with the construction of Hank Aaron Stadium, home of the Mobile BayBears.

Reggie's considerable accomplishments and recognitions include former President, Mobile Jaycees; former Vice President of Alabama Jaycees; President of the TB Health Association of Mobile County; Chairman of the Mobile County Red Cross Blood Drive; Chairman, United Way Commercial Division; President of the Southeastern Conference Basketball Officials Association; President of the Port City Basketball Officials Association of Mobile; Member of the Alabama Sports Hall of Fame Board; Inducted into the Amateur Softball Association Hall of Fame, Mobile; Inducted into the Spring Hill College Hall of Fame; Chairman of the Gulf Coast Athletic Conference Basketball Tournament, 1995-97; Chairman of the Little Sisters of the Poor Golf Tournament, 1995-2000; Inducted into the Mobile Sports Hall of Fame, 1999; and member of the Board of Directors-Mobile Area Chamber of Commerce.

Reggie also assisted with the Mobile Mystics Hockey franchise and is currently working to develop a world-class soccer complex in Mobile. He also played a major role in development of the Riverfront Park and the Arthur R. Outlaw Convention Center.

In short, it is safe to say that there are few individuals in Mobile's rich history, which has spanned more than three centuries, who have been a more positive force for change than Mobilian of the Year Reggie Copeland.

Although Reggie recently announced his intention to retire from elected office at the end of his present term, I know him far too well to believe that he is going to slow down for even a minute. Reggie Copeland is Mobile's own version of the Energizer Bunny, and our community, our region and our entire state are better places because of his tireless efforts and unselfish example.

Mr. Speaker, I know I speak for all Mobilians in expressing our gratitude for Reggie's enormous dedication to making Mobile second to none. We all wish him and his fine family, including his five children and 13 grandchildren, all the best. Congratulations on this well-deserved honor.

RECOGNIZING GENEVA A. BLACK OF PHILADELPHIA ON THE OCCASION OF HER RETIREMENT

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. FATTAH. Mr. Speaker, I rise today to honor the tenacious spirit, remarkable expertise and admirable accomplishments of Geneva A. Black in providing high-quality and compassionate in-home, community and center-based services for elderly and vulnerable residents in West Philadelphia.

As Ms. Black begins a richly deserved retirement as Executive Director of Haddington Multi-Services for Older Adults, Inc., where she has served our senior citizens for 41 years, it is time to reflect upon and thank this outstanding leader. In 1970 Ms. Black joined the Haddington Leadership Organization as its housing coordinator and two years later became Executive Director. At the time, Haddington had three employees. Now the renamed and expanded Haddington Multi-Services for Older Adults, Inc. has a fulltime staff of 25 and a million-dollar-plus budget.

Along the way, under Ms. Black's leadership, the Haddington organization purchased the vacant firehouse at 5500 Haverford Avenue and converted the building to a showplace center for senior activities, serving over 30,000 West Philadelphia seniors since 1975. It is only fitting that Philadelphia City Council recently named the stretch of Haverford Avenue adjoining the firehouse as "Geneva Black Way." This is where Geneva Black's way on behalf of older Philadelphians has been making a difference for decades—and that service will be her legacy into retirement.

Having her "Way" is only one of the many tributes flowing toward this remarkable leader. The Board of Directors of Haddington Multi-Services, in recognition of her valued contributions, will honor Geneva A. Black with a celebration on Friday April 27, 2012, at First District Plaza in West Philadelphia.

I invite my colleagues in the House of Representatives to join me in saluting and congratulating a great Philadelphian, Geneva A. Black, and to wish her good health and long life upon her retirement as Executive Director of Haddington Multi-Services for Older Adults Inc.

COMMEMORATING THE 33RD ANNIVERSARY OF THE TAIWAN RELATIONS ACT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. TOWNS. Mr. Speaker, I rise to commemorate the 33rd anniversary of the enactment of the Taiwan Relations Act.

Since the end of World War II, the United States and Taiwan have fostered a close relationship that has been of enormous strategic and economic benefit to both countries. When the United States shifted diplomatic relations from Taiwan to the People's Republic of China in January 1979, Congress moved quickly to pass the Taiwan Relations Act (TRA) to ensure that the United States would continue its robust engagement with Taiwan in the areas of commerce, culture, and security cooperation. With President Carter's signature on April 10, 1979, this important and lasting piece of legislation became the Law of the Land and served as the statutory basis for U.S.-Taiwan relations going forward.

After 33 years, the TRA still stands as a model of congressional leadership in the history of our foreign relations and remains the cornerstone of a very mutually beneficial relationship between the United States and Taiwan. Through three decades marked by momentous social, economic, and political transformations, Taiwan has remained a trusted ally of the United States that now shares with us the ideals of freedom and democracy. The foresight of the TRA's drafters in providing that "the United States will make available to Taiwan such defense articles and defense services . . . to enable Taiwan to maintain a sufficient self-defense capability," and affirming "the preservation and enhancement of the human rights of all the people on Taiwan" as explicit objectives of the United States, has contributed in large measure to make Taiwan what it is today—a vibrant, open society governed by democratic institutions.

Though the people of Taiwan now enjoy fundamental human rights and civil liberties, they continue to live day after day under the ominous shadow cast by over 1400 short and medium-range ballistic missiles that the People's Republic of China (PRC) has aimed at them. The PRC persists in claiming Taiwan as a "renegade province," refusing to renounce the use of force to prevent formal de jure independence, even codifying its right to military action via passage of the so-called "Anti-Secession Law" on March 14, 2005. The United States Congress strongly condemned the "Anti-Secession Law" in House Concurrent Resolution 98, passed on March 16, 2005.

The TRA affirmed that the United States' decision to establish diplomatic relations with the People's Republic of China was based on the expectation that the future of Taiwan would be determined by peaceful means. Furthermore, it stipulates that it is the policy of the United States "to consider any effort to determine the future of Taiwan by other than peaceful means . . . a threat to the peace and security of the Western Pacific area and of grave concern to the United States." The

unambiguous and principled stance contained in these provisions has been instrumental to the maintenance of peace and stability across the Taiwan Strait for more than thirty years.

I therefore invite my colleagues to join me in commemorating the 33rd anniversary of the TRA, to further underline our unwavering commitment to the TRA and our support for the strong and deepening relationship between the U.S. and Taiwan.

TO AMEND THE WAGNER-PEYSER ACT TO INCLUDE THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS IN THE EMPLOYMENT SERVICES PROVIDED UNDER THAT ACT

HON. GREGORIO KILILI CAMACHO SABLAN

OF THE NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. SABLAN. Mr. Speaker, I am introducing a bill that will allow the Northern Mariana Islands to be eligible for Employment Service Programs by amending the Wagner-Peyser Act of 1933, as amended by the Workforce Investment Act of 1998.

The Employment Service Programs provide funds to establish a nationwide system of public employment offices and One-Stop Career Centers across the United States. These centers have successfully connected millions of job seekers with employers throughout the 50 states, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam. The legislation I am introducing today, in remedying the statutory absence of the Northern Mariana Islands from the definition of "State," will allow for the expansion of the federal Employment Service network to the NMI, thereby contributing to both the local and National economy by supporting the development of an experienced, motivated, and most importantly, employed American workforce.

Should the Commonwealth government choose to apply for this grant, the funds could be used to stand up One-Stop Centers in the NMI that would help those searching for work find jobs and help local employers find qualified workers. These Centers provide services that have a proven record of success in hundreds of locales throughout the United States.

Our national economy is still pulling itself out of the deepest recession since the 1930s. The economy in the NMI is in even worse condition, however, with declines in GDP every single year since 2004. This bill provides for the possible extension of a federal program that is helping address unemployment around our Nation to the one place, perhaps, that needs help the most, the Northern Marianas.

The employment services the Wagner-Peyser programs provide have proven effective in facilitating the connection between the employers' demand for employees and the labor market's abundant supply of a willing workforce. That is why I ask my colleagues to support this bill.

We have to do more in this Congress for U.S. workers. This is not a new program. This

is not a fundamental amendment to the intent of the Act. This bill merely offers equal treatment to the Northern Marianas in giving them the chance to access funding to support our local businesses and workers in need.

TRIBUTE TO MARYK ELLIOTT-
PARHAM

HON. SUZANNE BONAMICI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Ms. BONAMICI. Mr. Speaker, I rise today to recognize MaryK Elliott-Parham, who is retiring after more than two decades of service to Oregon's First Congressional District. For the past 27 years, MaryK has dedicated herself to the people of Northwest Oregon, ensuring that constituents always had a direct and meaningful connection to their government. Her tireless work and positive demeanor were a consistent inspiration to staff and citizens alike.

MaryK is a lifelong Oregonian, and graduated from Portland State University in 1978. She began her Congressional career as a caseworker for Representative Les AuCoin. Her efforts on behalf of constituents soon led to her promotion to lead caseworker. She built a staff that was renowned for its commitment to service.

During the 104th Congress, MaryK became district director for Representative Elizabeth Furse, a position she held up to the 112th Congress. She led the office, working day and night through the devastating storms and floods of 1996 and 2007, providing a critical access point to government assistance for constituents who had lost their homes and livelihoods. She was also known for her outstanding organizational efforts, helping members of Congress reach out to their constituents, developing detailed schedules and tracking every town hall and every visit to schools, businesses and community gatherings to be sure every community had access to its representative.

The loyalty and hard work of the staff and alumni of the First District are a testament to MaryK's management and leadership skills. Her first priority was always getting the job done for constituents, but her kindness and care for staff, especially in difficult times, created a network of people across the state, country, and globe who consider her part of their family.

On behalf of the constituents and staff of Oregon's First Congressional District, I want to congratulate MaryK on her retirement and wish her and her family all the best.

REMEMBERING AND HONORING
THE LIFE OF SERGEANT FIRST
CLASS FREDERIC NICHOLAS
MOSES

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. AKIN. Mr. Speaker, I rise today to recognize and honor Sergeant First Class Fred-

eric Nicholas Moses. A combat decorated veteran who deployed to Iraq and Afghanistan to serve his country, to protect those who could not protect themselves.

SFC Moses was born on 06 May 1985 in St. Charles, Missouri. He graduated from Duchesne High School in St. Charles, Missouri in 2003 and enlisted in the United States Army on 01 June 2004 as an 18X. He attended Basic Training and Advanced Individual Training at Fort Benning, Georgia. Upon completion of the Special Forces Qualification Course in 2006, he was assigned to 3rd Battalion, 5th Special Forces Group (Airborne) at Fort Campbell, Kentucky as a Special Forces Communications Sergeant. He deployed with the Battalion Signal Detachment to Taji, Iraq from October 2007 to May 2008 in support of Operation IRAQI FREEDOM V. He went on to join Special Forces Operational Detachment—Alpha 5326, and deployed with them to Baqubah, Iraq from January through July 2009 in support of Operation IRAQI FREEDOM VI, and conducted a Joint Combined Exchange Training (JCET) exercise to Jordan from January through March 2010. SFC Moses then deployed to Baqubah, Iraq from August 2010 through March 2011 in support of Operation NEW DAWN. Following a short training cycle, he returned to Jordan for a second JCET exercise from October through November 2011.

Most recently, SFC Moses deployed to Baghlan-e-Jadid, Afghanistan from January through February 2012 in support of Operation ENDURING FREEDOM XVIII. SFC Moses' military education included Airborne School, Special Forces Assessment and Selection, Survival, Escape, Resistance and Evasion Course, Special Forces Qualification Course, Ranger School, Jumpmaster School, Basic Military Mountaineering Course, and the Advanced Special Operations Techniques Course. SFC Moses' awards and decorations included the Bronze Star Medal with Oak Leaf Cluster, Meritorious Service Medal, Army Commendation Medal with Oak Leaf Cluster, and Army Achievement Medal. His decorations included the Special Forces Tab, Ranger Tab, Combat Infantryman Badge, and Parachutist Badge.

Today, we pay our respects and honor the life of Frederic Nicholas "Nic" Moses. His dedication to his job and fellow soldiers was unquestionable and unwavering. A hero to many, the community of St. Charles, and all who have served with him, will miss him.

To his family, we offer our prayers and gratitude for providing the world a great young man who made a positive impact on not only his community, but communities around the world.

I ask that my colleagues join me today in honoring the life of Nicholas Moses.

HONORING THE TRINITY VALLEY
COMMUNITY COLLEGE LADY
CARDINALS

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. HENSARLING. Mr. Speaker, today I would like to recognize the outstanding

achievement of the Trinity Valley Community College Lady Cardinals as the 2012 National Junior College Athletics Association (NJCAA) Division I Women's Basketball Champions. This marks the 6th NJCAA Championship for the Lady Cardinals.

In a 69 to 55 victory, the Lady Cards closed out their season with a perfect 36–0 record. That kind of differential is remarkable and a true testament to the great coaching staff of Co-Head Coaches Kenya and Michael Landers, Assistant Coach Courtney Simmons, and Coaching Assistant Jeremy Bonin. Trinity Valley Community College President Dr. Glendon Forgey, faculty, staff, and students are to be commended for their continued contributions to success both on the court and in the classroom.

Team members include: ShaQuita Arnick, Jenea Barrett, Starr Breedlove, ShaKayla Caples, Taneshia Davis, Keuna Flax, Brittney Gill, Ashley Jones, Breanna Lewis, Alice Robinson, and Keiana Vines.

On behalf of the citizens of Athens and the Fifth District of Texas, I am honored to be able to recognize the Lady Cardinals in the United States House of Representatives.

IN TRIBUTE TO ROBERT A.
BRINER

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to Robert A. Briner, who is retiring this week as Chief of the Ventura County, California, District Attorney's Bureau of Investigation.

Chief Briner has more than 31 years of experience in law enforcement, 22 of them with the District Attorney's Office. He began as a front-line investigator and was promoted through the ranks of the Bureau, culminating in his appointment as Chief of the Bureau of Investigation in February of 2007, where he manages 48 peace officers and 20 civilian employees.

As he rose through the Bureau, Chief Briner served as Supervising Senior District Attorney Investigator and Deputy Chief Investigator before his appointment as Chief of the Bureau of Investigation. During his tenure with the Bureau, he has served in the Sexual Assault/Family Protection Unit, Special Investigations/Criminal Intelligence Unit, Political Corruption Unit, Major Crimes Unit, Supervisor of the Welfare Fraud Unit, Supervisor of the Major Crimes Unit, and Deputy Chief of the Criminal Division.

Chief Briner is an active member of the FBI-Law Enforcement Executive Development Association. He also regularly attends meetings of the Ventura County Law Enforcement Coordinating Committee and chairs the Chiefs' Committee of the California District Attorney Investigators' Association. He holds an associate of science degree in administration of justice and a bachelor of arts degree in leadership. Chief Briner also has attended formal training from the State of California Department of Justice in supervision, management, and executive development.

Outside the office, Chief Briner enjoys lecturing on the topic of leadership, and most recently addressed the Young Leaders of Santa Maria. One of his greatest gifts is mentoring and encouraging young people, from little leaguers on the baseball field, to young college students at local universities, to newly hired investigators.

He also enjoys motorcycle riding, fishing, adventures in his motor home, playing golf with his son, Tyson, playing softball, and spending time with family and friends.

The Chief and his wife, Gail, will celebrate their 30th wedding anniversary in July. Chief Briner is an avid Dodger baseball fan and he and Gail often follow the team to spring training and attend many season games. He also enjoys photography and taking in nature.

Mr. Speaker, I know my colleagues join me in thanking Chief Briner for his lifetime of public service and in wishing him good health and many years of continued happiness with his family.

IN RECOGNITION OF DR. BYUNG WOOK YOON AND NATIONAL KOREAN AMERICAN DAY

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Ms. WATERS. Mr. Speaker, I rise today in honor of Korean American Day, I would like to recognize the 109th anniversary of the first Korean immigrants to arrive in the United States and the achievements of the Korean-American responsible for bringing both this day and the importance of the contributions of Korean-Americans to light, Dr. Byung Wook Yoon.

In 2003, Dr. Yoon, then President of the Southern California Centennial Committee of Korean Immigration to the United States, began the campaign to establish a national Korean American Day. In 2004, when Dr. Yoon became president of the Korean-American Foundation, he formed the National Committee of Korean American Day. Under his leadership in 2005, the committee claimed victory when the U.S. Senate (S. 283) and U.S. House of Representatives (H.R. 487) passed resolutions supporting the goals and ideals of Korean American Day and establishing an annual celebration recognizing the many contributions of Americans of Korean descent to the life and cultural fabric of the United States.

Aside from spearheading the campaign to establish Korean American Day, Dr. Yoon has accomplished a great deal in his lifetime. He is the recipient of the Presidential Award from the Republic of Korea, the Grand Award for World Korean Day from the World Korean Interchange and Cooperation Association, and the Grand Award for Korean American Day from the Korean-American Foundation. Dr. Yoon was also selected as one of the one hundred honorable Korean immigrants to the United States by the Korean-American History Museum.

All his life, Dr. Yoon has demonstrated his leadership and dedication to the Korean-American community through his support of non-

profit and service organizations. For example, he is responsible for community oriented service projects such as Korean-American Respect for the Environment, KARE, and has served as the Honorary National Chairman of the Korean-American Foundation USA. He has also served three times as Chairman of the Korean Institute of Southern California.

On behalf of all of my colleagues within the U.S. House of Representatives I would like to honor Dr. Byung Wook Yoon for his outstanding work in raising awareness to the many contributions Korean-Americans have made in every facet of American society. In honor of Dr. Yoon's work, I introduced H.Res. 599. The resolution honors him for his outstanding service on behalf of the Korean American community. The resolution reads:

Whereas on January 13, 2012, the Korean American community in the United States celebrated Korean American Day initiated by Dr. Yoon.

Whereas this year marks the 109th anniversary of the first Korean immigrants to arrive in the United States.

Whereas in 2003, Dr. Yoon, then President of the Southern California Centennial Committee of Korean Immigration to the United States, began the campaign to establish a national Korean American Day.

Whereas in 2003, the Korean American Foundation was founded as the successor of the Centennial Committee of Korean Immigration with the goals of fostering pride in Korean cultural heritage and traditions as well as establishing Korean American Day.

Whereas in 2004, Dr. Yoon became president of the Korean American Foundation, forming the National Committee of Korean American Day, successfully campaigning for the passage of legislation recognizing Korean American Day on the Federal, State, and local levels.

Whereas on October 20, 2005, the U.S. Senate passed S. Res. 283, "Recognizing the contributions of Korean Americans to the United States and encouraging the celebration of Korean American Day."

Whereas on December 13, 2005, the U.S. House of Representatives passed H. Res. 487 "Supporting the goals and ideals of Korean American Day", recognizing the many contributions of Americans of Korean descent to the life and cultural fabric of the United States.

Whereas Dr. Yoon is the recipient of the Presidential Award from the Republic of Korea.

Whereas Dr. Yoon received the first Grand Award for World Korean Day from the World Korean Interchange and Cooperation Association.

Whereas Dr. Yoon was honored with the first Grand Award for Korean American Day from the Korean American Foundation.

Whereas Dr. Yoon was selected as one of a group of 100 honorable Korean immigrants to the United States by the Korean American History Museum.

Whereas Dr. Yoon obtained a Bachelor of Arts in Political and Diplomacy Science from Korea University and a Master of Arts in Journalism and Communication from Brigham Young University.

Whereas Dr. Yoon received honorary doctorates from Yulin University and the World Mission University.

Whereas Dr. Yoon's professional career has included serving as a correspondent to the United States for the Seoul Kyunghyang Daily Newspaper as well as a Founding Director of Business and Trade for Wilshire

State Bank in Los Angeles, California, and has also served three times as Chairman of the Korean Institute of Southern California.

Whereas Dr. Yoon authored the "Korean American Legacies: Challenges and Responses", a source of inspiration for current and future generations of Korean Americans.

Whereas over many years, Dr. Yoon has demonstrated his leadership and dedication to the Korean American community through his work and support of numerous nonprofit and service organizations, including creating KARE (Korean American Respect for the Environment), and serving as the Honorary National Chairman of the Korean American Foundation USA.

Now, therefore, be it resolved, that the House of Representatives honors Byung Wook Yoon for his outstanding work raising awareness and recognition of the contributions Korean Americans have made in every facet of United States society.

HONORING TRAVIS LANG

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Travis Lang of the Kirksville High School Wrestling team for winning the Class 2 Missouri State Wrestling Championship in the 182-pound weight class.

Mr. Lang and his coaches should be commended for all their hard work throughout the regular season and for bringing home the state title in the Class 2 182-pound weight class to his school and community. This is his third state title.

I ask that you join me in recognizing Mr. Lang for a job well done!

RECOGNIZING THE DUNN'S 50TH WEDDING ANNIVERSARY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize and honor Joe Bob and Rose Lynne Dunn, who on March 23, 1962, were married in the Everton Christian Church in Everton, Missouri, and are now celebrating their 50th wedding anniversary.

Joe Bob and Rose Lynne were born and raised in rural Dade County, Missouri. They both grew up on farms and graduated from Everton R3 Public School, Joe Bob—Class of 1959, and Rose Lynne—Class of 1961. While in school they were high school sweethearts and I am proud to say that their love has stood the test of time.

After graduating, Joe Bob and Rose Lynne went to work in Springfield, Missouri. Joe Bob spent his career in the Producers Creamery plant, now known as Dairy Farmers of America, and retired in 1999. Rose worked as a secretary at Lily Tulip, Zenith Electronics, and retired Emeritus from Missouri State University in 2007.

Joe Bob and Rose Lynne have been blessed with a son, Scott, who lives in Springfield, Missouri. Scott and his wife Tobin have

provided the light of Joe Bob and Rose Lynne's life, their grandsons Taylor and Jordan. They both actively enjoy cheering on their grandsons in their various team sports.

When they were not busy with their family, Joe Bob and Rose Lynne enjoy square dancing together. They were active members of the Frisco Square Dance Club and to date have attended 13 national conventions. They are currently members of the Christian Church and are loyal supporters of the Missouri State athletic teams. As a family they enjoy the great outdoors by traveling and camping.

These days, they relish their well-earned golden years in the retirement home, at the Island Green Golf Community in Republic, Missouri.

I am proud of Joe Bob and Rose Lynne and am honored to call them my neighbors in the 7th Congressional District of Missouri. I want to commemorate their 50th wedding anniversary and may God bless them with many more happy and loving years together.

HONORING SUNFLOWER-HUMPHREYS COUNTIES PROGRESS, INCORPORATED

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the community action agency, Sunflower-Humphreys Counties Progress, Incorporated. Sunflower-Humphreys Counties Progress, Inc. was founded in August 1965 and has locations throughout the Mississippi Delta. Sunflower-Humphreys Counties Progress, Inc. is dedicated to providing quality service to the community through diverse selections of programs that empower the community.

Sunflower-Humphreys Counties Progress, Inc. provides education and awareness about various educational and community development programs. As one of the organization's largest programs, the Sunflower Humphreys Head Start program promotes school readiness by enhancing the social and cognitive development of children through education, health, and nutritional services. Through the program's five Head Start sites and two school districts, they serve 570 Head Start children. Their Early Head Start program is for low-income infants, toddlers, and pregnant women and their families. This program addresses children's physical, social, and emotional development as well as assists pregnant women in accessing comprehensive prenatal and postpartum care. In their four Early Head Start sites they serve 72 Early Head Start children and twelve pregnant women.

Since its inception in 1965 the Sunflower, Humphreys Counties Progress, Inc. has also worked to combat poverty for persons living below the poverty guidelines within Sunflower County, Mississippi. They have implemented a food pantry which distributes donated foods to those in need and a thrift shop that sells donated items for a very low price. They also have a Senior Companion Aging Program, which is a service initiative for people age 60

and older that provides not only meals, but also assistance and friendship to elderly individuals who are homebound.

Mr. Speaker, I ask our colleagues to join me in recognizing the Sunflower-Humphreys Counties Progress organization in its commitment to combating poverty by taking action in empowering the citizens of Sunflower and Humphreys Counties.

HONORING THE LIFE OF MR.
HENRY MADGWICK

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. HENSARLING. Mr. Speaker, today I would like to take a moment to honor the life of Mr. Henry Madgwick of Terrell, Texas. Henry, known to those closest to him as Harry, passed away on March 10, 2012.

Harry was born on May 16, 1923 in Hampshire, England to William Henry and Emma Mary Madgwick. At 16 years of age, Harry volunteered for Home Guard, which was a defense organization in the United Kingdom during World War II. Soon after joining the Home Guard, Harry was drafted into the Royal Air Force (RAF) as a cadet and at 17 years of age was made a squad leader in the Air Training Corps (ATC).

The Lend-Lease Act was signed into law by President Franklin D. Roosevelt on March 11, 1941. The President described the Lend-Lease Act as "helping to put out the fire in your neighbor's house before your own house caught fire and burned down." During World War II, thousands of British pilots learned to fly at six civilian training schools in the United States. The first and largest of the schools, known as the No. 1 British Flying Training School (BFTS), was in Terrell, Texas, located in Kaufman County. After the United States entered the war, American Aviation Cadets also trained at the school. More than 2,000 Royal Air Force and American Army Air Force pilots earned their wings in the skies over North Texas between 1941 and 1945 to help our nation achieve victory—including Harry, who arrived in 1944.

Harry met his soon-to-be wife, Kate Weatherford, in Terrell while training. Once the war ended and Harry was discharged from the military, he returned to Terrell and lived there for the rest of his life. Kate and Harry were married for 47 years until her passing in 1993. In 1995, he remarried to Kate Marriot Sanders, a widow of another RAF pilot who was trained at the No. 1 BFTS in Terrell. She passed away in 2001.

Harry was a fixture in Terrell, having served as Mayor, Chairman of the Baseball Committee, Director of Terrell Youth Council, the Terrell Park Board, and countless other boards and committees in the community. In 1974, he was named the Terrell Rotary Club Citizen of the Year. Most notably, though, Harry could always be found working as the President of the BFTS Museum. The BFTS Museum, located at the site of the No. 1 BFTS, was dear to Harry's heart. He had a wealth of knowledge and passion for the

BFTS and has left a historic legacy for not only the city of Terrell, but for two grateful nations.

On behalf of the citizens of Terrell and the Fifth District of Texas, I am honored to recognize the life of Mr. Henry Madgwick and recognize the lasting impact he had on the Terrell community and this country.

HONORING LENORE GOODFRIEND
ON HER RETIREMENT

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Mrs. Lenore Goodfriend on the occasion of her retirement from federal service. This week, Lenore will retire from her position with my office after over 20 years of public service. She is truly a remarkable person, having dedicated two decades to addressing the concerns of the many constituents in the 3rd Congressional District who contact my office on a daily basis, and someone I can call a friend to myself and my family.

I have been honored to know Lenore for many years beyond my time in Congress. Lenore is a compassionate and selfless public servant who has been active in her community in Oak Lawn and serves on the Johnson-Phelps VFW Post 5220 women's auxiliary. During her time in my office, she has helped countless members of the military with everything from dealing with the VA to obtaining medals they earned but never received. More than one constituent has remarked that her last name is no accident: she is truly a "good friend" to those in need of assistance.

Between balancing personal obligations and serving the public, Lenore is a true inspiration for her family, friends, and colleagues. I admire her strength and determination, and will miss her presence on my staff. I know Lenore will not be far away, I am sure I will be seeing her in the community, and I look forward to hearing about the next stage in her life's journey with her husband Dave, a veteran who served our nation in the Army.

I ask my colleagues to join me in congratulating Lenore Goodfriend on her many years of dedicated public service. May she enjoy her retirement to the fullest.

HAPPY 100TH BIRTHDAY TO THE
GIRL SCOUTS OF THE USA

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. BARTON of Texas. Mr. Speaker, I am thrilled to congratulate the Girl Scouts of the USA on their 100th Anniversary.

With a mission to build, "girls of courage, confidence, and character, who make the world a better place" the Girl Scouts have served over 50 million women in the United States.

From the first ever Girl Scout troop created in 1912, the Girl Scouts have sought to instill

girls and young women with the ability to be both self-reliant and resourceful and I believe very few organizations have shown the capacity to foster leadership in our nation's girls like the Girl Scouts of the USA.

The Girl Scouts have proven themselves to be an organization of action. With a goal of fostering leadership, the statistics alone speak to the overwhelming success of the Girl Scouts. Over half of my female colleagues in both the House and the Senate were Girl Scouts and over half of all female business owners in the United States were former Girl Scouts. I have no doubt that many of the 2.3 million girls currently involved with this dynamic organization will continue to live out their call to "make the world a better place" through their leadership, and I look forward to seeing what the next generation of dedicated Girl Scouts will accomplish.

I am proud to join my colleagues in co-sponsoring H. Res. 460, Expressing support for designation of 2012 as the "Year of the Girl" and celebrating the 100th anniversary of the Girl Scouts of the USA.

RECOGNIZING THE LEGACY AND ACCOMPLISHMENTS OF RUFUS THOMAS, JR.

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. COHEN. Mr. Speaker, I rise today to pay tribute to the legacy and accomplishments of Rufus Thomas, Jr., one of the most charismatic and beloved performers of rhythm & blues, funk and soul music. Mr. Thomas was born in the tiny hamlet of Cayce, Mississippi on March 27, 1917 and moved to Memphis when he was two years old. He passed away in 2001 and would have turned 95 years of age this year. Before his passing, he had contributed significantly to the Memphis music scene and his legacy lives on through his daughter, singer Carla Thomas, and his son, keyboardist Marvell Thomas. In 1961, Carla Thomas' "Gee Whiz (Look at His Eyes)" charted within the Top 10 on the pop chart and within the Top 5 on the R&B chart. Marvell Thomas was keyboardist and arranger for such greats as The Staple Singers, Etta James and Albert King, and co-produced Isaac Hayes' album, "Hot Buttered Soul."

Entertaining people came naturally for Rufus. In his youth, Rufus earned pocket change by tap dancing on Beale Street. In his teenage years, he performed with the Rabbit Foot Minstrels, a traveling vaudeville show, as a tap dancer. He comprised one-half of the comedy team known as Rufus and Bones with Robert "Bones" Couch. Throughout the 1940s and 1950s he hosted Amateur Night at the Palace Theatre, where he introduced young performers such as B.B. King, Bobby "Blue" Bland and countless others.

In the late 1940s, Memphis radio station WDIA AM emerged as the first radio station in the country to target black audiences with black DJs playing black-oriented programming. Rufus landed a job there in 1948 and soon became one of the station's most popular DJs.

His 2-hour nighttime show, "Hoot and Holler" premiered and helped launch the careers of music icons such as Elvis Presley, Ike Turner, Isaac Hayes, Roscoe Gordon and Junior Parker. Rufus continued to be an on-air personality at WDIA, influencing musicians in the Memphis area for the next 40 years, while still creating and performing his own music.

Rufus played an indispensable role in the birth of Memphis' two great record companies, Sun Records and Stax Records. His 1953 single, "Bear Cat," an answer to Big Mama Thornton's then-popular record, "Hound Dog," became the first national hit for the upstart record label. In 1959, Rufus and his then-teenage daughter Carla became the first stars of the new Stax Records with their single, "Cause I Love You." Rufus would go on to release a string of popular songs for Stax, including favorites such as "Walking The Dog" (1964) and "Do The Funky Chicken" (1969). Throughout his career, Rufus appeared on the Billboard charts 29 times with the help of such singles as "Push and Pull" (1970) and "The Breakdown" (1971).

His life and seventy-year career were inextricably linked with the development of black entertainment in the 20th century and his work earned him an array of accolades. In January 1992, he was honored by the Rock and Roll Hall of Fame, named as an "Early Influence." That same year the Rhythm and Blues Foundation honored him with its prestigious Pioneer Award. In 1996, he was featured as a performer at the Olympic Games in Atlanta. For his 80th birthday in 1997, the city of Memphis renamed Hernando Street as Rufus Thomas Boulevard at the intersection of Beale Street where the Palace Theater once stood. In 1998, Rufus received an award from the Rock & Roll Hall of Fame in recognition of his five decades of promoting black music on radio.

Off stage, Thomas was entirely serious about his work as an ambassador for Memphis and its music. In his characteristically forthright fashion, he told the journalist Richard Knight: "Memphis has made more of a contribution to music than any other one city in the whole world, and that includes New York." Mr. Speaker, I ask the House to join me in remembering the life and legacy of Rufus Thomas, Jr.

CONGRATULATING DR. JOHN HITT FOR 20 YEARS OF SERVICE AS PRESIDENT OF THE UNIVERSITY OF CENTRAL FLORIDA

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. WEBSTER. Mr. Speaker, I am pleased to congratulate Dr. John Hitt on his tremendous record of accomplishment as President of the University of Central Florida (UCF). This month marks Dr. Hitt's 20th year of service to UCF, and it gives me great pleasure to recognize Dr. Hitt's contributions to UCF and the Central Florida community.

Under Dr. Hitt's leadership, UCF has planned and won approval for a new college

of medicine, doubled enrollment while enhancing the quality of academic offerings, exponentially increased the number of doctoral degrees awarded each year, and expanded research funding from \$6.2 million to more than \$121 million per year.

Before coming to UCF, Dr. Hitt held numerous posts as both faculty and executive leadership at academic institutions, including Assistant Professor of Psychology at Tulane University, Vice President of Texas Christian University Research Foundation, and Provost and Vice President for Academic Affairs at Bradley University.

Dr. Hitt's passion for education led him to UCF, where he arrived in March 1992. Since that time, he has been honored with many awards and recognitions, including Junior Achievement's Spirit of Achievement Award in 2008, Orlando Business Journal's inaugural Legacy Award in 2006, Metro Orlando Economic Development Commission James B. Greene award in 2002, and the Greater Orlando Chamber of Commerce's John Young Award in 2008.

It was a personal honor to work with Dr. Hitt while serving as a member of the Board of Trustees for UCF. Dr. Hitt's attitude of servant leadership and his dedication to quality education for UCF's students has been a testimony to his personal modesty and humility. Dr. Hitt is not only a great president for UCF, but he is a model for the University's students.

On behalf of the citizens of Central Florida, I congratulate and applaud Dr. Hitt on his 20th year of service as the president of the University of Central Florida. May his character, life, and efforts inspire others to follow in his footsteps.

IN HONOR OF CÉSAR CHÁVEZ

HON. JERRY MCNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. MCNERNEY. Mr. Speaker, today I rise to ask my colleagues to join me in honoring the memory of César Chávez on the occasion of what would have been his 85th birthday.

César Chávez was born on March 31, 1927, near Yuma, Arizona. After losing their family farm, the members of the Chávez family became migrant workers, moving to California and following seasonal harvests around the state. Upon experiencing the exploitation of migrant workers and injustices committed against them, Mr. Chávez became a champion of workers' rights.

In 1962, Mr. Chávez and Dolores Huerta co-founded National Farm Workers Association, later known as the United Farm Workers, UFW. Mr. Chávez was inspired by leaders such as Mahatma Gandhi and Dr. Martin Luther King, Jr., and understood the power of non-violence as a tool for change. As a leader of UFW, he used non-violent tactics and strong organizing methods to protest poor working conditions. Mr. Chávez fought for basic improvements for farm workers such as access to drinking water, shade, and restrooms. He was also a tireless advocate for fair wages and decent living conditions.

César Chávez led the fight for the passage of the landmark California Agricultural Labor Relations Act in 1975. This law was the first in the nation to guarantee farm workers the right to organize and bargain collectively. Additionally, his understanding of human suffering led him to fight against the use of the short-handled hoe, which caused personal injury and pain to farm laborers. A California Supreme Court ruling in 1975 banned the use of this tool.

Mr. Chávez was known for his spirit as much as his accomplishments. Mr. Chávez and the UFW embraced an empowering and enduring rallying cry that exemplifies his optimism of the human spirit: "Sí se puede," or "Yes we can."

César Chávez is an inspirational figure in California and throughout our nation. I have no doubt that his efforts have made a positive impact on the lives of countless workers. It is for these reasons that I ask my colleagues to join me in honoring César Chávez on the occasion of the 85th anniversary of his birth.

PERSONAL EXPLANATION

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. NEUGEBAUER. Mr. Speaker, I was unable to vote on rollcall vote numbers 107–110. Had I been present, I would have voted the following way: rollcall No. 107, Amendment to H.R. 3606 by Rep. PETERS, "no"; rollcall No. 108, Amendment to H.R. 3606 by Rep. CAPPAS, "no"; rollcall No. 109, H.R. 3606, Motion to Recommit with Instructions, "no"; rollcall No. 110, H.R. 3606, the JOBS Act, "yes."

RECOGNIZING THE MILLBROOK HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. WOLF. Mr. Speaker, I rise today to recognize the Millbrook High School Girls Basketball team, on becoming the only Virginia high school team that has ever won three consecutive State championships in girls basketball.

Earlier this month, the Millbrook Pioneers broke the 61-year-old Virginia High School League record by winning an unprecedented third state title with a victory over the Courtland Cougars. I commend the team for their hard work and their passion for basketball. I would like to extend a special thank you to Coach Debby Sanders who has led the team on the path to success.

I submit the following piece from the Winchester Star on the Millbrook Pioneers' record-breaking victory.

[Mar. 12, 2012]

OUR VIEW: PERFECT PIONEERS—THIRD TITLE
"ICING ON THE CAKE"

RICHMOND.—Thirty minutes before her girls basketball team took the floor in

search of an unprecedented third straight state title Saturday night, Millbrook High Principal Carrie Butler was talking about cake.

No, Mrs. Butler was not hungry, at least not discernibly. The cake she was rather nervously describing to Frederick County School Board member Peggy Clark was purely figurative.

"I told Debby (Millbrook coach Sanders), 'The cake is sweet . . . with or without the icing,'" Mrs. Butler said to Mrs. Clark.

In other words, even if the Pioneers somehow came up short of their 80th consecutive victory on the Siegel Center floor, this "cake," baked with care and love over the last three winters, would not lose its "sweet" taste. Win or lose, what the Pioneers had accomplished up to then—a record 79 straight wins, two state championships—was simply amazing. Or, like the famous song or hit new TV drama, "unforgettable."

Nurturing principal that she is, Mrs. Butler was simply erecting, through metaphor, a firebreak (or "cakebreak"?) against letdown. Courtland, the Pioneers' opponent, was also entering the contest undefeated. And anything can happen in sports, and often does—especially when two teams that have not played each other previously collide.

Then again, this is Millbrook we're talking about. Which is another way of saying, "No need to worry. This is old hat. The situation's well under control."

And, indeed, it was.

The Pioneers spotted the Cougars the first four points of the game, and traded buckets on a brace of ensuing alternate possessions. But then it came, as predictable as the morning sun. With Courtland leading 8-4, the Pioneers ripped off one of their patented runs, this time to the tune of 20-4, to double the score at 24-12.

The Cougars crept back to within eight at the half, 29-21, and, after Millbrook stretched its lead to 37-23, they managed to cut the margin back to single digits, at 37-28, late in the third quarter. But then, as is their wont, the locals ran away and hid, dosing out the game on a 10-0 spurt to win 63-38.

The contest, though intensely played, had none of the drama of the Pioneers' first two state titles, against Greensville County (2010) when star Courtnei Green hurt an ankle, or Robert E. Lee last year. So schooled, so measured and yet so relentless, these girls drain drama out of on-court proceedings by sheer talent and will.

In fitting style, the team's trio of college-bound standouts—Miss Green, Alisha Mobley, and Sara Mead—dominated the stats sheet, all hitting double figures in points. As dominant as Miss Green has been over four years, amassing more than 2,600 points, on this night, it was the "paint" presence of Miss Mobley for whom the opposition had absolutely no answer. She was unstoppable.

But then, consider this: So, too, have been the Pioneers, with their seven seniors and an enviable bench used adroitly by Miss Sanders.

As such, they've earned the right to revel. That previously unblemished foe has been vanquished; the icing, too, has been whipped. Let them eat cake. And so let us all—as we've just witnessed something truly special, something worth celebrating.

REMARKS BY FORMER ATTORNEY
GENERAL MICHAEL MUKASEY

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, on Saturday, March 24, 2012, former Attorney General of the United States Michael Mukasey spoke at an event in Paris about Iran and the Iranian opposition.

Judge Mukasey's comments warrant our consideration in light of the events which are currently taking place in Iran and their potential impact on the global community. I would therefore like to take this opportunity to submit them to this Body:

Thank you very much. Thank you to the sponsors of this wonderful conference. Thank you David Amess for your clear, penetrating comments on what is going on.

You know it seems as though we've come together many times before to talk about the plight of the residents of Ashraf, and now the plight of the residents of both Ashraf and the ironically named Camp Liberty. And we were told on each of those occasions that these broadcasts, that these meetings were broadcast to Ashraf. And we haven't been told it, but I wonder whether perhaps they're being broadcast at Camp Liberty as well.

I would suggest to you, I would suggest to you that there's someplace else that they should be broadcast. They should be broadcast to the United States State Department. Of course, based on what's happened in the last couple of weeks, I can't guarantee that the signal would get through. I mean it may very well be that at the State Department, just as in Cuba and North Korea and Iran, they jam broadcasts with which they disagree. I don't know whether that's true at the State Department or not. I sincerely hope so. But I would hope that a broadcast like this would get through, because then they would see. They would see Mrs. [Maryam] Rajavi open this session by extending her sympathy to the Jewish community of Toulouse. They would see and hear her discuss what her religion really means and what it has to do with terrorism, which is nothing. They would get a hint as to what kind of, quote, terrorist organization, unquote, this really is.

Of course this wasn't the way it was supposed to be. In 2003 when coalition forces invaded Iraq and encountered the residents of Ashraf, the Ashraf residents peacefully surrendered their weapons, the weapons they had, the only thing they had to defend themselves, and received in return on a piece of paper a guarantee that they would be treated as protected persons under the fourth Geneva Conventions, a guarantee signed on behalf of all coalition forces by a United States general. And they received identity cards that carry the telephone number of the military police, commanded by another United States general who has appeared at these meetings before, General Phillips. As I'm sure you know, because we've told the story several times, the Clinton administration put the MEK on a list of foreign terrorist organizations really to appease the Iranians in the hope that that would invite a dialogue. Some dialogue. Some dialogue, with the regime that only a couple of months ago plotted to assassinate a Saudi diplomat in the United States. Those are the people they wanted to talk to.

The FBI went in 2003 and vetted each of the residents of Ashraf to make sure that none of them were a terrorist, and in each case it was certified that none were. The Iraqis, as we know, have been acting increasingly at the behest of the Iranian government, now that the United States has withdrawn. And Nouri al-Maliki himself is behind the pressure that is being brought and the persecution that is being brought against the residents of both Ashraf and Camp Liberty. This is how we get thanks for the sacrifices that were made by American troops and by the United States as a whole in freeing the people of Iraq.

The United Nations says transfer to Camp Liberty. We've had 1,200 people transfer to Camp Liberty. And we're told each time, notwithstanding the completely inadequate conditions at Camp Liberty, that this is progress. We're making progress. People are moving out of Ashraf into Camp Liberty and this is progress. You know, I had an uncle once who died of progress. He was—it's true, he was in the hospital. And every day the doctor came and checked on him and said he was showing progress, until one day he was dead. And the family concluded he must have died of progress. Ambassador [Martin] Kobler reminds me of that doctor.

Of course, it's even worse than that here because the potentially fatal disease that the residents of Ashraf have really comes from their designation as a foreign terrorist organization. The U.S. designation. And when I say the U.S. designation advisedly because we're the only ones left in the civilized world who apply that designation. And it's time to get rid of it.

So, how is this all going to end? Well, I suggest to you ladies and gentlemen that I'm very hopeful about how it's going to end. I'm a lawyer, I deal in evidence. We have evidence. We have statements from anonymous sources that those of us who are here voicing our views are behaving illegally under U.S. law.

It's a funny thing about anonymous sources, what are they afraid of? They must be afraid of something. They're afraid to have their names used. Look at the timing. The MEK tells the State Department and the Justice Department, "You know, you've been dragging your feet long enough with this designation. We're going to go into court." They gave them not only advanced notice that they're going to do it, they gave them an advanced copy of the papers they were going to file. And they disclosed the names of the people. Mayor Giuliani, Tom Ridge, others, many others, who would have also filed paper in court as friends of the court, telling them on the basis of our experience and our knowledge—many people on that brief directly involved in national security affairs—that there is no basis, no reason for that designation. They were told that in advance. And lo and behold a couple days later subpoenas get served on the speaker agencies that send those people out to express their views. I stopped believing in coincidences like that when I stopped believing in the Tooth Fairy, and that was a long time ago.

But how is it going to come out? Well, look at the behavior. The people who release information to the press are afraid to give their names. The State Department hears that papers are going to be filed on behalf of MEK, that papers are going to be filed by people who have spoken out in behalf of delisting, scurry to the Treasury Department, get them to serve subpoenas.

What are they afraid of? The people here aren't afraid. Rudy Giuliani, John Bolton,

Patrick Kennedy, Tom Ridge, they're all sitting up there behind placards that have their names on them. We all use our names. The people who are not here, and who have been here before and who will be here again if necessary, Howard Dean, Ed Rendell, they used their names. They don't get up as anonymous informants to speak at these meetings. They get up, they give their names and they express their views. So who's going to prevail?

But can these people prevail in the face of the United States government? Let me repeat the words of a famous American industrialist, a man named Henry Kaiser who was once confronted by the U.S. government. And people asked him, "Do you think that you can prevail against the U.S. government in the view that you've expressed and the course of action that you want to follow?" And his response was, "You know what? There's no such thing as the U.S. government. They're just a bunch of people." Some of them are smart and dedicated and some of them are stupid and lazy. And we know who's on which side in the current dispute.

Ladies and gentlemen, I haven't got any doubt about how this is going to come out. And the way this is going to come out is that eventually right will prevail in my country. And when right prevails in my country it is my sincere hope that it won't be long before right prevails in your country and you restore Iran to the glorious civilization that it was and will be. Thank you very much.

HONORING SAM CRANE

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Sam Crane of the Rock Bridge High School Bruins Wrestling team for winning the Class 4 Missouri State Wrestling Championship in the 132-pound weight class.

Mr. Crane and his coaches should be commended for all their hard work throughout the regular season and for bringing home the state title in the Class 4 132-pound weight class to his school and community. His win represents the school's first state champion in Class 4 since 1997.

I ask that you join me in recognizing Mr. Crane for a job well done.

RECOGNIZING THE GIRL SCOUTS OF THE MISSOURI HEARTLANDS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize and honor Girl Scouts of the Missouri Heartland, a council in the 7th District of Missouri, as Girl Scouts celebrates 100 years of leadership development for girls.

Girl Scouts of the Missouri Heartland is headquartered in Springfield, Missouri, and has a membership of approximately 17,000 girls living in southwest and central Missouri, southeast Kansas, and northeast Oklahoma.

Last year, Girl Scouts of the Missouri Heartland experienced a more than 17 percent increase in its membership, ranking it third in the country for growth out of 112 Girl Scout councils.

March 12, 2012, marked the 100th anniversary of Girl Scouts of the USA. Self-discovery and community service were core values that Girl Scouts founder Juliette Low sought to instill in girls from the earliest days. In 1912, many girls' paths in life were limited and Low's vision was for girls to be able to expand their personal horizons by having fun while exploring new interests and contributing to society.

Girl Scouts today benefit from tangible outcomes such as a strong sense of self, practical life skills, healthy relationships, and feeling empowered to make a difference. In southwest Missouri, Girl Scouts are participating in robotics teams, financial literacy activities, environmental stewardship campaigns, and numerous other initiatives that reflect the continued strength and relevance of the Girl Scout Leadership Experience.

They also give back to their community with thousands of hours of community service each year. During this year's Girl Scout Cookie Program, many Girl Scouts participated in the Cookie Share program, through which Girl Scout Cookies are shared with military organizations or food pantries. At summer camp and locally, girls will participate in Girl Scouts Forever Green projects to promote environmental stewardship. This year, girls have also helped to replenish food supplies at local pantries, provide comfort and supplies to families displaced by tornadoes, bring joy to residents at nursing homes, thank veterans for their service, and much more.

Folks in Southwest Missouri should be proud to know that the Girl Scout program remains strong and provides a significant opportunity for girls today to learn and grow safely. I too am proud and honored to know that young girls in the 7th District of Missouri are demonstrating positive values and strong leadership skills—and will continue to do so for years to come.

CONGRATULATING PATTY HARRELSON ON RECEIVING THE 2011-2012 PRINCIPAL ACHIEVEMENT AWARD FOR OUTSTANDING LEADERSHIP

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. WEBSTER. Mr. Speaker, I am pleased to congratulate Patty Harrelson on receiving the 2011-2012 Principal Achievement Award for Outstanding Leadership. I am honored to have the opportunity to offer my sincere appreciation for the hard work and dedication that went into this well-deserved award.

At Florida's Commissioner's Summit for Principals, Florida Education Commissioner Gerard Robinson awarded Ms. Harrelson the award, naming Ms. Harrelson the state's top principal for her leadership at Rosemont Elementary School. Under Ms. Harrelson's guidance and direction, the Orange County school

improved its school accountability grade from a "D" to an "A" in a single year.

Taking on the responsibility of principal in 2010, Ms. Harrelson instituted reforms on every level, from curtailing truancy to bringing cutting edge technology into the classrooms. Because of her belief in Rosemont's students and her confidence in their ability to learn and meet academic standards, Ms. Harrelson worked tirelessly to raise expectations and reward achievement publicly.

Her spirit of dedication and commitment to her students is an example of the life-changing impact a dedicated educator can have on a community and on the individual lives of students. She is a shining example of the fruits of selflessness demonstrated by our teachers and administrators who devote themselves to Florida's future by investing in Florida's children.

On behalf of the citizens of Central Florida, I congratulate and applaud Ms. Harrelson for her hard work, dedication, and leadership. She is most deserving of the 2011-2012 Principal Achievement Award for Outstanding Leadership. May her investment in Florida's students and Florida's future inspire others to follow in her footsteps.

COMMEMORATING THE 70TH ANNIVERSARY OF THE B-1 U.S. NAVY BAND

HON. MELVIN L. WATT

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. WATT. Mr. Speaker, I rise today to make sure that we acknowledge in the CONGRESSIONAL RECORD the 70th Anniversary of a group of African-American World War II Navy Veterans known as the B-1 United States Navy Band.

The B-1 United States Navy Band was formed in 1942 and was comprised of talented African-American musicians, many of whom were from North Carolina, who were among the first African-Americans to serve in the modern U.S. Navy in roles other than kitchen staff positions. Most of the Band's approximately forty-four original members were affiliated with North Carolina A&T State University, which is located in Greensboro, North Carolina in my congressional district. The Band was stationed at the U.S. Navy's Pre-Flight Training School in Chapel Hill, North Carolina and provided musical entertainment to pilot trainees during World War II. In 1944 the Band was transferred to sea duty in Hawaii and continued to perform for military personnel and civilians for the duration of the war.

Mr. Speaker, I ask my colleagues to join me in saluting the members of the B-1 U.S. Navy Band for their service to our country and to join me in commemorating the Band's 70th Anniversary which will be celebrated on April 14, 2012 on the campus of North Carolina A&T State University.

CONGRATULATORY REMARKS FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Max Christopher DiRocco for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Max has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

HONORING MRS. LOURDES LOZANO

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DIAZ-BALART. Mr. Speaker, in recognition of Women's History Month, I rise today to honor Mrs. Lourdes Lozano, a remarkable leader in the south Florida community.

Mrs. Lozano was born in Las Villas, Cuba and attended the Escuela Normal de Maestros in preparation for her teaching profession. After graduation she received a post graduate degree from the University of Martha Abreu, in Santa Clara. Once arriving in Miami, she received her Bachelor's degree in Psychology from St. Thomas University.

Mrs. Lozano began her professional career working at ARSCO International, a company in the paint roller industry. While working for this company she became the first woman in the industry to hold the position of Plant Manager. She later went on to become Vice President and General Manager of the company. Mrs. Lozano has also worked as a realtor for the past 28 years and as a supervisor for twelve social workers and one specialist for 22 years. In the past she has also been appointed to serve the community as a Commissioner for Hialeah's Housing Authority.

Mrs. Lozano's work does not stop there, as she has been a volunteer for Liga Contra el Cancer and for the Muscular Dystrophy Association for over 30 years. Along with her husband Richard Irizarry, Mrs. Lozano has made tremendous contributions to our community and both are highly admired for their hard work. In 2004 she was recognized as one of the eight public service employees in Miami-Dade who perform their professional duties with excellence. She has also received the "Most Humanitarian Award" from the Department of Children and Families. She has also been recognized by the Mayor of the City of Hialeah, for her leadership on a number of projects which help alleviate some of the burdens of needy families in the community.

Mr. Speaker, I am honored to pay tribute to my dear friend Mrs. Lourdes Lozano for her

continued service to the south Florida community. I ask my colleagues to join me in recognizing this remarkable individual and wish her continued success.

HONORING MID-DELTA HOME HEALTH AND HOSPICE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the Mid-Delta Home Health and Hospice Center. The Mid-Delta Home Health and Hospice Center was founded by Clara T. Reed in 1978 in Belzoni, Mississippi. For more than 30 years the Mid-Delta Home and Hospice has been dedicated to serving the needs of patients throughout the Mississippi Delta.

Mid-Delta Home Health and Hospice Center continues under the dynamic leadership of Chief Executive Officer Clara T. Reed. Mrs. Reed received her licensed practical nursing degree from Mississippi Valley State University in 1964. She later received her Registered Nursing degree in 1970 and a Bachelor's degree in Gerontology from Mississippi Valley State University in 1990.

Mrs. Reed's outstanding leadership and dedication has moved the organization on a progressive track and helped to expand its reach around and beyond the State of Mississippi. Mid-Delta Home Health and Hospice provides health and hospice care to individuals and their families in 32 of the 82 counties in the State of Mississippi. Mid-Delta operates 10 branches in Mississippi locations which include Batesville, Belzoni, Clarksdale, Cleveland, Canton, Greenwood, Greenville, Lexington, Madison, and Tunica. They also have offices in Bastrop and Vidalia, Louisiana. Currently, Mid-Delta has over 650 employees spread throughout the Mississippi Delta and treats over 3,500 patients annually. Mid-Delta prides itself on providing specialized services 24 hours a day and seven days a week.

Mr. Speaker, I ask my colleagues to join me in recognizing Mid-Delta Home Health and Hospice for its unwavering commitment and continued home health care services it provides in the great State of Mississippi and surrounding areas.

TRIBUTE TO MAX MCINTOSH

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. WALDEN. Mr. Speaker, I rise today to pay tribute to Max McIntosh, the director of the VA's Southern Oregon Rehabilitation Center and Clinics (SORCC) in White City, Oregon, who will retire tomorrow, March 30, after 39 years of service to the VA.

Since 2003, Max has run the SORCC, transitioning it from a domiciliary into a world class rehabilitation center and a system of clinics for veterans in southern Oregon. He

came to the clinic two years earlier as Chief Operating Officer.

When he arrived, the SORCC served 7,000 outpatients in the region—no small feat. Today, through the good work of Max and his staff of over 500 employees and another 500 volunteers, the SORCC cares for 450 residential patients and 18,000 outpatients in southern Oregon. These are men and women who have worn the nation's uniform to defend our freedom and cherished way of life, and they deserve the highest levels of care. Max made sure that they received it.

In his years as director of the SORCC, Max and the facility have adapted to serve our nation's heroes—from those who served in World War II to Iraq and Afghanistan. Vocational rehabilitation and employment services place veterans with community employers and partners. They have programs focused on post-traumatic stress disorder and suicide prevention, and clinics on chronic pain and diabetes. They recently instituted a system of home-based primary care, caring for veterans in their homes.

Perhaps the greatest challenge he faced in his tenure was among the first, when a proposal was floated to close or reduce services at the SORCC. Max stood arm-in-arm with me and the rest of the community as a fierce advocate for the facility. Today it stands as a nationally known veteran rehabilitation center, in no small part because of Max's leadership.

When I spent Veterans Day with Max and the veterans of southern Oregon at the SORCC this past November, I noted that "A nation is judged by the way it takes care of the people who protect its freedom." In his 39 years of service to our country, Max has made us proud. I understand that he's already signed up to do volunteer work at the SORCC.

Mr. Speaker, on behalf of a grateful community, State, and Nation, I thank Max for his service to this country's heroes, and wish him well as he moves on.

CONGRATULATING SHANA CHANDLER AND BRANDON WEST ON THE BIRTH OF HUDSON SCOTT WEST

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. SMITH of Washington. Mr. Speaker, I am delighted to congratulate Shana Chandler and Brandon West on the birth of their son, Hudson Scott West. Hudson Scott was born this morning, March 29, 2012, at 1:32 a.m., in Washington, DC.

Weighing eight pounds and ten ounces, Hudson Scott measured twenty-one and one-quarter inches long. I understand that both he and his mother are doing very well.

I am excited by this blessing, and I am extremely happy for Shana, Brandon, and the West and Chandler families. I wish them all the very best.

FRUSTRATION WITH ABC NEWS REPORTING ON BEEF PRODUCTS, INC. (BPI)

HON. TIM HUELSKAMP

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. HUELSKAMP. Mr. Speaker, I rise today to join my colleagues in expressing my frustration with ABC News' muckraking "journalism" that has forced the closure of a plant employing more than 200 people in my district.

What we have before us is a perfect example of mainstream media completely disconnected from reality. In a quest for accolades and attention, reporters, talking heads, and morning talk show hosts at ABC have made it their intention to drive Beef Products, Inc. (BPI) out of business. And they may have succeeded. Despite developing a process that adds approximately \$15 of value to each head of cattle processed, and providing safe, healthy, lean meat for more than 300 billion meals, BPI is being forced to close the doors of its plant in Finney County, Kansas.

But while the reporters, producers, and executives at ABC move on to their next "public interest" story as questions of finely textured lean beef fade into the background, the same cannot be said of employees at BPI. It is ironic that a perfectly good "public interest" story for them to cover is the loss of hundreds of jobs for people in my district and from the three other BPI plants across the country. But doing so would bring too much attention to ABC's role in causing these people to lose their jobs.

Make no mistake, Mr. Speaker—finely textured lean beef is just that: beef. In terms of meat content, it is no different from the steak being served at Charlie Palmer's, or the hamburger at Five Guys. It's not scrap, filler, or substitute. It's beef.

And it's safe to eat. While much has been made of the use of ammonia to treat the meat once it is processed, it has not been, and should not be a safety concern. This process has been approved by the USDA on a whole host of food products, including meat, cheeses, chocolate, pudding, condiments, and beverages to prevent food-borne diseases. Not once, in nearly 20 years of production, has there ever been a report of E.coli or other food-borne illness resulting from finely textured lean beef. It is safe, healthy and only being vilified because someone thought it might win them an award.

It is my hope that the American people will not be so easily fooled in the future, and will explore the facts for themselves, rather than allowing a news organization, on a crusade to win awards, take down a safe, successful company providing good jobs for hundreds of Americans.

HONORING MS. JENNIFER VALOPPI

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DIAZ-BALART. Mr. Speaker, as we celebrate Women's History Month, I rise today to

honor Ms. Jennifer Valoppi, an outstanding individual and leader in South Florida.

Ms. Valoppi is a multi-Emmy Award winning TV journalist, award winning author, and social entrepreneur. Ms. Valoppi is the President and Co-Founder of the Women of Tomorrow Mentor and Scholarship Program (WOT), a unique mentoring organization that helps young at-risk women live up to their full potential. She is currently engaged in expanding WOT nationally to inspire and motivate women across the Nation. Through Ms. Valoppi's leadership, WOT has received national recognition and has been the focus of study by the Harvard Business School Community Partners Program.

As lead anchor at NBC 6 WTUV in Miami, Ms. Valoppi covered historic moments including the 2000 Presidential election, the Elian Gonzalez saga, the Versace Murder, the Olympics, and California's Northridge earthquake. She also took a leading role in driving the station's commitment to fair, accurate, and balanced journalism.

Both Ms. Valoppi and her husband, Christian Berdouare have made tremendous contributions to our community and are highly admired for their hard work. Ms. Valoppi is a recipient of Florida Jeb Bush's Points of Light Award, the highest honor in Florida. She was named a Heavy Hitter in Non-Profit by the South Florida Business Journal. She has also been awarded the "Inner Circle of 12 Distinction" from the American Cancer Society and the "Woman of Impact Award" from the Women's History Coalition, among many other awards and recognitions.

Mr. Speaker, I am honored to pay tribute to Ms. Jennifer Valoppi for her continued service to the South Florida community and I ask my colleagues to join me in recognizing a dear friend and an exemplary individual.

TRIBUTE TO PATRICK PALMERSHEIM

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Patrick Palmersheim for being awarded the Medal of Honor from the Iowa State Daughters of the American Revolution.

Daughters of the American Revolution was founded in 1890 and incorporated by Congress in 1896 as a national volunteer organization committed to encouraging patriotism and promoting American ideals through better education for our Nation's children. Nationwide, DAR boasts more than 170,000 members from 3,000 chapters across all 50 States in addition to various international chapters as well.

The most prestigious honor awarded by Daughters of the American Revolution is the DAR Medal of Honor. To receive this prestigious award, one must be a native born American who has shown an extraordinary commitment to the qualities of service, leadership, trustworthiness and, of course, patriotism. DAR Medal of Honor recipients are recognized for making lasting contributions to our

American heritage through selfless service to their country, State, community, and fellow man.

Accordingly, Mr. Palmersheim has been serving Iowans his entire career. Patrick served nine years in our Nation's Air Force before civically serving in his rural Iowa community through his roles on the city council, as a volunteer firefighter, and as mayor. In 2002, he was appointed Executive Director of the Iowa Commission of Veterans Affairs by then Governor Tom Vilsack. Patrick's leadership in his new role directly led to Iowa becoming the first State in the U.S. to pass legislation that allowed nursing homes the opportunity to report their residents for potential eligibility for federal benefits from the Veterans Administration. Mr. Palmersheim was also instrumental in establishing the long-desired Iowa Veterans Cemetery, which has provided a final resting place for 80,000 veterans since its groundbreaking in November of 2006.

Mr. Speaker, what Mr. Palmersheim has done for the State of Iowa and our veterans cannot be understated. He is truly the benchmark for which this prestigious award is bestowed. It is an honor to represent Patrick and all of Iowa's veterans in the United States Congress and I trust my colleagues in the House will rise to join me in congratulating Patrick for all he has done.

HONORING DONALD JONES, JASON BOWMASTER, AND DANIEL DIMATTEO

HON. TIM GRIFFIN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. GRIFFIN of Arkansas. Mr. Speaker, I rise today to honor three Arkansas heroes.

Jacksonville Fire Department Captain Donald Jones and Engineer Jason Bowmaster along with Jacksonville Police Officer Daniel DiMatteo were struck by a van while responding to an accident on Monday, March 19th.

Engineer Bowmaster and Officer DiMatteo are in stable condition.

However, tragically, Captain Jones, a 31-year veteran of the department, passed away as a result of his injuries. He is the first member of the Jacksonville Fire Department to be killed in the line of duty.

Captain Jones served the last years of his career with Station 4 and is survived by his wife, Betty, his five children, three brothers, nine grandchildren, and one great-grandson.

Every day across the Nation, our first responders put their lives on the line, sacrificing to keep us safe in our communities.

And, these three men were doing just that: serving and protecting their communities.

I honor them for their service to Jacksonville, and I keep them and their families in my prayers as they recover from this tragic accident.

HONORING MARCUS SCHMIDT

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Marcus Schmidt of the Centralia High School Wrestling team for winning the Class 1 Missouri State Wrestling Championship in the 120-pound weight class.

Mr. Schmidt and his coaches should be commended for all their hard work throughout the regular season and for bringing home the state title in the Class 1 120-pound weight class to his school and community. This is his fourth state medal and second consecutive Class 1 championship.

I ask that you join me in recognizing Mr. Schmidt for a job well done!

RECOGNIZING THE 100TH ANNIVERSARY OF BRANSON, MISSOURI

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize world-famous Branson, Missouri. This year, Branson celebrates 100 years of heritage, harmony, and hospitality. Branson is a community of people, shaped and inspired by the lakes and hills that surround her, with a common mission, united in perseverance and service to others.

Over the past 100 years, millions of people from around the world have enjoyed and appreciated this special location in Ozark Mountain Country. However, it wasn't always this way, as Branson comes from humble beginnings.

In 1882, a community was founded when a young schoolteacher named Reuben Branson built a store and opened the first post office in a rural area of southwest Missouri. Branson continued to grow, helped by steamboats and the White River Railroad arriving in 1906, and Branson was officially incorporated on April 1, 1912.

In 1907, preacher Harold Bell Wright wrote a best-selling book, "Shepherd of the Hills," which led to an attraction still thriving today. Inspired entrepreneurs kept arriving and in 1949, Hugo Herschend signed a 99-year lease on a cave and went on to build Silver Dollar City. In 1959, Branson's distinction as a music destination began when the Mabe brothers opened the first music show. The Presley family opened the town's second music show on what eventually became Missouri Route 76.

Today, Branson entertains millions of visitors who embrace the city's heritage, harmony and hospitality. I am proud to have the city and the community of Branson in my district and I congratulate them on the past 100 years and I look forward to 100 more.

HONORING RIPLEY BLACKWELL
HEAD START CENTER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the Ripley Blackwell Head Start Center, Inc. The center was named in honor of two civil rights pioneers, Mrs. Minnie Ripley, and Mrs. Unita Blackwell, the first African-American elected as the Mayor of Mayersville, Mississippi, in 1976. The center was originally known as the Friends of Children of Mississippi, until 1980 when they adopted the name of Ripley Blackwell Head Start Center. The center serves both Sharkey and Issaquena counties in the Mississippi Delta. The center's mission is to educate the children of Sharkey & Issaquena counties as well as serving their families.

The Ripley Blackwell Head Start became a valuable part of the community by addressing the barriers that hindered growth and development, and the nurturing of a community bond. The area director, Mr. Roger Robinson, was instrumental in convincing the school board to purchase an old high school for the growth and expansion and all the amenities needed to accommodate the center.

In the beginning the center served 180 children and their families with nine units. Currently, Ripley Blackwell Head Start serves 111 children and their families with six units. They have successfully transitioned over 5,558 children into the public schools of Sharkey and Issaquena counties.

For over 30 years the Ripley Blackwell Head Start Center has prepared children to enter kindergarten confidently with the social, physical, emotional, and cognitive skills and competencies necessary for continued school success. Mr. Speaker, I ask our colleagues to join in recognizing the Ripley Blackwell Head Start Center, Inc. for their commitment to educating the community.

TRIBUTE TO MARK HENRY FARLINGER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Mark Farlinger of Cresco for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the years.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Mark's project was to construct a kiosk and a welcome sign to assist the visitors of Vernon Springs Park in Howard County. The work ethic Mark has shown in

this project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Mark and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career.

IN HONOR OF CHIEF STEPHEN WHITE

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today in honor of Doylestown Township's Chief of Police, Mr. Stephen White, who on March 2nd 2012 retired after a 40-year career in law enforcement. For Chief White, public service runs in the family. Steve's grandfather was a prominent Philadelphia police officer for a number of years, which truly inspired him to pursue a career path in law enforcement. After earning a bachelor's degree in international relations from St. Joseph's University, White started his career by working for the Capitol Police in the Nation's Capital.

On February 16th 1974, Steve White settled in Bucks County and began what would be a distinguished career, first working as a patrolman for Doylestown Township. He quickly moved up in the ranks and was promoted to Sergeant the following year. After three years of hard work and dedication to the force, he became a lieutenant, and on January 12th 1988 Steve was promoted to Chief of Police, where he remained until this year. As Chief, he served as the Township's Emergency Management Coordinator, flawlessly supervising a staff of 21 officers and 3 civilians with a budget of just over \$3 million.

Over the course of his career, Chief White has received numerous honors and awards. He was inducted into the International Police Association's Hall of Fame in 1999, and was named an extraordinary Member in August 2007 by the FBI National Academy Associates. Previously, he served as President of the Pennsylvania Chiefs of Police Association.

Chief White has devoted his life to making his community a safer and better place to live. I am honored to speak on his behalf today, and I am proud to be his representative in Congress. I wish Steve many years of continued success.

COMMEMORATING THE INDUCTION OF PHILIP P. SMITH INTO NOVA SOUTHEASTERN UNIVERSITY'S 2012 ENTREPRENEUR HALL OF FAME

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize an exceptional entrepreneur and my dear friend, Philip P. Smith. As the president and chief executive officer of Phil Smith Management, Inc., he is better known as the founder of Phil Smith Chevrolet, a successful General Motors (GM) dealership in my Congressional district that serves the greater South Florida area from Palm Beach to Broward and Miami-Dade Counties. On April 18, 2012, Phil will be inducted into the 2012 Entrepreneur Hall of Fame at the H. Wayne Huizenga School of Business and Entrepreneurship at Nova Southeastern University (NSU) for his longstanding business leadership and community involvement.

The NSU Entrepreneur Hall of Fame was established in 1990 to honor the lifetime achievements of outstanding entrepreneurs who contributed not only to the growth of a phenomenal entrepreneurial business, but have also demonstrated a willingness to contribute time, effort, and financial resources to programs and activities that enhance the quality of life in the communities in which they live. For more than 30 years, Phil has been serving the South Florida community as a business leader and philanthropist. His first equity venture was in a Toyota dealership in Homestead, Florida in 1980. With a direct hands-on sales and management approach, Phil has since built his organization from the ground up and now operates 14 auto dealerships throughout Florida, Georgia, and North Carolina.

Phil is responsible for the overall operations of Phil Smith Management, Inc., including working with the equity partners at all locations and orchestrating its acquisitions and growth strategies. Thanks to entrepreneurs like him, GM has again become the world's top-selling automaker. Phil Smith Chevrolet has consistently ranked as one of the top dealerships in Broward County in a variety of GM categories, including customer satisfaction, service, and vehicle fleet and GM parts sales. Furthermore, in recent years, Phil Smith Chevrolet has proven to be a true economic linchpin to distressed areas in Broward County. Phil takes great pride in the fact that most of his 104 employees have worked for the dealership for many years and live in and have strong relationships with the surrounding community.

The Phil Smith Automotive Group has received numerous awards, including the J.D. Powers Quality Dealer Award, Toyota President's Award, Ford Chairman's Award, and Acura Dealership of Distinction recognition. Phil is also past chairman of the Southeast Toyota Dealer Council, a past member of the National Toyota Dealer Council, past president of the South Florida Auto-Truck Dealers Association, and a past director of the Florida Automobile Dealers Association.

Raised in South Florida, Phil is well-known for his civic and charitable involvement. He is actively involved with the Cystic Fibrosis Foundation, Humane Society of Broward County, American Cancer Society, Make a Wish Foundation, and other organizations. In addition, Phil is Co-Chairman of the South Florida Super Bowl Host Committee and has board positions with the Orange Bowl Committee and the Broward Workshop, a nonprofit organization that represents the interests of 100 Broward businesses and professions.

Mr. Speaker, it is my distinct honor and privilege to recognize Phil Smith on this special occasion. His business leadership and commitment to the South Florida community is a testament to American entrepreneurship, and I can think of no one more deserving than Phil to be admitted to Nova Southeastern University's Entrepreneur Hall of Fame. I am so pleased to pay tribute to my dear friend, and wish him great success for many years to come.

RECOGNIZING APRIL AS PARKINSON'S AWARENESS MONTH

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. VAN HOLLEN. Mr. Speaker, as a co-chair of the Congressional Caucus on Parkinson's Disease, I am proud to join my colleagues in recognizing April as Parkinson's Awareness Month. It is estimated that there are between 500,000 and 1.5 million Americans living with Parkinson's disease, a chronic, progressive neurological disease, for which there is no therapy or drug to slow or halt its progression, let alone a cure. I support the federal government's continued funding for research to find better treatments and a cure for Parkinson's. I also recognize the people living with Parkinson's who participate in vital clinical trials to advance knowledge of this disease, and commend the dedication of local and regional organizations, volunteers, and millions of Americans across the country working to improve quality of life for people living with Parkinson's disease and their families.

SEIZURE SMART AND EPILEPSY AWARENESS

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mrs. EMERSON. Mr. Speaker, I rise today to speak about the millions who live with seizures and deserve to be able to live, work, learn and play safely in their own communities. On April 3, representatives from around the country will be here on Capitol Hill meeting with our staff about epilepsy and what it's like to live with this condition, which is the 3rd most prevalent neurological condition and yet has no cure. While I hope that research will one day result in a cure, we can do something very meaningful now—we can help school

personnel know what to do when a child has a seizure in school. We can help employers know how to help an employee in the workplace when he or she has a seizure, and communities can learn to help keep both children and adults safe wherever they go by having trained first-responders. Many great programs have been developed and implemented over the years to help educate our communities and teach them how to be "Seizure Smart." Together, with the help of a united public awareness campaign, we can help everyone to become seizure smart. We need to educate everyone about epilepsy and help everyone to know what to do when someone has a seizure. When individuals from the Epilepsy Foundation come by to see your office on April 3, tell them that you are getting Seizure Smart and offer your support to House Resolution 298.

HONORING JUSTIN VANHOOSE

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Justin VanHoose of the Kirksville High School Wrestling team for winning the Class 2 Missouri State Wrestling Championship in the 138-pound weight class.

Mr. VanHoose and his coaches should be commended for all their hard work throughout the regular season and for bringing home the state title in the Class 2 138-pound weight class to his school and community. This win places him in a short, elite list of only 21 other Missouri wrestlers to have ever won four state titles.

I ask that you join me in recognizing Mr. VanHoose for a job well done!

RECOGNIZING THE BILLINGS
STATE CHAMPIONSHIP

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LONG. Mr. Speaker, I rise today to congratulate the young gentlemen of the Billings Wildcats Boys Basketball Team for winning the Missouri Class 2 State Championship.

The Wildcats have a philosophy built around teamwork and a desire to be champions. These talented young men, Kaleb Harter, Connor Jenisch, Nathan Blades, Brady Chastain, Austin Essick, Chad Yeokum, Dawson Meyer, Lane Truman, Sawyer Hawkins, and Seth Haggerman are the true definition of a team. Through their hard work and dedication they won the Missouri Class 2 State Championship.

Coach Kendall Tilley and his talented coaching staff should be proud of their accomplishment in guiding such a phenomenal group of young men. I commend them all on a job well done.

The Wildcats had a wild final with their opponent rallying multiple times, but Billings held

fast and came out on top. In the end, the Wildcats refused to lose. They ended with a 29-3 record.

The Billings community is justifiably proud of the extraordinary group of young and talented future leaders on the Wildcats Basketball Team.

I urge my colleagues to join me in congratulating the Billings Wildcats Basketball Team, the Missouri Class 2 State Champions.

HONORING ATTORNEY EDWARD
BLACKMON, JR. FOR HIS SERV-
ICE AND DEDICATION TO THE
COMMUNITY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Attorney Edward Blackmon, Jr. Attorney Blackmon was born and raised in Canton, Mississippi. He is a graduate of Tougaloo College, where he obtained his Bachelor of Arts degree in Political Science. He received his Juris Doctorate from the George Washington University Law Center in Washington, DC in 1973.

Shortly after completing George Washington University, Attorney Blackmon began practicing law in Mississippi at the North Mississippi Rural Legal Services in Greenwood, Mississippi. Attorney Blackmon remained with North Mississippi Rural Legal Services until 1974 when he entered into private practice in Canton, Mississippi with the Law Firm of Blackmon & Smith. In 1989, Attorney Blackmon and his wife, Attorney Barbara Blackmon, formed the Law Firm of Blackmon & Blackmon in Canton where he currently serves as the firm's Senior Partner.

Attorney Blackmon has extensive experience in personal injury, products liability and defense law. His clientele reads like a "Who's Who" among corporate America. Attorney Blackmon has defended some of the nation's top corporate companies in civil litigation, and obtained hundreds of millions of dollars in civil awards for damages on behalf of his clients.

Attorney Blackmon also has lengthy experience in criminal law defense as well. During a 20 year period involving more than 50 defense trials, Attorney Blackmon excelled without losing a single case.

He is a 24 year member of the Mississippi House of Representatives, where he previously served as Chairman of the Judiciary Committee. In other capacities, he has served as Chairman of the Legislative Black Mississippi State House of Representatives Caucus, President of the Magnolia Bar Association, and is currently serving as a member of the Tougaloo College Board of Trustees, in addition to the George Washington University School of Law Board of Advisors.

In 2002 Attorney Blackmon was named by the National Law Journal as one of the Nation's Top 10 Litigators. Among his many achievements in his role as a public servant, Attorney Blackmon is most proud of his work as a State Legislator. He has led redistricting

efforts that led to the reapportionment of legislative and judicial districts which increased the number of minority representation in each of those offices.

Attorney Blackmon and his wife, Attorney Barbara Blackmon, are celebrated for their philanthropic service in the area of education. They have made substantial financial contributions to their alma maters, Tougaloo College and Jackson State University, in addition to a number of other institutions and individual students seeking to advance themselves through higher education. Attorney Blackmon is a member of the Cade Chapel Missionary Baptist Church and is the father of four children, Janessa, Madison, Bradford and Stephen.

Mr. Speaker, I ask my colleagues to join me in recognizing Attorney Blackmon for his dedication and service to the state of Mississippi.

CELEBRATING GLADYS WILLIAMS'
100TH BIRTHDAY

HON. ROBERT T. SCHILLING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. SCHILLING. Mr. Speaker, it is with great pleasure and honor that I congratulate Ms. Gladys L. Williams of East Moline, Illinois on a momentous milestone, her 100th birthday, which will be on April 15, 2012.

Born in Kansas on April 15, 1912, the very day the Titanic sank, Gladys grew up to be tough, but a dedicated and wonderful mother whose kids always knew she had their backs. Along with her husband A.H. and her three children, Gladys moved around the country more than 30 times over the years due to her husband's job with the Rock Island Railroad. The family moved in and out of the Quad Cities nearly a dozen times until they finally made Moline home in 1954, around the time A.H. was named General Manager.

Gladys and her family have been active in Moline's First Baptist Church, and she worked in an area high school's cafeteria before eventually relocating to East Moline 16 years ago. Her family did the math recently, and determined that Gladys has been blessed with 17 grandchildren, 36 great-grandchildren, and 21 great-great-grandchildren.

East Moline Mayor John Thodos declared April 15th, 2012 "Gladys Williams Day" in honor of this remarkable woman. Mr. Speaker and my distinguished colleagues, I respectfully ask that you join me in wishing Gladys a very happy 100th birthday, and the best as she celebrates this joyous occasion with her friends and many members of her family.

COMMEMORATING BELARUSAN
INDEPENDENCE DAY BY FIGHT-
ING FOR HUMAN RIGHTS IN
BELARUS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. SMITH of New Jersey. Mr. Speaker, on Sunday, March 25, Belarusan-Americans commemorated Belarusan Independence Day. On

that date in 1918, during World War I, the Belarusian National Republic was declared. Although independence was short-lived and Belarus forcibly subjected to Soviet rule, it did mark an historically significant milestone in the aspirations of the Belarusian people for freedom and their own unique identity.

While Belarus became independent in 1991 with the dissolution of the Soviet Union, this independence today is under threat thanks to the dictatorial rule of Alexander Lukashenka, who has relentlessly squelched dissent, strangled democratic institutions and the rule of law, stifled human rights and political liberties, and refused to reform the Soviet-type state-dominated economy. This has made Belarus dangerously vulnerable to Russian influence and has greatly weakened its prospects for integration into the European family of nations.

The brutal crackdown that began 15 months ago with the fraudulent December 19, 2010 election persists. Its most recent manifestation is the barring of numerous opposition leaders, human rights activists and independent journalists from traveling abroad—yet another in a litany of violations of Belarus' OSCE commitments. Especially egregious is the continued imprisonment of democratic opposition leaders and activists, and human rights defenders Andrei Sannikau, Mikalai Statekevich, Zmitser Bandarenka, Ales Byalyatski, Syarhei Kavalenka, Zmitser Dashkevich, Pavel Seviarynets, and others, many of whom face inhumane conditions in detention. I'd like to add my voice to those of countless Belarusians and Belarusian-Americans calling for the immediate and unconditional release of all political prisoners in Belarus.

Mr. Speaker, in January the President signed into law the Belarus Democracy and Human Rights Act of 2011, which I authored. This law strengthens, in view of Lukashenka's crackdown, two earlier laws I wrote promoting democracy and supporting the Belarusian people in their struggle to replace the Lukashenka dictatorship with a representative government that will respect human rights and democratic values. But Congress's efforts on behalf of the Belarusian people can't end there—I'd like to ask my colleagues to continue to raise Belarusian human rights issues with the administration, with foreign parliamentarians, and, whenever we encounter them, with officials of the Lukashenka dictatorship.

HONORING MAYOR RUDY GIULIANI

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. DIAZ-BALART. Mr. Speaker, I have great admiration for Mayor Rudy Giuliani. He is a courageous American leader who speaks with authority when it comes to the safety and security of the American people. On Saturday, March 24, 2012, on the occasion of the Iranian New Year, Nowrouz, Mayor Giuliani addressed a conference in Paris attended by nearly 1,000 people to discuss ways to counter the Iranian threat and standing with the people of Iran and their organized opposition.

His remarks are crucial since they were preceded just a few days before by a campaign by unidentified U.S. Government officials who wanted to silence him and other senior former U.S. Government officials who had called for regime change in Iran and support for the Iranian opposition. Mayor Giuliani was flanked by other former officials including Attorney General Michael Mukasey, Homeland Security Secretary Tom Ridge, Ambassador John Bolton, Congressman Patrick Kennedy and others who called for the removal of the main Iranian opposition movement, the Mujahedin-e Khalq (MEK), from the list of Foreign Terrorist Organizations.

They also called for the U.S. Government to uphold its written commitment to the safety and security of the 3,400 Iranian dissident residents of Camp Ashraf as well as those who relocated to Camp Liberty.

Mayor Giuliani and his colleagues have extensive support in the U.S. Congress who commend their work. In this respect, nearly 100 of my colleagues have co-sponsored H. Res. 60, which calls on the Secretary of State to remove the MEK from the terrorist list. I am pleased to submit Mayor Giuliani's remarks in Paris.

Mayor Rudy Giuliani: Thank you very much. Thank you. Thank you very much. Thank you. Thank you. Thank you very much. Thank you. I want to begin by joining Madam Rajavi in expressing my deep sympathy and empathy and prayers for the families of the victims of excessive fundamentalism here in France. As mayor of a city that suffered that fate over ten years ago, I think I have particular understanding of how much pain and suffering that causes. I also want to join Madam Rajavi in her pointing out that this is an example not of Islam or the Islamic religion, but an example of how any religion or ideology can be taken to excess by people who misuse it. And I think the people of France understand that as the people of America did.

I also want to assure you, speaking for myself and so many of my colleagues, that anonymous, cowardly sources in the State Department or elsewhere who unknowingly are doing the bidding of the mullahs don't frighten me, won't stop me, won't stop any of us, ever.

It would seem—thank you. It would seem to me that the resources of my government could be better used to try to figure out who these anonymous leakers are in the State Department who seem to be doing the bidding of the Iranian regime, rather than fighting for freedom and democracy and decency in Iran. But if anything, this will just make us more determined. I also want to congratulate all my colleagues who have shown great courage in dealing with this, as I knew they would. And really, it doesn't take a great deal of courage. It just takes doing the right thing. We believe we are right. We are aware of the pressures. And I'm going to tell you what I believe and I'm also going to tell you how I think this can be easily resolved in sort of a common sense, sensible way.

First of all, I believe that, I believe that Camp Liberty is an inhumane and indecent place. I don't believe it's a detention facility at all. I think it's a prison camp. The amount of space that's being given to the people there is a couple of feet per person, well below the minimums for American prisons, significantly below what's given to accused terrorists at Guantanamo, for example. I believe it's a place in which there are

prison guards and police that menace the people who now are at Camp Liberty.

I believe that they are in danger, the people of Camp Liberty are in danger of possibly having the same fate as the people at Ashraf, of whom some 47 have already been killed, 11 in 2009 and 36 in 2011. And I believe that there is no facility in Camp Liberty for processing these people the way you would process people if, in fact, in good faith, America and the UN were living up to their promise.

Now, I believe all these things in my heart. I've seen proof of it. I've seen indications of it. I've seen evidence of it. But I guess I could be wrong. Here's the way to find out. If the anonymous sources in the State Department are so convinced of the validity of what they're saying, and I say this with greatest respect also for the Secretary of State, Mrs. Clinton, for whom I have a great deal of respect; send me there. Let me go there. Let me see it with my own eyes. I have eyes. I have a brain. I have senses. If you bring me back, you can put me under oath and ask me to tell the truth about it. I can bring a camera with me so that we don't have to dispute whether I'm right or you're right. Let's see how much space they have. Let's see how decent or indecent these facilities are. Let's see if there are provisions being made to relocate people or there are not. In other words, let's see if my country that I love, the United States of America, is living up to the promise that it made to the people of Ashraf to protect them and to treat them decently or it's breaking that promise. I promise you, I will tell the truth about it if you let me go there.

And if you don't want to send me, you can send Judge Mukasey or Tom Ridge or Patrick Kennedy or four or five of us and then you can put us before Congress and put us under oath and I assure you, we'll tell the truth about it and we'll get this resolved. Are we being misled or is the State Department breaking its promise to the people of Ashraf? Let's get an answer to it once and for all.

I hope they take us seriously. And I hope they want to get this resolved because this is truly a humanitarian issue of gravest importance, above and beyond all of the other political issues. Twelve hundred people have now been moved to Camp Liberty. We are aware of what happened to the people in Camp Ashraf in 2009 and in 2011, where Maliki, doing the bidding of the Iranian government, had them killed. We have grave fears that somehow that may happen again and we have grave fears that this is not a decent, legitimate attempt to relocate people.

This has to be resolved. This is beyond all of the other issues that are involved. Delisting, how to deal with the Iranian regime. This is just a matter of common decency and I am so disappointed. I can't express to you how disappointed I am in my government and the way they've acted here. They made a promise to protect these people and they are unwilling to live up to that promise. And we are going to fight very, very hard to make sure that they do.

The second point that I would like to make is that I fear that this is all part of a dangerous and misguided approach that will yield many, many more problems beyond this. I believe that my president and my country, at least with regard to this policy, has a serious and dangerous misconception that you can negotiate with the mullahs, that you can negotiate with Ahmadinejad.

I believe the President still is attempting to do that. He's still writing letters to the Ayatollah. I can't imagine what's in those

letters. I don't even know how you begin a letter to an ayatollah. Dear Ayatollah, your eminence, your holiness, or I don't know what you call them, but in any event, President—Somehow I don't think letters are going to persuade him to become humane, decent, to embrace democracy, and to stop trying to develop nuclear weapons. I have a feeling that the only thing that will stop him and the only thing that will stop Ahmadinejad is if they see strength, if they see power, if they see determination, if they see an America that is willing to support the people that want to overthrow the regime of Iran.

We are for—America is and has participated and has been for regime change in Egypt, regime change in Libya. We now talk of regime change in Syria. All of which is fine, particularly Syria. But much worse than all three combined is the regime in Iran for the last 20 or 30 years. So how can we possibly be for regime change in these three places, but we're not for regime change in the worst actor in the region, the biggest supporter of state sponsored terrorism in the world, and the biggest opponent of the United States of America, at least since 1980? So, how about we now are for regime change in Iran and we side with the people like you who hopefully can bring that about?

There are people that say that you have no influence inside Iran. The same anonymous sources from the State Department then say that you're responsible for identifying Iranian nuclear scientists that the Israeli agents are killing. Well, you deny that. The Israelis deny that. But somehow I can't figure out if these anonymous sources are talking to each other. Either you have no influence inside Iran, in which case you couldn't possibly be responsible for fingering and identifying these scientists, or you have a lot of influence inside Iran, which is something, you know, we should take into consideration. So, these sources are so contradictory that I don't know how anybody can rely on them.

Here's what I know. You, Madam Rajavi and all of you, stand for democracy. That's an American value. You stand for freedom of religion. That's an American value. You stand for a secular government. That's an American value. You stand for due process of law. You stand for a non-nuclear Iran. You stand for the rights of women. And these place that hates you the most is the Iranian government. The EU has delisted you. The United Kingdom has delisted you. I can't find any other place that lists you as a terrorist group but two. Iran, and they are executing people in Iran who they believe are members of the PMOI. One is up for execution right now. That shows how dangerous Iran thinks you are. I kind of get encouraged by groups that Iran finds dangerous.

So, I think it's about time that the Secretary of State make a decision. Almost a year ago, she was ordered to make that decision. It's supposed to be made in 180 days. Again, from what I see, from the facts that I see—I don't have possession of all the secret facts—but so far every single fact that I've seen is that this organization stands for everything that gives us hope of a decent life and a decent future in Iran. And if there are any facts to the contrary, then why is it taking so darn long to make this decision that should have been made eight or nine or ten months ago? If you have facts that are contrary to that, it's really easy to write them and it's really easy to put it out there and it's really easy to file the decision.

So, I hope that over the course of the next several months, we can accomplish two

things. We can protect the people in Ashraf who are moving to Camp Liberty. We can get there. We can get to see it and we can allow them to make the changes that might be necessary to make it a decent and livable place. We can get them relocated to places where they can be safe.

And we can finally see a delisting of a decision that was the wrong decision in the first place. It was a decision that was intended to placate. It was a decision that was intended to appease. It was a decision that was intended to try to set up a dialogue years ago that never worked. And right now, the enemy, the enemy of stopping a nuclear Iran is appeasement. That's the enemy. That's the false notion that has made Iran bolder, stronger, and more determined to become nuclear. Let's stop the appeasement. Let's stop trying to negotiate. Let's stop writing letters to the ayatollah. And let's stand up, united as Americans in saying we are for regime change in Iran and we will take any step necessary to stop Iran from becoming nuclear. Thank you.

IN RECOGNITION OF THE ACHIEVEMENTS OF MS. PAT JORDAN

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognition of a dynamic lady who has had a strong influence in promoting our community's cultural legacy. As we celebrate the artistic achievement of our high school artists at the annual Congressional Art Competition, it is appropriate to honor a patron of the arts, Ms. Pat Jordan. She knows Kansas City, Missouri, as this is where she grew up, attending Southeast High School in the heart of the City. She obtained a degree from the University of Missouri in Journalism, which gave her the tools to investigate, promote and educate what she loves most, the arts.

The rich cultural history of African Americans who lived in a segregated Kansas City during the 1920's, 30's and 40's can be traced to the area centered on 18th and Vine. This is where the black community lived, worked, worshipped, and cultivated a unique lifestyle preserved in the arts, education and sports of the time. More than most, Pat realizes the importance of preservation of an era that was indigenous to the area but with time has faded. She understands that a culture uniquely African American must not be allowed to fade. Through the arts and education, this culture will be revealed and celebrated along with today's artist who expresses their interest through artistic discovery.

While I served on the Kansas City, Missouri City Council and later as Mayor, my goal was to preserve the history of 18th and Vine by restoring the area. This is when I met the enthusiastic Pat Jordan, who I enlisted to spearhead the renovation of the Gem Theater. She worked on the Gem Theater bond fund that was essential in making the renovation of the Gem Theater a reality. She continues to promote the area with the Gem Cultural and Educational Center that promotes visual and performing artists.

Presently, Pat serves as Co-Chair of the Mayor's Task Force for the Arts; Chairman of

The Light in the Other Room for Kansas City African American Artists; Member of the Arts Committee for the Mayor's Google Task Force and President of Cross-Lines Towers, Inc. She has an amazing record of public service and has served on many advisory boards. She has been a long time supporter and member of the Advisory Boards of the Kansas City Friends of Alvin Ailey, the William Jewel Fine Arts Series and the Department of Architecture, Urban Planning & Design of the University of Missouri at Kansas City.

This summer, Kansas City will host the 2012 All-Star Baseball Game. Pat is instrumental in efforts that will bring out-of-town guests to the heart of 18th and Vine. There, visitors will enjoy an iconic culture uniquely Kansas City at the Gem Theater, the Negro Leagues Baseball Museum, and the American Jazz Museum.

Mr. Speaker, please join me in thanking Ms. Pat Jordan for seeing beyond a concept, working to achieve a goal, and proudly promoting cultural enhancement through the arts. Through her outreach and events, local artists are introduced and Kansas City talent is exhibited. Her accomplishments are many as she is one of the gems for our community.

HONORING JAYDIN CLAYTON

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Jaydin Clayton of the Father Tolton Catholic High School Wrestling team for winning the Class 1 Missouri State Wrestling Championship in the 113-pound weight class.

Mr. Clayton and his coaches should be commended for all their hard work throughout the regular season and for bringing home the state title in the Class 1 113-pound weight class to his school and community. His win represents the school's first state title in Class 1.

I ask that you join me in recognizing Mr. Clayton for a job well done.

RECOGNIZING THE REPUBLIC GIRLS BASKETBALL STATE CHAMPIONSHIP

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LONG. Mr. Speaker, I rise today to congratulate the young ladies of the Republic Lady Tigers Basketball Team for winning the Missouri Class 4 State Championship.

The Lady Tigers had some up and down moments in their championship run, but were able to rely upon each other to persevere. These talented young women, Brooke Dutton, Alice Heinzler, Alex Botkin, Alexis Edwards, Sarah Kreul, Kayla Bartelsmeyer, Baylee Rayl, Micah Mansker, Mercedes Doty, Taylor Wells, Kailey Mathis, Lindsey Carlson, and Tori Taylor are the true definition of a team. Through

their hard work and dedication they won the Missouri Class 4 State Championship.

They were outstandingly guided by Coach Kris Flood and his talented coaching staff, Tori Mooneyham and Curt Plotter, whom I commend on an amazing accomplishment and a job well done.

The Republic Basketball team had tremendous support throughout their season; their friends, family, and fans attended the tournaments, cheered them on throughout the basketball season and followed them to Columbia for the state championships. Uniquely, many of the excited fans would dress up in costumes, like superheroes and whoopee cushions, for their title run.

The Republic community is justifiably proud of the extraordinary group of young future leaders on the Republic Lady Tigers Basketball Team, but even more important, the young ladies of the Republic Basketball team will have memories to last a lifetime. They've had the extraordinarily opportunity to live the dream of defying the odds and achieving victory through greatness.

This is third time that the Republic Lady Tigers have won the state championship.

I urge my colleagues to join me in congratulating the Republic Ladies Basketball Team, the Missouri Class 4 State Champions.

HONORING THE LATE MRS. JESSIE
PENDLETON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a civil rights champion, the late Mrs. Jessie Pendleton. Mrs. Pendleton served Copiah County for years as a staunch civil rights activist.

She was born on April 29, 1924 to Allee and Pearl Bowens in Crystal Springs, Mississippi. Jessie was the wife of Mr. J.C. Pendleton and mother to four children, James Cecil, Mattie, Helen and Eva.

Mrs. Pendleton joined Providence Missionary Baptist Church at an early age, where she continued her walk in faith as a dedicated member. She was the organizer of the first Providence Missionary Baptist Church Family & Friends day, which continues as a time honored tradition today. Mrs. Pendleton later became a member of St. Mary's United Methodist Church where she held many leadership positions.

Mrs. Pendleton's love for God and humanity was instrumental in her endeavors to ensure that all men were treated fairly, a passion that ultimately led to her Human Rights activism. On her list of many accolades, is the redistricting lawsuit she filed in Copiah County, Mississippi which resulted in the creation of two predominantly Black districts in Copiah County, Mississippi which were both represented by black Supervisors. Mrs. Pendleton also filed a complaint against Harmony Ridge Water Association, which prior to that restricted water from being provided to citizens in the rural areas of the County.

Mrs. Pendleton founded the Citizens for Progress Club in 1987, whose primary focus

was to assist the economically deprived in the Copiah County and surrounding areas. She also had the privilege of serving as President of the Crystal Springs branch of the National Association of the Advancement of Colored People. Mrs. Pendleton's tireless efforts in increasing civic participation led to her receiving the mother of the year award for Copiah County in 1986.

Mr. Speaker, I ask my colleagues to join me in honoring the life and legacy of Mrs. Jessie Pendleton for her dedication and service to Copiah County, Mississippi.

HONORING VETERANS OF THE
VIETNAM WAR

HON. ANN MARIE BUERKLE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Ms. BUERKLE. Mr. Speaker, I rise today to honor and pay tribute to our Veterans of the Vietnam War and to reflect upon their courage, strength, and love for the United States of America.

March 29, 2012 has been proclaimed Vietnam Veterans' Day in the State of New York, but it is important that we recognize our Veterans of the Vietnam War not only today but every day.

During the Vietnam War, of the more than 3.4 million Americans that were deployed, over 58,000 were killed, 153,000 were wounded, and over 2,000 remain missing in action.

It is important that we remind our Vietnam Veterans and their families that we are a grateful nation. Our country recognizes and appreciates the bravery and steadfastness of every American soldier. These are the men and women who risked their lives so our country remains free. It is because of their service that the United States of America remains the greatest nation in the history of the world.

The men and woman who served our country in the Vietnam War are shining examples of patriotism, strength, courage, and decency. It is with great pride and honor that I pause and reflect upon their sacrifice and thank our Vietnam Veterans for their dedicated service to the United States of America.

GRAND OPENING OF PLANNED
PARENTHOOD HEALTH FACILITY
IN OAKLAND COUNTY, MICHIGAN

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. PETERS. Mr. Speaker, I rise to mark the occasion of the grand opening of a new Oakland County, Michigan facility for Planned Parenthood, an organization that I stand with proudly in spirit, purpose and commitment.

Never before in recent history have we witnessed such feverish and brazen attacks on the reproductive and health care rights of women. Planned Parenthood, in particular, has been unfairly targeted in this war on women.

More than ever, our communities and families need organizations like Planned Parenthood. In fact, 97 percent of Planned Parenthood's services are basic, preventive health care, like annual exams, testing and treatment of sexually transmitted diseases, HIV testing and counseling, and procedures to address pre-cancerous conditions of the cervix. Seventy-five percent of Planned Parenthood Mid- and South-Michigan patients are women between the ages of 20 and 40, many of whom struggle without health insurance. Planned Parenthood is there for them.

I especially applaud the opening of this facility because for more than five years there has been no Title X family planning provider in Oakland County that serves everyone, regardless of ability to pay. In 2010, Planned Parenthood served 5,420 Oakland County patients who had to travel to other counties to receive basic and preventive health care. This means critical federal dollars were not being spent in Oakland County, an area of significant need. It is time for Oakland County to get its fair share of federal dollars, and for its citizens to receive much-needed reproductive health services in their own community.

In conclusion, we need to stop playing politics with women's health care. We need to get our struggling families the services they need. This facility is a first step in the right direction for women and families in our region.

A TRIBUTE TO CHRISTINE
JACKSON WASHINGTON

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor the life of Mrs. Christine Jackson Washington, who died last week. She was the wife of the deceased Father Paul Washington, the long time, much revered rector of the Episcopal Church of the Advocate, and an internationally recognized peace and rights activist.

But, Mrs. Washington was also a community change agent. She founded the non-profit Advocate Community Development Corporation, a neighborhood-based community development corporation that provided affordable housing and social services to the residents of North Philadelphia. The bedrock of her family, Mrs. Washington sang on the choir, taught Sunday school, and helped out at the church's food kitchen that fed more for more than 350 people daily.

However, beyond all of these responsibilities and accomplishments Mrs. Washington is remembered for his kindness, gentleness, and graciousness. We were all blessed to have known her and we cherish her memory.

HONORING UTE AND PATRICK
GOGGINS

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today to celebrate the 50th wedding anniversary of Ute

and Patrick Goggins, longtime friends and constituents in Mill Valley, California. Ute and Patrick have been dedicated and conscientious members of our community since the late 1960s, and their joint passion for social justice and community service has made their active presence in the San Francisco Bay Area a true blessing.

Ute and Patrick were married March 27, 1962, in a lunchtime civil ceremony at San Francisco City Hall. The setting was appropriate for a couple who have always had a natural partnership. In the years since, Ute and Patrick have become important voices in the peace movement not only in the Bay Area, but worldwide. The Gogginses were at the forefront of opposition to the war in Vietnam, and eventually they were joined by their children in more recent demonstrations against war in Iraq.

Ute and Patrick have also contributed to a richer cultural environment, and to the idea that a stronger sense of community is a precursor to peace and justice. Patrick has spearheaded a number of local Irish cultural and historical associations, including the Irish-Mexican Association and the Irish Forum. Ute has long been a recognized local artist, and taught art at San Domenico School for over three decades.

Mr. Speaker, I ask you to join me in recognizing the 50th anniversary of Ute and Patrick Goggins. We wish them many more years of happiness, collaboration, and companionship.

IN HONOR OF FRANCINE BLOCK

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today in honor of Francine Block, who is receiving the Bucks County Women's History Month Award today. Since 1982, the award has been presented every year to a woman in the county who "has made the biggest difference." Candidates are active volunteers, role models and social advocates.

For 25 years Francine has worked eagerly in the fields of education and college admissions. Currently, she is the President of the American College Admissions Consultants. Formerly, Francine served as President of the Pennsylvania Association for College Admissions Counseling. Previously a high school English teacher in the United States and the United Kingdom, Francine has gone on to work with college applicants from all over the world. She has contributed to numerous books and has been interviewed by CNN, CNBC, NBC, the Wall Street Journal and Time Magazine.

Francine Block has also held many other critical posts in the field of education throughout her lifetime. She is the National Assembly Delegate to the National Association for College Admission Counseling, and previously was a member of the Admissions Advisory Board of Penn State University. Locally, she serves on the Board of Directors of the United Way of Bucks County and the Lower Bucks County Chamber of Commerce. I had the

honor to serve as Francine's Solicitor while she served as Chairman of the Board of the Lower Bucks County Chamber of Commerce.

Francine Block has devoted her life to promoting higher education and making certain that parents and students have the best available resources to apply to colleges and universities. She is an inspiration to all of us, and it is my pleasure to honor her today on the floor of the U.S. House of Representatives.

THE DISABLED MILITARY CHILD
PROTECTION ACT OF 2012

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. MORAN. Mr. Speaker, I rise today to introduce the Disabled Military Child Protection Act of 2012. To put it simply, this bill will permit military retirees the ability to place their self funded Survivor Benefit Plan into a Special Needs Trust to ensure their surviving dependent child's future.

This is an equity and fairness issue. Civilians are allowed to create a Special Needs Trust for their permanently disabled children to ensure they receive care beyond the guardian's death but under current law, military personnel with severely disabled children are legally prohibited from establishing a Special Needs Trust to ensure their surviving dependent child's future care.

This bill will provide veterans with the ability to direct their Survivor Benefit Plan annuity payments to a Special Needs Trust. The creation of an SNT will ensure that a dependent, disabled child will continue to qualify for means-tested benefits, such as Social Security Disability Insurance and Medicaid. Assets placed into a Special Needs Trust are not generally counted as income or assets, allowing dependent children to remain eligible for these benefits throughout their lifetime.

This bill would impact approximately 1,065 military dependents who are incapacitated beneficiaries under Survivor Benefit Plan and with individual care costs for a disabled child exceeding \$100,000 a year, this additional benefit will increase their quality of life significantly.

For those who believe this bill may contribute to abuse, it must be noted that a Special Needs Trust is administered under both federal and state law. Appointed fiduciaries are subject to auditing and are responsible for managing a benefit for a specific group. Annuities are also placed in Special Needs Trusts that are subject to income tax. Therefore, beneficiaries are shielded from abuse considering each trust has significant oversight.

Finally, I am proud that this bill has 4 esteemed public servants as original co-sponsors: Congressmen CAPPIS, POLIS, RANGEL, and ROTHMAN. This bill is also supported by the Military Officers Association of America.

TRIBUTE TO VERNON
VALENZUELA

HON. KEVIN MCCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. MCCARTHY of California. Mr. Speaker, I rise today to recognize and honor the life and service of longtime Kern County veterans' advocate and Vietnam veteran, Vernon Valenzuela, who recently passed away due to cancer at the age of 63.

Vernon began his career in service to our country during the Vietnam war where he was wounded in 1968. Upon returning home, he attended Bakersfield College and became president of the Associated Veterans Student Club, where he developed his passion for helping his fellow veterans and their families in Bakersfield and around Kern County.

Vernon cared deeply about the well being of veterans, and he eventually became a Marriage and Family Therapist specializing in helping veterans with Post Traumatic Stress transition into civilian life after experiencing combat. In 2008, after advocating for a Vet Center to be built in Kern County, Vernon was hired as the Team Leader for the Bakersfield Vet Center where he was further able to help veterans transition and re-enter civilian life.

His most recent legacy is the establishment of the Veterans Justice Program in Kern County, which helps provide veterans—some of whom may have mental or other combat-related illnesses—who get in trouble with the law a second chance by ensuring they receive access to mental health and substance abuse programs provided by the Department of Veterans Affairs. While many doubted such a justice program could be formed and much less work, Vernon made it happen by bringing everyone together on behalf of all the local veterans returning from war and in need of help.

Vernon's work has touched the lives and benefited thousands of local veterans and their families. The loss of Vernon will surely be felt in our communities, and we express our deepest condolences to his wife Lise, his son Robert, and his daughters Alison and Katherine. His selflessness, perseverance, and service-minded dedication will continue to serve as an inspiration in our community and remain a constant reminder we must all continue to have of our commitment to the men and women in the Armed Forces who bravely serve our country.

HONORING THE LIFE OF REV.
BONIFACE HARDIN

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. CARSON of Indiana. Mr. Speaker, today I am proud to honor the life of Reverend Boniface Hardin, a luminary of the civil rights movement and a pioneer in higher education from Indiana's Seventh Congressional District who passed away this past Saturday.

Reverend Hardin became a Benedictine monk in 1953 at the young age of twenty, was

ordained a Roman Catholic priest in 1959, and received a master of divinity degree in 1960. While serving as an associate pastor at the Holy Angels Catholic Church in Indianapolis, he became a vocal advocate for racial and socio-economic equality during the Civil Rights Movement of the 1960s.

His spiritual commitment and dedication to self-improvement led him to found the Martin Center in 1969 and later the Indianapolis Sickle Cell Center in 1977. Under his leadership, the Martin Center College became Martin University, a fully accredited institution offering undergraduate and graduate degrees to low-income and minority adult learners.

Recognizing his limitless compassion and unceasing commitment to education, Reverend Hardin was named a "Living Legend" in 2002 by the Indiana Historical Society for the indelible mark he made on the City of Indianapolis and the State of Indiana.

It is with a heavy heart and profound sense of sadness that I express my condolences to the family and friends of Reverend Hardin. But it is with gratitude and admiration that I remember his life and contributions to our community. We were all truly lucky to have had such a caring, giving servant in our midst.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,580,211,803,539.46. We've added \$4,953,334,754,626.38 to our debt in 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CELEBRATING THE CAREER OF LISA REED

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LANCE. Mr. Speaker, I rise today to celebrate the work of Lisa Reed for her accomplished career in public service to the State of New Jersey. Lisa began her career in law enforcement with the Plainfield Police Department. She later joined the Hunterdon County Prosecutor's Office where she specialized in sexual assault and child abuse investigations.

Her distinguished work prompted her promotion to Detective Sergeant and supervisor of the Sex Crimes and Child Abuse Unit. She was a tremendous asset and valued member of the Prosecutor's Office and her portfolio expanded to homicides and narcotics. Lisa was later assigned to the Somerset County Police Academy as the Continuing Education Coordinator. There she shared her expertise with young officers until her retirement in 2005.

Lisa developed a small business with her talents, Lisa S. Reed Investigations of Flemington, New Jersey. Lisa's most noted accomplishment is her vital role in the arrest of Roger Day, a fugitive who led an international conspiracy to defraud the military. This criminal was named a member of "America's Most Wanted" and Lisa's work was part of a three-year effort that brought Roger Day to justice.

Lisa Reed is an outstanding public servant who has continually demonstrated bravery in the critical area of public safety. I congratulate her on this long and distinguished career.

HONORING REAR ADMIRAL (RADM) HEWITT FOR HIS SERVICE IN THE U.S. COAST GUARD

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. BLUMENAUER. Mr. Speaker, I rise today to recognize a fellow Oregonian and leader for his extraordinary service in the United States Coast Guard. Rear Admiral (RADM) Ronald T. Hewitt served his country for 34 years in the Coast Guard and on April 6th, RADM Hewitt will retire as the Assistant Commandant for Human Resources at Coast Guard Headquarters, a position he has held since May 2009. We all owe him a debt of gratitude for his commitment to service and to our country.

His efforts were pivotal to improving the Service's readiness while providing advancement, professional development and quality of life enhancements for all Coast Guard personnel. He established a comprehensive strategy to enhance diversity within the Coast Guard, developing and leveraging important partnerships with Congress, the Administration, academic institutions, and key outreach and affinity organizations, setting new heights for the number of women and minorities accessed into and retained in the Coast Guard.

Demonstrating exemplary stewardship, RADM Hewitt implemented rigorous internal controls over financial reporting, enabling the Service to accurately value and track over \$7 billion in pay and medical accounts. In response to the 2010 Haiti Earthquake and Deepwater Horizon Oil spill disasters, he guided the strategic resourcing of Coast Guard personnel, including Reserve forces, for these herculean first responder events, expertly balancing immediate needs with long-term workforce sustainment. His unwavering advocacy and commitment to Coast Guard personnel and their families was evidenced through expanded child care services and subsidies, initiatives improving government owned housing, and enhancements to work-life programs. These accomplishments are remarkably significant and representative of RADM Hewitt's distinguished 34-year career in the service of his country.

A native of Sandy, Oregon, in my Congressional district, RADM Hewitt is a 1978 graduate of the United States Coast Guard Academy where he earned a Bachelor of Science

degree in electrical engineering. In 1982, he earned a Master of Science degree in electrical engineering from Purdue University. In 2000, he received a Master's Certificate in Information Technology Project Management from George Washington University and is a certified Project Management Professional.

RADM Hewitt and his wife Ann married in 1979, and they currently reside in Arlington, Virginia with their son Michael, a high school sophomore who was born during their assignment in Boston. Their daughter Laura, a recent college graduate, was born while they were stationed in Virginia during an earlier tour of duty. RADM Hewitt's parents are Wallace and Irene Hewitt of Sandy, Oregon.

RADM Hewitt's other Flag Officer assignments include Commander, Coast Guard Maintenance and Logistics Command Atlantic in Portsmouth, Virginia, and Assistant Commandant for Command, Control, Communications, Computers and Information Technology in Washington, DC, where he was detailed to the Department of Homeland Security as their acting Chief Information Officer. Earlier assignments included serving as Project Manager for the "Rescue 21" and the Marine Information for Safety and Law Enforcement systems; serving as Commanding Officer, Electronics Support Unit Boston; serving as Executive Officer, Communications Area Master Station Pacific; serving as Project Engineer at the Omega Navigation Systems Center and at the Electronics Engineering Center in Wildwood, New Jersey, and in his first assignment out of the Coast Guard Academy, serving as Operations Officer on the USCGC *Bittersweet*.

Rear Admiral Hewitt's personal military decorations include multiple awards of the Legion of Merit, the Meritorious Service Medal, the Coast Guard Commendation Medal, the Coast Guard Achievement Medal, and the Commandant's Letter of Commendation.

HONORING ANTHONY SILVEIRA

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Mann County dairy rancher Anthony (Tony) Silveira who passed away March 9, 2012, at the age of 90. Mr. Silveira spent most of his life working on the family ranches and was known for his proud defense of the family's property rights as the County became increasingly urbanized.

Mr. Silveira's father, like many of Mann County's early dairy ranchers, emigrated from the Azores. He founded the ranching business in 1900, and in 1920 helped found Mann-Dell Dairy (sold in 1954).

Born in 1921 on the Miller Ranch (now Marinwood), Tony Silveira was committed to the family business; after his father died when he was only 15, he and his siblings helped his mother Mary run two ranches. With Marinwood ranch and the Burdell Ranch north of Novato along Highway 101, drivers could enjoy the sight of some of the family's 1500 cows grazing on prime Mann County grasslands.

After graduating from local schools, Mr. Silveira attended UC Davis before returning to Mann ranching. The "Home" ranch in Marinwood, where his father had acquired land around St. Vincent's School for Boys, is centrally located and soon became the focus for possible housing growth. Others argued that the land should be preserved as buffer zone, with minimum development. Mr. Silveira fought passionately for the right not to have the property down-zoned, speaking out often at meetings and in press.

Mr. Silveira was involved in agricultural organizations such as the Mann County Farm Bureau and the Western United Dairymen as well as the University of California Alumni Association, Native Sons of the Golden West, and the IDESST Portuguese Hall in Sausalito.

He is survived by Lorraine, his wife of 65 years; daughter, Renee; siblings George and Jean; and three grandchildren. His son, Ronald Anthony Silveira, predeceased him in 2000.

Mr. Speaker, Anthony Silveira's proud ranching background is an important part of the fabric of Mann County history and his battles for property rights reflect the pressures and conflicts that are an ongoing dialogue of life in the County. I am honored to salute his long life and career.

TO HONOR THE LEADERSHIP OF
JOEL JACOB AS CHAIRMAN OF
THE BOARD OF MAZON: A JEW-
ISH RESPONSE TO HUNGER

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. PETERS. Mr. Speaker, I rise today to honor my friend, Mr. Joel E. Jacob, as he steps down as Chairman of the Board of MAZON: A Jewish Response to Hunger and for his lifetime of advocacy in the realm of hunger and food insecurity.

For years, Joel has been a champion for those facing the challenges of food insecurity. His advocacy to eradicate hunger has earned him international accolades and allowed him to develop close relationships with leaders across the globe. As the Chairman and Founder of The Bottle Crew, a business based in West Bloomfield, Michigan, Joel has instilled the importance of community service at his office because it is a value central to his life.

As a teenager bussing tables at weddings and Bar Mitzvahs, Joel grew frustrated as he saw the amount of food going to waste after the meals were served. These images of lost food helped motivate Joel to be an activist for the hungry. Now, as the official shofar blower for Congregation Shaarey Zedek in Southfield, Michigan, Joel blasts the clarion call for justice. Joel has made the fight against hunger central to his pursuit of justice in the world.

Joel was first elected to the MAZON Board of Directors in 2003 and was elected Chair of the Board of Directors in 2009. He has served on MAZON's Finance Committee, Strategic Planning Committee and Executive Committee and also served as Co-Chair of the Develop-

ment and Communications Committee. During his time on the Board, Joel has traveled to several continents to help the malnourished and raise awareness for food insecurity. For nearly three decades, MAZON has been a leading national nonprofit organization dedicated to preventing and alleviating hunger among people of all faiths and backgrounds. MAZON, which means "food" or "sustenance" in Hebrew, was the first national organization to rally the American Jewish community around the issue of hunger. MAZON provides for people who are hungry and advocates for ways to alleviate hunger. Thanks to the efforts of Joel, the concept in the Passover Haggadah of "Letting All Who Are Hungry, Come and Eat" is now a core theme at synagogues and Jewish organizations across the nation. Joel has successfully brought this message far beyond the Jewish community and has developed relationships worldwide to pool resources to feed those most in need including shaping legislation in the Israeli Knesset and the United States Congress.

Mr. Speaker, it is an honor to recognize Joel's years of service on behalf of countless people around the world facing challenges such as food insecurity and hunger. His leadership as Chairman of the Board at MAZON has profoundly improved the lives of countless people in need around the world and was deeply felt by those who have benefitted from his commitment, passion and advocacy. As a personal friend of Joel, I know that this will in no way affect his dedication to the issue of hunger and that he will continue to be a champion for fighting hunger and repairing the world.

CONGRATULATING THE LEADER
ON 25 YEARS OF EXCELLENCE

HON. TIM GRIFFIN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. GRIFFIN of Arkansas. Mr. Speaker, I rise today to congratulate The Leader newspaper on its twenty-five years of excellence.

In 1987, Garrick Feldman and his wife, Eileen, published the first edition of The Leader, a community-oriented weekly newspaper that strove to serve all of its readers "without fear or favor."

Today, the Feldmans, with the help of their dedicated staff, bring Arkansans in Pulaski, Lonoke, White, and Prairie counties the important news that affects their lives.

The Leader's coverage of our local schools' academic and athletic accomplishments serves as a reminder of the talent throughout the community and the promise of the future.

Over the past quarter-century, The Leader has experienced tremendous growth, earning the title, "the best large weekly in Arkansas" for the past four years.

I ask my colleagues to join me in congratulating The Leader on their accomplishments during their twenty-five years in business and in wishing them continued success.

Mr. Speaker, The Leader recently published an article highlighting this milestone, and I submit it in the RECORD.

[From the Leader, Mar. 17., 2012]

NEWSPAPER CELEBRATES 25 YEARS

(By Eileen Feldman)

In the first issue of The Leader on March 4, 1987, publisher Garrick Feldman said, "The North Pulaski Leader intends to be a mirror to the community—to report all that is newsworthy in Jacksonville, Sherwood, the air base and surrounding areas . . . We want to chronicle the events, both small and large, that are taking place here . . . The newspaper also promises to serve its advertisers well."

He continued, "This newspaper will be about you and your neighbors, so let us hear from you if you have news to share with others."

Twenty-five years later, The Leader is keeping its promise of delivering community news for an affordable subscription price and delivering consistent results for advertisers through a combination of mail (with its free edition, The Extra) and home delivery to subscribers in an expanded local area which now includes Pulaski County from Sherwood and Gravel Ridge to Jacksonville to Little Rock Air Force Base. The Leader is also serving all of Cabot and most of Lonoke County including Lonoke, Austin, Ward and Carlisle and the surrounding rural confines. In White County, The Leader serves Beebe, McRae, El Paso, Garner and Butlerville and to a lesser extent Searcy including many White County rural routes. The Leader's reach also extends into Prairie County giving our advertisers an even bigger bonus for their buck.

By all accounts, The Leader has grown by leaps and bounds and we want to thank you, dear readers and also our advertisers for your steadfast loyalty to The Leader and to the American dream.

Some of our advertisers have been with us since the beginning, and to you we extend our gratitude and our wishes for your continued success in business. May we continue to grow together.

What publisher Feldman said then still holds true today, "Share with us our joys and sorrows—your proud moments and your sad ones. The news that ordinary people make is just as important to us as what their leaders do on city councils and school boards."

And it still holds true today that "if you have an engagement or wedding announcement, send us the announcement and also a photo. If there is a birth in your family, send us a picture also."

Of course, times have changed in 25 years so we now accept all this by e-mail at leadernewsarkansasleader.com or at editor@arkansasleader.com. But we still do some things the old-fashioned way—mailed submissions are still accepted and cards of thanks and obituaries are still free.

We love to cover our local schools and encourage teachers to let us know of their students' accomplishments and awards as well as their own.

We still consider covering significant birthdays, centenarians in particular, and submitted photos are always welcome. Letters to the editor are always welcome. We want to hear the voice of the community.

We also pride ourselves on our local sports coverage including football, basketball, baseball, volleyball and soccer and also local news which impacts sports. Coaches comments and local submissions of news tips and photos help to give flavor to those pages.

As we said back in 1987, "This newspaper will try to serve all of its readers without fear or favor. The Leader intends to open its pages to everyone."

We also want to extend a big thank you to the many on our staff including our son Jonathan, who joined our staff as an editor and who will help us continue to produce a strong family-owned and community-oriented newspaper.

We wish to thank our veteran reporters, Rick Kron, Joan McCoy and John Hofheimer, who rejoined the staff after a brief hiatus and a visit to Greece. All journalism award winners, they've helped make *The Leader* what it is today.

Also Christy Hendricks, our creative designer, as well as Jeffrey Smith, who has come a long way since his first days at *The Leader* and who's made many friends with his Cabot and Beebe coverage. Sarah Campbell, an ASU-Jonesboro grad, has local roots in the area, which have helped her ferret out some outstanding local stories.

Sports editor Ray Benton's attention to local sports is outstanding and caters to our greater local area with the help of veteran sportswriter Jason King.

We also wish to thank our advertising staff led by General Manager John Henderson and our Publications Manager Matt Robinson. Also invaluable members of the sales staff are Linda Hostetler and Susan Swift. You've stuck with us through thick and thin, through the idiosyncracies of the economy, its ups and downs.

We couldn't have done it without you. You've all helped us get to where we are today.

There are many other staff members—designers, artists and photographers—who should be singled out for their loyalty and outstanding work ethic. And there are many more starting at the front office and on to the pressroom and mailroom, where the final product is prepared which arrives at your front door or in your mailbox. (We'll introduce them all to you in a later edition.)

Readers, advertisers and staff, you have helped *The Leader* become what it is today. Continue to grow and thrive with us.

HONORING THE SERVICE OF
STATE REPRESENTATIVE ROBERT L. TURNER

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Ms. BALDWIN. Mr. Speaker, I rise today to honor the career and achievements of State Representative Robert L. Turner. Representative Turner was first elected in 1990 and has served in the Wisconsin State Assembly for eleven consecutive terms. While representing the eastern half of the City of Racine, he has utilized his booming voice to become an advocate for issues such as criminal justice, urban affairs, racial equality, and veterans affairs.

Public service has always been a cornerstone of Representative Turner's life. After graduating high school in Mississippi and moving to Wisconsin, he was soon drafted into the United States Air Force. He bravely answered his country's call and completed tours of duty in both Vietnam, where he received a Medal of Commendation for meritorious service, and Korea during the *Pueblo* incident. Representative Turner turned his experience in the armed forces into a lifelong promise to support and encourage local veterans groups. During his

first term in the Assembly, Representative Turner earned a perfect rating on veterans issues and was named to the All Star Team by the State Council of the Vietnam Veterans of America (VVA). Additionally, his legislative work earned him the Vietnam Veterans of America Distinguished Achievement Award in 1992 and he received life membership from the Vietnam Veterans of America in 1999.

Representative Turner has served on numerous committees during his time in the Wisconsin State Assembly, lending his expertise to everything from the Highways and Transportation Committee to the Judiciary Committee. His overwhelmingly friendly demeanor gives Representative Turner a unique ability to build close working relationships that extend far beyond party affiliations. While representing an area hit especially hard by the recent economic downturn, Representative Turner has consistently supported new economic development projects, increases in unemployment benefits, and affordable, quality health care for his constituency.

In addition to his tenure in the Assembly, Representative Turner also served on the Racine City Council for 28 years from 1976 to 2004. As both a State Representative and an Alder, he developed close relationships with many local organizations such as the NAACP, Big Brothers Big Sisters, the Urban League of Racine and Kenosha, and the Racine Raider Football team.

I had the honor of serving with Representative Turner in the Assembly for three terms and I am proud to continue to call him a close friend today. His service to his constituents and the City of Racine has always been a source of inspiration for me. To understand who Representative Turner truly is, one only needs to know that he considers one of his biggest accomplishments being able to serve, listen to, and assist his constituents for so long. Without fail, every time I see Bob, the only thing bigger than the smile on his face is the warm embrace I receive from him.

It is nearly impossible to mention everything Representative Turner has accomplished; it is even harder to overstate the positive impact he has had on our community. It is without a doubt that his work has bettered the lives of the people of Racine, Wisconsin, and our great nation. Today, I rise to honor and thank State Representative Robert L. Turner for his more than two decades of leadership in the Wisconsin State Assembly. May Bob's unwavering dedication, vision, and never-ending smile serve as an inspiration for all of us.

TRIBUTE TO CENTRAL OREGON
VETERANS OUTREACH

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. WALDEN. Mr. Speaker, it is with great pride that I rise today to pay special tribute to Central Oregon Veterans Outreach (COVO) for their tireless efforts on behalf of homeless veterans in Oregon's Second District. Since its founding in 2005 by members of the Bend/La Pine Vietnam Veterans of America, COVO has

grown from a handful of concerned veterans reaching out to other veterans in the homeless camps around the area to a full-fledged non-profit organization with countless volunteers, a dedicated staff, and a truly professional board of directors.

In the early years of this organization, a small group of Vietnam veterans took it upon themselves to visit homeless camps on the High Desert, providing much needed supplies and support to those veterans who fell upon hard times and were in desperate need of a hand up. Today, COVO has a full time staff that coordinates continuing volunteer efforts to deliver food, water, tents, sleeping bags, clothing, and propane to the region's homeless camps. In addition to making weekly trips with supplies, COVO has transformed a van into a mobile medical clinic that is staffed by volunteer doctors, nurses, and medical staff who provide free care to the homeless population each week. This is an invaluable service to those in need.

COVO continues to provide free assistance to veterans in the form of benefits claim-filing, bus passes, medical shuttle reservations, and assistance with accessing resources like the HUD VASH housing voucher program and transitional housing at their 6-bed "Home of the Brave" facility. COVO continues to advocate for those veterans who are most in need of assistance and who are unable to be their own voice in times of need.

Mr. Speaker, we like to say, "We will never forget what our veterans have done for our way of life." They put their lives on the line for this country, and we cannot turn our backs on them. Any of them.

Mr. Speaker, I ask that my fellow colleagues join me in recognizing COVO for their staunch and invaluable advocacy on behalf of our most vulnerable veterans: President Linda Heatley; Secretary/Treasurer Rob Bryce; Directors Susan Steves, Craig Jorgensen, Rickie Gunn, Jerry Chinn, Dan Lauderback, Lauri Imholt, and Dr. Elizabeth Leeburg; Executive Director Chuck Hemingway; Counselors Alex Weiss and Allen Wilson; Homeless Veteran Reintegration Program staff Steve Wilkes, Ruth Clark, and Yvonne Devine; Outreach Coordinator Lisa Miller; Volunteer Coordinator Kim Darling; Office Administrator and DAV Shuttle Coordinator Chuck Man; Housing Manager Steve Haupt, and; Veteran Service Officer Patricia White and VSO Intern Kim Burger.

Mr. Speaker, the staff, board, and volunteers who comprise COVO deserve the thanks of a grateful nation for all they have done and continue to do for the veterans of Deschutes, Crook and Jefferson Counties.

IN HONOR OF CORRINE CODY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor the life of Corrine Cody, who passed away on Saturday March 3, 2012. Mrs. Cody was originally from Queens, New York, but she moved to Bucks County Pennsylvania with her husband and children in 1966 and remained in Doylestown for 45 years. Corrine

worked for the Central Bucks School District for almost 30 years, where she taught elementary students for 15 years, served as principal for several years, and finished her career as a teacher in the gifted program.

Mrs. Cody was incredibly passionate about teaching. One of her greatest accomplishments was creating the Central Bucks School District's program for gifted students. At one point in her career, Corrine actually decided to leave her job as principal at Paul W. Kutz Elementary School because she believed she could do even more to help children reach their full potential. She would go on to become the coordinator of the social studies and science curriculum for all C.B. elementary schools.

Her teaching and activism went beyond the classroom too. Corrine worked closely with the Peace Valley Nature Center to start a program that would teach fifth and sixth graders about clean water, storm water runoff, and other aspects of the Bucks County environment. As a member of the Bucks County League of Women Voters, she was instrumental in the formation of the Kids Voting program in Central Bucks. Corrine also played a huge role in the development of the Doylestown bike and hike trail, which many of my constituents take advantage of today.

Mrs. Cody leaves behind an inspirational legacy on generations of Bucks County children. I am proud and pleased to speak on her behalf today, and am grateful for all that she did for our area.

ROBY ANNOUNCES
CONGRESSIONAL PEANUT CAUCUS

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mrs. ROBY. Mr. Speaker, I rise today to announce the newly formed bipartisan Congressional Peanut Caucus that I have co-founded with Representative SANFORD BISHOP. The caucus will serve as an informal group of Members of Congress dedicated to all issues related to peanuts and the role they play in our Nation's agriculture industry.

Representative BISHOP and I formed this caucus to promote and support peanut production—a crucial part of the agriculture industry in the Southern States we represent. Representative BISHOP has been a strong force in shaping Federal policies to advance the U.S. peanut industry and ensure it remains competitive. I am grateful for the opportunity to work on this initiative with such a strong advocate.

Agriculture remains the number one industry in my State of Alabama, and has been a top priority for me since taking office. The peanut industry—specifically—is an essential and recognizable commodity for Alabama. Seven States account for approximately 99% of all peanuts grown in the U.S. Alabama is among the top few States, along with Georgia, Florida, and Mississippi that produces a major share of our Nation's peanut crop.

Our country's reliance on domestic agricultural production is rising with continuous popu-

lation growth. Peanuts are the 12th most valuable cash crop grown in the United States with a farm value of over one billion dollars. The World Bank and the U.S. Agency for International Development are both looking at peanuts and peanut producers as vital components in fighting global malnutrition. In addition, the spectrum of new and emerging research related to peanuts and health is broadening quickly. The application of this research may lead to a better understanding of ways to reduce the risk of certain diseases, including Type Two diabetes and some cancers. Therefore, we must ensure that our farmers across the Nation have the resources necessary to maintain successful peanut crops from year to year.

Congressional Caucuses are an important way to increase awareness of principal issues and identify legislative priorities. As Representatives, it is our responsibility to bring the voices of farmers from all over the country to the forefront of the discussion and to ensure that all of their interests are fairly represented. Members of the Peanut Caucus will have the ability to collectively advocate in Congress for peanut farmers and producers of this important crop.

Mr. Speaker, as my colleagues and I begin to prepare for the next Farm Bill, we believe it must contain provisions that are beneficial to American farmers, while also maintaining fiscal restraint. With that in mind, it is my hope that this Caucus will serve as a working group for members from our Nation's peanut States and will help streamline communication between Congressional offices. I urge any interested colleague to join us on the Peanut Caucus, and I look forward to working with Chairman LUCAS and the House Agriculture Committee on the next Farm Bill as we consider legislative issues that affect our Nation's peanut farmers.

HEAVY TRUCK TAX FAIRNESS ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. BLUMENAUER. Mr. Speaker, nothing is more essential to restoring the economy, revitalizing our communities, and protecting our environment than the effort to rebuild and renew America. The U.S. faces steep infrastructure challenges. Our infrastructure inventory is in poor repair and much of it is outdated—not just decades, but often centuries old. Our effort to rebuild and renew that infrastructure is stalled because of a funding impasse. The Highway Trust Fund nearly exhausted its funding several times recently and it is clear that our existing funding mechanisms are insufficient to meet our current, much less future, needs. Congress must consider new revenue sources to meet our infrastructure challenges and must work with transportation users to find the most efficient means of raising this revenue.

I rise today to reintroduce the Heavy Truck Tax Fairness Act, bipartisan legislation to ease barriers to investment in new, heavy trucks. The funding sources for the Highway Trust

Fund can be volatile, depending on the health of the economy. Current law places a 12% tax on the sale of new heavy trucks, trailers, and certain tractors. This tax is an important source of Highway Trust Fund revenues. In times of economic stress, these sales fall dramatically, badly limiting Trust Fund resources. These lost sales have several important effects. By reducing revenue to the Trust Fund, the decline hinders economic productivity by imposing costs from poor infrastructure. It also reflects an increase in the average age of the trucking fleet. New trucks have significant environmental and safety advantages, and Congress should reduce the barriers to new truck acquisition. To meet the demand for new trucks, most truck manufacturers will add employees, as most have significant engine and final assembly operations in the U.S.

The Heavy Truck Tax Fairness Act would replace the 12% excise tax currently levied on new truck, trailer, and certain tractor sales with an off-setting increase in the diesel fuel excise tax of \$0.064 per gallon. This modest change will ensure that the aggregate tax burden stays roughly equivalent over 10 years; it will also have the effect of smoothing the resources available to the Highway Trust Fund and ensure the U.S. can continue investing in our vital transportation infrastructure. I also note that this legislation does not affect all transportation stakeholders equally. In particular, smaller companies and owner-operators could see fewer benefits. I pledge to work with affected groups as this legislation advances to ensure that the legislation, as enacted, is as carefully tailored and broadly beneficial as possible.

HONORING AUSTIN ROPER

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Austin Roper of the Kriskville High School Wrestling team for winning the Class 2 Missouri State Wrestling Championship in the 132-pound weight class.

Mr. Roper and his coaches should be commended for all their hard work throughout the regular season and for bringing home the State title in the Class 2 132-pound weight class to his school and community. This is his third State title.

I ask that you join me in recognizing Mr. Roper for a job well done.

RECOGNIZING GEORGE DEAN
CARDEN'S 60TH BIRTHDAY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize the 60th birthday of George Dean Carden, a man from southwest Missouri who went from humble beginnings to becoming the

largest producer of Shrine Circuses in the country.

George Carden was born on March 19, 1952 in Springfield, Missouri. It was in Springfield he was raised, staying with his grandparents as his parents traveled the country working in a circus. After a few years his parents bought a circus of their own, but this time George came along. It wasn't too long before George started his own circus company—George Carden Circus International—in 1981. Eventually, he bought out his father's circus, combined the two, and after years of hard work became one of the largest circus producers in North America. In fact, George and his father have produced the Abou Ben Adhem Shrine Circus for almost fifty years.

The circus is usually a family affair and the Cardens are no different. George's wife, Alexandra, is also involved with the circus, as are his two sons, Larry and Brett Carden. George also has a daughter, Michelle, and two grandsons, George Brett and Cash Carden. Working in the circus means a life on the road, but when it comes time to relax, George and his family spend their time on their 800-acre ranch in Hickory County, Missouri, enjoying deer hunting and fishing.

Giving back to the community is also important to George. He is a lifetime member of Abou Ben Adhem Shriners and is very active in the Shriner community, even financially supporting renovations to the Shrine Mosque. George also has a soft spot for children and has taken care of over 100,000 special and needy children over the past thirty years. For his service, George has become honorary member of many Shrine Temples.

Mr. Speaker, George is a great man and I am privileged to honor him on his 60th birthday.

HONORING BOLIVAR COUNTY
HEAD START

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the Bolivar County Head Start Program (BCHSP) which began as an affiliate program under the umbrella of the Bolivar County Community Action Agency, Inc. The program was chartered on June 16, 1965 by the State of Mississippi under Governor Paul B. Johnson. Bolivar County Head Start Program is a non-profit corporation organized for the purpose of eliminating poverty and the causes thereof in Bolivar County, Mississippi.

The Association of Communities of Bolivar County began its operations the summer of 1965 and enrolled 1,308 children in seventeen centers. At its inception, the Bolivar County Head Start Program was housed in multiple buildings and churches. It began its operations the summer of 1966 with an enrollment of 1,550 children served in eight centers located throughout the county. Unfortunately, they have had to reduce the number of sites over the years due to inadequate funding.

Most recently, Bolivar County Head Start Program has made tremendous strides in its

development. After years of record growth the Bolivar County Head Start Program was able to transition out of make shift facilities such as churches and old homes to mobile units stationed throughout the county. Thanks to funding from several sources they were able to build three state of the art head start centers in the communities of Rosedale, Shaw and Mound Bayou. In 2012 they added the Early Head Start Program for children 0–3 years of age and expectant mothers, increasing their total enrollment to 890 children.

It has been through strong leadership that the agency has been recognized not only throughout the State of Mississippi, but also nationwide for its performance and service provided to children, families and communities. Mr. Amzie Moore was the first Head Start Director under the Association of Communities of Bolivar County; Mr. Dick Gurnie, the first Executive Director and later Mr. Billy J. McCain was both Head Start Director and Executive Director. After Mr. McCain's untimely departure in 2009, the charge was passed on to Mr. Adolph Hilliard to continue the agency legacy. Shortly afterwards, Mr. Hilliard retired, Mrs. Elnora Littleton was appointed the interim Executive Director. Mrs. Littleton is currently serving as the first African American female to head the Bolivar County Head Start Program.

Mr. Speaker, I ask my colleagues to join me in recognizing the Bolivar County Head Start for its outstanding commitment to improving the lives of children and families throughout Bolivar County, Mississippi.

HOUSE OF REPRESENTATIVES—Friday, March 30, 2012

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 30, 2012.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Dr. Barry Black, Chaplain, United States Senate, offered the following prayer:

Eternal Lord God, who alone spreads out the heavens and rules the raging of the sea, continue to challenge us when we are too well pleased with ourselves, when our dreams come true because we have dreamed too little, when we arrive safely simply because we have sailed too close to the shore.

Challenge us, O God, when, with the abundance of the things we possess, we lose our thirst for the waters of life.

Challenge us when we forget that righteousness exalts a nation, but that sin is an equal opportunity destroyer.

Challenge us when we fail to join You in Your quest to bring deliverance to captives, the recovery of sight to the blind, and to set at liberty those who are bruised.

O God, this day, challenge us to dare more boldly, to venture on wider seas where storms will show Your mastery, where losing sight of land we will find Your stars.

We pray in Your sovereign name. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. DREIER led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2297. An act to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes.

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 38. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore THORNBERRY on Thursday, March 29, 2012:

H.R. 4281, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 38

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, March 29, 2012, through Sunday, April 1, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, April 16, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, April 13, 2012, on a motion

offered pursuant to this concurrent resolution by its majority leader or his designee, it stand adjourned until 2 p.m. on Monday, April 16, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEES TO FILE REPORTS

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all committees have until 5 p.m. on Friday, April 13, 2012, to file reports to accompany measures.

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

There was no objection.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker: pro tempore, Mr. THORNBERRY

H.R. 4281. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

ADJOURNMENT

Mr. DREIER. Mr. Speaker, pursuant to Senate Concurrent Resolution 38, 112th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 8 minutes a.m.), the House adjourned until Monday, April 16, 2012, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5502. A letter from the Secretary, Department of Agriculture, transmitting the Department's report entitled, "2011 Packers

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and Stockyards Program Annual Report"; to the Committee on Agriculture.

5503. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Penthlopyrad; Pesticide Tolerances [EPA-HQ-OPP-2010-0349; FRL-9335-7] received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5504. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Aspergillus flavus* AF36; Amendment to an Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2007-0158; FRL-9341-5] received March 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5505. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyriofenone; Pesticide Tolerances [EPA-HQ-OPP-2010-0659; FRL-9336-6] received March 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5506. A letter from the Acting Under Secretary, Department of Defense, transmitting a report of the Strategic Materials Protection Board meeting on October 25, 2011, pursuant to Public Law 109-364, section 843; to the Committee on Armed Services.

5507. A letter from the Acting Under Secretary, Department of Defense, transmitting notification that the Department of Defense intends to award multiyear contracts for nine ARLEIGH BURKE Class Guided Missile Destroyers; to the Committee on Armed Services.

5508. A letter from the Chairman, National Council on the Arts and the Humanities, transmitting the Federal Council on the Arts and the Humanities' thirty-sixth annual report on the Arts and Artifacts Indemnity Program for fiscal year 2011, pursuant to 20 U.S.C. 959(c); to the Committee on Education and the Workforce.

5509. A letter from the President and CEO, Corporation for Public Broadcasting, transmitting the Corporation's 2010 annual report regarding the activities and expenditures of the independent production service, pursuant to 47 U.S.C. 396(k)(3)(B)(iii)(V); to the Committee on Energy and Commerce.

5510. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York State Ozone Implementation Plan Revision [EPA-R02-OAR-2011-0796; FRL-9645-4] received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5511. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of Tris Carbamoyl Triazine; Technical Correction [EPA-HQ-OPP-2011-0108; FRL-9339-8] (RIN: 2070-AB27) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5512. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources [EPA-HQ-OAR-2010-0873; FRL-9643-9] (RIN: 2060-AH23) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5513. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware, New Jersey, and Pennsylvania; Determinations of Attainment of the 1997 Annual Fine Particulate Standard for the Philadelphia-Wilmington Nonattainment Area; Withdrawal of Direct Final Rule [EPA-R03-OAR-2011-0714; FRL-9645-6] received March 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5514. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Reasonably Available Control Technology (RACT) for the 1997 8-Hour Ozone Standard [EPA-R01-OAR-2011-0118; A-1-FRL-9644-6] received March 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5515. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2011-0353; FRL-9644-3] received March 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5516. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 102(g) of the Foreign Relations Authorization Act for FY 1994 and 1995 (Pub. L. 103-236 as amended by 103-415), certification for FY 2012 that no United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia; to the Committee on Foreign Affairs.

5517. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's determination and certification under Section 490(b)(1)(A) of the Foreign Assistance Act of 1961 relating to the top five exporting and importing countries of pseudoephedrine and ephedrine; to the Committee on Foreign Affairs.

5518. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), and the Authorization for the Use of Military Force Against Iraq Resolution (Pub. L. 102-1), and in order to keep the Congress fully informed, reports prepared by the Department of State for the October 21 — December 25, 2011 reporting period including matters relating to post-liberation Iraq under Section 7 of the Iraq Liberation Act; to the Committee on Foreign Affairs.

5519. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Effective Date for the Water Quality Standards for the State of Florida's Lakes and Flowing Waters [EPA-HQ-OW-2009-0596; FRL-9637-1] (RIN: 2040-AF36) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5520. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting a report concerning the operations and status of the Government Securities Investment fund (G-Fund) of the Federal

Employees Retirement System during the debt issuance suspension period, pursuant to 5 U.S.C. 83481(1); jointly to the Committees on Ways and Means and Oversight and Government Reform.

5521. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "Plan to Implement a Home Health Agency Value-Based Purchasing Program"; jointly to the Committees on Ways and Means and Energy and Commerce.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 940. Referral to the Committee on Ways and Means extended for a period ending not later than May 18, 2012.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of New Jersey (for himself, Mr. TURNER of Ohio, Mr. MCINTYRE, and Mr. MORAN):

H.R. 4344. A bill to authorize the Secretary of State to assist the International Commission on Missing Persons to establish a permanent and international legal status with the immunities required for operations globally, to continue the financial support of the United States of the ICMP in their work to assist governments and other authorities in locating and identifying persons missing as a result of conflicts or natural or man-made disasters, to support the investigation of genocide and mass atrocities, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SHIMKUS (for himself, Mr. ROSS of Arkansas, Mr. SULLIVAN, and Mr. PETERSON):

H.R. 4345. A bill to provide liability protection for claims based on the design, manufacture, sale, offer for sale, introduction into commerce, or use of certain fuels and fuel additives, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PINGREE of Maine (for herself, Ms. MCCOLLUM, Mr. KUCINICH, Ms. LEE of California, Ms. NORTON, Mr. HOLT, Mr. RYAN of Ohio, Mr. SCHIFF, Mr. LEWIS of Georgia, Ms. SCHA-KOWSKY, and Mr. VAN HOLLEN):

H.R. 4346. A bill to amend the Federal Meat Inspection Act so that labels on packages of meat include a statement on whether the meat contains lean finely textured beef; to the Committee on Agriculture.

By Mr. YOUNG of Alaska:

H.R. 4347. A bill to designate the United States courthouse located at 709 West 9th Street in Juneau, Alaska, as the "Robert Boochever United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. CLEAVER (for himself, Ms. BROWN of Florida, Mr. HASTINGS of Florida, and Ms. WILSON of Florida):

H. Res. 612. A resolution honoring the life of 17-year-old, Trayvon Martin, urging the

State of Florida and others to repeal the Stand Your Ground law, and admonishing involved parties to pursue full investigations into all homicides, regardless of defenses asserted by the offender; to the Committee on the Judiciary.

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**CONSTITUTIONAL AUTHORITY
 STATEMENT**

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of New Jersey:

H.R. 4344.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1, 3 and 18 of the Constitution

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. SHIMKUS:

H.R. 4345.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. PINGREE of Maine:

H.R. 4346.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause III of the Constitution

By Mr. YOUNG of Alaska:

H.R. 4347.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 17 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Mr. CHABOT, Mr. WESTMORELAND, and Mr. MCCARTHY of California.

H.R. 640: Mr. CRITZ, Mrs. LOWEY, and Mr. RUPPERSBERGER.

H.R. 885: Mr. DEFAZIO.

H.R. 2412: Ms. BONAMICI.

H.R. 3001: Mr. HEINRICH and Ms. BONAMICI.

H.R. 3364: Mr. JACKSON of Illinois.

H.R. 3591: Ms. RICHARDSON, Ms. FUDGE, Ms. MCCOLLUM, and Ms. SCHAKOWSKY.

H.R. 3910: Mr. MCNERNEY.

H.R. 4110: Mr. BILIRAKIS.

H.R. 4133: Mr. KELLY.

H.R. 4134: Mr. MCINTYRE.

H.R. 4169: Mr. MICHAUD and Ms. SCHAKOWSKY.

H.R. 4232: Mrs. MILLER of Michigan, Mr. LATOURETTE, and Mr. SIREN.

H.R. 4234: Mr. BERG.

H.R. 4295: Ms. GRANGER, Mr. SAM JOHNSON of Texas, and Mr. CHABOT.

H.R. 4301: Mr. HUELSKAMP.

H. Con. Res. 87: Mr. RYAN of Ohio and Ms. EDDIE BERNICE JOHNSON of Texas.

EXTENSIONS OF REMARKS

THE INTERNATIONAL INSTITUTE OF MINNESOTA: A REFUGEE RESETTLEMENT AND JOB TRAINING SUCCESS STORY

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 30, 2012

Ms. MCCOLLUM. Mr. Speaker, over the past four decades, tens of thousands of refugees who have fled lands of conflict, persecution, or turmoil have traveled to Minnesota to find a new home and start a new life. Often, these families or individuals, young and old, arrive in Minnesota without possessions, without language skills, and without certainty about their futures. Minnesota has welcomed refugees from Laos, Vietnam, Russia, Sudan, Ethiopia, Liberia, Somalia, Burma, Bosnia, and dozens of other countries who are now our friends, neighbors, and co-workers. There are thousands of success stories, but starting a new life in Minnesota requires support, assistance, and a willing partner.

The St. Paul-based International Institute of Minnesota, IIM, is one of America's premier refugee resettlement agencies. Since 1975, IIM has sponsored and resettled more than 22,000 refugees. Their resettlement work, along with the extensive education and training programs they provide for new Minnesotans, has resulted in refugees transitioning from conflict and uncertainty to stability and economic self-sufficiency. IIM's work is both valuable and essential to the contributions refugees continue to make, as they become New Americans, to Minnesota's economy and the strengths they bring to our communities.

One of IIM's innovative and successful job training programs is the Medical Careers Pathway for New Americans, a sectoral-based training model within the healthcare industry. IIM developed the program that defines a pathway to employment and economic independence for newcomers in Minnesota. It has evolved over the years to meet both the needs of low-income New Americans and the demand from the industry for a well trained and qualified healthcare workforce. The program includes three areas of training—Nursing Assistant Training, NAR; College Readiness Classes, CR; and Medical Career Advancement, MCA.

This established career pathway helps participants move from entry to advanced positions in healthcare by helping them navigate complex higher education systems so that their long-term goal of career advancement and economic independence are attained. Critical language, academic support services and life skills tools are provided, including strategies for balancing work, family and the stress of living in poverty. The pathway recently added a FastTRAC Initiative with St. Paul College and Roseville Adult Basic Edu-

cation to increase passing rates for students in the Anatomy and Physiology course.

The program has graduated and certified nearly 1,800 nursing assistants. Eighty-five percent of these certified graduates have been employed. Two-thirds of these IIM clients were unemployed when they entered the training program. Because of their dedication to their work and caring for the elderly, eighty-eight percent of graduates are still employed at one year, helping several longterm care business partners stabilize their workforce. The Director of Nursing from St. Anthony Park Home recently said, "I do not know what we would do without this training program."

The Pathway program has helped nearly 400 New Americans advance from entry-level positions in healthcare to nursing and other professional jobs within the industry. These program graduates are providing quality healthcare to hospital patients and long-term care residents, some of whom require bilingual caregivers, while easing the expected healthcare labor shortage in Minnesota.

The IIM is a model for refugee resettlement in the U.S., but the innovation and success of their Pathway program should also be considered a refugee job training model deserving of expansion, as well as replication across the country. I want to commend IIM for their valuable work and urge state and federal partners working on refugee resettlement and job training to continue to support IIM's success.

HONORING KAREN POPPEN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 30, 2012

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Karen Poppen, retiring Superintendent of Keyes Union School District, and to thank her for her leadership and dedication to the academic advancement of the Central Valley.

Karen was born and raised in Merced, California, where she graduated from Merced High School and Merced College. She received a Bachelor of Arts in English at Whitworth College, now Whitworth University, in Spokane, Washington. After that, she began her career teaching English at Merced High School, where she taught from 1971 through 1974.

Karen retired from teaching in 1974 to raise her two sons. During this time, she volunteered at Catherine Everett and Enslin Elementary Schools in the Modesto City School District and in the Yucaipa-Calimesa Joint Unified School District.

In 1988, she returned to teaching and taught at Yucaipa Middle School and Park View Middle School until December of 1993. During this time, she received her master's degree and administrative credential. In Janu-

ary 1994, she became principal of Yucaipa Adult School and principal of Calimesa Elementary School in July of 1995.

In 2001, she was moved to the District Office as Director of Data Analysis, Grants, and Public Relations.

A year later, Karen moved to Beaumont Unified School District as Assistant Superintendent of Instructional Support Services, where she worked for almost five years. In addition, she was an adjunct professor for CSU San Bernardino for five years. On July 1, 2007, Karen became Superintendent of Keyes Union School District and currently serves as a member of the Keyes Municipal Advisory Council.

Karen married Daryl Poppen on July 1, 1972, and this summer they will celebrate their 40th anniversary.

After retirement, Karen and her husband plan to do some short-term mission work overseas with Operation Mobilization, a worldwide ministry and relief organization working in 110 countries.

Mr. Speaker, please join me in honoring and commending Karen Poppen, Superintendent for Keyes Union School District, for her numerous years of selfless service to the education of our community.

EMISSARIES OF MEMPHIS MUSIC

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, March 30, 2012

Mrs. BLACKBURN. Mr. Speaker, the Tennessee 7th Congressional District is full of great land, great people, and great music. From the annual Fiddler's Convention in Clarksville to the Horseshoe Riverbend Festival in Clifton, this area of the country is known for its "noted" legacy. I rise today in celebration of another great tribute to our distinct sound, the Emissaries of Memphis Music.

In its fourth year, the Emissaries of Memphis Music honors those who grow the creative and musical culture of Memphis. From Estelle Axton at Stax Records, to the women being honored this year by the Memphis and Shelby County Music Commission, the function that women play in our musical legacy cannot be overlooked. Through writing, producing, recording, performing, or leading, women have long dedicated their time, talents, and treasures to expanding excellence in the music industry.

Their accomplishments differ from woman to woman, but their influence on and dedication to their craft remains steady. I rise to congratulate Ann Peebles, Wendy Moten, Anita Ward, Alexis Grace, Bethany Paige, Bev Johnson, Anita Makris, and Anne Pitts on their being named the 2012 Emissaries of Memphis Music. I ask my colleagues to join with me in celebration of the unique contributions each of

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

these women offers to the great musical heritage of Tennessee.

HONORING KIRK ROHLE

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 30, 2012

Mr. HURT. Mr. Speaker, I rise today to recognize Kirk Rohle, a student at Hampden-Sydney College who displayed extraordinary courage on January 25, 2012 when he re-entered his burning house to rescue his childhood friend, Ben Rogers.

Kirk and Ben grew up across the street from one another in Mechanicsville, Virginia, played Little League together, graduated from Hanover High School, and are currently both hard-working student-athletes at Hampden-Sydney.

While Kirk has achieved much in the classroom and on the football field at Hampden-Sydney, today I rise to commend him for his bravery and loyalty as he attempted to save his best friend's life.

Kirk's actions that day represent the kind of selflessness and loyalty that we all aspire to have, and the courage found in true heroes.

As Kirk rejoins Ben and the rest of his classmates at Hampden-Sydney, and continues to recover from serious injuries sustained on that day, I ask my colleagues to join with me today in honoring Kirk Rohle for his display of selflessness, loyalty, and true heroism, and in wishing him a speedy recovery.

TRANSPORTATION ORIENTED JOBS INITIATIVE

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, March 30, 2012

Mr. PETRI. Mr. Speaker, today, along with Representative LIPINSKI, I am introducing legislation to stimulate the financing of passenger rail development from revenues generated from transportation oriented development.

The National High Performance Passenger Rail Transportation Oriented Development Act aims to capture some of the increasing value of commercial development around station areas, which in turn would help finance rail corridor infrastructure and operational expenses. Besides providing a funding stream for intercity and passenger operations, the initiative places emphasis on intermodal connectors to create vibrant communities along the corridor. The legislation aims to begin a major public private partnership initiative that will revitalize America's rail infrastructure to create a true third passenger transportation option to highways and aviation while at the same time creating intermodal access communities.

Under the proposal, the U.S. Department of Transportation will retain a Planning Developer who will establish guidelines for transportation oriented development programs, including special assessment districts or similar mechanisms to capture revenues from increasing commercial value. Rail corridor development

funds will be established at the regional level to capture increasing real estate values. A stream of those revenues will be directed to support rail passenger operations.

The proposal permits qualified projects to apply for federal incentives to finance construction and produce jobs. These incentives will include direct access to existing Federal Railroad Administration and Federal Transit Administration programs, including a high priority for federal transportation grant applications. The initiative will be staffed by existing employees and remain revenue neutral in that all program activities, including the work of the Planning Developer, will be repaid once the high performance rail service and commercial development is implemented and generating revenues.

I hope that this bill will open a discussion on the possibilities and potential promise of passenger rail development in the U.S.

MR. ROBERT DILLMAN, PRESIDENT EAST STROUDSBURG UNIVERSITY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 30, 2012

Mr. BARLETTA. Mr. Speaker, I rise today to honor Robert Dillman, who will be retiring as President of East Stroudsburg University on June 30, 2012, after sixteen years of serving the university and our region. East Stroudsburg University is one of the fourteen state universities that compose the Pennsylvania State System of Higher Education. It offers 7,387 students a world class education. President Dillman came to East Stroudsburg University after several years of experience in higher education and undoubtedly left his mark. President Dillman, a native of Brooklyn, NY, demonstrated extraordinary leadership at East Stroudsburg University. By recognizing the importance of science and technology, he positioned the university as a key economic development force in Northeastern Pennsylvania. During his tenure, East Stroudsburg University became the first university in the United States to offer an undergraduate degree in computer security. The university also established its award-winning Business Accelerator Program, which joined the Ben Franklin Business Incubator Network and the University City Science Center's Port of Technology. In addition, President Dillman led the expansion of the Division of Research and Economic Development, which serves as a vital educational resource for technology-based entrepreneurs. Furthermore, he spearheaded the establishment of the university's world-class Science and Technology Center, which houses the departments of computer security and biotechnology, accommodates other sciences with classrooms, equipment, and labs, and is home to a state-of-the-art planetarium and a soon-to-come natural sciences museum.

President Dillman made substantive changes to the campus environment at East Stroudsburg by giving numerous faculty, staff, students, and community members the opportunity to take the world-renowned professional

development workshop titled Seven Habits for Highly Effective People, which he brought to the university. As a result, university administrators are better equipped to effectively reach out to students, while the students themselves are more prepared to enter the professional world upon graduation.

Mr. Speaker, today, President Robert Dillman stands as important bearer of change to Northeastern Pennsylvania and the nation. I commend him for his years of committed service to East Stroudsburg University, his state, and country.

ASSESSING THE ROLE AND IMPACT OF CHINA IN AFRICA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, March 30, 2012

Mr. SMITH of New Jersey. Mr. Speaker, yesterday I chaired a hearing of the Subcommittee on Africa, Global Health, and Human Rights focused on U.S. policy regarding China's evolving role in Africa. China has become America's premier economic competitor in Africa, providing loans and making investments far beyond what the United States is currently prepared to provide.

China has been engaged with African governments since the 1950s and has always portrayed itself as a fellow developing nation that was interested in solidarity with its prospective development partners. In reality, the Chinese government always had plans to gain the support they hoped to create among the newly independent African governments. The stadiums, other buildings and roads constructed by the Chinese were intended to build support for China among the African bloc of developing nations in its competition with the then-Soviet Union. Later, the goal was building support for the People's Republic of China replacing Taiwan as the sole China in the United Nations.

Now they no longer have to compete with the Soviet Union, and they have their seat on the UN Security Council, from where they protect dictators such as Omar al-Bashir and Robert Mugabe. So what is their aim in their Africa policy?

Is China a development partner for Africa? In 2005, the China Development Bank created a \$1 billion Africa Trade and Investment Fund, but the trade and investment initiatives funded cannot take place without the significant involvement of Chinese suppliers. It is difficult to quantify Chinese development aid to Africa because they refuse to disclose how much aid and investment goes to specific countries, although we do know that Chinese investment in Africa is estimated to exceed \$10 billion. Because the loan details are not open to public scrutiny, it is feared that these loans may pose a danger to the debt sustainability of African governments.

Is China an economic competitor to African countries? Many believe that China is engaged in a short-term resource grab, which takes little account of local needs and concerns, whether developmental, environmental or with respect to issues like human rights.

Coupled with Chinese manufacturing and trade efficiency, this approach suggests that African development gains are being challenged, if not undermined, by Chinese competitiveness.

China, which has increasingly attempted to lock up much of the supply of strategic minerals from African countries, is now the leading producer of what are known as rare earth elements or rare earth metals, which are used in various technological devices, such as superconductors, electronic polishers, refining catalysts and hybrid car components. As time goes on, these minerals will increase in importance in the 21st century economy. South Africa used to be the world's leading source for these minerals, but its production is dwarfed by what China produces, which now represents 95% of rare earth supplies. Chinese production often releases toxic wastes into the general water supply, and that would tend to discourage increased South African production absent what could be expensive environmental safeguards.

Is China the new colonizer of Africa? Some would say that label is an exaggeration. However, China exports small businesses and labor to Africa. There are an estimated 800 Chinese corporations doing business in Africa and 750,000 Chinese working or living for extended periods in African countries. When their original assignments are completed, these Chinese workers become entrepreneurs selling subsidized Chinese products to out-compete their African counterparts.

An increasing number of Africans are becoming skeptical of Chinese behavior in their countries. For example, the issue of Chinese business practices became an issue in the 2011 elections in Zambia. Some Zambians felt the Chinese were worse than the British colonialists in their behavior toward workers. Following the election there, incoming President Michael Sata said to Chinese investors: "We welcome your investment, but as we welcome your investment, your investment should benefit Zambians and not Chinese."

One of the most prevalent charges against China's involvement in Africa is that they don't support international conditionality on aid to African countries. Therefore, Chinese involvement is seen as undermining the concept of tied aid that is intended to promote good governance. Chinese officials counter that they prefer not to interfere in the internal affairs of African governments.

While much of the rest of the international community regarded Sudan as having committed genocide, or at least crimes against humanity in its Darfur region, China, a major economic partner with the government in Khartoum, refused at first to join in sanctions against Sudan. China abstained from the vote in September 2004 when the U.N. Security Council passed Resolution 1564 condemning the mass killing of civilians in the Darfur region, even though the measure stopped short of imposing oil sanctions. China even threatened to veto any further move to impose sanctions. It took concerted international pressure prior to the 2008 Beijing Olympics to force China to move closer to the international position on pressing Sudan to end its human rights abuses.

In a 2006 background report entitled, "China's Influence in Africa: Implications for the

United States," the Heritage Foundation stated that China has provided weapons that have prolonged African conflicts or entrenched dictatorships. In 2003, several Hong Kong firms were accused of smuggling illegal arms including Chinese-made AK-47s, machine guns and rocket-propelled grenade launchers into Liberia and neighboring Sierra Leone and Côte d'Ivoire, where rebels and mercenaries were involved in civil wars.

In 2004, the report continued, China sold Zimbabwe fighter aircraft and military vehicles for \$200 million despite the U.S. and EU arms embargo against Zimbabwe. China also provided a military-strength radio-jamming device, which the Harare government used to block broadcasts of anti-government reports from independent media outlets during the 2005 parliamentary election campaign.

So what really are China's goals for its African engagement?

150TH ANNIVERSARY OR SESQUICENTENNIAL OF THE GREAT LOCOMOTIVE CHASE

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 30, 2012

Mr. PRICE of Georgia. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 150th anniversary or sesquicentennial of the Great Locomotive Chase.

At 6 a.m. on April 12, 1862, a group of Union Raiders under the leadership of James Andrews captured the General locomotive in Big Shanty, now Kennesaw, Georgia. As the Andrews Raiders made their move, the passengers and crew of the General ate breakfast at the Lacy Hotel. The Union spies planned to travel north to Chattanooga, Tennessee, in an effort to cause damage to the Western & Atlantic Railroad by destroying telegraph wires and railroad track along the route. This section of rail served as a major supply line for the Confederate forces.

During the breakfast stop, Confederate Conductor William Fuller saw the General depart northward without him, then he, Jeff Cain, and Anthony Murphy set off in pursuit of the locomotive on foot. Shortly the men borrowed a platform car and continued pursuit. Eventually the conductor and his men would board three separate steam locomotives due to the railroad tracks sabotaged by the Andrews Raiders. These locomotives included the Yonah, William R. Smith, and lastly the Texas.

The chase ended two miles north of Ringgold, Georgia, as the Union Raiders ran low on fuel leaving the General and heading for the woods. The Raiders were captured by Confederate forces and jailed. Eight of the Raiders including Andrews and Sergeant John Scott, were hanged. Nineteen of the Union participants were awarded the Medal of Honor, several posthumously. Eventually this adventure became known as the Great Locomotive Chase and has become the subject of legend including a Walt Disney movie during the 1950s.

Mr. Speaker, I ask my colleagues to join me in commemorating the 150th anniversary or

sesquicentennial of the Great Locomotive Chase and to wish the citizens of Northwest Georgia an educational and productive commemorative event.

TAIWAN RELATIONS ACT

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 30, 2012

Mr. McCAUL. Mr. Speaker, I rise to commemorate the 33rd anniversary of the enactment of the Taiwan Relations Act.

Since the end of World War II, the United States and Taiwan have fostered a close relationship that has been of enormous strategic and economic benefit to both countries. When the United States shifted diplomatic relations from Taiwan to the People's Republic of China in January 1979, Congress moved quickly to pass the Taiwan Relations Act (TRA) to ensure that the United States would continue its robust engagement with Taiwan in the areas of commerce, culture, and security cooperation. With President Carter's signature on April 10, 1979, this important and lasting piece of legislation became the Law of the Land and served as the statutory basis for U.S.-Taiwan relations going forward.

After 33 years, the TRA still stands as a model of congressional leadership in the history of our foreign relation, and, together with the 1982 "Six Assurances," it remains the cornerstone of a very mutually beneficial relationship between the United States and Taiwan. Through three decades marked by momentous social, economic, and political transformations, Taiwan has remained a trusted ally of the United States that now shares with us the ideals of freedom, democracy and self-determination. The foresight of the TRA's drafters in providing that "the United States will make available to Taiwan such defense articles and defense services . . . to enable Taiwan to maintain a sufficient self-defense capability," and affirming "the preservation and enhancement of the human rights of all the people on Taiwan" as explicit objectives of the United States, has contributed in large measure to make Taiwan what it is today—a vibrant, open society governed by democratic institutions.

Though the people of Taiwan now enjoy fundamental human rights and civil liberties, they continue to live day after day under the ominous shadow cast by over 1400 short and medium-range ballistic missiles that the People's Republic of China (PRC) has aimed at them. The PRC persists in claiming Taiwan as a 'renegade province,' refusing to renounce the use of force to prevent formal de jure independence, even codifying its right to military action via passage of the so-called "Anti-Secession Law" on March 14, 2005. The United States Congress strongly condemned the "Anti-Secession Law" in House Concurrent Resolution 98, passed on March 16, 2005.

The TRA affirmed that the United States' decision to establish diplomatic relations with the People's Republic of China was based on the expectation that the future of Taiwan would be determined by peaceful means. Furthermore, it stipulates that it is the policy of

the United States "to consider any effort to determine the future of Taiwan by other than peaceful means . . . a threat to the peace and security of the Western Pacific area and of grave concern to the United States." The unambiguous and principled stance contained in these provisions has been instrumental to the maintenance of peace and stability across the Taiwan Strait for more than thirty years, in spite of the growing military threat posed by the PRC.

I therefore invite my colleagues to join me in commemorating the 33rd anniversary of the TRA, to further underline our unwavering commitment to the TRA and our support for the strong and deepening relationship between the U.S. and Taiwan.

THE JUMPSTART OUR BUSINESS
STARTUPS ACT, H.R. 3606

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 30, 2012

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to H.R. 3606. While this legislation includes some useful provisions, it also eliminates crucial investor protections, which would expose the investments of American families and seniors to financial fraud.

H.R. 3606 attempts to create jobs by making it easier for America's entrepreneurs to raise startup and growth capital. Unfortunately, this important goal is overshadowed by provisions in the bill that remove necessary safeguards for everyday investors. This legislation undermines the credibility of research on companies by eliminating conflict-of-interest restrictions. It allows unregulated websites to peddle stocks to ordinary investors without

any meaningful oversight or liability, which could give rise to fraud and money laundering. Moreover, H.R. 3606 would allow large banking institutions with hundreds of billions of dollars in assets to de-register and escape SEC regulations that ensure corporate transparency, integrity, and accountability.

When this bill first came before the House for consideration I supported it. It was my hope that the Senate would modify H.R. 3606 to address the concerns raised by the Securities and Exchange Commission (SEC), consumer advocates and independent economists. As the New York Times recently put it, passage of H.R. 3606 could result in more sales of "worthless securities by bucket-shop brokerage firms." SEC Chairwoman Mary Schapiro wrote a letter to the U.S. Senate arguing that without appropriate protections, investors "will lose confidence in our markets and capital formation will ultimately be made more difficult and expensive." Senate amendments to restore vital consumer investor protections did not receive the necessary votes to be included in the bill before us today. As currently written, H.R. 3606 poses too great a threat to the stability of markets and the security of American's pension funds, education savings and retirement accounts to earn my support.

The United States and its people are still struggling to recover from the near-collapse of the country's financial sector. That crisis was the result of failed oversight and aggressive and irresponsible de-regulation during the George W. Bush Administration. In the four years since President Obama took office, the Dow Jones Industrial Average has increased from 7,949 to 13,197 due in large part to his bold and determined efforts to restore transparency and sensible regulation to Wall Street. Congress should not put this remarkable rally at risk by passing H.R. 3606 and making it

more difficult for regulators to detect and prosecute financial fraud.

I urge my colleagues to oppose the H.R. 3606.

RECOGNIZING HMONG HERITAGE
MONTH

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, March 30, 2012

Mr. DUFFY. Mr. Speaker, I rise today to recognize the important role of the Hmong community in Wisconsin's 7th Congressional District.

This month marks 36 years since the first Hmong family arrived in Marathon County, Wisconsin and, currently, the Hmong account for a major percentage of our area's population. For the past 8 years, our local community has come together annually for Hmong Heritage Month, during which we celebrate the contributions of this important group and educate our residents about Hmong history and culture.

During the Vietnam War, the Hmong stood shoulder to shoulder with U.S. troops in the fight against Communism. Today, we stand shoulder to shoulder with the Hmong in our schools, our churches, and our businesses.

The Hmong have an old saying, "To be with a family is to be happy. To be without a family is to be lost." I truly believe the Hmong are a vital part of our American family, and their contributions to our society make us stronger.

I am proud to represent this community in the United States Congress and I wish them well as we celebrate Hmong Heritage Month.

SENATE—Monday, April 16, 2012

The Senate met at 2 p.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

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

Let us pray.

God of might and mercy, we lift our hearts in praise. Thank You for this day with its opportunity for courageous and noble service. Use our lawmakers this day to validate the faith of our forebears through their faithful service to You and country. As they labor, may they feel the nearness of Your presence and be guided by Your wisdom. Equip them to bear the responsibilities they cannot assign to others as You strengthen them for life's noble twists and turns.

Lord, draw near to them and give them Your peace.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 16, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

BUFFETT RULE

Mr. REID. Mr. President, as millions of Americans prepare to file income

tax returns, the Senate will consider one of the basic unfair provisions in the Tax Code. Today the wealthiest 1 percent takes home the highest share of the Nation's income since the early twenties, the Roaring Twenties. But while their bank accounts have grown, their tax bills have become smaller. The wealthiest Americans now pay the lowest tax rate in more than five decades. The rich pay less than they have for more than 50 years. This unfair system has turned a gap between the richest few and everyone else into a gulf, not a gap. Over the last few decades, a small number of Americans have seen their incomes skyrocket by almost 300 percent, but for the rest of Americans wages have barely moved. They have not kept pace with the price of a modest home, college, or, of course, a secure retirement.

Times are tough for many middle-class American families, but millionaires and billionaires are not sharing the pain or the sacrifices—not one bit. Last year there were 7,000 millionaires who did not pay a single penny in Federal income taxes. Seven thousand millionaires did not pay a single penny in taxes. Instead, ordinary Americans footed the bill. That is not fair. In recent years some Americans earning north of \$110 million a year paid a lower tax rate than millions of middle-class families. That is also not fair. That is how someone like our friend Warren Buffett winds up paying a lower tax rate than his secretary, which also is not fair.

When the richest few are making more than ever before, they can afford to shoulder their fair share of the burden and make this country prosper. And they should not be allowed to hide behind tax loopholes that rig the system in their favor. The Paying a Fair Share Act, known as the Buffett rule, would restore fairness to a system that has favored the interests of the wealthy for far too long. This legislation would ensure that Americans who earn more than \$1 million a year pay at least 30 percent of their income in taxes. The bill would hold harmless nearly every small business in America. In fact, more than 99 percent of small businesses would be held harmless. It would maintain the deduction for charitable giving. It would be a small but important step toward restoring fiscal responsibility as our Nation makes difficult choices about where to spend and what to cut.

Three-quarters of Americans believe millionaires and billionaires should contribute more. Two-thirds of millionaires say it is time to even the

playing field. Yet, everywhere, all Republicans except those within the beltway believe that is not the case. Republicans in Congress would rather end Medicare as we know it, set forth in the so-called infamous Ryan budget. They would rather slash education funding, as set forth in that same infamous budget, than ask the richest of the rich to contribute even a penny to make education more meaningful and to continue maintaining Medicare as we know it. As the Senate Democrats work to make our tax system fair for all Americans, Republicans in the House continue to pursue a budget that would hand more tax breaks to the wealthiest few—the so-called Ryan budget I was just talking about.

At its heart, this important debate and the Buffett rule are about setting priorities. America can build a world-class education system that will prepare our children and our grandchildren to compete in the industries of tomorrow. We can honor our commitment to a generation of young men and women who put their lives on the line to serve and protect our freedom, and we can ensure that seniors who worked hard all their lives look forward to a secure retirement and quality, affordable health care or we can keep protecting special tax rates for the richest of the rich. We cannot do both. We must make smart choices.

President Franklin Roosevelt once said:

In our personal ambitions we are individualists. But in our seeking for economic and political progress as a nation, we all go up or else all go down as one people.

I hope my Republican colleagues will join Democrats this evening as we choose a path toward economic fairness that allows all Americans to rise together as one people.

MEASURE PLACED ON THE CALENDAR—H.R. 5

Mr. REID. Mr. President, H.R. 5 is at the desk. It is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

Mr. REID. Mr. President, I object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will resume consideration of the motion to proceed to S. 2240, the Paying a Fair Share Act. At 4:30 today the Senate will proceed to executive session to consider Executive Calendar No. 460, Stephanie Dawn Thacker, of West Virginia, to be U.S. Circuit Judge for the Fourth Circuit, with up to 60 minutes of debate equally divided and controlled between Senators LEAHY and GRASSLEY or their designees. Upon the use or yielding back of that time—at about 5:30—there will be a rollcall vote on the confirmation of the Thacker nomination. There will be a second rollcall vote on the motion to invoke cloture on the motion to proceed to S. 2230, the Paying a Fair Share Act.

 RECOGNITION OF THE MINORITY LEADER

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

 BUFFETT RULE

Mr. MCCONNELL. Mr. President, if there is one thing on which every American can agree right now it is that we have serious challenges in this country and that time is not on our side. Action needs to be taken soon. To cite a few things, everybody is holding their breath waiting for the Federal debt to catch up with us. It is not a question of if, it is a question of when. Many young people are basically giving up on the American dream. Seniors and those approaching retirement are concerned about the safety and sustainability of entitlements. Working Americans and those who employ them are frustrated by the growth and the reach of government. And nearly 14 million Americans who cannot find work are wondering how it got so hard to land a good-paying job in what is supposed to be the most prosperous economy on Earth. All these people know we are in rough shape. They live it every day and, frankly, a lot of them have given up hope that lawmakers here in Washington are interested in doing anything at all that would help.

But the truth is that there is some good news to report out of Washington; that is, the growing bipartisan consensus not only about the existence of these problems but also about the proper solution. Just about everybody agrees that comprehensive tax reform would help turn this economy around, strengthen entitlements, spur innovation and economic growth, and create jobs.

The problem is that we have a President who seems more interested in pitting people against each other than he is in actually doing what it takes to

face these challenges head on and to solve them in a bipartisan manner. And if anybody had any doubt about that, the President's relentless focus on this so-called Buffett tax over the past few weeks should have dispelled it.

This entire debate has been very illuminating for a lot of folks. It has revealed a lot about this President. By wasting so much time on this political gimmick that even Democrats admit will not solve our larger problems, it has shown that the President is actually more interested in misleading people than he is in leading. I know that may sound a little strong to some, but just step back and think about what is going on here. We have a \$15 trillion debt. Some call it the most predictable crisis in history. We have the largest tax increase in the history of the country looming that will hit every single American who pays income taxes in less than 9 months from today.

Well, President Obama looked at the options in front of him, sat down with his political advisers, and said: You know what, let's go with a poll-tested tax increase on investment and job creation that will not fix anything and will not pass anyway, instead of actually doing something about the debt and the deficit. It is the same thing on gas prices; the President looked at \$4-a-gallon gasoline and said: Let's go with a poll-tested tax on energy manufacturers, which would increase the price at the pump instead of actually doing something to solve the problem. Is this not precisely the kind of thing President Obama campaigned against in the first place—politics as usual? But that is all we get. The worse our problems get, the less serious he becomes. The more people coalesce around a bipartisan solution, the more he focuses on something that is completely irrelevant or that has absolutely no chance of passing.

We are in a crisis here and, sadly, it is all politics all the time. Somewhere along the way this President seems to have forgotten why he was elected. For him, it is not about jobs or the economy, it is about his idea of fairness, about imposing it on others. And if we lose more jobs in the process, oh, well, so be it.

Just take the Buffett tax. Anytime the President proposed anything in the past, he told us how many jobs it would create, whether it was the FAA bill, the highway bill, the stimulus—you name it. Apparently, those days are over. Nobody is even claiming this creates jobs. It is all about the President's idea of fairness now.

I think Americans are tired of the blame game. They want their President to solve problems, not point fingers. They think their President should spend his time working on a solution between the two parties instead of running around the country trying to distract people from his own inability to

get the job done, instead of running around lecturing everybody on fairness.

The President is using two arguments in favor of the Buffett tax. First, he says it is a matter of fairness. Second, he thinks the government would do a better job of investing the money than the people he hopes to take it from. First, it is a matter of fairness and, second, he assumes the government would do a better job of using that money than the people he is taking it from.

On the first point, I think most people have heard enough about the President's notion of fairness to know it does not match up with theirs. To most people, what is fair about America is that they can earn their success—earn their success—and expect to be rewarded for it. Nobody ever crossed an ocean or a desert to come here for government health care. People come here because they think everybody has a shot at something more than that.

It is a point my colleague, the junior Senator from Wyoming, hit home pretty well this morning in an op-ed he wrote for Investor's Business Daily. It is entitled "Buffett Tax Divides Americans, But Solves Nothing."

I ask unanimous consent that be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Investor's Business Daily, Apr. 6, 2012]

BUFFETT TAX DIVIDES AMERICANS, BUT
SOLVES NOTHING

(By Sen. John Barrasso)

On Monday, the U.S. Senate will vote on President Obama's Buffett tax. The bill is a political gimmick that's supposed to distract Americans from the president's miserable record instead of solving problems.

Americans know by now that the bill won't create a single job and it won't ease the pain at the pump. And President Obama and the White House have finally given up pretending that his new tax will balance the budget.

Even if he did put the new revenue towards the debt, it would only cover what Washington spends in about a day and a half. All this bill does is waste time and continue to push the president's distorted definition of "fairness."

President Obama thinks it's fair that our children and grandchildren will be burdened with debt because of his unprecedented reckless spending. Washington borrows 42 cents of every dollar it spends.

He thinks it's fair to pile another \$40,000 of debt onto every household in the U.S. over the last three years. He thinks it's fair to use college students as props for his campaign-style rallies, without explaining how his bad policies will leave them in debt.

He thinks it's fair to force hardworking taxpayers to subsidize a wealthy person's purchase of a hybrid luxury car—because it fits his idea for American energy.

He thinks it's fair to hand out hundreds of millions of tax dollars to politically connected solar energy companies that then go bankrupt.

He thinks it's fair to tell thousands of workers they won't have jobs because he

blocked the Keystone XL pipeline—to solidify the support of a few far left environmentalists.

And apparently President Obama thinks it's fair that three years of his policies have left us with more people on food stamps, more people in poverty, lower home values, higher gas prices and higher unemployment.

The American people strongly disagree. To the vast majority, fair means an equal opportunity to pursue their dreams. They also recognize that no man and no government can provide a guarantee of success.

To President Obama, fair requires nothing less than a totally equal outcome.

The waves of immigrants who came to our shores over generations did so for freedom and for a chance to succeed. They did not come here to be taken care of, or to have every decision made for them by the government. That's what many of them left behind. When President Obama pushes for equal outcomes instead of equal opportunity, he pits one group of Americans against another. He is telling people it's not right for someone else to have something they don't have. That may be a good campaign tactic, but it's not true—and it's bad for our country.

One person getting more does not mean anyone else has to get less. In America, it's possible for all of us to prosper. That is part of what made America the best from the very beginning. Here all of us can do better—not at the expense of our neighbors, but by our own effort. Our country's social safety net was established to catch people from falling—not to entangle them so they cannot rise. It certainly should never be used to justify burdening taxpayers with trillions of dollars in new debt. Somewhere along the way, Washington twisted the honorable American impulse to care for the least fortunate among us.

The Obama definition of "fairness" now threatens to produce a culture of dependency that weakens our society.

Today's debate over this new tax increase demonstrates the two different approaches to this country's future. President Obama may believe it's fair for Washington to dictate the rules so that everyone is equal in the end. Republicans want to promote economic growth for everybody, not equality of outcome at everybody's expense.

Despite what President Obama believes, true fairness requires equal opportunity, so that all may pursue their dreams. America was founded on that idea. That's what will lead us to a more prosperous future for all.

Americans deserve policies that promote growth and opportunity, not more taxes and spending.

Mr. MCCONNELL. Here is some of what he wrote. This is Senator BARRASSO:

President Obama thinks it's fair that our children and grandchildren will be burdened with debt because of his unprecedented reckless spending. Washington borrows 42 cents of every dollar it spends.

The President thinks that is fair.

He thinks it's fair to pile another \$40,000 of debt onto every household in the U.S. over the last three years.

The President thinks that is fair.

He thinks it's fair to use college students as props for his campaign-style rallies, without explaining how his bad policies will leave them in debt.

He thinks it's fair to force hardworking taxpayers to subsidize a wealthy person's purchase of a hybrid luxury car—because it fits his idea for American energy.

He thinks it's fair to hand out hundreds of millions of tax dollars to politically connected solar energy companies that then go bankrupt.

He thinks it's fair to tell thousands of workers they won't have jobs because he blocked the Keystone XL pipeline—to solidify the support of a few far left environmentalists.

And apparently, President Obama thinks it's fair that three years of his policies have left us with more people on food stamps, more people in poverty, lower home values, higher gas prices, and higher unemployment.

Senator BARRASSO then explained what he thinks Americans actually think fairness consists of: equality of opportunity and freedom for everybody to pursue their dreams without government blocking the way.

For the President, fairness is about taking from some and giving it to others. It is about taking from taxpayers and giving it to solar companies. It is about taking from the private economy and giving it to government workers so they can blow it on an \$823,000 awards dinner for themselves. It is anything but fair.

As for the President's second argument—well, you tell me. What about the way government spends the money it gets from taxpayers makes anybody think they would do a better job with the money they hope to get from this tax? Does anybody seriously think the government would do a better job spending this money than the people from whom they would extract this additional tax? It is completely ludicrous. Until Washington can show that it is a better steward of taxpayer dollars, or that it knows how to invest in a winner, it should not expect people to hand over another penny.

Here is my point: We have serious problems to address, and the President is not behaving seriously. There is a need and a growing desire on both sides of the aisle to do something. The President needs to step up and provide the serious leadership he promised the American people, and our folks—all 306 million people in this country—have every right to expect something better.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

IMPOSING A MINIMUM EFFECTIVE TAX RATE FOR HIGH-INCOME TAXPAYERS—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2230, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 339, S. 2230, a bill to reduce the deficit by imposing

a minimum effective tax rate for high-income taxpayers.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, on a late spring day 27 years ago, President Ronald Reagan addressed a group of high school students in Atlanta, GA. Many of the students in that audience that day were about to join the workforce, and President Reagan spoke about the "strange"—to use his word—tax system that would soon claim a portion of their paychecks.

In his speech President Reagan pledged:

We're going to close the unproductive tax loopholes that have allowed some of the truly wealthy to avoid paying their fair share.

He went on to note that under the country's complex tax rules, it was "possible for millionaires to pay nothing, while a bus driver [pays] 10 percent of his salary." President Reagan called this inequity with millionaires paying lower rates than bus drivers—to use his word—"crazy." He said, "It's time we stopped it."

One year later, President Reagan signed into law bipartisan tax reform that closed many of the loopholes and ensured that the highest earning Americans paid a fair share. The 1986 tax reform deal set the tax rate on investment income—overwhelmingly earned by those at the very top of the income ladder—at the same rate as regular wage income.

Unfortunately, in the years that followed, lobbyists have been all over Congress, and Congress has restored many of the loopholes President Reagan cut. It has repeatedly reduced tax rates on investment income. The capital gains tax rate has gone from 28 percent in the bipartisan Reagan tax reform to 15 percent today. Once again, those at the very top of the income spectrum have opportunities to cut their tax bills that are not available to regular middle-class families.

Let's look at where we are today, a quarter century after the last major overhaul of our tax system.

In this photo is a building that has stories to tell. This is the Helmsley Building on Park Avenue in New York City. Because this building is large enough to have its own ZIP Code, we know from public IRS information gathered by ZIP Code that the very wealthy and successful individuals and corporations that call this building home—with an average adjusted gross income of \$1.2 million each—paid, on average, a 14.7-percent total Federal tax rate in the last available year for which we have information. A 14.7-percent total Federal tax rate is less than the rate the average New York City janitor, the average New York City doorman, or the average New York City security guard pays. The system is upside down.

It is not just in the Helmsley Building. Each year, the IRS publishes a report detailing the taxes paid by the highest earning 400 Americans. Last May, the IRS published the most recent data on the top 400 taxpayers—for the year 2008. They had an average income of \$270 million each. That is not bad. In fact, that is wonderful. That is part of what makes America great.

But here is the “crazy” part—to quote President Reagan. On average, these 400 extremely high earning Americans—making \$270 million in 1 year—actually paid an average Federal tax rate of just 18.2 percent on adjusted gross income. We have spent a fair amount of time in the Senate debating whether the top income tax rate should be 35 percent or something else—for example, 39.6 percent, as it was in the Clinton boom years. But the ultra rich get around this top rate through a variety of tax gimmicks.

We looked at what level of income a single filer would have to make to start paying 18.2 percent or more in Federal taxes. It is \$39,350. If we look at the Department of Labor levels, that is about what a truckdriver, on average, earns in Rhode Island. Mr. President, \$40,200 is what an average truckdriver, according to the Bureau of Labor Statistics, earns in Rhode Island—more than the \$39,350—which means they are probably paying a higher tax rate as a single truckdriver in Providence, RI, than a millionaire who made \$270 million in the last year.

That is just not fair, not right, and that is not the progressive tax system we have always had. I recently heard from one such truckdriver in Rhode Island. Mike Nunes, who is a member of Teamsters Local 251, joined me for a roundtable discussion on tax fairness in Cranston, RI. Mike said:

I've been a middle-class worker here in Rhode Island since I was in my early twenties. My wife and I pay our taxes, and it's frustrating to hear that multi-millionaires are getting special treatment to pay a lower rate.

Mike is right. I hear the same as I travel around my State. I know my colleagues hear the same as they meet with their constituents across the country. They all agree with President Reagan that a tax system that allows many of the highest income earners among us to pay less than a truckdriver must be fixed.

The problem goes beyond the top 400 income earners in the country. The Congressional Research Service confirms that roughly one-quarter of \$1 million-plus earners—about 94,500 taxpayers—pay a lower effective tax rate than over 10 million moderate-income taxpayers. Reuters reported this:

Taxpayers earning more than \$1 million a year pay an average U.S. income tax rate of nearly 19 percent.

The story goes on:

About 65 percent of taxpayers who earn more than \$1 million face a lower tax rate

than the median tax rate for moderate income earners making \$100,000 or less a year.

Let me read that again:

About 65 percent of taxpayers who earn more than \$1 million face a lower tax rate than the median tax rate for moderate income earners making \$100,000 or less a year.

Our tax system is supposed to be progressive. The more one earns, the higher the rate one pays. That is not class warfare; that is tax policy. It has been that way for decades, if not even generations. We undermine that principle when we allow the highest income Americans to pay a lower tax rate than a truckdriver pays. It is no wonder that so many of the Rhode Islanders with whom I have spoken have lost confidence that our tax system gives them a straight deal.

With the top 1 percent of Americans earning 23 percent of our Nation's income and controlling 34 percent of our Nation's wealth—more than one-third—it would be difficult to argue that our system is too progressive.

Let's look at this other graphic. Of all of our Nation's wealth, the top 5 percent of Americans own over 60 percent of it. Of all of our Nation's wealth, the top 5 percent own more than 60 percent of all the wealth in the country. The top 1 percent control over one-third of it. The 400 families at the very top—the 400 I talked about earlier—own almost 3 percent of all America's wealth just among those 400 families. These are proportions we have not seen since the Roaring Twenties, and they are getting steadily worse.

We are not going to overhaul the Nation's tax laws this evening, but in a few hours we will have a chance to advance legislation to restore some fairness into our tax system. This long overdue bill—the Paying a Fair Share Act of 2012—would implement the so-called Buffett rule, after Warren Buffett, who has famously lamented that he pays a lower tax rate than his secretary. To correct this glaring tax inequity, this bill would ensure that those at the very top pay at least the tax rates faced by middle-class families.

I thank Senators AKAKA, BEGICH, LEAHY, HARKIN, BLUMENTHAL, SANDERS, SCHUMER, REED of Rhode Island, ROCKEFELLER, BOXER, DURBIN, and LEVIN for cosponsoring this measure.

I ask unanimous consent to add Senator LAUTENBERG as a cosponsor.

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

Mr. WHITEHOUSE. The structure of our bill is simple: If your total income—capital gains included—is over \$2 million, you calculate your taxes under the regular system. If your effective rate turns out to be greater than 30 percent, you pay that rate—the same rate you would pay without the bill.

If, on the other hand, your effective tax rate is below 30 percent—like the 11

percent tax rate Warren Buffett paid in 2010—then you would pay the fair share tax of 30 percent instead.

Taxpayers earning less than \$1 million—which is more than 99.8 percent of Americans—would not be affected by this bill at all. For taxpayers earning between \$1 million and \$2 million, the fair share tax gets phased in. Ultimately, when you earn over \$2 million, you are subject to the full 30-percent minimum rate.

The one exception the bill makes to the 30 percent minimum is to maintain the incentive for charitable giving. Under the bill, taxpayers are permitted to subtract the same amount of contributions allowed under the regular income tax from their taxable income. The reason for this one exception should be self-evident: charity benefits others and taxpayers should be encouraged to give.

Some say, given our fragile economic recovery, now is the wrong time to raise taxes on anyone. While middle-class families continue to struggle through the recovery, it seems the boom times have already returned for those at the very top.

According to a recent analysis by University of California at Berkeley economist Emmanuel Saez, 93 percent of the income growth in 2010 went to the top 1 percent of income earners. Even more astounding, 37 percent of the income growth in that year went to the few thousand taxpayers in the top 0.01 percent. With so much income growth at the very top and with looming budget deficits, it is hard to argue that people with 7-, 8-, 9-, or even 10-figure incomes can't afford to pay a reasonable tax rate.

To be clear, it has been said on this floor this is a tax on investment and this is a tax on job creation. That is wrong. This is a tax on one thing: income.

Republicans have criticized the amount of revenue that would be generated by the bill. The ranking Republican on the Senate Finance Committee called the \$47 billion the Joint Committee on Taxation has estimated a meager sum. Well, in Rhode Island, we don't consider \$47 billion to be a meager sum. It is enough money, for instance, to permanently keep subsidized student loan interest rates from jumping from the current 3.4 percent to 6.8 percent in July, which they will do unless we act. If we could use this bill to offset the cost of keeping student loan interest rates low, then there are millions of students out there who would call that benefit something other than meager.

We could use the \$47 billion on badly needed infrastructure projects and create 611,000 jobs nationwide. In Rhode Island, we have 11 percent unemployment and a long backlog of transportation infrastructure projects. At the top of that list is the viaduct bridge on

Interstate 95 through Providence. This critical link along the northeast corridor running up through Rhode Island has wooden boards inserted between the I-beams underneath to prevent the concrete in the roadway from falling in on the traffic below. Also, where the Amtrak rails go underneath, there are wood planks to keep the roadway from falling in on the trains as they pass below. I don't think repair of this bridge and others would be meager at \$47 billion worth, particularly if we put it into an infrastructure bank and leverage it for even more jobs.

It is worth noting this legislation would generate far more revenue than the \$47 billion the Republicans complain of if the Republicans were to succeed in their quest to extend the very high-end Bush tax cuts. If the Bush tax cuts for people in this bracket continue, the revenue from the bill jumps from \$47 billion to \$162 billion over a 10-year budget horizon. Operating as a backstop, the Buffett rule can ensure those at the top pay a fair share no matter what loopholes, no matter what special treatments Congress adds to the Tax Code in the future.

Finally, the Senate Republican leader has described the bill as yet another proposal from the White House that won't create a single job or lower the price at the pump by a penny. Well, the minority leader is absolutely right. The aim of this bill is not to lower the unemployment rate or the price of gasoline. However, if you put the \$47 billion into infrastructure, you could create 611,000 infrastructure jobs and a lot of good infrastructure as well. And if you put the \$47 billion into LIHEAP, you could help millions of Americans pay their energy bills.

But let me add an additional point. The Republicans are claiming this bill, which is a tax fairness bill, not a job-creating bill, will not create a single job. Of course, if you spent the revenue, it would, but that is a separate discussion. At the same time they are making that point, the Republicans in Washington are sitting on our highway bill which creates 3 million jobs and they won't call it up on the House side because they do not want to rely on Democratic votes. Three million jobs are awaiting action in the House on the bipartisan Senate highway bill that had 75 Senators supporting it, and they won't call it up—the Republicans won't call it up—because they do not want to use Democratic votes.

What kind of Washington insider logic is that? People across this country who will go to work on those roads and bridges don't think that makes any sense. For Republicans now to be talking about jobs on this bill, while they have a jobs bill that creates 3 million jobs they are blockading in the House, the word "jobs" should turn to ashes in their mouths.

There are plenty of things this narrow tax fairness bill won't do. It will

not bring world peace, it won't save endangered whales from extinction, it won't cure the common cold. It will do none of that. It will restore the confidence of middle-class Americans in our tax system by assuring those at the very top of the income spectrum are not paying lower rates than regular families do.

In addition to restoring fairness to the Tax Code, the bill will generate considerable revenue to cut the deficit or invest in job creation and critical programs. I happen to think that tax fairness and tens of billions of dollars in revenue or deficit reduction are reasons enough to pass the bill. And if the Republican leader wishes to work with us on taxing other issues, I am wide open to that. But today's vote is about tax fairness. It is about undoing a gimmick in the Tax Code that allows people earning over \$¼ billion a year to pay lower tax rates than truckdrivers.

Unfortunately, this has become a partisan issue, which is surprising, because the principle of a progressive Tax Code has always been a basic American tax policy principle. The arguments we are making today about paying a fair share were made exactly by Ronald Reagan. But things have changed and so there is this squabble. Even business owners support this bill. A recent poll conducted by the American Sustainable Business Council, the Main Street Alliance, and the Small Business Majority found that 58 percent of business owners said those making over \$1 million a year are not paying their fair share in taxes and 57 percent supported increasing taxes for those at the top. That is out of the small business community.

These business owners know it is simply fair for the most fortunate and successful Americans to pay a larger share of their income in taxes than less successful families do. That is what a progressive tax system is supposed to do. That is what it has always done. Sadly, over the past few decades, as income has soared at the very top, the effective tax rates have plummeted.

This chart, prepared by Budget Committee chairman KENT CONRAD, shows the effective Federal income tax rate for the top 400 income earners since 1992. As you can see, there has been a dramatic drop from 1995 to 2008. These rates are for Federal income tax. If you add in the small amount of payroll taxes paid by those at the very top—which is a separate discussion, but they fall 100 percent on the income of middle-income families but only on a small portion of the income of super-high-end income families—the total Federal tax rate for 2008 goes up to 18.2 percent, counting in that withholding. That is, again, the effective Federal tax rate of that truckdriver in Providence. The trend in falling tax rates for those making seven figures in income or more has eroded the confidence of

ordinary Americans who do pay their fair share.

I will conclude with one more quote. This is another quote from President Reagan's 1985 speech on tax fairness. This is President Reagan, the man whom so many conservative Republicans revere. He said:

What we're trying to move against is institutionalized unfairness. We want to see that everyone pays their fair share, and no one gets a free ride. Our reasons? It's good for society when we all know that no one is manipulating the system to their advantage because they're rich and powerful.

That was President Reagan in 1985. Today, his party is defending that manipulation.

In the 27 years since that speech, the American playing field has been skewed ever more toward the rich and powerful. From bankruptcy reform, which favors big corporations over people, to the Citizens United decision, which has allowed corporations and billionaires to spend unlimited cash to influence American elections, to this lower tax rate for ultra-high income earners, the American people have simply not been getting a straight deal from Washington.

Many are calling the vote we will have on the Buffett rule bill today a test vote, because it is on a procedural motion, and the pundits don't expect it to pass. I agree. This is a test vote. But it is a test of a different sort. This is a test of Washington, DC, to do something that is simple, to do something that is right, and to do something that is fair for the middle class. If we proceed to and pass this bill, it will show the American people that Congress is capable of standing by their side, that Congress is capable of being on their side, that Congress is capable of saying no to a powerful and well-funded special interest. If we fail, it will indicate exactly what President Reagan feared—that the rich and powerful are able to manipulate the system to their advantage and we in Congress will do nothing about it.

One of the things America stands for in this world is that we are fair with each other; we get a straight deal and we give each other a straight deal. That is one of the ways in which America stands as an example to the rest of the world. There are plenty of countries where the internal political and economic systems amount to a racket—a racket that is rigged for the benefit of the rich and powerful and against farmers and workers and small businesses and ordinary families. Some of those countries are so bad we call them kleptocracies. But that has never been America. That is not the America of the Founding Fathers. It is not the America of Ronald Reagan. It is not the America that shines its light into the four corners of the world as an example to the rest of the world. That is not the America we are here to serve.

We must be vigilant in protecting the ideals that make this country what it is. I urge my colleagues, Democrats and Republicans alike, to heed the words of President Reagan and to support this legislation, which will ensure that a favored segment of the highest earning Americans once again do something as simple as pay their fair share in taxes. Let us show the American people that our Nation does stand apart as an exemplar of fairness and of equal opportunity and of equal responsibility under the law.

I thank the Chair. I see colleagues in the Chamber, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. PORTMAN. Mr. President, we stand here today, the day before tax day—the day when all Americans have to get their income taxes together—and we also stand here in the middle of the weakest economic recovery since the Great Depression—a time when economists across the spectrum agree there is an urgent need for us to take our Tax Code and make it more efficient, to reform our Tax Code to help grow our economy and add jobs. And instead of an administration or leadership in this body proposing serious tax reforms that will actually get people back to work, we are spending this week debating a political proposal that no one can credibly argue will create a single job, except maybe some tax accountants because it adds more complexity to an already way too complex Tax Code. Unfortunately, this has become “tax gimmick week” here in Washington.

It is particularly disappointing because as a Nation we are stuck in an historically weak economy with high unemployment, record long-term unemployment, and anemic economic growth. This recovery we are in is different, sadly. We are still millions of jobs down from where we were at the start of the recession, which was about 4 years ago. It is interesting to compare it to other recoveries.

In 2001, the so-called jobless recovery, at this point in the recovery about 4 years after the recession, the Nation had not only brought back all the jobs that were lost in the recession but we had added hundreds of thousands of new jobs.

Even in 1981, considered the deepest recession in modern history before the most recent one, at this time 4 years after the recession we had added 6 million new jobs to the economy.

Unfortunately, today, as we stand here, we are still down 5.5 million jobs. So instead of adding 6 million jobs, as we had during the Reagan administration after the 1981 deep recession, today as we stand here we are still trying to find how to add back the jobs we lost in the recession, 5.5 million jobs, 5.5 million families across this country who continue to look for hope and opportunity.

So in the midst of this weak recovery, the weakest since the Great Depression, I think it is reasonable to expect that the President of the United States and the U.S. Congress would focus on real solutions to create jobs; in particular, real solutions to reform our inefficient, complex, and outdated Tax Code, because there is a consensus out there we need to do that.

To make the Tax Code more pro-jobs, to encourage work and savings and investment requires broad-based reform, and everybody knows it. The President's own commission, called the Simpson-Bowles commission, recommended it. Most recently, the President's own Jobs Council recommended it.

We need a proposal taken up by this Senate that is driven by good economics. Instead, what we are getting this week is one that is driven by campaign rhetoric. My colleagues on the other side of the aisle will soon bring to the floor President Obama's proposed new tax targeting investment income, the Buffett tax, named after businessman Warren Buffett, which imposes a 30-percent minimum tax on anyone earning over a certain amount—\$1 million. Interestingly, for all of the chest thumping about this is going to reduce our deficit, this new tax will bring in less than one-half of 1 percent of the annual individual income taxes that are paid. By the way, this will be enough to pay 1 week's interest on our \$15 trillion national debt. That is it. So it is certainly not about deficit reduction at a time of trillion-dollar deficits.

The President also says his new tax on investments on American businesses is necessary to, as he said, invest in what will help the economy grow. This apparently means this will result in more government spending. Private enterprises that actually create jobs apparently are not the ones that will be making the investments. Instead, it will be investments through government spending.

I think the Buffett rule is bad economics. I think it is bad fiscal policy, and I think it is a distraction from the broader bipartisan effort underway to achieve fundamental tax reform that is necessary to unleash a true economic recovery—the proposals built, by the way, on this notion that I heard from my colleague a moment ago that the Tax Code is not progressive. We can argue about what progressive means, but here are some statistics:

According to the Tax Policy Center, the top 1 percent of income earners in this country pays a 28-percent Federal tax rate. By contrast, Americans with incomes between \$60,000 and \$100,000 pay a 19-percent tax rate. Those earning between \$35,000 and \$60,000 pay a 14-percent tax rate.

Another way to look at this is that the top 1 percent of taxpayers now pays

39 percent of all Federal income taxes. The top 10 percent now pays 86 percent of all Federal income taxes. Those below the 50-percent mark now pay 1 percent of Federal income taxes. Is that progressive or not? I would say it is progressive.

To my colleagues who are saying the income tax is not progressive, I don't think that is the concern here. I think the concern is we have an income tax code that has too many preferences, deductions, credits, exemptions—by the way, mostly taken advantage of by wealthier taxpayers. We ought to reform the Tax Code.

But because the Tax Code is already so progressive, as we talked about, this proposal from the President works primarily by increasing the tax a lot of wealthy people pay on investment income, primarily what is known as long-term capital gains. Capital gains have historically been taxed in this country at a lower rate for individuals, and they are taxed at a lower rate for good reason: Capital gains are the return on longer term investments and enterprises that create jobs. That is something that we have always wanted to encourage in this country. A lower tax on capital gains drives job-creating investment. According to the non-partisan Congressional Committee on Taxation, it increases wages over the long run. So by having a lower rate for capital investments, long-term investments in job creation, it will increase wages in the long run.

By the way, that is why Presidents Kennedy, Reagan, Clinton, and Bush all backed capital gains rate cuts. As President Kennedy said so well: A rising tide lifts all boats.

Second, we should realize that raising the capital gains rate doesn't translate directly into higher revenues. Why is that? It is because it is an elective tax. Think about it. You only pay it when you choose to sell an asset, when you choose to realize what is called a gain when you sell something. So you don't have to incur this tax. Common sense, economics, and experience teach that a higher capital gains rate causes some investors to hold assets rather than sell them, just as a lower capital gains rate will encourage more people to sell an asset because the rate will be lower. And this is what has happened: After every recent capital gains rate cut, in 1981, 1997, and 2003, capital gains revenues actually increased.

So you had a cut in the rate in 1981, 1997, and 2003, and what happened? The revenues actually increased: Lower rate, higher revenues. How could that be? Well, because with the lower rate people sold more assets and created more economic activity.

Capital gains tax rates increased between 37 and 114 percent over 4 years, and that is after inflation. By contrast, after a capital gains rate increase took

effect in 1987—that was talked about a moment ago—capital gains revenues actually dropped 55 percent over the next 4 years.

So we can debate what the rate ought to be, but the fact is to say that there is going to be a direct correlation between raising that rate and more revenue simply is not borne out by historical experience or by common sense.

Third, unlike other types of income, capital gains are often double taxed. Think about a typical capital investment, someone buying corporate stock—that is the most typical one, holding that stock for over 1 year—you have got to hold it for over 1 year—and then selling it for a profit. That gain has already been subject to a 35-percent rate at the corporate level. It is then followed by the capital gains rate, now at 15 percent, when the shareholder sells, for a combined 45-percent tax on that capital investment.

By the way, with global competitors such as Canada, Japan, the United Kingdom, and others moving to cut their corporate tax rates in order to create jobs, this new tax on capital investment would move the United States farther backward in terms of being competitive in the global economy. Our corporate tax rate is already higher than all of our major foreign competitors. As of April 1, Japan lowered theirs, making us No. 1 in the world in something you don't want to be No. 1 in, which is the highest corporate rate. We don't need new barriers to growth and job creation, and that is what would result.

Instead of an election year gimmick that won't help the economy, it is time to focus on fundamental tax reform to make American businesses and workers more competitive again, as the President's own Simpson-Bowles commission has recommended and as the President's own Jobs Council has recommended.

I agree with what former Clinton Budget Director Alice Rivlin said about the Buffett tax, which is the way to fix the Tax Code is to fix the Tax Code, not to add another complication at the margins. The Buffett tax is an election year distraction from serious reform. Why not focus on the elephant in the room—an outdated and complex Tax Code that is hurting our economy, weighing down our economy, making it harder for us to get out of the kind of doldrums we are in right now with this weak recovery.

I believe there is a consensus among economists and serious thinkers across the political spectrum, Republicans, Democrats, and Independents alike, that with an increasingly competitive global economy, we have to reform our Tax Code to help us get out of this rut we are in, this historically weak recovery that leaves too many people vulnerable, too many parents wondering if the future is going to be brighter for

their kids and grandkids, as it was for them.

I believe there is also a growing bipartisan consensus about how to do it, which is that we ought to do it by broadening the base—meaning getting rid of some of these growing credits and deductions and exemptions I talked about earlier, lowering the marginal rates on American families and on our businesses to be able to create jobs. That will ensure that those who can afford to pay more will pay their share—their fair share. And the economy will grow, a rising tide lifting all boats, truly helping families who are worried, for good reason, about their economic future.

The American people don't deserve more gimmicks, as we will see this week in Washington. They deserve real leadership.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, it is interesting that my Republican colleagues tend to refer to this as a tax gimmick. It was referred to as tax gimmick week because we are considering having people earning a quarter of a billion dollars pay a rate equal to what a truckdriver pays. That doesn't sound very gimmicky to me. That sounds like pretty Main Street fairness to me.

But the bottom line is there is a gimmick at stake. It is the gimmick in the Tax Code that allows for that to take place, that allows for a hedge fund billionaire to claim a lower rate than a truckdriver. So if there is a gimmick here, it is the gimmick we are trying to remove. It is not a gimmick that we are trying to pursue.

It has been said this is a tax on investment, a tax on job creation. It isn't. It is a tax on income, when it is declared as income. And if our purpose should be how to add back the jobs lost in the recession, we just passed a highway bill with 75 Senators supporting it, only 22 opposed—which, as we know around here in this partisan environment, is a landslide. It came out of the Environment and Public Works Committee unanimously. It had 40 amendments accepted, and now 3 million jobs are bottled up on the other end of this hallway in the House of Representatives because the Republican Speaker doesn't want to use Democratic votes. If you want to do something about jobs, tell the Republican Speaker to pass the Senate highway bill. It is as simple as that, 3 million jobs, bipartisan. So when we talk about jobs, I have a good recommendation: Pass the big highway jobs bill that is being kept bottled up here.

The other point I wanted to make on the question of whether the tax system is progressive, the IRS and the Federal Reserve point out that the top 1 percent in America in terms of wealth controls 33.8 percent of the Nation's

wealth, but the top 1 percent in taxes pays only 28.3 percent of the taxes when all taxes are taken into consideration. The top 5 percent controls 60 percent of the Nation's wealth, but the top 5 percent in taxes only pays 44.7 percent. So if you want to take numbers sort of without context, you can make it look as if it is very progressive, but when you measure against the wealth inequality in this country and the income inequality in this country, it is hard to say we actually are running a progressive tax system. And that is why, as Reuters reported, about 65 percent of taxpayers who earn more than \$1 million face a lower tax rate than the median tax rate for moderate-income earners making \$100,000 or less a year, according to the Congressional Research Service.

MATT RUTHERFORD'S SOLO SAIL

Mr. HARKIN. Mr. President, before the Easter recess, I came to the floor to talk about a truly remarkable American—a visionary, a dreamer, an adventurer, and, most importantly, a young man who has devoted himself to service to others far above and beyond the call of duty. The young man's name is Matt Rutherford, an Ohioan. He turned 31 about a week ago.

Here is what he has done in almost the last year. On June 13 of last year, this then-30-year-old young man got onboard a 36-year-old, 27-foot-long Albin Vega sailboat, a small sloop-rigged sailboat, and he set out on one of the most audacious adventures ever contemplated by any sailor.

He set out to circumnavigate the Americas, solo and nonstop. Here is what he did. On June 13 of last year, he left Annapolis on this small 27-foot sailboat. He sailed out of the Chesapeake Bay, he sailed up around Nova Scotia, Newfoundland, Labrador, all the way up by Greenland—all by himself—and then sailed the Northwest Passage, all the way through the Northwest Passage here.

If I remember right, he has been certified by the Scott Polar Institute in Cambridge, England; he has been recognized as the first person in recorded history to make it through the fabled Northwest Passage alone and nonstop in such a small sailboat. He came through the Northwest Passage, rounded Alaska, went from Alaska all the way down to Cape Horn.

Again, if you know anything about the treacherous waters of Cape Horn, you know someone in a small 27-foot boat probably doesn't have much chance of making it, but he did it. He went around Cape Horn, all the way up the coast of South America, up through the Caribbean, and today as I stand here and speak, he is just outside of the mouth of the Chesapeake Bay, off the coast of Virginia, the North Carolina-Virginia border, and is going

to make landfall this Saturday in Annapolis, 313 days after he started—solo, nonstop, never touched land. This is one of the most historic adventures ever undertaken by a human being, solo, nonstop, around the Americas—313 days in treacherous waters. He has not set foot on dry land for the entire journey. He has not stopped.

I have had the privilege of talking to Matt. I never met the young man—not yet—but I had the privilege of talking with him on his satellite phone just last week, when he said to me it would probably be the last phone call he would make because all of his equipment is now starting to fail. He said: It is like the boat is talking to me, and it knows the journey is almost over. His solar panels have died, his wind generator is gone, his engine doesn't work, and he is out of power. He is only under sail, he has no engine any longer, and he says that when big waves hit, the boat creeks and groans. He is just about to make it into the mouth of the Chesapeake Bay. What a tremendous adventure. Right now he is about 15 miles off of Kitty Hawk, NC. So 313 days after he began, he will make landfall this Saturday at the National Sailing Hall of Fame dock in Annapolis, MD. That will be the first time he will set foot on dry land in 313 days.

I am in awe of Matt's courage, his character, and his audacity to do this. He is in a class with a tiny group of explorers and adventurers, pathbreakers who defied odds to accomplish greatness. I think of Joshua Slocum, the first person to sail singlehandedly around the world. It took him 3 years. He covered 46,000 miles. He made many stops, but he did it between 1895 and 1898—the first known solo circumnavigation of the Earth. I think of Sir Francis Chichester, who sailed from Plymouth, England, in 1966, the first person to achieve a true circumnavigation of the world solo, from west to east, via the great capes. He did so in 226 days with one stop in Australia. I think of Dick Rutan and Jeana Yeager and their Voyager aircraft—now hanging in the Smithsonian—in 1986, the first to fly around the world nonstop without refueling. I think of the extraordinary feats of physical endurance and courage of Robert Peary in 1909, the first person to reach the North Pole; Roald Amundsen in 1911, the first person to reach the South Pole; and Sir Edmund Hillary in 1953, the first person to climb Mount Everest. Matt Rutherford now finds himself in this very exclusive company and club of audacious adventurers.

However, I would say Matt Rutherford has in important ways surpassed the feats of, say, Slocum and Chichester because Slocum and Chichester made stops during their voyages. Matt is accomplishing his voyage solo, nonstop, on a small 36-year-old boat, 27 feet long, best suited

for weekend sailors who do not want to venture outside of the Chesapeake Bay. As I said, the Scott Polar Institute in England has already recognized him as the first person in recorded history to make this sail solo through the Northwest Passage in a small sailboat.

Here, again, is where Matt is in a class by himself. Why is he doing it? Yes, he is going to set a very fantastic record. It has never been done before. But he is doing it to raise money for Chesapeake Region Accessible Boating—CRAB for short. It is an Annapolis-based organization that provides sailing opportunities for physically or developmentally disabled persons. You can see now why I am so interested, as the lead sponsor of the Americans With Disabilities Act. I am deeply impressed by the fact that Matt has undertaken this historic voyage in a cause larger than himself to make it possible for more people with disabilities to have the opportunity to experience and enjoy boating and sailing. One of the fundamental goals of the Americans With Disabilities Act is that people with disabilities should be able to participate fully in all aspects of society, and that includes recreational opportunities such as sailing, which can be exhilarating and empowering for children and adults with a wide range of disabilities.

I salute Matt for his courage. He is almost home. He will be here this Saturday. Here is the young man sitting on his boat. I assume that picture was taken when he was up in the Northwest Passage because he looks pretty cold, but he is a young man with extreme courage. What an audacious undertaking. People advised him no, that he could never do it, that the odds of him surviving through all these treacherous waters were very small, but he decided to do it nonetheless. He is setting a tremendous record. I salute him for wanting to share his love of sailing with the disability community, for using his adventure to raise awareness and expand access to sailing to Americans with disabilities.

I say to all, if you want to learn more about Matt and the mission, you can go to his Web site. It is very easy to remember; it is just solotheamerica.org, www.solotheamerica.org. You can go back and follow him through this entire journey around the Americas—solotheamerica.org.

I applaud Matt Rutherford for his vision and spirit. I wish him safe passage during this final leg of this epic journey. I hope to have the honor of meeting him and thanking him upon his return. Matt Rutherford is one of those remarkable human beings who dream big, driven by big challenges, who refuse to accept the limits and boundaries so-called reasonable people readily acknowledge, who put aside fear in order to accomplish great and good things, not just for themselves but for

others. That is Matt Rutherford. I again applaud him for his courage and for sticking with it. It is one of the great feats of ocean sailing that have taken place in the entire history of sailing the great oceans. He will be back this Saturday. As I said, we hope he has fair winds and a following sea for the next 4 or 5 days.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Mr. President, very soon the Senate is going to be voting on whether to invoke cloture on the motion to proceed to Paying a Fair Share Act of 2012, to enact the so-called Buffett rule. It is ironic that we would be debating that subject right now because there is so much work we ought to be doing that would actually address the fundamental problems our economy is facing right now.

If you look at the President's focus on this particular issue and you look at what his economic record consists of since he became President, here is what we are looking at. Gas prices are up 111 percent since President Obama took office. There are now 38 months in a row where we have had unemployment that exceeded 8 percent. We have seen college tuition go up by 25 percent. We have seen health care costs go up by 23 percent. The number of people on food stamps in this country is up by 45 percent. The Federal debt we are handing off to our children and grandchildren is up by 47 percent. That is this President's economic record.

It is ironic that we are here today talking about something even the White House admits is a gimmick that would do nothing to reduce the Federal debt, strengthen the economy, or move us toward the fundamental tax reform that is sorely needed for this country.

On April 1, just over 2 weeks ago, America claimed the dubious distinction of having the highest combined corporate tax rates among advanced economies when Japan implemented its corporate rate tax reduction. Yet, rather than debate how best to reform our Tax Code to help American companies compete in a global economy, we are instead spending our time on a politically motivated measure that everybody knows is not going to become law.

Before we consider why the Buffett rule is bad tax policy, let me start by acknowledging just how inconsequential this change in law would be. According to the Joint Committee on Taxation, the bill offered by Senator WHITEHOUSE would raise tax revenue by \$47 billion over the next 10 years. This means the legislation, if enacted, would raise each year about half of what the Federal Government spends every single day. Think about that for just a moment. President Obama has been flying around the country touting the importance of a proposal that, if enacted, would raise about half of 1

day's worth of Federal spending. So between now and this time tomorrow we will actually spend more Federal tax dollars than what this would bring in in an entire year. Put another way, the revenue this legislation would raise each year amounts to .03 of 1 percent of the \$15.6 trillion national debt—.03 of 1 percent of the Federal debt. This bill would raise less than 1 percent of the \$6.4 trillion in deficits projected over the next decade under the Obama administration's budget.

This bill is clearly not about deficit reduction or taking any meaningful action to get our fiscal house in order. What then is this legislation about? The President and many Democratic Members of Congress stated they believe the Buffett rule is about "tax fairness." Their view is that wealthy Americans are not paying their "fair share." Unfortunately for supporters of this legislation, the facts simply don't support that view.

According to the Organization for Economic Cooperation and Development, the United States already has the most progressive income tax system among its 34 member nations. In fact, in 2009 the top 1 percent of taxpayers by adjusted gross income paid 37 percent of all Federal income taxes even though they only accounted for 17 percent of all income. Let's take the top 5 percent of taxpayers. They paid 60 percent of all income taxes even though they only accounted for 32 percent of all income. In 2009, taxpayers with over \$1 million in adjusted gross income accounted for 10 percent of income reported but paid 20 percent of income taxes.

In terms of effective income tax rates, the Congressional Research Service recently reported that the average effective tax rate among millionaires is already 30 percent. It is true that some millionaires such as Warren Buffett pay a lower effective tax rate because they get a large percentage of their income from capital gains and dividends. The lower tax rate on investment income is not a tax loophole; it is the result of a deliberate policy by Congress and past Presidents to encourage new investments in our economy.

In fact, in 1997, Democratic President Bill Clinton signed into law a reduction in the capital gains tax rate from 28 percent to 20 percent. What was the result of that rate reduction? Taxable capital gains nearly doubled over the next 3 years. Unemployment fell below 4 percent, and the increased Federal revenue from capital gains realization held a Federal budget surplus.

But rather than learning the lesson that lower taxes on investment income lead to more investment, the Buffett tax would take us in the opposite direction. The Buffett tax is nothing more than a backdoor tax on the nearly 60 percent of all capital gains and divi-

dend income earned by upper income taxpayers. We can debate about how best to encourage new investments in clean energy and high technology or in other important sectors of our economy, but I hope we can all agree that raising taxes on these investments is not the best way to encourage them.

We should bear in mind that the current U.S. integrated tax rate is 50.8 percent, the fourth highest among OECD nations. It is bad enough that America has the highest combined corporate tax rate. Perhaps some supporters of the Buffett tax would also wish us to have the highest tax on investment income as well. Simply put, the Buffett tax is a solution in search of a problem. Wealthy Americans are already paying a huge share of income taxes. And for that small minority of wealthier Americans such as Warren Buffett who feel compelled to pay higher taxes to the Federal Government, I propose that we make it easier for them to do so.

Last October I introduced the Buffett Rule Act of 2011, which currently has 40 cosponsors here in the Senate. My legislation would create a box on the Federal tax forms that individuals or businesses could check if they wish to donate additional dollars to the Federal Government for debt reduction. We should make it as easy as possible for those who want to pay higher taxes to voluntarily make those payments, but let's not impose a new tax on entrepreneurs and small business owners who believe they can spend their own dollars better than Washington can.

Some have attempted to characterize this bill as a step toward comprehensive tax reform. When I say this bill, I am talking about the bill we are going to be voting on later. Unfortunately, it is exactly the opposite. Comprehensive tax reform is needed for many reasons, but one major reason is because we desperately need to simplify our convoluted tax system. How is a bill that adds a new layer of complexity to the Tax Code a step toward comprehensive tax reform? It is bad enough that we already have an alternative minimum tax that snares millions of American families. The Buffett tax, if it is enacted, would become an alternative alternative minimum tax. It would be a new layer of unnecessary complexity on top of an already existing layer of unnecessary complexity.

We should not forget that the alternative minimum tax was originally put in place back in 1970 to ensure that 155 wealthy Americans paid a higher rate of tax. Yet this year over 4 million Americans are going to be hit by the alternative minimum tax. In fact, if Congress does not act to enact the AMT patch for tax year 2012, the Congressional Budget Office projects that more than 30 million Americans will be subject to higher taxes due to the alternative minimum tax. Clearly

Congress's record of targeting tax increases at only the very wealthy is not very good.

The Obama administration has stated that its intent is for the Buffett rule to replace the existing alternative minimum tax. Yet according to an analysis by the Joint Committee on Taxation, replacing the existing AMT with the Buffett tax would add nearly \$800 billion to the deficit over the next 10 years. It is time for the gimmicks to stop and the Senate to get serious about the real tax issues that are facing us. The reality is we have a \$5 trillion tax increase over the next 10 years—the largest tax increase in our Nation's history—staring us in the face come next year. If we don't act to extend the lower individual tax rates, the lower estate tax rates, the lower rates on capital gains and dividend and other expiring provisions, our economy will face a tax increase of over \$400 billion in 2013.

Allowing 2001 and 2003 tax rates to expire would be an enormous tax increase on our economy equal roughly to 2.5 percent of the GDP. According to the Congressional Budget Office, allowing the new tax increase to go into effect would slow GDP from 0.3 percent to 2.9 percent. That would mean a loss of at least 300,000 jobs and could mean the loss of as many as 2.9 million jobs. This massive tax increase could mean the difference between a sustained economic recovery and falling back into recession.

Yet here we are today discussing a bill that would not extend tax relief for hard-working Americans. It would not forestall a massive tax increase on our economy. The bill before us would do one thing and one thing only, and that is target higher taxes on a smaller subset of our population in order to serve a political purpose. It is time to end the class warfare of pitting one group of Americans against another and instead move forward with ensuring that tax relief is there for all Americans. I hope that once the cloture motion fails later today, we can pivot to what most American people want us to do and that is to enact measures that grow the pie, to expand our shared prosperity rather than the politics of envy and wealth redistribution.

The opportunity cost of all of these tax-the-rich proposals offered by our Democratic colleagues—whether the millionaire surtax or Buffett tax—is that they distract us from what should be our focus, and that is fundamental tax reform.

The former Director of the CBO, Doug Holtz-Eakin, recently released a study where he estimated that comprehensive tax reform could raise the rate of GDP growth by at least 0.3 percentage points annually. This faster rate of GDP growth would result in increased Federal revenues in the range of \$80 billion to \$100 billion each year,

much more than the Buffett tax is projected to raise.

So I will say to my Democratic colleagues, if you want tax policies that raise more Federal government revenue, broad-based, comprehensive tax reform is the way to get there. But, of course, tax reform is going to be difficult and it will require Presidential leadership as much as it required Presidential leadership back in 1986. It is easier to promote measures such as the Buffett tax that do nothing to improve our tax or our economy but that make for a good 30-second political ad.

I understand why some of my colleagues want us to have this political debate today, but I hope we can move quickly to real progrowth tax reforms. That would be the best means by which to promote real tax fairness for all Americans. I believe all Americans want to see this Congress working in a way that expands the pie, not redistributes it.

We should be looking at ways we can grow the economy and make and create more jobs for more Americans, raise the standard of living, quality of life Americans enjoy in this country. It is clear the one way not to do that is to raise taxes on the people who invest and create jobs in this country, and that is precisely what this particular tax would do. It is the wrong approach. It is clearly motivated by political purposes, nothing more than to create a good 30-second political ad in an election year. If the American people see through this, they understand what plagues Washington, DC, is not a revenue problem, it is a spending problem.

For those who want to pay more, we have a way of doing that. Let's enact legislation that allows people in this country who have that kind of income to be able to check a box to contribute more in tax revenue toward tax reduction, but let's not impose and require and mandate these types of taxes on the people in this country who are creating the jobs and have an opportunity to help us grow this economy and put more people back to work. After all, that is what the American people want us to be focused on.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask to speak as in morning business.

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

MONTANA NATIONAL GUARD

Mr. BAUCUS. Mr. President, tomorrow 145 Montana Guardsmen will kiss their husbands and wives, hug their children, say goodbye to their friends, and get on a plane from Billings, MT to Afghanistan. Two weeks from today 95 more Montanans will do the same. Together these 240 Montana Guardsmen are in the long line of thousands of Montanans to deploy since 9/11. More

Montanans signed up for service after 9/11 than any other State in the country per capita. Since then, 6,668 Montana Guardsmen were deployed. Montana's Guard has deployed at among the highest rate in the country.

Each and every deployment requires enormous sacrifices from the Guardsmen themselves, their families holding down the fort at home, their employers, and entire communities. They make these sacrifices quietly. They perform their missions with excellence, professionalism, and without bragging. So I want to do a little bragging on their behalf and salute each and every one as they prepare for combat.

The 484th Military Police Company leaving tomorrow is based in Malta, Glasgow, and Billings. Their mission will be to help train the Afghan national police. They will be immersed in the Afghan culture, working hand in hand with the local officers deep in the heart of the city precincts. What an incredibly important and challenging task, and they are ready.

They have been training hard for this job for more than a year. Many of them will bring invaluable experience in civilian law enforcement that will be critical to this mission.

The 260th Engineering Support Company will also leave Montana April 30 for a year-long tour in Afghanistan. The unit is from Miles City, Culbertson, and Sidney. They will perform the dangerous mission of clearing explosives off roads and protecting U.S. convoys from Taliban attacks. The 95 members of this unit have received specialized explosive training and they are ready to go.

This past February 60 members of the Bravo Company 1st of the 189th General Support Aviation Brigade left Helena for a tour in Afghanistan. Their unit flies and maintains six CH-47 Chinook helicopters and has a lifeline of supplies, ammunition, food, and water for air troops. They help get the troops where they need to go to accomplish their missions quickly and safely.

Last March, 12 Montana Guardsmen returned from duty in Iraq and Kuwait. They flew C-12s, getting troops where they needed to go to accomplish top-priority missions.

In 2011, nearly 100 Montana troops deployed again to Iraq. They were Charlie Company 1st of the 189th, and they were among the last of the combat troops on the ground. They provided medevac support for the famous road march that brought our troops out of Iraq from Camp Adder, near Nasiriyah, to the Khabari border crossing into Kuwait.

In 2010, more than 600 Montana Guard troops served in Iraq, and thousands more had deployed there in previous years.

Our Air Guard has been busy. In 2010, 99 members of the Red Horse squadron, an engineer unit, spent a year working

in Afghanistan. They built about every kind of structure you can imagine to support the mission on the ground, from fixing airfields, so our troops could land and take off safely, to constructing observation towers vital to intelligence on the ground, to drilling wells to bring water to some of the most dangerous parts of the country.

At the same time, dozens of Montana airmen have deployed to support the Air Sovereignty Alert in the Pacific. They are our first line of defense in the Pacific, on call 24 hours a day, 7 days a week.

On top of all this, 53 Montana Airmen deployed individually to support missions over the course of the last year in Bahrain, Cuba, Djibouti, Kuwait, Kyrgyzstan, and a number of other locations around the world.

The Guard has their mission at home as well. When flooding hit Montana last week, the Montana National Guard troops were some of the first folks to respond with a helping hand. When Highway 12 was washed out, the town of Roundup basically became an island. The Montana Guard was their bridge, carrying supplies back and forth.

It is an understatement to say these guys are busy. They are volunteers, and they are balancing their military service with their civilian careers at home. We can't thank them enough for what they are doing.

It is hard to capture the nature of their service unless one has seen it firsthand. During my visit to Afghanistan, I was so impressed by the service and professionalism of our troops serving there. They were remarkable.

One brief story from a guardsman serving in Iraq in 2011 captures the spirit of who those men and women are. Montana Specialist Chvilicek was serving as a medic in a convoy near Balad. His convoy hit an IED which cut Specialist Chvilicek's arm and ear with shrapnel. Instead of attending to his own wounds, Specialist Chvilicek immediately sprang into action, providing medical care to his fellow soldiers. That is remarkable, but it is not uncommon. That is exactly the kind of spirit these troops have.

Our Nation has been at war now for more than 10 years. These men and women represent the 1 percent of our country serving in the military who are bearing a very heavy load for the rest of us.

Montanans do not take these men and women for granted. Friends, families, neighbors and communities show up to wish them well when they deploy and greet them when they return home. They send care packages overseas and fill in as babysitters here at home. They provide hands to hold and ears to listen.

To every Montanan serving as part of that support system and to every employer of a national guardsman: thank you for what you do.

Last year I had the honor of attending a deployment ceremony in Helena. A mother told me about what it was like when her husband was deployed.

To sum up what she said: It's not easy for these families. For months, there is one fewer helping hand around the house to help out with the car-pools, the homework, the leaky faucets, the lawn mowing, and everything else that goes into raising a family day to day.

Our military families shoulder a heavy load to support the loved ones who deploy. But you will never hear them complain. They are proud of their service.

It is our job to do our part to make sure our troops and our families are taken care of when they come home. A big part of that is making sure they have jobs to come home to. Recent unemployment figures show that 9.1 percent of current or past members of the Reserve or National Guard were unemployed. In Montana that number is as high as 20 percent for our troops returning from Iraq and Afghanistan. We need to work hard to bring that figure down.

I was proud to work on getting a tax credit to help businesses hire our veterans.

And this week I am meeting with representatives from the Military Officers Association of America to discuss more ways we can help.

One important piece is simply getting the word out. With the help of the Iraq and Afghanistan Veterans of America the Employer Support of the Guard and Reserve, the American Legion, and the Veterans of Foreign Wars, we can make sure that both veterans and employers know about it and take full advantage of the credit.

In 1776, Thomas Paine wrote: "These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands by it now, deserves the love and thanks of man and woman."

The Montana Guardsmen leaving this month, their families and entire communities, will face a true trial in Afghanistan. We thank them deeply for their service and sacrifice.

To every Guardsmen deploying tomorrow: Thank you for your service. And good luck. Please know you are on our minds and in our hearts each and every day.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I have risen many times over the past 3 years to talk about the bad policy choices of the Obama administration and the harmful effects of these policies on our economy and on the American people.

In many ways, the President's decisions have made things worse in our

country. The bill before us today would impose what is being called the Buffett tax. It is just one more example of a policy that will hurt our economy, not help it. This tax will take money from the pockets of small businesses that they would use to create jobs. More than one-third of all business income reported on individual returns would be hit by this tax increase.

Back in September President Obama said this tax hike on American families would raise enough money not only to pay for his increased spending but it would "stabilize our debt and deficits for the next decade." Back then he said: "This is not politics; this is math."

Of course, we now know the Buffett tax is only about one thing: politics. The increased tax revenue would amount to about \$5 billion this year, which is about the same amount of money Washington will borrow over the next day and a half. The President would have to collect his so-called Buffett tax for more than 200 years just to cover the Obama deficit from last year alone. That is not just my math; that is the math from the Joint Committee on Taxation.

The Buffett tax will not fix Washington's debt because Washington doesn't have a revenue problem; it has a spending problem. Even one of President Obama's top economic advisers finally admits the Buffett tax will not "bring the deficit down and the debt under control." Based on his record, it is clear the President would not put a single dollar raised by his new tax toward the debt. He will just spend it.

So the President has now changed his story once again. Now he says this is no longer a way to pay down the deficit. Now he says it is just a matter of fairness.

President Obama has been using the word "fair" in quite a few of his campaign speeches lately. It is a word of great appeal to most people. Just like "hope" and "change"—the buzz words of the 2008 Presidential campaign—people can interpret it to fit their own meaning. President Obama's idea of fairness doesn't match up with the American people's idea of fairness.

Senator MCCONNELL earlier made reference to an editorial I wrote in Investors Business Daily. President Obama thinks it is fair that our children and grandchildren will be burdened with debt because of Washington's reckless spending, such as borrowing 42 cents of every \$1 it spent so far this year. President Obama thinks it was fair to pile another \$40,000 of debt onto every household in the United States over the last 3 years.

President Obama thinks it is fair to use college students as props for his campaign-style rallies without explaining how his bad policies will leave them in debt. President Obama thinks it is fair to force hard-working tax-

payers to subsidize a wealthy person's purchase of a hybrid luxury car because it fits into his idea for American energy.

President Obama thinks it is fair to hand out hundreds of millions of taxpayer dollars to politically connected solar energy companies that then go bankrupt. President Obama thinks it is fair to tell thousands of workers they will not have jobs because he has blocked the Keystone XL Pipeline. Why? To solidify his support with a few far-left environmentalists.

President Obama thinks it is fair that more than half of his biggest fund-raisers won jobs in his administration. That is right, more than half, which has been reported in the Washington Post. President Obama thinks it is fair to give important jobs to people who fail to pay their own taxes, such as his own Treasury Secretary.

Apparently, President Obama thinks it is fair that 3 years of the Obama economy have left us with more people on food stamps, more people in poverty, lower home values, higher gas prices, and higher unemployment.

There are many ways in which the American people's understanding of "fairness" differs from the way President Obama has been using the word. To the vast majority of Americans, "fair" means an equal opportunity to succeed. To President Obama, "fair" requires nothing less than a total equal outcome regardless of effort.

To most Americans, fairness allows for the pursuit of their own dreams. It also recognizes that no man and no government can provide a guarantee of success.

The waves of immigrants who have come to our shores over generations did so for freedom and for a chance to succeed. They did not come to be taken care of and to have every decision made for them by the government. That is what many of them were leaving behind.

When President Obama pushes for equal outcomes instead of equal opportunity, he is trying to pit one American against another. He is telling people it is not fair that someone else has something they don't have. That may be a clever campaign tactic, but it is not true, and it is bad for our country. One person getting more does not mean someone else has to get less. In America, it is possible for all of us to prosper. That is what made America different from the very beginning—the prospect that all of us can do better—not at the expense of our neighbors but by our own effort.

There is something that threatens to keep all of us from success. It is the thing that threatens to keep us all from passing on to our children the hope for their own prosperity. It is the crushing debt, the debt this administration has been forcing onto the backs

of American workers. It is the mountain of bureaucracy that stifles American opportunity.

The old maxim says that a rising tide lifts all boats. President Obama seems to think it is better to put holes in all of the boats as long as that means they are all equal in the end. That is what he seemed to be saying in 2008 during one of the Democratic Presidential debates.

Moderator Charles Gibson asked then-Senator Obama why he favored raising taxes on capital gains. Our history clearly showed that when the tax rate has gone up, government revenues actually went down. Senator Obama said he wanted to raise taxes anyway “for purposes of fairness.”

In the name of achieving what he considers to be fair, the President was willing to hurt millions of hard-working families who already paid taxes on their income—families who invested some of that income and now would have to pay higher taxes again when they decide to sell some of those investments. The President didn’t even care if Washington ended up with less money as a result of his efforts to punish success. The only important thing was that he thought it would be more fair.

That is a pretty extreme definition of what “fair” means, and it is not one the American people share. In any fair society, doing better should be a consequence of one’s efforts. To President Obama, fairness means getting something for nothing.

The American dream is about people using ingenuity, ambition, and hard work. It is about overcoming obstacles. Americans admire the inventor who works long hours in the garage, building and failing and trying again and again until this inventor succeeds. Americans speak with pride about having worked their way through college washing dishes, pouring concrete, flipping hamburgers—whatever it took for them to reach their goals.

Most Americans don’t speak with pride about being bailed out by Washington or cashing a government check. The idea of people earning their success has been a vital part of our Nation’s character since our founding. It does not come from government. It cannot be redistributed.

The more government tries to redistribute success, the more strings it attaches because a handout from Washington always comes with strings attached.

The President’s health care law is a perfect example. It is built on shifting millions of people onto Medicaid, a program designed to take care of low-income Americans. Putting more people on Medicaid is not the same as giving them access to the medical care they need.

Giving people unemployment benefits and funding short-term stimulus

jobs is not the same as freeing up employers to hire more workers and providing long-term jobs and actual careers. Handing out benefits from Washington may provide a safety net in the short run, but when the short run turns permanent it robs people of the tools and incentives they need to succeed. It does even greater damage to our economy when President Obama pays for it by piling more debt on the backs of American taxpayers.

We all recognize the value of the social safety net. None of us—I repeat, none of us—wants to eliminate that protection. To be true to this country’s greatest traditions, it must be a real safety net to catch people who are falling. It must never become a net to entangle them so they cannot rise nor a comfortable hammock on which they choose to recline.

Somewhere along the way Washington twisted the honorable American impulse to care for the most vulnerable among us. That shift now threatens to produce a culture of dependency that weakens our society and hurts the people it was meant to help.

A half century ago, John F. Kennedy appealed to the great spirit of America when he said:

“Ask not what your country can do for you, ask what you can do for your country.”

Today, the Obama administration is trying to make Washington irreplaceable in the lives of Americans. The great irony, the great tragedy, is that no one is more trapped by this failed redistribution than the poorest—the people the President so often claims to be trying to help. That is part of the downside to the culture of dependency. It is why Washington can never provide for people as well as people could and should provide for themselves.

President Obama is focused on fixing all of the faults he sees in the American people. Republicans are focusing on giving the American people the opportunity to succeed using their talents and their hard work. When Washington tells people: Don’t worry; your government will take care of all your needs, it does them no service. It only deprives people of their freedoms to make their own choices, to stand on their own two feet, and to earn their success.

The American people don’t want Washington to pick winners and losers. They want a fair chance to win on their own. That is why they are asking for a clear and limited set of rules and the assurance that those rules apply to all of us, even those who donate to President Obama’s reelection campaign. They are asking that the rules not change on the whims of some unelected bureaucrat in Washington. They want to know they still have the right to control their own choices.

President Obama says it is fair for Washington to make the decisions so that everyone is equal in the end. He

says it is fair to take more money from hard-working families and small businesses through the so-called Buffett tax we are debating today.

Tax increases will not help our fragile economy, and they will not put the brakes on Washington’s out-of-control spending. Republicans want to promote economic growth for everyone, not equality of outcome at everyone’s expense.

Despite what President Obama may believe, America is not an unfair place. True fairness requires equal opportunity so all may pursue their American dream. That is what America was founded on, and that is the philosophy that must be allowed to lead us to a more prosperous future for all.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore, The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise to speak on the Buffett rule. How much time is allocated to me?

The ACTING PRESIDENT pro tempore. There is 18 minutes remaining on the Senator’s side of the aisle.

Ms. MIKULSKI. Mr. President, I will take no more than 5 minutes.

I support the Buffett Rule because I do believe in fundamental fairness that if people live in the United States of America, if they benefit from the United States of America, both its national security and its public institutions, and the public progress because of that—such as public education, land-grant colleges—they need to pay their fair share. This is what America is all about, fairness. And we are all in it together.

I have heard all afternoon about, oh, this hard-working entrepreneur, and, oh, this hard-working small business person. Nobody gets to be that hard-working entrepreneur without the United States of America. They have gone to public schools. They have enjoyed public transportation. I could go through a variety of public institutions—safety in our dams, now cybersecurity, wars that are fought by our military for which they will not go or will never go. So we need to have a way of paying our bills.

When we hear the great President John F. Kennedy quoted saying: “Ask not what your country can do for you, ask what you can do for your country,” it is called pay your share.

Let’s talk about what the Buffett rule actually is and what the Senator from Rhode Island is advocating—and I salute him for offering it. This would ensure that high-earning Americans who make more than \$1 million a year pay at least 30 percent income tax on their effective rate on their second \$1 million.

Let me repeat what this is. People’s first \$1 million they keep at the same tax rate it is right this afternoon. What we are talking about is changing the tax rate not on their first \$1 million but on their second \$1 million. I do

not think that stifles entrepreneurship. I do not think it breaks the neck of small business.

I know so many small businesses. They like to make that million bucks and then pay that. What the small business needs is not more tax breaks; they need more customers, which is about more jobs.

I think this bill talks about this fairness. It would phase in additional tax liability for taxpayers earning between \$1 million and \$2 million to avoid a tax cliff, and they are saying: Oh, well, let's keep our money so we can give it to charity. This preserves the incentive for charitable giving.

Quite frankly, from what we are told, the highest earning 400 Americans make about \$270 million each. They are the ones who paid an effective tax rate of 18 percent. Just think, they make \$270 million. That is not exactly the entrepreneur in a garage. That is not exactly that small businessperson, a florist, or like my grandmother running that Polish bakery or like my father with his little grocery store.

Mr. President, \$270 million each—they pay 18 percent. So here it is April 16, they paid 18 percent. That, by the way, is the rule. All we are saying is they can pay that 18 percent on their first \$1 million, but on that second \$1 million they have to get into the game and start to pay 30 percent.

I think this is a great idea. I want my colleagues, when we vote for cloture, to be able to do this. The Buffett rule supports fairness in the Tax Code so executives do not pay a lower rate than the people who work in the mail room or on the FedEx trucks delivering their products. It does support prosperity and entrepreneurship. As I said, it does not kick in until their second \$1 million, and then it is phased in slowly.

A lot of people are saying: We do not want these handouts from the Federal Government. It wrecks our entrepreneurship, our get-up-and-go.

I do not believe that. I do not believe that at all. If that were true, then why is it who gets the biggest handouts in our country but those who get tax earmarks. We eliminated them in the Appropriations Committee, but we are yet to eliminate the tax earmarks in the Tax Code.

Look how hard it was to get rid of the ethanol subsidy. Oh, my God. When we wanted to get rid of the oil and gas subsidy, one would think we were Darth Vader on the Senate floor.

So every time we want to take away a lavish tax break that only helps a few get more, we are stymied or stifled. Actually if they employed as many people in their businesses as they employ lobbyists in Washington, we would be able to lower the unemployment rate.

So the other party was willing to bring us to the brink of default—remember when we were dealing with the debt ceiling—rather than tax billion-

aires. We continue now to have that same fight. This legislation we would pass is a modest downpayment on reforming the Tax Code. We do have to make it fairer, but this is a firm way to be able to do it.

Sure, we have to look at the corporate tax code. We have to look at how to bring expatriated money overseas back home. Yes, we have to look at rates. Yes, by the way, we have to reward entrepreneurship and acknowledge the special challenges of being a small- and medium-size business. But that is long range, and under the arcane rules of our Senate we are now so stymied in bringing up that legislation.

We could at least take one giant step forward to make our Tax Code fairer by passing the legislation called the Buffett rule, named after Warren Buffett, one of our great American people, a guy who gives capitalism real meaning in our country. He says: Let me pay, and people like me pay, the same rate of taxes as my administrative assistant in the front office.

I think Buffett had a good idea. Let's codify it. Let's pass it in the Senate today.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, let's ask ourselves a question. What is the purpose of taxes? Do we tax people to punish them for their success or do we do it to raise revenue for the government? Well, the answer is, of course, at least up to now, the purpose of taxes is to raise the revenue the government needs to perform its duties and to do that in the least harmful way possible.

President Obama, however, has a different idea about the purpose of taxes. He thinks the government should take more from some people just because they are rich, even if the tax increases hurt the economy.

So this week the Senate will vote on what is called the Pay A Fair Share Act or, as described by President Obama, the Buffett tax. This legislation would create a new 30-percent alternative minimum tax for filers who make \$1 million or more, which would include many successful small businesses. Unfortunately, the legislation would hurt small businesses more than it would raise revenue for the government.

Today I want to talk about why this legislation is fundamentally misguided and why it would be harmful to businesses, workers, and the economy. The Buffett tax may make for good politics for President Obama on the campaign trail, but it is bad policy. It is deeply flawed.

First, let's start with its premise. There is a key misconception about Warren Buffett's tax rate. The notion that Mr. Buffett pays a lower tax rate than his secretary is based on a fundamental misunderstanding of the Tax Code.

Mr. Buffett—and, I would add, many older Americans—obtains most of his income from investments. That income is taxed at the capital gains rate. Mr. Buffett and President Obama would have us believe capital gains income gets preferential treatment in the Tax Code, but that does not tell the real story.

Capital income is actually taxed twice. First, it is taxed at the 35-percent rate that corporations pay on their income—it is taxed; the money is paid to the government—and then it is taxed again when the distribution of capital gains or dividends is made to the investors, when it is passed on to shareholders as dividends or capital gains. That means the tax rate is already far higher than 30 percent. It is actually not exactly 30 plus 15 percent, but it is higher than 30 percent, and it is closer to 45 percent.

President Obama ignores these facts when he says Mr. Buffett pays a lower tax rate than his secretary. We have to count it twice, not just the second time.

That leads me to my second point: the fairness of the current Tax Code. Does it really favor the wealthy at the expense of others, as President Obama argues? Perhaps one could cherry-pick some random statistics to show that one person or another pays more or less, but the actual tax numbers show the real progressivity of the American Internal Revenue Code. Interestingly enough, among all the industrialized countries in the world ours is the most progressive.

In other words, the U.S. income-tax code has the wealthier people paying a far higher percentage of income taxes than any other country in the industrialized world—yes, even more than Sweden and even more than France and even more than the other countries in Europe.

According to Congressional Budget Office data, the average tax rate paid by middle-income Americans is 14.2 percent. In contrast, the average tax rate paid by a high-income American is 31.2 percent, more than twice as much. So the average tax the secretary or somebody else like that might pay is 14.2 percent. The average tax paid by high-income Americans is 31.2 percent.

Incidentally, President Obama's effective tax rate this year is 20.5 percent. Should he be paying more or is that enough? He has a tough job.

Here are some other interesting tax facts. The top 1 percent of taxpayers pays 38 percent of total income taxes—actually, I think these numbers are dated; it is now closer to 40 percent—and that top 1 percent of taxpayers only earns 20 percent of the total income.

So here is the question of fairness: We have the top 1 percent—they are the top 1 percent because they earn the top 20 percent of all income, the top

fifth, but they pay almost twice as much in taxes, 38 percent in total income taxes.

How about the top 2 percent of taxpayers? Well, they pay 48.68 percent—nearly 50 percent, in other words—of income taxes, and they earn 27.95 percent of total income. So we have the top 2 percent paying almost half of all income taxes. Is that fair?

The top 5 percent pays 58.7 percent; earns 34.7 percent. The top 10 percent pays 69.9 percent—let's say 70 percent—so we have the top 10 percent of taxpayers paying 70 percent of all the taxes, earning 45 percent of the income.

Well, those are certainly the wealthy, and they are certainly paying a big share.

How about the less wealthy? Well, the bottom 95 percent—in other words, everybody but the top 5 percent—pays 41.3 percent of income taxes; earns 65 percent of the income. Is this fair? Maybe it is not fair that the top 2 percent pays almost half of all the income taxes. How much would be fair? Should they pay 90 percent, 95 percent?

How about the 50 percent of households that pay no taxes and yet receive the same or greater benefits than those who do? Is that fair?

The Joint Committee on Taxation estimates that 51 percent of all households, which includes both filers and nonfilers, had either zero or negative income tax liability in 2009. People who do not share in the sacrifice of paying taxes have little direct incentive to care whether the government is spending and taxing too much. Maybe that is why the President has no problem with even more Americans getting a free ride.

Here are a few more statistics. The highest 1 percent of income earners have not seen the share of the income tax burden decline. In fact, their share of income is essentially the same as it was in 2000, but their share of taxes paid is higher. Collectively, only taxpayers with incomes greater than \$100,000 a year pay a share of taxes that is greater than their share of income.

Actually, I think it is hard to argue that our current Tax Code that taxes the wealthy to such a high degree is unfair. While the President says it is not fair, I find it interesting that his own Treasury Secretary seems to agree that the current system is fair.

Let me read a portion of the transcript from a Finance Committee hearing with Secretary Geithner earlier this year. I asked him: Do you think it is fair that the top 1 percent of earners in the United States pays just about 40 percent of the income taxes? Secretary Geithner's response: I do, because I do not see how the alternatives are more fair. Next, I asked him if he thought it was fair that the top 3 percent pays as much as the other 97 percent of taxpayers in income tax. Secretary Geithner responded, "Again, I do." So

if we want an income tax system that is fair according to the Obama administration's own standards, we already have it. The argument that top-tier earners are not doing enough just does not hold water.

The third problem with the Buffett tax is that it would harm many small businesses. According to the most recent Treasury Department data, 392,000 tax returns reported income of \$1 million or more. Of those, 331,000 reported business income and 311,000 met the Treasury's definition of "business owner." So this is a tax that would disproportionately affect small businesses and other job creators.

Four out of five tax filers that would be affected by the Buffett tax are the very businesses we are counting on to lead us back to an economic recovery. If enacted, these tax increases would have a negative effect on employers trying to create jobs. And this is not just my opinion. Take, for example, the International Franchise Association, which recently said this: Franchise business owners could be significantly challenged to grow and create new jobs as a result of the Buffett rule, a tax increase on individuals and small business owners.

It continues:

Taxing job creators will seriously impede the ability of franchise businesses to expand their operations and to create new jobs, particularly multi-unit franchise operators and the majority of franchise businesses who file their business income on their own personal tax return.

So these are the very folks the Treasury Department identified as paying taxes as individuals but who are, in fact, business owners.

Under current law, a massive tax increase on income, capital gains, and dividends is already set to occur on January 1 of next year. In addition, under ObamaCare, some Americans will be hit with a 3.8-percent investment surcharge beginning next year. Imagine what all of these taxes will do to small businesses and startup companies.

But that is not enough new taxing for President Obama in his war against investments and success. According to economist Stephen Entin, tax increases on capital are some of the most destructive to the economy. He estimates that tax hikes on capital gains, dividends, and the top two individual tax rates, which are already scheduled to occur in 2013, will shrink the economy by 6 percent, will lower wages by 5 percent, will decrease capital stock by almost 16 percent, and will lose the Federal Government almost \$100 billion in tax revenue.

Adding an additional Buffett tax on capital will only decrease wages and economic growth even further. Why is this? Because high taxes on income, particularly investment income, depress capital formation. There are

fewer investments, which damages the abilities of businesses to grow, to create jobs, or to pay higher wages.

I challenge my colleagues to ask a roomful of economists this question: Does increasing the cost of capital lead to higher or lower economic growth and job creation? Well, the answer is obvious. As President Kennedy said when he endorsed a capital gains tax cut, "The tax on capital gains directly affects investment decisions, the mobility and the risk flow of capital, as well as the ease or difficulty experienced by new ventures in obtaining capital and thereby the strength and potential for growth in the economy."

It is also important to remember that we are not making tax policy in a vacuum. We are competing for capital and investments with every other nation on Earth. The President has conceded that our high corporate tax rate harms our international competitiveness and has expressed tepid support for lowering it. But those benefits would be erased if capital gains taxes are increased dramatically.

As the Wall Street Journal points out, "Lowering the corporate tax rate makes the U.S. more competitive, but the tax change is self-defeating if it's combined with an even larger rise in the investment income taxes on capital gains and dividends."

According to a recent Ernst & Young study, the integrated tax rate on capital gains is already over 50 percent—50.8 percent to be exact. That is more than twice the rate in China, for example.

If Congress does nothing, capital gains rates will rise again to 56.7 percent next year. That is the second highest in the world. If the Buffett tax increase is layered on top, taxes will consume almost two-thirds of capital gains, and we will have the highest integrated rate by far of any of our international competitors. We have to remember that in a mobile world economy, capital is highly mobile. Does anyone believe that such a confiscatory capital gains rate imposed by the Buffett tax would not lead to less investment in the United States and more in other countries? As somebody said, this is not just shooting ourselves in the foot, it is shooting ourselves in the head.

Let me address President Obama's suggestions that the Buffett tax somehow constitutes fundamental tax reform and that President Reagan would have supported it. I think I can imagine President Reagan responding: Well, there you go again.

The Washington Post has a Fact Checker op-ed, and here is how they set the record straight on President Obama's claim that he was pushing the same concept—his words—as President Reagan:

Contrary to Obama's suggestion that President Reagan was specifically arguing

for a new tax provision aimed at the super-wealthy, Reagan was barnstorming the country in an effort to reduce taxes for all Americans, mainly by cutting rates, simplifying the tax system, and eliminating tax shelters that allowed some people to avoid paying any taxes at all. In other words, Reagan was pushing for a tax cut for everyone, not just an increase on a few.

Obama and Reagan did use similar anecdotes—and even the phrase “fair share”—but in service of different goals.

President Reagan’s tax reform should never be confused with a harmful political gimmick such as the Buffett tax.

I would like to show how higher capital gains taxes have a negative effect on revenue.

Ever since the bipartisan capital gains cut in 1978, a pattern has repeated itself over and over: Raising the capital gains rate reduces revenues. Lowering it has led to revenue increases. That is partially because capital gains taxes are an elective tax. The tax is only paid when investors sell their assets. And frequently they wait to sell their assets for the rates to go down when it will cost them less to sell those assets.

The Wall Street Journal recently produced a chart to this effect, and I am just going to summarize it.

In 1978 President Carter signed an amendment into law that cut the capital gains rate from 40 to 28 percent. What was the result? Less revenue? No. Revenue from capital gains increased by nearly \$3 billion, and yet the rate was reduced.

Congress cut the capital gains rate again to 20 percent in 1981 as part of the Reagan tax cuts. As the Journal notes, revenue did not fall in 1982. By 1983 capital gains revenues soared to \$18.7 billion: Lower rate, higher revenue.

In 1986 the capital gains tax rate was returned to 28 percent as part of the tax reform package. Guess what. Revenues soared as investors cashed in their gains before the tax increases hit and then plunged in 1987.

The point is investors get to play. They get to decide. When the rate goes down, they can sell their property with less cost. When the rate goes up, they hang on to their property. They do not sell it because they will have to pay more when they do.

In 1997 President Clinton and congressional Republicans cut the rate back to 20 percent, and revenues from capital gains doubled by the year 2000 to \$127.63 billion.

The Journal notes:

Congress shouldn’t be fooled by government forecasters who predict a revenue boost from a higher capital gains rate. They’ve blown this call every time.

My last point addresses what the Buffett tax would do for the Federal debt. The answer is next to nothing.

Let’s examine the nonpartisan Joint Committee on Taxation’s estimate of the revenue that would be raised from

the Buffett tax. Bear in mind that these estimates do not include the effect on economic growth, which could dramatically reduce rather than raise Federal revenues, as history has shown. But let’s take the score at face value. Even without counting the negative impact on the economy, the Buffett tax would raise a mere pittance in the scope of Federal budgets.

When President Obama first proposed the tax, he declared that “it could raise enough money to stabilize our debt and deficits for the next decade.” He said, “This is not politics, it’s math.” Well, let’s look at the math. The Joint Committee on Taxation estimate shows that the Buffett tax would raise only about \$1 billion this year. So instead of a deficit this year of \$1.079 trillion, we would have a deficit of \$1.078 trillion. That does not exactly raise enough money to stabilize our debt and deficits for the next decade, as the President said.

Over the first 5 years, the Joint Tax Committee shows that the Buffett tax would collect about \$14.7 billion. To put it in perspective, that will amount to less than .08 percent of the projected national debt in 5 years. And in the year 2014 the proposal is estimated to actually lose over \$6 billion in revenue. Why is this? Again, because capital gains taxes are largely voluntary. The investors targeted by the Buffett tax are generally able to decide when to sell an asset. They can manipulate their sale to stay below the triggering threshold of \$1 million in the bill. This produces a lock, in effect, on capital as investments stay stagnant. So what is the end result? Little if any revenue is actually raised. Business investments decline. In turn, wages and hiring decline.

Again, if the purpose of taxes is to raise needed revenue rather than punish people, this bill completely flunks the test. So while this proposed tax increase might make some people feel good, it will not solve any of our budget problems. It will likely destroy jobs and growth, and, as history has shown, depressed economic growth from a tax increase will make our budget problems even worse than they are now.

In conclusion, the economy, as we know, is limping along at an anemic growth rate. Gas is \$4 a gallon or more, and 20 million Americans are unemployed or underemployed. The economic downturn has taken a huge toll on American families. They want Washington to focus on legislation that will have an impact on jobs and gas prices. Instead, we are debating a show bill that has no chance of passing and would not create a single American job. What happened to jobs, jobs, jobs? Remember that four-letter word, “jobs”?

The President claims to be focused like a laser on the economy. Instead, it appears that there is only one job that

he is focused on with this political proposal. I submit that here in the Senate we should be focused on jobs and energy legislation that can pass, not tax hikes through show votes that are designed to fail.

Mr. ENZI. Mr. President, I rise today to express my disappointment that the administration and my friends on the other side of the aisle continue to avoid making the hard decisions to address our Nation’s significant debt and annual deficits. Instead, they are turning the Nation’s attention to a talking point, a shell, a sham, a political hoax designed to distract this country from our real financial problems and the real solutions we will need to get us out of this mess.

The Paying a Fair Share Act of 2012, dubbed the Buffett rule, that they describe as restoring tax fairness does nothing to address the fiscal disaster we are facing. The Buffett rule is, by President Obama’s own admission, a gimmick. My friends, our country can no longer afford photo-op governance.

The national debt has risen to over \$15 trillion, or nearly \$48,000 per person in the United States, and this figure keeps rising under an administration that consistently fights spending cuts of any kind. We must make spending cuts if we are going to solve our fiscal problems.

Remember the President’s debt commission, the Simpson-Bowles debt commission the President appointed then summarily ignored? Not everyone has ignored it. I continue to work with my colleagues on legislation to get the country back on track financially. I have introduced a bill called the one cent solution. It is also known as the penny plan or the 1-percent solution. My one cent solution bill would cut spending by 1 percent for 7 years and achieve a balanced budget in the eighth year. Every family can imagine taking one penny out of every dollar they spend. The Federal Government should be able to do the same.

In February, President Obama submitted his fiscal year 2013 budget proposal to Congress. I hope it was the last budget proposal he will have the opportunity to submit. Like his budget last year in the Senate, the President’s Budget in the House this year failed to get a single vote. Even Democrats shunned it. It failed 414 to 0. The Buffett rule is pulled from the same bag of tricks.

Despite his promises of fiscal discipline and cutting the deficit in half by the end of his first term, President Obama presented the American people with another budget that spends too much, borrows too much, and taxes too much.

It is time for a change. Congress should take the lead by passing a budget that includes strong deficit reduction provisions and sets the country on a path out of our \$15 trillion debt.

When you are in a hole, you stop digging. When you are broke, you stop spending.

Rather than crafting a bipartisan measure to deal with these issues, the administration instead has turned its attention to the Buffett rule. This bill is symptomatic of a much larger problem plaguing this administration—the unwillingness to address the country's long-term fiscal imbalance and the diversion of the Nation's attention to a provision marketed as enhancing "tax fairness" that ultimately could impact very few taxpayers and does little to address the Nation's debt and deficits. The Buffett rule is estimated by the Joint Committee on Taxation to raise approximately \$47 billion over 10 years under current law. Even if current tax rates are extended past their current expiration date of December 31, 2012, the bill is estimated to raise approximately \$160 billion over 10 years. The Nation's debt level is now over \$15 trillion, and yearly deficits are running over \$1 trillion under this administration. This bill is not a significant debt and deficit reduction measure; instead, it is simply an attempt to raise taxes on owners of capital and job creators when they can least afford it. And, no, it is not a step in the right direction because it distracts us from real solutions. It is a political stunt.

The administration is ignoring the fact that four out of five people with incomes over \$1 million and who would be hit by higher taxes as a result of the Buffett rule or any other millionaire tax are business owners, and these are the people the country needs to create new jobs. A millionaire tax increase like the Buffett rule means that over one-third of all business income reported on individual income tax returns would be taxed more. Particularly for those small businesses with narrow profit margins, these additional taxes would take even more money out of their businesses and make it more difficult to invest, expand, and hire.

Warren Buffett, for whom this bill is named, generated most of his \$40 million in taxable income in 2010 from dividends and capital gains, which under current law is taxed at 15 percent. Taking into account his wages of approximately \$100,000 that are taxed at up to 35 percent, Mr. Buffett's effective tax rate was approximately 17.4 percent. What if Mr. Buffett and other millionaires who are corporate shareholders were instead taxed like most small business owners who operate flow-through business such as sole proprietorships, partnerships, and S corporations, and are taxed immediately on their business profits at ordinary income tax rates of up to 35 percent? Mr. Buffett's tax rate would have been about 35 percent, double what he is reportedly paying now. Given that his share of the corporate profits in any year could be much greater than the

dividends he currently receives, Mr. Buffett himself could be paying significantly more in taxes to the Federal Government. I wonder if this would cause Mr. Buffett to reconsider his position on tax fairness. My friends, I am concerned that under the guise of tax fairness this administration will continue to raise taxes in order to support its out-of-control spending binge.

This administration either fails or chooses not to recognize that the current-law alternative minimum tax, or AMT, was put in place nearly 30 years ago to do exactly what the Buffett rule is intended to do—ensure that high-income taxpayers pay at least a minimum amount of U.S. tax, regardless of various tax deductions and tax credits that they might be able to claim on their tax return. In that regard, this bill simply layers on yet another complex tax provision on top of the already complex U.S. tax system rather than addressing the underlying problems of the overall Tax Code. The country needs and deserves comprehensive tax reform that makes the system simpler and fairer for all taxpayers. At the very least, the administration should start by focusing on fixing the current Tax Code before adding yet another layer of complexity to it.

Those who named this bill want you to think it is an appropriate method by which to ensure everyone pays their fair share. We need fairness; however, the manner in which that goal is achieved is just as important as the goal itself. In that regard, the Buffett rule misses the mark for each of the reasons I have just mentioned.

This bill is yet another missed opportunity for this administration to address the most pressing issues of the day, including significant tax issues that confront us at the end of 2012. The most notable tax issues include the prevention of a massive tax hike on all taxpayers on January 1, 2013, as a result of the expiration of current income tax rates, the extension of tax provisions that expired at the end of 2011 and that are scheduled to expire at the end of 2012, providing a patch for the AMT for 2012 so that it does not ensnare millions of middle-income taxpayers, and reforming the estate tax to prevent a significant rate hike on January 1, 2013.

Taking all of this into account, is the President flying around the country trumpeting the Buffett rule as the solution to what he perceives is a tax fairness problem really the best use of his and the country's time? We have more to think about than his reelection. There is a better path forward to achieve the desired result of the Buffett rule. That path includes comprehensive tax reform that results in a tax code that is simple, fair, and progrowth. If we combine that with appropriate spending cuts, our country will be able to get out from under the

heavy weight of our current and escalating debt burden.

Ms. COLLINS. Mr. President, today I will vote in favor of proceeding to the President's latest tax plan because it is essential we begin the debate on comprehensive tax reform. I do this despite my disappointment that the President has not proposed a serious starting point. Our Nation's tax code needs to be overhauled, from top to bottom. The tax plan offered by the bipartisan Bowles-Simpson Commission—a commission the President himself created—offered a proposal a year and a half ago that should have been the foundation for a serious debate for such an overhaul. But the President failed to show leadership, and allowed that proposal to wallow. Instead, he has asked us to consider a bill today that he himself has called "a gimmick."

I believe we should be debating comprehensive tax reform aimed at creating a simpler, fairer, pro-growth tax code. Such reform should lower rates for job creators and middle-income Americans, while increasing the share of taxes paid by the wealthy.

A key to reform is simplification: just last year, according to the IRS, there were 579 changes to a tax code that is already more than 65,000 pages long. No one can keep up such complexity—it hobbles our economy, and exasperates the American taxpayer.

I have said that multimillionaires and billionaires can pay more to help us deal with our deficit, and I have voted for surtaxes on the very wealthy in the past. In fact, I have even introduced legislation calling for such surtaxes. However, I have maintained that any such legislation must include a "carve out" to protect small business owners who pay taxes through the individual income tax system. Our nation's small businesses must not be lumped-in with millionaires and billionaires and exposed to the same type of taxes designed for the very wealthy. That is why a "carve-out" to shield small businesses owners from tax increases is so important. These small business owner-operators are on the front lines of our economy, and of the communities in which they live. The income that shows up on their tax returns is critical to their ability to finance investment, and grow their businesses. Left in their hands, this income will lead to more jobs, and will buy the tools that help American workers compete.

Comprehensive tax reform and simplification is not only a matter of fairness, but is essential to laying the foundation for our nation's long-term economic growth. There is no contradiction between fairness and growth—both can be advanced together. I urge my colleagues to join me in seeking true reform that advances both of these goals.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise in strong support of the Paying a Fair Share Act. I commend Senator WHITEHOUSE for introducing this important legislation.

It is absurd that at a time when our country has a \$15 trillion national debt and enormous unmet needs, the wealthiest people in this country have an effective tax rate that is lower than many middle-class workers. It makes no sense that the richest 400 people in our country who earned an average of more than \$270 million each in 2008 pay an effective tax rate of just 18 percent, which is less than many small businessmen, nurses, teachers, police officers, et cetera. That is wrong from a moral perspective. It is also very bad economic policy.

The issue we are debating speaks to a much larger crisis that is taking place in America; that is, that in many important ways the United States is departing from its democratic tradition, which has always included a strong and growing middle class, and is moving rapidly into an oligarchic form of government in which almost all wealth and power resides in the hands of the very richest people in our society—the top 1 percent. That is not what America is supposed to be about.

Let me mention a recent study that shows not only why we should pass this Buffett rule but why we should go, in fact, much further. An economist at the University of California, Professor Emmanuel Saez, studying tax returns, found that in 2010, 93 percent of all new income generated during that year went to the top 1 percent. Let me repeat that. Between 2009 and 2010—the last year we have statistics on this issue—93 percent of all new income went to the top 1 percent, while the rest of the people—the bottom 99 percent—were able to receive 7 percent. Even more incredible is the fact that 37 percent of that new income went to the top one-hundredth of 1 percent. In other words, of the \$309 billion in new income gained in 2010, \$288 billion went to the top 1 percent. Only \$21 billion in new income went to the bottom 99 percent.

Today the top 1 percent earns over 20 percent of all income in this country, which is more than the bottom 50 percent. In terms of the distribution of wealth, accumulated income, as hard as it may be for us to believe, as a country that believes in mobility, a country that believes in equality, today we have a situation where the 400 wealthiest people in America now own more wealth than the bottom half of America—150 million people. Four hundred people here own more wealth than the bottom 150 million Americans, and that gap between the very rich and everybody else is now wider than it has

been in this country since the late 1920s. We have, by far, the most unequal distribution of income and wealth of any major country on Earth.

That is where we are as a nation, and it is not a good place to be. The richest people and the largest corporations are doing phenomenally well, while the middle class is collapsing and poverty increases. This is not what democracy looks like; this is what oligarchy and plutocracy look like.

To compound this extremely unfair situation, when millionaires and billionaires are paying nearly the lowest effective tax rate for the rich in decades, our deficit problems only grow worse. In other words, not only are the real and effective tax rates for the rich lower than for many middle-class workers, their low effective tax rates are having a very negative impact on our deficit. In fact, as a result of the tax breaks given to the wealthy and large corporations, revenue as a percentage of GDP is at 14.8 percent, the lowest in more than 50 years.

Let us pass the Buffett rule today, but let us do much more in the future. Instead of cutting Social Security, Medicare, Medicaid, education, and other programs of vital importance to middle-class and working families in this country, as many of my Republican colleagues would like to do, let us develop both personal and corporate tax policies that are fair and will protect the best interests of our country.

Nobody should be talking about maintaining huge tax breaks for millionaires and billionaires and in the same breath talk about cutting Social Security, Medicare, Medicaid—the needs of our children and the needs of the most vulnerable people in our country. That is wrong and that is not what America is about.

With that, I yield the floor.

Mr. INOUE. Mr. President, I come from humble beginnings. We did not have a lot growing up but we always had what we needed. My mother and father worked very hard to provide for our family and you can be sure they paid their fair share of taxes on their living wage. In the nearly 50 years that I have served in the Senate, I have watched the very rich and their supporters in the Congress whittle away at the Tax Code to the extent that today the average tax rate paid by the highest earning Americans has fallen to the point that one in four taxpayers with an annual income greater than \$1 million pays less than millions of working middle-class families. How is that fair? We are making critical decisions about how we cut and spend government funds and it will go a long way to reestablishing fiscal fairness in this country if the very wealthy pay their fair share to support government services and initiatives.

Mr. LEVIN. Mr. President, one of the unfortunate characteristics of the

American economy for the last few decades has been the rising gap between upper and middle-income Americans. Increasingly, those in the upper echelons of income and wealth have seen their fortunes rise, while the vast majority of Americans have coped with stagnant income and increasing insecurity. In recent decades, most families have had to cope with a reduced ability to afford the things middle-class Americans once took for granted, a comfortable home, college educations for the kids, and a secure retirement. At the same time, incomes have risen remarkably for those at the very top of the income scale. Today, by some measures, income inequality is greater in our country than at any time since just before the Great Depression.

This should worry us all. It should worry us because a way of life has become endangered. That way of life—one in which, if you work hard, play by the rules and plan for the future, you and your family will prosper came to be known as the “American way.” But increasingly, the American way has been replaced by one in which the very wealthy do well while everyone else struggles. Instead of all boats rising together, it is the yachts that have risen—good economy or bad—while all the other boats have been stuck in place and taking on water.

Today we have a chance to begin the work of closing that income gap between the wealthiest Americans and the middle class. We can, by adopting this motion to proceed, begin the debate on how best to address the worrisome and growing gap. But that debate cannot begin unless our colleagues on the Republican side agree to allow it to begin. I, for one, am eager to have this debate—I believe the American people want and deserve this debate. Our Republican colleagues have very different ideas about this problem, and may even deny there is a problem. But the people we represent believe this is a problem, and we should respond to their concerns.

There are some who question whether income inequality is rising. These denials melt away in the face of enormous evidence to the contrary. To deny rising income inequality is to deny plain facts. Here are a few of those facts.

As of 2008, the richest 1 percent of Americans took home almost 24 percent of total income. This is up from 10 percent in 1980. Half of all income in the United States went to the top 10 percent of Americans. And, the vast majority of Americans, the bottom 80 percent, received less than a quarter of total income in the United States.

The nonpartisan Congressional Budget Office issued a report last year on changes in income distribution since 1979. CBO’s researchers found that over that period, after-tax income “for households at the higher end of the income scale rose much more rapidly

than income for households in the middle and at the lower end of the income scale." CBO found that for the wealthiest one percent of Americans, real after-tax income grew by 275 percent. Those in the next 19 percent—that is, the top 20 percent minus the one percent at the very top—saw after-tax income growth of 65 percent. And for the 60 percent of Americans in the middle of the income scale, between the top and bottom 20 percent, after-tax income grew by just 40 percent. So, income for the top 1 percent of Americans grew at a rate nearly seven times greater than growth in middle-class incomes.

There are two striking things about CBO's findings. The first is that the biggest driver of growing inequality is the growing gap between those at the very top of the scale and everyone else. Even those in the top 20 percent of incomes—those doing very well by anyone's standards—have fallen behind the top 1 percent.

The second striking finding is what CBO found about the effects of federal tax and transfer policy. In fact, CBO reported that while the rise in inequality stems from a number of factors, one significant contributor is federal policies—including the decisions we all make here in this Congress. For instance, CBO said that the rise in after-tax income for the top 1 percent may come in part from tax changes we made in 1986. Those changes lowered the top personal income tax rate below the top corporate tax rate, encouraging many wealthy Americans to reclassify corporate income as personal income to qualify for the lower rate.

More worrisome is the fact that CBO found that federal tax policy has actually made inequality worse. Inequality of after-tax income is higher than inequality of pre-tax income. In part, that is because our tax system has shifted away from income taxes—which are progressive, asking the wealthier to pay a higher rate—to payroll taxes, a burden that falls on all income-earners regardless of how wealthy. These are the kinds of changes that have led to billionaire investors and hedge-fund managers paying a lower tax rate than their secretaries.

One way that government could fight this rising gap is with transfer payments—benefits paid by government to the less wealthy to try to counteract difference in income. Some, including some of our Republican colleagues, have made the case that transfer payments are growing larger, or that government policy is making people increasingly dependent on government handouts. The CBO report answers this argument. CBO found: "The amount of government transfer payments—including federal, state, and local transfers—relative to household market income was relatively constant from 1979 through 2007, ranging between 10 per-

cent and 12 percent with no discernible trend." So, while there has been a rising gap in pre-tax income since 1979, and government tax policy has widened that gap, federal transfer payments have done nothing to balance it.

These facts are telling. But we should not forget that behind all these numbers, all these facts and figures, are real people—and most of those people are struggling to get by. They should be uppermost in our minds.

The rise in inequality is not the result of a single factor, and it did not happen overnight. So we will not reverse it overnight. It will take sustained effort. That effort starts with acknowledging that there is a problem, and I hope our Republican colleagues will avoid the denialism that is all too prevalent on this issue. But if we can first acknowledge the problem, we then can do something about it, beginning with this vote today.

The proposal before us simply says that those at the very top of the income ladder, those making more than \$1 million a year, will, at a minimum, pay a federal income tax rate of 30 percent on their income above \$1 million. Most Americans consider that simple common sense. The fact that wealthy corporate executives pay a lower tax rate than construction workers or waitresses or teachers or police officers is fundamentally unfair. And at a time when budgets are extraordinarily tight, and getting tighter, it makes no sense for government to subsidize, through tax policy, the growing income gap between the top few and ordinary Americans.

This bill will not solve all our problems. Even if it passes, there will be much more work to do—especially because this problem is, through tax policy in particular, a problem Congress has helped to create. But that work must start somewhere. The debate must begin—and it will begin, if we vote to let it begin. I hope we will begin that debate today.

Mrs. BOXER. Mr. President, I support the Paying a Fair Share Act because it will help bring fairness to our Tax Code. In large part because of the irresponsible policies of President George W. Bush, the very wealthiest taxpayers have seen their tax rates drop by half over the last 50 years, even as their incomes have skyrocketed. The Tax Code has become so out-of-balance that one in four millionaires pays a lower tax rate than do millions of middle-class families, and in 2011 an estimated 7,000 millionaires paid no Federal income tax at all.

Responsible millionaires understand that a fair tax system is in our country's best interest. One Californian, Andy Rappaport, told my staff that over the past 8 years, his average Federal tax rate has been only 16 percent after charitable contributions. Meanwhile, working families making \$60,000

to \$100,000 per year pay average Federal tax rates of 17 or 18 percent.

Mr. Rappaport said: "Those of us who are doing unprecedentedly well have built our success on a foundation of widespread well being and opportunity, not to mention adequate investments in education, research, and infrastructure. . . . It's not fair to ask those who make less than us to do without or to shoulder more than their share of our national investment burden." California entrepreneur Garrett Gruener wrote in the Los Angeles Times: "For nearly the last decade, I've paid income taxes at the lowest rates of my professional career. . . . For the good of the country, we need to tax people like me more."

In addition to opposing this common-sense proposal, our Republican colleagues want to cut valuable social programs to pay for another tax cut for the rich. The House-passed Ryan Budget would give high-income taxpayers an additional tax cut of at least \$150,000 per year—a tax cut equal to three times the median household income, and more than ten times the average annual Social Security benefit—while cutting programs like food stamps and Pell Grants which provide security and opportunity to millions of lower-income Americans. Our Republican colleagues seem devoted to the interests of the wealthiest 1 percent above all else.

The Paying a Fair Share Act would only affect the top one-tenth of 1 percent of taxpayers, those with adjusted gross income over \$1 million per year. It preserves the incentive for charitable giving, which is so important for our religious organizations, nonprofits, and universities.

And these millionaires and billionaires are not the "job creators" the Republicans say they are, because the vast majority of job creators are small business owners who earn far less than \$1 million per year. In 2009, only 1.3 percent of taxpayers with business income made more than \$1 million per year. The bill is supported by small business groups including the Main Street Alliance, American Sustainable Business Council, and the California Association for Micro Enterprise Opportunity. It also has the support of AFCSME, AFL-CIO, the International Brotherhood of Teamsters, United Auto Workers, the National Education Association, and many others. I urge my colleagues to support this important legislation, which will bring much-needed fairness to our Tax Code.

Mr. REED. Mr. President, I rise today to join my fellow Senator from Rhode Island's effort to restore a basic level of fairness to our Tax Code. Senator WHITEHOUSE has done an extraordinary job in fighting to return some sense of balance to a broken system.

Most Americans agree Senator WHITEHOUSE's legislation is fundamentally fair and they want to see it become law because as we all know, the Tax Code is riddled with loopholes that benefit the wealthiest Americans. It is past time we take this first step towards fixing a system that allows millionaires and billionaires to pay a lower tax rate than middle-class Americans. This is a defining vote—it is about who you stand for and with, working men and women or multimillionaires and billionaires. This legislation signals to middle-class Americans that the government should be focused on helping them, by ensuring that everyone pays their fair share to support essential government programs that invest in education, infrastructure and our nation's future.

The Tax Code stacks the deck for the wealthy at the expense of the middle-class. The middle-class has already been squeezed enough by stagnant wages and a complex tax system that does not work for them. The revenue raised through this measure is deficit reduction that is not taken out on the backs of seniors or working American families. This legislation will only impact 0.2 percent of Rhode Islanders that earn more than \$1 million in income per year.

Senator WHITEHOUSE's Paying a Fair Share Act would prevent millionaires and billionaires from using tax loopholes that allow them to pay a lower effective tax rate than a school teacher in Rhode Island.

Of millionaires in 2009, a full 22,000 households making more than \$1 million annually paid less than a 15 percent income tax rate. Our Tax Code, riddled with loopholes and special giveaways, leads to lopsided and inequitable results. It is past time we correct these glaring loopholes and restore some fairness to our Tax Code.

The 400 highest-income households in 2008, who made on average \$271 million—paid just an 18.1 percent rate. This is nearly half the 29.9 percent rate those households paid on average in 1995 under President Clinton.

According to the Center on Budget Policy Priorities analysis, the top 1 percent have seen their after tax income grow by 277% since 1979. The middle 60 percent of Americans have only seen a 38 percent increase and the bottom 20 percent have only seen an 18 percent increase. This is a result of a broken Tax Code that over the past several decades has been tilted to benefit the wealthiest Americans and not the middle-class.

The tax benefits for the wealthiest Americans have contributed to staggering deficits. These deficits have increased pressure on our budget and motivated Republicans to slash services that benefit middle-class Americans in the name of deficit reduction.

This is exactly why I opposed the reckless Bush tax cuts that skewed so

heavily towards the wealthy, the segment of our society that needed the least help. In fact, it is estimated that the House Republican budget would give millionaires an additional \$265,000 in tax cuts each year; unsurprisingly, Republicans want to double down on the misguided Bush tax cuts that disproportionately benefited the wealthy.

We need comprehensive tax reform, but not reform that skews the Tax Code even more towards the wealthy while asking for more sacrifice from the middle-class. The Paying a Fair Share Act is a first step in reversing this trend and reforming the Tax Code by restoring fairness.

Making sure that millionaires and billionaires don't pay a lower tax rate than middle-class Americans will help make our Tax Code fairer while addressing our budget deficit. This is common sense and I hope Republicans will join us in taking the first step towards restoring fairness to our tax laws.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Rhode Island has 3 minutes. The Republicans have 4 minutes.

Mr. WHITEHOUSE. It is my understanding there are no further speakers on the Republican side. If somebody comes, I will, of course, yield the 4 minutes.

The latest report is that there are no further speakers until we move on to the judicial nomination.

I wished to use the time remaining to respond to two of the points that have been made. Before I do that, let me just say that as I have kept track during the debate, the minority party has discussed debt, bureaucracy, Presidential appointments, punishment of success, ObamaCare, jobs, fuel prices, picking winners and losers, campaign contributions, out-of-control spending, equal opportunity, and massive new tax increases.

The subject at hand is actually much smaller than this; that is, the indisputable fact that at the very high end of the American income spectrum, people are paying lower tax rates than regular American families—whether it is Warren Buffett's self-proclaimed example of paying only 11 percent in total taxes or the average of all the 400 highest income earners in the country being only 18.2 percent. These are people earning—in the case of the 400—over one-quarter of a billion dollars each in 1 year and paying the rate equivalent to what a single Rhode Island truckdriver pays. That is the issue.

We should have a progressive Tax Code. One of the speakers said we do have a progressive Tax Code and that the income tax generates 31.2 percent of the total income tax revenue from

high-income folks versus 14.2 percent from the middle as their rate. But it is worth focusing on the fact that when my Republican colleagues talk about taxes and they focus on income taxes, they leave out the payroll taxes, which virtually every American pays or a great number of Americans—more pay payroll taxes than income tax, I believe.

If we look at all those taxes and put them together, we find that the top 1 percent of Americans do indeed pay 28.3 percent of the taxes. One percent pays 28.3 percent of the taxes. That sounds pretty progressive, until we realize the top 1 percent in America controls more than one-third of the Nation's wealth; the top 1 percent holds more than one-third of the Nation's wealth but pays only 28 percent of the taxes. That is not progressive, if we are measuring in what we are usually taxing, which is income and wealth, not just the existence of a human being on the planet.

If we go to 5 percent, then the top 5 percent pays 44.7 percent of all our taxes, which again is a lot. It is progressive but not when we consider that 5 percent owns or controls more than 60 percent of the Nation's wealth. We are a country in which more than half the wealth of the country—more than 60 percent of it is concentrated in the hands of one-twentieth of the population, the top 5 percent. So for them to pay a higher rate makes a lot of logical sense. What we find is that they actually pay a lower rate all too often.

The other point I wish to address is the argument that this will take money from the pockets of small businesses. If we look at the Office of Taxation and Treasury's definition of a small business and look at how many would be affected by this bill, it would be 3.3 percent; nearly 97 percent of small businesses would have zero effect from this bill. Of the 3.3 percent that would be affected, it is hard to know how many of those are high-income individuals who incorporated themselves for tax purposes but don't fit the ordinary definition of a small business.

When we look at the fact that Americans across the country have spent the last week sitting down going through their receipts, filing their tax returns, sitting at the kitchen table trying to make sense of it all and get it filed on time, for a great number of those folks, what they know from Warren Buffett and others is that the people making one-quarter of a billion dollars a year are paying lower rates than they are, and it is not right. It is not just me saying that is not right; it is Ronald Reagan saying that is not right. He said it was "crazy"—his word—that a millionaire should pay a lower tax rate than a busdriver pays.

The PRESIDING OFFICER. The Senator from Rhode Island has exhausted his time. The Senator from Tennessee is here to speak.

Mr. WHITEHOUSE. I yield the floor.
The PRESIDING OFFICER. The Senator from Tennessee has 1 minute.

Mr. CORKER. Mr. President, this last March, 64 Senators—32 on each side—wrote a letter to the President asking for real tax reform and real entitlement reform.

I think most of us know today's exercise is a political exercise. It is not intended to deal with deficits. It is intended to divide.

Last week, I heard the President speaking at a college in Florida about the Buffett tax. In that speech, he was talking about spending all that money on things they were interested in. In other words, this money is not being used, per the President's speech, in any way to reduce deficits.

I encourage all those on both sides of the aisle—32 Senators on each side—who have spoken earnestly and sincerely about progrowth tax reform and entitlement reform to not follow this folly of division but to hold together, as we need to do something that is great for our country.

It is my hope that by later this year—possibly in a lameduck, although I hope something happens sooner than that—all of us who truly care about solving problems, not about scoring political points, which this bill is about, will come together and do something great for our country.

I yield the floor.

EXECUTIVE SESSION

NOMINATION OF STEPHANIE DAWN THACKER TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read the nomination of Stephanie Dawn Thacker, of West Virginia, to be United States Circuit Judge for the Fourth Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 60 minutes of debate equally divided and controlled in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, let me make sure I understand. The time is now divided for an hour until the vote?

The PRESIDING OFFICER. That is correct.

Mr. LEAHY. I thank the distinguished Presiding Officer, and I welcome him back after the break and all Senators on both sides of the aisle.

The Senate is going to consider the nomination of Stephanie Dawn Thacker, of West Virginia, to fill a judicial vacancy of the Fourth Circuit Court of Appeals, and I know the distinguished Senator from West Virginia,

Senator MANCHIN, will be coming to speak in a few moments.

I would note this is a judicial vacancy on which the Senate Judiciary Committee voted unanimously more than 5 months ago, as the distinguished Presiding Officer will recall, in favor of this nomination. After thorough debate and background, we voted for her unanimously. That was 5 months ago. She should not have had to wait this long.

She should have been confirmed last year. With nearly 1 in 10 judgeships across the Nation vacant and the judicial vacancy rate remaining nearly twice what it was at this point in the first term of President George W. Bush, the Senate needs to do more to reduce judicial vacancies so that all Americans can have the quality of justice that they deserve.

The Federal Judiciary has been forced to operate with the heavy burden of 80 or more judicial vacancies for more than 3 years now. There is nothing to justify this extended period with years of vacancies numbering more than 80 around the country. Congress has not created scores of new judgeships, as we did in a bipartisan fashion during the Republican administration of Ronald Reagan and George Herbert Walker Bush. Indeed, when the Senate was confirming 205 circuit and district court nominees during the first term of President George W. Bush, we lowered vacancy rates more than twice as quickly.

I will include for the RECORD at the conclusion of my remarks a copy of the Internet article entitled, "1000 days," by Doug Kendall and Ryan Woo of the Constitutional Accountability Center, on this point.

I also remind the Senate of the study by the Congressional Research Service on the historically high vacancies for record amounts of time about which I spoke earlier this year. This level of vacancies has been perpetuated for the entire Presidency of President Obama because Senate Republicans have adopted "new standards" and refused to enter into prompt agreements to schedule votes on qualified, consensus nominees.

Today's vote is pursuant to the agreement reached by the majority leader and the Republican leader last month. This is the first Court of Appeals nominee to receive a vote pursuant to that agreement. This is only the second Court of Appeals nominee to receive a Senate vote all year. Both were qualified, consensus nominees who should have been confirmed last year and would have been but for Republican filibusters.

It should not have taken 4 months and 2 days after being reported by the Senate Judiciary Committee for the nomination of Judge Adalberto Jordan to be considered by the Senate. Judge Jordan of Florida was finally allowed

to fill a judicial emergency vacancy on the Eleventh Circuit. Finally, after a 4-month Republican filibuster that was broken by an 89 to 5 vote, and after Republicans insisted on 2 additional days of delay, the Senate voted to confirm him 94 to 5. A superbly-qualified nominee, he is the first Cuban-American to serve on the Eleventh Circuit. His record of achievement is beyond reproach. Judge Jordan is by any measure the kind of consensus nominee who should have been confirmed without such delay. Despite the strong support of his home state Senators, Senator NELSON, a Democrat, and Senator RUBIO, a Republican, Senate Republicans filibustered and delayed his confirmation in October, in November, in December, and in January. It should not have taken another 2 days after the Senate voted overwhelmingly to bring the debate to a close to have the confirmation vote.

The nomination of Stephanie Thacker is similar, and Senate Republicans have acted in a similar, all too familiar pattern. When confirmed, Stephanie Thacker will be the first woman from West Virginia to serve on the United States Court of Appeals for the Fourth Circuit. She, too, is strongly supported by both her home state Senators. She, too, is a qualified, consensus nominee. She has been forced to wait 5½ months for Senate consideration, with no good purpose. Hers is not a nomination that should have been delayed and filibustered by Senate Republicans after it was reported unanimously by the Senate Judiciary Committee last November 3.

Ms. Thacker is the kind of qualified, consensus nominee who in past years would have been considered and confirmed by the Senate within days of being reported unanimously by the Judiciary Committee. She is an experienced litigator, who, in her 21-year career as a Federal prosecutor and private defense attorney, has tried nearly two dozen cases to verdict or judgment and argued appeals before the Fourth Circuit and the West Virginia Supreme Court. Much of her career has been dedicated to public service. She served as an Assistant U.S. Attorney for the Southern District of West Virginia for 5 years and participated in the first prosecution in this country under the Violence Against Women Act—an important piece of legislation that I am working with Senator CRAPO to reauthorize.

She continued her career as a Federal prosecutor for another 7 years in the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice. There, she focused on prosecuting cases dealing with child pornography, child sexual exploitation, sex trafficking, sex tourism, obscenity, and criminal nonsupport offenses. She rose to Deputy Chief of Litigation and then to Principal Deputy Chief. While

at the Justice Department, Ms. Thacker was awarded the Attorney General's Distinguished Service Award.

Why would any Senator stall confirmation of this consensus nominee? What purpose did it serve? Must all nominees of President Obama be delayed and obstructed and stalled?

I thank the majority leader for scheduling this vote. He has secured an agreement to vote on the long-delayed nomination of Judge Jacqueline Nguyen of California to fill one of the judicial emergency vacancies plaguing the Ninth Circuit, the busiest circuit in the country. She, too, is a consensus nominee who could and should have been confirmed last year. Her consideration has been delayed more than 5 months and will not occur until May 7. But there are two more Ninth Circuit nominees to fill judicial emergency vacancies who are before the Senate awaiting final consideration. Paul Watford of California was reported favorably by the Senate Judiciary Committee in early February. His nomination should be scheduled for a confirmation vote without further delay. Justice Andrew Hurwitz of Arizona was reported favorably by the Senate Judiciary Committee in early March. His nomination should also be scheduled for a confirmation vote. There is no good reason for delay. The 61 million people served by the Ninth Circuit are not served by this delay. The Circuit is being forced to handle double the caseload of any other without its full complement of judges. The Senate should be expediting consideration of the nominations of Judge Jacqueline Nguyen, Paul Watford, and Justice Andrew Hurwitz, not delaying them.

The Chief Judge of the Ninth Circuit, Judge Alex Kozinski, a Reagan appointee, along with the members of the Judicial Council of the Ninth Circuit, have written to the Senate emphasizing the Ninth Circuit's "desperate need for judges," urging the Senate to "act on judicial nominees without delay," and concluding "we fear that the public will suffer unless our vacancies are filled very promptly." The judicial emergency vacancies on the Ninth Circuit are harming litigants by creating unnecessary and costly delays. The Administrative Office of U.S. Courts reports that it takes nearly 5 months longer for the Ninth Circuit to issue an opinion after an appeal is filed, compared to all other circuits. The Ninth Circuit's backlog of pending cases far exceeds other Federal courts. As of September 2011, the Ninth Circuit had 14,041 cases pending before it, more than three times that of the next busiest circuit.

If caseloads were really a concern of Republican Senators, as they contended last year when they filibustered the nomination of Caitlin Halligan to the D.C. Circuit, they would not be delaying the nominations to fill judicial

emergency vacancies in the Ninth Circuit. If caseloads were really a concern, Senate Republicans would consent to move forward with all three of these Ninth Circuit nominees to allow for a final up or down vote by the Senate without these months of unnecessary delays.

None of these nominees should be controversial. They are all mainstream nominees with bipartisan support. Judge Nguyen, whose family fled to the United States in 1975 after the fall of South Vietnam, was confirmed unanimously to the district court in 2009 and the Senate Judiciary Committee unanimously supported her nomination to the Ninth Circuit last year. When confirmed, she will be the first Asian Pacific American woman to serve on a U.S. Court of Appeals in our history.

Paul Watford was rated unanimously well qualified by the ABA's Standing Committee on the Federal Judiciary, the highest rating possible. He clerked at the United States Supreme Court for Justice Ruth Bader Ginsburg and on the Ninth Circuit for now Chief Judge Alex Kozinski. He was a Federal prosecutor in Los Angeles. He has the support of his home state Senators and bipartisan support from noted conservatives such as Daniel Collins, who served as Associate Deputy Attorney General in the Bush administration; Professors Eugene Volokh and Orin Kerr; and Jeremy Rosen, the former president of the Los Angeles Chapter of the Federalist Society.

Justice Hurwitz is a respected and experience jurist on the Arizona Supreme Court. He also received the ABA Standing Committee on the Federal Judiciary's highest rating possible, unanimously well qualified. This nomination has the strong support of both his Republican home state Senators JOHN MCCAIN and JON KYL.

Chief Justice Roberts and the Attorney General have both spoken about the serious problems created by persistent judicial vacancies. More than 160 million Americans live in districts or circuits that have a judicial vacancy that could be filled today if Senate Republicans would just agree to vote on the nominations now pending on the Senate calendar. The Senate should act to bring an end to the harm caused by delays in overburdened courts and we should start with the Ninth Circuit. Senate Republicans should consent to votes on the Ninth Circuit nominees without more delay and obstruction.

I ask unanimous consent that the article to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Constitutional Accountability Center, Mar. 27, 2012]

1000 DAYS

(By Doug Kendall and Ryan Woo)

Today marks the 1000th consecutive day during which our judicial system has been

operating with the burden of 80 or more vacancies on the federal bench. Aside from a completely anomalous period following the creation of 85 new judgeships in 1990, this is far and away the longest period of time during which the federal courts have been forced to operate at such an understaffed level. Across the country, these vacancies have translated into rising caseloads for overworked judges and unacceptable delays for the countless Americans seeking justice in the courts. While it is possible that the vacancy total will dip below 80 in the coming days due to a slow drip of confirmations secured by a recent and hard-fought-for deal in the Senate to allow confirmation votes on 14 judicial nominees, this slow trickle is not anywhere close to the decisive action that is needed to resolve the vacancy crisis that has been plaguing the country for nearly three years.

Although much has changed over the past 1000 days, one thing that has remained constant is the partisan obstruction by Republicans in the Senate that has kept the judicial confirmation process moving at a crawl. While a backlog in vacancies is typical at the beginning of a presidential term, the vacancy rate is usually brought down to a more manageable level well before a president's fourth year in office. Indeed, by this point in the first terms of Presidents Bill Clinton and George W. Bush, the vacancy totals were 55 and 45, respectively, and the Senate had already confirmed 181 of President Clinton's nominees to the lower federal courts and 172 of President Bush's. By comparison, the Senate has only confirmed 134 of President Obama's nominees.

The glacial confirmation pace that has kept the vacancy number so high for the past 1000 days can be traced back to Republican obstruction at all levels of the judicial confirmation process. Most important, even uncontroversial nominees are facing unprecedented cloture votes before they can be confirmed. The process of delaying floor votes for nominees has resulted in an average wait time of 111 days between the Judiciary Committee vote and Senate confirmation vote for President Obama's nominees. In sharp contrast, President George W. Bush's nominees waited an average of just 22 days.

There should never again be a period when the federal judiciary faces such a high number of vacancies for so long; if the vacancy total dips below 80 in the coming days, it will hardly be a cause for celebration. Rather, it will be a reminder that even in an election year, the Senate must put partisan wrangling aside and continue to staff the federal judiciary. The Senate owes nothing less to the judges and everyday Americans who bear the brunt of this politically-inflicted judicial vacancy crisis.

VIOLENCE AGAINST WOMEN REAUTHORIZATION
ACT OF 2011

Mr. LEAHY. Mr. President, speaking of the Senate Judiciary Committee, as we begin to work now after the Easter/Passover recess, I wish to thank all Senators who have come to the floor in recent weeks to express their bipartisan support of the Violence Against Women Reauthorization Act and who have emphasized, and I agree, the need for the Senate to take up and reauthorize this landmark legislation.

For almost 18 years, the Violence Against Women Act—called VAWA—has been the centerpiece of the Federal Government's commitment to combating domestic violence, dating violence, domestic assault, and stalking.

The impact of this landmark law has been remarkable. It has provided life-saving assistance to hundreds of thousands of men, women, and children, and the annual incidence of domestic violence has dropped by 50 percent since the act was passed.

Support for the Violence Against Women Act has always been bipartisan, and I appreciate the bipartisan support this reauthorization bill has already received. Senator CRAPO and I introduced the reauthorization of the Violence Against Women Act in November. With Senators HELLER and AYOTTE joining as cosponsors in March, we now have 61 cosponsors in the Senate from both sides of the aisle. I hope the Senate will take up and pass this bill soon.

The Violence Against Women Act is about responding to domestic and sexual violence. Its programs are vitally important. Our legislation has looked at and learned from the experiences and needs of survivors of domestic and sexual violence from all around the country. We have also heard the recommendations of those tireless professionals who work every single day—I might say virtually every single night—to serve. It builds on the progress that has been made in reducing domestic and sexual violence and makes vital improvements to respond to unmet needs, as we have each time we have reauthorized the Violence Against Women Act.

The provisions that a minority on the Judiciary Committee labeled controversial are, in fact, modest changes to meet the genuine, unmet needs that service providers have told us they see every day as they work with victims all over the country. This is what we have done on every single VAWA reauthorization. We have looked at what we have learned since the last one and then taken steps to recognize those needs of victims that are not being met and find ways to meet them. That is nothing new or different. It is what we have always done. Because we have improved it each time, it is one of the reasons domestic violence has dropped. This should not be a basis for a partisan division or delay.

The legislation also improves important changes to respond to current economic realities. We all know while the economy is now improving, these remain difficult economic times, and we have to be responsible in how we spend the taxpayers' money. That is why in our bill we consolidate 13 programs into 4. We remove duplication and bureaucratic errors. It is another thing we do each time we reauthorize to make it better. It would cut the authorization level for VAWA by more than \$135 million a year. That is a decrease of nearly 20 percent from the last reauthorization.

The legislation also includes significant accountability provisions, including audit requirements, enforcement

mechanisms, and restrictions on grantees and costs. Again, we are saying we want to do the right thing in the Violence Against Women Act, but we also want to protect the taxpayers' dollars. That is why it is a bipartisan bill. It is a product of careful consideration, and that is why it has widespread support.

There is no reason not to take it up and debate it and pass it. The Judiciary Committee passed this bill after considering a number of amendments, including a substitute offered by the minority. I have reached out to the distinguished ranking member, Senator GRASSLEY, and asked about possible amendments and time agreements for consideration. We should do what we have always done ever since the first VAWA years ago and pass it with strong bipartisan support. These problems are too serious for us to delay.

Any one of us who has served in law enforcement has gone to a scene where somebody has been severely battered, sometimes killed. I know when I have gone to the scenes I never heard a police officer say: Is this a Republican or a Democrat? They say, is this a victim? What do we do to help them? That is what this is. It is not a Republican or Democratic bill; it is a sensible bill to help the victims of violence.

This is crucial, commonsense legislation. It has been endorsed by more than 700 State and national organizations, numerous religious and faith-based organizations, as well as our law enforcement partners. The last two times the Violence Against Women Act was reauthorized, it was unanimously approved by the Senate. It seems sometimes that partisan gridlock has become the default in the Senate in recent years. We are better than that. We should rise above gridlock. There is no reason we should delay considering this bill. It has the support of 61 cosponsors across the aisle. Let us pass it.

As I have said before, domestic and sexual violence know no political party. Violence happens to too many people in this country. Its victims are Republicans and Democrats. They are rich and poor, young and old. They are male and female. They are straight and gay. Nobody falls into a category where they are immune to this kind of violence. So let us work together and pass this strong VAWA reauthorization legislation and let us do it without delay. It is a law that has saved countless lives. For my fellow Senators, I would say this is an example of what we in the Senate can accomplish if we work together.

PAYING A FAIR SHARE ACT

Lastly, before I came to the floor, I heard the strong support for the Paying a Fair Share Act. It has been called the Buffett rule. The Buffett rule is a commonsense bill, ensuring that taxpayers at the top of the economic ladder pay at least the same tax rate paid by hard-working middle-class families

in my State of Vermont and all other States. No longer should handsomely compensated CEOs or those who live off trust funds pay a lower effective tax rate than the people who work for them.

Frankly, I think it is remarkable and regrettable that such a principle of tax fairness should evoke controversy. It is more regrettable still that opponents have erected a supermajority barrier in an effort to prevent debate on this straightforward principle. We should debate whether the wealthiest should pay at least the same rate of taxes as hard-working middle America and then vote for it or vote against it. If a Senator wants to vote to protect the wealthiest Americans, fine, stand and vote that way or vote to protect hard-working American families. But when we filibuster, what we are doing is voting maybe. That is voting maybe.

Let's have the courage to vote for the millionaires and protect them from any kind of a tax such as ordinary Americans pay or vote for ordinary Americans and say everybody should pay the same kind of tax. Vote one way or the other, but don't duck it by having a filibuster, where we can say: I looked at it and I voted maybe. We are not elected to vote maybe.

I am pleased to join Senator WHITEHOUSE and others as a cosponsor of the bill which calls for a minimum 30-percent tax rate for taxpayers with adjusted gross incomes above \$1 million. This just says they are going to pay at least the tax rate paid by middle-class families, and it also will reduce the deficit by \$47 billion over the next decade.

While hard-working Vermont families and small businesses are struggling to make ends meet in a difficult economy, tax fairness has continued to erode, benefiting the wealthiest 1 percent at the expense of the rest of the country. Right now, a very large proportion of millionaires pay a smaller percentage of their income than do a larger share of moderate-income taxpayers.

Warren Buffett, one of the wealthiest people in the world, noted in a New York Times op-ed article last year that he paid taxes of only 17.4 percent on his taxable income—a lower percentage than paid by any of his 20 employees. They paid from 33 to 41 percent. In fact, the nonpartisan Congressional Research Service studied these claims and confirmed Mr. Buffett's assertion that a large proportion of millionaires pay a smaller percentage of their income than average working Americans and Vermonters do.

Let us end the loopholes. Tax day is upon us. Let us stand and say we are going to end the loopholes, we are going to end these special provisions that allow some of the wealthiest to pay less than hard-working Americans. It is simply a matter of fairness.

Again, let us vote yes or no. If someone wants to vote to protect the millionaires, then, fine, vote no. If someone wants to say have it be fair, then vote yes. But let us vote. Having a filibuster means we vote maybe. None of us get elected or paid to vote maybe.

Mr. President, I see the distinguished senior Senator from West Virginia on the floor and I see his distinguished colleague.

I am sorry, I now see the Senator from Pennsylvania. Before I yield the floor, I ask unanimous consent, if there are quorum calls during this hour, the time be divided equally.

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

Mr. LEAHY. Mr. President, I ask unanimous consent when the time goes back to this side, that first the distinguished senior Senator from West Virginia be recognized and then his distinguished colleague from West Virginia, Senator MANCHIN, be recognized, both to speak for the time remaining to the Senator from Vermont.

I ask unanimous consent that when time is yielded back to me, the time remaining to the Senator from Vermont, which will be approximately 15 minutes, be divided between the two Senators from West Virginia.

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

The PRESIDING OFFICER. The Senator from Pennsylvania.

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

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

TAX FAIRNESS

Mr. TOOMEY. Mr. President, I rise this afternoon to speak against the so-called Buffett rule. This is a gimmick. It is a political gimmick. This is not a serious effort to deal with a ridiculously broken Tax Code. This is not a serious effort to deal with a completely broken budget. And, frankly, it is very disappointing to me that we are wasting time on this instead of dealing with both of those things.

We have a Tax Code that is ridiculous, impossible to understand, counterproductive to economic growth, and that badly needs a complete overhaul that would simplify the Code, get rid of much unfairness, lower marginal rates, broaden the base, and encourage strong economic growth. Instead, we have this little gimmick because we don't have the political leadership to deal with the underlying real problem of a badly flawed Tax Code.

Likewise on budget policy, this does nothing meaningful for our massive budget deficits that we have been running. In fact, this body chooses again for the third consecutive year not to even have a budget. It is unbelievable. Instead, we are going to waste time arguing about this political stunt.

The President proposed a budget, at least. Unfortunately, it was not a seri-

ous budget, not a serious attempt to deal with the massive deficits we are running. It is the fourth consecutive year of trillion dollar deficits. Instead of dealing with that, we have this gimmick.

Let's be clear. This is not a serious attempt to deal with tax reform or the budget. This so-called Buffett rule, this tax increase, would raise less than \$5 billion a year. That amounts to about one-half of 1 percent of the \$1 trillion deficit the President has proposed that we run. In fact, it would cover about 2 days' worth of the deficits we are running for 2013.

Here is a chart that illustrates the deficit we will have under the President's policies without the Buffett tax. Here is the deficit we will have if we pass the Buffett tax. If you can't tell the difference, it is because there is no meaningful difference.

Folks, we ought to be dealing with the real tax reform that we need to encourage economic growth and help reduce this deficit. Instead, we are wasting time with this.

Since we are not doing what we ought to do, why are we having this argument? Unfortunately, it looks as though it is an effort on two fronts. One is to simply engage in class warfare, generate envy and resentment, and try to use that for political gain. And, secondly, it is an effort to distract from the underlying mismanagement of economic policy and fiscal policy we have seen from this administration.

I know what the claim is from the other side. We hear this is all about making sure the rich pay their fair share. I have to say I have a little trouble taking lectures on fairness from folks who think taxpayers ought to be made to put \$500 million into a solar energy company that does not have a competitive product, which drives it into bankruptcy at the cost to the taxpayers, from the same folks who want to force taxpayers to continue subsidizing plug-in cars people don't want to buy. That kind of crony capitalism and distorting of our economy at the expense of taxpayers doesn't strike me as fairness, so I have a hard time taking a lecture on fairness from people who advocate those things.

But let's look at this Tax Code. If we want to talk about fairness, that is fine. How about the fact that, according to the Joint Committee on Taxation, almost half of all Americans today pay no income tax at all or actually receive money through the income tax code? The other half pays all of the taxes. We are hearing from our friends that that is not enough; they need to pay still more.

My second chart will illustrate the point that according to the CBO, if we look at all Federal taxes, the middle quintile, the middle 20 percent of wage earners in America, pays about 14 per-

cent as an average tax when you combine all the kinds of Federal taxes that are paid. The top 1 percent pays 30 percent. So it is more than twice as high—29.5, actually.

If we look at just the income tax, the disparity is even bigger. If we look at the income tax alone, the middle quintile, the middle class, the middle 20 percent, when it comes to income tax alone on average pays about 3.3 percent as an effective average income tax rate. The top 1 percent pays 19 percent; that is, on average, almost 6 times as high.

The fact is we have a very progressive tax system, not just by the historical measures of our own previous tax systems, but look everywhere else in the world. In fact, the United States, according to the OECD, has the most progressive tax system in the industrialized world.

This is a chart that measures progressivity. Greater progressivity is in this direction; less is in this direction. As you can see, this ranking shows all the countries around the world that have less progressivity than the United States, which means that higher income Americans pay a greater share of income taxes and taxes generally than in any other country in the world. But again, we are told this is not enough.

Clearly there is something else going on here, and here is what concerns me the most. The real consequence of this so-called Buffett rule, this tax increase, are that it is meant to be a tax on investment returns. It is a tax on capital gains and dividends. It is a tax that would upend decades of established law with respect to the differentiation we have put in place with respect to dividend income versus wage income. And it disregards the very sound reasons why we have created that distinction, one of which is that investment returns are taxed multiple times.

We don't hear so much about that during this debate from my friends who are advocates for this new tax increase. But the fact is, first of all, it is only aftertax income that can be invested in the first place. So someone had to pay taxes on their earnings, and then after they have spent what they need to for their cost of living and if they have managed to save something which they then invest, they have already paid tax on that. Now the investment they have made—and let's say this is an investment in a corporate stock. Let's keep in mind that that corporation has to pay tax before they have an opportunity to provide a return on the investment that is made. And as it happens, in the United States, our corporations pay the highest corporate tax in the entire industrialized world, 35 percent.

We have got a terrible corporate Tax Code that needs to be reformed in many ways. One of them is to lower

this top marginal rate, but right now it is 35 percent. And what the proponents of this rule are saying is that after a corporation pays that 35 percent tax on whatever income they can earn, and when they then choose to dividend some of that remaining aftertax income to the people who own that company, they want those owners to pay yet another tax that is even higher than we pay now.

We have a chart here that illustrates what the net effect of this is. Given that we have a 35-percent top corporate tax rate, and if we were to adopt this proposal to impose this 30-percent minimum tax, for an individual who has dividend income, first the company in which they invest pays a tax. Not all companies pay the 35-percent rate, but that is the top rate and it is in effect on many companies. Well, if the company has to pay 35 percent of a given \$100 of income, they are left with \$65 in corporate aftertax income. If that company then decides that the people who own it ought to get a dividend reflecting their ownership on that \$65 that is available to be paid out as a dividend to investors, the proponents of the Buffett rule would have those investors pay another 30 percent. That is \$19.50, leaving the investors with \$45.50 out of the \$100 of income. In other words, the government takes the lion's share of the income from this investment.

The net effect of that, of course, is that it diminishes the incentive to make these investments in the first place. It makes other countries more attractive places to invest capital, to invest in a business to try to generate a return.

There is another aspect that is disturbing about this which is, if you ask me, it is very reminiscent of the alternative minimum tax. We tried that once. In 1969, Congress decided there were some people who weren't paying enough in tax, and they said we are going to target a handful. Literally, it was 15 people—not 155,000 but 155 people who were subject to the alternative minimum tax, which was this confession of the absurdity of the Tax Code in the first place. Right? Junk the entire existing Tax Code and have yet a second parallel Code that will apply to just those rich 155 people. Well, guess what. Today that applies to tens of millions of Americans, and every year Congress has to do a temporary fix because it wasn't intended to do that.

I would suggest if we go down this road, we are going to find that this tax—which we are told today would only apply to millionaires and billionaires, well, pretty soon the hard cold reality of the fact that it doesn't generate any revenue to speak of if you apply it just to millionaires and billionaires, means it is going to be expanded to the middle class and far more people, very much to our detriment.

Finally, let me say that it is a bad idea to confiscate the capital which is the lifeblood of an economy. This next chart illustrates the critical role that investment plays in economic growth and in job creation.

A couple of squiggly lines. But one thing you notice if you take a quick look is there is an inverse relationship here. When the black line goes up, the red line is going down. The black line is investment as a percentage of our economy. And when investment climbs—the red line is unemployment—you see, unemployment goes down. This is very well understood. It is capital invested in the economy that creates growth and creates jobs. What this rule would do is it would impose a new layer of additionally higher taxes on that very lifeblood of our economy.

It is capital also that drives wages higher. We should never forget that fact. It is capital that allows the hunter-gatherer to have a hoe and become a farmer. It is capital that allows the farmer with a hoe to cast aside the hoe and drive a tractor and become far more productive. It is capital that allows the laborer who is digging with the shovel to put aside the shovel and drive a backhoe. And as I think everybody understands or should understand, the farmer who is using a tractor is producing more and has a higher income than the poor guy who is using a hoe. And the guy who is operating a backhoe has far more income and is far more productive than the guy who is using a shovel. It is capital that makes that possible.

There is a metaphor I like about this, and I am not sure who to credit it to, but certainly I didn't invent it. I may not do it justice, but the gist of it is this:

The comparison to the economy is that of a fruit tree.

A farmer who has a fruit tree cultivates that tree so it will produce fruit, and the fruit is the income the farmer earns from the work he puts into cultivating that tree.

If the government comes along and takes some of the fruit as a tax, as long as it doesn't take too much it still makes sense for the farmer to cultivate that tree so he can have that aftertax income. And as long as the government only takes a portion of the fruit, then the government is not diminishing the ability of the tree to produce that fruit.

But if the government comes along and says in addition to taking a whole lot of the fruit, we want to saw off a branch because we want some firewood, that is a whole different matter. Because whatever you think of how many of those apples or whatever portion of that fruit you wish to take from the farmer, once you start cutting at the tree you are diminishing the ability of the tree to produce income for the good of the farmer and for society.

That is what happens when we restrict capital, and I am afraid this is the path we would be going down if we adopt this. This is bad economic policy. We already have the most progressive Tax Code in the world, and very progressive by our own historical standards.

For the sake of job growth, economic growth, and in the hopes that we will instead have a meaningful discussion about budget policy and tax reform, I urge my colleagues to vote no today on the cloture motion on the Buffett rule.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, 1 year ago last month our Nation lost an esteemed public servant and an outstanding human being, Judge M. Blane Michael, who served on the U.S. Court of Appeals for the Fourth Circuit for a number of years.

With his passing, we were therefore left with a great void not only on the Federal judiciary but also in the hearts of his family and his many friends. So it is with a profound sense of obligation to the people of West Virginia and America that I set out to find a nominee to fill his vacancy. My duty to provide advice and consent took on, to me, additional significance.

In West Virginia, we are fortunate to have many talented and worthy lawyers who are capable of serving—and willing to serve—on the Federal bench.

But the nominee before the Senate today, Stephanie Dawn Thacker, completely stood out to me—and (in turn) to President Obama—as someone who is uniquely qualified to carry on in her own way, Judge Michael's legacy of independence, humility, and intellectual honesty as a Federal judge.

There is no question that Stephanie Thacker has reached the heights of the legal profession, both as an award-winning public servant and as an esteemed lawyer in private practice.

Her rise is all the more impressive because of the challenges she overcame. The circumstances of Stephanie Thacker's early life were not easy. Her home town, Hamlin, WV, is in one of the poorest counties in the nation—a place where nothing is taken for granted and where every success is hard-earned.

Stephanie credits a supportive family and community, and the influence of two strong women who assumed her ability to achieve against the odds.

While still in the crib, Stephanie's mother and grandmother told her every day that she would go to college, and then in college they told her she would succeed in law school. They instilled in her the value of education and a strong sense of public service and duty to her country, which we fulfill again today.

Ms. Thacker heeded their advice, graduating magna cum laude from

Marshall University and second in her class from the West Virginia University College of Law, where she was an editor of the Law Review.

Over the next 21 years her passion and respect for the law, along with her drive to seek justice for her clients, resulted in an illustrious career. Ms. Thacker's reputation is as a compassionate yet tough attorney who makes thoughtful, very well-researched, and therefore confident arguments that are always based on the law and facts of her cases.

These skills and character are evident in her 12 years of service as a federal prosecutor, where she rose to be Principal Deputy Chief of the Department of Justice's Child Exploitation and Obscenity Section. Among her accomplishments are prosecuting the first federal Violence Against Women Act case and helping to develop the nationwide Innocence Lost initiative to combat child sex trafficking, which to date has led to the rescue of more than 1,600 children and the conviction of more than 700 sex offenders.

She co-authored the Federal Child Support Prosecution handbook, worked reviewing and amending West Virginia's domestic violence laws, prosecuting notorious child sex offender Dwight York, and training national and international law enforcement officials on the prosecution of child exploitation crimes.

This body of work has rightfully earned her bipartisan praise over the years from United States Senators, FBI Director Mueller and former Attorney Generals Gonzales and Ashcroft, who awarded her the Distinguished Service Award, which is among the Department's highest commendations.

These accomplishments are illustrative of the experience and qualifications that Stephanie Thacker offers in service to the U.S. Court of Appeals for the Fourth Circuit.

She has the courage to make tough decisions, and will not back down from a challenge.

She has the superior intellect necessary to analyze the complex legal issues that come before the Federal appeals courts. She will look at every case with a fair and open mind and will issue opinions that are guided by our Constitutional principles and always grounded in the law and she will never forget her solemn duty to uphold fairness and justice for everyone, regardless of social status or economic means.

In conclusion, it is with great optimism, pride, and a renewed spirit that I look to the future, knowing that this important appellate vacancy will be filled with such a qualified nominee as Stephanie Dawn Thacker.

I yield the Floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise today first of all to thank the senior

Senator, my friend Senator ROCKEFELLER, for nominating such a qualified jurist upon the passing of our dear friend, Judge Blane Michael.

Stephanie Dawn Thacker is a native of Hamlin, WV. We are awaiting her confirmation this afternoon with a vote which I know will be in the affirmative. It is my privilege and my honor to speak on her behalf also.

Stephanie Thacker's impressive background and extensive list of accomplishments in both the public and private sectors make her an exceptional judge for the 4th Circuit. She is renowned in our state for her mastery of the law and of the courtroom, and I have no doubt that she will make a highly successful federal judge.

Ms. Thacker has dedicated much of her career to fighting some of the worst offenses in our society. As a trial attorney, Deputy Chief of Litigation, and Principal Deputy Chief, she spent several years prosecuting cases, as you have heard, on Child Exploitation and Obscenity at the Department of Justice. Her outstanding work and leadership earned her a number of honors at the Department of Justice, including four "Meritorious" Awards and two "Special Achievement" awards.

Her impressive performance in prosecuting the case of United States v. Dwight York earned her the Attorney General's "Distinguished Service" award, one of the Department's highest honors. She was also a recipient of the Assistant Attorney General's awards for "Special Initiative" and "Outstanding Victim and Witness Service."

Prior to her service at the Department of Justice, Ms. Thacker worked with the U.S. Attorney's Office for the Southern District of West Virginia, where she prosecuted a wide variety of criminal cases, including money laundering and fraud. While at the U.S. Attorney's Office, Ms. Thacker participated on the trial team prosecuting United States v. Bailey, the first case ever brought under the Violence Against Women Act.

Since 2006, Ms. Thacker has been a partner at the law firm of Guthrie & Thomas in Charleston, West Virginia. There, she has concentrated on cases involving product liability, environmental and toxic torts, complex commercial defense, and criminal defense.

Ms. Thacker was a model student in both her undergraduate and legal studies. She earned her Bachelor's degree in Business Administration, magna cum laude, from Marshall University, and her J.D., Order of the Coif, from West Virginia University College of Law. While at West Virginia University she was a recipient of the Robert L. Griffin Memorial Scholarship and Editor of West Virginia Law Review's Coal Issue. She has also recently been named "Outstanding Female Attorney" by WVU Law's Women's Caucus.

Ms. Thacker's wide-ranging expertise in civil and criminal matters, her im-

pressive track record in the courtroom as both a prosecutor and a defense attorney, and her outstanding academic accomplishments will make her a first-rate addition to the 4th Circuit. I am proud to call her a fellow West Virginian and I am pleased that she will finally be confirmed.

THE BUFFETT RULE

Mr. MANCHIN. Mr. President, I had the enormous privilege to spend the last 2 weeks traveling around my great State to hear from the people of West Virginia.

It is always so refreshing to get a dose of commonsense from people who are working hard every day to balance their family budget, put food on the table and give their kids a better life.

And I can tell you that the people of West Virginia are so frustrated and losing confidence in this government, especially when it comes to our broken tax system.

Whether it was in Beckley, Ravenswood or Wheeling, I heard the same thing from the people of my great State.

We just don't understand why hard-working, middle income people are paying a much higher tax rate than some of the wealthiest people in this country. Take our coal miners, who go to the mine every single day to make a living for themselves, for their families, but who are paying a higher tax rate than some people making a million dollars a year. Where I come from, that's not fair. Where I come from, that doesn't make any sense.

Where I come from, that means our system needs to be fixed—in a real, responsible and fiscally sound way that reduces our debt.

Now, let me be clear: I am not begrudging anyone who's worked hard, who has taken a risk or who has done well. But we have to have a solid country under us to achieve those goals. And we need to put fairness back in the tax system to get this country on solid ground again. And if we want a fair system, that means that there should not be privileges that allow the very wealthy to pay a lower rate than hard-working, middle class Americans.

Right now, the average person does not have those opportunities or privileges. But when people believe the American Dream is in reach, they will all pull harder.

Today I rise to speak about my support for the Buffett Rule, which would take a small step toward fixing this unfair system and paying down this country's nearly \$16 trillion debt.

A lot of people here believe that this bill will fail because of politics on a mostly party line vote. That is a shame because the only line we should vote is the American line.

For a year-and-a-half, I have been coming to the Senate floor to urge my colleagues to put party and politics aside and vote for the good of the next

generation, whether it is a Democratic idea or a Republican idea.

But even though this vote on the Buffett Rule might fail today on party lines, we cannot give up—we have to find a way to come together for the next generation.

I have said before that the Buffett Rule alone does not address the full scope of the problem. All it does is nibble around the edges of our broken tax code. We still have too many corporations that can take advantage of too many loopholes, credits and exemptions. We are pushing \$16 trillion dollars in debt and we are still spending more than a trillion dollars more than we take in every year. That does not make sense.

We have to fix the whole thing so that we can start reducing our deficit, paying down our debt and putting our fiscal house back in order for the next generation.

To do that, we have a plan with bipartisan support—the Bowles-Simpson framework, which would reduce loopholes, exemptions and credits across the board, lower tax rates and get everyone to pay their fair share. Just as importantly, it would cut spending and start paying down our debt.

I can't tell you how important that is to the people of West Virginia, the taxpayers in every single income bracket who don't trust the government to spend their tax dollars wisely.

Just like all Americans have the responsibility to pay their fair share, Washington has the responsibility to show the people of this country—no matter how much money they make—that we are using their tax dollars wisely and effectively—just as we did in West Virginia.

That is why I believe we must—and I will continue to fight—to cut back on our spending. We have to eliminate the \$125 billion dollars that we spent in waste, fraud and abuse last year alone. And most importantly, we have to pay down the nearly \$16 trillion dollar debt hole that has been dug for the next generation.

The Buffett Rule would take a small step to show the American people that we are trying to correct those problems and—most importantly—put some basic fairness back into our tax system.

Even though this vote might fail, in West Virginia we will continue to work hard. We will continue to pay our taxes. And we will continue to fight to make sure that when our coal miners send in their taxes, that people who bring in a million dollars a year aren't getting away with paying less.

The future of this country depends on those of us here in Washington working together to restore confidence in this great nation because when people believe that everyone is paying their fair share, they are all willing to pull their load a little harder. And if people start

believing in this country again, there's no stopping us.

I yield the floor.

Mr. GRASSLEY. Mr. President, again we are moving forward under the regular order and procedures of the Senate. This year we have been in session for about 37 days, including today. During that time we will have confirmed 15 judges. That is an average of better than one confirmation for every 2½ days we have been in session. With the confirmations today, the Senate will have confirmed nearly 75 percent of President Obama's article III judicial nominations.

Despite this progress, we still hear complaints about the judicial vacancy rate. We are filling those vacancies. But again, I would remind my colleagues that of the 82 current vacancies, 50 have no nominee. That is over 60 percent of vacancies with no nominee.

Another complaint we hear, which is a distortion of the record, is the so-called delay in confirming nominees. Those who raise this complaint only focus on the time a nominee is reported out of committee until confirmation. But the confirmation process is more than just Senate floor action.

For those who may not be familiar with the confirmation process, let me review. Once a nomination is received, the committee takes an appropriate amount of time to review the nominee's Senate questionnaire and background and review written materials. The Committee holds a hearing on judicial nominees and then holds the record open for additional written questions. Of course there is debate on the nomination in committee, then the nomination is reported to the floor. All of this takes time. Every step is important. Not all nominees make it through each step.

The average time for this process for President Bush's circuit judge nominees was 350 days. That means it took, on average, nearly 12 months from the time a nomination was received in the Senate until final confirmation.

For President Obama's circuit nominees the average time from nomination to confirmation is 243 days. That means President Obama's circuit nominees are being confirmed faster than those of President Bush. So to those who ask What's different about this President? I would respond that one thing that is different is that this President's circuit nominees are being treated much more fairly than President Bush's nominees were treated.

As I stated, not all nominees make it through every step of the process. In the case of our nominee today, she completed that process in about 220 days, below the average for President Obama and much quicker than the average for President Bush. She will likely be confirmed and take her place on the Court of Appeals for the fourth circuit.

This was not the outcome for many of President Bush's nominees to the fourth circuit. Let me review just a few of the highlights from those failed nominations.

I wonder if my colleagues remember William Haynes, President Bush's nominee to sit on the fourth circuit. In the 108th Congress, my Democratic colleagues held up his nomination for 638 days on the Senate calendar alone before it was returned to the President. All in all, he put his life on hold for 1,173 days and never received an up-or-down vote.

Later, at a point during the 110th Congress, the fourth circuit had a vacancy rate of 33 percent and desperately required judges. The President did his duty and submitted four nominations. Unfortunately, all of them were needlessly delayed.

Judge Robert Conrad was nominated to a seat on the fourth circuit which had been designated as a judicial emergency. Both home State Senators supported his nomination. Furthermore, he had received unanimous support from the Senate on two prior occasions—first when he was confirmed to be a United States Attorney and again when he was confirmed by voice vote to be a United States District Judge for the Western District of North Carolina. The American Bar Association's Standing Committee on the Federal Judiciary unanimously gave him a rating of well qualified.

Judge Conrad met every standard to be considered a well qualified, non-controversial, consensus nominee. Yet, his nomination stalled. He was nominated on July 17, 2007. Despite his extensive qualifications, a hearing was never scheduled. On October 2, 2007 Senators BURR and Dole sent a letter to the chairman asking for a hearing for Judge Conrad. On April 15, 2008 they sent a second letter to the chairman requesting a hearing for Judge Conrad.

Their request was never granted. After waiting 585 days for a hearing that never came, Judge Conrad's nomination was returned on January 2, 2009.

Steve Matthews was another nominee to the fourth circuit, nominated on September 6, 2007. He was a graduate of Yale Law School and had a distinguished career in private practice in South Carolina. He also had the support of his home State Senators. On April 15, 2008 Senators GRAHAM and DEMINT sent a letter to the chairman asking for a hearing for Mr. Matthews. Despite his qualifications, Mr. Matthews waited 485 days for a hearing that never came. His nomination was returned on January 2, 2009.

Rod Rosenstein was nominated to a fourth circuit seat designated as a judicial emergency on November 15, 2007. The American Bar Association's Standing Committee on the Federal Judiciary unanimously rated him well qualified. Previously, in 2005 he had been

confirmed by a noncontroversial voice vote as U.S. Attorney for Maryland. Prior to his service as U.S. Attorney, he held several positions in the Department of Justice under both Republican and Democratic administrations.

On June 24, 2008 Senator Specter, the ranking Republican Member, sent a letter to Mr. Rosenstein's home State Senators pointing out that the seat to which Mr. Rosenstein had been nominated had been vacant since August 2000—at the time nearly 8 years. He requested they return their blue slips on his nomination. That request was declined, reportedly because the nominee lacked ties to Maryland and was doing too good of a job as the U.S. Attorney for Maryland. I find that rationale somewhat perplexing, if not inconsistent.

Nevertheless, despite his stellar qualifications, Mr. Rosenstein waited 414 days for a hearing that never came. His nomination was returned on January 2, 2009.

Judge Glen Conrad was another failed nomination to the fourth circuit. Nominated on May 8, 2008 he had the support of his home State Senators, one a Republican, the other a Democrat. Judge Conrad had previously been supported by the full Senate when he was confirmed to be a United States District Judge for the Western District of Virginia by a unanimous, bipartisan vote of 89-0 in September 2003. Despite his extensive qualifications, Judge Glen Conrad waited 240 days for a hearing that never came. His nomination was returned on January 2, 2009.

What was the reaction to this Democratic obstruction to President Bush's fourth circuit nominees? A December 2007 Washington Post editorial lamented the dire straits of the fourth circuit writing: "[T]he Senate should act in good faith to fill vacancies—not as a favor to the president but out of respect for the residents, businesses, defendants and victims of crime in the region the 4th Circuit covers. Two nominees—Mr. Conrad and Steve A. Matthews—should receive confirmation hearings as soon as possible."

In 2008, another Washington Post editorial stated that "blocking Mr. Rosenstein's confirmation hearing . . . would elevate ideology and ego above substance and merit, and it would unfairly penalize a man who people on both sides of this question agree is well qualified for a judgeship."

I would note that the seat to which Mr. Rosenstein was nominated went vacant for over 9 years. When President Obama made his nomination to that vacancy, the nominee fared far better. He received a hearing a mere 27 days after his nomination and received a committee vote just 36 days later.

So today, as we confirm another of President Obama's nominees to the fourth circuit, I hope my colleagues understand, recognize, and acknowl-

edge that President Obama's nominees are being treated in a fair manner.

Stephanie Dawn Thacker is nominated to be United States Circuit Judge for the fourth circuit. She graduated with honors from West Virginia University College of Law in 1990 and received her B.A., magna cum laude, from Marshall University in 1987. Ms. Thacker began her legal career as an associate in the Pittsburgh office of Kirkpatrick & Lockhart, now K&L Gates. There she worked on complex commercial and asbestos defense litigation.

In 1992, she worked for a brief period as an assistant attorney general in the Environmental Division of the Office of the West Virginia Attorney General. There she represented the State of West Virginia on environmental issues involving permitting and compliance. She then joined King, Allen & Betts—now Guthrie and Thomas—as an associate, where she worked from 1992 to 1994 on cases involving commercial litigation defense, white collar criminal defense, and legal malpractice and professional responsibility defense.

In 1994, she joined the United States Attorney's Office for the Southern District of West Virginia as an assistant United States attorney in the General Criminal Division. As an assistant United States attorney, she prosecuted cases on a wide range of criminal matters including money laundering, fraud, firearms, and tax evasion matters. She eventually developed a niche in domestic violence, child support enforcement, and coal mine safety.

In 1999, she became a trial attorney with the Department of Justice's Child Exploitation and Obscenity Section. She was promoted to deputy chief for litigation in 2002 and principal deputy chief in 2004. As a trial attorney, she prosecuted cases around the country involving child pornography, child sexual exploitation, sex trafficking, and obscenity. As deputy chief and principal deputy chief, she was responsible for the management and professional development of the section trial attorneys.

In 2006, she became a partner at Guthrie and Thomas—formerly King, Betts & Allen—where she previously worked basis as an associate. She has specialized in complex litigation, environmental and toxic tort litigation, representing large companies, as well as handling some criminal defense cases representing individuals.

A substantial majority of the ABA Standing Committee on the Federal Judiciary gave her a rating of well qualified; a minority of that committee rated her as qualified.

The PRESIDING OFFICER. Under the previous order, the question is on the nomination.

Mr. ROCKEFELLER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Stephanie Dawn Thacker, of West Virginia, to be United States Circuit Judge for the Fourth Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Colorado (Mr. BENNET), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Wyoming (Mr. ENZI), the Senator from Utah (Mr. HATCH), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 3, as follows:

[Rollcall Vote No. 64 Ex.]

YEAS—91

Alexander	Graham	Murray
Ayotte	Grassley	Nelson (NE)
Barrasso	Hagan	Nelson (FL)
Baucus	Harkin	Paul
Begich	Heller	Portman
Bingaman	Hoeben	Pryor
Blumenthal	Hutchison	Reed
Blunt	Inhofe	Reid
Boozman	Inouye	Risch
Boxer	Isakson	Roberts
Brown (MA)	Johanns	Rockefeller
Brown (OH)	Johnson (SD)	Rubio
Burr	Johnson (WI)	Sanders
Cantwell	Kerry	Schumer
Cardin	Klobuchar	Sessions
Carper	Kohl	Shaheen
Casey	Kyl	Shelby
Chambliss	Landrieu	Snowe
Coats	Lautenberg	Stabenow
Coburn	Leahy	Tester
Cochran	Levin	Thune
Collins	Lugar	Toomey
Conrad	Manchin	Udall (CO)
Coons	McCain	Udall (NM)
Corker	McCaskill	Warner
Cornyn	McConnell	Webb
Crapo	Menendez	Whitehouse
Durbin	Merkley	Wicker
Feinstein	Mikulski	Wyden
Franken	Moran	
Gillibrand	Murkowski	

NAYS—3

DeMint	Lee	Vitter
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NOT VOTING—6

Akaka	Enzi	Kirk
Bennet	Hatch	Lieberman

The nomination was confirmed.

The PRESIDING OFFICER (Mrs. HAGAN). Under the previous order, the motion to reconsider is made and laid upon the table. The President will be immediately notified of the Senate's action.

CONGRATULATING STEPHANIE THACKER

Mr. MANCHIN. Madam President, today I wish to congratulate Stephanie Dawn Thacker, a native of Hamlin, WV, on her confirmation to the 4th Circuit Court of Appeals.

It is my privilege and my honor to speak on her behalf, and I am so proud she was confirmed. I would like to thank my colleague Senator JAY ROCKEFELLER for nominating such a qualified jurist.

Stephanie Thacker's impressive background and extensive list of accomplishments in both the public and private sectors make her an exceptional judge for the 4th Circuit. She is renowned in our State for her mastery of the law and of the courtroom, and I have no doubt that she will make a highly successful Federal judge.

Ms. Thacker has dedicated much of her career to fighting some of the worst offenses in our society. As a trial attorney, Deputy Chief of Litigation, and Principal Deputy Chief, she spent several years prosecuting cases on Child Exploitation and Obscenity at the Department of Justice. Her outstanding work and leadership earned her a number of honors at the Department of Justice, including four "Meritorious" Awards and two "Special Achievement" awards.

Her impressive performance in prosecuting the case of United States v. Dwight York earned her the Attorney General's "Distinguished Service" award, one of the Department's highest honors. She was also a recipient of the Assistant Attorney General's award for "Special Initiative" and "Outstanding Victim and Witness Service."

Prior to her service at the Department of Justice, Ms. Thacker worked with the U.S. Attorney's Office for the Southern District of West Virginia, where she prosecuted a wide variety of criminal cases, including money laundering and fraud. While at the U.S. Attorney's Office, Ms. Thacker participated on the trial team prosecuting United States v. Bailey, the first case ever brought under the Violence Against Women Act.

Since 2006, Ms. Thacker has been a partner at the law firm of Guthrie & Thomas in Charleston, West Virginia. There, she has concentrated on cases involving product liability, environmental and toxic torts, complex commercial defense, and criminal defense.

Ms. Thacker was a model student in both her undergraduate and legal studies. She earned her Bachelor's degree in Business Administration, magna cum laude, from Marshall University, and her J.D., Order of the Coif, from West Virginia University College of Law. While at West Virginia University she was a recipient of the Robert L. Griffin Memorial Scholarship and Editor of West Virginia Law Review's Coal Issue. She has also recently been named "Outstanding Female Attorney" by WVU Law's Women's Caucus.

Ms. Thacker's wide-ranging expertise in civil and criminal matters, her impressive track record in the courtroom as both a prosecutor and a defense attorney, and her outstanding academic

accomplishments will make her a first-rate addition to the 4th Circuit. I am proud to call her a fellow West Virginian and I am pleased that she has finally been confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

IMPOSING A MINIMUM EFFECTIVE RATE FOR HIGH-INCOME TAXPAYERS—MOTION TO PROCEED

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent there be 2 minutes equally divided prior to the cloture vote on the motion to proceed.

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

The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, many Americans sat down last week to prepare their taxes, knowing from Warren Buffett and others that the highest income Americans very often are paying a lower tax rate than they have to. The 400 highest income Americans, the most recent data shows, paid an all-in tax rate of 18.2 percent, on average. Some paid a lot less. One year Warren Buffett paid an 11-percent tax rate.

Reuters reported today that about 65 percent of taxpayers who earn more than \$1 million face a lower tax rate than the median tax rate for moderate-income earners making \$100,000 or less a year. This bill will raise between \$47 and \$162 billion that could go for deficit reduction or hundreds of thousands of infrastructure jobs or to keep student interest rates at 3.4 percent and end the absurd inequity in our Tax Code that lets a hedge fund billionaire pay a lower tax rate than a Rhode Island truckdriver. I hope my colleagues will vote yes.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Arizona.

Mr. KYL. Madam President, everyone knows this is not going to pass. This is a political exercise. I urge my colleagues to vote no. The fact is on average the people in the upper two brackets pay more than twice as much in their income tax rates as the people we call the middle-class taxpayers.

So the basis, the factual basis upon which this is allegedly founded is incorrect. The truth is this legislation will do nothing with regard to job creation, with regard to gas prices, with regard to economic recovery, or any of the other matters the American people care about. As a result, to focus attention on something like this is to try to draw attention away from the issues about which the American people are most concerned.

I urge my colleagues to vote no.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 339, S. 2230, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

Harry Reid, Sheldon Whitehouse, John D. Rockefeller IV, Barbara Boxer, Patrick J. Leahy, Jeff Bingaman, Richard J. Durbin, Daniel K. Akaka, Al Franken, Jack Reed, Mark Begich, Sherrod Brown, Carl Levin, Richard Blumenthal, Bernard Sanders, Debbie Stabenow, Charles E. Schumer, Patty Murray.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call has been waived. The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2230, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH) and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "nay."

The PRESIDING OFFICER (Mr. MERKLEY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 45, as follows:

[Rollcall Vote No. 65 Leg.]

YEAS—51

Baucus	Gillibrand	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Inouye	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kerry	Rockefeller
Brown (OH)	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NAYS—45

Alexander	Coats	Graham
Ayotte	Coburn	Grassley
Barrasso	Cochran	Heller
Blunt	Corker	Hoeben
Boozman	Cornyn	Hutchinson
Brown (MA)	Crapo	Inhofe
Burr	DeMint	Isakson
Chambliss	Enzi	Johanns

Johnson (WI)	Murkowski	Sessions
Kyl	Paul	Shelby
Lee	Portman	Snowe
Lugar	Pryor	Thune
McCain	Risch	Toomey
McConnell	Roberts	Vitter
Moran	Rubio	Wicker

NOT VOTING—4

Akaka	Kirk
Hatch	Lieberman

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 45. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. LIEBERMAN. Mr. President, I know there are many who dismiss the President's proposal of the so-called Buffett rule as an election year tactic which has no chance of being enacted. But, for me, it must be taken as a serious proposal because it touches important economic principles at a very difficult economic time for our country. Although I was unable to be present for this afternoon's vote, I would have voted against the motion to proceed to the Paying a Fair Share Act of 2012, S. 2230, and I want to explain why.

I am not opposed to the Buffett rule because I am opposed to raising income taxes on the wealthiest Americans. I am opposed to the Buffett rule because it would double to 30 percent the capital gains tax on one group of investors and therefore reduce exactly the kind of capital investments we need to get our economy growing again and create jobs. To protect America from being drowned in public debt we will eventually have to raise revenues, hopefully through broad tax reform, and, of course, we will also have to cut expenditures, particularly the rate of increased spending on so-called entitlement programs. But that is different from the question of how to tax gains on capital investments. I have long believed in the value of having a lower tax on capital gains than on regular income because capital investments are one of the engines that has driven this great economy of ours, made us the land of opportunity, and created the American middle class. Someone once said that if you take the "capital" out of capitalism, all you have left is an "ism." There is a lot of truth in that play on words.

My support for a lower capital gains rate was probably born when one of the great political inspirations of my life, President John F. Kennedy, advocated lower capital gains taxes as part of his "a rising tide raises all boats" fiscal policy. During my first term in the Senate in 1989, I supported President George H.W. Bush's proposal to lower the capital gains tax. I was one of a small group of Democrats to do so. During the 1990s, I worked alongside the late, great Jack Kemp in support of lower capital gains rates, especially for gains made on capital investments in low-income urban and rural areas which we called enterprise zones.

Throughout the years, I cosponsored broad proposals to lower the capital gains tax with Senator HATCH and other Members of the Senate from both political parties. To me, economic history proves that lower capital gains taxes grow our economy and higher capital gains taxes don't increase revenues. This particular tax increase is especially ill-timed, since it is clear that literally billions of dollars are now being held back from new investments in America by individuals and businesses because they are uncertain about the future of our economy and the future of government policies that will affect their businesses and their investments. The best thing we could do to regenerate economic growth is to adopt broad-based tax and entitlement reform that would bring our government books into balance and give American businesses and investors a sense of certainty about the economic environment in which they will be living for years to come. The Buffett rule, on the other hand, targets a particular kind of economic activity—capital investments—which are what America's economy and people urgently need now. And that is why I would have voted against the Buffett rule.

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

SURFACE TRANSPORTATION ACT

Mr. WHITEHOUSE. Mr. President, I will be closing the Senate very shortly, but before I do I want to say a few words about a topic that came up today. Obviously, I was pleased that a majority of the Senate, indeed a bipartisan majority of the Senate, has just voted to eliminate an unfortunate gimmick in the Tax Code that allows people who make north of a quarter of a billion dollars a year to pay lower tax rates than a Providence, RI truck-driver pays if he is single. I think that is pretty hard to justify, frankly. I think a lot of Americans spent last week preparing their taxes and having heard from Warren Buffett who 1 year paid an 11-percent all-in Federal tax rate, a rate obviously higher than his secretary paid, something Mr. Buffett himself has complained about, there is a pretty wide sense that the American Tax Code serves special interests and people who have phenomenal amounts of wealth much better than it serves regular middle-class taxpayers.

That is particularly true if you avoid doing what my Republican colleagues have done, which is focus on the most progressive part of the Tax Code, the

income tax part, and ignore the most regressive part of the Tax Code which hits the working families the hardest, which is payroll taxes. Almost everything they will say about the American Tax Code conveniently omits the taxes that most Americans pay—more Americans pay than the income tax, frankly.

But we had a good discussion on that subject. I think because it was so difficult for so many of my colleagues to come out in favor of an upside-down tax situation in which somebody making a quarter of a billion dollars pays a lower rate than somebody making \$100,000 or \$90,000, other topics were brought up. We kind of had a march through all the topics one could think of. One of them, very central to all of us here in the Senate today, is jobs, and it was pointed out that the tax fairness bill is not a jobs bill. Of course it would be if you took the \$47 billion to \$162 billion in revenue it creates and put it toward infrastructure. Then it would create literally hundreds of thousands of jobs. But because it does not define where the revenue is going to go I cannot say it is a jobs bill. It is a tax fairness bill. That was its intention.

But we do have a jobs bill here in Congress. We have a very significant jobs bill. We have a highway transportation bill. The Presiding Officer serves with me on the Environment and Public Works Committee and knows how hard we worked to get that bill through the Environment and Public Works Committee. It is exactly the kind of bill that people from outside of Washington, looking in at Washington, want to see us do. You had a chairman on the Environment and Public Works Committee, BARBARA BOXER of California, and a ranking member on the Environment and Public Works Committee, Senator INHOFE of Oklahoma, who are from about as polar opposite political points of view as they could be, but they found a way to come together on this bill. They worked with all of us on the committee. As a result the bill passed out of the Environment and Public Works Committee unanimously, every Republican and every Democrat.

Then it came to the floor, and there are complaints from time to time around here that stuff gets jammed on the floor and there is not enough of an open amendment process. There were 5 weeks of debate and amendment of this bill on the Senate floor. I think 41 amendments were added to the bill, either by vote or by agreement during the course of that—Republican amendments, Democratic amendments. When the dust settled on the whole process and everybody had their say and everybody had their votes and all the amendments that could be considered were considered, we voted on it and 75 Senators either voted for it or were out of town and have said that they would

have voted for it had they been here. So you had an effective vote of 75, I think, to 22. By our standard here that is a colossal bipartisan landslide.

The bill itself was supported by everybody from the U.S. Chamber of Commerce—which is probably the most active Republican lobbying and political organization in the country—to environmental groups, to the labor unions. This is a bill that everybody supports. From a jobs point of view it is 2.9 million jobs. It is 9,000 jobs in my home State of Rhode Island. This is a big deal.

The bill was sent over to the other side of the Capitol and there it sits. The Speaker will not take it up. What I hear is because he does not want to count on Democratic votes. To somebody who wants a job or who wants a cousin or a sister to have a job—to be out working, rebuilding roads, rebuilding bridges, rebuilding highways, rebuilding our national infrastructure—it is pretty hard to explain why you would walk away from a bill that creates 3 million jobs, a bill that is bipartisan, that went through a full process in the Senate, when they have no bill whatsoever of their own, and do so because they do not want to use Democratic votes. That is sort of the ultimate Washington insider reason for not doing something important for the country.

When we talk about jobs in the Senate, until we get action in the House that creates a real bill, I don't think we should be getting any lectures about jobs from our Republican colleagues. I am told that the House is passing another extension. As the Presiding Officer knows, these extensions cost a ton in the way of jobs. It has been estimated by our Director of Transportation that it would be a thousand jobs lost in Rhode Island from the extension we have already agreed to through the end of June. If we pass that through the end of September, there goes the entire building season. That is going to hurt.

I spent time in Rhode Island when we were home over the recess period with the Director of Transportation, who is a very able Director. He has worked under Republican and now Independent Governors. He describes that they have a list this long of projects that they want to get done this summer, in the building season, but if they do not know until July what the funding is going to be, he said, I have to drop a lot of those projects off the bottom. When I do that, that is a lot of jobs. It is unnecessary. We could be passing this bipartisan Senate bill through the House very quickly. Democrats would vote for it. Many Republicans would vote for it. All those jobs would be able to start up right away. If we extend it further into September, that makes it even worse. So it is urgent that we not continue down a path of delay and delay of the bill.

It is not only me saying this. The folks at Standard & Poor's have come out with a report that is entitled "Increasingly Unpredictable Federal Funding Could Stall U.S. Transportation Infrastructure Projects." They point out that:

As the construction season begins in the northern half of the country, this continuing uncertainty in funding could force states to delay projects rather than risk funding changes or political gridlock come July.

That is exactly what Director Lewis told me, that simply the uncertainty will move jobs off the list that can be done in this construction season. The report continues that "... the political gridlock in Washington, DC"—i.e. the Speaker being unwilling to call up a bipartisan, 75 to 22, Senate bill with Democratic and Republican amendments, everybody supporting it, unwilling to call that up because he doesn't want to have to rely on Democratic votes, that is political gridlock for sure—"and the doubts surrounding federal funding are making it difficult for issuers throughout the infrastructure sector to define long-term plans for funding necessary capital projects."

Then this report goes on to say:

Once a long-term authorization is approved, we believe it will provide an impetus for transportation agencies to reconsider high priority projects that have been shelved because of lack of funds, but if the authorization is extended by even more continuing resolutions, such high priority projects will remain in limbo.

Jobs are at stake. It is a multi-million-jobs bill. It is sitting over there, not because of any problem they have with the bill per se. They don't have a bill of their own. They don't have anything they prefer. I hear they are going to send over another extension to September—arguably, if I hear correctly, with some politically very contentious issues attached, which makes it even more difficult. Remember, this was a bipartisan bill here on the Senate side. That is where we are stuck.

So I wished to take the time this evening to urge my colleagues on the Republican side of the aisle to use whatever powers they have of conversation or persuasion to get the House to call up the bill. If we have to get this bill over, the alternative is, if it is only another extension, that is going to cost—I don't know—another 1,000 jobs in Rhode Island. We need to make sure we have a bill that will take us to conference and that we get to conference as quickly as possible. Once we are in conference, we need to pass a real authorization that avoids these problems as quickly as possible. The American people expect no less.

It is not rocket science to pass a transportation bill. Congress has been doing this since the days when President Eisenhower established the Federal highway program. If we cannot get this done, what does that say about our

prospects of doing something complicated, such as cybersecurity or other issues we will have to face? This should be a slam dunk, particularly with a bipartisan bill that everybody supports that came through the Senate after such a clear, transparent, rigorous, and open process. I will end my remarks there.

ARTS ADVOCACY DAY 2012

Mr. HARKIN. Mr. President, at a recent HELP Committee hearing on education and the economy, representatives of the business community told us that it is not enough for our education system to produce graduates who can read, write, and do math. Employers need workers who can apply creativity, collaboration, and communication in their jobs to solve problems, produce ideas and make connections. These are the keys to innovation and success in the knowledge economy of the 21st century. Indeed, they are essential if we are to move our economy forward, create jobs, and ensure our national security. But I ask you, How can we produce graduates who are creative and collaborative if we don't value the arts in our society and teach it in our schools?

Today is Arts Advocacy Day. Advocates for the arts have come to Washington to remind their elected officials about the importance of Federal investments in the arts. Why investment at the Federal level? Because arts are essential to the fabric of our society. Arts education teaches critical skills—not just creativity, but also a rigorous and practical application of other skills. The arts make us think. The arts improve our quality of life. The arts provide an outlet for personal and political expression. Collectively, our arts express who we are as a nation. This very building, the United States Capitol, an enduring symbol of freedom and democracy, is an especially powerful example. Federal funds built this building. Federal funds also support vital programs such as the Iowa Arts Council Big Yellow School Bus grants, to pay the costs of busing students to museums or live orchestra concerts. For many students, this is the only opportunity they have to experience the arts.

It is imperative that we continue to promote a society where all citizens are exposed to the arts and where all students—no matter their socioeconomic background, community, family, or ability—have equitable access to a high-quality, public, well-rounded education that includes the arts.

Unfortunately, recent data from the Department of Education show that inequities persist. Schools serving the poorest students are less likely to offer instruction in the arts. For example, availability of music instruction in secondary schools on average has remained at about 90 percent for the last

10 years. Meanwhile, it has actually decreased, from 100 percent to 81 percent for schools with the highest poverty concentration—a 19 percentage point decrease.

We all want our kids to succeed in school, and to be inspired in school. Many students find the motivation to learn through participation in the visual arts, drama, band, orchestra, choir, or dance. Every child should have the opportunity to do something that inspires and excites them, that teaches them creativity, collaboration, and communication, no matter their socioeconomic status, their neighborhood, their local tax base. Research has shown that arts education improves not only children's creativity, but also their ability to learn and be productive in school, as well as their self-confidence and social skills.

Christine Dunn, a music teacher at Harlan Community Elementary School in Harlan, IA, wrote me a letter urging me to continue my support for the arts. She told me that without the arts, "our students may never be able to see, understand or express feelings, thoughts and ideas fully. I try to imagine a world without the arts and it looks very bleak. The arts give us creativity and the freedom to be ourselves."

Today on the occasion of Arts Advocacy Day, I would like to recognize the outstanding advocacy of Iowans like Ms. Dunn, Barry Griswell, and Suku Radia—and the wonderful contributions that Iowans have made to the arts throughout our nation's history.

TRIBUTE TO MASTER SERGEANT CHARLES ROBERT 'BOB' STOKES

Mr. McCONNELL. Mr. President, I rise today to pay tribute to a distinguished veteran of our Nation's great Armed Forces, Master Sergeant Charles Robert "Bob" Stokes of East Bernstadt, KY. MSG Stokes enlisted in the United States Air Force on June 6, 1955. He had just graduated from London High School the week before; he was 18 years old.

There was a wide variety of disciplines Bob could have entered within the Air Force. He prayed all throughout his basic training for God to put him in the field he would be best suited to. Being the son of a mechanic, he possessed natural tendencies to fix things, and had worked on machinery previously in his life. So after much praying, Bob was assigned to be an aircraft mechanic, an act he later would refer to as a "divine intervention."

Stokes had never traveled much before the service, but he soon found himself stationed all around the country at Air Force bases in Missouri, Arkansas, and Puerto Rico, to name a few. Stokes eventually landed a spot on the presidential squadron put in charge of the famous presidential aircraft, Air Force

One. He was part of that outfit throughout the administrations of Lyndon Johnson, Richard Nixon, and Gerald Ford.

Stokes's career in the Air Force continued to prove fortuitous. He saw the world through the window of Air Force One, visiting places that he had dreamed of seeing his entire life. He witnessed monumental historic events, like Nixon's resignation, from an arm's length away. He executed his job superbly, ensuring the President would always arrive safely on the ground. And finally, Bob received the greatest benefit he would ever come across while running the presidential squadron, meeting his wife Varlene. She too was serving on Andrews AFB at the time.

Bob and Varlene retired to East Bernstadt in 1976, where they reside to this day. The two have three children—Robert Jr., Tricia, and Ward, all of whom appreciate the dedication their mother and father have shown to our great Nation throughout the years.

Mr. President, in November 2011 there was an article published in Laurel County, Kentucky's local periodical magazine, the Sentinel Echo: Silver Edition. The article noted the accomplishments of Mr. Stokes throughout his many years of service in the United States Air Force.

At this time, Mr. President, it is my wish that my colleagues in the United States Senate join me in honoring Master Sergeant Charles Robert Stokes for his dedication to our great country; and I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD as follows:

[From the Sentinel-Echo: Silver Edition, Nov. 2011]

HISTORY IN THE MAKING

(By Carrie Dillard)

When retired Master Sergeant Charles Robert "Bob" Stokes was in basic training at Sampson Air Force Base, N.Y., waiting to speak to a counselor about which career field he would be best suited for, he prayed.

Having enlisted in the U.S. Air Force, Stokes knew he couldn't be a cook—he can't cook, he said, but he likes to eat. He didn't want to be an air policeman either. But he had a mechanical background, came by it honest from his father. "It was in my blood," he said.

So when only two men in his class were assigned to be in aircraft mechanics, Stokes called it divine intervention—a guiding hand that led him into the company of presidents, and ultimately to meet his wife.

Stokes graduated from London High School on May 28, 1955. He went into the service on June 6.

"I didn't have a summer vacation that year," he said. But he would get to see and experience many places in the United States and around the world that he had never dreamed of visiting.

For a small town boy from Laurel County, New York was quite a culture shock.

"How green I was," he said. "I'd never even seen a pizza in my life, never tasted one until I went to New York. It looked terrible."

But Stokes changed his mind about the pizza, and adapted to his new surroundings, albeit with a lot of homesickness. He completed aircraft and engine school in Amarillo, Texas, and was then stationed at Whiteman Air Force Base, Mo.

"I was a homesick boy," Stokes said. "I don't think I'd been any place other than Ohio and Tennessee before that, besides Kentucky."

At 18 years old, he was the youngest crew chief, or "glorified mechanic," at Whiteman AFB, maintaining B-47s. He'd later be stationed in Arkansas, Puerto Rico, and back to Missouri again, where he received orders to deploy to Guam.

Stokes was aboard B-52s, flying combat missions over Vietnam. As a crew chief, Stokes would fly beside the pilot.

"I supposed it made the pilot feel better knowing there was someone beside him who knew how to fix the plane," he said.

As the person who made sure the craft was "airworthy" by keeping it properly maintained and fueled up, it was rare for Stokes not to feel confident in an airplane. He said there was only one time when he felt like he might perish in one. It was during his time at Andrews Air Force Base.

Stokes was stationed at Andrews AFB during the administrations of Lyndon Johnson, Richard Nixon, and Gerald Ford. He saw the world through the window of Air Force One, as a crew chief on the presidential squadron.

The presidential outfit was made up of 30 to 40 planes to be used by anyone from the president or vice president to cabinet officials. There were smaller jets used to shuttle dignitaries between Andrews AFB and Camp David, and Marine helicopters to fly the president back and forth between the White House and Andrews. Stokes was assigned to a VC-135, a plush plane strictly for VIP travel.

As a man who loves to study history, the 74-year-old realizes now, more than ever, that he had a "window" into American and world history.

"I saw history," he said. "The poor people's march on Washington, riots of the 1960s, Watergate."

He remembers the day Nixon returned from a diplomatic trip to China. It was the first time a U.S. president had visited the People's Republic of China, strongly considered an adversary at the time.

"It [the trip] was very hush-hush," said Stokes. "But when he came back, they let all the Air Force personnel and their families know about it. We gathered around the hangar as he taxied into the hangar."

He also remembers the day Nixon resigned. Actually, he saw him leave.

"When Nixon left, he got on a plane to California," Stokes said. "We liked Nixon. But he got involved in that Watergate."

On the flight where he thought he might perish, the presidential squadron had flown a delegation to a state funeral in Brazil. While it was standard to fly with enough fuel to make a landing at nearby alternate locations, the plane was nearly to their destination when they discovered the airport had closed. Low visibility and haze kept the plane from landing in Brazil, and they burned up most of the fuel circling the runway.

"I was sweating bullets. It was the closest I've ever come to losing my life in an aircraft."

Truth be told, Stokes didn't want to go to Andrews AFB in 1967 when he was selected.

"I tried to get out of it, Stokes said. "I was on B-52s, in combat, making combat pay, I was staff sergeant. I was living pretty good."

Andrews AFB had the safest flight record and highest standard of excellence in maintenance. "If you were selected, you were the cream of the crop. You had to be good or you wouldn't last," Stokes said.

But at the time, he didn't know what Andrews was all about; he didn't even know what he'd been selected for.

Upon arrival at Andrews AFB, SSG Stokes was escorted into the hangar bay by a master sergeant. Another master sergeant, at the time, was taking out the trash.

"I thought it was unusual to see a master sergeant doing this type of work, and what are they going to be having me, the staff sergeant, doing, scrubbing toilets," he said.

"But that's just the way it was. The master sergeant (escorting me) told me 'every man on crew takes a turn at hangar detail.'" And they did.

"We'd sweep and mop that hangar floor. You could eat off it. I'd wax and polish the airplanes. Nobody was scared to work."

Besides, it had to be perfect. It was the home of the Air Force One, and Stokes had just made presidential squadron.

"When we were overseas, nobody would touch that airplane but me," Stokes said. "I'd check the oil, pre-flight and post-flight and put it to bed."

Upon landing anywhere in the world, Stokes would service the plane, fuel it up and make sure it was ready to go for the return trip. He was the last person to see and touch the plane before guards were stationed around the plane—inside the hangar and outside the hangar. No other soul was getting near it.

It's why one night when Stokes got a call that he needed to check the plane due to a bomb threat, he said "no way." He was confident how he'd left the plane.

"I said no way," he said. "But we had to inspect it. I went over it from top to bottom, couldn't find anything."

But tensions were high then. Not long after the alleged bomb threat, they heard word there'd been an attack on the Vice President's (Spiro Agnew) motorcade in Dallas, Texas. However, it wasn't a sniper, but heat, that had made the back window shatter on the car.

Stokes met his wife, Varlene, while serving at Andrews AFB. She was working for the Department of Agriculture at the time. The two met at a cookout hosted by a mutual friend.

Although Stokes claimed he was a "confirmed bachelor" at the age of 31, he said Varlene "changed his mind." They were married in October 1968.

"The best thing that ever happened to me was meeting her," he said.

The couple raised three children—Robert Jr., Tricia, and Ward. After every trip, Stokes would bring home a boon for his young family. A spoon for Bobby, a doll for Tricia, and foreign coins for his wife, Varlene, although he wasn't actually supposed to keep the coins. "We were supposed to turn them in before we left the country," he said. The Stokes's third child, Ward, wouldn't come along until after he left Andrews AFB, missing out on the collections.

The couple retired to East Bernstadt in 1976, where they still live today.

"The more you look back on it, I'm just blessed," Stokes said.

TRIBUTE TO MR. MARTIN YOUNG

Mr. McCONNELL. Mr. President, I rise today in honor of a devoted and loyal serviceman from the United

States Navy: Mr. Martin Young of London, KY. Martin enlisted in the Navy on September 22, 1942, when he was 19 years old. His brother was in the Army, so Martin decided to go a different route. He knew that he would have to leave home, but what he didn't know is that he was going to explore a variety of foreign locales and cross the Atlantic Ocean 14 times.

Up until his enlistment in the Navy, Martin had lived in Perry County, KY, his entire life. He was first sent to basic training at Great Lakes Training Center in Illinois. After basic training, Mr. Young decided he would attend gunnery school in San Francisco Bay, CA.

After his 6-week stint in gunnery school, Martin was finally prepared to take to the high seas. He was assigned to the Joseph Gale, a supply ship that carried ammunition and supplies as well as airplanes. During his first deployment on a ship, Mr. Young remembers that he didn't see land for 32 long days.

While aboard the Joseph Gale, Mr. Young traveled through New Guinea and the Loyalty Islands in the South Pacific; Tocopilla, Chili in South America; the West Indies; and Cuba, all before an emergency port in St. Albans, NY. The ship's bow was badly damaged by a torpedo from a German submarine and the crew had no choice but to stop for repairs on dry land.

Once in New York, Mr. Young returned to work on the tanker SS Mannassas, a ship that hauled fuel to England. He would go on to make the journey 14 times while serving on that ship. Looking back, Mr. Young remembers the tension amidst the crew on the Mannassas during the French Invasion. Although not involved in the attack, the ship was in the English Channel, and all members had to constantly be on alert, ready at a moment's notice to enter the fight.

Once Mr. Young returned to the States, he was given a 32-day furlough in which he and some Navy buddies hitchhiked from San Francisco to St. Louis before finally taking a bus to his eastern Kentucky home. During his leave the war ended, and Mr. Young returned to the Navy without the threat of combat looming over him.

Although the war was over, Mr. Young still had time in the Navy to complete, so when he heard about an opening in the Naval Barber Shop, he applied. He got the job, and cut hair during the days while attending barber school in the evenings. He enjoyed it so much that when he returned to Perry County on August 8, 1946, he continued to wield the scissors in the Commonwealth.

The Navy offered Martin Young the journey of a lifetime. He traveled around the world more than once and had the opportunity to port in breathtaking and beautiful locations on several continents.

Now retired, Martin Young enjoys the finer things in life, such as spending time with his children, grandchildren, and great-grandchildren. Although he has retired from cutting hair, he still uses his hands to make woodcrafts and play several different musical instruments. While Martin would probably say the Navy has given him so much, today I wish to recognize him and say that it is he who has given us so much. Martin Young's service to his country during World War II is something that each and every American to this day should be truly grateful for.

An article was recently published in London, KY's local newspaper magazine, the Sentinel-Echo: Silver Edition. The article highlighted the many achievements made by Martin Young throughout his eventful lifetime.

At this time, I wish to invite my colleagues in the U.S. Senate to join me in commemorating Mr. Martin Young and his dedication to our great Nation, and I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD as follows:

[From the Sentinel-Echo: Silver Edition, Nov. 2011]

BACK ON HIS HOME LAND
(By Sue Minton)

Martin Young, 89, a member of what has become known as "America's Greatest Generation," enlisted in the Navy on Sept. 22, 1942. In the Spring of '42, Young graduated from high school, and that fall the 19-year-old ventured forth on a journey that would take him across the Atlantic 14 times.

He traveled from his home in Perry County to Louisville to be processed, examined and sworn in. "My brother was in the Army, so I decided on the Navy," Young said.

Following basic training at Great Lakes Training Center in Illinois, Young chose gunnery school over submarine duty and was transferred to Treasure Island in San Francisco Bay, Calif. "We trained on three guns, the 20-millimeter, 5-inch 38, and 3-inch 50." After completing six weeks of gunnery school, Young was assigned to U.S. Navy Gunner Armed Guard Unit.

After the gun crew assignment, Young and his comrades departed for Portland, Ore., to begin their first sea duty. They boarded the Joseph Gale, a supply ship that carried a cargo of ammunition and supplies as well as airplanes. This voyage also included a training trip along the west coast, down to San Francisco and then across the Pacific Ocean. "For 32 days I did not see land," Young recalls.

"I wanted to be out there," Young said. "But I got seasick on the first ship." He remembers a gunner mate telling him he had a sure cure for seasickness. "They called us all Mack," he said. "He said to me, 'Mack, go lay down under a big shade tree, but where would you find a shade tree out in the ocean?'"

The Joseph Gale and crew members sailed to the South Pacific and dropped off supplies at various ports New Caledonia, Loyalty Islands, Solomon Island, and New Guinea.

After crossing the Pacific, Young and his shipmates returned to South America Antofagasta and Tocopilla, Chili," he said.

From South America, the crew sailed back to the States, docking in Charleston, S.C. There they boarded a destroyer escort also used to transport supplies.

For a short time the crew sailed the waves of the Caribbean Sea. "The Caribbean Sea was a hot spot, a lot of ships were sunk there," Young recalled.

While in the Caribbean, the bow of Young's ship was severely damaged by a torpedo from a German submarine. The sailors abandoned the ship and the wounded were sent to Cuba, Young among them. After arriving in Cuba, the wounded boarded the SS Shiloh en route to the U.S. Navy Hospital in St. Albans, N.Y. Seaman Young remained at the hospital for two months recovering from his injuries and surgery.

Young returned to duty on the tanker SS Manassas hauling fuel to England. This ship made seven trips from New York to England (14 trips across the Atlantic). "We also hauled gasoline from Port Arthur, Texas," Young said. "We would sail up the coast and join a convoy, maybe 60 ships. Several ships were sunk by German submarines during the seven crossings."

The Manassas was rammed by an Allied vessel in the English Channel and was docked at Belfast, Ireland, a short time for repairs. "While the ship was docked for repairs, we still carried on with our duties," Young said. "This was just before the invasion of France, and the crew had to be alert at all times."

Young recalls being in the English Channel after the invasion of France and once again was transferred to a supply ship, the SS Willard Gibbs. "This time we took supplies and ammo to Omaha Beach," he said.

The Willard Gibbs could not get near the beach, so supplies were loaded onto barges and transported to the beach. "During the unloading of the ship, the crew members went ashore and walked on Omaha Beach," Young said. "This was about a month after the invasion."

Once more Young's ship returned to New York, reloaded with supplies, and returned through the Panama Canal across the Pacific Ocean to the Philippine Islands Leyte, Luzon and Samar as well as the Mariana Islands, Caroline Island, and several others.

This passage was to be Young's last ocean voyage. When he arrived back in Los Angeles aboard the SS Willard Gibbs, he received 32 days travel time to return to New York.

Instead of taking a bus to the east coast, Young and three crew members hitchhiked. "We were on Old Highway 66, and we got a ride with one fellow all the way to St. Louis," he said. "It took us three days and nights, and at St. Louis we split up, got bus tickets and headed home."

After a short furlough at his home in Perry County, Young went back to New York. But during his 32 days travel time, the war ended.

After his furlough was over, Young reported to Lido Beach, Long Island, New York, where he was told there was a possibility he would not have to go back out to sea but would have shore duty. The New York base was turned into a USN Personnel Separation Center, and Young remained on land.

While Young was finishing his tour of duty in New York, he attended barber school. "An announcement came over the loudspeakers that barbers were needed for 12 chairs at the Navy barber shop, and I applied," Young stated. "On the ships, we didn't have any barbers so we cut each other's hair. I enjoyed it." While working mornings in the barber

shop, Young attended barber school in the afternoons and evenings.

On Aug. 8, 1946, just a few weeks short of four years since his enlistment, Young was discharged from the U.S. Navy. He returned to his native eastern Kentucky home, went to Frankfort, took and successfully passed the State Barber Board examination, and received his barber's license.

While serving in the U.S. Navy, Young received several medals the Good Conduct Medal, the American Theater Medal, the European Theater Medal, the Asiatic Pacific Medal, the Philippine Liberation Medal, and the Victory Medal.

Three years after being discharged, he married Lela Baker of Hazard, and for 20 years he lived and cut hair in his hometown.

In 1965, Young, his wife, Lela, and two children, David and Judy, moved to the Sublimity area of Laurel County. In 1995, his wife passed away, and today Young's family includes son David and wife, Lillie; daughter, Judy Smith and husband, G.J.; three grandchildren, David Ryan Young, Cameron Justin Smith, and Trey Jordan Smith; and one great-grandson, David Rylan Young.

Young retired from the swivel chair and scissors several years ago, but his hands do not remain idle he makes wood-crafted items and plays several musical instruments. This talent got him an appearance in 1947 on the first official broadcast of the Hazard radio station.

Today, not in good health, like most World War II veterans, Young spends his days reminiscing and visiting with family and friends who stop by Laurel Heights Home for the Elderly.

TRIBUTE TO MASTER SERGEANT MICAHA B. MASON AND PRIVATE FIRST CLASS MICAHA J. MASON

Mr. McCONNELL. Mr. President, today I wish to pay tribute to a father and son who are bravely serving in our Armed Forces simultaneously: MSG Micah B. Mason and his son, PFC Micah J. Mason, both of London, KY. Master Sergeant Mason has served in the National Guard for 28 years. He now has had the opportunity to see his son, Private First Class Mason, learn, work, and grow in the same organization that the elder Mason began his career in almost three decades ago.

Not only are the Mason men both involved in the same service branch, they also served on the same mission, in the same truck. Master Sergeant Mason was excited to be given the opportunity to work alongside his son in "real world" missions. He feels that he is lucky to be able to experience a work environment firsthand with his son in a way very few parents get the chance to do.

Private First Class Mason is excited to be able to go on missions with his father. The 22-year-old didn't know that his father was going to be on the same truck as him until the day they deployed. He is overjoyed to show his father the proficiency at which he does his job on a day-to-day basis.

There is obviously a certain level of concern when deploying on a mission solo, and that level increases when

there are not one but two members of the same family on a single mission. Nonetheless, the two have expressed that at the end of the day, they are glad they have each other for support.

The resiliency and strength shown by these two individuals in such a tolling work environment is truly remarkable. With men like the Masons serving in our Armed Forces, we have little reason to doubt our military's abilities. These men are true American heroes who have given much so that we may sleep soundly at night and know that our freedoms and liberties will always be protected.

Master Sergeant Mason and his son Private First Class Mason deserve a great deal of recognition, just as all those in military service do, for what they have done to protect the citizens of their community, the great State of Kentucky, and our great country of the United States of America.

Mr. President, I would like to ask my colleagues in the Senate to join me in recognizing the hard work, dedication, and sacrifice of MSG Micah B. Mason and his son, PFC Micah J. Mason.

There was recently an article printed in Whitley County, Kentucky's local newspaper, The Times-Tribune, which highlighted the outstanding service of this father and son duo who have so graciously contributed to our Nation's defense throughout the years. Mr. President, I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

[From the Times-Tribune, Oct. 12, 2011]
FATHER AND SON TEAM UP TO GO OUTSIDE
THE WIRE

(By Corbin, special to the Times-Tribune)

As soldiers complete their pre-mission checks and get everything loaded for transport, it would seem the job of escorting supply trucks from Joint Base Balad to Contingency Operating Site Mosul is just another mission for the soldiers of Delta Company, 1st Battalion, 149th Infantry Regiment, 77th Sustainment Brigade, 310th Expeditionary Sustainment Command.

However, a rare occasion has been marked, not only in the 149th Infantry Regiment, but in the military as a whole. A father and son are going out together on not only the same mission, but in the same truck.

"It's a unique experience for sure to actually be doing real-world missions with your son as a gunner and seeing him in that atmosphere," said Master Sgt. Micah B. Mason, an assistant operations noncommissioned officer with Headquarters and Headquarters Company, 149 Inf. Regt., a native of London. "It's something very few parents get to do. I'm excited to actually go on a mission and experience it first-hand with my son."

Master Sgt. Mason, 46, who served in the Guard for over 28 years, usually watches convoy escort missions unfold as a shift battle NCO in charge of the 149th Inf. Regt.'s tactical operations center. However, the unit sent him on this mission as part of their ongoing efforts to ensure everyone in the tactical operations center is able to see what

goes on first-hand during the missions they monitor on a daily basis.

"I have a lot of concerns . . . if something does happen (on the mission)," said Master Sgt. Mason. "I'm glad I'm there with him, though."

Master Sgt. Mason said he's only told two people back home about him and his son doing this mission together and that "they're just in awe."

"I didn't know he was going, 'til I saw him sitting out by the trucks," said 22-year-old Pfc. Micah J. Mason, a gunner with Delta Company, 1/149th Inf. Regt., also a native of London. "It just makes me happy to actually do something with him, to let him see what I do on a day-to-day basis."

Pfc. Mason said he had been waiting to be able to go on a mission with his father, as not many people can say that they have done that. After the mission, Master Sgt. Mason had only good things to say.

"Things went very smooth," he said. "The convoy escort team knew their jobs very well and were professional every step of the way. Being out with my son was the chance of a lifetime. It was very strange to see him doing his job, being in control. But in the same sense, I was very proud."

TRIBUTE TO FIRST CLASS SEAMAN JAMES FRANCIS

Mr. McCONNELL. Mr. President, today I wish to pay tribute to an exceptional veteran of the United States Navy who wore the uniform during World War II, First Class Seaman James Francis of Laurel County, KY.

James was born in Monroe County, KY, in 1924. His family lived on a farm where they raised just about everything they ate. The family moved to Indiana in 1937 when James' father got a job working for the railroad. James was drafted into the Navy in 1941, on his 19th birthday.

Although James never entered combat, he was an intricate part of the war effort in the South Pacific. He was stationed on a Merchant Marine ship that delivered ammunition to the soldiers who were on the front lines. After his time aboard ship, James spent 18 months in Hong Kong cutting hair at a G.I. barber shop. He was discharged in May 1946.

Mr. James Francis is most assuredly deserving of commemoration for the sacrifices he made for each one of us and for our great Nation, as well as his years of service to the betterment of his community and to the Commonwealth of Kentucky.

There was recently a feature article published in the Sentinel Echo: Silver Edition magazine in November 2011, highlighting the upstanding legacy of Mr. James Francis and his commendable dedication to our Nation's Armed Forces.

Mr. President, it is my wish that my colleagues in the United States Senate join me in honoring the loyalty and bravery shown by Kentucky's own James Francis. And I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD as follows:

[From the Sentinel Echo, Nov. 2011]

NAVY SUPPLIER (By Carol Mills)

First Class Seaman James Francis was a Merchant Marine during World War II.

In time of war, the Merchant Marine is an auxiliary to the Navy and delivers troops and supplies for the military.

Francis went to Great Lakes Boot Camp in Illinois, near North Chicago, and gunnery school in Gulf Port, Miss., and then went to California and caught a ship.

"We were shipped out," Francis said. "I went to the Philippines the first trip, came back to the States, and then went to Australia and the South Pacific for six months and then came back again. I served on a Merchant Marine ship. We didn't do any fighting. We took a load of ammunition to the Philippines, 150 tons, unloaded it, and the Japanese blew it up that night. We took supplies to other countries, but I can't remember. It's been 65 years since I got out. I stayed in Hong Kong, China, cutting hair for 18 months in a G.I. barber shop before I came home. I didn't have enough points to get out (Navy)." Navy training counts for retirement points, so Francis decided to learn how to cut hair.

Besides ammunition, Francis also delivered airplane fuel to the Philippines.

Francis was discharged in May 1946. His experience in the Navy was all good.

"There was no bad. I won't take nothing for what I seen went on, but I wouldn't go do it again."

Francis, 86, was born in Monroe County in 1924 to Herman and Maye Francis. His father had a farm between Tompkinsville and Mud Lick.

"We raised about everything we ate," Francis said.

The family moved to Indiana in 1937, where his father got a job working for the L&N Railroad.

When Francis was 19, he was drafted into the U.S. Navy on Dec. 2, 1941, on his birthday. Two or three years after he was discharged, he married Irene Barton when he was 27 or 28.

"She was a Kentucky woman. I met her in Indiana," Francis said. "We moved back down here in 1966. She was born and raised in Corbin. When she died, I married Lola Boggs. I've been a widower for about two years now. When she (Lola) died, I moved to Carnaby Square Apartments. I'm too old to get married again."

TRIBUTE TO WILLIAM A. SANTOR

Mr. McCONNELL. Mr. President, I stand before you today to pay tribute to a man who has been successful in serving his country, in his career, and in building longlasting relationships with family and friends, all because he has learned to incorporate his passion into all that he does: Mr. William "Bill" A. Santor of Lexington, KY.

Bill Santor lives on the Griffin Gate golf course with his wife of 72 years, Nettie. He tries to play golf at least twice a week, sometimes more. Mr. Santor turned 100 years old on Easter Sunday of this year. Despite his age, he is a competitor through and through;

he recently accumulated an astonishing score of 42 strokes after playing 9 holes.

Mr. Santor truly loves the sport of golf, so much, in fact, that he passed his knowledge of the game down to both of his children as they were growing up. Now they, too, have fit the game into their livelihoods in one way or another. His son, Tom, played golf in college at the University of Kentucky, while his daughter, Patty Driapsa, instructs professional golfers at the Club Pelican Bay in Naples, FL. Both children are not only amazed that their father is still able to play the game but are also awestruck by how good he is. Despite his age, after a long lifetime of practice, he still has exceptional skill.

Bill was first exposed to the game when he began caddying in Youngstown, OH, at age 12. The pay he received was usually 25 cents for working an entire 18-hole game. He picked up a few spare clubs here and there and began playing himself at the age of 15. Bill quickly found that he was a natural-born golfer, and he began playing in and winning local tournaments.

When World War II began Bill enlisted, but he never ceased to play golf. He was stationed at Fort Knox, close to the Lindsey Golf Course, where Bill would eventually play against Byron Nelson, winner of two Masters, a U.S. Open, and a PGA, in the Kentucky Open in 1943. Although Bill didn't win the tournament that year, just being able to participate is one of Bill's fondest memories to this day.

Not long after the Open, Bill was deployed to Europe, but again he found himself in close proximity with the game he loved so dearly. Bill worked maintaining a golf course on the Czechoslovakia-Germany border. Military officers would come to the course when they were on leave to play, relax, and enjoy their time off. One of the visitors was Bob Hope, with whom Bill had the opportunity to play nine holes. All these years later, Bill will be the first to tell you he won that game.

When Bill returned home after the war, golf was a big part of his family and work life. His wife Nettie remembers most of their family vacations were to golf destinations, where the whole family would play. Bill worked for a business equipment company for almost 50 years and he spent a lot of time with clients discussing business over a game of golf. But Bill's competitive nature would never allow him to let a client win.

To this day Bill tries to fit a round of golf into his schedule every chance he gets, which is something he has done his whole entire life. Bill can drive a golf ball 175 yards, and he has a running count of 10 holes-in-one to this day. Bill's children both agree that golf is what keeps their father going; it is something that he has built his life

around. Golf has opened many doors for Bill throughout his life, and for that he is grateful.

It is my wish at this time that my colleagues in the Senate join me in celebrating the successful and still very active life of Mr. William "Bill" A. Santor.

Mr. President, there was recently an article published in the Lexington newspaper the Herald-Leader. The article featured the legacy of Mr. Bill Santor and the love and passion he has for his country, his State, his family, and the game of golf. I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

[From the Lexington Herald-Leader, Apr. 1, 2012]

AT ALMOST 100, BILL SANTOR LOOKS BACK ON HIS COLORFUL LIFE IN GOLF

(By Mike Fields)

To Mark Twain, golf was a good walk spoiled, but to Bill Santor, who will mark his 100th birthday on Easter Sunday, golf has been and still is a wonderful life lived.

"It's given me so much," Santor said. "Great experiences and great memories."

Like when he competed against Byron Nelson in the Kentucky Open. Or when he played nine holes with Bob Hope during World War II. Or when he teed it up in the same tournament as Babe Ruth. Or when he made two holes-in-one in a two-week period at age 87.

In his prime, Santor was one of the best amateurs in Ohio. He passed the golf gene on to his children. His son, Tom, played at the University of Kentucky. His daughter, Patty, played at Bowling Green State and is now a teaching pro in Florida.

Bill Santor still plays golf a couple times a week at Griffin Gate, where he's lived since 1991 with his wife of 72 years, Nettie.

His legs are failing him, and so is his eyesight, but Santor is still capable of scoring well. Just last week, he carded a 42 for nine holes.

He has shot his age so many times that he laughs off the accomplishment as if it were a tap-in putt.

"It's crazy," his son Tom said when asked about his dad's knack for still hitting the sweet spot.

"He's a freak show."

Patty Driapsa, who works at the Club Pelican Bay in Naples, Fla., said she finds it "incredible" how solid her father still hits the ball. "He has a little trouble maneuvering in and out of the cart, but hey, at 100 years old, you'd expect to have a few challenges."

Bill Santor's introduction to golf came when he began caddying as a 12-year-old in Youngstown, Ohio. He earned 25 cents for 18 holes.

He got a few hand-me-down clubs and started playing when he was 15. A natural athlete, he quickly found his groove and was winning area tournaments within a few years.

He continued to caddy on occasion to earn entry-fee money for tournaments. One of his best gigs was looping for Ben Fairless, president of U.S. Steel.

"He'd give me \$30 for expense money," Santor said. "That was like \$300 then."

In 1935, Santor played in a tournament in Cleveland and the field included Babe Ruth,

the most famous athlete on the planet at the time.

When World War II began, Santor enlisted in the Army and was stationed at Fort Knox. He was upset when he was told the post's golf course was mostly restricted to officers. But Santor's golf talent and gift of gab got him playing privileges.

He was second low amateur in the 1943 Kentucky Open, which was held on Fort Knox's Lindsey Course. Byron Nelson, who had already won four majors (two Masters, a U.S. Open, and a PGA), won that Kentucky Open.

When Santor was shipped overseas during the war, he still played some golf.

As a staff sergeant, he was part of a Third Army team that won a military golf competition in Paris in 1945. The spoils of victory included an engraved gold watch that he's worn for 65 years.

Part of Santor's time in Europe was spent running the golf course at a resort called Marienbad on the Czechoslovakia-Germany border. It was where troops on leave would go for rest and relaxation. And it was where Bob Hope visited during a USO trip.

"The manager came up to me one day and said, 'Billy, you've got to play with Bob Hope this afternoon.' I said, 'What?!' I went out and played nine holes with him, and I beat him," Santor said.

Before he returned home after the war, Santor got in a lot of golf at Marienbad.

"I played every weekend with a captain, a colonel and a general, and here I was a staff sergeant," he said.

"They gave me the colonel for a partner, and he couldn't hit a bull in the ass with a handful of gravel. I'd have to take out \$6 every time we played."

Golf was also an integral part of Santor's civilian life.

Patty remembers that family vacations were usually golf destinations. Nettie also played in those days, so there was a family foursome.

Bill worked for a business equipment company for almost 50 years, and he did his share of schmoozing on the golf course. Ever the competitor, however, he never lost to a client on purpose.

"One guy asked me if I played customer golf. I said no, and I threw a 68 at him," Santor said, laughing.

While luck is a factor in getting a hole-in-one, there's skill involved, too, especially when you've had 10, Santor's running total. In 1999, he aced the par-3 fourth hole at Griffin Gate on May 3, and aced it again on May 14.

New technology in golf clubs and balls has helped Santor stay in the swing of things after 85 years in the game. His odd-looking interlocking grip his left thumb is tucked under the club still allows for a smooth stroke that can send a drive 175 yards.

"I can't swing too hard, but I can still hit it OK," Santor says proudly.

Patty Driapsa said golf "is basically what keeps my dad going. It's the world he lives in. It's been a game of a lifetime for him, that's for sure."

Tom Santor, who lives in Columbus, Ohio, said golf has been "one of the cornerstones" of his father's life "his family life, his business life, his social life. When he's on a golf course, wherever that might be, he feels like he's home.

"I think that's where he's most at peace." And still fairly close to par.

TRIBUTE TO VETERANS OF FOREIGN WARS POST 4075 HONOR GUARD

Mr. McCONNELL. Mr. President, I rise today to pay tribute to a group of individuals who have been working to make a difference in the lives of local veterans in their community for over 60 years. The honor guard of Frankfort, Kentucky's Veterans of Foreign Wars Office Post 4075 has been providing an official military funeral ceremony for local veterans in the central Kentucky area since the 1950s.

Veterans K.B. Johns, Ralph Spooner, Bill Hampton, and Charlie Mauer founded the first VFW Post 4075 color guard over 60 years ago. The men worked together to increase the size of the color guard over the next decade into a full honor guard with 11 members: 2 flag folders, 7 riflemen, 1 bugler, and 1 leader. The honor guard takes any and all requests to play at a fellow serviceman's funeral, free of charge.

The honor guard is made up of veterans from World War II, the Vietnam war, the Korean war, Operation Desert Storm, and Operation Iraqi Freedom. They may be from different generations, but they all share the same respect for one another. Charlie Mauer is the only surviving original member of the troop; he is 85 years old.

Mr. Mauer is joined by three other World War II veterans: Mr. Burnett Napier fought with the U.S. Marines in the Battle of Peleliu in the Pacific Theater at the age of 19. He is now 87 years old, and he is the recipient of the Purple Heart and the Silver Star, two of the highest honors awarded by the U.S. military. Mr. Charlie Hinds, who is 88 years old, served as a scout for GEN George Patton for 2 years. He enlisted in the Army at age 18. The youngest of the WWII veterans at age 84 is Jim Wolcott. He was stationed in Europe from 1944 to 1947.

According to Charlie Mauer, the honor guard is "a great bunch of guys." The men have conducted ceremonies for hundreds of funerals throughout the program's lifetime and expected nothing in return. They are driven by compassion for their fellow servicemen who have gone on and their families who are left behind with only the memories of their loved one. The men are honored to get the chance to pay tribute to Frankfort veterans who have passed away. When asked, all of the men say that they plan to stay involved in the honor guard as long as they are able to.

It is inspiring to witness others who truly receive joy and satisfaction from helping their fellow man. The men of Frankfort's VFW Post 4075 honor guard will sometimes perform at as many as three funerals a day, all for free. These men have all been involved in historic battles throughout our Nation's history, and they have served their country valiantly. And although they have

already given so much, they are still far from done giving back to their community, State, and country.

Mr. President, at this time I ask that my fellow colleagues in the Senate join me in recognizing the valiant dedication to service shown by these brave individuals. There was recently an article published in the Lexington Herald-Leader that featured Frankfort's Veterans of Foreign Wars Office Post 4075. Mr. President, I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

[From the Lexington Herald-Leader, Mar. 26, 2012]

FRANKFORT VFW'S HONOR GUARD MEMBERS
FEEL PRIVILEGED TO SERVE
(By Kayleigh Zyskowski)

When the phone rings at the Frankfort Veterans of Foreign Wars Post on Second Street, 85-year-old Charlie Mauer answers it.

On the other end is not a question about the day's soups or the next bingo night, but a request for the VFW Post 4075 honor guard to pay final respects to a fellow veteran.

It's a call Mauer, honor guard commander, has been answering for years, and he's honored to take it.

K.B. Johns, Ralph Spooner, Bill Hampton and Mauer the only living original member founded the first VFW Post 4075 color guard in the early 1950s.

Within the next decade they were able to support a full honor guard, which takes at least 11 members: two flag folders, seven riflemen, one bugler and one leader.

Four of the current members are World War II veterans, and the rest served in Vietnam, Korea, Desert Storm and Operation Iraqi Freedom. They are from different generations, but the men say they share the same respect for each other.

"We've got a good bunch of guys," Mauer said.

Mauer, a World War II veteran, says serving the community and paying tribute to Frankfort veterans is something he's glad to do. And because he grew up in Frankfort, he knows many of those who've died, which makes the job more important to him.

Several days after the call comes in, Mauer arrives at the post ready to greet the other members and prepare the equipment.

"We don't get paid," says World War II veteran Jim Wolcott, "other than a free lunch and a beer."

The men arrive wearing dark-blue uniforms decorated with gold cords, white gloves and polished black shoes.

They shuffle into the game room of the VFW where the rifles are stored in a locked cabinet.

After they are prepared to leave for the funeral service, the group stands in the doorway teasing each other about their weight and asking the kitchen crew what's for lunch.

There's no need for practice or rehearsal; each man knows his role because the group has done it so often.

The group has attended as many as three funerals in one day, Mauer says, but the number is usually several per month. Over the years, they have provided services for hundreds of funerals.

The men have braved every kind of weather for funerals, and this morning is chilly

and rainy. Luckily, they've heard the sky will clear before the service starts.

The 11 men divide into separate vehicles and make their way up East Main Street to Frankfort Cemetery.

As they wait for the family to arrive at the cemetery's chapel, Charlie Hinds asks Burnett Napier, "What are you doing lately?"

"As little as possible," Napier jokes.

Both Napier and Hinds are World War II combat veterans—Napier in the Marines and Hinds in the Army.

By 19, Napier was fighting in one of the Marine's deadliest battles in the Pacific on Peleliu Island with the 1st Marine Division.

It was September 1944 when Napier ended up on the coral island fighting against the Empire of Japan. He was a corpsman, or medic, when he ran to the side of a fallen Marine, performed first aid on the man under machine-gun fire before carrying him to safety.

Shrapnel hit him later in the same battle, and he suffered a concussion.

Napier, an honor guard member for 15 years, received the Purple Heart and the Silver Star while in combat on the island, which is present day Palau Islands.

"They didn't stay in one place for too long. I was all over the Pacific," he said.

"According to the citation, a Marine was caught in crossfire with machine guns, and, according to the citation, I administered first aid under fire and carried him back to relative safety," Napier said.

Charlie Hinds, 88, has been a member of the honor guard for about 16 years.

He served in seven campaigns and was an Army scout for General George Patton for two years.

"He wasn't a really nice guy; he wouldn't ever come up and want to know about you personally," Hinds said about Patton. "He just wanted to tell you what to do, but he was a good general."

Hinds and his brother enlisted after graduating from high school because his father didn't have enough money to send him to school. He was 18 years old.

"With about two weeks left in the war, I was the only (one) left in my platoon," Hinds said.

Family members of the deceased begin to arrive at Frankfort Cemetery. Vince LaFontaine—who has played in hundreds of Frankfort funerals since he was a teenager—warms up with scales, and the men take their positions.

The weather predictions were correct. The sky clears, the sun comes out and the air warms in time for the ceremony to begin.

Mauer stands in the doorway of the cemetery chapel where about 15 members of the deceased veteran's family sits. He signals the riflemen after the flag is precisely folded.

"Ten-hut," he says sternly.

The seven riflemen fire three shots that echo over the cliff and around South Frankfort before silence takes over, and the bugler plays "Taps."

"I've heard Taps' over a thousand times it seems, but it's always emotional for me," Wolcott says back at the VFW over a lunch of beef stew and corn bread.

Mauer says he never gets used to hearing "Taps" played, either.

"There's something about Taps"; it hits an emotion you can't really describe," he says.

Wolcott, who at 84 takes claim as the youngest of the four honor guard World War II veterans, was stationed in Europe from 1944 to 1947.

The four men sit at the circular table over lunch for about an hour before they decide

they need to get home. They agree their health will decide when it's time to hang up their duties with the honor guard.

"When you become our age you don't look ahead too far," Napier said.

"We go day by day, but we'll be here as long as we can."

TRIBUTE TO LANCE CORPORAL
DAVID MAYS

Mr. McCONNELL. Mr. President, I stand before you today to commend and pay tribute to a Kentuckian who spent time with the Marines serving in Afghanistan in 2009. Although he was far from home and a visitor in a foreign land, LCpl David Mays of London, KY, treated the Afghan people with the utmost respect, proving that he exemplified the characteristics the U.S. Marine Corps upholds: character, compassion, honor, courage, and the integrity to always do what is right. Lance Corporal Mays enlisted during his senior year of high school at the age of 18.

In May of 2009, just 2 days before his second deployment with the Marines, David's firstborn son, Landon, came into the world. David left for Afghanistan before his newborn son was able to leave the hospital in London. Although David was greatly saddened about having to leave his baby boy behind, he proudly answered the call of duty, and for the second time David returned to the Middle East. However, this time around, David was a different man: he was a father now. Fatherhood caused him to take an interest in the local Afghan children. David felt that interacting with the children helped him to not miss his own son as much.

David missed his boy back home terribly, but he would play with the Afghan children and buy them gifts. In turn, the children would offer David and his fellow marines fruit as a token of their gratitude. The kinship David and his men built with the local children was the foundation of a successful relationship with the local Afghan tribe leaders.

During his time overseas, David had limited contact with his family in Kentucky, but his mother, Wanda Caudill, sent letters and care packages as frequently as possible. She would also send photos of Landon. The gifts from home and the relationships David made with the local people, local children, and fellow marines all helped to console him until he finally returned home just before Christmas in 2010.

It had been almost a year since David had seen his son Landon, who was only 2 days old at their last meeting. There was no way that the little boy could have remembered his father's presence. But when David first saw his son Landon at the airport that December, Landon reached for him as if he had never left and kissed him three times.

David has since joined the London-Laurel County Rescue Squad and London Fire Department. He is still in the

Marines Active Reserve, but he plans to stay as involved as he can in his 2-year-old son's life. David decided that missing 1 year of his son's life is enough, and he is not missing any more.

Mr. President, an article appeared in the Laurel County publication the Sentinel-Echo: Silver Edition in November 2011 that profiled the upstanding character of LCpl David Mays. I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

[From the Sentinel Echo, Nov. 2011]

FINDING FAMILY FAR FROM HOME

(By Magen McCrarey)

He left his first-born son, Landon, at the hospital in May of 2009, born two days before his second deployment. David Mays, a lance corporal of the 1st Battalion, Fifth Marines, hoped to take Landon home for a warm welcome; instead he arrived in Afghanistan with one of his own.

"As we landed we heard bullets ricocheting off the helicopter," Mays said. "We were there, and there was no turning back."

The sweltering desert heat was in excess of 115 degrees as Mays and his squad walked three days with more than 100 pounds strapped to their backs heading towards Helmand Province. Their compound was far off from any city and water was limited.

With a shovel-like tool in hand, Mays began digging a hole for his bed and covered it with a tarp.

"Everybody dug their own hole, scattered, in case we got attacked by mortars," Mays said. "I told my buddy if we're worried about mortars, we dug our graves right here so it don't matter."

Mays always wanted to be a Marine. When Mays was in fourth grade at Cold Hill Elementary, his class received a visit from a U.S. Marine, a pilot shot down behind enemy lines and a Kentucky native. The Marine's recollection of brotherhood and camaraderie influenced Mays in more ways than just portraying an intriguing narrative.

"It was like a family away from your own family, and I'd get to see the world and meet people," Mays said.

He and a group of friends enlisted in the Marines their senior year of high school at 18 years old. They knew they may not be placed in the same company throughout their service, but they all had the same objective.

"We all had one thing on our minds: to become Marines together," Mays said.

The objective of the Marines within the Helmand Province was to win the hearts and minds of the Afghans. With the British recently vacating the country, Afghans were apprehensive about the Marines' arrival.

Tribe leaders would only converse with Marine commanders. They'd offer tips about the Taliban's whereabouts and when they were arriving in the area. The Taliban had a reputation for entering into towns at night.

Mays and his squad of four would respond to the information given and perform night operations to keep watch over a town. Walking 20 miles and back again to keep watch for suspicious travelers was a frequent and meticulous task.

"We did what we had to do. We were doing our job protecting each other," Mays said, "just like anybody around here will protect their family."

Contact with family via satellite while in Afghanistan was few and far between, but they received mail often. Mays's mother, Wanda Caudill, sent a letter every chance she got, and many care packages.

"She sent me newspapers and I knew exactly what was going on in London," he said.

Caudill also sent photos of Mays's son so he wouldn't feel as if he was missing out on his child's life. Away from his own child, Mays often thought about the children in Afghanistan.

"We'd give the kids rides on our shoulders, and we'd buy them stuff," Mays said.

The Afghan boys would offer fruit to the Marines and even allowed them to participate in their Muslim holiday of Ramadan. As the sun set, the day of fasting would cease and they would enter in an evening feast. They had offered a goat for slaughter to the men, and taught them how to give it a death without suffering.

"I think it made me think about when my son was going to get that age, and didn't make me miss him as much. But, of course, I missed him because he was my boy," Mays said.

After days of patrolling a foreign country, battling an unseen enemy, and losing men that were a part of his family away from home, Mays returned to his own. Days before Christmas 2010, Mays arrived at the Louisville airport greeting his family with one gripping hug after another, saving his son for last.

"I was scared he was going to cry and not recognize me," Mays said.

But Landon came right to him as if he never missed a beat. He reached for Mays and kissed him three times.

"My mom started crying and said, 'He never kissed nobody,' Mays recalled. "It was like I was gone only a minute or so."

After returning from deployment, Mays has learned to appreciate the small things in life and take advantage of every opportunity to serve the public, he said. He's joined the London-Laurel County Rescue Squad and London Fire Department. Mays has completed four years of active duty in the Marines and is currently in the four-year active reserve program. He said if he didn't have his son before he began active duty, he would have made a career out of the Marines.

"I decided one year's enough," Mays said. "I'm not missing any more of his life." Landon is now two years old.

TRIBUTE TO MASTER SERGEANT CHARLES HAYES

Mr. McCONNELL. Mr. President, I rise today in honor of MSgt Charles Hayes of London, KY. Master Sergeant Hayes served in the U.S. Air Force from 1972 to 1996, and was involved in both the Vietnam and gulf wars. Hayes volunteered to join at age 21 and continued to be a volunteer for the duration of his two-decade stint in the military.

During Hayes's extended period of time in the Air Force, he had the opportunity to visit a variety of foreign countries, including Germany, Turkey, and Thailand, just to name a few. Hayes enjoyed every aspect that went along with being a part of the Armed Forces. He flourished as a member of the U.S. Air Force in more ways than one.

What Hayes enjoyed most about the service was experiencing history in the making. Hayes remembers participating in the evacuation of Saigon, South Vietnam, in April 1975. It was a mission in which Hayes and his team were given the objective of recovering an American merchant ship that had been pirated by the Khmer Rouge navy. The ship was successfully recovered on May 13, 1975, and Hayes was an instrumental part of the operation, one that many of us remember paying close attention to while back home in the States.

Hayes also enjoyed the Air Force because it inspired its members to show initiative. In 1987, Charles was assigned public affairs duties for his section. He remembers how difficult and "utterly impossible" the men told him it was to get an article published in the base newspaper. Hayes took on the challenge of getting a story published head on, and that year he had 37 articles and 17 pictures with captions published in the newspaper.

Lt. Col. Richard Vaught recalls that Hayes was one of the best sergeants he has ever commanded. It wasn't unusual for those who worked with Hayes to speak highly of him. While serving as the squadron safety noncommissioned officer from 1990 to 1996, Hayes's unit received numerous honors and awards, including Best Small Unit Safety Program Award and Best Additional Duty Safety NCO Award.

Many different attributes have been used to describe Charles Hayes over the years. Talented, ambitious, reliable, and persevering are just a few of the countless positive references of the master sergeant. Lieutenant Colonel Vaught is recorded as saying, "Charlie always knew how to get everything when nobody else could. If you go to war, he's the one you want to go with you. He'll get you everything and then some."

Charles Hayes exemplifies every characteristic of a successful member of our Nation's Armed Forces. His dedication and service to our great country over 24 years will most certainly not go unnoticed and is the very cause of my standing here today. It is my wish that my colleagues in the Senate join me in commemorating MSgt Charles Hayes at this time.

There was an article published in Laurel County's local news magazine, the Sentinel-Echo: Silver Edition, in November of 2011. The article highlighted Charles Hayes and the outstanding dedication he has shown throughout the years in his involvement with the U.S. military. Mr. President, I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Sentinel-Echo: Silver Edition,
Nov. 2011]

A PART OF HISTORY

(By Carol Mills)

Master Sergeant Charles Hayes, a Vietnam and Gulf War veteran, volunteered to join the United States Air Force when he was 21, serving from 1972 to 1996. He worked for 12 years in security police and 12 years in computers.

What Hayes liked most about his 24 years of service was being a part of history.

"While my part was very small, the unit I was assigned to (56 SPS, Nakhon Phanom RTAF, Thailand) was responsible for assisting in the evacuation of Saigon, South Vietnam, and Phnom Penh, Cambodia, in April 1975," 60-year-old Hayes said. "We were part of the recovery of the American merchant ship, *Mayaguez*, which had been pirated by the Khmer Rouge Navy. I lost 18 buddies on May 13, 1975, during the operation."

During the 1991 Gulf War, his unit (608 APS, Ramstein AFB, Ramstein, Germany) was responsible for shipping all munitions to the air bases in the desert, as well as thousands of tons of other supplies.

"I remember looking at what seemed to be miles of pallets and wondering when we would get them all shipped down range."

After the Gulf War, Hayes's unit was kept busy supporting United Nations' humanitarian missions in Eastern Europe and Africa. In 1992, one of Russia's largest cargo planes arrived at Ramstein AFB to receive donations. He was in charge of ground safety while his unit loaded the plane.

"We weren't able to use forklifts because the plane wasn't configured for them. Because I was all over the operation, the plane's crew must have figured I was a big wheel of some kind and gave me three cases of Russian vodka."

Hayes also liked the Air Force because it allowed him to show initiative.

"While sometimes routine duties were a little mundane, additional duties allowed personnel an opportunity to show initiative. In 1987, I was assigned public affairs duties for my section. I was told that it was almost 'impossible' to get an article printed in the base newspaper and utterly 'impossible' to get an article published anywhere else."

That year, Hayes had 37 articles and 17 pictures with captions published in the base newspaper. Two articles were published in command-level publications and two in a local newspaper.

Lt. Col. Richard Vaught said Hayes was one of the best master sergeants he ever commanded.

"He's the type that if you needed anything done, he always found a way to get it done when everyone else couldn't," he said. "He was the ultimate scrounger. I would say he was a very talented individual. Charlie always knew how to get everything when nobody else could. If you go to war, he's the one you want to go with you. He'll get you everything you need and then some. He just knew how to use all the various avenues. I was quite happy to have him in my command."

From 1990 through 1996, he was assigned the additional duty of squadron safety non-commissioned officer. During his tenure as safety NCO, his unit received a Best Explosives Safety Program Award from both the command and USAF as well as a Best Small Unit (under 600 personnel) Safety Program Award. He also received a Best Additional Duty Safety NCO Award.

Hayes also liked associating with other patriots.

"When situations got tough, everyone got tougher," he said. "We all regarded a challenge as something to overcome, not something to shy away from. Esprit de corps was highest when things were toughest. I served with some of the best people in the world."

Hayes enjoyed the opportunities the Air Force had to offer. "I always held the attitude that I was stationed in the best section of the best squadron on the best Air Force base in the United States. I learned that education was the least expensive hobby a person could have and completed a master's in education before I retired."

During his service he traveled throughout the British Isles, France, Germany, Luxembourg, Belgium, Turkey, Thailand, and several other countries to a lesser degree, and has driven through every state except Maine, New Hampshire and Vermont. He has also been to Alaska and Hawaii during his service.

Before Hayes had lived in London, Ky., for five months, he had spent more time in London, England, than in London, Ky.

2012 NATIONAL DAYS OF
REMEMBRANCE

Mr. BLUMENTHAL. Mr. President, today I wish to pay my respects to the victims, survivors, and heroes of the Holocaust. April 19, 2012, marks Holocaust Remembrance Day, which is observed during a week-long memorial, the National Days of Remembrance, created by Congress in 1980 and led by the U.S. Holocaust Memorial Museum. Through this year's theme, "Choosing to Act: Stories of Rescue," we remember the courageous men, women, and children who stood up and saved lives, at grave risk and sometimes deadly consequences to themselves. On the anniversary of the Warsaw ghetto uprising and the liberation of European concentration camps, we honor all who embraced their own humanity to save others, abandoning self-interest for selfless bravery.

This week of commemoration that spans Sunday, April 15 to Sunday, April 22, is deeply personal. My father came to this country in 1935 to escape persecution. Speaking barely any English, he set down my family's roots with very little but memories of loved ones who had perished in the Holocaust and faith in the American dream.

The Days of Remembrance is a living memorial, altered by every citizen who dares to speak up and open their mind and heart. It is more than an oral history project. It ties the past with our present, inspiring proactive, positive transformation in our daily lives. We recall that the brave individuals whose stories we bring to light were acting out of loyalty to their neighbors. Small communities held each other tightly. Each year, we come together at a national ceremony in the Capitol Rotunda, but this collective power is also felt through smaller groups, including State and local governments, civic organizations, places of worship, schools, offices, and military bases.

Organizations such as the Holocaust Child Survivors of Connecticut docu-

ment the personal histories of living survivors—children of the Holocaust. Sadly, as time goes on, our future generations will not have the privilege of hearing from them. We must work to perpetuate their messages beyond words. We must teach our Nation's children the lessons we have learned—about human betrayal, war crimes, and genocide, about heroes, hope, and honor—through our own activism.

This Wednesday, the Holocaust Memorial Museum is awarding Aung San Suu Kyi the Elie Wiesel Award at their 2012 National Tribute Dinner for "her exceptional courage in resisting tyranny and advancing the dignity and freedom of the Burmese people." By honoring a woman who is a living hero for victims of a present-day dictatorship, the Holocaust Memorial Museum seamlessly unites history with the persecutions of today to create a new space of memory and action for generations to come.

As we soberly recall those who were not rescued, we can remain hopeful through the memory of the rescuers—those who followed their heart, beliefs, or religion to help victims in desperate need. This compassion is inspirational for me, and I hope for all those who witness human suffering and confront feelings of helplessness. As we gather this week to remember, we are choosing to be actively compassionate. Memories of the Holocaust inspire us to live today and every day with kindness, generosity, and an undying commitment to strengthening our bonds as human beings.

TRIBUTE TO SENATOR BARBARA
MIKULSKI

Mr. BLUMENTHAL. Mr. President, today I join my fellow Senators in paying tribute to my dear colleague and friend Senator BARBARA MIKULSKI for the tremendous landmark she has reached as of March 17, 2012. She is now the longest serving female Member of our Congress. But the number of years is inadequate as a measure or metric. More telling are her monumental accomplishments and record of successfully tackling tough problems and making a real difference in lives. Senator MIKULSKI is unquestionably one of the most dedicated, inspiring, and influential public servants in our Nation's history.

Her generous spirit, flair, and eloquence as a speaker make her both loved and powerful as an advocate. Her standard of intellect and integrity has motivated me and inspired countless others. Like Senator MIKULSKI, I am humbled and driven by the legacy of members of my family who emigrated from Europe, striving for the American dream with a strong work ethic and a firm belief in progress. I am especially drawn to Senator MIKULSKI's determination to fight for her constituents

and her deep sense of caring. She is an excellent role model for women and girls around the globe—and for anyone, whether a freshman Senator such as myself or a veteran legislator—devoted to a life of public service.

I am proud to work with Senator MIKULSKI on the Committee on Health, Education, Labor, and Pensions, joining her, for example, as a cosponsor of her Paycheck Fairness Act to continue the civil rights debate that started decades ago and is unfortunately still unresolved. We must, once and for all, secure protections for women in the workforce, reaching pay equity and ending all instances of sex discrimination.

I respect Senator MIKULSKI's efforts to reduce costs while furthering innovation and am a strong supporter of her focus on research and drug development for chronic conditions, as laid out in her SPRINT Act. Her advocacy for America's seniors and success leading immigration reform are equally inspiring, and I am proud to be a cosponsor of her Visa Waiver Program Enhanced Security and Reform Act.

I especially enjoyed partnering with Senator MIKULSKI to advance the education we provide to our Nation's students. We offered an amendment together in the Elementary and Secondary Education Act to increase funding and research to meet the unique needs of gifted and talented students.

Special recognition is past due for Senator MIKULSKI, who makes the time to recognize others, most recently sponsoring S. Res. 310, designating 2012 as "Year of the Girl" and congratulating the Girl Scouts for its centennial.

Senator MIKULSKI has been an extraordinary mentor and model for countless men and women who emulate her dedication and drive, her commitment and common sense. She leads by her example, particularly for women who endeavor to hold public office. When considering the opportunity to run, they can look to the legacy she has built and the path she has traveled from social worker to city council member to a national figure in the Halls of Congress.

I look forward with pleasure and pride to serving alongside Senator MIKULSKI for years to come. I congratulate her on making history and giving her colleagues, fellow public servants, constituents, and the American people the opportunity to engage in history-making for the good of our Nation.

ADDITIONAL STATEMENTS

TRIBUTE TO BEA ABRAMS COHEN

• Mrs. BOXER. Mr. President, today I salute the life and achievements of Bea Abrams Cohen, who at 102 years old is California's oldest living woman vet-

eran. Still active in veterans and community affairs, Mrs. Cohen was recently the guest of honor at a California Department of Veterans Affairs, CalVet, reception honoring the achievements of women in the military during Women's Military History Week.

As CalVet noted, "Women have contributed to the rich military history of our country even before they were officially allowed to serve. The first known American woman soldier was Deborah Sampson of Massachusetts who, disguised as a man, served in the Revolutionary War. Throughout the history of our country, women have consistently shown themselves as dedicated patriots, willing to put their lives on the line in order to protect our nation and the freedoms of our people."

The life of Bea Cohen is a living testament to the incredible contributions our service women make each and every day. Born in Romania in 1910, Bea Abrams came to America through Ellis Island in 1920 with her mother, brother, and sister. When the United States entered World War II, Bea vowed to do all she could to help her adopted country. She went to school to learn the machinist trade and then worked at Douglas Aircraft Company in Santa Monica as a real-life Rosie the Riveter.

Though she loved this work, Bea wanted to do more. In 1942, at age 33, she joined the Women's Army Auxiliary Corps, WAAC, turning down a salary increase at Douglas. After going through basic training in Iowa, she did administrative work for the WAAC in Utah and Colorado.

By 1943, Bea took a second oath to become part of the new Women's Army Corps, WAC, which unlike the WAAC was now a part of the Regular Army. She was soon shipped overseas. Crossing the Atlantic Ocean on a ship that zigzagged to avoid enemy submarines, Bea arrived in England just in time for D-day. There, she worked in Army headquarters producing documents and operating a low-cost printing machine called a mimeograph. After 2 years of service, Bea was honorably discharged and returned to Los Angeles.

In late 1945, Bea met Marine MSgt Ray Cohen through family friends. Ray Cohen had served in the Pacific and had been a prisoner of War on the Philippine island of Corregidor for 3½ years. Bea and Ray were married the following year and had two daughters, Janiece and Susan. Later, during the Korean war, Ray was deployed for over a year while Bea raised the girls and volunteered with the Jewish War Veterans of the United States.

After Ray retired in 1955, the Cohens remained active with the Jewish War Veterans. To this day, Bea volunteers at the Veterans Affairs Medical Center in Los Angeles. For her 102nd birthday party, Bea displayed her lifelong dedi-

cation to troops by asking her guests to bring socks for veterans rather than presents for herself. Bea has dedicated more than 70 years to providing support for American troops and their families. She is an enduring reminder of the contributions of this nation's veterans.

Mr. President, I know all of my colleagues will join me today in honoring Bea Abrams Cohen.●

REMEMBERING MR. JAMES A. BRENNAN, JR.

• Mr. NELSON of Florida. Mr. President, I wish to honor one of Florida's great public servants, Mr. James A. Brennan, Jr. Mr. Brennan passed away on December 20, 2011.

Mr. Brennan was a long-time aide to Florida Congressman Claude Pepper. He worked for Mr. Pepper from 1963 to 1989, when Mr. Pepper was in the U.S. House of Representatives. He was Mr. Pepper's closest advisor through the Congressman's chairmanships of the House Aging Committee and House Rules Committee.

Mr. Brennan was devoted to Florida. One of his biggest priorities was helping Florida's seniors, both as Mr. Pepper's aide and later as a board member and advisor to the Claude Pepper Foundation in Tallahassee.

Throughout his years working for Mr. Pepper, Mr. Brennan had the support of his wife Yolanda. They had 12 children and 28 grandchildren.

Florida is lucky to have had a public servant like Mr. Brennan, and his service to the State and the country will not be forgotten.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on March 30, 2012, during the adjournment of the Senate, received a message from the House of Representatives that the House agrees to the concurrent resolution (S. Con. Res. 38) providing for a conditional adjournment or recess of the Senate and

an adjournment of the House of Representatives, without amendment.

The message also announced that, pursuant to section 703(c) of the Public Interest Declassification Act of 2000 (50 U.S.C. 435 note), the Minority Leader reappoints the Honorable David E. Skaggs of Longmont, Colorado, to the Public Interest Declassification Board.

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 112. Concurrent resolution establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 112. Concurrent resolution establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022; to the Committee on the Budget.

MEASURES DISCHARGED

The following concurrent resolutions were discharged from the Committee on the Budget, pursuant to section 300 of the Congressional Budget Act, and placed on the calendar:

S. Con. Res. 40. Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022.

H. Con. Res. 112. Concurrent resolution establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 5. An act to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BEGICH:

S. 2284. A bill to amend the Internal Revenue Code of 1986 to provide expensing for

small businesses; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2285. A bill to increase civil penalties for institutions of higher education that fail to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWN of Ohio (for himself, Mrs. HUTCHISON, Mr. INOUE, Mrs. MURRAY, Mr. ALEXANDER, Mr. TESTER, and Mr. BAUCUS):

S. Res. 418. A resolution commending the 80 brave men who became known as the "Doolittle Tokyo Raiders" for outstanding heroism, valor, skill, and service to the United States during the bombing of Tokyo and 5 other targets on the island of Honshu on April 18, 1942, during the Second World War; to the Committee on Armed Services.

By Mr. PAUL (for himself, Mr. DEMINT, and Mr. LEE):

S. Con. Res. 40. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022; placed on the calendar.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. ISAKSON, his name was added as a cosponsor of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of United States as the world leader in medical device innovation.

At the request of Mr. ALEXANDER, his name was added as a cosponsor of S. 17, supra.

S. 154

At the request of Mr. KOHL, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 154, a bill to authorize the Secretary of Education to make grants to support early college high schools and other dual enrollment programs.

S. 219

At the request of Mr. TESTER, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 219, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 253

At the request of Mr. ROCKEFELLER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 253, a bill to establish a commission to ensure a suitable observance of the centennial of World War I, and to designate memorials to the service of men and women of the United States in World War I.

S. 274

At the request of Mrs. HAGAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 274, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 534

At the request of Mr. KERRY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 658

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 658, a bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes.

S. 958

At the request of Mr. CASEY, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 1069

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 1069, a bill to suspend temporarily the duty on certain footwear, and for other purposes.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1397

At the request of Mr. CARPER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1397, a bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind.

S. 1460

At the request of Mr. BAUCUS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1460, a bill to grant the congressional gold medal, collectively, to

the First Special Service Force, in recognition of its superior service during World War II.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1670

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1670, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1821

At the request of Mr. COONS, the names of the Senator from Tennessee (Mr. CORKER) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1821, a bill to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

S. 1880

At the request of Mr. BARRASSO, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1979

At the request of Mr. CONRAD, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1979, a bill to provide incentives to physicians to practice in rural and medically underserved communities and for other purposes.

S. 1981

At the request of Mr. HELLER, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 1981, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 1984

At the request of Mr. KERRY, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1984, a bill to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

S. 1990

At the request of Mr. NELSON of Nebraska, his name was added as a cosponsor of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 1990, *supra*.

S. 2003

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States and for other purposes.

S. 2010

At the request of Mr. KERRY, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2010, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 2051

At the request of Mr. REED, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 2051, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 2112

At the request of Mr. BEGICH, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2112, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 2121

At the request of Ms. KLOBUCHAR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2121, a bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

S. 2160

At the request of Mr. MORAN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2160, a bill to improve the examination of depository institutions, and for other purposes.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Florida (Mr. NELSON) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between

the United States and Israel, and for other purposes.

S. 2179

At the request of Mr. WEBB, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2179, a bill to amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes.

S. 2206

At the request of Mr. LAUTENBERG, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2206, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide educational counseling to individuals eligible for educational assistance under laws administered by the Secretary before such individuals receive such assistance, and for other purposes.

S. 2219

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2219, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 2230

At the request of Mr. WHITEHOUSE, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2230, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

S. 2233

At the request of Mr. SCHUMER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2233, a bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States.

S. 2241

At the request of Mrs. MURRAY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2241, a bill to ensure that veterans have the information and protections they require to make informed decisions regarding use of Post-9/11 Educational Assistance, and for other purposes.

S. 2270

At the request of Mr. HARKIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2270, a bill to amend the Farm Security and Rural Investment Act of 2002 to improve energy programs.

S. 2274

At the request of Ms. STABENOW, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from

Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 2274, a bill to require the Secretary of Agriculture to establish a nonprofit corporation to be known as the Foundation for Food and Agriculture Research.

S. 2279

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2279, a bill to amend the R.M.S. Titanic Maritime Memorial Act of 1986 to provide additional protection for the R.M.S. Titanic and its wreck site, and for other purposes.

S. 2280

At the request of Mr. DURBIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2280, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S.J. RES. 21

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 39

At the request of Mr. CARDIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S.J. Res. 39, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 400

At the request of Ms. STABENOW, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 400, a resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day.

S. RES. 413

At the request of Mr. CASEY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. Res. 413, a resolution supporting the designation of April 2012 as National Autism Awareness Month.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 418—COMMENDING THE 80 BRAVE MEN WHO BECAME KNOWN AS THE “DOOLITTLE TOKYO RAIDERS” FOR OUTSTANDING HEROISM, VALOR, SKILL, AND SERVICE TO THE UNITED STATES DURING THE BOMBING OF TOKYO AND 5 OTHER TARGETS ON THE ISLAND OF HONSHU ON APRIL 18, 1942, DURING THE SECOND WORLD WAR

Mr. BROWN of Ohio (for himself, Mrs. HUTCHISON, Mr. INOUE, Mrs. MUR-

RAY, Mr. ALEXANDER, Mr. TESTER, and Mr. BAUCUS) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 418

Whereas 80 brave American airmen volunteered for an “extremely hazardous mission” without knowing the target, location, or assignment and willingly put their lives in harm’s way, risking death, capture, and torture;

Whereas the mission was the first offensive action by the United States military following the attack on Pearl Harbor on December 7, 1941;

Whereas the Doolittle Raid represented the first time in which the Army Air Corps and the Navy collaborated in a tactical mission by flying 16 Army B-25 medium bombers off of the USS Hornet;

Whereas the flying of bombers from a Navy carrier had never been done before, making the mission extremely hazardous from the very start;

Whereas after encountering Japanese picket ships 170 miles from the prearranged launch point, the Raiders, led by Lieutenant Colonel James Doolittle, proceeded to launch 650 miles from the target of Tokyo;

Whereas by launching more than 170 miles early the Raiders deliberately accepted the risk that the B-25s might not have enough fuel to make it beyond the Japanese lines in occupied China;

Whereas the additional risk virtually sealed the fate of the Raiders to crash land in China or on the home islands of Japan, subjecting them to imprisonment, torture, or death;

Whereas because of that deliberate choice, after hitting their military and industrial targets in Tokyo and five other cities on the island of Honshu, low on fuel and in setting night and deteriorating weather, none of the 16 airplanes reached the prearranged Chinese airfields;

Whereas the total distance traveled averaged 2,250 nautical miles over a period of 13 hours is the longest combat mission ever flown in a B-25 Mitchell bomber;

Whereas of the 8 Raiders who were captured, 3 were executed, 1 died of disease, and 4 came home; and

Whereas, the Doolittle Raid led the fight for the eventual victory of the United States in the Second World War: Now, therefore, be it

Resolved, That the Senate—

(1) commends the 5 living members and 80 original members of the Doolittle Tokyo Raiders for their participation in the Tokyo bombing raid of April 18, 1942; and

(2) recognizes the valor, skill, and courage of the Raiders that proved invaluable to the eventual defeat of Japan during the Second World War; and

(3) acknowledges that the actions of the Raiders helped to forge an enduring example of heroism in the face of uncertainty for the Army Air Corps of the Second World War, the future of the Air Force, and the United States as a whole.

SENATE CONCURRENT RESOLUTION 40—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2013, REVISING THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEAR 2012, AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2013 THROUGH 2022

Mr. PAUL (for himself, Mr. DEMINT, and Mr. LEE) submitted the following concurrent resolution; which was placed on the calendar:

S. CON. RES. 40

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2013 through 2022.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-reduction reserve fund for the sale of unused or vacant Federal properties.
Sec. 202. Deficit-reduction reserve fund for selling excess Federal land.
Sec. 203. Deficit-reduction reserve fund for the repeal of Davis-Bacon prevailing wage laws.
Sec. 204. Deficit-reduction reserve fund for the reduction of purchasing and maintaining Federal vehicles.
Sec. 205. Deficit-reduction reserve fund for the sale of financial assets purchased through the Troubled Asset Relief Program.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

Sec. 301. Discretionary spending limits for fiscal years 2012 through 2022, program integrity initiatives, and other adjustments.
Sec. 302. Point of order against advance appropriations.
Sec. 303. Emergency legislation.
Sec. 304. Adjustments for the extension of certain current policies.

Subtitle B—Other Provisions

Sec. 311. Oversight of Government performance.
Sec. 312. Application and effect of changes in allocations and aggregates.
Sec. 313. Adjustments to reflect changes in concepts and definitions.
Sec. 314. Rescind unspent or unobligated balances after 36 months.

TITLE IV—RECONCILIATION

Sec. 401. Reconciliation in the Senate.
Sec. 402. Directive to the Committee on the Budget of the Senate to replace the sequester established by the Budget Control Act of 2011.

TITLE V—CONGRESSIONAL POLICY CHANGES

- Sec. 501. Policy statement on social security.
- Sec. 502. Policy statement on medicare.
- Sec. 503. Policy statement on tax reform.

TITLE VI—SENSE OF CONGRESS

- Sec. 601. Regulatory reform.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

- Fiscal year 2012: \$1,896,000,000,000.
- Fiscal year 2013: \$1,615,000,000,000.
- Fiscal year 2014: \$1,740,000,000,000.
- Fiscal year 2015: \$2,261,000,000,000.
- Fiscal year 2016: \$2,406,000,000,000.
- Fiscal year 2017: \$2,651,000,000,000.
- Fiscal year 2018: \$2,965,000,000,000.
- Fiscal year 2019: \$3,186,000,000,000.
- Fiscal year 2020: \$3,419,000,000,000.
- Fiscal year 2021: \$3,663,000,000,000.
- Fiscal year 2022: \$3,822,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

- Fiscal year 2012: -\$23,000,000,000.
- Fiscal year 2013: -\$675,000,000,000.
- Fiscal year 2014: -\$845,000,000,000.
- Fiscal year 2015: -\$537,000,000,000.
- Fiscal year 2016: -\$559,000,000,000.
- Fiscal year 2017: -\$521,000,000,000.
- Fiscal year 2018: -\$365,000,000,000.
- Fiscal year 2019: -\$312,000,000,000.
- Fiscal year 2020: -\$257,000,000,000.
- Fiscal year 2021: -\$214,000,000,000.
- Fiscal year 2022: -\$263,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

- Fiscal year 2012: \$3,519,858,000,000.
- Fiscal year 2013: \$3,084,004,000,000.
- Fiscal year 2014: \$3,106,658,000,000.
- Fiscal year 2015: \$3,117,000,000,000.
- Fiscal year 2016: \$3,283,243,000,000.
- Fiscal year 2017: \$3,458,011,000,000.
- Fiscal year 2018: \$3,659,956,000,000.
- Fiscal year 2019: \$3,893,357,000,000.
- Fiscal year 2020: \$4,090,845,000,000.
- Fiscal year 2021: \$4,262,660,000,000.
- Fiscal year 2022: \$4,464,458,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

- Fiscal year 2012: \$3,565,725,000,000.
- Fiscal year 2013: \$3,109,085,000,000.
- Fiscal year 2014: \$3,098,368,000,000.
- Fiscal year 2015: \$3,092,240,000,000.
- Fiscal year 2016: \$3,256,795,000,000.
- Fiscal year 2017: \$3,408,942,000,000.
- Fiscal year 2018: \$3,594,222,000,000.
- Fiscal year 2019: \$3,842,333,000,000.
- Fiscal year 2020: \$4,027,530,000,000.
- Fiscal year 2021: \$4,208,224,000,000.
- Fiscal year 2022: \$4,417,978,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

- Fiscal year 2012: \$1,043,000,000,000.
- Fiscal year 2013: \$795,000,000,000.
- Fiscal year 2014: \$631,000,000,000.
- Fiscal year 2015: \$62,000,000,000.
- Fiscal year 2016: \$31,000,000,000.
- Fiscal year 2017: -\$111,000,000,000.

- Fiscal year 2018: -\$285,000,000,000.
- Fiscal year 2019: -\$302,000,000,000.
- Fiscal year 2020: -\$395,000,000,000.
- Fiscal year 2021: -\$504,000,000,000.
- Fiscal year 2022: -\$501,000,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

- Fiscal year 2012: \$11,368,000,000,000.
- Fiscal year 2013: \$12,197,000,000,000.
- Fiscal year 2014: \$12,912,000,000,000.
- Fiscal year 2015: \$13,084,000,000,000.
- Fiscal year 2016: \$13,230,000,000,000.
- Fiscal year 2017: \$13,147,000,000,000.
- Fiscal year 2018: \$12,912,000,000,000.
- Fiscal year 2019: \$12,631,000,000,000.
- Fiscal year 2020: \$12,261,000,000,000.
- Fiscal year 2021: \$11,787,000,000,000.
- Fiscal year 2022: \$11,328,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

- Fiscal year 2012: \$11,242,000,000,000.
- Fiscal year 2013: \$12,089,000,000,000.
- Fiscal year 2014: \$12,812,000,000,000.
- Fiscal year 2015: \$12,966,000,000,000.
- Fiscal year 2016: \$13,076,000,000,000.
- Fiscal year 2017: \$13,017,000,000,000.
- Fiscal year 2018: \$12,784,000,000,000.
- Fiscal year 2019: \$12,534,000,000,000.
- Fiscal year 2020: \$12,191,000,000,000.
- Fiscal year 2021: \$11,739,000,000,000.
- Fiscal year 2022: \$11,290,000,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

- Fiscal year 2012: \$627,000,000,000.
- Fiscal year 2013: \$698,000,000,000.
- Fiscal year 2014: \$728,000,000,000.
- Fiscal year 2015: \$770,000,000,000.
- Fiscal year 2016: \$819,000,000,000.
- Fiscal year 2017: \$868,000,000,000.
- Fiscal year 2018: \$914,000,000,000.
- Fiscal year 2019: \$958,000,000,000.
- Fiscal year 2020: \$1,004,000,000,000.
- Fiscal year 2021: \$1,049,000,000,000.
- Fiscal year 2022: \$1,096,000,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

- Fiscal year 2012: \$770,420,000,000.
- Fiscal year 2013: \$813,569,000,000.
- Fiscal year 2014: \$857,048,000,000.
- Fiscal year 2015: \$901,705,000,000.
- Fiscal year 2016: \$950,000,000,000.
- Fiscal year 2017: \$1,004,219,000,000.
- Fiscal year 2018: \$1,063,321,000,000.
- Fiscal year 2019: \$1,127,719,000,000.
- Fiscal year 2020: \$1,197,313,000,000.
- Fiscal year 2021: \$1,269,310,000,000.
- Fiscal year 2022: \$1,345,264,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

- Fiscal year 2012:
 - (A) New budget authority, \$5,822,000,000.
 - (B) Outlays, \$5,793,000,000.
- Fiscal year 2013:
 - (A) New budget authority, \$5,868,000,000.
 - (B) Outlays, \$6,108,000,000.

- Fiscal year 2014:
 - (A) New budget authority, \$6,043,000,000.
 - (B) Outlays, \$6,269,000,000.
- Fiscal year 2015:
 - (A) New budget authority, \$6,223,000,000.
 - (B) Outlays, \$6,386,000,000.
- Fiscal year 2016:
 - (A) New budget authority, \$6,418,000,000.
 - (B) Outlays, \$6,379,000,000.
- Fiscal year 2017:
 - (A) New budget authority, \$6,616,000,000.
 - (B) Outlays, \$6,379,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$6,838,000,000.
 - (B) Outlays, \$6,794,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$7,071,000,000.
 - (B) Outlays, \$7,024,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$7,304,000,000.
 - (B) Outlays, \$7,257,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$7,543,000,000.
 - (B) Outlays, \$7,494,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$7,796,000,000.
 - (B) Outlays, \$7,745,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2011 through 2021 for each major functional category are:

- (1) National Defense (050):
 - Fiscal year 2012:
 - (A) New budget authority, \$549,397,000,000.
 - (B) Outlays, \$559,626,000,000.
 - Fiscal year 2013:
 - (A) New budget authority, \$562,462,000,000.
 - (B) Outlays, \$587,049,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$562,462,000,000.
 - (B) Outlays, \$587,807,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$570,643,000,000.
 - (B) Outlays, \$574,208,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$579,797,000,000.
 - (B) Outlays, \$580,181,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$591,058,000,000.
 - (B) Outlays, \$583,077,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$602,310,000,000.
 - (B) Outlays, \$587,825,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$613,550,000,000.
 - (B) Outlays, \$603,494,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$625,785,000,000.
 - (B) Outlays, \$615,208,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$638,070,000,000.
 - (B) Outlays, \$627,214,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$651,718,000,000.
 - (B) Outlays, \$645,558,000,000.
- (2) International Affairs (150):
 - Fiscal year 2012:
 - (A) New budget authority, \$57,684,000,000.
 - (B) Outlays, \$50,501,000,000.
 - Fiscal year 2013:
 - (A) New budget authority, \$14,024,000,000.
 - (B) Outlays, \$20,680,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$20,680,000,000.
 - (B) Outlays, \$15,069,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$11,666,000,000.
 - (B) Outlays, \$11,423,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$11,423,000,000.
 - (B) Outlays, \$12,347,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$12,746,000,000.

- (B) Outlays, \$13,359,000,000.
Fiscal year 2018:
(A) New budget authority, \$13,359,000,000.
(B) Outlays, \$13,471,000,000.
Fiscal year 2019:
(A) New budget authority, \$14,318,000,000.
(B) Outlays, \$14,318,000,000.
Fiscal year 2020:
(A) New budget authority, \$14,619,000,000.
(B) Outlays, \$11,335,000,000.
Fiscal year 2021:
(A) New budget authority, \$14,921,000,000.
(B) Outlays, \$11,541,000,000.
Fiscal year 2022:
(A) New budget authority, \$15,217,000,000.
(B) Outlays, \$11,742,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2012:
(A) New budget authority, \$29,836,000,000.
(B) Outlays, \$31,175,000,000.
Fiscal year 2013:
(A) New budget authority, \$19,605,000,000.
(B) Outlays, \$18,914,000,000.
Fiscal year 2014:
(A) New budget authority, \$19,962,000,000.
(B) Outlays, \$19,222,000,000.
Fiscal year 2015:
(A) New budget authority, \$20,319,000,000.
(B) Outlays, \$18,518,000,000.
Fiscal year 2016:
(A) New budget authority, \$20,682,000,000.
(B) Outlays, \$18,849,000,000.
Fiscal year 2017:
(A) New budget authority, \$21,052,000,000.
(B) Outlays, \$19,186,000,000.
Fiscal year 2018:
(A) New budget authority, \$21,249,000,000.
(B) Outlays, \$19,529,000,000.
Fiscal year 2019:
(A) New budget authority, \$21,812,000,000.
(B) Outlays, \$19,878,000,000.
Fiscal year 2020:
(A) New budget authority, \$22,203,000,000.
(B) Outlays, \$20,234,000,000.
Fiscal year 2021:
(A) New budget authority, \$22,600,000,000.
(B) Outlays, \$20,596,000,000.
Fiscal year 2022:
(A) New budget authority, \$23,005,000,000.
(B) Outlays, \$20,964,000,000.
(4) Energy (270):
Fiscal year 2012:
(A) New budget authority, \$9,886,000,000.
(B) Outlays, \$18,342,000,000.
Fiscal year 2013:
(A) New budget authority, \$923,000,000.
(B) Outlays, \$2,882,000,000.
Fiscal year 2014:
(A) New budget authority, \$976,000,000.
(B) Outlays, \$2,349,000,000.
Fiscal year 2015:
(A) New budget authority, \$1,003,000,000.
(B) Outlays, \$1,649,000,000.
Fiscal year 2016:
(A) New budget authority, \$857,000,000.
(B) Outlays, \$801,000,000.
Fiscal year 2017:
(A) New budget authority, \$886,000,000.
(B) Outlays, \$829,000,000.
Fiscal year 2018:
(A) New budget authority, \$914,000,000.
(B) Outlays, \$856,000,000.
Fiscal year 2019:
(A) New budget authority, \$944,000,000.
(B) Outlays, \$885,000,000.
Fiscal year 2020:
(A) New budget authority, \$973,000,000.
(B) Outlays, \$912,000,000.
Fiscal year 2021:
(A) New budget authority, \$1,003,000,000.
(B) Outlays, \$940,000,000.
Fiscal year 2022:
(A) New budget authority, \$1,021,000,000.
(B) Outlays, \$955,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2012:
(A) New budget authority, \$37,109,000,000.
(B) Outlays, \$42,242,000,000.
Fiscal year 2013:
(A) New budget authority, \$24,206,000,000.
(B) Outlays, \$23,864,000,000.
Fiscal year 2014:
(A) New budget authority, \$23,864,000,000.
(B) Outlays, \$23,928,000,000.
Fiscal year 2015:
(A) New budget authority, \$24,441,000,000.
(B) Outlays, \$22,864,000,000.
Fiscal year 2016:
(A) New budget authority, \$24,912,000,000.
(B) Outlays, \$23,178,000,000.
Fiscal year 2017:
(A) New budget authority, \$25,401,000,000.
(B) Outlays, \$23,571,000,000.
Fiscal year 2018:
(A) New budget authority, \$26,392,000,000.
(B) Outlays, \$24,430,000,000.
Fiscal year 2019:
(A) New budget authority, \$26,745,000,000.
(B) Outlays, \$24,747,000,000.
Fiscal year 2020:
(A) New budget authority, \$27,636,000,000.
(B) Outlays, \$25,441,000,000.
Fiscal year 2021:
(A) New budget authority, \$27,558,000,000.
(B) Outlays, \$25,561,000,000.
Fiscal year 2022:
(A) New budget authority, \$27,904,000,000.
(B) Outlays, \$25,787,000,000.
(6) Agriculture (350):
Fiscal year 2012:
(A) New budget authority, \$22,686,000,000.
(B) Outlays, \$19,646,000,000.
Fiscal year 2013:
(A) New budget authority, \$20,143,000,000.
(B) Outlays, \$22,255,000,000.
Fiscal year 2014:
(A) New budget authority, \$20,600,000,000.
(B) Outlays, \$19,523,000,000.
Fiscal year 2015:
(A) New budget authority, \$20,545,000,000.
(B) Outlays, \$20,545,000,000.
Fiscal year 2016:
(A) New budget authority, \$20,567,000,000.
(B) Outlays, \$19,628,000,000.
Fiscal year 2017:
(A) New budget authority, \$20,518,000,000.
(B) Outlays, \$19,549,000,000.
Fiscal year 2018:
(A) New budget authority, \$20,811,000,000.
(B) Outlays, \$19,765,000,000.
Fiscal year 2019:
(A) New budget authority, \$21,010,000,000.
(B) Outlays, \$19,990,000,000.
Fiscal year 2020:
(A) New budget authority, \$21,275,000,000.
(B) Outlays, \$20,266,000,000.
Fiscal year 2021:
(A) New budget authority, \$21,560,000,000.
(B) Outlays, \$20,514,000,000.
Fiscal year 2022:
(A) New budget authority, \$21,631,000,000.
(B) Outlays, \$20,583,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2012:
(A) New budget authority, \$42,288,000,000.
(B) Outlays, \$42,685,000,000.
Fiscal year 2013:
(A) New budget authority, \$12,386,000,000.
(B) Outlays, \$11,996,000,000.
Fiscal year 2014:
(A) New budget authority, \$12,332,000,000.
(B) Outlays, \$11,996,000,000.
Fiscal year 2015:
(A) New budget authority, \$12,332,000,000.
(B) Outlays, \$11,240,000,000.
Fiscal year 2016:
(A) New budget authority, \$11,997,000,000.
(B) Outlays, \$4,202,000,000.
Fiscal year 2017:
(A) New budget authority, \$15,199,000,000.
(B) Outlays, \$4,255,000,000.
Fiscal year 2018:
(A) New budget authority, \$15,864,000,000.
(B) Outlays, \$5,765,000,000.
Fiscal year 2019:
(A) New budget authority, \$16,368,000,000.
(B) Outlays, \$2,829,000,000.
Fiscal year 2020:
(A) New budget authority, \$16,930,000,000.
(B) Outlays, \$2,174,000,000.
Fiscal year 2021:
(A) New budget authority, \$17,448,000,000.
(B) Outlays, \$1,283,000,000.
Fiscal year 2022:
(A) New budget authority, \$17,820,000,000.
(B) Outlays, \$230,000,000.
(8) Transportation (400):
Fiscal year 2012:
(A) New budget authority, \$88,325,000,000.
(B) Outlays, \$91,171,000,000.
Fiscal year 2013:
(A) New budget authority, \$77,499,000,000.
(B) Outlays, \$80,200,000,000.
Fiscal year 2014:
(A) New budget authority, \$76,644,000,000.
(B) Outlays, \$80,149,000,000.
Fiscal year 2015:
(A) New budget authority, \$77,240,000,000.
(B) Outlays, \$81,869,000,000.
Fiscal year 2016:
(A) New budget authority, \$78,217,000,000.
(B) Outlays, \$83,149,000,000.
Fiscal year 2017:
(A) New budget authority, \$79,069,000,000.
(B) Outlays, \$84,439,000,000.
Fiscal year 2018:
(A) New budget authority, \$79,014,000,000.
(B) Outlays, \$83,270,000,000.
Fiscal year 2019:
(A) New budget authority, \$80,669,000,000.
(B) Outlays, \$84,969,000,000.
Fiscal year 2020:
(A) New budget authority, \$81,266,000,000.
(B) Outlays, \$85,940,000,000.
Fiscal year 2021:
(A) New budget authority, \$81,783,000,000.
(B) Outlays, \$87,078,000,000.
Fiscal year 2022:
(A) New budget authority, \$82,635,000,000.
(B) Outlays, \$88,495,000,000.
(9) Community and Regional Development (450):
Fiscal year 2012:
(A) New budget authority, \$18,783,000,000.
(B) Outlays, \$24,628,000,000.
Fiscal year 2013:
(A) New budget authority, \$11,998,000,000.
(B) Outlays, \$13,439,000,000.
Fiscal year 2014:
(A) New budget authority, \$12,036,000,000.
(B) Outlays, \$13,336,000,000.
Fiscal year 2015:
(A) New budget authority, \$12,256,000,000.
(B) Outlays, \$12,761,000,000.
Fiscal year 2016:
(A) New budget authority, \$12,478,000,000.
(B) Outlays, \$12,725,000,000.
Fiscal year 2017:
(A) New budget authority, \$12,701,000,000.
(B) Outlays, \$11,854,000,000.
Fiscal year 2018:
(A) New budget authority, \$12,932,000,000.
(B) Outlays, \$11,621,000,000.
Fiscal year 2019:
(A) New budget authority, \$13,163,000,000.
(B) Outlays, \$11,835,000,000.
Fiscal year 2020:
(A) New budget authority, \$13,401,000,000.
(B) Outlays, \$12,073,000,000.
Fiscal year 2021:

- (A) New budget authority, \$13,645,000,000.
- (B) Outlays, \$12,325,000,000.
- Fiscal year 2022:
- (A) New budget authority, \$13,890,000,000.
- (B) Outlays, \$12,647,000,000.
- (10) Education, Training, Employment, and Social Services (500):
- Fiscal year 2012:
- (A) New budget authority, \$88,578,000,000.
- (B) Outlays, \$105,484,000,000.
- Fiscal year 2013:
- (A) New budget authority, \$33,898,000,000.
- (B) Outlays, \$42,292,000,000.
- Fiscal year 2014:
- (A) New budget authority, \$30,868,000,000.
- (B) Outlays, \$32,933,000,000.
- Fiscal year 2015:
- (A) New budget authority, \$32,868,000,000.
- (B) Outlays, \$29,490,000,000.
- Fiscal year 2016:
- (A) New budget authority, \$33,437,000,000.
- (B) Outlays, \$29,870,000,000.
- Fiscal year 2017:
- (A) New budget authority, \$42,660,000,000.
- (B) Outlays, \$37,022,000,000.
- Fiscal year 2018:
- (A) New budget authority, \$46,337,000,000.
- (B) Outlays, \$43,104,000,000.
- Fiscal year 2019:
- (A) New budget authority, \$49,313,000,000.
- (B) Outlays, \$45,960,000,000.
- Fiscal year 2020:
- (A) New budget authority, \$49,859,000,000.
- (B) Outlays, \$47,385,000,000.
- Fiscal year 2021:
- (A) New budget authority, \$50,122,000,000.
- (B) Outlays, \$50,122,000,000.
- Fiscal year 2022:
- (A) New budget authority, \$50,554,000,000.
- (B) Outlays, \$47,920,000,000.
- (11) Health (550):
- Fiscal year 2012:
- (A) New budget authority, \$357,821,000,000.
- (B) Outlays, \$358,737,000,000.
- Fiscal year 2013:
- (A) New budget authority, \$338,159,000,000.
- (B) Outlays, \$334,163,000,000.
- Fiscal year 2014:
- (A) New budget authority, \$348,397,000,000.
- (B) Outlays, \$338,935,000,000.
- Fiscal year 2015:
- (A) New budget authority, \$359,620,000,000.
- (B) Outlays, \$357,023,000,000.
- Fiscal year 2016:
- (A) New budget authority, \$365,157,000,000.
- (B) Outlays, \$364,094,000,000.
- Fiscal year 2017:
- (A) New budget authority, \$374,943,000,000.
- (B) Outlays, \$373,308,000,000.
- Fiscal year 2018:
- (A) New budget authority, \$385,894,000,000.
- (B) Outlays, \$381,726,000,000.
- Fiscal year 2019:
- (A) New budget authority, \$397,015,000,000.
- (B) Outlays, \$392,850,000,000.
- Fiscal year 2020:
- (A) New budget authority, \$417,710,000,000.
- (B) Outlays, \$403,283,000,000.
- Fiscal year 2021:
- (A) New budget authority, \$419,586,000,000.
- (B) Outlays, \$415,086,000,000.
- Fiscal year 2022:
- (A) New budget authority, \$431,913,000,000.
- (B) Outlays, \$427,453,000,000.
- (12) Medicare (570):
- Fiscal year 2012:
- (A) New budget authority, \$487,762,000,000.
- (B) Outlays, \$487,661,000,000.
- Fiscal year 2013:
- (A) New budget authority, \$509,976,000,000.
- (B) Outlays, \$510,212,000,000.
- Fiscal year 2014:
- (A) New budget authority, \$0.
- (B) Outlays, \$0.
- Fiscal year 2015:
- (A) New budget authority, \$0.
- (B) Outlays, \$0.
- Fiscal year 2016:
- (A) New budget authority, \$0.
- (B) Outlays, \$0.
- Fiscal year 2017:
- (A) New budget authority, \$0.
- (B) Outlays, \$0.
- Fiscal year 2018:
- (A) New budget authority, \$0.
- (B) Outlays, \$0.
- Fiscal year 2019:
- (A) New budget authority, \$0.
- (B) Outlays, \$0.
- Fiscal year 2020:
- (A) New budget authority, \$0.
- (B) Outlays, \$0.
- Fiscal year 2021:
- (A) New budget authority, \$0.
- (B) Outlays, \$0.
- Fiscal year 2022:
- (A) New budget authority, \$0.
- (B) Outlays, \$0.
- (13) Income Security (600):
- Fiscal year 2012:
- (A) New budget authority, \$534,107,000,000.
- (B) Outlays, \$533,175,000,000.
- Fiscal year 2013:
- (A) New budget authority, \$355,125,000,000.
- (B) Outlays, \$347,966,000,000.
- Fiscal year 2014:
- (A) New budget authority, \$362,716,000,000.
- (B) Outlays, \$355,966,000,000.
- Fiscal year 2015:
- (A) New budget authority, \$362,163,000,000.
- (B) Outlays, \$357,163,000,000.
- Fiscal year 2016:
- (A) New budget authority, \$369,163,000,000.
- (B) Outlays, \$369,695,000,000.
- Fiscal year 2017:
- (A) New budget authority, \$368,254,000,000.
- (B) Outlays, \$364,817,000,000.
- Fiscal year 2018:
- (A) New budget authority, \$371,087,000,000.
- (B) Outlays, \$636,453,000,000.
- Fiscal year 2019:
- (A) New budget authority, \$385,838,000,000.
- (B) Outlays, \$383,743,000,000.
- Fiscal year 2020:
- (A) New budget authority, \$396,715,000,000.
- (B) Outlays, \$395,180,000,000.
- Fiscal year 2021:
- (A) New budget authority, \$408,219,000,000.
- (B) Outlays, \$407,134,000,000.
- Fiscal year 2022:
- (A) New budget authority, \$422,855,000,000.
- (B) Outlays, \$427,176,000,000.
- (14) Social Security (650):
- Fiscal year 2012:
- (A) New budget authority, \$779,797,000,000.
- (B) Outlays, \$776,213,000,000.
- Fiscal year 2013:
- (A) New budget authority, \$823,017,000,000.
- (B) Outlays, \$819,677,000,000.
- Fiscal year 2014:
- (A) New budget authority, \$866,901,000,000.
- (B) Outlays, \$863,317,000,000.
- Fiscal year 2015:
- (A) New budget authority, \$912,103,000,000.
- (B) Outlays, \$908,091,000,000.
- Fiscal year 2016:
- (A) New budget authority, \$960,918,000,000.
- (B) Outlays, \$956,379,000,000.
- Fiscal year 2017:
- (A) New budget authority, \$1,075,559,000,000.
- (B) Outlays, \$1,010,794,000,000.
- Fiscal year 2018:
- (A) New budget authority, \$1,075,559,000,000.
- (B) Outlays, \$1,070,115,000,000.
- Fiscal year 2019:
- (A) New budget authority, \$1,140,590,000,000.
- (B) Outlays, \$1,134,743,000,000.
- Fiscal year 2020:
- (A) New budget authority, \$1,210,617,000,000.
- (B) Outlays, \$1,204,570,000,000.
- Fiscal year 2021:
- (A) New budget authority, \$1,283,153,000,000.
- (B) Outlays, \$1,276,804,000,000.
- Fiscal year 2022:
- (A) New budget authority, \$1,360,160,000,000.
- (B) Outlays, \$1,353,009,000,000.
- (15) Veterans Benefits and Services (700):
- Fiscal year 2012:
- (A) New budget authority, \$126,263,000,000.
- (B) Outlays, \$126,262,000,000.
- Fiscal year 2013:
- (A) New budget authority, \$132,924,000,000.
- (B) Outlays, \$133,660,000,000.
- Fiscal year 2014:
- (A) New budget authority, \$135,032,000,000.
- (B) Outlays, \$135,471,000,000.
- Fiscal year 2015:
- (A) New budget authority, \$138,369,000,000.
- (B) Outlays, \$138,367,000,000.
- Fiscal year 2016:
- (A) New budget authority, \$147,201,000,000.
- (B) Outlays, \$146,698,000,000.
- Fiscal year 2017:
- (A) New budget authority, \$146,175,000,000.
- (B) Outlays, \$145,526,000,000.
- Fiscal year 2018:
- (A) New budget authority, \$145,004,000,000.
- (B) Outlays, \$144,303,000,000.
- Fiscal year 2019:
- (A) New budget authority, \$154,685,000,000.
- (B) Outlays, \$153,943,000,000.
- Fiscal year 2020:
- (A) New budget authority, \$159,160,000,000.
- (B) Outlays, \$158,409,000,000.
- Fiscal year 2021:
- (A) New budget authority, \$163,701,000,000.
- (B) Outlays, \$163,701,000,000.
- Fiscal year 2022:
- (A) New budget authority, \$173,802,000,000.
- (B) Outlays, \$172,995,000,000.
- (16) Administration of Justice (750):
- Fiscal year 2012:
- (A) New budget authority, \$51,700,000,000.
- (B) Outlays, \$54,471,000,000.
- Fiscal year 2013:
- (A) New budget authority, \$50,998,000,000.
- (B) Outlays, \$38,113,000,000.
- Fiscal year 2014:
- (A) New budget authority, \$41,766,000,000.
- (B) Outlays, \$40,926,000,000.
- Fiscal year 2015:
- (A) New budget authority, \$42,296,000,000.
- (B) Outlays, \$40,215,000,000.
- Fiscal year 2016:
- (A) New budget authority, \$45,028,000,000.
- (B) Outlays, \$42,812,000,000.
- Fiscal year 2017:
- (A) New budget authority, \$43,922,000,000.
- (B) Outlays, \$41,759,000,000.
- Fiscal year 2018:
- (A) New budget authority, \$44,527,000,000.
- (B) Outlays, \$42,294,000,000.
- Fiscal year 2019:
- (A) New budget authority, \$45,216,000,000.
- (B) Outlays, \$41,863,000,000.
- Fiscal year 2020:
- (A) New budget authority, \$45,915,000,000.
- (B) Outlays, \$41,951,000,000.
- Fiscal year 2021:
- (A) New budget authority, \$46,787,000,000.
- (B) Outlays, \$42,718,000,000.
- Fiscal year 2022:
- (A) New budget authority, \$51,306,000,000.
- (B) Outlays, \$47,151,000,000.
- (17) General Government (800):
- Fiscal year 2012:
- (A) New budget authority, \$24,163,000,000,000.
- (B) Outlays, \$30,033,000,000.
- Fiscal year 2013:
- (A) New budget authority, \$21,262,000,000.
- (B) Outlays, \$18,354,000,000.

- Fiscal year 2014:
 (A) New budget authority, \$21,414,000,000.
 (B) Outlays, \$19,949,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$21,586,000,000.
 (B) Outlays, \$20,149,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$21,762,000,000.
 (B) Outlays, \$20,373,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$22,114,000,000.
 (B) Outlays, \$20,531,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$22,470,000,000.
 (B) Outlays, \$20,836,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$22,893,000,000.
 (B) Outlays, \$21,252,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$23,227,000,000.
 (B) Outlays, \$21,614,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$23,622,000,000.
 (B) Outlays, \$21,904,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$23,933,000,000.
 (B) Outlays, \$22,217,000,000.
- (18) Net Interest (900):
 Fiscal year 2012:
 (A) New budget authority, \$224,064,000,000.
 (B) Outlays, \$224,064,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$183,281,000,000.
 (B) Outlays, \$183,281,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$184,653,000,000.
 (B) Outlays, \$184,653,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$211,497,000,000.
 (B) Outlays, \$211,497,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$293,109,000,000.
 (B) Outlays, \$293,109,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$361,394,000,000.
 (B) Outlays, \$361,394,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$440,040,000,000.
 (B) Outlays, \$440,040,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$501,224,000,000.
 (B) Outlays, \$501,224,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$536,534,000,000.
 (B) Outlays, \$536,534,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$565,473,000,000.
 (B) Outlays, \$565,473,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$588,933,000,000.
 (B) Outlays, \$588,933,000,000.
- (19) Allowances (920):
 Fiscal year 2012
 (A) New budget authority, \$45,400,000,000.
 (B) Outlays, \$45,400,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$57,358,000,000.
 (B) Outlays, \$57,358,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$71,118,000,000.
 (B) Outlays, \$71,118,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$79,148,000,000.
 (B) Outlays, \$79,148,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$92,742,000,000.
 (B) Outlays, \$92,742,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$91,236,000,000.
 (B) Outlays, \$91,236,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$86,010,000,000.
 (B) Outlays, \$86,010,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$56,114,000,000.
 (B) Outlays, \$56,114,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$58,063,000,000.
 (B) Outlays, \$58,063,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$58,990,000,000.
 (B) Outlays, \$58,990,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$55,589,000,000.
 (B) Outlays, \$55,589,000,000.
- (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2012:
 (A) New budget authority, \$91,535,000,000.
 (B) Outlays, \$91,535,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$95,678,000,000.
 (B) Outlays, \$95,678,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$96,030,000,000.
 (B) Outlays, \$96,030,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$101,010,000,000.
 (B) Outlays, \$101,010,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$104,680,000,000.
 (B) Outlays, \$104,680,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$117,921,000,000.
 (B) Outlays, \$117,921,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$123,045,000,000.
 (B) Outlays, \$123,045,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$133,352,000,000.
 (B) Outlays, \$133,352,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$138,451,000,000.
 (B) Outlays, \$138,451,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$144,197,000,000.
 (B) Outlays, \$144,197,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$150,911,000,000.
 (B) Outlays, \$150,911,000,000.
- (21) Global War on Terrorism (970):
 Fiscal year 2012:
 (A) New budget authority, \$126,544,000,000.
 (B) Outlays, \$126,544,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$50,000,000,000.
 (B) Outlays, \$50,000,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2015:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2016:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2017:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2018:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2019:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2020:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2021:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- (B) Outlays, \$0.
 Fiscal year 2022:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- (22) Congressional Health Insurance for Seniors (990):
 Fiscal year 2012:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2013:
 (A) New budget authority, \$3,125,000,000.
 (B) Outlays, \$3,125,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$539,435,000,000.
 (B) Outlays, \$532,135,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$466,210,000,000.
 (B) Outlays, \$468,810,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$494,278,000,000.
 (B) Outlays, \$494,278,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$513,342,000,000.
 (B) Outlays, \$511,342,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$544,406,000,000.
 (B) Outlays, \$542,406,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$577,470,000,000.
 (B) Outlays, \$575,470,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$623,534,000,000.
 (B) Outlays, \$623,534,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$666,598,000,000.
 (B) Outlays, \$664,598,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$712,662,000,000.
 (B) Outlays, \$710,662,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF UNUSED OR VACANT FEDERAL PROPERTIES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any unused or vacant Federal properties. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 202. DEFICIT-REDUCTION RESERVE FUND FOR SELLING EXCESS FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any excess Federal land. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 203. DEFICIT-REDUCTION RESERVE FUND FOR THE REPEAL OF DAVIS-BACON PREVAILING WAGE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or

conference reports from savings achieved by repealing the Davis-Bacon prevailing wage laws. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 204. DEFICIT-REDUCTION RESERVE FUND FOR THE REDUCTION OF PURCHASING AND MAINTAINING FEDERAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by reducing the federal vehicles fleet. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 205. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF FINANCIAL ASSETS PURCHASED THROUGH THE TROUBLED ASSET RELIEF PROGRAM.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling financial instruments and equity accumulated through the Troubled Asset Relief Program. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2012 THROUGH 2022, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term “discretionary spending limit” means—

(1) for fiscal year 2012, \$1,201,863,000,000 in new budget authority and \$1,308,512,000,000 in outlays;

(2) for fiscal year 2013, \$934,104,000,000 in new budget authority and \$1,023,435,000,000 in outlays;

(3) for fiscal year 2014, \$891,861,000,000 in new budget authority and \$965,519,000,000 in outlays;

(4) for fiscal year 2015, \$906,188,000,000 in new budget authority and \$943,141,000,000 in outlays;

(5) for fiscal year 2016 \$921,824,000,000 in new budget authority and \$955,362,000,000 in outlays;

(6) for fiscal year 2017, \$939,918,000,000 in new budget authority and \$964,874,000,000 in outlays;

(7) for fiscal year 2018, \$958,654,000,000 in new budget authority and \$974,728,000,000 in outlays;

(8) for fiscal year 2019, \$977,693,000,000 in new budget authority and \$998,696,000,000 in outlays;

(9) for fiscal year 2020, \$997,939,000,000 in new budget authority and \$1,018,172,000,000 in outlays;

(10) for fiscal year 2021, \$1,018,340,000,000 in new budget authority and \$1,038,189,000,000 in outlays; and

(11) for fiscal year 2022, \$1,040,081,000,000 in new budget authority and \$1,064,838,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment or motion thereto or the submission of a conference report thereon—

(A) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.—

(A) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, allocations to the Committee on Appropriations of the Senate, and aggregates for one or more—

(i) bills reported by the Committee on Appropriations of the Senate or passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committee on Appropriations of the Senate;

(iii) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Committee on Appropriations of the Senate; or

(iv) conference reports; making appropriations for overseas deployments and other activities in the amounts specified in subparagraph (B).

(B) AMOUNTS SPECIFIED.—The amounts specified are—

(i) for fiscal year 2012, \$126,544,000,000 in new budget authority and the outlays flowing therefrom;

(ii) for fiscal year 2013, \$50,000,000,000 in new budget authority and the outlays flowing therefrom;

(iii) for fiscal year 2014, \$0 in new budget authority and the outlays flowing therefrom;

(iv) for fiscal year 2015, \$0 in new budget authority and the outlays flowing therefrom;

(v) for fiscal year 2016, \$0 in new budget authority and the outlays flowing therefrom;

(vi) for fiscal year 2017, \$0 in new budget authority and the outlays flowing therefrom;

(vii) for fiscal year 2018, \$0 in new budget authority and the outlays flowing therefrom;

(viii) for fiscal year 2019, \$0 in new budget authority and the outlays flowing therefrom;

(ix) for fiscal year 2020, \$0 in new budget authority and the outlays flowing therefrom;

(x) for fiscal year 2021, \$0 in new budget authority and the outlays flowing therefrom; and

(xi) for fiscal year 2022, \$0 in new budget authority and the outlays flowing therefrom.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(b) DEFINITION.—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

SEC. 303. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits), and section 301 of this resolution (relating to discretionary spending). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms “direct spending”, “receipts”, and “appropriations for discretionary accounts” mean any provision of a bill, joint resolution, amendment, motion, or conference report

that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) INAPPLICABILITY.—In the Senate, section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, shall no longer apply.

SEC. 304. ADJUSTMENTS FOR THE EXTENSION OF CERTAIN CURRENT POLICIES.

(a) ADJUSTMENT.—For the purposes of determining points of order specified in subsection (b), the Chairman of the Committee on the Budget of the Senate may adjust the estimate of the budgetary effects of a bill, joint resolution, amendment, motion, or conference report that contains one or more provisions meeting the criteria of subsection (c) to exclude the amounts of qualifying budgetary effects.

(b) COVERED POINTS OF ORDER.—The Chairman of the Committee on the Budget of the Senate may make adjustments pursuant to this section for the following points of order only:

(1) Section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go).

(2) Section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits).

(3) Section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits).

(c) QUALIFYING LEGISLATION.—The Chairman of the Committee on the Budget of the Senate may make adjustments authorized under subsection (a) for legislation containing provisions that—

(1) amend or supersede the system for updating payments made under subsections 1848 (d) and (f) of the Social Security Act, consistent with section 7(c) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139);

(2) amend the Internal Revenue Code of 1986, in order to establish a single, flat tax rate of 17 percent consistent with section 7(d) of the Statutory Pay-As-You-Go Act of 2010; and

(3) extend relief from the Alternative Minimum Tax for individuals under sections 55-59 of the Internal Revenue Code of 1986, consistent with section 7(e) of the Statutory Pay-As-You-Go Act of 2010.

(d) DEFINITION.—For the purposes of this section, the terms “budgetary effects” or “effects” mean the amount by which a provision changes direct spending or revenues relative to the baseline.

(e) SUNSET.—This section shall expire on December 31, 2012.

Subtitle B—Other Provisions

SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the Government Accountability Office’s High Risk list reports. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and ag-

gregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 314. RESCIND UNSPENT OR UNOBLIGATED BALANCES AFTER 36 MONTHS.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall require that any unobligated or unspent allocations be rescinded after 36 months.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

TITLE IV—RECONCILIATION

SEC. 401. RECONCILIATION IN THE SENATE.

(a) SUBMISSION TO PROVIDE FOR THE REFORMATION OF MANDATORY SPENDING.—

(1) IN GENERAL.—Not later than September 1, 2012, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the United States Senate. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON FOREIGN RELATIONS.—The Committee on Foreign Relations shall report changes in law within its jurisdiction sufficient to reduce direct spending by \$2,864,000,000 for the period of fiscal years 2013 through 2022.

(B) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$2,432,000,000 for the period of fiscal years 2013 through 2022.

(C) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Committee on Agriculture, Nutrition, and Forestry shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$6,100,000,000 for the period of fiscal years 2013 through 2022.

(D) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Committee on Environment

and Public Works shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$3,422,000,000 for the period of fiscal years 2013 through 2022.

(E) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$1,584,000,000 for the period of fiscal years 2013 through 2022.

(F) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$3,473,634,000 for the period of fiscal years 2013 through 2022.

(G) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$7,818,000,000 for the period of fiscal years 2013 through 2022.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

SEC. 402. DIRECTIVE TO THE COMMITTEE ON THE BUDGET OF THE SENATE TO REPLACE THE SEQUESTER ESTABLISHED BY THE BUDGET CONTROL ACT OF 2011.

(a) SUBMISSION.—In the Senate, the Committee on the Budget shall report to the Senate a bill carrying out the directions set forth in subsection (b).

(b) DIRECTIONS.—The bill referred to in subsection (a) shall include the following provisions:

(1) REPLACING THE SEQUESTER ESTABLISHED BY THE BUDGET CONTROL ACT OF 2011.—The language shall amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established under that section consistent with this concurrent resolution.

(2) APPLICATION OF PROVISIONS.—The bill referred to in subsection (a) shall include language making it application contingent upon the enactment of the reconciliation bill referred to in section 401.

TITLE V—CONGRESSIONAL POLICY CHANGES

SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window as follows:

(1) The legislation must modify the Primary Insurance Amount formula between 2018 and 2055 to gradually reduce benefits on a progressive basis for works with career-average earnings above the 40th percentile of new retired workers.

(2) The normal retirement age will increase by 3 months each year starting with individuals reaching age 62 in 2017 and stopping with the normal retirement age reaches the age of 70 for individuals reaching the age of 62 in 2032.

(3) The earliest eligibility age will be increased by 3 months per year starting with individuals reaching age 62 in 2021 and will stop with the reaches age 64 for individuals reaching the age 62 in 2028 or later.

SEC. 502. POLICY STATEMENT ON MEDICARE.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare as follows:

(1) Enrolls seniors in the same health care plan as Federal employees and Members of Congress, similar to the Federal Employee Health Benefits Plan (FEHBP).

(2) Beginning on January 1, 2014, the Director of the Office of Personnel Management shall ensure seniors currently enrolled or eligible for Medicare will have access to Congressional Health Care for Seniors Act.

(3) Prevents the Office of Personnel and Management from placing onerous new mandates on health insurance plans, but allows the agency to continue to enforce reasonable minimal standards for plans, ensure the plans are fiscally solvent, and enforces rules for consumer protections.

(4) The legislation must create a new “high-risk pool” for the highest cost patients, providing a direct reimbursement to health care plans that enroll the costliest 5 percent of patients.

(5) Ensures that every senior can afford the high-quality insurance offered by FEHBP, providing support for 75 percent of the total costs, providing additional premium assistance to those who cannot afford the remaining share.

(6) The legislation must increase the age of eligibility gradually over 20 years, increasing the age from 65 to 70, resulting in a 3-month increase per year.

(7) High-income seniors will be provided less premium support than low-income seniors.

SEC. 503. POLICY STATEMENT ON TAX REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a tax reform that broadens the tax base, reduces tax complexity, includes a consumption-based income tax, and a globally competitive flat tax as follows:

(1) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax rate of 17 percent on adjusted gross income. The individual tax code shall remove all credits and deductions, with exception to the mortgage interest deduction, offsetting these with a substantially higher standard deduction and personal exemption. The standard deduction for joint filers is \$30,320, \$19,350 for head of household, and \$15,160 for single filers. The personal exemption amount is \$6,530. This proposal eliminates the individual alternative minimum tax (AMT). The tax reform would repeal all tax on savings and investments, including capital gains, qualified and ordinary dividends, estate, gift, and interest saving taxes.

(2) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax of 17 percent on adjusted gross income. The business tax code shall remove all credits and deductions, offsetting these with a lower tax rate and immediate expensing of all business inputs. Such inputs shall be determined by total revenue from the sale of good and services less purchases of inputs from other firms less wages, salaries, and pensions paid to workers less purchases of plant and equipment.

(3) The individuals and businesses would be subject to taxation on only those incomes that are produced or derived, as a territorial system in the United States. The aggregate taxes paid should provide the ability to fill out a tax return no larger than a postcard.

TITLE VI—SENSE OF CONGRESS

SEC. 601. REGULATORY REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform as follows:

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the of Congress to vote on the Executive In Need of Scrutiny Act, legislation that would require all regulations that impose a burden greater than \$100 million in economic aggregate may not be implement as law unless Congress gives their consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It shall be the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every 2 years unless re-promulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily require regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed \$100,000,000 in aggregate economic costs.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2000. Mr. REID (for Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2000. Mr. REID (for Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “21st Century Postal Service Act of 2012”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

TITLE I—POSTAL WORKFORCE MATTERS

Sec. 101. Treatment of postal funding surplus for Federal Employees Retirement System.

- Sec. 102. Incentives for voluntary separation.
- Sec. 103. Restructuring of payments for retiree health benefits.
- Sec. 104. Postal Service Health Benefits Program.
- Sec. 105. Medicare coordination efforts for Postal Service employees and retirees.
- Sec. 106. Arbitration; labor disputes.

TITLE II—POSTAL SERVICES AND OPERATIONS

- Sec. 201. Maintenance of delivery service standards.
- Sec. 202. Preserving mail processing capacity.
- Sec. 203. Establishment of retail service standards.
- Sec. 204. Expanded retail access.
- Sec. 205. Preserving community post offices.
- Sec. 206. Area and district office structure.
- Sec. 207. Conversion of door delivery points.
- Sec. 208. Limitations on changes to mail delivery schedule.
- Sec. 209. Time limits for consideration of service changes.
- Sec. 210. Public procedures for significant changes to mailing specifications.
- Sec. 211. Nonpostal products and services.
- Sec. 212. Chief Innovation Officer; innovation strategy.
- Sec. 213. Strategic Advisory Commission on Postal Service Solvency and Innovation.

TITLE III—FEDERAL EMPLOYEES' COMPENSATION ACT

- Sec. 301. Short title; references.
- Sec. 302. Federal workers compensation reforms for retirement-age employees.
- Sec. 303. Augmented compensation for dependents.
- Sec. 304. Schedule compensation payments.
- Sec. 305. Vocational rehabilitation.
- Sec. 306. Reporting requirements.
- Sec. 307. Disability management review; independent medical examinations.
- Sec. 308. Waiting period.
- Sec. 309. Election of benefits.
- Sec. 310. Sanction for noncooperation with field nurses.
- Sec. 311. Subrogation of continuation of pay.
- Sec. 312. Integrity and compliance.
- Sec. 313. Amount of compensation.
- Sec. 314. Technical and conforming amendments.
- Sec. 315. Regulations.
- Sec. 316. Effective date.

TITLE IV—OTHER MATTERS

- Sec. 401. Solvency plan.
- Sec. 402. Postal rates.
- Sec. 403. Co-location with Federal agencies.
- Sec. 404. Cooperation with State and local governments; intra-Service agreements.
- Sec. 405. Shipping of wine, beer, and distilled spirits.
- Sec. 406. Annual report on United States mailing industry.
- Sec. 407. Use of negotiated service agreements.
- Sec. 408. Contract disputes.
- Sec. 409. Contracting provisions.

SEC. 3. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) COMMISSION.—The term “Commission” means the Postal Regulatory Commission.

(2) POSTAL SERVICE.—The term “Postal Service” means the United States Postal Service.

TITLE I—POSTAL WORKFORCE MATTERS

SEC. 101. TREATMENT OF POSTAL FUNDING SURPLUS FOR FEDERAL EMPLOYEES RETIREMENT SYSTEM.

Section 8423(b) of title 5, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following:

“(5)(A) In this paragraph, the term ‘postal funding surplus’ means the amount by which the amount computed under paragraph (1)(B) is less than zero.

“(B)(i) Beginning with fiscal year 2011, for each fiscal year in which the amount computed under paragraph (1)(B) is less than zero, upon request of the Postmaster General, the Director shall transfer to the United States Postal Service from the Fund an amount equal to the postal funding surplus for that fiscal year for use in accordance with this paragraph.

“(ii) The Office shall calculate the amount under paragraph (1)(B) for a fiscal year by not later than June 15 after the close of the fiscal year, and shall transfer any postal funding surplus to the United States Postal Service within 10 days after a request by the Postmaster General.

“(C) For each of fiscal years 2011, 2012, 2013, and 2014 if the amount computed under paragraph (1)(B) is less than zero, a portion of the postal funding surplus for the fiscal year shall be used by the United States Postal Service for the cost of providing incentives for voluntary separation, in accordance with section 102 of the 21st Century Postal Service Act of 2012 and sections 8332(p) and 8411(m) of this title, to employees of the United States Postal Service who voluntarily separate from service before October 1, 2015.

“(D) Any postal funding surplus for a fiscal year not expended under subparagraph (C) may be used by the United States Postal Service for the purposes of—

“(i) repaying any obligation issued under section 2005 of title 39; or

“(ii) making required payments to—

“(I) the Employees’ Compensation Fund established under section 8147;

“(II) the Postal Service Retiree Health Benefits Fund established under section 8909a;

“(III) the Employees Health Benefits Fund established under section 8909; or

“(IV) the Civil Service Retirement and Disability Fund.”

SEC. 102. INCENTIVES FOR VOLUNTARY SEPARATION.

(a) VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—The Postal Service may provide voluntary separation incentive payments to employees of the Postal Service who voluntarily separate from service before October 1, 2015 (including payments to employees who retire under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code, before October 1, 2015), which may not exceed the maximum amount provided under section 3523(b)(3)(B) of title 5, United States Code, for any employee.

(b) ADDITIONAL SERVICE CREDIT.—

(1) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8332 of title 5, United States Code, is amended by adding at the end the following:

“(p)(1)(A) For an employee of the United States Postal Service who is covered under this subchapter and voluntarily separates from service before October 1, 2015, the Office, if so directed by the United States Postal Service, shall add not more than 1 year to the total creditable service of the employee for purposes of determining entitlement to

and computing the amount of an annuity under this subchapter (except for a disability annuity under section 8337).

“(B) An employee who receives additional creditable service under this paragraph may not receive a voluntary separation incentive payment from the United States Postal Service.

“(2) The United States Postal Service shall ensure that the average actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from additional creditable service provided under paragraph (1) or section 8411(m)(1) is not more than \$25,000 per employee provided additional creditable service under paragraph (1) or section 8411(m)(1).

“(3)(A) Subject to subparagraph (B), and notwithstanding any other provision of law, no deduction, deposit, or contribution shall be required for service credited under this subsection.

“(B) The actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from this subsection shall be included in the amount calculated under section 8348(h)(1)(A).”

(2) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—Section 8411 of title 5, United States Code, is amended by adding at the end the following:

“(m)(1)(A) For an employee of the United States Postal Service who is covered under this chapter and voluntarily separates from service before October 1, 2015, the Office, if so directed by the United States Postal Service, shall add not more than 2 years to the total creditable service of the employee for purposes of determining entitlement to and computing the amount of an annuity under this chapter (except for a disability annuity under subchapter V of that chapter).

“(B) An employee who receives additional creditable service under this paragraph may not receive a voluntary separation incentive payment from the United States Postal Service.

“(2) The United States Postal Service shall ensure that the average actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from additional creditable service provided under paragraph (1) or section 8332(p)(1) is not more than \$25,000 per employee provided additional creditable service under paragraph (1) or section 8332(p)(1).

“(3)(A) Subject to subparagraph (B), and notwithstanding any other provision of law, no deduction, deposit, or contribution shall be required for service credited under this subsection.

“(B) The actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from this subsection shall be included in the amount calculated under section 8423(b)(1)(B).”

(c) GOALS.—

(1) IN GENERAL.—The Postal Service shall offer incentives for voluntary separation under this section and the amendments made by this section as a means of ensuring that the size and cost of the workforce of the Postal Service is appropriate to the work required of the Postal Service, including consideration of—

(A) the closure and consolidation of postal facilities;

(B) the ability to operate existing postal facilities more efficiently, including by reducing the size or scope of operations of postal facilities in lieu of closing postal facilities; and

(C) the number of employees eligible, or projected in the near-term to be eligible, for retirement, including early retirement.

(2) PERCENTAGE GOAL.—The Postal Service shall offer incentives for voluntary separation under this section to a sufficient number of employees as would reasonably be expected to lead to an 18 percent reduction in the total number of career employees of the Postal Service by the end of fiscal year 2015.

(3) DEFINITION.—In this subsection, the term “career employee of the Postal Service” means an employee of the Postal Service—

(A) whose appointment is not for a limited period; and

(B) who is eligible for benefits, including retirement coverage under chapter 83 or 84 of title 5, United States Code.

(d) FUNDING.—The Postal Service shall carry out subsection (a) and sections 8332(p) and 8411(m) of title 5, United States Code, as added by subsection (b) of this section, using funds made available under section 8423(b)(5)(C) of title 5, United States Code, as amended by section 101 of this Act.

SEC. 103. RESTRUCTURING OF PAYMENTS FOR RETIREE HEALTH BENEFITS.

(a) CONTRIBUTIONS.—Section 8906(g)(2)(A) of title 5, United States Code, is amended by striking “through September 30, 2016, be paid by the United States Postal Service, and thereafter shall” and inserting “after the date of enactment of the 21st Century Postal Service Act of 2012”.

(b) POSTAL SERVICE RETIREE HEALTH BENEFITS FUND.—Section 8909a of title 5, United States Code, is amended—

(1) in subsection (d)—

(A) by striking paragraph (2) and inserting the following:

“(2)(A) Not later than 180 days after the date of enactment of the 21st Century Postal Service Act of 2012, or March 31, 2013, whichever is later, the Office shall compute, and by June 30 of each succeeding year, the Office shall recompute, a schedule including a series of annual installments which provide for the liquidation of the amount described under subparagraph (B) (regardless of whether the amount is a liability or surplus) by September 30, 2052, or within 15 years, whichever is later, including interest at the rate used in the computations under this subsection.

“(B) The amount described in this subparagraph is the amount, as of the date on which the applicable computation or recomputation under subparagraph (A) is made, that is equal to the difference between—

“(i) 80 percent of the Postal Service actuarial liability as of September 30 of the most recently ended fiscal year; and

“(ii) the value of the assets of the Postal Retiree Health Benefits Fund as of September 30 of the most recently ended fiscal year.”.

(B) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (iii), by adding “and” at the end;

(II) in clause (iv), by striking the semicolon at the end and inserting a period; and

(III) by striking clauses (v) through (x); and

(ii) in subparagraph (B), by striking “2017” and inserting “2013”;

(C) by amending paragraph (4) to read as follows:

“(4) Computations under this subsection shall be based on—

“(A) economic and actuarial methods and assumptions consistent with the methods and assumptions used in determining the Postal surplus or supplemental liability under section 8348(h); and

“(B) any other methods and assumptions, including a health care cost trend rate, that

the Director of the Office determines to be appropriate.”; and

(D) by adding at the end the following:

“(7) In this subsection, the term ‘Postal Service actuarial liability’ means the difference between—

“(A) the net present value of future payments required under section 8906(g)(2)(A) for current and future United States Postal Service annuitants; and

“(B) the net present value as computed under paragraph (1) attributable to the future service of United States Postal Service employees.”; and

(2) by adding at the end the following:

“(e) Subsections (a) through (d) of this section shall be subject to section 104 of the 21st Century Postal Service Act of 2012.”.

SEC. 104. POSTAL SERVICE HEALTH BENEFITS PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term “covered employee” means an employee of the Postal Service who is represented by a bargaining representative recognized under section 1203 of title 39, United States Code;

(2) the term “Federal Employee Health Benefits Program” means the health benefits program under chapter 89 of title 5, United States Code; and

(3) the term “Postal Service Health Benefits Program” means the health benefits program that may be agreed to under subsection (b)(1).

(b) COLLECTIVE BARGAINING.—

(1) IN GENERAL.—Consistent with section 1005(f) of title 39, United States Code, the Postal Service may negotiate jointly with all bargaining representatives recognized under section 1203 of title 39, United States Code, and enter into a joint collective bargaining agreement with those bargaining representatives to establish the Postal Service Health Benefits Program that satisfies the conditions under subsection (c). The Postal Service and the bargaining representatives shall negotiate in consultation with the Director of the Office of Personnel Management.

(2) CONSULTATION WITH SUPERVISORY AND MANAGERIAL PERSONNEL.—In the course of negotiations under paragraph (1), the Postal Service shall consult with each of the organizations of supervisory and other managerial personnel that are recognized under section 1004 of title 39, United States Code, concerning the views of the personnel represented by each of those organizations.

(3) ARBITRATION LIMITATION.—Notwithstanding chapter 12 of title 39, United States Code, there shall not be arbitration of any dispute in the negotiations under this subsection.

(4) TIME LIMITATION.—The authority under this subsection shall extend until September 30, 2012.

(c) POSTAL SERVICE HEALTH BENEFITS PROGRAM.—The Postal Service Health Benefits Program—

(1) shall—

(A) be available for participation by all covered employees;

(B) be available for participation by any officer or employee of the Postal Service who is not a covered employee, at the option solely of that officer or employee;

(C) provide adequate and appropriate health benefits;

(D) be administered in a manner determined in a joint agreement reached under subsection (b); and

(E) provide for transition of coverage under the Federal Employee Health Benefits Program of covered employees to coverage

under the Postal Service Health Benefits Program on January 1, 2013;

(2) may provide dental benefits; and

(3) may provide vision benefits.

(d) AGREEMENT AND IMPLEMENTATION.—If a joint agreement is reached under subsection (b)—

(1) the Postal Service shall implement the Postal Service Health Benefits Program;

(2) the Postal Service Health Benefits Program shall constitute an agreement between the collective bargaining representatives and the Postal Service for purposes of section 1005(f) of title 39, United States Code; and

(3) covered employees may not participate as employees in the Federal Employees Health Benefits Program.

(e) GOVERNMENT PLAN.—The Postal Service Health Benefits Program shall be a government plan as that term is defined under section 3(32) of Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(32)).

(f) REPORT.—Not later than June 30, 2013, the Postal Service shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives that—

(1) reports on the implementation of this section; and

(2) requests any additional statutory authority that the Postal Service determines is necessary to carry out the purposes of this section.

SEC. 105. MEDICARE COORDINATION EFFORTS FOR POSTAL SERVICE EMPLOYEES AND RETIREES.

(a) ADDITIONAL ENROLLMENT OPTIONS UNDER FEDERAL EMPLOYEES HEALTH BENEFITS PLANS.—Chapter 89 of title 5, United States Code, is amended by inserting after section 8903b the following:

“SEC. 8903c. COORDINATION WITH MEDICARE FOR POSTAL SERVICE EMPLOYEES AND ANNUITANTS.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘contract year’ means a calendar year in which health benefits plans are administered under this chapter;

“(2) the term ‘Medicare part A’ means the Medicare program for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.);

“(3) the term ‘Medicare part B’ means the Medicare program for supplementary medical insurance benefits under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.); and

“(4) the term ‘Postal Service employee or annuitant’ means an individual who is—

“(A) an employee of the Postal Service; or

“(B) an annuitant covered under this chapter whose Government contribution is paid by the Postal Service under section 8906(g)(2).

“(b) ENROLLMENT OPTIONS.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—For contract years beginning on or after January 1, 2014, the Office shall establish enrollment options for health benefits plans that are open only to Postal Service employees and annuitants, and family members of a Postal Service employee or annuitant, who are enrolled in Medicare part A and Medicare part B.

“(B) ADDITIONAL PLANS.—The enrollment options established under this subsection shall be in addition to any other health benefit plan or enrollment option otherwise available to Postal Service employees or annuitants under this chapter and shall not affect the eligibility of a Postal Service employee or annuitant for any another health

benefit plan or enrollment option under this chapter.

“(2) ENROLLMENT ELIGIBILITY.—Any Postal Service employee or annuitant, or family member of a Postal Service employee or annuitant, who is enrolled in Medicare part A and Medicare part B may enroll in 1 of the enrollment options established under paragraph (1).

“(3) VALUE OF COVERAGE.—The Office shall ensure that the aggregate actuarial value of coverage under the enrollment options established under this subsection, in combination with the value of coverage under Medicare part A and Medicare part B, shall be not less than the actuarial value of the most closely corresponding enrollment options for each plan available under section 8905, in combination with the value of coverage under Medicare part A and Medicare part B.

“(4) ENROLLMENT OPTIONS.—

“(A) IN GENERAL.—The enrollment options established under paragraph (1) shall include—

“(i) an individual option, for Postal Service employees or annuitants enrolled in Medicare part A and Medicare part B;

“(ii) a self and family option, for Postal Service employees or annuitants and family members who are each enrolled in Medicare part A and Medicare part B; and

“(iii) a self and family option, for Postal Service employees or annuitants—

“(I) who are enrolled in Medicare part A and Medicare part B; and

“(II) the family members of whom are not enrolled in Medicare part A or Medicare part B.

“(B) SPECIFIC SUB-OPTIONS.—The Office may establish more specific enrollment options within the types of options described under subparagraph (A).

“(5) REDUCED PREMIUMS TO ACCOUNT FOR MEDICARE COORDINATION.—In determining the premiums for the enrollment options under paragraph (4), the Office shall—

“(A) establish a separate claims pool for individuals eligible for coverage under any of those options; and

“(B) ensure that—

“(i) the premiums are reduced from the premiums otherwise established under this chapter to directly reflect the full cost savings to the health benefits plans due to the complete coordination of benefits with Medicare part A and Medicare part B for Postal Service employees or annuitants, or family members of Postal Service employees or annuitants, who are enrolled in Medicare part A and Medicare part B; and

“(ii) the cost savings described under clause (i) result solely in the reduction of—

“(I) the premiums paid by the Postal Service employee or annuitant; and

“(II) the Government contributions paid by the Postal Service or other employer.

“(C) POSTAL SERVICE CONSULTATION.—The Office shall establish the enrollment options and premiums under this section in consultation with the Postal Service.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 89 of title 5, United States Code, is amended by inserting after the item relating to section 8903b the following:

“8903c. Coordination with Medicare for Postal Service employees and annuitants.”

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to contract years beginning on or after January 1, 2014.

(d) SPECIAL ENROLLMENT PERIOD FOR POSTAL SERVICE EMPLOYEES AND ANNUITANTS.—

(1) SPECIAL ENROLLMENT PERIOD.—Section 1837 of the Social Security Act (42 U.S.C. 1395p) is amended by adding at the end the following new subsection:

“(m)(1) In the case of any individual who, as of the date of enactment of the 21st Century Postal Service Act of 2012, is a Postal Service employee or annuitant (as defined in section 8903c(a) of title 5, United States Code) at the time the individual is entitled to part A under section 226 or section 226A and who is eligible to enroll but who has elected not to enroll (or to be deemed enrolled) during the individual’s initial enrollment period, there shall be a special enrollment period described in paragraph (2).

“(2) The special enrollment period described in this paragraph, with respect to an individual, is the 1-year period beginning on July 1, 2013.

“(3) In the case of an individual who enrolls during the special enrollment period provided under paragraph (1), the coverage period under this part shall begin on the first day of the month in which the individual enrolls.”

(2) WAIVER OF INCREASE OF PREMIUM.—Section 1839(b) of the Social Security Act (42 U.S.C. 1395f(b)) is amended by striking “(i)(4) or (l)” and inserting “(i)(4), (l), or (m)”.

(e) EDUCATIONAL PROGRAM.—The Postmaster General, in consultation with the Director of the Office of Personnel Management and the Administrator of the Centers for Medicare & Medicaid Services, shall develop an educational program to encourage the voluntary use of the Medicare program for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.) (commonly known as “Medicare Part A”) and the Medicare program for supplementary medical insurance benefits under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) (commonly known as “Medicare Part B”) for eligible Postal Service employees and annuitants that may benefit from enrollment, the objective of which shall be to—

(1) educate employees and annuitants on how Medicare benefits interact with and can supplement the benefits of the employee or annuitant under the Federal Employees Health Benefit Program; and

(2) reduce costs to the Federal Employees Health Benefit Program, beneficiaries, and the Postal Service by coordinating services with the Medicare program.

SEC. 106. ARBITRATION; LABOR DISPUTES.

Section 1207(c) of title 39, United States Code, is amended—

(1) in paragraph (2)—

(A) by inserting “(A)” after “(2)”;

(B) by striking the last sentence and inserting “The arbitration board shall render a decision not later than 45 days after the date of its appointment.”; and

(C) by adding at the end the following:

“(B) In rendering a decision under this paragraph, the arbitration board shall consider such relevant factors as the financial condition of the Postal Service.”; and

(2) by adding at the end the following:

“(4) Nothing in this section may be construed to limit the relevant factors that the arbitration board may take into consideration in rendering a decision under paragraph (2).”

TITLE II—POSTAL SERVICES AND OPERATIONS

SEC. 201. MAINTENANCE OF DELIVERY SERVICE STANDARDS.

(a) DEFINITIONS.—For purposes of this section—

(1) the term “plant service area” means the geographic area served by a single sec-

tional center facility, or a corresponding successor facility, as designated by the Postal Service; and

(2) the term “continental United States” means the 48 contiguous States and the District of Columbia.

(b) INTERIM MAINTENANCE OF STANDARDS.—During the 3-year period beginning on the date of enactment of this Act, the Postal Service—

(1) shall maintain the service standards described in subsection (c);

(2) may not establish a new or revised service standard for market-dominant products under section 3691 of title 39, United States Code, that is inconsistent with the requirements under subsection (c); and

(3) shall include in any new or revised overnight service standard established for market-dominant products under section 3691 of title 39, United States Code, a policy on changes to critical entry times at post offices and business mail entry units that ensures that any such changes maintain meaningful access to the services provided under the service standard required to be maintained under subsection (c).

(c) SERVICE STANDARDS.—

(1) OVERNIGHT STANDARD FOR FIRST-CLASS MAIL AND PERIODICALS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Postal Service shall maintain an overnight service standard that provides overnight service for first-class mail and periodicals that—

(i) originate and destinate in the same plant service area; and

(ii) enter the mails before the critical entry time established and published by the Postal Service.

(B) AREAS OUTSIDE THE CONTINENTAL UNITED STATES.—The requirements of subparagraph (A) shall not apply to areas outside the continental United States—

(i) in the case of mail that originates or destinate in a territory or possession of the United States that is part of a plant service area having a sectional center facility that—

(I) is not located in the territory or possession; and

(II) was not located in the territory or possession on January 1, 2012; and

(ii) in the case of mail not described in clause (i), except to the extent that the requirements are consistent with the service standards under part 121 of title 39, Code of Federal Regulations, as in effect on January 1, 2012.

(2) TWO-DAY DELIVERY FOR FIRST-CLASS MAIL.—The Postal Service shall maintain a service standard that provides that first-class mail not delivered overnight will be delivered within 2 delivery days, to the maximum extent feasible using the network of postal facilities maintained to meet the requirements under paragraph (1).

(3) MAXIMUM DELIVERY TIME FOR FIRST-CLASS MAIL.—

(A) IN GENERAL.—The Postal Service shall maintain a service standard that provides that first-class mail will be delivered—

(i) within a maximum of 3 delivery days, for mail that originates and destinate within the continental United States; and

(ii) within a maximum period of time consistent with service standards under part 121 of title 39, Code of Federal Regulations, as in effect on January 1, 2012, for mail originating or destinating outside the continental United States.

(B) REVISIONS.—Notwithstanding subparagraph (A)(ii), the Postal Service may revise the service standards under part 121 of title 39, Code of Federal Regulations for mail described in subparagraph (A)(ii) to take into

account transportation conditions (including the availability of transportation) or other circumstances outside the control of the Postal Service.

SEC. 202. PRESERVING MAIL PROCESSING CAPACITY.

Section 404 of title 39, United States Code, is amended by adding after subsection (e) the following:

“(f) CLOSING OR CONSOLIDATION OF CERTAIN POSTAL FACILITIES.—

“(1) POSTAL FACILITY.—In this subsection, the term ‘postal facility’—

“(A) means any Postal Service facility that is primarily involved in the preparation, dispatch, or other physical processing of mail; and

“(B) does not include—

“(i) any post office, station, or branch; or

“(ii) any facility used only for administrative functions.

“(2) AREA MAIL PROCESSING STUDY.—

“(A) NEW AREA MAIL PROCESSING STUDIES.—After the date of enactment of this subsection, before making a determination under subsection (a)(3) as to the necessity for the closing or consolidation of any postal facility, the Postal Service shall—

“(i) conduct an area mail processing study relating to that postal facility that includes a plan to reduce the capacity of the postal facility, but not close the postal facility;

“(ii) publish the study on the Postal Service website; and

“(iii) publish a notice that the study is complete and available to the public, including on the Postal Service website.

“(B) COMPLETED OR ONGOING AREA MAIL PROCESSING STUDIES.—

“(i) IN GENERAL.—In the case of a postal facility described in clause (ii), the Postal Service shall—

“(I) consider a plan to reduce the capacity of the postal facility without closing the postal facility; and

“(II) publish the results of the consideration under subclause (I) with or as an amendment to the area mail processing study relating to the postal facility.

“(ii) POSTAL FACILITIES.—A postal facility described in this clause is a postal facility for which, on or before the date of enactment of this subsection—

“(I) an area mail processing study that does not include a plan to reduce the capacity of the postal facility without closing the postal facility has been completed;

“(II) an area mail processing study is in progress; or

“(III) a determination as to the necessity for the closing or consolidation of the postal facility has not been made.

“(3) NOTICE, PUBLIC COMMENT, AND PUBLIC HEARING.—If the Postal Service makes a determination under subsection (a)(3) to close or consolidate a postal facility, the Postal Service shall—

“(A) provide notice of the determination to—

“(i) Congress; and

“(ii) the Postal Regulatory Commission;

“(B) provide adequate public notice of the intention of the Postal Service to close or consolidate the postal facility;

“(C) ensure that interested persons have an opportunity to submit public comments during a 45-day period after the notice of intention is provided under subparagraph (B);

“(D) before the 45-day period described in subparagraph (C), provide for public notice of that opportunity by—

“(i) publication on the Postal Service website;

“(ii) posting at the affected postal facility; and

“(iii) advertising the date and location of the public community meeting under subparagraph (E); and

“(E) during the 45-day period described in subparagraph (C), conduct a public community meeting that provides an opportunity for public comments to be submitted verbally or in writing.

“(4) FURTHER CONSIDERATIONS.—Not earlier than 30 days after the end of the 45-day period for public comment under paragraph (3), the Postal Service, in making a determination to close or consolidate a postal facility, shall consider—

“(A) the views presented by interested persons under paragraph (3);

“(B) the effect of the closing or consolidation on the affected community, including any disproportionate impact the closing or consolidation may have on a State, region, or locality;

“(C) the effect of the closing or consolidation on the travel times and distances for affected customers to access services under the proposed closing or consolidation;

“(D) the effect of the closing or consolidation on delivery times for all classes of mail;

“(E) any characteristics of certain geographical areas, such as remoteness, broadband internet availability, and weather-related obstacles to using alternative facilities, that may result in the closing or consolidation having a unique effect; and

“(F) any other factor the Postal Service determines is necessary.

“(5) JUSTIFICATION STATEMENT.—Before the date on which the Postal Service closes or consolidates a postal facility, the Postal Service shall post on the Postal Service website a closing or consolidation justification statement that includes—

“(A) a response to all public comments received with respect to the considerations described under paragraph (4);

“(B) a description of the considerations made by the Postal Service under paragraph (4); and

“(C) the actions that will be taken by the Postal Service to mitigate any negative effects identified under paragraph (4).

“(6) CLOSING OR CONSOLIDATION OF POSTAL FACILITIES.—

“(A) IN GENERAL.—Not earlier than the 15 days after posting the final determination and the justification statement under paragraph (5) with respect to a postal facility, the Postal Service may close or consolidate the postal facility.

“(B) ALTERNATIVE INTAKE OF MAIL.—If the Postal Service closes or consolidates a postal facility under subparagraph (A), the Postal Service shall make reasonable efforts to ensure continued mail receipt from customers of the closed or consolidated postal facility at the same location or at another appropriate location in close geographic proximity to the closed or consolidated postal facility.

“(C) LIMITATIONS.—During the 3-year period beginning on the date of enactment of the 21st Century Postal Service Act of 2012, the Postal Service may not close or consolidate a postal facility if the closing or consolidation prevents the Postal Service from maintaining service standards as required under section 201 of the 21st Century Postal Service Act of 2012.

“(7) REVIEW BY POSTAL REGULATORY COMMISSION.—In accordance with section 3662—

“(A) an interested person may lodge a complaint with the Postal Regulatory Commission if the person believes that the closure or consolidation of a postal facility is not in conformance with applicable service standards, including the service standards estab-

lished under section 201 of the 21st Century Postal Service Act of 2012; and

“(B) if the Postal Regulatory Commission finds a complaint lodged by an interested person to be justified, the Commission shall order the Postal Service to take appropriate action to achieve compliance with applicable service standards, including the service standards established under section 201 of the 21st Century Postal Service Act of 2012, or to remedy the effects of any noncompliance.

“(8) POSTAL SERVICE WEBSITE.—For purposes of any notice required to be published on the Postal Service website under this subsection, the Postal Service shall ensure that the Postal Service website—

“(A) is updated routinely; and

“(B) provides any person, at the option of the person, the opportunity to receive relevant updates by electronic mail.

“(9) PROTECTION OF CERTAIN INFORMATION.—Nothing in this subsection may be construed to require the Postal Service to disclose—

“(A) any proprietary data, including any reference or citation to proprietary data; or

“(B) any information relating to the security of a postal facility.”

SEC. 203. ESTABLISHMENT OF RETAIL SERVICE STANDARDS.

(a) DEFINITION.—In this section, the term “retail postal service” means service that allows a postal customer to—

(1) purchase postage;

(2) enter packages into the mail; and

(3) procure other services offered by the Postal Service.

(b) ESTABLISHMENT OF RETAIL SERVICE STANDARDS.—Not later than 6 months after the date of enactment of this Act, the Postal Service shall exercise its authority under section 3691 of title 39, United States Code, to establish service standards for market-dominant products in order to guarantee customers of the Postal Service regular and effective access to retail postal services nationwide (including in territories and possessions of the United States) on a reasonable basis.

(c) CONTENTS.—The service standards established under subsection (b) shall—

(1) be consistent with—

(A) the obligations of the Postal Service under section 101(b) of title 39, United States Code; and

(B) the contents of the plan developed under section 302 of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note), and any updated or revised plan developed under section 204 of this Act; and

(2) take into account factors including—

(A) geography, including the establishment of standards for the proximity of retail postal services to postal customers, including a consideration of the reasonable maximum time a postal customer should expect to travel to access a postal retail location;

(B) the importance of facilitating communications for communities with limited or no access to Internet, broadband, or cellular telephone services;

(C) population, including population density, demographic factors such as the age, disability status, and degree of poverty of individuals in the area to be served by a location providing postal retail services, and other factors that may impact the ability of postal customers, including businesses, to travel to a postal retail location;

(D) the feasibility of offering retail access to postal services in addition to post offices, as described in section 302(d) of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note);

(E) the requirement that the Postal Service serve remote areas and communities with transportation challenges, including communities in which the effects of inclement weather or other natural conditions might obstruct or otherwise impede access to retail postal services; and

(F) the ability of postal customers to access retail postal services in areas that were served by a post office that was closed or consolidated during the 1 year period ending on the date of enactment of this Act.

SEC. 204. EXPANDED RETAIL ACCESS.

(a) **UPDATED PLAN.**—Not later than 1 year after the date of enactment of this Act, the Postal Service shall, in consultation with the Commission, develop and submit to Congress a revised and updated version of the plan to expand and market retail access to postal services required under section 302(d) of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note).

(b) **CONTENTS.**—The plan required under subsection (a) shall—

(1) include a consideration of methods to expand and market retail access to postal services described in paragraphs (1) through (8) of section 302(d) of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note);

(2) where possible, provide for an improvement in customer access to postal services;

(3) consider the impact of any decisions by the Postal Service relating to the implementation of the plan on rural areas, communities, and small towns; and

(4) ensure that—

(A) rural areas, communities, and small towns continue to receive regular and effective access to retail postal services after implementation of the plan; and

(B) the Postal Service solicits community input in accordance with applicable provisions of Federal law.

(c) **FURTHER UPDATES.**—The Postal Service, in consultation with the Commission, shall—

(1) update the plan required under subsection (a) as the Postal Service determines is appropriate; and

(2) submit each update under paragraph (1) to Congress.

SEC. 205. PRESERVING COMMUNITY POST OFFICES.

(a) **CLOSING POST OFFICES.**—Section 404(d) of title 39, United States Code, is amended to read as follows:

“(d)(1) The Postal Service, prior to making a determination under subsection (a)(3) of this section as to the necessity for the closing or consolidation of any post office, shall—

“(A) consider whether—

“(i) to close the post office or consolidate the post office and another post office located within a reasonable distance;

“(ii) instead of closing or consolidating the post office—

“(I) to reduce the number of hours a day that the post office operates; or

“(II) to continue operating the post office for the same number of hours a day;

“(iii) to procure a contract providing full, or less than full, retail services in the community served by the post office; or

“(iv) to provide postal services to the community served by the post office through a rural carrier;

“(B) provide postal customers served by the post office an opportunity to participate in a nonbinding survey conducted by mail on a preference for an option described in subparagraph (A); and

“(C) if the Postal Service determines to close or consolidate the post office, provide

adequate notice of its intention to close or consolidate such post office at least 60 days prior to the proposed date of such closing or consolidation to persons served by such post office to ensure that such persons will have an opportunity to present their views.

“(2) The Postal Service, in making a determination whether or not to close or consolidate a post office—

“(A) shall consider—

“(i) the effect of such closing or consolidation on the community served by such post office;

“(ii) the effect of such closing or consolidation on employees of the Postal Service employed at such office;

“(iii) whether such closing or consolidation is consistent with the policy of the Government, as stated in section 101(b) of this title, that the Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining;

“(iv) the extent to which the community served by the post office lacks access to Internet, broadband and cellular phone service;

“(v) the economic savings to the Postal Service resulting from such closing or consolidation; and

“(vi) such other factors as the Postal Service determines are necessary; and

“(B) may not consider compliance with any provision of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

“(3) Any determination of the Postal Service to close or consolidate a post office shall be in writing and shall include the findings of the Postal Service with respect to the considerations required to be made under paragraph (2) of this subsection. Such determination and findings shall be made available to persons served by such post office.

“(4) The Postal Service shall take no action to close or consolidate a post office until 60 days after its written determination is made available to persons served by such post office.

“(5) A determination of the Postal Service to close or consolidate any post office, station, or branch may be appealed by any person served by such office, station, or branch to the Postal Regulatory Commission within 30 days after such determination is made available to such person. The Commission shall review such determination on the basis of the record before the Postal Service in the making of such determination. The Commission shall make a determination based upon such review no later than 120 days after receiving any appeal under this paragraph. The Commission shall set aside any determination, findings, and conclusions found to be—

“(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law;

“(B) without observance of procedure required by law;

“(C) not in conformance with the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012; or

“(D) unsupported by substantial evidence on the record.

The Commission may affirm the determination of the Postal Service or order that the entire matter be returned for further consideration, but the Commission may not modify the determination of the Postal Service. The Commission may suspend the effectiveness of the determination of the Postal Service until the final disposition of the appeal. The provisions of section 556, section 557, and

chapter 7 of title 5 shall not apply to any review carried out by the Commission under this paragraph.

“(6) For purposes of paragraph (5), any appeal received by the Commission shall—

“(A) if sent to the Commission through the mails, be considered to have been received on the date of the Postal Service postmark on the envelope or other cover in which such appeal is mailed; or

“(B) if otherwise lawfully delivered to the Commission, be considered to have been received on the date determined based on any appropriate documentation or other indicia (as determined under regulations of the Commission).

“(7) Nothing in this subsection shall be construed to limit the right under section 3662—

“(A) of an interested person to lodge a complaint with the Postal Regulatory Commission under section 3662 concerning non-conformance with service standards, including the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012; or

“(B) of the Postal Regulatory Commission, if the Commission finds a complaint lodged by an interested person to be justified, to order the Postal Service to take appropriate action to achieve compliance with applicable requirements, including the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012, or to remedy the effects of any noncompliance.”

(b) **PROHIBITION ON CLOSING POST OFFICES.**—Notwithstanding section 404(d) of title 39, United States Code, as amended by this section, during the period beginning on the date of enactment of this Act and ending on the date on which the Postal Service establishes the retail service standards under section 203 of this Act, the Postal Service may not close a post office, except as required for the immediate protection of health and safety.

(c) **HISTORIC POST OFFICES.**—Section 404(d) of title 39, United States Code, as amended by this section, is amended by adding at the end the following:

“(8)(A) In this paragraph, the term ‘historic post office building’ means a post office building that is a certified historic structure, as that term is defined in section 47(c)(3) of the Internal Revenue Code of 1986.

“(B) In the case of a post office that has been closed and that is located within a historic post office building, the Postal Service shall provide Federal agencies and State and local government entities the opportunity to lease the historic post office building, if—

“(i) the Postal Service is unable to sell the building at an acceptable price within a reasonable period of time after the post office has been closed; and

“(ii) the Federal agency or State or local government entity that leases the building agrees to—

“(I) restore the historic post office building at no cost to the Postal Service;

“(II) assume responsibility for the maintenance of the historic post office building; and

“(III) make the historic post office building available for public use.”

SEC. 206. AREA AND DISTRICT OFFICE STRUCTURE.

(a) **PLAN REQUIRED.**—Not later than 1 year after the date of enactment of this Act, the Postal Service shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Governmental Reform of the House of Representatives—

(1) a comprehensive strategic plan to govern decisions relating to area and district office structure that considers efficiency, costs, redundancies, mail volume, technological advancements, operational considerations, and other issues that may be relevant to establishing an effective area and district office structure; and

(2) a 10-year plan, including a timetable, that provides for consolidation of area and district offices within the continental United States (as defined in section 201(a)) wherever the Postal Service determines a consolidation would—

(A) be cost effective; and

(B) not substantially and adversely affect the operations of the Postal Service.

(b) CONSOLIDATION.—Beginning not later than 1 year after the date of enactment of this Act, the Postal Service shall, consistent with the plans required under and the criteria described in subsection (a)—

(1) consolidate district offices that are located within 50 miles of each other;

(2) consolidate area and district offices that have less than the mean mail volume and number of work hours for all area and district offices; and

(3) relocate area offices to headquarters.

(c) UPDATES.—The Postal Service shall update the plans required under subsection (a) not less frequently than once every 5 years.

(d) STATE LIAISON.—If the Postal Service does not maintain a district office in a State, the Postal Service shall designate at least 1 employee of the district office responsible for Postal Service operations in the State to represent the needs of Postal Service customers in the State.

SEC. 207. CONVERSION OF DOOR DELIVERY POINTS.

(a) IN GENERAL.—Subchapter VII of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

“§ 3692. Conversion of door delivery points

“(a) DEFINITIONS.—In this section, the following definitions shall apply:

“(1) CENTRALIZED DELIVERY POINT.—The term ‘centralized delivery point’ means a group or cluster of mail receptacles at 1 delivery point that is within reasonable proximity of the street address associated with the delivery point.

“(2) CURBLINE DELIVERY POINT.—The term ‘curbline delivery point’ means a delivery point that is—

“(A) adjacent to the street address associated with the delivery point; and

“(B) accessible by vehicle on a street that is not a private driveway.

“(3) DOOR DELIVERY POINT.—The term ‘door delivery point’ means a delivery point at a door of the structure at a street address.

“(4) SIDEWALK DELIVERY POINT.—The term ‘sidewalk delivery point’ means a delivery point on a sidewalk adjacent to the street address associated with the delivery point.

“(b) CONVERSION.—Except as provided in subsection (c), and in accordance with the solvency plan required under section 401 of the 21st Century Postal Service Act of 2012 and standards established by the Postal Service, the Postal Service is authorized to, to the maximum extent feasible, convert door delivery points to—

“(1) curbline delivery points;

“(2) sidewalk delivery points; or

“(3) centralized delivery points.

“(c) EXCEPTIONS.—

“(1) CONTINUED DOOR DELIVERY.—The Postal Service may allow for the continuation of door delivery due to—

“(A) a physical hardship of a customer;

“(B) weather, in a geographic area where snow removal efforts could obstruct access to mailboxes near a road;

“(C) circumstances in an urban area that preclude efficient use of curbline delivery points;

“(D) other exceptional circumstances, as determined in accordance with regulations issued by the Postal Service; or

“(E) other circumstances in which the Postal Service determines that alternatives to door delivery would not be practical or cost effective.

“(2) NEW DOOR DELIVERY POINTS.—The Postal Service may provide door delivery to a new delivery point in a delivery area that received door delivery on the day before the date of enactment of this section, if the delivery point is established before the delivery area is converted from door delivery under subsection (b).

“(d) SOLICITATION OF COMMENTS.—The Postal Service shall establish procedures to solicit, consider, and respond to input from individuals affected by a conversion under this section.

“(e) REVIEW.—Subchapter V of this chapter shall not apply with respect to any action taken by the Postal Service under this section.

“(f) REPORT.—Not later than 60 days after the end of each fiscal year through fiscal year 2015, the Postal Service shall submit to Congress and the Inspector General of the Postal Service a report on the implementation of this section during the preceding fiscal year that—

“(1) includes the number of door delivery points—

“(A) that existed at the end of the fiscal year preceding the preceding fiscal year;

“(B) that existed at the end of the preceding fiscal year;

“(C) that, during the preceding fiscal year, converted to—

“(i) curbline delivery points or sidewalk delivery points;

“(ii) centralized delivery points; and

“(iii) any other type of delivery point; and

“(D) for which door delivery was continued under subsection (c)(1);

“(2) estimates any cost savings, revenue loss, or decline in the value of mail resulting from the conversions from door delivery that occurred during the preceding fiscal year;

“(3) describes the progress of the Postal Service toward achieving the conversions authorized under subsection (b); and

“(4) provides such additional information as the Postal Service considers appropriate.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter VII of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

“3692. Conversion of door delivery points.”.

SEC. 208. LIMITATIONS ON CHANGES TO MAIL DELIVERY SCHEDULE.

(a) LIMITATION ON CHANGE IN SCHEDULE.—Notwithstanding any other provision of law—

(1) the Postal Service may not establish a general, nationwide delivery schedule of 5 or fewer days per week to street addresses under the authority of the Postal Service under title 39, United States Code, earlier than the date that is 24 months after the date of enactment of this Act; and

(2) on or after the date that is 24 months after the date of enactment of this Act, the Postal Service may establish a general, nationwide 5-day-per-week delivery schedule to street addresses under the authority of the Postal Service under section 3691 of title 39,

United States Code, only in accordance with the requirements and limitations under this section.

(b) PRECONDITIONS.—If the Postal Service intends to establish a change in delivery schedule under subsection (a)(2), the Postal Service shall—

(1) identify customers and communities for whom the change may have a disproportionate, negative impact, including the customers identified as “particularly affected” in the Advisory Opinion on Elimination of Saturday Delivery issued by the Commission on March 24, 2011;

(2) develop, to the maximum extent possible, measures to ameliorate any disproportionate, negative impact the change would have on customers and communities identified under paragraph (1), including, where appropriate, providing or expanding access to mailboxes for periodical mailers on days on which the Postal Service does not provide delivery;

(3) implement measures to increase revenue and reduce costs, including the measures authorized under the amendments made by sections 101, 102, 103, 207, and 211 of this Act;

(4) evaluate whether any increase in revenue or reduction in costs resulting from the measures implemented under paragraph (3) are sufficient to allow the Postal Service, without implementing a change in delivery schedule under subsection (a), to achieve long-term solvency; and

(5) not earlier than 15 months after the date of enactment of this Act and not later than 9 months before the effective date proposed by the Postal Service for the change, submit a report on the steps the Postal Service has taken to carry out this subsection to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives;

(B) the Comptroller General of the United States; and

(C) the Commission.

(c) REVIEW.—

(1) GOVERNMENT ACCOUNTABILITY OFFICE.—Not later than 3 months after the date on which the Postal Service submits a report under subsection (b)(5), the Comptroller General shall submit to the Commission and to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that contains findings relating to each of the following:

(A) Whether the Postal Service has adequately complied with subsection (b)(3), taking into consideration the statutory authority of and limitations on the Postal Service.

(B) The accuracy of any statement by the Postal Service that the measures implemented under subsection (b)(3) have increased revenues or reduced costs, and the accuracy of any projection by the Postal Service relating to increased revenue or reduced costs resulting from the measures implemented under subsection (b)(3).

(C) The adequacy and methodological soundness of any evaluation conducted by the Postal Service under subsection (b)(4) that led the Postal Service to assert the necessity of a change in delivery schedule under subsection (a)(2).

(D) Whether, based on an analysis of the measures implemented by the Postal Service to increase revenues and reduce costs, projections of increased revenue and cost savings, and the details of the profitability plan

required under section 401, a change in delivery schedule is necessary to allow the Postal Service to achieve long-term solvency.

(2) **POSTAL REGULATORY COMMISSION.**—

(A) **REQUEST.**—Not later than 6 months before the proposed effective date of a change in delivery schedule under subsection (a), the Postal Service shall submit to the Commission a request for an advisory opinion relating to the change.

(B) **ADVISORY OPINION.**—

(i) **IN GENERAL.**—The Commission shall—

(I) issue an advisory opinion with respect to a request under subparagraph (A), in accordance with the time limits for the issuance of advisory opinions under section 3661(b)(2) of title 39, United States Code, as amended by this Act; and

(II) submit the advisory opinion to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(ii) **REQUIRED DETERMINATIONS.**—An advisory opinion under clause (i) shall determine—

(I) whether the measures developed under subsection (b)(2) ameliorate any disproportionate, negative impact that a change in schedule may have on customers and communities identified under subsection (b)(1); and

(II) based on the report submitted by the Comptroller General under paragraph (1)—

(aa) whether the Postal Service has implemented measures to increase revenue and reduce costs as required under subsection (b)(3);

(bb) whether the implementation of the measures described in item (aa) has increased revenues or reduced costs, or is projected to further increase revenues or reduce costs in the future; and

(cc) whether a change in schedule under subsection (a)(2) is necessary to allow the Postal Service to achieve long-term solvency.

(3) **PROHIBITION ON IMPLEMENTATION OF CHANGE IN SCHEDULE.**—The Postal Service may not implement a change in delivery schedule under subsection (a)(2)—

(A) before the date on which the Comptroller General submits the report required under paragraph (1); and

(B) unless the Commission determines under paragraph (2)(B)(ii)(II)(cc) that the Comptroller General has concluded that the change is necessary to allow the Postal Service to become profitable by fiscal year 2015 and to achieve long-term solvency, without regard to whether the Commission determines that the change is advisable.

(d) **ADDITIONAL LIMITATIONS.**—

(1) **RULES OF CONSTRUCTION.**—Nothing in this subsection shall be construed to—

(A) authorize the reduction, or require an increase, in delivery frequency for any route for which the Postal Service provided delivery on fewer than 6 days per week on the date of enactment of this Act;

(B) authorize any change in—

(i) the days and times that postal retail service or any mail acceptance is available at postal retail facilities or processing facilities; or

(ii) the locations at which postal retail service or mail acceptance occurs at postal retail facilities or processing facilities;

(C) authorize any change in the frequency of delivery to a post office box;

(D) prohibit the collection or delivery of a competitive mail product on a weekend, a recognized Federal holiday, or any other specific day of the week; or

(E) prohibit the Postal Service from exercising its authority to make changes to processing or retail networks.

(2) **PROHIBITION ON CONSECUTIVE DAYS WITHOUT MAIL DELIVERY.**—The Postal Service shall ensure that, under any change in schedule under subsection (a)(2), at no time shall there be more than 2 consecutive days without mail delivery to street addresses, including recognized Federal holidays.

(e) **DEFINITION.**—In this section, the term “long-term solvency” means the ability of the Postal Service to pay debts and meet expenses, including the ability to perform maintenance and repairs, make investments, and maintain financial reserves, as necessary to fulfill the requirements and comply with the policies of title 39, United States Code, and other obligations of the Postal Service over the long term.

SEC. 209. TIME LIMITS FOR CONSIDERATION OF SERVICE CHANGES.

Section 3661 of title 39, United States Code, is amended by striking subsections (b) and (c) and inserting the following:

“(b) **PROPOSED CHANGES FOR MARKET-DOMINANT PRODUCTS.**—

“(1) **SUBMISSION OF PROPOSAL.**—If the Postal Service determines that there should be a change in the nature of postal services relating to market-dominant products that will generally affect service on a nationwide or substantially nationwide basis, the Postal Service shall submit a proposal to the Postal Regulatory Commission requesting an advisory opinion on the change.

“(2) **ADVISORY OPINION.**—Upon receipt of a proposal under paragraph (1), the Postal Regulatory Commission shall—

“(A) provide an opportunity for public comment on the proposal; and

“(B) issue an advisory opinion not later than—

“(i) 90 days after the date on which the Postal Regulatory Commission receives the proposal; or

“(ii) a date that the Postal Regulatory Commission and the Postal Service may, not later than 1 week after the date on which the Postal Regulatory Commission receives the proposal, determine jointly.

“(3) **RESPONSE TO OPINION.**—The Postal Service shall submit to the President and to Congress a response to an advisory opinion issued under paragraph (2) that includes—

“(A) a statement of whether the Postal Service plans to modify the proposal to address any concerns or implement any recommendations made by the Commission; and

“(B) for any concern that the Postal Service determines not to address and any recommendation that the Postal Service determines not to implement, the reasons for the determination.

“(4) **ACTION ON PROPOSAL.**—The Postal Service may take action regarding a proposal submitted under paragraph (1)—

“(A) on or after the date that is 30 days after the date on which the Postal Service submits the response required under paragraph (3);

“(B) on or after a date that the Postal Regulatory Commission and the Postal Service may, not later than 1 week after the date on which the Postal Regulatory Commission receives a proposal under paragraph (2), determine jointly; or

“(C) after the date described in paragraph (2)(B), if—

“(i) the Postal Regulatory Commission fails to issue an advisory opinion on or before the date described in paragraph (2)(B); and

“(ii) the action is not otherwise prohibited under Federal law.

“(5) **MODIFICATION OF TIMELINE.**—At any time, the Postal Service and the Postal Regulatory Commission may jointly redetermine a date determined under paragraph (2)(B)(i) or (4)(B).”

SEC. 210. PUBLIC PROCEDURES FOR SIGNIFICANT CHANGES TO MAILING SPECIFICATIONS.

(a) **NOTICE AND OPPORTUNITY FOR COMMENT REQUIRED.**—Effective on the date on which the Postal Service issues a final rule under subsection (c), before making a change to mailing specifications that could pose a significant burden to the customers of the Postal Service and that is not reviewed by the Commission, the Postal Service shall—

(1) publish a notice of the proposed change to the specification in the Federal Register;

(2) provide an opportunity for the submission of written comments concerning the proposed change for a period of not less than 30 days;

(3) after considering any comments submitted under paragraph (2) and making any modifications to the proposed change that the Postal Service determines are necessary, publish—

(A) the final change to the specification in the Federal Register;

(B) responses to any comments submitted under paragraph (2); and

(C) an analysis of the financial impact that the proposed change would have on—

(i) the Postal Service; and

(ii) the customers of the Postal Service that would be affected by the proposed change; and

(4) establish an effective date for the change to mailing specifications that is not earlier than 30 days after the date on which the Postal Service publishes the final change under paragraph (3).

(b) **EXCEPTION FOR GOOD CAUSE.**—If the Postal Service determines that there is an urgent and compelling need for a change to a mailing specification described in subsection (a) in order to avoid demonstrable harm to the operations of the Postal Service or to the public interest, the Postal Service may—

(1) change the mailing specifications by—

(A) issuing an interim final rule that—

(i) includes a finding by the Postal Service that there is good cause for the interim final rule;

(ii) provides an opportunity for the submission of written comments on the interim final rule for a period of not less than 30 days; and

(iii) establishes an effective date for the interim final rule that is not earlier than 30 days after the date on which the interim final rule is issued; and

(B) publishing in the Federal Register a response to any comments submitted under subparagraph (A)(ii); and

(2) waive the requirement under paragraph (1)(A)(iii) or subsection (a)(4).

(c) **RULES RELATING TO NOTICE AND COMMENT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Postal Service shall issue rules governing the provision of notice and opportunity for comment for changes in mailing specifications under subsection (a).

(2) **RULES.**—In issuing the rules required under paragraph (1), the Postal Service shall—

(A) publish a notice of proposed rule-making in the Federal Register that includes proposed definitions of the terms “mailing specifications” and “significant burden”; and

(B) provide an opportunity for the submission of written comments concerning the

proposed change for a period of not less than 30 days; and

(C) publish—
(i) the rule in final form in the Federal Register; and

(ii) responses to the comments submitted under subparagraph (B).

SEC. 211. NONPOSTAL PRODUCTS AND SERVICES.

(a) IN GENERAL.—Section 404 of title 39, United States Code, is amended—

(1) in subsection (a)—
(A) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(B) by inserting after paragraph (5) the following:

“(6) after the date of enactment of the 21st Century Postal Service Act of 2012, and except as provided in subsection (e), to provide other services that are not postal services, after the Postal Regulatory Commission—

“(A) makes a determination that the provision of such services—

“(i) uses the processing, transportation, delivery, retail network, or technology of the Postal Service;

“(ii) is consistent with the public interest and a demonstrated or potential public demand for—

“(I) the Postal Service to provide the services instead of another entity providing the services; or

“(II) the Postal Service to provide the services in addition to another entity providing the services;

“(iii) would not create unfair competition with the private sector, taking into consideration the extent to which the Postal Service will not, either by legal obligation or voluntarily, comply with any State or local requirements that are generally applicable to persons that provide the services;

“(iv) will be undertaken in accordance with all Federal laws generally applicable to the provision of such services; and

“(v) has the potential to improve the net financial position of the Postal Service, based on a market analysis provided to the Postal Regulatory Commission by the Postal Service; and

“(B) for services that the Postal Regulatory Commission determines meet the criteria under subparagraph (A), classifies each such service as a market-dominant product, competitive product, or experimental product, as required under chapter 36 of title 39, United States Code;”;

(2) in subsection (e)(2), by striking “Nothing” and all that follows through “except that the” and inserting “The”.

(b) COMPLAINTS.—Section 3662(a) of title 39, United States Code, is amended by inserting “404(a)(6)(A),” after “403(c).”

(c) MARKET ANALYSIS.—During the 5-year period beginning on the date of enactment of this Act, the Postal Service shall submit a copy of any market analysis provided to the Commission under section 404(a)(6)(A)(v) of title 39, United States Code, as amended by this section, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 212. CHIEF INNOVATION OFFICER; INNOVATION STRATEGY.

(a) CHIEF INNOVATION OFFICER.—

(1) IN GENERAL.—Chapter 2 of title 39, United States Code, is amended by adding at the end the following:

“§ 209. Chief innovation officer

“(a) ESTABLISHMENT.—There shall be in the Postal Service a Chief Innovation Officer appointed by the Postmaster General.

“(b) QUALIFICATIONS.—The Chief Innovation Officer shall have proven expertise and a record of accomplishment in areas such as—

“(1) the postal and shipping industry;

“(2) innovative product research and development;

“(3) brand marketing strategy;

“(4) new and emerging technology, including communications technology; or

“(5) business process management.

“(c) DUTIES.—The Chief Innovation Officer shall lead the development and implementation of—

“(1) innovative postal products and services, particularly products and services that use new and emerging technology, including communications technology, to improve the net financial position of the Postal Service; and

“(2) nonpostal products and services authorized under section 404(a)(6) that have the potential to improve the net financial position of the Postal Service.

“(d) DEADLINE.—The Postmaster General shall appoint a Chief Innovation Officer not later than 90 days after the date of enactment of the 21st Century Postal Service Act of 2012.

“(e) CONDITION.—

“(1) IN GENERAL.—The Chief Innovation Officer may not hold any other office or position in the Postal Service while serving as Chief Innovation Officer.

“(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit an individual who holds another office or position in the Postal Service at the time the individual is appointed Chief Innovation Officer from serving as the Chief Innovation Officer under this section.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 39, United States Code, is amended by adding at the end the following:

“209. Chief innovation officer.”.

(b) INNOVATION STRATEGY.—

(1) INITIAL REPORT ON INNOVATION STRATEGY.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Postmaster General, acting through the Chief Innovation Officer, shall submit a report that contains a comprehensive strategy (referred to in this subsection as the “innovation strategy”) for improving the net financial position of the Postal Service through innovation, including the offering of new postal and nonpostal products and services, to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Oversight and Government Reform of the House of Representatives.

(B) MATTERS TO BE ADDRESSED.—At a minimum, the report on innovation strategy required under subparagraph (A) shall describe—

(i) the specific innovative postal and nonpostal products and services to be developed and offered by the Postal Service, including—

(I) the nature of the market demand to be satisfied by each product or service; and

(II) the estimated date by which each product or service will be introduced;

(ii) the cost of developing and offering each product or service;

(iii) the anticipated sales volume for each product or service;

(iv) the anticipated revenues and profits to be generated by each product or service;

(v) the likelihood of success of each product or service and the risks associated with

the development and sale of each product or service;

(vi) the trends anticipated in market conditions that may affect the success of each product or service during the 5-year period beginning on the date of the submission of the report under subparagraph (A);

(vii) any innovations designed to improve the net financial position of the Postal Service, other than the offering of new products and services; and

(viii) the metrics that will be used to assess the effectiveness of the innovation strategy.

(2) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the submission of the initial report containing the innovation strategy under paragraph (1), and annually thereafter for 10 years, the Postmaster General, acting through the Chief Innovation Officer, shall submit a report on the implementation of the innovation strategy to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Oversight and Government Reform of the House of Representatives.

(B) MATTERS TO BE ADDRESSED.—At a minimum, an annual report submitted under subparagraph (A) shall include—

(i) an update of the initial report on innovation strategy submitted under paragraph (1);

(ii) a description of the progress made by the Postal Service in implementing the products, services, and other innovations described in the initial report on innovation strategy;

(iii) an analysis of the performance of each product, service, or other innovation described in the initial report on innovation strategy, including—

(I) the revenue generated by each product or service developed in accordance with the innovation strategy under this section and the cost of developing and offering each product or service for the preceding year;

(II) trends in each market in which a product or service is intended to satisfy a demand;

(III) each product or service identified in the innovation strategy that is to be discontinued, the date on which each discontinuance will occur, and the reasons for each discontinuance;

(IV) each alteration that the Postal Service plans to make to a product or service identified in the innovation strategy to address changing market conditions and an explanation of how each alteration will ensure the success of the product or service;

(V) the performance of innovations other than new products and services that are designed to improve the net financial position of the Postal Service; and

(VI) the performance of the innovation strategy according to the metrics described in paragraph (1)(B)(viii).

SEC. 213. STRATEGIC ADVISORY COMMISSION ON POSTAL SERVICE SOLVENCY AND INNOVATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the Postal Service a Strategic Advisory Commission on Postal Service Solvency and Innovation (in this section referred to as the “Advisory Commission”).

(2) INDEPENDENCE.—The Advisory Commission shall not be subject to the supervision of the Board of Governors of the Postal Service (in this section referred to as the “Board of Governors”), the Postmaster General, or any other officer or employee of the Postal Service.

(b) **PURPOSE.**—The purpose of the Advisory Commission is—

(1) to provide strategic guidance to the President, Congress, the Board of Governors, and the Postmaster General on enhancing the long-term solvency of the Postal Service; and

(2) to foster innovative thinking to address the challenges facing the Postal Service.

(c) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Advisory Commission shall be composed of 7 members, of whom—

(A) 3 members shall be appointed by the President, who shall designate 1 member appointed under this subparagraph to serve as Chairperson of the Advisory Commission; and

(B) 1 member shall be appointed by each of—

(i) the majority leader of the Senate;
(ii) the minority leader of the Senate;
(iii) the Speaker of the House of Representatives; and

(iv) the minority leader of the House of Representatives.

(2) **QUALIFICATIONS.**—Members of the Advisory Commission shall be prominent citizens having—

(A) significant depth of experience in such fields as business and public administration;

(B) a reputation for innovative thinking;

(C) familiarity with new and emerging technologies; and

(D) experience with revitalizing organizations that experienced significant financial challenges or other challenges.

(3) **INCOMPATIBLE OFFICES.**—An individual who is appointed to the Advisory Commission may not serve as an elected official or an officer or employee of the Federal Government while serving as a member of the Advisory Commission, except in the capacity of that individual as a member of the Advisory Commission.

(4) **DEADLINE FOR APPOINTMENT.**—Each member of the Advisory Commission shall be appointed not later than 45 days after the date of enactment of this Act.

(5) **MEETINGS; QUORUM; VACANCIES.**—

(A) **MEETINGS.**—The Advisory Commission shall meet at the call of the Chairperson or a majority of the members of the Advisory Commission.

(B) **QUORUM.**—4 members of the Advisory Commission shall constitute a quorum.

(C) **VACANCIES.**—Any vacancy in the Advisory Commission shall not affect the powers of the Advisory Commission, but shall be filled as soon as practicable in the same manner in which the original appointment was made.

(d) **DUTIES AND POWERS.**—

(1) **DUTIES.**—The Advisory Commission shall—

(A) study matters that the Advisory Commission determines are necessary and appropriate to develop a strategic blueprint for the long-term solvency of the Postal Service, including—

(i) the financial, operational, and structural condition of the Postal Service;

(ii) alternative strategies and business models that the Postal Service could adopt;

(iii) opportunities for additional postal and nonpostal products and services that the Postal Service could offer;

(iv) innovative services that postal services in foreign countries have offered, including services that respond to the increasing use of electronic means of communication; and

(v) the governance structure, management structure, and management of the Postal Service, including—

(I) the appropriate method of appointment, qualifications, duties, and compensation for senior officials of the Postal Service, including the Postmaster General; and

(II) the number and functions of senior officials of the Postal Service and the number of levels of management of the Postal Service; and

(B) submit the report required under subsection (f).

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Wednesday, April 18, 2012 at 10 a.m., in SD-430 Dirksen Senate Office Building to conduct a hearing entitled *Effective Strategies for Accelerated Learning*.

For further information regarding this meeting, please contact the committee on (202) 224-5501.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, April 19, 2012, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the impacts of sea level rise on domestic energy and water infrastructure.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to Meagan_Ginsaenergy.senate.gov.

For further information, please contact Kevin Rennert at 202-224-7826, Kelly Kryc at 202-224-0537 or Meagan Gins at 202-224-0883.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, April 19, 2012 at 10 a.m., in SD-430 Dirksen Senate Office Building to conduct a hearing entitled *Time Takes Its Toll: Delays in OSHA's Standard-Setting Process and the Impact on Worker Safety*.

For further information regarding this meeting, please contact the committee on (202) 224-5441.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, April 19, 2012, at 2:15 p.m., in room 628 of the Dirksen Senate Office Building

to conduct a legislative hearing on S. 1684, the Indian Tribal Energy Development and Self-Determination Act Amendments of 2011. Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, April 26, 2012, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on weather related electrical outages.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to Meagan_Gins@energy.senate.gov.

For further information, please contact Leon Lowery at 202-224-2209, or Meagan Gins at 202-224-0883.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Maria Worthen, Brendan Iglehart, and Andrea Jarcho of my staff be granted floor privileges for the duration of today's session.

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

UNANIMOUS CONSENT AGREEMENT—S. 1789

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that following morning business on Tuesday, April 17, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to S. 1789, be agreed to; that the motion to reconsider be agreed to and that there be up to 10 minutes of debate, equally divided between the two leaders or their designees, on the motion to invoke cloture on the motion to proceed to S. 1789; that upon the use or yielding back of time, the Senate proceed to the cloture vote on the motion to proceed to S. 1789, upon reconsideration.

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

ORDERS FOR TUESDAY, APRIL 17, 2012

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the

Senate completes its business today, the Senate adjourn until Tuesday, April 17, at 10 a.m.; that following the prayer and pledge, the Journal of Proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of the motion to invoke cloture on the motion to proceed to S. 1789, the postal reform bill, under the previous order; and that the Senate recess from 12:30 p.m. until 2:15 p.m., to allow for the weekly caucus meetings.

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

PROGRAM

Mr. WHITEHOUSE. Mr. President, I am advised to inform my colleagues that the first vote tomorrow will be at

approximately 11:10 a.m. on the motion to invoke cloture on the motion to proceed to S. 1789.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. WHITEHOUSE. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:19 p.m., adjourned until Tuesday, April 17, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

INGRID A. GREGG, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2017, VICE JOHN E. KIDDE, TERM EXPIRED.

JAMES L. HENDERSON, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2017, VICE JOHN PEYTON, TERM EXPIRED.

VICKI MILES-LAGRANGE, OF OKLAHOMA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2015, VICE ROGER L. HUNT, TERM EXPIRED.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

CHARLES P. ROSE, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND

STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING APRIL 16, 2017, VICE STEPHEN M. PRESCOTT, TERM EXPIRED.

DEPARTMENT OF STATE

JAY NICHOLAS ANANIA, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SURINAME.

GENE ALLAN CRETZ, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GHANA.

SUSAN MARSH ELLIOTT, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TAJIKISTAN.

DAVID J. LANE, OF FLORIDA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE UNITED NATIONS AGENCIES FOR FOOD AND AGRICULTURE.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

PATRICIA M. WALD, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2019. (REAPPOINTMENT)

CONFIRMATION

Executive nomination confirmed by the Senate April 16, 2012:

THE JUDICIARY

STEPHANIE DAWN THACKER, OF WEST VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT.

HOUSE OF REPRESENTATIVES—Monday, April 16, 2012

VOL. 158, PT. 4

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 16, 2012.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHRER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Dear Lord, we give You thanks for giving us another day.

At the beginning of a new workweek, we use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done.

We ask that You send Your Holy Spirit upon them, giving them the gifts of patience and diligence. With all the pressures for action that cry out each day and with all the concern and worry that accompanies any responsibility, we pray that they might know Your peace, which surpasses all human understanding.

May Your voice speak to them in the depths of their hearts, illuminating their minds and spirits, thus enabling them to view the tasks of this day with confidence and hope. All this day and through the week, may they do their best to find solutions to the pressing issues facing our Nation.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. KINZINGER of Illinois led the Pledge of Allegiance as follows:

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

ENERGY PARTNERSHIPS IN SOUTH CAROLINA

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

Mr. WILSON of South Carolina. Mr. Speaker, as I traveled across the Second Congressional District of South Carolina over the last constituent workweek, I became increasingly aware of a growing relationship between the Savannah River National Laboratory and one of their regional research universities, the University of South Carolina.

These two entities are working together to address key national energy needs in nuclear, hydrogen, fuel cells, environmental science, advanced sensors, modular nuclear reactors, and alternative energy, in addition to other areas of great national interest. The two institutions anticipate the future formation of a joint technology commercialization initiative involving the Darla Moore School of Business at the University of South Carolina to build new technology-based businesses and create jobs.

I look forward to these joint collaborations with the Savannah River National Laboratory, and I am confident their success will be of great benefit to South Carolina and our Nation.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Rest in peace, Medal of Honor recipient Army Master Sergeant John F. Baker, Jr., of Columbia, South Carolina, and Rock Island, Illinois, for his heroic service in Vietnam, who was buried at Arlington National Cemetery today.

URGING CONGRESSIONAL ACTION ON STUDENT LOANS

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

Mr. COURTNEY. Mr. Speaker, unless this Congress acts, in 75 days, the interest rate for the Stafford student loan program will explode for 8 million college students. Unless Congress acts,

the rate will jump from 3.4 percent to 6.8 percent. At a time when student loan debt now exceeds credit card debt, added interest costs for a student using Stafford will increase between \$5,000 and \$10,000.

It is unconscionable that the Republican leadership will not bring up H.R. 3826, a bill I've introduced with 119 cosponsors to lock in the lower rate. Incredibly, the chair of the Subcommittee on Higher Education spoke last week in North Carolina and said: I have very little tolerance for people who tell me they graduate with \$200,000 of debt or even \$80,000 of debt.

Really? It is a sad statement when today's Republican Party turns its back on a program that helps millions of Americans fulfill their dreams and that is named after Republican Senator Robert Stafford of Vermont.

Stop the rate hike. Bring up H.R. 3826 for a vote, and keep the American Dream alive for millions of college students.

NORTH KOREA'S NUCLEAR AMBITIONS

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

Mr. KINZINGER of Illinois. Mr. Speaker, last week, the North Korean regime sent a clear message of defiance to the world community. Rather than work toward a peaceful agreement, North Korea would prefer its people starve in order to pursue its nuclear ambitions. The failure of the long-range missile test undermines the credibility of the North's new leadership and requires the United States to stand firm in support of stronger penalties.

North Korea has one ally in the region that has the power to force them to negotiate in good faith. It's time China stepped up and realized that its economic success is dependent on peace in the region and around the world. With China's rise comes responsibility. I encourage China to use this opportunity to force the North Korean regime to abandon its nuclear missile program and support the welfare of its people; and I encourage the United States to continue a strong posture, peace through strength, in the hopes that someday strength makes war obsolete.

STRENGTHENING THE U.S.-MEXICO RELATIONSHIP

(Mr. DREIER asked and was given permission to address the House for 1

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I have long aspired to a relationship at the U.S.-Mexican border like the one that the United States of America has with Canada. And I know that raises some red flags, but the fact of the matter is three things need to be done: We need to have economies of scale, an end to illegal immigration, and an end to narco-trafficking.

One of the things that is essential is economic growth in Mexico, and many people have constantly talked about the fact that we have nothing but rich and poor. And while that disparity still exists, there's a very important study, and I just got this from Arturo Sarukhan, the great Mexican Ambassador to the United States, entitled, "Mexico: A Middle Class Society, Poor No More, Developed Not Yet," by two academics, Luis de la Calle and Luis Rubio.

Mr. Speaker, in this document—and I commend it to my colleagues; I suspect it's been sent to a number of them—they talk about the fact that we have seen the middle class in Mexico emerge dramatically within the last half century. The study points to the fact that in 1960, a majority of Mexicans lived in one-room homes. Today, a majority of Mexicans lives in homes with three rooms or larger.

If you look at the other tremendous indications, the fact that there is a burgeoning middle class in Mexico is a positive sign towards dealing with the challenges that we have.

Again, Mr. Speaker, I commend this document to my colleagues.

NATIONAL MEDIA IS NOT MAINSTREAM

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

Mr. SMITH of Texas. Mr. Speaker, today's so-called "mainstream" media is not mainstream. The modern encyclopedia, Wikipedia, says, "The term 'mainstream' media denotes those media generally reflective of the prevailing currents of thought, influence, or activity." But the opinions expressed by the media are neither widespread nor accepted by the majority of Americans.

For example, journalists and the public have very different views regarding illegal immigration. According to a Pew Research Center poll, less than one in five journalists said they thought "reducing illegal immigration" was a "top priority." Yet over half the American people rate illegal immigration reduction as a "top priority."

The national media should not be considered "mainstream" until the majority of Americans and journalists are

on the same page. The bias of the national media's journalists has caused them not only to be on a different page but also to be in an entirely different publication than the typical American. To call today's national media "mainstream" is simply inaccurate. The national media is better described as the "liberal" national media.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

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

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 4 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

RAOUL WALLENBERG CENTENNIAL CELEBRATION ACT

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3001) to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3001

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Raoul Wallenberg Centennial Celebration Act".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Raoul Wallenberg was born in Europe on August 4, 1912, to Swedish Christian parents.

(2) In 1935, he graduated from the University of Michigan in Ann Arbor, completing a five-year program in three-and-a-half years.

(3) In a letter to his grandfather, Wallenberg wrote of his time in America: "I feel so at home in my little Ann Arbor that I'm beginning to sink down roots here and have a hard time imagining my leaving it. . . . Every now and then I feel strange when I think about how tiny my own country is and how large and wonderful America is."

(4) Raoul returned to Sweden, where he began a career as a businessman, and afterwards, a Swedish diplomat.

(5) In 1936, Raoul's grandfather arranged a position for him at the Holland Bank in Haifa, Palestine. There Raoul began to meet young Jews who had already been forced to flee from Nazi persecution in Germany. Their stories affected him deeply.

(6) He was greatly troubled by the fate of Jews in Europe, confiding to actress Viveca Lindfors the horrific plight of Jews under Nazi Europe.

(7) Under the direction of President Franklin D. Roosevelt, the War Refugee Board was established in January 1944 to aid civilians that fell victim to the Nazi and Axis powers in Europe.

(8) One of War Refugee Board's top priorities was protection of the 750,000 Hungarian Jews still alive.

(9) It was decided that Raoul Wallenberg, aged 31 at the time, would be most effective in protecting Jews and victims of the Nazis in Hungary under the War Refugee Board. He was recruited by Iver Olsen, an agent for the Office of Strategic Services and sent to Budapest, Hungary, under his official profession as a Swedish diplomat. He was instructed to use passports and other creative means to save as many lives as possible.

(10) Wallenberg created a new Swedish passport, the Schutzpass, which looked more imposing and official than the actual Swedish passport. He reportedly put up huge place cards of it throughout Budapest to make the Nazis familiar with it. He unilaterally announced that it granted the holder immunity from the death camps. The Schutzpasses alone are credited with saving 20,000 Jewish lives.

(11) In one example of his heroism, Wallenberg was told of a Nazi plot to round up several thousand Jewish women and acted swiftly to save them. Former Wallenberg staffer, Agnes Adachi, recalls the time when she and other staff, spent the whole night making around 2,000 Schutzpasses before 6 a.m. They were all completed and personally delivered to the women in time to save their lives.

(12) Using the money the United States put into the War Refugee Board, Wallenberg was able to purchase about thirty buildings, which he used as hospitals, schools, soup kitchens, and safe houses for over 8,000 children whose parents have already been deported or killed.

(13) Tommy Lapid, a young boy who was staying with his mother in a Swedish safe house (his father was already dead), gave an eyewitness account of how his family was helped by Wallenberg and the War Refugee Board: "One morning, a group of Hungarian Fascists came into the house and said that all the able-bodied women must go with them. We knew what this meant. My mother kissed me and I cried and she cried. We knew we were parting forever and she left me there, an orphan to all intents and purposes. Then two or three hours later, to my amazement, my mother returned with the other women. It seemed like a mirage, a miracle. My mother was there—she was alive and she was hugging me and kissing me, and she said one word: Wallenberg."

(14) Even as the war was coming to a close, Wallenberg remained vigilant and attentive to the people under his care. Adolf Eichmann, the SS colonel charged with the extermination of Jews in Eastern Europe, was determined to exterminate the 70,000 Jews kept as prisoners in a guarded ghetto in Budapest. As soon as Wallenberg heard of the plot, he

sent Pal Szalay, an Arrow-Crossman senior official, who defected and turned to Wallenberg. Szalay was sent to speak to General Schmidhuber, who was ordered to spearhead the ghetto extermination in Budapest. Szalay informed Schmidhuber that, seeing as the war was coming to an end, if the planned massacre took place, Wallenberg would see to it personally that Schmidhuber would be prosecuted as a war criminal and hanged. The plans were ultimately abandoned and considered Wallenberg's last big victory.

(15) Of the 120,000 Hungarian Jews that survived, Raoul Wallenberg, acting under the War Refugee Board, is credited with saving an estimated 100,000 of them in a six-month period.

(16) Raoul Wallenberg's fate remains a mystery. In January 13, 1945, he contacted the Russians in an effort to secure food for the Jews under his protection—as he was still working hard to protect them.

(17) In 1981, President Ronald Reagan made Raoul Wallenberg an honorary citizen of the United States, an honor only previously extended to Winston Churchill.

(18) These findings show that Raoul Wallenberg showed exceptional heroism and bravery with his actions during the holocaust. Working with the War Refugee Board, a United State's agency, he was able to save about 100,000 Hungarian Jews, many of which were later able to immigrate to the United States.

(19) Indeed, hundreds of thousands of American Jews can directly or indirectly attribute their own lives to Raoul Wallenberg's actions during World War II. Many of the people Wallenberg saved have been influential citizens contributing to American institutions and culture, including Congressman Tom Lantos (February 1, 1928–February 11, 2008), Annette Lantos, and the Liska Rebbe, Rabbi Yoizef (Joseph) Friedlander, who carried forth the Liska Hassidic dynasty from Hungary to the United States after being saved by Raoul Wallenberg.

(20) His actions and character make him an excellent contender for a Congressional Gold Medal in time for the centennial of his birth, to celebrate his achievements and humanitarian accomplishments.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design to the next of kin or personal representative of Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

(b) DESIGN AND STRIKING.—For the purpose of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

Under such regulations as the Secretary of the Treasury may prescribe, the Secretary may strike duplicate medals in bronze of the gold medal struck pursuant to section 3 and sell such duplicate medals at a price sufficient to cover the costs of the duplicate medals (including labor, materials, dies, use of machinery, overhead expenses) and the cost of the gold medal.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORIZATION OF CHARGES.—There is authorized to be charged against the United States Mint Public Enterprise Fund, such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 4 shall be deposited in the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentleman from New York (Mr. MEEKS) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to add extraneous material to the bill.

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

There was no objection.

Mr. LUETKEMEYER. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3001, the Raoul Wallenberg Centennial Celebration Act, introduced by my colleague, the gentleman from New York (Mr. MEEKS). This legislation, co-sponsored by 301 of our colleagues, including myself, seeks to authorize the striking and awarding of a Congressional Gold Medal honoring Raoul Wallenberg in recognition of his heroism in saving tens of thousands of lives in Nazi-occupied Budapest during World War II. Mr. Wallenberg truly personified the definition of a humanitarian, a hero, and a defender of individuals facing persecution and near-certain death at the hands of a truly inhumane Nazi regime.

Born into an affluent Swedish family of diplomats and bankers, Raoul Wallenberg developed a keen interest in foreign cultures and languages at an early age. He became fluent in English, French, German, and Russian, and after graduating from high school attended the University of Michigan to study architecture. In 1936, a year after graduation, he accepted a job at the Central European Trading Company, an export-import company with operations in Stockholm and Eastern Europe. He quickly became joint owner and international director of the firm, and traveled throughout Europe to assist his boss, a Hungarian Jew. During this period, Mr. Wallenberg immersed himself in the Hungarian language and culture and witnessed the Nazis' increasing stranglehold on Europe.

While Hungary was nominally an Axis power, it sought a secret peace

pact with the Allies. When that was discovered, Adolf Hitler invaded Hungary in March of 1944. Under the Nazi occupation, Hungarian Jews faced immediate deportation to the Auschwitz-Birkenau concentration camp in southern Poland. Jews living in Budapest desperately sought help from the embassies of neutral countries, which could provide short-term identity passes to escape the Nazis. The Swedish delegation was successful in ensuring that the provisional passes would allow the bearers to be treated as Swedish citizens, providing a great deal of protection.

In 1944, the United States created the War Refugee Board for the purposes of rescuing European Jews from Nazi persecution. The Board worked closely with the Swedish delegation to locate a Swedish national to spearhead a rescue operation for Jews facing deportation. Raoul Wallenberg, then a 32-year-old prominent businessman who had a keen familiarity with Hungary, was given the daunting task. In July 1944, when he arrived in Budapest as the First Secretary of the Swedish delegation, more than 400,000 Jewish citizens already had been deported by SS Officer Adolf Eichmann. Only 230,000 Jews were left.

Wallenberg succeeded in designing a facsimile Swedish passport to be issued to Jews trapped in Budapest. They were authentic enough to pass the inspection of local officials, and Wallenberg employed several hundred workers, all of Jewish descent, to produce and issue more than 10,000. He also constructed more than 30 buildings that allowed more than 15,000 Jews to find shelter under the banner of the Swedish delegation. A Swedish flag hung in front of every door, and residents in every building were granted diplomatic immunity.

In November 1944, Eichmann began a campaign of death marches, forcing large numbers of the remaining Hungarian Jews to march out of Germany on foot. Wallenberg marched along with them. He handed out provisional passes, provided food, water, and medicine, and bribed Nazi guards to free those with passes, wielding the full authority of the Swedish government. For the persecuted who were deported by train, Wallenberg issued provisional passes on the train tracks, on the roofs, and even inside the train cars themselves. In one of his most important accomplishments, he prevented Eichmann's attempted massacre in Budapest's largest ghetto in January 1945. At the risk of his own life, Wallenberg used his diplomatic influence to secure a note from a prominent official calling off the massacre. Then, at the end of the war, he was taken by the Soviet army, allegedly for spying, and was never heard from again. He is said to have died in the KGB's Lubyanka prison in 1947.

Mr. Speaker, we remember Raoul Wallenberg for his unwavering courage in saving the lives of as many as 100,000 innocent men, women, and children. Awarding the Congressional Gold Medal to Mr. Wallenberg is the very least that we can do to honor a man who imperiled himself for a cause so worthy. We can now examine, with gratitude, a uniquely bright flame of valor in a terribly dark period of world history. Individuals such as Raoul Wallenberg were willing to make the ultimate sacrifice of life and livelihood to serve the greater good of humankind. It is my hope that his efforts and sacrifices will serve as an example for all of us and for future generations.

Mr. Speaker, I urge immediate passage, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 16, 2012.

Hon. SPENCER BACHUS,
Chairman, Committee on Financial Services,
Rayburn House Office Building, Wash-
ington, DC.

DEAR CHAIRMAN BACHUS: I am writing concerning H.R. 3001, the "Raoul Wallenberg Centennial Celebration Act," which is scheduled for floor action the week of April 16, 2012.

As you know, the Committee on Ways and Means maintains jurisdiction over matters that concern raising revenue. H.R. 3001 contains a provision that provides for the sale of duplicate medals, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin and medal bills and in order to expedite this bill for floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 3001, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, April 13, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means,
Longworth House Office Building, Wash-
ington, DC.

DEAR CHAIRMAN CAMP: I am writing in response to your letter regarding H.R. 3001, the Raoul Wallenberg Centennial Celebration Act, which is scheduled for Floor consideration under suspension of the rules on Monday, April 16, 2012.

I wish to confirm our mutual understanding on this bill. The bill contains a provision for a charge for the sale of duplicate medals. I understand your concern with provisions that raise revenue and accordingly would fall under the jurisdiction of the Committee on Ways and Means. However, the bill is not expected to raise revenue.

Further, I appreciate your willingness to forego action by the Committee on Ways and

Means on H.R. 3001 in order to allow the bill to come to the Floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. Therefore, I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance and if you should need anything further, please do not hesitate to contact Natalie McGarry of my staff.

Sincerely,

SPENCER BACHUS,
Chairman.

Mr. MEEKS. I yield myself such time as I may consume.

I rise today in favor of H.R. 3001, the Raoul Wallenberg Centennial Celebration Act. This bill will bestow the Congressional Gold Medal on a hero who is credited with saving thousands of lives during the Nazi occupation of Hungary in World War II. Raoul Wallenberg is one of the truly inspiring figures of the 20th century. Many prominent Americans owe their lives to Mr. Wallenberg and his heroic actions, including my friend and late colleague, Tom Lantos, and his lovely wife, Annette. Through the passage of this legislation, Congress can honor a true humanitarian for the sake of his family and the thousands of survivors who owe their lives to him.

Raoul Wallenberg, as my colleague has just said, was a Swedish special envoy to Budapest on a diplomatic mission established in collaboration with the American War Refugee Board and the American Jewish Joint Distribution Committee to initiate a rescue operation for Jews in Nazi-occupied Hungary. Over 150,000 Hungarian Jews had already been deported to Nazi death camps by the time Wallenberg arrived in Budapest. But through his ingenuity and even at times his bribing of others through the issuance of fake Swedish protective passes and sheltering in official Swedish diplomatic houses, Wallenberg unrelentingly sought to save Jews from Germans and their accomplices, risking his own life numerous times in the process, while there were others who were involved who gave their lives in the process.

During the Soviet siege of Budapest, Wallenberg was detained by Soviet authorities on suspicion of espionage and was never heard from again. Wallenberg's ultimate fate is unknown, and awarding the Congressional Gold Medal during this centennial celebration of his birth is the best opportunity I believe we have to resolving the mystery about Raoul Wallenberg's ultimate fate.

When we have a true hero—one who inspires us to be the very best that we can, one who says that we're going to rise above those individuals who mean no good, one who says they will put

their own lives at stake so that others may live—those are the individuals that we need to honor; those are the individuals we need to bring to light so that every child, every human being, knows of those great heroic feats.

□ 1610

Because indeed, Mr. Speaker, it is individuals like Raoul Wallenberg who will take us to centuries yet to come and bring us together as a human family. So, I'm honored here today to put forth this bill, and I'd like to thank the over-300 colleagues here on the House floor who have cosponsored this bill and especially my colleague from New York, NAN HAYWORTH, who has been absolutely a delight to work with. As we pursued this bill and working together on the floor in getting signatures and talking to our colleagues, I really enjoyed immensely working with Congresswoman HAYWORTH in bringing this bill to the floor.

I also want to thank the Raoul Wallenberg Centennial Celebration Commission, headed by Ezra Friedlander, and the American Jewish Committee, the Jewish Federations of North America, the Lantos Foundation, the University of Michigan, and the Hungarian and Swedish ambassadors for all of their hard work on this legislation to honor Wallenberg's memory and to celebrate the innumerable individuals who live today because their relatives were saved through his efforts. I ask my colleagues to vote in favor of H.R. 3001 and award Raoul Wallenberg the Congressional Gold Medal.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, at this time, I would like to yield as much time as she would consume to the gentlewoman from New York (Ms. HAYWORTH). As the gentleman from New York indicated, she has worked tirelessly on this issue and is one of the most respected newest Members of our body.

Ms. HAYWORTH. I thank our distinguished colleague from Missouri. Of course, I reciprocate the sentiments that Congressman MEEKS has expressed. We share a State, and we share a common vision that elevates all of us as individuals and as a Nation and, indeed, as citizens of a world that so much needs the acts of courage and moral integrity that Raoul Wallenberg brought to bear, that he represents for all of us today.

It is such a privilege to work together with all of those who owe their lives to Raoul Wallenberg's action, including a Member of our own body, Congressman Tom Lantos, who now, of course, is no longer with us in this body; but he and his wife, Annette, were spared as a result of Raoul Wallenberg's actions. Indeed, although Mr. Wallenberg lived in the 20th century, his life illuminates us in the 21st

century today, and his legacy is represented in the lives of a million descendants around the world, including, of course, here in the United States of those whom Raoul Wallenberg saved.

It is an absolute privilege to have brought this bill to the attention of our colleagues and to have the enthusiastic support of so many who were very happy to cosponsor this bill with Congressman MEEKS and with me. So I am delighted to think that it will, indeed, bring us one step closer to bestowing one of our highest civilian honors on a man who has done so much for humanity and so much for America in so many ways, Raoul Wallenberg.

Mr. MEEKS. I yield 1 minute to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. I thank our good friend and colleague for yielding, and I thank him and Ms. HAYWORTH for their extraordinary work in causing us to recognize Raoul Wallenberg.

I came in contact with the name Raoul Wallenberg and with the official portrait that the Lantos Foundation and others have put together, and I just stand to say to you all that I vigorously support and was a cosponsor of this measure. But more importantly, I know that Tom would be looking down today and thanking all of us, and later, I'm sure with Mrs. Lantos, those that gather would assuredly recognize the extraordinary work that you did in bringing this to the body. And as GREGORY said, Raoul Wallenberg's fate may be unknown, but his fate today is known, and that is that he saved a lot of people, and he is rightly recognized by us for that.

Mr. LUETKEMEYER. Mr. Speaker, at this time, I'd like to yield to the gentleman from Indiana (Mr. BURTON) as much time as he would consume.

Mr. BURTON of Indiana. I want to thank NAN and my good friend, GREG MEEKS, for introducing this bill. GREG and I recently were in Budapest, and we were there for a celebration at the statue of Raoul Wallenberg; and it is something that I'll never forget. It was a good time and a very important time.

What do you say about somebody like Raoul Wallenberg or Schindler? These people risked their lives to save people who were going to be killed, going to be put in gas chambers, never to be heard from again. And 6 million people died because there weren't more people like Raoul Wallenberg and Schindler.

So, I just want to say I've heard from my colleagues today the things that I would like to have said, and they said it very well; but I just say, in closing, thank God that there are people who are willing to risk their lives to help their fellow man. There just aren't enough of them. When I look around the world and see the horrible tragedies that are taking place in Africa and

elsewhere, it makes you wonder if we're ever going to see people like that again, but thank God we have somebody like Raoul Wallenberg.

Mr. MEEKS. I just want to thank the chairman of the European subcommittee for recalling that great day we did have in Budapest at the statue of Raoul Wallenberg. It was a great moment and a solemn moment. When you think about Raoul Wallenberg and when you think about the over 300 Members of this body that are cosponsoring it, today what Raoul Wallenberg is doing is bringing us together. Yet today, Raoul Wallenberg as well, even here in the House as we look and work unanimously on this bill, is bringing people together from all parts of the world, from all kinds of backgrounds, saying that we are standing together for what is right and for a better tomorrow.

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

Mr. LUETKEMEYER. Mr. Speaker, I have no further requests for time at this point, and yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of my colleague Mr. MEEKS' bill to award Raoul Wallenberg a Congressional Gold Medal in recognition of his heroic action in saving the lives of Jews in Hungary during the Holocaust.

Few people could be more deserving of a Congressional Gold Medal than Raoul Wallenberg, a Swedish diplomat stationed in Budapest with the American War Refugee Board, who, at great risk to himself, is credited with saving the lives of approximately 100,000 Jews. In the closing months of World War II, Wallenberg issued Swedish passports to Jews, and was instrumental in preventing the extermination of the Nazi-created Jewish ghetto in Budapest. Many moving stories are told of the depth of his personal concern for the Jews of Hungary, living under threat of death—and of his fortitude and tireless energy in resisting the monstrous plans of the Nazis.

Mr. Speaker, I'd also like to draw attention to H. Res. 610, a resolution I introduced, with my colleague Mr. TURNER of New York, on the fate of Raoul Wallenberg. As Mr. MEEKS' bill points out, "the fate of Raoul Wallenberg remains a mystery." Yet in this mystery we have a few clues—he was arrested by Soviet forces in Hungary in 1945, and, without going into detail on the subsequent Soviet explanations of what happened to him in their custody, we can certainly say that they are incomplete, inconsistent, and unreliable. We have more than sufficient reason to suspect that the Soviet government has never dealt frankly in explaining what happened to Wallenberg. Most people knowledgeable about the case believe that the Soviet government executed Wallenberg. So my and Mr. TURNER's resolution asks the President and Secretary of State to press the Russian government for a full and complete accounting of Wallenberg's fate. Certainly sixty-seven years after Wallenberg's disappearance, and twenty-two after the demise of the Soviet Union, this is long overdue.

I thank my friend Mr. MEEKS FOR his bill to award Wallenberg the Congressional Gold Medal, and urge my colleagues to support it.

Mr. VAN HOLLEN. Mr. Speaker, I rise today as a cosponsor of H.R. 3001 to reiterate my support for awarding a Congressional Gold Medal to Raoul Wallenberg for his heroic and brave actions during the Holocaust that resulted in the saving of 100,000 Hungarian Jewish lives.

During World War II, Raoul Wallenberg at the age of 31 was sent to Budapest to serve as a Swedish diplomat. The Holocaust was underway throughout Europe and he was instructed by his government to use the tools of his office, including passports and other creative means, to save as many lives as possible. Wallenberg devised a new Swedish passport, the Schutzpass, especially for the purpose of protecting Hungarian Jews. He designed it to look more imposing and official than the actual Swedish passport. The Schutzpass granted the bearer immunity from being sent to the death camps and is credited with saving 20,000 Jewish lives.

Through this and other actions, Wallenberg helped save 100,000 of the 120,000 Hungarian Jews that survived the Holocaust in Hungary and hundreds of thousands of American Jews can directly or indirectly attribute their own lives to his efforts. In recognition of these efforts, in 1981, President Ronald Reagan made Raoul Wallenberg an honorary citizen of the United States, an honor only previously extended to Winston Churchill.

I ask my colleagues to join me in support of this legislation in the memory of Raoul Wallenberg and in recognition of his bravery and for the many lives he helped save during World War II.

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 100th anniversary of Raoul Wallenberg's birth. Raoul Wallenberg continues to be one of the most respected and courageous humanitarians to have sacrificed his life to save thousands of Hungarian Jews during the Holocaust.

Born on August 4, 1912 in Stockholm, Sweden, Wallenberg was a Swedish diplomat and a true humanitarian who creatively and courageously came up with measures to protect Hungarian Jews from persecution and death during the German invasion of Hungary during World War II. He hung Swedish flags in front of nearly 30 houses, declaring them Swedish territory—turning these "Swedish houses" into protected territory in which Hungarian Jews could seek shelter. He also distributed thousands of Swedish "protective passes," even as some were in the midst of being deported, prompting their release from German authorities and saving their lives.

Posthumously, Mr. Wallenberg has been honored by countries throughout the world in numerous capacities. There are awards, streets, parks and schools named after him, countless memorials erected in his honor, and in 1981, Congress passed legislation to make him an Honorary Citizen of the United States. His life is celebrated annually on October 5th in more than a dozen states. His bravery continues to be an inspiration.

Mr. Speaker and colleagues, please join me in recognizing the 100th anniversary of the birth of Raoul Wallenberg; may his courage

serve as a guide to all of us who are committed to the protection of human rights.

Mr. BERMAN. Mr. Speaker, I rise in support of H.R. 3001, the Raoul Wallenberg Centennial Celebration Act.

Mr. Speaker, this legislation will posthumously award the Congressional Gold Medal—the highest award that can be bestowed by this body—to Raoul Wallenberg on the centennial of his birth.

The story of Raoul Wallenberg's work as an official with the Swedish Embassy in Hungary working in conjunction with the American War Refugee Board is one of bravery, heroism, and ultimately, self sacrifice.

Though Raoul Wallenberg's fate remains a mystery to this day, his legacy can be seen in the tens of thousands of people who survived the war by virtue of his efforts—including my late colleague and friend Tom Lantos and his wife Annette.

Of the 120,000 Hungarian Jews that survived the Holocaust, Raoul Wallenberg, acting under the War Refugee Board, is credited with saving an estimated 100,000 of them in a six-month period.

This year, both Sweden and Hungary celebrate "Raoul Wallenberg Year" to mark the 100th anniversary of Wallenberg's birth.

These nations will pay tribute to Wallenberg's courageous work by holding conferences, concerts, exhibitions, and other events to commemorate and educate people about the role he played helping to save the remainder of Hungary's Jewish community.

I hope my colleagues join me in honoring the memory of Raoul Wallenberg and the innumerable individuals and their descendants that he helped save.

Mr. Speaker, I ask Members of the House to vote for this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 3001.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

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

The yeas and nays were ordered.

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

□ 1620

LENA HORNE RECOGNITION ACT

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1815) to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1815

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Lena Horne Recognition Act".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Lena Mary Calhoun Horne was born on June 30, 1917, in Brooklyn, New York.

(2) At the age of 16, Lena Horne was hired as a dancer in the chorus of Harlem's famous Cotton Club, where she was introduced to such legendary jazz performers as Duke Ellington, Cab Calloway, Count Basie, Ethel Waters, and Billie Holiday.

(3) In 1940, Lena Horne became one of the first African-American women to perform with an all-White band when she toured with Charlie Barnet's jazz band as its featured singer.

(4) Lena Horne was discovered by a Metro-Goldwyn-Mayer (MGM) talent scout and became the first Black artist to sign a long-term contract with a major studio.

(5) Despite her extraordinary beauty and talent, Lena Horne was often limited to minor acting roles because of her race.

(6) Scenes in which she did sing were cut out when they were sent to local distributors in the South and studio executives cast Ava Gardner as Julie in the film version of Show Boat instead of Lena Horne because they did not want it to star a Black actress.

(7) However, Lena Horne dazzled audiences and critics in a number of films, including *Cabin in the Sky* and *Stormy Weather*.

(8) During World War II, Lena Horne toured extensively with the United Service Organizations (USO) on the West Coast and in the South in support of the troops and expressed outrage about the way Black soldiers were treated.

(9) She refused to sing for segregated audiences or to groups in which German prisoners of war were seated in front of African-American servicemen.

(10) During the period of McCarthyism in the 1950s, Lena Horne was blacklisted as a communist for 7 years because of her civil rights activism and friendship with Paul Robeson and W.E.B. Du Bois.

(11) Although Lena Horne continued to face discrimination, her musical and acting career flourished.

(12) In 1957, Lena Horne recorded *Lena Horne at the Waldorf-Astoria*, which reached the Top 10 and became the best-selling album by a female singer in RCA Victor's history.

(13) Lena Horne rose to international stardom and toured the world, sharing the stage with such names as Count Basie, Tony Bennett, Billy Eckstein, Vic Damone, and Harry Belafonte and also starred in musical and television specials with such giants as Judy Garland, Bing Crosby, and Frank Sinatra.

(14) Lena Horne used her fame to become a powerful voice for civil rights and equality.

(15) In 1963, she participated in the historic March on Washington for Jobs and Freedom, at which Dr. Martin Luther King, Jr. delivered his immortal "I Have a Dream" speech.

(16) Lena Horne also performed at rallies throughout the country for the National Council for Negro Women and worked with the National Association for the Advancement of Colored People (NAACP), of which she was a member since the age of 2, the National Council of Negro Women, the Delta Sigma Theta sorority, and the Urban League.

(17) Through the end of the 20th century, Lena Horne continued to entertain large audiences of all ages and backgrounds and appeared on numerous television shows, including *Sesame Street*, *Sanford and Son*, *The Muppet Show*, *The Cosby Show*, and *A Different World*.

(18) In 1978, she was in the film adaptation of *The Wiz*.

(19) In 1981, Ms. Horne captivated audiences with her one-woman Broadway show, *Lena Horne: The Lady and Her Music*, which enjoyed a 14-month run before going on tour and earned her a special Tony and two Grammy awards.

(20) In 2002, 73 years after the Academy Awards were first awarded, Halle Berry became the first Black woman to win an Oscar for Best Actress and recognized in her acceptance speech how Lena Horne paved the way for her and other Black actresses.

(21) Lena Horne passed away in New York City on May 9, 2010, at the age of 92.

(22) Lena Horne was an entertainer, activist, and mother who used her beauty, talent, and intelligence to fight racial discrimination and injustice and rise to international stardom.

(23) A symbol of elegance and grace, she entertained people of all walks of life for over 60 years and broke barriers for future generations.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the posthumous presentation, on behalf of the Congress, of a gold medal of appropriate design in commemoration of Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the "Secretary") shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund, such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 3 shall be deposited into the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentleman from New York (Mr. MEEKS) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material to this bill.

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

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I rise today in support of H.R. 1815, the Lena Horne Recognition Act, introduced by the gentleman from Florida (Mr. HASTINGS).

This legislation, cosponsored by 308 Members, seeks to authorize the striking and awarding of a Congressional Gold Medal in recognition of the indomitable spirit and overwhelming voice of the great singer Lena Horne.

Few singers have captured the imagination, the ear, and the spirit of the country as did Lena Horne in her magnificent career. Fewer still did that while waging a tireless battle for civil rights through the 1940s, 1950s, and 1960s. Ms. Horne was perhaps the top nightclub singer of that era, but still found time to come here for Dr. Martin Luther King's March on Washington—and she was also at an NAACP rally in Jackson, Mississippi, alongside Medgar Evers on the weekend he was assassinated.

From her earliest performing days—at 16, in 1933, at the famous Cotton Club—until her very last performance in a Duke Ellington tribute album in 2000, her performances riveted audiences. She won a handful of Grammy awards and a Tony award, and she was nominated for other Tonys and for an Emmy as well as a large number of personal achievement and civil rights awards.

Lena Horne appeared multiple times on all of the big television variety shows of the fifties and sixties, and of course, later in her career, hosted her own long-running, one-woman show on Broadway. She also acted in numerous films, including "Stormy Weather," in which she performed what many thought to be her signature song of the same name. Sadly, despite her ability and her beauty, she never landed a starring role.

Mr. Speaker, Lena Horne's magnificent voice and steadfast fight for civil rights make her a worthy recipient of the Congressional Gold Medal. I salute her, and congratulate the gentleman from Florida for his effort on this legislation. I urge its immediate passage, and reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 16, 2012.

Hon. SPENCER BACHUS,
Chairman, Committee on Financial Services,
Rayburn House Office Building, Wash-
ington, DC.

DEAR CHAIRMAN BACHUS: I am writing concerning H.R. 1815, the "Lena Horne Recognition Act," which is scheduled for floor action the week of April 16, 2012.

As you know, the Committee on Ways and Means maintains jurisdiction over matters that concern raising revenue. H.R. 1815 contains a provision that provides for the sale of duplicate medals, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin and medal bills and in order to expedite this bill for floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 1815, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington DC, April 13, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means,
Longworth House Office Building, Wash-
ington, DC.

DEAR CHAIRMAN CAMP: I am writing in response to your letter regarding H.R. 1815, the Lena Horne Recognition Act, which is scheduled for Floor consideration under suspension of the rules on Monday, April 16, 2012.

I wish to confirm our mutual understanding on this bill. The bill contains a provision for a charge for the sale of duplicate medals. I understand your concern with provisions that raise revenue and accordingly would fall under the jurisdiction of the Committee on Ways and Means. However, this bill is not expected to raise revenue.

Further, I appreciate your willingness to forego action by the Committee on Ways and Means on H.R. 1815 in order to allow the bill to come to the Floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. Therefore, I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance and if you should need anything further, please do not hesitate to contact Natalie McGarry of my staff.

Sincerely,

SPENCER BACHUS,
Chairman.

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

Today, I rise to speak in favor of H.R. 1815, the Lena Horne Recognition Act, introduced by my good friend and colleague from the great State of Florida, Congressman ALCEE HASTINGS, to honor and posthumously award the Congressional Gold Medal, one of our Nation's highest civilian awards, to the great Lena Horne.

Lena Horne is known to many as a uniquely talented performer who dazzled audiences on stage and on the sil-

ver screen. She was a symbol of elegance and grace; and she entertained people of all walks of life for over 60 years and broke barriers for future generations, winning numerous awards and accolades as a trailblazing African American female performer.

When I think of just yesterday that Major League Baseball, during that era, honored Jackie Robinson—a pioneer and professional baseball player—it's a breakthrough. But during that same period of time, Lena Horne was on the entertainment stage with such grace during a time when it was difficult for her as an African American to travel—places to stay, places to eat—but yet always with that elegance, with that grace, with her beauty, she would perform and entertain but stay true to herself, understanding that she was going to have a better tomorrow for those who followed in her path. She was a trailblazer, making it easier for people to follow.

If you think about the times that we had during that period, you had to be extra special. That's who she was. I can recall, even as my mother sat, she had to smile, because as soon as you said the name, my father would smile because of the beauty and the glory of Lena Horne. Anytime you heard Lena Horne on the radio, he would stop to listen to her voice. And when she was on television later, everything else in the house had to halt so that we could watch the elegant Lena Horne.

So when we think about the prejudice and discrimination that she had throughout her life but how she persevered and ultimately used her talent and fame to become a powerful voice for the civil rights movement and equality, it is for those reasons I congratulate my friend, ALCEE HASTINGS, for bringing this bill forward.

Lena Horne lived in New York. In fact, a good friend of mine, a good personal friend of mine, lives in her old home now that's been landmarked and designated in Addisleigh Park, Queens, which is the heart of my district.

So, Mr. Speaker, today I call on my colleagues to join me in voting in favor of H.R. 1815, to award the elegant, the beautiful Lena Horne the Congressional Medal of Honor for her outstanding accomplishments and her contributions to American culture and society.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, we have no further speakers at this time. I will continue to reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I yield to the gentleman from Florida (Mr. HASTINGS) such time as he may consume.

Mr. HASTINGS of Florida. I thank my good friend for yielding the time, he and Mr. LUETKEMEYER for bringing the measure forward.

I especially want to acknowledge Chairman SPENCER BACHUS and Ranking Member BARNEY FRANK, as well as

their respective staffs, for helping us in this matter. And a special shout-out to TIM SCOTT. Like Ms. HAYWORTH helped you with Raoul Wallenberg, TIM and Jennifer DeCasper, from his office, helped me to gain the number of signatures, as well as to acknowledge my young staffer, Erin Moffet, who learned an awful lot about Lena Horne along the way.

Mr. Speaker, obviously I'm in strong support of H.R. 1815, the Lena Horne Recognition Act, a bill to posthumously honor Lena Horne with a Congressional Gold Medal in recognition of her many achievements and contributions to American culture and the civil rights movement.

I personally felt that I could not allow time to pass without honoring the life and legacy of Ms. Horne, who passed away on May 9, 2010, at the age of 92. Throughout her lifetime, Ms. Horne used her talent and fame to become a powerful voice for civil rights and equality.

It was quite a journey to get this legislation to the floor given the requirement that at least 290 Members of the House must cosponsor the bill. I introduced this bill on May 10, 2011, with the support from 23 other Members, and I'm proud to say today that there are now 308 bipartisan cosponsors, and the measure is also offered in the United States Senate.

While asking my colleagues to support this legislation to award Lena Horne with the Congressional Gold Medal, I was, in some respects, a little disappointed to see that too many people, both Members and staff, were not aware of who this remarkable woman was.

I hope that we can pass H.R. 1815 today and that the Senate will then subsequently pass this legislation and the President will sign this bill into law so that Lena Horne's legacy will finally be given the recognition it rightly deserves by posthumously awarding her with the Congressional Gold Medal. I know her daughter and members of the family—her daughter, Gail Lumet Buckley, I promised that I would call when it passed, and I shall.

Lena Horne was the recipient of the Kennedy Center Honor for her lifetime contribution to the arts in 1984, and in 1989 she received a Lifetime Achievement Grammy Award. She has two stars on the Hollywood Walk of Fame for her work in both motion pictures and recording. Additionally, she has a footprint on the International Civil Rights Walk of Fame at the Martin Luther King, Jr., National Historic Site.

Although these and other monumental awards and honors were bestowed upon her, Ms. Horne's life was not a story of smooth sailing. Her life was too often plagued by stormy weather, which ironically was the title of her signature song and one of the major films that she starred in. Foot-

note there: I was in the third grade in Jersey City, New Jersey, and my mother let me stay out of school to see my first motion picture, and I have a memory of it today that stayed with me throughout that time.

Born on June 30, 1917, in Brooklyn—not in Queens, GREGORY—Lena Mary Calhoun Horne broke racial barriers through her career as a singer, dancer, and actress for 60 years.

□ 1630

Ms. Horne got her start at the age of 16 when she was hired as a chorus dancer at Harlem's famous Cotton Club. Then, at 19, she made her Broadway debut in dancing a feature role in "Dance With Your Gods."

Her path to stardom then led her to tour with Charlie Barnett's jazz band in the early 1940s, when she became one of the first black women to tour with an all-white band.

A few years later, after starting her career as a singer and a dancer, Ms. Horne was discovered by a Metro-Goldwyn-Mayer talent scout, and moved to Hollywood to be an actress, becoming the first black artist to sign a long-term contract with a major studio.

Even given her extraordinary beauty and elegance and talent, she was often limited to minor acting roles because of her race. Among many lost opportunities was the role of Julie in the film adaptation of "Show Boat."

Ms. Horne had previously played this role in an adaptation of act 1 of "Show Boat" that was featured in the 1946 film "Till the Clouds Roll By." But due to the Motion Picture Production Code not allowing the depiction of interracial relationships in film, the distinguished and famous Ava Gardner was cast in this role instead of Lena Horne.

Her fame in films was also limited due to the fact that during that time, many films were shot so that scenes in which black performers were featured could be easily edited out for Southern audiences. Even facing such discrimination, Ms. Horne's perseverance allowed her to overcome such obstacles and led her to dazzle audiences and critics in a number of major films.

Her lead roles included those in the musical "Cabin in the Sky" and the box office hit "Stormy Weather," where Ms. Horne's remarkable performance of the title song in "Stormy Weather" became one of her most notable songs throughout her career. On her last tour, I saw her in Ft. Lauderdale, and she sang three iterations of that song; and the last one, indeed, as she said, was the most powerful. These two roles increased her visibility as well as sealed her legacy in the music and film industry.

The struggle for equal and fair treatment became an inseparable and increasingly political part of Ms. Horne's life even outside of the film industry.

She toured extensively with the United Service Organizations in support of U.S. troops during World War II, where she was a major critic of the unfair treatment of black soldiers. Outspoken on the issue, Ms. Horne refused to sing for segregated audiences or to groups in which German prisoners of war were seated in front of the black U.S. servicemen.

Due to her civil rights activism on issues such as these, as well as her friendship with Paul Robeson and W.E.B. DuBois, Ms. Horne found herself blacklisted during the period of McCarthyism.

While she continued to face discrimination in the film industry in the fifties, her career flourished in television and on nightclub stages across the country. During this time, she returned to her roots as a vocalist and established herself as a major recording artist.

In 1957, she recorded "Lena Horne at the Waldorf-Astoria," which became the best-selling album by a female singer in RCA Victor's history. Ms. Horne used the talent and fame she achieved through such acclaims to become a powerful voice for civil rights and equality. In 1963, she participated in the historic March on Washington for Jobs and Freedom at which Dr. Martin Luther King, Jr. delivered his immortal "I Have a Dream" speech.

She also performed at rallies throughout the country for the National Council for Negro Women, and worked with the National Association for the Advancement of Colored People, the NAACP, of which she was the cover girl for their monthly bulletin at age 2.

Following her blacklisting from film in the fifties and disillusionment with the industry, Ms. Horne only returned to the screen three more times following the McCarthyism era, one of which was the film adaptation of "The Wiz," in which she was cast as Glinda the Good Witch.

Then in 1981, Ms. Horne finally received the big break she had waited for her whole life, a one-woman Broadway show. "Lena Horne: The Lady and Her Music" was the culmination of her triumphs and struggles. It enjoyed a 14-month run before going on tour and earned her a special Tony award for distinguished achievement in theater and two Grammys.

At the age of 80, Ms. Horne made the following statement, which I believe appropriately captures her legacy; and, Gail, this one is for you.

She stated that:

My identity is very clear to me now. I am a black woman. I'm free. I no longer have to be a credit. I don't have to be a symbol to anybody. I don't have to be a first to anybody. I don't have to be an imitation of a white woman that Hollywood sort of hoped I'd become. I'm me, and I'm like nobody else.

Mr. Speaker, Lena Horne was an extraordinary woman who refused to give

up her dreams because of the color of her skin, and used her beauty, talent, elegance, and intelligence to fight racial discrimination. Her perseverance and accomplishments are truly inspirational, having taught us all how to weather the stormy periods of our lives.

I urge my colleagues to vote in favor of H.R. 1815, the Lena Horne Recognition Act, so that we may honor the life and legacy of Ms. Lena Horne with a Congressional Gold Medal and through this recognition inspire others with her story.

Someone wrote today, what do Lena Horne and Jack Nicklaus and Raoul Wallenberg have in common? It's my hope that what they will have in common today is each will be recognized for their distinguished achievements and heroic acts on behalf of our society.

Mr. LUETKEMEYER. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 1815.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PROVIDING FOR AWARD OF GOLD MEDAL TO JACK NICKLAUS

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4040) to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the nation in promoting excellence and good sportsmanship in golf.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4040

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds that—

(1) Jack Nicklaus is a world famous golf professional, a highly successful business executive, a prominent advertising spokesman, a devoted husband, father, and grandfather, and a man with a common touch that has made him one of those most popular and accessible public figures in history.

(2) Jack Nicklaus amassed 118 victories in professional competition of national or

international stature by the end of 2005, 73 of which came on the Professional Golf Association Tour, and 18 professional major-championship titles. He is the only player in golf history to have won each major championship at least three times and is the only player to complete a career “Grand Slam” on the regular and senior tours.

(3) Jack Nicklaus’ magnetic personality and unflinching sense of kindness and thoughtfulness have endeared him to millions throughout the world.

(4) Jack Nicklaus has been the recipient of countless athletic honors, including the Muhammad Ali Sports Legend Award and the first-ever ESPY Lifetime Achievement Award. He became the first golfer and only the third athlete to receive the Vince Lombardi Award of Excellence and is also a five-time winner of the PGA Player of the Year Award. He was also selected as Golfer of the Century by GOLF Magazine, Best Individual Male Athlete of the 20th Century and Sportsman of the Year by Sports Illustrated, and he was also inducted into the World Golf Hall of Fame.

(5) Jack Nicklaus has received numerous honors outside the world of sports, including several architectural awards for his work in golf course designs, such as The Old Tom Morris Award which is the highest honor given by the Golf Course Superintendents Association of America, and both the Donald Ross Award given by the American Society of Golf Course Architects and the Don A. Rossi Award given by the Golf Course Builders Association of America.

(6) Jack Nicklaus has been involved in the design of 275 golf courses worldwide and his business, Nicklaus Design, has 346 courses open for play globally.

(7) Jack Nicklaus served as the Global Ambassador for a campaign to include golf in the Olympic Games, which was achieved and will begin in the 2016 Olympic Program.

(8) Jack Nicklaus was honored by President George W. Bush in 2005 by receiving the Presidential Medal of Freedom, the highest honor given to any U.S. civilian.

(9) Jack Nicklaus has a long standing commitment to numerous charitable events such as supporting the Nicklaus Children’s Health Care Foundation, which provides pediatric health care services in a five county area including Palm Beach County, Florida, has assisted in raising over \$12 million in just five years for the cause, and continues to support several scholarship foundations, other children’s hospitals, and junior golf initiatives.

(10) Jack Nicklaus continues to manage The Memorial Tournament in his home state of Ohio, in which contributions generated through the support of over 2,600 volunteers are given to Nationwide Children’s Hospital fund. This has garnered more than \$5.7 million for programs and services at this hospital since 1976, so that Central Ohio will continue to have one of the best children’s hospitals in the United States.

(11) Jack Nicklaus and his wife serve as honorary chairman and active chairwoman of the Nicklaus Children’s Health Care Foundation in North Palm Beach, Florida, which provides free of charge health assistance and services to more than 4,000 children and their families through Child Life programs (support therapeutic interventions for children with chronic and acute conditions during hospitalization), Miami Children’s Hospital Nicklaus Care Centers (to offer a new option to Palm Beach County area families with children who require pediatric specialty care), and Safe Kids program (aimed at keeping children injury free and offer safety edu-

cation in an effort to decrease accidental injuries in children).

(12) Jack Nicklaus established an annual pro-am golf tournament called “The Jake” to honor his 17-month-old grandson who passed in 2005, and it serves as a primary fundraiser for the Nicklaus Children’s Health Care Foundation, which has raised over \$3 million over the last several years.

(13) Jack Nicklaus and General John Shalikashvili (ret.) serve as honorary chairs of the American Lake Veterans Golf Course in Tacoma, Washington, which is designed for the rehabilitation of wounded and disabled veterans. Nicklaus has donated his design services for the improvement of the course, and raised contributions for the addition of nine new holes, the construction of the Rehabilitation and Learning Center, and for the upgrade of the maintenance facilities through a two-day event in Palm Desert, CA, called the “Nicklaus Nine”.

(14) Jack Nicklaus serves as a spokesperson and Trustee for The First Tee program which brings the game of golf to children who would not otherwise be exposed to it.

(15) Jack Nicklaus remains active in tournament golf, although he retired from competition in the major championships in 2005, when he played his final British Open, his final Masters Tournament, and led the United States to a thrilling victory in the Presidents Cup.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AUTHORIZATION.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship.

(b) DESIGN AND STRIKING.—For the purpose of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary of the Treasury may prescribe, the Secretary may strike duplicate medals in bronze of the gold medal struck pursuant to section 2 and sell such duplicate medals at a price sufficient to cover the costs of the duplicate medals (including labor, materials, dies, use of machinery, overhead expenses) and the cost of the gold medal.

SEC. 4. NATIONAL MEDALS.

The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 5. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed \$30,000 to pay for the cost of the medals authorized by this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentleman from California (Mr. BACA) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material on this bill.

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

There was no objection.

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

I rise today in support of H.R. 4040, awarding a Congressional Gold Medal to Jack Nicklaus. It is an honor and a privilege to be speaking on this bill brought to the floor by the efforts of my friend and colleague from California (Mr. BACA) and cosponsored by 342 Members. I commend the gentleman for his work on this bill.

Mr. Speaker, we all know Jack Nicklaus is one of the best golfers of all time, but he also has been so much more than that. Jack Nicklaus is a successful businessman, a spokesman, a devoted father and grandfather, and one of the warmest, kindest public figures in history.

Jack Nicklaus, the golfer, has been the recipient of countless athletic awards and honors. He is the only player in golf history to win each major championship at least three times, and the only player to win the Grand Slam on the regular and senior tours. A five-time PGA Player of the Year, he became the first golfer to win the Vince Lombardi trophy for excellence and has been inducted in the World Golf Hall of Fame, just to name a few of his achievements.

Jack Nicklaus is also a humanitarian. He has built an impressive record of giving to the world, establishing, managing and serving as the face of charities, golf tournaments and campaigns that raise funds to help people in need all over the world.

□ 1640

He established the pro-am golf tournament called The Jake in honor of his young grandson who died in 2005. It serves as a primary fundraiser for the Nicklaus Children's Health Care Foundation. He is an honorary chairman of a golf course designed for the rehabilitation of wounded and disabled veterans. He is a spokesperson and trustee for The First Tee program that brings golf to children who would not otherwise be exposed to it.

Jack Nicklaus, the entrepreneur, has been involved in the design of more than 275 golf courses, and has been the recipient of the Old Tom Morris Award in golf course design, which is the highest award given by golf course superintendents. He has been given the Donald Ross Award by the American Society of Golf Course Architects and the Don A. Rossi Award by the Gold Course Builders Association of America.

Jack Nicklaus was given the Presidential Medal of Freedom by President George W. Bush in 2005, the highest Presidential honor given to any U.S. civilian.

By approving this legislation, Congress will move forward to award the highest congressional civilian honor.

Mr. Speaker, this legislation celebrates the accomplishments of a man who is honored by many for his achievements in a life very well lived. I ask all Members to support it.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,

Washington, DC, April 16, 2012.

Hon. SPENCER BACHUS,
Chairman, Committee on Financial Services,
Washington, DC.

DEAR CHAIRMAN BACHUS, I am writing concerning H.R. 4040, to award a congressional gold medal to Jack Nicklaus, which is scheduled for floor action the week of April 16, 2012.

As you know, the Committee on Ways and Means maintains jurisdiction over matters that concern raising revenue. H.R. 4040 contains a provision that provides for the sale of duplicate medals, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin and medal bills and in order to expedite this bill for floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 4040, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, April 13, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN CAMP: I am writing in response to your letter regarding H.R. 4040, to award a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf, which is scheduled for Floor consideration under suspension of the rules on Monday, April 16, 2012.

I wish to confirm our mutual understanding on this bill. The bill contains a provision for a charge for the sale of duplicate medals. I understand your concern with provisions that raise revenue and accordingly would fall under the jurisdiction of the Committee on Ways and Means. However, this bill is not expected to raise revenue.

Further, I appreciate your willingness to forego action by the Committee on Ways and Means on H.R. 4040 in order to allow the bill to come to the Floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar leg-

islation. Therefore, I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance and if you should need anything further, please do not hesitate to contact Natalie McGarry of my staff at 202-225-7502.

Sincerely,

SPENCER BACHUS,
Chairman.

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

First, I would like to thank Financial Services Committee Chairman SPENCER BACHUS and Ranking Member BARNEY FRANK for their effort to move this bill forward. Also, I want to thank my colleagues who helped me get 342 signatures. I want to thank TOM ROONEY and DUNCAN HUNTER and, of course, DAN BURTON in trying to help us get the 342 cosponsors.

I also wanted to thank Mr. LUETKEMEYER for his support of this legislation and all of my colleagues who became cosponsors of this legislation.

Today, I rise in strong support of H.R. 4040, to honor Jack Nicklaus, the Golden Bear, with the Congressional Gold Medal. Jack Nicklaus' golf record is one that history will remember forever.

He was born on January 21, 1940, in Columbus, Ohio. He attended Ohio State University, and turned professional in 1961, which happens to be from the same State that the Speaker, JOHN BOEHNER, is from.

As a family man, he remains committed to the core values of providing for his family, respecting the game, and serving as a true inspiration for others.

Upon marrying his wife, Barbara, in July of 1960, and the birth of their first son, Jack, Jr., in 1961, he decided the best way to provide for his family was to become a professional golfer. His drive and his passion for the game is an example of sportsmanship of the highest caliber, like most of us amateurs who love the game of golf. However, I ask that Jack Nicklaus be awarded the Congressional Gold Medal for his leadership as an American and as a positive role model.

Yes, Jack Nicklaus won 118 national and international championships. Yes, Jack Nicklaus' most prominent professional titles were six Masters—1963, 1965, 1966, 1972, 1975, 1986; three British Opens—1966, 1970, 1979; four U.S. Opens—1962, 1967, 1972, 1980; and five PGA Championships—1963, 1971, 1973, 1975, and 1980.

Like most of us golfers, we'll probably never be able to accomplish his feat of what he has just done right now. There are others who are trying, and who knows what will happen.

Jack Nicklaus is the only player in history to have won each of the game's

majors at least three times, and is the only player to have completed the career grand slam on the regular and senior tour, and that's quite an accomplishment. That's very difficult. Most of us who play golf know it's hard to win one tournament versus the next tournament. It's quite an accomplishment.

Jack Nicklaus also represented the U.S. in the Ryder Cup Masters as a player six times and served as a captain twice. He also served as the U.S. captain four times for the President's Cup.

He has written several instructional books, one called "Golf My Way," which I have read every time I'm in trouble and need to go back and refresh my golf game; the autobiography he called "My Story," which describes his golf course design methods and philosophy; and many others, such as "Play Better Golf: Shortcuts to Lower Scores"; "Jack Nicklaus' Lesson Tee"; and "My Golden Lessons: 100-Plus Ways to Improve Your Shots, Lower Your Scores and Enjoy Golf, Much, Much More."

Yet, he's a businessman. Jack Nicklaus also produced several other instructional videos showing his fans how to play the game from his points of view.

But I ask that we honor Jack Nicklaus with a Congressional Gold Medal because of the way he lived his life. Jack Nicklaus' way of living his life is a perfect example of how Americans should give. He was a devoted husband, father, and grandfather who cared for his family, who helped many other families during a time of hardship and struggle. Jack Nicklaus' work and philanthropy is evidence of his dedication to helping others.

He is known to have an unflinching sense of kindness, and has used the game of golf as a means of sharing and helping others.

He proactively helps thousands of children and their families everywhere. By serving as chairman of the Nicklaus Children's Health Care Foundation, he was able to provide valuable programs to serve more than 4,000 hospitalized children and their families free of charge. That is giving, that is caring, that is someone who cares about people and cares about children. This foundation is able to reach such volumes of patients through the Child Life programs and the Pediatric Oncology Support Team that supports therapeutic interventions for children with chronic and acute conditions during hospitalization.

He also partners with Miami Children's Hospital Nicklaus Care Centers, which offer a new option for Palm Beach County-area families with children who require pediatric specialty care. The foundation also has a Safe Kids program aimed at keeping children injury free and offers safety edu-

cation in an effort to decrease accidental injuries to children. Jack Nicklaus helped raise over \$12 million within 5 years for this cause. Much of the funding comes from a pro-am golf tournament he established in honor of his 17-month-old grandson who passed away, called "The Jake," which also became the foundation's chief fundraiser.

Jack Nicklaus also serves as honorary chair for the American Lake Veterans Golf Course in Tacoma, Washington, a course designed for the rehabilitation of our wounded and disabled veterans, especially those that are fighting and coming back right now who need a lot of rehabilitation, our wounded warriors. In providing help and knowing that there is somewhere they can go, Jack Nicklaus is instrumental in helping others.

A lot of us don't know of his history and what he's given back. We look at him as a professional golf player, but he has given so much back to our community that we find out this is a man that cared about making our country a lot better in giving what he could.

He has donated his design services for the improvement of the course. He also raised contributions for an additional nine new holes, the construction of the Rehabilitation and Learning Center, and the upgrade of the maintenance facilities through a 2-day event called the "Nicklaus Nine."

He also manages a memorial tournament in which proceeds benefit the programs and services at Nationwide Children's Hospital in his home State of Ohio, and has raised more than \$5.7 million. Jack Nicklaus has worked with the Nationwide Children's Hospital since 1976 and ensures the contributions generated through the support of over 2,600 volunteers are distributed each year to the hospital's unrestricted giving fund.

He also serves as a trustee and a spokesperson for The First Tee, a program which is dedicated to bringing the game of golf to children who would otherwise not be exposed to it. These are many children that can't afford to play golf, but First Tee allows a diversity of individuals—black, brown, white, Asians, American Indians, Hispanics, and others—who can't play the game to learn to play the game, be exposed to the game, and love the game and what it means in teaching many of the other skills.

□ 1650

Other organizations that Jack Nicklaus has successfully partnered with are the For Hope, the James Cancer Hospital, Wolfe Association, Central Ohio Junior Golf Association, the Shriners, the Lions Club, and many more.

We thank Jack Nicklaus and his wife, Barbara, and their five children—Jack II, Steve, Nancy, Gary, and Michael—

and his 22 grandchildren for making America a better place.

Jack Nicklaus is one of the most humble athletes to play the game and is considered by many to be golf royalty. He is royalty in the eyes and hearts of those that he has helped, and is overall a great human being.

We thank Jack Nicklaus. We thank you for your life's work. You are a true American, and you have touched the lives of many individuals, an American deserving of the Presidential Medal of Freedom and the PGA Player of the Year Award, to name just a few other accolades he has received over the years.

Jack Nicklaus, known as a Golden Bear, deserves to be honored with a Congressional Gold Medal.

For these reasons, I urge us to support the passage of H.R. 4040, and I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Indiana, one of our senior Members and most distinguished Members, Mr. BURTON.

Mr. BURTON of Indiana. I thank the gentleman for yielding.

First of all, let me say this about JOE. JOE and I have been friends for a long time and have played golf together, and he is one of the best sticks around. I have never heard a more thorough conversation about a person since I've been in Congress. You must have spent weeks doing this, but you said everything I was going to say, so I'll just talk about the Jack Nicklaus from what I know of him.

I've been playing golf along with you, JOE, for a long time. One of the things that I've always wanted to do was to meet the Big Three. Remember the Big Three: Nicklaus, Player, and Palmer? You did him not too long ago. And then Lee Trevino. I had the opportunity to meet all of them but Nicklaus, and I said before I die that I want to meet Jack Nicklaus.

This year, believe it or not, I was at an airport with my wife, and I had an opportunity to run into him, and he was one of the nicest guys that I've ever met. He stopped and took the time to talk to people that were with us and took pictures with us, and he is just a very good and friendly guy. There are no airs about him. He is down to Earth. It's like talking to your next door neighbor. He is a very nice guy.

The things that really appealed to me were the things that you talked about, JOE. He really cares about his fellow man, and people on the tour all respect him. There are some members that you have a problem with; but with him, he's at the very top. In addition to winning 18 majors—to win all of the tournaments that you talked about just boggles my mind.

So I would just like to say if Jack Nicklaus might be watching today—I

had an opportunity—and I think you have too, JOE—to play with President George W. Bush. I would say to Jack Nicklaus if he were here: You really need to teach him how to putt. He's one of the worst putters I've ever seen.

Mr. President, I hope you'll forgive me for that.

In fact, I want to tell you a little story. We were playing on the 18th hole out at Andrews, and the President had putted so poorly that he had about a 10-footer left on the last hole, and we gave it to him.

Mr. President, forgive me.

Let me just say it's a real honor to be included with those who are honoring Jack Nicklaus tonight. He's one of the finest people in sports. He is a credit to humanity, and he is somebody that every one of us can look up to.

Mr. Nicklaus, I'm proud to be a part of recognizing you tonight, and I'm glad you're going to get this gold medal.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members that remarks must be addressed to the Chair.

Mr. BACA. Mr. Speaker, I would like to just state that Jack Nicklaus was not a tall man—he is like me and like many others—but he could hit the ball a hell of a long ways. It is quite an accomplishment when you see someone like him that has the rhythm, tempo, and the timing that can hit the ball. That is an inspiration to many of us that are not 6 foot and above, but are below 6 foot and can still play the game of golf because golf is open to everyone. And Jack, along with Arnold Palmer and Tiger Woods, Lee Trevino and many others, has opened it for a lot of us.

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

Mr. LUETKEMEYER. Mr. Speaker, I yield to the distinguished gentleman from Florida, one of the younger members of the conference, Mr. ROONEY, such time as he may consume.

Mr. ROONEY. Mr. Speaker, I rise today in support of the Jack Nicklaus Congressional Gold Medal Act, officially recognizing the significant role Jack Nicklaus has played in promoting athletic excellence and good sportsmanship in the game of golf, as well as the significant charitable contributions and activities in our community.

Growing up in north Palm Beach County, I had the pleasure of attending high school with Mr. Nicklaus' children. Like many good parents, he was very involved in all school activities, especially sporting events. I can't recall a game across the State of Florida that our school was involved in where he wasn't there. He was always up there in the stands, cheering us on. It's no secret that Jack Nicklaus is widely regarded as the most accomplished professional golfer to ever play the game. But to us, we just saw him as a devoted

husband to Barbara and an excellent father of Jackie, Steve, Nan, Gary, and Mike, and now lots of grandchildren.

He is also a philanthropist, as has been stated, who has worked tirelessly to help underserved children and their families in Palm Beach County and across the State of Florida. Through his charitable foundation, Mr. Nicklaus has raised more than \$12 million for children's health services. He has also done a lot for warfighters and veterans recovering after returning home from war.

I am proud to cosponsor this legislation to honor Jack Nicklaus, a truly great American, and for his many charitable efforts and for his contributions to the State of Florida and to American society and culture. I consider myself blessed to personally know him and his family.

I want to say thank you to Congressman BACA from California for his leadership in getting cosponsors for this bill. He worked very hard.

Mr. LUETKEMEYER. I thank the sponsor of the bill, Mr. BACA, for his hard work.

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

Mr. TIBERI. Mr. Speaker, I rise in support of awarding the Congressional Gold Medal to a golf legend, devoted philanthropist, husband, father and grandfather, Jack Nicklaus. Known as "The Golden Bear," Jack Nicklaus has continually set an admirable example of excellence, not only emulated by generations of golf fans, but by those who value sharing their success by giving back to others. As someone who shares the experience of growing up in Central Ohio and attending The Ohio State University, I can attest to the pride held by both communities.

Dubbed the "Golfer of the Millennium," Jack Nicklaus is world renowned for his winning record of 118 professional golf tournaments and an unsurpassed 18 professional major-championship titles. However, it is his accomplishments off the course that I recognize today. In 2005, Jack Nicklaus and his wife Barbara formed the Nicklaus Children's Health Care Foundation, which provides support for activities that advance and enhance the diagnosis, treatment, and prevention of childhood diseases and disorders. To date, Jack and Barbara have raised over \$15 million in support of pediatric health care programs through their foundation. In addition, as a trustee of The First Tee program, Jack provides positive life values and promotes healthy choices through the game of golf to young people who would normally not have access to the game.

I am thankful to have had the opportunity to attend the Legends Luncheon this week, which advances pediatric care through the Nationwide Children's Hospital and the Nicklaus Children's Health Care Foundation alliance. As a fellow Ohio State Buckeye, it is truly my honor to recognize such a great role model, Jack Nicklaus.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 4040.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

MARK TWAIN COMMEMORATIVE COIN ACT

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2453) to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2453

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mark Twain Commemorative Coin Act".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Samuel Clemens—better known to the world as Mark Twain—was a unique American voice whose literary work has had a lasting effect on our Nation's history and culture.

(2) Mark Twain remains one of the best known Americans in the world with over 6,500 editions of his books translated into 75 languages.

(3) Mark Twain's literary and educational legacy remains strong even today, with nearly every book he wrote still in print, including *The Adventures of Tom Sawyer* and *Adventures of Huckleberry Finn*—both of which have never gone out of print since they were first published over a century ago.

(4) In the past 2 decades alone, there have been more than 100 books published and over 250 doctoral dissertations written on Mark Twain's life and work.

(5) Even today, Americans seek to know more about the life and work of Mark Twain, as people from around the world and across all 50 States annually flock to National Historic Landmarks like the Mark Twain House & Museum in Hartford, CT, and the Mark Twain Boyhood Home & Museum in Hannibal, MO.

(6) Mark Twain's work is remembered today for addressing the complex social issues facing America at the turn of the century, including the legacy of the Civil War, race relations, and the economic inequalities of the "Gilded Age".

(7) Today Mark Twain's work lives on through educational institutions throughout the United States, such as the Mark Twain Project at the Bancroft Library of the University of California, Berkeley, California, and the Center for Mark Twain Studies at Elmira College, in Elmira, New York.

SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue the following coins:

(1) \$5 GOLD COINS.—Not more than 100,000 \$5 coins, which shall—

(A) weigh 8.359 grams;
 (B) have a diameter of 0.850 inches; and
 (C) contain 90 percent gold and 10 percent alloy.

(2) \$1 SILVER COINS.—Not more than 350,000 \$1 coins, which shall—

(A) weigh 26.73 grams;
 (B) have a diameter of 1.500 inches; and
 (C) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the life and legacy of Mark Twain.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(A) a designation of the value of the coin;
 (B) an inscription of the year “2016”; and
 (C) inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Commission of Fine Arts and the Board of the Mark Twain House and Museum; and

(2) reviewed by the Citizens Coinage Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the 1-year period beginning on January 1, 2016.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;
 (2) the surcharge provided in section 7(a) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins issued under this Act shall include a surcharge of—

(1) \$35 per coin for the \$5 coin; and
 (2) \$10 per coin for the \$1 coin.

(b) DISTRIBUTION.—Subject to section 5134(f)(1) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary as follows:

(1) One-quarter of the surcharges, to the Mark Twain House & Museum in Hartford, Connecticut, to support the continued restoration of the Mark Twain house and grounds, and ensure continuing growth and innovation in museum programming to research, promote and educate on the legacy of Mark Twain.

(2) One-quarter of the surcharges, to the University of California, Berkeley, California, to be used for research and education purposes.

(3) One-quarter of the surcharges, to Elmira College, New York, to be used for research and education purposes.

(4) One-quarter of the surcharges, to the Mark Twain Boyhood Home and Museum in Hannibal, Missouri, to preserve historical sites related to Mark Twain and help support programs to study and promote his legacy.

(c) AUDITS.—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of each of the organizations referred to in paragraphs (1), (2), (3), and (4) of subsection (b) as may be related to the expenditures of amounts paid under such subsection.

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentleman from California (Mr. BACA) each will control 20 minutes.

The recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material on this bill.

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

There was no objection.

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

I rise today to urge Members to support H.R. 2453, the Mark Twain Commemorative Coin Act. This legislation will allow the United States Treasury to mint \$1 and \$5 commemorative coins in 2016 in recognition of the important legacy of Mark Twain. Surcharges on the sale of the coins will benefit four institutions that either bear Mark Twain's name or focus on the study of his work: the Mark Twain House & Museum in Hartford, Connecticut; the University of California, Berkeley; Elmira College in New York; and in my congressional district, the Mark Twain Boyhood Home and Museum in Hannibal, Missouri. The sale price of the

coins will cover all real and amortized costs of production and marketing costs so that the entire program will be produced at no cost to the taxpayers.

I would like to thank my colleague, Representative JOHN LARSON of Connecticut, who first introduced this legislation in the 110th Congress. The gentleman from Connecticut and I share an admiration for Mark Twain, and have made it a priority to see his legislation through. I appreciate his hard work on collecting all the signatures on his side of the aisle.

□ 1700

I would also like to thank the Missouri congressional delegation for their support. When I first announced my intentions to introduce the Mark Twain Commemorative Coin Act, all eight of my colleagues immediately came on board to help advance this legislation.

I want to acknowledge the Mark Twain Boyhood Home and Museum, Dr. Cindy Lovell, and the museum's curator, Henry Sweets, as well as their dedicated staff, for their incredible work to promote awareness and the appreciation of the life and works of Mark Twain.

Importantly, I would like to thank Chairman BACHUS, Ranking Member FRANK, Speaker BOEHNER, and Majority Leader CANTOR for their assistance and cooperation in getting the bill scheduled for consideration in this House.

A true American figure, Samuel Langhorne Clemens, better known to the world as Mark Twain, was born and raised in Missouri amidst the turmoil of the American Civil War. Twain's boyhood home in Hannibal, Missouri, inspired the settings of some of his most beloved stories and helped shape his views on violence and injustice.

The Mark Twain Boyhood Home and Museum in Hannibal commemorates the childhood of a man who grew up to be one of the most recognized names in literature. The museum opened its doors in 1912 and was designated a National Historic Landmark in 1962. I would also like to recognize the museum for its upcoming 100th anniversary, a milestone which will be celebrated on May 15.

Twain would eventually move to Hartford, Connecticut, where he settled and began to work on what would become his most famous work, “The Adventures of Huckleberry Finn.” Hartford is home to the Mark Twain House & Museum, dedicated to educating people across the Nation and around the world about Twain, his works, and the time period in which he lived.

In New York, Elmira College breathes new life into the history of Mark Twain, offering fellowships for research on the author. Elmira College also hosts a Mark Twain conference and provides tours of Twain's study, where he sought refuge to write several short stories and some of his most famous novels. The Mark Twain Project

at the Bancroft Library of the University of California, Berkeley houses the Mark Twain papers, an extensive archive of virtually every document in Twain's hand known to survive.

The bill we consider today honors the legacy of a great American and will benefit the institutions that continue to spread awareness and educate the public of his great accomplishments and contributions to society. I urge my colleagues to join me in passing this legislation, which is cosponsored by 298 of our colleagues.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON WAYS AND MEANS,
Washington, DC.

Hon. SPENCER BACHUS,
Chairman, Committee on Financial Services,
Washington, DC.

DEAR CHAIRMAN BACHUS: I am writing concerning H.R. 2453, the "Mark Twain Commemorative Coin Act," which is scheduled for floor action the week of April 16, 2012.

As you know, the Committee on Ways and Means maintains jurisdiction over matters that concern raising revenue. H.R. 2453 contains a provision that establishes a surcharge for the sale of commemorative coins that are minted under the bill, and this falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin bills and in order to expedite this bill for floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2453, and would ask that a copy of our exchange of letters on this matter be included in the CONGRESSIONAL RECORD during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, April 13, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN CAMP: I am writing in response to your letter regarding H.R. 2453, the Mark Twain Commemorative Coin Act, which is scheduled for floor consideration under suspension of the rules on Monday, April 16, 2012.

I wish to confirm our mutual understanding on this bill. As you know, section 7 of the bill establishes a surcharge for the sale of commemorative coins that are minted under the bill. I acknowledge your committee's jurisdictional interest in such surcharges as revenue matters and appreciate your willingness to forego action by the Committee on Ways & Means on H.R. 2453 in order to allow the bill to come to the Floor expeditiously. Also, I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. Therefore, I would support your request for

conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the CONGRESSIONAL RECORD when this bill is considered by the House. Thank you again for your assistance and if you should need anything further, please do not hesitate to contact Natalie McGarry of my staff at 202-225-7502.

Sincerely,

SPENCER BACHUS,
Chairman.

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

I want to recognize the gentleman from Missouri (Mr. LUETKEMEYER) for his efforts on this meaningful legislation.

I rise today in support of H.R. 2453, the Mark Twain Commemorative Coin Act. This legislation calls for the U.S. Mint to produce a coin in 2016—I state, in 2016—designed to honor Mark Twain's contribution to American history. William Faulkner once called Mark Twain "the father of American literature."

One of America's most beloved authors, Mark Twain's life and legacy have left a lasting mark on our Nation. Mark Twain, whose real name is Samuel Clemens, was beloved by many for his wit and sharp satire. Twain worked as a steamboat pilot and a reporter before finding success as a writer.

His hometown of Hannibal, Missouri, later became the setting for his most famous novels, "The Adventures of Tom Sawyer" and "The Adventures of Huckleberry Finn," which all of us have seen throughout our lives as young kids. We still love seeing it every time we see this. Twain's other well-known works of fiction include "The Prince and the Pauper" and "A Connecticut Yankee in King Arthur's Court."

H.R. 2453 directs the U.S. Mint to produce a \$1 and a \$5 commemorative coin in 2016 and, I state, at no cost to the taxpayers. The simple price of the coin will cover the cost of production. In addition, the sale of the coin will generate revenue for the benefit of four of Mark Twain's institutions: the Mark Twain House & Museum in Hartford, Connecticut; the Bancroft Library at the University of California, Berkeley; Elmira College in New York; and the Mark Twain Boyhood Home and Museum in Hannibal, Missouri.

I urge my colleagues to support this responsible legislation as the recognition of one of America's greatest authors and humorists, Mark Twain.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I don't have any further speakers at this time, and continue to reserve the balance of my time.

Mr. BACA. I yield the balance of my time to the gentleman from Connecticut, JOHN LARSON, one of our leaders.

Mr. LARSON of Connecticut. Thank you, Mr. BACA of California, and I

thank the Hartford-Hannibal connection. I want to thank Representative LUETKEMEYER for his tireless work and effort in making this bill possible for the great institutions that both he and Representative BACA have illuminated and to stand here today and talk about the literary genius of Mark Twain and to see the institutions that will benefit from this—and, as Representative BACA points out, at no cost to the American public—enriching Americans all across this great Nation, I daresay around the globe, from the visits at these great institutions, whether it be in Hartford, whether it be in Hannibal, whether it be in Elmira or at Berkeley in California, all of whom will benefit directly from Mark Twain.

I'm glad that we're having a voice vote, because I wouldn't want to put what Mark Twain had to say about Members of Congress to a test here on the floor. But as my good friend and colleague JOE BACA has pointed out, the great works of Mark Twain stand throughout the ages. Of course, there's nary a person who hasn't read "Huckleberry Finn" or "Tom Sawyer" and, as mentioned, "A Connecticut Yankee in King Arthur's Court." Well, we like to refer to it as, "A Connecticut Red Sock in King Arthur's Court."

But, nonetheless I, would be remiss if I didn't thank Jeffrey Nichols, the executive director at the Mark Twain House in Hartford, Connecticut, and those on the entire board there, who have worked tirelessly to make sure that we are able to perpetuate the great legacy of Mark Twain in his literature, in his humor and his satire. It is a gift for the country that everyone should have the opportunity to enjoy.

Just this last year, the house adjoining the Twain house in Hartford is the home of Harriet Beecher Stowe, and we had the members of the Congressional Black Caucus, who came to Hartford to participate in a discussion about race. Of course, even today, as both Mark Twain and the whole issue of "Huckleberry Finn" and "Tom Sawyer" continue to come under literary discussion and debate, it also focuses on an important issue that the Nation needs to continue to face, and that's the whole issue of humanity as it relates to how man deals with man and the whole issue of racism. There was no stronger proponent in this Nation than Samuel Clemens. Mark Twain was just incredible in terms of his gift, his literary genius, a great ambassador abroad for this country, and heralded on this shore and all across the globe as a humanitarian, and we are so proud.

I again want to thank Representative LUETKEMEYER for his efforts to make this possible. I know that in Hartford and in Hannibal, Elmira, and Berkeley, people are very pleased that this will continue to benefit them and allow this

great treasure in this great person of literature, American literature, to continue to enjoy the vast reputation and legacy that all Americans ought to enjoy.

Mr. BACA. I have no further speakers, and I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I just want to close with a few thoughts here.

Again, I thank the gentleman from Connecticut for his hard work in helping to put this together, as well as the gentleman from California (Mr. BACA) for his help today.

It's interesting. When I was the director of tourism for the State of Missouri, we found out just how big an icon Mr. Twain was. Mark Twain not only is an icon who is recognized around the United States, but he is one of the few icons that people from other countries recognize about our country.

□ 1710

If you travel to Hannibal, Missouri, you can see the influence in the surroundings there and the stories that he told, and what kind of an influence it had on him as a youth and the stories as they unfolded. It's quite something.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 2453, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly, at 5 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CHAFFETZ) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings

will resume on motions to suspend the rules previously postponed.

Notes will be taken in the following order:

H.R. 3001, by the yeas and nays; and H.R. 4040, by the yeas and nays.

Proceedings on H.R. 1815 and H.R. 2453 will resume later in the week.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

RAOUL WALLENBERG CENTENNIAL CELEBRATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3001) to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 377, nays 0, not voting 54, as follows:

[Roll No. 152]
YEAS—377

- Ackerman
- Adams
- Aderholt
- Akin
- Alexander
- Altmire
- Amash
- Amodei
- Baca
- Bachmann
- Bachus
- Baldwin
- Barletta
- Barrow
- Bartlett
- Bass (CA)
- Bass (NH)
- Becerra
- Benishkeh
- Berg
- Berkley
- Berman
- Biggart
- Bilbray
- Bilirakis
- Bishop (GA)
- Bishop (NY)
- Bishop (UT)
- Black
- Blackburn
- Blumenauer
- Bonamici
- Bonner
- Bono Mack
- Boswell
- Boustany
- Brady (PA)
- Brady (TX)
- Braley (IA)
- Brooks
- Brown (GA)
- Brown (FL)
- Buchanan
- Bucshon
- Buerkle
- Burton (IN)
- Calvert
- Camp
- Canseco
- Cantor
- Capito
- Capps
- Capuano
- Cardoza
- Carnahan
- Carney
- Carson (IN)
- Carter
- Castor (FL)
- Chabot
- Chaffetz
- Chandler
- Chu
- Ciulline
- Clarke (MI)
- Clarke (NY)
- Clay
- Cleaver
- Clyburn
- Coble
- Coffman (CO)
- Cole
- Conaway
- Connolly (VA)
- Conyers
- Cooper
- Costa
- Courtney
- Cravaack
- Crawford
- Crowley
- Cuellar
- Davis (CA)
- Davis (IL)
- Davis (KY)
- DeFazio
- DeGette
- DeLauro
- Denham
- Dent
- DesJarlais
- Deutch
- Diaz-Balart
- Dingell
- Dold
- Donnelly (IN)
- Doyle
- Dreier
- Duffy
- Duncan (SC)
- Duncan (TN)
- Ellison
- Ellmers
- Emerson
- Engel
- Eshoo
- Farenthold
- Farr
- Fattah
- Fincher
- Fitzpatrick
- Flake
- Fleischmann
- Fleming
- Flores
- Forbes
- Fortenberry
- Fox
- Frelinghuysen
- Fudge
- Gallely
- Garamendi
- Gardner
- Garrett
- Gerlach
- Gibbs
- Gibson
- Gingrey (GA)
- Gohmert
- Gonzalez
- Goodlatte
- Gosar
- Gowdy
- Granger
- Graves (GA)
- Graves (MO)
- Green, Al
- Green, Gene
- Griffin (AR)
- Griffith (VA)
- Grimm
- Guinta
- Guthrie
- Hahn
- Hall
- Hanabusa
- Harper
- Harris
- Hartzler
- Hastings (FL)
- Hastings (WA)
- Hayworth
- Heck
- Heinrich
- Hensarling
- Herger
- Herrera Beutler
- Higgins
- Himes
- Hinojosa
- Hirono
- Hochul
- Holden
- Holt
- Honda
- Hoyer
- Huelskamp
- Huizenga (MI)
- Hultgren
- Hunter
- Hurt
- Israel
- Issa
- Jackson (IL)
- Jackson Lee (TX)
- Jenkins
- Johnson (GA)
- Johnson (OH)
- Johnson, E. B.
- Jordan
- Keating
- Kelly
- Kildee
- Kind
- King (IA)
- King (NY)
- Kingston
- Kinzinger (IL)
- Kissell
- Kline
- Kucinich
- Lamborn
- Lance
- Langevin
- Lankford
- Larsen (WA)
- Larson (CT)
- Latham
- LaTourette
- Latta
- Lee (CA)
- Levin
- Lewis (GA)
- Lipinski
- LoBiondo
- Loeb
- Lofgren, Zoe
- Long
- Lowey
- Lucas
- Luetkemeyer
- Lujan
- Lummis
- Lungren, Daniel E.
- Lynch
- Mack
- Maloney
- Manzullo
- Marchant
- Markey
- Matheson
- Matsui
- McCarthy (CA)
- McCarthy (NY)
- McCaul
- McClintock
- McCollum
- McCotter
- McDermott
- McGovern
- McHenry
- McKeon
- McKinley
- McMorris Rodgers
- McNerney
- Meehan
- Meeks
- Mica
- Michaud
- Miller (MI)
- Miller (NC)
- Miller, Gary
- Miller, George
- Moore
- Moran
- Mulvaney
- Murphy (PA)
- Myrick
- Nadler
- Neal
- Neugebauer
- Nugent
- Nunes
- Nunnelee
- Olson
- Olver
- Owens
- Palazzo
- Pallone
- Pastor (AZ)
- Paulsen
- Pearce
- Pelosi
- Pence
- Peters
- Peterson
- Petri
- Pingree (ME)
- Pitts
- Platts
- Poe (TX)
- Polis
- Pompeo
- Posey
- Price (GA)
- Price (NC)
- Quayle
- Quigley
- Rahall
- Reed
- Rehberg
- Reichert
- Renacci
- Reyes
- Ribble
- Richardson
- Richmond
- Rigell
- Rivera
- Roby
- Roe (TN)
- Rogers (AL)
- Rogers (KY)
- Rogers (MI)
- Rokita
- Rooney
- Roskam
- Ross (AR)
- Ross (FL)
- Rothman (NJ)
- Roybal-Allard
- Royce
- Runyan
- Ruppersberger
- Ryan (OH)
- Ryan (WI)
- Sánchez, Linda T.
- Sanchez, Loretta
- Sarbanes
- Scalise
- Schakowsky
- Schilling
- Schock
- Schrader
- Schwartz
- Schweikert
- Scott (SC)
- Scott (VA)
- Scott, Austin
- Scott, David
- Sensenbrenner
- Serrano
- Sessions
- Sewell
- Sherman
- Shimkus
- Shuster
- Simpson
- Sires
- Smith (NE)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Southerland
- Speier
- Stark
- Stearns
- Stivers
- Sullivan
- Sutton
- Terry
- Thompson (CA)
- Thompson (MS)
- Thompson (PA)
- Thornberry
- Tiberi
- Tierney
- Tonko
- Tsongas
- Turner (NY)
- Turner (OH)
- Upton
- Van Hollen
- Visclosky
- Walberg
- Walden
- Walsh (IL)
- Walz (MN)
- Wasserman
- Schultz
- Watt
- Waxman
- Webster
- Welch
- West
- Westmoreland
- Whitfield
- Wilson (FL)
- Wilson (SC)
- Wittman
- Wolf
- Womack
- Woodall
- Woolsey
- Yarmuth
- Yoder
- Young (AK)
- Young (IN)

- Andrews
- Austria
- Barton (TX)
- Boren
- Burgess
- Butterfield
- Frank (MA)
- Franks (AZ)
- Grijalva
- Gutierrez
- Hanna
- Hinchee
- Johnson (IL)
- Johnson, Sam
- Jones
- Kaptur
- Labrador
- Landry
- Lewis (CA)
- Marino
- McIntyre
- Miller (FL)
- Murphy (CT)
- Napolitano
- Noem
- Pascrell
- Paul

NOT VOTING—54

Perlmutter Schiff
Rangel Schmidt
Rohrabacher Shuler
Ros-Lehtinen Slaughter
Rush Stutzman

Tipton
Towns
Velázquez
Waters
Young (FL)

Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crowley
Cuellar
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutsch
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Elliott
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Honda
Hoyer

Huelskamp
Huitzenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb
Loeb
Long
Lowe
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris
Rodgers
McNerney
Grimm
Meehan
Meeke
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone

Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Lowey
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schilling
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky

Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

□ 1852

Mr. SCHILLING changed his vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Monday, April 16, 2012, I was absent during rollcall vote No. 152 due to a family health emergency. Had I been present, I would have voted “yea” on suspending the rules and agreeing to H.R. 3001—Raoul Wallenberg Centennial Celebration Act.

Mr. CASSIDY. Mr. Speaker, on rollcall No. 152, I was unavoidably detained. Had I been present, I would have voted “yea.”

Mr. FILNER. Mr. Speaker, on rollcall No. 152, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “yea.”

PROVIDING FOR AWARD OF GOLD MEDAL TO JACK NICKLAUS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4040) to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 373, nays 4, answered “present” 1, not voting 53, as follows:

[Roll No. 153]
YEAS—373

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodel
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Bralley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Cantoco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chandler
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn

Amash
Chaffetz
Cassidy
Crenshaw
Crist
Culberson
Cummings
Dicks
Doggett
Edwards
Filner
Flores
Frank (MA)
Grijalva
Gutiérrez
Hanna
Hinchee
Johnson (IL)
Johnson, Sam
Jones
Kaptur
Labrador
Landry
Lewis (CA)
Lofgren, Zoe
Marino
McIntyre
Murphy (CT)
Napolitano
Noem
Pascarell
Paul
Rangel
Rohrabacher
Ros-Lehtinen
Schiff
Schmidt
Shuler
Slaughter
Stutzman
Tipton
Towns
Velázquez
Waters
Young (FL)

NAYS—4

Amash
Chaffetz
Ribble
Rigell

ANSWERED “PRESENT”—1

NOT VOTING—53

Andrews
Austria
Barton (TX)
Boren
Burgess
Butterfield
Campbell
Cicilline
Cohen
Costello
Crenshaw
Critz
Culberson
Cummings
Dicks
Doggett
Edwards
Filner
Flores
Frank (MA)
Grijalva
Gutiérrez
Hanna
Hinchee
Johnson (IL)
Johnson, Sam
Jones
Kaptur
Labrador
Landry
Lewis (CA)
Lofgren, Zoe
Marino
McIntyre
Murphy (CT)
Napolitano
Noem
Pascarell
Paul
Rangel
Rohrabacher
Ros-Lehtinen
Schiff
Schmidt
Shuler
Slaughter
Stutzman
Tipton
Towns
Velázquez
Waters
Young (FL)

Mrs. HARTZLER changed her vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Monday, April 16, 2012, I was absent during rollcall vote No. 153 due to a family health emergency. Had I been present, I would have voted “yea” on suspending the rules and agreeing to H.R. 4040—To provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

Mr. FILNER. Mr. Speaker, on rollcall 153, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “yea.”

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday, April 16, 2012 I had a previously scheduled meeting with constituents in Ogden, Illinois. As a result, I am unable to attend votes this evening. Had I been present, I would have voted “yea” on H.R. 3001, the Raoul Wallenberg Centennial Celebration Act; and “yea” on H.R. 4040, to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for votes in the House chamber today. Had I been present, I would have voted “yea” on rollcall votes 152 and 153.

□ 1900

APPOINTMENT OF MEMBERS TO THE COMMITTEE TO ATTEND FUNERAL OF THE LATE HONORABLE DONALD M. PAYNE

The SPEAKER pro tempore (Mr. HURT). Pursuant to House Resolution 571, and the order of the House of March 6, 2012, the Speaker on March 14, 2012, appointed the following Members of the House to the committee to attend the funeral of the late Honorable Donald M. Payne:

The gentleman from New Jersey, Mr. SMITH

The gentleman from South Carolina, Mr. CLYBURN

The members of the New Jersey delegation:

Mr. PALLONE
Mr. ANDREWS
Mr. FRELINGHUYSEN
Mr. LOBIONDO
Mr. PASCARELL
Mr. ROTHMAN
Mr. HOLT
Mr. GARRETT
Mr. SIRES
Mr. LANCE
Mr. RUNYAN

Other Members in attendance:

Ms. KAPTUR
Mr. LEVIN
Mr. TOWNS
Ms. WATERS
Ms. BROWN (FL)
Mr. RUSH
Mr. SCOTT (VA)
Mr. WATT
Ms. WOOLSEY
Ms. JACKSON LEE (TX)
Mr. JACKSON (IL)
Mr. CLAY
Mr. BUTTERFIELD
Mr. CLEAVER
Mr. AL GREEN (TX)
Ms. MOORE
Ms. CLARKE (NY)
Mr. JOHNSON (GA)
Ms. EDWARDS
Ms. FUDGE
Ms. BASS (CA)
Ms. SEWELL
Ms. NORTON
Mrs. CHRISTENSEN

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4089, SPORTSMEN'S HERITAGE ACT OF 2012, AND FOR OTHER PURPOSES

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112-444) on the resolution (H. Res. 614) providing for consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONGRATULATIONS TO KYLE STOCKAMP

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

Ms. FOXX. Mr. Speaker, I rise today to congratulate an outstanding young man from Deep Gap, North Carolina.

Kyle Stockamp is set to graduate from the United States Air Force Academy this May. He will be graduating as squadron commander of his unit and was recently selected to represent the Air Force Academy at the Doolittle Raider reunion.

He was selected as the number one cadet from all of the history and FAS-history majors to serve on the silver goblet detail at this historic event.

Kyle was first nominated for the Air Force Academy in 2006. In 2007, he left the academy to spend time as a missionary in Taiwan and subsequently returned to the academy.

Today, I am proud not only to congratulate Kyle for graduating at the top of his class but proud of his dedication and commitment to God and his country.

May God continue to bless Kyle and his family.

PRESLEY POE, #10

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

Mr. POE of Texas. Mr. Speaker, as the sun rose in the Hill Country shortly before 8 a.m., she breathed her first breath of life. She weighed 6 pounds, 12 ounces, and was 19½ inches long as she arrived in Round Rock, Texas, on April 12 of this year.

Presley Poe is the fourth child born to Suzy and Kurt Poe.

I call Presley #10 since I refer to each of our grandchildren not only by name but by their birth numbers as well.

Anyway, Presley, like all of us, did not choose her family or her place of birth, but she is blessed to be born to a God-fearing family and in a Nation like no other.

There is something about little girls that makes us smile. Maybe it's their happy spirit. Or is it that little glow of angelic quality with a speck of mischief? Or maybe it is we see in their eyes a hope for a better and gentler world. It's all of these, of course.

So, welcome to the world, Presley. As your grandfather, I hope you walk in the path of goodness, giving, and gratitude—and that you attend the University of Texas and not Texas A&M.

And that's just the way it is.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

CONGRATULATIONS TO ANN AND JACK MURPHY ON THEIR 70th WEDDING ANNIVERSARY

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

Mr. GARAMENDI. Mr. Speaker, occasionally, we go to remarkable events, and I did so last Saturday.

A couple that had reached the age of 94 and 92 were celebrating not only the gentlelady's birthday but also their 70th year of marriage. When I told people where I had been, they said, "You've got to be kidding. Seventy years?"

No, they were not married as teenagers, but they were married in their twenties. They happen to be my aunt and uncle, and I love those genes.

So congratulations to Ann and Jack Murphy on Ann's 90th birthday and their 70th anniversary.

AMERICA NEEDS A NEW TAX CODE

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

Mr. PAULSEN. Mr. Speaker, tomorrow is tax day, and as Americans work to file their taxes by midnight tomorrow, they are reminded about how broken our Tax Code and our tax system really is, how burdensome it has become, how complicated it has become, and how it has not kept up with today's economy.

Unfortunately, Mr. Speaker, there are too many in Washington that always believe the answer is only to raise taxes rather than focusing on tax reform. Just a few weeks ago, the United States became the number one country in the developed world for having the highest corporate tax rate. This is something we should not be aspiring to. A new medical device tax is set to start next January that will be a hard-hitting tax on the American success story of medical innovation.

Mr. Speaker, we need a Tax Code that promotes hard work, achievement, innovation, and also savings and investment. Mr. Speaker, we need a Tax Code that is simpler and fair and more competitive for all taxpayers so we can grow our economy and create jobs.

□ 1910

ACCOUNTABILITY FOR THE SECRET SERVICE AND THE GSA

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I was in Colombia, South America, this past week with the President for what was an outstanding discussion among 30 Presidents, including the President of the United States.

The meeting reinforced our commitment to South America and Central America on business opportunities, small business opportunities, human rights, and the controlling of drug trafficking.

At the same time, we had to, in essence, listen and hear about a horrible action that occurred by members of the Secret Service. This does not undermine the Secret Service's long years of service for 147 years, but there must be accountability.

I do not think that we should cede any authority to the House Oversight Committee. This is a question of Homeland Security and national security, and we must begin to act immediately for a full investigation.

Finally, on the General Services Administration, it should be cleaned up and cleaned out. I know for a fact that is true because monies that are being spent on the Mickey Leland Federal Building—the contractor is Gilbane. They are adhering to no rules regarding small businesses, minority-owned businesses, diversity and workforce, nothing at all. They are overseen by the General Service Administration, which has done absolutely nothing to rein in companies like Gilbane that have done nothing as it relates to diversity of small business and are doing nothing to adhere to the American value that everybody must have an opportunity under Federal funding.

GSA, clean up your act.

SUPPORT THE GOVERNMENT OF BAHRAIN

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

Mr. BURTON of Indiana. Mr. Speaker, this past break that we were just on, I had an occasion to visit a great friend and ally in the Persian Gulf area. If we ever needed allies in that area because of Iran, we sure need them right now. I'm talking about the country of Bahrain.

Bahrain is a great friend, not only because they have been historically a friend of the United States, but we have the Fifth Fleet there, and the Fifth Fleet is there to protect the interests of that part of the world as well as the United States of America. The Strait of Hormuz and the Persian Gulf are right there, and the Fifth Fleet is there to guarantee that shipping of oil from that part of the world can get through. So Bahrain is extremely important to the United States, as well as being a friend and an ally. In addition to that, Bahrain is also a free trade agreement partner. We have a great free trade agreement with them, and they've been absolutely great as far as trade is concerned. I think we have a trade surplus with them.

The reason I've brought this up tonight, Mr. Speaker, is because I watch television, and I've seen where there has been a repressive government in Bahrain. There is no question there have been problems in the past. There has been overreaction by the police in certain instances in the past year, year and a half. As a result, there were people who were hurt severely when they were demonstrating in the streets of Bahrain. But the King and the Crown Prince have worked very hard to solve this problem.

One of the problems they have over there is the Iranian Government is working to try to undermine many of the countries in the Persian Gulf, and Bahrain is one of them; and there have been people coming from Iran into Bahrain to try to work with the demonstrators to undermine that government and overthrow it. People from Bahrain who are fairly radical have gone to Iran and Iraq to learn tactics to employ against the government there.

We have found that just recently there have been firebombings of homes of police. There have been firebombings of police in the streets. Some of them have burned to death. Just recently, at one of the homes of a policeman there who was gone, his wife and child were there and their house was firebombed.

The police have been ordered by the government, the King, and the Crown Prince to be very careful in how they react to the demonstrators. As a matter of fact, they don't use ammunition; they use tear gas to control the crowds. So there is no attempt right now to hurt the people there who are trying to hurt the police and the government.

I think it's important that we get the proper perspective on what's going on over there because this is one country that is extremely important to the United States because of energy that we get as well as trade and other things. If the Strait of Hormuz were to be closed down, if the Persian Gulf was closed down, if they sank some ships in there or if they put mines in the Strait of Hormuz or the Persian Gulf, the Fifth Fleet would have to go in and clean those out to make sure that commerce continued through the Persian Gulf and the Strait of Hormuz. So Bahrain is extremely important.

Now I want to make a couple of points tonight that are extremely important.

First of all, the government and the police have made mistakes in the past; there is no question about that. Demonstrators, as I said before, have been infiltrated by outside radical elements. The demonstrators have used terrorist tactics, as I said, to try to destroy and undermine the government, and the Molotov cocktail is one of the things that they've been using. They've also been learning other things from the radicals that come in there or have been trained by the Iranians.

The government has attempted to solve the problems. As a matter of fact, the King appointed an outside commission, and this is the commission report: Report of the National Commission Charged with the Recommendations of the Bahrain Independent Commission of Inquiry (BICI) Report. This is a huge report. It's not by the Government of Bahrain. It's by an outside group of people who were being fair and objective when they made these recommendations to the government. The King and the Crown Prince and the government are doing everything they can to implement these recommendations, and we need to applaud them for doing that.

They are reaching out to the demonstrators and the more radical elements to try to get them to the conference table to solve these problems. So far the demonstrators, supported in large part by these radical elements, will not come to the conference table and discuss these issues. The government is trying to reach out to them, but the demonstrators don't want to. That's something I think the world needs to know and the people in this country need to know. I hope our State Department is paying attention to this, because the State Department has a different view in many respects than what I found when I was there.

I want to stress very clearly tonight that the government has reached out to the demonstrators to discuss their grievances, but they can't get them to sit down with them. The government is reaching out, but the radical elements of the demonstrators are trying to make sure that the government continues to be undermined and stopped.

Let me just end by saying that we don't have a lot of friends in that part of the world. We have seen all kinds of problems in Libya. Libya is now in a state of confusion. If you look at Egypt right now, radical elements are trying to take over the Government of Egypt. That's the biggest country in that area. We see the problems in Syria. People are being killed, and we're trying to see a resolution of that problem through the mitigation of the United Nations and the former head of the United Nations.

But that entire area is in a state of flux, and we need all the friends that we can get. One of the best friends we have in the world, in my opinion, is Bahrain. Since they are our friend and the Fifth Fleet is there and since they are a great trading partner, I think that we should make sure that the American people and the rest of the world know how important Bahrain is to this country and to the world.

Thirty-five to 40 percent of our energy comes through the Persian Gulf and the Strait of Hormuz. If that area were to be bottled up, we would be in big trouble. Lights would go off. Energy would be curtailed. We would have

electricity curtailed, and it would be bad for the industry and the commerce of this country. So the Fifth Fleet being there is extremely important.

Bahrain has been very supportive of our military, very supportive of our intelligence, very supportive of the Navy and the Fifth Fleet, and we need to make sure that that relationship continues for as many years as possible. The best way to do that is to make sure there is stability in the government, and the information that has been coming back through the State Department and others is that the Government of Bahrain has been repressive and that we ought to be putting pressure on them to make positive changes. They have made the changes. They are using tear gas only to stop the demonstrators.

□ 1920

They have reached out to the demonstrators to get them to the conference table to support and change rules and regulations and laws there that will solve the problem. This, again, is a report, an independent report, by outside entities, experts, that came up with a very voluminous report on things that should be changed in Bahrain by the royal family and the government to make sure that everybody can live together in peace and that there will be stability in the region.

I want to stress one more time the demonstrators will not come to the conference table. So tonight I'd like to urge those who are demonstrating to take a step back, take a deep breath and reach out and take the hand of the government, sit down at the conference table and work things out because that's what they want to do. If they do that, I'm sure there will be peace and harmony in Bahrain, and it will be great for the United States of America because a great friend, a great ally and a great government over there will be secure and be able to protect our interests as well as other interests that are very important to the entire world.

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

**CONGRESSIONAL BLACK CAUCUS:
THE TRAYVON MARTIN CASE
AND JUSTICE AND MOURNING
THE PASSING OF JOHN PAYTON**

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Mrs. CHRISTENSEN. I would like to again thank the Democratic leader for giving us this time.

Mr. Speaker, tonight the Congressional Black Caucus will use the hour to speak on something that's always at the core of what we fight for and what we legislate for and what we legislate to end, and which is always at the root of much of what we come to the floor every Monday night to talk about, the persistence of inequality and injustice in our country.

It is fitting then that as we do so this evening we call to mind and honor a staunch champion for justice, attorney John Payton, who at the time of his death on March 22 was the sixth president of the NAACP Legal Defense and Educational Fund.

Tonight I'm joined by several of my colleagues, and I begin by yielding such time as she might consume to the former chair of the Congressional Black Caucus, a leader and one of our strongest fighters for justice and equality in this country, the gentlewoman from Oakland, California, Congresswoman BARBARA LEE.

Ms. LEE of California. Thank you very much. First let me just thank Congresswoman Dr. CHRISTENSEN for those very kind remarks, but also for your leadership on this issue and on so many issues and for anchoring these Special Orders week after week. It's so important that the points of view of the Congressional Black Caucus get out to the public, and you've been such a steady and consistent voice, and your presence here is deeply appreciated. Thank you very much.

Also, I just have to thank all of the members of the Congressional Black Caucus, Chairman CLEAVER, for continuing to beat the drum for justice. This past week, we lost a tireless advocate for justice, equality and opportunity, and I am deeply saddened by the passing of my friend and activist, John Payton.

John was a civil rights attorney and served as the president of the NAACP's Legal Defense and Educational Fund and was lead counsel for the University of Michigan in the 2003 landmark case concerning diversity in higher education. John was a California native, yet his legal victories touched those around the globe. At the center of his conviction was the belief that democracy at its core requires that all of the people be included in "we the people."

His life was really a testimony to this belief. He was the past president of the District of Columbia Bar Association and served in leadership roles with a number of civil and human rights organizations, including the National Lawyers Committee for Civil Rights under Law and the Free South Africa

Movement, and I was very privileged to be with John last year and his wife, my friend, Gay McDougall, in Geneva, Switzerland, as we worked through and I chaired a committee for the U.N. on minority political participation.

John will be deeply missed by so many. My thoughts and my prayers are with his wife, Gay McDougall, and all of his family and his friends. And as we remember John and the progress that we have made with his leadership, we know that the work for justice is far from over. The recent events in Florida are really a grim reminder of the long road ahead.

On February 26, 2012, Trayvon Martin, a 17-year-old African American youth, was tragically gunned down while walking home from a local 7 Eleven store. The gunman, 38-year-old George Zimmerman, was not immediately charged with the murder and was released by the Sanford Police Department.

Sanford Police Chief Bill Lee said that there was not enough evidence to arrest George Zimmerman even though the killer followed the young male in his SUV and confronted the teen before the shooting. More than 40 days later, as a result of the outrage across the country, dedicated reporting from the media, advocacy from community and faith leaders and vocal parents and families and, of course, the facts, which spoke for themselves, the wheels of justice are finally beginning to turn. This is really an unfortunate and tragic defining moment that we must come to grips with. First we must, of course, seek justice for Trayvon and his family, especially in the wake of the circumstances surrounding his killing.

Secondly, we must make certain that this toxic and deadly mix of the power of guns, hate crimes, and racial profiling ends once and for all. Just recently, Bill Cosby said that there is a need to get guns off the street and that people should be taught to use every possible alternative before shooting someone. Yet, of course, there are those who continue to push for vigilante justice. With laws like stand-your-ground, Sanford really could be anywhere. It could be in my own community, and we have many, many of the same challenges as Sanford has.

Racial profiling is real. This young teenager was gunned down, of course, because of how he looked, because of the color of his skin. As the mother of two sons and the proud grandmother of two grandsons, these fears haunted me as I was raising my two sons and continue to haunt me each and every day. The reality is that many black parents live with these fears each and every day.

Again, Sanford could be anywhere. Hate crime must be enforced. Of course, Mr. Zimmerman was fixated and focused on young black males according to neighbors and press reports.

He had been the subject of complaints by neighbors in his gated community for aggressive tactics.

Now, our laws state that you cannot injure or intimidate another based on their race. When these laws are broken, the consequences must be applied appropriately, whether it has been the color of one's skin, their religion, their gender, their disability, national origin or sexual orientation or identity. The sad fact is that too many persons have been the victims of violence, often ending in death simply because of a characteristic of birth. The senseless violence must end. Sanford could be anywhere.

So very many people feel the loss of Trayvon as their own personal loss. While we cannot understand and feel the pain experienced by Trayvon's family, there is universal pain, a national pain; and it is shared far and wide.

We will continue to take up the very critical issues of racial profiling and hate crimes. A recent briefing on these issues successfully raised the level of awareness around the country about the deadly combination of guns, racial profiling, and hate crimes.

Chairman CLEAVER called upon the Department of Justice to investigate the shooting death of Trayvon Martin as a hate crime. On March 19, the Department of Justice launched a full investigation, and, of course, the Congressional Black Caucus is very eager to see this report.

As President Obama said, this is a time of soul searching for our Nation as it comes to grips with this tragedy. This senseless violence must end, and so we all must recommit ourselves to justice, justice for all.

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Mrs. CHRISTENSEN. Thank you, Congresswoman LEE.

You reminded me that I had the honor of traveling with you to Geneva for that U.N. conference that focused on the inequalities and the injustice that exist in far too many areas of the world with respect to voter participation. And as we heard from so many marginalized communities in different countries, it was really sad that when it came for my time to speak, I spoke from the experience of the United States and the lack of voter participation; the lack of full representation of the District of Columbia, the capital of the United States; and the inability of the people of the Territories to vote for the President, our Commander-in-Chief.

Ms. LEE of California. That's right. I just want to respond if you will yield for just a minute.

It was really a very important moment, I think, and we were, again, with our great fallen hero, John Payton, when we had this discussion about the disenfranchisement of individuals, the entire population of the District of Co-

lumbia. He was totally dedicated to voting rights for the District of Columbia. And I'm so pleased that Congresswoman ELEANOR HOLMES NORTON is continuing to fight the good fight and has made sure that all of us do not forget that we live here during the week and that we also have a real commitment to ensure that there are full voting rights for the residents of the District of Columbia. They pay taxes. They have the full responsibilities and duties of American citizens, and they should be able to vote. And John Payton stood for that throughout his life.

Mrs. CHRISTENSEN. Thank you for adding that.

Before I yield to the Congresswoman from the District of Columbia, I would like to yield such time as she might consume to the gentlelady from Texas, also a very strong voice for justice and equality in this country, not just in her own district, but for Americans and for people across the world, the Congresswoman from Houston, Texas, Congresswoman SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. Let me thank the gentlelady again for her leadership—I like to call her Dr. CHRISTENSEN—and for, as my colleague from California indicated, for allowing us to have a vote on a regular basis on behalf of all of America, my constituency, and certainly on behalf of the Congressional Black Caucus, of which I'll never step away from its definition as the conscience of this Congress, but the conscience of America.

I want to thank my colleague, the Honorable BARBARA LEE, who knows what justice and fighting for freedom is all about. I'm reminded of the very unique history of Oakland, California, and I think of the movement of justice through the Black Panthers of early years, who did many things; but I remember them for their early breakfasts and nutrition programs, and I call that justice. Let me just thank her for her leadership on this and on many other issues.

To my colleague from the District of Columbia, the Honorable ELEANOR HOLMES NORTON, let me thank her as well. Let me indicate that this is Emancipation Day. As I understand, there's a big parade. And President Lincoln, just a few steps away from us, signed the freeing of the slaves in Washington, D.C. You don't know the history of the District of Columbia until you hear it from ELEANOR HOLMES NORTON, and I thank her very much. And I know of her friendship and closeness to John Payton.

One of my dear friends and former Federal judges that I know ELEANOR HOLMES NORTON knows, Judge Gabrielle McDonald, likewise came to a similar history. We have talked. I was an Earl Warren legal scholar. And so I know the journey that so many have traveled.

So this is a personal statement as I rise to salute John Payton and also acknowledge his wife, Gay McDougall. And I want to say this on behalf of my husband, Dr. Elwyn C. Lee, a graduate of Yale Law School and who knew Gay very well, and I knew her. What a perfect match and a family of justice fighters, of human rights fighters, of individuals who could be as eloquent on the question of HIV/AIDS, international plagues and devastation that impacts so many vulnerable communities, here they are discussing the worldwide siege of AIDS upon individuals but, likewise, can come home and march along the road of justice here in the United States of America.

I learned in law school that the law—and I know that Congresswoman HOLMES NORTON still teaches—I know the law is a jealous mistress. I would say to you that I found that out. Obviously, I'm now in the United States Congress. But I love the law. I love the purpose and value of lawyers. And I encourage young lawyers that if they want to read a story of sacrifice and someone who epitomizes that it's a jealous mistress, read the history of John Adolphus Payton, born in 1946 and passed this past March 22 in Baltimore, Maryland. He, obviously, is from California, but with a law degree from Harvard Law School. That means that the world was his oyster, and it was open to any manner of choice that he could have made in his lifetime. He was a Federal clerk, but he managed to start his life at WilmerHale, which used to be, I believe, Wilmer Cutler & Pickering, which is where my husband practiced law here in D.C. for a number of years.

What I like most of all is that his reach was so far on the Independent Electoral Commission in South Africa, again, looking for justice. President of the District of Columbia Bar, but he found his way to his calling. He found his way to answer the opportunities that he was given.

Being a 1977 graduate of Harvard Law School, he stood on the shoulders of Thurgood Marshall, a graduate of Howard Law School. He stood on the shoulders of the giants that graduated from law school in Arkansas and the other giants that graduated from Howard, and I think he found his comfort level at the NAACP Legal Defense Fund, becoming the sixth president.

My classmate, Elaine Jones, served in that capacity for a very long time, graduating from the University of Virginia Law School. Today, in the wonderful tributes, she was part of that wonderful memorial service that was held here in Washington, D.C., along with a number of other giants.

Let me just say to you that when we think of justice, we have a combination, from the civil rights leaders to the fallen; Dr. King on the balcony in Memphis, Tennessee. But do we know

all the lawyers that were part of the matrix of justice, from Thurgood, who held the hand of Dr. King and a number of civil rights leaders, one after another, some of our giant lawyers down in Alabama and Mississippi who were there to bond them out, to petition their case.

In the likes of those, John Payton became an unselfish fighter for justice, from his, what I call, victory of *Richmond v. Croson*, in a 5-4 decision—it was a victory—where he attempted to maintain the affirmative action plan that established just a simple process of assisting businesses to receive opportunities. I want you to know today that because of lawsuits like that, we are suffering in cities all around America because there were those who believed that just a smidgeon of opportunity was too much.

Right in my own city of Houston, under the General Services Administration that I hope will be cleaned up—and I know there are good people there—we have Gilbane, a major company, using stimulus dollars and having no concern about the in-depth minority participation of small businesses—the GSA hopeless and helpless at being able to do anything—and having a nondiverse workforce. Gilbane. Let the number go out as an example of what John Payton was fighting against.

Then, of course, his valiant fight in 2003 at the University of Michigan, the affirmative action case that is maintained today as he defended the school's use of race as their admission processes—again, not using it destructively. That is, I think, one of the arguments that is not a legal argument, but he found a way to justify—the trial court of appeals and the U.S. Supreme Court defending undergraduate school's use of race in their admissions processes and the loss in the United States Supreme Court by 6-3—but in any event, maintaining the fight and taking cases that were not popular.

John, thank you. Thank you, Gay, for sharing him.

And then a 2009 case, *Northwest Austin Municipal Utility District Number One v. Holder*. The municipal district in Austin, my State, challenged the validity of section 5 of the Voting Rights Act. Payton assisted in the arguments, leading to the Supreme Court's 8-1 decision upholding section 5.

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He was our firewall. On the question of section 2 and section 5, he was the holder of the truth, the arbiter, the outside partner to the Department of Justice that wanted and needed to do right.

Finally, the local attorney for the plaintiff in 2010, *Lewis v. City of Chicago*, in which a group of African Americans seeking to be firefighters contended that they had properly filed

a charge of discrimination. It is my understanding that that case has moved along and that John prevailed so that truth would be the call of the day. It is important to hold him up as the man of armor who is nonviolent. And he held as his victory call the Constitution and the laws that were passed to help the unempowered.

I've always said that the Voting Rights Act is not the black Voting Rights Act or the Hispanic Voting Rights Act. It is the Voting Rights Act to have one vote, one person for every single American. My hat goes off to John Payton, and I salute him as a soldier on the battlefield for justice, for what is right, never wavering with his quiet demeanor, and for his strength in the courthouse.

I ask the NAACP Legal Defense Fund to stay the course. I ask you to never whimper and never weaken. And I say to you that your soldier is going on to be a general in the justice cause in a place beyond. I beg of you to carry forward.

Let me just read these citations that were in honor of him, just very briefly, from a statement from the LDF, where they spoke about the city of Chicago, the *Lewis* case, which vindicated the rights of over 6,000 applicants. As I indicated, that case prevailed. They called him fearless, a guiding light, a brilliant advocate, a mentor and a teacher who believed that American democracy thrives when it embraces all of our voices. Thank you to the Legal Defense Fund. And then, from one of the major law firms, partner Walter Dellinger had this to say:

John Payton was a towering figure. He was just flat-out brilliant and combined that intellectual power with a deep and empathetic commitment to justice. Everyone who knew John will remember forever his infectious good spirit and uninhibited laugh. Every encounter with John was a learning experience.

Let me close on this note because I know that John would have been in the midst of discussing this travesty of justice as relates to Trayvon Martin. Trayvon obviously was a symbol of the injustice of this Nation when police and a State prosecutor became judge and jury. I don't want to interfere with the process of justice. Mr. Zimmerman is arrested. But let us not rest on our laurels because we pushed for the arrest that should have been. We know that there will be a rocky road proceeding toward holding Mr. Zimmerman accountable.

More importantly, let me make it very clear on the floor of the House that every mode of justice that is needed for a fair trial I support. If it is to remove the judge, as the defense has asked for, let that be considered in an unbiased manner. If by chance the prosecution asks for a change of venue because this jury pool in this region will be tainted, then so be it.

But what we must also say—and let me be very clear—I, as a Democrat, and

I hope my friends on the other side, are not afraid of dealing with gun violence and the overuse of guns in America, as responsible legislators should be. And so to my good friend, Bill Cosby, let me say to you that the call has been answered many times. There are many bills dealing with gun violence. There are many bills to rein in the reckless use of guns, the use of the assault weapons, the issue of individuals not being checked at gun shows and the gun show loophole. It only takes responsible leadership to move it forward. And I salute the Brady Center that will be with us in Washington tomorrow for recognizing that there are people who are willing to take a stand—not against your Second Amendment rights. God bless you for those rights. You have those rights. I celebrate those rights.

But I cannot celebrate the fact that a man that was on the Neighborhood Watch, which is the eyes and ears, was walking around with a 9-millimeter and shot dead an unarmed, helpless 17-year-old boy and snuffed his life out because we refused to address the question of everyone being able to carry a gun, whether trained or not. Mr. Zimmerman was not a police officer and should not have acted as if he was the law, the judge, and the jury.

So to my good friends on the floor who will come up after me, let me just end my note by saying to John Payton, in instances like Trayvon, I know that your voice would have been heard on the civil rights of the question, but your voice had been heard through places where many of us were not there and did not know. And so I agree, and salute the words that were offered in tribute to you by so many of your colleagues, certainly these last words that indicate that you were, in fact, fearless; you were, in fact, a guiding light; you were, in fact, a brilliant advocate, mentor, and teacher; you were, in fact, an eagle with wings who stood widespread over America, and when there was a doubt about justice, you led the troops of the NAACP in a nonviolent, Constitutional law-saturated effort to ensure that justice would be done.

May God rest your soul for a job well done, good and faithful servant, and may your family and Gay know how much we loved you and appreciated the war that you waged for justice.

Mr. Speaker, I rise today to speak about justice in America.

Thank you Congresswoman CHRISTENSEN, and my other CBC colleagues. I appreciate your leadership in convening this Special Order on Justice, Trayvon Martin, and our good friend John Payton of the NAACP Legal Defense Fund.

How ironic that in the span of a couple of months in a historic election year, we lose one of our precious youths to a senseless and irresponsible act of injustice; while at the same time, a man who in the tradition of the late, great Justice Thurgood Marshall, dedicated his

life to paving the long, winding road of justice so that the Trayvon Martins of the world could live life, go to school, and travel Westward and Eastward, as they pleased.

That did not happen in Trayvon's case, and that is why I believe these issues of justice are of the utmost importance. It is necessary to figure out the best possible way for this Congress to be involved in addressing racial profiling and hate crimes.

Before we begin I wish to offer my deepest condolences to the family of Trayvon Martin. I was pleased that the Department of Justice (DOJ) and the Federal Bureau of Investigations (FBI) have begun to investigate the circumstances surrounding the tragic death of Trayvon.

And as most of us are surely aware, there was finally an arrest in the case last week of the man with the gun, who shot the boy, which will get the wheels of justice to start turning.

I hosted a rally in Trayvon's honor in Houston, TX and just returned from another rally in Miami held several weeks ago. There were hundreds of men, women and children all asking for justice. "I am Trayvon Martin" and "We are all Trayvon Martin." This case has captured the nation's and indeed the world's attention, as many folks around the world ask what's going on in the United States, the nation which touts liberty and justice on its coins, dollars, and in our engagements with those in the international community.

John Payton, the sixth Director-Counsel and President of the NAACP Legal Defense and Educational Fund, left us late last month, at the age of sixty-five. But his legacy did not leave.

John Payton was one of the most formidable advocates of his generation, and he litigated and argued some of the most important civil rights cases of his time.

In a legal career that spanned private practice, government service, and public interest law. He led the litigation department of the venerable Wilmer, Cutler & Pickering law firm, served as corporation counsel for the District of Columbia, and until the very end, led the NAACP Legal Defense Fund.

A true warrior for justice, John litigated cases before the Supreme Court, such as, *NAACP v. Claiborne Hardware*, in which he won a decision in the U.S. Supreme Court overturning a monetary judgment against the organization under Mississippi's secondary boycott law;

City of Richmond v. J.A. Croson Co., in which he ably, albeit unsuccessfully, defended a minority contracting municipal ordinance; and perhaps most notably, two cases in which he defended the University of Michigan's pursuit of diversity in admissions,

Gratz v. Bollinger, and *Grutter v. Bollinger*. Most recently, in 2010, John successfully argued and won *Williams v. City of Chicago*, an employment discrimination case against the city's fire department. Under his leadership LDF won five Supreme Court cases, including a successful defense of the recently extended Voting Rights Act.

I had the privilege of knowing John Payton for many years. It is said that success has many parents, while failure is an orphan. There were many who were responsible for the 2003 landmark affirmative action cases

that saved diversity in higher education, thereby keeping the doors open to selective colleges, universities, graduate and professional schools. John litigated both cases in the trial courts, in the court of appeals, and in the Supreme Court. He argued *Gratz*, and his work was essential to the victory in *Grutter*.

John's was a passionate voice for racial and social justice. But even in the toughest cases—in which the odds were stacked against his side particularly in the current Supreme Court—John's work and his voice were no less forceful, excellent, and passionate.

When the Supreme Court struck down *Richmond, Virginia's* minority contracting program in *City of Richmond v. Croson* by a narrow 5–4 vote, it was in spite of the Herculean effort put in by John Payton and his staff.

It is important to recall that the U.S. Supreme Court has narrowly approved of congressionally mandated racial preferences to allocate the benefits of contracts on federally sponsored public works projects, while generally condemning similar actions taken by state and local entities to promote public contracting opportunities for minority entrepreneurs, which came about because of years and years of de facto and de jure discrimination; some of it documented, but certainly much of it not. Bad actors usually do not leave their scripts lying around.

Disputes prior to *City of Richmond v. J.A. Croson* generated divergent views as to whether state affirmative action measures for the benefit of racial minorities were subject to the same "strict scrutiny" as applied to "invidious" racial discrimination under the Equal Protection Clause, an "intermediate" standard resembling the test for gender-based classifications, or simple rationality.

In *Croson*, a 5 to 4 majority resolved that while "race-conscious" remedies could be legislated in response to proven past discrimination by the affected governmental entities, "racial balancing" untailored to "specific" and "identified" evidence of minority exclusion was impermissible.

John had done the best that could be done, and a Supreme Court increasingly hostile to programs and efforts specifically designed to include African Americans and others who had been historically excluded from opportunity was on its way to becoming a forum in which they were unlikely to win.

Yet John, in the aftermath of *Croson*, tirelessly traveled the Country, meeting with attorneys in the public and private sectors in an effort to properly craft contracting programs and to ameliorate the effects of the decision. John did not accept defeat. He simply went back to work.

HATE CRIMES

We stand here on this House Floor to discuss the role our federal government plays in hate crimes enforcement. Hate crimes are real. The loss of life and the impact these types of crimes have on our country, our community, on a family, and on the individual is something that we should never tolerate.

We are here today to shine a spot light on the tensions and issues which arise from these types of crimes. We are here today to ensure that those who act with hatred in their hearts to harm another based upon their race, sexual orientation, gender, disability, ethnicity/

nation origin or religion will be brought to justice.

The term "hate crime" was coined in the early 1980s but the motivations behind that term are centuries old. "Hate crime" is not a distinct federal offense; however, the Department of Justice does investigate and prosecute crimes of bias as civil rights violations, which fall under its jurisdiction.

The actions by the Department of Justice are meant to buttress efforts by state and local authorities, which handle the vast majority of hate crime cases.

The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act provides funding and technical assistance to state, local, and tribal jurisdictions to help them to more effectively investigate, prosecute, and prevent hate crimes.

Today, headlines across the country are reporting the tragic story of Trayvon Martin. Nearly a month ago, Trayvon woke up on a sunny Florida morning filled with life. He was the typical American teenager, who was spending time with his family and friends. By the end of the day he would be laying alone on a cold sidewalk in a pool of his own blood. Trayvon could not have known that morning that he would be shot by a man who accused him of walking "suspiciously."

Trayvon was not climbing out of a window, kicking a front door, or picking a lock. He was walking on the sidewalk, talking on the phone with his girlfriend. The man who killed him was not arrested, which means that Mr. Zimmerman was not given a drug test and he was not fingerprinted.

The on-scene investigator literally had to take Mr. Zimmerman at his word that he shot Trayvon Martin in self defense. By reported accounts the on-scene investigator wanted to arrest Mr. Zimmerman and was told not to . . . a trained law enforcement officer was suspicious of Mr. Zimmerman's claims. He wanted to do what law enforcement officers are trained to do . . . arrest the suspect and determine the truth of the assertion made.

I called for Mr. Zimmerman's arrest and again am pleased that at least Trayvon's family has an opportunity to have some justice.

We need to get to the bottom of this. Again, I hosted a rally in Houston supporting the Trayvon Martin family's call for justice. I attended another rally in Miami. I have spoken on the floor. And I am working diligently to ensure that people like Trayvon, who can no longer speak for themselves, have an advocate.

Mr. Zimmerman should be judged by his peers. That is why we have a justice system. I wish to remind everyone here today of other hate crimes . . . lives that should not have been lost and lives that cannot be replaced; however, the families of these victims fought for an attained justice.

It is my fervent hope that Trayvon's family can one day say they received justice. I commend his parents for their strength. I can not attest to the guilt of Mr. Zimmerman, we have a justice system which calls for innocence until proven guilty. I call for the wheels of justice to begin to churn.

JAMES ANDERSON

On June 26, 2011 in Jackson, Mississippi, 49-year-old James Anderson, a black man,

was killed in what initially appeared to be a hit-and-run accident. However, surveillance footage which captured the crime on film recently revealed that Anderson was brutally beaten by a group of white teens, and run over by a Ford F-250 pickup truck in the midst of an alleged racially motivated hate crime. It is of great concern that in 2011, in a time when our country's race relations and tolerance have so greatly progressed, that such hatred based purely upon race still exists.

Of even greater concern is the way in which this case was being handled. Of the group of seven teens involved in the brutal attack, only two have received any charges as a result of the incident; 19-year-old Deryl Dedmond, the driver of the truck who intentionally ran Anderson over has been charged with murder, and John Aaron Rice, one of the teens involved in the beating, has been charged with simple assault. Given that this appears to have been a hate motivated crime, attention should be paid to the intent of the other teens involved in the attack.

The driver was convicted and sentenced to two consecutive life sentences. He would have received the death penalty, however, the Anderson family does not believe in the death penalty and requested that his life be spared. What began as a hate crime has evolved into a family expressing a level of compassion that their loved one should have received. I was unnerved by the possibility that some of the parties involved who may have had similar motivations as those charged, were allowed to roam freely without taking on any responsibility. I was pleased by the recent announcement that the Department of Justice has charged three related defendants with federal hate crimes.

We must always remember that hate crimes involve the purposeful selection of victims for violence and intimidation based upon their perceived attributes. Such targeting for violence removes these actions from the protected area of free expression of belief and speech as enshrined in the First Amendment to the United States Constitution. The crimes are investigated and prosecuted at both the Federal and State and local level, depending upon the facts of the case and the needs of the investigation. A young African American teenage boy was shot to death on the street by an adult male who felt that he was walking "suspiciously" and who may have uttered a racial slur. This must be investigated.

In 2008, law enforcement agencies voluntarily reported 6,598 single-bias hate crime incidents (involving 7,775 offenses, 8,322 victims, and 6,219 known offenders) to the FBI. Almost half (48.5 percent) were racially motivated and 19.7 percent were motivated by religious bias. Bias against sexual orientation and ethnicity or national origin accounted for another 18.5 percent and 11.8 percent, respectively.

Only 44 percent of hate crimes are reported to the police.

More than 80 percent of hate crimes were associated with violent crimes—a rape or other sexual assault, robbery, or assault.

Between 2000 and 2003, an annual average of 191,000 hate crime incidents were reported by victims.

An estimated 3 percent of all violent crimes were perceived to be hate crimes by the victims.

Nearly 50 percent of hate crimes in 2009 were motivated by race.

Of the 6,604 hate crime incidents reported to police in 2009, 1,700 involved intimidation.

HATE CRIMES TEXAS

Texas' violent history dates to the late 19th century when it was among the South's most lynch-prone states. At least 355 people, most of them blacks, died in Texas mob violence between 1889 and 1918.

Laws outlawing mob and less lethal hate crimes have since been passed, but incidents with possible racial components have continued to occur—even in Jasper, a city with a black mayor and a population that is 45 percent African-American.

In Texas, Austin came in fourth among cities in the number of hate crimes reported in 2006, according to an FBI compilation that canvassed agencies representing 85% of the nation's population. Documented are 7,722 criminal incidents involving 9,080 offenses resulting from bias against race, religion, sexual orientation, ethnicity/national origin, or physical or mental disability. Of 5,449 "crimes against persons," intimidation accounted for 46% of hate crimes, simple assault 32%, and aggravated assault 21.6%. Three murders and six rapes were reported. The report lists offenders as 58.6% white, 20.6% black, 12.9% race unknown, and the rest as other races.

JAMES BYRD

Let me remind you of James Byrd. On June 7, 1998, Byrd, 49, accepted a ride from three men named Shawn Allen Berry, Lawrence Russell Brewer, and John William King. He had already known one of them. Instead of taking him home, the three men beat Byrd behind a convenience store, chained him by the ankles to their pickup truck, stripped the man naked, and dragged him for three miles. Although Lawrence Russell Brewer said that Byrd's throat had been slashed before he was dragged, forensic evidence suggests that Byrd had been attempting to keep his head up, and an autopsy suggested that Byrd was alive for much of the dragging and died after his right arm and head were severed when his body hit a culvert. His body had caught a sewage drain on the side of the road resulting in Byrd's decapitation.

King, Berry, and Brewer dumped their victim's mutilated remains in the town's black cemetery, and then went to a barbecue. A wrench inscribed with "Berry" was found within the area along with a lighter that had "Possum" written on it, which was King's prison nickname.

The next morning, Byrd's limbs were scattered across a very little-used road. The police found 75 places littered with Byrd's remains. State law enforcement officials along with Jasper's District Attorney Guy James Gray and Assistant Pat Hardy determined that since King and Brewer were well-known white supremacists, the murder was a hate crime, and decided to bring in the FBI less than 24 hours after the discovery of Byrd's remains. One of Byrd's murderers, John King, had a tattoo depicting a black man hanging from a tree, and other tattoos such as Nazi symbols, the words "Aryan Pride," and the patch for the Confed-

erate Knights of America, a gang of white supremacist inmates. In a jailhouse letter to Brewer which was intercepted by jail officials, King expressed pride in the crime and said he realized he might have to die for committing it. "Regardless of the outcome of this, we have made history. Death before dishonor. Sieg Heil!", King wrote.

An officer investigating the case also testified that witnesses said King referenced The Turner Diaries after beating Byrd. Brewer and King were sentenced to death. Berry received life in prison.

John King—accused of beating Byrd with a bat and then dragging him behind a truck until he died. King had previously claimed to have been gang-raped in prison by black prisoners and, although he had no previous record of racism, had joined a white-supremacist prison gang, allegedly for self-protection. The testimony phase of his trial started in Jasper, Texas on February 16, 1999. He was found guilty of kidnapping and murder on February 23 and was sentenced to death on February 25.

Lawrence Russell Brewer—another white supremacist convicted of murdering Byrd. Prior to the Byrd murder, Brewer had served a prison sentence for drug possession and burglary, and he was paroled in 1991. After violating the parole in 1994, he was sent back to prison. According to his court testimony, he joined a white supremacist gang with King in order to safeguard himself from other prisoners. A state psychiatrist testified that Brewer did not appear repentant for his crimes. In the end, Brewer was also sentenced to death.

Shawn Allen Berry—the driver of the truck, Berry was the most difficult to convict of the three defendants because there was a lack of evidence to suggest that he himself was a racist. He had also claimed that his two companions were entirely responsible for the crime. Brewer testified that it was Berry who cut Byrd's throat before he was tied to the truck, but the jury decided that there was little evidence to indicate this. As a result, Berry was spared the death penalty and given a life sentence in prison.

MATTHEW SHEPARD

Matthew Wayne Shepard was a student at the University of Wyoming who was tortured and subsequently murdered near Laramie, Wyoming. He was attacked on the night of October 6–October 7, 1998 and died at Poudre Valley Hospital in Colorado, on October 12, from severe head injuries.

During the trial, witnesses stated that Shepard was targeted because he was gay. His murder brought national as well as international attention to the issue of hate crime legislation at the state and federal levels.

Russell Arthur Henderson pleaded guilty to felony murder and kidnapping, allowing him to avoid the death penalty. Aaron James McKinney was convicted of felony murder and kidnapping. Henderson is currently serving two consecutive life sentences and McKinney is serving the same but without the possibility of parole.

Matthew Shepard, oldest son of Dennis Shepard and Judy Shepard, was born in Casper, Wyoming, on December 1, 1976. Shortly after midnight on October 7, 1998, 21-year-old Shepard met McKinney and Henderson in a

bar. McKinney and Henderson offered Shepard a ride in their car. Subsequently, Shepard was robbed, pistol whipped, tortured, tied to a fence in a remote, rural area, and left to die. McKinney and Henderson also found out his address and intended to rob his home. Still tied to the fence, Shepard was discovered eighteen hours later by Aaron Kreifels, who at first thought that Shepard was a scarecrow. At the time of discovery, Shepard was still alive, but in a coma.

Shepard suffered a fracture from the back of his head to the front of his right ear. He had severe brain stem damage, which affected his body's ability to regulate heart rate, body temperature and other vital signs. There were also about a dozen small lacerations around his head, face and neck. His injuries were deemed too severe for doctors to operate. Shepard never regained consciousness and remained on full life support. As he lay in intensive care, candlelight vigils were held by the people of Laramie.

He was pronounced dead at 12:53 a.m. on October 12, 1998 at Poudre Valley Hospital in Fort Collins. Police arrested McKinney and Henderson shortly thereafter, finding the bloody gun as well as the victim's shoes and wallet in their truck.

The two men had attempted to get their girlfriends to provide alibis. In court the defendants used varying rationales to defend their actions. They attempted to use the "gay panic defense", arguing that they were driven to temporary insanity by alleged sexual advances by Shepard. At another point they stated that they had only wanted to rob Shepard and never intended to kill him.

The prosecutor in the case charged that McKinney and Henderson pretended to be gay in order to gain Shepard's trust to rob him. During the trial, Chastity Pasley and Kristen Price (the pair's then-girlfriends) testified under oath that Henderson and McKinney both plotted beforehand to rob a gay man. McKinney and Henderson then went to the Fireside Lounge and selected Shepard as their target. McKinney alleged that Shepard asked them for a ride home. After befriending him, they took him to a remote area of Laramie where they robbed him, beat him severely (media reports often contained the graphic account of the pistol whipping and his smashed skull), and tied him to a fence with a rope from McKinney's truck. Shepard begged for his life. Both girlfriends also testified that neither McKinney nor Henderson was under the influence of drugs at the time. The beating was so severe that the only areas on Shepard's face that were not covered in blood were those where his tears had washed the blood stains away.

Henderson pleaded guilty on April 5, 1999, and agreed to testify against McKinney to avoid the death penalty; he received two consecutive life sentences. The jury in McKinney's trial found him guilty of felony murder. As it began to deliberate on the death penalty, Shepard's parents brokered a deal, resulting in McKinney receiving two consecutive life terms without the possibility of parole.

Henderson and McKinney were incarcerated in the Wyoming State Penitentiary in Rawlins but were transferred to other prisons due to overcrowding.

LOYAL GARNER

On Christmas Day 1987, Loyal Garner, a Florien, La., father of six, was arrested for drunken driving. Garner protested that he was sober, and asked for field sobriety and breathalyzer tests, but police took him to the county jail in Hemphill.

Garner asked to be allowed to telephone his wife. Instead, he was taken to the jail detox room and bludgeoned.

In 1990, Hemphill Police Chief Thomas Ladner and two county deputies, Billy Ray Horton and James M. Hyden, were convicted on state murder charges and sentenced to prison.

Horton's conviction was later overturned.

KENNETH SIMPSON

In spring 1988, Kenneth Simpson, a 30-year-old black man arrested for the theft of a fountain pen, died in his Cleveland jail cell after being beaten.

Half the city police force was suspended as a result, but later returned to their jobs after being acquitted. However, Police Chief Harley Lovings remained under public pressure and resigned the following year.

The pen later was found atop a soft drink machine in the police station lobby.

TROY LEE STARLING

In August 1987, Troy Lee Starling, 24, of Mount Enterprise was fatally shot in the neck by a state highway trooper after a high-speed chase in Rusk County.

Though the trooper was cleared by a grand jury, Starling's family filed a civil rights lawsuit against the officer.

Not all incidents involved bloodshed, but still revealed a sordid side of East Texas culture.

Illustrative was the hostility faced by three black families who moved into an all-white public housing project in Vidor in 1994.

The families were part of the third effort to integrate the project. They moved in only after then-Housing and Urban Development Secretary Henry Cisneros allocated \$3 million to upgrade security.

But residents were soon frightened by death threats and the obvious patrols of Ku Klux Klan members through the projects displaying high-powered weapons.

The FBI later investigated alleged Klan death plots against William Hale, director of the Texas Commission on Human Rights, and Attorney General Dan Morales. Hale's group had sued the Klan, accusing it of making threats against those trying to integrate the housing project.

Still, Joe Roy, head of the intelligence project of the Southern Poverty Law Center in Montgomery, Ala., suggested such crimes, though stereotypical of the South, no longer are limited to one region.

"I think this is a stark reminder, this case in Texas, of what can happen in this country," he said. "Education is not the sole answer, but it's one of the cornerstones of correcting it."

The tension between the races is fueled by competition between economically marginal groups, Roy said.

"This episode is a horrendous example of the rage that is out there."

OTHER TEXAS CASES

Vidor, 1994: Civil rights groups sue the Ku Klux Klan, accusing the group of making

threats to stop the integration of an all-white housing project.

Cleveland, 1988: Kenneth Simpson, a black man arrested for stealing an ink pen, dies in his jail cell after struggling with white officers, who are eventually cleared in the death. The police chief resigns under pressure the next year.

Hemphill, 1987: Loyal Garner, a black Louisiana truck driver, is beaten to death in the Sabine County jail. Hemphill's police chief and two county deputies are eventually convicted of murder, although one deputy's conviction is overturned.

Mount Enterprise, 1987: Troy Lee Starling, a 24-year-old black man, is fatally shot in the neck by a state trooper after a high-speed chase in Rusk County. The trooper is cleared but Starling's family files a civil rights suit.

In December 2005, Chris McKee was beaten by two men. McKee, who is gay, said his assailants had followed him after seeing him kiss another man, and anti-gay slurs were audible on a 911 call he made. His assailants were prosecuted under the State hate crimes legislation but they were acquitted.

In May 2006, Joshua Aaron Abbot, now 23, was acquitted in the 2005 death of 40-year-old David Wayne Morrison, a gay Denton resident who was HIV-positive. Abbott stabbed Morrison more than 20 times in the face, neck and chest with a pocketknife.

Abbott, who is straight, had gone to Morrison's residence for unknown reasons, and the pair ended up alone in Morrison's bedroom. At trial, Abbot claimed Morrison tried to rape him, and the jury ruled the defendant acted in self-defense. The prosecutors failed to prosecute the case as a hate crime because it was not clear that Morrison's sexual orientation was the sole motivating factor. However, the prosecutor admitted that Morrison's sexual orientation and HIV-positive status were key.

Since Texas State hate crimes legislation was passed in 2001, there have been few convictions. In 2007, there were only eight convictions.

These cases provide stark evidence that these hate crimes are still perpetrated.

TRAYVON MARTIN FACTS

In fact, Trayvon Martin was killed on Saturday, February 26, 2012, as he walked through a gated community in Sanford, returning from a convenience store, where he had purchased a bag of candy and a can of iced tea.

Mr. Zimmerman, a self appointed neighborhood watch volunteer, saw Trayvon while driving down the street and then called police, describing Trayvon as a "suspicious" person. I believe that a message should not be sent that needlessly gunning down a small unarmed black teenage boy on a sidewalk is ever acceptable.

Mr. Zimmerman was told by police to remain in his car. He had reported 50 other incidents to police which included previous calls about "suspicious" people walking. Trayvon's only crime was walking in a neighborhood that Mr. Zimmerman felt that he did not belong, was out of place, was "suspicious."

According to the Sanford police Mr. Zimmerman has not been arrested because he claims self-defense. To date Mr. Zimmerman shot and killed an unarmed boy one month ago and has yet to be charged with a crime or arrested. He was, once again, shot by a self appointed Neighborhood Watch volunteer.

NEIGHBORHOOD WATCH PROGRAM

I have a statement from the National Sheriffs Association (NSA) which founded the Neighborhood Watch Program. According to the NSA, a Neighborhood Watch Program from Sanford has never been registered. I have authored a bill that would require anyone who wishes to participate in Neighborhood Watch Programs to get the right training. Neighbors are the ears and eyes of our Neighborhoods. The program is not at issue, it is ensuring that everyone who participates in the program is aware that they are only the eyes and ears. The police should be informed of suspicious activity and address the situation.

I PRESENT TO YOU THIS IMAGE

I will present to you this image. A young teenager walks to the store to purchase a snack. He is having a light conversation with a friend on his cell phone. He walks slowly without a care in the world. He is a perfect example of the typical American teenager.

As he returns to a friend's home he realizes that he is being followed by a strange man in a car. The teenager begins to walk faster hoping the car would stop following him. Instead, the driver pulls over. The driver, a complete stranger, exits his vehicle, approaches the teen and proceeds to address him.

The driver is not a law enforcement officer, he is an absolute stranger. The teenager screams when he sees this man has a gun. The teen armed only with the snacks from the store reacts.

The man shoots the teenager square in the chest . . . not the arm or the leg. It is a fatal shot. The stranger who shot a boy that he pursued then claims self defense and is free to continue his daily routine. I ask you simply this . . . is it more probable that a grown man armed with a 9 mm gun that has stalked then approached a child would be screaming for help or an unarmed teenager being followed by a stranger. This simply does not add up. It is moments like this that captures the public outrage.

The most disturbing facet to his case is that Mr. Zimmerman was instructed to remain in his car by police. He knew the police were on their way. He was told to stop following this 17 year old. But he chose to continue to follow Trayvon. He chose to exit his vehicle armed, and he chose to confront the teen for of all things . . . walking. And he's claiming "self defense" . . . Please!

Mr. Zimmerman shot this unarmed child in the chest, killing him, as neighbors frantically called 911. Everyone else who called the police remained in their homes awaiting the arrival of the police. Everyone except for Mr. Zimmerman and even so . . . he can still claim self defense and still remain free.

STAND YOUR GROUND—FLORIDA LAW

The lawmakers in Florida may not have realized seven years ago when they passed the "Stand Your Ground" law that it would be used to defend an act that our common sense tells us does not seem just. However, the lawmakers in Florida are now aware of the flaws in this law. This law is just one of 21 such laws around the country and law enforcement, to their credit, have not supported these measures. Yet, is it the law that is the problem or how it is applied.

The "Stand Your Ground" law gives the benefit of the doubt to a person who claims

self-defense, regardless of whether the killing takes place on a street or anywhere outside one's home. In Florida, if people feel they are in imminent danger of being killed or badly injured, they do not have to retreat, even if it would seem reasonable to do so. They have the right to "stand their ground" and protect themselves. This could result in a blanket immunity for those who claim self defense. This is disturbing.

I call for justice. I call for justice for all of those who have been victims of hate crimes or racial profiling. I will continue to work with my Colleagues in Congress to stop these types of incidents. This should never happen to another family. That is why we convene here tonight on this House Floor—in the name of Justice.

Again I offer my sympathy for the loss of a handsome young man who to be clear was never in trouble with the law, was not a drug user, and was well liked by his peers.

I also offer condolences to the family of John Payton. John Payton's advocacy on behalf of the poor, the disenfranchised, and the excluded reached beyond the United States. He worked against apartheid in South Africa, and traveled around the world in support of human rights. His marriage to Gay McDougall, one of the leading human rights lawyers and advocates across the globe, has been one of the great "power couple" relationships.

We have not finished the journey of justice. The road that leads to the temple of freedom, justice, and righteousness is paved but fraught with danger and life-altering detours.

I close by saying that we can achieve new heights on the great mountain of justice by endeavoring to communicate, tolerate, and work and live with each other in peace and harmony.

Mrs. CHRISTENSEN. Thank you, Congresswoman LEE, for that very strong and impassioned and very well-deserved tribute to John Payton this evening. And as I yield to the gentlelady from the District of Columbia, let me, on behalf of the people of the Virgin Islands who celebrate emancipation on July 3, wish the residents of the District of Columbia happy Emancipation Day.

Ms. NORTON. Well, I thank the gentlelady for yielding. I did not know of the Emancipation Day of the Virgin Islands. I reciprocate and want to know more about the Virgin Islands' Emancipation Day. I want to thank the gentlelady from the Virgin Islands who handles these Special Orders for the Congressional Black Caucus on the floor, for the time and effort you have given this evening.

I want to thank my colleagues who have come down so far for this hour. You've just heard from my good friend, the Congresswoman from Texas (Ms. JACKSON LEE). I thank her for her remarks, and I thank her, as well, for mentioning Emancipation Day here in the District of Columbia, where thousands of residents marched down Pennsylvania Avenue today to claim the rights that every constituent of every Member who pays taxes in the United

States already enjoys. I know that I speak for the District when I thank all of you.

And when I say that John Payton was a very, very devoted Washingtonian who would have particularly appreciated Emancipation Day today, I thank Congresswoman BARBARA LEE, whose words always are important to hear as she probes the issues of the hour, and especially what she had to say tonight about John Payton. My condolences, first, to my good friend, Gay McDougall, John's wife, and to his siblings and his family. A memorial service was held today, so it's fitting that we should be able to get this hour to say a few words in tribute. I would like to devote my words to both the man and the lawyer. John was my constituent and my friend. It's important to get a feel for the man.

If I may inquire how much time we have remaining in this hour?

The SPEAKER pro tempore. The gentlewoman from the Virgin Islands has 32 minutes remaining.

Ms. NORTON. Mr. Speaker, there have been only six leaders of the NAACP Legal Defense Fund since Thurgood Marshall first went on the bench. You can imagine what quality of lawyer it takes to fill the role that Thurgood Marshall had at the NAACP Legal Defense and Education Fund.

□ 1950

John Payton was worthy of the role, worthy to become the sixth leader of the Legal Defense Fund.

If one looks at John's professional credentials, you would have thought that's enough of a life for a man, considering particularly that he was an African American who went to college and law school when blacks were only beginning to be admitted to the best colleges and law schools in the country. Before his life was over—much too early—John had been listed on this decade's list of most distinguished lawyers in our country. He had been president of the District of Columbia Bar.

John's life and work, of course, are etched in important Supreme Court cases. However, we, in the District of Columbia, feel especially the loss of John Payton because John Payton was—what was called Corporation Counsel is now called Attorney General of the District of Columbia. He took that post when he was asked by the Mayor to leave private practice in order to become the lead lawyer in the District of Columbia.

To understand John, though, one has to see how this extraordinary man melded his love of the law—including private practice—with the love of his professional life, civil rights. It's clear that John laid down an early marker for what his life would become, that it would be a life dedicated to eliminating racial discrimination.

John went to Pomona College in 1965 when these colleges were just admitting talented African Americans. He

found himself at an elite private college surrounded only by people who were not at all like him—they were like him in many ways, but certainly not from his racial background. There were very few African Americans in his college and in the five colleges in Claremont, California, that group of very fine private colleges. So, John began early, right in college, to lobby the administration to recruit more African American students. And of course he wanted a black studies program because he saw that perhaps one of the reasons that there was so little interest in black students is there was too little appreciation for the role of African Americans in our history, so he lobbied for that too.

He pressed the admissions people to in fact recruit more African Americans. And he lobbied so hard, the college asked him to take the job. So John, after he insisted that more African Americans be recruited, took the job himself and delayed going to law school. That was John Payton.

He went on to Harvard Law School, but he couldn't leave behind his dedication to human rights. He got involved in the very famous—infamous, one might say—school busing controversy in Boston. While he was a law student, he found himself taking affidavits from black students who were injured because of racial violence in Boston.

In law school, he joined the editorial board of the Harvard Civil Rights and Civil Liberties Law Review. You see the theme developing in John's life. Of course, many students have these themes, and we're pleased that they have them when they do, but there's nothing that says you've got to devote your life to any particular cause, and particularly if you're an African American and experiencing the first opportunities to, for example, join private law firms.

John did just that. He went on to practice corporate law here in Washington, D.C. at a prestigious law firm when it was rare for blacks to practice privately at elite law firms. He moved up to head litigation in his law firm. And then he did something that describes how John Payton put together all of the ingredients of the life of a man of the law: he took leave from the law firm to become Corporation Counsel for the District of Columbia. He recognized that he had been taking civil rights cases as a private lawyer pro bono, and, yes, he could come and serve his city as the lead counsel.

He met his wife, an Africa expert, interestingly enough, when he was monitoring elections in South Africa. And that was, as my good friend from Texas has said, a meeting that was made in heaven, perhaps—and she did not say it that way, I say it that way—because it's one of those wonderful marriages which bring together people of like heart and like mind.

John, of course, will be remembered for his work in many ways at the NAACP Legal Defense Fund. For example, John continued to take the Legal Defense Fund along the road it had traveled so well as lead law firm and lead litigator for civil rights in our country; but he recognized that the Legal Defense Fund had already won many of the most important cases and that, therefore, the fund had to stay relevant, stay current. To quote him, when asked about whether he thought the problems of African Americans could be solved through litigation, he said:

I'd say we have a litigation focus, and some of our focus is not litigation. With some things, you want to achieve a solution without filing a lawsuit. You can go to the relevant entities, a school board or mayor, and suggest a solution without having to file a lawsuit.

Here is a man who brought from private practice problem-solving of many varieties, just the man for the Legal Defense Fund in this era.

Of course, John Payton will be remembered for cases of great importance. Sometimes the case needed a lawyer with such a fine technical sense of the law that all of the civil rights, issues revolved around whether you could find a lawyer whose mind was fine enough to tackle such an issue.

Lewis v. City of Chicago was such a case where African American firefighters filed a lawsuit charging discrimination by the city against African American firefighters. The city conceded that it had given an examination which had a disparate effect on minorities in violation of Supreme Court cases, but it argued a statute of limitations issue, that therefore John Payton and his African American plaintiffs could not continue.

It took a lawyer—a lawyer's lawyer—to take that case, argue that statute of limitations issue, go before the Supreme Court and get this Supreme Court to unanimously reverse the lower court, which had found that the statute of limitations voided the case.

Today, one of the core sections of the Voting Rights Act of 1965 is under attack. If that law goes down, we will be set back 50 years. It's the core provision of the Voting Rights Act that requires States which have engaged in intentional voting discrimination in the past to bring all of their voting laws—laws that impact voting rights—so that they can be pre-cleared by the Justice Department before they go into effect.

□ 2000

Northwest Austin Municipal Utility v. Holder was such a case, 8-1 decision upholding section 5.

It is impossible to overemphasize how important John Payton's victory was in sustaining this core provision of the Voting Rights Act. He did it and won a great victory for civil rights.

John Payton also was lead counsel in a case that is still very much dis-

cussed, a case, like a similar case that is going before the Supreme Court this very year. I'm speaking of the University of Michigan case, where the plaintiff sought to eliminate affirmative action in higher education, in both law and undergraduate schools. There was great trepidation that much of the progress that had been made over 25 years would end prematurely.

John handled these cases in the lower courts and argued the cases at the Supreme Court as well. The Court upheld the use of race as a factor, one factor, not the only factor, and affirmative action in higher education was saved.

I also would like to submit for the RECORD a piece written by a colleague and friend of John Payton, Joshua Wyner, W-Y-N-E-R. Joshua Wyner wrote a short piece after John Payton died which details one occasion that summarizes the principled nature of John's life. He was on the board of an organization called Applesseed, which does good works for the District of Columbia.

The District of Columbia had a financial control board during a period when the city was going through a financial crisis. The control board took control of the D.C. Board of Education.

The D.C. Board of Education had a terrible reputation. Its members engaged in infighting in order to keep half-empty schools open, for example, and all agreed the Board had done little for education in the District of Columbia.

Mr. Speaker, how much time is remaining? I want to leave some time for my colleague.

The SPEAKER pro tempore. The gentlewoman from the Virgin Islands has 16 minutes remaining.

Ms. NORTON. Mr. Speaker, the control board reached out to take control of the board of education. It had control of virtually every other arm of the D.C. government.

But John Payton and the board of Applesseed knew that the law which set up the control board gave it no authority to take over the board of education. It was an elected body. What to do?

Applesseed very much opposed the board of education. Yet, the control board had done an illegal act, except nobody knew it but technical lawyers or people who paid attention to the fine letter of the law.

The Applesseed board engaged in the appropriate debate as to whether it should sue the control board for illegal action in taking over the board of education. John Payton cast the deciding vote for the lawsuit, and he did so because, he said, he did not want to be part of an organization that failed to stand for the rule of law.

Note how John Payton handled this dilemma. He knew that the board of education didn't stand by the children. What he did, as a member of the Applesseed board, was to settle the case,

ultimately returning power to the school board, and then went to work restructuring school governance, giving governance to the Mayor and eliminating the board of education.

So you see what John did. He stood for principle on both occasions. He found a principled way to keep the control board from exceeding its authority, illegally, and he found a principled way to eliminate the D.C. school board without using illegal means.

That is the principled life that John Payton lived. That is why he has left a vacuum in this city where he lived and in the law which he loved.

He said he never regretted leaving corporate law. Remember, while he practiced it, he was also doing pro bono cases for civil rights. But he never regretted leaving private practice, he said, because the best possible job for a man like John Payton was the job he had when he died.

John Payton said, on the 70th anniversary of the NAACP Legal Defense and Education Fund, when everybody was joyful, as well they might have been, for there is no organization that has done more for human rights in our country than the NAACP Legal Defense Fund (LDF). While celebrating the LDF John Payton, its president, its director counsel, said, it's a mistake to celebrate too much about things accomplished when we see that some of the progress has been very uneven.

John was a man of great balance. He understood that, as he said, that African Americans had made extraordinary progress in the 70 years since the NAACP Legal Defense Fund was established, but that what had led him to civil rights in the first place continued and must continue to drive us.

The best way that we can remember our friend, his work, and the man himself is to understand that what he would want us to do is to find a way to help complete the work he was about at the end of his life. His inspiration to young lawyers, his inspiration well beyond the law was so significant that I say to my good friend from the Virgin Islands that I believe that we will have no hesitation, we will find no hesitation in the larger community in seeking to do all we can to continue the work that was the center of the life of John Payton.

We celebrate that extraordinary life today. We celebrate a great life in American law. We celebrate a great Washingtonian. We celebrate all that John did and was as a man. We mourn his early passing. We celebrate and are grateful that in the time given to him he accomplished so very much.

[From the Washington Post, Mar. 30, 2012]

JOHN PAYTON'S LIFE OF PRINCIPLE

(By Joshua Wyner)

John Payton, who died March 22, was a great friend not only to our nation but also to the place he called home the District of Columbia. To his local and national work,

John brought an incredible combination of brilliant thought, deep commitment to principle and unswerving dedication to improving the lives of those who most needed help.

Everyone who loves Washington should take a moment to observe this tremendous loss and remember a great man.

I met John in late 1995, when he and the other four members of the original D.C. Applesseed Center board hired me as executive director of the nonprofit, which works to solve pressing problems facing the city. At the end of Applesseed's first full and quite successful year, the organization faced an enormous dilemma—one that could have sent the organization down the wrong path.

The triggering event took place in November 1996, when the congressionally created financial control board took over the District's public school system.

With fiscal management of the city improving, everyone committed to bettering the city knew that ground zero for reform had to be the District of Columbia Public Schools, where few kids received the education they needed to succeed in life. There was no evidence that the D.C. Board—of Education which was better known for fighting to keep open half-empty school buildings in members' wards than for acting to improve curriculum or teaching—could attract, hire or retain a superintendent who could lead needed reforms.

Yet the control board's takeover was almost certainly illegal. The structure of the school board was written into the city charter, which also contains provisions for how the charter itself can be amended. Nothing in the law authorizing the control board allowed it to change the charter.

Applesseed had a choice: Give in to urgency and follow the straightest path to reform or stand for principle and fight an illegal action by an unelected body. After a lengthy debate, the Applesseed board chose—by a single vote—to sue the control board to reverse the takeover. John cast the deciding vote. He knew from his days as D.C. corporation counsel that desperately needed reform almost certainly would not be led by the school board. But he also made emphatically clear that he (I still recall his words) “would not be part of an organization that failed to stand for the rule of law.”

Applesseed filed suit and eventually settled with the control board, which returned power over the school system to the school board. Then Applesseed began a project to properly change the governance of the schools. Our research and advocacy helped pave the way for the enactment of a law—approved by referendum—to fundamentally restructure school governance, including a sunset clause that ultimately led to the mayor's assuming responsibility for DCPS. In the end, our city benefited more than would have been possible had the control board succeeded, because the structural change that took place ultimately led to improvements in student outcomes that have long outlived the control board.

Originally opposed to the lawsuit, I learned a great lesson from John (and his colleague Alan Morrison, who filed the lawsuit): Successful pathways to needed reforms can and must be grounded in principle.

I had the great privilege of working with John in recent months on a project to improve our nation's community colleges, where so many of the African American students that John cared deeply about are trying to gain the skills they need to succeed in life. As with everything else he worked on, he asked (and helped answer) the tough ques-

tions, demanded adherence to principle and pushed toward solutions that would improve the lives of vulnerable Americans.

Our city and nation are much better off for John's time here. His presence will be missed, but it will also endure in the many people whom he showed how to find thoughtful solutions to persistent problems and ground those solutions in principle.

□ 2010

Mrs. CHRISTENSEN. It was wonderful to have you here, a close friend, a close colleague of John Payton's, to give us a more in-depth history not only of his accomplishments but of the man, himself, and we thank you for joining us as yourself a very strong fighter for justice and equality, a legal scholar like John Payton who has also devoted her life, like he did, to justice and equality.

I want to just close by saying a few words myself about John Payton and the work that we still have yet to do.

It was at the retreat of the Congressional Black Caucus Foundation even as we were remembering, eulogizing, and coming to terms with the loss of our chairman and colleague and friend, Don Payne, that we learned of John's passing. It was distressing and disconcerting to think that at this time when we need strong fighters for equality and justice more than ever, that not only Donald Payne, but now John Payton would also be taken away from us. But we are blessed that we have their legacies, the bodies of their work and contributions and that standing on them and their inspiration we can be strengthened to continue the fight that they led so well.

Later than many of my colleagues, I first came to know John Payton personally in 2003 when he was at the firm of what was then Wilmer, Cutler and Pickering, now known as Wilmer Hale. At that time, as you heard, he was the lead counsel for the 2003 University of Michigan affirmative action cases. In the end, the Supreme Court upheld the law school's affirmative action policy in a related case.

But I also came to know John Payton and his wife, Gay McDougall, as you heard at the conference that I attended with Congresswoman BARBARA LEE, a U.N. conference in Geneva, on voter participation which BARBARA was the director of that conference.

But John's work in civil rights, as you heard, began from his undergraduate time at Pomona College and continued when at Harvard Law School he worked with students injured in the race riots-related violence during the Boston school-busing controversy. Many students at the law schools at Harvard, Howard, and Georgetown where he was a visiting professor at various times were fortunate to have the benefit of his experience and his expertise.

He was active in many domestic and international causes. Along with his

wife and international human rights lawyer, Gay McDougall, he was one of the international monitors in South Africa in the very first election in which South African blacks could vote at the time Nelson Mandela was elected President.

The Legal Defense Fund said of him that he was a guiding light, a brilliant advocate, a mentor and a teacher who believed that American democracy thrives when it embraces all of our voices. President Barack Obama called him "a true champion of equality," and said that he helped to protect civil rights in the classroom and at the ballot box.

So as we honor John Payton and his legacy, we recommit ourselves to continue his and our fight for justice.

Last week, I participated in the 2012 National Environmental Justice Conference and training program where administration officials, researchers, and advocates from all over the country convened here in Washington, D.C. It was distressing to hear of the communities in this country which today are suffering health impacts and still in 2012 have to fight to be free of polluting industries and for clean air and water. These persistent environmental injustices cry out for justice.

The case of 17-year-old Trayvon Martin, who was killed by a Neighborhood Watch volunteer as he, Trayvon, walked home, has not only aroused sympathy for the family but justified anger over his senseless killing. It has also revived the long and shameful history of racial profiling in this country and our flagrant and reckless use of guns and the gun culture which so many people promote here. Trayvon's death is tragic in and of itself; but it's sadly a story that has been and continues to be told in countless communities across our Nation. Our children and our families cry out for justice.

The wealth gap continues to widen dangerously in this country. According to the PEW Foundation, the wealth of white families here is 20 times that of African Americans and 18 times that of Latinos. The Health Policy Institute of the Joint Center for Political and Economic Studies has issued several recent reports that showed how poverty, including extreme poverty, and persistent segregation create health, education, economic, and other disparities.

To quote Angus Deaton of Princeton University in a recent paper:

There are grounds to be concerned about the rapid expansion in inequality at the very top of the income distribution in the United States; this is not only an injustice in itself, but it poses a risk of spawning injustices in education, in health and in governance.

The increasing income inequality in this country also cries out for justice. I could go on, but let me just end with health.

Every year there are over 80,000 excess deaths in people of color, deaths

that could and should and must be prevented. Every minority group suffers some health disparity: African Americans and American Indians and Alaskan Natives more than most. Many of these deaths and the countless disproportionate disabilities could be prevented with the continued implementation of the Affordable Care Act.

It is health injustice that Dr. Martin Luther King, Jr., called the most shocking and inhumane. The countless and seemingly endless years of these tragic health iniquities and the millions of people who have suffered because of them also cry out for justice.

It is for ending these and other injustices that John Payton dedicated his life. In an article in the Civil Rights Monitor, he said:

The problems of race and inequality in our country have proven to be enduring and deep-seated in nature. But we must recognize that this is a marathon and not a race if we are to find solutions that work.

We are grateful for the leg of the marathon that he ran and the progress that he made in this race while he was with us.

To his wife, Gay; his sisters, Janette Oliver and Susan Grissom; his brother, Glen Spears; the NAACP Legal Defense Fund; and his many colleagues and friends, I join my CBC colleagues in offering our sincere condolences and those on behalf of the people of the U.S. Virgin Islands.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, equality and justice are the underpinnings of our society. By adhering to the rule of law, we as a society place tremendous trust and faith in our judicial system to do what is righteous and just. The judicial branch of government, as established by the Founding Fathers, is the necessary check on the Executive and Legislative branches. Article III of the Constitution guarantees the right to a fair trial and a jury of one's peers.

Justice is not something to be taken lightly or for granted. The integrity of our justice system is only as good as the people who participate in it.

We must continue to work to uphold the integrity of the judicial system by embedding these guiding principles into the fabric of society for future generations.

With the passing of John Payton, we lost a true civil rights pioneer and someone who fought every day to uphold the rule of law. Mr. Payton was a fierce advocate for equality and justice during a time, not so long ago, when such protections under the law were not enjoyed by all.

Mr. Payton frequently appeared before the U.S. Supreme Court, in passionate battles to win equal rights for minorities. Mr. Payton showed us that there was still much work to be done—and now, millions more Americans can enjoy greater equality and enhanced protection from discrimination as a result of his contributions, in pursuing this ideal.

Mr. Speaker, the United States is still a beacon and a moral compass for the rest of the civilized world.

Not only do the people of this country rely on us for our guidance, but so do the people

around the globe. As we once again find ourselves fighting to advance social progress, we must ensure that we continue to move forward by upholding the integrity of our laws and our judicial system.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDWARDS (at the request of Ms. PELOSI) for today.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today and April 17 on account of family health emergency.

Mr. SCHIFF (at the request of Ms. PELOSI) for today on account of work in the district.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

Mr. JONES (at the request of Mr. CANTOR) for today on account of personal reasons.

ADJOURNMENT

Mr. JOHNSON of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 17, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5522. A letter from the Chief Information Officer, Department of Agriculture, transmitting the Department's final rule — Modification of Interlibrary Loan Fee Schedule (RIN: 0518-AA04) received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5523. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, 2-methyl-, 2-ethylhexyl ester, telomere with 1-dodecanethiol, ethenylbenzene and 2-methyloxiraine polymer with oxirane monoether with 1,2-propanediol mono(2-methyl-2-propenoate), hydrogen 2-sulfobutanedioate, sodium salt, 2, 2'-(1,2-diazenediyl)bis[[2-methylpropanenitrile] initiated; Tolerance Exception [EPA-HQ-OPP-2011-0975; FRL-9339-9] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5524. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acetamidiprid; Pesticide Tolerances [EPA-HQ-OPP-2011-0403; FRL-9340-7] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5525. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 7 officers to wear the authorized insignia of the grade of brigadier general; to the Committee on Armed Services.

5526. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a proposed change to the Fiscal Year 2010 National Guard and Reserve Equipment Appropriation (NGREA) procurement; to the Committee on Armed Services.

5527. A letter from the Acting Under Secretary, Department of Defense, transmitting the annual report on operations of the National Defense Stockpile (NDS) in accordance with section 11(a) of the Strategic and Critical Materials Stockpiling Act as amended (50 U.S.C. 98 et seq.) detailing NDS operations during the Period of October 2010 through September 2011; to the Committee on Armed Services.

5528. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's report on activities under the Secretary's personnel management demonstration project authorities for the Department of Defense Science and Technology Reinvention Laboratories; to the Committee on Armed Services.

5529. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Rear Admiral (lower half) Sinclair M. Harris, United States Navy, to wear the authorized insignia of the grade of rear admiral; to the Committee on Armed Services.

5530. A letter from the Secretary, Department of Health and Human Service, transmitting fiscal year 2011 Performance Report to Congress for the Animal Drug User Fee Act; to the Committee on Energy and Commerce.

5531. A letter from the Secretary, Department of Health and Human Services, transmitting fiscal year 2011 Performance Report to Congress for the Animal Generic Drug User Fee Act; to the Committee on Energy and Commerce.

5532. A letter from the Correspondence and Regulations Assistant, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicaid Program; Eligibility Changes under the Affordable Care Act of 2010 [CMS-2349-F] (RIN: 0938-AQ62) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5533. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Patient Protection and Affordable Care Act; Establishment of Exchanges and Qualified Health Plans; Exchange Standards for Employers [CMS-9989-F] (RIN: 0938-AQ67) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5534. A letter from the Correspondence and Regulations Assistant, Department of Health and Human Services, transmitting the Department's "Major" final rule — Patient Protection and Affordable Care Act; Standards Related to Reinsurance, Risk Corridors and Risk Adjustment [CMS-9975-F] (RIN: 0938-AR07) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5535. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Current Good Manufacturing Practice in Manufacturing, Processing, Packing, or Holding of Drugs; Revision of Certain Labeling Controls [Docket No.: FDA-1997-N-0518] (formerly 97N-0300) received March 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5536. A letter from the Director, Regulations Policy and Management Staff, Depart-

ment of Health and Human Services, transmitting the Department's final rule — Oral Dosage Form New Animal Drugs; Phenylpropranolamine [Docket No.: FDA-2011-N-0003] received March 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5537. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting a report entitled "Best Practices to Enhance Coordination in the RCRA Program"; to the Committee on Energy and Commerce.

5538. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky; Regional Haze State Implementation Plan [EPA-R04-OAR-2009-0783; FRL-9653-8] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5539. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Construction Permit Fees [EPA-R06-OAR-2005-NM-0006; FRL-9654-2] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5540. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determinations of Clean Data for the 2006 24-Hour Fine Particulate Standard for the Harrisburg-Lebanon-Carlisle-York, Allentown, and Lancaster Nonattainment Areas [EPA-R03-OAR-2011-0818; FRL-9654-1] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5541. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Determination of Attainment of the One-hour Ozone Standard for the Greater Connecticut Area [EPA-R01-OAR-2010-0380; A-1-FRL-9648-5] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5542. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Sulfur [EPA-HQ-OAR-2007-1145; FRL-9654-4] (RIN: 2060-AO72) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5543. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; Commonwealth of Puerto Rico; Administrative Changes [EPA-R02-OAR-2012-0032, FRL-9654-8] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5544. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Jersey; Motor Vehicle Enhanced Inspection and Maintenance Program [EPA-R02-OAR-2011-0686; FRL-9635-5] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5545. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; Ozone; Nitrogen Dioxide; Technical Amendments [EPA-R09-OAR-2010-0189; FRL-9649-1] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5546. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; North Dakota; Regional Haze State Implementation Plan; Federal Implementation Plan for Interstate Transport of Pollution Affecting Visibility and Regional Haze [EPA-R08-OAR-2010-0406; FRL-9648-3] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5547. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Full Approval of Title V Operating Permits Program; Southern Ute Indian Tribe [EPA-R08-OAR-2011-0015; FRL-9646-8] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5548. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule No. 53 [EPA-HQ-SFUND-1993-0001, EPA-HQ-SFUND-2011-0064, 0068, 0646, 0648, 0649, 0650, 0651, and 0652; FRL-9647-3] (RIN: 2050-AD75) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5549. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — OHIO: Final Authorization of State Hazardous Waste Management Program Revision [FRL-9646-5] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5550. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2010-0054; FRL-9647-7] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5551. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Final Response to Petition From New Jersey Regarding SO2 Emissions From the Portland Generating Station [EPA-HQ-OAR-2011-0081; FRL-9648-9] (RIN: 2060-AR42) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5552. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Transportation Conformity Rule Restructuring Amendments [EPA-HQ-OAR-2009-0128; FRL-9637-3] (RIN: 2060-AP57) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5553. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Volatile Organic Compound Emission Standards for Aerosol Coatings — Addition of Dimethyl Carbonate,

Benzotrifluoride, and Hexamethyldisiloxane to Table of Reactivity Factors [EPA-HQ-OAR-2006-0971; FRL-9644-8] (RIN: 2060-AR37) received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5554. A letter from the Director, Regulations Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Nevada; Revised Format for Materials Incorporated By Reference [NV 126-NBK; FRL-9634-9] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5555. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Georgia; Atlanta; Determination of Attainment by Applicable Attainment Date for the 1997 8-Hour Ozone Standards [EPA-R04-OAR-2010-1036; FRL-9643-2] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5556. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; North Carolina and South Carolina; Charlotte; Determination of Attainment by Applicable Attainment Date for the 1997 8-Hour Ozone Standards [EPA-R04-OAR-2011-0029; FRL-9643-3] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5557. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2011-0875; FRL-9626-6] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5558. A letter from the Director, Regulations Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Texas: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2011-0478; FRL-9643-7] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5559. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revocation of TSCA Section 4 Testing Requirements for Certain High Production Volume Chemical Substances [EPA-HQ-OPPT-2005-0033; FRL-9335-6] received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5560. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production [EPA-HQ-OAR-2002-0037; FRL-9636-2] (RIN: 2060-AN33) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5561. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Ongoing Review of Operating Experience [LR-ISG-2011-05] received March

19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5562. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Notice of Availability of the Model Safety Evaluation for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF-505, Revision 1, "Provide Risk-Informed Extended Completion Times — RITSTF Initiative 4B" [Project No. 753, NRC-2011-0277] received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5563. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the National Emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

5564. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

5565. A letter from the Assistant Secretary, Department of Defense, transmitting report on proposed obligations of funds provided for the Cooperative Threat Reduction (CRT) program; to the Committee on Foreign Affairs.

5566. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting extension of the waiver of Section 907 of the FREEDOM Support Act, Pub. L. 107-511, with respect to assistance to the Government of Azerbaijan; to the Committee on Foreign Affairs.

5567. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

5568. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report entitled, "Human Rights Report for International Military Education and Training Recipients", in accordance with Section 549 of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

5569. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting forwarded correspondence from the Minister of Foreign Affairs for the Government of the Kyrgyz Republic; to the Committee on Foreign Affairs.

5570. A letter from the Acting Under Secretary, Arms Control and International Security, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

5571. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

5572. A letter from the Secretary, Department of Treasury, transmitting As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Somalia that was declared in Ex-

ecutive Order 13536 of April 12, 2010; to the Committee on Foreign Affairs.

5573. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the First Five-Year Review of the Compact of Free Association, As Amended, Between the Governments of the United States and the Republic of the Marshall Islands, pursuant to Public Law 108-188, section 104(h)(1); to the Committee on Foreign Affairs.

5574. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the Department's report on the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands for Fiscal Years 2009 and 2010, pursuant to Public Law 108-188, section 104(h)(1); to the Committee on Foreign Affairs.

5575. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the Department's First Five-Year Review of the Compacts of Free Association between the Governments of the United States and the Federated States of Micronesia; to the Committee on Foreign Affairs.

5576. A letter from the Director of Communications and Congressional Relations, Special Inspector General For Afghanistan Reconstruction, transmitting the Special Inspector General's final rule — Requests for Testimony or the Production of Records in a Court or Other Proceedings in which the United States is not a Party (RIN: 3460-AA02) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5577. A letter from the Director of Communications and Congressional Relations, Special Inspector General for Afghanistan Reconstruction, transmitting the Special Inspector General's final rule — Freedom of Information Act and Privacy Act Procedures (RIN: 3460-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5578. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Sufficiency Review of the Reasonableness of the District of Columbia Water and Sewer Authority's (DC Water) Fiscal Year 2012 Revenue Estimate Totaling \$426,416,477", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

5579. A letter from the Chairman, Consumer Product Safety Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5580. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting FY 2013 Congressional Budget Justification/FY 2011 Annual Performance Report; to the Committee on Oversight and Government Reform.

5581. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-334, "Comprehensive Military and Overseas Voters Accommodation Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5582. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-335, "Mechanics Lein Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5583. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-336, "Green Building Compliance, Technical Corrections, and Clarification Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5584. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's annual report for fiscal year 2011, in accordance with Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5585. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's fiscal year 2011 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5586. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule — Change of Address and Electronic Submission of FOIA Requests received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5587. A letter from the Chief Executive Officer, NeighborWorks America, transmitting Fiscal Year 2011 Annual Program Performance Report; to the Committee on Oversight and Government Reform.

5588. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's Strategic Plan for Fiscal Years 2008 through 2013; to the Committee on Oversight and Government Reform.

5589. A letter from the Director, Office of Personnel Management, transmitting the Office's Fiscal Year 2011 Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5590. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals for the 1st, 2nd and 3rd Quarters of Fiscal Year 2011"; to the Committee on Oversight and Government Reform.

5591. A letter from the Director of Legislative Affairs, Railroad Retirement Board, transmitting the Board's Performance and Accountability Report for Fiscal Year 2011, including the Office of Inspector General's Auditor's Report; to the Committee on Oversight and Government Reform.

5592. A letter from the Member of Congress, Ronald Reagan Centennial Commission, transmitting the final report submitted by the Commission; to the Committee on Oversight and Government Reform.

5593. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2012 through March 31, 2012 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 112-96); to the Committee on House Administration and ordered to be printed.

5594. A letter from the Secretary, Department of Health and Human Services, transmitting annual report on Funding Needs for Contract Support Costs of Self-Determina-

tion awards for Fiscal Year 2010; to the Committee on Natural Resources.

5595. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revised Endangered Status, Revised Critical Habitat Designation, and Taxonomic Revision for *Monardella linoides* ssp. *viminea* [Docket No.: FWS-R8-ES-2010-0076] (RIN: 1018-AX18) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5596. A letter from the Chief, Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishing a Manatee Refuge in Kings Bay, Citrus County, FL [Docket No.: FWS-R4-ES-2010-0079] (RIN: 1018-AX27) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5597. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 111213751-2102-02] (RIN: 0648-XB038) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5598. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB035) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5599. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Groupers Fishery of the South Atlantic; Closure [Docket No.: 040205043-4043-01] (RIN: 0648-XA990) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5600. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species by Amendment 80 Vessels in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XB44) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5601. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 100804324-1265-02] (RIN: 0648-BB88) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5602. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic

Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XB051) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5603. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Cod by Catcher Vessels Less Than 50 Feet (15.2 Meters) Length overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB062) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5604. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-BX049) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5605. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-BX036) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5606. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No.: 001005281-0369-02] (RIN: 0648-XB031) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5607. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB004) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5608. A letter from the Acting Division Chief, Conservation and Policy Planning Division, Office of National Marine Sanctuaries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Overflight Regulations for the Channel Islands, Monterey Bay, Gulf of the Farallones, and Olympic Coast National Marine Sanctuaries [Docket No.: 0908041219-1413-02] (RIN: 0648-AX79) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5609. A letter from the Director, Administrative Office of the United States Courts, transmitting a copy of the Report of the Judicial Conference of the United States for the September 2011 session; to the Committee on the Judiciary.

5610. A letter from the Delegated the Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the District of Columbia Advisory Committee; to the Committee on the Judiciary.

5611. A letter from the Delegated the Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Nevada Advisory Committee; to the Committee on the Judiciary.

5612. A letter from the Clerk, Court of Appeals, transmitting the judicial opinion of the United States Court of Appeals for the Seventh Circuit for *Sterk, et al. v. Redbox*, No. 12-8002; to the Committee on the Judiciary.

5613. A letter from the Assistant Attorney General, Department of Justice, transmitting a follow up letter on a pending case; to the Committee on the Judiciary.

5614. A letter from the Acting Administrator, Department of Transportation, transmitting the Federal Aviation Administration's Capital Investment Plan (CIP) for fiscal years 2013-2017, pursuant to 49 U.S.C. app. 2203(b)(1); to the Committee on Transportation and Infrastructure.

5615. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; 24th Annual North American International Auto Show, Detroit River, Detroit, MI [Docket No.: USCG-2011-1157] (RIN: 1625-AA87) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5616. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Potomac and Anacostia Rivers, Washington, DC [Docket No.: USCG-2011-1165] (RIN: 1625-AA87) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5617. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Moving Security Zone around escorted vessels on the Lower Mississippi River between mile marker 90.0 above head of passes to mile marker 110.0 above head of passes [Docket No.: USCG-2011-1063] (RIN: 1625-AA87) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5618. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; HITS Triathlon; Corpus Christi Bayfront, Corpus Christi, TX [Docket No.: USCG-2011-0785] (RIN: 1625-AA08) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5619. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; M/V Del Monte Live-Fire Gun Exercise, James River, Isle of Wight, Virginia [Docket No.: USCG-2012-0010] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5620. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mississippi River, Mile Marker 230 to Mile Marker 234, in the vicinity of Baton Rouge, LA [Docket No.: USCG-2011-0841] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5621. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ice Rescue Exercise; Green Bay, Dyckesville, Wisconsin [Docket No.: USCG-2011-1161] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5622. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Intracoastal Waterway, Mile Marker 35.2 to Mile marker 35.5, Larose, Lafourche Parish, LA [Docket No.: USCG-2011-1128] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5623. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Intracoastal Waterway, Vicinity of Marine Corps Base, Camp Lejeune, NC [Docket No.: USCG-2011-1166] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5624. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; Newport, RI [Docket No.: USCG-2011-0443] (RIN: 1625-AA01) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5625. A letter from the Acting Administrator, Department of Transportation, transmitting the Department's report for fiscal year 2011 on foreign aviation authorities to which the Administrator provided services in the preceding fiscal year; to the Committee on Transportation and Infrastructure.

5626. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-Trent 800 Series Turbofan Engines [Docket No.: FAA-2010-0755; Directorate Identifier 2010-NE-12-AD; Amendment 39-16956; AD 2012-04-01] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5627. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Transport Category Airplanes [Docket No.: FAA-2010-0956; Directorate Identifier 2010-NM-018-AD; Amendment 39-16951; AD 74-08-09 R3] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5628. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines Reciprocating Engines [Docket No.: FAA-2011-0533; Directorate Identifier 2011-NE-16-AD; Amendment 39-16948; AD 2012-03-07] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5629. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshift Engines [Docket No.: FAA-2009-0889; Directorate Identifier 2009-NE-35-AD; Amendment 39-16953; AD 2012-03-11] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5630. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0725; Directorate Identifier 2011-NM-065-AD; Amendment 39-16943; AD 2012-03-02] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5631. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2006-25001; Directorate Identifier 2006-NM-079-AD; Amendment 39-16937; AD 2012-02-14] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5632. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1092; Directorate Identifier 2011-NM-111-AD; Amendment 39-16946; AD 2012-03-05] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5633. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0571; Directorate Identifier 2010-NM-263-AD; Amendment 39-16950; AD 2012-03-09] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5634. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2011-1067; Directorate Identifier 2011-NM-034-AD; Amendment 39-16944; AD 2012-03-03] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5635. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DASSAULT AVIATION Airplanes [Docket No.: FAA-2011-1166; Directorate Identifier 2010-NM-169-AD; Amendment 39-16941; AD 2012-02-18] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5636. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1227; Directorate Identifier 2011-NM-100-AD; Amendment 39-16957; AD 2012-04-02] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5637. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-0994; Directorate Identifier 2010-NM-143-AD; Amendment 39-16949; AD 2012-03-08] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5638. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; 328 Support Services GmbH (Type

Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Airplanes [Docket No.: FAA-2011-0912; Directorate Identifier 2011-NM-035-AD; Amendment 39-16962; AD 2012-04-06] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5639. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-535 Series Turbofan Engine [Docket No.: FAA-2009-0994; Directorate Identifier 2009-NE-39-AD; Amendment 39-16934; AD 2012-02-11] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5640. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines Reciprocating Engines [Docket No.: FAA-2011-0691; Directorate Identifier 2011-NE-26-AD; Amendment 39-16909; AD 71-13-01R1] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5641. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH Reciprocating Engines [Docket No.: FAA-2011-0956; Directorate Identifier 2011-NE-23-AD; Amendment 39-16928; AD 2012-02-05] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5642. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Superior Air Parts, Lycoming Engines (Formerly Textron Lycoming), and Continental Motors, Inc., Fuel-Injected Reciprocating Engines [Docket No.: FAA-2011-0547; Directorate Identifier 2011-NE-13-AD; Amendment 39-16947; AD 2012-03-06] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5643. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2010-0068; Directorate Identifier 2010-NE-05-AD; Amendment 39-16930; AD 2012-02-07] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5644. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International, Inc. TPE331-10 and TPE331-11 Series Turboprop Engines [Docket No.: FAA-2011-0789; Directorate Identifier 2011-NE-04-AD; Amendment 39-16929; AD 2012-02-06] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5645. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0037; Directorate Identifier 2012-NM-003-AD; Amendment 39-16935; AD 2012-02-12] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5646. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; CFM International, S.A. Turbofan Engines [Docket No.: FAA-2011-0946; Directorate Identifier 2011-NE-02-AD; Amendment 39-16926; AD 2012-02-03] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5647. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2012-0004; Directorate Identifier 2012-NE-01-AD; Amendment 39-16927; AD 2012-02-04] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5648. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0112; Directorate Identifier 2011-NM-055-AD; Amendment 39-16952; AD 2012-03-10] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5649. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30828; Amdt. No. 3466] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5650. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30829; Amdt. No. 3467] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5651. A letter from the Deputy General Counsel, National Aeronautics and Space Administration, transmitting the Administration's "Major" final rule — Claims for Patent and Copyright Infringement (RIN: 2700-AD63) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

5652. A letter from the Associate Administrator, Human Exploration and Operations Mission Directorate, National Aeronautics and Space Administration, transmitting the Administration's final rule — Revision to the Tracking and Data Relay Satellite System (TDRSS) rates for non-U.S. Government customers [Notice (12-009)] (RIN: 2700-AD72) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

5653. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's quarterly report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects (dated March 7, 2012); jointly to the Committees on Armed Services and Appropriations.

5654. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Twenty-Second Annual Report to Congress on health and safety activities; jointly to the Committees on Armed Services and Energy and Commerce.

5655. A letter from the Secretary, Department of Health and Human Services, transmitting a report to Congress on the Imple-

mentation of the Medicare Self-Referral Disclosure Protocol; jointly to the Committees on Energy and Commerce and Ways and Means.

5656. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting the Commission's March 2012 Report to the Congress: Medicare Payment Policy; jointly to the Committees on Energy and Commerce and Ways and Means.

5657. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a piece of draft legislation; jointly to the Committees on Energy and Commerce and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on March 30, 2012 the following report was filed on April 10, 2012]

Mr. CAMP: Committee on Ways and Means. H.R. 9. A bill to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses; with an amendment (Rept. 112-425). Referred to the Committee of the Whole House on the state of the Union.

[Pursuant to the order of the House on March 30, 2012 the following report was filed on April 13, 2012]

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4089. A bill to protect and enhance opportunities for recreational hunting, fishing and shooting; with an amendment (Rept. 112-426, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

[Submitted April 16, 2012]

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 205. A bill to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior; with amendments (Rept. 112-427). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 292. An act to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act (Rept. 112-428). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 897. An act to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation program (Rept. 112-429). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1545. A bill to establish the Waco Mammoth National Monument in the State of Texas, and for other

purposes; with an amendment (Rept. 112-430). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2915. A bill to repeal the Western Area Power Administration borrowing authority, and for other purposes (Rept. 112-431). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 271. An act to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes (Rept. 112-432). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 404. An act to modify a land grant patent issued by the Secretary of the Interior (Rept. 112-433). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 684. An act to provide for the conveyance of certain parcels of land to the town of Alta, Utah (Rept. 112-434). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 491. A bill to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes (Rept. 112-435). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1038. A bill to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; with an amendment (Rept. 112-436). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2050. A bill to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes (Rept. 112-437). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2060. A bill to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes; with an amendment (Rept. 112-438). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2157. A bill to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes (Rept. 112-439). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2938. A bill to prohibit certain gaming activities on certain Indian lands in Arizona; with an amendment (Rept. 112-440). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2947. A bill to provide for the release of the reversionary interest held by the United States in certain

land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota (Rept. 112-441). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3263. A bill to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes (Rept. 112-442). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 3310. A bill to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens; with an amendment (Rept. 112-443). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolutions 614. Resolution providing for consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes (Rept. 112-444). Referred to the House Calendar.

DISCHARGE OF COMMITTEES

[The following action occurred on April 13, 2012]

Pursuant to clause 2 of rule XIII, the Committees on Agriculture and Energy and Commerce discharged from further consideration. H.R. 4089 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA (for himself, Mr. CAMP, and Mr. TERRY):

H.R. 4348. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FATTAH:

H.R. 4349. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for contributions to a trust used to provide need-based college scholarships; to the Committee on Ways and Means.

By Mr. CRAVAACK (for himself and Mr. BISHOP of New York):

H.R. 4350. A bill to ensure that certain flight, duty, and rest requirements apply to all-cargo air operations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. FUDGE (for herself, Ms. NORTON, Mr. DAVIS of Illinois, Mr. CLARKE of Michigan, Mr. RANGEL, Ms. KAPTUR, Mr. BACA, Ms. SCHAKOWSKY, Mr. KUCINICH, Mr. CLAY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE of Texas, Mr. HOLT, Mr.

CLEAVER, Ms. RICHARDSON, Mr. ELLISON, Ms. SEWELL, Mr. CARNAHAN, Mr. QUIGLEY, Ms. PINGREE of Maine, and Mr. LEWIS of Georgia):

H.R. 4351. A bill to provide assistance and opportunity for the creation and support of sustainable agriculture activities in America's cities and to improve access to nutrition in America's cities; to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIGGINS (for himself, Ms. HAHN, and Mr. CONYERS):

H.R. 4352. A bill to direct the Secretary of Transportation to establish a transformational infrastructure competitive grant program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MATSUI:

H.R. 4353. A bill to authorize certain civil works projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MULVANEY:

H.R. 4354. A bill to extend the temporary reduction of duty on 4-Propylbenzaldehyde; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4355. A bill to suspend temporarily the duty on quinaldine; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4356. A bill to suspend temporarily the duty on Leucoquinizarin; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4357. A bill to suspend temporarily the duty on 1-Nitroanthraquinone; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4358. A bill to extend the temporary reduction of duty on 2-Methyl-5-nitrobenzenesulfonic acid; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4359. A bill to suspend temporarily the duty on Benzenesulfonyl chloride; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut (for himself and Mr. LARSON of Connecticut):

H.R. 4360. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. PETRI (for himself and Mr. LIPINSKI):

H.R. 4361. A bill to promote transportation-oriented development and encourage dedicated revenue sources for urban and regional rail corridor development; to the Committee on Transportation and Infrastructure.

By Ms. WASSERMAN SCHULTZ (for herself and Mr. SMITH of Texas):

H.R. 4362. A bill to provide effective criminal prosecutions for certain identity thefts, and for other purposes; to the Committee on the Judiciary.

By Mr. FATTAH:

H. Res. 613. A resolution supporting the Office of Science and Technology Policy interagency working group to coordinate Federal investments in neuroscience research; to the Committee on Energy and Commerce.

By Mr. FLEMING:

H. Res. 615. A resolution expressing the sense of the House of Representatives that

Members who vote in favor of the establishment of a public, Federal Government run health insurance option are urged to forgo their right to participate in the Federal Employees Health Benefits Program (FEHBP) and agree to enroll under that public option; to the Committee on House Administration.

By Mr. FORBES (for himself and Mr. WOLF):

H. Res. 616. A resolution expressing the sense of the House of Representatives regarding United States relations with the People's Republic of China; to the Committee on Foreign Affairs.

By Ms. NORTON:

H. Res. 617. A resolution recognizing the enduring cultural and historical significance of emancipation in the Nation's capital on the 150th anniversary of President Abraham Lincoln's signing of the District of Columbia Compensated Emancipation Act, which established the "first freed" on April 16, 1862; to the Committee on Oversight and Government Reform.

By Mr. RANGEL (for himself, Mr. CONYERS, Mr. SAM JOHNSON of Texas, and Mr. COBLE):

H. Res. 618. A resolution expressing support for designation of 2012-2013 as the "Year of the Korean War Veteran" and recognizing the 60th anniversary of Korean War; to the Committee on Veterans' Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

187. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 124 memorializing the Congress to enact a new federal farm bill; to the Committee on Agriculture.

188. Also, a memorial of the Senate of the Commonwealth of Kentucky, relative to House Resolution No. 21 urging the Congress to posthumously promote Colonel Charles D. Young to the rank of brigadier general; to the Committee on Armed Services.

189. Also, a memorial of the Senate of the State of Washington, relative to Senate Joint Memorial 8016 urging the Congress, President, and the Executive Branch Agencies to work together to see that the Beyond the Border Action Plan on Perimeter Security and Economic Competitiveness and the Action Plan on Regulatory Cooperation are carried out; to the Committee on Foreign Affairs.

190. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 126 reaffirming the relationship between Michigan and Israel; to the Committee on Foreign Affairs.

191. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 178 memorializing Congress to enact the Recreational Fishing and Hunting Heritage and Opportunities Act; to the Committee on Natural Resources.

192. Also, a memorial of the Senate of the Commonwealth of Kentucky, relative to Senate Resolution No. 196 urging the Congress to support the contract held by private industries from Kentucky over contracts with the Federal Prison Industries; to the Committee on the Judiciary.

193. Also, a memorial of the House of Representatives of the State of Oregon, relative to House Joint Memorial 202 requesting to support full funding of the United States Coast Guard's operational readiness and re-

capitalization requirements; to the Committee on Transportation and Infrastructure.

194. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 717 urging the Congress to pass the Secure Travel and Counterterrorism Program Act of 2011; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MICA:

H.R. 4348.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, Clause 7, and Clause 18.

By Mr. FATTAH:

H.R. 4349.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CRAVAACK:

H.R. 4350.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause (Article I, Section 8, Clause 3) in the United States Constitution.

By Ms. FUDGE:

H.R. 4351.

Congress has the power to enact this legislation pursuant to the following:

Article I, § 8, clause 3, the Commerce Clause.

By Mr. HIGGINS:

H.R. 4352.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of this legislation lies primarily in Article I, Section 8 of the United States Constitution.

By Ms. MATSUI:

H.R. 4353.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. MULVANEY:

H.R. 4354.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 4355.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 4356.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 4357.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 4358.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 4359.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MURPHY of Connecticut:

H.R. 4360.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. PETRI:

H.R. 4361.

Congress has the power to enact this legislation pursuant to the following:

Clause 3, of Section 8, of Article I of the Constitution.

By Ms. WASSERMAN SCHULTZ:

H.R. 4362.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution, and to make all laws which shall be necessary and proper for carrying into execution such power as enumerated in Article I, Section 8, Clause 18 of the Constitution.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

[The following action occurred on April 10, 2012]

H.R. 9: Mr. LONG and Mr. OLSON.

[Submitted April 16, 2012]

H.R. 85: Ms. PINGREE of Maine.
 H.R. 104: Ms. GRANGER and Mr. CICILLINE.
 H.R. 140: Mr. GOODLATTE.
 H.R. 156: Mr. BARTON of Texas and Mr. CARSON of Indiana.
 H.R. 178: Mr. TONKO, Mrs. LOWEY, Mr. BACA, Mr. ISRAEL, and Mr. PASCRELL.
 H.R. 186: Mr. PASCRELL.
 H.R. 192: Ms. DELAULO.
 H.R. 265: Mr. NADLER.
 H.R. 283: Ms. SCHAKOWSKY.
 H.R. 303: Ms. DELAULO and Ms. HAHN.
 H.R. 329: Ms. BORDALLO.
 H.R. 409: Mr. PETERSON and Mr. MICHAUD.
 H.R. 450: Mr. JOHNSON of Ohio.
 H.R. 458: Mr. MCGOVERN and Mr. WAXMAN.
 H.R. 459: Mr. MCDERMOTT.
 H.R. 601: Ms. TSONGAS.
 H.R. 663: Mr. MCCAUL.
 H.R. 679: Mr. BRADY of Pennsylvania.
 H.R. 718: Mr. CICILLINE.
 H.R. 719: Mr. WATT, Mr. CARSON of Indiana, Mr. GUTHRIE, Mrs. BLACK, and Ms. MOORE.
 H.R. 721: Mr. AUSTIN SCOTT of Georgia.
 H.R. 733: Mr. MARCHANT and Mrs. MILLER of Michigan.
 H.R. 743: Mr. WELCH.
 H.R. 757: Mr. TIPTON and Mr. LUETKEMEYER.
 H.R. 807: Mr. BRALEY of Iowa.
 H.R. 814: Mr. ROTHMAN of New Jersey.
 H.R. 854: Ms. BERKLEY and Mrs. CHRISTENSEN.
 H.R. 860: Mr. FLEISCHMANN.
 H.R. 864: Mr. COURTNEY.
 H.R. 885: Mr. PIERLUISI and Mrs. DAVIS of California.
 H.R. 893: Mr. TURNER of New York.
 H.R. 931: Mrs. ADAMS and Mr. LONG.
 H.R. 949: Mr. MCDERMOTT.
 H.R. 1004: Mr. TERRY.
 H.R. 1005: Ms. DELAULO.
 H.R. 1041: Ms. BUERKLE.
 H.R. 1054: Mr. GRIJALVA.
 H.R. 1063: Mr. GIBBS.
 H.R. 1084: Ms. TSONGAS.
 H.R. 1161: Mr. ROKITA and Mr. HARPER.
 H.R. 1167: Mrs. BLACK and Mr. STEARNS.
 H.R. 1169: Mr. FILNER.
 H.R. 1176: Mr. KEATING.
 H.R. 1182: Mrs. BLACK.
 H.R. 1190: Mr. PAUL, Mr. BLUMENAUER, Mr. JOHNSON of Georgia, Mr. JACKSON of Illinois, Mrs. MALONEY, Mr. FILNER, Mr. MCDERMOTT, Mr. COHEN, Mr. GUTIERREZ, Mr. MCGOVERN, Mr. PASCRELL, Ms. RICHARDSON, Mr. GRIJALVA, Mr. YARMUTH, and Ms. SLAUGHTER.

H.R. 1193: Mr. ISRAEL.
 H.R. 1206: Mr. BARTLETT, Mr. HINCHEY, and Mr. TOWNS.
 H.R. 1219: Mr. ROSS of Arkansas, Ms. HAHN, Mr. BARTLETT, Ms. LEE of California, Mr. FILNER, Mr. BLUMENAUER, Ms. CLARKE of New York, Mr. MCGOVERN, Mr. CHANDLER, Mr. FARR, and Mr. SMITH of New Jersey.
 H.R. 1244: Mrs. MCMORRIS RODGERS.
 H.R. 1325: Mr. LATOURETTE.
 H.R. 1332: Ms. MATSUI.
 H.R. 1370: Mr. STUTZMAN.
 H.R. 1381: Mr. PIERLUISI, Ms. LEE of California, Mr. CONNOLLY of Virginia, Mr. DEFAZIO, and Mr. FILNER.
 H.R. 1397: Mr. CLAY.
 H.R. 1410: Mr. COFFMAN of Colorado.
 H.R. 1426: Mr. REYES and Mr. HIMES.
 H.R. 1511: Mr. JOHNSON of Illinois.
 H.R. 1521: Mr. COHEN and Ms. WILSON of Florida.
 H.R. 1523: Mr. ENGEL.
 H.R. 1532: Mr. RANGEL.
 H.R. 1543: Mr. DEFAZIO.
 H.R. 1575: Mr. MICHAUD.
 H.R. 1581: Mr. BARTLETT.
 H.R. 1595: Ms. BONAMICI.
 H.R. 1612: Mr. MICHAUD and Mr. CARSON of Indiana.
 H.R. 1620: Ms. BALDWIN, Mr. AMODEI, Mr. FILNER, Mr. MICHAUD, and Mr. PRICE of North Carolina.
 H.R. 1639: Mr. JORDAN, Mr. HARRIS, Mr. MILLER of North Carolina, Mr. REED, and Mr. KINGSTON.
 H.R. 1653: Mr. SULLIVAN, Mr. SCHILLING, and Mr. NUGENT.
 H.R. 1674: Mr. ANDREWS.
 H.R. 1681: Mr. CARDOZA and Ms. SLAUGHTER.
 H.R. 1700: Mr. WITTMAN and Mr. SULLIVAN.
 H.R. 1704: Mr. DOYLE and Mr. MICHAUD.
 H.R. 1706: Mr. CLARKE of Michigan and Mr. PRICE of North Carolina.
 H.R. 1792: Mr. LEWIS of Georgia and Mr. HINCHEY.
 H.R. 1802: Mr. DONNELLY of Indiana.
 H.R. 1822: Mr. SCHWEIKERT.
 H.R. 1842: Mr. PIERLUISI, Mr. LANGEVIN, Mr. RANGEL, and Mr. GONZALEZ.
 H.R. 1897: Mr. HARRIS, Mrs. MYRICK, Mr. BACA, Mr. CLAY, and Mr. ROSKAM.
 H.R. 1960: Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, and Mrs. MILLER of Michigan.
 H.R. 2000: Mr. GRAVES of Missouri.
 H.R. 2003: Ms. SLAUGHTER and Mr. BLUMENAUER.
 H.R. 2016: Mr. WAXMAN.
 H.R. 2020: Mr. GUTIERREZ and Mr. RIVERA.
 H.R. 2051: Mrs. MCMORRIS RODGERS.
 H.R. 2071: Mr. SCHRADER.
 H.R. 2082: Mr. MCDERMOTT.
 H.R. 2085: Mr. SMITH of Washington.
 H.R. 2086: Ms. LINDA T. SANCHEZ of California, Ms. CLARKE of New York, Mr. PETERS, Mr. HONDA, Ms. WATERS, Mr. FILNER, and Mr. THOMPSON of California.
 H.R. 2123: Mr. MORAN.
 H.R. 2139: Mr. YARMUTH, Ms. BUERKLE, Mr. MEEKS, Ms. EDWARDS, Mr. WOMACK, Mr. DUFFY, Mr. HOLT, Mr. DUNCAN of Tennessee, Mr. WATT, and Mr. MCNERNEY.
 H.R. 2159: Mr. HARRIS, Mr. MICHAUD, and Mr. PETERSON.
 H.R. 2179: Mr. LUETKEMEYER and Mr. KISSELL.
 H.R. 2206: Mr. GOWDY.
 H.R. 2238: Mr. BERG.
 H.R. 2288: Mr. PLATTS, Mr. TIBERI, Mr. STIVERS, and Mr. BISHOP of New York.
 H.R. 2299: Mr. WITTMAN.
 H.R. 2316: Mr. STARK and Mr. FILNER.
 H.R. 2376: Mr. YARMUTH.

H.R. 2382: Mr. CROWLEY.
 H.R. 2404: Ms. SCHAKOWSKY.
 H.R. 2412: Mr. GERLACH, Mr. BERMAN, and Mr. VAN HOLLEN.
 H.R. 2418: Mr. BOREN.
 H.R. 2479: Mr. MICHAUD.
 H.R. 2499: Ms. LORETTA SANCHEZ of California and Mr. CUMMINGS.
 H.R. 2502: Mr. LATHAM, Mr. HINCHEY, and Mr. BERG.
 H.R. 2524: Mr. CONYERS, Ms. BONAMICI, and Mr. CARSON of Indiana.
 H.R. 2529: Mr. WESTMORELAND and Mrs. MYRICK.
 H.R. 2543: Mr. TIERNEY and Mr. SMITH of Washington.
 H.R. 2600: Mr. LOBIONDO.
 H.R. 2636: Mr. HINOJOSA.
 H.R. 2659: Mr. SMITH of Washington.
 H.R. 2697: Mr. CONAWAY, Mr. MULVANEY, Mr. PRICE of Georgia, and Mrs. CAPPS.
 H.R. 2698: Ms. BONAMICI.
 H.R. 2759: Mr. OLVER.
 H.R. 2827: Mr. WILSON of South Carolina, and Mr. NEUGEBAUER.
 H.R. 2866: Mrs. CAPPS.
 H.R. 2881: Mr. PRICE of North Carolina.
 H.R. 2960: Ms. TSONGAS.
 H.R. 2969: Mr. TOWNS and Mr. BACA.
 H.R. 2970: Mr. RENACCI.
 H.R. 2977: Mr. MEEKS.
 H.R. 2985: Mr. FLAKE and Mr. ALEXANDER.
 H.R. 3000: Mr. MANZULLO and Mr. DUNCAN of South Carolina.
 H.R. 3032: Mr. TIBERI.
 H.R. 3039: Mr. MICHAUD.
 H.R. 3059: Ms. WASSERMAN SCHULTZ and Mrs. MILLER of Michigan.
 H.R. 3066: Mr. KINGSTON.
 H.R. 3086: Ms. WILSON of Florida.
 H.R. 3087: Mr. KISSELL, Mr. ROGERS of Alabama, and Ms. WASSERMAN SCHULTZ.
 H.R. 3126: Mr. YARMUTH.
 H.R. 3151: Mr. MURPHY of Connecticut.
 H.R. 3187: Mr. REYES, Mr. GONZALEZ, Mr. BACHUS, Mr. HANNA, Mr. DAVID SCOTT of Georgia, Mr. POSEY, Ms. JACKSON LEE of Texas, Mr. BUCHANAN, Mr. COHEN, Mr. HOLDEN, and Mr. CANSECO.
 H.R. 3199: Mr. BROOKS.
 H.R. 3207: Mr. CULBERSON.
 H.R. 3238: Mr. ISRAEL, Ms. EDWARDS, and Mr. CONYERS.
 H.R. 3264: Mrs. BLACK.
 H.R. 3269: Mr. ROONEY, Mr. LOBIONDO, Mr. GONZALEZ, Mr. TOWNS, Mr. PETERSON, Mr. SHUSTER, Mr. DUFFY, and Ms. KAPTUR.
 H.R. 3286: Mr. STARK, Ms. VELÁZQUEZ, Ms. BONAMICI, and Mr. KEATING.
 H.R. 3307: Ms. BALDWIN.
 H.R. 3329: Mr. MICHAUD.
 H.R. 3337: Mr. THOMPSON of California and Mr. ISRAEL.
 H.R. 3364: Mrs. CAPITO, Mr. DAVIS of Kentucky, Mr. LANGEVIN, Mr. ROTHMAN of New Jersey, and Mr. TOWNS.
 H.R. 3400: Mr. AUSTIN SCOTT of Georgia.
 H.R. 3420: Mr. HINCHEY.
 H.R. 3423: Mr. STEARNS, Mr. COFFMAN of Colorado, Mr. PRICE of North Carolina, Mr. GONZALEZ, Ms. CLARKE of New York, Mr. DUFFY, and Mr. RANGEL.
 H.R. 3485: Mr. TOWNS and Mr. TONKO.
 H.R. 3497: Ms. LEE of California.
 H.R. 3511: Mr. BURGESS.
 H.R. 3523: Mr. MULVANEY, Mr. HALL, Mr. CUELLAR, Mr. LAMBORN, and Mr. AUSTRIA.
 H.R. 3528: Mr. LEWIS of Georgia.
 H.R. 3586: Mr. SULLIVAN.
 H.R. 3589: Mr. PLATTS.
 H.R. 3590: Mr. ROTHMAN of New Jersey.
 H.R. 3594: Mr. LAMBORN.
 H.R. 3612: Mr. ALTMIRE, Ms. DELAULO, Mr. REYES, Mr. BRALEY of Iowa, and Mr. CICILLINE.

- H.R. 3643: Mr. LATHAM.
H.R. 3654: Mr. FILNER.
H.R. 3658: Mr. FILNER, Mr. CAPUANO, Mr. MCNERNEY, and Mr. MICHAUD.
H.R. 3662: Mr. HARPER.
H.R. 3670: Mr. LOEBSACK.
H.R. 3676: Mr. LOEBSACK.
H.R. 3679: Mr. MORAN, Ms. JACKSON LEE of Texas, Mr. FATTAH, Mr. SIREs, and Ms. BONAMICI.
H.R. 3704: Mr. WAXMAN.
H.R. 3710: Mr. BACA.
H.R. 3737: Mr. DEFAZIO and Mr. HARRIS.
H.R. 3769: Mr. HIMES, Mr. HOLT, and Ms. DELAURO.
H.R. 3776: Ms. CLARKE of New York.
H.R. 3808: Mr. FORBES.
H.R. 3824: Mr. McDERMOTT.
H.R. 3826: Ms. BONAMICI, Mr. OLVER, Mr. DAVIS of Illinois, Mr. RUSH, Ms. DEGETTE, Mr. HEINRICH, Mr. BLUMENAUER, and Mr. KEATING.
H.R. 3828: Mr. BILIRAKIS and Mr. MILLER of Florida.
H.R. 3829: Mr. FILNER.
H.R. 3839: Mr. LATHAM, Mr. JOHNSON of Georgia, and Mr. PETERS.
H.R. 3849: Mr. ROGERS of Alabama, Mr. ROE of Tennessee, and Mr. LUCAS.
H.R. 3855: Mr. TONKO, Mr. MICHAUD, Mrs. MALONEY, and Ms. RICHARDSON.
H.R. 3873: Mr. RANGEL.
H.R. 3893: Mr. KINGSTON.
H.R. 3895: Mr. GRIFFIN of Arkansas, Mr. LATHAM, Mr. McCOTTER, Mr. WITTMAN, and Mr. CALVERT.
H.R. 3903: Ms. HIRONO, Mr. LANGEVIN, Ms. PINGREE of Maine, Ms. WILSON of Florida, Mr. PETERS, Mr. SCOTT of Virginia, Ms. BERKLEY, Mrs. NAPOLITANO, Mr. LARSEN of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DINGELL, Mr. CARNAHAN, Mr. PASCRELL, Ms. HAHN, Ms. CHU, Mr. CLAY, Mr. MURPHY of Connecticut, Mr. MORAN, Mrs. MALONEY, Mr. HASTINGS of Florida, Mr. MILLER of North Carolina, and Mr. REYES.
H.R. 3905: Ms. PINGREE of Maine.
H.R. 3981: Mr. MICHAUD.
H.R. 3982: Mr. McCOTTER.
H.R. 3991: Mr. ROKITA.
H.R. 4005: Mr. RANGEL.
H.R. 4024: Ms. SLAUGHTER.
H.R. 4025: Ms. SLAUGHTER.
H.R. 4040: Mr. CHABOT, Mr. FARENTHOLD, Mr. FLORES, and Ms. GRANGER.
H.R. 4045: Mr. WESTMORELAND, Mr. GRIFFIN of Arkansas, Mr. MORAN, and Mr. SULLIVAN.
H.R. 4057: Ms. McCOLLUM and Mr. MICHAUD.
H.R. 4069: Mr. POSEY.
H.R. 4070: Ms. WILSON of Florida, Mr. CONNOLLY of Virginia, and Mr. ROTHMAN of New Jersey.
H.R. 4072: Mr. THOMPSON of Pennsylvania.
H.R. 4077: Mr. FILNER and Mr. SMITH of Washington.
H.R. 4079: Mr. MICHAUD.
H.R. 4081: Mrs. ELLMERS.
H.R. 4107: Mr. LUETKEMEYER.
H.R. 4110: Mrs. MYRICK.
H.R. 4120: Mr. MURPHY of Pennsylvania, Mr. ALTMIRE, Mr. PETERSON, and Mr. MICHAUD.
H.R. 4122: Ms. BORDALLO, Ms. LEE of California, and Mr. BLUMENAUER.
H.R. 4124: Mr. LATHAM and Mr. RANGEL.
H.R. 4132: Mr. FILNER and Ms. ESHOO.
H.R. 4133: Mr. COSTELLO, Ms. DELAURO, Mr. DONNELLY of Indiana, Mr. HOLT, Mr. JACKSON of Illinois, Ms. MATSUI, Mr. SERRANO, Ms. SUTTON, Mr. TONKO, Ms. TSONGAS, Mr. WEST, Ms. BUERKLE, Mr. SOUTHERLAND, Mr. WOODALL, Mr. ROGERS of Michigan, Mr. McCLINTOCK, Mr. HARRIS, Mr. VAN HOLLEN, Mr. BURTON of Indiana, Mr. KING of Iowa, Mr. MARINO, Mr. ANDREWS, Mr. WALDEN, Mr. DUNCAN of South Carolina, Mr. YOUNG of Alaska, Ms. ESHOO, Mr. RAHALL, Ms. ROYBAL-ALLARD, Mr. FRELINGHUYSEN, Mr. BILIRAKIS, and Mr. MEEHAN.
H.R. 4134: Mr. CONNOLLY of Virginia, Mrs. CAPPS, Mr. WALDEN, Mr. PASTOR of Arizona, Ms. LINDA T. SANCHEZ of California, Mr. SHUSTER, Mr. SESSIONS, Mr. CARNAHAN, Mr. FLORES, and Mr. CANSECO.
H.R. 4137: Mr. BROOKS and Mr. PETRI.
H.R. 4144: Mrs. NAPOLITANO.
H.R. 4160: Mr. ROSS of Florida.
H.R. 4164: Mrs. BLACK, Mr. MCINTYRE, Mr. LANGEVIN, Mr. CONNOLLY of Virginia, Mr. HEINRICH, Mr. JONES, Mr. SCHILLING, and Ms. HIRONO.
H.R. 4168: Mr. CONNOLLY of Virginia.
H.R. 4169: Mr. DANIEL E. LUNGREN of California, Mr. CLAY, Ms. WATERS, Mr. BERMAN, Ms. SLAUGHTER, Mr. DEFAZIO, Mr. RUSH, Ms. RICHARDSON, Mrs. MYRICK, Mr. ROTHMAN of New Jersey, Mrs. CAPPS, Mrs. MALONEY, Mr. WAXMAN, Mr. DOYLE, Mr. RANGEL, Mr. CRITZ, Mr. CARNAHAN, Mr. KEATING, Mr. SMITH of Washington, Ms. CLARKE of New York, and Mr. STARK.
H.R. 4177: Mr. ROSS of Arkansas.
H.R. 4192: Mr. RANGEL and Ms. RICHARDSON.
H.R. 4200: Mrs. LUMMIS, Mr. BACHUS, Mr. HUIZENGA of Michigan, and Mr. PAUL.
H.R. 4206: Mrs. ELLMERS.
H.R. 4209: Mr. MCGOVERN and Mr. CONYERS.
H.R. 4210: Mr. PETERS, Mr. CLAY, Ms. SEWELL, and Mr. DAVIS of Illinois.
H.R. 4221: Ms. BASS of California.
H.R. 4228: Mr. CARTER and Mr. THORNBERRY.
H.R. 4229: Mr. BILIRAKIS, Mr. FORBES, Mr. RYAN of Ohio, Mr. SIREs, Mr. MURPHY of Connecticut, Mr. PRICE of Georgia, Mr. BOSWELL, Ms. SCHAKOWSKY, Mr. MCCAUL, Ms. RICHARDSON, Mr. FILNER, and Mr. MARINO.
H.R. 4232: Ms. SUTTON.
H.R. 4235: Ms. HAYWORTH and Mr. PETERS.
H.R. 4237: Mr. HULTGREN and Mr. JONES.
H.R. 4249: Mr. CONNOLLY of Virginia and Mr. HIGGINS.
H.R. 4256: Mr. HUIZENGA of Michigan, Mr. KINGSTON, Mr. FARENTHOLD, Mr. GIBBS, Mr. SOUTHERLAND, Mrs. NOEM, Mr. ROE of Tennessee, Mr. DUFFY, and Mr. WEST.
H.R. 4266: Ms. CHU.
H.R. 4271: Mr. HINOJOSA, Ms. RICHARDSON, Mr. COHEN, Mr. HINCHEY, Ms. CLARKE of New York, Mr. VELÁZQUEZ, Mr. CARSON of Indiana, Ms. BASS of California, Mr. ISRAEL, and Mr. KISSELL.
H.R. 4273: Mr. BARTON of Texas.
H.R. 4282: Mr. MILLER of Florida.
H.R. 4301: Mr. MCKINLEY.
H.R. 4313: Mr. LOEBSACK, Mr. BISHOP of Georgia, and Mr. LANDRY.
H.R. 4315: Mr. CRITZ.
H.R. 4325: Mr. GRIJALVA.
H.R. 4328: Mr. HIGGINS.
H.R. 4329: Mr. HINCHEY.
H.R. 4346: Ms. SLAUGHTER and Mr. DEFAZIO.
H. J. Res. 53: Mr. SESSIONS.
H. J. Res. 86: Mrs. CAPPS.
H. Con. Res. 63: Mr. KILDEE and Mr. LANCE.
H. Con. Res. 87: Mr. MCCAUL, Mr. DANIEL E. LUNGREN of California, Mr. MARKEY, and Mr. JOHNSON of Georgia.
H. Con. Res. 110: Mr. WESTMORELAND and Mr. GOODLATTE.
H. Con. Res. 113: Mr. QUAYLE, Mr. LAMBORN, and Mr. YODER.
H. Con. Res. 114: Mr. CANSECO.
H. Res. 16: Mr. BARTON of Texas.
H. Res. 57: Mr. LATHAM.
H. Res. 130: Ms. ROYBAL-ALLARD.
H. Res. 134: Mr. BENISHEK.
H. Res. 271: Mr. ROKITA.
H. Res. 298: Mr. FARR, Mr. CICILLINE, Mr. COSTELLO, Mr. BILBRAY, and Mr. CHANDLER.
H. Res. 319: Mr. HOLT.
H. Res. 351: Mr. LEWIS of Georgia and Mr. SMITH of New Jersey.
H. Res. 367: Mr. CICILLINE.
H. Res. 478: Mr. BLUMENAUER.
H. Res. 526: Mr. SCOTT of South Carolina, Ms. LORETTA SANCHEZ of California, Mrs. SCHMIDT, Mr. GARAMENDI, Mr. GRIFFIN of Arkansas, and Mrs. ROBY.
H. Res. 549: Mr. CONYERS and Mr. STARK.
H. Res. 560: Mr. LUETKEMEYER and Mr. PETERSON.
H. Res. 568: Mr. COSTELLO, Mr. MEEKS, Mr. KINGSTON, Mr. TIERNEY, Mr. MCNERNEY, Mr. FLEISCHMANN, Mr. WALDEN, Mr. REYES, Mr. FATTAH, Mrs. BLACK, Mr. ANDREWS, Mr. REED, Mr. YOUNG of Alaska, Mr. SCHRADER, Mr. MEEHAN, Mr. VAN HOLLEN, Mr. AUSTIN SCOTT of Georgia, Mr. GIBSON, Mrs. EMERSON, Mr. ALEXANDER, Mr. FRELINGHUYSEN, and Mr. COLE.
H. Res. 583: Mr. SCHIFF, Mr. MARINO, Mr. CARSON of Indiana, Mr. TURNER of New York, Mr. DENT, Mr. SMITH of Washington, Mr. FILNER, Ms. JENKINS, Mr. JOHNSON of Georgia, Mr. CRITZ, Ms. KAPTUR, Mr. PLATTS, and Mr. HEINRICH.
H. Res. 589: Mr. TIERNEY.
H. Res. 592: Mr. HINOJOSA, Mr. KINGSTON, and Mr. CLAY.
H. Res. 601: Mr. MURPHY of Connecticut.

PETITIONS, ETC.

Under clause 3 of Rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

40. The SPEAKER presented a petition of The Common Council, Buffalo, NY, relative to Resolution No. 84 calling for the United States Postal Service to continue with one-day delivery of first-class mail in the city of Buffalo; to the Committee on Oversight and Government Reform.

EXTENSIONS OF REMARKS

HONORING THE HARRISBURG HIGH SCHOOL LADY BULLDOGS BASKETBALL TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Harrisburg High School Lady Bulldogs Basketball team for winning the Class 2 Missouri State Championship on March 17, 2012.

The young women and their coaches should be commended for all their hard work throughout the regular season and bringing home the state basketball championship to their school and community. In the final championship game against the New Haven Shamrocks, the Lady Bulldogs prevailed 43 to 32, making it their second state championship in three seasons.

I ask that you join me in recognizing the Harrisburg Lady Bulldogs for a job well done!

RESTORING ECONOMIC SECURITY FOR AMERICAN WOMEN

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to address the report released earlier this month by The White House Council on Women and Girls which provided a sampling of the policies, programs, and legislative initiatives that have resulted from the Administration's efforts to create an economy built to last for American women. I cannot stress enough how critical women are to our nation's economic success and how there still exists an ever-present need for us to continue our efforts to end discriminatory practices in the workforce.

It is vital for us to work together to ensure women's economic security through all stages of life—from young women furthering their education and beginning their careers, to working women who create jobs and provide for their families, to seniors in retirement or getting ready for retirement. Many positive steps have been taken and much change has been effectuated, but there is much more that can be and should be done.

Today, more than ever, women's efforts in the workforce are essential to sustaining a strong economy, not to mention that more women now are the primary income earners in most American families. Yet women in our economy and our work force are still earning just 77 cents on every dollar paid to men. Couple the gender gap with statistics on race

and it is even worse. African American women earn a mere 64 cents on the dollar, while Hispanic women receive an appalling 56 cents on the dollar compared to men. How can this still be when women now make up nearly fifty percent of our workforce? Families are effectively losing part of their income every month due to this gender inequality.

We must put an end to discriminatory practices in the workforce once and for all. Expanding economic opportunities for women is critical to building an economy that restores security for middle class families. We must promote such an economy by encouraging the advancement of women in education and the workforce and by rewarding their efforts equally and accordingly. We must ensure that women who want to continue their education and attend college and graduate school can do so. We must ensure that when a woman seeks higher employment she is able to attain it without being discriminated based on her gender and more importantly where she will receive equal pay as her male counterpart. We must ensure that fulfillment of such goals for women are not an improbability, but a guarantee.

We no longer live in the 1950s where a sole income earner, historically a man, could support an entire family. We are living in an era where the want for a dual income is not a luxury, but a necessity to sustain a middle class family. I applaud President Obama's hard work to ensure that women are treated equally in the workforce and paid fairly for their work. From signing the Lilly Ledbetter Fair Pay Act, to creating the National Equal Pay Task Force, President Obama has fought for equality for women in the workforce, and there is no reason why this Congress should not work equally as hard to support and advance his efforts. There should be no second class citizens in our workplaces in the twenty-first century.

In a time where women's labor force participation has increased dramatically and where families are becoming increasingly reliant on women's incomes due to the rising cost of living, how does it make sense that pay disparities between men and women still persist? Why must women face greater risk for income insecurity than men? The reality is that over the course of her lifetime, these pay discrepancies can cost a woman and her family tens or hundreds of thousands of dollars in lost wages, reduced pensions, and reduced Social Security benefits. Why is it that the Republican majority is not concerned about these disparities?

The statistics on this issue are very clear; we cannot have a vibrant society if women are not doing well. The success of American women is critical for the success of American families and the American economy. Consequently, when women still face barriers to participation in the workplace and marketplace, it affects all Americans.

Unfortunately, rather than concentrating on eliminating such discrepancies and ensuring equality, the Republican majority has instead been fixated on limiting women's rights and freedoms. For over a year now the Republican majority has taken aim at denying women access to health care and restricting women's choices in the area of reproductive health altogether. This is an incredibly ill-guided waste of time, and makes no economic sense. When women are denied access to health care or have to pay more for their health care than men, it hurts entire families and in turn the economy as a whole. In 31 states, all of the best-selling plans engage in gender rating. And in states that permit this practice, 92 percent of the best-selling plans charge 40-year-old women more than 40-year-old men for identical coverage. In the aggregate, women spend an estimated \$1 billion more than men for equivalent health coverage. We should be working together to eliminate these disparities, instead of fending off attacks by the Republican majority who have continuously brought forth anti-women's health legislation in the 112th Congress and attacked the Affordable Care Act which beginning in 2014 will prohibit insurance companies from charging women more for health insurance simply because of their gender.

The Republican majority has taken minor breaks from attacking women's rights in this Congress only to work on stripping senior benefits and ending Medicare as we know it. All seniors should be able to retire with dignity, and live out their final years with security and access to healthcare. This should not be a privilege enjoyed by the 1 percent. We must work to ensure that senior citizens receive the care they need when they are most vulnerable; but instead the Republicans want to hand them a voucher and have them fend for themselves with insurance companies. The coverage Medicare provides is particularly critical for women, because of their greater life expectancies and partially because of costs related to preventive services such as mammograms and bone density tests.

As a result of lower earnings during her time in the workforce, an elderly woman rarely has a significant income from her pension, as compared to the average elderly man. So it should not be surprising that elderly women rely on Social Security to a greater extent than men, and over half of America's more than 48 million Medicare beneficiaries are women. And this is where unequal pay throughout a woman's working lifetime comes full circle.

Mr. Speaker, let us in Congress work together to pass legislation that outlaws gender discrimination, allows for prosecution of pay discrimination against women, invests in child care, and supports the advancement of women as they provide for their families and save for the future. It is through our hard work to ensure equal treatment of all women in the workforce, marketplace, and society as a

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

whole that we can resoundingly voice our commitment to support American women and families.

CELEBRATING THE LIFE OF
HOBART CLAY MARCHANT

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MARCHANT. Mr. Speaker, it is with both pride and sadness that I ask my colleagues to join me in celebrating the life of my father, Hobart Clay Marchant, who passed away on March 22nd at the age of 91. He leaves behind a great legacy seen in my mother, a woman he married 62 years ago, and in his family of five children, fifteen grandchildren, and six great grandchildren.

My father's life was dedicated to the service of those around him. This was seen at a young age when, after the attack on Pearl Harbor, he answered the call of duty and enlisted as a field radio operator for the U.S. Army. For three years, my father served in World War II on the hilltops of the Pacific Islands intercepting vital messages to protect his country and further the cause of freedom. His time overseas also included ground combat at Iwo Jima. It was just one year ago that my dad was reflecting on his time of service and told me how privileged and proud he was to live in the land of the free.

After returning home, my father married my mother, Frances Helen Jones, on August 18, 1950, in Grand Prairie, Texas. As the family grew, my parents moved us to the Carrollton-Farmers Branch area. There my father founded a barbershop he ran for 46 years. It was in that storefront where he taught me and my siblings the values of hard work and family as we polished shoes and greeted customers. My father went on to found a roofing and building development business he ran in partnership with my brothers and me until his retirement. That business, H.C. Marchant Custom Homes, still remains in our family today.

A devout Christian, my father was a charter member of the Carrollton Church of the Nazarene and an active member throughout his life. There he began decades of service caring for the community and his family. Psalm 112 says the righteous man is one who deals generously, who is marked with grace and mercy, and whose heart is firm in the Lord. This describes the life my father lived, and I rest fondly on the promise found in this same Psalm that the righteous man will be remembered forever.

Hobart Marchant was my lifelong hero and an inspiration for all his children. His service to his country is representative of his entire generation and the work ethic and patriotism they passed on to their children. My father always believed in America and her future, and was influential in my decision to enter public service. After every flight home from votes in Washington, he was always my first visit. I would not be the man I am today, nor had the success and grace of God throughout my life, had he not been a guiding force in my childhood, youth, and adulthood.

Mr. Speaker, my father was a great man in the community in which he lived and worked. His work ethic, values, and integrity have set an example for his entire family and those who knew him. I ask all my distinguished colleagues to join me in celebrating his life and honoring the many people whose lives are better for having known him.

A TRIBUTE TO CAROLYN INGRAM
SEITZ, 29TH CONGRESSIONAL
DISTRICT WOMAN OF THE
YEAR—2012

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year during the month of March, we pay special tribute to the accomplishments made by our Nation's most distinguished women.

Today, I pay tribute to Carolyn Ingram Seitz of Altadena, California. A zoning and planning consultant who has worked on many projects in Altadena for the last two decades, Carolyn moved to Altadena in 2000.

Not long after she moved into Altadena, Ms. Seitz became involved in the community, advocating for community safety, and working with the Altadena Sheriff's Department and community members on neighborhood nuisance and other issues. She worked with her neighbors to form a neighborhood watch, and helped other neighborhoods prepare and be organized for cataclysmic events or natural disasters. Carolyn has also assisted with organizing Community Emergency Response Team, CERT, trainings, which offers drills, trainings and refreshers throughout the year. She is the Altadena Sheriff's Station CERT Coordinator, a member of the Regional CERT working group and sits on the Los Angeles County Operational Area Disaster Corps Volunteers Advisory Council. When the Station Fire occurred, Ms. Seitz worked tirelessly for many hours to ensure that the community had updated information on the fire, and the probable impacts caused by the rain that would result in flooding and mudflows.

Carolyn was appointed as the Chairwoman of the Altadena Sheriff's Community Advisory Committee in 2007. In 2010 she brought together the California Highway Patrol, American Red Cross, Pasadena Police Department and community members to a successful Neighborhood Watch Conference, which she organized at Loma Alta Park in Altadena. Along with her extensive volunteer work with the Altadena Sheriff's Department, Carolyn contributes many hours to organizations such as the Quality of Life Center, Inc., Mentoring and Partnership for Youth Development, the Altadena Chamber of Commerce and the Central Altadena Little League. Recognized for her work in improving sheriff-community relations, Ms. Seitz has also been honored with the Altadena Chamber of Commerce's Outstanding Citizen of the Year Award in 2010.

I ask all Members to join me today in honoring an outstanding woman of California's 29th Congressional District, Carolyn Ingram Seitz.

TRANSPORTATION ORIENTED JOBS
INITIATIVE

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. PETRI. Mr. Speaker, today, along with Representative LIPINSKI, I am introducing legislation to stimulate the financing of passenger rail development from revenues generated from transportation oriented development.

The National High Performance Passenger Rail Transportation Oriented Development Act aims to capture some of the increasing value of commercial development around station areas, which in turn would help finance rail corridor infrastructure and operational expenses. Besides providing a funding stream for intercity and passenger operations, the initiative places emphasis on intermodal connectors to create vibrant communities along the corridor. The legislation aims to begin a major public-private partnership initiative that will revitalize America's rail infrastructure to create a true third passenger transportation option to highways and aviation while at the same time creating intermodal access communities.

Under the proposal, the U.S. Department of Transportation will retain a Planning Developer who will establish guidelines for transportation oriented development programs, including special assessment districts or similar mechanisms to capture revenues from increasing commercial value. Rail corridor development funds will be established at the regional level to capture increasing real estate values. A stream of those revenues will be directed to support rail passenger operations.

The proposal permits qualified projects to apply for federal incentives to finance construction and produce jobs. These incentives will include direct access to existing Federal Railroad Administration and Federal Transit Administration programs, including a high priority for federal transportation grant applications. The initiative will be staffed by existing employees and remain revenue neutral in that all program activities, including the work of the Planning Developer, will be repaid once the high performance rail service and commercial development is implemented and generating revenues.

I hope that this bill will open a discussion on the possibilities and potential promise of passenger rail development in the U.S.

75TH BIRTHDAY OF THE AIR
FORCE'S 3D WEATHER SQUAD-
RON AT FORT HOOD, TX

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. CARTER. Mr. Speaker, I would like to take this opportunity to celebrate the 75th Birthday of the Air Force's 3d Weather Squadron at Fort Hood, Texas and honor the squadron's first commander, Congressional Medal of Honor Recipient General Leon W. Johnson.

Mr. Speaker, I have the high honor of representing the brave men and women at Fort

Hood, Texas, the largest military installation in the world. Every day that I have the opportunity to serve in Congress, I do so knowing that my number one responsibility is to give our men and women in uniform the support and resources they need to be successful. Each time I visit Fort Hood, I see America's finest, the Airmen and Soldiers who put it all on the line to allow us to live in the greatest country on Earth.

Representing Fort Hood, Texas also comes with the sober reminder of the sacrifice that our young men and women in the military and their families make to the cause of freedom. For 75 years, the Airmen of the 3d Weather Squadron have exemplified this sacrifice as they stood alongside their Army brethren in support of a long list of military operations. In just the past 20 years, the 3d Weather Squadron has deployed for Operations Desert Shield and Desert Storm, Operation Allied Force, Operation Unified Response, Operation Enduring Freedom, and Operations Iraqi Freedom and New Dawn.

When activated on 1 July 1937, the 3d Weather Squadron was a part of the U.S. Army, as the Air Force had not yet been established. Today the squadron continues a proud history of faithfully providing Battlefield Weather support to the Army, both in garrison and in combat. The stated mission of 3d Weather Squadron is to "deliver superior weather capability when called upon to support any worldwide land component tasking." True to this mission, the Airmen of the 3d Weather Squadron have sustained a continual, unbroken deployed presence in Southwest Asia dating back to 2003 alongside numerous Army units including III Corps, 1st Armored Division, 1st Infantry Division, 1st Cavalry Division, and 4th Infantry Division. On any given day, approximately 25 percent of the squadron is deployed with the Army.

Mr. Speaker, the 75th Birthday of 3d Weather Squadron also affords us the opportunity to celebrate the extraordinary life of the squadron's first commander and a singularly heroic warrior, General Leon W. Johnson. Leon W. Johnson was born in Columbia, MO, in 1904. He spent his boyhood in Columbia and Moline, KS. He later graduated from the U.S. Military Academy and was commissioned a Second Lieutenant in June 1926. Lieutenant Johnson decided he'd "have to know something about weather if he intended to be a leader in the Air Force," so he enrolled at the California Institute of Technology and earned a Master's Degree in Meteorology in 1936. The next year he became one of the Army Air Corps Weather Service's first 22 weather officers and assumed command of the 3d Weather Squadron when it was activated on 1 July 1937. General Johnson subsequently took command of the 44th Bomb Group during World War II and earned the Medal of Honor for his role in the strategically crucial raid on the Ploesti oil fields in Rumania. General Johnson served in a wide variety of critical positions with both the Army and the Air Force throughout his 34 years of service.

Mr. Speaker, I will close by asking my colleagues to join me in recognizing the heroic Airmen of the 3d Weather Squadron as they mark the 3d Weather Squadron's 75th birthday and that we also honor an American pa-

triot and hero, Medal of Honor Recipient General Leon W. Johnson.

HONORING MIKE JONES

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in celebration of Mike Jones' years of dedicated service to the Economic Council of Palm Beach County. Mike leaves behind a strong legacy of working with business and community leaders to create progress in our community.

Founded 35 years ago, the Economic Council of Palm Beach County is a non-profit advocacy organization that works to help foster an environment where businesses can grow and thrive. As president of this vital organization, Mike has worked for over a decade in order to achieve that goal. He understood that pragmatic solutions come from bringing more people to the table. That is why he led a forum of 30 business groups to help discuss the development of a strategic plan for the county, and worked to create a regulatory climate more conducive to business practices.

Mike's impact in South Florida extends beyond the business world. During his tenure, he worked with the entire community to help advocate for better schools and educational opportunities, and prioritized ethics reform by pushing the county to create an Office of the Inspector General and an Ethics Commission.

I congratulate Mike Jones, his wife Dee, and their son, as they celebrate Mike's retirement. Mike's dedicated leadership has made a positive impact on the South Florida community, and it is an honor to represent him here in Washington.

IN RECOGNITION OF THE HEROICS OF FOUR GREAT OAKS STUDENTS

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. AUSTRIA. Mr. Speaker, I rise today in honor of four Great Oaks Vocational School students: layie Viassy, Wade Aills, Brandon North, and Austin Salisbury. I am proud to recognize these four young men for their brave heroics in helping 53 Miami Trace elementary school children off an overturned bus on March 12, 2012.

At 4:16 p.m. on March 12, a school bus transporting children home from school veered off the road and rolled onto its right side into a ditch. With the passenger door pinned against the ground, Wade Aills made the decision to kick open the emergency rear door. The four boys then proceeded to aid the elementary children in exiting the bus and keeping everyone calm until emergency personnel could arrive. When EMS units arrived on the scene, all of the children had been evacuated safely, with only a few children that suffered minor injuries.

Recently, these young men were honored and recognized by the Fayette County Sheriff's Office and the Miami Trace elementary school for their actions.

Thus, today I ask my colleagues to join me and the constituents of Ohio's Seventh Congressional District in recognizing four true heroes: layie Viassy, Wade Aills, Brandon North, and Austin Salisbury.

LARRY DECKER TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. TIPTON. Mr. Speaker, I rise today in honor of Larry Decker of Pueblo, Colorado.

After earning his education and serving in the U.S. Navy, Mr. Decker moved to Pueblo. Always a strong leader in the community, Mr. Decker was frequently involved in Veterans activities and organizations. He was a proud member of American Legion Post 207 and served a leadership role among his peers. As the senior vice commander of Post 207, Mr. Decker was highly respected not only in the American Legion but also in the Pueblo community.

As enthusiastic as he was with helping others in the community, his real passion was his family. He leaves behind his wife Joan who has been by his side since 1964. Together they raised a loving family that includes two daughters and three grandchildren. On April 5th, the city of Pueblo and the State of Colorado lost a great man.

Mr. Speaker, it is an honor to recognize Larry Decker. I rise today to thank him for his work on behalf of the citizens of Pueblo, and for his service to our nation. May he rest in peace.

CONGRATULATING THE UNIVERSITY OF KENTUCKY WILDCATS MEN'S BASKETBALL TEAM FOR WINNING THE 2012 NCAA DIVISION I MEN'S CHAMPIONSHIP

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, it is my distinct honor to rise today to commend and congratulate the University of Kentucky Wildcats men's basketball team on winning the 2012 NCAA Men's Division I Basketball Championship.

By now, any basketball fan is familiar with the legacy of the Wildcats. The "Greatest Tradition in College Basketball," Kentucky is the winningest program of all-time, both in total wins and total win percentage, and the first team to break the 2,000 win threshold. Kentucky has fifteen Final Four appearances, and now eight national championships, second only to UCLA.

Even measured against this pedigree and the impossibly high expectations of the Big Blue Nation, this batch of 'Cats was something

special. "The Undeniables," as they are known, were ranked number one in the nation for most of the year, losing only two games on their way to setting the NCAA record of thirty-eight wins in a single season. During their remarkable NCAA tournament run they won each game by an astonishing average of ten points, never trailing in a second half. While the title was the ultimate goal, the Final Four victory over in-state rival the University of Louisville may have been even sweeter, as the highest stakes game ever played in the historic rivalry and the most important single sporting event in the history of the Commonwealth of Kentucky.

This team achieved greatness against extraordinary competition because of the players' love and respect for one another. It is telling that a team led by three freshmen and two sophomores all forecast to be first round NBA draft picks, and all used to scoring 25 points a night in high school, were known first and foremost for their defense. Their willingness to support each other on the defensive end translated into selflessness in their offensive attack, with a different player leading all scorers on any given night. The senior anchor to these young 'Cats was Darius Miller, one of Kentucky's favorite sons and a high school Mr. Basketball from Mason County. During his freshman season, Kentucky failed to make the NCAA Tournament for the first time in 18 years. After that disappointment, Miller has been a mainstay of teams under Coach John Calipari that have gone undefeated at home for three seasons, earning two Final Fours, an Elite Eight appearance, and a National Championship. Over his career, Miller played in more games than any Kentucky player in history and was one block and thirteen rebounds from having a career stats sheet with some 1,200 points, 500 rebounds, 250 assists, 100 blocks, and 100 steals.

That Miller was the sixth man on this Kentucky squad demonstrates the explosive athleticism of Big Blue's younger stars. Leading the way was Anthony Davis who, with 186 blocks bested most entire teams in that statistic, cleaned up nearly every individual award for which he was eligible, including Freshman of the Year, SEC Player of the Year, Defensive Player of the Year, and the Naismith and Wooden National Player of the Year awards. Though ending the season with a 62% field goal percentage, he was scoreless in the first half of the National Championship Game and yet was Most Outstanding Player for his defensive abilities and capacity to ignite the UK offense. Davis along with fellow freshman point guard Marquis Teague started in a record forty games for UK and were the distributors for an extremely quick and highly efficient offense that was a perpetual threat in transition. Leading that attack were sophomore and freshman forwards Terrence Jones and Michael Kidd-Gilchrist, dangerous whether around the rim or breaking free for an open jump shot, combining for an average 24 points a game. Sophomore Doron Lamb was the team's often unsung hero and clutch shooter, averaging 37% from the three point line during his career and killing the momentum behind several opponents' would-be comebacks. I could go on-and-on celebrating these leaders and the other players who made this team

championship caliber. "The Undeniables" will be regarded as one of the greatest all-around teams in college basketball history and that eighth NCAA Championship banner now hanging in Rupp Arena will forever stand as testament to their place in the hearts of the Big Blue Nation. I wish all of these players the best as they continue their careers, whether at Kentucky or at the professional level.

Of course, none of this would have been possible without the boundless energy and enthusiasm of Head Coach John Calipari, who forged a timeless team out of young freshmen and sophomores. Before Coach Cal's arrival, UK basketball was lost in the woods. In a single season he made the Wildcats into a perennial championship contender once again. But more importantly, he has worked selflessly to promote the University nationally and internationally, even more closely involved the community in the basketball program, and pursued philanthropic goals both through the University as well as with his private charity. This winning environment in Lexington is a result of the seamless teamwork and support of the coaching and training staff, Athletic Director Mitch Barnhart, and University of Kentucky President Eli Capilouto who, in his first year as president, is now one-for-one in national basketball championships.

In closing I would like to once again join the Big Blue Nation in congratulating the team, everyone affiliated with the University and UK fans around the world on a terrific season and our eighth national championship. What a banner year it has been!

RECOGNIZING PROFESSIONAL
GOLF ASSOCIATION TOUR PRO-
FESSIONAL BUBBA WATSON AS
THE WINNER OF THE 2012 MAS-
TERS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Northwest Florida's Gerry Lester "Bubba" Watson, Jr. as the winner of the 2012 Masters Tournament on Sunday, April 8, 2012 at Augusta National Golf Club.

Winning a Masters Tournament, professional golf's most prestigious event, is the dream of every tour professional and aspiring amateur. This win—his fourth on the PGA tour—elevated him to the number four position in the world golf rankings, and to number two in the FedEx Cup rankings.

Bubba's humble, small-town upbringing in Bagdad, Florida included no formal golf lessons, save one provided by his father at an early age. He taught himself to play golf by hitting wiffle balls around his house with a cut-off club his father gave him.

Not an inexperienced winner, Bubba won the Divot Derby—a longstanding junior golf tournament in Pensacola, Florida—an astounding 10 years in a row. He continued golfing during his years at Milton High School, where he also excelled as pitcher on the school's baseball team. Despite his significant baseball talents, golf remained his passion. At

Faulkner State Community College, he was named First Team Junior College All American. Later, after transferring to the University of Georgia, he led the Bulldogs to an SEC Championship title in 2000. He turned professional when he joined the Nationwide Tour in 2001, and later joined the PGA tour in 2006. Known for his aggressive shot-making abilities and his exceptionally long tee shots, he has quickly established himself as a favorite among golf spectators.

Bubba is not shy about sharing his Christian faith, and he possesses an unwavering commitment to family—most recently demonstrated when he and his wife, Angie, adopted a baby boy just two weeks before his win at Augusta. In addition to his commitment to family, Bubba is actively involved in a number of philanthropic activities, serving as an honorary board member and generous sponsor of The First Tee of Northwest Florida and making significant contributions to the Ronald McDonald House in Pensacola. He has also hosted free golf clinics for children, provided scholarships for Milton High School golfers, and committed to funding the Divot Derby for the next five years, ensuring that children do not need to pay the registration fee to participate in the event.

Bubba's strong character, athletic prowess, and commitment to family and community make it all the more enjoyable to call him "Masters Champion." His nail-biting win after two playoff holes on Sunday afternoon may be his first in a major tournament, but it will likely not be his last.

On behalf of the United States Congress and the citizens of Northwest Florida, I congratulate Bubba for his extraordinary victory. My wife Vicki joins me in offering our best wishes to Bubba; his wife, Angie; and their son, Caleb, for their continued success.

HONORING THE ROCK BRIDGE
HIGH SCHOOL LADY BRUINS
BASKETBALL TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Rock Bridge High School Lady Bruins Basketball team for winning the Class 5 Missouri State Championship on March 10, 2012.

The young women and their coaches should be commended for all their hard work throughout their stunning season. In the championship game against Blue Springs, the Lady Bruins prevailed 52 to 41, marking the team's first title since 2008. The Lady Bruins had come to win starting with a 14 to 0 lead and then never letting their opponent come closer than five points.

I ask that you join me in recognizing the Rock Bridge High School Lady Bruins for a job well done.

IN RECOGNITION OF THE LIFE OF
MIKE WALLACE

HON. LAURA RICHARDSON
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, it is with deep sadness that I rise today to pay tribute to Mike Wallace, a man whose determination and tenacity shaped investigative reporting as we know it today.

Mr. Wallace died on April 7, 2012, surrounded by family in New Caanan, Connecticut. He was 93.

Mr. Speaker, Mike Wallace was one of the original correspondents for the news program, 60 Minutes, and his reporting helped to cement the show's reputation for hard-hitting but fair journalism. He interviewed world leaders and celebrities, never shying away from difficult and often confrontational lines of questioning. Nevertheless, his impeccable research and balanced approach made him as respected as he was feared.

The list of persons interviewed by Mike Wallace over the past half century reads like a Who's Who of the leading figures of the twentieth century: reverend and activist Dr. Martin Luther King, Jr.; famed surrealist painter Salvador Dali; former Palestinian leader and Nobel Prize Laureate Yasser Arafat; former Iranian leader Ayatollah Khomeini; civil rights advocate Malcolm X; first lady Eleanor Roosevelt; president Ronald Reagan; former Secretary of State Henry Kissinger; then-Russian President Vladimir Putin.

Despite his steely demeanor, Mike Wallace struggled with personal hardships, including the death of a son and bouts with depression. At a time when such vulnerabilities were often hidden from public view, Mike Wallace shared these challenges with American audiences. His bravery and openness helped to dissolve the social stigma around depression and made a tremendous impact on the lives of many Americans.

Mike Wallace was honored with 21 Emmy Awards, five Peabody Awards, and the Robert F. Kennedy Journalism Award. He was also inducted into the Television Academy Hall of Fame in 1991. His legacy continues through the Knight-Wallace Fellowship program at the University of Michigan, which gives mid-career journalists the opportunity to explore new subjects of interest.

Mr. Speaker, as we reflect on the life and legacy of Mike Wallace, one can be certain that his memory will be an inspiration for a new generation of journalists as well as for every American who values such a strong commitment to integrity and truth.

PAUL ALLEN AND THE ALLEN
INSTITUTE FOR BRAIN SCIENCE

HON. DAVID G. REICHERT
OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES
Monday, April 16, 2012

Mr. REICHERT. Mr. Speaker, I rise today in recognition of a philanthropist and forward-

looking individual who made a remarkable announcement a few weeks ago. Paul Allen, the founder of the Allen Institute for Brain Science, yesterday announced that he is giving \$300 million toward the invaluable research at the Allen Institute for Brain Science, which he started with \$100 million of his own money.

Mr. Speaker, the researchers at The Allen Institute employ an extraordinary team approach to brain research and all strive, every single day, toward the same goal: mapping the human brain with the goal of finding the causes and cures of vexing diseases—Alzheimer's, Parkinson's, dementia, autism, depression and many more.

Perhaps most impressively, Mr. Speaker, Mr. Allen's team at the Institute share what is learned as it happens. Each month, tens of thousands of scientists from around the world access the vast data stores and web-based tools available via the Institute's brain map website to learn and advance their own research. The investment Mr. Allen and the brilliant team of researchers make are intriguing and hopeful.

I'm proud to say, Mr. Speaker, that Mr. Allen and his team are doing the bulk of their work in the Pacific Northwest providing hope for the future—and opportunities for the present. I salute Mr. Allen, his team of researchers, and our talented and motivated medical professionals around this Nation. The dollars and time being invested should never be forgotten in this House, nor by humanity.

CLINTON RIVER WATERSHED
COUNCIL CELEBRATES FORTY
YEARS

HON. SANDER M. LEVIN
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES
Monday, April 16, 2012

Mr. LEVIN. Mr. Speaker, I rise today to congratulate the Clinton River Watershed Council as it celebrates 40 years of making a positive difference to the Clinton River and its watershed.

Forty years ago, the Clinton River was a very different waterway than it is today. Decades of uncontrolled dumping of industrial wastewater and raw sewage had taken a huge environmental toll on water quality in the river. There were no fish to speak of in the river, and certainly none that you would care to eat. Far from being an asset to the communities along its banks, the Clinton River was slowly dying.

That might have been the end of the story except for two key developments in 1972. The first was the passage of the Clean Water Act which spelled out ambitious programs for water quality improvement. The second key development was the formation of the Clinton River Watershed Council. Both of these had a profound impact on water quality in the Clinton River.

Passage of the Clean Water Act 40 years ago was one of the most important environmental milestones in our nation's history. It marked a fundamental change in how our nation views and manages water in this country. After decades of polluting the Great Lakes and

their tributaries—including the Clinton River—we finally recognized that healthy rivers and lakes are vital to the health of our communities, and we required that steps be taken to restore them.

The formation of the Clinton River Watershed Council marked another important turning point. It takes time and resources to undo decades of pollution and neglect, and still more time for an ecosystem to heal. Restoring an urban waterway like the Clinton River is especially complicated. I am convinced that the effort to heal the Clinton River has gone much faster because it had advocates to coordinate action and focus attention and resources. Thanks to the work of the Clinton River Watershed Council and its members and member units of government, real progress is being made on water quality, and once again the Clinton River is being used for fishing, canoeing, and hiking. The Council's efforts in the areas of watershed management, stewardship and education have also had a tangible, positive impact.

There was a time when we turned our backs to our rivers and lakes. Today, we know better. As the hard-won progress in the Clinton River and Lake St. Clair shows, waterfront development is a real generator of economic activity and a one-of-a-kind asset to communities.

We need to build on the progress that has been made in the Clinton River Watershed as well as Lake St. Clair. This absolutely requires a partnership of effort by Federal, State, and local governments, as well as local stakeholders and advocacy groups. It also means a continued commitment of resources from the Federal Government, especially when it comes to funding the Great Lakes Restoration Initiative. Now is not the time to cut funding for this vital initiative. Congress and the Obama Administration must also work to clarify and restore long-standing Clean Water Act protections for U.S. streams, wetlands, and other waters.

But the real work of completing the restoration of the Clinton River will continue to be done by groups like the Clinton River Watershed Council and the many volunteers and sponsors that support their efforts. The Watershed Council's work underscores the value that a healthy Clinton River holds for our citizens and communities. I ask all of my colleagues to join me in recognizing the Clinton River Watershed Council as it begins its fifth decade of work to protect, enhance and celebrate the Clinton River and its watershed.

RECOGNIZING THE SERVICE AND
OUTSTANDING ACHIEVEMENT OF
SENIOR AIRMAN ALEXANDER W.
BLENCH, UNITED STATES AIR
FORCE

HON. JEFF MILLER
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the outstanding achievement of Senior Airman Alexander W. Blench, who recently received the 2011 Lieutenant

General Leo Marquez Award as the Air Force's Outstanding Aircraft Maintenance Airman.

Originally hailing from Escondido, California, SrA Blench joined the United States Air Force as an F-15 Avionics Technician in 2008. He served at RAF Lakenheath, England and in Afghanistan before reporting to Eglin Air Force Base, Florida, in 2010. A self-described tinkerer who developed a love of mechanics as a child working in his father's machine shop, SrA Blench now specializes in repairing electronic warfare and countermeasure systems in F-15C and F-15E aircraft. He also works on aircraft wiring, flight controls, environmental systems, munitions guidance systems and video lines. At only 24 years old, SrA Blench has already compiled an impressive list of contributions to our nation's Air Force. His sharp eye and keen understanding of avionics allowed him to identify and quickly rectify countermeasure and flight control failures, faulty telemetry data, a radar elevation discrepancy and crucial systems malfunctions. His personal efforts led to five modifications of three separate types of aircraft and contributed directly to 1,700 sorties and over 2,600 flying hours resulting in the success of several critical test missions.

SrA Blench's dedication to excellence, however, goes beyond his professional duties. In addition to his significant professional achievements, SrA Blench also completed a Community College of the Air Force degree in Avionics Systems Technology. He is also pursuing a Bachelor of Science degree with a 3.95 GPA, he volunteered his off-duty time to clean and paint a local middle school, and he participated in a local Northwest Florida beach conservation effort by assisting with planting 1,400 trees along the shoreline. Not only has SrA Blench proven himself to be a good Airman, he has also shown himself to be a good neighbor and an outstanding representative of the United States Air Force in the Northwest Florida community.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize SrA Alexander W. Blench. His dedication to duty, his technical competence, and his contributions to the local community all bear testament to his personal embodiment of the Air Force's core values—"Integrity First, Service Before Self, and Excellence in All We Do." My wife Vicki joins me in congratulating SrA Blench, and we wish him all the best for continued success.

100TH ANNIVERSARY OF THE
HOLLIDAYSBURG AREA YMCA

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. SHUSTER. Mr. Speaker, it is my privilege to rise today to recognize the Hollidaysburg Area YMCA upon the 100th anniversary of their continued service to our community. I, along with close to 6,000 of my constituents, am proud to call Hollidaysburg home and am pleased to have the opportunity to call attention to such a respected mainstay in our community.

The Hollidaysburg Area YMCA, founded in 1912, currently boasts roughly 4,000 members. These members are provided training, education, the use of the grounds and facility, and access to multiple wellness events throughout the course of the year. In 2011, they proudly bore the title of the largest wellness program available in Blair County, teaching and advocating youth development, healthy living, and social responsibility. This feat is made all the more impressive by the fact that they serve as a completely non-profit community center with no subsidy from tax revenues. Beside their own regular members, an estimated 25,000 individuals come through their doors each month to receive the same high quality care and instruction that YMCAs all across the United States provide on a daily basis.

In addition to general safety and instruction, the Hollidaysburg Area YMCA also operates one of the largest childcare centers in the area, providing a resource for American families in surrounding areas, encouraging and supporting the hard work and diligence that makes America great. This, combined with their welcoming community center, their extensive aquatic programs, and the financial assistance provided to nearly 600 individuals annually, has endeared this establishment to its people and community.

Mr. Speaker, I congratulate the YMCA of the Hollidaysburg Area for 100 years of history, growth and success. This organization continually lives out their mission by putting "Christian-Judeo principles into practice through programs and services that build healthy spirits, minds, and bodies for all." Hollidaysburg is honored to boast such a vital and interactive part of our community and I invite the American people to help celebrate this anniversary by exploring the opportunities and advantages that the YMCAs of America provide their communities.

HONORING ERIKA GARZA

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Erika Garza is a senior at Pasadena Memorial High School in Harris County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

The role of the government is to represent, help, and speak out for its people. Specifically, when dealing with the government of the United States, it is basically supposed to

be ruled by the people, for the people. The public, although not everybody does it, participates in the government by voting. We vote representatives into office, with the thought that they have the intention to make a difference in our country, dealing with specific issues that we believe need to be changed. The government has many different levels to it, yet it is composed of people who come from similar backgrounds and wanted to be the voice for their fellow people. This is not an easy task, as it takes a lot of hard work and time to be elected into office. Once a person is elected into office, their job becomes even more difficult. They then have to try and do what is best for the people but also have to deal with other representatives as well who have the complete opposite opinions. Not all the elected think alike, nor do they have the same goals, which makes making laws or setting standards difficult. Yet, their main focus is to represent the people who have chosen them to do what others in the past have failed to do. That is basically the role of the government and how people participate it in daily.

HONORING THE MOUNT HERALD
MISSIONARY BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a pillar of the community, the Mount Herald Missionary Baptist Church. Mt. Herald M. B. Church served as a catalyst during the civil rights movement in Sharkey County, Mississippi.

The Church was organized in 1908, under the leadership of the late Rev. B. S. Scott. Over the years physical structure was built under the leadership of Rev. B. C. Cook and the new foundation was laid by Rev. G. P. Phillips in 1924.

During the Civil Rights era, the Mt. Herald M. B. Church was used as one of the many safe houses for the brave men and women who stood up for the rights of African Americans in the segregated South, including the Mississippi Delta. These brave warriors gave their lives for the rights that we now have as African Americans.

Before the states were ordered to end all segregated school systems the Mount Herald M. B. Church was used as the first high school for African American students in the Rolling Fork, Mississippi community.

On April 4, 2003, the Mt. Herald M. B. Church family purchased the property located at 140 Dr. Martin Luther King, Jr. Street, in Rolling Fork, Mississippi so they could accommodate the growth of the church family and continue their mission for the good of all mankind. The Mount Herald Church is truly a church full with members who are truly making a difference in the community. The Mount Herald Missionary Baptist Church is currently under the leadership of Pastor Gregory D. Young.

Mr. Speaker, I ask that our colleagues join me on this 9th anniversary of acquisition of the Mt. Herald Missionary Baptist Church to honor its exemplary service and dedication to the state of Mississippi.

MARKING THE 100TH ANNIVERSARY OF THE SINKING OF THE "TITANIC" WITH THE STORY OF THE KELLY FAMILY OF NEW HAVEN, CONNECTICUT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. DELAURO. Mr. Speaker, April 14th will mark the 100th Anniversary of the *Titanic* tragedy and for one family, the Kellys of New Haven, Connecticut, it will mark the anniversary of the loss of a very special member of their family, James Kelly. The Titanic Kellys, as they have been known since the days of this tragedy, will gather for a reunion and a celebration of the strength and resiliency of this wonderful family.

In the early part of the 20th century, life in Leixlip, Ireland was difficult to say the least and James Kelly determined that it was time for his family to seek a new life in America. In order to obtain the necessary money to move the family, the eldest daughter, Margaret left her home and family and immigrated to New Haven, Connecticut where she would work until she had earned enough for her father to join her. The plan was for Margaret and James to then work to bring the rest of the family to New Haven.

Margaret worked at the garment company Strause-Adler and soon had enough wages saved to send to her father. It is not fully known exactly how James Kelly obtained passage on the *Titanic*, but what is known is that he boarded at Queenstown, Ireland and his ticket number was 330911. This third class passage ticket was purchased for approximately \$40.00 and being third class, James was segregated from the other passengers and, while his movement was limited, some of the accommodations were actually better than what he saw at his two room house in Leixlip. It is not hard to imagine the hope that was in his heart—the dreams of a better life for his family. Unfortunately, fate had different plans.

James Kelly did not survive the sinking of the *Titanic*. His body was discovered by the *Mackay-Bennett*, which was one of the ships chartered by White Star Lines to recover bodies. Each body discovered was given a number and entered into a ledger—James Kelly was number 70. The ledger indicates he was buried at sea on April 21, 1912 wearing a dark suit, vest, trousers, white socks, black boots and a set of rosary beads.

Even in the face of this tragedy and the loss of their patriarch, the Kelly family did not waiver. James' widow, Catherine, and their other children left Ireland and arrived in New Haven in June of 1912. While life in America was not without its challenges, they took it upon themselves to fight through the hardship and build a better life for their respective families. There are now more than 100 proud descendants of James Kelly living in our great country. The Kelly motto, "God is My Tower of Strength," perfectly reflects the will power and vigor of the Titanic Kelly's and I am proud to join them as they celebrate their remarkable history.

HONORING MR. EUGENE CHIN YU, 24TH PRESIDENT OF THE FEDERATION OF KOREAN ASSOCIATIONS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ANDREWS. Mr. Speaker, I rise today to honor Mr. Eugene Chin Yu, the 24th president of the Federation of Korean Associations. Mr. Yu has dedicated his time and energy to representing Korean Americans on the local, regional, and national level for his entire adult life.

Starting as a young man, Mr. Yu has steadily risen in prominence as he championed the causes of his fellow Korean Americans. As president of the Federation of Korean Associations, Mr. Yu continues his diligent work ensuring the success of Korean culture in America.

Mr. Yu also serves the greater community as a leader and a role model. Having served in the United States Army, Mr. Yu embodies the virtue of defending the freedom of our great nation. As a former Georgia State Trooper, Mr. Yu was committed to protecting the safety of his community. And as a successful business owner, Mr. Yu shows us that with hard work and dedication, anything is achievable in America.

Mr. Speaker, Eugene Chin Yu's legacy as a community leader is well recognized and deserving of our honor. I join the Korean American community of Southern New Jersey in honoring Mr. Yu and his many great accomplishments.

RECOGNIZING THE J.M. TATE HIGH SCHOOL MOCK TRIAL TEAM AS THE 22ND FLORIDA HIGH SCHOOL STATE CHAMPIONS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize J.M. Tate High School and to congratulate Asia Cravens, Sarah Barlow, Tanner Newman, Hannah Malone, Matthew Bailey, Chance Sturup, Tatiana Teate, Amy Sapp, Brianna Riddell, Andrew Belt, and Ryan Colburn as the 22nd Florida High School Mock Trial State Champions. This award is evidence of their tireless work and steadfast dedication to excellence.

On the road to state championship, Tate's Mock Trial Team was tasked with defeating teams from eighteen judicial circuits across the state. Following four rounds of intense competition, Tate High School defeated the Community School of Naples in the final round and prevailed as Florida State Champions.

No single component by itself renders a champion, but rather to be a champion requires a combination of discipline, desire, focus, and determination. The Tate High School Mock Trial Team bounded together by their passion for justice and dedication to the

rule of law found the perfect blend of these elements and made Northwest Florida proud.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize the Tate High School Mock Trial Team and their coaches, Angie Sapp and Travis Johnson, on their leadership and accomplishments. My wife Vicki joins me in congratulating them, and we wish them all of the best for their continued success.

HONORING CAPTAIN ROBERT C. GRANT

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Captain Robert C. Grant, on the occasion of his retirement from the United States Coast Guard Reserve. For over 30 years, Captain Grant has dedicated his life to serving our nation and protecting South Florida, and it is truly an honor to represent him here in Washington.

Captain Grant is an exceptional public servant. As Deputy Chief of Staff of the seventh Coast Guard District, he served as a senior advisor to eight admirals, and provided support to Operation Desert Storm and Desert Shield. And as Congressional Liaison for Florida's 19th district, Captain Grant assisted Congress in passing legislation that has proved instrumental in addressing new maritime smuggling tactics.

But Captain Grant's work also extends to the realm of community outreach. He helped strengthen the relationship between the Coast Guard and the Cuban and Haitian communities in South Florida through a dedicated public outreach initiative. Furthermore, he was able to assist with relief efforts in the wake of the devastating 2010 earthquake in Haiti, and has received numerous awards and accolades for his exemplary service.

Captain Robert C. Grant's service in the United States Coast Guard has made an extraordinary local, national, and international impact, and has made South Florida a safe place where families can grow and thrive. It is my hope that his example will inspire others to serve their communities for generations to come.

TO THE 10TH POWER, A TRIBUTE TO CAPTAIN DAVID WOODARD, FOURTH BRIGADE TENTH MOUNTAIN, UNITED STATES ARMY

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. AUSTRIA. Mr. Speaker I rise today in honor of Captain David Woodard: a strong son of the south, one of Georgia's finest, and member of the 4th Brigade 10th Mountain of the United States Army. April 28th marks the three year anniversary of an IED explosion in Sadr City, Iraq that almost took Captain

Woodard's life. Although Captain Woodard lost his leg in the attack, he has not missed a beat. His recovery and "can-do" attitude has helped sustain him and inspire us all. With the help of his lovely wife Danielle and their beautiful son David, who is a carbon-copy of his dad, Captain Woodard is past the road to recovery and is preparing to embark on the next phase of his heroic life.

TO THE 10TH POWER

How high can a heart so climb?
To what heights may we so reach in time?
But, to the very top to teach us we find!
To the 10th Power!
Throughout our nation's history . . .
Have come such fine men of faith and courage, so indeed . . .
Strong Georgia Men, who are but our Nation's best friends . . .
Who've worn the title of, 10th Mountain Men . . .
Who go off to war, and but for all of us . . . so much endure . . . and depends!
Who but only with their Beliefs, so gallantly fight for our peace!
Who above all others so tower, as up to new heights they reach!
Like the Tenth Mountain Men, whose courage upon us showers . . .
Showers, us with great courage and heroic faith!
Men of the hour, who will not fade . . .
Who in the moment of truth, their fine hearts rise, to the 10th Power . . .
Men, who upon battlefields of honor, death, and glory . . .
While, lying gravely wounded . . . close to death, they tell their story . . .
Who give up their fine arms and legs . . .
And come back home to write another great chapter . . .
Another chapter, all in their life's most heroic page!
As they must somehow start all over again!
Men like David, these most heroic to 10th Mountain Men . . .
Whose, great hearts much somehow grow even greater than!
Men who teach us!
Who so beseech us!
All in how they so reach us!
As they start their lives all over again . . .
Just like his brother Bob Dole, Captain Woodard too has such a fine soul!
As both are cut from the same mold!
In life, how high can a heart so rise?
As to what heights will it so climb?
When it all depends on . . . what is so found deep down inside!
As to the 10th power, your heart so begins to rise!
Bringing tears even to the angel's eyes . . .
As David, yours has so!
And if I ever have a son!
David, I but hope and pray he could be like you . . . this one!

By Albert Carey Caswell . . . Bless You All, as you have blessed so many Heroes and our Nation!

HONORING THE ROCK BRIDGE HIGH SCHOOL LADY BRUINS SWIMMING AND DIVING 400-YARD FREESTYLE RELAY TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Rock Bridge High School Lady Bruins Swimming and Diving 400-Yard Freestyle Relay team on its Missouri State Championship.

Madeline Simon, Libby Walker, Kortney Betz and Chelsea Tatlow gave a tremendous showing in the 400-yard freestyle relay with a time of 3:33:37, allowing them to pull ahead by less than two-tenths of a second of the runner-up. These young ladies and their coaches should be commended for all their hard work throughout the regular season and helping bring home their school's first overall team state championship.

I ask that you join me in recognizing the Rock Bridge High School Lady Bruins for a job well done!

RECOGNIZING THE ANNIVERSARY OF THE VIRGINIA TECH SHOOTING

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, today, April 16, 2012, marks the fifth year anniversary of the Virginia Tech shooting in which 32 innocent lives were lost. Today I rise to observe the anniversary and I urge all Americans to join me in keeping all those who were injured, and the families of those who lost their lives in this tragedy in their thoughts and prayers.

More than 30 members of the Virginia Tech family perished that day. Among them were future lawyers, doctors, teachers, engineers, soldiers, business men and women, mothers, fathers, and leaders. The loss of life at Virginia Tech is a tragedy that all Americans mourn.

On this day, I salute the strength and resilience of the Virginia Tech community. Those belonging to "Hokie Nation" include nearly 30,000 students, 1,300 faculty members and 200,000 living alumni who take pride in their school and in their accomplishments as an institution.

Days after the shooting, Nikki Giovanni wrote a moving poem about the events and her words still ring true today.

We are Virginia Tech.

We are sad today, and we will be sad for quite a while. We are not moving on, we are embracing our mourning.

We are Virginia Tech.

We are strong enough to stand tall tearlessly, we are brave enough to bend to cry, and we are sad enough to know that we must laugh again.

We are Virginia Tech.

We do not understand this tragedy. We know we did nothing to deserve it, but nei-

ther does a child in Africa dying of AIDS, neither do the invisible children walking the night away to avoid being captured by the rogue army, neither does the baby elephant watching his community being devastated for ivory, neither does the Mexican child looking for fresh water, neither does the Appalachian infant killed in the middle of the night in his crib in the home his father built with his own hands being run over by a boulder because the land was destabilized. No one deserves a tragedy.

We are Virginia Tech.

The Hokie Nation embraces our own and reaches out with open heart and hands to those who offer their hearts and minds. We are strong, and brave, and innocent, and unafraid. We are better than we think and not quite what we want to be. We are alive to the imaginations and the possibilities. We will continue to invent the future through our blood and tears and through all our sadness.

We are the Hokies.

We will prevail.

We will prevail.

We will prevail.

We are Virginia Tech.

Mr. Speaker, I rise today to recognize the horrible tragedy that occurred five years ago today and as we remember the events of that dreadful day, let us not forget those who lost their lives. I extend my deepest condolences again to the families of all the victims. On this five year anniversary of the horrible tragedy at Virginia Tech, let us extend our thoughts and prayers to all those who were injured or have suffered as a result of this senseless act of violence.

Today, we are all members of the Hokie Nation. We are Virginia Tech.

RECOGNIZING FRANK BECKWITH AS THE 2012 HURLBURT AFA CHAPTER 398 MIDDLE SCHOOL TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize and congratulate Mr. Frank Beckwith, the 2012 Hurlburt Air Force Association Chapter 398 Middle School Teacher of the Year.

A graduate of the United States Military Academy at West Point and a veteran of Desert Storm, Mr. Beckwith continued his service and leadership in a different capacity—this time as a teacher. He began teaching in 1993 in North Carolina, and in 2001, he moved to Santa Rosa County to teach at Avalon Middle School in Milton, Florida.

Mr. Beckwith has engaged his students through his passion for science and its use as a tool for problem solving. To enhance their learning, he procured data processing equipment for the classroom and has motivated students to excel in science, technology, engineering, and math education through innovative programs. He founded the STEAM (Science, Technology, Engineering, Activity,

and Math) program, where students are afforded the opportunity to spend the day on Blackwater River, competing in various categories, including measuring water chemistry, mapping river depth, and racing to haul one person's daily water consumption from the river to a tank. He is also the sponsor and coach for the school's BEST (Boosting Engineering, Science, and Technology) Robotics team.

Aside from teaching at Avalon Middle School, Mr. Beckwith also serves as a faculty associate at the University of West Florida and is President of the Santa Rosa County Science Teacher's Association.

Frank Beckwith's desire to teach is rooted in his family, through his father and grandfather, and was also inspired by his high school science teachers. Their guidance, enhanced by his experience and understanding of the importance and power of education, help built the strong foundation from which Mr. Beckwith teaches and empowers his students to strive for excellence. His greatness lies well beyond his title as Hurlburt AFA Chapter 398 Middle School Teacher of the Year—it lies in the hearts and minds of those who have been deeply impacted by his dedication to the teaching profession and service to our great nation.

On behalf of the United States Congress, I am proud to recognize Mr. Frank Beckwith for his great achievements and honorable service. My wife Vicki joins me in wishing him all of the best.

64TH ANNIVERSARY OF THE
MODERN STATE OF ISRAEL

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. GARRETT. Mr. Speaker, I am honored today to recognize the 64th anniversary of the establishment of the modern State of Israel.

On May 14, 1948, the British Mandate for Palestine expired, and the Jewish People's Council approved the Declaration of the Establishment of the State of Israel. That document encapsulates centuries of hopes, hardships, dreams, persecutions, tenacity, and faith. And it signifies the fulfillment of the prayer of the Jewish people: To return once again to their homeland and build a nation based on the principles of freedom, justice, and peace.

It is fitting that on that same day, President Harry Truman signed his name to the announcement recognizing the provisional government of the new Jewish state as the de facto authority of the State of Israel, thus making the United States the first nation to recognize Israel as a nation.

In that moment 64 years ago, and in every moment since, the Jewish people have persevered in the face of adversity, thriving as a nation and as a people, and contributing globally to advancements in areas ranging from academia, economics, and business to arts, culture, and politics. And all the while, the Jewish people have continued to live as a people who, as the Declaration states, love peace but know how to defend themselves.

In the decades that have passed since that momentous event, Israel has remained the United States strongest ally in the Middle East, and the United States has stood steadfastly with Israel. Today, and in the days that lie ahead, we must continue to stand unwaveringly with Israel. As the modern State of Israel celebrates 64 years, I join with countless others to extend my congratulations to the Jewish people—in Israel, in the United States, and around the world. And I offer my heartfelt prayers for the safety, peace, and prosperity of the State of Israel.

EMANCIPATION DAY IN THE
DISTRICT OF COLUMBIA

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. NORTON. Mr. Speaker, today, on Emancipation Day in the District of Columbia, I ask the House of Representatives to join me in recognizing the 150th anniversary of President Lincoln's signing of the District of Columbia Compensated Emancipation Act, which freed 3,100 slaves of African descent in the nation's capital. I have introduced a resolution today in honor of this historic day. The RECORD should also reflect that the District of Columbia Council passed the following resolution in honor of the anniversary:

A CEREMONIAL RESOLUTION

19-207

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
MARCH 6, 2012

To recognize and preserve the cultural history and heritage of the District of Columbia; to formally recognize the 150th anniversary of District of Columbia Emancipation Day on April 16, 2012, as an important day in the history of the District of Columbia and the United States in that, on April 16, 1862, 9 months before President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863 to begin to end institutionalized slavery in America, President Lincoln signed the District of Columbia Compensated Emancipation Act to release the 3,100 enslaved persons of African descent held in the nation's capital, making them the "first freed" by the federal government, at a cost of nearly \$1 million, in 1862 funds, paid to the people who enslaved them; to recognize that, after the Civil War, formerly enslaved people and others commemorated the signing of the 1862 act by parading down Pennsylvania Avenue in festive attire, with music and marching bands, proclaiming and celebrating freedom in the District of Columbia Emancipation Day Parade, which was received by every sitting President of the United States from 1866 to 1901; and to recognize that, on March 7, 2000, the Council of the District of Columbia voted unanimously to establish April 16th as a legal private holiday, the Emancipation Day Parade resumed in the nation's capital in 2002, and, on April 5, 2005, District of Columbia Emancipation Day was made a legal public holiday, recognized annually on April 16th.

Whereas, on April 16, 1862, President Abraham Lincoln signed the District of Columbia Compensated Emancipation Act ("Emancipation Act") during the Civil War;

Whereas, the Emancipation Act provided for immediate emancipation of 3,100 enslaved

men, women, and children of African descent held in bondage in the District of Columbia;

Whereas, the Emancipation Act authorized compensation of up to \$300 for each of the 3,100 enslaved men, women, and children held in bondage by those loyal to the Union, voluntary colonization of the formerly enslaved to colonies outside of America, and payments of up to \$100 to each formerly enslaved person who agreed to leave America;

Whereas, the Emancipation Act authorized the federal government to pay approximately \$1 million, in 1862 funds, for the freedom of 3,100 enslaved men, women, and children of African descent in the District of Columbia;

Whereas, the Emancipation Act ended the bondage of 3,100 enslaved men, women, and children of African descent in the District of Columbia, and made them the "first freed" by the federal government during the Civil War;

Whereas, nine months after the signing of the Emancipation Act, on January 1, 1863, President Lincoln signed the Emancipation Proclamation of 1863, to begin to end institutionalized enslavement of people of African descent in Confederate states;

Whereas, on April 9, 1865, the Confederacy surrendered, marking the beginning of the end of the Civil War, and on August 20, 1866, President Andrew Johnson signed a Proclamation Declaring that Peace, Order, Tranquility and Civil Authority Now Exists in and Throughout the Whole of the United States of America;

Whereas, in December 1865, the 13th Amendment to the United States Constitution was ratified establishing that "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction";

Whereas, in April 1866, to commemorate the signing of the Emancipation Act, the formerly enslaved people and others, in festive attire, with music and marching bands, started an annual tradition of parading down Pennsylvania Avenue, proclaiming and celebrating the anniversary of their freedom;

Whereas, the District of Columbia Emancipation Day Parade was received by every sitting President of the United States from 1866 to 1901;

Whereas, on March 7, 2000, at the Twenty Seventh Legislative Session of the Council of the District of Columbia, Councilmember Vincent B. Orange, Sr. (D-Ward 5) authored and introduced, with Carol Schwartz (R-At Large), the historic District of Columbia Emancipation Day Amendment Act of 2000, effective April 3, 2001 (D.C. Law 13-237; D.C. Official Code 1-612.02a, 32-1201), and on that same date moved an emergency version of the legislation that established April 16th as a legal private holiday;

Whereas, the District of Columbia Emancipation Day Emergency Amendment Act of 2000, which established April 16th as a legal private holiday, was passed unanimously by the Council on March 7, 2000, and signed into law on March 22, 2000 by Mayor Anthony A. Williams;

Whereas, on April 16, 2000, to properly preserve the historical and cultural significance of the District of Columbia Emancipation Day, Councilmember Orange hosted a celebration program in the historic 15th Street Presbyterian Church, founded in 1841 as the First Colored Presbyterian Church;

Whereas, on April 16, 2002, after a 100-year absence, the District of Columbia, spearheaded by Councilmember Orange with the

support of Mayor Anthony Williams, returned the Emancipation Day Parade to Pennsylvania Avenue, N.W., along with public activities on Freedom Plaza and evening fireworks (D.C. Official Code 1-182);

Whereas, the District of Columbia Emancipation Day Parade and Fund Act of 2004, effective March 17, 2005 (D.C. Law 15-240; D.C. Official Code 1-181 et seq.), established the Emancipation Day Fund to receive and disburse monies for the Emancipation Day Parade and activities associated with the celebration and commemoration of the District of Columbia Emancipation Day;

Whereas, the District of Columbia Emancipation Day Amendment Act of 2004, effective April 5, 2005 (D.C. Law 15-288; D.C. Official Code 1-612.02(a)(11)), established April 16th as a legal public holiday;

Whereas, on April 16, 2005, District of Columbia Emancipation Day was observed for the first time as a legal public holiday, for the purpose of pay and leave of employees scheduled to work on that day (D.C. Official Code 1-612.02(c)(2));

Whereas, April 16, 2012, is the 150th anniversary of District of Columbia Emancipation Day, which symbolizes the triumph of people of African descent over the cruelty of institutionalized slavery and the goodwill of people opposed to the injustice of slavery in a democracy;

Whereas, the Council of the District of Columbia remembers and pays homage to the millions of people of African descent enslaved for more than 2 centuries in America for their courage and determination;

Whereas, the Council of the District of Columbia remembers and pays homage to President Abraham Lincoln for his courage and determination to begin to end the inhumanity and injustice of institutionalized slavery by signing the District of Columbia Compensated Emancipation Act on April 16, 1862;

Whereas, the alignment of the (1) election of the first African-American President of the United States, Barack H. Obama; (2) dedication of the Rev. Martin Luther King, Jr. Memorial; (3) groundbreaking for the National Museum of African American History and Culture; (4) 150th anniversary of the District of Columbia Emancipation Day; and (5) 150th anniversary of the Emancipation Proclamation on January 1, 2013, are historically important for the District of Columbia and for the United States; and

Whereas, the 150th anniversary of District of Columbia Emancipation Day is a singularly important occasion that links the historic Presidency of Abraham Lincoln with the equally historic Presidency of Barack H. Obama, as the first President of the United States of African descent.

Resolved, by the Council of the District of Columbia, That this resolution may be cited as the "District of Columbia Emancipation Day—150th Anniversary Recognition Resolution of 2012".

Sec. 2. The Council of the District of Columbia finds the 150th anniversary of District of Columbia Emancipation Day is an important, historic occasion for the District of Columbia and the nation and serves as an appropriate time to reflect on how far the District of Columbia and the United States have progressed since institutionalized enslavement of people of African descent. Most importantly, the 150th anniversary reminds us to reaffirm our commitment to forge a more just and united country that truly reflects the ideals of its founders and instills in its people a broad sense of duty to be responsible and conscientious stewards of freedom and democracy.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,615,726,037,322.66. We've added \$4,988,848,988,409.58 to our debt in 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING DREW LISCUM

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Drew Liscum is a senior at Kempner High School in Fort Bend County, Texas. His essay topic is: In your opinion, what role should government play in our lives?

People as a whole seem to receive adequate information about what the government actually does in a very unique way. The reason being is that the government, in about every country, controls what is seen and what is not seen. They control key aspects to people's lives. I believe in the truth . . . whether it hurts me or not.

For instance, why is it said nationwide and even worldwide, that politicians are "liars." Well maybe it's because they are simply talented at hiding the blunt truth. When a friend asks for an opinion about their hair or if they look good, it's ok to throw in a white lie to not hurt their feelings. But when you lie to your country, it's different on so many levels. I'm not saying that our government lies, but I'm not saying that they tell the truth either. People refer to government as a system for the way it works. If you're in the government, your punishments are much less crucial than that of an average citizen. For example, a man named Michael Lund was arrested on October 28th, 2011 for driving while intoxicated. He was trying to cut through a blocked off accident scene a little after eleven-thirty. Michael Lund is the captain of the Sugar Land Police Department. The men that arrested him were Stafford Po-

licemen. The same types of charges were also given to a dear friend of mine. His charges were not withheld or cut back. The point is that the government should be equal in every aspect. Whether it's a case or the truth being put forward, everyone should know the same and be treated the same.

In the documentary, "Dear Zachary," a man, Andrew Bagby, was killed in 2001 after breaking up with his girlfriend. After she denied murdering him to several cops and people, she moved to Canada. Bagby's family still pressed charges against her, but now it was a little more difficult. Shortly after living in Canada, she announced herself to be Pregnant. Andrews parents now became a bigger part of the picture. They wanted to gain custody of Zachary. On August 18th, Shirley Turner takes her son, Zacahary, far out into the middle of the ocean and drowns the both of them. On December 15th, 2010, Governor General David Johnston gave Royal Assent to Bill C-464: An Act To Amend the Criminal Code, making it law in Canada. The bill has added an amendment to Canada's criminal code giving courts the right to refuse bail to someone charged with a serious crime who is deemed a potential danger to children under the age of 18.

The argument on what role the government should play in our lives will go on forever. The problem is that they need to be there for us when we need them, and also know when to step down and let us live our own lives. People such as Shirley Turner should be taken care of here in America while she is extremely dangerous and all evidence is pointing towards her. The government needs to understand to play their own role before they decide to play it in ours.

HONORING MR. HEZEKIAH WATKINS FOR HIS SERVICE AND DEDICATION TO THE CIVIL RIGHTS MOVEMENT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an extraordinary civil rights activist, Mr. Hezekiah Watkins. Mr. Watkins is a lifelong resident of Jackson, Mississippi. He graduated from Lanier High School and continued his education at Utica Junior College, Southern Illinois University and East Tennessee State University.

Mr. Watkins became a lifelong proponent of justice after his involvement in the Civil Rights Movement. In 1961, the "Freedom Fighters" banned together in Jackson, Mississippi to demonstrate against state segregation laws, and for doing so, 328 people were arrested with the charge "breach of peace." At the age of 13, Mr. Watkins was the youngest to be arrested and sent to Parchman Prison during the Freedom Riders movement. He continued his involvement in Mississippi's fight for civil rights, and as a result was arrested over 100 times more in years to follow. These experiences caused him to commit to improving the quality of life and opportunities for young African American youth and all of mankind.

Mr. Watkins began his career as a young entrepreneur and took on full time employment with Jackson Hinds Comprehensive Health Center and Hinds County Human Recourses Agency.

He is currently employed with the Jackson Medical Mall and owner of the Corner Food Market and Deli in Jackson, Mississippi. Mr. Watkins continues his activism for justice as a community leader who promotes community and civic involvement in Mississippi's African American youth.

Mr. Watkins has been married for the past 23 years to the former Chris Tanner. Together, they delight in the joys of three children, Marvin, Quentin, and Kristi. They also have four grandchildren, Quentin II, Brandon, Corey and Mason.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Hezekiah Watkins for his dedication and service as a Civil Rights advocate and pioneer during the 1960s Civil Rights Movement.

HONORING THE SOCIETY OF
SANTA MARIA MADDALENA SOCIETY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. DeLAURO. Mr. Speaker, it gives me the greatest pleasure to rise today to extend my deepest thanks and appreciation to the Society of Santa Maria Maddalena of New Haven—the oldest American fraternal organization in Connecticut—for their many invaluable contributions to our community.

Located in Wooster Square, the neighborhood in New Haven where I grew up, the Society of Maria Maddalena has played an important role in forging the strong bonds of our community. Founded in 1898 by immigrants from the town of Atrani in the Salerno Province, south of Naples, Italy, the Society of Maria Maddalena has been a resource for neighborhood families for generations. Named for the patron saint of Atrani, the Society of Maria Maddalena was originally established to assist fellow Atrani immigrants with housing, employment, English translating, and legal matters. It was a place where families faced with the many challenges of starting a new life in a new country could turn for support, comfort, and friendship. Over the years, the Society's purpose has become more community oriented, helping any worthwhile cause or individual regardless of ethnic background. It has donated tens of thousands of dollars to numerous charities and organizations in New Haven and across the State. St. Michael's Church in New Haven, the Salvation Army, Columbus House, Connecticut Hospice, and two Jima Survivors are just a few of those organizations who have benefitted from their generosity. The Society has also provided scholarships to inner city youths.

The Santa Maria Maddalena Society preserves the traditions, heritage and culture of its members' ancestors, and also maintains ties to Atrani by providing assistance to the Santa Maria Maddalena Church in Italy and the society's Italian sister organization for its annual Festa to Santa Maria Maddalena which coincides with the feast day in Connecticut. During the week of July 22, a replica of the original statue of the saint, which was brought

to the United States in 1914, is carried through the streets of Wooster Square. The saint is adorned with jewelry provided by the original members of the society. The feast procession culminates at St. Michael's Catholic Church where a high mass is celebrated. The feast celebration extends for four days with Italian music and food, and on Saturday evening, Neapolitan music is featured. The holiday is a time for reuniting with friends and providing younger generations with opportunities to learn about their culture.

People across the country struggle to create a sense of community—a sense of belonging. Over the course of its one hundred-fourteen-year history, the Society of Maria Maddalena has helped the families of Wooster Square do just that. For their many invaluable contributions as well as their continued support and friendship, I am proud to stand today to extend my sincere thanks and appreciation to the members, past and present, of the Society of Maria Maddalena. The bonds of community that the Society has helped to shape will continue to impact generations to come.

IN HONOR OF COMMANDER ROB
SELKO, UNITED STATES NAVY
RESERVE

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ANDREWS. Mr. Speaker, I rise today to honor Commander Rob Selko for his service to our great nation.

For much of his life, Commander Selko proudly, faithfully and honorably served this country. Born and raised near Philadelphia, Commander Selko attended The Pennsylvania State University on the Navy Reserve Officer Training, NROTC, scholarship. After graduating with a degree in Chemical Engineering Commander Selko was commissioned as an Ensign and ordered to NAS Pensacola to commence training as a Naval Flight Officer, NFO.

Following his NFO training he was ordered to VF-101 for Fleet F-14A Tomcat Radar Intercept Officer training at NAS Oceana. Commander Selko was then assigned to VF-33 where he completed a North Atlantic and a Mediterranean Sea deployment on board USS *America* (CV-66), amassing over 750 hours and 200 arrested landings in the F-14A Tomcat.

In 1994, Commander Selko joined the Navy Reserve and was re-designated as an Aerospace Engineering Duty Officer. In February 2006, he was assigned to NAS Lakehurst, New Jersey as Officer in Charge and tasked with leading the Navy's first unit involved in airships in over forty years. His unit deployed to NAS Key West, FL for joint operations with the U.S. Coast Guard, marking the first airship operations involving the U.S. Navy since 1962. Unfortunately, late in 2010, Commander Selko was diagnosed with leukemia. He spent most of 2011 in treatment and recovering from his illness.

Commander Selko currently resides at 5 Glen Burnie Court, Sicklerville, New Jersey

and after 28 years of faithful and honorable service will be retiring on June 23, 2012. He is married to Christine Selko of Pennsauken, and they have raised four children together in New Jersey.

It is important that we take the time on this day to remember and reflect on Commander Selko's deep commitment to inspiring and touching the lives of those around him in his service to this country. May he be remembered as such, and may we continue to carry on his legacy in our hearts as we walk through life.

CELEBRATING THE CONTRIBUTIONS OF HILLEL HONOREES
STANLEY AND PEARL GOODMAN

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Dr. Stanley Goodman and Mrs. Pearl Goodman for their years of exemplary service to the South Florida Jewish community. Their accomplishments are truly a cause for celebration, and it is a privilege to represent them in the United States Congress.

Since becoming members of the South Florida community in 1961, The Goodmans have been tireless advocates for Israel, and have joined countless organizations like The Hillel of Broward and Palm Beach to promote the welfare of Jewish people across the globe. During their 58 years of marriage, the couple has instituted mentoring programs, as well as networks through universities in Broward and Palm Beach that allow young students to engage with the larger Jewish community. In addition, Both Dr. and Mrs. Goodman have served on the Board of the Jewish Family Services of Broward County and are actively involved in the award-winning David Posnak Jewish Day School where Dr. Goodman is an Honorary Vice-President.

But the Goodman family's service extends beyond the scope of creating a more inclusive, informed Jewish community, and includes a commitment to fostering artistic enrichment in South Florida. Dr. Goodman has served as Secretary for the Executive Committee at the Broward Center for the Performing Arts Foundation, and Mrs. Goodman is an avid supporter of the Broward Center for the Performing Arts Foundation.

The South Florida Jewish community has undoubtedly been strengthened by the Goodmans exceptional work. They are truly a source of inspiration for all those who have dedicated themselves to promoting Jewish causes, and I look forward to their continued good work.

Congratulations to Stanley and Pearl Goodman, and well as their children and grandchildren, as they celebrate this well deserved honor.

HONORING STAFF SERGEANT
CHRISTOPHER L. BROWN

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. AUSTRIA. Mr. Speaker, while we can never fully express the depth of our appreciation for those who give their lives to protect our freedoms, I rise today on behalf of the constituents of Ohio's Seventh Congressional District to recognize and honor the life of Army SSG Christopher L. Brown.

A 2003 Hamilton Township High School graduate and Army Service member, Staff Sergeant Brown, 26, was killed in an attack with an improvised explosive device on April 3, 2012 in Kunar Province, Afghanistan in support of Operation Enduring Freedom. He showed exceptional courage and bravery, and gave his life while defending the United States.

Staff Sergeant Brown was assigned to A Company, 2nd Battalion, 12th Infantry Regiment, 4th Infantry Division, Fort Carson, Colorado. He was on his second deployment to Afghanistan and had also served nearly a year in Iraq.

He served with distinction and his awards and decorations include the Bronze Star, a Purple Heart and an Army Commendation Medal.

Brown is survived by his wife, Ariell, their daughters Charlie and Dylan, their unborn child, as well as his parents and three sisters. His devotion to his family, friends, and fellow Service members and to this nation is honorable. As a dedicated and loyal patriot, he selflessly served this country with bravery and valor.

Thus, today I ask my colleagues to join me and the constituents of the Ohio's Seventh Congressional District in honoring the life and memory of SSG Christopher L. Brown, a true hero.

RECOGNIZING LAURA PINK AS
THE 2012 HURLBURT AFA CHAPTER
398 ELEMENTARY SCHOOL
TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize and congratulate Ms. Laura Pink, the 2012 Hurlburt Air Force Association Chapter 398 Elementary School Teacher of the Year.

Ms. Pink has spent her entire career "paying it forward" to her students, their parents, and her colleagues. Her dedication to helping educate others started long before she stepped into the classroom as a teacher. As a junior in high school, Ms. Pink began teaching as a reading tutor. She went on to earn a double major in Elementary and Special Education in college and received an endorsement in Gifted Education for all grades. Ms. Pink attributes her success as an educator to her

own teachers, who instilled in her the self-confidence for success and a passion for scholarship. She has forever impacted the lives of her students, and she is truly deserving of this honor.

In the classroom, Ms. Pink uses the wonders of science, technology, engineering, and math to challenge and empower her students. Outside of the classroom, she is involved with the Air Force Association, Hurlburt Chapter's Teacher Workshop, the American Institute of Aeronautics and Astronautics, the Civil Air Patrol, and Embry-Riddle Aeronautical University. Ms. Pink has been able to combine her classroom activities with her extracurricular activities so that she can better serve her students and secure grants for hands-on classroom experiments. Additionally, Ms. Pink has been able to introduce the Civil Air Patrol Aerospace Connections in Education program at her school, which uses aviation to foster her students' interest in science and math.

The importance of teachers such as Ms. Pink is unquantifiable, and I commend her dedication to our nation's future. To be selected as Teacher of the Year is a reflection of Ms. Pink's exemplary work ethic and steadfast dedication to the students of Northwest Florida.

On behalf of the United States Congress, I am privileged to recognize Ms. Laura Pink for her great achievements and laudable service. My wife Vicki joins me in wishing her all of the best.

HONORING CHELSEA TATLOW

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Rock Bridge High School Lady Bruins Swimming and Diving team member Chelsea Tatlow on her state victory in the 100-yard backstroke.

Ms. Tatlow played an integral part in the school's success at the state championship. Winning this event in her sophomore year is indeed a considerable feat, and I am sure that we will continue to see her name in swimming headlines. Ms. Tatlow and her coaches should be commended for all their hard work throughout the regular season and in the state championship.

I ask that you join me in recognizing Rock Bridge High School Lady Bruins' Chelsea Tatlow for a job well done.

IN SUPPORT OF NATIONAL
AUTISM AWARENESS MONTH

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, as a member of the Coalition for Autism Research and Education, I rise today to recognize April as National Autism Awareness Month. Autism

is the fastest growing developmental disability in America, with 1 to 1.5 million Americans living with it each day. Every April since the 1970s we celebrate National Autism Awareness Month, which provides an opportunity to educate the public on autism and the issues affecting those people afflicted with the disorder.

This disorder is universal, affecting children from all ethnic, racial and socioeconomic backgrounds. The latest statistics from the Centers for Disease Control and Prevention state that 1 in 88 children born in the United States will develop autism.

Mr. Speaker, this increase is a clear call that more needs to be done in terms of research and education. Congress must call for more resources to be given to early screening and diagnosis programs. This can lead to improved educational and social outcomes and increases the chances of employment and independent living for those suffering from autism.

My own State of California has seen a huge increase in autism diagnoses. In 1990, 6 out of every 10,000 children born in the State were diagnosed with the disease by the age of five. Only 11 years later that number had risen to 42.5 in every 10,000 children. Since then the numbers have only risen.

Children diagnosed with this disorder will struggle with significant social, behavioral and communication challenges. For example, an activity as simple as going to the movies is impossible for many families with autistic children. However, autism is treatable. There is no permanent cure for the disorder, but studies show that early detection and intervention can lead to significantly improved outcomes.

Mr. Speaker, the occurrence of autism is on the rise in our nation. This is why it is more important than ever that we continue to fund programs like the National Database for Autism Research, whose overall goal is accelerating scientific discovery in autism spectrum disorder through data and research sharing among ASD investigators.

That is why it was so important that Congress passed H.R. 2005, the Combating Autism Reauthorization Act of 2011. I am proud to have been an original co-sponsor of this legislation, which authorizes more than \$200 million in continued funding for the Centers for Disease Control's surveillance and epidemiological research programs for autism and other developmental disabilities and for the National Institutes of Health's respect to research program on autism spectrum disorders and possible environmental causes of autism. The bill also authorizes a robust autism education, early detection, and intervention program at the Health Resources and Services Administration, HRSA.

Mr. Speaker, nowhere is autism's impact felt more than in underserved communities, where diagnosis is delayed on average two years. Given that early identification and intervention are paramount to the developing brain of children with autism, this two-year delay is especially devastating, as it denies thousands of vulnerable children the benefits of early diagnosis and intervention. This can mean the difference between a child who may someday live independently, and a child destined for a life of institutionalized care.

The alarming delay in diagnosis becomes even more detrimental when compounded by issues of poverty, such as a lack of housing, employment, and transportation. This is the reality faced by families in underserved communities who are affected by autism and other developmental disabilities.

That is why I also want to recognize, commend, and encourage organizations like the Special Needs Network, Inc., which serve the greater Los Angeles community for the great work and service they provide to families and individuals affected by the autism in underserved communities.

This month, let us recommit ourselves to raising awareness about autism. We have a responsibility to continue to broaden our efforts to research this disorder, and increase awareness about the importance of early detection.

Mr. Speaker, I ask my colleagues to join me in recognition of National Autism Awareness Month, and ask all Americans to take time this month to find out what you can do to help the growing population of those afflicted with, or affected by, autism.

BANKRUPTCY EQUITY FOR HOMEOWNERS ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. BLUMENAUER. Mr. Speaker, on February 16, 2012, I spoke on the House floor about the intrinsic unfairness of certain bankruptcy laws. In my statement, I inappropriately characterized the actions of the Mortgage Bankers Association. The following is my amended statement:

This week, we watched the settlement unfold between the Department of Justice, the State attorneys general, and the major banks. Twenty-six billion dollars sounds like a lot of money, but given that almost one in four homeowners owe more on their mortgages than the values of their homes—overall losing some \$700 billion in value. This is a step in the right direction that will help some people but is not really a major correction. There are still far too few real pressures to get the market right.

There is a simple answer that won't cost the taxpayers a dime and which will stabilize the housing depression within a year. It would help reestablish home values and encourage banks to work with their customers whose mortgages are "under water".

The recent decision of American Airlines to pursue bankruptcy is illustrative. This corporate giant could actually pay its bills. It had some \$4 billion in cash and was still taking in revenue, but it made a strategic judgment to use the bankruptcy laws to reposition itself to win market rate loan terms, to modify its union contracts and the pension obligations to its employees because, under the law, a bankruptcy judge can adjust these business relationships to reflect current market conditions—for a business, that is. Curiously, homeowners are treated differently.

A business speculator could buy 10 units in a condominium in south Florida when the

housing bubble bursts and could get bankruptcy relief on all 10 units—but not Sally Six-Pack, who bought an identical unit to live in.

What is it about homeowners that make them less worthy of relief of the fresh start of bankruptcy than the speculator or American Airlines? The answer is right here on the floor of the House of Representatives.

Congress has decided to look out for business, not the homeowner. The daisy chain of profit we saw collapsing under the weight of colossal greed and bad judgment was protected at the expense of the homeowner, who was trapped, with limited options to renegotiate, with no leverage, who simply faced foreclosure, a short sale, or what is described as jingle mail: send the keys back and walk away.

It's interesting that homeowners have been urged that it's their moral duty, their obligation to pay, even as the Mortgage Bankers Association, itself, reneged on the mortgage on its headquarters and cut a side deal with its financial partners to get out of its underwater mortgage. Not long before this happened, John Courson, the President and Chief Executive Officer of the Mortgage Bankers Association, was quoted in the press as asking defaulting homeowners, "What about the message they will send to their family and their kids and their friends?" What message did the Mortgage Bankers Association send? The answer is clearly that they have one set of rules, while American families have another. This blatant hypocrisy enrages ordinary families and runs counter to democratic values of fairness and equal opportunity. Homeowners are expected to do the right thing, even if we're seeing a cavalcade of financial misdeeds, shortcuts, and, in some cases, outright fraud.

I've been unable to find any good reason that homeowners should be discriminated against in bankruptcy. If it's good enough for business, it should be good enough for the homeowners.

There are lots of reasons to change that policy. First, it's simple equity, the same treatment. In addition, making bankruptcy relief available to homeowners will make the system respond to reasonable requests for renegotiations, which would be cheaper, faster, and easier than the foreclosure process for everybody. The simple act will stem the flood of foreclosures and uncertainty, which will help stabilize home values currently in free fall, and it will make it harder for another speculative bubble to be created. Knowing that homeowners will be treated the same as business in bankruptcy will make people think twice about aggregating vast numbers of dicey mortgages, simply taking a profit, and passing the package on to others.

I am introducing the Bankruptcy Equity Act to provide bankruptcy judges the power to align the homeowner's mortgage to its current value and terms and put ordinary homeowners on the same playing field as speculators and businesses. It makes sure private and federally insured mortgages are eligible for modification, allowing FHA, VA, and the Department of Agriculture to pay out claims on insured mortgages modified in bankruptcy.

For an immediate solution to the foreclosure crisis, allowing families to stay in their homes, to be treated equitably, and prevent the next

bubble from forming, I strongly urge my colleagues to examine the Bankruptcy Equity for Homeowners Act and join me in treating homeowners as fairly as we treat speculators and investors.

RECOGNIZING PHILIP AMERIS AND CAROL COULTAS FOR THEIR OUTSTANDING WORK ON BEHALF OF THE WORKING MEN AND WOMEN OF WESTERN PENNSYLVANIA

HON. MARK S. CRITZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. CRITZ. Mr. Speaker, I rise to recognize two dedicated champions of the American worker for receiving an award for outstanding labor leadership. Each year, the Allegheny County Labor Council confers its Labor's Man of the Year and Labor's Woman of the Year Awards on one male and one female who have worked passionately and effectively to advance the cause of organized labor in western Pennsylvania. This year's Labor's Man of the Year is Philip Ameris, President and Business Manager of the Laborers' District Council of Western Pennsylvania. Labor's Woman of the Year for 2012 is Carol Coultas, a longtime servant of western Pennsylvania's labor movement, who most recently served as Executive Vice President of Communication Workers of America (CWA) Local 13500. The enthusiasm with which these two individuals have worked to advance the material wellbeing and workplace safety of hardworking Americans over the years is a tribute to their integrity and selflessness.

In 1994, Philip Ameris was appointed a Field Representative for Laborers International Union of North America Local 1058. Since then, he has risen through the ranks on account of his outstanding managerial and organizational skills. In his current post, he oversees the Labor District Council of Western Pennsylvania's efforts to provide fair working conditions and wages to the hardworking men and women who build and maintain western Pennsylvania's physical infrastructure.

Mr. Ameris also holds leadership positions on several prominent labor boards. He serves as Chairman of the Western Pennsylvania Laborers' Joint Apprenticeship and Training Committee, Chairman of the Western Pennsylvania Laborers' Education and Training Trust Fund, Chairman of the Laborers' Combined Funds of Western Pennsylvania Pension and Welfare Funds and Chairman of the Western Pennsylvania Laborers' Political Action Fund.

An 8th degree black belt, Mr. Ameris is the founder of several martial arts instruction programs for young children. He has served as a martial arts instructor to the children within his own programs for the last 30 years.

Mr. Ameris has been married to his wife Jeanne for the last 30 years. He and Jeanne have two sons—Philip, Jr. and Jimmy—who are both proud members of the Laborers' International Union of America.

Carol Coultas is a 30-year veteran of the Communications Workers of America. In addition to having served as Executive Vice President of CWA Local 13500, she has been the

President of the CWA Local 13501 Retired Members Council and Executive Vice President Emeritus of the CWA Local 13500. Ms. Coultas has also served as a board member of the Pennsylvania Alliance for Retired Americans, a trustee and delegate to the Allegheny County Labor Council and a member of Jobs for Justice.

Ms. Coultas began her career as a Long Distance Telephone Operator for the Bell Telephone Company in 1944. She first became a member of CWA when she went to work in Bell's Special Accounts Business Office. From that moment on, she has worked with the utmost passion to protect the rights and the livelihoods of working families and seniors.

In addition to being a dedicated advocate for active and retired American workers, Ms. Coultas is also a devoted wife to her husband Ronald—a Vietnam veteran and retired National Guardsman—loving mother to her daughter Bernadette and proud grandmother to her grandchildren David and Emily.

Mr. Speaker, all of us should strive to replicate the passion for serving others that Phil Ameris and Carol Coultas have exhibited throughout their distinguished careers as labor leaders. I want to congratulate them on receiving such a well-deserved honor.

HONORING MAYOR HAL BALDWIN

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. CUELLAR. Mr. Speaker, I rise today to honor the commitment of the late Mayor Hal Baldwin of Schertz, Texas. Mr. Baldwin, one of the longest continuously serving council members in the state of Texas served on the Schertz City Council for twenty-nine years and as the city's Mayor for another eighteen years. Mayor Baldwin's nearly forty years of service to the community will echo even in his passing.

Mr. Baldwin, the Wichita, Kansas native moved to Schertz, Texas in 1967 as he was finishing a 20-year enlisted career in the Air Force with the rank of Senior Master Sergeant. While on active duty, Baldwin served with the 51st Fighter Interceptor Wing, Naha Air Force Base, Okinawa, during the latter months of the Korean War. He also served at Headquarters, 7th Air Force, Tan Son Nhut Air Base during the Vietnam War. He finished his military career at Randolph Air Force Base, where he served as the noncommissioned officer in charge of the Command Graphics Branch, Presentations Division, Headquarters, Air Training Command.

By the early 1970s, Baldwin's first interaction with city government was with the Citizens Advisory Committee that advised City Council on matters. Later, he partook in a program called "Project Transition" which was an Air Force program that sought to let retiring members work half a day in a civilian job for a period of time until they retired and could work full time in that job. As a tax-assessor collector for the City of Schertz as his half day civilian job, he learned about city government

and issues. After six years, he took a job as a business manager for the school district and served in this position until his retirement in 1998.

After serving his country and learning the ropes of city government, his political career began. He was appointed as a City Council member and in 1994 he ran for Mayor of Schertz, won and served in that position until 2012. His landmark services as Mayor include the formation of the Schertz-Seguín Local Government Corporation and more recently raising awareness of historical places in the area, such as a number of century old homes in the city. I had the honor of working collaboratively with Baldwin since 2006 on projects for the City of Schertz, including bringing a new Post office to the area.

The mayor and Mrs. Barbara Baldwin were married for 55 years, they have five children, eight grandchildren, and four great-grandchildren, all of whom reside in the Schertz area. Mayor Hal Baldwin's love for the Schertz community can be measured by one simple fact—he has spent half his life in public service to that community.

Mr. Speaker, I am honored to have had the opportunity to recognize the late Mayor Hal Baldwin. His hard work and valor have truly impacted many lives and our community.

HONORING GORDON TSAI

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Gordon Tsai is a junior at Clements High School in Fort Bend County, Texas. His essay topic is: In your opinion, why is it important to be involved in the political process?

The United States is a relatively young and unique country. It was only about two hundred years ago we entered the throes of revolution and asserted our independence. As a country, we tend to forget the principles that were fought for and won on that fateful day. This American Revolution was fought for freedom, especially the freedom to vote and/or run for public office.

The value of independence and freedom has almost been lost upon our current people. Ironically, we have a large population of people who don't necessarily even pay attention to or understand politics and current affairs. They live in their small bubble of influence within work, friends, and maybe a community church. This kind of American citizen is definitely not the right one. It is our duty as citizens to vote and uphold the practice of choosing our leaders that was fought for

back then two hundred years ago. This country's citizens have almost come to take freedom for granted. In modern day, the average man is protected on many levels by various forms of legislation that ensures their basic human rights. Some would even argue that the United States grants too much freedom as in the controversial case of the gun law. We have become an ungrateful country. Even recently, we can see in the Arab Spring that the value of freedom and independence are worth dying for. In the countries of Egypt, Tunisia, Libya and currently Syria, people are and have been willing to die for the slight possibility of a free independent process for choosing their leaders. And around the world, other elections are plagued by bribery and corruption with country leaders serving multiple terms that exceed the limit set upon by their constitution. When observed realistically, the American election process and atmosphere is almost a dream. So why won't the citizens of the United States fulfill their responsibilities as a nation and assert the privilege that is voting? It is clear that around the world many people are willing to die for this chance to play their tiny part in the direction and leadership of their country.

It is apparent that many people in the United States don't ever vote. Even my mom waives this right that I would jump at a chance to have. This decision, however small it is individually, on the next leader of the United States is not one to be taken lightly. We are playing our small part in deciding the direction and future of the most influential country in the world. In this light, voting should be an unprecedented honor, not an annoyance which the average citizen should fulfill.

HONORING DR. GEORGE ALVIN
"G.A." JOHNSON FOR HIS PUBLIC
SERVICE AND ADVOCACY TO THE
STATE OF MISSISSIPPI

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable civil rights advocate and public servant, Dr. George Alvin "G.A." Johnson. Dr. Johnson earned his Doctorate of Divinity in 1979 from the Trinity Church Association in Shreveport, Louisiana.

He was born in Massies Mill, Virginia to the parents of Samuel and Virginia Johnson on January 29, 1944. In 1963, after moving from Massies Mill to Washington, D.C. he stood on the grounds of the Lincoln Memorial to hear Dr. Martin Luther King, Jr. deliver his "I Have a Dream" speech. As a young nineteen year old with an impressionable mind, Dr. King's speech became a defining moment in Dr. Johnson's life.

In 1970, seven years after Dr. King's infamous "I Have a Dream" speech, Johnson moved to Rolling Fork, Mississippi to take an active part in the civil rights movement. His first active role was in a position that was both admired and feared was becoming President of the Voter's League in Rolling Fork, Mississippi. As President, Dr. Johnson began to experience the indoctrination practices of the "traditions of the south."

After leaving his position as the President of the Voter's League in Rolling Fork, he took a

position as manager of "Freedom Village." "Freedom Village" was one of the many strike cities that began emerging throughout Mississippi, as African Americans walked off plantations in protest of Jim Crow laws and unfair sharecropping practices. Dr. Johnson was also manager of one of the first self-help housing projects in the Mississippi Delta.

In 1971 Dr. Johnson moved to Greenville, Mississippi and became active in Delta Ministries sponsored by the Council of Churches of New York, New York. In 1976, he extended his ministry to television airing on WABG Channel 6 in Greenwood for 27 years. In 1988, Dr. Johnson founded GAIN, INC. (Goals, Aims, Intention Network) which stemmed from his prison ministry at the Mississippi State Penitentiary, known as Parchman Farm located in Sunflower County, Mississippi. He now resides in Charleson, Mississippi where he continues to be an advocate for children, the poor, the disadvantaged, and the displaced.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. George Alvin Johnson for his dedication and service as a civil rights advocate and pioneer during the 1960s civil rights movement in the great state of Mississippi.

CONGRATULATING THE NEW HAVEN LIONS CLUB ON THE CELEBRATION OF THEIR 90TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. DeLAURO. Mr. Speaker, it gives me great pleasure to rise today to extend my very best wishes to the members of the New Haven Lions Club as they gather to celebrate the 90th Anniversary of this extraordinary community organization. Over the course of its history, the New Haven Lions Club has enabled its members to contribute to our community in a positive and meaningful way. Indeed, in the last century, members of the New Haven Lions Club have helped to shape the very character of our community.

Founded in February of 1922, the New Haven Lions Club was only the second such club started in New England. From the very beginning, members' work in the community concentrated on assistance to local blind persons and underprivileged children. In its earliest years, Lions would repair radios for the blind and transport them to and from local meetings as well as donate dinners and presents to needy families during the holidays. Over time, the Lions Club has expanded both its membership and its activities on behalf of those in need.

Today, the New Haven Lions Club can be very proud of the two very special Service Projects it supports on an on-going basis. The first is Camp Cedarcrest, a forty-two acre facility located in Orange, Connecticut that began its operations in 1928. The New Haven Lions have partnered with four other service organizations—the Kiwanis, Probus, Quota and Rotary Clubs—who own the grounds and build-

ings, set policy, and provide capital improvements. In partnership with the New Haven Department of Parks and Recreation which provides a resident Ranger as well as organizes and supervises day camping and other activities, Camp Cedarcrest is available for recreation to thousands of young people and adults each summer season. In addition to the substantial financial support provided by the Club, over the years, New Haven Lions have contributed hundreds of hours of voluntary labor to ensure the upkeep of the grounds. The second service project to which the New Haven Lions have dedicated themselves is the One-To-One Program. This project, which is organized as a hands-on personal involvement of one Lion and one blind person, was first established in 1975 and has been a great success ever since.

In addition to these two service projects, the Lions also give back to the community by supporting Leo Clubs in local schools, volunteering their time and energies to other local service organizations like the Salvation Army and the Special Olympics, and providing scholarships to young people beginning their collegiate studies. In fact, as of their annual report last year, the New Haven Lions Club had spent in excess of \$750,000 to assist the less fortunate—all of which was raised by members.

The New Haven Lions have had an extraordinary impact on our community and we cannot thank them enough for all of their good work. As they celebrate their 90th anniversary, I am proud to stand to congratulate them on this remarkable milestone and to extend my deepest thanks and appreciation to members past and present for their outstanding efforts on behalf of our community. I have no doubt that they will continue to do so for many more years to come.

IN COMMEMORATION OF THE 33RD ANNIVERSARY OF THE TAIWAN RELATIONS ACT

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ANDREWS. Mr. Speaker, I rise to commemorate the 33rd anniversary of the enactment of the Taiwan Relations Act.

Since the end of World War II, the United States and Taiwan have fostered a close relationship that has been of enormous strategic and economic benefit to both countries. When the United States shifted diplomatic relations from Taiwan to the People's Republic of China in January 1979, Congress moved quickly to pass the Taiwan Relations Act (TRA) to ensure that the United States would continue its robust engagement with Taiwan in the areas of commerce, culture, and security cooperation. With President Carter's signature on April 10, 1979, this important and lasting piece of legislation became the Law of the Land and served as the statutory basis for U.S.-Taiwan relations going forward.

After 33 years, the TRA still stands as a model of congressional leadership in the history of our foreign relation, and, together with

the 1982 "Six Assurances," it remains the cornerstone of a very mutually beneficial relationship between the United States and Taiwan. Through three decades marked by momentous social, economic, and political transformations, Taiwan has remained a trusted ally of the United States that now shares with us the ideals of freedom, democracy and self-determination. The foresight of the TRA's drafters in providing that "the United States will make available to Taiwan such defense articles and defense services . . . to enable Taiwan to maintain a sufficient self-defense capability," and affirming "the preservation and enhancement of the human rights of all the people on Taiwan" as explicit objectives of the United States, has contributed in large measure to make Taiwan what it is today—a vibrant, open society governed by democratic institutions.

Though the people of Taiwan now enjoy fundamental human rights and civil liberties, they continue to live day after day under the ominous shadow cast by over 1400 short and medium-range ballistic missiles that the People's Republic of China (PRC) has aimed at them. The PRC persists in claiming Taiwan as a 'renegade province,' refusing to renounce the use of force to prevent formal de jure independence, even codifying its right to military action via passage of the so-called "Anti-Secession Law" on March 14, 2005. The United States Congress strongly condemned the "Anti-Secession Law" in House Concurrent Resolution 98, passed on March 16, 2005.

The TRA affirmed that the United States' decision to establish diplomatic relations with the People's Republic of China was based on the expectation that the future of Taiwan would be determined by peaceful means. Furthermore, it stipulates that it is the policy of the United States "to consider any effort to determine the future of Taiwan by other than peaceful means . . . a threat to the peace and security of the Western Pacific area and of grave concern to the United States." The unambiguous and principled stance contained in these provisions has been instrumental to the maintenance of peace and stability across the Taiwan Strait for more than thirty years, in spite of the growing military threat posed by the PRC.

I therefore invite my colleagues to join me in commemorating the 33rd anniversary of the TRA, to further underline our unwavering commitment to the TRA and our support for the strong and deepening relationship between the U.S. and Taiwan.

CELEBRATING THE ACCOMPLISHMENTS OF HILLEL HONOREE FREDERICK LIPPMAN

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Frederick Lippman, whose more than two decades as a pharmacist and community leader have had a monumental impact on students, medical professionals, academics, and the underserved in South Florida. I applaud

his long career of service, and I am honored to represent him in Washington.

Frederick Lippman has served the people of South Florida as a pharmacist for over 20 years, but his contributions to our community reach far beyond the scope of daily patient care. Dr. Lippman served in the Florida House of Representatives for two decades, during which time he was a strong advocate for increasing educational opportunities and expanding health care access, particularly for children. His numerous awards and accolades include being named "Outstanding Health Services Person of South Florida" in 1995 by the University's Institute of Health Policy and Administration, "Child Advocate of the Year" in 1996 by the Florida Pediatric Society, and "Outstanding Advocate" in 1997 by the Institute of Holocaust Documentation at Florida International University for his leadership in adopting Holocaust educational curricula in the State of Florida.

In 1985, Dr. Lippman was instrumental in helping to create the State of Florida's Area Health Education Center Program (AHEC), which improved the supply and distribution of primary health providers in rural and urban areas by creating partnerships with academic health centers. And as the current Chancellor of the Health Professions Division of Nova Southeastern University, Dr. Lippman has helped the university develop a strong research infrastructure, which has led to an increase in funding, and broader opportunities for undergraduate researchers.

Dr. Lippman's work has undoubtedly made South Florida a place where families can grow and thrive. It is an honor to represent him the United States Congress, and I look forward to his continued good work for years to come.

IN RECOGNITION OF TYLER'S
LIGHT FOR ITS CONTINUED
DRUG AWARENESS EFFORTS

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. AUSTRIA. Mr. Speaker, I rise today in honor of Tyler's Light. I am honored to recognize Tyler's Light for its continued drug awareness efforts throughout Pickerington and Fairfield County, Ohio.

Tyler's Light was formed after the tragic and untimely passing of Tyler Campbell. Tyler was known for the way his blue eyes and infectious smile lit up a room. Tyler was very athletic and loved being outdoors where he would ride bikes, fish, and play various other sports. In just 23 years for life, Tyler managed to fulfill many of his lifelong dreams such as playing Division 1 High School Football at Pickerington North and college football at the University of Akron.

Pickerington and all of Fairfield County need to be aware of the current drug epidemic and are in need of education about how drug addiction is breaking families apart. Thus, the objective of Tyler's Light is to educate students, families, and communities about the dangers and consequences of drug usage. Tyler's Light has been very effective and in just

months has gained the attention of Fairfield County residents and others that are concerned about the increasing drug abuse issues facing our communities.

Thus, with great pride, I recognize Tyler's Light for the positive impact it is making in the community and I would like to extend best wishes for the future.

HONORING THE ROCK BRIDGE
HIGH SCHOOL LADY BRUINS
SWIMMING AND DIVING TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Rock Bridge High School Lady Bruins Swimming and Diving team on its Missouri State Championship.

The young women and their coaches should be commended for all their hard work and dedication throughout the regular season. The team went on to give the school's swimming and diving program its best showing since the team's 2008 sixth-place finish. Rock Bridge High School athletic teams have had a huge winning tradition this year.

I ask that you join me in recognizing the Rock Bridge High School Lady Bruins for a job well done!

RECOGNIZING APRIL AS NATIONAL
CHILD ABUSE PREVENTION MONTH

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, today I rise to recognize April as National Child Abuse Prevention Month. This month is dedicated to raising awareness about the prevalence of child abuse and neglect as well as spreading knowledge on how to recognize and prevent its occurrence.

Every child has the right to live in a safe and healthy home. Together, we can ensure that right by providing support for parents, recognizing the signs of abuse, and educating community members about the issue.

Mr. Speaker, child abuse is defined as an act or failure to act which presents imminent risk of serious harm. It includes physical, emotional, and sexual abuse as well as neglect. Child abuse occurs in every community and every district. It is reported at all socioeconomic and education levels and across cultural, ethnic, and religious lines. In 2010, there were 3.3 million referrals to Child Protective Services, involving 5.9 million children. In Los Angeles County alone, there were over 170,000 reported cases of child abuse or neglect in 2010. With over half of those referrals being made by mandatory reporters, those professionals required by law to report signs of maltreatment, I applaud our school officials and social service providers who are defending children's wellbeing.

It is vital that we are all equally prepared to speak out for victims who are unable to seek help for themselves. The youngest children, in particular, are most vulnerable to abuse with almost 32 percent of reported victims under the age of four years.

The effects of abuse and neglect can last a lifetime and include physical injuries, mental health conditions such as post-traumatic stress disorder, increased risk for violent behavior, and lower levels of economic well-being. Such long-term effects hinder the ability to form healthy and positive relationships as adults. Abuse can truly become a cycle, harming generation after generation if nothing is done to intervene.

Mr. Speaker, I would like to take a moment to recognize the extraordinary work of the Miller Children's Hospital in the 37th District and its commitment to promoting positive parenting. The hospital offers training for medical professionals to recognize more subtle signs of abuse as well as early learning opportunities for children and their families to develop healthy family relationships.

Efforts aimed at prevention and early detection are critical in helping our Nation's children grow up with the confidence and skills necessary to achieve the American Dream. These efforts can include programs in parent education and substance abuse treatment. Through these investments, we can target those specific circumstances and stresses that often lead to an increased likelihood of abuse.

Mr. Speaker, as I rise today to observe National Child Abuse Prevention Month, I ask all communities to invest in preventative measures and programs to end the cycle of child abuse once and for all. This month will serve as a reminder of our moral responsibility to ensure a bright future for our children and our Nation.

CELEBRATING THE TENTH ANNI-
VERSARY OF THE ENVIRON-
MENTAL TECHNOLOGY CENTER

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. WOOLSEY. Mr. Speaker, I rise proudly today to honor the Environmental Technology Center, ETC, on the occasion of its tenth anniversary. Located at Sonoma State University in Rohnert Park, CA, ETC was one of the first 'green' buildings on a university campus.

Before the concept of a green building was a familiar part of our national culture, Rocky Rohwedder, Professor and Chair of the Environmental Studies and Planning, ENSP, department, realized that an environmental center could provide a valuable teaching tool. He and Professor Jean Merriman Falbo (now retired) sought grants to realize this vision. I was proud to assist their effort with funds from the National Science Foundation, NSF. With further support from the California Energy Commission, the majority of the funding was in place.

Partnering with experts at Sonoma State University and in the community, ETC was carefully designed and opened its doors in the

fall of 2001. The Center represented an exciting new advance in both building and education. Functioning as a teaching tool, demonstration project, and resource hub, it is used as a classroom for the Environmental Studies and Planning Department and several sustainable certificate programs as well as a center for service learning, technical assistance, and community-based research.

Considered a Zero Energy Building because it actually generates more energy than it consumes, its sustainable technologies include roof integrated photovoltaics, advanced window systems, extensive use of daylighting, recycled materials, and thermal mass as well as energy and water-efficient landscaping.

In February, 2002, shortly after ETC opened, the House Committee on Science, Space, and Technology held a Congressional field hearing in the Center on the theme of "A Renewable Roadmap to Energy Independence." As the Ranking Member of the Science Energy Subcommittee, I was able to bring nationally known experts whose testimony delivered a clear message: that we could become energy independent with sustainable technologies using the techniques exemplified in the building. In addition, faculty at the Center, such as Dr. Sascha von Meier, testified in Washington, DC, before the Committee and later helped me in writing alternative energy legislation.

Mr. Speaker, please join me in congratulating all those who made the Environmental Technology Center possible and who continue to make it a focus of research and application for sustainable building ten years later. I applaud their commitment and foresight in creating "The Building That Teaches."

MARKING THE TENTH ANNIVERSARY OF THE CONGRESSIONAL TAIWAN CAUCUS

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. BERKLEY. Mr. Speaker, I rise today to commemorate the 10th anniversary of the Congressional Taiwan Caucus.

Founded on April 9, 2001, the caucus was intended to serve as a forum to educate Members of Congress on issues affecting U.S.-Taiwan Relations, and to provide a platform for exploring ways to positively enhance and strengthen U.S. relations and cooperation with the government and people of Taiwan in accordance with the Taiwan Relations Act. It has grown from 85 Members at the time of its establishment to the current roster of 155, making it the second largest country caucus in the U.S. House of Representatives.

In the past 10 years, the membership of the Congressional Taiwan Caucus has remained solidly bipartisan, reflecting the broad and stable consensus in the U.S. Congress regarding the importance of Taiwan. Through the issuance of various joint letters, its agenda has focused first and foremost on maintaining faithful adherence to legal obligations and policy principles of the 1979 Taiwan Relations Act, as well as the 1982 "Six Assurances" to

Taiwan. Together, these two documents form the cornerstone of our relationship with the people of Taiwan and have contributed immeasurably to the maintenance of peace and stability in the Asia Pacific region, while allowing Taiwan to blossom into a vibrant, open society, eager to engage with the rest of the world.

Today, Taiwan is well on the path to becoming a mature and fully consolidated democracy, and our shared values now form an ever stronger foundation of trust for cooperation across our many areas of mutual interest. At the same time, the military threat posed by the People's Republic of China to Taiwan's democratic way of life only continues to grow with each passing day.

In the coming 10 years, we hope to forge a stronger consultative role for Congress in the formulation of Taiwan policy. We look forward to working closely with our allies—both abroad and at home—to find solutions for ensuring Taiwan's long-term security, and to deepen our dialogue with the people of Taiwan.

RECOGNIZING SCOTT ERICKSON AS THE 2012 HURLBURT AFA CHAPTER 398 HIGH SCHOOL AND OVERALL TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize and congratulate Mr. Scott Erickson, the 2012 Hurlburt Air Force Association Chapter 398 High School and Overall Teacher of the Year.

Mr. Erickson's joy and passion for teaching began at an early age, from watching his mother, also a teacher. Her example, coupled with the skills he learned through his work as a summer camp counselor, became an inspirational force behind his current "learn by doing" teaching approach, which engages students through lesson plans that incorporate activities and experiments using modern-day technology. Throughout his career, Mr. Erickson has used this approach to educate students of all ages ranging from elementary school to high school.

A teacher at Milton High School in Northwest Florida, he continues to hone his teaching techniques, always striving for excellence and establishing award winning technology and aviation programs. Mr. Erickson has played an integral role in sponsoring Milton High School's Robotics Team and led the team to its notable victory at the Emerald Coast BEST (Boosting Engineering, Science, and Technology) Robotics competition. Additionally, through his tireless efforts in fundraising and procuring necessary grants, he became the driving force behind the creation of Milton High School's Aviation Academy—a state-of-the-art teaching and flight simulation facility—which continues to yield positive results. Several of his students are now on the path to earning pilot ratings. Equally commendable, several of Mr. Erickson's aviation students were selected to join the National

Flight Academy, a multi-day immersion program that uses aviation to inspire students to challenge themselves in science, technology, engineering, and math.

Mr. Erickson is respected by all—his students, parents, and administrators alike. Through his hard work and dedication, Scott Erickson is making a tremendous impact in the lives of his students, and this earned him both the title of Teacher of the Year and the admiration of those around him. The Northwest Florida community is proud to call him one of our own.

On behalf of the United States Congress, I am privileged to recognize Mr. Scott Erickson for his great achievements and exemplary service. My wife Vicki joins me in wishing him all of the best.

A TRIBUTE TO THE VOLUNTEERS OF CLARION, IOWA

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and acknowledge the volunteers of Clarion, Iowa, for their hard work and becoming 2012 National Honorees of Make a Difference Day. This year, more than a thousand citizens of Clarion participated in Make a Difference Day activities, earning them the prestigious honor as one of the nation's 2012 Make a Difference Day winners.

Make a Difference Day is a celebration of the power of neighbors helping neighbors. Created by USA Weekend, this annual day of service mobilizes more than 3 million volunteers nationwide to create positive change in their communities.

This group of outstanding volunteers from this three-stoplight town of 2,800 has made a substantial impact in their community by completing hundreds of small acts of kindness that culminated in their well-deserved national recognition. From crocheting robes for seniors to cleaning ditches, from raking leaves to running errands for neighbors in need, this small town came together a thousand strong to make an unforgettable impact on Make a Difference Day.

Mr. Speaker, it is an honor to represent Clarion and its citizens in the United States Congress and I trust my colleagues in the House will rise to join me in congratulating them on a job well done. Clarion has shown the nation once again that small towns can surely do big things.

IN COMMEMORATION OF THE AMERICAN LIBERATORS OF WORLD WAR II AND THE 25TH ANNIVERSARY OF THE INTERNATIONAL MARCH OF THE LIVING

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ENGEL. Mr. Speaker, as Holocaust Remembrance Day approaches on April 19,

2012, I would like to commemorate the U.S. forces that liberated concentration camps and death camps throughout Europe during World War II. I would also like to commend the International March of the Living, which is commemorating 25 years of taking thousands of students to Poland to visit the sites of mass murder by the Nazi regime.

Each year, those participating in the March of the Living solemnly walk the three kilometers between Auschwitz and Birkenau, two sites that represent the largest concentration camp complex during the war. This year marks the first time students will march not with only friends, families, and survivors, but also the liberators who freed so many from the grips of the Nazi regime. These liberators saw first-hand the atrocities committed by the Nazis, and because these atrocities remain achingly clear, it is important that, as the number of liberators dwindles, we ensure their first-hand accounts are never forgotten. These brave soldiers exhibited compassion, and brought hope, to the survivors they liberated. It is for these reasons that I salute the liberators of the concentration camps and death camps, as well as International March of the Living on its 25th anniversary, and I call on my colleagues to do the same.

THE PASSING OF MARK AYERS,
PRESIDENT OF THE AFL-CIO'S
BUILDING AND CONSTRUCTION
TRADES DEPARTMENT

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to express my shock and sadness at the untimely passing of Mark Ayers, President of the AFL-CIO's Building and Construction Trades Department.

Mark led the BCTD with great skill and amazing grace. He was a champion for worker's rights and worked tirelessly to raise the standard of living and quality of life for all working people and their families.

Mark was an extraordinary leader who possessed an unwavering commitment to improving the lives of working families.

Mark leaves big shoes to fill and will be missed by all who knew and loved him. But his legacy will live on.

My thoughts and prayers are with his family during this difficult time.

BAYLOR 2012 WOMEN'S
BASKETBALL TEAM

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to congratulate the Baylor women's basketball team for winning the 2012 NCAA national championship. I was born in Waco, Texas, home of Baylor University, and I am so proud of my hometown team.

The Baylor Lady Bears did more than win, they made history. The Lady Bears completed a 40-0 season on April 3, 2012, by defeating Notre Dame 80-61 in the championship game. They became the first team, men's or women's, to go undefeated and win 40 games in one season.

Baylor University women's basketball team also made television history. With 4.24 million viewers, their game ranks as the most viewed national championship final since 2004. Brittney Griner, the Associated Press Player of the Year and the Most Outstanding Player of the NCAA tournament, led the Lady Bears in their sound defeat of Notre Dame. I am pleased to hear that Brittney intends to stay in school and is on track to finish her undergraduate degree.

Baylor University, which also happens to be the alma mater of my own sister, has the most wins combined in football, men's basketball, and women's basketball of any Division I school this season. Baylor should be proud of their many accolades. They have worked so hard to succeed not only in sports, but academically as well. Baylor is a top ranked national university and is an academic gem for the State of Texas and our country.

Mr. Speaker, I ask all of my colleagues to join with me in celebrating the Baylor University women's basketball team for their historic accomplishments.

TRIBUTE TO MRS. REBECCA POE
OF WEST VIRGINIA

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the accomplishment of a constituent of mine, Mrs. Rebecca Poe; specifically her twenty-six years of service as Executive Director of the Randolph County Senior Center along with her other accomplishments as Randolph County director for North Central Community Action, campaign chairman for United Way of Randolph County, President of the Elkins Rotary Club and her service on the board of Elkins Rehabilitation & Care Center.

Rebecca, whose first day as Executive Director of the Randolph County Senior Center was July 1, 1985, will work her final day on April 27, 2012. When Rebecca took over the Senior Center it was a small operation with a staff of seven people. Today it has a staff of about 120, including both full-time and part-time positions.

Under Rebecca's guidance the Senior Center home care program began in 1988 with a nurse and coordinator. Today the program has 140 clients and features two full-time nurses and a support staff. In 1989 under Rebecca's guidance, the Senior Center made use of a seven-county regional grant to upgrade the nutrition program for their seniors. The Country Roads Transportation program began in 2006 to transport riders of any age.

Although Rebecca has helped the Senior Center make great strides over the years, she insists that the center and the many people she's gotten to know there over the years have made just as big an impact on her.

Mr. Speaker, as the nation's baby boomers move into their senior years, we certainly need more people like Rebecca Poe and the outstanding level of care to our aging population.

I thank Rebecca for her years of service and Randolph County is fortunate to call Rebecca one of its own.

COACH DAVID SITTON—500 WINS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. POE of Texas. Mr. Speaker, it's that time of year again; backyards and ballparks are back in full swing. There's nothing like a day, or night, at the ballpark. I remember going to the Houston Buffs games over on the Gulf Freeway, where Finger's is now, and to Colt Stadium to watch the Colt 45s. When the wind blew, the wooden bleachers at Colt Stadium would sway. It was a big deal back then to go to a game. Most of the time, we listened to the broadcast on a transistor radio. (Are there any of those left?) If you can't be there in-person, there's nothing really quite like listening to a game on the radio.

Then came the Astrodome. The first game was played there on April 9, 1965, against the New York Yankees. Governor John Connally threw out the first pitch, and President Lyndon B. Johnson and First Lady Lady Bird joined Astros President Roy Hofheinz in his suite. There were so many flashes going off that it was blinding. The Astrodome was a marvel to the world, the ushering in of indoor baseball. Even with the great home run kings Mickey Mantle and Roger Maris playing for Bronx Bombers, the Astros beat the Yankees 2-1 in 12 innings (those were the days).

There was nothing else like the Dome—the Eighth Wonder of the World. The players would stand in centerfield and hit balls straight up to see if they could hit the roof. And, who could forget the gun slinging cowboy on the scoreboard? As a parent, I brought my kids to the games. They wore Nolan Ryan's number 34 and cheered for players like Terry Puhl, Joe Niekro, Craig Reynolds, Alan Ashby, Billy Doran and Jose Cru-u-u-u-u-u-u-z. Last season, I watched alongside my grandkids as the train moves along the track, high above the new stadium—Minute Maid Park—whenever Biggio, Bagwell and Berkman (the Killer B's) hit homeruns. Two of my favorite players happen to be none other than Kingwood's own, Phil "Scrap-Iron" Garner (later coach of the Astros) and Craig Reynolds.

With all of the legends of the past, you may not know that we live amongst another baseball legend: Coach David Sitton. Coach Sitton started his baseball career as a pitcher for Humble High School. Lucky for us, he returned to his alma mater and never hung up his cleats. For 28 seasons, Coach Sitton has led his team and truth be told, the folks in Humble would be lost without Coach Sitton. Some say he bleeds purple, and I don't question it.

It is said that the measure of a man is the influence that he has on the lives of others. Coach Sitton has undoubtedly made a lasting

impact on the many students and teachers he has worked with over his career. He has guided the Wildcats to 8 District Championships, 2 Regional Semi Finals, 2 Regional Finals, 17 playoff appearances and been named Coach of the Year 9 times. Throughout Coach Sitton's tenure, more than 80 players have gone on to play college baseball, and some went on to play professionally. And, on February 23rd, he led his team to another significant milestone: 500 career wins.

Our hometown hero Coach Sitton also has done great things off the field. He has volunteered many hours to numerous community activities and non-profit organizations. He created the Houston Area Baseball Coaches Association. This association raises money for scholarships and helps unsigned players find colleges to further their playing skills. But, his remarkable contributions to our town were almost taken away too soon. On January 12, 2009, Coach Sitton was involved in a near-fatal motorcycle accident, suffering multiple fractures, head trauma, a broken nose, bleeding in his brain, 2 cracked ribs and a broken pelvis. The community immediately acted to help Coach Sitton and his family. They set up an account so that friends and family could donate money to help pay for medical expenses and they cooked and delivered meals to the family during his recovery. The outpouring of support from the Humble/Kingwood community was in true fashion of Wildcat Pride.

We are grateful and blessed that he survived and, remarkably, is once again dedicating all of his time to our local community. The community is proud of Coach David Sitton for all of his accomplishments as a coach and a leader. His most recent victory was winning his 500th game as the head coach of the Humble Wildcats. We are lucky that he will continue to provide positive mentorship as a coach, husband, father, role model and educator. The Wildcats, and the entire city of Humble, are fortunate to call him one of our own.

Now, let's play ball.
And that's just the way it is.

TRIBUTE TO COL. JOHN K. CARNEY

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the lifetime accomplishments of Colonel John K. Carney. Col. Carney, originally from Braxton County, West Virginia, passed away less than one month ago on March 17, 2012. He was a World War II veteran and worked more than 38 years in government service.

Col. Carney began his military career in 1941 serving for the United States Air Force. Throughout his tenure, he supervised an array of management and logistics programs for the Air Force both in the United States and abroad. His overseas assignments included tours in South America, Trinidad, and Saudi Arabia, in addition to two tours in the Philippines. His final six years in the military were

spent in the Pentagon at Air Force Headquarters. Here, he worked in the Office of the Secretary of Defense where he headed joint service planning and negotiating groups leading to the consolidation of major logistics functions within the Department of Defense.

After 24 years of military service with the Air Force, Col. Carney retired in 1966. It was at this time when he began a second career with the General Services Administration. While working with the GSA, he pursued the development of a government-wide national supply system, which entailed a series of negotiations between the Department of Defense and other federal agencies. He retired a second time in 1980 from his position as Director of Supply Policy.

Along with his dedication to his work, Col. Carney was committed to his community and family life as well. While living in Springfield, Virginia, he played an integral role in the founding of St. Bernadette Catholic Church. It was in Springfield where he and his wife raised their six children, sixteen grandchildren, and nineteen great-grandchildren.

Mr. Speaker, the level of devotion to both family and country by Col. Carney is one deserving of great honor and respect.

I wish to thank Col. Carney for his years of service and Braxton County is fortunate to remember him as one of their own.

HONORING FIRE CHIEF MACK BORCHARDT

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. BURGESS. Mr. Speaker, I rise today to honor Fire Chief Mack Borchardt, the Texas Fire Chiefs Association's 2011 Fire Chief of the Year. It is my privilege to publicly recognize citizens, notably among them Chief Borchardt, for dedicating themselves to the safety and well-being of their communities.

Chief Borchardt exemplifies the role of Fire Chief for the city of Frisco, Texas. His career began in 1973 as a volunteer firefighter in his hometown of Frisco. He has continued with a passion to serve and protect others every day and every year for nearly 40 years. Acknowledgement of his leadership abilities followed steadily. After eight years of service in a nearby community, he became the City Administrator in Frisco and Fire Chief of the Volunteer Frisco Fire Department. In 1987, Chief Borchardt earned his current title as Fire Chief for the Frisco Fire Department. Under his direction, the Frisco Fire Department expanded from all volunteers to 150 full time professional firefighters. Many lives have been saved as the community has grown. In addition, the City of Frisco has seen a growth from one fire station to six, with a seventh station on the way.

Chief Borchardt also initiated the highly popular and innovative Frisco Fire Safety Town, a facility dedicated to educating children of all ages in fire safety and prevention. His contribution to the City of Frisco through the unique S.A.F.E.R. program (Situational Awareness For Emergency Response) has bolstered the firefighter, EMT, and police divisions of the

city with the ability to quickly access critical information during an emergency.

Chief Borchardt's loyalty and sense of duty is constant. He has sought to cooperate and collaborate with fellow fire chiefs, firefighters, and public officials to improve the safety and well-being of not only Frisco residents but the larger North Texas community as well. His career accomplishments highlight his well-honed leadership and mentoring skills and underscore the importance of his service as Frisco Fire Chief. I am proud to recognize Chief Mack Borchardt as a committed public servant for North Texas.

CONGRATULATING BENTON HARBOR'S DESTINY WILLIAMS OF THE LADY BEARS OF BAYLOR UNIVERSITY

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. UPTON. Mr. Speaker, I rise today to congratulate Benton Harbor's Destiny Williams of the Lady Bears of Baylor University on her team's victory in the NCAA women's basketball championship. She is an outstanding young woman who helped lead her team to a perfect season, a rare and timeless accomplishment. Our entire community could not be more proud of Destiny and the remarkable basketball career she has made for herself. This is only the second time her team has won the championship and is a testament to her great success.

Winning a national championship is something that will last a lifetime. It is a remarkable achievement that few athletes ever experience, and is a legacy that will live with Destiny and the Lady Bears forever. Destiny knows that hard work, discipline, and teamwork helped her team win this championship. These same qualities brought a big 2008 victory to the Benton Harbor Lady Tigers in the state championship game. Nobody outworked the Lady Bears and nobody could beat them in the tournament or the regular season. Ending their perfect season with an NCAA championship speaks to Destiny's abilities as a leader and team player.

Destiny's 12 points and 6 rebounds in the championship game helped her team to victory. She is such an inspiration for young women back home and we are all so eager to see what the future holds in store for our Lady Tiger, now Lady Bear.

On behalf of all the residents of southwest Michigan, congratulations again to Destiny Williams. You make all of us here in Michigan very proud.

HONORING BERNARD RAPOPORT

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the life of

Mr. Bernard Rapoport, a successful entrepreneur and philanthropist. Mr. Rapoport was 94 years old when he passed away in his hometown of Waco, Texas.

Bernard Rapoport was born into humble beginnings. As the son of Russian immigrants, Mr. Rapoport began working at an early age to help his family survive the most trying times of the Great Depression. Out of this experience, Mr. Rapoport developed a tremendous value for education and hard work, and would promote this universally throughout his life.

After moving to San Antonio, Mr. Rapoport began a career selling insurance, where he quickly realized his true talents and passion for the work. Mr. Rapoport opened his own insurance agency in Waco, and launched a long and successful career. Mr. Rapoport ultimately founded the American Income Life Company and expanded it to become one of the Nation's largest providers of supplemental life insurance.

Mr. Rapoport understood well the values of social responsibility, and used his success to help others in need. Using \$46 million of his own money, Mr. Rapoport established the Bernard and Audre Rapoport Foundation in 1987. Consistent with his values, the Foundation focuses on promoting educational, healthcare, and cultural programs for the community in Waco and elsewhere. For his widespread generosity, Mr. Rapoport was named as one of America's "40 most generous philanthropists" by Fortune magazine.

Mr. Rapoport's civic involvement continued well beyond his philanthropy, and he was well-known for his dedicated political involvement at all levels of leadership. Mr. Rapoport built strong relationships with presidents, senators, and representatives, and was frequently praised for his fierce advocacy.

Mr. Speaker, it takes a special person to become as successful in business and political activism as Mr. Rapoport. It takes an extraordinary person to use that success to contribute so selflessly to the community. It has come as a great loss to many people to hear of Mr. Rapoport's passing. I am pleased to honor Mr. Rapoport for his contributions, and his legacy will be preserved in the Bernard and Audre Rapoport Foundation and the American Income Life Company.

IN RECOGNITION OF ARGYLE HIGH SCHOOL BOYS' BASKETBALL TEAM

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. BURGESS. Mr. Speaker, I rise today to congratulate the boys' basketball team of Argyle High School for their Texas 3A state championship title this year. The title "Champion" is earned through the determination to succeed as individual athletes, working together as a team. Additional accolades to Coach John King and his staff for their outstanding leadership. Clarke Overlander was named the Class 3A state championship game Most Valuable Player.

In these young men's perseverance and vision to succeed, they are held to rigorous

standards of performance on the field as well as academics in the classroom. Winning many games on the way to the state championship, their road to victory is testament to a team always reaching for new heights. This milestone achievement speaks highly of each young man's motivation, teamwork, and willingness to face a challenge; they can be expected to prove themselves as champions in many ways throughout their lives.

I am pleased to join the classmates, teachers, friends, family and Argyle community in honoring the athletic achievement of the Argyle Eagles boys' basketball team winning their first Texas 3A state championship. It is my privilege to represent you in the U.S. House of Representatives.

IN HONOR OF JOHN NOLEN BAILEY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. FARR. Mr. Speaker, I rise today to honor the life and remarkable public service of John Nolen Bailey. Mr. Bailey passed away on March 22nd. He will be remembered for his volunteerism, vision and leadership in Monterey County as well as his leadership in the national field of association management.

Mr. Bailey was born on July 12, 1935 in San Francisco. He began his service to the Monterey Peninsula in 1988, with his wife Mary Adams.

Highlights among John's more than 50 years experience as a leader in the professional association world include his serving as chief elected officer of the 25,000-member American Society of Association Executives (ASAE), President and CEO of the International Association of Business Communicators (IABC), as well as executive director of Trial Lawyers Care, a New York City-based organization that provided pro bono legal representation to more than 1,700 victims of the Sept. 11 terrorist attacks.

John served on the National Steinbeck Center Board of Trustees, Forest Foundation, Del Monte Forest Property Owners Association, Clark Foundation, Dorothy's Place, and was the executive director of the Monterey History and Art Association from 2005 to 2007. He later returned to the Museum to assist it during a period of organizational transition. The museum had been closed and would not have reopened had it not been for the expertise and community trust belonging to John Bailey.

Awards honoring his years of service include being voted by peers as the US Association Executive of the Year, and recipient of the Key Award, the highest honor presented to individuals in the association management profession. He was also a recipient of the prestigious Points of Light Award, which was presented to him by then President George H. W. Bush.

Mr. Speaker, I know I speak for the whole House as I commend John Bailey for all he has accomplished and contributed to our community. I would like to express my gratitude for his selfless service to the people of Monterey County, and indeed to our nation. I would also

like to extend my deepest condolences to his family, friends and all those whose lives he touched and whose careers he encouraged during this time of grieving. The world has lost a truly good man.

A TRIBUTE TO THE TOWN OF VERNON WATER POLLUTION CONTROL FACILITY

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to congratulate David Ignatowicz, Arnie Bevins, and the entire staff of the Town of Vernon Water Pollution Control Facility on their outstanding work on wastewater treatment.

Covering Vernon, Ellington, Tolland, and parts of South Windsor and Manchester, the Connecticut facility is the first of its kind with a full-scale powdered activated carbon treatment and wet-air carbon regeneration system. The unique wastewater utility has maintained an outstanding performance and customer satisfaction record for over 30 years, processing wastewater from over 122 miles of sewers and seven pump stations. With 20 dedicated individuals serving 66,000 Connecticut residents, the Vernon plant team has made certain that the water discharged from this facility is excellent in quality.

Recognizing the outstanding work of the Town of Vernon Water Pollution Control Facility, the New England Water Environment Association (NEWEA) named the facility the Wastewater Utility of the Year for 2010. Given annually, the NEWEA's Wastewater Utility of the Year award recognizes a regional utility for exceptional management, maintenance, and performance. The award, given to a facility located within six Northeastern States, is based on marks in 18 different areas to highlight overall excellence in utility operations. Having received top marks in each of these 18 areas, the Town of Vernon Water Pollution Control Facility proved to be more than deserving of this prestigious award.

Water Pollution Control Facilities like the Town of Vernon's are vital to the health of our communities and our ecosystems. Their innovative processes, forward thinking, and hard-working staff have helped to ensure that the discharged water is of the best possible quality. Mr. Ignatowicz, Mr. Bevins, and the entire Town of Vernon Water Pollution Control Facility team are a true asset to our state and our region, and I congratulate them on their exceptional work and well deserved recognition.

IN RECOGNITION OF EMILY SCAMMELL, WINNER OF AUBURN'S POLITICAL SCIENCE LEADERSHIP AWARD

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to commend an outstanding young

woman who attends Auburn University, which is located in my district in east-central Alabama. Auburn's Political Science Department recently started a new award that recognizes a student leader who excels in both the classroom and the community. It's my privilege to announce the first winner of Auburn's Political Science Leadership Award, Ms. Emily Scammell. A faculty committee selected her in recognition of her superb credentials.

Hailing from Daphne, Alabama, Emily is a junior political science major. She's minoring in hunger studies, which is part of the Universities Fighting World Hunger Initiative between the World Food Programme and Auburn University. Emily has a 3.9 Cumulative Grade Point Average and has made the dean's list for six consecutive semesters. She is a student in the Honors College at Auburn, won the Phi Kappa Phi First Year Award and is a recipient of the Spirit of Auburn Founder's Scholarship and the Academic Enrichment Scholarship.

Emily is active in student government, having served as director of honors activities and assistant director of organization programs. She is co-founder and vice president of the Campus Kitchen/Hunger Studies Group and an officer in her sorority. Emily volunteers at the East Alabama Food Bank and the Boys and Girls Clubs of Auburn. She has also worked at the Bay Area Food Bank in Theodore, Alabama, and the World Food Programme in Washington, D.C.

Mr. Speaker, I offer my congratulations to Emily and thank Auburn University for producing such outstanding students and citizens.

IN HONOR OF JOHN MYERS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. FARR. Mr. Speaker, I rise before you today to recognize John Myers. Mr. Myers passed away on March 23rd. Mr. Myers was a lifelong volunteer and champion of community outreach and development in Monterey County.

John attended college at Purdue University where he graduated with a Bachelor of Science in Chemical Engineering in 1951. He then joined Union Carbide Corporation where he worked for the next 42 years in research and production of enriched uranium used in nuclear energy and in asbestos research.

Following his retirement in 1993 John remained busy. John served on the Board of Trustees, and as Chairman and Office Manager at Mee Memorial Hospital from 1982 to 2012. His time on the board saw upgraded services in radiology, new and remodeled clinics, a new dialysis center and many other services expanded.

Among John's many other notable positions held was as member of the King City Planning Commission and the King City Council. John served as Mayor of King City from 1992 to 2004, the longest-running mayor in the city's history. As Mayor, he also served as vice chair of the Monterey County Mayor's Association and on the Monterey Bay Unified Air

Pollution Control District Board. He was also a member of the Bay Area chapter of the League of California Cities.

John and his wife of 35 years served on the Hospice Trees of Life committee as well as for the first Valley Heritage Days in King City. He was also an active member and director of Monterey County Agricultural and Rural Life Museum.

Mr. Speaker, I have no doubt that John Myers' life and legacy will continue to thrive because of his longstanding work for his community. I would like to extend my sympathy to his family and friends in this their time of mourning.

CELEBRATING THE INAUGURATION OF DR. ROBERT K. MCMAHAN AS THE SEVENTH PRESIDENT OF KETTERING UNIVERSITY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. KILDEE. Mr. Speaker, I rise today to honor Dr. Robert K. McMahan on the occasion of his inauguration on April 20 as Kettering University's seventh President.

Since its founding in 1919, Kettering University in my hometown of Flint, Michigan has been pioneering technology and preparing students to become innovators and leaders. It is the country's premier engineering, science and business university dedicated to co-op education. It is a national leader in preparing entrepreneurs and is ranked among the nation's finest specialty schools.

Dr. McMahan is the ideal person to be leading Kettering as it charts a path from its storied legacy of technical leadership to its entrepreneurial spirit today. As Kettering University celebrates its history and marches confidently toward an exciting future, it will do so with an enormously gifted new President who is an innovative thinker with a broad range of academic, business, management and government experiences. Robert K. McMahan has explored the foundations of the universe as a groundbreaking researcher. He has been a leader in academics, an advisor to high government officials and as a private sector entrepreneur has created initiatives that have driven innovation and technology.

Prior to his arrival at Kettering, Dr. McMahan was the Founding Dean of the Kimmel School and Professor of Engineering at Western Carolina University; the Kimmel School is Western's College of Engineering and Technology. Before his tenure at the Kimmel School, Dr. McMahan was the Senior Advisor to the Governor of North Carolina for Science and Technology, and the Executive Director of the North Carolina Board of Science and Technology. In this role he also acted as a Senior Advisor to the Secretary of Commerce, the General Assembly, and the Economic Development Board.

Prior to his work with the Governor, he was a Senior Technology Strategist and Venture Capitalist for In-Q-Tel, a private venture capital organization funded by the CIA, where he was responsible for developing a technology in-

vestment strategy for the intelligence community, and then deriving, molding, and structuring individual investments and technologies within the portfolio in response to it.

Before joining In-Q-Tel, he was Executive Vice President of Engineering and R&D for GretagMacbeth, LLC, where he was responsible for the company's worldwide research, engineering, and product development activities and for the creation and operation of the company's Advanced Technology Laboratories in the Research Triangle Park.

Mr. Speaker, I congratulate Dr. Robert K. McMahan as he prepares to share his vision for Kettering University's future on the occasion of his inauguration as its President.

HONORING JOHN S. CHASE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the life of Mr. John S. Chase, a renowned architect, entrepreneur, and father. Mr. Chase passed away at the age of 87.

Mr. Chase was a man of many firsts. Just two days after the U.S. Supreme Court ruled that the University of Texas must desegregate its graduate and professional schools, Mr. Chase enrolled to become one of UT's first black students. In his passionate pursuit to become an architect, Mr. Chase endured hate mail and heightened discrimination, and had to be shadowed by federal marshals in order to ensure his safety.

After graduating, Mr. Chase became the first African American licensed to practice architecture in the state of Texas. Unfortunately, his struggles with racism persisted, and white firms refused to hire him. Not easily discouraged, Mr. Chase overcame these obstacles by moving to Houston and opening his own firm. There, Mr. Chase went on to build homes, churches, schools, and public buildings that have left a lasting legacy throughout Houston.

Mr. Chase was diverse in his skills, and in addition to his career he was devoted to his community. In 1980, Jimmy Carter appointed Mr. Chase to serve on the United States Commission on Fine Arts, where Mr. Chase contributed to the design and aesthetics of federal interests as the first African American to serve on the Commission. Mr. Chase also made notable contributions toward expanding the educational resources for the University of Texas, including his work on the Martin Luther King Humanities Center and the Thurgood Marshall School of Law Building.

Mr. Speaker, I am greatly saddened to hear of Mr. Chase's passing, and my thoughts are with those family members who are grieving his loss. We must honor his bravery for facing overwhelming adversity during a time of such uncertainty and racial strife. While there is little comfort in mourning a loved one, I hope his family can take solace in the lasting legacy he has left behind. Mr. Chase's many structures will serve to remind us of his personal triumphs.

IN HONOR OF MARIKO "MOLLIE"
SUMIDA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. FARR. Mr. Speaker, I rise to honor the life of Mariko "Mollie" Sumida. Mollie passed away on March 5th. Mollie was a great woman and personal friend. She played an instrumental role in teaching me cross-cultural sensitivity. She and her husband, Yukio were also close family friends of my mom and dad, the late Janet Haskins Farr and Senator Frederick Sharon Farr.

Mollie and her family moved to the Monterey Peninsula when she was 12 years old. She attended Monterey High School, where she met her future husband, Yukio Sumida.

During World War II, Mollie was interned in Poston, Arizona while her husband served overseas with the highly decorated 442nd Infantry Division. Following the war, they returned to Monterey, where their daughter Ann and son Ray were born.

In 1952, Mollie opened the Cypress Garden Nursery, where she worked until retiring at the age of 80. During this time she became very active in civic as well as business organizations including the Monterey History and Art Association, Gateway Center, and the California Association of Nurserymen.

I fondly remember the many things Mollie taught me in life, including how to speak a few Japanese words and, most everlastingly, how to be a gardener. I will sorely miss her.

Mr. Speaker, I know I speak for the whole House when I recognize the contributions of her remarkable life. I would like to extend my deepest condolences to her family and friends during their time of grieving.

RECOGNIZING ADVENTURE
THEATRE'S 60TH ANNIVERSARY

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise today to congratulate Adventure Theatre in Glen Echo, Maryland on 60 years of excellence. Founded in 1951, Adventure Theatre is the longest-running children's theatre in the Washington, DC metropolitan region and is a treasure of our community. I am honored to have it located in Maryland's Eighth Congressional District.

Adventure Theatre reaches more than 65,000 individuals annually, with its award-winning performances based on classic and popular children's stories and with theater classes, workshops and community engagement programs. Through these intimate and interactive theater activities, children are introduced to a limitless world of possibilities.

Adventure Theatre was founded by a group of women who believed that children deserve to experience outstanding theater. Over the next six decades, Adventure Theatre has become a nationally-recognized, state-of-the-art theater.

At its gala anniversary celebration that is being held tonight, the Past Presidents of the Board of Directors are being presented with the 2012 Spirit of Adventure Award. This award commends these leaders for their creative spirits and successful guidance of this extraordinary theater. I am delighted to express my appreciation to them for all that they have done to enhance and enrich our community.

I congratulate Adventure Theatre on its 60th anniversary and encourage my colleagues to bring family and friends to enjoy an Adventure Theatre production. You will have an experience that you will long remember.

IN HONOR OF SUSAN A. MCCLOUD

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. FARR. Mr. Speaker, I rise today to honor the career of Susan A. McCloud, who retires as the longest-serving Mayor of Carmel-by-the-Sea, California, on April 17, 2012. Sue was born in Connecticut to Walter and Gladys McCloud. Her family moved to Carmel when she was in elementary school and she lives now in the same house her parents bought. We both shared the joys of growing up in Carmel, attending Sunset Elementary and Carmel High School. Sue earned her B.A. in Political Science at Stanford University, attended the Graduate Institute of International Studies in Geneva, Switzerland, and graduated from The National War College in Washington, D.C.

In the early 1960's Sue worked as the Special Assistant and interpreter to Richard C. Zellerbach, who was deaf, while he was Acting Chairman of the Board of the Crown Zellerbach Corporation and head of the Zellerbach family foundations. She also assisted with the organization of the family vineyard, Hanzell, in Sonoma, California. From 1963 to 1994 Sue served our nation with the Central Intelligence Agency in France, England, Japan, Switzerland and Sweden. She was named C.I.A. Chief of Station in two of those countries, and retired as a member of the Senior Intelligence Service.

While in the C.I.A. Sue worked with policy levels of foreign governments and served as an advisor to several U.S. Ambassadors, worked on task forces to address long-term planning for the post-Cold War C.I.A. and the greater U.S. Intelligence Community, and headed up the Aldrich Ames damage assessment team.

Upon retiring in 1994 she moved back to her roots, Carmel-by-the-Sea, and immediately got down to work. She was on the Board of Director of Monterey Institute of International Studies and chaired its Planning Committee, was a member of the Carmel Planning Commission and the Board of the Carmel Music Society. In 1998 Sue joined the Monterey Regional Waste Management District and also was elected to the Carmel City Council. She became Director of the M.R.W.M.D. and continues to this day as vice chair. She was elected Mayor of Carmel-by-the-Sea in 2000 and

was re-elected four times, becoming the longest-serving Mayor of our town.

How can I begin to thank her for all her years of public service? She has won so many awards: the 2009 Monterey Peninsula Chamber of Commerce Ruth Vreeland Memorial "Public Official of the Year", 2000 Lincoln Club of Northern California Ten Most Effective Women Legislators, C.I.A.'s Intelligence Medal of Merit, Donovan Award for Excellence (given in memory of the founder of the Office of Strategic Services.) I am always mindful of the talent that has come from our area, and she is one of our nation's best.

Mr. Speaker, I know I speak for the whole House as I commend Mayor Sue McCloud for all she has done and all she will undoubtedly continue to do. I extend my most sincere thanks and warmest wishes for her success and much happiness in her retirement.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 17, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 18

9:30 a.m.

Appropriations

Department of the Interior, Environment, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the United States Forest Service.

SD-124

10 a.m.

Environment and Public Works

To hold an oversight hearing to examine the General Services Administration (GSA).

SD-406

Foreign Relations

To receive a closed briefing on an intelligence update on Iran and Syria.

SVC-217

Health, Education, Labor, and Pensions

To hold hearings to examine effective strategies for accelerated learning.

SD-430

Judiciary

To hold hearings to examine the nominations of James Xavier Dempsey, of California, Elisebeth Collins Cook, of

<p>Illinois, Rachel L. Brand, of Iowa, David Medine, of Maryland, to be Chairman, and Patricia M. Wald, of the District of Columbia, all to be a Member of the Privacy and Civil Liberties Oversight Board.</p>	<p>agement of its National Security Laboratories.</p>	<p>APRIL 24</p>
<p>SD-226</p>	<p>SR-222</p>	<p>2:30 p.m. Armed Services Airland Subcommittee To hold hearings to examine tactical aircraft programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.</p>
<p>Small Business and Entrepreneurship To hold hearings to examine perspectives from the entrepreneurial ecosystem, focusing on creating jobs and growing businesses through entrepreneurship.</p>	<p>Intelligence To hold closed hearings to examine certain intelligence matters.</p>	<p>SR-232A</p>
<p>SR-428A</p>	<p>APRIL 19</p>	<p>APRIL 25</p>
<p>Commerce, Science, and Transportation Surface Transportation and Merchant Marine Infrastructure, Safety, and Security Subcommittee To hold hearings to examine protecting commuters, focusing on ensuring accountability and oversight in tolling.</p>	<p>9:30 a.m. Energy and Natural Resources To hold hearings to examine the impacts of sea level rise on domestic energy and water infrastructure.</p>	<p>10 a.m. Finance To hold hearings to examine tax reform, focusing on what it means for state and local tax and fiscal policy.</p>
<p>SR-253</p>	<p>SD-366</p>	<p>SD-215</p>
<p>10:30 a.m. Appropriations Department of Defense Subcommittee To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Missile Defense Agency.</p>	<p>Homeland Security and Governmental Affairs To hold hearings to examine the nomination of Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy, Executive Office of the President.</p>	<p>Veterans' Affairs To hold hearings to examine Veterans' Affairs mental health care, focusing on evaluating access and assessing care.</p>
<p>SD-192</p>	<p>SD-342</p>	<p>SD-138</p>
<p>2 p.m. Budget Business meeting to consider the concurrent resolution on the budget for fiscal year 2013.</p>	<p>Armed Services SeaPower Subcommittee To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.</p>	<p>2 p.m. Armed Services Personnel Subcommittee To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.</p>
<p>SD-608</p>	<p>SR-232A</p>	<p>SD-106</p>
<p>Finance International Trade, Customs, and Global Competitiveness Subcommittee To hold a hearing to examine the Asia Pacific, focusing on trade opportunities for agriculture and food producers from the Great Plains to the Pacific Northwest.</p>	<p>10 a.m. Foreign Relations To hold hearings to examine Syria, focusing on United States policy options.</p>	<p>2:30 p.m. Armed Services Readiness and Management Support Subcommittee To hold hearings to examine current readiness of U.S. forces in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.</p>
<p>SD-215</p>	<p>SD-419</p>	<p>SR-232A</p>
<p>Aging To hold hearings to examine the future of long-term care, focusing on saving money by serving seniors.</p>	<p>Health, Education, Labor, and Pensions To hold hearings to examine delays in OSHA's standard-setting process and the impact on worker safety.</p>	<p>Armed Services Strategic Forces Subcommittee To hold hearings to examine ballistic missile defense policies and programs in review of the Defense Authorization Request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.</p>
<p>SH-216</p>	<p>SD-430</p>	<p>SR-222</p>
<p>2:15 p.m. Foreign Relations African Affairs Subcommittee To hold hearings to examine the United States policy response to entrenched African leadership.</p>	<p>Judiciary Business meeting to consider the nominations of William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit, John Thomas Fowlkes, Jr., to be United States District Judge for the Western District of Tennessee, Kevin McNulty, and Michael A. Shipp, both to be a United States District Judge for the District of New Jersey, Stephanie Marie Rose, to be United States District Judge for the Southern District of Iowa, Michael P. Shea, of Connecticut, to be United States District Judge for the District of Connecticut, Gonzalo P. Curiel, of California, to be United States District Judge for the Southern District of California, and Robert J. Shelby, of Utah, to be United States District Judge for the District of Utah.</p>	<p>APRIL 26</p>
<p>SD-419</p>	<p>SD-226</p>	<p>9:30 a.m. Energy and Natural Resources To hold hearings to examine weather related electrical outages.</p>
<p>2:30 p.m. Appropriations Financial Service and General Government Subcommittee To hold hearings to examine the General Services Administration, focusing on a review of the recent Inspector General management deficiency report and an assessment of the fiscal year 2013 General Services Administration (GSA) funding request.</p>	<p>2 p.m. Appropriations Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Food and Drug Administration.</p>	<p>SD-366</p>
<p>SD-138</p>	<p>SD-124</p>	<p>10 a.m. Finance To hold hearings to examine tax filing season, focusing on improving the taxpayer experience.</p>
<p>Armed Services Readiness and Management Support Subcommittee To hold hearings to examine financial management and business transformation at the Department of Defense.</p>	<p>2:15 p.m. Indian Affairs To hold hearings to examine S. 1684, to amend the Indian Tribal Energy Development and Self-Determination Act of 2005.</p>	<p>SD-215</p>
<p>SD-G50</p>	<p>SD-628</p>	<p>Armed Services SeaPower Subcommittee To hold hearings to examine Marine Corps acquisition programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.</p>
<p>Armed Services Strategic Forces Subcommittee To hold hearings to examine the National Security Administration man-</p>		<p>SR-222</p>

SENATE—Tuesday, April 17, 2012

The Senate met at 10 a.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

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

Let us pray.

O Lord, we know You are mighty and we are weak. But we take heart because Your power makes mountains tremble.

As our Senators rely on Your strength for this day, fill them with renewed faith and love. Give them the security and serenity they need to face today's challenges and to glorify You in their thoughts, words, and deeds. Grip them with the conviction that You will provide them with supernatural strength, vision, and guidance.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 17, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 11:00.

Republicans will control the first half and the majority will control the final half. At 11:00 there will be 10 minutes of debate on the motion to invoke cloture on the motion to proceed to the postal reform bill. At 11:10 there will be a cloture vote—or at approximately 11:10—on the motion to proceed to the postal reform bill. The Senate will recess from 12:30 to 2:15 today for our weekly caucus meetings. We have to make progress on the postal reform bill today which is so vitally important to more than half a million workers.

BUFFETT RULE

Mr. REID. Yesterday Senate Republicans once again rejected the idea that millionaires and billionaires should contribute their fair share to help the country prosper. Republicans sent a message to millions of honest hard-working Americans who will file their taxes today: It is fair for Warren Buffett to pay a lower tax rate than his secretary. And that is not fair.

Republicans said that it is fair for Mitt Romney to pay a lower tax rate than his cleaning lady or his chauffeur. That is not fair. My Republican colleagues believe it is fair for hedge fund managers and executives to pay a lower tax rate than schoolteachers and waitresses and busdrivers. But that is something you do not have to take my word for; that is what President Ronald Reagan called a system of unproductive tax loopholes that allows some of the truly wealthy to avoid paying their fair share.

In 1985 Ronald Reagan knocked the web of loopholes that allowed people making hundreds of millions of dollars each year to pay lower tax rates than construction workers or janitors. President Reagan called it crazy, and, to his credit, he worked with a couple of Democrats—Senator Bradley of New Jersey and Congressman Gephardt of Missouri—and came up with the Bradley-Gephardt Tax Fairness Act. It worked well for a long time, but we have allowed other things to get in the way of that good Bradley-Gephardt legislation. Now we are back to what Ronald Reagan was talking about those many years ago.

This broken system made it possible for millionaires to pay nothing while a busdriver was paying 10 percent of his salary. That is what President Reagan said. But the same system is in place today, as I have just explained, and, as that radical liberal Ronald Reagan said, that is just crazy. Those were his words.

Yesterday my Republican colleagues used some strong words to oppose the

Democrats' plan to fight the inequality. Republicans called our common-sense proposal to ensure that no one making more than \$1 million a year pays a lower tax rate than a truck-driver, a secretary, or a police officer—they called it class warfare. It is not class warfare but class welfare—welfare for the wealthy at the expense of the middle class. It is class welfare, not warfare.

Republicans are pushing a budget that would end Medicare as we know it—just passed the House—slashing nursing home coverage for the elderly, decimating Pell grant funding, and kicking 200,000 children out of the Head Start Program.

They are calling our proposal class warfare. I wish that were the most ridiculous thing they have said about our proposal to bring a measure of fairness to America's tax system, but far from it. One Member of the Senate leadership equated this measure to shooting ourselves in the head. The Paying a Fair Share Act—the Buffett rule—would have ensured that millionaires and billionaires paid at least as much as their secretaries, assistants, and even their nannies. Yet Republicans think asking those lucky millionaires and billionaires to contribute their fair share is just like shooting the country in the head. That is what they said.

Our legislation would have protected 99 percent of small business owners and maintained deductions for charitable giving, and it would have been a small but meaningful step to reduce our deficit at a time when every penny—in this case, every billion—counts.

It does not seem radical to me to ask Warren Buffett, who made almost \$63 million in 2010, to pay a higher tax rate than his secretary. The Presiding Office can remember when he came and spoke to a group of assembled Democrats. He carried around with him his tax returns for the last several years. He is the one who told us how much he made in 2010, and he lamented the fact that he was paying the tax rate that he was.

Well, it does not seem radical to me, it did not seem radical to Ronald Reagan, and it does not seem radical to three-quarters of the American people who support our legislation. The wealthiest Americans take home a greater percentage of our Nation's income than anytime in nearly a century. Yet they enjoy the lowest tax rate in more than five decades—the lowest tax rate. So it is no surprise that Americans believe millionaires should shoulder their fair share. Even

two-thirds of millionaires and a majority of Republicans around the country agree it is time to fix a system rigged to favor the richest of the rich. Republicans in Congress are the only ones not on board on this issue.

If you need evidence that millionaires and billionaires can afford to contribute a little more, consider this one simple fact: Last year there were 7,000 people who made more than \$1 million who did not pay a single penny of Federal income tax—not a penny. Thanks to Republicans, these lucky millionaires and billionaires can keep gaming the system while middle-class workers keep picking up the tab.

RECOGNITION OF THE MINORITY LEADER

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

A NEED FOR SOLUTIONS

Mr. McCONNELL. Mr. President, yesterday I highlighted some of the tremendous challenges we face in our country and this President's refusal to face them with the seriousness they demand.

At a moment when the Federal debt makes us look a lot like Greece, President Obama spends his time running around stumping for a tax hike that he knows will not help and that he knows will not pass. On gas prices, the President's response has been to call for a tax hike on energy manufactures, which, if anything, will drive the price of gas even higher and which he knows will not pass.

Now we hear that the President is announcing some kind of task force on oil speculation today—in other words, the same thing Washington Democrats always call for when gas prices go up. If I were to guess, I would say today's proposal by the President probably polls pretty well, but I guarantee you it will not do a thing to lower the price of gas at the pump. It never has in the past. White House officials admit as much. So why would it now?

The Democrats' favorite policy adviser, Warren Buffett, weighed in on the issue a few years ago. Here is what Warren Buffett had to say about it. Asked about the role speculation in the oil markets plays in determining price, he said, "It's not speculation, it's supply and demand." That is Warren Buffett on speculation relating to the oil markets. "It's not speculation," Warren Buffett said, "it's supply and demand." But, of course, that is not the point for this White House. President Obama only seems to care about Warren Buffett's opinion if it polls well.

The President's goal here is not to do something about the problem, it is to make people think he is doing some-

thing about the problem until the next crisis comes along. And that is the larger problem, that we have a President who is more concerned with looking as if he is doing something than in actually doing what is needed to tackle the challenges we face. We have a President who told us that he was a different kind of politician doing the same old things and using the same old talking points politicians in Washington have been peddling for literally years—for years. I mean, weren't these kinds of gimmicks and stale talking points precisely what President Obama campaigned against 4 years ago? I thought he was offering something new, something different.

I think the Associated Press summed up the President's latest proposal pretty well this morning. The White House plan, which Obama was to unveil Tuesday, the AP said, is more likely to draw sharp election-year distinctions with Republicans than to have an immediate effect on prices at the pump. Well, AP pretty well summed it up. They said it is more about drawing a distinction. Look, we do not need new distinctions, we need solutions. Americans need lawmakers who are more concerned with facing up to the problems we face than getting reelected. They need a President who thinks about solving a problem, a President who thinks solving a problem involves more than giving a speech about it and pointing the finger at whatever does not poll well that particular day.

As I said yesterday, the President seems to have forgotten why he was elected in the first place. He seems to have forgotten his own campaign rhetoric: that he was going to be different, that he would bridge differences, that he would bring people together. The reality could not be more different or more disappointing. The sad truth is that it is all politics, all the time in this White House. They are out of ideas. They have nothing new to offer. Today's announcement is all the proof you need of that.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

IRAN'S NUCLEAR PROGRAM

Mr. MORAN. Mr. President, over the weekend the United States, Britain, France, China, Russia, and Germany returned to the negotiating table with Iran for the first time since January 2011. Reports indicate modest progress was made, and a second round of talks has now been scheduled for May.

While these negotiations represent an opportunity to achieve a peaceful outcome regarding Iran's nuclear program, the United States and our allies must guard against Iranian delays. Iran has a history of using negotiations as a stalling tactic. While our negotiators talk, the centrifuges keep spinning. That is the crux of the problem—Iran's nuclear program continues.

According to the most recent report in February from the International Atomic Energy Agency, Iran has produced more than 5,400 kilograms of low-enriched uranium and more than 100 kilograms of uranium enriched to a level of 20 percent. Enriching uranium to a level of 20 percent represents 85 to 90 percent of the work needed to reach weapons-grade fuel. Iran is also preparing additional cascades used to produce enriched uranium, which will accelerate the speed at which it can stockpile nuclear material. In total, Iran has enriched enough uranium that, upon further processing, could build three to four nuclear weapons.

In response to Iran's continued nuclear program and its defiance of United Nations' Security Council resolutions, the United States and many of our allies have adopted sanctions on Iran. Sanctions are having a significant impact on the Iranian economy. In March, Iran's oil exports fell nearly 300,000 barrels per day or 12 percent, according to foreign reports. Iran's currency has lost roughly half its value in the past year, and inflation is more than 20 percent. The new European Union sanctions are scheduled to take effect this summer. These would make it even more difficult for Iran to ship oil globally.

Once the EU sanctions go into effect in July, the Congressional Research Service estimates that oil sales could fall by up to 40 percent.

In addition, a major Chinese insurance provider has announced it will no longer insure ships carrying Iranian oil. These are important developments that will increase economic pressure on the Iranian regime. Yet neither sanctions nor past negotiations have stopped Iran's nuclear program and its quest for a nuclear weapon.

Iran's nuclear program threatens American interests. First, Iran's pursuit of nuclear weapons increases the risk of global nuclear proliferation, which would jeopardize the security of the United States. The last two nations to acquire nuclear weapons—Pakistan and North Korea—have presented numerous challenges to American security interests.

North Korea provoked international condemnation last week when it launched its rocket. In Pakistan, a December report in the Atlantic called into question the security of that country's nuclear arsenal, stating that Pakistan regularly transports nuclear weapons through city streets without much security.

If Iran obtains a nuclear weapon other nations in the Middle East may soon follow. Saudi Arabia has already said it will consider seeking nuclear capability if Iran's program is not stopped.

Second, a nuclear Iran could increase its support of terrorism. Iran is already one of the world's leading state sponsors of terrorism, funneling money and weapons and supporting training for terrorist groups, including Hezbollah and Hamas. With a nuclear weapon Iran and its terrorist allies may be emboldened to carry out even more attacks. Furthermore, what would prevent Iran from giving nuclear weapons to one of the terrorist groups it supports, sharing its capabilities with one of the terrorist groups?

Third, a nuclear Iran could exert more influence over world oil markets. A direct link exists between volatile oil prices and Iran's nuclear program. Prices have risen when tensions have increased, and when tensions recede prices typically decline. American consumers and businesses are directly affected by these volatile prices that negatively impact our economic well-being.

Although Saudi Arabia has pledged to boost production to make up for the loss of Iranian oil on the market, this will reduce spare production capacity and leave our country and the global economy vulnerable to any reduction in supplies, whether from conflicts within oil-producing nations or from natural disaster.

Finally, a nuclear Iran would threaten the safety of American troops serving abroad in the Middle East. For years Iran has fought American presence in the Middle East and has supported terrorist groups who have targeted and killed American troops. American officials believe Iran supported the terrorists responsible for the 1996 attack on a U.S. military residence in Saudi Arabia that killed 19 of our servicemen.

Iran also has long-range missiles that could hit U.S. military bases in the region, including ones in Turkey, Afghanistan, Bahrain, and Kuwait. Iran's nuclear program also threatens the existence of our ally, Israel.

The President of Iran has called for Israel to be "wiped off the map." If Iran acquires a nuclear weapon, its leaders would have the capability to do the destructive things of which they speak. Understandably, Israel is worried. Israelis know all too well the price of war because they have wit-

nessed war and destruction. They know what can happen when evil men gain the ability to carry out evil deeds.

While some would have us believe Iran is Israel's problem, we should not be fooled. Iran's pursuit of nuclear weapons threatens all nations that care about global peace and stability. We cannot leave Israel to deal with this crisis alone. American leadership is needed now more than ever to stop Iran. We can begin by passing the Iran Sanctions Accountability and Human Rights Act. This legislation, which came through the Banking Committee, on which I serve, earlier this year strengthens and expands existing sanctions and for the first time makes it official U.S. policy to prevent Iran from obtaining nuclear weapons. The administration and President Obama must also fully enforce U.S. law and penalize those who violate U.S. sanctions.

In addition, the U.S. should use current negotiations to bring about an end to Iran's nuclear program. As a party to the nonproliferation treaty, Iran must adhere to its obligations under that treaty and provide transparency to international inspectors.

The longer Iran's nuclear program continues, the greater the danger grows for the United States and all nations. Last month, Israeli Prime Minister Benjamin Netanyahu spoke in Washington. He is an incredible leader, and his speech to Congress last year was one of the best I have ever heard. While speaking in Washington last month, he laid out very clearly why a nuclear Iran would be such a grave danger. He said for the last 15 years he has been warning the world about a nuclear Iran.

We must not be fooled by negotiations that only stall and continue to create the opportunity for greater disaster down the road. Prime Minister Netanyahu said no one would be happier than he if Iran gave up its nuclear quest. But there are many around the world who would be happy because we all know the world would be a far safer, more peaceful place without a nuclear Iran. While we all desire a peaceful resolution, negotiations must not be a stalling tactic or an excuse for inaction.

Thursday of this week is Holocaust Remembrance Day. As we pause to remember and reflect on this past tragedy, the United States must act to prevent a nuclear Iran and the real possibility of a future tragedy. The world cannot again look the other way.

Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

AID TO EGYPT

Mr. PAUL. Mr. President, I rise today to speak to an amendment that would end aid to Egypt until they end the prosecution of our U.S. citizens. I offered this amendment earlier this spring when Egypt was detaining our citizens—these prodemocracy workers—and was not letting them leave the country. Since then, they have let them leave the country but sort of in an insulting fashion in the sense they have let them leave when we paid, basically, ransom. We had to pay about \$5 million in ransom—\$300,000 per person—to let these people leave Egypt.

So they came home, but Egypt still could only get its aid if the administration certified they were pro democracy. Within days, Secretary Clinton did release the aid and said they were achieving their democratic goals. I wrote a letter to Secretary Clinton asking her not to do this because the prosecutions still go on. These American citizens who were allowed to leave the country had to pay \$300,000 in bail but they also had to sign a statement saying they were coming back for the trial.

Everybody said, well, I doubt they are ever going back to Egypt for these show trials. But it gets worse. It turns out in December of last year, President Obama signed an Executive order—this is Order No. 13524—that gives Interpol, the international police organization, immunity in our country. We also have an extradition treaty with Egypt, meaning if you are accused of a crime in Egypt, we can send you back.

The danger is whether these prodemocracy workers are safe in the United States. We have Interpol agents in the United States who now have immunity and we have an extradition treaty with Egypt. There are definitely problems with allowing this to go on. This is an indication to me that maybe Egypt is not pursuing democratic goals, and that certifying them as a democratic country is perhaps not in our best interest, and maybe sending nearly \$2 billion of taxpayer money to Egypt, which continues to prosecute our citizens, is not a good idea.

Let me give an example of what Interpol is doing. Interpol recently took a Saudi journalist from Malaysia and sent him back to Saudi Arabia. Do you know what the crime was? He was accused of blasphemy. He was accused of the religious crime of apostasy. Do you know what the penalty in Saudi Arabia for blasphemy is? The death penalty. So we are now using an international police agency to go into a sovereign nation, where someone is accused of a religious crime and is sent back to a country where they can be put to death. This alarms me.

People say, oh, that could never happen in America. Well, right now, the President has allowed Interpol, through an Executive order, through the President's signature, to have diplomatic immunity in our country. For

all I know, Interpol could be at this very moment looking for American citizens in this country and trying to get those people and extradite them to Egypt. This is a problem. This is why you don't want an international police force to operate within your sovereign Nation. There can be cooperation, but you don't want impunity and immunity for an international police force within your borders.

So I will introduce again an amendment to this bill and this amendment will say no aid to Egypt until they end this prosecution; no aid to Egypt until they end these red letter warrants they have asked for on U.S. citizens to be extradited to Egypt. We can't allow U.S. citizens to be sent to a foreign country to be tried in that country where blasphemy is a crime. Those are not American values, those are not American ways, and we cannot allow U.S. citizens to be subject to foreign laws and foreign crimes.

I will ask today for a vote on an amendment that will end Egyptian aid or at least delay Egyptian foreign aid until they relinquish this prosecution of our citizens.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

21ST CENTURY POSTAL SERVICE ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to S. 1789 is agreed to. The motion to reconsider the vote is agreed to, and the Senate will resume consideration of the motion to invoke cloture on the motion to proceed to S. 1789, upon reconsideration. The Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 296, S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

The PRESIDING OFFICER. Under the previous order, there will be 10 minutes of debate equally divided and controlled between the two leaders or their designees.

Mr. LIEBERMAN. Mr. President, I rise to urge all of our colleagues to

support the pending cloture motion filed by the leaders so we can begin a debate that will help decide whether the U.S. Postal Service—this iconic American institution created more than two centuries ago, embedded in the Constitution, created in the age of inkwells and quill pens—will survive in the age of e-mail and the Internet.

To me, this cloture vote should be an easy one because if we vote against cloture, we are essentially saying two things: One is we don't want to do anything. If we don't do anything, the Postal Service is going to run out of money and hit its borrowing limit later this year, forcing us to miss payments and unnecessarily begin to shut back or close down operations, which is the last thing the country needs at this point.

Frankly, the other thing we will do if we think we should do nothing is to leave the Postmaster General, the Postal Service, with an unlimited right to take steps that I believe a majority of Members of this body don't want to be taken precipitously without considering the alternative. That alternative is closing thousands of post offices around the country, including small towns in rural areas, and dramatically and quickly cutting back on the number of mail processing facilities, and therefore the standards by which mail is delivered and the speed with which it is delivered in this country. So I hope our colleagues consider this an easy vote, which is simply not to turn away from the crisis the Postal Service is in.

Senator COLLINS and I are joined by Senator CARPER and Senator SCOTT BROWN. We have a substitute that is a bipartisan proposal that I think will help save the post office but also force it to begin to make tough cost-efficient steps to keep itself in fiscal balance.

Let me give a sense of the scope of this matter. The Postal Service today, if it were a private corporation, would be the 35th largest company in the United States based on revenue, putting it just ahead of Apple. It would be the country's second largest employer just behind Walmart. The 32,000 post offices in America represent more domestic retail outlets than Walmart, Starbucks, and McDonald's combined.

These are big numbers, and the post office has a storied history. But today it is a troubled business and, frankly, on the verge of insolvency if we don't act—in part because of the recent economic recession but mostly because of the transformational impact of the Internet. The Postal Service has had a 21-percent drop in mail volume in the past 5 years, and, of course, a corresponding cut in revenue. As more businesses and communication move online, mail volume is inevitably going to continue to decrease.

In fiscal year 2011 the Postal Service took in \$65.7 billion but had expenses of \$70.6 billion. This \$5 billion loss would

have actually been twice that if Congress had not delayed the due date for a statutorily required payment to the retiree health plan due at the end of the fiscal year. That followed record losses of \$8.5 billion in 2010. This simply cannot continue. As I said earlier, if nothing is done, the Postal Service will not have enough money to pay its bill.

Please vote for cloture. We have a good, solid substitute that is a major reform with some due process that will make the post office leaner and more efficient. It will dramatically reduce the number of employees and the number of facilities the post office maintains, but it will do so in a way that I think is evolutionary and not Draconian either to the Postal Service or the impact it would have on the millions of people who depend on the post office and will continue to every day.

There are a lot of different ideas about how to fix the post office. Some people don't want us to make any changes, and that is the road to bankruptcy. Some people want us to make Draconian changes right away, and I don't think that is appropriate. So I ask for a vote for cloture.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am very pleased to join with the chairman of the Homeland Security Committee in urging all of our colleagues to cast a vote for cloture on the motion to proceed to this vitally important bill.

There are many different views on how to save the Postal Service, but there can be no doubt that the Postal Service is in crisis. We are at a critical juncture. Without passing legislation, the Postal Service will simply be unable to meet its payroll, perhaps as soon as this fall. We simply cannot allow that to happen.

The Postal Service is vital to our economy. It is the linchpin of a trillion-dollar mailing industry that employs nearly 8.7 million Americans in fields as diverse as printing, catalog companies, paper manufacturing, and newspaper and magazine publishers. These industries and the jobs they sustain are in jeopardy. If we fail to act, we will deliver a crippling blow to the Postal Service.

As Senator LIEBERMAN has indicated, the Postal Service is in crisis. It has lost more than \$13 billion just in the past 2 years. First-class mail volume has dropped by 23 percent over the past 5 years and 12 percent over the past 2 years. The Postal Service has a debt to the U.S. Treasury of \$13 billion and will max out its credit limit of \$15 billion this year.

We have to address this crisis. It would be irresponsible for Members to simply vote no on the motion to proceed if they have other ideas on how to address this crisis. I have urged a full

and open and fair amendment process so that Members can bring forth their alternative plans for saving the Postal Service. We simply cannot allow the Postal Service to fail. The stakes are too high for our economy and for Americans across this country.

Finally, I would remind my colleagues that the Postal Service's roots go back to our Constitution. This is an organization that is vital to our heritage and to our future. I urge a "yes" vote for the motion to proceed.

I yield back the remainder of the time on our side.

Mr. LIEBERMAN. I would do the same.

The PRESIDING OFFICER. All time is yielded back.

CLOTURE MOTION

Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 296, S. 1789, the 21st Century Postal Service Act.

Harry Reid, Thomas R. Carper, Sherrod Brown, Mark Begich, Bill Nelson, Frank R. Lautenberg, Jeanne Shaheen, Richard Blumenthal, Christopher A. Coons, Dianne Feinstein, Patrick J. Leahy, Richard J. Durbin, Joseph I. Lieberman, Patty Murray, Charles E. Schumer, Mark Pryor.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service, upon reconsideration, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA) and the Senator from Vermont (Mr. LEAHY) are necessarily absent.

I further announce that, if present and voting, the Senator from Vermont (Mr. LEAHY) would vote "yea."

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH) and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. (Mr. TESTER). Are there any other Senators in the Chamber desiring to vote?

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

[Rollcall Vote No. 66 Leg.]

YEAS—74

Alexander	Barrasso	Bennet
Ayotte	Begich	Bingaman

Blumenthal	Harkin	Nelson (FL)
Blunt	Hoeven	Portman
Boozman	Hutchison	Pryor
Boxer	Inouye	Reed
Brown (MA)	Isakson	Reid
Brown (OH)	Johnson (SD)	Roberts
Cantwell	Kerry	Rockefeller
Carper	Klobuchar	Sanders
Casey	Kohl	Schumer
Cases	Kyl	Sessions
Cochran	Landrieu	Shaheen
Collins	Lautenberg	Snowe
Conrad	Levin	Stabenow
Coons	Lieberman	Tester
Corker	Lugar	Thune
Cornyn	McCaskill	Udall (CO)
Durbin	McConnell	Udall (NM)
Enzi	Menendez	Warner
Feinstein	Merkley	Webb
Franken	Moran	Whitehouse
Gillibrand	Murkowski	Wicker
Grassley	Murray	Wyden
Hagan	Nelson (NE)	

NAYS—22

Baucus	Heller	Paul
Burr	Inhofe	Risch
Cardin	Johanns	Rubio
Chambliss	Johnson (WI)	Shelby
Coburn	Lee	Toomey
Crapo	Manchin	Vitter
DeMint	McCain	
Graham	Mikulski	

NOT VOTING—4

Akaka	Kirk
Hatch	Leahy

The PRESIDING OFFICER. On this vote, the yeas are 74, the nays are 22. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, upon reconsideration, the motion is agreed to.

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the Chair, and I thank our colleagues for a very strong vote which says to me that Members of the Senate, across party lines, understand that the Postal Service is a historic and also important part of America's future. It needs to change. It is in the midst of a real and dangerous fiscal crisis. We may differ about how to react to that crisis, but this strong cloture vote says to me that three-quarters of the Members of the Senate at least are ready and eager to debate and to pass something that will save the Postal Service from bankruptcy and the implications that would have for our economy overall. The billions of dollars or hundreds of billions of dollars of our economy that depend on the mail would be compromised, and our economy and jobs would be further hurt.

I hope that as the day goes on—obviously, with the strong vote for cloture, we now proceed to a 30-hour period of debate on the matter, but I certainly hope that as the day goes on and the members of both caucuses and the leaders talk we can find a mutually agreeable path not to spend the 30 hours on the debate on this motion to proceed but that we go right to the bill.

At that point, Senator COLLINS and I, along with Senator CARPER and Senator SCOTT BROWN, will file a bipartisan substitute amendment which we have worked on which we hope will be the pending matter and then have an opportunity for people who have a dif-

ferent point of view about how to deal with this fiscal crisis of the post office—not to avoid dealing with it—people will have an opportunity to present amendments, and the body will work its will, which is the most important thing.

There are too many great national problems the Congress is not dealing with because of partisanship, because of ideological rigidity, because of an unwillingness to do what has to be done in our system of government, which is to compromise—not to compromise your principles but to understand that in a representative body such as the Senate, representing a country as big and as diverse as ours, you rarely can expect to get 100 percent of what you want. The aim should be to make progress, to get at least 50 percent of what you want and to let the other side get some of what they want as well.

So I would like to deliver now an opening statement and then hope that the ranking member, Senator COLLINS, will do the same on the bill, the substitute, which is S. 1789.

I am convinced that the substitute will help make the Postal Service leaner, nimbler, and more cost efficient, while still maintaining the service we Americans need to live our daily lives and to keep our economy going. But I want to be clear: This bill alone is not going to save the U.S. Postal Service. The changes occurring around it and within it are too deep. It will represent a very significant step forward. It will save the Postal Service, as we will indicate as this debate goes on, save billions and billions of dollars annually, and put the Postal Service back on the road to fiscal balance.

I view this bill as a bipartisan compromise, as the middle way between two different approaches to the fiscal crisis at the Postal Service, one that to a certain extent wants to wish it away, to say that really nothing has to change and we just have to find more ways—a different business model—we have to find more ways for the Postal Service to make money, and we can just keep on doing business as we are doing. The end result of that is that either the Postal Service will collapse of its own weight or the Federal Government—the taxpayers—will be expected to bail it out, and I don't think that is what the American people want us to do. So one way is to do nothing.

The other way is to impose what I would call kind of an immediate over-reaction—close thousands of post offices that people depend on across the country, close hundreds of mail processing facilities, which will mean that people will not be able to get their mail and businesses will not be able to realize the expectation of timely delivery of the mail. And it will have a negative impact on this economy of ours which is still struggling to come out of a recession.

We are offering a middle way here that will provide real and substantial savings from the current operating picture of the post office, which is in severe debt and lost more than \$13 billion over the last 2 years, but will do it with due process, will do it in a way that requires the post office to look at every alternative before closing post offices that are so important to people in most every area of our country.

This bill, in other words, is an important beginning, and it will allow the Postal Service more time to continue working with its customers, its employees, Congress, and others to develop a balanced approach to what we need it to do in an age when almost every piece of communications that can be digitized is being digitized and sent over the Internet.

But if I may, I would like to step back and offer just a little bit of history because we are dealing with a current problem, but there is a rich history when you talk about the U.S. Postal Service.

It is kind of an accidental irony, a coincidental irony of the Senate bill numbers that this bill turns out to be S. 1789 because 1789 was the year the first Congress under the Constitution was seated. Among the duties of that founding body was the charge under article I, section 8, and I quote, "to establish Post Offices and Post Roads." In fact, in the list of congressional powers detailed under section 8, creating the postal system comes before the creation of an army, a navy, or Federal courts. That is how important the Founders felt this public function would be to our new government, particularly in a democracy, how important communication was, and, in a country that had ambitious economic and commercial dreams right from the beginning, that the ability to communicate through a post office would be critically important to commerce and job creation.

In the Revolutionary era, it was the post office, under the direction of our first Postmaster General, Benjamin Franklin, that sped communications among the members of the Continental Congress and the American Revolutionary military as well as delivered letters and newspapers from across our fledgling Republic that helped keep the citizens of our new country abreast of events in faraway cities and towns.

If you read some of the histories of the Revolutionary War, some of the great biographies done of the founding generation of Americans, that extraordinary and gifted group, you see the role the post office and postal communications played in their ability to keep in touch with each other. And some of the most important communications occurred, for instance, between the government and the military.

Ever since that early period of American history, the post office has had a

tradition of aiding progress and innovation. Maps from the early days of our Republic show that many of the roads we still depend on today—if I may be parochial, I will cite I-95 in Connecticut and a lot of other places along that path—still follow and in some cases are built on top of old post roads.

The job of maintaining Samuel Morse's first telegraph line between Washington and Baltimore was entrusted to the post office. And it was a former Postmaster General who helped Morse expand his transformational network of telegraphs and communications to other cities in our country. But that network grew slowly, so to keep our Nation connected with its frontiers way out in places such as Montana, I might say to the occupant of the chair, the post office helped sponsor the Pony Express. That was a great early example of what we talk about a lot but do not do as much as we should—public-private partnerships. The Pony Express filled a necessary gap in communications until the telegraph finally spanned our Nation coast to coast.

The post office's subsidies for airmail in the early days of aviation helped jump-start the fledgling airlines and air freight industries, which, of course, we all depend on so much today.

I will not repeat what I said in my statement about the scope of the Postal Service today when I spoke earlier in support of the vote for cloture, but I will just repeat and say that if the post office were a private corporation, it would be the 35th largest company in the United States just ahead of Apple; that is, by revenue. It would be the country's second largest employer just behind Walmart. Its 32,000 post offices across America represent more domestic retail outlets than Walmart, Starbucks, and McDonald's combined.

But perhaps because of some of that, certainly notwithstanding it, the post office is today a troubled business. I want to speak honestly and directly. It is on the verge of insolvency if we do not act. Part of the problem more recently, obviously, is the impact of the economic recession we are in, but the big problem is one that is not going to get better; that is, business loss to the Internet has led to a 21-percent drop in mail volume in the past 5 years and a slump in revenue as a result. You have to be unrealistic to say anything other than that this trend is going to continue and that mail volume will continue—first-class mail volume will continue to decrease. As I mentioned, there has been \$13 billion in deficit in the last 2 years—running a deficit in the last 2 years at the post office. It would have been \$5 billion more if Congress had not come along and delayed the due date for a statutorily required retiree health care prefunding payment that was due at the end of the last fiscal year.

This simply cannot continue. This is one of those bills that come along not because you are excited about doing it but because you have to do it. If we do not act, I repeat, two things are going to happen: Either the Postal Service will become insolvent and have to cut back its operations or the Postmaster will use authorities he has under the current law to close a lot of post offices and mail-processing facilities and cut back service. And I know Members across party lines do not want that to happen precipitously.

Let me now describe some of the major parts of the substitute bipartisan bill that has come out of our committee.

The bill includes the two measures that will relieve some of the immediate financial pressure on the Postal Service. The first is based on an Office of Personnel Management determination that the Postal Service has overpaid its contributions to the Federal retirement system by roughly \$11 billion. Call it a misunderstanding, call it a clerical error—it is fortuitous for the Postal Service and the trouble it is in. Our bill directs OPM to refund this money to the Postal Service and then directs the Postal Service to use this money to provide retirement incentives to employees and to pay off some of its debt.

Let me explain what I mean about those incentives. S. 1789, the substitute, would direct the Postal Service to use part of these refunds in the Federal Employee Retirement System to reduce its labor costs, which make up about 80 percent of its budget. There is no way the Postal Service is going to get back in balance without continuing to do what it has been doing, by tens of thousands, reducing the number of employees it has. But the aim here is to do that as a result of a voluntary buyout program.

The fact is that approximately half of the Postal Service's current workforce is eligible for either full or early retirement, and if 100,000 workers took advantage of the program—which is below the full amount eligible—the Postal Service would save \$8 billion a year. That is the single most significant saving item in the package that we bring before you today. We set a goal here, which is that the Postal Service should aim to reduce its workforce with this incentivized retirement program by approximately 100,000 workers or 18 percent of its current workforce.

Our bill also reduces the amount the Postal Service must pay into its retiree health benefits account over the next 40 years. The current formula of scheduled payment was part of postal reform passed some years ago. We conclude that the payments required are larger than necessary to sustain the viability of the retiree health benefits

plan, so we mandate an updated amortization schedule to fund postal retirees' health care in the future. It is not just an arbitrary number. We think that means the Postal Service is likely to see a significant cut in its annual \$5 billion bill to prefund retiree health care, which, of course, would take further stress off the Postal Service's annual operating budget. We expect, as the debate goes on, to have as close as possible an exact projection of how much that change would save for the Postal Service itself.

Now let me talk about some of the proposals that the Postal Service and Postmaster have made that have been most controversial.

First, Saturday deliveries and canceling most Saturday deliveries. The Postal Service has said it can save \$3.1 billion a year by cancelling Saturday deliveries to individual homes and businesses. It is not something you want to do, but if you are looking to get this institution back into balance and keep it alive, it is one of the things we are probably going to have to do. The Postal Rate Commission agrees that ending most Saturday deliveries will save a lot of money, but says their savings estimate is \$1.7 billion a year versus the \$3.1 billion figure from the Postal Service.

Either way, we are talking about a substantial reduction in costs, and one we may have to face. Our bill recognizes that ultimately it may well be necessary to switch to 5-day delivery. I say it is going to be necessary to switch to 5-day delivery. But we require the Postal Service to follow a certain path over the next few years before that significant step—6 to 5 days—is carried out.

They first have to determine, according to the bill, if the other cost-saving measures in the bill have made cancelling Saturday service unnecessary. We can hope that would happen, but I am skeptical that it will.

If a 5-day schedule is deemed necessary, the Postal Service must then submit a plan to Congress, the GAO, and the Postal Rate Commission on how it plans to cushion the negative effect on the businesses and communities it serves.

GAO and the PRC will then submit their own studies to Congress on this matter. If the PRC and the Comptroller General conclude that the change is necessary to allow the Postal Service to achieve long-term financial solvency, then 2 years from adoption the Postal Service will implement a 5-day delivery schedule.

What about the closing of post offices, which has created a lot of concern all across America in response particularly to the Postmaster announcing a list of 3,700 post offices that are possible candidates for closure? One of the things we found in response to this is exactly what I have found over

the years in Connecticut. The local post office is not just a place where mail and packages pass through; it becomes a local institution of community significance. It is hard to convince people they should be closed. People are attached to their local post office, not just in small towns and rural areas—especially there—but in a lot of other places, including cities and neighborhoods in a State such as my own State of Connecticut.

The reality is we cannot afford to continue to have as many post offices as we do, operating in the way they do. So our bill would improve the present law covering post office closures. It doesn't prohibit them, but it requires more public participation and due process, and it requires the Postal Service to issue comprehensive retail service standards to ensure that communities throughout the country have access to retail postal services if their current post office needs to be closed—in other words, to look for ways to consolidate retail postal services. Perhaps they can put the retail postal service in a State or local government office building or perhaps put it in a retail establishment or a Wal-Mart or whatever to make sure that the services are maintained in a more cost-effective way, even if the local post office is not.

The bill also requires that the Postal Service take steps before closing a post office that it does not now have to take, including offering a community these other options I have talked about, such as keeping the post office open with more limited hours or permitting private contractors or rural carriers to provide the services the local post office is now providing.

Another one of the controversial proposals the Postmaster made is to close 232 of its current 461 mail processing facilities—not the post offices, but the places the mail goes to be processed so it can get from where it is sent to where it needs to be delivered. The truth is there is excess capacity in this system now, and the Postal Service has to eliminate some of that excess capacity.

However, the bipartisan substitute proposal basically requires that care be taken so this is done in a way that does not compromise the service standards necessary to maintain the current customer base. In other words, we have to reduce expenditures, but if we do it precipitously, as some of our colleagues will propose amendments to do, the net effect is that less people will use the post office, because they will not get the needed service and, as a result, revenues will drop, and probably even greater.

The substitute amendment, therefore, permits the Postal Service to eliminate excess capacity in the mail processing system but again requires the Postal Service to maintain a modified overnight delivery standard—a bit

reduced from what it is now, but still there, particularly for the local delivery areas.

The maximum standard delivery time—and most people probably don't know this—the Postal Service accepts a maximum delivery time of 3 days to deliver a letter mailed anywhere in the continental U.S.; it has to be delivered anywhere else in the continental U.S. within 3 days. That will remain unchanged. The Postal Service would be required to maintain a sufficient number of processing facilities to meet these delivery standards but could otherwise close unneeded facilities.

So far, I have talked about the cost side of the ledger. S. 1789, the substitute, also gives the Postal Service tools to bring in fresh revenues by offering new products and services, specifically authorizing contracting with State and local governments to issue State licenses, authorizing for the first time the Postal Service to do what some of the private shippers do—shipping beer, wine, and distilled spirits, and provide notary services or provide specialized Internet services.

Our bill would also create an advisory commission of prominent citizens and charge them, within a set period of time, to reconsider the Postal Service's current business model and provide it with a strategic blueprint for the future that will enable it to both continue to exist and provide the services people want, but to do so in a way that balances its budget.

Finally, it creates a chief innovation officer at the Postal Service whose job is to continue to find ways to innovate and build on not only the constitutional responsibility to maintain the Postal Service and post offices but to do so in a way that is innovative and builds on the irreplaceable assets the Postal Service has, particularly the capacity to deliver to the last mile anywhere in this country.

These reforms are necessary. They will make the post office smaller and more cost efficient. As a result of this bill, there will be fewer employees at the post office and fewer facilities. You have no choice but to bring that about.

But this bill will keep the Postal Service alive. I think it will keep it well and it will put it on a path to surviving forever but in a different way, because the environment in which it is operating, because of the Internet, simply has changed. Despite its shrinking stream of posts and parcels, here is the reality we are dealing with and what would be affected if the Postal Service is to begin cutting back its operation.

The Postal Service still delivers 563 million pieces of mail every day. Only the Postal Service, for the price of a stamp, will go literally that last mile to ensure delivery to every business and residence in America, using burros in the Grand Canyon and snowshoes in Alaska, doing whatever is necessary to make that happen.

What Federal agency, if I can go to another service the Postal Service gives, could process—think of the unthinkable—6.7 million passport applications a year if the Postal Service weren't there.

These are some examples and suggestions of the fact of what is possible but also proving that the Postal Service is not just a relic of the 18th century; it is a pivotal part of the 21st century.

The computer age poses unique challenges to the Postal Service, and the day may come when we will send and receive mail, get most of our magazines and books, and pay our bills on electronic devices that are reliable and secure. But honestly the day will never come when we can send physical things across the Internet between homes and businesses—such as medicine, clothing, household and business supplies, and even spare parts for those computers we use so much.

The Postal Service is unique, and its network of support facilities and dedicated employees stands ready to deliver to every home, store, business, and factory in America. That is why we have to act to make sure it continues to be able to do that.

Let me go back to the first Postmaster General, Benjamin Franklin, who always had a lot of good things to say that even seem relevant centuries after. Franklin said, "By failing to prepare, you are preparing to fail." This bill offers preparations to succeed, to make sure the Postal Service never fails.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to speak for up to 30 minutes.

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

Ms. COLLINS. Today, the Senate begins debate on reform legislation to save an American institution—the U.S. Postal Service. Our Founding Fathers recognized the importance of having a postal service. Article I, section 8 of the Constitution gives Congress the power to establish post offices. The Postal Service is also required by law to provide the entire population of the United States with adequate and efficient postal services at a fair and reasonable rate. This is called the universal mandate, and it ensures that the Postal Service cannot leave behind rural States and small towns.

The Postal Service, which has delivered news to generation after generation of Americans, is at great risk of not being able to make its payroll by this fall, according to the Postmaster General himself. My point is that this crisis is very real. The Postal Service is in debt to the U.S. Treasury by \$13 billion. By the end of the year, it is likely to reach its statutory debt limit

of \$15 billion. Driving this crisis are many factors, not the least of which is that the volume of its first-class mail has fallen by 26 percent since 2006 and continues to decline as this chart shows. Reflecting that sharp drop in volume, revenue has plummeted from \$72.8 billion in 2006 to \$65.7 billion in 2011.

The Postal Service is part of our culture and economic fabric. Its failure would deliver a crushing blow to our economy at a time when the economy is already fragile, and it would be particularly harmful to people living and working in rural America. That means we must pass a bill. Doing nothing is only an option if we are willing to let the Postal Service fail. That is the choice we face. Failure would imperil a vital component of our economy, for the Postal Service is the linchpin of a \$1 trillion mailing and mail-related industry that employs nearly 8.7 million Americans in fields as diverse as direct mail, printing, catalog companies, magazine and newspaper publishers, and paper manufacturing, to name just a few. In my State, nearly 38,000 Mainers work in jobs related to the mailing industry, including thousands at our pulp and paper mills, such as the one in Bucksport, ME, which manufactures the paper for Time magazine.

The rapid transition from traditional mail to electronic communication has come at an enormous cost to the Postal Service. The loss of so much mail, coupled with unsustainably high labor costs and exacerbated by the worst recession in decades, has left the Postal Service on the brink of collapse. Despite these headwinds, the Postmaster General is inexplicably forging ahead with plans to abandon current mail service standards in favor of reduced access, slower delivery times, and higher prices. His plans, I fear, will force many of the Postal Service's best customers to pursue delivery alternatives. I cannot think of another major business in serious financial trouble that would risk alienating its remaining customers by slashing service and raising prices. That is a recipe for disaster.

We recently learned the Postal Service's own preliminary analysis—submitted secretly to its regulators—reveals that the destructive service reduction plan to slow mail delivery and shut down postal plants will lead to a more than 9-percent decrease in first-class mail and a 7.7-percent reduction in all mail. The Postal Service itself made a preliminary estimate that the first year losses alone would be \$5.2 billion. That would consume a major portion of any supposed savings intended by the Postal Service's plan.

Of course, now that these numbers have become public, the Postal Service is backpedaling rapidly and criticizing its own estimates, claiming the survey questions gave the respondents—postal customers—too much information

about the drastic nature of the proposed service reductions before asking if these mailers would likely pull out of the system in response to these changes. If the Postal Service is aware of a legitimate methodological flaw in the study, then I would urge a public release of the study and an explanation for why it was submitted to the regulators if, in fact, it is so flawed.

The findings of the survey do not surprise me. They are consistent with what I am hearing from major postal customers. Mailers are all too aware of the destructive course postal leaders are pursuing. Once customers turn to communication options other than the mail system, they will not be coming back, and the Postal Service will be sucked further and further into a death spiral. Companies large and small that rely on the mail tell me if service continues to deteriorate, they will conduct more business online and encourage their customers to switch to online services for bill paying and other transactions.

Let me give an example from Bangor, ME, which illustrates this economic reality. A small business owner from the hometown in which I am living now sent me an e-mail he received from the company that processes his payroll. In the e-mail, the payroll company reminds the small business owner that the Postal Service intends to close a nearby processing center in Hampden, ME. The payroll firm recommends the best option for the small business would be to move to an electronic option outside the mail system. It also offered another option of using nonmail delivery or pickup services.

My point is this example reflects the realities of commerce. Degrade service or raise prices and we don't get more revenue, we get fewer customers and less revenue.

One bright light for me, with respect to the bill we are considering, is that we first should do no harm in the form of hastening the volume decline through ill-conceived policy changes. That is why the downsizing of the labor force and excess capacity the Postmaster General has stated are critical to saving the Postal Service must be carried out in a way that preserves service and does not inflict avoidable harm on dedicated postal workers.

There are naturally strong opinions on what should be done to save the Postal Service, and the bill and the substitute we are bringing to the floor is the product of careful consideration of those competing positions and priorities. As with any bipartisan compromise, this is not the bill each of us alone would have crafted, but we came together because our goal of saving the Postal Service is so important. Senator LIEBERMAN, Senator SCOTT BROWN, Senator CARPER, and I consulted extensively with postal customers, both business and residential, with postal

workers, with the Postmaster General, the GAO, the administration, and local communities deeply committed to preserving their postal facilities. We have deliberated together literally day after day, meeting after meeting on these complex issues. The product of these deliberations—the 21st Century Postal Service Act—provides the right tools to the Postal Service, with the right checks and balances, to set it back on course.

First, let me give our colleagues some background. The first thing we did was analyze the Postal Service's costs. The fact is labor-related expenses are responsible for 80 percent of the Postal Service's costs. It is always painful to recognize that workforce costs are simply too high, especially when the employees are as dedicated as those working at the Postal Service. Avoiding reductions in these expenses is simply not an option as we hope to save as many jobs as possible, both within the Postal Service and within the broader mailing community. But we can do so in a compassionate, fair way.

Our bill would transfer to the Postal Service the nearly \$11 billion it has overpaid into the Federal Employees Retirement System. We would direct the Postmaster General to use a portion of this money for retirement and separation incentives in order to reduce the size of the workforce compassionately. Let me emphasize—because there are misunderstandings on this point—the refund from FERS—the Federal Employees Retirement System—is not taxpayer money. It was contributed by the Postal Service using ratepayer dollars. It is an overpayment that was identified and confirmed by the actuaries at OPM and verified by the GAO.

In fact, GAO recently confirmed OPM's assessment that this figure now has risen to nearly \$11 billion. We would encourage early separation and retirement incentives, capped at the current Federal limit of \$25,000, combined with retirement incentives, such as giving an extra year of service credit if the postal worker is in the CSRS system—the old Civil Service Retirement System—or 2 years if the worker is in the FERS system. That would allow the Postmaster General, by his estimate, to compassionately reduce the workforce by about 100,000 people, a goal he has said in the past was necessary to achieve solvency.

Let me give our colleagues another important fact. More than one-third of all postal workers are already eligible for retirement, so these incentives should be effective and, as the chairman indicated, would save an estimated \$8 billion a year.

The bipartisan legislation also includes a new requirement that arbitrators rendering binding decisions in labor disputes consider the financial

condition of the Postal Service. I know it may defy belief that an arbitrator would not automatically consider the looming bankruptcy of the Postal Service when ruling on contract disputes, but some previous arbitrators have disregarded this factor in their decisions because the requirement to consider it was not explicitly listed in law. We would remedy this problem.

For the first time in 35 years, the bill also brings sorely needed commonsense reforms to the Federal workers' compensation program—not only at the Postal Service but across the Federal Government. But why is this particularly important to the Postal Service? Forty percent of workers who are on the long-term rolls for Federal workers' comp are postal workers. The Postal Service contributes about \$1 billion a year in Federal comp costs.

This program, intended as assistance for injured workers to help them recover and return to work, currently has more than 10,000 postal and Federal employees age 70 or older, 2,000 of whom are postal employees. They receive a higher payment on workers' comp than they would under the standard retirement program, even though it is obvious at that age they would not be returning to work. In fact, 430 of these workers, Federal and postal, are over 90 years of age and 6 workers are 100 years old or older. These employees clearly are never going to return to work, and they should be switched to the normal retirement system.

It is unfair to employees who are working to the normal retirement age. It does not serve injured workers well. It also imposes an enormous financial burden on the Postal Service.

Our bill, I would note, in its workers' comp reforms, is very similar to the reforms proposed by the Obama administration. It would make benefit levels more comparable to what the majority of States are offering their workers. Let me describe just a few more of these issues.

First, for people past retirement age the median annual workers' compensation benefit is 26 percent higher than the median benefit received by Federal and postal workers who retire under the regular retirement system. Thirty-nine of the 50 States pay their workers' comp recipients two-thirds or less of their salary. Yet most Federal beneficiaries receive 75 percent of their salary, and that is tax free.

The program has also been shown to be highly vulnerable to fraud and abuse. That is not good for workers who are truly injured and need the help of this program. Let me mention two flaws. The program relies heavily on self-reported data, and it does not now require the use of independent physicians to assess the initial or continued eligibility of claimants. These vulnerabilities are not hypothetical, but they surely are costly.

The IG of the Department of Labor reports that the removal of a single fraudulent claim saves on average \$300,000 to \$500,000. When the IG reviewed over 10,000 claimant files a decade ago, there were irregularities in almost 75 percent of the cases. That resulted in benefits being reduced or ended for more than 500 claimants, saving almost \$5 million a year in benefits that otherwise would be paid.

I note that the Obama administration has proposed many similar changes and also has recommended that they apply across the board so we do not have two different systems. We agree.

I want to move to another issue about which there has been a lot of discussion. The Postal Service blames some of its financial woes on a 2006 requirement to prefund its retiree health plan—a requirement the Postal Service endorsed at the time, I might add. The Postal Service currently owes \$46.2 billion to cover the costs of the promises it has made to provide health care to future retirees. That unfunded liability is not going away. Nevertheless, the payments for retirement health benefits could be eased by coming up with a new amortization schedule that stretches out the payments. That is what we have done.

We have established a 40-year amortization schedule for the unfunded liability, and we would also reduce the requirement that the fund reach 100 percent of the liability. We have changed that to 80 percent, which is more consistent with what is done by the private sector.

I note this would reduce the annual payment by approximately \$2 to \$3 billion while still keeping promises to workers and avoiding a taxpayer bailout. Our bill gives authority to the Postal Service to save money through greater efficiency in its operations. We do so in a way that ensures that rural America will not be left behind. As the Presiding Officer is well aware, across America communities are up in arms over the Postal Service's plans to close about 3,200 post offices. It has become clear to me, in looking at the specifics, that common sense often is not applied in these decisions.

We do not mandate that every single post office remains open nor do we dictate that an arbitrary number should close. Instead, our bill requires the Postal Service to work with the Postal Regulatory Commission to establish for the first time clear standards for what constitutes reasonable access to postal services for communities and for customers. These would be developed by considering important factors, including distance, travel time, access to transportation, weather, and geography.

That means if the Postal Service tries to close a post office and that closure would result in this new service

standard being violated, the community, under our bill, could appeal the closure to the Commission. If the Commission agrees, its binding decision would require the service to be preserved.

The Presiding Officer, Senator TESTER, and Senator MORAN from Kansas have worked very hard on the language in this provision. I thank them for that. What is more, the bill requires the Postmaster General to work with communities to offer cost-saving alternatives to full-time, full-service post offices in lieu of totally shuttering a beloved post office in the heart of town.

There are so many options the Postal Service could use. For example, moving the post office into a retail store, providing hours part time—say at 7 to 9 in the morning, when people are going to work, or 5 to 7 in the evening when they are coming home. We need to be creative. In recent months we have seen the Postal Service announce a number of Draconian measures, including the closing of hundreds of processing plants and implementing disastrous service standards changes, including a proposal to do away with overnight delivery, one of the real advantages the Postal Service has.

Our bill takes a better approach that helps the Postal Service rightsize its excess capacity while still maintaining what is one of its most valuable assets: its ability to deliver mail overnight to many areas.

Let me give another example. The Postal Service has proposed closing one of two processing plants in the State of Maine, the one that is located in Hampden, ME, in the central eastern part of our State. That means for northern Maine communities that are sending mail between those communities, the letter would have to take a roundtrip of more than 600 miles to be processed and returned. That makes no sense at all. It clearly will lead to a marked slowness in delivery, a deterioration in service, and, I would argue, probably to more costs. That plant could be downsized, but it should never be closed.

There are so many options that need to be pursued by the Postal Service in order to prevent service from deteriorating and delivery times from lengthening because, once again, that will drive more mail out of the system, and that is the last thing the Postal Service needs.

I would say that many postal employees have pointed out to me, as has the inspector general, that there are excessive bureaucratic costs at the Postal Service. For example, the Postal Service—even though it is insisting on closing all these facilities—already has over 67 million square feet of excess property that it has yet to dispose of. The bill requires the Postal Service to devise a plan to close and consoli-

date these administrative offices around the country and to start implementing that plan within the year.

We have also encouraged collocation of postal facilities with other Federal agencies, an idea that Senator CARPER had to minimize excess capacity. We also authorized the Postal Service to convert delivery from front door to the curb where it is practical and cost effective. The Postal Service inspector general has estimated this could save as much as \$4.5 billion a year.

Another controversial issue that we tackle in this bill is the Postmaster General's proposal to eliminate Saturday delivery. I have said repeatedly that I believe abandoning Saturday delivery will once again drive mail out of the system and do more harm than good. Our compromise prohibits eliminating Saturday delivery for at least 2 years so that cost-cutting reforms can be implemented. If at that point to achieve solvency the Postal Service needs to go to 5-day delivery, it can do so if it proves it has done everything else to cut its excessive costs. Again, reducing service should be the last resort, not the first option. Our hope is that the cost-cutting tools we provide the Postal Service in this bill will allow this service reduction to be avoided.

There is much more in this bill which we will discuss as the debate goes on. Today is just the first step in what I know is going to be a long journey. But the point is we must pass a postal reform bill. The House also has a bill that awaits floor consideration, and more compromises will have to be made along the way. But we cannot forget the urgency of this task.

I ask my colleagues to work with us during the upcoming floor debate, and I urge their support for final passage. The fact is it is up to us to preserve this vital American institution, the U.S. Postal Service.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:45 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

21ST CENTURY POSTAL SERVICE ACT—MOTION TO PROCEED—Continued

Mr. LIEBERMAN. Mr. President, I know the Senator from Maryland, Mr. CARDIN, is on his way to the floor to make a statement. Pending that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

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

RACIAL PROFILING

Mr. CARDIN. Mr. President, I take this time to inform my colleagues of a hearing that took place this morning before the Subcommittee on the Constitution, Civil Rights and Human Rights of the Senate Judiciary Committee, chaired by Senator DURBIN. Senator DURBIN has been a leader in this body on making sure we have a committee that focuses on the issues of human rights. Today's hearing on racial profiling, ending racial profiling in America, was the first hearing we have had in Congress on racial profiling since the attack on our country on September 11. I congratulate Senator DURBIN for holding this hearing. I thought the hearing was very informative as to a problem we have in America on the use of racial profiling.

I know the Nation has been focused on the tragedy that took place in Sanford, FL, in which 17-year-old Travon Martin was killed, a clearly avoidable death, by Mr. Zimmerman. We first and foremost want to make sure justice prevails in this case. I know there is a case pending in Florida. We are all going to be watching that very carefully. There is a Federal investigation underway by the Department of Justice to look into circumstances concerning Travon Martin's death, to see what role race played in regard to that tragedy, not only as it related to Travon Martin's death but also as to the investigation that ensued.

A few weeks ago, I spoke about this issue at the Center for Urban Families in Baltimore. That is a group that is interested in urban family life. We came together shortly after Travon Martin's tragic death to talk about what had happened.

I was very much moved by so many people who came forward at that meeting and explained how they had been victims of racial profiling. A young woman talked about the time she went to a basketball game with her father and her father was pulled over and stopped by police for no apparent reason other than the color of his skin and how that impacted this girl, seeing her father held, unable to go to the basketball game. These types of victimization occur too frequently in our community, where people are picked out solely because of their race, their religion, their ethnic background.

We have a problem in this country, and we need to do something about that. The question that needs to be answered in regard to Travon Martin is was he initially pursued because of the color of his skin. Would Mr. Zimmerman have done the same if it was a

White child rather than an African American?

In October of 2011, I introduced S. 1670, the End Racial Profiling Act. I am proud to have many colleagues as cosponsors, including Senator BLUMENTHAL, Senator BOXER, Senator DURBIN, Senator GILLIBRAND, Senator JOHN KERRY, Senator LAUTENBERG, Senator LEVIN, Senator MENENDEZ, Senator MIKULSKI, Senator HARRY REID, Senator STABENOW, and Senator MARK UDALL. I thank my cosponsors for joining me in this legislation.

This legislation would make it clear that racial profiling will not be allowed in this country. Racial profiling is un-American. It is against the values of our Nation. It is contrary to the 14th amendment of the Constitution, which provides for equal protection under the law. It is counterproductive, and it doesn't keep us safe. We are using valuable police resources in a way that is wasting those resources. It is sloppy police work if you try to identify a problem by race rather than looking for good police work to identify the real perpetrator of a crime. It also creates a mistrust in the community they are trying to protect, a community that they need to help and to cooperate with as far as keeping the community safe. For all of those reasons, racial profiling should have no place in modern law enforcement. We need a national law.

I was impressed that in the hearing today there was general consensus that we have a problem in this country, that there is a problem of law enforcement using racial profiling, which should not be done. The bill, S. 1670, would prohibit the use of racial profiling. By making a decision based upon race, ethnicity, national origin, or religion, basically what you are doing is subjecting an individual to a spontaneous investigation. That should have no place. What we are talking about is someone being stopped for a routine traffic stop, subjected to a search, interrogated, or investigated based on that person's race or the scope and substance of law enforcement activities following an initial investigative proceeding are determined because of race. That should have no place in America.

My legislation would apply to all levels of government, not just Federal but State and local law enforcement. It requires mandatory training. And here is an issue on which I think we should all agree. Perhaps the tragedy that happened with Trayvon Martin would not have happened if Mr. Zimmerman had been trained on the issues of what is good police work and what is not good police work and how racial profiling needs to be eliminated. We feel very strongly about the need for mandatory training.

The legislation requires data collection by local and State law enforce-

ment. State and local law enforcement must maintain adequate policies and procedures designated to eliminate profiling, and they must eliminate any existing practices that present or encourage racial profiling.

The Department of Justice has granted authority to make grants to promote best practices, so one jurisdiction can learn from another as to what the best practices are in order to make sure that this practice is not being used and that we are doing everything possible to keep communities safe by good police work, not by sloppy police work.

I wish to point out that the overwhelming majority of people who are in law enforcement do it the right way. We have dedicated men and women who work every day to keep us safe—our first responders. We owe them a debt of gratitude, we owe them our support, and we cannot say enough complimentary things about what they do every day by putting their lives on the line to keep us safe. So for the sake of what is right for America and for the sake of the overwhelming majority of the people who are professionals in law enforcement, we need to make it clear that racial profiling has no role in American law enforcement.

I am proud of the many groups that are supporting this legislation, including the NAACP, the ACLU, the Leadership Conference of Civil and Human Rights, and numerous other organizations.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the list of organizations that are supporting the legislation.

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

(See exhibit 1.)

Mr. CARDIN. Let me conclude by quoting our former colleague Senator Kennedy, who said that civil rights is the great unfinished business of America. Let's continue to fight to make sure we have equal justice under the law for all Americans. That is what the legislation I have introduced will do. The End Racial Profiling Act will continue us on that journey to provide equal justice in the law to all Americans.

EXHIBIT 1

GROUP ENDORSEMENTS OF END RACIAL PROFILING ACT

NATIONAL ORGANIZATIONS

A. Philip Randolph Institute; African American Ministers in Action; American Civil Liberties Union; American Humanist Association; American-Arab Anti-Discrimination Committee; American Probation and Parole Association; Asian & Pacific Islander American Health Forum; Asian American Justice Center; Asian Law Caucus; Asian Pacific American Labor Alliance; Bill of Rights Defense Committee; Blacks in Law Enforcement in America; Break the Cycle; Brennan Center for Justice at New York University School of Law; Campaign for Community

Change; Campaign for Youth Justice; Center for National Security Studies; Charles Hamilton Houston Institute for Race and Justice at Harvard Law School; Council on American-Islamic Relations; Council on Illicit Drugs of the National Association for Public Health Policy.

Disciples Justice Action Network; Drug Policy Alliance; Equal Justice Society; Fair Immigration Reform Movement; Fellowship of Reconciliation; Human Rights Watch; Indo-American Center; Institute Justice Team, Sisters of Mercy of the Americas; Japanese American Citizens League; Jewish Labor Committee; Jewish Reconstructionist Federation; Lawyers' Committee for Civil Rights Under Law; The Leadership Conference on Civil and Human Rights; League of United Latin American Citizens; Lutheran Immigration and Refugee Service; Muslim Advocates; Muslim Legal Fund of America; Muslim Public Affairs Council; NAACP; NAACP Legal Defense and Educational Fund, Inc.; National Advocacy Center of the Sisters of the Good Shepherd.

National African American Drug Policy Coalition, Inc.; National Alliance for Medication Assisted Recovery; National Alliance of Faith and Justice; National Asian American Pacific Islander Mental Health Association; National Asian Pacific American Bar Association; National Asian Pacific American Women's Forum; National Association of Criminal Defense Lawyers; National Association of Social Workers; National Black Justice Coalition; National Black Law Students Association; National Black Police Association; National Congress of American Indians; National Council of La Raza; National Education Association; National Gay and Lesbian Task Force Action Fund; National Korean American Service and Education Consortium; National Latina Institute for Reproductive Health; National Lawyers Guild Drug Policy Committee; National Legal Aid and Defender Association; National Organization of Black Women in Law Enforcement; National Organization of Sisters of Color Ending Sexual Assault; National Urban League Policy Institute.

NETWORK, A National Catholic Social Justice Lobby; 9to5, National Association of Working Women; North American South Asian Bar Association; Open Society Policy Center; Organization of Chinese Americans; Pax Christi USA; National Catholic Peace Movement; Prison Policy Initiative; Rights Working Group; Sentencing Project; Sikh American Legal Defense and Education Fund; Sikh Coalition; SOJOURNERS; South Asian Americans Leading Together; South Asian Network; South Asian Resource Action Center; StoptheDrugWar.org; The Real Cost of Prisons Project; Treatment Communities of America; U.S. Human Rights Network; Union for Reform Judaism; United Methodist Church, General Board of Church and Society; UNITED SIKHS; Women's Alliance for Theology, Ethics and Ritual.

STATE AND LOCAL ORGANIZATIONS

A New PATH (Parents for Addiction Treatment & Healing) (California); Adhikaar (New York); Advocare, Inc. (Ohio); Arab-American Action Network (Illinois); Arab-American Family Support Center (New York); CASA de Maryland (Maryland); Casa Esperanza (New Jersey); CAUSA—Oregon's Immigrant Rights Organization (Oregon); Center for NuLeadership on Urban Solutions (New York); Counselors Helping (South) Asians/Indians, Inc. (Maryland); Desis Rising Up and Moving (New York); Drug Policy Forum of Hawaii (Hawaii); Drug Policy Forum of Texas (Texas); Florida Immigrant Coalition

(Florida); Healing Communities Prison Ministry and Reentry Project (Pennsylvania); Korean American Resource and Cultural Center (Illinois); Korean Resource Center (California); Legal Services for Prisoners with Children (California); Legal Voice (Washington).

Maryland CURE—Citizens United for the Rehabilitation of Errants (Maryland); National Alliance for Medication Assisted Recovery, Delaware Chapter (Delaware); 9to5 Atlanta Working Women (Georgia); 9to5 Bay Area (California); 9to5 Colorado (Colorado); 9to5 Los Angeles (California); 9to5 Milwaukee (Wisconsin); Perspectives, Inc. (Minnesota); Pineros y Campesinos Unidos del Noroeste; Northwest Treeplanters and Farmworkers United (Oregon); Public Justice Center (Maryland); Rights for All People (Colorado); Safe Streets Arts Foundation (Washington, DC); Sahara of South Florida, Inc. (Florida); Satrang (California); Sneha, Inc. (Connecticut); South Asian Bar Association of Northern California (California); St. Leonard's Ministries (Illinois).

Mr. CARDIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Vermont.

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

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

Mr. SANDERS. Mr. President, the issue we are debating right now is an issue of enormous consequence for the American people, for our economy, for rural America, and for the hundreds of thousands of workers in the U.S. Postal Service. I thank Senators LIEBERMAN, CARPER, COLLINS, and BROWN for the important work they have done in moving this legislation forward.

Let me begin by saying the debate we are having is not whether the Postal Service in the digital age should change. Everybody agrees the Postal Service should change. The question is what kind of change do we want, what kind of change is good for the American economy, and what kind of change is good for our country.

Last year—I think about 9 or 10 months ago—the Postmaster General gave us his view of change. There was concern about some of the financial problems facing the Post Office. He came up with a proposal that would do the following: What he said is we should close more than 3,600 mostly rural post offices. In my State, I think the number of rural post offices is about 15. All over this country post offices, in so many ways, serve a function beyond delivering mail or selling stamps. In many ways, post offices become the center of a small town. The Postmaster General's proposal was to shut down more than 3,600 mostly rural post offices.

Furthermore, he wanted to shut down about half of the mail processing facilities in America—somewhere

around 250 of them—and when we do that, by definition we slow overnight delivery standards for first class mail. So at a moment when the Postal Service is being challenged by e-mail in the digital age—instantaneous communication—he was proposing to slow down mail delivery.

He also proposed to end Saturday mail service and reduce the postal workforce in the midst of a horrendous recession by some 220,000 workers, going from 550,000 down to about 330,000.

I find it a bit ironic that a couple of months ago we had a great debate here—and I think bipartisan support—to make sure veterans get the jobs they need. Many of the people who work in the Postal Service are, in fact, veterans. They are doing a good job. When we downsize the Postal Service, as the Postmaster General proposed, by 220,000 workers, we are downsizing many of our veterans.

Many of my colleagues in the Senate and the House and I are strongly opposed to what the Postmaster General brought forth and we have been working with him and his staff to improve this plan. Frankly, I think we are making some progress. Obviously, the key danger of what the Postmaster General has proposed is that if we slow down mail delivery standards, what ends up happening is that individuals and businesses will be rethinking whether they want to use the Postal Service and whether they want to go elsewhere. So what we could very well begin is what we call a death spiral: slow down mail delivery service, businesses stop using the Postal Service, less revenue comes in, more cuts are made, more delays, more slowdowns. We think that is a bad idea.

Again, I believe, and I think everybody in this Senate believes, we need a new business model for the Postal Service in the digital age. Some of us believe we can bring forth a new business model which does not necessitate hundreds of thousands of job losses and cuts, cuts, and cuts.

Among other things, I wish to point out that a recently disclosed study by Opinion Research Corporation, commissioned by the Postal Service itself, found the Postal Service would lose nearly \$2 billion by eliminating overnight delivery standards. Let me repeat: A study commissioned by the Postal Service found that ending overnight delivery standards and shutting down half of the mail processing plants in America would cost the Postal Service nearly \$2 billion. The answer is a lot to do with what I said: If we slow down service, fewer and fewer people are going to be using the Postal Service.

For the last several months I have been working with several dozen of my colleagues in the Senate to oppose those cuts. I thank Senator LIEBERMAN

and Senator CARPER for their support, as well as Senator COLLINS and Senator BROWN. We have been working with them, and what we basically did is come up with a good bill that is much better than the Postmaster General had originally proposed, and we think we can do better. In fact, we have been working, and I think it is fair to say we have made some significant improvements which have been incorporated in the substitute amendment that is before us. Let me begin by touching on some of the improvements that I think we have brought about.

The managers' amendment brings more protection for rural post offices. I come from a rural State. I know how important rural post offices are, and the managers' amendment provides more protection for these rural post offices.

No. 1: The substitute amendment would prevent the Postal Service from closing any post offices until it has established a set of service standards that would guarantee all postal customers regular and effective access to retail postal services nationwide on a reasonable basis. The Postal Service is required to establish the standards within 6 months. The service standards would be required to take into account certain factors. In other words, what we are talking about here is that before a rural post office can be shut down, certain standards are going to have to be addressed. They are:

A, a consideration of the reasonable maximum time a postal customer should expect to travel to access a postal retail location. In other words, if we shut down a post office and somebody has to go 20 miles and spend money on gasoline, and an enormous amount of time, it doesn't make sense to shut down that rural post office;

B, furthermore, we want to look at the age and disability status of individuals in the area. If there are elderly people, if there are a large number of disabled people and we shut down that postal service, those folks are going to be, for all intents and purposes, isolated. Don't shut down that postal service;

C, there would be a requirement that the Postal Service serve remote areas and communities which have transportation challenges. If I live in a community and I don't have a car, how do I get to a post office that is 5 miles away?

D, the effects of inclement weather or other natural conditions that might impede access to postal services. In other words, if people live in a climate where they have a whole lot of snow, how are they going to get to another post office?

I see the majority leader standing. Does the leader wish to address the Senate?

Mr. REID. I have some procedural matters to do, if the Senator from

Vermont wishes to finish his statement.

Mr. SANDERS. I will be another 5 or 10 minutes. I will yield to the majority leader.

Mr. REID. Mr. President, I ask unanimous consent that when I finish my procedural matters, the Senator from Vermont be recognized.

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

Mr. REID. I ask unanimous consent that all postcloture time be yielded back and the motion to proceed to S. 1789 be agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. I now ask unanimous consent that the only amendments in order to S. 1789 or the Lieberman-Collins substitute amendment No. 2000 be those that are relevant to the bill or the substitute amendment.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Mr. President, reserving the right to object, Egypt currently gets \$2 billion from our country from the U.S. taxpayer. My question is, should we be sending \$2 billion a year to Egypt when they seek to continue to prosecute American citizens.

Recently, President Obama's administration freed up that money and said Egypt is pursuing democratic aims, so we freed up the \$2 billion. How did Egypt respond to this? Egypt basically thumbed their nose at us. Egypt said we are now issuing international warrants to get American citizens, extradite them, take them back to Egypt for a political show trial. So we give money to a country that insults us.

I think this should end. I think this deserves 15 minutes of Senate time to discuss whether America has money to be sending to Egypt when we have 12 million people unemployed in this country, and whether we have needs here at home that need to be met before we send \$2 billion to Egypt which turns around and insults us by prosecuting American citizens.

I respectfully object and seek a vote on this amendment that would end their aid if they do not end the prosecution of American citizens.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. Mr. President, as we speak, there are 8 million Americans who are dependent on the Post Office. These are people who have jobs as a result of the Postal Service. We need to do a postal reform bill. Doing nothing is not an option.

I ask unanimous consent that we set up a procedure to allow the Senate to consider amendments relevant to the postal reform bill.

The PRESIDING OFFICER. Is there objection?

Mr. PAUL. Reserving the right to object, the Post Office is losing \$4 billion a year, and I sympathize. But at the same time we are losing \$4 billion, we are sending \$2 billion to Egypt. We have problems in our country and we don't have the money to send to Egypt, so I would say it is relevant. It is relevant whether, when we have limited resources, we send \$2 billion to Egypt, or whether we try to fix the problems we have at home. I would say bring some of that money home and that might help us fix the Post Office.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. PAUL. I continue my objection.

21ST CENTURY POSTAL SERVICE ACT

Mr. REID. Would the Chair report the bill, please.

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant bill clerk read as follows:

A bill (S. 1789) to improve, sustain, and transform the United States Postal Service.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "21st Century Postal Service Act of 2012".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.*
- Sec. 2. Table of contents.*
- Sec. 3. Definitions.*

TITLE I—POSTAL WORKFORCE MATTERS

- Sec. 101. Treatment of postal funding surplus for Federal Employees Retirement System.*
- Sec. 102. Additional service credit.*
- Sec. 103. Restructuring of payments for retiree health benefits.*
- Sec. 104. Postal Service Health Benefits Program.*
- Sec. 105. Arbitration; labor disputes.*

TITLE II—POSTAL SERVICES AND OPERATIONS

- Sec. 201. Postal facilities.*
- Sec. 202. Additional Postal Service planning.*
- Sec. 203. Area and district office structure.*
- Sec. 204. Post offices; retail service standards.*
- Sec. 205. Conversion of door delivery points.*
- Sec. 206. Limitations on changes to mail delivery schedule.*
- Sec. 207. Time limits for consideration of service changes.*
- Sec. 208. Public procedures for significant changes to mailing specifications.*
- Sec. 209. Nonpostal products and services.*

TITLE III—FEDERAL EMPLOYEES' COMPENSATION ACT

- Sec. 301. Short title; references.*
- Sec. 302. Federal workers compensation reforms for retirement-age employees.*
- Sec. 303. Augmented compensation for dependents.*
- Sec. 304. Schedule compensation payments.*

- Sec. 305. Vocational rehabilitation.*
- Sec. 306. Reporting requirements.*
- Sec. 307. Disability management review; independent medical examinations.*
- Sec. 308. Waiting period.*
- Sec. 309. Election of benefits.*
- Sec. 310. Sanction for noncooperation with field nurses.*
- Sec. 311. Subrogation of continuation of pay.*
- Sec. 312. Integrity and compliance.*
- Sec. 313. Amount of compensation.*
- Sec. 314. Technical and conforming amendments.*
- Sec. 315. Regulations.*

TITLE IV—OTHER MATTERS

- Sec. 401. Profitability plan.*
- Sec. 402. Postal rates.*
- Sec. 403. Cooperation with State and local governments; intra-Service agreements.*
- Sec. 404. Shipping of wine and beer.*
- Sec. 405. Annual report on United States mailing industry.*
- Sec. 406. Use of negotiated service agreements.*
- Sec. 407. Contract disputes.*
- Sec. 408. Contracting provisions.*

SEC. 3. DEFINITIONS.

In this Act, the following definitions shall apply:

- (1) COMMISSION.—The term "Commission" means the Postal Regulatory Commission.*
- (2) POSTAL SERVICE.—The term "Postal Service" means the United States Postal Service.*

TITLE I—POSTAL WORKFORCE MATTERS

SEC. 101. TREATMENT OF POSTAL FUNDING SURPLUS FOR FEDERAL EMPLOYEES RETIREMENT SYSTEM.

Section 8423(b) of title 5, United States Code, is amended—

- (1) by redesignating paragraph (5) as paragraph (6); and*
- (2) by inserting after paragraph (4) the following:*

"(5)(A) In this paragraph, the term 'postal funding surplus' means the amount by which the amount computed under paragraph (1)(B) is less than zero.

"(B)(i) Beginning with fiscal year 2011, for each fiscal year in which the amount computed under paragraph (1)(B) is less than zero, upon request of the Postmaster General, the Director shall transfer to the United States Postal Service from the Fund an amount equal to the postal funding surplus for that fiscal year for use in accordance with this paragraph.

"(ii) The Office shall calculate the amount under paragraph (1)(B) for a fiscal year by not later than June 15 after the close of the fiscal year, and shall transfer any postal funding surplus to the United States Postal Service within 10 days after a request by the Postmaster General.

"(C) For each of fiscal years 2011, 2012, and 2013, if the amount computed under paragraph (1)(B) is less than zero, a portion of the postal funding surplus for the fiscal year shall be used by the United States Postal Service for the cost of providing to employees of the United States Postal Service who voluntarily separate from service before October 1, 2014—

"(i) voluntary separation incentive payments (including payments to employees who retire under section 8336(d)(2) or 8414(b)(1)(B) before October 1, 2014) that may not exceed the maximum amount provided under section 3523(b)(3)(B) for any employee; and

"(ii) retirement service credits, as authorized under section 8332(p) or 8411(m).

"(D) Any postal funding surplus for a fiscal year not expended under subparagraph (C) may be used by the United States Postal Service for the purposes of—

"(i) repaying any obligation issued under section 2005 of title 39; or

“(ii) making required payments to—
 “(I) the Employees’ Compensation Fund established under section 8147;
 “(II) the Postal Service Retiree Health Benefits Fund established under section 8909a;
 “(III) the Employees Health Benefits Fund established under section 8909; or
 “(IV) the Civil Service Retirement and Disability Fund.”.

SEC. 102. ADDITIONAL SERVICE CREDIT.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8332 of title 5, United States Code, is amended by adding at the end the following:

“(p)(1)(A) For an employee of the United States Postal Service who is covered under this subchapter and voluntarily separates from service before October 1, 2014, at the direction of the United States Postal Service, the Office shall add not more than 1 year (as specified by the United States Postal Service) to the total creditable service of the employee for purposes of determining entitlement to and computing the amount of an annuity under this subchapter (except for a disability annuity under section 8337).

“(B) An employee who receives additional creditable service under this paragraph may not receive a voluntary separation incentive payment from the United States Postal Service.

“(2)(A) Subject to subparagraph (B), and notwithstanding any other provision of law, no deduction, deposit, or contribution shall be required for service credited under this subsection.

“(B) The actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from this subsection shall be included in the amount calculated under section 8348(h)(1)(A).”.

(b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—Section 8411 of title 5, United States Code, is amended by adding at the end the following:

“(m)(1)(A) For an employee of the United States Postal Service who is covered under this chapter and voluntarily separates from service before October 1, 2014, at the direction of the United States Postal Service, the Office shall add not more than 2 years (as specified by the United States Postal Service) to the total creditable service of the employee for purposes of determining entitlement to and computing the amount of an annuity under this chapter (except for a disability annuity under subchapter V of that chapter).

“(B) An employee who receives additional creditable service under this paragraph may not receive a voluntary separation incentive payment from the United States Postal Service.

“(2)(A) Subject to subparagraph (B), and notwithstanding any other provision of law, no deduction, deposit, or contribution shall be required for service credited under this subsection.

“(B) The actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from this subsection shall be included in the amount calculated under section 8423(b)(1)(B).”.

SEC. 103. RESTRUCTURING OF PAYMENTS FOR RETIREE HEALTH BENEFITS.

(a) CONTRIBUTIONS.—Section 8906(g)(2)(A) of title 5, United States Code, is amended by striking “through September 30, 2016, be paid by the United States Postal Service, and thereafter shall” and inserting “after the date of enactment of the 21st Century Postal Service Act of 2012”.

(b) POSTAL SERVICE RETIREE HEALTH BENEFITS FUND.—Section 8909a of title 5, United States Code, is amended—

- (1) in subsection (d)—
- (A) in paragraph (2)(B)—
- (i) by striking “2017” and inserting “2012”; and
- (ii) by inserting after “later, of” the following: “80 percent of”; and

- (B) in paragraph (3)—
- (i) in subparagraph (A)—
- (I) in clause (iii), by adding “and” at the end;
- (II) in clause (iv), by striking the semicolon at the end and inserting a period; and
- (III) by striking clauses (v) through (x); and
- (ii) in subparagraph (B), by striking “2017” and inserting “2012”; and

(2) by adding at the end the following:
 “(e) Subsections (a) through (d) shall be subject to section 104 of the 21st Century Postal Service Act of 2012.”.

SEC. 104. POSTAL SERVICE HEALTH BENEFITS PROGRAM.

(a) DEFINITIONS.—In this section—
 (1) the term “covered employee” means an employee of the Postal Service who is represented by a bargaining representative recognized under section 1203 of title 39, United States Code;

(2) the term “Federal Employee Health Benefits Program” means the health benefits program under chapter 89 of title 5, United States Code; and

(3) the term “Postal Service Health Benefits Program” means the health benefits program that may be agreed to under subsection (b)(1).

(b) COLLECTIVE BARGAINING.—

(1) IN GENERAL.—Consistent with section 1005(f) of title 39, United States Code, the Postal Service may negotiate jointly with all bargaining representatives recognized under section 1203 of title 39, United States Code, and enter into a joint collective bargaining agreement with those bargaining representatives to establish the Postal Service Health Benefits Program that satisfies the conditions under subsection (c). The Postal Service and the bargaining representatives shall negotiate in consultation with the Director of the Office of Personnel Management.

(2) CONSULTATION WITH SUPERVISORY AND MANAGERIAL PERSONNEL.—In the course of negotiations under paragraph (1), the Postal Service shall consult with each of the organizations of supervisory and other managerial personnel that are recognized under section 1004 of title 39, United States Code, concerning the views of the personnel represented by each of those organizations.

(3) ARBITRATION LIMITATION.—Notwithstanding chapter 12 of title 39, United States Code, there shall not be arbitration of any dispute in the negotiations under this subsection.

(4) TIME LIMITATION.—The authority under this subsection shall extend until September 30, 2012.

(c) POSTAL SERVICE HEALTH BENEFITS PROGRAM.—The Postal Service Health Benefits Program—

(1) shall—

- (A) be available for participation by all covered employees;
- (B) be available for participation by any officer or employee of the Postal Service who is not a covered employee, at the option solely of that officer or employee;
- (C) provide adequate and appropriate health benefits;
- (D) be administered in a manner determined in a joint agreement reached under subsection (b); and
- (E) provide for transition of coverage under the Federal Employee Health Benefits Program of covered employees to coverage under the Postal Service Health Benefits Program on January 1, 2013;
- (2) may provide dental benefits; and
- (3) may provide vision benefits.

(d) AGREEMENT AND IMPLEMENTATION.—If a joint agreement is reached under subsection (b)—

- (1) the Postal Service shall implement the Postal Service Health Benefits Program;
- (2) the Postal Service Health Benefits Program shall constitute an agreement between the col-

lective bargaining representatives and the Postal Service for purposes of section 1005(f) of title 39, United States Code; and

(3) covered employees may not participate as employees in the Federal Employees Health Benefits Program.

(e) GOVERNMENT PLAN.—The Postal Service Health Benefits Program shall be a government plan as that term is defined under section 3(32) of Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(32)).

(f) REPORT.—Not later than June 30, 2013, the Postal Service shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives that—

(1) reports on the implementation of this section; and

(2) requests any additional statutory authority that the Postal Service determines is necessary to carry out the purposes of this section.

SEC. 105. ARBITRATION; LABOR DISPUTES.

Section 1207(c)(2) of title 39, United States Code, is amended—

(1) by inserting “(A)” after “(2)”;

(2) by striking the last sentence and inserting “The arbitration board shall render a decision not later than 45 days after the date of its appointment.”; and

(3) by adding at the end the following:
 “(B) In rendering a decision under this paragraph, the arbitration board shall consider such relevant factors as—

- “(i) the financial condition of the Postal Service;
- “(ii) the requirements relating to pay and compensation comparability under section 1003(a); and
- “(iii) the policies of this title.”.

TITLE II—POSTAL SERVICES AND OPERATIONS

SEC. 201. POSTAL FACILITIES.

Section 404 of title 39, United States Code, is amended by adding after subsection (e) the following:

“(f) CLOSING OR CONSOLIDATION OF CERTAIN POSTAL FACILITIES.—

“(1) POSTAL FACILITY.—In this subsection, the term ‘postal facility’—

“(A) means any Postal Service facility that is primarily involved in the preparation, dispatch, or other physical processing of mail; and

“(B) does not include—

- “(i) any post office, station, or branch; or
- “(ii) any facility used only for administrative functions.

“(2) AREA MAIL PROCESSING STUDY.—

“(A) NEW AREA MAIL PROCESSING STUDIES.—After the date of enactment of this subsection, before making a determination under subsection (a)(3) as to the necessity for the closing or consolidation of any postal facility, the Postal Service shall—

- “(i) conduct an area mail processing study relating to that postal facility that includes a plan to reduce the capacity of the postal facility, but not close the postal facility;
- “(ii) publish the study on the Postal Service website; and
- “(iii) publish a notice that the study is complete and available to the public, including on the Postal Service website.

“(B) COMPLETED OR ONGOING AREA MAIL PROCESSING STUDIES.—

“(i) IN GENERAL.—In the case of a postal facility described in clause (ii), the Postal Service shall—

- “(I) consider a plan to reduce the capacity of the postal facility, but not close the postal facility; and
- “(II) publish the results of the consideration under subclause (I) with or as an amendment to the area mail processing study relating to the postal facility.

“(ii) **POSTAL FACILITIES.**—A postal facility described in this clause is a postal facility for which, on or before the date of enactment of this subsection—

“(I) an area mail processing study that does not include a plan to reduce the capacity of the postal facility, but not close the facility, has been completed or is in progress; and

“(II) a determination as to the necessity for the closing or consolidation of the postal facility has not been made.

“(3) **NOTICE, PUBLIC COMMENT, AND PUBLIC HEARING.**—If the Postal Service makes a determination under subsection (a)(3) to close or consolidate a postal facility, the Postal Service shall—

“(A) provide notice of the determination to—

“(i) Congress; and

“(ii) the Postal Regulatory Commission;

“(B) provide adequate public notice of the intention of the Postal Service to close or consolidate the postal facility;

“(C) ensure that interested persons have an opportunity to submit public comments during a 45-day period after the notice of intention is provided under subparagraph (B);

“(D) before the 45-day period described in subparagraph (C), provide for public notice of that opportunity by—

“(i) publication on the Postal Service website;

“(ii) posting at the affected postal facility; and

“(iii) advertising the date and location of the public community meeting under subparagraph (E); and

“(E) during the 45-day period described in subparagraph (C), conduct a public community meeting that provides an opportunity for public comments to be submitted verbally or in writing.

“(4) **FURTHER CONSIDERATIONS.**—Not earlier than 30 days after the end of the 45-day period for public comment under paragraph (3), the Postal Service, in making a determination whether or not to close or consolidate a postal facility, shall consider—

“(A) the views presented by interested persons solicited under paragraph (3);

“(B) the effect of the closing or consolidation on the affected community, including any disproportionate impact the closure or consolidation may have on a State, region, or locality;

“(C) the effect of the closing or consolidation on the travel times and distances for affected customers to access services under the proposed closing or consolidation;

“(D) the effect of the closing or consolidation on delivery times for all classes of mail;

“(E) any characteristics of certain geographical areas, such as remoteness, broadband internet availability, and weather-related obstacles to using alternative facilities, that may result in the closing or consolidation having a unique effect; and

“(F) any other factor the Postal Service determines is necessary.

“(5) **JUSTIFICATION STATEMENT.**—Before the date on which the Postal Service closes or consolidates a postal facility, the Postal Service shall post on the Postal Service website a closure or consolidation justification statement that includes—

“(A) a response to all public comments received with respect to the considerations described under paragraph (4);

“(B) a description of the considerations made by the Postal Service under paragraph (4); and

“(C) the actions that will be taken by the Postal Service to mitigate any negative effects identified under paragraph (4).

“(6) **CLOSING OR CONSOLIDATION OF POSTAL FACILITIES.**—

“(A) **IN GENERAL.**—Not earlier than the 15 days after posting and publishing the final determination and the justification statement

under paragraph (6) with respect to a postal facility, the Postal Service may close or consolidate the postal facility.

“(B) **ALTERNATIVE INTAKE OF MAIL.**—If the Postal Service closes or consolidates a postal facility under subparagraph (A), the Postal Service shall make reasonable efforts to ensure continued mail receipt from customers of the closed or consolidated postal facility at the same location or at another appropriate location in close geographic proximity to the closed or consolidated postal facility.

“(7) **POSTAL SERVICE WEBSITE.**—For purposes of any notice required to be published on the Postal Service website under this subsection, the Postal Service shall ensure that the Postal Service website—

“(A) is updated routinely; and

“(B) provides any person, at the option of the person, the opportunity to receive relevant updates by electronic mail.

“(8) **PROTECTION OF CERTAIN INFORMATION.**—Nothing in this subsection may be construed to require the Postal Service to disclose—

“(A) any proprietary data, including any reference or citation to proprietary data; and

“(B) any information relating to the security of a postal facility.”.

SEC. 202. ADDITIONAL POSTAL SERVICE PLAN- NING.

Section 302(d) of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note) is amended—

(1) in paragraph (8), by striking the period at the end and inserting “; and”;

(2) by redesignating paragraphs (I) through (8) as subparagraphs (A) through (H), respectively, and adjusting the margins accordingly;

(3) in the matter preceding subparagraph (A), as so redesignated, by striking “shall include” and inserting the following: “shall—

“(1) include”; and

(4) by adding at the end the following:

“(2) where possible, provide for an improvement in customer access to postal services;

“(3) consider the impact of any decisions by the Postal Service relating to the implementation of the plan on small communities and rural areas; and

“(4) ensure that—

“(A) small communities and rural areas continue to receive regular and effective access to retail postal services after implementation of the plan; and

“(B) the Postal Service solicits community input in accordance with applicable provisions of Federal law.”.

SEC. 203. AREA AND DISTRICT OFFICE STRUC- TURE.

(a) **PLAN REQUIRED.**—Not later than 1 year after the date of enactment of this Act, the Postal Service shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Governmental Reform of the House of Representatives—

(1) a comprehensive strategic plan to govern decisions relating to area and district office structure that considers efficiency, costs, redundancies, mail volume, technological advancements, operational considerations, and other issues that may be relevant to establishing an effective area and district office structure; and

(2) a 10-year plan, including a timetable, that provides for consolidation of area and district offices wherever the Postal Service determines a consolidation would—

(A) be cost effective; and

(B) not substantially and adversely affect the operations of the Postal Service.

(b) **CONSOLIDATION.**—Beginning not later than 1 year after the date of enactment of this Act, the Postal Service shall, consistent with the

plans required under and the criteria described in subsection (a)—

(1) consolidate district offices that are located within 50 miles of each other;

(2) consolidate area and district offices that have less than the mean mail volume and number of work hours for all area and district offices; and

(3) relocate area offices to headquarters.

(c) **UPDATES.**—The Postal Service shall update the plans required under subsection (a) not less frequently than once every 5 years.

SEC. 204. POST OFFICES; RETAIL SERVICE STAND- ARDS.

(a) **CLOSING POST OFFICES.**—Section 404 of title 39, United States Code, is amended—

(1) by striking “(d)(1)” and all that follows through “present their views.” and inserting the following:

“(d)(1) The Postal Service, prior to making a determination under subsection (a)(3) of this section as to the necessity for the closing or consolidation of any post office, shall—

“(A) consider whether—

“(i) to close the post office or consolidate the post office and another post office located within a reasonable distance;

“(ii) instead of closing or consolidating the post office—

“(I) to reduce the number of hours a day that the post office operates; or

“(II) to continue operating the post office for the same number of hours a day;

“(iii) to procure a contract providing full, or less than full, retail services in the community served by the post office; or

“(iv) to provide postal services to the community served by the post office through a rural carrier;

“(B) provide postal customers served by the post office an opportunity to participate in a nonbinding survey conducted by mail on a preference for an option described in subparagraph (A); and

“(C) if the Postal Service determines to close or consolidate the post office, provide adequate notice of its intention to close or consolidate such post office at least 60 days prior to the proposed date of such closing or consolidation to persons served by such post office to ensure that such persons will have an opportunity to present their views.”; and

(2) in subsection (d)(5), in the first sentence—

(A) by inserting “, station, or branch” after “post office”;

(B) by inserting “, station, or branch” after “such office”; and

(C) by striking “under paragraph (3)”.

(b) **RETAIL SERVICE STANDARDS.**—

(1) **DEFINITION.**—In this subsection, the term “retail postal service” means service that allows a postal customer to—

(A) purchase postage;

(B) enter packages into the mail; and

(C) procure other services offered by the Postal Service.

(2) **ESTABLISHMENT.**—Not later than 6 months after the date of enactment of this Act, the Postal Service shall exercise its authority under section 3691 of title 39, United States Code, to establish service standards for market-dominant products in order to guarantee customers of the Postal Service regular and effective access to retail postal services nationwide (including in territories and possessions of the United States) on a reasonable basis.

(3) **CONTENTS.**—The service standards established under paragraph (2) shall—

(A) be consistent with—

(i) the obligations of the Postal Service under section 101(b) of title 39, United States Code; and

(ii) the contents of the plan developed under section 302 of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note), as amended by section 202 of this Act; and

(B) be consistent with—

(i) the obligations of the Postal Service under section 101(b) of title 39, United States Code; and

(ii) the contents of the plan developed under section 302 of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note), as amended by section 202 of this Act; and

(C) be consistent with—

(i) the obligations of the Postal Service under section 101(b) of title 39, United States Code; and

(ii) the contents of the plan developed under section 302 of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note), as amended by section 202 of this Act; and

(D) be consistent with—

(i) the obligations of the Postal Service under section 101(b) of title 39, United States Code; and

(ii) the contents of the plan developed under section 302 of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note), as amended by section 202 of this Act; and

(B) take into account factors including—

(i) geography, including the establishment of standards for the proximity of retail postal services to postal customers, including a consideration of the reasonable maximum time a postal customer should expect to travel to access a postal retail location;

(ii) population, including population density, demographic factors such as the age and disability status of individuals in the area to be served by a location providing postal retail services, and other factors that may impact the ability of postal customers, including businesses, to travel to a postal retail location;

(iii) the feasibility of offering retail access to postal services in addition to post offices, as described in section 302(d) of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note);

(iv) the requirement that the Postal Service serve remote areas and communities with transportation challenges, including communities in which the effects of inclement weather or other natural conditions might obstruct or otherwise impede access to retail postal services; and

(v) the ability of postal customers to access retail postal services in areas that were served by a post office that was closed or consolidated during the 1 year period ending on the date of enactment of this Act.

(c) PROHIBITION ON CLOSING POST OFFICES.—Notwithstanding section 404(d) of title 39, United States Code, during the period beginning on the date of enactment of this Act and ending on the date on which the Postal Service establishes the service standards under subsection (b), the Postal Service may not close a post office, except as required for the immediate protection of health and safety.

SEC. 205. CONVERSION OF DOOR DELIVERY POINTS.

(a) IN GENERAL.—Subchapter VII of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

“§ 3692. Conversion of door delivery points

“(a) DEFINITIONS.—In this section, the following definitions shall apply:

“(1) CENTRALIZED DELIVERY POINT.—The term ‘centralized delivery point’ means a group or cluster of mail receptacles at 1 delivery point that is within reasonable proximity of the street address associated with the delivery point.

“(2) CURBLINE DELIVERY POINT.—The term ‘curbline delivery point’ means a delivery point that is—

“(A) adjacent to the street address associated with the delivery point; and

“(B) accessible by vehicle on a street that is not a private driveway.

“(3) DOOR DELIVERY POINT.—The term ‘door delivery point’ means a delivery point at a door of the structure at a street address.

“(4) SIDEWALK DELIVERY POINT.—The term ‘sidewalk delivery point’ means a delivery point on a sidewalk adjacent to the street address associated with the delivery point.

“(b) CONVERSION.—Except as provided in subsection (c), and in accordance with the profitability plan required under section 401 and standards established by the Postal Service, the Postal Service is authorized to, to the maximum extent feasible, convert door delivery points to—

- “(1) curbline delivery points;
- “(2) sidewalk delivery points; or
- “(3) centralized delivery points.

“(c) EXCEPTIONS.—

“(1) CONTINUED DOOR DELIVERY.—The Postal Service may allow for the continuation of door delivery due to—

“(A) a physical hardship of a customer;

“(B) weather, in a geographic area where snow removal efforts could obstruct access to mailboxes near a road;

“(C) circumstances in an urban area that preclude efficient use of curbline delivery points;

“(D) other exceptional circumstances, as determined in accordance with regulations issued by the Postal Service; or

“(E) other circumstances in which the Postal Service determines that alternatives to door delivery would not be practical or cost effective.

“(2) NEW DOOR DELIVERY POINTS.—The Postal Service may provide door delivery to a new delivery point in a delivery area that received door delivery on the day before the date of enactment of this section, if the delivery point is established before the delivery area is converted from door delivery under subsection (b).

“(d) SOLICITATION OF COMMENTS.—The Postal Service shall establish procedures to solicit, consider, and respond to input from individuals affected by a conversion under this section.

“(e) REVIEW.—Subchapter V of this chapter shall not apply with respect to any action taken by the Postal Service under this section.

“(f) REPORT.—Not later than 60 days after the end of each fiscal year through fiscal year 2015, the Postal Service shall submit to Congress and the Inspector General of the Postal Service a report on the implementation of this section during the preceding fiscal year that—

“(1) includes the number of door delivery points—

“(A) that existed at the end of the fiscal year preceding the preceding fiscal year;

“(B) that existed at the end of the preceding fiscal year;

“(C) that, during the preceding fiscal year, converted to—

“(i) curbline delivery points or sidewalk delivery points;

“(ii) centralized delivery points; and

“(iii) any other type of delivery point; and

“(D) for which door delivery was continued under subsection (c)(1);

“(2) estimates any cost savings, revenue loss, or decline in the value of mail resulting from the conversions from door delivery that occurred during the preceding fiscal year;

“(3) describes the progress of the Postal Service toward achieving the conversions authorized under subsection (b); and

“(4) provides such additional information as the Postal Service considers appropriate.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter VII of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

“3692. Conversion of door delivery points.”.

SEC. 206. LIMITATIONS ON CHANGES TO MAIL DELIVERY SCHEDULE.

(a) LIMITATION ON CHANGE IN SCHEDULE.—Notwithstanding any other provision of law—

(1) the Postal Service may not establish a general, nationwide delivery schedule of 5 or fewer days per week to street addresses under the authority of the Postal Service under title 39, United States Code, earlier than the date that is 24 months after the date of enactment of this Act; and

(2) on or after the date that is 24 months after the date of enactment of this Act, the Postal Service may establish a general, nationwide 5-day-per-week delivery schedule to street addresses under the authority of the Postal Service under section 3691 of title 39, United States Code, only in accordance with the requirements and limitations under this section.

(b) PRECONDITIONS.—If the Postal Service intends to establish a change in delivery schedule under subsection (a)(2), the Postal Service shall—

(1) identify customers and communities for whom the change may have a disproportionate, negative impact, including the customers identified as “particularly affected” in the Advisory Opinion on Elimination of Saturday Delivery issued by the Commission on March 24, 2011;

(2) develop, to the maximum extent possible, measures to ameliorate any disproportionate,

negative impact the change would have on customers and communities identified under paragraph (1), including, where appropriate, providing or expanding access to mailboxes for periodical mailers on days on which the Postal Service does not provide delivery;

(3) implement measures to increase revenue and reduce costs, including the measures authorized under the amendments made by sections 101, 102, 103, 205, and 209 of this Act;

(4) evaluate whether any increase in revenue or reduction in costs resulting from the measures implemented under paragraph (3) are sufficient to allow the Postal Service, without implementing a change in delivery schedule under subsection (a), to—

(A) become profitable by fiscal year 2015; and

(B) achieve long-term financial solvency; and

(5) not earlier than 15 months after the date of enactment of this Act and not later than 9 months before the effective date proposed by the Postal Service for the change, submit a report on the steps the Postal Service has taken to carry out this subsection to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives;

(B) the Comptroller General of the United States; and

(C) the Commission.

(c) REVIEW.—

(1) GOVERNMENT ACCOUNTABILITY OFFICE.—Not later than 3 months after the date on which the Postal Service submits a report under subsection (b)(5), the Comptroller General shall submit to the Commission and to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that contains findings relating to each of the following:

(A) Whether the Postal Service has adequately complied with subsection (b)(3), taking into consideration the statutory authority of and limitations on the Postal Service.

(B) The accuracy of any statement by the Postal Service that the measures implemented under subsection (b)(3) have increased revenues or reduced costs, and the accuracy of any projection by the Postal Service relating to increased revenue or reduced costs resulting from the measures implemented under subsection (b)(3).

(C) The adequacy and methodological soundness of any evaluation conducted by the Postal Service under subsection (b)(4) that led the Postal Service to assert the necessity of a change in delivery schedule under subsection (a)(2).

(D) Whether, based on an analysis of the measures implemented by the Postal Service to increase revenues and reduce costs, projections of increased revenue and cost savings, and the details of the profitability plan required under section 401, a change in delivery schedule is necessary to allow the Postal Service to—

- (i) become profitable by fiscal year 2015; and
- (ii) achieve long-term financial solvency.

(2) POSTAL REGULATORY COMMISSION.—

(A) REQUEST.—Not later than 6 months before the proposed effective date of a change in delivery schedule under subsection (a), the Postal Service shall submit to the Commission a request for an advisory opinion relating to the change.

(B) ADVISORY OPINION.—

(i) IN GENERAL.—The Commission shall—

(1) issue an advisory opinion with respect to a request under subparagraph (A), in accordance with the time limits for the issuance of advisory opinions under section 3661(b)(2) of title 39, United States Code, as amended by this Act; and

(II) submit the advisory opinion to the Committee on Homeland Security and Governmental

Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(ii) **REQUIRED DETERMINATIONS.**—An advisory opinion under clause (i) shall determine—

(I) whether the measures developed under subsection (b)(2) ameliorate any disproportionate, negative impact that a change in schedule may have on customers and communities identified under subsection (b)(1); and

(II) based on the report submitted by the Comptroller General under paragraph (1)—

(aa) whether the Postal Service has implemented measures to reduce operating losses as required under subsection (b)(3);

(bb) whether the implementation of the measures described in item (aa) has increased revenues or reduced costs, or is projected to further increase revenues or reduce costs in the future; and

(cc) whether a change in schedule under subsection (a)(2) is necessary to allow the Postal Service to—

(AA) become profitable by fiscal year 2015; and

(BB) achieve long-term financial solvency.

(3) **PROHIBITION ON IMPLEMENTATION OF CHANGE IN SCHEDULE.**—The Postal Service may not implement a change in delivery schedule under subsection (a)(2)—

(A) before the date on which the Comptroller General submits the report required under paragraph (1); and

(B) unless the Commission determines under paragraph (2)(B)(ii)(II)(cc) that the Comptroller General has concluded that the change is necessary to allow the Postal Service to become profitable by fiscal year 2015 and to achieve long-term financial solvency, without regard to whether the Commission determines that the change is advisable.

(d) **ADDITIONAL LIMITATIONS.**—

(1) **RULES OF CONSTRUCTION.**—Nothing in this subsection shall be construed to—

(A) authorize the reduction, or require an increase, in delivery frequency for any route for which the Postal Service provided delivery on fewer than 6 days per week on the date of enactment of this Act;

(B) authorize any change in—

(i) the days and times that postal retail service or any mail acceptance is available at postal retail facilities or processing facilities; or

(ii) the locations at which postal retail service or mail acceptance occurs at postal retail facilities or processing facilities;

(C) authorize any change in the frequency of delivery to a post office box;

(D) prohibit the collection or delivery of a competitive mail product on a weekend, a recognized Federal holiday, or any other specific day of the week; or

(E) prohibit the Postal Service from exercising its authority to make changes to processing or retail networks.

(2) **PROHIBITION ON CONSECUTIVE DAYS WITHOUT MAIL DELIVERY.**—The Postal Service shall ensure that, under any change in schedule under subsection (a)(2), at no time shall there be more than 2 consecutive days without mail delivery to street addresses, including recognized Federal holidays.

SEC. 207. TIME LIMITS FOR CONSIDERATION OF SERVICE CHANGES.

Section 3661 of title 39, United States Code, is amended by striking subsections (b) and (c) and inserting the following:

“(b) **PROPOSED CHANGES FOR MARKET-DOMINANT PRODUCTS.**—

“(1) **SUBMISSION OF PROPOSAL.**—If the Postal Service determines that there should be a change in the nature of postal services relating to market-dominant products that will generally affect service on a nationwide or substantially

nationwide basis, the Postal Service shall submit a proposal to the Postal Regulatory Commission requesting an advisory opinion on the change.

“(2) **ADVISORY OPINION.**—Upon receipt of a proposal under paragraph (1), the Postal Regulatory Commission shall—

“(A) provide an opportunity for public comment on the proposal; and

“(B) issue an advisory opinion not later than—

“(i) 90 days after the date on which the Postal Regulatory Commission receives the proposal; or

“(ii) a date that the Postal Regulatory Commission and the Postal Service may, not later than 1 week after the date on which the Postal Regulatory Commission receives the proposal, determine jointly.

“(3) **RESPONSE TO OPINION.**—The Postal Service shall submit to the President and to Congress a response to an advisory opinion issued under paragraph (2) that includes—

“(A) a statement of whether the Postal Service plans to modify the proposal to address any concerns or implement any recommendations made by the Commission; and

“(B) for any concern that the Postal Service determines not to address and any recommendation that the Postal Service determines not to implement, the reasons for the determination.

“(4) **ACTION ON PROPOSAL.**—The Postal Service may take action regarding a proposal submitted under paragraph (1)—

“(A) on or after the date that is 30 days after the date on which the Postal Service submits the response required under paragraph (3);

“(B) on or after a date that the Postal Regulatory Commission and the Postal Service may, not later than 1 week after the date on which the Postal Regulatory Commission receives a proposal under paragraph (2), determine jointly; or

“(C) after the date described in paragraph (2)(B), if—

“(i) the Postal Regulatory Commission fails to issue an advisory opinion on or before the date described in paragraph (2)(B); and

“(ii) the action is not otherwise prohibited under Federal law.

“(5) **MODIFICATION OF TIMELINE.**—At any time, the Postal Service and the Postal Regulatory Commission may jointly redetermine a date determined under paragraph (2)(B)(ii) or (4)(B).”

SEC. 208. PUBLIC PROCEDURES FOR SIGNIFICANT CHANGES TO MAILING SPECIFICATIONS.

(a) **NOTICE AND OPPORTUNITY FOR COMMENT REQUIRED.**—Effective on the date on which the Postal Service issues a final rule under subsection (c), before making a change to mailing specifications that could pose a significant burden to the customers of the Postal Service and that is not reviewed by the Commission, the Postal Service shall—

(1) publish a notice of the proposed change to the specification in the Federal Register;

(2) provide an opportunity for the submission of written comments concerning the proposed change for a period of not less than 30 days;

(3) after considering any comments submitted under paragraph (2) and making any modifications to the proposed change that the Postal Service determines are necessary, publish—

(A) the final change to the specification in the Federal Register;

(B) responses to any comments submitted under paragraph (2); and

(C) an analysis of the financial impact that the proposed change would have on—

(i) the Postal Service; and

(ii) the customers of the Postal Service that would be affected by the proposed change; and

(4) establish an effective date for the change to mailing specifications that is not earlier than

30 days after the date on which the Postal Service publishes the final change under paragraph (3).

(b) **EXCEPTION FOR GOOD CAUSE.**—If the Postal Service determines that there is an urgent and compelling need for a change to a mailing specification described in subsection (a) in order to avoid demonstrable harm to the operations of the Postal Service or to the public interest, the Postal Service may—

(1) change the mailing specifications by—

(A) issuing an interim final rule that—

(i) includes a finding by the Postal Service that there is good cause for the interim final rule;

(ii) provides an opportunity for the submission of written comments on the interim final rule for a period of not less than 30 days; and

(iii) establishes an effective date for the interim final rule that is not earlier than 30 days after the date on which the interim final rule is issued; and

(B) publishing in the Federal Register a response to any comments submitted under subparagraph (A)(ii); and

(2) waive the requirement under paragraph (1)(A)(iii) or subsection (a)(4).

(c) **RULES RELATING TO NOTICE AND COMMENT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Postal Service shall issue rules governing the provision of notice and opportunity for comment for changes in mailing specifications under subsection (a).

(2) **RULES.**—In issuing the rules required under paragraph (1), the Postal Service shall—

(A) publish a notice of proposed rulemaking in the Federal Register that includes proposed definitions of the terms “mailing specifications” and “significant burden”;

(B) provide an opportunity for the submission of written comments concerning the proposed change for a period of not less than 30 days; and

(C) publish—

(i) the rule in final form in the Federal Register; and

(ii) responses to the comments submitted under subparagraph (B).

SEC. 209. NONPOSTAL PRODUCTS AND SERVICES.

(a) **IN GENERAL.**—Section 404 of title 39, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(B) by inserting after paragraph (5) the following:

“(6) after the date of enactment of the 21st Century Postal Service Act of 2012, and except as provided in subsection (e), to provide other services that are not postal services, after the Postal Regulatory Commission—

“(A) makes a determination that the provision of such services—

“(i) uses the processing, transportation, delivery, retail network, or technology of the Postal Service;

“(ii) is consistent with the public interest and a demonstrated or potential public demand for—

“(I) the Postal Service to provide the services instead of another entity providing the services; or

“(II) the Postal Service to provide the services in addition to another entity providing the services;

“(iii) would not create unfair competition with the private sector; and

“(iv) has the potential to improve the net financial position of the Postal Service, based on a market analysis provided to the Postal Regulatory Commission by the Postal Service; and

“(B) for services that the Postal Regulatory Commission determines meet the criteria under

subparagraph (A), classifies each such service as a market-dominant product, competitive product, or experimental product, as required under chapter 36 of title 39, United States Code;"; and

(2) in subsection (e)(2), by striking "Nothing" and all that follows through "except that the" and inserting "The".

(b) MARKET ANALYSIS.—During the 5-year period beginning on the date of enactment of this Act, the Postal Service shall submit a copy of any market analysis provided to the Commission under section 404(a)(6)(A)(iv) of title 39, United States Code, as amended by this section, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

TITLE III—FEDERAL EMPLOYEES' COMPENSATION ACT

SEC. 301. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This title may be cited as the "Workers' Compensation Reform Act of 2012".

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 5, United States Code.

SEC. 302. FEDERAL WORKERS COMPENSATION REFORMS FOR RETIREMENT-AGE EMPLOYEES.

(a) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

(1) DEFINITIONS.—Section 8101 is amended

(A) in paragraph (18), by striking "and" at the end;

(B) in paragraph (19), by striking "and" at the end;

(C) in paragraph (20), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

"(21) 'retirement age' has the meaning given that term under section 216(l)(1) of the Social Security Act (42 U.S.C. 416(l)(1));

"(22) 'covered claim for total disability' means a claim for a period of total disability that commenced before the date of enactment of the Workers' Compensation Reform Act of 2012;

"(23) 'covered claim for partial disability' means a claim for a period of partial disability that commenced before the date of enactment of the Workers' Compensation Reform Act of 2012; and

"(24) 'individual who has an exempt disability condition' means an individual—

"(A) who—

"(i) is eligible to receive continuous periodic compensation for total disability under section 8105 on the date of enactment of the Workers' Compensation Reform Act of 2012; and

"(ii) meets the criteria under section 8105(c);

"(B) who, on the date of enactment of the Workers' Compensation Reform Act of 2012—

"(i) is eligible to receive continuous periodic compensation for total disability under section 8105; and

"(ii) has sustained a currently irreversible severe mental or physical disability for which the Secretary of Labor has authorized, for at least the 1-year period ending on the date of enactment of the Workers' Compensation Reform Act of 2012, constant in-home care or custodial care, such as placement in a nursing home; or

"(C) who is eligible to receive continuous periodic compensation for total disability under section 8105—

"(i) for not less than the 3-year period ending on the date of enactment of the Workers' Compensation Reform Act of 2012; or

"(ii) if the individual became eligible to receive continuous periodic compensation for total

disability under section 8105 during the period beginning on the date that is 3 years before the date of enactment of the Workers' Compensation Reform Act of 2012 and ending on such date of enactment, for not less than the 3-year period beginning on the date on which the individual became eligible.".

(2) TOTAL DISABILITY.—Section 8105 is amended—

(A) in subsection (a), by striking "If" and inserting "IN GENERAL.—Subject to subsection (b), if";

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

"(b) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the basic compensation for total disability for an employee who has attained retirement age shall be 50 percent of the monthly pay of the employee.

"(2) EXCEPTIONS.—

"(A) COVERED RECIPIENTS WHO ARE RETIREMENT AGE OR HAVE AN EXEMPT DISABILITY CONDITION.—Paragraph (1) shall not apply to a covered claim for total disability by an employee if the employee—

"(i) on the date of enactment of the Workers' Compensation Reform Act of 2012, has attained retirement age; or

"(ii) is an individual who has an exempt disability condition.

"(B) TRANSITION PERIOD FOR CERTAIN EMPLOYEES.—For a covered claim for total disability by an employee who is not an employee described in subparagraph (A), the employee shall receive the basic compensation for total disability provided under subsection (a) until the later of—

"(i) the date on which the employee attains retirement age; and

"(ii) the date that is 3 years after the date of enactment of the Workers' Compensation Reform Act of 2012.".

(3) PARTIAL DISABILITY.—Section 8106 is amended—

(A) in subsection (a), by striking "If" and inserting "IN GENERAL.—Subject to subsection (b), if";

(B) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(C) by inserting after subsection (a) the following:

"(b) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the basic compensation for partial disability for an employee who has attained retirement age shall be 50 percent of the difference between the monthly pay of the employee and the monthly wage-earning capacity of the employee after the beginning of the partial disability.

"(2) EXCEPTIONS.—

"(A) COVERED RECIPIENTS WHO ARE RETIREMENT AGE.—Paragraph (1) shall not apply to a covered claim for partial disability by an employee if, on the date of enactment of the Workers' Compensation Reform Act of 2012, the employee has attained retirement age.

"(B) TRANSITION PERIOD FOR CERTAIN EMPLOYEES.—For a covered claim for partial disability by an employee who is not an employee described in subparagraph (A), the employee shall receive basic compensation for partial disability in accordance with subsection (a) until the later of—

"(i) the date on which the employee attains retirement age; and

"(ii) the date that is 3 years after the date of enactment of the Workers' Compensation Reform Act of 2012.".

SEC. 303. AUGMENTED COMPENSATION FOR DEPENDENTS.

(a) IN GENERAL.—Section 8110 is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

"(b) TERMINATION OF AUGMENTED COMPENSATION.—

"(1) IN GENERAL.—Subject to paragraph (2), augmented compensation for dependents under subsection (c) shall not be provided.

"(2) EXCEPTIONS.—

"(A) TOTAL DISABILITY.—For a covered claim for total disability by an employee—

"(i) the employee shall receive augmented compensation under subsection (c) if the employee is an individual who has an exempt disability condition; and

"(ii) the employee shall receive augmented compensation under subsection (c) until the date that is 3 years after the date of enactment of the Workers' Compensation Reform Act of 2012 if the employee is not an employee described in clause (i).

"(B) PARTIAL DISABILITY.—For a covered claim for partial disability by an employee, the employee shall receive augmented compensation under subsection (c) until the date that is 3 years after the date of enactment of the Workers' Compensation Reform Act of 2012.

"(C) PERMANENT DISABILITY COMPENSATED BY A SCHEDULE.—For a claim for a permanent disability described in section 8107(a) by an employee that commenced before the date of enactment of the Workers' Compensation Reform Act of 2012, the employee shall receive augmented compensation under subsection (c).".

(b) MAXIMUM AND MINIMUM MONTHLY PAYMENTS.—Section 8112 is amended—

(1) in subsection (a)—

(A) by inserting "subsections (b) and (c) and" before "section 8138";

(B) by striking "including augmented compensation under section 8110 of this title but"; and

(C) by striking "75 percent" each place it appears and inserting "66 $\frac{2}{3}$ percent";

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

"(b) EXCEPTIONS.—

"(1) COVERED DISABILITY CONDITION.—For a covered claim for total disability by an employee, if the employee is an individual who has an exempt disability condition—

"(A) the monthly rate of compensation for disability that is subject to the maximum and minimum monthly amounts under subsection (a) shall include any augmented compensation under section 8110; and

"(B) subsection (a) shall be applied by substituting '75 percent' for '66 $\frac{2}{3}$ percent' each place it appears.

"(2) PARTIAL DISABILITY.—For a covered claim for partial disability by an employee, until the date that is 3 years after the date of enactment of the Workers' Compensation Reform Act of 2012—

"(A) the monthly rate of compensation for disability that is subject to the maximum and minimum monthly amounts under subsection (a) shall include any augmented compensation under section 8110; and

"(B) subsection (a) shall be applied by substituting '75 percent' for '66 $\frac{2}{3}$ percent' each place it appears."; and

(4) in subsection (c), as redesignated by paragraph (2), by striking "subsection (a)" and inserting "subsections (a) and (b)".

(c) DEATH BENEFITS GENERALLY.—Section 8133 is amended—

(1) in subsections (a) and (e), by striking "75 percent" each place it appears and inserting

“66½ percent (except as provided in subsection (g))”; and

(2) by adding at the end the following:

“(g) If the death occurred before the date of enactment of the Workers’ Compensation Reform Act of 2012, subsections (a) and (e) shall be applied by substituting ‘75 percent’ for ‘66½ percent’ each place it appears.”.

(d) DEATH BENEFITS FOR CIVIL AIR PATROL VOLUNTEERS.—Section 8141 is amended—

(1) in subsection (b)(2)(B) by striking “75 percent” and inserting “66½ percent (except as provided in subsection (c))”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) If the death occurred before the date of enactment of the Workers’ Compensation Reform Act of 2012, subsection (b)(2)(B) shall be applied by substituting ‘75 percent’ for ‘66½ percent’.”.

SEC. 304. SCHEDULE COMPENSATION PAYMENTS.

Section 8107 is amended—

(1) in subsection (a), by striking “at the rate of 66½ percent of his monthly pay” and inserting “at the rate specified under subsection (d)”; and

(2) by adding at the end the following:

“(d) RATE FOR COMPENSATION.—

“(1) ANNUAL SALARY.—

“(A) IN GENERAL.—Except as provided in paragraph (2), the rate under subsection (a) shall be the rate of 66½ percent of the annual salary level established under subparagraph (B), in a lump sum equal to the present value (as calculated under subparagraph (C)) of the amount of compensation payable under the schedule.

“(B) ESTABLISHMENT.—

“(i) IN GENERAL.—The Secretary of Labor shall establish an annual salary for purposes of subparagraph (A) in the amount the Secretary determines will result in the aggregate cost of payments made under this section being equal to what would have been the aggregate cost of payments under this section if the amendments made by section 304(A) of the Workers’ Compensation Reform Act of 2012 had not been enacted.

“(ii) COST OF LIVING ADJUSTMENT.—The annual salary established under clause (i) shall be increased on March 1 of each year by the amount determined by the Secretary of Labor to represent the percent change in the price index published for December of the preceding year over the price index published for the December of the year prior to the preceding year, adjusted to the nearest one-tenth of 1 percent.

“(C) PRESENT VALUE.—The Secretary of Labor shall calculate the present value for purposes of subparagraph (A) using a rate of interest equal to the average market yield for outstanding marketable obligations of the United States with a maturity of 2 years on the first business day of the month in which the compensation is paid or, in the event that such marketable obligations are not being issued on such date, at an equivalent rate selected by the Secretary of Labor, true discount compounded annually.

“(2) CERTAIN INJURIES.—For an injury that occurred before the date of enactment of the Workers’ Compensation Reform Act of 2012, the rate under subsection (a) shall be 66½ percent of the employee’s monthly pay.

“(e) SIMULTANEOUS RECEIPT.—

“(1) TOTAL DISABILITY.—An employee who receives compensation for total disability under section 8105 may only receive the lump sum of schedule compensation under this section in addition to and simultaneously with the benefits for total disability after the earlier of—

“(A) the date on which the basic compensation for total disability of the employee becomes

50 percent of the monthly pay of the employee under section 8105(b); or

“(B) the date on which augmented compensation of the employee terminates under section 8110(b)(2)(A)(ii), if the employee receives such compensation.

“(2) PARTIAL DISABILITY.—An employee who receives benefits for partial disability under section 8106 may only receive the lump sum of schedule compensation under this section in addition to and simultaneously with the benefits for partial disability after the earlier of—

“(A) the date on which the basic compensation for partial disability of the employee becomes 50 percent of the difference between the monthly pay of the employee and the monthly wage-earning capacity of the employee after the beginning of the partial disability under section 8106(b); or

“(B) the date on which augmented compensation of the employee terminates under section 8110(b)(2)(B), if the employee receives such compensation.”.

SEC. 305. VOCATIONAL REHABILITATION.

(a) IN GENERAL.—Section 8104 is amended—

(1) in subsection (a)—

(A) by striking “(a) The Secretary of Labor may” and all that follows through “undergo vocational rehabilitation.” and inserting the following:

“(a) IN GENERAL.—

“(1) DIRECTION.—Except as provided in paragraph (2), not earlier than the date that is 6 months after the date on which an individual eligible for wage-loss compensation under section 8105 or 8106 is injured, or by such other date as the Secretary of Labor determines it would be reasonable under the circumstances for the individual to begin vocational rehabilitation, and if vocational rehabilitation may enable the individual to become capable of more gainful employment, the Secretary of Labor shall direct the individual to participate in developing a comprehensive return to work plan and to undergo vocational rehabilitation at a location a reasonable distance from the residence of the individual.”.

(B) by striking “the Secretary of Health, Education, and Welfare in carrying out the purposes of chapter 4 of title 29” and inserting “the Secretary of Education in carrying out the purposes of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.)”;

(C) by striking “under section 32(b)(1) of title 29” and inserting “under section 5 of the Rehabilitation Act of 1973 (29 U.S.C. 704)”;

(D) by adding at the end the following:

“(2) EXCEPTION.—The Secretary of Labor may not direct an individual who has attained retirement age to participate in developing a comprehensive return to work plan or to undergo vocational rehabilitation.”;

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

“(b) CONTENTS OF RETURN TO WORK PLAN.—A return to work plan developed under subsection (a)—

“(1) shall—

“(A) set forth specific measures designed to increase the wage-earning capacity of an individual;

“(B) take into account the prior training and education of the individual and the training, educational, and employment opportunities reasonably available to the individual; and

“(C) provide that any employment undertaken by the individual under the return to work plan be at a location a reasonable distance from the residence of the individual;

“(2) may provide that the Secretary will pay out of amounts in the Employees’ Compensation Fund reasonable expenses of vocational reha-

bilitation (which may include tuition, books, training fees, supplies, equipment, and child or dependent care) during the course of the plan; and

“(3) may not be for a period of more than 2 years, unless the Secretary finds good cause to grant an extension, which may be for not more than 2 years.”;

(4) in subsection (c), as so redesignated—

(A) by inserting “COMPENSATION.—” before “Notwithstanding”; and

(B) by striking “, other than employment undertaken pursuant to such rehabilitation”; and

(5) by adding at the end the following:

“(d) ASSISTED REEMPLOYMENT AGREEMENTS.—

“(1) IN GENERAL.—The Secretary may enter into an assisted reemployment agreement with an agency or instrumentality of any branch of the Federal Government or a State or local government or a private employer that employs an individual eligible for wage-loss compensation under section 8105 or 8106 to enable the individual to return to productive employment.

“(2) CONTENTS.—An assisted reemployment agreement under paragraph (1)—

“(A) may provide that the Secretary will use amounts in the Employees’ Compensation Fund to reimburse an employer in an amount equal to not more than 100 percent of the compensation the individual would otherwise receive under section 8105 or 8106; and

“(B) may not be for a period of more than 3 years.

“(e) LIST.—To facilitate the hiring of individuals eligible for wage-loss compensation under section 8105 or 8106, the Secretary shall provide a list of such individuals to the Office of Personnel Management, which the Office of Personnel Management shall provide to all agencies and instrumentalities of the Federal Government.”.

(b) EMPLOYEES’ COMPENSATION FUND.—Section 8147 is amended by adding at the end:

“(d) Notwithstanding subsection (b), any benefits or other payments paid to or on behalf of an employee under this subchapter or any extension or application thereof for a recurrence of injury, consequential injury, aggravation of injury, or increase in percentage of impairment to a member for which compensation is provided under the schedule under section 8107 suffered in a permanent position with an agency or instrumentality of the United States while the employment with the agency or instrumentality is covered under an assisted reemployment agreement entered into under section 8104(d) shall not be included in total cost of benefits and other payments in the statement provided to the agency or instrumentality under subsection (b) if the injury was originally incurred in a position not covered by an assisted reemployment agreement.”.

(c) TERMINATION OF VOCATIONAL REHABILITATION REQUIREMENT AFTER RETIREMENT AGE.—Section 8113(b) is amended by adding at the end the following: “An individual who has attained retirement age may not be required to undergo vocational rehabilitation.”.

(d) MANDATORY BENEFIT REDUCTION FOR NONCOMPLIANCE.—Section 8113(b) is amended by striking “may reduce” and inserting “shall reduce”.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Subchapter III of chapter 15 of title 31, United States Code, is amended by adding at the end the following:

“§ 1538. Authorization for assisted reemployment

“Funds may be transferred from the Employees’ Compensation Fund established under section 8147 of title 5 to the applicable appropriations account for an agency or instrumentality of any branch of the Federal Government for

the purposes of reimbursing the agency or instrumentality in accordance with an assisted reemployment agreement entered into under section 8104 of title 5.”

(2) TABLE OF SECTIONS.—The table of sections for chapter 15 of title 31, United States Code, is amended by inserting after the item relating to section 1537 the following:

“1538. Authorization for assisted reemployment.”

SEC. 306. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Chapter 81 is amended by inserting after section 8106 the following:

“§ 8106a. Reporting requirements

“(a) DEFINITION.—In this section, the term ‘employee receiving compensation’ means an employee who—

“(1) is paid compensation under section 8105 or 8106; and

“(2) has not attained retirement age.

“(b) AUTHORITY.—The Secretary of Labor shall require an employee receiving compensation to report the earnings of the employee receiving compensation from employment or self-employment, by affidavit or otherwise, in the manner and at the times the Secretary specifies.

“(c) CONTENTS.—An employee receiving compensation shall include in a report required under subsection (a) the value of housing, board, lodging, and other advantages which are part of the earnings of the employee receiving compensation in employment or self-employment and the value of which can be estimated.

“(d) FAILURE TO REPORT AND FALSE REPORTS.—

“(1) IN GENERAL.—An employee receiving compensation who fails to make an affidavit or other report required under subsection (b) or who knowingly omits or understates any part of the earnings of the employee in such an affidavit or other report shall forfeit the right to compensation with respect to any period for which the report was required.

“(2) FORFEITED COMPENSATION.—Compensation forfeited under this subsection, if already paid to the employee receiving compensation, shall be recovered by a deduction from the compensation payable to the employee or otherwise recovered under section 8129, unless recovery is waived under that section.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 81 is amended by inserting after the item relating to section 8106 the following:

“8106a. Reporting requirements.”

SEC. 307. DISABILITY MANAGEMENT REVIEW; INDEPENDENT MEDICAL EXAMINATIONS.

Section 8123 is amended by adding at the end the following:

“(e) DISABILITY MANAGEMENT REVIEW.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘covered employee’ means an employee who is in continuous receipt of compensation for total disability under section 8105 for a period of not less than 6 months; and

“(B) the term ‘disability management review process’ means the disability management review process established under paragraph (2)(A).

“(2) ESTABLISHMENT.—The Secretary of Labor shall—

“(A) establish a disability management review process for the purpose of certifying and monitoring the disability status and extent of injury of each covered employee; and

“(B) promulgate regulations for the administration of the disability management review process.

“(3) PHYSICAL EXAMINATIONS REQUIRED.—Under the disability management review process, the Secretary of Labor shall periodically require covered employees to submit to physical

examinations under subsection (a) by physicians selected by the Secretary. A physician conducting a physical examination of a covered employee shall submit to the Secretary a report regarding the nature and extent of the injury to and disability of the covered employee.

“(4) FREQUENCY.—

“(A) IN GENERAL.—The regulations promulgated under paragraph (2)(B) shall specify the process and criteria for determining when and how frequently a physical examination should be conducted for a covered employee.

“(B) MINIMUM FREQUENCY.—

“(i) INITIAL.—An initial physical examination shall be conducted not more than a brief period after the date on which a covered employee has been in continuous receipt of compensation for total disability under section 8015 for 6 months.

“(ii) SUBSEQUENT EXAMINATIONS.—After the initial physical examination, physical examinations of a covered employee shall be conducted not less than once every 3 years.

“(5) EMPLOYING AGENCY OR INSTRUMENTALITY REQUESTS.—

“(A) IN GENERAL.—The agency or instrumentality employing an employee who has made a claim for compensation for total disability under section 8105 may at any time submit a request for the Secretary of Labor to promptly require the employee to submit to a physical examination under this subsection.

“(B) REQUESTING OFFICER.—A request under subparagraph (A) shall be made on behalf of an agency or instrumentality by—

“(i) the head of the agency or instrumentality;

“(ii) the Chief Human Capital Officer of the agency or instrumentality; or

“(iii) if the agency or instrumentality does not have a Chief Human Capital Officer, an officer with responsibilities similar to those of a Chief Human Capital Officer designated by the head of the agency or instrumentality to make requests under this paragraph.

“(C) INFORMATION.—A request under subparagraph (A) shall be in writing and accompanied by—

“(i) a certification by the officer making the request that the officer has reviewed the relevant material in the employee’s file;

“(ii) an explanation of why the officer has determined, based on the materials in the file and other information known to the officer, that requiring a physical examination of the employee under this subsection is necessary; and

“(iii) copies of the materials relating to the employee that are relevant to the officer’s determination and request, unless the agency or instrumentality has a reasonable basis for not providing the materials.

“(D) EXAMINATION.—If the Secretary of Labor receives a request under this paragraph before an employee has undergone an initial physical examination under paragraph (4)(B)(i), the Secretary shall promptly require the physical examination of the employee. A physical examination under this subparagraph shall satisfy the requirement under paragraph (4)(B)(i) that an initial physical examination be conducted.

“(E) AFTER INITIAL EXAMINATION.—

“(i) IN GENERAL.—If the Secretary of Labor receives a request under this paragraph after an employee has undergone an initial physical examination under paragraph (4)(B)(i), the Secretary shall—

“(I) review the request and the information, explanation, and other materials submitted with the request; and

“(II) determine whether to require the physical examination of the employee who is the subject of the request.

“(ii) NOT GRANTED.—If the Secretary determines not to grant a request described in clause (i), the Secretary shall promptly notify the offi-

cer who made the request and provide an explanation of the reasons why the request was denied.”

SEC. 308. WAITING PERIOD.

(a) IN GENERAL.—Section 8117 is amended—

(1) in the section heading, by striking “Time of accrual of right” and inserting “Waiting period”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “An employee” and all that follows through “is not entitled” and inserting “IN GENERAL.—An employee is not entitled to continuation of pay within the meaning of section 8118 for the first 3 days of temporary disability or, if section 8118 does not apply, is not entitled”;

(B) in paragraph (1), by adding “or” at the end;

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2); and

(3) in subsection (b)—

(A) by striking “A Postal Service” the first place it appears and all that follows through “A Postal Service” the second place it appears and inserting “USE OF LEAVE.—An”;

(B) by striking “that 3-day period” and inserting “the first 3 days of temporary disability”; and

(C) by striking “or is followed by permanent disability”.

(b) CONTINUATION OF PAY.—Section 8118 is amended—

(1) in the section heading, by striking “; election to use annual or sick leave”;

(2) in subsection (b)(1), by striking “section 8117(b)” and inserting “section 8117”;

(3) by striking subsection (c); and

(4) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 81 is amended by striking the items relating to sections 8117 and 8118 and inserting the following:

“8117. Waiting period.

“8118. Continuation of pay.”

SEC. 309. ELECTION OF BENEFITS.

(a) IN GENERAL.—Section 8116 is amended by adding at the end the following:

“(e) RETIREMENT BENEFITS.—

“(1) IN GENERAL.—An individual entitled to compensation benefits payable under this subchapter and under chapter 83 or 84 or any other retirement system for employees of the Government, for the same period, shall elect which benefits the individual will receive.

“(2) ELECTION.—

“(A) DEADLINE.—An individual shall make an election under paragraph (1) in accordance with such deadlines as the Secretary of Labor shall establish, which shall be a reasonable period after the individual has received notice of a final determination that the individual is entitled to compensation benefits payable under this subchapter.

“(B) REVOCABILITY.—An election under paragraph (1) shall be revocable, notwithstanding any other provision of law, except for any period during which an individual—

“(i) was qualified for benefits payable under both this subchapter and under a retirement system described in paragraph (1); and

“(ii) was paid benefits under the retirement system after having been notified of eligibility for benefits under this subchapter.

“(3) INFORMED CHOICE.—The Secretary of Labor shall provide information, and shall ensure that information is provided, to an individual described in paragraph (1) about the benefits available to the individual under this subchapter or under chapter 83 or 84 or any other retirement system referred to in paragraph (1) the individual may elect to receive.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Sections 8337(f)(3) and 8464a(a)(3) are each amended by striking “Paragraphs” and inserting “Except as provided under chapter 81, paragraphs”.

SEC. 310. SANCTION FOR NONCOOPERATION WITH FIELD NURSES.

Section 8123, as amended by section 307, is amended by adding at the end the following:

“(f) FIELD NURSES.—

“(1) DEFINITION.—In this subsection, the term ‘field nurse’ means a registered nurse that assists the Secretary in the medical management of disability claims under this subchapter and provides claimants with assistance in coordinating medical care.

“(2) AUTHORIZATION.—The Secretary may use field nurses to coordinate medical services and vocational rehabilitation programs for injured employees under this subchapter. If an employee refuses to cooperate with a field nurse or obstructs a field nurse in the performance of duties under this subchapter, the right to compensation under this subchapter shall be suspended until the refusal or obstruction stops.”.

SEC. 311. SUBROGATION OF CONTINUATION OF PAY.

(a) IN GENERAL.—Section 8131 is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “continuation of pay or” before “compensation”;

(2) in subsection (b), by inserting “continuation of pay or” before “compensation”; and

(3) in subsection (c)—

(A) by inserting “continuation of pay or” before “compensation already paid”; and

(B) by inserting “continuation of pay or” before “compensation payable”.

(b) ADJUSTMENT AFTER RECOVERY FROM A THIRD PERSON.—Section 8132 is amended—

(1) in the first sentence—

(A) by inserting “continuation of pay or” before “compensation is payable”;

(B) by inserting “continuation of pay or” before “compensation from the United States”;

(C) by striking “by him or in his behalf” and inserting “by the beneficiary or on behalf of the beneficiary”;

(D) by inserting “continuation of pay and” before “compensation paid by the United States”; and

(E) by striking “compensation payable to him” and inserting “continuation of pay or compensation payable to the beneficiary”;

(2) in the second sentence, by striking “his designee” and inserting “the designee of the beneficiary”; and

(3) in the fourth sentence, by striking “If compensation” and all that follows through “payable to him by the United States” and inserting “If continuation of pay or compensation has not been paid to the beneficiary, the money or property shall be credited against continuation of pay or compensation payable to the beneficiary by the United States”.

SEC. 312. INTEGRITY AND COMPLIANCE.

(a) IN GENERAL.—Subchapter I of chapter 81 is amended by adding at the end the following:

“§ 8153. Integrity and Compliance Program

“(a) DEFINITIONS.—In this section—

“(1) the term ‘FECA program’ means the Federal Employees Compensation Program administered under this subchapter;

“(2) the term ‘Integrity and Compliance Program’ means the Integrity and Compliance Program established under subsection (b);

“(3) the term ‘provider’ means a provider of medical or other services under the FECA program; and

“(4) the term ‘Secretary’ means the Secretary of Labor.

“(b) INTEGRITY AND COMPLIANCE PROGRAM.—Not later than 270 days after the date of enact-

ment of this section, the Secretary shall establish an Integrity and Compliance Program for the purpose of preventing, identifying, and recovering improper payments (including improper payments obtained by fraud) for the FECA program, which shall include—

“(1) procedures for identifying potentially improper payments (including improper payments obtained by fraud) before payment is made to claimants and providers, including, where appropriate, predictive analytics;

“(2) reviews after payment is made to identify potentially improper payments (including improper payments obtained by fraud) to claimants and providers;

“(3) on-going screening and verification procedures to ensure the continued eligibility of medical providers to provide services under the FECA program, including licensure, Federal disbarment, and the existence of relevant criminal convictions;

“(4) provision of appropriate information, education, and training to claimants and providers on requirements to ensure the integrity of the FECA program, including payments under the FECA program;

“(5) appropriate controls and audits to ensure that providers adopt internal controls and procedures for compliance with requirements under the FECA program;

“(6) procedures to ensure—

“(A) initial and continuing eligibility of claimants for compensation, benefits, or services under the FECA program; and

“(B) ongoing verification of databases of information relating to claimants to ensure accuracy and completeness; and

“(7) appropriately sharing and accessing data and information with other agencies and instrumentalities of the United States, including the United States Postal Service.

“(c) INTERAGENCY COOPERATION ON ANTI-FRAUD EFFORTS.—

“(1) IN GENERAL.—In administering the FECA program, including the Integrity and Compliance Program, the Secretary shall cooperate with other agencies and instrumentalities of the United States (including the United States Postal Service) and the Inspectors General of such agencies and instrumentalities to prevent, identify, and recover improper payments (including improper payments obtained by fraud) under the FECA program.

“(2) TASK FORCE.—

“(A) IN GENERAL.—There is established a task force, which shall be known as the FECA Integrity and Compliance Task Force (in this paragraph referred to as the ‘Task Force’).

“(B) MEMBERSHIP.—The members of the Task Force shall be—

“(i) the Secretary, who shall serve as the Chairperson of the Task Force;

“(ii) the Postmaster General, who shall serve as the Vice Chairperson of the Task Force;

“(iii) the Attorney General;

“(iv) the Director of the Office of Management and Budget;

“(v) the Inspector General of the Department of Labor;

“(vi) the Inspector General of the United States Postal Service;

“(vii) the Inspectors General of other appropriate agencies and instrumentalities of the United States that employ a significant number of individuals receiving compensation, benefits, or services under the FECA program, as determined by the Chairperson and Vice Chairperson of the Task Force; and

“(viii) other appropriate Federal officials, as determined by the Chairperson and Vice Chairperson of the Task Force.

“(C) DUTIES.—The Task Force shall—

“(i) set forth, in writing, a description of the respective roles and responsibilities in pre-

venting, identifying, recovering, and prosecuting fraud under, and otherwise ensuring integrity and compliance of, the FECA program of—

“(I) the Secretary (including subordinate officials such as the Director of the Office of Workers’ Compensation Programs);

“(II) the Inspector General of the Department of Labor;

“(III) the Inspectors General of agencies and instrumentalities of the United States that employ claimants under the FECA program;

“(IV) the Attorney General; and

“(V) any other relevant officials;

“(ii) develop procedures for sharing information of possible fraud under the FECA program or other intentional misstatements by claimants or providers under the FECA program, including procedures addressing—

“(I) notification of appropriate officials of the Department of Labor of potential fraud or intentional misstatements, including provision of supporting information;

“(II) timely and appropriate response by officials of the Department of Labor to notifications described in subclause (I);

“(III) the inclusion of information and evidence relating to fraud and other intentional misstatements in criminal, civil, and administrative proceedings relating to the provision of compensation, benefits, or medical services (including payments to providers) under the FECA program;

“(IV) the coordination of criminal investigations with the administration of the FECA program; and

“(V) the protection of information relating to an investigation of possible fraud under the FECA program from potential disclosure, including requirements that enable investigative files to be appropriately separated from case management files;

“(iii) not later than 1 year after the date of enactment of this section, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform and the Committee on Education and the Workforce of the House of Representatives a report that includes the description and procedures required under clauses (i) and (ii).

“(d) IMPROVEMENTS TO ACCESS OF FEDERAL DATABASES.—

“(1) IN GENERAL.—The Secretary, the Postmaster General, the Inspector General of the United States Postal Service, and the Inspector General of the Department of Labor shall have access to and make use of the agency databases described in this subsection in order to improve compliance with the requirements under and the integrity of the FECA program.

“(2) SOCIAL SECURITY EARNINGS INFORMATION.—

“(A) IN GENERAL.—Notwithstanding section 552a or any other provision of Federal or State law, upon written request, the Commissioner of Social Security shall make available to the Secretary, the Inspector General of the Department of Labor, the Postmaster General, and the Inspector General of the United States Postal Service the Social Security earnings information of a living or deceased employee required by the Secretary to carry out this subchapter.

“(B) PROCEDURES.—The Secretary shall establish procedures for correlating the identity and status of recipients of compensation, benefits, or services under this subchapter with Social Security earnings information described in subparagraph (A).

“(3) OFFICE OF PERSONNEL MANAGEMENT FEDERAL RETIREE DATABASE.—Notwithstanding section 552a or any other provision of Federal or State law, upon written request, the Director of the Office of Personnel Management shall make

available to the Secretary, the Inspector General of the Department of Labor, the Postmaster General, and the Inspector General of the United States Postal Service the information in the databases of Federal employees and retirees maintained by the Director.

“(4) DEPARTMENT OF VETERANS AFFAIRS BENEFICIARIES DATABASE.—Notwithstanding section 552a or any other provision of Federal or State law, upon written request, the Secretary of Veterans Affairs shall make available to the Secretary, the Inspector General of the Department of Labor, the Postmaster General, and the Inspector General of the United States Postal Service the information in the database of disabled individuals maintained by the Secretary of Veterans Affairs.

“(5) NATIONAL DIRECTORY OF NEW HIRES.—Notwithstanding section 552a, section 453(j) of the Social Security Act (42 U.S.C. 653(j)), or any other provision of Federal or State law, upon written request, the Secretary of Health and Human Services shall make available to the Secretary, the Inspector General of the Department of Labor, the Postmaster General, the Inspector General of the United States Postal Service, and the Comptroller General of the United States the information in the National Directory of New Hires. The Comptroller General may obtain information from the National Directory of New Hires under this paragraph for any audit, evaluation, or investigation, including any audit, evaluation, or investigation relating to program integrity.

“(6) PROVISION.—Information requested under this subsection shall be provided—

“(A) in a timely manner;

“(B) at a reasonable cost to the Secretary, the Inspector General of the Department of Labor, the Postmaster General, the Inspector General of the United States Postal Service, or the Comptroller General of the United States; and

“(C) in the manner, frequency, and form reasonably specified by the officer making the request, which, upon request, shall include electronic form.

“(7) ASSESSMENT OF DATA COST-EFFECTIVENESS.—

“(A) IN GENERAL.—The Secretary shall consider and assess procedures for correlating the identity and status of recipients of compensation, benefits, or services under this subchapter with information relating to employees, retirees, and individuals described in paragraphs (3), (4), and (5).

“(B) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform and the Committee on Education and the Workforce of the House of Representatives a report on the cost-effectiveness of the use of the databases described in paragraphs (3), (4), and (5) for program compliance and integrity. The report required under this subparagraph may be included as part of the report required under subsection (f).

“(8) UNITED STATES POSTAL SERVICE FECA ENROLLEE DATABASE.—Not later than 180 days after the date of enactment of this section, in order to track, verify, and communicate with the Secretary and other relevant entities, the Postmaster General shall establish an electronic database of information relating to employees of the United States Postal Service who have applied for or are receiving compensation, benefits, or services under this subchapter.

“(e) GENERAL PROTOCOLS AND SECURITY.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—In order to ensure strong information security and privacy standards, the Secretary, the Postmaster General, the Inspector General of the Department of Labor, and the In-

spector General of the United States Postal Service shall establish protocols for the secure transfer and storage of any information provided to an individual or entity under this section.

“(B) CONSIDERATIONS.—In establishing protocols under subparagraph (A), the Secretary, the Postmaster General, the Inspector General of the Department of Labor, and the Inspector General of the United States Postal Service shall consider any recommendations submitted to the Secretary by the Inspector General of the Department of Health and Human Services with respect to the secure transfer and storage of information, and to comply with privacy laws and best practices.

“(C) FRAUD CASE PROTECTION.—The Secretary, the Postmaster General, the Inspector General of the Department of Labor, and the Inspector General of the United States Postal Service shall establish protocols and procedures to enable information and materials relating to an active investigation of possible fraud relating to the FECA program to be appropriately kept separate from the files for employees relating to the provision of compensation, benefits, or services under the FECA program.

“(2) COMPLIANCE.—The Secretary, the Postmaster General, the Inspector General of the Department of Labor, and the Inspector General of the United States Postal Service shall ensure that any information provided to an individual or entity under this section is provided in accordance with protocols established under paragraph (1).

“(f) REPORT.—Not later than 1 year after the date of enactment of this section, and annually thereafter for 5 years, the Secretary shall submit a report on the activities of the Secretary under this section, including implementation of the Integrity and Compliance Program, to—

“(1) the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Oversight and Government Reform and the Committee on Education and the Workforce of the House of Representatives.

“(g) GAO REVIEW.—The Comptroller General of the United States shall—

“(1) conduct periodic reviews of the Integrity and Compliance Program; and

“(2) submit reports on the results of the reviews under paragraph (1) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform and the Committee on Education and the Workforce of the House of Representatives not later than—

“(A) 2 years after the date of enactment of this section; and

“(B) 3 years after submission of the report under subparagraph (A).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 81 is amended by inserting after the item relating to section 8152 the following:

“8153. Integrity and Compliance Program.”.

SEC. 313. AMOUNT OF COMPENSATION.

(a) INJURIES TO FACE, HEAD, AND NECK.—Section 8107(c)(21) is amended—

(1) by striking “not to exceed \$3,500” and inserting “in proportion to the severity of the disfigurement, not to exceed \$50,000,”; and

(2) by adding at the end the following: “The maximum amount of compensation under this paragraph shall be increased on March 1 of each year by the amount determined by the Secretary of Labor to represent the percent change in the price index published for December of the preceding year over the price index published for the December of the year prior to the preceding year, adjusted to the nearest one-tenth of 1 percent.”.

(b) FUNERAL EXPENSES.—Section 8134(a) is amended—

(1) by striking “\$800” and inserting “\$6,000”; and

(2) by adding at the end the following: “The maximum amount of compensation under this subsection shall be increased on March 1 of each year by the amount determined by the Secretary of Labor to represent the percent change in the price index published for December of the preceding year over the price index published for the December of the year prior to the preceding year, adjusted to the nearest one-tenth of 1 percent.”.

(c) APPLICATION.—The amendments made by this section shall apply to injuries or deaths, respectively, occurring on or after the date of enactment of this Act.

SEC. 314. TECHNICAL AND CONFORMING AMENDMENTS.

Chapter 81 is amended—

(1) in section 8101(1)(D), by inserting “for an injury that occurred before the effective date of section 204(e) of the District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93-198; 87 Stat. 783; 5 U.S.C. 8101 note)” before the semicolon;

(2) in section 8139, by inserting “under this subchapter” after “Compensation awarded”;

(3) in section 8148(a), by striking “section 8106” and inserting “section 8106a”;

SEC. 315. REGULATIONS.

(a) IN GENERAL.—As soon as possible after the date of enactment of this Act, the Secretary of Labor shall promulgate regulations (which may include interim final regulations) to carry out this title.

(b) CONTENTS.—The regulations promulgated under subsection (a) shall include, for purposes of the amendments made by sections 302 and 303, clarification of—

(1) what is a claim; and

(2) what is the date on which a period of disability, for which a claim is made, commences.

TITLE IV—OTHER MATTERS

SEC. 401. PROFITABILITY PLAN.

(a) PLAN REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Postal Service shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the Comptroller General of the United States, and the Commission a plan describing, in detail, the actions the Postal Service will take to—

(1) become profitable by fiscal year 2015; and

(2) achieve long-term financial solvency.

(b) CONSIDERATIONS.—The plan required under subsection (a) shall take into consideration—

(1) the legal authority of the Postal Service;

(2) the changes in the legal authority and responsibilities of the Postal Service under this Act;

(3) any cost savings that the Postal Service anticipates will be achieved through negotiations with employees of the Postal Service; and

(4) projected changes in mail volume.

(c) UPDATES.—The Postal Service shall update the plan required under subsection (a) not less frequently than quarterly, until the last quarter of fiscal year 2015.

SEC. 402. POSTAL RATES.

(a) COMMISSION STUDY.—

(1) IN GENERAL.—Not earlier than 2 years after the date of enactment of this Act, the Commission shall commence a study to determine—

(A) whether and to what extent any market-dominant classes, products, or types of mail services do not bear the direct and indirect costs attributable to those classes, products, or types of mail service; and

(B) the impact of any excess mail processing, transportation, or delivery capacity of the Postal Service on the direct and indirect costs attributable to any class, product, or type of mail

service that bears less than 100 percent of the costs attributable to the class, product, or type of mail service, as determined under subparagraph (A).

(2) **REQUIREMENTS.**—The Commission shall conduct the study under paragraph (1) in a manner that protects confidential and proprietary business information.

(3) **HEARING.**—Before completing the study under paragraph (1), the Commission shall hold a public hearing, on the record, in order to better inform the conclusions of the study. The Postal Service, postal customers, and other interested persons may participate in the hearing under this paragraph.

(4) **COMPLETION.**—Not later than 6 months after the date on which the Commission commences the study under subsection (a), the Commission shall complete the study.

(b) **ANNUAL UPDATES REQUIRED.**—Not later than 1 year after the date of completion of the study under subsection (a), and annually thereafter, the Commission shall—

(1) determine whether any class of mail bears less than 100 percent of the direct and indirect costs attributable to the class, product, or type of mail service, in the same manner as under subsection (a)(1)(A);

(2) for any class of mail for which the Commission makes a determination under paragraph (1), update the study under subsection (a); and

(3) include the study updated under paragraph (2) in the annual written determination of the Commission under section 3653 of title 39, United States Code.

(c) **POSTAL RATES.**—

(1) **DEFINITION.**—In this subsection, the term “loss-making”, as used with respect to a class of mail, means a class of mail that bears less than 100 percent of the costs attributable to the class of mail, according to the most recent annual determination of the Commission under subsection (a)(1) or (b)(1), adjusted to account for the quantitative effect of excess mail processing, transportation, or delivery capacity of the Postal Service on the costs attributable to the class of mail.

(2) **IN GENERAL.**—Not later than 1 year after the date on which the study under subsection (a) is completed, and annually thereafter, the Postal Service shall establish postal rates for each loss-making class of mail.

(3) **CONSIDERATIONS.**—The Postal Service may establish postal rates under paragraph (2) in a manner that ensures, to the extent practicable, that a class of mail described in paragraph (2) is not loss-making by—

(A) using the authority to increase rates under section 3622(d)(1)(A) of title 39, United States Code;

(B) exhausting any unused rate adjustment authority, as defined in section 3622(d)(2)(C) of title 39, United States Code, subject to paragraph (4); and

(C) maximizing incentives to reduce costs and increase efficiency with regard to the processing, transportation, and delivery of such mail by the Postal Service.

(4) **UNUSED RATE ADJUSTMENT AUTHORITY.**—Section 3622(d)(2)(C) of title 39, United States Code, shall be applied by annually increasing by 2 percentage points any unused rate adjustment authority for a class of mail that bears less than 90 percent of the costs attributable to the class of mail, according to the most recent annual determination of the Commission under subsection (a)(1) or (b)(1), adjusted to account for the quantitative effect of excess mail processing, transportation, or delivery capacity of the Postal Service on the costs attributable to the class of mail.

SEC. 403. COOPERATION WITH STATE AND LOCAL GOVERNMENTS; INTRA-SERVICE AGREEMENTS.

(a) **COOPERATION WITH STATE AND LOCAL GOVERNMENTS.**—Section 411 of title 39, United

States Code, is amended, in the first sentence, by striking “and the Government Printing Office” inserting “, the Government Printing Office, and agencies and other units of State and local governments”.

(b) **INTRA-SERVICE AGREEMENTS.**—Section 411 of title 39, United States Code, as amended by subsection (a), is amended—

(1) in the section heading, by adding at the end the following: “**and within the Postal Service**”;

(2) in the second sentence, by striking “section” and inserting “subsection”;

(3) by striking “Executive agencies” and inserting the following:

“(a) **COOPERATION WITH STATE AND LOCAL GOVERNMENTS.—Executive agencies**”; and

(4) by adding at the end the following:

“(b) **COOPERATION WITHIN THE POSTAL SERVICE.**—The Office of the Inspector General and other components of the Postal Service may enter into agreements to furnish to each other property, both real and personal, and personal and nonpersonal services. The furnishing of property and services under this subsection shall be under such terms and conditions, including reimbursability, as the Inspector General and the head of the component concerned shall deem appropriate.”.

(c) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 4 of title 39, United States Code, is amended by striking the item relating to section 411 and inserting the following:

“411. Cooperation with other Government agencies and within the Postal Service.”.

SEC. 404. SHIPPING OF WINE AND BEER.

(a) **MAILABILITY.**—

(1) **NONMAILABLE ARTICLES.**—Section 1716(f) of title 18, United States Code, is amended by striking “mails” and inserting “mails, except to the extent that the mailing is allowable under section 3001(p) of title 39”.

(2) **APPLICATION OF LAWS.**—Section 1161 of title 18, United States Code, is amended, by inserting “, and, with respect to the mailing of wine or malt beverages (as those terms are defined in section 117 of the Federal Alcohol Administration Act (27 U.S.C. 211)), is in conformity with section 3001(p) of title 39” after “Register”.

(b) **REGULATIONS.**—Section 3001 of title 39, United States Code, is amended by adding at the end the following:

“(p)(1) In this subsection, the terms ‘wine’ and ‘malt beverage’ have the same meanings as in section 117 of the Federal Alcohol Administration Act (27 U.S.C. 211).

“(2) Wine or malt beverages shall be considered mailable if mailed—

“(A) by a licensed winery or brewery, in accordance with applicable regulations under paragraph (3); and

“(B) in accordance with the laws of—

“(i) the State, territory, or district of the United States where the sender or duly authorized agent initiates the mailing; and

“(ii) the State, territory, or district of the United States where the addressee or duly authorized agent takes delivery.

“(3) The Postal Service shall prescribe such regulations as may be necessary to carry out this subsection, including regulations providing that—

“(A) the mailing shall be by a means established by the Postal Service to ensure direct delivery to the addressee or a duly authorized agent;

“(B) the addressee (and any duly authorized agent) shall be an individual at least 21 years of age;

“(C) the individual who takes delivery, whether the addressee or a duly authorized

agent, shall present a valid, government-issued photo identification at the time of delivery;

“(D) the wine or malt beverages may not be for resale or other commercial purpose; and

“(E) the winery or brewery involved shall—

“(i) certify in writing to the satisfaction of the Postal Service, through a registration process administered by the Postal Service, that the mailing is not in violation of any provision of this subsection or regulation prescribed under this subsection; and

“(ii) provide any other information or affirmation that the Postal Service may require, including with respect to the prepayment of State alcohol beverage taxes.

“(4) For purposes of this subsection—

“(A) a winery shall be considered to be licensed if it holds an appropriate basic permit issued—

“(i) under the Federal Alcohol Administration Act; and

“(ii) under the law of the State in which the winery is located; and

“(B) a brewery shall be considered to be licensed if—

“(i) it possesses a notice of registration and bond approved by the Alcohol and Tobacco Tax and Trade Bureau of the Department of the Treasury; and

“(ii) it is licensed to manufacture and sell malt beverages in the State in which the brewery is located.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the earlier of—

(1) the date on which the Postal Service issues regulations under section 3001(p) of title 39, United States Code, as amended by this section; and

(2) 120 days after the date of enactment of this Act.

SEC. 405. ANNUAL REPORT ON UNITED STATES MAILING INDUSTRY.

(a) **IN GENERAL.**—Chapter 24 of title 39, United States Code, is amended by adding at the end the following:

“**§ 2403. Annual report on the fiscal stability of the United States mailing industry**

“(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Postal Regulatory Commission shall submit a report on the fiscal stability of the United States mailing industry with respect to the preceding fiscal year to—

“(1) the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Oversight and Government Reform of the House of Representatives.

“(b) **ASSISTANCE.**—The United States Postal Service and any Federal agency involved in oversight or data collection regarding industry sectors relevant to the report under subsection (a) shall provide any assistance to the Postal Regulatory Commission that the Postal Regulatory Commission determines is necessary in the preparation of a report under subsection (a).”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 24 of title 39, United States Code, is amended by adding at the end the following:

“2403. Annual report on the fiscal stability of the United States mailing industry.”.

SEC. 406. USE OF NEGOTIATED SERVICE AGREEMENTS.

Section 3622 of title 39, United States Code, is amended—

(1) in subsection (c)(10)(A)—

(A) in the matter preceding clause (i), by striking “either” and inserting “will”; and

(B) in clause (i), by striking “or” at the end;

(C) in clause (ii), by striking “and” at the end and inserting “or”; and

(D) by adding at the end the following:
“(iii) preserve mail volume and revenue; and”;
and

(2) by adding at the end the following:
“(g) COORDINATION.—The Postal Service and the Postal Regulatory Commission shall coordinate actions to identify methods to increase the use of negotiated service agreements for market-dominant products by the Postal Service consistent with subsection (c)(10).”.

SEC. 407. CONTRACT DISPUTES.

Section 7101(8) of title 41, United States Code, is amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:
“(E) the United States Postal Service and the Postal Regulatory Commission.”.

SEC. 408. CONTRACTING PROVISIONS.

(a) IN GENERAL.—Part I of title 39, United States Code, is amended by adding at the end the following:

“CHAPTER 7—CONTRACTING PROVISIONS

“Sec.

“701. Definitions.

“702. Advocate for competition.

“703. Delegation of contracting authority.

“704. Posting of noncompetitive purchase requests for noncompetitive contracts.

“705. Review of ethical issues.

“706. Ethical restrictions on participation in certain contracting activity.

“707. Congressional oversight authority.

“§ 701. Definitions

“In this chapter—

“(1) the term ‘contracting officer’ means an employee of a covered postal entity who has authority to enter into a postal contract;

“(2) the term ‘covered postal entity’ means—

“(A) the Postal Service; or

“(B) the Postal Regulatory Commission;

“(3) the term ‘head of a covered postal entity’ means—

“(A) in the case of the Postal Service, the Postmaster General; or

“(B) in the case of the Postal Regulatory Commission, the Chairman of the Postal Regulatory Commission;

“(4) the term ‘postal contract’ means any contract (including any agreement or memorandum of understanding) entered into by a covered postal entity for the procurement of goods or services; and

“(5) the term ‘senior procurement executive’ means the senior procurement executive of a covered postal entity.

“§ 702. Advocate for competition

“(a) ESTABLISHMENT AND DESIGNATION.—

“(1) ESTABLISHMENT.—There is established in each covered postal entity an advocate for competition.

“(2) DESIGNATION.—The head of each covered postal entity shall designate for the covered postal entity 1 or more officers or employees (other than the senior procurement executive) to serve as the advocate for competition.

“(b) RESPONSIBILITIES.—The advocate for competition of each covered postal entity shall—

“(1) be responsible for promoting competition to the maximum extent practicable consistent with obtaining best value by promoting the acquisition of commercial items and challenging barriers to competition;

“(2) review the procurement activities of the covered postal entity; and

“(3) prepare and transmit to the head of each covered postal entity, the senior procurement executive of each covered postal entity, the Board of Governors, and Congress, an annual report describing—

“(A) the activities of the advocate under this section;

“(B) initiatives required to promote competition;

“(C) barriers to competition that remain; and

“(D) the number of waivers made by each covered postal entity under section 704(c).

“§ 703. Delegation of contracting authority

“(a) IN GENERAL.—

“(1) POLICY.—Not later than 60 days after the date of enactment of the 21st Century Postal Service Act of 2012, the head of each covered postal entity shall issue a policy on contracting officer delegations of authority for the covered postal entity.

“(2) CONTENTS.—The policy issued under paragraph (1) shall require that—

“(A) notwithstanding any delegation of authority with respect to postal contracts, the ultimate responsibility and accountability for the award and administration of postal contracts resides with the senior procurement executive; and

“(B) a contracting officer shall maintain an awareness of and engagement in the activities being performed on postal contracts of which that officer has cognizance, notwithstanding any delegation of authority that may have been executed.

“(b) POSTING OF DELEGATIONS.—

“(1) IN GENERAL.—The head of each covered postal entity shall make any delegation of authority for postal contracts outside the functional contracting unit readily available and accessible on the website of the covered postal entity.

“(2) EFFECTIVE DATE.—This paragraph shall apply to any delegation of authority made on or after 30 days after the date of enactment of the 21st Century Postal Service Act of 2012.

“§ 704. Posting of noncompetitive purchase requests for noncompetitive contracts

“(a) POSTING REQUIRED.—

“(1) POSTAL REGULATORY COMMISSION.—The Postal Regulatory Commission shall make the noncompetitive purchase request for any noncompetitive award, including the rationale supporting the noncompetitive award, publicly available on the website of the Postal Regulatory Commission—

“(A) not later than 14 days after the date of the award of the noncompetitive contract; or

“(B) not later than 30 days after the date of the award of the noncompetitive contract, if the basis for the award was a compelling business interest.

“(2) POSTAL SERVICE.—The Postal Service shall make the noncompetitive purchase request for any noncompetitive award of a postal contract valued at \$250,000 or more, including the rationale supporting the noncompetitive award, publicly available on the website of the Postal Service—

“(A) not later than 14 days after the date of the award; or

“(B) not later than 30 days after the date of the award, if the basis for the award was a compelling business interest.

“(3) ADJUSTMENTS TO THE POSTING THRESHOLD FOR THE POSTAL SERVICE.—

“(A) REVIEW AND DETERMINATION.—Not later than January 31 of each year, the Postal Service shall—

“(i) review the \$250,000 threshold established under paragraph (2); and

“(ii) based on any change in the Consumer Price Index for all-urban consumers of the Department of Labor, determine whether an adjustment to the threshold shall be made.

“(B) AMOUNT OF ADJUSTMENTS.—An adjustment under subparagraph (A) shall be made in increments of \$5,000. If the Postal Service determines that a change in the Consumer Price

Index for a year would require an adjustment in an amount that is less than \$5,000, the Postal Service may not make an adjustment to the threshold for the year.

“(4) EFFECTIVE DATE.—This subsection shall apply to any noncompetitive contract awarded on or after the date that is 90 days after the date of enactment of the 21st Century Postal Service Act of 2012.

“(b) PUBLIC AVAILABILITY.—

“(1) IN GENERAL.—Subject to paragraph (2), the information required to be made publicly available by a covered postal entity under subsection (a) shall be readily accessible on the website of the covered postal entity.

“(2) PROTECTION OF PROPRIETARY INFORMATION.—A covered postal entity shall—

“(A) carefully screen any description of the rationale supporting a noncompetitive award required to be made publicly available under subsection (a) to determine whether the description includes proprietary data (including any reference or citation to the proprietary data) or security-related information; and

“(B) remove any proprietary data or security-related information before making publicly available a description of the rationale supporting a noncompetitive award.

“(c) WAIVERS.—

“(1) WAIVER PERMITTED.—If a covered postal entity determines that making a noncompetitive purchase request publicly available would risk placing the Postal Service at a competitive disadvantage relative to a private sector competitor, the senior procurement executive, in consultation with the advocate for competition of the covered postal entity, may waive the requirements under subsection (a).

“(2) FORM AND CONTENT OF WAIVER.—

“(A) FORM.—A waiver under paragraph (1) shall be in the form of a written determination placed in the file of the contract to which the noncompetitive purchase agreement relates.

“(B) CONTENT.—A waiver under paragraph (1) shall include—

“(i) a description of the risk associated with making the noncompetitive purchase request publicly available; and

“(ii) a statement that redaction of sensitive information in the noncompetitive purchase request would not be sufficient to protect the Postal Service from being placed at a competitive disadvantage relative to a private sector competitor.

“(3) DELEGATION OF WAIVER AUTHORITY.—A covered postal entity may not delegate the authority to approve a waiver under paragraph (1) to any employee having less authority than the senior procurement executive.

“§ 705. Review of ethical issues

“If a contracting officer identifies any ethical issues relating to a proposed contract and submits those issues and that proposed contract to the designated ethics official for the covered postal entity before the awarding of that contract, that ethics official shall—

“(1) review the proposed contract; and

“(2) advise the contracting officer on the appropriate resolution of ethical issues.

“§ 706. Ethical restrictions on participation in certain contracting activity

“(a) DEFINITIONS.—In this section—

“(1) the term ‘covered employee’ means—

“(A) a contracting officer; or

“(B) any employee of a covered postal entity whose decisionmaking affects a postal contract as determined by regulations prescribed by the head of a covered postal entity;

“(2) the term ‘covered relationship’ means a covered relationship described in section 2635.502(b)(1) of title 5, Code of Federal Regulations, or any successor thereto; and

“(3) the term ‘final conviction’ means a conviction, whether entered on a verdict or plea, including a plea of nolo contendere, for which a sentence has been imposed.

“(b) IN GENERAL.—

“(1) REGULATIONS.—The head of each covered postal entity shall prescribe regulations that—

“(A) require a covered employee to include in the file of any noncompetitive purchase request for a noncompetitive postal contract a written certification that—

“(i) discloses any covered relationship of the covered employee; and

“(ii) the covered employee will not take any action with respect to the noncompetitive purchase request that affects the financial interests of a friend, relative, or person with whom the covered employee is affiliated in a nongovernmental capacity, or otherwise gives rise to an appearance of the use of public office for private gain, as described in section 2635.702 of title 5, Code of Federal Regulations, or any successor thereto;

“(B) require a contracting officer to consult with the ethics counsel for the covered postal entity regarding any disclosure made by a covered employee under subparagraph (A)(i), to determine whether participation by the covered employee in the noncompetitive purchase request would give rise to a violation of part 2635 of title 5, Code of Federal Regulations (commonly referred to as the ‘Standards of Ethical Conduct for Employees of the Executive Branch’);

“(C) require the ethics counsel for a covered postal entity to review any disclosure made by a contracting officer under subparagraph (A)(i) to determine whether participation by the contracting officer in the noncompetitive purchase request would give rise to a violation of part 2635 of title 5, Code of Federal Regulations (commonly referred to as the ‘Standards of Ethical Conduct for Employees of the Executive Branch’), or any successor thereto;

“(D) under subsections (d) and (e) of section 2635.50 of title 5, Code of Federal Regulations, or any successor thereto, require the ethics counsel for a covered postal entity to—

“(i) authorize a covered employee that makes a disclosure under subparagraph (A)(i) to participate in the noncompetitive postal contract; or

“(ii) disqualify a covered employee that makes a disclosure under subparagraph (A)(i) from participating in the noncompetitive postal contract;

“(E) require a contractor to timely disclose to the contracting officer in a bid, solicitation, award, or performance of a postal contract any conflict of interest with a covered employee; and

“(F) include authority for the head of the covered postal entity to grant a waiver or otherwise mitigate any organizational or personal conflict of interest, if the head of the covered postal entity determines that the waiver or mitigation is in the best interests of the Postal Service.

“(2) POSTING OF WAIVERS.—Not later than 30 days after the head of a covered postal entity grants a waiver described in paragraph (1)(F), the head of the covered postal entity shall make the waiver publicly available on the website of the covered postal entity.

“(c) CONTRACT VOIDANCE AND RECOVERY.—

“(1) UNLAWFUL CONDUCT.—In any case in which there is a final conviction for a violation of any provision of chapter 11 of title 18 relating to a postal contract, the head of a covered postal entity may—

“(A) void that contract; and

“(B) recover the amounts expended and property transferred by the covered postal entity under that contract.

“(2) OBTAINING OR DISCLOSING PROCUREMENT INFORMATION.—

“(A) IN GENERAL.—In any case where a contractor under a postal contract fails to timely disclose a conflict of interest to the appropriate

contracting officer as required under the regulations promulgated under subsection (b)(1)(D), the head of a covered postal entity may—

“(i) void that contract; and

“(ii) recover the amounts expended and property transferred by the covered postal entity under that contract.

“(B) CONVICTION OR ADMINISTRATIVE DETERMINATION.—A case described under subparagraph (A) is any case in which—

“(i) there is a final conviction for an offense punishable under section 27(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(e)); or

“(ii) the head of a covered postal entity determines, based upon a preponderance of the evidence, that the contractor or someone acting for the contractor has engaged in conduct constituting an offense punishable under section 27(e) of that Act.

“§ 707. Congressional oversight authority

“The Postal Service may not enter into any contract that restricts the ability of Congress to exercise oversight authority.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 39, United States Code, is amended by adding at the end the following:

“7. Contracting Provisions 701”.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, relevance is a fair standard. A lot of amendments can be offered. Very few couldn't be offered unless it were something dealing with foreign policy on the Postal Service bill. A lot of people want to offer amendments dealing with situations all over the world. That is why we struggled, for example, to get the Iran sanctions bill moving. A standard of relevance merely asks that we stay on the subject—subject this morning to which 74 Senators agreed to proceed to.

I regret my friend has objected to this request. But I hope my friend from Kentucky will go home and explain to the people who are dependent on those small post offices around the State of Kentucky and those processing centers that this bill has not been resolved because of him.

If we do nothing, there will be the wide-range closing of post offices. We have more than 30,000 post offices in America. Many of them will be closed. We have hundreds and hundreds of processing centers. They will be closed. The Postal Service, as we have known it, is a fleeting moment in the eyes of Americans when they cannot get their medicine they want, they cannot get the mail they want. The volume is down a lot. But that is what this bill is about: to address some of the problems we have with what we need to have happen as a new Postal Service.

The chairman of the committee, Senator LIEBERMAN, has worked extremely hard. Senator COLLINS has spent lots and lots of time on this issue. Of course, TOM CARPER, who has a tremendous interest in this, has been working on this issue for a long time.

It is a shame we have had this objection. It leaves me with absolutely no alternative but to fill the amendment

tree and make sure we stick on the subject of postal reform. I remain hopeful we will be able to work together to get an agreement for consideration of amendments related to this most important task: saving the Postal Service.

COMMITTEE-REPORTED SUBSTITUTE AMENDMENT WITHDRAWN

Mr. President, I have been authorized by the chairman of the Senate Homeland Security and Governmental Affairs Committee to withdraw the committee-reported substitute amendment.

The PRESIDING OFFICER (Mr. FRANKEN). The amendment is withdrawn.

AMENDMENT NO. 2000

(Purpose: In the nature of a substitute)

Mr. REID. Mr. President, on behalf of Senators LIEBERMAN, COLLINS, and others, I call up amendment No. 2000, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Nevada [Mr. REID], for Mr. LIEBERMAN, for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts, proposes an amendment numbered 2000.

(The amendment is printed in the RECORD of Monday, April 16, 2012, under “Text of Amendments.”)

Mr. REID. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2013 TO AMENDMENT NO. 2000

Mr. REID. Mr. President, I have a first-degree perfecting amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2013 to amendment No. 2000.

The amendment is as follows:

At the end, add the following new section:

SEC. —

This Act shall become effective 7 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2014 TO AMENDMENT NO. 2013

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2014 to amendment No. 2013.

The amendment is as follows:

In the amendment, strike “7 days” and insert “6 days”.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Lieberman-Collins substitute amendment No. 2000 to S. 1789, the 21st Century Postal Service Act.

Harry Reid, Joseph I. Lieberman, Sherrod Brown, Debbie Stabenow, Thomas R. Carper, Bernard Sanders, Jeanne Shaheen, Bill Nelson, Christopher A. Coons, Sheldon Whitehouse, Kirsten E. Gillibrand, Charles E. Schumer, Jack Reed, John F. Kerry, Daniel K. Inouye, Richard Blumenthal.

AMENDMENT NO. 2015

Mr. REID. Mr. President, I have an amendment at the desk to the language proposed to be stricken.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2015 to the language proposed to be stricken (by amendment No. 2000).

The amendment is as follows:

At the end, add the following new section:
SEC. ____

This Act shall become effective 5 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2016 TO AMENDMENT NO. 2015

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2016 to amendment No. 2015.

The amendment is as follows:

In the amendment, strike "5 days" and insert "4 days".

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 1789, the 21st Century Postal Service Act.

Harry Reid, Joseph I. Lieberman, Sherrod Brown, Debbie Stabenow,

Thomas R. Carper, Bernard Sanders, Jeanne Shaheen, Bill Nelson, Christopher A. Coons, Sheldon Whitehouse, Kirsten E. Gillibrand, Charles E. Schumer, Jack Reed, John F. Kerry, Daniel K. Inouye, Richard Blumenthal.

Mr. REID. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. The yeas and nays are not necessary.

Mr. REID. Mr. President, I got ahead of myself. Reading was one of my better subjects, but I skipped a line.

MOTION TO RECOMMIT WITH AMENDMENT NO. 2017

Mr. REID. I have a motion to recommit the bill with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to recommit the bill, S. 1789, to the Committee on Homeland Security and Governmental Affairs with instructions to report back forthwith with an amendment numbered 2017.

The amendment is as follows:

At the end, add the following new section:
SEC. ____

This Act shall become effective 3 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2018

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2018 to the instructions (amendment No. 2017) of the motion to recommit S. 1789.

The amendment is as follows:

In the amendment, strike "3 days" and insert "2 days".

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2019 TO AMENDMENT NO. 2018

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2019 to amendment No. 2018.

The amendment is as follows:

In the amendment, strike "2 days" and insert "1 day".

Mr. REID. Mr. President, I have another matter of business, but I wish to say to all Senators here, not just the

Senator from Kentucky who objected to a reasonable manner to proceed on this measure—all States are going to be dramatically impacted by virtue of his objection. Post offices in Nevada will be closed and in Minnesota, Massachusetts, Tennessee, unnecessarily.

We need to be able to work through this. I do not know how anyone could object to a standard as we have had, as I have proposed: relevant amendments. It is too bad. Eight million people depend on the Postal Service. That is 8 million people who work as a result of the Postal Service. Mr. President, 500,000 people work for the Postal Service directly. So we have an obligation to do something about this legislation.

Even though my friend, who is one of the leaders of the tea party movement around the country, has thrown a monkey wrench into what we are doing on a postal bill—moving to some foreign relations matter—it is too bad. It cheapens what we are trying to do, and it is unfortunate for millions of people in America.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 312, S. 1925, a bill to reauthorize the Violence Against Women Act.

The PRESIDING OFFICER. The motion is pending.

Mr. LEVIN. Mr. President, will the Senator from Vermont yield for 2 minutes?

Mr. SANDERS. Yes.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, what we have just witnessed is an example of why the Senate is too often tied into knots. We have a bill that is critical to every one of our States that is pending, the postal reform bill. The leader tried to move this bill forward by saying: Let's stick to amendments relevant to the bill, which is a pretty broad standard, a lot broader than a germaneness standard. Then there is an objection to that because there is another matter which the Senator from Kentucky rightfully has an interest in. We all have an interest in various matters around here, many of which are \$2 billion or more in terms of cost. But that amendment by the Senator from Kentucky is not relevant to this bill, and unless, he says, he gets his way and has a 15-minute debate on a \$2 billion subject, he is going to object to us addressing a subject which involves every one of our States.

This is why we have so many difficulties, at times at least, moving forward in the Senate. Because any one of us at any time can object to moving legislation that is relevant and amendments that are relevant in order to get his or her way on a totally unrelated amendment.

Mr. PAUL. Mr. President, since I have been referred to, may I interject with a question?

Mr. LEVIN. I asked to be yielded 2 minutes. That would be up to the Senator from Vermont.

Mr. PAUL. Could I interject with a—

Mr. LEVIN. I just wish to simply say that then what happens is that then the majority leader is forced to fill the tree. That creates problems on the other side because the tree is filled. But that is in response to an unwillingness on the part of the Senator to let us proceed on a bill which is important to every one of us with relevant amendments. So we have a response from that Senator to the determination of the majority leader to move forward with a bill that affects all of us. Objecting to a UC, the majority leader is forced to fill the tree, and we are off and running.

So for 2 days around here—for 2 days around here now—we are going to go through the same thing we go through almost every single week. We will have amendments which will be sought to be offered. We have to set aside amendments. We get to a cloture vote. We end up with a far more restrictive standard than if we were allowed to proceed with relevant amendments. We end up with a germaneness standard, a lot narrower than the relevance standard which was proposed by the majority leader.

This was a self-defeating action, I believe, in objecting to a unanimous consent proposal which would allow us to proceed with relevant amendments. It does not accomplish the aim of the Senator from Kentucky because we are not going to get to that subject, and all it does is restrict the rest of us who are trying to offer relevant amendments in the next few days. It is a real example of what the problem is around this Senate.

Mr. PAUL. Will the Senator yield for a question? Since I am being characterized, I would think I would be allowed a response.

Mr. REID. Mr. President, regular order. Under the order that was entered, the Senator from Vermont is to be recognized.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Thank you, Mr. President.

The Senator from Tennessee has requested 2 or 3 minutes to make a point, and I am happy to yield some of my time, after which I would get the floor back.

The PRESIDING OFFICER. Is there objection?

Mr. BROWN of Massachusetts. Mr. President, I object in order to ask a question as well.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Vermont?

Mr. BROWN of Massachusetts. Yes.

The PRESIDING OFFICER. That the Senator from Tennessee be recognized and then that the Senator—

Mr. BROWN of Massachusetts. I wish to ask a question, Mr. President.

Mr. REID. Regular order, Mr. President.

Mr. SANDERS. I apologize to the Senator from Tennessee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Vermont?

Mr. BROWN of Massachusetts. Yes. The PRESIDING OFFICER. Objection is heard.

The Senator from Vermont has the floor.

Mr. SANDERS. I do apologize to my friend from Tennessee.

POSTAL SERVICE REFORM

I want to just continue and talk about what the managers' amendment does. I went over a number of criteria by which it strengthens our ability to protect rural post offices, and that is something I think many of us from rural America want to see happen. We understand how important rural post offices are to the heart and soul of small communities.

The Lieberman-Collins bill took us a good way forward. This amendment goes further.

I should say that while I think the managers' amendment is a step forward in almost every instance, I believe that through the amendment process we can strengthen the bill even further. I intend to be working with many of my colleagues to do just that.

So we talked a little bit about strengthening the ability of rural post offices to continue to exist.

Second issue: The managers' amendment protects regional overnight delivery standards. The managers' amendment requires that the Postal Service retain a modified overnight delivery standard for 3 years, ensuring that communities across the country continue to receive overnight delivery of first-class mail—a very significant step forward for small businesses and for people throughout our country.

A maximum delivery standard of 3 days would also be maintained for first-class mail sent anywhere in the continental United States. Originally, the Postmaster General had suggested maybe we could lengthen the time from 3 days to 5 days. We keep it at 3 days.

The retention of—and this is important for every Member of the Senate concerned about the employment situation—the retention of a modified overnight delivery standard would result in at least 100 mail processing facilities remaining open that are now scheduled to be closed.

No. 3, the managers' amendment makes it harder to eliminate 6-day delivery. The substitute amendment would prohibit the Postal Service from

implementing any plan to eliminate Saturday delivery for at least 2 years. After 2 years, Saturday delivery could only be eliminated if the Postal Service has first attempted to increase revenue and cut costs through other means and the GAO and the Postal Regulatory Commission conclude that eliminating Saturday delivery is necessary for the long-term solvency of the Postal Service.

Fourth, and very important—something I and many other Members feel strongly about—the Postal Service needs a new business model. Let me—and I know the Presiding Officer, the Senator from Minnesota, has been very interested in all these postal issues. Right now, if one walks into a post office and they say to a postal clerk: Hi. I would like to give you \$2 to notarize this letter, the postal clerk would say: It is against the law for me to do that. I can't take your \$2.

Mr. SANDERS. Postal Clerk, can you make 10 copies of this letter?

Nope; it is against the law for me to do that.

Rural Postal Clerk, I would like a fishing license or a hunting license. Can you help me with that?

I cannot do that. It is against the law.

I want to mail this box of wine and beer.

I cannot do that. It is against the law.

So what we want to do is take away many of the restrictions that have been imposed on the Postal Service by Congress and give them the flexibility to be more entrepreneurial to bring in more revenue. In addition to that, this managers' amendment creates a blue ribbon entrepreneurial commission. What that is about is that today we have, as the majority leader indicated, some 32,000 post offices in America. Today letter carriers are delivering mail to about 150 million doors in America. That is a huge infrastructure.

If we have some pretty smart entrepreneurial types telling us what we can do in addition to what we are doing now—what the letter carriers can do, what the post offices could do, what the Postal Service can do in terms of new products and services—can we bring in more revenue? I think we can. That is what the commission is going to be looking at.

Let me say a few words about the financial condition of the Postal Service. No one debates first-class mail is down. A lot of people now use e-mail and the Internet rather than first-class mail. There is no debate about that. But what many people, including many Members of Congress, do not fully understand is the major crisis. The major financial crisis facing the Postal Service is the fact that they have an onerous burden of having to provide \$5.5 billion every single year in future retiree health benefits—\$5.5 billion every

year—which was imposed upon them in 2006.

According to the inspector general of the Postal Service, the \$44 billion in that account right now is all that it needs because when that \$44 billion accrues interest over a 20-year or so period, it will have enough money to pay out all of the future retiree health benefits that it has to do. Furthermore, there is, in general, no disagreement that the Postal Service has overpaid into the Federal Employees Retirement System by about \$11 billion and to the Civil Service Retirement Service about \$2 billion. In other words, the Postal Service is owed about \$13 billion.

So to conclude, let me say this: The Postal Service performs an enormously important function for millions of individuals and for our economy as a whole. As the majority leader indicated, there are some 8 million jobs in a variety of industries dependent upon a strong Postal Service.

I believe if the Senate is prepared to be bold, to do the right thing, we can save jobs. We do not need to lay off or to downsize the Postal Service by over 200,000 workers. We do not need to shut down over 3,000 rural post offices. We do not need to shut down half of the processing plants in America and slow down mail delivery service leading to an eventual death cycle for the Postal Service.

So the task before us is a huge one. To tell you the truth—and I speak as an Independent, the longest serving Independent in congressional history—this is not a Democratic issue; this is not a Republican issue. Republicans and Democrats have rural post offices. All know how important they are. All want to save jobs in the middle of a recession. All want the Postal Service to be strong.

So I would hope we can work together. We had a good vote a few hours ago—74 votes. I would hope we could work together to save the Postal Service, make it strong, and make sure it is there for our kids and our grandchildren.

At this point, if the Senator from Tennessee would like some time, I am happy to yield to him 3 minutes.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Vermont. This is a body that operates by unanimous consent, which is a hard thing to get accustomed to until you have ever been a part of it. That means any one of us can stop the Senate from opening or having a prayer or saying the Pledge of Allegiance or going to a bill.

What I am about to say, I do not want in any way to diminish the rights of any Senator, such as the Senator from Kentucky, to have an opportunity to object to a unanimous consent request. But when everyone has a lot of

rights, unless we have some agreement, it is hard to get much done.

I have been sometimes critical of the majority leader, but I have also tried to support and praise him for things he has done when I can because I know that either being the Democratic or the Republican leader is not an easy job. So I want to commend the majority leader for offering to accept all relevant amendments, which is a broad category, and this bill seems particularly appropriate for that because we have competing visions for what to do about the post office.

It has gone through committee, the regular order, and the bill is bipartisan. There are not a lot of partisan differences. There are a lot of differences, and they need to be worked out. We have probably 2 weeks to do it. So this is a ripe situation for that if we can get consent to do it.

I am disappointed the majority leader felt he had to go on and offer cloture to move on because he already had control of the situation with the right to fill the tree. So I would hope we could respect the right of the Senator from Kentucky and that of other Senators to offer unanimous consent—to object to unanimous consent agreements but see if we cannot find some way to move ahead with an agreement on relevant amendments.

That means the majority leader does not pick the amendments; we all get to offer them if they are relevant. The majority leader has a difficult job. So I hope as he reflects on this matter he will consider that it is much easier to get an agreement for relevant amendments in our caucus—I do not know what it is like in the Democratic caucus—if we are able to talk it through a little bit and secure consent for that before it is offered.

That would be the job of Senator MCCONNELL, the Republican leader. So here we are. We were on the postal bill for 5 full minutes, and now we are off on a wrong track. We can move back very easily. The majority leader has the ability to control any amendment through his filling the tree and does not need the cloture amendment. Hopefully, the Senators on this side will carefully consider the offer of all relevant amendments. That would give us a chance to offer many amendments.

It is the right of any Senator to object. But as one Senator, I appreciate the gesture, and I hope the majority leader will give Senator MCCONNELL an opportunity, if he wants it—I am just speaking for myself—if he wants it, to work through our caucus and see if we can get a relevant amendment agreement.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. BROWN of Massachusetts. Mr. President, I would yield to the Senator from Michigan for 15 seconds.

Mr. LEVIN. Mr. President, I wish to thank the Senator from Tennessee for

his constructive comments. He and I have spoken about trying to work on a relevant standard at the beginning of a bill as a way of moving a bill forward with the greatest possible leniency, without getting into totally nonrelevant subjects.

I thought his comments were constructive. I wanted to thank him for it. I hope we can continue to work together on this relevance course, which is perhaps the best way to get us out of the kind of knots that we are frequently tied in. I want to thank my friend from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I concur with the Senator from Tennessee. Listen, we need to step back and move back a little bit. This is a bill of which I am a cosponsor. I work very hard. I note in the majority leader's comments he referenced Senators CARPER, LIEBERMAN, and COLLINS. But I spent an equal amount of time working on this bill and I am a cosponsor. I care very deeply about our postal workers and the security and the viability of the post office itself.

I am hopeful also that the majority leader will step back because before we left we had 2 great weeks of working on relevant issues. We had the insider trading bill, which passed 96 to 3. The leader allowed us to have a couple of days to get our Members in order, not 4 hours.

We should have the ability, when we have amendments or issues that involve our Members—they should have the right to bring them forward in any form they want, and we should have the ability to get together with them before we move on to another totally different, very important issue, such as the Violence Against Women Act, of which I am also a cosponsor. So I do not care which one we go to.

But this one is relevant. It is time sensitive. It needs to be addressed right away. I have been honored to work with Senator CARPER once again and Senator LIEBERMAN once again and Senator COLLINS once again, working on something that can be very important and will be very important for our country.

We are here today because the post office is clearly at a crossroads. They are in deep trouble. For more than two centuries it has played a key role in both our economy and our communities, and for decades communities large and small and citizens far and wide have come to depend on the regular and dependable mail service 6 days a week for a reasonable price.

It is plain and simple that in the past a steady volume of mail has provided that adequate revenue. But things have changed. Yet in the face of the technological changes and difficult economic conditions, first-class mail volume, as we know, has dropped by over one-quarter in the last 5 years. It is forecasted to do the same thing over the

next 5 years, and the business model that proved successful for generations is now sinking the Postal Service in a pool of red ink.

As we all know, they have lost over \$13 billion—billion dollars—in the last 2 years. They are almost on the verge of bankruptcy. As we know, the workforce is too big, costs are too high, and operations are being maintained that are unequal to the revenue that is actually coming in. We need to stop that right away. The number of delivery addresses increases every day, and the Postal Service's liability to its employees grows each and every day. The longer we wait, the more difficult it becomes. We are up against a deadline. We do need to work together in a bipartisan, bicameral manner.

This is not about Democrats and Republicans or Independents. It is about us as a body showing once again—trying to reestablish that trust with the American people—that, my goodness, the Senate can do things together, as we did with the crowdfunding jobs bill, as we did with the Arlington Cemetery bill, as we have done with the 3-percent withholding, and as we have done most recently with the insider trading. We can do these things. This is a no-brainer.

Everybody here agrees we need to save the post office, and we all have some very real concerns: rural concerns, city concerns, everybody has concerns. We should have the ability to have these aired, and we need to do it right now.

I would once again encourage the majority leader to step back from the path he has chosen to move on to another bill because one Member had a deep concern about what is happening in Egypt, as many of us do. Would it hurt to give him his 15 minutes and then move on? I just do not get it. It is such a disservice to the American people.

We need to put the Postal Service on the path to solvency right away—right away. The bill that has been brought here has been worked on between our four offices probably 300 or 400 hours easy. Throw in the office hours for all our staff, it is probably upwards of 1,000 hours we have been working on this bill.

This is something I speak to our constituents of, working with Congressman LYNCH in Massachusetts and others, to try to make sure we can have a plan, a good base, a good starting point. We may not agree on everything. But I will tell you, we all agree we need to save the U.S. Postal Service. We need to give them the tools and the resources to do their job and be viable and competitive into the new century. We all agree on that.

So we have a little hiccup, then we are going to move on to another bill. Once again, it is just as important, and I am happy to move on to it. I am a co-

sponsor. But come on. We deserve to give the American people better. We should be doing better. We need to recognize and address right away the serious financial condition of the post office and provide it with the flexibility to cut costs but do so in a way that is responsible to its employees and considerate of the customers who are continuing to use their service, to grant them the ability to find ways to increase revenue and innovate without competing with private industry or giving them an unfair advantage over private industry. That is a good thing.

We also want to make sure rates do not rise abruptly. That is also a good thing. We need to ensure that the Postal Service maintains a certain standard of service so it will have business and individuals who want to continue to use that service.

It is a delicate balancing act, with little disagreement on that. There is also little disagreement that the current size in both workforce and postal operations is neither sustainable nor required for the long term. We must reduce costs and we need to have greater efficiencies, and they must be found if the Postal Service is to survive and thrive in the future. The Postal Service still plays a significant role in our economy; we all know it. There is a standard they have to hit, and we all demand it.

I fear that if we don't pass this bill, the Postal Service will continue to advocate for a more aggressive approach. We are up against a deadline. If we fail to address this, the Postmaster General will have the ability to do things that I think will not be in the best interests of everybody in this Chamber and the American citizens. We can provide different tools that he would be able to use, and we would be able to have input on that.

In Massachusetts, the Postal Service has made plans to close four main processing facilities and dozens of post offices. Yet there has been a lack of detailed explanation provided to government leaders—me and others—and employees or the surrounding communities to fully justify these changes as both necessary and prudent. We can do better and should do better.

Eliminating the overnight delivery standard or days of delivery will be transformational shifts in service. We don't know whether those are appropriate. Little is known about the combined impact these major changes will have on the postal customers or future revenues.

Mr. President, as we know, volume declines means decreased revenue for some and driving costs up and getting those costs under control are driving users away at alarming rates. These plans require a thoughtful consideration of alternative solutions, public input, and cautious implementation. We have, in fact, done that with our

bill. We have sat down, as I said, for more hours than I can tell you trying to work through every issue. We have met with the players ad nauseam to try to make sure we address each and every consideration, including Members of this Chamber. There are Members on the other side who have their own ideas how to fix this. We have amendments here, also, and people want to address their issues.

Since when do we bring up a bill and do it in a day—especially something like this, which is so massive and affects so many people and an entire industry. We are going to do it in a day or 2 days. Even when we did insider trading, we did it in 4 or 5 days. This bill, I figure, is a good 6 to 8 days of hard-core debating, letting people come up with ideas for trying to rescue this important industry.

I and others in this Chamber want the postal employees to be treated fairly. We recognize their dedication and their service in this bill. We have over 100,000 employees eligible for retirement today. Rather than advocating for layoff authority, our bill provides a means for the Postal Service to increase attrition rates through buyouts and separation incentives to leave the post office voluntarily and with dignity. That is deeply important to me.

Additional provisions in the bill include long-overdue improvements to the Federal Workers' Compensation Program, a more affordable schedule of prefunding the retiree health benefit trust fund, and encouraging eligible retirees to join the Medicare rolls.

These are no doubt difficult times for the Postal Service, and some very tough choices are going to be made. So far in this legislative session, the Senate has shown that there are issues, as I said in my presentation, on which we can find bipartisan solutions. In closing, I am confident this is one of them, and I look forward to having our bill heard and we get back on track, have the leader step back and allow us to come up with an agreement of relevant amendments and do the people's business.

I am grateful for the leadership Senators LIEBERMAN, COLLINS, and CARPER have shown on this issue over the years. I look forward to working on this bill with them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. MCCAIN. Mr. President, before the Senator speaks, I ask unanimous consent that I be allowed to follow the remarks of the Senator from Rhode Island.

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

The Senator from Rhode Island.

STUDENT LOAN AFFORDABILITY ACT

Mr. REED. Mr. President, we are engaged in a very important debate while the clock is ticking on literally the future of the postal service.

I want to alert my colleagues to another issue that is rapidly approaching. On July 1, if we do not act, the interest rate on subsidized student loans will be doubling from 3.4 percent to 6.8 percent, impacting more than 7 million students, including more than 36,000 in Rhode Island.

I have introduced legislation—the Student Loan Affordability Act—to stop the doubling of student loan interest rates as of July 1 of this year. Many of my colleagues have already joined me, including Senators BEGICH, SHERROD BROWN, DURBIN, FRANKEN, TIM JOHNSON, KLOBUCHAR, LEAHY, MURRAY, SANDERS, SCHUMER, STABENOW, WHITEHOUSE, and WYDEN, as cosponsors of the legislation. I thank them and urge all of my colleagues to join us in supporting this legislation.

If we don't act, the average borrower will have to pay approximately \$2,800 more in interest on their loans. Students who take out the maximum \$23,000 in subsidized student loans could owe approximately \$5,000 more over the 10-year repayment period. Students and families simply cannot absorb these costs in this tough economy and in the face of rising tuition and dwindling State support for higher education.

This particular measure will hit middle-income families very hard because they are the ones who rely significantly on these subsidized student loans. The subsidized student loan program is a need-based financial aid program. To get the low rate and the in-school interest subsidy, students must demonstrate economic need. Nearly 60 percent of the dependent students who qualify for these loans come from families with incomes of less than \$60,000. That is literally the middle class and the working poor of this country.

This is an issue of fairness. At a time, ironically, of historically low interest rates, when the Federal Reserve has set the target interest rate for Federal funds between 0 and .25 percent—the Fed is lending money to banks at near zero percent. We, at the same time, are asking middle-income families to pay twice as much, 6.8 percent—a huge discrepancy—in the loans they pay for education.

We also recognize—all of us—that the key to our future is an educated America. It seems that given the interest rate environment, where banks can get money overnight at near zero percent interest and we are telling students they have to pay 6.8, not 3.4, it doesn't make sense. It is in our national interest to ensure that students not only get educated but don't leave school with a mountain of debt.

We need more students graduating from our colleges, universities, and professional schools because that will power our economy in the future. We won't be globally competitive if we don't do this.

In 1980 the gap between the lifetime earnings of a college graduate and high school graduate was 40 percent. In 2010 it was 74 percent. By 2025 it is projected to be 96 percent. The message is clear: If you cannot get postsecondary education, you are virtually going to be condemned to being far behind in terms of income and ability to support your family. Researchers have found that since at least the 1980s, we haven't been producing a sufficient number of college-educated workers to meet the demand of industry. If you go to businesses throughout Rhode Island and the Nation, they will tell you they have jobs for which they cannot find the people with the high-level skills needed to fill them. So every available criterion argues strenuously for this legislation.

In Rhode Island, we have 41 percent of our working adults who have college degrees. By 2018 it is estimated that 61 percent of the jobs there will require some postsecondary education. We have a 20-percent gap that has already opened in the next 4 years, and we have to fill it. The wrong way to fill it is to make college more expensive.

I recently had a roundtable with all of the presidents of my universities and colleges in Rhode Island. They said that keeping this interest rate relatively low is absolutely critical. They are all worried about the fact that by July 1, unless we act, we will see a doubling of this interest rate.

Frankly, this is an issue that has had bipartisan support. In 2007, on a very strong, bipartisan basis, we enacted the College Cost Reduction and Access Act, cutting the interest rate from 6.8 to 3.4 percent. In the Senate, the legislation passed on a 79-to-12 vote, with more than two-thirds of Republican Senators—34 out of 49—supporting it. President George W. Bush signed it into law.

We have to revive, before July 1, that bipartisan spirit that motivated the initial legislation so that we can avoid doubling the interest rate college students will pay for these loans. It is a matter of major priorities for us—not just for a short time but for the future of the country. We have 75 days. The clock is ticking. We have to move. If we don't, millions of middle-class students and families will be denied the opportunity to effectively get a higher education.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Arizona.

POSTAL SERVICE REFORM

Mr. MCCAIN. Mr. President, I rise to comment on our failure to move forward with debate and discussion and amendments on this very important bill. The sponsors of the legislation and I may have very different proposals to address this compelling issue, but neither the sponsors nor I believe we should not have debate, discussion, and amendment.

Unfortunately, again, because of a requirement by Members that their amendment be voted on, apparently, the majority leader will now move on, fill the tree, amendments will not be allowed, and we will move on to other legislation. This affects 500-some-thousand American employees. We are talking about tens of billions of dollars. We are talking about an urgent need to restructure and reform the postal system in America. So now, because of demands of Senators to have votes on nongermane amendments, we will now move on to other legislation. I wonder when we will address the issue. May 15 is a very critical date in this whole scenario.

I would like to talk a bit about my proposal, and that basically is modeled after the bill that is pending in the other body, the House of Representatives.

Yesterday the Washington Post editorial said, "The time for real postal reform is now." It begins:

For anyone who still does not quite grasp the technologically obsolescent U.S. Postal Service's calamitous financial situation, here are a few facts from Thursday's Government Accountability Office report.

Before I go through that, I will quote from a Washington Post article from November 18. It specifically refers to the pending legislation. It says:

The 21st Century Postal Service Act of 2011, proposed by Senators Joseph I. Lieberman and Susan Collins and passed last week by the Senate Committee on Homeland Security and Governmental Affairs, is not a bill to save the U.S. Postal Service. It is a bill to postpone saving the Postal Service.

The service's announcement that it lost \$5.1 billion in the most recent fiscal year was billed as good news, which suggests how dire its situation is. The only reason the loss was not greater is that Congress postponed the USPS's payment of \$5.5 billion to prefund retiree health benefits. According to the Government Accountability Office, even \$50 billion would not be enough to repay all of the Postal Service's debt and address current and future operating deficits that are caused by its inability to cut costs quickly enough to match declining mail volume and revenue.

The Collins-Lieberman bill, which transfers \$7 billion from the Federal Employee Retirement System to the USPS—to be used for offering buyouts to its workers and paying down debts—can stave off collapse for a short time at best.

I point out that this is the Washington Post's view and the GAO's view, not necessarily that of this Senator.

Nor do the other measures in the bill offer much hope. The bill extends the payment schedule for the Postal Service to prefund its employee retirement benefits from 10 to 40 years. Yes, the funding requirement is onerous, but if the USPS cannot afford to pay for these benefits now, what makes it likely they will be able to pay later when mail volumes most likely will have plummeted further?

The article goes on to talk about one of the favorite tactics around here—more studies.

The bill also requires two more years of studies to determine whether a switch to five-day delivery would be viable.

I have to repeat that for my colleagues. We need to study for 2 years as to whether we need to reduce mail delivery from 6 days to 5 days. Isn't that marvelous. Isn't that marvelous—2 years to study. What it is is delaying what is absolutely necessary; that is, to have 5-day-a-week delivery.

One of my colleagues said it might keep someone from getting a newspaper in the mail. We are talking about \$50 billion short, and we can't even reduce the number of days which has been recommended by the Postmaster General himself, so we are going to have 2 years to study whether we should switch to 5-day-a-week and whether that would be viable.

Continuing to quote from the Washington Post article:

These studies would be performed by a regulatory body that has already completed a laborious inquiry into the subject, a process that required almost a year.

So it will actually take 3 years.

This seems a pointless delay, especially given that a majority of Americans support the switch to five-day delivery.

We are sympathetic to Congress's wish to avoid killing jobs. And the bill does include provisions we have supported—such as requiring arbitrators to take the Postal Service's financial situation into account during collective bargaining and demanding a plan for providing mail services at retail outlets.

But this plan hits the snooze button on many of the postal service's underlying problems. Eighty percent of the USPS's budget goes towards its workforce; many of its workers are protected by no-layoff clauses.

Our Postal Service has no-layoff clauses in its contracts. I wonder if most Americans know that.

Seven billion dollars' worth of buyouts may help to shrink the workforce, but this so-called overpayment will come from taxpayers' pockets, and it is a hefty price to pay for further delay.

There is an alternative—a bill proposed by Representative Darrell Issa, (Republican-California) that would create a supervisory body to oversee the Postal Service's finances and, if necessary, negotiate new labor contracts. The bill, which just emerged from committee, is not perfect, but it offers a serious solution that does not leave taxpayers on the hook.

I wish to read from the April 14 Washington Post editorial, which I think sums up the situation.

For better or worse, our children's children will marvel at the fact that anyone ever used to send the paper thing called "a letter." They'll be amazed to learn that we unnecessarily spent billions of dollars propping up a huge, inefficient system for moving these things around. But what would really astound future generations is that we borrowed that money and left it to them to pay it back.

There is no better description of what this bill is all about. My friends, I will be glad to go into a number of details, but it is very clear Congress and the Postal Service cannot make decisions, so what we need is the only thing we found that worked to reduce our bases in America, which was a BRAC.

So what we need is a BRAC-like commission to identify those post offices and other facilities that need to be closed.

I wish to go back to what the article said about future generations. My friends, we now communicate with these. We communicate by e-mail and we communicate by tweeting and we communicate electronically in the ways we used to do with pen and paper or a typewriter. That is a fact. So we have seen a dramatic reduction in regular mail. We have seen it go down in a very dramatic fashion, which will accelerate over time. Listen, when guys my age are doing this, everybody is doing it. The fact is, everybody will be doing it, and they will not have to put a 30- or 40- or 50-cent or 60-cent stamp on a letter in order to get a message to their friends, families, business associates, et cetera.

Instead of doing as some did when the Pony Express was replaced by the railroad—trying to prop up a failing industry—let's find a graceful exit and, at the same time, preserve those functions of the Postal Service that will be around for a long time. There are functions that could stay around for a long time. But this is a dramatically changed world. We now have instant communications. We have instant news cycles, and we have today a proliferation, thank God, of information and knowledge that was unknown in previous years or in history. There are upsides and downsides to that, but the Postal Service delivering letters does not play any role in the future of information being shared and made available to citizens all over the world.

First-class mail makes up more than half of postal revenues. It is down by more than 25 percent since 2001. In the last 11 years, it is down 25 percent, and I promise that will accelerate. It continues on a downward spiral with no sign of recovery. This, combined with unsustainable 80-percent labor costs and labor contracts that contain no-layoff clauses, points to the hard reality the Postal Service is broken.

By the way, that is also the conclusion of the Government Accountability Office, which just recently issued a report entitled "Challenges Related to Restructuring the Postal Service's Retail Network." Let me quote from that report.

In 2011, the American Postal Workers Union . . . and USPS management negotiated a 4-year agreement that limits transferring employees of an installation or craft to no more than 50 miles away.

How in the world did they negotiate an agreement that they would not transfer anybody farther than 50 miles away?

If USPS management cannot place employees within 50 miles, the parties are to jointly determine what steps may be taken, which includes putting postal employees on "stand by" which occurs when workers are idled but paid their full salary due to reassignments and reorganization efforts.

I am not making that up. If someone is a postal service worker and they want to be reassigned more than 50 miles away, they cannot do it. And if they can't do it, they put employees on stand-by, and they are idled but paid their full salary due to reassignments and reorganization efforts. My friends, it helps us to understand why 80 percent of their costs are in personnel.

The GAO, in its report, makes an argument basically for a BRAC. They call it the Commission on Postal Reorganization. Quoting the GAO once again:

The proposed Commission on Postal Reorganization could broaden the current focus on individual facility closures—which are often contentious, time consuming and inefficient—to a broader network-wide restructuring, similar to the BRAC approach. In other restructuring efforts where this approach has been used, expert panels have successfully informed and permitted difficult restructuring decisions, helping to provide consensus on intractable decisions. As previously noted, the 2003 report of the President's Commission on the USPS also recommended such an approach relating to the consolidation and rationalization of USPS's mail processing and distribution infrastructure. We also reported in 2010 that Congress may want to consider this approach to assist in restructuring organizations that are facing key financial challenges.

GAO has testified that USPS cannot continue providing services at current levels without dramatic changes in its cost structure. Optimizing the USPS's mail processing network would help USPS by bringing down costs related to excess and inefficient resources.

Continuing to read from the GAO report:

Lack of flexibility to consolidate its workforce: USPS stated it must be able to reduce the size of its workforce in order to ensure its costs are less than revenue. Action in this area is important since USPS's workforce accounts for about 80 percent of its costs.

We are faced with a very difficult decision, and the amendment and substitute I have has a number of provisions. I see my friend from Connecticut is on the floor, and I know he wants to discuss this issue as well, but the fact is we are looking at a Postal Service that once upon a time was so important to the United States of America it was even mentioned in the Constitution. Since those days, and in the intervening years, the Postal Service performed an incredibly outstanding job in delivering mail and communications to our citizens all over America—in all settings, in all parts of our country—and they deserve great credit for doing so. But now we face a technological change.

As I understand it, a huge portion of their mail now is made up of so-called junk mail, which is advertising mail. Americans in greater and greater numbers are making use of this new technology, as I pointed out, and it is time we understood that and we stopped this incredible hemorrhaging of money. According to the Postal Service itself, by

2020, they are expecting to face up to a \$238 billion shortfall. They are expecting a \$238 billion shortfall in just the next 8 years—\$238 billion. The Postal Service has reached its borrowing limit of \$15 billion. Even with dramatic cost savings of \$12 billion and workforce reduction of 110,000 postal employees in the past 4 years, the Postal Service is still losing money. In fact, the Postal Service has said it could lose as much as \$18 billion annually by 2015 if not given the necessary flexibility it needs to cut costs and transform.

What does the legislation before us do? It delays by 2 years for a study—a study—to figure out whether we should go from 6 days a week to 5 days a week. I wonder how long it would take some smart people to figure out whether we should go from a 5-day delivery versus 6 days. According to the sponsors of the bill, it takes them 2 years, after they have already studied it for 1 year. Remarkable. Remarkable.

What we need—and this is, unfortunately, testimony to the lack of political courage of Members of Congress and members of the administration—a BRAC process. We need a BRAC process, where we can appoint a number of men and women who are knowledgeable and who are willing to make these decisions for us and then those decisions would be made and it would come back for an up-or-down vote in the Congress of the United States.

I point out again, this bill before us locks in the current service standards for 3 years. It will make it impossible to go forward with the vast bulk of the Postal Service's planned network consolidation for at least 3 years. It puts in place significant new steps, including public notice and comment, before a processing plant can be closed. It gives appeal rights to the PRC for processing plant closures and gives binding authority to this PRC to keep a plant open to protect service standards.

The bill adds a number of new regulations designed to make it more difficult to close post offices. It includes a post office closure moratorium until retail service standards are created. It gives the PRC the ability to enforce a "retail service standard" which would enable the PRC to not only require appealed post offices stay open but even require new post offices to be open if a complaint is lodged.

It continues the 2-year delay before USPS can go to 5-day delivery, as I mentioned, and it removes a provision in the reported text that required arbitrators to take into account pay comparability in any decision. It replaces it with vague language that says "nothing in this section may be construed to limit the relevant factors that the arbitration board may take into consideration."

If that isn't vague language I don't know what is. Let me repeat it. They want the board to do nothing in this

section of the legislation that could be construed to limit the relevant factors that the arbitration board may take into consideration. That is pretty good guidance, isn't it?

I could go on and on, but in summary I would just go back to the Washington Post's final paragraph of their article and repeat—and this is what this is all about, my friends.

For better or worse, our children's children will marvel at the fact that anyone ever used to send the paper thing called "a letter." They'll be amazed to learn that we unnecessarily spent billions of dollars propping up a huge, inefficient system for moving these things around. But what would really astound future generations is that we borrowed that money and left it to them to pay it back.

I thank the sponsors of this bill for the great effort they made. I think we have open and honest disagreements that deserve debate and discussion and amendments. They deserve amendments and they deserve honest debate. We are talking about the future of the Postal Service in America and we are talking about literally, over time, hundreds of billions of dollars of taxpayers' money.

I hope the majority leader will reconsider and allow amendments to be proposed. I hope my colleagues will not insist on a vote on a nonrelevant amendment as a condition to moving forward with legislation. That is not right either.

I have said time after time, because I have been around here for a long time, we should have people sit down, both majority and Republican leaders, and say, okay, how many amendments do you want? Which amendments do you want voted on? Give them a reasonable handful, which we did not that long ago, and then you have those votes and move forward.

This is important legislation. The Senator from Connecticut will point out that May 15 is a critical day. This issue cannot be strung out forever.

I hope we can sit down with the majority and Republican leader and come up with some amendments that would be allowed and then move forward. I don't know if my amendment will be agreed to, but I think it deserves a vote. I think it deserves debate and consideration.

Again, I thank the sponsors, three of the four of whom are on the floor, for their hard work. I look forward to the opportunity to have honest and open debate and discussion on this very important legislation. I know they and their staffs have put in hundreds and hundreds of hours of work on this legislation to bring it to the floor.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Madam President, I agree with the statements of the Senator from Ari-

zona about the majority leader and allowing us to actually work on relevant amendments that are important to each and every person in this Chamber, to make sure we can address those very real issues, to move not only this issue forward but to try to attempt to rescue the Post Office.

I also agree with him in his commenting on some of the deals that were cut by the Postmaster General in dealing with contracting. We actually have spoken about this many times. I asked the Postmaster General personally what was the thought process associated with entering into a contract? Did you want us to be the bad guys? What was the thought process there? Our hands are somewhat tied in dealing with some of these legislative issues.

There is nobody I respect more than the Senator who just walked out of this Chamber but I have to respectfully disagree. During our many long hours of deliberation between staff and co-sponsors we wrestled with many things that were brought up in his presentation. With all due respect, I read many other articles that comment we are moving boldly to try to rescue the Post Office, taking into consideration everybody—not only the union workers but obviously the Postmaster General, the citizens—i.e., the users of the Postal Service, and everybody in this Chamber.

The impending financial crisis at the Post Office I can tell you is foremost in our minds. It was the only consideration we had, was trying to make the Post Office viable for future generations to use. That is the only consideration we had. The fact that we are here today, and I guess are not going to be able to move forward on this, is mind-boggling. But any legitimate reform of the Postal Service has to recognize we need to cut costs and streamline an organization that is too big, especially in light of the future mail volumes and the decreasing of future mail volumes. Our bill recognizes this, but where it differs from the approach of the Senator from Arizona is in our recognition of the full impact that major service changes will have on postal customers and future revenues.

The Saturday delivery service of the Post Office is one of the strongest benefits it has. When you are competing with the other entities delivering mail or delivering packages and the like, that is the leg up that the Postal Service has. We want to deliver that.

As a matter of fact, I want to address two other things. It is not the taxpayers who are paying this money. It is the ratepayers who have already paid into the system and have in fact overpaid into the Postal Service in some of their retirement issues, the retirement program that we have. We are merely giving them that money back to allow them to get their financial house in order in order to offer some buyouts, to

get these 100,000 people retired so we can reduce the cost of the Postal Service.

Once we make these changes, the Senator from Arizona also referenced that it is going to take a 2-year study? No, it is not a 2-year study to see if we are going to cut down Saturday service. They want to cut it right off. If we do all these other changes, the consideration we did in a joint and bipartisan manner was to determine whether, in fact, if we had done these, do we still need to cut the Saturday service? Which, by the way, is the benefit the Postal Service has over everybody else. Are we going to contribute to that downward spiral or are we actually going to work together and give them the little bit of flexibility, to say we have done all these changes, we don't need to cut Saturday delivery?

We still do it. We may need to streamline it. We may need to do curbside instead of going to the door. We may need to do clusters, shift it in some rural areas. But we have cut retirees. We have cut, consolidated—we have done everything. That is what the 2-year study is: If it doesn't work, we will do it. But to cut off your nose to spite your face makes no sense to me.

As the Postal Regulatory Commission has pointed out time and time again, the assumptions on customer and revenue impact as a result of these proposals have been weak at best and nonexistent at worst. We need to make sure when and if we give the Postmaster General the ability to do these certain things, he is going to do them. There are no two ways about it. He needs to draw a line in the sand and, more importantly, get everybody in the same room. I cannot imagine that our postal employees, whatever union they are from, want to have the Post Office go bankrupt and go out of business. I can't imagine there are people listening who don't want to get their cards from their grandchildren, get their checks, magazines, these things they are accustomed to.

I am listening to the Senator and I am signing letters I am going to be putting in the mail. How ironic is that. I am sitting here signing letters and the Senator, for whom I have great respect, says we communicate by this cell phone—yes, but the personal touch and that feeling of how you feel I think is best expressed right here. That is why I take the time and effort to respond, not only to my constituents, to my family and friends. Call me old fashioned. I think there is something worth saving here and that is what I am working on.

Let me say, by the way, about the Senator from Connecticut, what a legacy he is going to leave. We just did the insider trading bill. Without Senator COLLINS' and Senator LIEBERMAN's help that never would have come to fruition, had they not actually had the

guts to move that forward. What a legacy to leave.

Then to actually have another legacy, to save the United States Post Office? They may actually name it after the Senator. I will make that effort, the Joe Lieberman Post Office. That will be great.

Mr. LIEBERMAN. In Massachusetts?

Mr. BROWN of Massachusetts. And I will put it in Massachusetts. How about that?

You need to have a sense of humor around here. Trust me, sometimes you have to laugh at some of the things that happen here.

But in all seriousness, we need to take these drastic steps in order to provide for the economic viability of the Postal Service. In our bill, S. 1789, we will have a better way. The likelihood of the House bill passing is, I am understanding, quite remote. But there is a good likelihood that we can actually get this out first if the majority leader lets us move forward and get it out the door and put the pressure on the House to join with us in a bicameral way.

I want to say I was honored to be part of this effort to rescue the Post Office, as I have been honored to work on everything in our committee. We are going to miss the Senator very much. I said that before and I am not kidding. I know Senator COLLINS feels the same way. To do these two major pieces of legislation, I am excited to see what else we can do before the Senator leaves.

With that in mind, I will yield the floor and note I am excited to continue to work on this very important initiative. I encourage the majority leader to allow us to move forward and get this done and then we will move on to the Violence Against Women Act. As I said before, I am a cosponsor of both. As I said before, I am a cosponsor of both, so flip a coin—either way I win. It is "heads" on both sides. This is time sensitive. But it is until May 15, if I am not mistaken, in order for us to do it and have some control over these cuts; otherwise, you could see Draconian cuts, willy-nilly, with no input from us at all and no protection for our constituents.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, first I thank my friend, the Senator from Massachusetts, for his kind words about me. It has been a pleasure to work with him. He has been a great and devoted member on our committee. He introduced, along with Senator GILLIBRAND, the two bills that became the anti-insider trading bill and worked as a ranking member on the subcommittee that Senator CARPER chairs that has been working, focused on saving the United States Postal Service.

I appreciate his kind words and the stated intention, to name a post office

for me. I hope he names one that is not then closed shortly thereafter. I also thank him for doing his part personally for the Post Office by continuing to write letters and sign them.

If we all personally—I am using e-mail as much as anyone else. I am going to wander a bit here in preparing for this my last year in the Senate and how you wind things down. They actually keep our e-mails on disks. They can be stored in libraries, as you would normal memos. We do reserve the right to edit somewhat. We are privileged in that way. But so much of the communication that goes on between people on e-mail is effectively lost in the ether of cyberspace.

When you think about the richness of history, how much of history comes from letters that were written or typed over time, I think—though the trend here is clear, more and more will be done on the Internet, on e-mail—I think people are going to still want to write and receive letters. That is just one of the reasons why the Post Office should stay what it is—not what it is now but remain a viable institution which is not only important for the slightly sentimental reasons I have mentioned but because millions of jobs in our society and our country depend on the Postal Service. Although e-mail and the Internet are changing the reality of communications in our world, there are some things, in addition to mail, that will always best be done through the services of the U.S. Postal Service and not through the Internet. Some of that is the catalogs and magazines we get through the mail, but some of it is the packages, medicine, products that people buy over the Internet, that have to be delivered. Most of that is actually delivered, the last mile, by the United States Postal Service.

I thank my friend from Massachusetts for responding to Senator MCCAIN's statement. It described where we are simplistically on this. I know there are some people who believe the bipartisan bill that came out of our committee—Senator COLLINS, Senator CARPER, Senator BROWN, and I—does too much. It is too tough on the Post Office. So they are concerned about it.

Senator MCCAIN is on the other side. He doesn't think—and I am sure there are others—that we have gone far enough quickly enough. I think we found the right spot. I think this is a balanced, middle-way proposal. But make no mistake about it, the substitute bill that has been filed is not a status quo bill. It authorizes and facilitates exactly the kind of significant change in the U.S. Postal Service that the reality of its declining business demands we propose. So in most of the cases, with the exception of the 6- to 5-day delivery, which I will come back to, to change the 6- to 5-day delivery requires legislative authorization. I

hope somebody puts an amendment in that would authorize the Post Office to go immediately from 6- to 5-day delivery because I wish to see what the sentiment is in the Senate. My guess is—for the reasons that the Senator from Massachusetts stated very eloquently—people are not ready for that precipitous change from 6 to 5 days; that if we do some of the things Senator MCCAIN is proposing, it would make such rapid and dramatic changes in the Postal Service that it will have the contrary effect to what people intend and it will diminish its services so rapidly that it will accelerate its downfall by decreasing its revenues.

This perhaps is not the right parallel, but I remember years ago when I was in the State Senate in Connecticut we had a real problem with the publicly supported bus transportation running a deficit, and one of the inevitable proposals was to raise the cost of the bus fare. Well, of course, one of the logical and sensible reactions to that—which happened—is that fewer people rode the bus because it cost more and it got into more trouble, and that is exactly the kind of downward cycle that the sensible change we are facilitating in this bill will make possible. Post offices and mail processing facilities will be closed under this bill. A lot of employees will leave the Post Office. This will all be done according to standards and in a methodical way that I think ultimately will not only save a lot of money for the Post Office—and I expect we will have an official estimate in the next day or two on that savings derived from our bill from the U.S. Post Office—but it will do so in a way that doesn't break people away from the Postal Service and put it into a more rapid spiral downward.

As a matter of process, I want to say in response to my friend from Arizona, Senator MCCAIN—first, I want to say that I appreciate what he said about the amendment from the Senator from Kentucky, it is not relevant to this bill. I am sure there will be another occasion that his proposal to terminate financial assistance to Egypt will be relevant and should be brought up, but it should not be brought up on this bill because it is not relevant and it is exactly those kinds of irrelevant amendments that often get the Senate into a gridlock situation which means we won't get our job done, and makes the public even more dissatisfied with us. So I thank Senator MCCAIN for speaking to that.

Senator MCCAIN has introduced an amendment, which I oppose, but it is relevant and it ought to be debated. I know the majority leader is very open to working out a process by which amendments from both caucuses will be introduced and introduced in a timely way. There are several colleagues on the Democratic side who have amendments they want to offer as well. So I

hope Senator COLLINS, Senator REID, Senator MCCONNELL, and I can work together to begin to reach a bipartisan agreement where we can take up amendments that are relevant—Senator MCCAIN's is one of them—and we can debate them and get something done here. Too often the public is so frustrated and angry with us because we leave problems unsolved because we get stuck in partisan, ideological, or procedural gridlock. This is a real problem.

The Post Office lost more than \$13 billion in the last 2 years. It would have been \$5 billion more if we had not waived a payment responsibility the Post Office had to the retirees' health benefit plan. It cannot go on this way. And if we don't act, it is not as if nothing will happen; something will happen. The Post Office will continue to spiral downward and the Postmaster will inevitably have to impose dramatic cuts in services and personnel. So I think it is our responsibility to create a set of rules and procedures here that acknowledges the need for change in the Postal Service, create a process—well, actually authorizes the Post Office to do some things it has not been able to do until now to raise more money—and create a process for changing the business model of the U.S. Postal Service so it can survive in a very different age, the age of e-mail, and also flourish because so many people in our country depend on it for doing so.

Madam President, 563 million pieces of mail get delivered by the U.S. Postal Service every day, so this is not some kind of irrelevant and antiquated relic somewhere. This is a beating, functioning, critically important element of our life, our commerce, and our culture, and a lot of people depend on it, so we have a responsibility to change it and to keep it alive.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, at a later time I am going to speak in strong opposition to the substitute offered by the Senator from Arizona, but I must say that he has every right to offer that substitute. We should fully debate it, and then we should vote on it. I am puzzled by the procedural steps that have been taken this afternoon to curtail the debate and amendment process on this bill without our even trying to get an agreement on the number of amendments, perhaps limiting them to relevant amendments, which I think would have been a fair way to proceed. So as much as I am opposed to the substance of Senator MCCAIN's substitute and believe it is ill-advised, I do believe we should have a full debate on it and a vote on it. That is what we are here for.

There are many different views on how we should save the Postal Service,

but surely all of us ought to recognize that we simply cannot allow the Postal Service to fail. It is the linchpin of a trillion dollar mailing industry that employs 8.7 million Americans. It is absolutely vital. It also is an American institution with roots going to our Constitution, and we worked very hard in a bipartisan way on our Homeland Security and Governmental Affairs Committee to come up with a very good bill that would put the Postal Service back on the right track.

It would allow it to compassionately downsize its workforce, which it needs to do. As painful as that is, we would do it in a compassionate way by giving authority for buyouts and retirement incentives similar to those used by the private sector. The Postmaster General has said he believes he could reduce the number of employees by 100,000 without layoffs but by giving these incentives, particularly since more than 33 percent of the Postal Service employees are already eligible for retirement.

Senator MCCAIN has a different view on how we should go about that. He has a different view on Saturday delivery, on rural post offices, on overnight delivery of mail, all of which I think are important. Our bill does not prevent the closure of every single post office, nor does it dictate that a certain number remain open or closed, for that matter. What we did is we set standards. That is the way it should be. We have the Postal Regulatory Commission set standards for access to postal services, and those standards are supposed to include consideration of such factors as distance to the next post office, geography, public transportation, and weather factors. That is far better than a one-size-fits-all approach that the Senator from Arizona would have or the approach used by the Postmaster General to target 3,200 post offices without even looking at whether there are alternative and far less expensive ways to deliver the services. And there are.

For example, a rural post office could be colocated in a pharmacy or a grocery store. It could still exist but run different hours, perhaps be opened from 7 to 9 in the morning and 5 to 7 at night. I wager that a lot of my constituents would appreciate that. That would be on their way to work in the morning and on their way home at night. It could colocate with a State office or local office, move into a town-hall, or have a Federal agency move in with the post office. It could offer services that are available generally at State and local offices. There are so many creative ways we can preserve postal services in rural areas and yet reduce costs, and I believe the Postal Service needs to be far more creative in its approach.

But I do not support the approach Senator MCCAIN has laid out. One of his proposals would create a new bureaucracy—I thought we were against

creating new bureaucracies around here—such as a new control board that would be over the board of governors and would have these dictatorial powers over the Postal Service. That is a proposal that I don't think makes sense.

Our approach is to have a commission that would examine the governance of the Postal Service, but perhaps what we should do, if there is something wrong with the structure of the board of governors—it was substantially revised in 2006—is then we should revamp the board of governors, not create this new superbureaucracy on top of it.

I agree with the comments of the Senator from Massachusetts on Saturday delivery. The provision that Senator MCCAIN has to move directly to 5-day delivery and his negative comments on the fact that we would prohibit that from happening for 2 years misunderstands the intent of our bill. It is not to say that might never happen; it is to say that reducing service should be the last resort, not the first option. The Postal Service has an advantage that it delivers 6 days a week.

Now if, in fact, after all the costs and waste and excess have been wrung out of the system and the Postal Service is still not solvent after 2 years, then we may have to move to 5-day delivery. But to give up that advantage immediately, I can tell you what is going to happen: The volume of mail will decline further. And if the volume of mail declines further after having a 26-percent decline over the past 5 years, what is going to happen? Revenues will plummet once again. So we need to be very careful about cutting service because it leads to mailers leaving the system. And once the big mailers, in particular, leave the Postal Service, they are not coming back, and the Postal Service will sink further and further into a death spiral.

My approach is to try to keep and grow the customers for the Postal Service. I think moving to Saturday delivery would drive more mail away and would hurt service and thus decrease the volume. So I do not think that is a good approach. But the reason for our 2-year delay is not an endless study, as has been described by the Senator from Arizona. It is to allow time for the retirement incentives to go into effect, the downsizing of the workforce to go into effect, the workers comp reforms to go into effect, the new arbitration provisions to go into effect, the administrative efficiencies that we mandate to go into effect—countless provisions of the bill to go into effect. I believe if they are aggressively and well implemented by the Postal Service leaders—if they are—there will be no need to eliminate Saturday delivery. That is the reason for the provision in our bill. But we recognize that maybe that will not happen.

Maybe the provisions will not be aggressively and well implemented, and the Postal Service will find that it needs to take that extra step. But, surely, our first approach ought to be to implement cuts without hurting service.

Let me give an example of that from my own State. In Hampden, ME, it is one of the two postal processing centers for the entire State of Maine. The other one is in Scarborough, ME, in southern Maine. The Hampden facility is absolutely essential for processing mail from the broad reaches of northern Maine, eastern Maine, and parts of western Maine.

Under the Postal Service's proposal, the Hampden facility would be closed. That virtually eliminates the possibility of overnight delivery for roughly two-thirds of the State of Maine by geography. It means a letter mailed from my hometown of Caribou, in northern Maine, to Presque Isle, just 10 or 11 miles away, would have to make a 600-mile roundtrip to Scarborough, ME, in order to be processed and delivered. I can't imagine how many days that is going to take, particularly in the winter, and this is all ground transportation.

So that is the kind of ill-conceived decision our bill is intended to prevent because it is the kind of decision that is going to cause postal customers to take their business elsewhere. In proof of that, I received an e-mail from a small business owner in Bangor, ME, which is the town right next to Hampden, who told me he had already received a notice from his payroll company saying if the Hampden facility closes, then they recommend that he move to electronic payroll or they will hand deliver the checks from their payroll. So that, again, is lost business for the Postal Service.

Could things be done at the Hampden facility to save money? Absolutely. If the facility's size is too big compared to the volume of mail it is now processing, reduce the footprint. Rent out part of the facility. A major mailer would love to be right in the same building as the postal processing center. It could easily be reconfigured to accomplish that. So the Postal Service can do a lot to reduce its costs without doing away with overnight delivery, with Saturday delivery, and with the treatment of first-class mail in the way that we have been accustomed.

Coming from New Hampshire, I know the Presiding Officer has a special appreciation for this: The steps that will be taken if we do not act will leave rural America behind. Not every part of my State has access to broadband. We talk all the time about how people can go on the Internet. Well, they can't in parts of my State. We are making progress in that area, but there are many rural areas in Maine that do not have access to broadband. So they do not have alternatives.

Weekly and daily newspapers would be at a terrible disadvantage if overnight delivery is no longer available for two-thirds of the State of Maine. Think about that. Think what it means for bill paying for those small businesses sending out bills to their customers.

Think about what it means to elderly individuals who are receiving prescription drugs through the mail—very common in my State, which is one of the States with the oldest population in the Nation. A lot of our elderly in Maine are, particularly in the winter months, essentially homebound and they rely on getting those pharmaceuticals through the mail. So if we do away with Saturday delivery, close the processing plants, no more overnight delivery, Monday holidays as well—I have talked to the Postmaster General, and he has conceded to me that even a first-class package or letter mailed on a Thursday would not arrive until a Tuesday. That is a long time when a person is waiting for vital medication.

So our approach, our fundamental premise, is to recognize that the Postal Service must become leaner, more streamlined, more efficient. It must downsize to respond to declining volume, but it must be smart in how it does so. It must do so in a way that does not alienate more of its customers because if it loses more of its customers, volume will decline and revenues will decline. It is that simple, and that is why this bill has been so carefully crafted.

This is not the bill I alone would have proposed, and I think that is true of all four of the sponsors of this bill. But we did what we are supposed to do in the Senate. We worked together. We had countless meetings, at times—I think the Senator from Connecticut will agree—endless meetings, to hammer out these provisions, to strike compromises.

We consulted widely with our colleagues—with GAO, with the Postal Service, with large mailers and small mailers, with the greeting card industry, with the newspaper industry, with magazine publishers, with anyone who had a stake—with the postal unions—and we got their suggestions and we crafted the bill to the best of our ability. We worked hard on it. I think it is a good bill.

I am very disappointed and indeed puzzled why we can't now proceed with debate on amendments on this bill and why we have a cloture motion on this bill already filed. That makes no sense to me. We are acting in good faith. We are open for business right now. We could be taking up amendments right now. I hope the leader will reconsider and allow us to do this bill in the usual way. I would pledge to him—and he knows I am sincere in this—to work with him to try to come up with amendments and see if we can go back

and forth, side to side, and start working through them. We are here. We are open for business. We are ready to go.

This bill matters. Our economy is still very fragile. If the Postal Service stops delivering mail this fall, it will be a crushing blow to this economy. If it stops delivering mail in certain areas or the mail is very slow, it will also hurt this economy.

We cannot leave rural America behind. The mandate of the Postal Service is universal service. That means whether a person lives in the far reaches of Alaska or at the bottom of the Grand Canyon in Arizona or on an island off the coast of Maine; all are supposed to be able to have access to the Postal Service. It is one of the things that unites us as a country.

So I urge my colleagues to come together in good faith and work through what I believe is a very important bill with a vital mission; that is, to save the U.S. Postal Service.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I wish to thank my dear friend and colleague from Maine, not my ranking member but really sort of cochair partner of our committee, for her excellent statement. I share her frustration about the procedural moment we are at in the Senate. I hope and I believe this is temporary. I believe Senator REID's intention is to do exactly what Senator COLLINS has said she would like to see happen, which is that we negotiate an agreement, hopefully—it would have to be adopted by consent, but it would have to be amendment by amendment, where we would go back and forth and consider amendments from each side of the aisle.

I know Senator REID has filled the tree. It is not as if there are not amendments that the Senate Democratic caucus wants to offer to the bill. There are. There are several of them. I know there are several on the Republican side. We worked very hard on this bill, as Senator COLLINS has said. The meetings did seem endless. I would say sometimes they seemed excessively endless. But, nonetheless, we reached across the aisle and compromised.

This is not a perfect piece of work. It is an important subject, so it deserves to be considered, debated, and amendments need to be offered. I am confident in saying that is exactly the direction in which the majority leader wants to go, and the sooner the better.

Having said that, and seeing no one else on the Senate floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CARPER. Madam President, we are debating this bill today because the Postal Service is facing, as many of us know, a dire financial crisis that literally threatens its very survival. This is a crisis that has been building for some time. It is one that only Congress can fix at this point, and one that we absolutely must fix now, literally in a matter of weeks.

Since the Postal Service was first established in 1971 in its current form, we have taken it for granted that our mail would arrive and that important business and personal correspondence would reach its destination. In addition, businesses, large and small, have come to rely on the mail to reach new customers and to communicate effectively with existing customers.

The Postal Service has a presence in virtually every community of any size in our country, large and small. It supports a trillion-dollar mailing industry that creates and sustains millions of private sector jobs—I am told as many as 8 million private sector jobs today. Unfortunately, a number of those jobs are at great risk today. They are at risk because those of us in Congress have, to date, proven unwilling or unable to come to consensus around a package of reforms that can update the Postal Service's network and business model to reflect the reality it faces today—if you will, to right-size the enterprise, much as the auto industry has right-sized its enterprise in the last 3 or 4 years. That lack of action on our part comes despite ample warnings about the severity of the problem and about the consequences of not appropriately and effectively solving that problem.

Nearly 2 years ago, former Postmaster General Potter announced—I think with the help of three major consulting companies—that the Postal Service would run up cumulative losses of more than 230 billion extra dollars by 2020 if we did nothing.

There are several reasons for these losses, including the diversion of first class mail to electronic forms of communication and legislative hurdles Congress has imposed on reform efforts.

Mr. Potter and his successor Pat Donahoe have done a tremendous job, I believe, in trying to chip away at these losses, with the help of their employees, with the help of several of their unions, with the help of a number of their customers, and I think from time to time with help from those of us who serve in the Congress and in the last administration and the current administration.

Over the past decade, the Postal Service has reduced the size of its postal workforce by roughly a third—not by firing people, not by laying people off, but through attrition. They have

closed scores of mail processing facilities across America with no noticeable impact on service. People still drop letters and packages in the mail, and they might be delivered the next day or the next day or within at least 3 days—pretty amazing when you think about it. The approval rating for Congress is not very high, but the customer satisfaction of the American people with respect to the Postal Service is still at about 85 percent—pretty good compared to how we are doing here in our Nation's Capital.

The Postal Service has introduced some new products such as the flat rate boxes: If it fits, it ships. They have formed productive partnerships with companies such as UPS and FedEx. UPS and FedEx do not want to deliver every package, every parcel to every mailbox or address across America. The Postal Service does that 6 days a week. The Postal Service has a nice partnership with FedEx and UPS in order to make money for the Postal Service and to provide good customer service in that partnership. But despite that, losses at the Postal Service continue to mount.

Last year, the Postal Service suffered an operating loss of more than \$5 billion. It will see a similar loss this year, even if it finds some way to avoid making the retiree health prefunding payments due in the coming months. Then the losses accelerate to \$6.5 billion in 2013; to \$10 billion in 2014; to more than \$12 billion in 2015; and to more than \$15 billion alone in 2016.

But these losses are only theoretical. I say that because the Postal Service is close to exhausting its \$15 billion line of credit with the Treasury and by this time next year will be well on its way to running completely out of cash. If that were to occur, the Postal Service's ability to continue operating will be in jeopardy.

Postmaster General Donahoe has said repeatedly that he and his team will do everything they can do to keep the mail moving even as the Postal Service's finances deteriorate. I believe him. But make no mistake: If the Postal Service is not permitted in the very near future to begin making the adjustments needed in response to the likely permanent declines in mail volume—especially first class mail—we have witnessed in recent years, the Postal Service will drown in red ink. The ripple effect of losing the Postal Service and the still very valuable services it provides would deliver a body blow to our economy at the very time our economy is recovering.

We are on the brink of this impending disaster in part because we are expecting the Postal Service of 2012 to try and be successful with a business model created in the 1970s. Let's remember, in 1970, when I was a naval flight officer on my first tour in Southeast Asia, there was no e-mail. There

was the mail. The happiest day of the week was when the mail came—letters, cards, packages, magazines, newspapers, you name it. That was the day of the week to live for. The last time I was over in Afghanistan—and Senator LIEBERMAN and Senator COLLINS have been there any number of times—the last time I was there, they still get mail, our guys and gals still get mail, but do you know what they have? They have Skype, they have telephones, they have these little phones like we carry around. They have the Internet; they have Facebook; they have Twitter. They have all that stuff. As a result, they do not use the mail as we did in our generation.

Today, Americans live and work online. We shop and transact more and more business online. These trends are likely to accelerate. If any of our colleagues doubt that, then they should ask our pages—these pages who are sitting right down here—how often they sit down and write a letter or send a greeting card. Our colleagues should ask members of their own staff how often they pay their bills through the mail. We should look at our own mail. In fact, when I asked my staff to do this, I said: Go back and look at 2001—my first year as a Senator—go back and see, if you look at the number of e-mails we got then and the number of letters we got then, what was the ratio? For roughly every 15 letters we got in 2001, we got 1 e-mail. I said: Go back and look at 2011. They did. As it turned out, for every 1 letter we received last year, we received about a dozen e-mails. Think of that.

The Federal Government itself is even contributing to this trend, and I think in a pretty big way. It was announced within the last week or so that the Social Security Administration, starting next year, will send virtually all of its 73 million payments—I think that is each month—to Social Security recipients processed online through direct deposit, not mailed out. That is us.

So even as the American people adjust to new communications technologies, many of us here in Congress expect the Postal Service to continue as if nothing has changed. But in these changing times, these challenging times, we need to recognize that difficult choices need to be made. It is not efficient or affordable to maintain a mail processing and delivery network built for the peak mail volumes of years ago.

That said, many of my colleagues have legitimate concerns about the severity and speed of the Postal Service's streamlining efforts. To address those concerns, the managers' amendment that Senators LIEBERMAN, COLLINS, BROWN, and I have put forward includes a number of safeguards crafted to ensure that the changes that will occur in the coming months and years are

implemented in responsible ways—ways that are consistent with what I can describe as the Golden Rule: that we would treat others the way we would want to be treated. That includes customers of the Postal Service, employees of the Postal Service, and taxpayers of this country.

We also seek to provide assurances in our managers' amendment that those who still rely largely on the Postal Service, including rural customers without access to broadband, will continue to have access to the services they know and need in the years to come.

We also take steps in this bill with this managers' amendment to ensure that this effort to save the Postal Service is not all about closing facilities and cutting services. Recognizing that questionable policy decisions made over the years regarding the Postal Service's pension and health care obligations are part of the Postal Service's financial problems, we call for, in this managers' amendment, refunding the more than \$10 billion the Postal Service has overpaid into the Federal Employees Retirement System. A portion of that refund—that \$10 billion to \$12 billion, whatever it turns out to be—would be used to encourage at least some of the 125,000 postal employees at or near retirement age today to retire now or within the next year or 2, saving the Postal Service billions of dollars annually.

Let me back up for a moment. If you go back a decade or so ago, there were roughly 900,000 men and women who worked for the Postal Service, for us in the Postal Service. Today, there are 550,000 people who are employees of the Postal Service. Out of that roughly 550,000 people, 125,000 are eligible to retire. They are eligible to retire, and they have not chosen to do so, despite the fact they are eligible.

One of the things the Postmaster General wants to do—and I believe our managers, those of us who are cosponsors, coauthors of this bill and the managers' amendment, want to do—is to encourage those folks to retire. Eighty percent of the Postal Service's costs are personnel costs. To the extent we can continue to right-size this enterprise, enable it to right-size itself, given the market share from 550,000, 500,000 down to maybe 450,000 in the next year or two—an enterprise where 80 percent of the cost is personnel—that helps get this enterprise back to a place where it is not bleeding money every day of every week of every month of this year.

Today the Postal Service will lose—get this—\$23 million. Today. And today, if you look at the amount of money the Postal Service owes to the Treasury on its line of credit, it is roughly \$13 billion—maybe more than that for the line of credit that only goes up to \$15 billion.

There is some controversy that flowed out of the 2006 legislation signed by former President Bush. He insisted at the time that in order to sign that legislation, we in the Congress would have to agree to I think maybe the most conservative approach to prefunding retiree health benefits of any government agency or any business with which I have ever been associated. I used to be treasurer of my State government, and we began prefunding health benefits for retirees several years ago—actually, right at the end of my second term as Governor—but nothing like this. We instituted that requirement in order to get President Bush to sign on to the bill at a time when the Postal Service was in good shape. That was a very popular year, if you will, for the Postal Service, before the roof fell in and the economy went to heck in a hand basket. But the Postal Service was in pretty good shape, very good shape, so the taxpayers would not be saddled with those obligations in the event the Postal Service could not meet them in the years to come.

President Bush's people said: Look, we will sign this bill. The Postal Service will not always be making money—as they were in 2006—and 10 or 15 years down the line when they are not doing so well, we want to make sure that a large part of the health care benefits for retirees have been satisfied or paid for.

That is not an entirely bad idea. We did not know that we were going to enter the worst recession since the Great Depression in 2008. We did not know we were going to lose 2.5 million jobs in the second half of 2008 and we did not know we were going to lose 2.5 million jobs in the first half of 2009, but we did. It put us in the tank and it put the Postal Service in the tank far quicker than anybody had a reasonable right to imagine.

But, in retrospect, the payment schedule put into place back then proved to be too aggressive once the bottom fell out of our economy in 2008. Our managers' amendment scraps the schedule adopted in 2006 and replaces it with a more realistic one that is based on what the Postal Service actually owes. And that change, coupled with some others, including one that would better coordinate postal retirees' Medicare and Federal employee health benefits, would cut the Postal Service retiree health costs by more than half—not ignore them but cut them in half and put them on a more realistic time schedule.

Finally, our managers' amendment pushes the Postal Service to redouble its efforts to innovate, to redouble its efforts to develop new products that can grow revenue going forward. There are some who would argue that—let me dwell on that for just a moment. Frankly, somewhere down the line—I

don't know if it will be a year from now or 5 years from now or 10 years from now—a light will go on in somebody's head, and they will say: You know, the Postal Service goes to every door in America five or six times a week. They are in every community in America. Why did we not think of a particular idea to enable them to create a new source of revenue or new sources of revenue?

I would like to mention some that are actually working. Flat rate boxes—if it fits, it ships. That is a great product. There is the partnership the Postal Service has with FedEx and UPS, delivered by the Postal Service the last mile or 2 or 3 or 4 or 5 miles where FedEx or UPS does not want to go in many cases. That is a good way to make money, especially if more people buy things, order things for themselves, for their families, for their loved ones over the Internet and have them shipped. The Postal Service can have a big piece of that business.

There are other ideas as well. FedEx and UPS get to deliver wine and beer. The Postal Service does not. We changed that in this legislation. There are ideas dealing with electronic mail boxes. We will hear more about those in the days to come. Other countries with postal services actually have used that as a way to provide a good service for their people and for their businesses, and I think there is maybe an argument that we should allow the Postal Service here to do that too.

Even further down the road and kind of out there in ideas, as the Presiding Officer knows in neighboring Pennsylvania—they do not have a coastline, but they are close to ours and to New Jersey—5, 6 years from now, we are going to have windmill farms off the coast of the United States, the east coast from North Carolina, Virginia, all the way up to Maine. They are going to be harvesting the wind, turning that wind into electricity. Do you know what. The wind does not always blow, but there are times that it blows a lot more, and we are going to generate more electricity than we can actually use on a particular day at a particular hour. What are we going to do with that electricity? Well, we are going to store it. And where are we going to store it? One of the places to store it is in the batteries of fleets of vehicles. Who has one of the biggest fleets in America? The Postal Service. A lot of the vehicles in their fleet are like 25, even 30 years old. We have all of these new vehicles coming to the market that are far more energy efficient to replace those old and in some cases dilapidated fleet vehicles in the Postal Service. The new vehicles, with their batteries, can literally be a place to receive the electricity generated on a windy day in the Atlantic, out in the Outer Continental Shelf, to store that electricity and, when needed, put it

back out on the grid, the electric grid, to provide energy as needed across the Northeast and mid-Atlantic part of our Nation. That is an idea that is sort of out there, but we need to be thinking boldly, and the Postal Service needs to be doing that.

I think one of the better pieces of our amendment—and this came from some of the more progressive members of the Democratic Party here in the Senate and kind of joined up with some of the more conservative folks on the Republican side—but the idea is that the Postal Service needs to be more entrepreneurial. They need to be more innovative.

When they come up with good ideas for making money, including the idea we talked about at lunch in the caucus we had today—how about vote by mail? In two States today—Oregon and Washington—they vote by mail. And what does that do to voter turnout? I think we were told by Senator CANTWELL that in her State last year—2 years ago in the election, they had 72-percent voter turnout. This year they are expecting 84 percent voter turnout. I mean, this is a country in which we are lucky to have 50 percent of the people who are eligible actually turn out to vote. And we can see what vote by mail can do in those two States. They could be laboratories of democracy for our Nation, encourage voter turnout, maybe do it in a more cost-effective way and—get this—provide new sources of revenue, a great source of revenue for the Postal Service. That is the sort of thing we need to kind in mind.

I don't think there is any one silver bullet, but I like to say there are a lot of silver BBs, and some of them are pretty big, and those might be among them. There are ideas we have not even thought of yet that we ought to do.

Let me just say—and I am getting fairly close to the end—that I don't mean to suggest that what the managers' amendment—the underlying bill was reported out of committee by about a 9-to-1 vote. The managers' amendment, crafted by Senators LIEBERMAN, COLLINS, BROWN, and myself, is not perfect. Very few things associated with my name have ever been perfect. But I will say this. One of my core values—some of you have heard me say this maybe too many times—if it is not perfect, make it better. If it is not perfect, make it better. And we have the opportunity to take what we believe is a managers' amendment which is an improvement over the original bill—we have the opportunity to make it better. I do not think in this case, they are not just Republican ideas, they are not just Democratic ideas, they are not liberal ideas, they are not conservative ideas, they are just better ideas. And my hope is that Members will have the opportunity in the days this week, in the days to come, to come to this floor and to offer their better ideas.

I would plead with our colleagues, don't just come to the floor and offer amendments that have absolutely nothing to do with the Postal Service. Please come to the floor to offer amendments that can help make this bill better with respect to ensuring that we have a Postal Service that is viable and solvent in the 21st century, that can meet our communications needs for individuals, for families, and for businesses.

We are not going through a fire drill here; this is an emergency. This is an emergency. It is a huge challenge, but it is also an opportunity to get it right this time and hopefully, with a growing economy, to maybe have a little bit of the wind to our backs.

We have to pass a bill. My hope is we can pass a bill with bipartisan support that is good underlying public policy so that when we end up in 2016, the Postal Service won't be running daily losses of \$22 million a day as they are today, that the Postal Service will have had an opportunity to use this refund they are owed by the Federal Employees Retirement System—\$12 billion—to pay down much of their debt, maybe use a little bit of that money to help incentivize some of the 125,000 Postal Service employees who are eligible to retire to go ahead and retire.

We can do this in a way—I know a bunch of our colleagues are concerned. We hear it—Senator LIEBERMAN and I, Senators COLLINS and BROWN—from our colleagues already. They are concerned about rural post offices. Believe it or not, we have some of those in Delaware. We have some of those in Connecticut and certainly in Maine, even some in Massachusetts. I think we have actually come up with a pretty good approach. And we appreciate very much the input of people such as JON TESTER from Montana and JERRY MORAN from Kansas, those Senators—one a Democrat, one a Republican—to try to give us a better idea on how to move forward on the post offices.

Let me just close with this. There are 33,000 post offices in America, in communities across the country. A year or so ago, the Postal Service—the Postmaster General met with us and our committee, and he said: We have 3,700 of those post offices under review that we think maybe should be closed—3,700.

There were at the time about 500 mail-processing centers across the country that the post office had for processing mail, and he said: We would like to close about 300 of them. We would like to change the standards for delivery for mail from 1 to 3 days to maybe 2 to 3 days.

Some were afraid it was going to slip from 2 to 3, to 2 to 4, even worse.

Where we have ended in this managers' amendment—I would say to folks, my colleagues who are concerned about the impact that will have on

their rural post offices or their mail-processing centers, here is where we have ended. The Postal Service has pretty much backed off and said: We are not that much interested in closing 3,700 post offices or 2,700 or 1,700 post offices.

What they really would like to do is this, and I think it is a smarter, actually more cost-effective approach, more humane approach, and that is to say to communities across America: We have a post office—or maybe the postmaster is making \$50,000, \$60,000, \$70,000 a year and the post office is selling like \$15,000 or \$20,000 worth of stamps. Rather than close that post office, provide that community with a menu of options. The menu of options would be to maybe keep the post office open; say to the postmaster there who is eligible to retire: We would like to incentivize you to retire. Here is a \$25,000 bonus if you will go ahead and retire. You can retire, receive your pension, be eligible for benefits as a postal retiree, and come back and work on a part-time basis and run that post office for 2 hours a day, 4 hours a day, 6 hours a day, whatever the community feels meets their needs, morning or afternoon, midafternoon, evening. And that retired postmaster can—that money they collect, they keep. They do not have to reduce their pension. That is just extra money they can make for continuing to provide the service. We still have the post office there. The flag still flies in front of it. That is one option.

Another option might be, if the folks in the community want it, to put that post office in a supermarket. One of the supermarkets that are close to my house in Delaware—they have a supermarket, they have a pharmacy, and they have a bank. It turns out that one of our major national chains of pharmacies, Walgreens—I was up visiting their headquarters, their offices up in Chicago—I do not know if Chairman LIEBERMAN has been there, but the pharmacy of the future—they took me to a couple of them—has a beautiful pharmacy. Part of it is a post office. So you can see in places across the country whether it might make sense to consolidate the post office in like a Walgreens or some other kind of pharmacy or convenience store. It might make sense to—say you have a small town and they have like a townhall, that kind of thing. How about consolidating those buildings together with the post office?

We have even heard of an idea like creating kind of an Internet cafe in places where they do not have broadband and see if we can't have in rural post offices—where folks who live in that community, in that area, do not have broadband access, maybe have it at the post office. There are all kinds of ideas out there.

You know, on the mail-processing side, instead of closing 500 mail-pro-

cessing centers across the country, the Postmaster General has come to us. We worked to maintain—not to go from 1- to 3-day service—from that to a 2- to 3-day service or 2- to 4-day service, but to maintain kind of like a 1- to 3-day service—1 with an asterisk: The 1-day service would be overnight service, next-day service in communities like if they are in the same metropolitan area.

They were still getting next-day service. Outside of that metropolitan area, they might. But in most cases it would be 2-day service, and in no case would it be worse than 3-day service. By going to the modified service standard delivery, the Postal Service would have to close 500 mail processing centers. It probably would be able to close 150 and be able to offer incentives to employees to retire and they could migrate to other jobs within the Postal Service. But I think it maybe would be a smarter way to move this large, old, but still germane, relevant Postal Service into the 21st century.

I will close with this: This is not the time to kick the can down the road. I have no interest in doing that. I know Senator LIEBERMAN and Senator BROWN and Senator COLLINS have no interest in doing that. This is the time to fix the problem. I would like to think we are smart enough in the Senate to fix this; that we are smart enough to work with the House, with our staffs, a lot of good people—the folks at the Postal Service who work there, the unions, the customers, and a lot of people in businesses all over the country together working on this. I think we are smart enough to figure out how to solve this. We need to do that.

Last thought: During the recess I mentioned to my colleagues and the Presiding Officer and Senator LIEBERMAN during our caucus lunch, I said: I don't know what you guys did over the Easter recess, but I covered Delaware. I love to do it. I go back there every night, but it is a great joy to reconnect with everybody. I also spent some time on the phone and meeting with folks in businesses in Delaware and outside of Delaware who usually rely on the Postal Service.

Nationwide there are 7 million to 8 million people whose jobs are integrated or part of or facilitated by our Postal Service—7 to 8 million jobs. We are coming out of the worst recession since before I was born—before we were born. We need to get out of it. One of the best ways to do that is to provide certainty and predictability for a lot of businesses. One way to do that is to pass postal reform legislation that finishes the job we started 5, 6 years ago. We can do that. We need to do that. I am encouraged that we will do that.

I thank the chairman of the committee, whom I love working with—I think we all do—for giving me a chance to work with him on this issue and for

providing the great leadership he always does. Also, I say to SUSAN COLLINS who has just left the floor, it is a real privilege to work with her.

Finally, we are blessed with wonderful staffs, wonderful people, as Senator LIEBERMAN knows, John Kilvington and others who are part of my staff, and Michael and the team who are part of Senator LIEBERMAN's staff, and Kate who works with Senator COLLINS. They have done great, hard work. We are privileged to be able to work with them.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank my friend, the Senator from Delaware, for his excellent statement on the bill and where we are in regard to the U.S. Postal Service. I thank him for what he has done over the last several years to try to save the U.S. Postal Service in a changing environment and to lead the change.

No one in the Senate—I believe no one in the Congress—has worked harder over the last decade to reform the U.S. Postal Service than Senator TOM CARPER. There is a way in which he has engaged in the kinds of problems that others try to get far away from. He sees an institution like the U.S. Postal Service and how important it is, he is challenged by it, and he goes at it with all of his considerable capabilities and persistence until he gets it right. I cannot thank him enough for doing that.

This is not the kind of issue on which one gains a lot of political advantage. Again, it is a test of our government, a test of our capacity to maintain public services that people depend upon in a changing world. We all know—and he has been a leader—that e-mail is affecting the volume of mail. The post office has to change to stay not only viable but strong. I think we are going to do it in this Congress, and nobody will deserve more credit for that than Senator TOM CARPER. I am glad I had the chance to spontaneously offer that much deserved gratitude and praise to Senator CARPER.

I say to my colleagues and staff who may be watching or listening—to pick up a theme of Senator CARPER and try to bring it home—there are some amendments on both sides that ought to be aired out. I believe Senator REID wants to do that and wants to create a process where relevant amendments from both sides—not without limit but a good number of them—get to be debated on the Senate floor.

It is my understanding that both caucuses now are hotlining a request to Senate offices that if Senators have an amendment they want to introduce on this postal reform bill, to let their respective cloakrooms know so that we can see what the universe is and then we can see if we can work on an agreement where we alternate submitting

amendments and begin to get into the substance of the bill and move it to a point where we can actually adopt something.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

WELCOMING JOHN CROWN

Mr. BROWN of Ohio. Mr. President, I am joined on the floor today for his first time on the Senate floor with John Crown, who works on our veterans affairs issues. He came from the Veterans Committee and joined our staff in the last couple of weeks. John Crown is a marine, did two tours of duty in Iraq, and we honor him for his service. He, it seems, wants to dedicate his life to serving people who also served their country, people of all ages and both genders and all ideologies and who served their country anytime in the last several decades. I wanted to announce his first visit to the Senate floor today.

DOOLITTLE TOKYO RAIDERS

Mr. President, 70 years ago this week, on April 18, 1942, 80 brave American airmen volunteered for an extremely hazardous mission. The Presiding Officer, the senior Senator from Pennsylvania, knows I like to come to the Senate floor and talk about history and honor people who have played such an important role in our history. I want to talk about these men. They were known as the Doolittle Tokyo Raiders. They accepted their mission without knowing what it entailed. Their mission followed the attack on Pearl Harbor. Pearl Harbor happened, obviously, the December before. It was our Nation's first offensive against Japanese soil in the Second World War, planned and led by Lt. Col. Jimmy Doolittle.

The mission was risky from the outset. It was the first time the Army Air Corps and Navy collaborated on a tactical mission, flying 16 B-25 Mitchell bombers from the deck of the USS *Hornet*, a feat never attempted before. The morning of the raid, the USS *Hornet* encountered Japanese ships 170 miles from the prearranged launch point. Fearing that the mission might be compromised, the Raiders proceeded to launch 170 miles earlier than anticipated. By departing 650 miles from their intended target, these men accepted the risk they might not have enough fuel to make it beyond the Jap-

anese lines to occupied China. Accepting this choice meant the raiders would almost certainly have to crash land or bail out, either above Japanese-occupied China or even over the home islands in Japan. Any survivors, they knew, would certainly be subjected to imprisonment or torture or death.

After reaching their targets, 15 of the bombers continued to China while the 16th, dangerously low on fuel, headed to Russia. The total distance traveled by the Raiders averaged 2,250 nautical miles over 13 hours, making it the longest combat mission ever flown in a B-25 bomber during the war.

Of the 80 Raiders who were launched that day, 8 were captured. Of these eight prisoners, three were executed, one died of disease, and four of these prisoners returned home after the end of the war. Of the original 80 Raiders, 5 are still with us today and they are celebrating this week the 70th anniversary in Dayton, OH, honoring their fellow Raiders who are no longer with them. As they gather this week, I am proud to submit this resolution with my colleagues from both parties and from each State where these men reside. It is my pleasure to have Senator HUTCHISON from Texas, Senator MURRAY from Washington State, Senator ALEXANDER from Tennessee, Senator TESTER from Montana, and Senator BAUCUS, also from Montana, and Senator NELSON as my cosponsors. It is my sincere privilege especially to have Senators INOUE and LAUTENBERG, both veterans of the war, as cosponsors, too.

As the Raiders gather this week, these five men will also honor other heroes—this is what is perhaps even as interesting as the first part—the Chinese citizens who cared for, protected, and enabled them to survive in a foreign land, a very foreign land to these American men. A Chinese delegation is coming to Dayton for the reunion. Among the delegation is a man whose father helped carry injured Raiders to safety and even nursed one Raider to health. I would be certain they could not talk to each other in a common language. They had never seen anybody like the other one. Yet one, a Chinese, helped this American airman.

It is only fitting we recognize this week's anniversary and commend the 5 living members and the 75 deceased members of the Doolittle Tokyo Raiders for their heroism on that day. It is fitting to remember the compassion shown to the Raiders by the Chinese villagers they encountered.

The Senate resolution is our humble attempt to show our gratitude. The valor, skill, and courage shown by the Raiders proved invaluable to the eventual defeat of Japan during the Second World War. Today, these men, with their Chinese friends, remind us that quiet decency and uncommon valor in the face of sure danger, however rare, are traits that know no limit.

THE AUTO INDUSTRY

Mr. President, the last 2 weeks most Members of the Senate were back in their States talking—I hope listening more than talking and learning more than perhaps talking—and learning about issues and problems they were seeing and hearing in their State. I was in Ohio, from Ashtabula to Parma to Zanesville, to meet with Ohioans to discuss ways to get our economy back on track.

Too many Ohioans are struggling as too many people in Pennsylvania are struggling. Many are still looking for work. Others have seen their wages cut or their hours reduced, but from Chillicothe to Toledo, from Portsmouth to Mansfield, there are signs of recovery as our manufacturers, especially auto suppliers, but much more than that, and some of the small businesses supplying these companies, are beginning to show real signs of growth.

Few places are more symbolic of this than a company called American Manufacturing, located in Toledo. Three years ago the auto industry, as we know, was on the verge of collapse, threatening to take down with it thousands of auto parts suppliers. American Manufacturing got down to four employees. They had had 125. They supplied container crates, metal container crates, for the auto industry. It had once been 125, down to 4 employees.

President Bush tried but was blocked, mostly by Republicans in the Senate, his own party members, to do a bridge loan and assistance for the auto industry. President Obama, with a strong Democratic majority, over the opposition of many Republicans—although some Republicans in my part of the country, the industrial areas around Ohio, including Ohio, were supportive—was able to rescue this industry. We knew that rescuing the auto industry was way more than about helping Chrysler and General Motors. We knew it mattered, not just for those large companies and their workers, it mattered for Johnson Controls, it mattered for Magnam, it mattered for small companies such as American Manufacturing in Toledo, companies that depended on the auto industry.

In fact, estimates are that 800,000 people in Ohio are in the auto industry one way or the other; directly or indirectly they work for auto companies. Forty-eight of these 800,000-plus jobs were depending on Congress moving forward in early 2009, doing the right thing. The decision was not popular. There were all kinds of naysayers. There is no question now that it was a success. A number of people—from Governor Romney to lots of people around the country and lots of conservative politicians in Washington—said we can structure it. But let the companies go into bankruptcy and then let them put the financing together to come out of bankruptcy. The only

problem was that nobody—from Bain Capital to First National Bank—was willing to loan money to these two behemoths, Chrysler and GM, because they were in such a terrible situation and had such terrible problems.

So what happened? The government loaned the money. Much of that money is paid back and things are better. But let's not forget that in January of 2009, when President Obama took office, we were losing 800,000 jobs a month. Our economy was in freefall, and this was the time the auto industry was going down. To stop the bleeding, one of the things we did was unlock the frozen credit market for small businesses and manufacturers through the Small Business Administration. Through these SBA loans, we saw a new local bank that had only been around for a handful of years in Toledo, OH, step up, invest capital in American Manufacturing, which is in Toledo, and this company is now about to hire its 100th person. This company is successful now because of the auto rescue, and it is successful because of the Small Business Administration coming out of the Recovery Act and having enough money to guarantee loans not with a Wall Street bank but a local community bank to get this company on its feet.

Even with all of this we are seeing that the auto rescue is working, and we know two terrific examples of how it is working in my State. The Chevy Cruze is assembled in Youngstown, OH. My 28-year-old daughter drives a Chevy Cruze. The Chevy Cruze probably would not exist today if it were not for the auto rescue, and here is what it means to Ohio: The engine is made in Defiance, OH; the bumper is made in Northwood, OH; the transmission is made in Toledo, OH; the sound system is made in Springboro, OH; the steel comes out of Middletown, which is in Butler County, OH; the aluminum comes out of Cleveland, OH; the stamping is done in Parma, OH; and the assembly is done in Lordstown, OH.

Look at the Jeep Wrangler. The Jeep Wrangler was assembled in Toledo prior to the auto rescue, but only 50 percent of the parts for the Jeep Wrangler were made in the United States. Today there are more people working at Wrangler, producing more cars—still assembled in Ohio—yet instead of 50 percent, 75 percent of the parts now come from companies in the United States made by workers in the United States.

What we are now seeing as the auto industry begins to grow and the auto rescue was so clearly the right thing to do—thank God the Senate and the House didn't listen to the naysayers. In spite of that, we are still seeing huge trade deficits with China in auto parts.

Ten years ago our trade deficit with China and auto parts was \$1 billion. That meant we bought about \$1 billion

in car parts from China more than we sold to China. That was 10 years ago. Today that number has grown to almost \$10 billion.

The first President George Bush said a \$1 billion trade deficit, meaning we bought \$1 billion more than we sold to another country, translated to about 13,000 jobs. Do the math. Today the bilateral trade deficit between the United States and China on auto parts alone is \$10 billion.

We are seeing it in other things. We see it in auto, we see it in solar, and we see that China uses unfair subsidies. They subsidize water, they subsidize energy, they subsidize land, they subsidize credit, and on top of that they have a currency advantage because they manipulate the currency.

Sitting idly by is not an option. My colleagues on both sides of the aisle understand that. That is why my China currency manipulation bill—the biggest bipartisan bill to pass the Senate in 2011 by more than 70 votes—costs the taxpayers nothing, but it levels the playing field so China cannot manipulate its currency and cheat in international trade. As I said, that legislation passed with 70 votes.

A recently released report shows that if this Congress—meaning the House of Representatives down the hall—would pass this and send it to the President's desk, and if the President signs it, that by addressing the China currency manipulation it could support the creation of 2.2 million American jobs without adding a dime to the deficit. In fact, it would be the opposite.

If we take 2 million people who are now unemployed and put them in manufacturing jobs making \$15, \$20, \$25 an hour, we would clearly see the deficit shrink. More people would be back on the payroll paying taxes and contributing to their communities.

It is time to take bold action. It is time to stand up on China currency. I appreciate the support of my colleagues in the Senate on the China currency bill. Time is running out in the House. I am hopeful the House of Representatives passes this bill too. It is time we put American workers and American manufacturing companies first.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO KENNETH HALL

Ms. LANDRIEU. Mr. President, I come to the floor today to mark and celebrate the career of a Louisiana native who is a very dear friend of mine

and someone who is admired by literally thousands if not millions of people in Texas and around the world. That gentleman is Dr. Kenneth Hall.

Next week Dr. Hall will retire after almost two decades of leadership at Buckner International, which is one of the world's outstanding nonprofit organizations formed many years ago in Texas. Dr. Hall served as only the fifth president in over 120 years. After his retirement as president in 2010, he has continued to serve as CEO of this fine organization.

Buckner, as it is known, is a global Christian ministry that does extraordinary work with vulnerable children and families throughout Texas and other places in the United States and recently expanded internationally. They helped run self-sufficiency programs, community transformation programs, education, job readiness training, and afterschool programs for vulnerable children. Remarkably, I have seen their work both in downtown Dallas, TX, as well as out in remote villages in Ethiopia, and the quality and expertise is identical and it is heartwarming.

The causes of vulnerable children both here and overseas is something, of course, that is extremely close to my heart. I spent a good bit of time in the Senate working with my colleagues on issues that advance their welfare, and it has been my privilege and honor to know Dr. Hall over the past several years.

He was born in Louisiana, earned his BA from the University of Texas at Tyler. He earned a master of divinity and doctor of ministry degrees from Southwest Baptist Theological Cemetery in Fort Worth.

Before his career started at Buckner, he served as pastor of four churches in Texas. He has been married for many years and has a beautiful family—his wife Linda and their two married children and their grandchildren.

I want to say a brief word about Buckner itself. It was founded over 135 years ago when a Baptist minister, R.C. Buckner, started an orphanage with an initial donation of \$27. As the story goes, he literally took off his hat, put a dollar in it, and passed it around to the ministers present, and with \$27 started the first orphanage west of the Mississippi to help the children who were coming on those orphan trains across our Nation. They took them off of those trains and gave them homes and families.

The organization has grown since then, but under Dr. Hall's leadership Buckner expanded to include more than \$200 million in capital improvements and an endowment of more than \$200 million. As I said, he worked to expand Buckner's reach overseas.

I had the pleasure of traveling with him to Ethiopia recently, and I witnessed firsthand the incredible work

and his personal passion for helping families become more self-sufficient, maintaining children in their birth family groups, and helping to literally transform communities with this special Buckner touch.

So it has been said before: To be who you are and become what you are capable of is the only goal worth living. It is my hope that Dr. Hall will continue to achieve his goal in this life. We will miss him, his selfless service, and his dedication. We honor him today in the Senate for over two decades of service to one of the Nation's best nonprofit faith-based organizations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

SURFACE TRANSPORTATION ACT

Mr. WHITEHOUSE. Mr. President, I am delighted to follow my colleague from Louisiana because I am rising this evening to talk about a bill she has put an enormous amount of effort into, and she has had a very significant role in the success of the bill that I am going to talk about. We have a bill in Congress that is perhaps the most significant jobs bill that will be able to pass in this session. It is described as producing 2.9 million jobs—nearly 3 million jobs.

Rhode Island is a relatively small State, but it means 9,000 jobs in the State of Rhode Island. We have about 60,000 people out of work right now in Rhode Island; 9,000 would take a significant number of those folks and enable them to get to work.

It is a serious jobs bill. It also went through a completely impeccable process in the Senate. It passed out of the Environment and Public Works Committee with the strong support of our chairman, BARBARA BOXER, and the equally strong support of her ranking member, Senator INHOFE of Oklahoma. They come from quite different political persuasions, but they were together on this bill and it passed unanimously out of the Environment and Public Works Committee.

It came to the floor. We had a completely open process on the floor. It spent 5 weeks on this floor being discussed, debated, and amended. It was quite thoroughly amended. There were more than 40 amendments that were either voted on or accepted while it was on the floor. So from a process point of view, it was exactly what everybody hopes for in a piece of legislation. It passed out of the Senate with 74 Senators voting for it; a 75th who would have voted for it but had to be away in his home State. So the final tally, in effect, would be 75 to 22—a landslide, bipartisan vote; a jobs bill that passed with an impeccable legislative process and produced a landslide bipartisan bill.

What is that bill? It is the highway bill. It is a bill we have been working on now in Congress since the days of

the Federal highway system under President Eisenhower. It is not complicated, everybody understands it, and 3 million jobs depend on its passage.

Unfortunately, it is snarled up, for reasons that are hard to explain, over in the House of Representatives. The Speaker has not called up this bipartisan, very well regarded Senate bill. It has support outside this institution from everybody from the U.S. Chamber of Commerce to the Laborers' International Union. It has environmental support. This is a bill that is not being held up in the House because there is an important interest that was overlooked or that is an adversary to it. It is being held up for, I don't know, I would say Washington insider reasons having to do with the politics of the House of Representatives. So when there are 3 million jobs at stake, that is a real shame.

It started to be noticed by, for instance, the ratings agencies. Standard & Poor's just published on April 2 a report entitled "Increasingly Unpredictable Federal Funding Could Stall U.S. Transportation Infrastructure Projects." When we stall U.S. transportation infrastructure projects, we kill jobs. That is what is happening.

Here is how they describe it: Currently, the surface transportation bill remains mired in uncertainty. Holdups in funding reauthorizations and/or significant cuts in infrastructure programs are delaying some projects and forcing others to be scaled back.

Delaying some projects means taking away jobs. Forcing others to be scaled back means taking away jobs.

Here is what happened, as they describe it: With the March 31 expiration of the highway trust fund looming, Congress passed on March 29—last minute—yet another extension to fund U.S. highway programs. This latest continuing resolution—the ninth—provides funding through June 30, 2012. As construction season begins in the northern half of the country, this continuing uncertainty in funding could force States to delay projects rather than risk funding changes or political gridlock come July.

That is exactly what is happening in Rhode Island and in many other States. I was home over our recess and met with our very capable director of transportation Michael Lewis, who has served under Republican and Independent administrations. He said: SHELDON, I have a list of all the projects we want to get done this summer, in the summer highway construction season. We can't build highways in the winter in Rhode Island and in much of the country so the work has to be done in the summer construction season. He said: Here is my list if we have to live with this extension. If we don't find out until maybe July 4 what kind of money we actually have to build these projects, he said, I can't take

chances. I have to start dropping projects off my list. Every one of the projects that falls off his list represents jobs. Every project that falls off his list is an unemployed Rhode Islander. He estimated there would be 1,000 unemployed Rhode Islanders because of this extension to June 30. So when people say: Oh, we have extended the highway program until June 30, don't buy it. That is not a neutral act. That is a harmful act. That costs 100,000 jobs just in Rhode Island. So if it is extended further, the problem gets even worse. We cannot tolerate these continued extensions. We have to get action on a long-term authorization.

To go back to the Standard & Poor's report, here is what they said: Once a long-term reauthorization is approved, we believe it will provide an impetus for transportation agencies to reconsider high-priority projects that had been shelved because of lack of funding.

Those high-priority projects that had been shelved because of lack of funding, when they get taken off the shelf and put into the street, that is jobs. That is why this is a 3-million jobs bill, nearly. But they say, if the authorization is extended by even more continuing resolutions, such high-priority projects will remain in limbo.

I intend to come to the floor as often as I can. I know there are other colleagues who want to come to the floor. We want to come every day. We want to set up a daily drumbeat of attention to the fact that a 3-million jobs bill is being held hostage in the House of Representatives by the Republican Speaker for political Washington insider reasons that have nothing to do with the merits. This is a bill that everybody is for. We will continue to urge the Speaker to take up the bipartisan, fully paid for, widely supported, very well legislated Senate MAP-21 highway bill. Three million jobs depend on it. I am here to urge the Speaker to please do his job.

Ms. LANDRIEU. Mr. President, will the Senator yield for a question?

Mr. WHITEHOUSE. Gladly.

Ms. LANDRIEU. Did the Senator have an opportunity today—because I had a group from Louisiana in my office on the same subject, and I appreciate the Senator's leadership. The group was the American Engineering Society that was in Washington today. I don't know if the Senator had an opportunity to meet with such a group, but have other groups come by the Senator's office to express, as this group did, their utter frustration with Congress's inability to get such a basic piece of legislation through? Did they tell the Senator the same thing they told me, which is: Senator, when engineers are not working in America, no one is working. We are the ones who are designing the projects to be built. If we are not designing them, they are

not going to be built. If we don't get this Transportation bill passed for a longer period of time, we will not be going back to work.

Is that the Senator's understanding when he meets with groups in his office?

Mr. WHITEHOUSE. Yes, exactly. I have met with the Rhode Island road builders who are concerned about where the work is going to be and how much of it is going to get done. As I said in my earlier remarks, I met with the State director of transportation. I have met with the mayor of our capital city, which has a very significant highway construction project that needs to get done in that city that would provide an enormous number of jobs in that city at a time when Rhode Island still has over 10 percent unemployment. So we need these jobs.

That project needs to be done. That infrastructure is crumbling. It is a land bridge that goes through the city above other roads. It is I-95. It is our main artery for the entire Northeast, and it is in such poor shape that they have had to put planks across, between the I-beams that hold up the roadway and the planks are there so that the pieces of roadway that are falling in don't land on the cars driving by on the roads underneath. Amtrak, the main rail artery for the Northeast, goes right under the same highway, the same deal. They have the planks up overhead to keep the roadway from falling on the trains below.

So this is an urgent matter. It certainly involves the road construction industry, but it is everybody who wants jobs and economic development that is around this infrastructure. It is the mayors who are concerned about it and, frankly, it is the people who drive over these highways and want to know—these roads are 50 years old. It is time to rebuild. Let's get on with it. This shouldn't be complicated.

Ms. LANDRIEU. As the Senator from Rhode Island said, he had 9,000 jobs at risk in Rhode Island. We have 26,700 jobs at risk in Louisiana. This is a very significant deal and challenge for all our States.

We don't have the trouble of the winter and the summer but, unfortunately, Louisiana does have one of the largest percentages of bridges that are deficient in the Nation. We also, because we have to build on such soft and unsettled lands, need to have repair money readily available so people can evacuate in times of hurricanes and natural disasters. We have been working—and the Senator may be familiar with the area because he has friends and relatives in our State—on the I-49 south and I-49 north but particularly I-49 south that connects New Orleans to Lafayette in a loop around south Louisiana, which is America's energy coast that is so important for not only saving those wetlands and that great in-

dustry of fisheries but also supporting oil and gas production. That highway is yet to be built in a nation that depends on the resources we send to the Senator's State and to other parts of the Nation.

So I feel the same as the Senator from Rhode Island. I can't, for the life of me, figure out why the House will not move with more quick action to pass a longer term bill. Maybe if they can get just anything out of the House, we could get to conference and start negotiating some things that might be better than a 3-month short-term authorization which I hear nothing but complaints about from everyone. I hear complaints from the left, the environmental movement, to the right, the business community. They say: Senator, we can't live with these short-term authorizations. We need 2 years. We need 3 years. We need 5 years. We need something we can build on, count on, budget for, and depend on; otherwise, it is too expensive. It starts and stops projects. We have to lay off a crew and hire them the next day or we can't place our orders in an efficient fashion. The Senator from Rhode Island knows we just raise the cost of all the projects. So why would the House claim to want to be so fiscally conservative but act in such a way that is the opposite, that is making all these projects more expensive?

I think the Senator from Rhode Island is absolutely correct. I will join him on the floor, and I hope our colleagues will come to this floor every night and say it is time to pass this Transportation bill. It is time to help Colorado, New Mexico, Louisiana, and Rhode Island to get people back to work and to fix this crumbling infrastructure.

Nine is enough. The cat has nine lives. This cat has run out of opportunities. This is the ninth short-term authorization. We have to move to a more long-term, sustainable infrastructure plan for America. This is truly an embarrassment, I have to say to my friend.

I wish to thank the Senator from Rhode Island for his leadership, and I will join him in subsequent evenings on the floor to raise this issue and explain to the American public not the inside baseball or the inside politics but to explain what is the most important thing about this, which is we need the jobs and we need them now.

Mr. WHITEHOUSE. Mr. President, I very much appreciate the tenacity of the Senator from Louisiana on this subject. It is a characteristic of hers, but it is always a good thing to be her teammate and have that tenacity deployed on this side. I am delighted she is here. As Senator LANDRIEU said, she has bridges that are deficient. One in five Rhode Island bridges is deemed to be structurally deficient. One in five highways is in mediocre condition.

This is work that needs to be done. The American Society of Engineers gives our infrastructure on average a D rating. That is the trouble we are in, and we can't sort this out.

I intend to urge as many of my colleagues as I can to come to the floor, and I hope we get the floor covered by some of our colleagues on a literally daily basis until we get this resolved. We need to point out the places where jobs are falling off around the country because this wasn't done, where people are getting laid off around the country because this isn't getting done. There is a direct link between construction jobs not getting put on the list, funds not getting put out for those jobs and folks not getting employed. In this economy, we can't afford that, and we certainly can't afford it for internal insider Washington, DC, reasons.

I thank the Presiding Officer and I yield the floor and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

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

RECOGNIZING RENO'S TEMPLE SINAI

Mr. REID. Mr. President, I wish to honor Temple Sinai in Reno, NV, which has stood for 50 years as a place of worship for the Jewish people of northern Nevada. It is comprised of approximately 120 households who come together to form a strong community where the Jewish faith is celebrated. Temple Sinai has been a consistent presence for Reform Judaism in northern Nevada, a place where Jewish teaching, tradition, and spiritual inquiry is nurtured.

The important 50th anniversary, "Shanah Shel Zahav" in Hebrew, or Golden Year, is testament to the resiliency of the Temple Sinai congregation. It traces its humble beginnings to a small group of Reform Jewish residents in Reno offering High Holy Day services, soon expanding to Sabbath Services and Bar/Bat Mitzvah training. Many of these sacred rituals were performed in the private homes of congregation members who realized the importance of building a sanctuary. It is through their sacrifice and determination that this holy place of worship was built.

Temple Sinai has had many homes since its founding 50 years ago. Initially located in the Virginia City Room of the Masonic Temple in downtown Reno, the Temple was forced to find a new location after a devastating fire. Temple Sinai congregants then came together to offer the skills and capital necessary to construct a permanent location. Ground broke in February 1970, and the Temple has continued to grow since then, adding classrooms, a social hall, and a library. As recently as 2008, Temple Sinai expanded the available space and updated the Temple for the 21st century.

I have personally experienced the welcoming warm hospitality of Temple Sinai. I was honored to share in a Shabbat dinner with members of the Temple, as well as attend Evolution Weekend. In visiting the congregation over the years, I have always been impressed by the rich spiritual life and intellectual openness exhibited there.

I would like to congratulate Temple Sinai for its important role in bringing Reform Judaism to northern Nevada and on its important 50th anniversary. While I cannot be in Reno to share in their celebration, I would be remiss if I did not offer my words of support.

TRIBUTE TO JAN GILBERT

Mr. REID. Mr. President, I wish to honor Ms. Jan Gilbert, who has spent more than 30 years dedicated to the advocacy of income equality, human rights, and women's health. Ms. Gilbert will be retiring from her current position at the Progressive Leadership Alliance of Nevada, PLAN, in May and has been named by the White House as a Champion of Change. Today, I am proud to honor her service and leadership as an advocate for a just and fair Nevada.

Jan Gilbert's work in Nevada began in 1982, serving Nevada's communities through the League of Women Voters of Nevada as president of the Carson City chapter, empowering citizens to become active participants in their government. Jan's commitment to lifting communities prompted her to cofound PLAN, an important organization that offers a cohesive force for social, environmental, and economic justice in Nevada. Jan spearheaded critical reports on civil rights, both in 2009 and 2011; she authored the Legislative Report Card on Racial Equity: Facing Race; and coauthored the 2002 Wider Opportunities for Women's Self Sufficiency Standard for Nevada. She also served as the cofounder of Nevada's Empowered Women's Project, representing low-income women.

Ms. Gilbert has been instrumental in promoting social justice among Nevadans as the chair of the Child Abuse Prevention, Respite and Family Support Subcommittee of the Nevada Department of Health and Human Services.

Everyone who works with Jan is touched by her contagious spirit and smile. Throughout the years, her noble efforts have been recognized by a number of distinguished awards, including the Mike O'Callaghan Humanitarian of the Year Award, the Hannah Humanitarian Award, the Public Citizen of the Year Award, and the Women's Role Model Award.

I am pleased to stand today to recognize the indelible mark she has left on Nevada in making it a more just place for all. I congratulate Jan and her family on a well-earned retirement. PLAN is losing a giant, but I am sure her love for service and helping those in need will continue to benefit the Silver State in new ways.

ADDITIONAL STATEMENTS

TRIBUTE TO PIERRON TACKES

• Mr. HELLER. Mr. President, I wish to congratulate Pierron Tackes for being selected as Nevada's Cherry Blossom Princess for the 2012 Centennial Cherry Blossom Festival. Ms. Tackes is an accomplished and ambitious student whose unwavering commitment to the Silver State embodies the very essence of what Nevada's Cherry Blossom Princess should be.

Ms. Tackes is an exemplary constituent, chosen by the Nevada State Society to represent Nevada at the National Conference of State Society's Cherry Blossom Princess Educational and Cultural Exchange Program. Nevada is proud to support one of our own as she joins young women from across the Nation in this educational and leadership forum that celebrates the enduring friendship between the United States and Japan. I am proud to recognize Ms. Tackes for her extensive community involvement, educational performance, and passion for our home State.

I join the citizens of Nevada in congratulating Ms. Tackes on this accomplishment and wish her all the best during this cultural and educational event.●

TRIBUTE TO SUSAN RANDALL

• Mr. JOHNSON of South Dakota. Mr. President, today I wish to celebrate and honor the service of Dr. Susan Randall upon her retirement as executive director of South Dakota Voices for Children.

Dr. Randall's career began in education. She spent 2 years in Centerville, SD, as a high school English and speech teacher. Susan continued her commitment to young people by going on to work in higher education, teaching sociology. She entered the political realm after a successful bid for Sioux Falls city commissioner, a position she held from 1986 to 1988.

After her time at city hall, Dr. Randall worked for Turnabout, a community organization serving South Dakota's underprivileged children and families. She furthered her dedication to the youth of South Dakota by volunteering with South Dakota Voices for Children, using her expertise to help them to secure grants. In 1999, Dr. Randall became the executive director of the organization.

Dr. Randall's 13-year tenure as executive director of South Dakota Voices for Children has been marked by many victories. She fought tenaciously to reduce teen smoking, with great success; initiated a campaign in support of Starting Strong, a prekindergarten pilot program for low-income children; and spearheaded an effort to improve conditions for juvenile offenders. Dr. Randall was recognized as a champion for South Dakota youth by the Associated School Boards of South Dakota with their Bell Award, the highest honor that can be conferred on a non-school board member. Throughout her career Dr. Randall has been a tireless advocate for South Dakota's youth. I greatly value her advocacy and expertise and she has frequently met with me and my staff over the years, keeping me apprised of the most pressing issues facing South Dakota's children.

Dr. Randall and her husband Mark Sanderson plan to start a business growing herbs and flowers on their 80-acre property in Brookings County under the name Deer Creek Farms. I am pleased to hear that in retirement Susan will fulfill this long-held dream.

Dr. Randall has been a determined fighter for the health and well-being of South Dakota's children. I wish Dr. Randall all the best in retirement and the new business venture.●

CONGRATULATING THE FERRIS STATE BULLDOGS

• Mr. LEVIN. Mr. President, we in Michigan love hockey, at all levels, from the Detroit Red Wings of the NHL to early mornings spent at local rinks watching our kids in youth league games. But even in Michigan, at the start of the men's college hockey season last winter, few eyes were on Big Rapids, MI, where Coach Bob Daniels was preparing for his 20th season leading the Ferris State Bulldogs.

In a preseason poll, the Bulldogs were ranked ninth in the 11-team Central Collegiate Hockey Association. Ferris State had made it to the NCAA tournament only once in its history. And even in our home State, hockey teams from the larger schools tend to get more attention than the team in Big Rapids. But the players at Ferris, a campus of fewer than 15,000 students, were determined to let neither history nor expectations get in their way. They just started winning—eight games in a

row to start the season, in fact, on the way to the CCHA regular season championship, two weeks as the No. 1-ranked team in the nation, 23 victories and a berth in the NCAA tournament.

Despite a phenomenal regular season, few picked the Bulldogs to go far in the NCAA tournament. Experts pointed to the fact that the team had no players who had been drafted by the professional teams in the National Hockey League, one of only three teams in the 16-school field without an NHL draftee. Top-rated Boston College, for example, had nine. But by now, exceeding expectation was nothing new. The Bulldogs defeated the University of Denver, and then Cornell, each by a single goal, to reach the Frozen Four in Tampa.

In the national semifinals, Ferris State was locked in a tight match with Union College. The Bulldogs were behind 1-0 late in the second period when senior Aaron Schmitt scored to tie the game, and it remained tied until just under five minutes remained in the third and final period, when junior Kyle Bonis scored the go-ahead goal.

That victory set up a championship match with Boston College, the odds-on favorite for the championship. The Eagles had outscored their opponents in three previous tournament games by a combined 12 goals to 1. Again, few gave Ferris a chance. But there they were, in the waning moments of the third period, down by just a goal and battling to tie the game.

The Bulldogs fell just short. Still, it was a historic season, one that brought immense joy and considerable pride to everyone in Michigan, but especially to Big Rapids and the Ferris State family.

I hope my colleagues will join me in congratulating Coach Daniels, seniors Aaron Schmitt, Chad Billins, Derek Graham, Michael Trebish, Jordie Johnston, Brett Wysopal, Tommy Hill and Taylor Nelson; their teammates, Scott Czarnowczan, Travis White, Jason Binkley, Cory Kane, Travis Ouellette, TJ Schlueter, Nate Milam, Garrett Thompson, Eric Alexander, Andy Huff, Justin Demartino, Matthew Kirzinger, Justin Buzzeo, Dom Panetta, Simon Denis, Kyle Bonis, CJ Motte and Rob Granett; coaches Drew Famulak, Mark Kaufman and Dave Cencer; and Ferris State fans everywhere. Thanks to the Bulldogs for a magical season.●

REMEMBERING MARY PHYLIS MACK CALLAN

● Mr. TESTER. Mr. President, today I wish to honor Mary Mack, a veteran of World War II.

Mary was born in Butte, MT and graduated from Girls Central High School before attending Sacred Heart School of Nursing in Spokane, WA.

Sixty-eight years ago, Mary enlisted in the Army as a registered nurse. She was assigned to the 203rd General Field Hospital. Her mission was to provide

medical support for troops staged in England as they prepared for the invasion of Nazi-occupied Europe in Operation Overlord on June 6, 1944. One month after the invasion, Mary, along with the 203rd Field Hospital, crossed the English Channel and arrived at Utah Beach in Normandy, France. From there they traveled on foot past scenes of war and destruction to set up a hospital for troops as they continued on into Europe. After the liberation of Paris in late August 1944, the 203rd established the largest general hospital in the European Theater of Operations in the French capital. There they treated over 65,000 patients.

While stationed in Paris, Mary achieved the rank of First Lieutenant. She later served in Africa and the Middle East.

Mary was honorably discharged from the Army on January 7, 1946. Because honors were made known toward the end of the war, many members of the 203rd may not have been aware of their eligibility or received their awards.

After the war, she returned to Montana where she committed herself to raising a family and serving her community.

Mary passed away last month on March 15. I had the honor of presenting Mary's family with a European-African-Middle Eastern Campaign Medal with 3 Bronze Service Stars. This decoration represents the gratitude of the Nation she served and the wish that her family continues to share the memories of this courageous woman.●

REMEMBERING DALE JOHNSON

● Mr. UDALL of Colorado. Mr. President, I would like to honor the life of an extraordinary Coloradan, Dale L. Johnson, who passed away at his Boulder home on February 23, 2012. Known as a legendary mountaineer, businessman, writer, environmentalist, and a dear friend of mine, Dale taught us all to appreciate life, and to take advantage of life's opportunities and challenges especially those on the mountain.

Infamously, one of Dale's early mountain escapades occurred while he was a freshman at the University of Colorado. Unsatisfied that the Colorado School of Mines had an "M" painted into a neighboring mountain and that the University of Colorado had no such "C" painted into the neighboring Flatirons, Dale and his roommates sought to change that.

Under the glow of a full Moon on a mild December night, Dale and his friends, equipped with a 4-inch paint brush and 3 gallons of white paint, ventured up the Third Flatiron and infamously painted a giant white "C" into the ridge. While classmates celebrated the prank, the local authorities did not find the act amusing. Ultimately, the matter was resolved, but the story has never grown old.

For those of us fortunate enough to have known Dale, we know how passionate he was about climbing. In fact, passionate would be an understatement. Dale pioneered seven first ascents, including the Redgarden Wall in Eldorado Canyon, the Second Buttress of the North Face of Hallett's Peak, and the South Face of the Matron.

While these achievements would suffice for your typical climber, Dale wasn't satisfied. Through his life, Dale climbed peaks in New Zealand, Peru, Nepal, East Africa, Japan, Italy, and Switzerland. As if his worldly travel and climbing achievements were not enough, Dale famously climbed the Third Flatiron in Boulder, CO in roller skates.

After summiting peaks throughout Colorado and the world, Dale honed in on his inner businessman, inventing Frostline Kits for climbers. With firsthand knowledge of the gear and clothing needs of climbers, Dale developed innovative equipment that was durable, lightweight, and dependable. The kits were an instant success and delivered a product that was previously unavailable to climbers in retail stores.

Throughout his life, Dale also developed an appreciation for flying. He coupled his interest in flight with his love for the environment by flying over southern Utah's canyons, mesas, ridges, and buttes during the citizens wilderness inventory in the late 1980s to help document Utah's wild lands.

Life is full of challenges and opportunities. Dale taught us all to appreciate each and every day and to always strive for something higher. He impacted the lives of so many, and I feel lucky to have known him and to have called him a friend.●

TRIBUTE TO MRS. GERTRUDE LORIO BEAUFORD

● Mr. VITTER. Mr. President, today I wish to honor Mrs. Gertrude Lorio Beauford on the occasion of her 100th birthday.

Born to Wilfrid A. Lorio and Eulalie L. Fischer on May 28, 1912, at Ingleside Plantation in Lakeland, LA, Mrs. Beauford is the third oldest of five siblings, two brothers and three sisters. She received her education from St. Joseph's Academy in New Roads and was classmates with former United States Congresswoman Lindy Boggs. Mrs. Beauford then went on to St. Mary's Dominican College and married childhood friend Leonard M. Beauford in 1935. Mr. Beauford worked for the United States Army Corps of Engineers, and their family moved to 18 cities in 9 years before finally settling in New Orleans in 1945.

They were married for 48 years, and their family includes 3 children, Gertrude, Wilfrid, and Kathleen, and 1 grandchild, Judith. Sharing a fondness for traveling, Mr. and Mrs. Beauford

visited countries across the world including Japan, Canada, and many more across Europe. In fact, they even traveled south to Antarctica and also went north and crossed the Arctic Circle.

Mrs. Beauford has been an active member of the Louisiana Lions Club, the Jefferson Lions Club, Children's Hospital, the League of Women Voters, the Parent-Teacher Association, and the American Association of University Women. She is also an active member of St. Agnes Catholic Church and committed 18 years of her life to educating young people at McDonough #7 where she taught 5th grade.

Five generations later, Ingleside Plantation is still owned and operated by the Lorio family where sugarcane, soybeans, and wheat continue to be grown. Those closest to her know Mrs. Beauford simply as "Gertie," and she's attributed her long life to keeping busy.

I am proud to honor such an extraordinary member of our community on her 100th birthday and wish Mrs. Beauford many more joyous days, months, and years to come.●

MESSAGE FROM THE HOUSE

At 12:33 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3001. An act to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

H.R. 4040. An act to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4040. An act to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES DISCHARGED

The following concurrent resolutions were discharged from the Committee on the Budget, pursuant to section 300 of the Congressional Budget Act, and placed on the calendar:

S. Con. Res. 37. Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022.

S. Con. Res. 41. Concurrent resolution setting forth the President's budget request for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5583. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within account 21 2020 Operation and Maintenance, Army (OMA), during fiscal year 2010 and was assigned Army case number 11-03; to the Committee on Appropriations.

EC-5584. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the fiscal year 2008 and fiscal year 2009 Operation and Maintenance Army Reserve, account 21*2080 and was assigned Army case number 11-02; to the Committee on Appropriations.

EC-5585. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Research, Development, Test, and Evaluation Account and the Iraq Freedom Fund account during fiscal years 2006 and 2007 and was assigned Joint Improvised Explosive Device Defeat Organization case number 09-01; to the Committee on Appropriations.

EC-5586. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Operations and Maintenance, Army, account 2020 during fiscal year 2010 and was assigned Army case number 11-09; to the Committee on Appropriations.

EC-5587. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Upland Cotton Base Quality" (RIN0560-A116) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5588. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Swap Dealer and Major Swap Participant Recordkeeping, Reporting, and Duties Rules; Futures Commission Merchant and Introducing Broker Conflicts of Interest Rules; and Chief Compliance Officer Rules for Swap Dealers, Major Swap Participants, and Futures Commission Merchants" (RIN3038-AC96) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5589. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acibenzolar-S-methyl; Pesticide Tolerances" (FRL No. 9343-3) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5590. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "2-Ethyl-1-hexanol; Exemption from the Requirement of a Tolerance" (FRL No. 9342-5) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5591. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report relative to the obligation and expenditure of funds for the implementation of Cooperative Threat Reduction (CTR) program activities (DCN OSS-2012-0462); to the Committee on Armed Services.

EC-5592. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-145, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-5593. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of two (2) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5594. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Paul S. Stanley, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-5595. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of three (3) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5596. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System program exceeding the statutory critical growth threshold; to the Committee on Armed Services.

EC-5597. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and the Average Procurement Unit Cost for the C-130 AMP program exceeding the Acquisition Program Baseline values; to the Committee on Armed Services.

EC-5598. A communication from the Deputy Chief Management Officer, Department of Defense, transmitting, pursuant to law, a report relative to the establishment of the Investment Review Board and Investment Management process for Covered Defense Business Systems; to the Committee on Armed Services.

EC-5599. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report relative to a pilot program to provide a skill proficiency bonus to members of a Reserve component participating in critical foreign language or cultural studies; to the Committee on Armed Services.

EC-5600. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the annual report of the National Security Education Program for fiscal year 2011; to the Committee on Armed Services.

EC-5601. A communication from the Acting Under Secretary of Defense (Acquisition, Technology, Logistics), transmitting, pursuant to law, a report relative to the Strategic Materials Protection Board and rare earth elements; to the Committee on Armed Services.

EC-5602. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, the Cooperative Threat Reduction annual report for fiscal year 2013; to the Committee on Armed Services.

EC-5603. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the 2011 Accreditation Report for the Armed Forces Retirement Homes in Washington, DC and Gulfport, MS; to the Committee on Armed Services.

EC-5604. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Iran-Related Multilateral Sanctions Regime Efforts" covering the period August 17, 2011 to February 16, 2012; to the Committee on Armed Services.

EC-5605. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2013; to the Committee on Armed Services.

EC-5606. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2013; to the Committee on Armed Services.

EC-5607. A communication from the President of the United States, transmitting, pursuant to law, a notice of the continuation of the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5608. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Australia; to the Committee on Banking, Housing, and Urban Affairs.

EC-5609. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Brazil, Japan, and Panama; to the Committee on Banking, Housing, and Urban Affairs.

EC-5610. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Brazil and Canada; to the Committee on Banking, Housing, and Urban Affairs.

EC-5611. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Russia; to the Committee on Banking, Housing, and Urban Affairs.

EC-5612. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to various foreign buyers; to the Committee on Banking, Housing, and Urban Affairs.

EC-5613. A communication from the Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, a report rel-

ative to the acquisition of articles, materials, and supplies manufactured outside of the United States; to the Committee on Banking, Housing, and Urban Affairs.

EC-5614. A communication from the Executive Director of the Office of Minority and Women Inclusion, Office of the Comptroller of the Currency, Administrator of National Banks, transmitting, pursuant to law, a report entitled "Office of Minority and Women Inclusion Section 342 Annual Report to Congress March 2012"; to the Committee on Banking, Housing, and Urban Affairs.

EC-5615. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Exemptions for Security-Based Swaps Issued by Certain Clearing Agencies" (RIN3235-AL16) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5616. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5617. A communication from the Assistant Secretary of Land and Minerals Management, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Production Measurement Documents Incorporated by Reference" (RIN1014-AA01) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2012; to the Committee on Energy and Natural Resources.

EC-5618. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Electric Reliability Organization Proposal for Protection and Control Reliability Standard" (Docket No. RM11-16-000) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2012; to the Committee on Energy and Natural Resources.

EC-5619. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to New Source Review Rules" (FRL No. 9616-7) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2012; to the Committee on Environment and Public Works.

EC-5620. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Colorado; Procedural Rules; Conflicts of Interest" (FRL No. 9640-3) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2012; to the Committee on Environment and Public Works.

EC-5621. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; Leisure Properties LLC/D/B/A Crownline Boats; Adjusted Standard" (FRL No. 9648-6) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2012; to the Committee on Environment and Public Works.

EC-5622. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" (FRL No. 9333-3) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2012; to the Committee on Environment and Public Works.

EC-5623. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Availability of Electric Power Sources" (Regulatory Guide 1.93, Revision 1) received in the Office of the President of the Senate on March 29, 2012; to the Committee on Environment and Public Works.

EC-5624. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Administrative Guide for Verifying Compliance with Packaging Requirements for Shipping and Receiving of Radioactive Material" (Regulatory Guide 7.7, Revision 1) received in the Office of the President of the Senate on March 29, 2012; to the Committee on Environment and Public Works.

EC-5625. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Water Sources for Long-Term Recirculation Cooling Following a Loss-of-Coolant Accident" (Regulatory Guide 1.82, Revision 4) received in the Office of the President of the Senate on March 29, 2012; to the Committee on Environment and Public Works.

EC-5626. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Fargo-Moorhead Metropolitan Area, North Dakota and Minnesota flood risk management project; to the Committee on Environment and Public Works.

EC-5627. A communication from the Director of Government Relations, Tennessee Valley Authority, transmitting, pursuant to law, the Authority's Statistical Summary for fiscal year 2011; to the Committee on Environment and Public Works.

EC-5628. A communication from the Senior Advisor for Regulations, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Removal of Regulations on Black Lung Benefits" (RIN0960-AH48) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2012; to the Committee on Finance.

EC-5629. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Labeling Imported Wines with Multistate Appellations" (RIN1513-AB58) received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2012; to the Committee on Finance.

EC-5630. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Technical Corrections to Customs and Border Protection Regulations: Petitions for Relief" (CBP Dec. 1-07) received in the Office of the President of the Senate on March 28, 2012; to the Committee on Finance.

EC-5631. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement and Report Concerning Advance Pricing Agreements" (Announcement 2012-13) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2012; to the Committee on Finance.

EC-5632. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fractional Aircraft Ownership Programs Fuel Surtax" (Notice 2012-27) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2012; to the Committee on Finance.

EC-5633. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fringe Benefits Aircraft Valuation Formula" (Announcement 2012-10) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2012; to the Committee on Finance.

EC-5634. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification of Notice 2008-40; Deduction for Energy Efficient Commercial Buildings" (Notice 2012-26) received during adjournment of the Senate in the Office of the President of the Senate on March 30, 2012; to the Committee on Finance.

EC-5635. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs for Contract Year 2013 and Other Changes" (RIN0938-AQ86) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2012; to the Committee on Finance.

EC-5636. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Office of Inspector General Medicaid Integrity Program Report for Fiscal Year 2011"; to the Committee on Finance.

EC-5637. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. support for Taiwan's participation as an observer at the 65th World Health Assembly and in the work of the World Health Organization; to the Committee on Foreign Relations.

EC-5638. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Schedule of Fees for Consular Services, Department of State and Overseas Embassies and

Consulates" (RIN1400-AD06) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2012; to the Committee on Foreign Relations.

EC-5639. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the International Labor Organization Recommendation concerning HIV and AIDS and the World of Work (No. 200), adopted by the 99th session of the International Labor Conference at Geneva; to the Committee on Foreign Relations.

EC-5640. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of defense articles, including, technical data, and defense services to Jordan for the delivery and support of two CN-235-100 aircraft modified for armed surveillance/light gunship capabilities for end use by the Jordanian Armed Forces in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-5641. A communication from the Presiding Governor, Broadcasting Board of Governors, transmitting, pursuant to law, a report relative to U.S.-funded international broadcasting efforts in Iran; to the Committee on Foreign Relations.

EC-5642. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Immunology and Microbiology Devices; Classification of Norovirus Serological Reagents" (Docket No. FDA-2012-N-0165) received during adjournment of the Senate in the Office of the President of the Senate on April 5, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5643. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Current Good Manufacturing Practice in Manufacturing, Processing, Packing, or Holding of Drugs; Revision of Certain Labeling Controls" (Docket No. FDA-1997-N-0518) received in the Office of the President of the Senate on March 29, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5644. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Cardiovascular Devices; Classification of the Endovascular Suturing System" (Docket No. FDA-2012-N-0091) received during adjournment of the Senate in the Office of the President of the Senate on April 5, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5645. A communication from the Chairman of the National Healthcare Workforce Commission, transmitting, a report relative to the status of the Commission; to the Committee on Health, Education, Labor, and Pensions.

EC-5646. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "State High Risk Pool Grant Program for Federal Fiscal Year 2010"; to the Committee on Health, Education, Labor, and Pensions.

EC-5647. A communication from the Ombudsman, Energy Employees Compensation

Program, Department of Labor, transmitting, pursuant to law, a report relative to the Energy Employees Occupational Illness Compensation Program; to the Committee on Health, Education, Labor, and Pensions.

EC-5648. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5649. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2011 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5650. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department of Transportation's fiscal year 2011 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5651. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2011 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5652. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Peace Corps' fiscal year 2011 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5653. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs' fiscal year 2011 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5654. A communication from the Diversity and Inclusion Programs Director, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Board's fiscal year 2011 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5655. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the Commission's fiscal year 2011 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5656. A communication from the Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, a report entitled "Annual Report on the Federal Work Force" for fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5657. A communication from the General Counsel, Government Accountability Office, transmitting, pursuant to law, the Office's fiscal year 2011 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5658. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Proliferation Security Initiative; to the Committee on Homeland Security and Governmental Affairs.

EC-5659. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, a report relative to activities carried out by the Family Court during 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-5660. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals through the 1st Quarter of Fiscal Year 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5661. A joint communication from the Chairman and the Acting General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Board's Buy American Act Report for fiscal year 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-5662. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-335 "Mechanics Lien Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5663. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-336 "Green Building Compliance, Technical Corrections, and Clarification Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5664. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-334 "Comprehensive Military and Overseas Voters Accommodation Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5665. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report relative to the Proliferation Security Initiative budget plan and review for fiscal years 2013-2015; to the Committee on Homeland Security and Governmental Affairs.

EC-5666. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Wisconsin Ledge Viticultural Area" (RIN1513-AB82) received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2012; to the Committee on the Judiciary.

EC-5667. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Department's 2011 Freedom of Information Act Litigation and Compliance Report; to the Committee on the Judiciary.

EC-5668. A communication from the Deputy General Counsel, Office of the General Counsel, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Jobs Act: Implementation of Conforming and Technical Amendments" (RIN3245-AG15) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Small Business and Entrepreneurship.

EC-5669. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Standards: Professional, Technical, and Scientific Services" (RIN3245-AG07) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Small Business and Entrepreneurship.

EC-5670. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multi-species Fishery; Amendment 17" (RIN0648-BB34) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5671. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 Meters) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XB024) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5672. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Annual Catch Limit Amendment for the South Atlantic" (RIN0648-AY73) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5673. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2012 and 2013 Harvest Specifications for Groundfish" (RIN0648-XA711) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5674. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures" (RIN0648-BB28) re-

ceived during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5675. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Highly Migratory Species Fisheries; Swordfish Retention Limits" (RIN0648-BA87) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5676. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Bering Sea Pollock Fishery; Economic Data Collection; Correction" (RIN0648-BA80) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5677. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska" (RIN0648-XB100) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5678. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program" (RIN0648-XB039) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5679. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Jig Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XB070) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5680. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XB026) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5681. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery" (RIN0648-XB059) received during adjournment of the Senate in the Office of

the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5682. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XB077) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5683. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska" (RIN0648-XB102) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5684. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XB111) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5685. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Cod by Catcher Vessels Greater Than or Equal to 50 Feet (15.2 Meters) Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XB112) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5686. A communication from the Chief of Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 15 of the Commission's Rules Regarding Unlicensed Personal Communications Service Devices in the 1920-1930 MHz Band" (ET Docket No. 10-97; FCC 12-33) received during adjournment of the Senate in the Office of the President of the Senate on April 5, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5687. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Waybill Data Released in Three-Benchmark Rail Rate Proceedings" (RIN2140-AB01) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5688. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (234); Amdt. No. 3469" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5689. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, a report relative to the apportionment of membership on the regional fishery management councils; to the Committee on Commerce, Science, and Transportation.

EC-5690. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's 50th Annual Report of the activities of the Federal Maritime Commission for fiscal year 2011; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LIEBERMAN (for himself and Mr. BLUMENTHAL):

S. 2286. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COONS:

S. 2287. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for contributions to a trust used to provide need-based college scholarships; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. ISAKSON, Mr. NELSON of Nebraska, and Ms. MURKOWSKI):

S. 2288. A bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. ALEXANDER, Mrs. MURRAY, and Mr. ROBERTS):

S. 2289. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to pediatric provisions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN:

S. 2290. A bill to authorize the Commissioner of the United States Section, International Boundary and Water Commission, to reimburse States and units of local government for expenses incurred by the States and units of local government in designing, constructing, and rehabilitating water projects under the jurisdiction of the International Boundary and Water Commission; to the Committee on Foreign Relations.

By Mr. CORNYN (for himself, Ms. SNOWE, Mrs. HUTCHISON, and Mr. HELLER):

S. 2291. A bill to provide a taxpayer bill of rights for small businesses; to the Committee on Finance.

By Mr. BURR (for himself and Mr. COBURN):

S. 2292. A bill to promote accountability, transparency, innovation, efficiency, and timeliness at the Food and Drug Administration for America's patients; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. AKAKA (for himself, Ms. COLLINS, Mr. LEVIN, Mr. LIEBERMAN, Mr. CARPER, Mr. LAUTENBERG, Mr. WEBB, and Mr. COONS):

S. Res. 419. A resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BURR (for himself and Mrs. MURRAY):

S. Res. 420. A resolution designating April 5, 2012, as "Gold Star Wives Day"; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mr. BEGICH, Mrs. MURRAY, Mr. COCHRAN, Ms. MIKULSKI, Ms. STABENOW, Mr. JOHNSON of South Dakota, Mr. AKAKA, Mr. COONS, and Mr. UDALL of Colorado):

S. Res. 421. A resolution designating April 20 through 22, 2012, as "Global Youth Service Day"; considered and agreed to.

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. Res. 422. A resolution commending and congratulating the University of Kentucky men's basketball team for winning its eighth Division I National Collegiate Athletic Association championship; considered and agreed to.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. Res. 423. A resolution congratulating Western Washington University for winning the 2012 National Collegiate Athletic Association Division II Men's Basketball Championship; considered and agreed to.

By Mr. SESSIONS:

S. Con. Res. 41. A concurrent resolution setting forth the President's budget request for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022; placed on the calendar.

ADDITIONAL COSPONSORS

S. 309

At the request of Mr. LUGAR, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 309, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Moldova.

S. 339

At the request of Mr. BAUCUS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 339, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 418

At the request of Mr. HARKIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 672

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 687

At the request of Mr. CONRAD, the names of the Senator from Nevada (Mr. HELLER), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 687, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

At the request of Mr. CORNYN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 687, *supra*.

S. 714

At the request of Mr. BINGAMAN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 714, a bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes.

S. 797

At the request of Ms. MIKULSKI, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 797, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 821

At the request of Mr. LEAHY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 821, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 967

At the request of Mr. MERKLEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 967, a bill to establish clear regulatory standards for mortgage servicers, and for other purposes.

S. 1086

At the request of Mr. HARKIN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1086, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 1173

At the request of Mr. WYDEN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1173, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1368

At the request of Mr. ROBERTS, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1368, a bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1980

At the request of Mr. INOUE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1980, a bill to prevent, deter, and eliminate illegal, unreported, and unregulated fishing through port State measures.

S. 2004

At the request of Mr. UDALL of New Mexico, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2004, a bill to grant the Congressional Gold Medal to the troops who defended Bataan during World War II.

S. 2051

At the request of Mr. REED, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2051, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 2062

At the request of Mr. PAUL, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 2062, a bill to amend the Lacey Act Amendments of 1981 to repeal certain provisions relating to criminal penalties and violations of foreign laws, and for other purposes.

S. 2066

At the request of Ms. MURKOWSKI, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2066, a bill to recognize the heritage of recreational fishing, hunting, and shooting on Federal public land and ensure continued opportunities for those activities.

At the request of Mr. LEE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2112

At the request of Mr. BEGICH, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2112, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 2165

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2174

At the request of Mr. INHOFE, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 2174, a bill to exempt natural gas vehicles from certain maximum fuel economy increase standards, and for other purposes.

S. 2237

At the request of Mr. REID, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

S. 2242

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2242, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 2264

At the request of Mr. HOEVEN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 2264, a bill to provide liability protection for claims based on the design, manufacture, sale, offer for sale, introduction into commerce, or use of certain fuels and fuel additives, and for other purposes.

S. 2274

At the request of Mr. ROBERTS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2274, a bill to require the

Secretary of Agriculture to establish a nonprofit corporation to be known as the Foundation for Food and Agriculture Research.

S. 2276

At the request of Mr. GRASSLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2276, a bill to permit Federal officers to remove cases involving crimes of violence to Federal court.

S. 2283

At the request of Mr. TESTER, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2283, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to include procedures for requests from Indian tribes for a major disaster or emergency declaration, and for other purposes.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

S. RES. 399

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 399, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, crimes against humanity, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

S. RES. 402

At the request of Mr. COONS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Res. 402, a resolution condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield.

S. RES. 406

At the request of Mr. WARNER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 406, a resolution commending the achievements and recognizing the importance of the Alliance to Save Energy on the 35th anniversary of the incorporation of the Alliance.

S. RES. 418

At the request of Mr. BROWN of Ohio, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Ohio (Mr. PORTMAN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. Res. 418, a

resolution commending the 80 brave men who became known as the "Doolittle Tokyo Raiders" for outstanding heroism, valor, skill, and service to the United States during the bombing of Tokyo and 5 other targets on the island of Honshu on April 18, 1942, during the Second World War.

AMENDMENT NO. 1975

At the request of Mr. MERKLEY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of amendment No. 1975 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LIEBERMAN (for himself and Mr. BLUMENTHAL):

S. 2286. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. LIEBERMAN. Mr. President, I rise today to introduce the Lower Farmington River and Salmon Brook Wild and Scenic River Act. I first would like to thank my colleague, Senator BLUMENTHAL, for joining me as a cosponsor of this legislation, and also wish to thank Congressman CHRIS MURPHY, who recently introduced an identical bill in the House.

My work to preserve and protect the Farmington River dates back many years, and holds a special place in my heart. In 1993 and 1994, in my first term in office, I worked with Congresswoman Nancy Johnson to introduce and pass legislation that added 14 miles of the Upper Farmington River, or the west branch of the river, to the National Wild and Scenic River System, becoming Connecticut's first addition to the system. In 2006, I again had the privilege of working with Rep. Johnson and Sen. Chris Dodd to introduce and pass the Lower Farmington River and Salmon Brook Wild and Scenic River Study Act, which authorized a study of the Lower Farmington, or the east branch of the river. Now complete, the study found that the Lower Farmington River and Salmon Brook possess outstanding natural, cultural, and recreational values. I am honored to return to the Senate floor today to introduce this legislation, which would add the Lower Farmington River and Salmon Brook to the Wild and Scenic Rivers System in order to preserve the extraordinary ecological and recreational values it brings to our state.

Passing through ten towns in northwestern Connecticut, the Lower Farmington River and Salmon Brook is home to extensive wetlands, unique geology, and stunning vistas. The pris-

tine and unique qualities of this river system and the surrounding landscape provide visitors and residents alike, a special location for hiking, paddling, and fishing. This unspoiled natural retreat has a rich history that is only rivaled by its vibrant biodiversity. Archeologists have revealed that sites surrounding the river date back over 11,000 years. The timeline that has been discovered chronicles important Native American development as well as the birth and growth of our nation. From the prehistoric campsites, to the Underground Railroad network, and burgeoning manufacturing that sent goods to markets across the world, the river and its banks are an essential component of our nation's history.

But the importance of the Lower Farmington River and Salmon Brook goes beyond its contribution to our nation's history. Among the country's most biologically diverse ecosystem, the river is home to 30 species of finfish, 105 bird species, and the only river in New England that is home to all 12 of the freshwater mussel species native to the region, one of which is a federally listed endangered species. Since prehistory the rich biodiversity has also benefited agriculture along the banks of this river system. Driven by the unique qualities of the soil, Native Americans, colonists and Connecticut residents have harvested tobacco that is known the world over.

Today, outdoor recreationists visit the Lower Farmington River and Salmon Brook in increasing numbers. As Americans return to nature, it is essential that policies are in place which enhances stewardship and conservation in Connecticut and across the nation. Unchecked development threatens to erode biodiversity, destroy unprotected historic sites, and consume priceless natural resources. In order to combat such destruction we must have the foresight to ensure that treasures such as the Lower Farmington River and Salmon Brook remain unspoiled for today's recreational users as well as tomorrow's.

I thank Congressman MURPHY, all the members of the Study Committee, and especially the Farmington River Watershed Association and its Executive Director, Eileen Fielding, for working with me to advance the Lower Farmington River and Salmon Brook's status within the National Wild & Scenic Rivers System. I reaffirm my strong support today for the river's protection, and I look forward to working cooperatively with my colleagues in making it happen.

By Mr. REED (for himself, Mr. ALEXANDER, Mrs. MURRAY, and Mr. ROBERTS):

S. 2289. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to pediatric provisions; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. I am pleased to be joined today by Senators ALEXANDER, MURRAY, and ROBERTS in introducing the Better Pharmaceuticals and Devices for Children Act, BPDCA. This legislation will ensure that children are prioritized in the drug development process, as well as continue the increase in the number and quality of medical devices developed for use in children. I am particularly pleased that this bill has the support of the American Academy of Pediatrics and the Pharmaceutical Research and Manufacturers of America.

Indeed, drugs and devices work differently in children than in adults, and consequently, must be studied specifically for use in children. However, due to the fact that pediatric trials can be costly, take several years, and offer less of a return on investment, drug companies weren't initiating these trials. As a result, nearly 80 percent of drugs were used off-label in children.

This alarming statistic garnered the attention of pediatricians, medical experts, families, and ultimately, Congress. In 1997, Congress provided pharmaceutical companies with an incentive to invest in pediatric research through the Best Pharmaceuticals for Children Act, BPCA. In 2003, Congress passed the Pediatric Research Equity Act to begin requiring pharmaceutical companies to engage in these studies. Since the enactment of these laws, 426 drug labels have been revised with important pediatric information and there has been a decline in the number of drugs used off-label in children from 80 to 50 percent.

However, these laws will expire on October 1 unless Congress passes legislation to renew them. The Better Pharmaceuticals and Devices for Children Act would ensure that these laws are never at risk of expiring again. Laws that examine the safety and effectiveness of drugs and devices in adults are permanent. Children should have the same assurances. By making these laws permanent, pharmaceutical companies will also gain the certainty they need to continue wisely investing in these studies.

In making these laws permanent, we must not miss an opportunity to improve their benefits for children to ensure that more robust and timely information about the use of drugs and devices can guide clinical care. This legislation does just that.

First, it would ensure pediatric studies are planned earlier in the drug development process. Currently, pediatric study plans can be submitted to the FDA when a company submits its new drug application. This can be a very stressful time for a company and, as such, pediatric study plans are often left to the last minute. This has traditionally resulted in insufficient and inappropriate study plans, as well as delays of important pediatric data. Our

legislation would require companies to submit a more robust pediatric study plan at the end of phase two in the drug development process. By this time in the process, a company already has performed the requisite clinical trial or trials in adults and has a better understanding of a drug's safety and efficacy, as well as dosing requirements. Moreover, experts at the FDA initially tried to require companies to submit a pediatric study plan at this time in the drug development process in a regulation that was struck down by the courts. However, the rationale and justification behind the regulation helped inform the drafting of this legislation and led us to believe that companies should submit their initial pediatric study plan to the FDA at the end of phase two.

The legislation would also ensure that pediatric studies are actually completed. An alarming 78 percent of pediatric studies that were scheduled to be completed by September 2007 are currently late or were submitted late. While it is appropriate for some studies to take longer than expected and we wouldn't want a pediatric study to hold up the approval of a drug for use in adults it is unacceptable for companies to fail to complete pediatric studies altogether. Our bill would give the FDA the authority to distinguish between reasonable and unreasonable delays in pediatric studies and provide the agency with critical enforcement tools to ensure required pediatric studies are completed. This legislation would also provide the FDA with the ability to better track the progress of studies and assist with any complications.

The Better Pharmaceuticals and Devices for Children Act also responds to the need for the development of pediatric medical devices in children, which can lag five to ten years behind those manufactured for adults. The pediatric profit allowance for Humanitarian Use Devices has proven to be an effective incentive for the development of new medical devices that are designed specifically for the needs of children. Our bill would continue this important policy. It would also reauthorize the Pediatric Device Consortia, which in just two and a half years, has assisted in advancing the development of 135 proposed pediatric medical devices and helped get life-saving and life-improving pediatric devices to the patients that need them.

This legislation is critical for children's health. It will help give parents peace of mind that when their doctor prescribes a medication or recommends a medical device for their kids, it is proven safe and effective for specific use in children.

It is my understanding that Chairman HARKIN will be including this legislation as part of a broader initiative that the Health, Education, Labor, and Pensions Committee will soon be con-

sidering focused on improving drugs and devices. I look forward to working with Senators ALEXANDER, MURRAY, and ROBERTS, as well as the Chairman and others on moving this bill forward before the October deadline.

By Mr. CORNYN (for himself, Ms. SNOWE, Mrs. HUTCHISON, and Mr. HELLER):

S. 2291. A bill to provide a taxpayer bill of rights for small businesses; to the Committee on Finance.

Mr. CORNYN. Mr. President, I rise to introduce the Small Business Taxpayer Bill of Rights Act of 2012, SBTBOR. I am very pleased that Senators SNOWE, HUTCHISON, and HELLER are cosponsors of this taxpayer-friendly legislation.

As Americans across the country race to meet today's deadline to complete their federal tax return, it is important to note that their tax burden is more than just the amount of tax paid to the federal government. Taxpayers also bear the burden of the cost of complying with the tax code. Analysts predict that taxpayers will spend over \$350 billion this year alone to comply with the tax code. In addition, according to a survey by the National Small Business Association, over half of the respondents reported that they spend more than 40 hours a year dealing with federal taxes and spend more than \$5,000 each year just on the administration of federal taxes. In addition, a dispute over a complex tax code with the IRS can become an expensive endeavor for small businesses, who have limited resources to fight off frivolous IRS claims. With the passage of the 2010 health care act, this burden is expected to increase in the future. At a time when job creation remains weak, small businesses should be spending their time and resources creating jobs, not cutting through miles of burdensome IRS red tape. The Small Business Taxpayer Bill of Rights seeks to mitigate this problem. It would ensure that small businesses spend less time dealing with the IRS and more time creating jobs.

The Small Business Taxpayer Bill of Rights, among other things, provides more protections and safeguards for small businesses during administrative procedures with the IRS. It would: lower the compliance burden on small business taxpayers; strengthen safeguards against IRS overreach; increase taxpayer compensation for IRS abuses and; improve taxpayer access to the court system. Amid the weakest economic recovery since World War II, American job creators urgently need such relief.

The Small Business Taxpayer Bill of Rights Act will reduce the compliance and administrative burdens faced by small business taxpayers when it comes to dealing with the IRS. The bill provides an alternative dispute resolution procedure through which a small

business taxpayer may be able to request arbitration with an independent, neutral third party not employed by the IRS. In addition, the bill will make more small businesses eligible to recoup attorney's fees when a court finds that the IRS's action taken against a taxpayer is not substantially justified.

The legislation also reinforces the independent nature of the IRS Appeals Office by prohibiting it from discussing the merits of a taxpayer's case with any other department at the IRS, unless the taxpayer is afforded an opportunity to participate. Second, the bill will prevent an Appeals Officer from raising a new issue that was not initially raised by the IRS in the examination process. The SBTBOR would help to ensure the Appeals Office remains a neutral entity that effectively facilitates the taxpayer's appeals process.

The Small Business Taxpayer Bill of Rights Act will make the IRS more accountable to taxpayers by increasing the amount of damages taxpayers may receive for any collection action the IRS takes against them that is reckless, or by reason of negligence disregards the law or its regulations. Second, it increases the amount of damages taxpayers may be awarded when the IRS improperly discloses their tax returns and tax information. Third, the bill raises the monetary penalty on IRS employees who commit certain unlawful acts or disclose taxpayer information.

Finally, the legislation will improve taxpayer access to the Tax Court by expanding the role of the current "small tax case" procedure—an informal and efficient method for resolving disputes before the Tax Court—to include a wider variety of cases. The bill will permit taxpayers to obtain judicial review from the Tax Court when the IRS fails to act on their claim for interest abatement due to an error or delay by the IRS. Taxpayers whose property has been wrongly seized to satisfy a tax debt will have more time to claim relief and bring a civil suit against the IRS. It also makes procedural improvements for taxpayers who request innocent spouse relief. By requesting innocent spouse relief, taxpayers can be relieved of the responsibility for paying tax, interest, and penalties if their spouse improperly reported items or omitted items on their tax return.

Last week, I held an event in Houston, Texas, where I announced my intention to introduce the Small Business Taxpayer Bill of Rights Act. The event was held at the headquarters of Forge USA, which is a family-owned, medium-sized open-die forging business. Forging is a process involving the shaping of heated metal parts in which the metal is never completely confined or restrained in the dies. Forge USA has 215 employees and provides high-

quality custom forged products for a variety of industries, with about 70 percent of its product going to the oil and gas industry. This is what the owners of Forge USA said about the legislation: "Senator Cornyn's efforts to improve the rights of small businesses will mean that business owners will be able to spend more time growing their businesses and hiring more workers and hopefully less time talking to the tax man." I am grateful for the support of a small business like Forge USA. This legislation is also supported by the Texas Association of Business, U.S. Hispanic Chamber of Commerce, and the National Taxpayers Union, among others.

Small business owners face an especially crushing burden of paperwork, but they lack the key financial and legal resources that multinational corporations do when dealing with the tax code and the IRS. This legislation will provide relief for small businesses and will allow small businesses to spend more time expanding their business and creating jobs and less time dealing with the IRS.

Mr. President, I ask unanimous consent that the text of the bill and a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2291

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Small Business Taxpayer Bill of Rights Act of 2012".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Modification of standards for awarding of costs and certain fees.
- Sec. 3. Civil damages allowed for reckless or intentional disregard of internal revenue laws.
- Sec. 4. Modifications relating to certain offenses by officers and employees in connection with revenue laws.
- Sec. 5. Modifications relating to civil damages for unauthorized inspection or disclosure of returns and return information.
- Sec. 6. Interest abatement reviews.
- Sec. 7. Ban on ex parte discussions.
- Sec. 8. Alternative dispute resolution procedures.
- Sec. 9. Extension of time for contesting IRS levy.
- Sec. 10. Waiver of installment agreement fee.
- Sec. 11. Suspension of running of period for filing petition of spousal relief and collection cases.
- Sec. 12. Venue for appeal of spousal relief and collection cases.
- Sec. 13. Increase in monetary penalties for certain unauthorized disclosures of information.
- Sec. 14. De novo tax court review of claims for equitable innocent spouse relief.

Sec. 15. Ban on raising new issues on appeal.

SEC. 2. MODIFICATION OF STANDARDS FOR AWARDING OF COSTS AND CERTAIN FEES.

(a) **SMALL BUSINESSES ELIGIBLE WITHOUT REGARD TO NET WORTH.**—Subparagraph (D) of section 7430(c)(4) of the Internal Revenue Code of 1986 is amended by striking "and" at the end of clause (i), by striking the period at the end of clause (ii) and inserting "and", and by adding at the end the following new clause:

"(iii) in the case of an eligible small business, the net worth limitation in clause (ii) of such section shall not apply."

(b) **ELIGIBLE SMALL BUSINESS.**—Paragraph (4) of section 7430(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

"(F) **ELIGIBLE SMALL BUSINESS.**—For purposes of subparagraph (D)(iii), the term 'eligible small business' means, with respect to any proceeding commenced in a taxable year—

- "(i) a corporation the stock of which is not publicly traded,
- "(ii) a partnership, or
- "(iii) a sole proprietorship,

if the average annual gross receipts of such corporation, partnership, or sole proprietorship for the 3-taxable-year period preceding such taxable year does not exceed \$50,000,000. For purposes of applying the test under the preceding sentence, rules similar to the rules of paragraphs (2) and (3) of section 448(c) shall apply."

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to proceedings commenced after the date of the enactment of this Act.

SEC. 3. CIVIL DAMAGES ALLOWED FOR RECKLESS OR INTENTIONAL DISREGARD OF INTERNAL REVENUE LAWS.

(a) **INCREASE IN AMOUNT OF DAMAGES.**—Section 7433(b) of the Internal Revenue Code of 1986 is amended by striking "\$1,000,000 (\$100,000, in the case of negligence)" and inserting "\$3,000,000 (\$300,000, in the case of negligence)".

(b) **EXTENSION OF TIME TO BRING ACTION.**—Section 7433(d)(3) of the Internal Revenue Code of 1986 is amended by striking "2 years" and inserting "5 years".

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to actions of employees of the Internal Revenue Service after the date of the enactment of this Act.

SEC. 4. MODIFICATIONS RELATING TO CERTAIN OFFENSES BY OFFICERS AND EMPLOYEES IN CONNECTION WITH REVENUE LAWS.

(a) **INCREASE IN PENALTY.**—Section 7214 of the Internal Revenue Code of 1986 is amended—

- (1) by striking "\$10,000" in subsection (a) and inserting "\$25,000", and
- (2) by striking "\$5,000" in subsection (b) and inserting "\$10,000".

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 5. MODIFICATIONS RELATING TO CIVIL DAMAGES FOR UNAUTHORIZED INSPECTION OR DISCLOSURE OF RETURNS AND RETURN INFORMATION.

(a) **INCREASE IN AMOUNT OF DAMAGES.**—Subparagraph (A) of section 7431(c)(1) of the Internal Revenue Code of 1986 is amended by striking "\$1,000" and inserting "\$10,000".

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to inspections and disclosure occurring on and after the date of the enactment of this Act.

SEC. 6. INTEREST ABATEMENT REVIEWS.

(a) **FILING PERIOD FOR INTEREST ABATEMENT CASES.**—

(1) IN GENERAL.—Subsection (h) of section 6404 of the Internal Revenue Code of 1986 is amended—

(A) by striking “REVIEW OF DENIAL” in the heading and inserting “JUDICIAL REVIEW”, and

(B) by striking “if such action is brought” and all that follows in paragraph (1) and inserting “if such action is brought—

“(A) at any time after the earlier of—

“(i) the date of the mailing of the Secretary’s final determination not to abate such interest, or

“(ii) the date which is 180 days after the date of the filing with the Secretary (in such form as the Secretary may prescribe) of a claim for abatement under this section, and

“(B) not later than the date which is 180 days after the date described in subparagraph (A)(i).”

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to claims for abatement of interest filed with the Secretary after the date of the enactment of this Act.

(b) SMALL TAX CASE ELECTION FOR INTEREST ABATEMENT CASES.—

(1) IN GENERAL.—Subsection (f) of section 7463 of the Internal Revenue Code of 1986 is amended—

(A) by striking “and” at the end of paragraph (1),

(B) by striking the period at the end of paragraph (2) and inserting “, and”, and

(C) by adding at the end the following new paragraph:

“(3) a petition to the Tax court under section 6404(h) in which the amount of interest abatement sought does not exceed \$50,000.”

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to—

(A) cases pending as of the day after the date of the enactment of this Act, and

(B) cases commenced after such date of enactment.

SEC. 7. BAN ON EX PARTE DISCUSSIONS.

(a) IN GENERAL.—Notwithstanding section 1001(a)(4) of the Internal Revenue Service Restructuring and Reform Act of 1998, the Internal Revenue Service shall prohibit any ex parte communications between officers in the Internal Revenue Service Office of Appeals and other Internal Revenue Service employees with respect to any matter pending before such officers.

(b) TERMINATION OF EMPLOYMENT FOR MISCONDUCT.—Subject to subsection (c), the Commissioner of Internal Revenue shall terminate the employment of any employee of the Internal Revenue Service if there is a final administrative or judicial determination that such employee committed any act or omission prohibited under subsection (a) in the performance of the employee’s official duties. Such termination shall be a removal for cause on charges of misconduct.

(c) DETERMINATION OF COMMISSIONER.—

(1) IN GENERAL.—The Commissioner of Internal Revenue may take a personnel action other than termination for an act prohibited under subsection (a).

(2) DISCRETION.—The exercise of authority under paragraph (1) shall be at the sole discretion of the Commissioner of Internal Revenue and may not be delegated to any other officer. The Commissioner of Internal Revenue, in his sole discretion, may establish a procedure which will be used to determine whether an individual should be referred to the Commissioner of Internal Revenue for a determination by the Commissioner under paragraph (1).

(3) NO APPEAL.—Any determination of the Commissioner of Internal Revenue under

this subsection may not be appealed in any administrative or judicial proceeding.

(d) TIGTA REPORTING OF TERMINATION OR MITIGATION.—Section 7803(d)(1)(E) of the Internal Revenue Code of 1986 is amended by inserting “or section 7 of the Small Business Taxpayer Bill of Rights Act of 2012” after “1998”.

SEC. 8. ALTERNATIVE DISPUTE RESOLUTION PROCEDURES.

(a) IN GENERAL.—Section 7123 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(c) AVAILABILITY OF DISPUTE RESOLUTIONS.—

“(1) IN GENERAL.—The procedures prescribed under subsection (b)(1) and the pilot program established under subsection (b)(2) shall provide that a taxpayer may request mediation or arbitration in any case unless the Secretary has specifically excluded the type of issue involved in such case or the class of cases to which such case belongs as not appropriate for resolution under such subsection. The Secretary shall make any determination that excludes a type of issue or a class of cases public within 5 working days and provide an explanation for each determination.

“(2) INDEPENDENT MEDIATORS.—

“(A) IN GENERAL.—The procedures prescribed under subsection (b)(1) shall provide the taxpayer an opportunity to elect to have the mediation conducted by an independent, neutral individual not employed by the Office of Appeals.

“(B) COST AND SELECTION.—

“(i) IN GENERAL.—Any taxpayer making an election under subparagraph (A) shall be required—

“(I) to share the costs of such independent mediator equally with the Office of Appeals, and

“(II) to limit the selection of the mediator to a roster of recognized national or local neutral mediators.

“(ii) EXCEPTION.—Clause (i)(I) shall not apply to any taxpayer who is an individual or who was a small business in the preceding calendar year if such taxpayer had an adjusted gross income that did not exceed 250 percent of the poverty level, as determined in accordance with criteria established by the Director of the Office of Management and Budget, in the taxable year preceding the request.

“(iii) SMALL BUSINESS.—For purposes of clause (ii), the term ‘small business’ has the meaning given such term under section 41(b)(3)(D)(iii).

“(3) AVAILABILITY OF PROCESS.—The procedures prescribed under subsection (b)(1) and the pilot program established under subsection (b)(2) shall provide the opportunity to elect mediation or arbitration at the time when the case is first filed with the Office of Appeals and at any time before deliberations in the appeal commence.”

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 9. EXTENSION OF TIME FOR CONTESTING IRS LEVY.

(a) EXTENSION OF TIME FOR RETURN OF PROPERTY SUBJECT TO LEVY.—Subsection (b) of section 6343 of the Internal Revenue Code of 1986 is amended by striking “9 months” and inserting “3 years”.

(b) PERIOD OF LIMITATION ON SUITS.—Subsection (c) of section 6532 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (1) by striking “9 months” and inserting “3 years”, and

(2) in paragraph (2) by striking “9-month” and inserting “3-year”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) levies made after the date of the enactment of this Act, and

(2) levies made on or before such date if the 9-month period has not expired under section 6343(b) of the Internal Revenue Code of 1986 (without regard to this section) as of such date.

SEC. 10. WAIVER OF INSTALLMENT AGREEMENT FEE.

(a) IN GENERAL.—Section 6159 of the Internal Revenue Code of 1986 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

“(f) WAIVER OF INSTALLMENT AGREEMENT FEE.—The Secretary shall waive the fees imposed on installment agreements under this section for any taxpayer with an adjusted gross income that does not exceed 250 percent of the poverty level, as determined in accordance with criteria established by the Director of the Office of Management and Budget, and who has agreed to make payments under the installment agreement by electronic payment through a debit instrument.”

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 11. SUSPENSION OF RUNNING OF PERIOD FOR FILING PETITION OF SPOUSAL RELIEF AND COLLECTION CASES.

(a) PETITIONS FOR SPOUSAL RELIEF.—

(1) IN GENERAL.—Subsection (e) of section 6015 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) SUSPENSION OF RUNNING OF PERIOD FOR FILING PETITION IN TITLE 11 CASES.—In the case of an individual who is prohibited by reason of a case under title 11, United States Code, from filing a petition under paragraph (1)(A) with respect to a final determination of relief under this section, the running of the period prescribed by such paragraph for filing such a petition with respect to such final determination shall be suspended for the period during which the individual is so prohibited from filing such a petition, and for 60 days thereafter.”

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to petitions filed under section 6015(e) of the Internal Revenue Code of 1986 after the date of the enactment of this Act.

(b) COLLECTION PROCEEDINGS.—

(1) IN GENERAL.—Subsection (d) of section 6330 of the Internal Revenue Code of 1986 is amended—

(A) by striking “appeal such determination to the Tax Court” in paragraph (1) and inserting “petition the Tax Court for review of such determination”,

(B) by striking “JUDICIAL REVIEW OF DETERMINATION” in the heading of paragraph (1) and inserting “PETITION FOR REVIEW BY TAX COURT”,

(C) by redesignating paragraph (2) as paragraph (3), and

(D) by inserting after paragraph (1) the following new paragraph:

“(2) SUSPENSION OF RUNNING OF PERIOD FOR FILING PETITION IN TITLE 11 CASES.—In the case of an individual who is prohibited by reason of a case under title 11, United States Code, from filing a petition under paragraph (1) with respect to a determination under this section, the running of the period prescribed by such subsection for filing such a petition with respect to such determination shall be suspended for the period during which the individual is so prohibited from

filing such a petition, and for 30 days thereafter.”.

(2) CONFORMING AMENDMENT.—Subsection (c) of section 6320 of such Code is amended by striking “(2)(B)” and inserting “(3)(B)”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to petitions filed under section 6330 of the Internal Revenue Code of 1986 after the date of the enactment of this Act.

SEC. 12. VENUE FOR APPEAL OF SPOUSAL RELIEF AND COLLECTION CASES.

(a) IN GENERAL.—Paragraph (1) of section 7482(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking “or” at the end of subparagraph (E),

(2) by striking the period at the end of subparagraph (F) and inserting a comma, and

(3) by inserting after subparagraph (F) the following new subparagraphs:

“(G) in the case of a petition under section 6015(e), the legal residence of the petitioner, or

“(H) in the case of a petition under section 6320 or 6330—

“(i) the legal residence of the petitioner if the petitioner is an individual, and

“(ii) the principal place of business or principal office or agency if the petitioner is an entity other than an individual.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to petitions filed after the date of enactment of this Act.

SEC. 13. INCREASE IN MONETARY PENALTIES FOR CERTAIN UNAUTHORIZED DISCLOSURES OF INFORMATION.

(a) IN GENERAL.—Paragraphs (1), (2), (3), and (4) of section 7213(a) of the Internal Revenue Code of 1986 are each amended by striking “\$5,000” and inserting “\$10,000”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures made after the date of the enactment of this Act.

SEC. 14. DE NOVO TAX COURT REVIEW OF CLAIMS FOR EQUITABLE INNOCENT SPOUSE RELIEF.

(a) IN GENERAL.—Subparagraph (A) of section 6015(e)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new flush sentence:

“Any review of a determination by the Secretary with respect to a claim for equitable relief under subsection (f) shall be reviewed *de novo* by the Tax Court.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to petitions filed or pending before the Tax Court on and after the date of the enactment of this Act.

SEC. 15. BAN ON RAISING NEW ISSUES ON APPEAL.

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 7529. PROHIBITION ON INTERNAL REVENUE SERVICE RAISING NEW ISSUES IN AN INTERNAL APPEAL.

“(a) IN GENERAL.—In reviewing an appeal of any determination initially made by the Internal Revenue Service, the Internal Revenue Service Office of Appeals may not consider or decide any issue that is not within the scope of the initial determination.

“(b) CERTAIN ISSUES DEEMED OUTSIDE OF SCOPE OF DETERMINATION.—For purposes of subsection (a), the following matters shall be considered to be not within the scope of a determination:

“(1) Any issue that was not raised in a notice of deficiency or an examiner’s report which is the subject of the appeal.

“(2) Any deficiency in tax which was not included in the initial determination.

“(3) Any theory or justification for a tax deficiency which was not considered in the initial determination.

“(c) NO INFERENCE WITH RESPECT TO ISSUES RAISED BY TAXPAYERS.—Nothing in this section shall be construed to provide any limitation in addition to any limitations in effect on the date of the enactment of this section on the right of a taxpayer to raise an issue, theory, or justification on an appeal from a determination initially made by the Internal Revenue Service that was not within the scope of the initial determination.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 of such Code is amended by adding at the end the following new item:

“Sec. 7529. Prohibition on Internal Revenue Service raising new issues in an internal appeal.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to matters filed or pending with the Internal Revenue Service Office of Appeals on or after the date of the enactment of this Act.

UNITED STATES
HISPANIC CHAMBER OF COMMERCE,
Washington, DC, April 9, 2012.

Hon. JOHN CORNYN,
U.S. Senate,
Washington, DC.

DEAR SENATOR CORNYN, The United States Hispanic Chamber of Commerce (USHCC) would like to express its support and thank you for introducing the Small Business Taxpayer Bill of Rights Act of 2012 (SBTBOR). As our organization advocates for legislation that helps to build Hispanic owned businesses and enhance America’s economy, it is encouraging to see the SBTBOR introduced on the Senate floor.

As you are aware, Hispanic-owned firms are the fastest growing segment of business across the country. We applaud you for recognizing this fact and, as a result, taking the initiative to provide sensible solutions for the USHCC constituency of Hispanic enterprises. The four pillars of the SBTBOR—lowering compliance burden for taxpayers, strengthening taxpayer protections, compensating taxpayers for IRS abuses, and improving taxpayer access to the judicial system—are crucial to the efficiency of small business, and we hope that your Senate colleagues join in your efforts to pass sensible, pro-growth legislation.

In the USHCC’s recently released 2012–2014 Legislative Agenda, regulatory reform is noted as a critical part of the Hispanic small business community’s potential for job creation and economic development. The SBTBOR, by addressing problematic regulation and interaction with the IRS, is parallel to the USHCC mission. In order for the Hispanic community to continue leveraging its entrepreneurial spirit, we cannot allow for entrepreneurs to be subject to slow and costly resolution of audits, low civil damages when the IRS disregards the law, fees on installment agreements for low-income taxpayers, and many other harsh burdens that exist for small businesses.

The SBTBOR is clearly something that will positively affect the Hispanic business community and American economy as a whole. Please let us know how we may assist in your effort to promote an environment where entrepreneurs focus more on growing

their businesses rather than dealing with unreasonable regulations. We are here to help.
Respectfully Submitted,

JAVIER PALOMAREZ,
President & CEO.
NINA VACA,
Chairman of the Board.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 419—EXPRESSING THE SENSE OF THE SENATE THAT PUBLIC SERVANTS SHOULD BE COMMENDED FOR THEIR DEDICATION AND CONTINUED SERVICE TO THE UNITED STATES DURING PUBLIC SERVICE RECOGNITION WEEK

Mr. AKAKA (for himself, Ms. COLLINS, Mr. LEVIN, Mr. LIEBERMAN, Mr. CARPER, Mr. LAUTENBERG, Mr. WEBB, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 419

Whereas the week of May 6 through 12, 2012, has been designated as “Public Service Recognition Week” to honor the employees of the Federal Government and State and local governments of the United States of America;

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and honor the diverse men and women who meet the needs of the United States through work at all levels of government;

Whereas millions of individuals work in government service in every city, county, and State across the United States and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas the Federal Government and State and local governments are responsive, innovative, and effective because of the outstanding work of public servants;

Whereas the United States is a great and prosperous country, and public service employees contribute significantly to that greatness and prosperity;

Whereas the United States benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) defend our freedom and advance the interests of the United States around the world;

(2) provide vital strategic support functions to our military and serve in the National Guard and Reserves;

(3) fight crime and fires;

(4) ensure equal access to secure, efficient, and affordable mail service;

(5) deliver Social Security and Medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and the parks of the United States;

(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;

(9) defend and secure critical infrastructure;

(10) help the people of the United States recover from natural disasters and terrorist attacks;

(11) teach and work in our schools and libraries;

(12) develop new technologies and explore the Earth, the Moon, and space to help improve our understanding of how our world changes;

(13) improve and secure our transportation systems;

(14) promote economic growth; and

(15) assist the veterans of our country;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight to defeat terrorism and maintain homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent the interests and promote the ideals of the United States;

Whereas public servants alert Congress and the public to government waste, fraud, and abuse, and of dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who provide support to their efforts, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the country and the world;

Whereas public servants have bravely fought in armed conflict in defense of this country and its ideals, and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants; and

Whereas the week of May 6 through 12, 2012, marks the 28th anniversary of Public Service Recognition Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of the week of May 6 through 12, 2012, as “Public Service Recognition Week”;

(2) commends public servants for their outstanding contributions to this great country during Public Service Recognition Week and throughout the year;

(3) salutes government employees for their unyielding dedication to and spirit for public service;

(4) honors those government employees who have given their lives in service to their country;

(5) calls upon a new generation to consider a career in public service as an honorable profession; and

(6) encourages efforts to promote public service careers at all levels of government.

Mr. AKAKA. Mr. President, today I rise to honor our Nation’s public servants and once again submit a resolution recognizing our public servants during Public Service Recognition Week.

This is the 28th year we will honor our public servants with Public Service Recognition Week during the first full week of May, this year from May 6–12. I am proud to once again take a moment to highlight the importance of the work of our public servants and to thank them for all that they do for this country.

As a life-long public servant, I have worked with so many talented, hard-

working people who have dedicated their lives to helping others. I have been inspired by meeting countless men and women who come to work every day to serve the communities and their country. Our way of life would not exist without the work of these admirable men and women who provide so many vital services to the American people, including caring for our wounded warriors, teaching our children, protecting our communities, and keeping our nation safe.

Public Service Recognition Week provides an opportunity not only to honor those who serve, but also to hear about the wide variety of careers in public service. Public employees use the week to educate their fellow Americans about how government serves them, and how government services make life better for us all. It is always my hope that people will hear about these great opportunities to give back to their communities and be encouraged to consider a career in public service.

While we have designated a week to pay tribute to government employees, it is so important that we continue to honor the work of our public servants throughout the year. We face many challenges both here at home and abroad, and our public servants play an integral role in moving our country forward. It is important that we do not lose sight of all they do to keep our country strong.

To all the dedicated men and women currently serving our Nation, mahalo nui loa, thank you very much, for all that you do. I encourage my colleagues to join me in recognizing the public servants in their states.

SENATE RESOLUTION 420—DESIGNATING APRIL 5, 2012, AS “GOLD STAR WIVES DAY”

Mr. BURR (for himself and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 420

Whereas the Senate honors the sacrifices made by the spouses and families of the fallen members of the Armed Forces of the United States;

Whereas Gold Star Wives of America, Inc. represents the spouses and families of the members and veterans of the Armed Forces of the United States who have died on active duty or as a result of a service-connected disability;

Whereas the primary mission of Gold Star Wives of America, Inc. is to provide services, support, and friendship to the spouses of the fallen members and veterans of the Armed Forces of the United States;

Whereas, in 1945, Gold Star Wives of America, Inc. was organized with the help of Eleanor Roosevelt to assist the families left behind by the fallen members and veterans of the Armed Forces of the United States;

Whereas the first meeting of Gold Star Wives of America, Inc. was held on April 5, 1945;

Whereas April 5, 2012, marks the 67th anniversary of the first meeting of Gold Star Wives of America, Inc.;

Whereas the members and veterans of the Armed Forces of the United States bear the burden of protecting the freedom of the people of the United States; and

Whereas the sacrifices of the families of the fallen members and veterans of the Armed Forces of the United States should never be forgotten: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 5, 2012, as “Gold Star Wives Day”;

(2) honors and recognizes—

(A) the contributions of the members of Gold Star Wives of America, Inc.; and

(B) the dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(3) encourages the people of the United States to observe Gold Star Wives Day to promote awareness of—

(A) the contributions and dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(B) the important role Gold Star Wives of America, Inc. plays in the lives of the spouses and families of the fallen members and veterans of the Armed Forces of the United States.

SENATE RESOLUTION 421—DESIGNATING APRIL 20 THROUGH 22, 2012, AS “GLOBAL YOUTH SERVICE DAY”

Ms. MURKOWSKI (for herself, Mr. BEGICH, Mrs. MURRAY, Mr. COCHRAN, Ms. MIKULSKI, Ms. STABENOW, Mr. JOHNSON of South Dakota, Mr. AKAKA, Mr. COONS, and Mr. UDALL of Colorado) submitted the following resolution; which was considered and agreed to:

S. RES. 421

Whereas Global Youth Service Day is an annual event that celebrates and mobilizes the millions of children and young people who improve their communities each day of the year through community service and service-learning projects;

Whereas Global Youth Service Day, a program of Youth Service America, is the largest and longest-running service event in the world dedicated to engaging youth ages 5 through 25;

Whereas, in 2012, Global Youth Service Day is being observed for the 24th consecutive year in the United States and for the 13th year globally in more than 100 countries;

Whereas nearly $\frac{1}{3}$ of the population of the United States (approximately 104,000,000 people) and nearly $\frac{1}{2}$ of population of the world is under the age of 25;

Whereas Global Youth Service Day assists children and young people to position themselves as active citizens and community leaders as they apply their knowledge, skills, idealism, energy, creativity, and unique perspectives to serve their communities and help address a myriad of critical issues;

Whereas thousands of students and teachers in conjunction with local schools, colleges, and universities are planning Global Youth Service Day activities as part of a Semester of Service, an extended service-learning campaign launched on Martin Luther

King, Jr. Day of Service, in which young people spend the semester addressing a meaningful community need connected to intentional learning goals or academic standards over the course of not less than 70 hours;

Whereas Global Youth Service Day participants are serving in conjunction with other community events, including Earth Day, J-Serve, Great American Bake Sale National Challenge Weekend, National Volunteer Week, Kiwanis One Day, Alpha Phi Omega's Spring Youth Service Day, Sigma Alpha Epsilon's True Gentleman Day of Service, National Day of Silence, National Environmental Education Week, National Park Week, National Student Leadership Week, and World Malaria Day;

Whereas Global Youth Service Day engages millions of young people worldwide with the support of the Global Youth Service Network of Youth Service America, including more than 200 National and Global Partners, 125 State and local Lead Agencies and Lead Organizers, and thousands of local schools, afterschool programs, youth development organizations, community organizations, faith-based organizations, government agencies, businesses, neighborhood associations, tribes, and families;

Whereas Youth Service America will provide support to more than 800 schools and community organizations, including State Farm GYSD Lead Agency and Good Neighbor grants, UnitedHealth Heroes grants, Sodexo Foundation Youth, Lead Organizer, and School Engagement grants, Disney Friends for Change grants, and Learn and Serve America STEMester of Service grants;

Whereas, in 2011, youth volunteers who engaged in Global Youth Service Day projects served an estimated 1,417,000 hours of service that benefitted at least 885,000 individuals and contributed \$30,267,120 worth of time to their communities;

Whereas high-quality community service and service-learning programs increase—

- (1) the academic engagement and achievement of young people;
- (2) the workforce readiness and 21st century skills of young people;
- (3) the civic knowledge and engagement of young people;
- (4) the intercultural understanding and global citizenship of young people; and
- (5) the connectedness and commitment of young people to their communities; and

Whereas the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) calls on the Corporation for National and Community Service, other Federal agencies and departments, and the President of the United States to recognize and support youth-led activities: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and commends the significant contributions of young people of the United States and the world and encourages the continued engagement and support of young people dedicated to serving their neighbors, their communities, and their countries;

(2) designates April 20 through 22, 2012, as "Global Youth Service Day"; and

(3) calls on the people of the United States to observe Global Youth Service Day by—

(A) encouraging young people to participate in community service and service-learning projects and to join their peers in those projects;

(B) recognizing the volunteer efforts of the young people of the United States throughout the year; and

(C) supporting the volunteer efforts of young people and engaging them in meaning-

ful community service, service-learning, and decision-making opportunities as an investment in the future of the United States.

SENATE RESOLUTION 422—COM-MENDING AND CONGRATU-LATING THE UNIVERSITY OF KENTUCKY MEN'S BASKETBALL TEAM FOR WINNING ITS EIGHTH DIVISION I NATIONAL COLLE-GIATE ATHLETIC ASSOCIATION CHAMPIONSHIP

Mr. McCONNELL (for himself and Mr. PAUL) submitted the following res-olution; which was considered and agreed to:

S. RES. 422

Whereas on April 2, 2012, the University of Kentucky Wildcats defeated the University of Kansas Jayhawks, 67 to 59, in the final game of the National Collegiate Athletic Association (referred to in this preamble as "NCAA") Division I Men's Basketball Tour-nament in New Orleans, Louisiana;

Whereas the Kentucky Wildcats have won 8 national titles, the second most in NCAA Di- vision I men's basketball history;

Whereas the Kentucky Wildcats are the only men's Division I college basketball pro- gram to have won NCAA national champion- ships under 5 different coaches;

Whereas freshman center Anthony Davis was—

(1) the recipient of the John R. Wooden Award, the Naismith Trophy, and the Adolph F. Rupp Trophy, all for national player of the year;

(2) named the United States Basketball Writers Association player of the year, Asso- ciated Press player of the year, and Basket- ball Times player of the year; and

(3) selected to the Associated Press All- America first team and as the Most Out- standing Player of the NCAA Final Four tournament;

Whereas forward Michael Kidd-Gilchrist, guard Doron Lamb, and center Anthony Davis were selected as members of the NCAA Final Four All-Tournament team;

Whereas senior guard Darius Miller of Maysville, Kentucky set a school record for career games played with the Kentucky Wildcats men's basketball team at 152;

Whereas each player, coach, athletic train- er, and staff member of the University of Kentucky basketball team dedicated their season and their tireless efforts to the suc- cessful season of the team and the NCAA championship;

Whereas residents of the Commonwealth of Kentucky and Wildcats fans worldwide are commended for their long-standing support, perseverance, and pride in the team; and

Whereas Coach John Calipari and the Uni- versity of Kentucky Wildcats have brought pride and honor to the Commonwealth of Kentucky, which is rightly known as the col- lege basketball capital of the world: Now, therefore, be it

Resolved, That the Senate—

(1) commends and congratulates the Uni- versity of Kentucky Wildcats on its out- standing accomplishment; and

(2) respectfully requests that the Secretary of the Senate transmit a copy of this resolu- tion to the president of the University of Kentucky.

SENATE RESOLUTION 423—CON- GRATULATING WESTERN WASH- INGTON UNIVERSITY FOR WIN- NING THE 2012 NATIONAL COLLE- GIATE ATHLETIC ASSOCIATION DIVISION II MEN'S BASKETBALL CHAMPIONSHIP

Mrs. MURRAY (for herself and Ms. CANTWELL) submitted the following res-olution; which was considered and agreed to:

S. RES. 423

Whereas, on March 24, 2012, for the first time in the 110-year history of the Western Washington University men's basketball pro- gram, the Western Washington University Vikings won the National Collegiate Ath- letic Association (commonly referred to as the "NCAA") Division II Men's Basketball Championship with a victory over the Uni- versity of Montevallo by a score of 72 to 65;

Whereas Western Washington University guard John Allen, one of the most accurate free-throw shooters in the country, with a free-throw percentage of 88.7 percent, made 4 free throws in a row to end a late comeback by the University of Montevallo in the fourth quarter;

Whereas the Vikings finished the 2012 sea- son with an impressive record of 31 wins and 5 losses;

Whereas head coach Brad Jackson was named the National Association of Basket- ball Coaches Division II Coach of the Year;

Whereas the members of the 2012 Western Washington University men's basketball team are excellent representatives of a uni- versity that, as one of the premier academic institutions in the State of Washington, pro- duces many outstanding student-athletes, leaders, and scholars; and

Whereas the members of the 2012 Western Washington University men's basketball team have brought great honor to them- selves, their families, Western Washington University, and the State of Washington: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Western Washington Uni- versity for winning the 2012 National Colle- giate Athletic Association Division II Men's Basketball Championship;

(2) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped Western Washington University win the champion- ship; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) Bruce Shepard, President of Western Washington University;

(B) Lynda Goodrich, Director of Athletics of Western Washington University; and

(C) Brad Jackson, head coach of the West- ern Washington University men's basketball team.

SENATE CONCURRENT RESOLU- TION 41—SETTING FORTH THE PRESIDENT'S BUDGET REQUEST FOR THE UNITED STATES GOV- ERNMENT FOR FISCAL YEAR 2013, AND SETTING FORTH THE APPROPRIATE BUDGETARY LEV- ELS FOR FISCAL YEARS 2014 THROUGH 2022

Mr. SESSIONS submitted the fol- lowing concurrent resolution; which was placed on the calendar:

and outlays for fiscal years 2012 through 2022 for each major functional category are:

- (1) National Defense (050):
 Fiscal year 2013:
 (A) New budget authority, \$648,175,000,000.
 (B) Outlays, \$672,404,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$566,879,000,000.
 (B) Outlays, \$611,178,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$579,817,000,000.
 (B) Outlays, \$582,317,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$590,329,000,000.
 (B) Outlays, \$586,364,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$602,399,000,000.
 (B) Outlays, \$590,002,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$615,052,000,000.
 (B) Outlays, \$596,257,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$628,979,000,000.
 (B) Outlays, \$614,002,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$642,907,000,000.
 (B) Outlays, \$628,328,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$656,291,000,000.
 (B) Outlays, \$641,663,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$673,651,000,000.
 (B) Outlays, \$662,113,000,000.
- (2) International Affairs (150):
 Fiscal year 2013:
 (A) New budget authority, \$58,583,000,000.
 (B) Outlays, \$55,040,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$49,241,000,000.
 (B) Outlays, \$54,376,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$47,643,000,000.
 (B) Outlays, \$52,737,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$47,666,000,000.
 (B) Outlays, \$52,374,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$50,315,000,000.
 (B) Outlays, \$52,423,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$52,464,000,000.
 (B) Outlays, \$52,555,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$53,679,000,000.
 (B) Outlays, \$51,573,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$54,906,000,000.
 (B) Outlays, \$51,721,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$56,141,000,000.
 (B) Outlays, \$52,815,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$57,909,000,000.
 (B) Outlays, \$54,178,000,000.
- (3) General Science, Space, and Technology (250):
 Fiscal year 2013:
 (A) New budget authority, \$29,556,000,000.
 (B) Outlays, \$29,840,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$30,091,000,000.
 (B) Outlays, \$29,964,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$30,654,000,000.
 (B) Outlays, \$30,335,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$31,244,000,000.
 (B) Outlays, \$30,890,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$31,920,000,000.
 (B) Outlays, \$31,523,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$32,623,000,000.
 (B) Outlays, \$32,200,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$33,357,000,000.
 (B) Outlays, \$32,859,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$34,089,000,000.
 (B) Outlays, \$33,576,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$34,824,000,000.
 (B) Outlays, \$34,212,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$35,667,000,000.
 (B) Outlays, \$34,996,000,000.
- (4) Energy (270):
 Fiscal year 2013:
 (A) New budget authority, \$15,925,000,000.
 (B) Outlays, \$13,042,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$6,434,000,000.
 (B) Outlays, \$9,079,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$5,072,000,000.
 (B) Outlays, \$7,335,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$4,929,000,000.
 (B) Outlays, \$6,200,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$4,653,000,000.
 (B) Outlays, \$5,244,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$4,594,000,000.
 (B) Outlays, \$4,215,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$4,534,000,000.
 (B) Outlays, \$4,348,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$4,545,000,000.
 (B) Outlays, \$4,207,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$4,507,000,000.
 (B) Outlays, \$4,133,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$4,618,000,000.
 (B) Outlays, \$4,174,000,000.
- (5) Natural Resources and Environment (300):
 Fiscal year 2013:
 (A) New budget authority, \$35,430,000,000.
 (B) Outlays, \$40,460,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$36,447,000,000.
 (B) Outlays, \$38,559,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$36,804,000,000.
 (B) Outlays, \$38,130,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$37,608,000,000.
 (B) Outlays, \$38,030,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$38,727,000,000.
 (B) Outlays, \$38,879,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$40,121,000,000.
 (B) Outlays, \$39,015,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$41,011,000,000.
 (B) Outlays, \$39,972,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$42,307,000,000.
 (B) Outlays, \$41,148,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$42,558,000,000.
 (B) Outlays, \$41,715,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$43,419,000,000.
 (B) Outlays, \$42,362,000,000.
- (6) Agriculture (350):
 Fiscal year 2013:
 (A) New budget authority, \$21,834,000,000.
 (B) Outlays, \$24,722,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$16,804,000,000.
 (B) Outlays, \$17,373,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$21,079,000,000.
 (B) Outlays, \$20,842,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$20,488,000,000.
 (B) Outlays, \$20,059,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$20,025,000,000.
 (B) Outlays, \$19,578,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$20,448,000,000.
 (B) Outlays, \$19,945,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$20,112,000,000.
 (B) Outlays, \$19,656,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$19,524,000,000.
 (B) Outlays, \$19,098,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$20,155,000,000.
 (B) Outlays, \$19,718,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$19,965,000,000.
 (B) Outlays, \$19,538,000,000.
- (7) Commerce and Housing Credit (370):
 Fiscal year 2013:
 (A) New budget authority, \$2,968,000,000.
 (B) Outlays, \$5,769,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$8,357,000,000.
 (B) Outlays, -\$2,293,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$7,366,000,000.
 (B) Outlays, -\$4,783,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$8,145,000,000.
 (B) Outlays, -\$6,537,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$9,758,000,000.
 (B) Outlays, -\$6,533,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$12,253,000,000.
 (B) Outlays, -\$4,945,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$14,773,000,000.
 (B) Outlays, -\$8,348,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$22,613,000,000.
 (B) Outlays, -\$2,240,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$15,563,000,000.
 (B) Outlays, \$474,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$20,101,000,000.
 (B) Outlays, \$2,275,000,000.
- (8) Transportation (400):
 Fiscal year 2013:
 (A) New budget authority, \$88,386,000,000.
 (B) Outlays, \$102,364,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$101,243,000,000.
 (B) Outlays, \$105,524,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$107,661,000,000.
 (B) Outlays, \$104,782,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$114,471,000,000.
 (B) Outlays, \$107,766,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$120,819,000,000.
 (B) Outlays, \$112,009,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$127,262,000,000.
 (B) Outlays, \$115,782,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$92,354,000,000.
 (B) Outlays, \$113,424,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$94,123,000,000.
 (B) Outlays, \$107,580,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$95,934,000,000.
 (B) Outlays, \$105,310,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$97,877,000,000.
 (B) Outlays, \$104,566,000,000.

- (9) Community and Regional Development (450):
- Fiscal year 2013:
 (A) New budget authority, \$17,509,000,000.
 (B) Outlays, \$24,695,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$12,125,000,000.
 (B) Outlays, \$26,292,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$12,339,000,000.
 (B) Outlays, \$25,812,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$12,573,000,000.
 (B) Outlays, \$20,110,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$12,843,000,000.
 (B) Outlays, \$16,523,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$13,121,000,000.
 (B) Outlays, \$14,301,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$13,410,000,000.
 (B) Outlays, \$13,848,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$13,705,000,000.
 (B) Outlays, \$14,046,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$13,999,000,000.
 (B) Outlays, \$14,583,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$14,343,000,000.
 (B) Outlays, \$14,958,000,000.
- (10) Education, Training, Employment, and Social Services (500):
- Fiscal year 2013:
 (A) New budget authority, \$82,028,000,000.
 (B) Outlays, \$122,483,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$87,194,000,000.
 (B) Outlays, \$107,191,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$85,938,000,000.
 (B) Outlays, \$101,331,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$85,960,000,000.
 (B) Outlays, \$92,781,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$95,143,000,000.
 (B) Outlays, \$92,808,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$99,647,000,000.
 (B) Outlays, \$98,392,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$103,464,000,000.
 (B) Outlays, \$102,181,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$104,120,000,000.
 (B) Outlays, \$104,073,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$105,157,000,000.
 (B) Outlays, \$105,085,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$106,690,000,000.
 (B) Outlays, \$106,209,000,000.
- (11) Health (550):
- Fiscal year 2013:
 (A) New budget authority, \$372,835,000,000.
 (B) Outlays, \$375,955,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$473,879,000,000.
 (B) Outlays, \$464,352,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$542,160,000,000.
 (B) Outlays, \$538,003,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$590,904,000,000.
 (B) Outlays, \$594,729,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$626,658,000,000.
 (B) Outlays, \$629,150,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$664,032,000,000.
 (B) Outlays, \$662,930,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$707,099,000,000.
 (B) Outlays, \$706,061,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$761,258,000,000.
 (B) Outlays, \$749,868,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$800,618,000,000.
 (B) Outlays, \$799,481,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$851,615,000,000.
 (B) Outlays, \$849,973,000,000.
- (12) Medicare (570):
- Fiscal year 2013:
 (A) New budget authority, \$525,876,000,000.
 (B) Outlays, \$525,716,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$553,675,000,000.
 (B) Outlays, \$552,981,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$570,815,000,000.
 (B) Outlays, \$570,407,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$617,954,000,000.
 (B) Outlays, \$617,756,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$633,488,000,000.
 (B) Outlays, \$632,808,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$653,683,000,000.
 (B) Outlays, \$653,276,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$715,518,000,000.
 (B) Outlays, \$715,315,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$763,016,000,000.
 (B) Outlays, \$762,316,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$810,664,000,000.
 (B) Outlays, \$810,230,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$885,513,000,000.
 (B) Outlays, \$885,426,000,000.
- (13) Income Security (600):
- Fiscal year 2013:
 (A) New budget authority, \$545,622,000,000.
 (B) Outlays, \$542,562,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$537,970,000,000.
 (B) Outlays, \$534,946,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$538,691,000,000.
 (B) Outlays, \$533,883,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$546,156,000,000.
 (B) Outlays, \$545,811,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$544,282,000,000.
 (B) Outlays, \$539,685,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$546,446,000,000.
 (B) Outlays, \$538,021,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$561,786,000,000.
 (B) Outlays, \$558,295,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$573,480,000,000.
 (B) Outlays, \$570,338,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$586,855,000,000.
 (B) Outlays, \$583,571,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$604,517,000,000.
 (B) Outlays, \$605,786,000,000.
- (14) Social Security (650):
- Fiscal year 2013:
 (A) New budget authority, \$53,416,000,000.
 (B) Outlays, \$53,496,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$31,892,000,000.
 (B) Outlays, \$32,002,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$35,135,000,000.
 (B) Outlays, \$35,210,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$38,953,000,000.
 (B) Outlays, \$38,991,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$43,140,000,000.
 (B) Outlays, \$43,140,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$47,590,000,000.
 (B) Outlays, \$47,590,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$52,429,000,000.
 (B) Outlays, \$52,429,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$57,425,000,000.
 (B) Outlays, \$57,425,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$62,604,000,000.
 (B) Outlays, \$62,604,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$68,079,000,000.
 (B) Outlays, \$68,079,000,000.
- (15) Veterans Benefits and Services (700):
- Fiscal year 2013:
 (A) New budget authority, \$135,651,000,000.
 (B) Outlays, \$135,289,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$136,996,000,000.
 (B) Outlays, \$137,447,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$139,827,000,000.
 (B) Outlays, \$139,964,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$148,005,000,000.
 (B) Outlays, \$147,807,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$146,445,000,000.
 (B) Outlays, \$146,074,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$144,620,000,000.
 (B) Outlays, \$143,993,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$153,568,000,000.
 (B) Outlays, \$152,909,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$157,302,000,000.
 (B) Outlays, \$156,643,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$161,056,000,000.
 (B) Outlays, \$160,370,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$170,839,000,000.
 (B) Outlays, \$170,088,000,000.
- (16) Administration of Justice (750):
- Fiscal year 2013:
 (A) New budget authority, \$53,772,000,000.
 (B) Outlays, \$58,831,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$55,029,000,000.
 (B) Outlays, \$57,404,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$55,792,000,000.
 (B) Outlays, \$56,371,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$58,542,000,000.
 (B) Outlays, \$58,214,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$57,889,000,000.
 (B) Outlays, \$57,538,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$58,992,000,000.
 (B) Outlays, \$60,408,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$60,204,000,000.
 (B) Outlays, \$60,504,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$61,406,000,000.
 (B) Outlays, \$61,011,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$62,772,000,000.
 (B) Outlays, \$62,348,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$67,988,000,000.
 (B) Outlays, \$67,496,000,000.
- (17) General Government (800):
- Fiscal year 2013:

(A) New budget authority, \$25,808,000,000.
 (B) Outlays, \$27,408,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$27,256,000,000.
 (B) Outlays, \$27,706,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$29,196,000,000.
 (B) Outlays, \$29,376,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$31,275,000,000.
 (B) Outlays, \$31,459,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$33,433,000,000.
 (B) Outlays, \$33,300,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$35,613,000,000.
 (B) Outlays, \$35,417,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$37,969,000,000.
 (B) Outlays, \$37,513,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$40,338,000,000.
 (B) Outlays, \$39,900,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$42,762,000,000.
 (B) Outlays, \$42,226,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$45,219,000,000.
 (B) Outlays, \$44,669,000,000.
 (18) Net Interest (900):
 Fiscal year 2013:
 (A) New budget authority, \$347,234,000,000.
 (B) Outlays, \$347,234,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$360,341,000,000.
 (B) Outlays, \$360,341,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$400,112,000,000.
 (B) Outlays, \$400,112,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$466,938,000,000.
 (B) Outlays, \$466,938,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$539,743,000,000.
 (B) Outlays, \$539,743,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$614,473,000,000.
 (B) Outlays, \$614,473,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$686,716,000,000.
 (B) Outlays, \$646,716,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$751,343,000,000.
 (B) Outlays, \$751,343,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$804,643,000,000.
 (B) Outlays, \$804,643,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$858,474,000,000.
 (B) Outlays, \$858,474,000,000.
 (19) Allowances (920):
 Fiscal year 2013:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2014:
 (A) New budget authority, \$24,806,000,000.
 (B) Outlays, \$13,861,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$23,898,000,000.
 (B) Outlays, \$20,717,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$23,873,000,000.
 (B) Outlays, \$23,137,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$24,357,000,000.
 (B) Outlays, \$23,978,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$24,286,000,000.
 (B) Outlays, \$23,955,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$23,254,000,000.
 (B) Outlays, \$23,420,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$17,302,000,000.

(B) Outlays, \$19,913,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$25,927,000,000.
 (B) Outlays, \$22,801,000,000.
 Fiscal year 2022:
 (A) New budget authority, —\$15,910,000,000.
 (B) Outlays, —\$17,291,000,000.
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2013:
 (A) New budget authority, —\$79,096,000,000.
 (B) Outlays, —\$79,095,000,000.
 Fiscal year 2014:
 (A) New budget authority, —\$80,150,000,000.
 (B) Outlays, —\$80,149,000,000.
 Fiscal year 2015:
 (A) New budget authority, —\$85,787,000,000.
 (B) Outlays, —\$85,786,000,000.
 Fiscal year 2016:
 (A) New budget authority, —\$87,260,000,000.
 (B) Outlays, —\$87,259,000,000.
 Fiscal year 2017:
 (A) New budget authority, —\$91,024,000,000.
 (B) Outlays, —\$91,023,000,000.
 Fiscal year 2018:
 (A) New budget authority, —\$94,141,000,000.
 (B) Outlays, —\$94,140,000,000.
 Fiscal year 2019:
 (A) New budget authority, —\$100,689,000,000.
 (B) Outlays, —\$100,688,000,000.
 Fiscal year 2020:
 (A) New budget authority, —\$99,551,000,000.
 (B) Outlays, —\$99,550,000,000.
 Fiscal year 2021:
 (A) New budget authority, —\$103,660,000,000.
 (B) Outlays, —\$103,659,000,000.
 Fiscal year 2022:
 (A) New budget authority, —\$105,959,000,000.
 (B) Outlays, —\$105,959,000,000.

TITLE II—BUDGET PROCESS
Subtitle A—Budget Enforcement

SEC. 201. PROGRAM INTEGRITY INITIATIVES.

(a) ADJUSTMENTS IN THE SENATE.—
 (1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment or motion thereto or the submission of a conference report thereon—
 (A) the Chairman of the Committee on the Budget of the Senate may adjust the budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and
 (B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.
 (2) MATTERS DESCRIBED.—Matters referred to in paragraph (1) are as follows:
 (A) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—
 (i) IN GENERAL.—If a bill or joint resolution is reported making appropriations in a fiscal year to the Internal Revenue Service of not less than the amount specified in clause (ii) for tax enforcement to address the Federal tax gap (taxes owed but not paid), of which not less than the amount further specified in clause (ii) shall be available for additional or enhanced tax enforcement, or both, then the allocation to the Committee on Appropriations of the Senate, and aggregates for that year may be adjusted by the amount in budget authority and outlays flowing therefrom not to exceed the amount of additional or enhanced tax enforcement provided in such legislation for that fiscal year.

(ii) AMOUNTS SPECIFIED.—The amounts specified are—
 (I) for fiscal year 2013, an appropriation of \$10,178,000,000, of which not less than \$691,000,000 is available for additional or enhanced tax enforcement;
 (II) for fiscal year 2014, an appropriation of \$10,775,000,000, of which not less than \$1,018,000,000 is available for additional or enhanced tax enforcement;
 (III) for fiscal year 2015, an appropriation of \$11,367,000,000, of which not less than \$1,328,000,000 is available for additional or enhanced tax enforcement;
 (IV) for fiscal year 2016, an appropriation of \$12,002,000,000, of which not less than \$1,645,000,000 is available for additional or enhanced tax enforcement;
 (V) for fiscal year 2017, an appropriation of \$12,690,000,000, of which not less than \$1,975,000,000 is available for additional or enhanced tax enforcement;
 (VI) for fiscal year 2018, an appropriation of \$13,061,000,000, of which not less than \$1,969,000,000 is available for additional or enhanced tax enforcement;
 (VII) for fiscal year 2019, an appropriation of \$13,506,000,000, of which not less than \$2,011,000,000 is available for additional or enhanced tax enforcement;
 (VIII) for fiscal year 2020, an appropriation of \$13,956,000,000, of which not less than \$2,079,000,000 is available for additional or enhanced tax enforcement; and
 (IX) for fiscal year 2021, an appropriation of \$14,411,000,000, of which not less than \$2,147,000,000 is available for additional or enhanced tax enforcement.
 (B) UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.—
 (i) IN GENERAL.—If a bill or joint resolution is reported making appropriations in a fiscal year of the amount specified in clause (ii) for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, and provides an additional appropriation of up to an amount further specified in clause (ii) for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, then the allocation to the Committee on Appropriations of the Senate, and aggregates for that year may be adjusted by an amount in budget authority and outlays flowing therefrom not to exceed the additional appropriation provided in such legislation for that purpose for that fiscal year.
 (ii) AMOUNTS SPECIFIED.—The amounts specified are—
 (I) for fiscal year 2013, an appropriation of \$60,000,000, and an additional appropriation of \$15,000,000;
 (II) for fiscal year 2014, an appropriation of \$60,000,000, and an additional appropriation of \$20,000,000;
 (III) for fiscal year 2015, an appropriation of \$60,000,000, and an additional appropriation of \$25,000,000;
 (IV) for fiscal year 2016, an appropriation of \$60,000,000, and an additional appropriation of \$30,000,000;
 (V) for fiscal year 2017, an appropriation of \$60,000,000, and an additional appropriation of \$35,000,000;
 (VI) for fiscal year 2018, an appropriation of \$60,000,000, and an additional appropriation of \$36,000,000;
 (VII) for fiscal year 2019, an appropriation of \$60,000,000, and an additional appropriation of \$37,000,000;
 (VIII) for fiscal year 2020, an appropriation of \$60,000,000, and an additional appropriation of \$38,000,000; and

(IX) for fiscal year 2021, an appropriation of \$60,000,000, and an additional appropriation of \$39,000,000.

SEC. 202. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2013, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2014, that first becomes available for any fiscal year after 2014.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal years 2014 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,858,000,000 in new budget authority in each year;

(2) for the Corporation for Public Broadcasting;

(3) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration; and

(4) for the Department of Defense for the Missile Procurement account of the Air Force for procurement of the Advanced Extremely High Frequency and Space-based Infrared Systems satellites.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(d) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) INAPPLICABILITY.—In the Senate, section 402 of S. Con. Res. 13 (111th Congress) shall no longer apply.

Subtitle B—Other Provisions

SEC. 211. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committees on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

SEC. 212. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 213. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 214. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2001. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table.

SA 2002. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2003. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2004. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2005. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2006. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2007. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2008. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2009. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2010. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2011. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2012. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2013. Mr. REID proposed an amendment to amendment SA 2000 proposed by Mr. REID (for Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts)) to the bill S. 1789, supra.

SA 2014. Mr. REID proposed an amendment to amendment SA 2013 proposed by Mr. REID to the amendment SA 2000 proposed by Mr. REID (for Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts)) to the bill S. 1789, supra.

SA 2015. Mr. REID proposed an amendment to the bill S. 1789, supra.

SA 2016. Mr. REID proposed an amendment to amendment SA 2015 proposed by Mr. REID to the bill S. 1789, supra.

SA 2017. Mr. REID proposed an amendment to the bill S. 1789, supra.

SA 2018. Mr. REID proposed an amendment to amendment SA 2017 proposed by Mr. REID to the bill S. 1789, supra.

SA 2019. Mr. REID proposed an amendment to amendment SA 2018 proposed by Mr. REID to the amendment SA 2017 proposed by Mr. REID to the bill S. 1789, supra.

SA 2020. Mr. WYDEN (for himself, Mrs. FEINSTEIN, Mr. MERKLEY, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2021. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2022. Mr. BENNET (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2023. Mr. PAUL submitted an amendment intended to be proposed by him to the

bill S. 1789, supra; which was ordered to lie on the table.

SA 2024. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2025. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2026. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2027. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2028. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2029. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2030. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2031. Mrs. MCCASKILL (for herself, Mr. MERKLEY, Mr. BAUCUS, Mr. BEGICH, Mr. TESTER, and Mr. SANDERS) submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2032. Mr. TESTER (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2001. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES.

(a) **SHORT TITLE.**—This Act may be cited as the “Postal Reform Act of 2012”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents; references.

TITLE I—POSTAL SERVICE MODERNIZATION

Subtitle A—Commission on Postal Reorganization

- Sec. 101. Short title.
- Sec. 102. Definitions.
- Sec. 103. Commission on Postal Reorganization.
- Sec. 104. Recommendations for closures and consolidations.
- Sec. 105. Implementation of closures and consolidations.
- Sec. 106. Congressional consideration of final CPR reports.
- Sec. 107. Nonappealability of decisions.
- Sec. 108. Rules of construction.
- Sec. 109. GAO study and report.

Subtitle B—Other Provisions

- Sec. 111. Frequency of mail delivery.
- Sec. 112. Efficient and flexible universal postal service.

- Sec. 113. Enhanced reporting on Postal Service efficiency.
- Sec. 114. Applicability of procedures relating to closures and consolidations.

TITLE II—POSTAL SERVICE FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

Subtitle A—Establishment and Organization

- Sec. 201. Purposes.
- Sec. 202. Establishment of the Authority.
- Sec. 203. Membership and qualification requirements.
- Sec. 204. Organization.
- Sec. 205. Executive Director and staff.
- Sec. 206. Funding.

Subtitle B—Powers of the Authority

- Sec. 211. Powers.
- Sec. 212. Exemption from liability for claims.
- Sec. 213. Treatment of actions arising under this title.
- Sec. 214. Delivery point modernization.

Subtitle C—Establishment and Enforcement of Financial Plan and Budget for the Postal Service

- Sec. 221. Development of financial plan and budget for the Postal Service.
- Sec. 222. Process for submission and approval of financial plan and budget.
- Sec. 223. Responsibilities of the Authority.
- Sec. 224. Effect of finding noncompliance with financial plan and budget.
- Sec. 225. Recommendations regarding financial stability, etc.
- Sec. 226. Special rules for fiscal year in which control period commences.
- Sec. 227. Assistance in achieving financial stability, etc.
- Sec. 228. Obtaining reports.
- Sec. 229. Reports and comments.

Subtitle D—Termination of a Control Period

- Sec. 231. Termination of control period, etc.
- Sec. 232. Congressional consideration of recommendation.

TITLE III—POSTAL SERVICE WORKFORCE

- Sec. 301. Modifications relating to determination of pay comparability.
- Sec. 302. Limitation on postal contributions under FEGLI and FEHBP.
- Sec. 303. Repeal of provision relating to overall value of fringe benefits.
- Sec. 304. Applicability of reduction-in-force procedures.
- Sec. 305. Modifications relating to collective bargaining.

TITLE IV—FEDERAL EMPLOYEE'S COMPENSATION ACT

- Sec. 401. Short title; references.
- Sec. 402. Federal workers compensation reforms for retirement-age employees.
- Sec. 403. Augmented compensation for dependents.
- Sec. 404. Schedule compensation payments.
- Sec. 405. Vocational rehabilitation.
- Sec. 406. Reporting requirements.
- Sec. 407. Disability management review; independent medical examinations.
- Sec. 408. Waiting period.
- Sec. 409. Election of benefits.
- Sec. 410. Sanction for noncooperation with field nurses.
- Sec. 411. Subrogation of continuation of pay.
- Sec. 412. Social Security earnings information.
- Sec. 413. Amount of compensation.
- Sec. 414. Technical and conforming amendments.
- Sec. 415. Regulations.

TITLE V—POSTAL SERVICE REVENUE

- Sec. 501. Adequacy, efficiency, and fairness of postal rates.
- Sec. 502. Repeal of rate preferences for qualified political committees.
- Sec. 503. Streamlined review of qualifying service agreements for competitive products.
- Sec. 504. Submission of service agreements for streamlined review.
- Sec. 505. Transparency and accountability for service agreements.
- Sec. 506. Nonpostal services.
- Sec. 507. Reimbursement of Alaska bypass mail costs.
- Sec. 508. Appropriations modernization.
- Sec. 509. Retiree health care benefit payment deferral.

TITLE VI—POSTAL CONTRACTING REFORM

- Sec. 601. Contracting provisions.
- Sec. 602. Technical amendment to definition.

(c) **REFERENCES.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 39, United States Code.

TITLE I—POSTAL SERVICE MODERNIZATION

Subtitle A—Commission on Postal Reorganization

SEC. 101. SHORT TITLE.

This subtitle may be cited as the “Commission on Postal Reorganization Act” or the “CPR Act”.

SEC. 102. DEFINITIONS.

For purposes of this title—

(1) the term “Postal Service” means the United States Postal Service;

(2) the term “postal retail facility” means a post office, post office branch, post office classified station, or other facility which is operated by the Postal Service, and the primary function of which is to provide retail postal services;

(3) the term “mail processing facility” means a processing and distribution center, processing and distribution facility, network distribution center, or other facility which is operated by the Postal Service, and the primary function of which is to sort and process mail;

(4) the term “district office” means the central office of an administrative field unit with responsibility for postal operations in a designated geographic area (as defined under regulations, directives, or other guidance of the Postal Service, as in effect on June 23, 2011);

(5) the term “area office” means the central office of an administrative field unit with responsibility for postal operations in a designated geographic area which is comprised of designated geographic areas as referred to in paragraph (4); and

(6) the term “baseline year” means the fiscal year last ending before the date of the enactment of this Act.

SEC. 103. COMMISSION ON POSTAL REORGANIZATION.

(a) **ESTABLISHMENT.**—There shall be established, not later than 90 days after the date of the enactment of this Act, an independent commission to be known as the “Commission on Postal Reorganization” (hereinafter in this section referred to as the “Commission”).

(b) **DUTIES.**—The Commission shall carry out the duties specified for it in this subtitle.

(c) MEMBERS.—

(1) IN GENERAL.—The Commission shall be composed of 5 members who shall be appointed by the President, and of whom—

(A) 1 shall be appointed from among individuals recommended by the Speaker of the House of Representatives;

(B) 1 shall be appointed from among individuals recommended by the majority leader of the Senate;

(C) 1 shall be appointed from among individuals recommended by the minority leader of the House of Representatives;

(D) 1 shall be appointed from among individuals recommended by the minority leader of the Senate; and

(E) 1 shall be appointed from among individuals recommended by the Comptroller General.

(2) QUALIFICATIONS.—

(A) IN GENERAL.—Members of the Commission shall be chosen to represent the public interest generally, and shall not be representatives of specific interests using the Postal Service.

(B) INELIGIBILITY.—An individual may not be appointed to serve as a member of the Commission if such individual served as an employee of the Postal Service or the Postal Regulatory Commission, or of a labor organization representing employees of the Postal Service or the Postal Regulatory Commission, during the 3-year period ending on the date of such appointment.

(3) POLITICAL AFFILIATION.—Not more than 3 members of the Commission may be of the same political party.

(d) TERMS.—Each member of the Commission shall be appointed for the life of the Commission and may be removed only for cause.

(e) VACANCIES.—A vacancy in the Commission shall be filled in the same manner as the original appointment.

(f) CHAIRMAN.—The President shall, at the time of making appointments under subsection (c), designate one of the members to serve as chairman of the Commission.

(g) COMPENSATION AND TRAVEL EXPENSES.—

(1) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each member of the Commission shall be paid at a rate equal to the daily equivalent of \$40,000 per year for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) EXCEPTION.—Any member of the Commission who is a full-time officer or employee of the United States may not receive additional pay, allowances, or benefits by reason of such member's service on the Commission.

(2) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions of subchapter I of chapter 57 of title 5, United States Code.

(h) DIRECTOR.—The Commission shall have a Director who shall be appointed by the Commission. The Director shall be paid at the rate of basic pay for level IV of the Executive Schedule under section 5315 of title 5, United States Code. An appointment under this subsection shall be subject to the requirements of subsection (c)(2).

(i) ADDITIONAL PERSONNEL.—With the approval of the Commission, the Director may appoint and fix the pay of such additional personnel as the Director considers appropriate. Such additional personnel may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and

may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay at a rate of basic pay in excess of the rate of basic pay payable to the Director. An individual appointed under this subsection shall serve at the pleasure of the Director.

(j) PROVISIONS RELATING TO DETAILS.—

(1) IN GENERAL.—Upon request of the Director, the head of any Federal department or agency may detail any of the personnel of such department or agency to the Commission to assist the Commission in carrying out its duties under this subtitle. Notwithstanding any other provision of law, to provide continuity in the work of the Commission, such details may be extended beyond 1 year at the request of the Director.

(2) NUMERICAL LIMITATION.—Not more than $\frac{1}{3}$ of the personnel of the Commission may consist of the number of individuals on detail from the Postal Service and the Postal Regulatory Commission combined.

(3) OTHER LIMITATIONS.—A person may not be detailed to the Commission from the Postal Service or the Postal Regulatory Commission if such person participated personally and substantially on any matter, within the Postal Service or the Postal Regulatory Commission, concerning the preparation of recommendations for closures or consolidations of postal facilities under this subtitle. No employee of the Postal Service or the Postal Regulatory Commission (including a detailee to the Postal Service or the Postal Regulatory Commission) may—

(A) prepare any report concerning the effectiveness, fitness, or efficiency of the performance, on the staff of the Commission, of any person detailed from the Postal Service or the Postal Regulatory Commission to such staff;

(B) review the preparation of such a report; or

(C) approve or disapprove such a report.

(k) OTHER AUTHORITIES.—

(1) EXPERTS AND CONSULTANTS.—The Commission may procure by contract, to the extent funds are available, temporary or intermittent services under section 3109 of title 5, United States Code.

(2) LEASING, ETC.—The Commission may lease space and acquire personal property to the extent funds are available.

(l) AUTHORIZATION OF APPROPRIATIONS.—In order to carry out this section, there are authorized to be appropriated out of the Postal Service Fund \$20,000,000, which funds shall remain available until expended.

(m) FINANCIAL REPORTING.—

(1) AUDIT AND EXPENDITURES.—The Commission shall be responsible for issuing annual financial statements and for establishing and maintaining adequate controls over its financial reporting.

(2) INTERNAL AUDITS.—The Commission shall maintain an adequate internal audit of its financial transactions.

(3) ANNUAL CERTIFICATION.—The Commission shall obtain an annual certification for each fiscal year from an independent, certified public accounting firm of the accuracy of its financial statements.

(4) COMPTROLLER GENERAL.—The accounts and operations of the Commission shall be audited by the Comptroller General and reports thereon made to the Congress to the extent and at such times as the Comptroller General may determine.

(n) TERMINATION.—The Commission shall terminate 60 days after submitting its final reports under section 104(d)(3).

SEC. 104. RECOMMENDATIONS FOR CLOSURES AND CONSOLIDATIONS.**(a) PLAN FOR THE CLOSURE OR CONSOLIDATION OF POSTAL RETAIL FACILITIES.—**

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Postal Service, in consultation with the Postal Regulatory Commission, shall develop and submit to the Commission on Postal Reorganization a plan for the closure or consolidation of such postal retail facilities as the Postal Service considers necessary and appropriate so that the total annual costs attributable to the operation of postal retail facilities will be, for each fiscal year beginning at least 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to this subsection, at least \$1,000,000,000 less than the corresponding total annual costs for the baseline year.

(2) CONTENTS.—The plan shall include—

(A) a list of the postal retail facilities proposed for closure or consolidation under this subtitle;

(B) a proposed schedule under which—

(i) closures and consolidations of postal retail facilities would be carried out under this subtitle; and

(ii) all closures and consolidations of postal retail facilities under this subtitle would be completed by not later than 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to such plan;

(C) the estimated total annual cost savings attributable to the proposed closures and consolidations described in the plan;

(D) the criteria and process used to develop the information described in subparagraphs (A) and (B);

(E) the methodology and assumptions used to derive the estimates described in subparagraph (C); and

(F) any changes to the processing, transportation, delivery, or other postal operations anticipated as a result of the proposed closures and consolidations described in the plan.

(3) CONSISTENCY.—The methodology and assumptions used to derive the cost estimates described in paragraph (2)(C) shall be consistent with the methodology and assumptions which would have been used by the Postal Service if those closures and consolidations had instead taken effect in the baseline year.

(b) PLAN FOR THE CLOSURE OR CONSOLIDATION OF MAIL PROCESSING FACILITIES.—

(1) IN GENERAL.—Not later than 300 days after the date of the enactment of this Act, the Postal Service, in consultation with the Inspector General of the United States Postal Service, shall develop and submit to the Commission on Postal Reorganization a plan for the closure or consolidation of such mail processing facilities as the Postal Service considers necessary and appropriate so that—

(A) the total annual costs attributable to the operation of mail processing facilities will be, for each fiscal year beginning at least 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to this subsection, at least \$2,000,000,000 less than the corresponding total annual costs for the baseline year; and

(B) the Postal Service has, for fiscal years beginning at least 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to this subsection, no more than 10 percent excess mail processing capacity.

(2) CONTENTS.—The plan shall include—

(A) a list of the mail processing facilities proposed for closure or consolidation under this subtitle;

(B) a proposed schedule under which—

(i) closures and consolidations of mail processing facilities would be carried out under this subtitle; and

(ii) all closures and consolidations of mail processing facilities under this subtitle would be completed by not later than 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to such plan;

(C) the estimated total annual cost savings attributable to the proposed closures and consolidations described in the plan;

(D) the criteria and process used to develop the information described in subparagraphs (A) and (B);

(E) the methodology and assumptions used to derive the estimates described in subparagraph (C); and

(F) any changes to the processing, transportation, delivery, or other postal operations anticipated as a result of the proposed closures and consolidations described in the plan.

(3) **CONSISTENCY.**—The methodology and assumptions used to derive the cost estimates described in paragraph (2)(C) shall be consistent with the methodology and assumptions which would have been used by the Postal Service if those closures and consolidations had instead taken effect in the baseline year.

(4) **EXCESS MAIL PROCESSING CAPACITY.**—The Commission shall cause to be published in the Federal Register notice of a proposed definition of “excess mail processing capacity” for purposes of this section within 120 days after the date of the enactment of this Act, and shall provide a period of 30 days for public comment on the proposed definition. Not later than 180 days after the date of the enactment of this Act, the Commission shall issue and cause to be published in the Federal Register a final definition of “excess mail processing capacity” for purposes of this section. Such definition shall include an estimate of the total amount of excess mail processing capacity in mail processing facilities as of the date of the enactment of this Act.

(5) **UNDERUTILIZED MAIL PROCESSING FACILITIES.**—In developing a plan under this subsection, the Postal Service may include the estimated total cost savings that would result from moving mail processing operations to any mail processing facility that, as of the date of introduction of this Act—

(A) is not currently used by the Postal Service; and

(B) is capable of processing mail to the Postal Service’s standards.

(c) **PLAN FOR THE CLOSURE OR CONSOLIDATION OF AREA AND DISTRICT OFFICES.**—

(1) **IN GENERAL.**—Not later than 300 days after the date of the enactment of this Act, the Postal Service, in consultation with the Inspector General of the United States Postal Service, shall develop and submit to the Commission on Postal Reorganization a plan for the closure or consolidation of such area and district offices as the Postal Service considers necessary and appropriate so that the combined total number of area and district offices will be, for each fiscal year beginning at least 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to this subsection, at least 30 percent less than the corresponding combined total for the baseline year.

(2) **CONTENTS.**—The plan shall include—

(A) a list of the area and district offices proposed for closure or consolidation under this subtitle;

(B) a proposed schedule under which—

(i) closures and consolidations of area and district offices would be carried out under this subtitle; and

(ii) all closures and consolidations of area and district offices under this subtitle would be completed by not later than 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to such plan;

(C) the estimated total annual cost savings attributable to the proposed closures and consolidations described in the plan;

(D) the criteria and process used to develop the information described in subparagraphs (A) and (B);

(E) the methodology and assumptions used to derive the estimates described in subparagraph (C); and

(F) any changes to the processing, transportation, delivery, or other postal operations anticipated as a result of the proposed closures and consolidations described in the plan.

(3) **CONSISTENCY.**—The methodology and assumptions used to derive the cost estimates described in paragraph (2)(C) shall be consistent with the methodology and assumptions which would have been used by the Postal Service if those closures and consolidations had instead taken effect in the baseline year.

(d) **REVIEW AND RECOMMENDATIONS OF THE COMMISSION.**—

(1) **INITIAL REPORTS.**—

(A) **IN GENERAL.**—After receiving the plan of the Postal Service under subsection (a), (b), or (c), the Commission on Postal Reorganization shall transmit to Congress and publish in the Federal Register a report under this paragraph, which shall contain the Commission’s findings based on a review and analysis of such plan, together with the Commission’s initial recommendations for closures and consolidations of postal facilities, mail processing facilities, or area and district offices (as the case may be).

(B) **EXPLANATION OF CHANGES.**—The Commission shall explain and justify in its report any recommendations made by the Commission that are different from those contained in the Postal Service plan to which such report pertains.

(C) **DEADLINES.**—A report of the Commission under this paragraph shall be transmitted and published, in accordance with subparagraph (A), within—

(i) if the report pertains to the plan under subsection (a), 60 days after the date on which the Commission receives such plan; or

(ii) if the report pertains to the plan under subsection (b) or (c), 90 days after the date on which the Commission receives such plan.

(2) **PUBLIC HEARINGS.**—

(A) **IN GENERAL.**—After receiving the plan of the Postal Service under subsection (a), (b), or (c), the Commission on Postal Reorganization shall conduct at least 5 public hearings on such plan. The hearings shall be conducted in geographic areas chosen so as to reflect a broadly representative range of needs and interests.

(B) **TESTIMONY.**—All testimony before the Commission at a public hearing conducted under this paragraph shall be given under oath.

(C) **DEADLINES.**—All hearings under this paragraph shall be completed within 60 days after the date as of which the Commission satisfies the requirements of paragraph (1) with respect to such plan.

(3) **FINAL REPORTS.**—

(A) **IN GENERAL.**—After satisfying the requirements of paragraph (2) with respect to the plan of the Postal Service under subsection (a), (b), or (c) (as the case may be), the Commission shall transmit to Congress and publish in the Federal Register a report under this paragraph containing a summary of the hearings conducted with respect to such plan, together with the Commission’s final recommendations for closures and consolidations of postal facilities, mail processing facilities, or area and district offices (as the case may be).

(B) **APPROVAL.**—Recommendations under subparagraph (A) shall not be considered to be final recommendations unless they are made with—

(i) except as provided in clause (ii), the concurrence of at least 4 members of the Commission; or

(ii) to the extent that the requirements of subsection (b)(1)(A) or (c)(1) are not met, the concurrence of all sitting members, but only if the shortfall (relative to the requirements of subsection (b)(1)(A) or (c)(1), as the case may be) does not exceed 25 percent.

(C) **CONTENTS.**—A report under this paragraph shall include—

(i) the information required by paragraph (2) of subsection (a), (b), or (c) (as the case may be); and

(ii) a description of the operations that will be affected by the closure or consolidation and the facilities or offices which will be performing or ceasing to perform such operations as a result of such closure or consolidation.

(D) **DEADLINES.**—A report of the Commission under this paragraph shall be transmitted and published, in accordance with subparagraph (A), within 60 days after the date as of which the Commission satisfies the requirements of paragraph (2) with respect to the plan involved.

(e) **LIMITATION RELATING TO POSTAL RETAIL FACILITIES IDENTIFIED FOR CLOSURE OR CONSOLIDATION.**—

(1) **APPLICABILITY.**—This subsection applies to any plan of the Postal Service under subsection (a) and any report of the Commission under subsection (d) (whether initial or final) pertaining to such plan.

(2) **LIMITATION.**—Of the total number of postal retail facilities recommended for closure or consolidation (combined) under any plan or report to which this subsection applies, the number of such facilities that are within the K or L cost ascertainment grouping (combined) shall account for not more than 10 percent of such total number.

(3) **REFERENCES.**—For purposes of this subsection—

(A) any reference to a “cost ascertainment grouping” shall be considered to refer to a cost ascertainment grouping as described in section 123.11 of the Postal Operations Manual (as in effect on June 23, 2011); and

(B) any reference to a particular category (designated by a letter) of a cost ascertainment grouping shall be considered to refer to such category, as described in such section 123.11 (as in effect on the date specified in subparagraph (A)).

(f) **ANNUAL REPORTS.**—

(1) **IN GENERAL.**—There shall be included in the next 5 annual reports submitted under section 2402 of title 39, United States Code, beginning with the report covering any period of time occurring after the date of enactment of this Act, the following (shown on a State-by-State basis):

(A) In connection with closures and consolidations taking effect in the year covered

by the report, the total number of individuals separated from employment with the Postal Service, including, if separation occurs in a year other than the year in which the closing or consolidation occurs, the year in which separation occurs.

(B) Of the total numbers under subparagraph (A)—

(i) the number and percentage comprising preference eligibles or veterans; and

(ii) the number and percentage comprising individuals other than preference eligibles or veterans.

(C) Of the total numbers under subparagraph (A), the number and percentage reemployed in a position within the general commuting area of the facility or office involved (including, if reemployment occurs in a year other than the year in which the closing or consolidation occurs, the year in which reemployment occurs)—

(i) with the Postal Service; or

(ii) with an employer other than the Postal Service.

(D) The methodology and assumptions used to derive the estimates described in subparagraph (B).

(E) The criteria and process used to develop the information described in subparagraph (C).

(2) DEFINITIONS.—For purposes of this subsection—

(A) the term “preference eligible” has the meaning given such term in section 2108(3) of title 5, United States Code; and

(B) the term “veteran” has the meaning given such term in section 101(2) of title 38, United States Code.

SEC. 105. IMPLEMENTATION OF CLOSURES AND CONSOLIDATIONS.

(a) IN GENERAL.—Subject to subsection (b), the Postal Service shall—

(1) close or consolidate (as the case may be) the facilities and offices recommended by the Commission in each of its final reports under section 104(d)(3); and

(2) carry out those closures and consolidations in accordance with the timetable recommended by the Commission in such report, except that in no event shall any such closure or consolidation be completed later than 2 years after the date on which such report is submitted to Congress.

(b) CONGRESSIONAL DISAPPROVAL.—

(1) IN GENERAL.—The Postal Service may not carry out any closure or consolidation recommended by the Commission in a final report if a joint resolution disapproving the recommendations of the Commission is enacted, in accordance with section 106, before the earlier of—

(A) the end of the 30-day period beginning on the date on which the Commission transmits those recommendations to Congress under section 104(d)(3); or

(B) the adjournment of the Congress sine die for the session during which such report is transmitted.

(2) DAYS OF SESSION.—For purposes of paragraph (1) and subsections (a) and (c) of section 106, the days on which either House of Congress is not in session because of an adjournment of more than 7 days to a day certain shall be excluded in the computation of a period.

SEC. 106. CONGRESSIONAL CONSIDERATION OF FINAL CPR REPORTS.

(a) TERMS OF THE RESOLUTION.—For purposes of this subtitle, the term “joint resolution”, as used with respect to a report under section 104(d)(3), means only a joint resolution—

(1) which is introduced within the 10-day period beginning on the date on which such report is received by Congress;

(2) the matter after the resolving clause of which is as follows: “That Congress disapproves the recommendations of the Commission on Postal Reorganization, submitted by such Commission on ____, and pertaining to the closure or consolidation of ____”, the first blank space being filled in with the appropriate date and the second blank space being filled in with “postal retail facilities”, “mail processing facilities”, or “area and district offices” (as the case may be);

(3) the title of which is as follows: “Joint resolution disapproving the recommendations of the Commission on Postal Reorganization.”; and

(4) which does not have a preamble.

(b) REFERRAL.—A resolution described in subsection (a) that is introduced in the House of Representatives or the Senate shall be referred to the appropriate committees of the House of Representatives or the Senate, respectively.

(c) DISCHARGE.—If the committee to which a resolution described in subsection (a) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the Commission transmits the report (to which such resolution pertains) to Congress under section 104(d)(3), such committee shall, at the end of such period, be discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(d) CONSIDERATION.—

(1) IN GENERAL.—On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (c)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A Member may make the motion only on the day after the calendar day on which the Member announces to the House concerned the Member’s intention to make the motion, except that, in the case of the House of Representatives, the motion may be made without such prior announcement if the motion is made by direction of the committee to which the resolution was referred. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(2) DEBATE.—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is

not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(3) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a resolution described in subsection (a) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) APPEALS.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in subsection (a) shall be decided without debate.

(e) CONSIDERATION BY OTHER HOUSE.—

(1) IN GENERAL.—If, before the passage by one House of a resolution of that House described in subsection (a), that House receives from the other House a resolution (described in subsection (a)) relating to the same report, then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in subparagraph (B)(ii).

(B) With respect to the resolution described in subsection (a) (relating to the report in question) of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no resolution (relating to the same report) had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(2) DISPOSITION OF A RESOLUTION.—Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(f) RULES OF THE SENATE AND HOUSE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 107. NONAPPEALABILITY OF DECISIONS.

(a) TO PRC.—The closing or consolidation of any facility or office under this subtitle may not be appealed to the Postal Regulatory Commission under section 404(d) or any other provision of title 39, United States Code, or be the subject of an advisory opinion issued by the Postal Regulatory Commission under section 3661 of such title.

(b) JUDICIAL REVIEW.—No process, report, recommendation, or other action of the Commission on Postal Reorganization shall be subject to judicial review.

SEC. 108. RULES OF CONSTRUCTION.

(a) CONTINUED AVAILABILITY OF AUTHORITY TO CLOSE OR CONSOLIDATE POSTAL FACILITIES.—

(1) IN GENERAL.—Nothing in this subtitle shall be considered to prevent the Postal Service from closing or consolidating any

postal facilities, in accordance with otherwise applicable provisions of law, either before or after the implementation of any closures or consolidations under this subtitle.

(2) **COORDINATION RULE.**—No appeal or determination under section 404(d) of title 39, United States Code, or any other provision of law shall delay, prevent, or otherwise affect any closure or consolidation under this subtitle.

(b) **INAPPLICABILITY OF CERTAIN PROVISIONS.**—

(1) **IN GENERAL.**—The provisions of law identified in paragraph (2)—

(A) shall not apply to any closure or consolidation carried out under this subtitle; and

(B) shall not be taken into account for purposes of carrying out section 103 or 104.

(2) **PROVISIONS IDENTIFIED.**—The provisions of law under this paragraph are—

(A) section 101(b) of title 39, United States Code; and

(B) section 404(d) of title 39, United States Code.

SEC. 109. GAO STUDY AND REPORT.

(a) **STUDY.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on the effects, with respect to the unemployment rate of minority communities, of the proposed closures and consolidations of postal retail facilities, mail processing facilities, and area or district offices under this subtitle.

(b) **REPORT.**—Upon completion of the study required under subsection (a), the Comptroller General of the United States shall submit a report to Congress regarding the findings of such study.

Subtitle B—Other Provisions

SEC. 111. FREQUENCY OF MAIL DELIVERY.

Section 101 of title 39, United States Code, is amended by adding at the end the following:

“(h) Nothing in this title or any other provision of law shall be considered to prevent the Postal Service from taking whatever actions may be necessary to provide for 5-day delivery of mail and a commensurate adjustment in rural delivery of mail, subject to the requirements of section 3661.”

SEC. 112. EFFICIENT AND FLEXIBLE UNIVERSAL POSTAL SERVICE.

(a) **POSTAL POLICY.**—

(1) **IN GENERAL.**—Section 101(b) is amended to read as follows:

“(b) The Postal Service shall provide effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining.”

(2) **CONFORMING AMENDMENTS.**—(A) Clause (iii) of section 404(d)(2)(A) is amended to read as follows:

“(iii) whether such closing or consolidation is consistent with the policy of the Government, as stated in section 101(b), that the Postal Service shall provide effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining;”

(B) Section 2401(b)(1) is amended (in the matter before subparagraph (A)) by striking “a maximum degree of”.

(b) **GENERAL DUTY.**—Paragraph (3) of section 403(b) is amended to read as follows:

“(3) to ensure that postal patrons throughout the Nation will, consistent with reasonable economies of postal operations, have ready access to essential postal services.”

(c) **PRC REVIEW OF DETERMINATIONS TO CLOSE OR CONSOLIDATE A POST OFFICE.**—

(1) **DEADLINE FOR REVIEW.**—Section 404(d)(5) is amended by striking “120 days” and inserting “60 days”.

(2) **EXCLUSION FROM REVIEW.**—Section 404(d) is amended by adding at the end the following:

“(7)(A) The appeals process set forth in paragraph (5) shall not apply to a determination of the Postal Service to close a post office if there is located, within 2 miles of such post office, a qualified contract postal unit.

“(B) For purposes of this paragraph—

“(i) the term ‘contract postal unit’ means a store or other place of business which—

“(I) is not owned or operated by the Postal Service; and

“(II) in addition to its usual operations, provides postal services to the general public under contract with the Postal Service; and

“(ii) the term ‘qualified contract postal unit’, as used in connection with a post office, means a contract postal unit which—

“(I) begins to provide postal services to the general public during the period—

“(aa) beginning 1 year before the date on which the closure or consolidation of such post office is scheduled to take effect; and

“(bb) ending on the 15th day after the date on which the closure or consolidation of such post office is scheduled to take effect; and

“(II) has not, pursuant to subparagraph (A), served as the basis for exempting any other post office from the appeals process set forth in paragraph (5).

“(C)(i) If the contract postal unit (which is providing postal services that had been previously provided by the post office that was closed) does not continue to provide postal services, as required by subparagraph (B)(i)(II), for at least the 2-year period beginning on the date on which such post office was closed, the contract postal unit shall be subject to a closure determination by the Postal Service to decide whether a post office must be reopened within the area (delimited by the 2-mile radius referred to in subparagraph (A)).

“(ii) A decision under clause (i) not to reopen a post office may be appealed to the Postal Regulatory Commission under procedures which the Commission shall by regulation prescribe. Such procedures shall be based on paragraph (5), except that, for purposes of this clause, paragraph (5)(C) shall be applied by substituting ‘in violation of section 101(b), leaving postal patrons without effective and regular access to postal services’ for ‘unsupported by substantial evidence on the record.’”

(3) **APPLICABILITY.**—The amendments made by this subsection shall not apply with respect to any appeal, notice of which is received by the Postal Regulatory Commission before the date of the enactment of this Act (determined applying the rules set forth in section 404(d)(6) of title 39, United States Code).

(d) **EXPEDITED PROCEDURES.**—

(1) **IN GENERAL.**—Section 3661 is amended by adding at the end the following:

“(d)(1) The Commission shall issue its opinion within 90 days after the receipt of any proposal (as referred to in subsection (b)) concerning—

“(A) the closing or consolidation of postal retail facilities (as that term is defined in section 102(2) of the Postal Reform Act of 2012) to a degree that will generally affect service on a nationwide or substantially nationwide basis; or

“(B) an identical or substantially identical proposal on which the Commission issued an opinion within the preceding 5 years.

“(2) If necessary in order to comply with the 90-day requirement under paragraph (1), the Commission may apply expedited procedures which the Commission shall by regulation prescribe.”

(2) **REGULATIONS.**—The Postal Regulatory Commission shall prescribe any regulations necessary to carry out the amendment made by paragraph (1) within 90 days after the date of the enactment of this Act.

(3) **APPLICABILITY.**—The amendment made by this subsection shall apply with respect to any proposal received by the Postal Regulatory Commission on or after the earlier of—

(A) the 90th day after the date of the enactment of this Act; or

(B) the effective date of the regulations under paragraph (2).

SEC. 113. ENHANCED REPORTING ON POSTAL SERVICE EFFICIENCY.

Section 3652(a) is amended—

(1) in paragraph (1), by striking “and” after the semicolon;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding after paragraph (2) the following:

“(3) which shall provide the overall change in Postal Service productivity and the resulting effect of such change on overall Postal Service costs during such year, using such methodologies as the Commission shall by regulation prescribe.”

SEC. 114. APPLICABILITY OF PROCEDURES RELATING TO CLOSURES AND CONSOLIDATIONS.

(a) **IN GENERAL.**—Section 404(d) is amended by adding at the end the following:

“(7) For purposes of this subsection, the term ‘post office’ means a post office and any other facility described in section 102(2) of the Postal Reform Act of 2012.”

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall be effective with respect to any closure or consolidation, the proposed effective date of which occurs on or after the 60th day following the date of enactment of this Act.

TITLE II—POSTAL SERVICE FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

Subtitle A—Establishment and Organization

SEC. 201. PURPOSES.

(a) **PURPOSES.**—The purposes of this title are as follows:

(1) To eliminate budget deficits and cash shortages of the Postal Service through strategic financial planning, sound budgeting, accurate revenue forecasts, and careful spending.

(2) To ensure the universal service mandate detailed in section 101 of title 39, United States Code, is maintained during a period of fiscal emergency.

(3) To conduct necessary investigations and studies to determine the fiscal status and operational efficiency of the Postal Service.

(4) To assist the Postal Service in—

(A) restructuring its organization and workforce to bring expenses in line with diminishing revenue and generate sufficient profits for capital investment and repayment of debt;

(B) meeting all fiscal obligations to the Treasury of the United States; and

(C) ensuring the appropriate and efficient delivery of postal services.

(5) To ensure the long-term financial, fiscal, and economic vitality and operational efficiency of the Postal Service.

(b) **RESERVATION OF POWERS.**—Nothing in this title may be construed—

(1) to relieve any obligations existing as of the date of the enactment of this Act of the Postal Service to the Treasury of the United States; or

(2) to limit the authority of Congress to exercise ultimate legislative authority over the Postal Service.

SEC. 202. ESTABLISHMENT OF THE AUTHORITY.

(a) **ESTABLISHMENT.**—There shall be established, upon the commencement of any control period, an entity to be known as the “Postal Service Financial Responsibility and Management Assistance Authority” (hereinafter in this title referred to as the “Authority”).

(b) **CONTROL PERIOD.**—

(1) **COMMENCEMENT OF A CONTROL PERIOD.**—

(A) **IN GENERAL.**—For the purposes of this title, a control period commences whenever the Postal Service has been in default to the Treasury of the United States, with respect to any debts, obligations, loans, bonds, notes, or other form of borrowing, or any scheduled payments to any fund in the Treasury of the United States, for a period of at least 30 days.

(B) **ADVISORY PERIOD.**—For purposes of the first control period, the Authority shall operate exclusively in an advisory period for two full fiscal years after the commencement of the control period. At the completion of the second full fiscal year or any year thereafter during the length of the control period, if the Postal Service’s annual deficit is greater than \$2,000,000,000, the Authority shall be fully in force according to the provisions of this title. During an advisory period—

(i) the Authority is not authorized to employ any staff and the Postal Service shall designate a Level-Two Postal Service Executive as a liaison with the members of the Authority; and

(ii) any provision of this title that requires the Authority or the Postal Service to take any action shall be considered only to take effect in the event the Authority comes into full force and that effective date shall be considered to be the date of the commencement of the control period for the purposes any provision not mention in this subparagraph.

(2) **TREATMENT OF AUTHORITIES AND RESPONSIBILITIES OF THE BOARD OF GOVERNORS, ETC. DURING A CONTROL PERIOD.**—During a control period—

(A) all authorities and responsibilities of the Board of Governors, and the individual Governors, of the Postal Service under title 39, United States Code, and any other provision of law shall be assumed by the Authority; and

(B) the Board of Governors, and the individual Governors, may act in an advisory capacity only.

(3) **TREATMENT OF CERTAIN POSTAL SERVICE EXECUTIVES DURING A CONTROL PERIOD.**—

(A) **DEFINITION.**—For the purposes of this section, the term “Level-Two Postal Service Executive” includes the Postmaster General, the Deputy Postmaster General, and all other officers or employees of the Postal Service in level two of the Postal Career Executive Service (or the equivalent).

(B) **TREATMENT.**—Notwithstanding any other provision of law or employment contract, during a control period—

(i) all Level-Two Postal Service Executives shall serve at the pleasure of the Authority;

(ii) the duties and responsibilities of all Level-Two Postal Service Executives, as well as the terms and conditions of their employment (including their compensation), shall be subject to determination or redetermination by the Authority;

(iii) total compensation of a Level-Two Postal Service Executive may not, for any year in such control period, exceed the an-

nual rate of basic pay payable for level I of the Executive Schedule under section 5312 of title 5, United States Code, for such year; for purposes of this clause, the term “total compensation” means basic pay, bonuses, awards, and all other monetary compensation;

(iv) the percentage by which the rate of basic pay of a Level-Two Postal Service Executive is increased during any year in such control period may not exceed the percentage change in the Consumer Price Index for All Urban Consumers, unadjusted for seasonal variation, for the most recent 12-month period available, except that, in the case of a Level-Two Postal Service Executive who has had a significant change in job responsibilities, a greater change shall be allowable if approved by the Authority;

(v) apart from basic pay, a Level-Two Postal Service Executive may not be afforded any bonus, award, or other monetary compensation for any fiscal year in the control period if expenditures of the Postal Service for such fiscal year exceeded revenues of the Postal Service for such fiscal year (determined in accordance with generally accepted accounting principles); and

(vi) no deferred compensation may be paid, accumulated, or recognized in the case of any Level-Two Postal Service Executive, with respect to any year in a control period, which is not generally paid, accumulated, or recognized in the case of employees of the United States (outside of the Postal Service) in level I of the Executive Schedule under section 5312 of title 5, United States Code, with respect to such year.

(C) **BONUS AUTHORITY.**—Section 3686 of title 39, United States Code, shall, during the period beginning on the commencement date of the control period and ending on the termination date of the control period—

(i) be suspended with respect to all Level-Two Postal Service Executives; but

(ii) remain in effect for all other officers and employees of the Postal Service otherwise covered by this section.

(4) **TERMINATION OF A CONTROL PERIOD.**—Subject to subtitle D, a control period terminates upon certification by the Authority, with the concurrence of the Secretary of the Treasury and the Director of the Office of Personnel Management, that—

(A) for 2 consecutive fiscal years (occurring after the date of the enactment of this Act), expenditures of the Postal Service did not exceed revenues of the Postal Service (as determined in accordance with generally accepted accounting principles);

(B) the Authority has approved a Postal Service financial plan and budget that shows expenditures of the Postal Service not exceeding revenues of the Postal Service (as so determined) for the fiscal year to which such budget pertains and each of the next 3 fiscal years; and

(C) the Postal Service financial plan and budget (as referred to in subparagraph (B)) includes plans to properly fund Postal Service pensions and retiree health benefits in accordance with law.

SEC. 203. MEMBERSHIP AND QUALIFICATION REQUIREMENTS.

(a) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Authority shall consist of 5 members appointed by the President who meet the qualifications described in subsection (b), except that the Authority may take any action under this title at any time after the President has appointed 4 of its members.

(2) **RECOMMENDATIONS.**—Of the 5 members so appointed—

(A) 1 shall be appointed from among individuals recommended by the Speaker of the House of Representatives;

(B) 1 shall be appointed from among individuals recommended by the majority leader of the Senate;

(C) 1 shall be appointed from among individuals recommended by the minority leader of the House of Representatives;

(D) 1 shall be appointed from among individuals recommended by the minority leader of the Senate; and

(E) 1 shall be appointed from among individuals recommended by the Comptroller General.

(3) **POLITICAL AFFILIATION.**—No more than 3 members of the Authority may be of the same political party.

(4) **CHAIR.**—The President shall designate 1 of the members of the Authority as the Chair of the Authority.

(5) **SENSE OF CONGRESS REGARDING DEADLINE FOR APPOINTMENT.**—It is the sense of Congress that the President should appoint the members of the Authority as soon as practicable after the date on which a control period commences, but no later than 30 days after such date.

(6) **TERM OF SERVICE.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), each member of the Authority shall be appointed for a term of 3 years.

(B) **APPOINTMENT FOR TERM FOLLOWING INITIAL TERM.**—As designated by the President at the time of appointment for the term immediately following the initial term, of the members appointed for the term immediately following the initial term—

(i) 1 member shall be appointed for a term of 1 year;

(ii) 2 members shall be appointed for a term of 2 years; and

(iii) 2 members shall be appointed for a term of 3 years.

(C) **REMOVAL.**—The President may remove any member of the Authority only for cause.

(D) **NO COMPENSATION FOR SERVICE.**—Members of the Authority shall serve without pay, but may receive reimbursement for any reasonable and necessary expenses incurred by reason of service on the Authority.

(b) **QUALIFICATION REQUIREMENTS.**—

(1) **IN GENERAL.**—An individual meets the qualifications for membership on the Authority if the individual—

(A) has significant knowledge and expertise in finance, management, and the organization or operation of businesses having more than 500 employees; and

(B) represents the public interest generally, is not a representative of specific interests using or belonging to the Postal Service, and does not have any business or financial interest in any enterprise in the private sector of the economy engaged in the delivery of mail matter.

(2) **SPECIFIC CONDITIONS.**—An individual shall not be considered to satisfy paragraph (1)(B) if, at any time during the 5-year period ending on the date of appointment, such individual—

(A) has been an officer, employee, or private contractor with the Postal Service or the Postal Regulatory Commission; or

(B) has served as an employee or contractor of a labor organization representing employees of the Postal Service or the Postal Regulatory Commission.

SEC. 204. ORGANIZATION.

(a) **ADOPTION OF BY-LAWS FOR CONDUCTING BUSINESS.**—As soon as practicable after the appointment of its members, the Authority shall adopt by-laws, rules, and procedures

governing its activities under this title, including procedures for hiring experts and consultants. Upon adoption, such by-laws, rules, and procedures shall be submitted by the Authority to the Postmaster General, the President, and Congress.

(b) CERTAIN ACTIVITIES REQUIRING APPROVAL OF MAJORITY OF MEMBERS.—Under its by-laws, the Authority may conduct its operations under such procedures as it considers appropriate, except that an affirmative vote of a majority of the members of the Authority shall be required in order for the Authority to—

(1) approve or disapprove a financial plan and budget as described by subtitle C;

(2) implement recommendations on financial stability and management responsibility under section 225;

(3) take any action under authority of section 202(b)(3)(B)(i); or

(4) initiate the establishment of a new workers' compensation system for the Postal Service in accordance with section 311.

SEC. 205. EXECUTIVE DIRECTOR AND STAFF.

(a) EXECUTIVE DIRECTOR.—The Authority shall have an Executive Director who shall be appointed by the Chair with the consent of the Authority. The Executive Director shall be paid at a rate determined by the Authority, except that such rate may not exceed the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(b) STAFF.—With the approval of the Authority, the Executive Director may appoint and fix the pay of such additional personnel as the Executive Director considers appropriate, except that no individual appointed by the Executive Director may be paid at a rate greater than the rate of pay for the Executive Director. Personnel appointed under this subsection shall serve at the pleasure of the Executive Director.

(c) INAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Executive Director and staff of the Authority may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(d) STAFF OF FEDERAL AGENCIES.—Upon request of the Chair, the head of any Federal department or agency may detail, on a reimbursable or nonreimbursable basis, any of the personnel of such department or agency to the Authority to assist it in carrying out its duties under this title.

SEC. 206. FUNDING.

(a) IN GENERAL.—There are authorized to be appropriated, out of the Postal Service Fund, such sums as may be necessary for the Authority. In requesting an appropriation under this section for a fiscal year, the Authority shall prepare and submit to the Congress under section 2009 of title 39, United States Code, a budget of the Authority's expenses, including expenses for facilities, supplies, compensation, and employee benefits not to exceed \$10,000,000. In years in which a control period commences, the Authority shall submit a budget within 30 days of the appointment of the members of the Authority.

(b) AMENDMENT TO SECTION 2009.—Section 2009 is amended in the next to last sentence—

(1) by striking “, and (3)” and inserting “, (3)”;

(2) by striking the period and inserting “, and (4) the Postal Service Financial Respon-

sibility and Management Assistance Authority requests to be appropriated, out of the Postal Service Fund, under section 206 of the Postal Reform Act of 2012.”

Subtitle B—Powers of the Authority

SEC. 211. POWERS.

(a) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Authority may, if authorized by the Authority, take any action which the Authority is authorized by this section to take.

(b) OBTAINING OFFICIAL DATA FROM THE POSTAL SERVICE.—Notwithstanding any other provision of law, the Authority may secure copies of such records, documents, information, or data from any entity of the Postal Service necessary to enable the Authority to carry out its responsibilities under this title. At the request of the Authority, the Authority shall be granted direct access to such information systems, records, documents, information, or data as will enable the Authority to carry out its responsibilities under this title. The head of the relevant entity of the Postal Service shall provide the Authority with such information and assistance (including granting the Authority direct access to automated or other information systems) as the Authority requires under this subsection.

(c) GIFTS, BEQUESTS, AND DEVISES.—The Authority may accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the Authority. Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in such account as the Authority may establish and shall be available for disbursement upon order of the Chair.

(d) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Authority, the Administrator of General Services may provide to the Authority, on a reimbursable basis, the administrative support services necessary for the Authority to carry out its responsibilities under this title.

(e) AUTHORITY TO ENTER INTO CONTRACTS.—The Executive Director may enter into such contracts as the Executive Director considers appropriate (subject to the approval of the Chair) to carry out the Authority's responsibilities under this title.

(f) CIVIL ACTIONS TO ENFORCE POWERS.—The Authority may seek judicial enforcement of its authority to carry out its responsibilities under this title.

(g) PENALTIES.—

(1) ADMINISTRATIVE DISCIPLINE.—Any officer or employee of the Postal Service who, by action or inaction, fails to comply with any directive or other order of the Authority under section 225(c) shall be subject to appropriate administrative discipline, including suspension from duty without pay or removal from office, by order of either the Postmaster General or the Authority.

(2) REPORTING REQUIREMENT.—Whenever an officer or employee of the Postal Service takes or fails to take any action which is noncompliant with any directive or other order of the Authority under section 225(c), the Postmaster General shall immediately report to the Authority all pertinent facts, together with a statement of any actions taken by the Postmaster General or proposed by the Postmaster General to be taken under paragraph (1).

(h) SENSE OF CONGRESS.—It is the sense of Congress that, in making determinations that affect prior collective bargaining agreements and prior agreements on workforce reduction, any rightsizing effort within the

Postal Service that results in a decrease in the number of postal employees should ensure that such employees can receive their full pensions, are fully compensated, and that the collective bargaining agreements and prior agreements on workforce reduction that they entered into with Postal Service management are fully honored.

SEC. 212. EXEMPTION FROM LIABILITY FOR CLAIMS.

The Authority and its members may not be liable for any obligation of or claim against the Postal Service resulting from actions taken to carry out this title.

SEC. 213. TREATMENT OF ACTIONS ARISING UNDER THIS TITLE.

(a) JURISDICTION ESTABLISHED IN UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT.—A person (including the Postal Service) adversely affected or aggrieved by an order or decision of the Authority may, within 30 days after such order or decision becomes final, institute proceedings for review thereof by filing a petition in the United States Court of Appeals for the District of Columbia Circuit. The court shall review the order or decision in accordance with section 706 of title 5, United States Code, and chapter 158 and section 2112 of title 28, United States Code. Judicial review shall be limited to the question of whether the Authority acted in excess of its statutory authority, and determinations of the Authority with respect to the scope of its statutory authority shall be upheld if based on a permissible construction of the statutory authority.

(b) PROMPT APPEAL TO THE SUPREME COURT.—Notwithstanding any other provision of law, review by the Supreme Court of the United States of a decision of the Court of Appeals which is issued pursuant to subsection (a) may be had only if the petition for such review is filed within 10 days after the entry of such decision.

(c) TIMING OF RELIEF.—No order of any court granting declaratory or injunctive relief against the Authority, including relief permitting or requiring the obligation, borrowing, or expenditure of funds, shall take effect during the pendency of the action before such court, during the time appeal may be taken, or (if appeal is taken) during the period before the court has entered its final order disposing of such action.

(d) EXPEDITED CONSIDERATION.—It shall be the duty of the United States Court of Appeals for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

SEC. 214. DELIVERY POINT MODERNIZATION.

(a) DEFINITIONS.—For purposes of this section—

(1) the term “delivery point” means a mailbox or other receptacle to which mail is delivered;

(2) the term “primary mode of delivery” means the typical method by which the Postal Service delivers letter mail to the delivery point of a postal patron;

(3) the term “door delivery” means a primary mode of mail delivery whereby mail is placed into a slot or receptacle at or near the postal patron's door or is hand delivered to a postal patron, but does not include curbside or centralized delivery;

(4) the term “centralized delivery” means a primary mode of mail delivery whereby mail receptacles are grouped or clustered at a single location; and

(5) the term “curbside delivery” means a primary mode of mail delivery whereby a

mail receptacle is situated at the edge of a roadway or curb.

(b) **REDUCTION IN TOTAL NUMBER OF DELIVERY POINTS.**—The Authority shall, during the first control period commencing under this title, take such measures as may be necessary and appropriate so that—

(1) in each fiscal year beginning at least 2 years after the commencement date of such first control period—

(A) the total number of delivery points for which door delivery is the primary mode of mail delivery does not exceed 25 percent of the corresponding number for the fiscal year last ending before such commencement date; and

(B) the total annual costs attributable to door delivery, centralized delivery, and curbside delivery combined will be at least \$3,500,000,000 less than the corresponding total annual costs for the fiscal year last ending before such commencement date; and

(2) in each fiscal year beginning at least 4 years after the commencement date of such first control period, the total number of delivery points for which door delivery is the primary mode of mail delivery does not exceed 10 percent of the corresponding number for the fiscal year last ending before such commencement date.

In making any decision under this subsection involving the continuation or termination of door delivery with respect to any locality or addresses within a locality, the Authority shall consider rates of poverty, population density, historical value, whether such locality is in a registered historic district (as that term is defined in section 47(c)(3)(B) of the Internal Revenue Code of 1986), whether such address is another place on the National Register of Historic Places, and other appropriate factors.

(c) **ORDER OF PRECEDENCE.**—In order to carry out subsection (b)—

(1) in making conversions from door delivery to other primary modes of delivery—

(A) conversion shall be to centralized delivery; except

(B) if subparagraph (A) is impractical, conversion shall be to curbside delivery; and

(2) in the case of delivery points established after the commencement date of the first control period under this title—

(A) centralized delivery shall be the primary mode of delivery; except

(B) if subparagraph (A) is impractical, curbside delivery shall be the primary mode of delivery.

(d) **WAIVER FOR PHYSICAL HARDSHIP.**—The Postal Service shall establish and maintain a waiver program under which, upon application, door delivery may be continued or provided in any case in which—

(1) centralized or curbside delivery would, but for this subsection, otherwise be the primary mode of delivery; and

(2) door delivery is necessary in order to avoid causing significant physical hardship to a postal patron.

(e) **CENTRALIZED DELIVERY PLACEMENT.**—It is the sense of the Congress that the Postal Service should negotiate with State and local governments, businesses, local associations, and property owners to place centralized delivery units in locations that maximize delivery efficiency, ease of use for postal patrons, and respect for private property rights.

(f) **VOUCHER PROGRAM.**—

(1) **IN GENERAL.**—The Postal Service may, in accordance with such standards and procedures as the Postal Service shall by regulation prescribe, provide for a voucher program under which—

(A) upon application, the Postal Service may defray all or any portion of the costs associated with conversion from door delivery under this section which would otherwise be borne by postal patrons; and

(B) the Postal Service Competitive Products Fund is made available for that purpose.

(2) **CONFORMING AMENDMENT.**—Section 2011(a)(2) is amended—

(A) in subparagraph (A), by striking “and” after the semicolon;

(B) in subparagraph (B), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(C) vouchers under the program described in section 214(f)(1) of the Postal Reform Act of 2012.”

(g) **AUDITS.**—

(1) **IN GENERAL.**—The Inspector General of the United States Postal Service—

(A) shall conduct an annual audit to determine whether the Postal Service is in compliance with the requirements of subsection (b); and

(B) shall make such recommendations as the Inspector General considers appropriate to improve the administration of such subsection.

(2) **SUBMISSION.**—The audit and recommendations under paragraph (1) shall be submitted by the Inspector General to—

(A) the Committee on Oversight and Government Reform of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) **INFORMATION.**—Upon request, the Postal Service shall furnish such information as the Inspector General may require in order to carry out this subsection.

(h) **SAVINGS REPORT.**—

(1) **IN GENERAL.**—In the event that a reduction in door delivery points is required under this section, the Authority shall submit a report to Congress, not later than 1 year after the date on which such reductions commence, describing the cost savings realized to the date of such submission and the estimated additional cost savings anticipated as a result of such reductions occurring after such submission. The report shall include—

(A) the measures taken to achieve the realized savings and the assumptions and methodologies used to compute the estimated cost savings; and

(B) information with respect to what additional measures might be necessary to achieve the cost savings required under this section.

(2) **REDUCTION LIMITATION.**—Notwithstanding any other provision of this Act, if the Authority determines that the measures described pursuant to subparagraphs (A) and (B) of paragraph (1) are not feasible, not cost effective, or otherwise detrimental to the mail delivery policy of the Postal Service, the Authority shall submit a report to Congress stating any legislative changes recommended for door delivery modernization procedures under this section, including increasing flexibility of this section’s requirements or the postponement of further conversion.

Subtitle C—Establishment and Enforcement of Financial Plan and Budget for the Postal Service

SEC. 221. DEVELOPMENT OF FINANCIAL PLAN AND BUDGET FOR THE POSTAL SERVICE.

(a) **DEVELOPMENT OF FINANCIAL PLAN AND BUDGET.**—For each fiscal year for which the Postal Service is in a control period, the Postmaster General shall develop and submit to the Authority a financial plan and budget

for the Postal Service in accordance with this section.

(b) **CONTENTS OF FINANCIAL PLAN AND BUDGET.**—A financial plan and budget for the Postal Service for a fiscal year shall specify the budget for the Postal Service as required by section 2009 of title 39, United States Code, for the applicable fiscal year and the next 3 fiscal years, in accordance with the following requirements:

(1) The financial plan and budget shall meet the requirements described in subsection (c) to promote the financial stability of the Postal Service.

(2) The financial plan and budget shall—

(A) include the Postal Service’s annual budget program (under section 2009 of title 39, United States Code) and the Postal Service’s plan commonly referred to as its “Integrated Financial Plan”;

(B) describe lump-sum expenditures by all categories traditionally used by the Postal Service;

(C) describe capital expenditures (together with a schedule of projected capital commitments and cash outlays of the Postal Service and proposed sources of funding);

(D) contain estimates of overall debt (both outstanding and anticipated to be issued); and

(E) contain cash flow and liquidity forecasts for the Postal Service at such intervals as the Authority may require.

(3) The financial plan and budget shall include a statement describing methods of estimations and significant assumptions.

(4) The financial plan and budget shall include any other provisions and shall meet such other criteria as the Authority considers appropriate to meet the purposes of this title, including provisions for—

(A) changes in personnel policies and levels for each component of the Postal Service; and

(B) management initiatives to promote productivity, improvement in the delivery of services, or cost savings.

(c) **REQUIREMENTS TO PROMOTE FINANCIAL STABILITY.**—

(1) **IN GENERAL.**—The requirements to promote the financial stability of the Postal Service applicable to the financial plan and budget for a fiscal year are as follows:

(A) In each fiscal year (following the first full fiscal year) in a control period, budgeted expenditures of the Postal Service for the fiscal year involved may not exceed budgeted revenues of the Postal Service for the fiscal year involved.

(B) In each fiscal year in a control period, the Postal Service shall make continuous, substantial progress towards long-term fiscal solvency and shall have substantially greater net income than in the previous fiscal year.

(C) The financial plan and budget shall assure the continuing long-term financial stability of the Postal Service, as indicated by factors such as the efficient management of the Postal Service’s workforce and the effective provision of services by the Postal Service.

(2) **APPLICATION OF SOUND BUDGETARY PRACTICES.**—In meeting the requirement described in paragraph (1) with respect to a financial plan and budget for a fiscal year, the Postal Service shall apply sound budgetary practices, including reducing costs and other expenditures, improving productivity, increasing revenues, or a combination of such practices.

(3) **ASSUMPTIONS BASED ON CURRENT LAW.**—In meeting the requirements described in paragraph (1) with respect to a financial plan

and budget for a fiscal year, the Postal Service shall base estimates of revenues and expenditures on Federal law as in effect at the time of the preparation of such financial plan and budget.

SEC. 222. PROCESS FOR SUBMISSION AND APPROVAL OF FINANCIAL PLAN AND BUDGET.

(a) **IN GENERAL.**—For each fiscal year for which the Postal Service is in a control period, the Postmaster General shall submit to the Authority—

(1) by February 1 before the start of such fiscal year, a preliminary financial plan and budget under section 221 for such fiscal year; and

(2) by August 1 before the start of such fiscal year, a final financial plan and budget under section 221 for such fiscal year.

(b) **REVIEW BY AUTHORITY.**—Upon receipt of a financial plan and budget under subsection (a) (whether preliminary or final), the Authority shall promptly review such financial plan and budget. In conducting the review, the Authority may request any additional information it considers necessary and appropriate to carry out its duties under this subtitle.

(c) **APPROVAL OF POSTMASTER GENERAL'S FINANCIAL PLAN AND BUDGET.**—

(1) **CERTIFICATION TO POSTMASTER GENERAL.**—

(A) **IN GENERAL.**—If the Authority determines that the final financial plan and budget for the fiscal year submitted by the Postmaster General under subsection (a) meets the requirements of section 221—

(i) the Authority shall approve the financial plan and budget and shall provide the Postmaster General, the President, and Congress with a notice certifying its approval; and

(ii) the Postmaster General shall promptly submit the annual budget program to the Office of Management and Budget pursuant to section 2009 of title 39, United States Code.

(B) **DEEMED APPROVAL AFTER 30 DAYS.**—

(i) **IN GENERAL.**—If the Authority has not provided the Postmaster General, the President, and Congress with a notice certifying approval under subparagraph (A)(i) or a statement of disapproval under subsection (d) before the expiration of the 30-day period which begins on the date the Authority receives the financial plan and budget from the Postmaster General under subsection (a), the Authority shall be deemed to have approved the financial plan and budget and to have provided the Postmaster General, the President, and Congress with the notice certifying approval under subparagraph (A)(i).

(ii) **EXPLANATION OF FAILURE TO RESPOND.**—If clause (i) applies with respect to a financial plan and budget, the Authority shall provide the Postmaster General, the President and Congress with an explanation for its failure to provide the notice certifying approval or the statement of disapproval during the 30-day period described in such clause.

(d) **DISAPPROVAL OF POSTMASTER GENERAL'S BUDGET.**—If the Authority determines that the final financial plan and budget for the fiscal year submitted by the Postmaster General under subsection (a) does not meet the requirements applicable under section 221, the Authority shall disapprove the financial plan and budget, and shall provide the Postmaster General, the President, and Congress with a statement containing—

(1) the reasons for such disapproval;

(2) the amount of any shortfall in the budget or financial plan; and

(3) any recommendations for revisions to the budget the Authority considers appro-

priate to ensure that the budget is consistent with the financial plan and budget.

(e) **AUTHORITY REVIEW OF POSTMASTER GENERAL'S REVISED FINAL FINANCIAL PLAN AND BUDGET.**—

(1) **SUBMISSION OF POSTMASTER GENERAL'S REVISED FINAL FINANCIAL PLAN AND BUDGET.**—Not later than 15 days after receiving the statement from the Authority under subsection (d), the Postmaster General shall promptly adopt a revised final financial plan and budget for the fiscal year which addresses the reasons for the Authority's disapproval cited in the statement, and shall submit such financial plan and budget to the Authority.

(2) **APPROVAL OF POSTMASTER GENERAL'S REVISED FINAL FINANCIAL PLAN AND BUDGET.**—If, after reviewing the revised final financial plan and budget for a fiscal year submitted by the Postmaster General under paragraph (1) in accordance with the procedures described in this section, the Authority determines that the revised final financial plan and budget meets the requirements applicable under section 221—

(A) the Authority shall approve the financial plan and budget and shall provide the Postmaster General, the President, and Congress with a notice certifying its approval; and

(B) the Postmaster General shall promptly submit the annual budget program to the Office of Management and Budget pursuant to section 2009 of title 39, United States Code.

(3) **DISAPPROVAL OF POSTMASTER GENERAL'S REVISED FINAL FINANCIAL PLAN AND BUDGET.**—

(A) **IN GENERAL.**—If, after reviewing the revised final financial plan and budget for a fiscal year submitted by the Postmaster General under paragraph (1) in accordance with the procedures described in this subsection, the Authority determines that the revised final financial plan and budget does not meet the applicable requirements under section 221, the Authority shall—

(i) disapprove the financial plan and budget;

(ii) provide the Postmaster General, the President, and Congress with a statement containing the reasons for such disapproval and describing the amount of any shortfall in the financial plan and budget; and

(iii) approve and recommend a financial plan and budget for the Postal Service which meets the applicable requirements under section 221, and submit such financial plan and budget to the Postmaster General, the President, and Congress.

(B) **SUBMISSION TO OMB.**—Upon receipt of the recommended financial plan and budget under subparagraph (A)(iii), the Postmaster General shall promptly submit the recommended annual budget program to the Office of Management and Budget pursuant to section 2009 of title 39, United States Code.

(4) **DEEMED APPROVAL AFTER 15 DAYS.**—

(A) **IN GENERAL.**—If the Authority has not provided the Postmaster General, the President, and Congress with a notice certifying approval under paragraph (2)(A) or a statement of disapproval under paragraph (3) before the expiration of the 15-day period which begins on the date the Authority receives the revised final financial plan and budget submitted by the Postmaster General under paragraph (1), the Authority shall be deemed to have approved the revised final financial plan and budget and to have provided the Postmaster General, the President, and Congress with the notice certifying approval described in paragraph (2)(A).

(B) **EXPLANATION OF FAILURE TO RESPOND.**—If subparagraph (A) applies with respect to a

financial plan and budget, the Authority shall provide the Postmaster General, the President and Congress with an explanation for its failure to provide the notice certifying approval or the statement of disapproval during the 15-day period described in such subparagraph.

(f) **DEADLINE FOR TRANSMISSION OF FINANCIAL PLAN AND BUDGET BY AUTHORITY.**—Notwithstanding any other provision of this section, not later than September 30th before each fiscal year which is in a control period, the Authority shall—

(1) provide Congress with a notice certifying its approval of the Postmaster General's initial financial plan and budget for the fiscal year under subsection (c)(1);

(2) provide Congress with a notice certifying its approval of the Postmaster General's revised final financial plan and budget for the fiscal year under subsection (e)(2); or

(3) submit to Congress an approved and recommended financial plan and budget of the Authority for the Postal Service for the fiscal year under subsection (e)(3)(A)(iii).

(g) **REVISIONS TO FINANCIAL PLAN AND BUDGET.**—

(1) **PERMITTING POSTMASTER GENERAL TO SUBMIT REVISIONS.**—The Postmaster General may submit proposed revisions to the financial plan and budget for a control period to the Authority at any time during the year.

(2) **PROCESS FOR REVIEW, APPROVAL, DISAPPROVAL, AND POSTMASTER GENERAL ACTION.**—Except as provided in paragraph (3), the procedures described in subsections (b), (c), (d), and (e) shall apply with respect to a proposed revision to a financial plan and budget in the same manner as such procedures apply with respect to the original financial plan and budget.

(3) **EXCEPTION FOR REVISIONS NOT AFFECTING SPENDING.**—To the extent that a proposed revision to a financial plan and budget adopted by the Postmaster General pursuant to this subsection does not increase the amount of spending with respect to any account of the Postal Service, the revision shall become effective upon the Authority's approval of such revision.

SEC. 223. RESPONSIBILITIES OF THE AUTHORITY.

(a) **IN GENERAL.**—The Authority shall direct the exercise of the powers of the Postal Service, including—

(1) determining its overall strategies (both long-term and short-term);

(2) determining its organizational structure, particularly for senior management at the level of vice president and higher;

(3) hiring, monitoring, compensating, and, when necessary, replacing senior management at the level of vice president and higher, as well as ensuring adequate succession planning for these positions;

(4) approving major policies, particularly those that have an important effect on the Postal Service's financial position and the provision of universal postal service;

(5) approving corporate budgets, financial and capital plans, operational and service performance standards and targets, human resources strategies, collective bargaining strategies, negotiation parameters, and collective bargaining agreements, and the compensation structure for nonbargaining employees;

(6) approving substantial capital projects and any substantial disposition of capital assets, such as surplus property;

(7) approving changes in rates and classifications, new products and services, policy regarding other substantial matters before the Postal Regulatory Commission, and any appeals of its decisions or orders to the Federal courts;

(8) approving the Postal Service Annual Report, Annual Comprehensive Statement, and strategic plans, performance plans, and performance program reports under chapter 28 of title 39, United States Code;

(9) formulating and communicating organizational policy and positions on legislative and other public policy matters to Congress and the public;

(10) ensuring organizational responsiveness to oversight by Congress, the Postal Regulatory Commission, the Treasury of the United States, and other audit entities;

(11) ensuring adequate internal controls and selecting, monitoring, and compensating an independent public accounting firm to conduct an annual audit of the Postal Service; and

(12) carrying out any responsibility, not otherwise listed in this subsection, that was the responsibility of the Board of Governors at any time during the 5-year period ending on the date of the enactment of this Act.

(b) REVIEW OF POSTAL SERVICE PROPOSALS.—

(1) SUBMISSION OF POSTAL SERVICE PROPOSALS TO THE AUTHORITY.—During a control period, the Postmaster General shall submit to the Authority any proposal that has a substantial effect on any item listed in subsection (a).

(2) PROMPT REVIEW BY AUTHORITY.—Upon receipt of a proposal from the Postmaster General under paragraph (1), the Authority shall promptly review the proposal to determine whether it is consistent with the applicable financial plan and budget approved under this title.

(3) ACTIONS BY AUTHORITY.—

(A) APPROVAL.—If the Authority determines that a proposal is consistent with the applicable financial plan and budget, the Authority shall notify the Postmaster General that it approves the proposal.

(B) FINDING OF INCONSISTENCY.—If the Authority determines that a proposal is significantly inconsistent with the applicable financial plan and budget, the Authority shall—

(i) notify the Postmaster General of its finding;

(ii) provide the Postmaster General with an explanation of the reasons for its finding; and

(iii) to the extent the Authority considers appropriate, provide the Postmaster General with recommendations for modifications to the proposal.

(4) DEEMED APPROVAL.—If the Authority does not notify the Postmaster General that it approves or disapproves a proposal submitted under this subsection during the 7-day period which begins on the date the Postmaster General submits the proposal to the Authority, the Authority shall be deemed to have approved the proposal in accordance with paragraph (3)(A). At the option of the Authority, the previous sentence shall be applied as if the reference in such sentence to “7-day period” were a reference to “14-day period” if, during the 7-day period referred to in the preceding sentence, the Authority so notifies the Postmaster General.

(c) EFFECT OF APPROVED FINANCIAL PLAN AND BUDGET ON CONTRACTS AND LEASES.—

(1) MANDATORY PRIOR APPROVAL FOR CERTAIN CONTRACTS AND LEASES.—

(A) IN GENERAL.—In the case of a contract or lease described in subparagraph (B) which is proposed to be entered into, renewed, modified, or extended by the Postal Service during a control period, the Postmaster General (or the appropriate officer or agent of

the Postal Service) shall submit the proposed contract or lease to the Authority. The Authority shall review each contract or lease submitted under this subparagraph, and the Postmaster General (or the appropriate officer or agent of the Postal Service) may not enter into the contract or lease unless the Authority determines that the proposed contract or lease is consistent with the financial plan and budget for the fiscal year.

(B) CONTRACTS AND LEASES DESCRIBED.—A contract or lease described in this subparagraph is—

(i) a labor contract entered into through collective bargaining; or

(ii) such other type of contract or lease as the Authority may specify for purposes of this subparagraph.

(2) AUTHORITY TO REVIEW OTHER CONTRACTS AFTER EXECUTION.—

(A) IN GENERAL.—In addition to the prior approval of certain contracts and leases, the Postal Service shall submit to the Authority—

(i) any Level-Two Post Career Executive Service employee contract that is in effect during a control period; and

(ii) any collective bargaining agreement entered into by the Postal Service that is in effect during a control period.

Any such contract or agreement shall be submitted to the Authority upon the commencement of a control period and at such other times as the Authority may require.

(B) REVIEW BY AUTHORITY.—The Authority shall review each contract submitted under subparagraph (A) to determine if the contract is consistent with the financial plan and budget for the fiscal year. If the Authority determines that the contract is not consistent with the financial plan and budget, the Authority shall take such actions as are within the Authority’s powers to revise the contract.

SEC. 224. EFFECT OF FINDING NONCOMPLIANCE WITH FINANCIAL PLAN AND BUDGET.

(a) SUBMISSION OF REPORTS.—Not later than 30 days after the expiration of each quarter of each fiscal year beginning in a control period, the Postmaster General shall submit reports to the Authority describing the actual revenues obtained and expenditures made by the Postal Service during the quarter with its cash flows during the quarter, and comparing such actual revenues, expenditures, and cash flows with the most recent projections for these items.

(b) ADDITIONAL INFORMATION.—If the Authority determines, based on reports submitted by the Postmaster General under subsection (a), independent audits, or such other information as the Authority may obtain, that the revenues or expenditures of the Postal Service during a control period are not consistent with the financial plan and budget for the year, the Authority shall require the Postmaster General to provide such additional information as the Authority determines to be necessary to explain the inconsistency.

(c) CERTIFICATION OF VARIANCE.—

(1) IN GENERAL.—After requiring the Postmaster General to provide additional information under subsection (b), the Authority shall certify to the Postmaster General, the President, the Secretary of the Treasury, and Congress that the Postal Service is at variance with the financial plan and budget unless—

(A) the additional information provides an explanation for the inconsistency which the Authority finds reasonable and appropriate; or

(B)(i) the Postal Service adopts or implements remedial action (including revising the financial plan and budget pursuant to section 222(g)) to correct the inconsistency which the Authority finds reasonable and appropriate, taking into account the terms of the financial plan and budget; and

(ii) the Postmaster General agrees to submit the reports described in subsection (a) on a monthly basis for such period as the Authority may require.

(2) SPECIAL RULE FOR INCONSISTENCIES ATTRIBUTABLE TO ACTS OF CONGRESS.—

(A) DETERMINATION BY AUTHORITY.—If the Authority determines that the revenues or expenditures of the Postal Service during a control period are not consistent with the financial plan and budget for the year as approved by the Authority under section 222 as a result of the terms and conditions of any law enacted by Congress which affects the Postal Service, the Authority shall so notify the Postmaster General.

(B) CERTIFICATION.—In the case of an inconsistency described in subparagraph (A), the Authority shall certify to the Postmaster General, the President, the Secretary of the Treasury, and Congress that the Postal Service is at variance with the financial plan and budget unless the Postal Service adopts or implements remedial action (including revising the financial plan and budget pursuant to section 202(e)) to correct the inconsistency which the Authority finds reasonable and appropriate, taking into account the terms of the financial plan and budget.

(d) EFFECT OF CERTIFICATION.—If the Authority certifies to the Secretary of the Treasury that a variance exists, the Authority or the Secretary may withhold access by the Postal Service to additional supplementary debt authorized by this title.

SEC. 225. RECOMMENDATIONS REGARDING FINANCIAL STABILITY, ETC.

(a) IN GENERAL.—The Authority may at any time submit recommendations to the Postmaster General, the President, and Congress on actions the Postal Service or any other entity of the Federal Government should take to ensure compliance by the Postal Service with a financial plan and budget or to otherwise promote the financial stability, management responsibility, and service delivery efficiency of the Postal Service, including recommendations relating to—

(1) the management of the Postal Service’s financial affairs, including cash forecasting, information technology, placing controls on expenditures for personnel, reducing benefit costs, reforming procurement practices, and placing other controls on expenditures;

(2) the relationship between the Postal Service and other entities of the Federal Government;

(3) the structural relationship of subdivisions within the Postal Service;

(4) the modification of existing revenue structures, or the establishment of additional revenue structures;

(5) the establishment of alternatives for meeting obligations to pay for the pensions and retirement benefits of current and future Postal Service retirees;

(6) modifications of services which are the responsibility of and are delivered by the Postal Service;

(7) modifications of the types of services which are delivered by entities other than the Postal Service under alternative service delivery mechanisms;

(8) the effects of Federal Government laws and court orders on the operations of the Postal Service;

(9) the increased use of a personnel system for employees of the Postal Service which is based upon employee performance standards; and

(10) the improvement of personnel training and proficiency, the adjustment of staffing levels, and the improvement of training and performance of management and supervisory personnel.

(b) RESPONSE TO RECOMMENDATIONS FOR ACTIONS WITHIN AUTHORITY OF POSTAL SERVICE.—

(1) IN GENERAL.—In the case of any recommendations submitted under subsection (a) during a control period which are within the authority of the Postal Service to adopt, not later than 90 days after receiving the recommendations, the Postmaster General shall submit a statement to the Authority, the President, and Congress which provides notice as to whether the Postal Service will adopt the recommendations.

(2) IMPLEMENTATION PLAN REQUIRED FOR ADOPTED RECOMMENDATIONS.—If the Postmaster General notifies the Authority and Congress under paragraph (1) that the Postal Service will adopt any of the recommendations submitted under subsection (a), the Postmaster General shall include in the statement a written plan to implement the recommendation which includes—

(A) specific performance measures to determine the extent to which the Postal Service has adopted the recommendation; and

(B) a schedule for auditing the Postal Service's compliance with the plan.

(3) EXPLANATIONS REQUIRED FOR RECOMMENDATIONS NOT ADOPTED.—If the Postmaster General notifies the Authority, the President, and Congress under paragraph (1) that the Postal Service will not adopt any recommendation submitted under subsection (a) which the Postal Service has authority to adopt, the Postmaster General shall include in the statement explanations for the rejection of the recommendations.

(c) IMPLEMENTATION OF REJECTED RECOMMENDATIONS BY AUTHORITY.—

(1) IN GENERAL.—If the Postmaster General notifies the Authority, the President, and Congress under subsection (b)(1) that the Postal Service will not adopt any recommendation submitted under subsection (a) which the Postal Service has authority to adopt, the Authority may by a majority vote of its members take such action concerning the recommendation as it deems appropriate, after consulting with the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) EFFECTIVE DATE.—This subsection shall apply with respect to recommendations of the Authority made after the expiration of the 6-month period which begins on the date of the commencement of a control period.

SEC. 226. SPECIAL RULES FOR FISCAL YEAR IN WHICH CONTROL PERIOD COMMENCES.

(a) ADOPTION OF TRANSITION BUDGET.—Notwithstanding any provision of section 222 to the contrary, in the case of a fiscal year in which a control period commences, the following rules shall apply:

(1) Not later than 45 days after the appointment of its members, the Authority shall review the proposed Integrated Financial Plan for the Postal Service for such fiscal year and shall submit any recommendations for modifications to such plan to promote the financial stability of the Postal Service to the Postmaster General, the President, and Congress.

(2) Not later than 15 days after receiving the recommendations of the Authority submitted under paragraph (1), the Postmaster General shall promptly adopt a revised budget for the fiscal year (in this section referred to as the "transition budget"), and shall submit the transition budget to the Authority, the President, and Congress.

(3) Not later than 15 days after receiving the transition budget from the Postmaster General under paragraph (2), the Authority shall submit a report to the Postmaster General, the President, and Congress analyzing the budget (taking into account any items or provisions disapproved by the Postmaster General) and shall include in the report such recommendations for revisions to the transition budget as the Authority considers appropriate to promote the financial stability of the Postal Service during the fiscal year.

(b) FINANCIAL PLAN AND BUDGET.—

(1) DEADLINE FOR SUBMISSION.—For purposes of section 222, the Postmaster General shall submit the financial plan and budget for the applicable fiscal year as soon as practicable after the commencement of a control period (in accordance with guidelines established by the Authority).

(2) ADOPTION BY POSTMASTER GENERAL.—In accordance with the procedures applicable under section 222 (including procedures providing for review by the Authority) the Postmaster General shall adopt the financial plan and budget for the applicable fiscal year (including the transition budget incorporated in the financial plan and budget).

(3) TRANSITION BUDGET AS TEMPORARY FINANCIAL PLAN AND BUDGET.—Until the approval of the financial plan and budget for the applicable fiscal year by the Authority under this subsection, the transition budget established under subsection (a) shall serve as the financial plan and budget adopted under this subtitle for purposes of this Act (and any provision of law amended by this Act) for the applicable fiscal year.

SEC. 227. ASSISTANCE IN ACHIEVING FINANCIAL STABILITY, ETC.

In addition to any other actions described in this title, the Authority may undertake cooperative efforts to assist the Postal Service in achieving financial stability and management efficiency, including—

(1) assisting the Postal Service in avoiding defaults, eliminating and liquidating deficits, maintaining sound budgetary practices, and avoiding interruptions in the delivery of services;

(2) assisting the Postal Service in improving the delivery of services, the training and effectiveness of personnel of the Postal Service, and the efficiency of management and supervision; and

(3) making recommendations to the President for transmission to Congress on changes to this Act or other Federal laws, or other actions of the Federal Government, which would assist the Postal Service in complying with an approved financial plan and budget under subtitle B.

SEC. 228. OBTAINING REPORTS.

The Authority may require the Postmaster General, the Chief Financial Officer of the Postal Service, and the Inspector General of the Postal Service, to prepare and submit such reports as the Authority considers appropriate to assist it in carrying out its responsibilities under this title, including submitting copies of any reports regarding revenues, expenditures, budgets, costs, plans, operations, estimates, and other financial or budgetary matters of the Postal Service.

SEC. 229. REPORTS AND COMMENTS.

(a) ANNUAL REPORTS TO CONGRESS.—Not later than 30 days after the last day of each

fiscal year which is a control year, the Authority shall submit a report to Congress describing—

(1) the progress made by the Postal Service in meeting the objectives of this title during the fiscal year;

(2) the assistance provided by the Authority to the Postal Service in meeting the purposes of this title for the fiscal year; and

(3) any other activities of the Authority during the fiscal year.

(b) REVIEW AND ANALYSIS OF PERFORMANCE AND FINANCIAL ACCOUNTABILITY REPORTS.—The Authority shall review each yearly report prepared and submitted by the Postmaster General to the Postal Regulatory Commission and Congress and shall submit a report to Congress analyzing the completeness and accuracy of such reports.

(c) COMMENTS REGARDING ACTIVITIES OF POSTAL SERVICE.—At any time during a control period, the Authority may submit a report to Congress describing any action taken by the Postal Service (or any failure to act by the Postal Service) which the Authority determines will adversely affect the Postal Service's ability to comply with an approved financial plan and budget under subtitle B or will otherwise have a significant adverse impact on the best interests of the Postal Service.

(d) REPORTS ON EFFECT OF FEDERAL LAWS ON THE POSTAL SERVICE.—At any time during any year, the Authority may submit a report to the Postmaster General, the President, and Congress on the effect of laws enacted by Congress on the financial plan and budget for the year and on the financial stability and management efficiency of the Postal Service in general.

(e) MAKING REPORTS PUBLICLY AVAILABLE.—The Authority shall make any report submitted under this section available to the public, except to the extent that the Authority determines that the report contains confidential material.

Subtitle D—Termination of a Control Period
SEC. 231. TERMINATION OF CONTROL PERIOD, ETC.

(a) IN GENERAL.—After the completion of the requirements for the termination of a control period described in section 202(b)(4), the Authority shall submit a recommendation to Congress requesting the termination of such control period, the dissolution of the Authority, and the reinstatement to the Board of Governors (and the individual Governors) of the Postal Service of the authorities and responsibilities referred to in section 202(b)(2)(A).

(b) CONGRESSIONAL APPROVAL.—

(1) IN GENERAL.—A control period shall not be terminated unless a joint resolution approving of the recommendation in subsection (a) is enacted, in accordance with section 232, before the earlier of—

(A) the end of the 30-day period beginning on the date on which the Authority transmits the recommendation to Congress under subsection (a); or

(B) the adjournment of the Congress sine die for the session during which such recommendation is transmitted.

(2) DAYS OF SESSION.—For purposes of paragraph (1) and subsections (a) and (c) of section 232, the days on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain shall be excluded in the computation of a period.

SEC. 232. CONGRESSIONAL CONSIDERATION OF RECOMMENDATION.

(a) TERMS OF THE RESOLUTION.—For purposes of this subtitle, the term "joint resolution" means only a joint resolution which is

introduced within the 10-day period beginning on the date on which the recommendation referred to in section 231(a) is received by Congress—

(1) the matter after the resolving clause of which is as follows: “That Congress approves the recommendation of the Postal Service Financial Responsibility and Management Assistance Authority, submitted by such Authority on ____”, the blank space being filled in with the appropriate date;

(2) the title of which is as follows: “Joint resolution approving the recommendation of Postal Service Financial Responsibility and Management Assistance Authority.”; and

(3) which does not have a preamble.

(b) REFERRAL.—A resolution described in subsection (a) that is introduced in the House of Representatives or the Senate shall be referred to the appropriate committees of the House of Representatives or the Senate, respectively.

(c) DISCHARGE.—If the committee to which a resolution described in subsection (a) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the Authority transmits its recommendation to Congress under section 231(a) such committee shall, at the end of such period, be discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(d) CONSIDERATION.—

(1) IN GENERAL.—On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (c)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A Member may make the motion only on the day after the calendar day on which the Member announces to the House concerned the Member's intention to make the motion, except that, in the case of the House of Representatives, the motion may be made without such prior announcement if the motion is made by direction of the committee to which the resolution was referred. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(2) DEBATE.—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote

by which the resolution is agreed to or disagreed to is not in order.

(3) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a resolution described in subsection (a) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) APPEALS.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in subsection (a) shall be decided without debate.

(e) CONSIDERATION BY OTHER HOUSE.—

(1) IN GENERAL.—If, before the passage by one House of a resolution of that House described in subsection (a), that House receives from the other House a resolution described in subsection (a), then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in subparagraph (B)(ii).

(B) With respect to a resolution described in subsection (a) of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(2) DISPOSITION OF A RESOLUTION.—Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(f) RULES OF THE SENATE AND HOUSE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

TITLE III—POSTAL SERVICE WORKFORCE

SEC. 301. MODIFICATIONS RELATING TO DETERMINATION OF PAY COMPARABILITY.

(a) POSTAL POLICY.—The first sentence of section 101(c) is amended—

(1) by inserting “total” before “rates and types of compensation”; and

(2) by inserting “entire” before “private sector”.

(b) EMPLOYMENT POLICY.—The second sentence of section 1003(a) is amended—

(1) by inserting “total” before “compensation and benefits”; and

(2) by inserting “entire” before “private sector”.

(c) CONSIDERATIONS.—For purposes of the amendments made by this section, any determination of “total rates and types of compensation” or “total compensation and benefits” shall, at a minimum, take into account pay, health benefits, retirement benefits, life insurance benefits, leave, holidays, and continuity and stability of employment.

SEC. 302. LIMITATION ON POSTAL CONTRIBUTIONS UNDER FEGLI AND FEHBP.

Section 1003 is amended by adding at the end the following:

“(e)(1) At least 1 month before the start of each fiscal year as described in paragraph (2), the Postmaster General shall transmit to the Postal Regulatory Commission certification (together with such supporting documentation as the Postal Regulatory Commission may require) that contributions of the Postal Service for such fiscal year will not exceed—

“(A) in the case of life insurance under chapter 87 of title 5, the Government contributions determined under section 8708 of such title; and

“(B) in the case of health insurance under chapter 89 of title 5, the Government contributions determined under 8906 of such title.

“(2) This subsection applies with respect to—

“(A) except as provided in subparagraph (B), each fiscal year beginning after September 30, 2013; and

“(B) in the case of officers and employees of the Postal Service covered by a collective bargaining agreement which is in effect on the date of the enactment of this subsection—

“(i) each fiscal year beginning after the expiration date of such agreement, including

“(ii) for the fiscal year in which such expiration date occurs, any portion of such fiscal year remaining after such expiration date.

“(3)(A) If, after reasonable notice and opportunity for hearing is afforded to the Postal Service, the Postal Regulatory Commission finds that the contributions of the Postal Service for a fiscal year will exceed or are exceeding the limitation specified in subparagraph (A) or (B) of paragraph (1), the Commission shall order that the Postal Service take such action as the Commission considers necessary to achieve full and immediate compliance with the applicable limitation or limitations.

“(B) Sections 3663 and 3664 shall apply with respect to any order issued by the Postal Regulatory Commission under subparagraph (A).

“(C) Nothing in this paragraph shall be considered to permit the issuance of an order requiring reduction of contributions below the level specified by the provision of law cited in subparagraph (A) or (B) of paragraph (1), as applicable.”

SEC. 303. REPEAL OF PROVISION RELATING TO OVERALL VALUE OF FRINGE BENEFITS.

The last sentence of section 1005(f) is repealed.

SEC. 304. APPLICABILITY OF REDUCTION-IN-FORCE PROCEDURES.

Section 1206 is amended by adding at the end the following:

“(d) Collective-bargaining agreements between the Postal Service and bargaining representatives recognized under section 1203, ratified after the date of enactment of this subsection, shall contain no provision restricting the applicability of reduction-in-force procedures under title 5 with respect to members of the applicable bargaining unit.

“(e) Any collective-bargaining agreement between the Postal Service and the bargaining representatives recognized under section 1203 ratified before the date of enactment of this Act that contain any provision violating subsection (d) shall be renegotiated with a new collective-bargaining agreement to be ratified or imposed through an arbitration decision under section 1207 within 9 months after such date of enactment.

“(f)(1) If a collective-bargaining agreement between the Postal Service and bargaining representatives recognized under section

1203, ratified after the date of enactment of this subsection, includes reduction-in-force procedures which can be applied in lieu of reduction-in-force procedures under title 5, the Postal Service may, in its discretion, apply with respect to members of the applicable bargaining unit—

“(A) the alternative procedures (or, if 2 or more are agreed to, 1 of the alternative procedures); or

“(B) the reduction-in-force procedures under title 5.

“(2) In no event may, if procedures for the resolution of a dispute or impasse arising in the negotiation of a collective-bargaining agreement (whether through binding arbitration or otherwise) are invoked under this chapter, the award or other resolution reached under such procedures provide for the elimination of, or the substitution of any alternative procedures in lieu of, reduction-in-force procedures under title 5.”

SEC. 305. MODIFICATIONS RELATING TO COLLECTIVE BARGAINING.

Section 1207 is amended by striking subsections (c) and (d) and inserting the following:

“(c)(1) If no agreement is reached within 30 days after the appointment of a mediator under subsection (b), or if the parties decide upon arbitration before the expiration of the 30-day period, an arbitration board shall be established consisting of 1 member selected by the Postal Service (from the list under paragraph (2)), 1 member selected by the bargaining representative of the employees (from the list under paragraph (2)), and the mediator appointed under subsection (b).

“(2) Upon receiving a request from either of the parties referred to in paragraph (1), the Director of the Federal Mediation and Conciliation Service shall provide a list of not less than 9 individuals who are well qualified to serve as neutral arbitrators. Each person listed shall be an arbitrator of nationwide reputation and professional nature, a member of the National Academy of Arbitrators, and an individual whom the Director has determined to be willing and available to serve. If, within 7 days after the list is provided, either of the parties has not selected an individual from the list, the Director shall make the selection within 3 days.

“(3) The arbitration board shall give the parties a full and fair hearing, including an opportunity to present evidence in support of their claims, and an opportunity to present their case in person, by counsel, or by other representative as they may elect. The hearing shall be concluded no more than 40 days after the arbitration board is established.

“(4) No more than 7 days after the hearing is concluded, each party shall submit to the arbitration board 2 offer packages, each of which packages shall specify the terms of a proposed final agreement.

“(5) If no agreement is reached within 7 days after the last day date for the submission of an offer package under paragraph (4), each party shall submit to the arbitration board a single final offer package specifying the terms of a proposed final agreement.

“(6) No later than 3 days after the submission of the final offer packages under paragraph (5), the arbitration board shall select 1 of those packages as its tentative award, subject to paragraph (7).

“(7)(A) The arbitration board may not select a final offer package under paragraph (6) unless it satisfies each of the following:

“(i) The offer complies with the requirements of sections 101(c) and 1003(a).

“(ii) The offer takes into account the current financial condition of the Postal Service.

“(iii) The offer takes into account the long-term financial condition of the Postal Service.

“(B)(i) If the board unanimously determines, based on clear and convincing evidence presented during the hearing under paragraph (3), that neither final offer package satisfies the conditions set forth in subparagraph (A), the board shall by majority vote—

“(I) select the package that best meets such conditions; and

“(II) modify the package so selected to the minimum extent necessary to satisfy such conditions.

“(ii) If modification (as described in subparagraph (B)(i)(II)) is necessary, the board shall have an additional 7 days to render its tentative award under this subparagraph.

“(8) The parties may negotiate a substitute award to replace the tentative award selected under paragraph (6) or rendered under paragraph (7) (as the case may be). If no agreement on a substitute award is reached within 10 days after the date on which the tentative award is so selected or rendered, the tentative award shall become final.

“(9) The arbitration board shall review any substitute award negotiated under paragraph (8) to determine if it satisfies the conditions set forth in paragraph (7)(A). If the arbitration board, by a unanimous vote taken within 3 days after the date on which the agreement on the substitute award is reached under paragraph (8), determines that the substitute award does not satisfy such conditions, the tentative award shall become final. In the absence of a vote, as described in the preceding sentence, the substitute agreement shall become final.

“(10) If, under paragraph (5), neither party submits a final offer package by the last day allowable under such paragraph, the arbitration board shall develop and issue a final award no later than 20 days after such last day.

“(11) A final award or agreement under this subsection shall be conclusive and binding upon the parties.

“(12) Costs of the arbitration board and mediation shall be shared equally by the Postal Service and the bargaining representative.

“(d) In the case of a bargaining unit whose recognized collective-bargaining representative does not have an agreement with the Postal Service, if the parties fail to reach agreement within 90 days after the commencement of collective bargaining, a mediator shall be appointed in accordance with the provisions of subsection (b), unless the parties have previously agreed to another procedure for a binding resolution of their differences. If the parties fail to reach agreement within 180 days after the commencement of collective bargaining, an arbitration board shall be established to provide conclusive and binding arbitration in accordance with the provisions of subsection (c).”

TITLE IV—FEDERAL EMPLOYEE'S COMPENSATION ACT

SEC. 401. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This title may be cited as the “Workers’ Compensation Reform Act of 2012”.

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 5, United States Code.

SEC. 402. FEDERAL WORKERS COMPENSATION REFORMS FOR RETIREMENT-AGE EMPLOYEES.

(a) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

(1) DEFINITIONS.—Section 8101 is amended (A) in paragraph (18), by striking “and” at the end;

(B) in paragraph (19), by striking “and” at the end;

(C) in paragraph (20), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(21) ‘retirement age’ has the meaning given that term under section 216(1)(1) of the Social Security Act (42 U.S.C. 416(1)(1));

“(22) ‘covered claim for total disability’ means a claim for a period of total disability that commenced before the date of enactment of the Workers’ Compensation Reform Act of 2012;

“(23) ‘covered claim for partial disability’ means a claim for a period of partial disability that commenced before the date of enactment of the Workers’ Compensation Reform Act of 2012; and

“(24) ‘individual who has an exempt disability condition’ means an individual—

“(A) who—

“(i) is eligible to receive continuous periodic compensation for total disability under section 8105 on the date of enactment of the Workers’ Compensation Reform Act of 2012; and

“(ii) meets the criteria under 8105(c);

“(B) who, on the date of enactment of the Workers’ Compensation Reform Act of 2012—

“(i) is eligible to receive continuous periodic compensation for total disability under section 8105; and

“(ii) has sustained a currently irreversible severe mental or physical disability for which the Secretary of Labor has authorized, for at least the 1 year period ending on the date of enactment of the Workers’ Compensation Reform Act of 2012, constant in-home care or custodial care, such as in placement in a nursing home; or

“(C) who is eligible to receive continuous periodic compensation for total disability under section 8105—

“(i) for not less than the 3-year period ending on the date of enactment of the Workers’ Compensation Reform Act of 2012; or

“(ii) if the individual became eligible to receive continuous periodic compensation for total disability under section 8105 during the period beginning on the date that is 3 years before the date of enactment of the Workers’ Compensation Reform Act of 2012 and ending on such date of enactment, for not less than the 3-year period beginning on the date on which the individual became eligible.”

(2) TOTAL DISABILITY.—Section 8105 is amended—

(A) in subsection (a), by striking “If” and inserting “IN GENERAL.—Subject to subsection (b), if”;

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

“(b) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the basic compensation for total disability for an employee who has attained retirement age shall be 50 percent of the monthly pay of the employee.

“(2) EXCEPTIONS.—

“(A) COVERED RECIPIENTS WHO ARE RETIREMENT AGE OR HAVE AN EXEMPT DISABILITY CONDITION.—Paragraph (1) shall not apply to a covered claim for total disability by an employee if the employee—

“(i) on the date of enactment of the Workers’ Compensation Reform Act of 2012, has attained retirement age; or

“(ii) is an individual who has an exempt disability condition.

“(B) TRANSITION PERIOD FOR CERTAIN EMPLOYEES.—For a covered claim for total disability by an employee who is not an employee described in subparagraph (A), the employee shall receive the basic compensation for total disability provided under subsection (a) until the later of—

“(i) the date on which the employee attains retirement age; and

“(ii) the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012.”.

(3) PARTIAL DISABILITY.—Section 8106 is amended—

(A) in subsection (a), by striking “If” and inserting “IN GENERAL.—Subject to subsection (b), if”;

(B) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(C) by inserting after subsection (a) the following:

“(b) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the basic compensation for partial disability for an employee who has attained retirement age shall be 50 percent of the difference between the monthly pay of the employee and the monthly wage-earning capacity of the employee after the beginning of the partial disability.

“(2) EXCEPTIONS.—

“(A) COVERED RECIPIENTS WHO ARE RETIREMENT AGE.—Paragraph (1) shall not apply to a covered claim for partial disability by an employee if, on the date of enactment of the Workers’ Compensation Reform Act of 2012, the employee has attained retirement age.

“(B) TRANSITION PERIOD FOR CERTAIN EMPLOYEES.—For a covered claim for partial disability by an employee who is not an employee described in subparagraph (A), the employee shall receive basic compensation for partial disability in accordance with subsection (a) until the later of—

“(i) the date on which the employee attains retirement age; and

“(ii) the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012.”.

SEC. 403. AUGMENTED COMPENSATION FOR DEPENDENTS.

(a) IN GENERAL.—Section 8110 is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

“(b) TERMINATION OF AUGMENTED COMPENSATION.—

“(1) IN GENERAL.—Subject to paragraph (2), augmented compensation for dependants under subsection (c) shall not be provided.

“(2) EXCEPTIONS.—

“(A) TOTAL DISABILITY.—For a covered claim for total disability by an employee—

“(i) the employee shall receive augmented compensation under subsection (c) if the employee is an individual who has an exempt disability condition; and

“(ii) the employee shall receive augmented compensation under subsection (c) until the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012 if the employee is not an employee described in clause (i).

“(B) PARTIAL DISABILITY.—For a covered claim for partial disability by an employee, the employee shall receive augmented compensation under subsection (c) until the date

that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012.

“(C) PERMANENT DISABILITY COMPENSATED BY A SCHEDULE.—For a claim for a permanent disability described in section 8107(a) by an employee that commenced before the date of enactment of the Workers’ Compensation Reform Act of 2012, the employee shall receive augmented compensation under subsection (c).”.

(b) MAXIMUM AND MINIMUM MONTHLY PAYMENTS.—Section 8112 is amended—

(1) in subsection (a)—

(A) by inserting “subsections (b) and (c) and” before “section 8138”;

(B) by striking “including augmented compensation under section 8110 of this title but”; and

(C) by striking “75 percent” each place it appears and inserting “66 ⅔ percent”;

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

“(b) EXCEPTIONS.—

“(1) COVERED DISABILITY CONDITION.—For a covered claim for total disability by an employee, if the employee is an individual who has an exempt disability condition—

“(A) the monthly rate of compensation for disability that is subject to the maximum and minimum monthly amounts under subsection (a) shall include any augmented compensation under section 8110; and

“(B) subsection (a) shall be applied by substituting ‘75 percent’ for ‘66 ⅔ percent’ each place it appears.

“(2) PARTIAL DISABILITY.—For a covered claim for partial disability by an employee, until the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012—

“(A) the monthly rate of compensation for disability that is subject to the maximum and minimum monthly amounts under subsection (a) shall include any augmented compensation under section 8110; and

“(B) subsection (a) shall be applied by substituting ‘75 percent’ for ‘66 ⅔ percent’ each place it appears.”; and

(4) in subsection (c), as redesignated by paragraph (2), by striking “subsection (a)” and inserting “subsections (a) and (b)”.

(c) DEATH BENEFITS GENERALLY.—Section 8133 is amended—

(1) in subsections (a) and (e), by striking “75 percent” each place it appears and inserting “66 ⅔ percent (except as provided in subsection (g))”; and

(2) by adding at the end the following:

“(g) If the death occurred before the date of enactment of the Workers’ Compensation Reform Act of 2012, subsections (a) and (e) shall be applied by substituting ‘75 percent’ for ‘66 ⅔ percent’ each place it appears.”.

(d) DEATH BENEFITS FOR CIVIL AIR PATROL VOLUNTEERS.—Section 8141 is amended—

(1) in subsection (b)(2)(B) by striking “75 percent” and inserting “66 ⅔ percent (except as provided in subsection (c))”; and

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) If the death occurred before the date of enactment of the Workers’ Compensation Reform Act of 2012, subsection (b)(2)(B) shall be applied by substituting ‘75 percent’ for ‘66 ⅔ percent’.”.

SEC. 404. SCHEDULE COMPENSATION PAYMENTS.

Section 8107 is amended—

(1) in subsection (a), by striking “at the rate of 66 2/3 percent of his monthly pay” and

inserting “at the rate specified under subsection (d)”;

(2) by adding at the end the following:

“(d) RATE FOR COMPENSATION.—

“(1) ANNUAL SALARY.—

“(A) IN GENERAL.—Except as provided in paragraph (2), the rate under subsection (a) shall be the rate of 66 ⅔ percent of the annual salary level established under subparagraph (B), in a lump sum equal to the present value (as calculated under subparagraph (C)) of the amount of compensation payable under the schedule.

“(B) ESTABLISHMENT.—

“(i) IN GENERAL.—The Secretary of Labor shall establish an annual salary for purposes of subparagraph (A) in the amount the Secretary determines will result in the aggregate cost of payments made under this section being equal to what would have been the aggregate cost of payments under this section if the amendments made by section 304(a) of the Workers’ Compensation Reform Act of 2012 had not been enacted.

“(ii) COST OF LIVING ADJUSTMENT.—The annual salary established under clause (i) shall be increased on March 1 of each year by the amount determined by the Secretary of Labor to represent the percent change in the price index published for December of the preceding year over the price index published for the December of the year prior to the preceding year, adjusted to the nearest one-tenth of 1 percent.

“(C) PRESENT VALUE.—The Secretary of Labor shall calculate the present value for purposes of subparagraph (A) using a rate of interest equal to the average market yield for outstanding marketable obligations of the United States with a maturity of 2 years on the first business day of the month in which the compensation is paid or, in the event that such marketable obligations are not being issued on such date, at an equivalent rate selected by the Secretary of Labor, true discount compounded annually.

“(2) CERTAIN INJURIES.—For an injury that occurred before the date of enactment of the Workers’ Compensation Reform Act of 2012, the rate under subsection (a) shall be 66 ⅔ percent of the employee’s monthly pay.

“(e) SIMULTANEOUS RECEIPT.—

“(1) TOTAL DISABILITY.—An employee who receives compensation for total disability under section 8105 may only receive the lump sum of schedule compensation under this section in addition to and simultaneously with the benefits for total disability after the later of—

“(A) the date on which the basic compensation for total disability of the employee becomes 50 percent of the monthly pay of the employee under section 8105(b); or

“(B) the date on which augmented compensation of the employee terminates under section 8110(b)(2)(A)(ii), if the employee receives such compensation.

“(2) PARTIAL DISABILITY.—An employee who receives benefits for partial disability under section 8106 may only receive the lump sum of schedule compensation under this section in addition to and simultaneously with the benefits for partial disability after the later of—

“(A) the date on which the basic compensation for partial disability of the employee becomes 50 percent of the difference between the monthly pay of the employee and the monthly wage-earning capacity of the employee after the beginning of the partial disability under section 8106(b); or

“(B) the date on which augmented compensation of the employee terminates under section 8110(b)(2)(B), if the employee receives such compensation.”.

SEC. 405. VOCATIONAL REHABILITATION.

(a) IN GENERAL.—Section 8104 is amended—
(1) in subsection (a)—

(A) by striking “(a) The Secretary of Labor may” and all that follows through “undergo vocational rehabilitation.” and inserting the following:

“(a) IN GENERAL.—

“(1) DIRECTION.—Except as provided in paragraph (2), not earlier than the date that is 6 months after the date on which an individual eligible for wage-loss compensation under section 8105 or 8106 is injured, or by such other date as the Secretary of Labor determines it would be reasonable under the circumstances for the individual to begin vocational rehabilitation, and if vocational rehabilitation may enable the individual to become capable of more gainful employment, the Secretary of Labor shall direct the individual to participate in developing a comprehensive return to work plan and to undergo vocational rehabilitation at a location a reasonable distance from the residence of the individual.”;

(B) by striking “the Secretary of Health, Education, and Welfare in carrying out the purposes of chapter 4 of title 29” and inserting “the Secretary of Education in carrying out the purposes of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.)”;

(C) by striking “under section 32(b)(1) of title 29” and inserting “under section 5 of the Rehabilitation Act of 1973 (29 U.S.C. 704)”;

(D) by adding at the end the following:

“(2) EXCEPTION.—The Secretary of Labor may not direct an individual who has attained retirement age to participate in developing a comprehensive return to work plan or to undergo vocational rehabilitation.”;

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

“(b) CONTENTS OF RETURN TO WORK PLAN.—A return to work plan developed under subsection (a)—

“(1) shall—

“(A) set forth specific measures designed to increase the wage-earning capacity of an individual;

“(B) take into account the prior training and education of the individual and the training, educational, and employment opportunities reasonably available to the individual; and

“(C) provide that any employment undertaken by the individual under the return to work plan be at a location a reasonable distance from the residence of the individual;

“(2) may provide that the Secretary will pay out of amounts in the Employees’ Compensation Fund reasonable expenses of vocational rehabilitation (which may include tuition, books, training fees, supplies, equipment, and child or dependent care) during the course of the plan; and

“(3) may not be for a period of more than 2 years, unless the Secretary finds good cause to grant an extension, which may be for not more than 2 years.”;

(4) in subsection (c), as so redesignated—

(A) by inserting “COMPENSATION.—” before “Notwithstanding”; and

(B) by striking “, other than employment undertaken pursuant to such rehabilitation”; and

(5) by adding at the end the following:

“(d) ASSISTED REEMPLOYMENT AGREEMENTS.—

“(1) IN GENERAL.—The Secretary may enter into an assisted reemployment agreement

with an agency or instrumentality of any branch of the Federal Government or a State or local government or a private employer that employs an individual eligible for wage-loss compensation under section 8105 or 8106 to enable the individual to return to productive employment.

“(2) CONTENTS.—An assisted reemployment agreement under paragraph (1)—

“(A) may provide that the Secretary will use amounts in the Employees’ Compensation Fund to reimburse an employer in an amount equal to not more than 100 percent of the compensation the individual would otherwise receive under section 8105 or 8106; and

“(B) may not be for a period of more than 3 years.

“(e) LIST.—To facilitate the hiring of individuals eligible for wage-loss compensation under section 8105 or 8106, the Secretary shall provide a list of such individuals to the Office of Personnel Management, which the Office of Personnel Management shall provide to all agencies and instrumentalities of the Federal Government.”.

(b) TERMINATION OF VOCATIONAL REHABILITATION REQUIREMENT AFTER RETIREMENT AGE.—Section 8113(b) is amended by adding at the end the following: “An individual who has attained retirement age may not be required to undergo vocational rehabilitation.”.

(c) MANDATORY BENEFIT REDUCTION FOR NONCOMPLIANCE.—Section 8113(b) is amended by striking “may reduce” and inserting “shall reduce”.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Subchapter III of chapter 15 of title 31, United States Code, is amended by adding at the end the following:

“§ 1538. Authorization for assisted reemployment

“Funds may be transferred from the Employees’ Compensation Fund established under section 8147 of title 5 to the applicable appropriations account for an agency or instrumentality of any branch of the Federal Government for the purposes of reimbursing the agency or instrumentality in accordance with an assisted reemployment agreement entered into under section 8104 of title 5.”.

(2) TABLE OF SECTIONS.—The table of sections for chapter 15 of title 31, United States Code, is amended by inserting after the item relating to section 1537 the following:

“1538. Authorization for assisted reemployment.”.

SEC. 406. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Chapter 81 is amended by inserting after section 8106 the following:

“§ 8106a. Reporting requirements

“(a) DEFINITION.—In this section, the term ‘employee receiving compensation’ means an employee who—

“(1) is paid compensation under section 8105 or 8106; and

“(2) has not attained retirement age.

“(b) AUTHORITY.—The Secretary of Labor shall require an employee receiving compensation to report the earnings of the employee receiving compensation from employment or self-employment, by affidavit or otherwise, in the manner and at the times the Secretary specifies.

“(c) CONTENTS.—An employee receiving compensation shall include in a report required under subsection (a) the value of housing, board, lodging, and other advantages which are part of the earnings of the employee receiving compensation in employment or self-employment and the value of which can be estimated.

“(d) FAILURE TO REPORT AND FALSE REPORTS.—

“(1) IN GENERAL.—An employee receiving compensation who fails to make an affidavit or other report required under subsection (b) or who knowingly omits or understates any part of the earnings of the employee in such an affidavit or other report shall forfeit the right to compensation with respect to any period for which the report was required.

“(2) FORFEITED COMPENSATION.—Compensation forfeited under this subsection, if already paid to the employee receiving compensation, shall be recovered by a deduction from the compensation payable to the employee or otherwise recovered under section 8129, unless recovery is waived under that section.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 81 is amended by inserting after the item relating to section 8106 the following:

“8106a. Reporting requirements.”.

SEC. 407. DISABILITY MANAGEMENT REVIEW; INDEPENDENT MEDICAL EXAMINATIONS.

Section 8123 is amended by adding at the end the following:

“(e) DISABILITY MANAGEMENT REVIEW.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘covered employee’ means an employee who is in continuous receipt of compensation for total disability under section 8105 for a period of not less than 6 months; and

“(B) the term ‘disability management review process’ means the disability management review process established under paragraph (2)(A).

“(2) ESTABLISHMENT.—The Secretary of Labor shall—

“(A) establish a disability management review process for the purpose of certifying and monitoring the disability status and extent of injury of each covered employee; and

“(B) promulgate regulations for the administration of the disability management review process.

“(3) PHYSICAL EXAMINATIONS REQUIRED.—Under the disability management review process, the Secretary of Labor shall periodically require covered employees to submit to physical examinations under subsection (a) by physicians selected by the Secretary. A physician conducting a physical examination of a covered employee shall submit to the Secretary a report regarding the nature and extent of the injury to and disability of the covered employee.

“(4) FREQUENCY.—

“(A) IN GENERAL.—The regulations promulgated under paragraph (2)(B) shall specify the process and criteria for determining when and how frequently a physical examination should be conducted for a covered employee.

“(B) MINIMUM FREQUENCY.—

“(i) INITIAL.—An initial physical examination shall be conducted not more than a brief period after the date on which a covered employee has been in continuous receipt of compensation for total disability under section 8015 for 6 months.

“(ii) SUBSEQUENT EXAMINATIONS.—After the initial physical examination, physical examinations of a covered employee shall be conducted not less than once every 3 years.

“(5) EMPLOYING AGENCY OR INSTRUMENTALITY REQUESTS.—

“(A) IN GENERAL.—The agency or instrumentality employing an employee who has made a claim for compensation for total disability under section 8105 may at any time submit a request for the Secretary of Labor

to promptly require the employee to submit to a physical examination under this subsection.

“(B) REQUESTING OFFICER.—A request under subparagraph (A) shall be made on behalf of an agency or instrumentality by—

“(i) the head of the agency or instrumentality;

“(ii) the Chief Human Capital Officer of the agency or instrumentality; or

“(iii) if the agency or instrumentality does not have a Chief Human Capital Officer, an officer with responsibilities similar to those of a Chief Human Capital Officer designated by the head of the agency or instrumentality to make requests under this paragraph.

“(C) INFORMATION.—A request under subparagraph (A) shall be in writing and accompanied by—

“(i) a certification by the officer making the request that the officer has reviewed the relevant material in the employee’s file;

“(ii) an explanation of why the officer has determined, based on the materials in the file and other information known to the officer, that requiring a physical examination of the employee under this subsection is necessary; and

“(iii) copies of the materials relating to the employee that are relevant to the officer’s determination and request, unless the agency or instrumentality has a reasonable basis for not providing the materials.

“(D) EXAMINATION.—If the Secretary of Labor receives a request under this paragraph before an employee has undergone an initial physical examination under paragraph (4)(B)(i), the Secretary shall promptly require the physical examination of the employee. A physical examination under this subparagraph shall satisfy the requirement under paragraph (4)(B)(i) that an initial physical examination be conducted.

“(E) AFTER INITIAL EXAMINATION.—

“(i) IN GENERAL.—If the Secretary of Labor receives a request under this paragraph after an employee has undergone an initial physical examination under paragraph (4)(B)(i), the Secretary shall—

“(I) review the request and the information, explanation, and other materials submitted with the request; and

“(II) determine whether to require the physical examination of the employee who is the subject of the request.

“(ii) NOT GRANTED.—If the Secretary determines not to grant a request described in clause (i), the Secretary shall promptly notify the officer who made the request and provide an explanation of the reasons why the request was denied.”

SEC. 408. WAITING PERIOD.

(a) IN GENERAL.—Section 8117 is amended—

(1) in the section heading, by striking “**Time of accrual of right**” and inserting “**Waiting period**”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “An employee” and all that follows through “is not entitled” and inserting “IN GENERAL.—An employee is not entitled to continuation of pay within the meaning of section 8118 for the first 3 days of temporary disability or, if section 8118 does not apply, is not entitled”;

(B) in paragraph (1), by adding “or” at the end;

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2); and

(3) in subsection (b)—

(A) by striking “A Postal Service” the first place it appears and all that follows through “A Postal Service” the second place

it appears and inserting “USE OF LEAVE.—An”;

(B) by striking “that 3-day period” and inserting “the first 3 days of temporary disability”; and

(C) by striking “or is followed by permanent disability”.

(b) CONTINUATION OF PAY.—Section 8118 is amended—

(1) in the section heading, by striking “; election to use annual or sick leave”;

(2) in subsection (b)(1), by striking “section 8117(b)” and inserting “section 8117”;

(3) by striking subsection (c); and

(4) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 81 is amended by striking the items relating to sections 8117 and 8118 and inserting the following:

“8117. Waiting period.

“8118. Continuation of pay.”

SEC. 409. ELECTION OF BENEFITS.

(a) IN GENERAL.—Section 8116 is amended by adding at the end the following:

“(e) RETIREMENT BENEFITS.—

“(1) IN GENERAL.—An individual entitled to compensation benefits payable under this subchapter and under chapter 83 or 84 or any other retirement system for employees of the Government, for the same period, shall elect which benefits the individual will receive.

“(2) ELECTION.—

“(A) DEADLINE.—An individual shall make an election under paragraph (1) in accordance with such deadlines as the Secretary of Labor shall establish.

“(B) REVOCABILITY.—An election under paragraph (1) shall be revocable, notwithstanding any other provision of law, except for any period during which an individual—

“(i) was qualified for benefits payable under both this subchapter and under a retirement system described in paragraph (1); and

“(ii) was paid benefits under the retirement system after having been notified of eligibility for benefits under this subchapter.

“(3) INFORMED CHOICE.—The Secretary of Labor shall provide information, and shall ensure that information is provided, to an individual described in paragraph (1) about the benefits available to the individual under this subchapter or under chapter 83 or 84 or any other retirement system referred to in paragraph (1) the individual may elect to receive.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Sections 8337(f)(3) and 8464a(a)(3) are each amended by striking “Paragraphs” and inserting “Except as provided under chapter 81, paragraphs”.

SEC. 410. SANCTION FOR NONCOOPERATION WITH FIELD NURSES.

Section 8123, as amended by section 307, is amended by adding at the end the following:

“(f) FIELD NURSES.—

“(1) DEFINITION.—In this subsection, the term ‘field nurse’ means a registered nurse that assists the Secretary in the medical management of disability claims under this subchapter and provides claimants with assistance in coordinating medical care.

“(2) AUTHORIZATION.—The Secretary may use field nurses to coordinate medical services and vocational rehabilitation programs for injured employees under this subchapter. If an employee refuses to cooperate with a field nurse or obstructs a field nurse in the performance of duties under this subchapter, the right to compensation under this subchapter shall be suspended until the refusal or obstruction stops.”

SEC. 411. SUBROGATION OF CONTINUATION OF PAY.

(a) IN GENERAL.—Section 8131 is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “continuation of pay or” before “compensation”; and

(2) in subsection (b), by inserting “continuation of pay” before compensation; and

(3) in subsection (c)—

(A) by inserting “continuation of pay or” before “compensation already paid”; and

(B) by inserting “continuation of pay or” before “compensation payable”.

(b) ADJUSTMENT AFTER RECOVERY FROM A THIRD PERSON.—Section 8132 is amended—

(1) in the first sentence—

(A) by inserting “continuation of pay or” before “compensation is payable”; and

(B) by inserting “continuation of pay or” before “compensation from the United States”;

(C) by striking “by him or in his behalf” and inserting “by the beneficiary or on behalf of the beneficiary”;

(D) by inserting “continuation of pay and” before “compensation paid by the United States”; and

(E) by striking “compensation payable to him” and inserting “continuation of pay or compensation payable to the beneficiary”;

(2) in the second sentence, by striking “his designee” and inserting “the designee of the beneficiary”;

(3) in the fourth sentence, by striking “If compensation” and all that follows through “payable to him by the United States” and inserting “If continuation of pay or compensation has not been paid to the beneficiary, the money or property shall be credited against continuation of pay or compensation payable to the beneficiary by the United States”.

SEC. 412. SOCIAL SECURITY EARNINGS INFORMATION.

Section 8116, as amended by section 308, is amended by adding at the end the following:

“(f) EARNINGS INFORMATION.—Notwithstanding section 552a or any other provision of Federal or State law, the Social Security Administration shall make available to the Secretary of Labor, upon written request, the Social Security earnings information of a living or deceased employee who may have sustained an injury or died as a result of an injury that is the subject of a claim under this subchapter required by the Secretary of Labor to carry out this subchapter.”

SEC. 413. AMOUNT OF COMPENSATION.

(a) INJURIES TO FACE, HEAD, AND NECK.—Section 8107(c)(2) is amended—

(1) by striking “not to exceed \$3,500” and inserting “in proportion to the severity of the disfigurement, not to exceed \$50,000”; and

(2) by adding at the end the following:

“The maximum amount of compensation under this paragraph shall be increased on March 1 of each year by the amount determined by the Secretary of Labor to represent the percent change in the price index published for December of the preceding year over the price index published for the December of the year prior to the preceding year, adjusted to the nearest one-tenth of 1 percent.”

(b) FUNERAL EXPENSES.—Section 8134(a) is amended—

(1) by striking “\$800” and inserting “\$6,000”; and

(2) by adding at the end the following: “The maximum amount of compensation under this subsection shall be increased on March 1 of each year by the amount determined by the Secretary of Labor to represent

the percent change in the price index published for December of the preceding year over the price index published for the December of the year prior to the preceding year, adjusted to the nearest one-tenth of 1 percent.”

(c) APPLICATION.—The amendments made by this section shall apply to injuries or deaths, respectively, occurring on or after the date of enactment of this Act.

SEC. 414. TECHNICAL AND CONFORMING AMENDMENTS.

Chapter 81 is amended—

(1) in section 8101(1)(D), by inserting “for an injury that occurred before the effective date of section 204(e) of the District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93-198; 87 Stat. 783; 5 U.S.C. 8101 note)” before the semicolon;

(2) in section 8139, by inserting “under this subchapter” after “Compensation awarded”; and

(3) in section 8148(a), by striking “section 8106” and inserting “section 8106a”.

SEC. 415. REGULATIONS.

(a) IN GENERAL.—As soon as possible after the date of enactment of this Act, the Secretary of Labor shall promulgate regulations (which may include interim final regulations) to carry out this title.

(b) CONTENTS.—The regulations promulgated under subsection (a) shall include, for purposes of the amendments made by sections 302 and 303, clarification of—

- (1) what is a claim; and
- (2) what is the date on which a period of disability, for which a claim is made, commences.

TITLE V—POSTAL SERVICE REVENUE

SEC. 501. ADEQUACY, EFFICIENCY, AND FAIRNESS OF POSTAL RATES.

(a) IN GENERAL.—Section 3622(d) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (B) through (E) as subparagraphs (D) through (G), respectively; and

(B) by inserting after subparagraph (A) the following:

“(B) subject to the limitation under subparagraph (A), establish postal rates to fulfill the requirement that each market-dominant class, product, and type of mail service (except for an experimental product or service) bear the direct and indirect postal costs attributable to such class, product, or type through reliably identified causal relationships plus that portion of all other costs of the Postal Service reasonably assignable to such class, product, or type;

“(C) establish postal rates for each group of functionally equivalent agreements between the Postal Service and users of the mail that—

- “(i) cover attributable cost; and
- “(ii) improve the net financial position of the Postal Service;

for purposes of this subparagraph, a group of functionally equivalent agreements shall consist of all service agreements that are functionally equivalent to each other within the same market-dominant product, but shall not include agreements within an experimental product;” and

(2) by adding at the end the following:

“(4) PRC STUDY.—

“(A) IN GENERAL.—Within 90 days after the end of the first fiscal year beginning after the date of enactment of the Postal Reform Act of 2012, the Postal Regulatory Commission shall complete a study to determine the quantitative impact of the Postal Service’s

excess capacity on the direct and indirect postal costs attributable to any class that bears less than 100 percent of its costs attributable (as described in paragraph (1)(B)), according to the most recent annual determination of the Postal Regulatory Commission under section 3653.

“(B) REQUIREMENTS.—The study required under subparagraph (A) shall—

“(i) be conducted pursuant to regulations that the Postal Regulatory Commission shall prescribe within 90 days after the date of enactment of the Postal Reform Act of 2012, taking into account existing regulations for proceedings to improve the quality, accuracy, or completeness of ratemaking information under section 3652(e)(2) in effect on such date; and

“(ii) for any year in which any class of mail bears less than 100 percent of its costs attributable (as described in paragraph (1)(B)), be updated annually by the Postal Service and included in its annual report to the Commission under section 3652, using such methodologies as the Commission shall by regulation prescribe.

“(5) ADDITIONAL RATES.—Starting not earlier than 12 months and not later than 18 months after the date on which the first study described in paragraph (4) is completed, and at least once in each subsequent 12-month period, the Postal Service shall establish postal rates for each loss-making class of mail to eliminate such losses (other than those caused by the Postal Service’s excess capacity) by exhausting all unused rate authority as well as maximizing incentives to reduce costs and increase efficiency, subject to the following:

“(A) The term ‘loss-making’, as used in this paragraph with respect to a class of mail, means a class of mail that bears less than 100 percent of its costs attributable (as described in paragraph (1)(B)), according to the most recent annual determination of the Postal Regulatory Commission under section 3653, adjusted to account for the quantitative effect of excess capacity on the costs attributable of the class (as described in paragraph (1)(C)).

“(B) Unused rate authority shall be annually increased by 2 percent for each class of mail that bears less than 90 percent of its costs attributable (as described in paragraph (1)(B)), according to the most recent annual determination of the Postal Regulatory Commission under section 3653, adjusted to account for the quantitative effect of excess capacity on the costs attributable of the class (as described in paragraph (1)(C)), with such increase in unused rate authority to take effect 30 days after the date that the Commission issues such determination.”

(b) CONFORMING AMENDMENT.—Subparagraph (A) of section 3622(c)(10) is amended to read as follows:

“(A) improve the net financial position of the Postal Service through reducing Postal Service costs or increasing the overall contribution to the institutional costs of the Postal Service; and”

(c) EXCEPTION.—Section 3622(d) is amended by adding at the end the following:

“(4) EXCEPTION.—The requirements of paragraph (1)(B) shall not apply to a market-dominant product for which a substantial portion of the product’s mail volume consists of inbound international mail with terminal dues rates determined by the Universal Postal Union (and not by bilateral agreements or other arrangements).”

SEC. 502. REPEAL OF RATE PREFERENCES FOR QUALIFIED POLITICAL COMMITTEES.

Subsection (e) of section 3626 is repealed.

SEC. 503. STREAMLINED REVIEW OF QUALIFYING SERVICE AGREEMENTS FOR COMPETITIVE PRODUCTS.

Section 3633 is amended by adding at the end the following:

“(c) STREAMLINED REVIEW.—Within 90 days after the date of the enactment of this subsection, after notice and opportunity for public comment, the Postal Regulatory Commission shall promulgate (and may from time to time thereafter revise) regulations for streamlined after-the-fact review of new agreements between the Postal Service and users of the mail that provide rates not of general applicability for competitive products, and are functionally equivalent to existing agreements that have collectively covered attributable costs and collectively improved the net financial position of the Postal Service. Streamlined review will be concluded within 5 working days after the agreement is filed with the Commission and shall be limited to approval or disapproval of the agreement as a whole based on the Commission’s determination of its functional equivalence. Agreements not approved may be resubmitted without prejudice under section 3632(b)(3).”

SEC. 504. SUBMISSION OF SERVICE AGREEMENTS FOR STREAMLINED REVIEW.

Section 3632(b) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting paragraph (3) the following:

“(4) RATES FOR STREAMLINED REVIEW.—In the case of rates not of general applicability for competitive products that the Postmaster General considers eligible for streamlined review under section 3633(c), the Postmaster General shall cause each agreement to be filed with the Postal Regulatory Commission by such date, on or before the effective date of any new rate, as the Postmaster General considered appropriate.”

SEC. 505. TRANSPARENCY AND ACCOUNTABILITY FOR SERVICE AGREEMENTS.

Section 3653 is amended—

(1) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively; and

(2) by inserting after subsection (b) the following:

“(c) Each annual written determination of the Commission under section 3653 shall include the following written determinations:

“(1) whether each product covered its costs, and if it did not, the determination shall state that such product is in non-compliance under section 3653(c); and

“(2) for each group of functionally equivalent agreements between the Postal Service and users of the mail, whether it fulfilled requirements to—

- “(A) cover attributable costs; and
- “(B) improve the net financial position of the Postal Service.

“(3) Any group of functionally equivalent agreements (as referred to in subparagraph (B)) not meeting subparagraphs (A) and (B) of paragraph (2) shall be determined to be in noncompliance under this subsection.

“(4) For purposes of this subsection, a group of functionally equivalent agreements (as referred to in paragraph (2)) shall consist of all service agreements that are functionally equivalent to each other within the same market-dominant or competitive product, but shall not include agreements within an experimental product.”

SEC. 506. NONPOSTAL SERVICES.

(a) NONPOSTAL SERVICES.—

(1) IN GENERAL.—Part IV is amended by adding after chapter 36 the following:

“CHAPTER 37—NONPOSTAL SERVICES

“Sec.

“3701. Purpose.

“3702. Definitions.

“3703. Postal Service advertising program.

“3704. Postal Service program for State governments.

“3705. Postal Service program for other government agencies.

“3706. Transparency and accountability for nonpostal services.

“§ 3701. Purpose

“This chapter is intended to enable the Postal Service to increase its net revenues through specific nonpostal products and services that are expressly authorized by this chapter. Postal Service revenues and expenses under this chapter shall be funded through the Postal Service Fund.

“§ 3702. Definitions

“As used in this chapter—

“(1) the term ‘nonpostal services’ is limited to services offered by the Postal Service that are expressly authorized by this chapter and are not postal products or services;

“(2) the term ‘Postal Service advertising program’ means a program, managed by the Postal Service, by which the Postal Service receives revenues from entities which advertise at Postal Service facilities and on Postal Service vehicles;

“(3) the term ‘Postal Service program for State governments’ means a program, managed by the Postal Service, by which the Postal Service receives revenue from State governments (including their agencies) for providing services on their behalf at Postal Service facilities;

“(4) the term ‘attributable costs’ means costs attributable, as defined in section 3631; and

“(5) the term ‘year’ means a fiscal year.

“§ 3703. Postal Service advertising program

“Notwithstanding any other provision of this title, the Postal Service may establish and manage a program that allows entities to advertise at Postal Service facilities and on Postal Service vehicles. Such a program shall be subject to the following requirements:

“(1) The Postal Service shall at all times ensure advertising it permits is consistent with the integrity of the Postal Service.

“(2) Any advertising program is required to cover a minimum of 200 percent of its attributable costs in each year.

“(3) All advertising expenditures and revenues are subject to annual compliance determination (including remedies for noncompliance) applicable to nonpostal products.

“(4) Total advertising expenditures and revenues must be disclosed in Postal Service annual reports.

“§ 3704. Postal Service program for State governments

“(a) IN GENERAL.—Notwithstanding any other provision of this title, the Postal Service may establish a program to provide services for agencies of State governments within the United States, but only if such services—

“(1) shall provide enhanced value to the public, such as by lowering the cost or raising the quality of such services or by making such services more accessible;

“(2) do not interfere with or detract from the value of postal services, including—

“(A) the cost and efficiency of postal services; and

“(B) access to postal retail service, such as customer waiting time and access to parking; and

“(3) provide a reasonable contribution to the institutional costs of the Postal Service,

defined as reimbursement for each service and to each agency covering at least 150 percent of the attributable costs of such service in each year.

“(b) PUBLIC NOTICE.—At least 90 days before offering any services under this section, the Postal Service shall make each agreement with State agencies readily available to the public on its website, including a business plan that describes the specific services to be provided, the enhanced value to the public, terms of reimbursement, the estimated annual reimbursement to the Postal Service, and the estimated percentage of attributable Postal Service costs that will be covered by reimbursement (with documentation to support these estimates). The Postal Service shall solicit public comment for at least 30 days, with comments posted on its website, followed by its written response posted on its website at least 30 days before offering such services.

“(c) APPROVAL REQUIRED.—The Governors of the Postal Service shall approve the provision of services under this section by a recorded vote, with at least $\frac{2}{3}$ of its membership voting for approval, with the vote publicly disclosed on the Postal Service website.

“(d) CLASSIFICATION OF SERVICES.—All services for a given agency provided under this section shall be classified as a separate activity subject to the requirements of annual reporting under section 3706. Such reporting shall also include information on the quality of service and related information to demonstrate that it satisfied the requirements of subsection (a). Information provided under this section shall be according to requirements that the Postal Regulatory Commission shall by regulation prescribe.

“(e) DEFINITIONS.—For the purpose of this section—

“(1) the term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States; and

“(2) the term ‘United States’, when used in a geographical sense, means the States.

“§ 3705. Postal Service program for other government agencies

“(a) IN GENERAL.—The Postal Service may establish a program to provide property and services for other government agencies within the meaning of section 411, but only if such program provides a reasonable contribution to the institutional costs of the Postal Service, defined as reimbursement by each agency that covers at least 100 percent of the attributable costs of all property and service provided by the Postal Service in a each year to such agency.

“(b) CLASSIFICATION OF SERVICES.—For each agency, all property and services provided by the Postal Service under this section shall be classified as a separate activity subject to the requirements of annual reporting under section 3706. Information provided under this section shall be according to requirements that the Postal Regulatory Commission shall by regulation prescribe.

“§ 3706. Transparency and accountability for nonpostal services

“(a) ANNUAL REPORTS TO THE COMMISSION.—

“(1) IN GENERAL.—The Postal Service shall, no later than 90 days after the end of each year, prepare and submit to the Postal Regulatory Commission a report (together with such nonpublic annex to the report as the Commission may require under subsection

(b) which shall analyze costs, revenues, rates, and quality of service for this chapter, using such methodologies as the Commission shall by regulation prescribe, and in sufficient detail to demonstrate compliance with all applicable requirements of this chapter.

“(2) AUDITS.—The Inspector General shall regularly audit the data collection systems and procedures utilized in collecting information and preparing such report. The results of any such audit shall be submitted to the Postal Service and the Postal Regulatory Commission.

“(b) SUPPORTING MATTER.—The Postal Regulatory Commission shall have access, in accordance with such regulations as the Commission shall prescribe, to the working papers and any other supporting matter of the Postal Service and the Inspector General in connection with any information submitted under this section.

“(c) CONTENT AND FORM OF REPORTS.—

“(1) IN GENERAL.—The Postal Regulatory Commission shall, by regulation, prescribe the content and form of the public reports (and any nonpublic annex and supporting matter relating to the report) to be provided by the Postal Service under this section. Such reports shall be included with the annual compliance determination reported under section 3653. In carrying out this subsection, the Commission shall give due consideration to—

“(A) providing the public with timely, adequate information to assess compliance;

“(B) avoiding unnecessary or unwarranted administrative effort and expense on the part of the Postal Service; and

“(C) protecting the confidentiality of information that is commercially sensitive or is exempt from public disclosure under section 552(b) of title 5.

“(2) REVISED REQUIREMENTS.—The Commission may, on its own motion or on request of any interested party, initiate proceedings (to be conducted in accordance with regulations that the Commission shall prescribe) to improve the quality, accuracy, or completeness of Postal Service data required by the Commission under this subsection whenever it shall appear that—

“(A) the attribution of costs or revenues to property or services under this chapter has become significantly inaccurate or can be significantly improved;

“(B) the quality of service data provided to the Commission for annual reports under this chapter has become significantly inaccurate or can be significantly improved; or

“(C) such revisions are, in the judgment of the Commission, otherwise necessitated by the public interest.

“(d) CONFIDENTIAL INFORMATION.—

“(1) IN GENERAL.—If the Postal Service determines that any document or portion of a document, or other matter, which it provides to the Postal Regulatory Commission in a nonpublic annex under this section contains information which is described in section 410(c) of this title, or exempt from public disclosure under section 552(b) of title 5, the Postal Service shall, at the time of providing such matter to the Commission, notify the Commission of its determination, in writing, and describe with particularity the documents (or portions of documents) or other matter for which confidentiality is sought and the reasons therefor.

“(2) TREATMENT.—Any information or other matter described in paragraph (1) to which the Commission gains access under this section shall be subject to paragraphs (2) and (3) of section 504(g) in the same way as if the Commission had received notification

with respect to such matter under section 504(g)(1).

“(e) ANNUAL COMPLIANCE DETERMINATION.—“(1) OPPORTUNITY FOR PUBLIC COMMENT.—After receiving the reports required under subsection (a) for any year, the Postal Regulatory Commission shall promptly provide an opportunity for comment on such reports by any interested party, and an officer of the Commission who shall be required to represent the interests of the general public.

“(2) DETERMINATION OF COMPLIANCE OR NON-COMPLIANCE.—Not later than 90 days after receiving the submissions required under subsection (a) with respect to a year, the Postal Regulatory Commission shall make a written determination as to whether any non-postal activities during such year were or were not in compliance with applicable provisions of this chapter (or regulations promulgated under this chapter). The Postal Regulatory Commission shall issue a determination of noncompliance if the requirements for coverage of attributable costs are not met. If, with respect to a year, no instance of noncompliance is found to have occurred in such year, the written determination shall be to that effect.

“(3) NONCOMPLIANCE.—If, for a year, a timely written determination of noncompliance is made under this chapter, the Postal Regulatory Commission shall take appropriate action. If the requirements for coverage of attributable costs specified by this chapter are not met, the Commission shall, within 60 days after the determination, prescribe remedial action to restore compliance as soon as practicable, which shall also include the full restoration of revenue shortfalls during the following fiscal year. The Commission may order the Postal Service to discontinue a nonpostal service under section 3703 or 3704 that persistently fails to meet cost coverage requirements.

“(4) ANY DELIBERATE NONCOMPLIANCE.—In addition, in cases of deliberate noncompliance by the Postal Service with the requirements of this chapter, the Postal Regulatory Commission may order, based on the nature, circumstances, extent, and seriousness of the noncompliance, a fine (in the amount specified by the Commission in its order) for each incidence of noncompliance. All receipts from fines imposed under this subsection shall be deposited in the general fund of the Treasury of the United States.”

(2) CLERICAL AMENDMENT.—The table of chapters at the beginning of part IV is amended by adding after the item relating to chapter 36 the following:

“37. Nonpostal services 3701”.

(b) CONFORMING AMENDMENTS.—(1) SECTION 404(e).—Section 404(e) is amended by adding at the end the following:

“(6) Nothing in this section shall be considered to prevent the Postal Service from establishing nonpostal products and services that are expressly authorized by chapter 37.”

(2) SECTION 411.—The last sentence of section 411 is amended by striking “including reimbursability” and inserting “including reimbursability within the limitations of chapter 37”.

(3) TREATMENT OF EXISTING NONPOSTAL SERVICES.—All nonpostal services continued pursuant to section 404(e) of title 39, United States Code, shall be considered to be expressly authorized by chapter 37 of such title (as added by subsection (a)(1)) and shall be subject to the requirements of such chapter.

SEC. 507. REIMBURSEMENT OF ALASKA BYPASS MAIL COSTS.

(a) COST ESTIMATES BY POSTAL REGULATORY COMMISSION.—Section 3651(b) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

“(2) ALASKA BYPASS MAIL COSTS.—In addition to the information required under subsection (a), each report under this section shall also include, with respect to the period covered by such report, an estimate of the costs incurred by the Postal Service in providing Alaska bypass mail service under section 5402 of this title.”

(b) REIMBURSEMENTS.—(1) IN GENERAL.—Chapter 54 is amended by adding at the end the following:

“§ 5404. Reimbursement of Alaska bypass mail costs

“(a) IN GENERAL.—The State of Alaska, on an annual basis, shall make a payment to the Postal Service to reimburse the Postal Service for its costs in providing Alaska bypass mail service under section 5402 of this title.

“(b) DATE OF FIRST PAYMENT.—The State of Alaska shall make its first payment under subsection (a) on or before the last day of the first fiscal year of the State of Alaska beginning after the date of enactment of this section.

“(c) PAYMENT AMOUNTS.—

“(1) DETERMINATION OF AMOUNTS.—The amount of a payment under subsection (a) shall be determined based on the most recent cost estimate prepared by the Postal Regulatory Commission under section 3651(b)(2) of this title (in this subsection referred to as the ‘cost estimate’).

“(2) FIRST PAYMENT.—The first payment under subsection (a) shall be in an amount equal to 20 percent of the cost estimate.

“(3) SUBSEQUENT PAYMENTS.—Each subsequent payment under subsection (a) shall be in an amount equal to a percentage of the cost estimate determined by adding 20 percent to the percentage due in the prior year, except that no payment shall exceed 100 percent of the cost estimate.

“(d) NOTICE OF PAYMENT AMOUNTS.—Not later than 30 days after the date of issuance of a cost estimate by the Postal Regulatory Commission under section 3651(b)(2) of this title, the Postal Service shall furnish the State of Alaska with written notice of the amount of the next payment due under subsection (a).

“(e) DEPOSIT OF PAYMENTS.—Not later than the last day of the fiscal year of the State of Alaska in which notice of a payment is provided under subsection (d)—

“(1) the State of Alaska shall transmit the payment to the Postal Service; and

“(2) the Postal Service shall deposit the payment in the Postal Service Fund.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 54 is amended by adding at the end the following:

“5404. Reimbursement of Alaska bypass mail costs.”

SEC. 508. APPROPRIATIONS MODERNIZATION.

(a) IN GENERAL.—Section 2401 is amended by striking subsections (b) through (d).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective with respect to fiscal years beginning after the date of enactment of this Act.

SEC. 509. RETIREE HEALTH CARE BENEFIT PAYMENT DEFERRAL.

Section 8909a of title 5, United States Code, is amended—

(1) in the section heading, by striking “Benefit” and inserting “Benefits”;

(2) in subsection (d)(3)(A)(v), by striking “\$5,500,000,000” and inserting “\$1,000,000,000”;

(3) in subsection (d)(3)(A)(ix), by striking “\$5,700,000,000” and inserting “\$7,950,000,000”; and

(4) in subsection (d)(3)(A)(x), by striking “\$5,800,000,000” and inserting “\$8,050,000,000”.

TITLE VI—POSTAL CONTRACTING REFORM

SEC. 601. CONTRACTING PROVISIONS.

(a) IN GENERAL.—Part I is amended by adding at the end the following:

“CHAPTER 7—CONTRACTING PROVISIONS

- “Sec.
“701. Definitions.
“702. Advocate for competition.
“703. Delegation of contracting authority.
“704. Posting of noncompetitive purchase requests for noncompetitive contracts.
“705. Review of ethical issues.
“706. Ethical restrictions on participation in certain contracting activity.

“§ 701. Definitions

“In this chapter—
“(1) the term ‘contracting officer’ means an employee of a covered postal entity who has authority to enter into a postal contract;
“(2) the term ‘covered postal entity’ means—

- “(A) the Postal Service; or
“(B) the Postal Regulatory Commission;
“(3) the term ‘head of a covered postal entity’ means—

“(A) in the case of the Postal Service, the Postmaster General; or

“(B) in the case of the Postal Regulatory Commission, the Chairman of the Postal Regulatory Commission;

“(4) the term ‘postal contract’ means—

“(A) in the case of the Postal Service, any contract (including any agreement or memorandum of understanding) entered into by the Postal Service for the procurement of goods or services; or

“(B) in the case of the Postal Regulatory Commission, any contract (including any agreement or memorandum of understanding) in an amount exceeding the simplified acquisition threshold (as defined in section 134 of title 41 and adjusted under section 1908 of such title) entered into by the Postal Regulatory Commission for the procurement of goods or services.

“(5) the term ‘senior procurement executive’ means the senior procurement executive of a covered postal entity.

“§ 702. Advocate for competition

“(a) ESTABLISHMENT AND DESIGNATION.—“(1) There is established in each covered postal entity an advocate for competition.

“(2) The head of each covered postal entity shall designate for the covered postal entity 1 or more officers or employees (other than the senior procurement executive) to serve as the advocate for competition.

“(b) RESPONSIBILITIES.—The advocate for competition of a covered postal entity shall—

- “(1) be responsible for promoting—
“(A) the contracting out of functions of the covered postal entity that the private sector can perform equally well or better, and at lower cost; and
“(B) competition to the maximum extent practicable consistent with obtaining best value by promoting the acquisition of commercial items and challenging barriers to competition;

“(2) review the procurement activities of the covered postal entity; and

“(3) prepare and transmit the annual report required under subsection (c).

“(C) ANNUAL REPORT.—

“(1) PREPARATION.—The advocate for competition of a covered postal entity shall prepare an annual report describing the following:

“(A) The activities of the advocate under this section.

“(B) Initiatives required to promote contracting out and competition.

“(C) Barriers to contracting out and competition.

“(D) In the case of the report prepared by the competition advocate of the Postal Service, the number of waivers made by the Postal Service under section 704(c).

“(2) TRANSMISSION.—The report under this subsection shall be transmitted—

“(A) to Congress;

“(B) to the head of the postal entity;

“(C) to the senior procurement executive of the entity;

“(D) in the case of the competition advocate of the Postal Service, to each member of the Postal Service Board of Governors; and

“(E) in the case of the competition advocate of the Postal Regulatory Commission, to each of the Commissioners of the Commission.

“§ 703. Delegation of contracting authority

“(a) IN GENERAL.—

“(1) POLICY.—Not later than 60 days after the date of enactment of this chapter, the head of each covered postal entity shall issue a policy on contracting officer delegations of authority for postal contracts for the covered postal entity.

“(2) CONTENTS.—The policy issued under paragraph (1) shall require that—

“(A) notwithstanding any delegation of authority with respect to postal contracts, the ultimate responsibility and accountability for the award and administration of postal contracts resides with the senior procurement executive; and

“(B) a contracting officer shall maintain an awareness of and engagement in the activities being performed on postal contracts of which that officer has cognizance, notwithstanding any delegation of authority that may have been executed.

“(b) POSTING OF DELEGATIONS.—

“(1) IN GENERAL.—The head of each covered postal entity shall make any delegation of authority for postal contracts outside the functional contracting unit readily available and accessible on the website of the covered postal entity.

“(2) EFFECTIVE DATE.—This paragraph shall apply to any delegation of authority made on or after 30 days after the date of enactment of this chapter.

“§ 704. Posting of noncompetitive purchase requests for noncompetitive contracts

“(a) POSTING REQUIRED.—

“(1) POSTAL REGULATORY COMMISSION.—The Postal Regulatory Commission shall make the noncompetitive purchase request for any noncompetitive award for any contract (including any agreement or memorandum of understanding) entered into by the Postal Regulatory Commission for the procurement of goods and services, in an amount of \$20,000 or more, including the rationale supporting the noncompetitive award, publicly available on the website of the Postal Regulatory Commission—

“(A) not later than 14 days after the date of the award of the noncompetitive contract; or

“(B) not later than 30 days after the date of the award of the noncompetitive contract, if

the basis for the award was a compelling business interest.

“(2) POSTAL SERVICE.—The Postal Service shall make the noncompetitive purchase request for any noncompetitive award of a postal contract in an amount of \$250,000 or more, including the rationale supporting the noncompetitive award, publicly available on the website of the Postal Service—

“(A) not later than 14 days after the date of the award; or

“(B) not later than 30 days after the date of the award, if the basis for the award was a compelling business interest.

“(3) ADJUSTMENTS TO THE POSTING THRESHOLD FOR THE POSTAL SERVICE.—

“(A) REVIEW AND DETERMINATION.—Not later than January 31 of each year, the Postal Service shall—

“(i) review the \$250,000 threshold established under paragraph (2); and

“(ii) based on any change in the Consumer Price Index for all-urban consumers of the Department of Labor, determine whether an adjustment to the threshold shall be made.

“(B) AMOUNT OF ADJUSTMENTS.—An adjustment under subparagraph (A) shall be made in increments of \$5,000. If the Postal Service determines that a change in the Consumer Price Index for a year would require an adjustment in an amount that is less than \$5,000, the Postal Service may not make an adjustment to the threshold for the year.

“(4) EFFECTIVE DATE.—This subsection shall apply to any noncompetitive contract awarded on or after the date that is 90 days after the date of enactment of this chapter.

“(b) PUBLIC AVAILABILITY.—

“(1) IN GENERAL.—Subject to paragraph (2), the information required to be made publicly available by a covered postal entity under subsection (a) shall be readily accessible on the website of the covered postal entity.

“(2) PROTECTION OF PROPRIETARY INFORMATION.—A covered postal entity shall—

“(A) carefully screen any description of the rationale supporting a noncompetitive award required to be made publicly available under subsection (a) to determine whether the description includes proprietary data (including any reference or citation to the proprietary data) or security-related information; and

“(B) remove any proprietary data or security-related information before making publicly available a description of the rationale supporting a noncompetitive award.

“(c) WAIVERS.—

“(1) WAIVER PERMITTED.—If the Postal Service determines that making a noncompetitive purchase request for a postal contract of the Postal Service publicly available would risk placing the Postal Service at a competitive disadvantage relative to a private sector competitor, the senior procurement executive, in consultation with the advocate for competition of the Postal Service, may waive the requirements under subsection (a).

“(2) FORM AND CONTENT OF WAIVER.—

“(A) FORM.—A waiver under paragraph (1) shall be in the form of a written determination placed in the file of the contract to which the noncompetitive purchase agreement relates.

“(B) CONTENT.—A waiver under paragraph (1) shall include—

“(i) a description of the risk associated with making the noncompetitive purchase request publicly available; and

“(ii) a statement that redaction of sensitive information in the noncompetitive purchase request would not be sufficient to protect the Postal Service from being placed

at a competitive disadvantage relative to a private sector competitor.

“(3) DELEGATION OF WAIVER AUTHORITY.—The Postal Service may not delegate the authority to approve a waiver under paragraph (1) to any employee having less authority than the senior procurement executive.

“§ 705. Review of ethical issues

“If a contracting officer identifies any ethical issues relating to a proposed contract and submits those issues and that proposed contract to the designated ethics official for the covered postal entity before the awarding of that contract, that ethics official shall—

“(1) review the proposed contract; and

“(2) advise the contracting officer on the appropriate resolution of ethical issues.

“§ 706. Ethical restrictions on participation in certain contracting activity

“(a) DEFINITIONS.—In this section—

“(1) the term ‘covered employee’ means—

“(A) a contracting officer; or

“(B) any employee of a covered postal entity whose decision making affects a postal contract as determined by regulations prescribed by the head of a covered postal entity;

“(2) the term ‘final conviction’ means a conviction, whether entered on a verdict or plea, including a plea of nolo contendere, for which a sentence has been imposed; and

“(3) the term ‘covered relationship’ means a covered relationship described in section 2635.502(b)(1) of title 5, Code of Federal Regulations, or any successor thereto.

“(b) IN GENERAL.—

“(1) REGULATIONS.—The head of each covered postal entity shall prescribe regulations that—

“(A) require a covered employee to include in the file of any noncompetitive purchase request for a noncompetitive postal contract a written certification that—

“(i) discloses any covered relationship of the covered employee; and

“(ii) states that the covered employee will not take any action with respect to the noncompetitive purchase request that affects the financial interests of a friend, relative, or person with whom the covered employee is affiliated in a nongovernmental capacity, or otherwise gives rise to an appearance of the use of public office for private gain, as described in section 2635.702 of title 5, Code of Federal Regulations, or any successor thereto;

“(B) require a contracting officer to consult with the ethics counsel for the covered postal entity regarding any disclosure made by a covered employee under subparagraph (A)(i), to determine whether participation by the covered employee in the noncompetitive purchase request would give rise to a violation of part 2635 of title 5, Code of Federal Regulations (commonly referred to as the Standards of Ethical Conduct for Employees of the Executive Branch), or any successor thereto;

“(C) require the ethics counsel for a covered postal entity to review any disclosure made by a contracting officer under subparagraph (A)(i) to determine whether participation by the contracting officer in the noncompetitive purchase request would give rise to a violation of part 2635 of title 5, Code of Federal Regulations (commonly referred to as the Standards of Ethical Conduct for Employees of the Executive Branch), or any successor thereto;

“(D) under subsections (d) and (e) of section 2635.502 of title 5, Code of Federal Regulations, or any successor thereto, require the

ethics counsel for a covered postal entity to—

“(i) authorize a covered employee that makes a disclosure under subparagraph (A)(i) to participate in the noncompetitive postal contract; or

“(ii) disqualify a covered employee that makes a disclosure under subparagraph (A)(i) from participating in the noncompetitive postal contract;

“(E) require a contractor to timely disclose to the contracting officer in a bid, solicitation, award, or performance of a postal contract any conflict of interest with a covered employee; and

“(F) include authority for the head of the covered postal entity to grant a waiver or otherwise mitigate any organizational or personal conflict of interest, if the head of the covered postal entity determines that the waiver or mitigation is in the best interests of the covered postal entity.

“(2) POSTING OF WAIVERS.—Not later than 30 days after the head of a covered postal entity grants a waiver described in paragraph (1)(F), the head of the covered postal entity shall make the waiver publicly available on the website of the covered postal entity.

“(c) CONTRACT VOIDANCE AND RECOVERY.—

“(1) UNLAWFUL CONDUCT.—In any case in which there is a final conviction for a violation of any provision of chapter 11 of title 18 relating to a postal contract, the head of a covered postal entity may—

“(A) void that contract; and
“(B) recover the amounts expended and property transferred by the covered postal entity under that contract.

“(2) OBTAINING OR DISCLOSING PROCUREMENT INFORMATION.—

“(A) IN GENERAL.—In any case in which a contractor under a postal contract fails to timely disclose a conflict of interest to the appropriate contracting officer as required under the regulations promulgated under subsection (b)(1)(E), the head of a covered postal entity may—

“(i) void that contract; and
“(ii) recover the amounts expended and property transferred by the covered postal entity under that contract.

“(B) CONVICTION OR ADMINISTRATIVE DETERMINATION.—A case described under subparagraph (A) is any case in which—

“(i) there is a final conviction for an offense punishable under section 2105 of title 41; or

“(ii) the head of a covered postal entity determines, based upon a preponderance of the evidence, that the contractor or someone acting for the contractor has engaged in conduct constituting an offense punishable under section 2105 of such title.”.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of part I is amended by adding at the end the following:

**“7. Contracting Provisions 701”.
SEC. 602. TECHNICAL AMENDMENT TO DEFINITION.**

Section 7101(8) of title 41, United States Code, is amended—

(1) by striking “and” at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting “; and”; and

(3) by adding at the end the following:
“(E) the United States Postal Service and the Postal Regulatory Commission.”.

SA 2002. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 1789, to improve, sustain, and transform the United

States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ PROHIBITION ON CLOSING OR CONSOLIDATING PROCESSING AND DISTRIBUTION CENTER IN EASTON, MARYLAND.

The Postal Service may not close or consolidate the processing and distribution center in Easton, Maryland.

SA 2003. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ CERTIFICATION BY GOVERNOR OF A STATE.

Section 404(f) of title 39, United States Code, as added by section 201 of this Act, is amended—

(1) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively;

(2) by inserting after paragraph (1) the following:

“(2) CERTIFICATION BY GOVERNOR OF A STATE.—

“(A) DEFINITIONS.—In this paragraph—

“(i) the term ‘Governor’ means the chief executive officer of a State; and

“(ii) the term ‘State’ means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

“(B) CERTIFICATION REQUIRED.—The Postal Service may not close or consolidate a postal facility unless the Governor of the State in which the postal facility is located submits to the Postal Service a certification that the closing or consolidation—

“(i) will not harm community safety;

“(ii) will not directly or indirectly disrupt commerce; and

“(iii) will not limit access to communications in any rural community that lacks broadband internet availability or cellular telephone coverage.”;

(3) in paragraph (3), as so redesignated—

(A) in subparagraph (A), in the matter preceding clause (i), by inserting after “facility,” the following: “and after receiving a certification submitted under paragraph (2)(B) for that postal facility;”; and

(B) in subparagraph (B)—

(i) by redesignating clause (ii) as clause (iii); and

(ii) by striking clause (i) and inserting the following:

“(i) REQUEST FOR CERTIFICATION FROM GOVERNOR.—

“(I) COMPLETED AREA MAIL PROCESSING STUDIES.—In the case of a postal facility described in clause (iii) for which an area mail processing study has been completed, the Postal Service shall request a certification, as described in paragraph (2)(B), for the postal facility from the Governor of the State in which the postal facility is located.

“(II) ONGOING AREA MAIL PROCESSING STUDIES.—In the case of a postal facility described in clause (iii) for which an area mail processing study is in progress, the Postal Service shall—

“(aa) suspend the area mail processing study;

“(bb) request a certification, as described in paragraph (2)(B), for the postal facility

from the Governor of the State in which the postal facility is located; and

“(cc) after receiving a certification submitted under paragraph (2)(B) for the postal facility, complete the area mail processing study.

“(i) CONSIDERATION OF ALTERNATIVE PLAN.—After receiving a certification submitted under paragraph (2)(B) for a postal facility described in clause (iii), the Postal Service shall—

“(I) consider a plan to reduce the capacity of the postal facility, but not close the postal facility; and

“(II) publish the results of the consideration under subclause (I) with or as an amendment to the area mail processing study relating to the postal facility.”;

(4) in paragraph (5), as so redesignated—

(A) in the matter preceding subparagraph (A), by striking “(3)” and inserting “(4)”; and

(B) in subparagraph (A), by striking “(3)” and inserting “(4)”; and

(5) in paragraph (6), as so redesignated—

(A) in subparagraph (A), by striking “(4)” and inserting “(5)”; and

(B) in subparagraph (B), by striking “(4)” and inserting “(5)”; and

(C) in subparagraph (C), by striking “(4)” and inserting “(5)”.

SA 2004. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ COMMUNITY IMPACT STUDY.

Subsection (f) of section 404 of title 39, United States Code, as added by section 201 of this Act, is amended—

(1) by redesignating paragraphs (7) and (8) as paragraphs (9) and (10), respectively;

(2) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(3) by inserting after paragraph (1) the following:

“(2) COMMUNITY IMPACT STUDY.—

“(A) STUDY BY INDEPENDENT ORGANIZATION.—Before making a determination under subsection (a)(3) as to the necessity for the closing or consolidation of any postal facility, the Postal Service shall contract with an independent organization to conduct a study of, and submit to the Postal Service a report on, the impact of the closing or consolidation on the community served by the postal facility.

“(B) MATTERS TO BE STUDIED.—A community impact study described in subparagraph (A) shall evaluate the potential impact of the closing or consolidation of a postal facility on—

“(i) small business concerns in the community in which the postal facility is located;

“(ii) jobs and employment in the community in which the postal facility is located;

“(iii) the unemployment rate in the community in which the postal facility is located; and

“(iv) State and local government tax revenues.

“(C) POSTAL SERVICE RESPONSE.—The Postal Service shall include in the justification statement required under paragraph (6) for a postal facility a response to the report submitted under subparagraph (A) for the postal facility that describes the effect of the report on the determination to close or consolidate the postal facility.

“(D) APPLICABILITY.—The requirements under subparagraphs (A) through (C) shall apply to the determination to close or consolidate any postal facility, including a postal facility described in paragraph (3)(B)(ii).”;

(4) in paragraph (5), as so redesignated, by striking “paragraph (3)” each place that term appears and inserting “paragraph (4)”;

(5) in paragraph (6), as so redesignated, by striking “paragraph (4)” each place that term appears and inserting “paragraph (5)”;

and

(6) by inserting after paragraph (7), as so redesignated, the following:

“(8) APPEAL TO POSTAL REGULATORY COMMISSION.—

“(A) IN GENERAL.—A determination of the Postal Service to close or consolidate a postal facility may be appealed by any person served by the postal facility to the Postal Regulatory Commission.

“(B) REVIEW BY COMMISSION.—

“(i) REVIEW OF RECORD.—The Postal Regulatory Commission shall review a determination of the Postal Service under subparagraph (A) on the basis of the record that was before the Postal Service when the Postal Service made the determination.

“(ii) STANDARD OF REVIEW.—The Postal Regulatory Commission shall set aside any determination, findings, and conclusions of the Postal Service that the Commission finds to be—

“(I) inconsistent with the findings of the report submitted under paragraph (2)(A);

“(II) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law;

“(III) without observance of procedure required by law; or

“(IV) unsupported by substantial evidence on the record.

“(iii) APPLICABILITY OF OTHER LAWS.—The provisions of section 556, section 557, and chapter 7 of title 5 shall not apply to any review carried out by the Postal Regulatory Commission under this paragraph.

“(C) LIMITATION ON ACTIONS BY POSTAL REGULATORY COMMISSION.—The Postal Regulatory Commission may affirm the determination of the Postal Service or order that the entire matter be returned for further consideration, but the Commission may not modify the determination of the Postal Service.

“(D) SUSPENSION.—The Postal Regulatory Commission may suspend the effectiveness of the determination of the Postal Service until the final disposition of the appeal.

“(E) DEADLINES.—

“(i) SUBMITTAL OF APPEAL.—A person may submit an appeal under subparagraph (A) with respect to a postal facility not later than 15 days after the date on which the Postal Service posts the justification statement under paragraph (6) with respect to the postal facility.

“(ii) DETERMINATION OF POSTAL REGULATORY COMMISSION.—The Postal Regulatory Commission shall make a determination with respect to an appeal under subparagraph (A) not later than 120 days after the date on which the Commission receives the appeal.

“(iii) DATE SUBMITTED AND RECEIVED.—For purposes of clauses (i) and (ii), any appeal received by the Postal Regulatory Commission shall—

“(I) if sent to the Commission through the mails, be considered to have been submitted and received on the date of the Postal Service postmark on the envelope or other cover in which such appeal is mailed; or

“(II) if otherwise lawfully delivered to the Commission, be considered to have been sub-

mitted and received on the date determined based on any appropriate documentation or other indicia (as determined under regulations of the Commission).”.

SA 2005. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ MAINTENANCE OF EXPECTED DELIVERY TIME FOR PROTECTED MAIL ITEMS.

(a) IN GENERAL.—Subchapter VII of chapter 36 of title 39, United States Code, as amended by this Act, is amended by adding at the end the following:

“§ 3693. Maintenance of expected delivery time for protected mail items

“(a) DEFINITION OF PROTECTED MAIL ITEM.—In this section, the term ‘protected mail item’ means—

“(1) a medication or pharmaceutical provided by mail—

“(A) under a prescription drug plan under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w-101 et seq.); or

“(B) by the Department of Veterans Affairs under the laws administered by the Secretary of Veterans Affairs;

“(2) a pharmaceutical provided by mail under the national mail-order pharmacy program under section 1074g of title 10, or otherwise provided by mail for members of the uniformed services and covered beneficiaries under chapter 55 of that title;

“(3) a benefit delivered to a beneficiary by mail under title II or XVI of the Social Security Act (42 U.S.C. 401 et seq., 1381 et seq.);

“(4) a payment of military pay and allowances made by mail to members of the Armed Forces; and

“(5) a payment of compensation or pension made by mail under chapter 11, 13, or 15 of title 38.

“(b) MAINTENANCE OF EXPECTED DELIVERY TIME.—Notwithstanding subsection (a), (b), or (c) of section 3691, section 204(b) or 206 of the 21st Century Postal Service Act of 2012, or any other provision of law, the Postal Service may not increase the expected delivery time for protected mail items relative to the expected delivery time for protected mail items as of the day before the date of enactment of the 21st Century Postal Service Act of 2012.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter VII of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

“3693. Maintenance of expected delivery time for protected mail items.”.

SA 2006. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 227, after the matter after line 7, add the following:

SEC. 409. DELAY OF TIER 3 MOTOR VEHICLE EMISSION AND FUEL STANDARDS.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall not propose any Tier 3 motor vehicle emission and fuel standard until the Administrator determines that the implementation of the standard will not result in—

(1) an increase in the price of gasoline;

(2) an increase in imports of finished products; or

(3) a loss of refining capacity or decrease in refinery utilization in any Petroleum Administration for Defense District.

(b) CONSULTATION.—In making the determination described in subsection (a), the Administrator of the Environmental Protection Agency shall consult with the Secretary of Energy and the National Petroleum Council.

SA 2007. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ POSTAL SERVICE ADVERTISING PROGRAM.

Section 404 of title 39, United States Code, as amended by this Act, is amended by adding at the end the following:

“(g) Subject to subsection (a)(6), the Postal Service may establish and manage a program that allows entities to advertise at Postal Service facilities and on Postal Service vehicles, if—

“(1) the Postal Service at all times ensures that advertising it permits is consistent with the integrity of the Postal Service;

“(2) the program is required to cover a minimum of 200 percent of the costs attributable to the program for each year;

“(3) all advertising expenditures and revenues are subject to annual compliance determination (including remedies for noncompliance) applicable to nonpostal products; and

“(4) total advertising expenditures and revenues are disclosed in Postal Service annual reports.”.

SA 2008. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ LIMITATION ON BONUS AUTHORITY.

Section 3686 of title 39, United States Code, is amended—

(1) in subsection (a), by striking “The Postal Service” and inserting “Subject to subsection (f), the Postal Service”; and

(2) by adding at the end the following:

“(f) LIMITATION ON BONUS AUTHORITY.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘bonus’ includes a bonus, incentive-based payment, or other reward under this section or any other provision of law; and

“(B) the term ‘senior executive of the Postal Service’ means—

“(i) a member of the Board of Governors;

“(ii) an individual serving in a position described in section 203 or 204; and

“(iii) an individual hired as an executive hired under section 1001(c).

“(2) LIMITATION.—On and after the date of enactment of this subsection, the Postal Service may not provide a bonus to a senior executive of the Postal Service if the Postal Service—

“(A) has outstanding obligations purchased by the Secretary of the Treasury under section 2006; or

“(B) owes any other debt to the Treasury of the United States.”.

SA 2009. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 106. LIMITATION ON POSTAL CONTRIBUTIONS UNDER FEGLI AND FEHBP.

Section 1003 of title 39, United States Code, is amended by adding at the end the following:

“(e)(1) At least 1 month before the start of each fiscal year as described in paragraph (2), the Postmaster General shall transmit to the Postal Regulatory Commission certification (together with such supporting documentation as the Postal Regulatory Commission may require) that contributions of the Postal Service for such fiscal year will not exceed—

“(A) in the case of life insurance under chapter 87 of title 5, the Government contributions determined under section 8708 of such title; and

“(B) in the case of health insurance under chapter 89 of title 5, the Government contributions determined under 8906 of such title.

“(2) This subsection applies with respect to—

“(A) except as provided in subparagraph (B), each fiscal year beginning after September 30, 2013; and

“(B) in the case of officers and employees of the Postal Service covered by a collective bargaining agreement which is in effect on the date of the enactment of this subsection—

“(i) each fiscal year beginning after the expiration date of such agreement, including

“(ii) for the fiscal year in which such expiration date occurs, any portion of such fiscal year remaining after such expiration date.

“(3)(A) If, after reasonable notice and opportunity for hearing is afforded to the Postal Service, the Postal Regulatory Commission finds that the contributions of the Postal Service for a fiscal year will exceed or are exceeding the limitation specified in subparagraph (A) or (B) of paragraph (1), the Commission shall order that the Postal Service take such action as the Commission considers necessary to achieve full and immediate compliance with the applicable limitation or limitations.

“(B) Sections 3663 and 3664 shall apply with respect to any order issued by the Postal Regulatory Commission under subparagraph (A).

“(C) Nothing in this paragraph shall be considered to permit the issuance of an order requiring reduction of contributions below the level specified by the provision of law cited in subparagraph (A) or (B) of paragraph (1), as applicable.”.

SA 2010. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 106. APPLICABILITY OF REDUCTION-IN-FORCE PROCEDURES.

Section 1206 of title 39, United States Code is amended by adding at the end the following:

“(d) Collective-bargaining agreements between the Postal Service and bargaining representatives recognized under section 1203, ratified after the date of enactment of this subsection, shall contain no provision restricting the applicability of reduction-in-force procedures under title 5 with respect to members of the applicable bargaining unit.

“(e) Any collective-bargaining agreement between the Postal Service and the bargaining representatives recognized under section 1203 ratified before the date of enactment of this Act that contains any provision violating subsection (d) shall be renegotiated with a new collective-bargaining agreement to be ratified or imposed through an arbitration decision under section 1207 within 9 months after such date of enactment.

“(f)(1) If a collective-bargaining agreement between the Postal Service and bargaining representatives recognized under section 1203, ratified after the date of enactment of this subsection, includes reduction-in-force procedures which can be applied in lieu of reduction-in-force procedures under title 5, the Postal Service may, in its discretion, apply with respect to members of the applicable bargaining unit—

“(A) the alternative procedures (or, if 2 or more are agreed to, 1 of the alternative procedures); or

“(B) the reduction-in-force procedures under title 5.

“(2) In no event may, if procedures for the resolution of a dispute or impasse arising in the negotiation of a collective-bargaining agreement (whether through binding arbitration or otherwise) are invoked under this chapter, the award or other resolution reached under such procedures provide for the elimination of, or the substitution of any alternative procedures in lieu of, reduction-in-force procedures under title 5.”.

SA 2011. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

Strike section 208 and insert the following:
SEC. 208. FREQUENCY OF MAIL DELIVERY.

Section 101 of title 39, United States Code, is amended by adding at the end the following:

“(h) Nothing in this title or any other provision of law shall be considered to prevent the Postal Service from taking whatever actions may be necessary to provide for 5-day delivery of mail and a commensurate adjustment in rural delivery of mail, subject to the requirements of section 3661.”.

SA 2012. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE —REGULATION OF POLITICAL ROBOCALLS

SEC. 01. SHORT TITLE.

This title may be cited as the “Robocall Privacy Act of 2012”.

SEC. 02. FINDINGS.

Congress makes the following findings:

(1) Abusive political robocalls harass voters and discourage them from participating in the political process.

(2) Abusive political robocalls infringe on the privacy rights of individuals by disturbing them in their homes.

SEC. 03. DEFINITIONS.

For purposes of this title—

(1) **POLITICAL ROBOCALL.**—The term “political robocall” means any outbound telephone call—

(A) in which a person is not available to speak with the person answering the call, and the call instead plays a recorded message; and

(B) which promotes, supports, attacks, or opposes a candidate for Federal office.

(2) **IDENTITY.**—The term “identity” means, with respect to any individual making a political robocall or causing a political robocall to be made, the name of the sponsor or originator of the call.

(3) **SPECIFIED PERIOD.**—The term “specified period” means, with respect to any candidate for Federal office who is promoted, supported, attacked, or opposed in a political robocall—

(A) the 60-day period ending on the date of any general, special, or run-off election for the office sought by such candidate; and

(B) the 30-day period ending on the date of any primary or preference election, or any convention or caucus of a political party that has authority to nominate a candidate, for the office sought by such candidate.

(4) **OTHER DEFINITIONS.**—The terms “candidate” and “Federal office” have the respective meanings given such terms under section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431).

SEC. 04. REGULATION OF POLITICAL ROBOCALLS.

It shall be unlawful for any person during the specified period to make a political robocall or to cause a political robocall to be made—

(1) to any person during the period beginning at 9 p.m. and ending at 8 a.m. in the place which the call is directed;

(2) to the same telephone number more than twice on the same day;

(3) without disclosing, at the beginning of the call—

(A) that the call is a recorded message; and

(B) the identity of the person making the call or causing the call to be made; or

(4) without transmitting the telephone number and the name of the person making the political robocall or causing the political robocall to be made to the caller identification service of the recipient.

SEC. 05. ENFORCEMENT.

(a) **ENFORCEMENT BY FEDERAL ELECTION COMMISSION.**—

(1) **IN GENERAL.**—Any person aggrieved by a violation of section 04 may file a complaint with the Federal Election Commission under rules similar to the rules under section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)).

(2) **CIVIL PENALTY.**—

(A) **IN GENERAL.**—If the Federal Election Commission or any court determines that there has been a violation of section 04, there shall be imposed a civil penalty of not more than \$1,000 per violation.

(B) **WILLFUL VIOLATIONS.**—In the case the Federal Election Commission or any court determines that there has been a knowing or willful violation of section 04, the amount of any civil penalty under subparagraph (A) for such violation may be increased to not

more than 300 percent of the amount under subparagraph (A).

(b) **PRIVATE RIGHT OF ACTION.**—Any person may bring in an appropriate district court of the United States an action based on a violation of section 4 to enjoin such violation without regard to whether such person has filed a complaint with the Federal Election Commission.

SA 2013. Mr. REID proposed an amendment to amendment SA 2000 proposed by Mr. REID (for Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts)) to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; as follows:

At the end, add the following new section:
SEC. _____

This Act shall become effective 7 days after enactment.

SA 2014. Mr. REID proposed an amendment to amendment SA 2013 proposed by Mr. REID to the amendment SA 2000 proposed by Mr. REID (for Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts)) to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; as follows:

In the amendment, strike “7 days” and insert “6 days”.

SA 2015. Mr. REID proposed an amendment to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; as follows:

At the end, add the following new section:
SEC. _____

This Act shall become effective 5 days after enactment.

SA 2016. Mr. REID proposed an amendment to amendment SA 2015 proposed by Mr. REID to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; as follows:

In the amendment, strike “5 days” and insert “4 days”.

SA 2017. Mr. REID proposed an amendment to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; as follows:

At the end, add the following new section:
SEC. _____

This Act shall become effective 3 days after enactment.

SA 2018. Mr. REID proposed an amendment to amendment SA 2017 proposed by Mr. REID to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; as follows:

In the amendment, strike “3 days” and insert “2 days”.

SA 2019. Mr. REID proposed an amendment to amendment SA 2018 proposed by Mr. REID to the amendment

SA 2017 proposed by Mr. REID to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; as follows:

In the amendment, strike “2 days” and insert “1 day”.

SA 2020. Mr. WYDEN (for himself, Mrs. FEINSTEIN, Mr. MERKLEY, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 28, strike lines 20 through 24 and insert the following:

“(i) conduct an area mail processing study relating to that postal facility that includes—

“(I) a plan to reduce the capacity of the postal facility, but not close the postal facility; and

“(II) consideration of the effect of the closure or consolidation of the postal facility on the ability of individuals served by the postal facility to vote by mail and the ability of the Postal Service to timely deliver ballots by mail in accordance with the deadline to return ballots established under applicable State law;

On page 29, line 13, strike “and” and all that follows through “publish” on line 14 and insert the following:

“(II) consider the effect of the closure or consolidation of the postal facility on the ability of individuals served by the postal facility to vote by mail and the ability of the Postal Service to timely deliver ballots by mail in accordance with the deadline to return ballots established under applicable State law; and

“(III) publish

On page 30, line 1, after “the facility” insert the following: “or consideration of the effect of the closure or consolidation of the postal facility on the ability of individuals served by the postal facility to vote by mail and the ability of the Postal Service to timely deliver ballots by mail in accordance with the deadline to return ballots established under applicable State law”.

On page 45, strike line 3 and all that follows through “(c)” on line 11 and insert the following:

(b) **MORATORIUM ON CLOSING OF POST OFFICES AND POSTAL FACILITIES.**—

(1) **GENERAL MORATORIUM.**—Notwithstanding section 404(d) of title 39, United States Code, during the period beginning on the date of enactment of this Act and ending on the date on which the Postal Service establishes the service standards under subsection (b), the Postal Service may not close a post office, except as required for the immediate protection of health and safety.

(2) **MORATORIUM TO PROTECT THE ABILITY OF VOTERS TO VOTE ABSENTEE OR BY MAIL.**—Notwithstanding paragraph (1) or subsection (d) or (f) of section 404 of title 39, United States Code, during the period beginning on the date of enactment of this Act and ending on November 13, 2012, the Postal Service may not close or consolidate a post office or postal facility located in a State that conducts all elections by mail or permits no-excuse absentee voting, except as required for the immediate protection of health and safety.

(c) **NOTIFICATION OF ELECTION OFFICIALS.**—Section 404 of title 39, United States Code, as amended by this Act, is amended by adding at the end the following:

“(g) **NOTIFICATION OF ELECTION OFFICIALS.**—Not later than 120 days before the date on

which the Postal Service closes or consolidates a post office or postal facility (as defined in subsection (f)), the Postal Service shall notify each State and local election official for the area affected by the closing or consolidation of the closing or consolidation.”.

(d)

SA 2021. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____ BOARD OF GOVERNORS.

(a) **IN GENERAL.**—Section 202 of title 39, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in the first sentence, by striking “11” and inserting “9”;

(B) in the second sentence—

(i) by striking “Nine” and inserting “Seven”; and

(ii) by striking “5” and inserting “4”; and

(C) in the fourth sentence, by striking “at least 4” and inserting “not fewer than 3”;

(2) in subsection (b)(1), by striking “The terms of the 9 Governors” and all that follows and inserting the following: “(A) The term of a Governor shall be 7 years.

“(B) A Governor appointed to fill a vacancy before the expiration of the term for which the predecessor of that Governor was appointed shall serve for the remainder of such term.

“(C) A Governor may continue to serve after the expiration of a term until the successor to that Governor has qualified, but may not serve for more than 1 year after the expiration of such term.”; and

(3) in subsection (e)(3), in the first sentence, by striking “at least 7” and inserting “not fewer than 5”.

(b) **INCUMBENT.**—Notwithstanding the amendments made by subsection (a), an individual serving as a Governor under section 202 of title 39, United States Code, on the date of enactment of this Act may serve as a Governor until the expiration of the term of the individual.

SA 2022. Mr. BENNET (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____ CITIZEN'S SERVICE PROTECTION ADVOCATES.

(a) **IN GENERAL.**—Chapter 4 of title 39, United States Code, is amended by adding at the end the following:

“**§ 417. Citizen's service protection advocates**

“(a) **APPOINTMENT OF ADVOCATE.**—

“(1) **IN GENERAL.**—The chief executive of a State affected by the closure or consolidation of a rural post office or postal facility (as defined in section 404(f)) may appoint a citizen's service protection advocate to represent the interests of postal customers affected by the closure or consolidation.

“(2) **CONSULTATION.**—In making an appointment under this subsection, the chief executive of a State shall consult with—

“(A) the mayor (or equivalent official) of any city affected by the closure or consolidation; and

“(B) the commissioner (or equivalent official) of any county, parish, or equivalent political subdivision affected by the closure or consolidation.

“(b) NOTICE.—The Postal Service shall transmit to the chief executive of a State notice of any determination by the Postal Service to close or consolidate a rural post office or postal facility that affects postal customers in the State.

“(c) APPEALS.—

“(1) IN GENERAL.—Notwithstanding section 404(d), a citizen’s service protection advocate may appeal to the Postal Regulatory Commission a decision by the Postal Service to close or consolidate a rural post office or postal facility, if the citizen’s service protection advocate finds that the closure or consolidation would result in a failure by the Postal Service to comply with the retail service standards established under section 204(b) of the 21st Century Postal Service Act of 2012.

“(2) TIME FOR APPEAL.—An appeal under paragraph (1) shall be submitted to the Postal Regulatory Commission not later than 30 days after the date on which the Postal Service transmits the notice under subsection (b).

“(3) POSTAL REGULATORY COMMISSION.—

“(A) DETERMINATION REQUIRED.—Not later than 90 days after the date on which the Postal Regulatory Commission receives an appeal under paragraph (1), the Postal Regulatory Commission shall determine whether to grant or deny the appeal.

“(B) EFFECT OF DETERMINATION.—A determination by the Postal Regulatory Commission under subparagraph (A) shall be binding upon the Postal Service.

“(4) PROHIBITION ON CLOSURE OR CONSOLIDATION DURING APPEAL.—Notwithstanding section 404(d), during the period beginning on the date on which a citizen’s service protection advocate submits an appeal under paragraph (1) and ending on the date on which the Postal Regulatory Commission makes a determination under paragraph (3), the Postal Service may not close or consolidate the rural post office or postal facility that is the subject of the appeal, except as required for the immediate protection of health and safety.

“(d) ACCESS TO INFORMATION AND ASSISTANCE.—

“(1) IN GENERAL.—Subject to paragraph (2), upon the request of any citizen’s service protection advocate appointed under this section, the Postal Service shall provide to the citizen’s service protection advocate—

“(A) access to any records, reports, audits, reviews, documents, papers, recommendations, or other materials of the Postal Service relating to the closure or consolidation of the relevant post office or postal facility; and

“(B) assistance in carrying out the duties of the citizen’s service protection advocate.

“(2) PRIVACY PROTECTIONS.—The Postal Service may not provide to a citizen’s service protection advocate any information, or compilation of information, that is a means of identification, as defined in section 1028(d)(7) of title 18, United States Code.

“(e) COMMUNICATION AND CONSULTATION.—The Postal Service shall—

“(1) provide for regular and efficient communication between a citizen’s service protection advocate and the officer or employee of the Postal Service responsible for the closure or consolidation of the relevant post office or postal facility; and

“(2) consult with the citizen’s service protection advocate in developing and imple-

menting service changes that affect postal customers affected by the closure or consolidation of the relevant post office or postal facility.

“(f) TERMINATION OF SERVICE.—An individual may not serve as a citizen’s service protection advocate with respect to the closure or consolidation of a rural post office or postal facility after the later of—

“(1) the date on which the Postal Service determines not to close or consolidate the rural post office or postal facility;

“(2) the date on which the Postal Regulatory Commission makes a determination under subsection (c)(3); and

“(3) if a citizen’s service protection advocate does not submit an appeal under subsection (c), the date on which the Postal Service determines to close or consolidate the rural post office or postal facility; and”.

(b) TABLE OF SECTIONS.—The table of sections for chapter 4 of title 39, United States Code, is amended by adding at the end the following:

“417. Citizen’s service protection advocate.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date on which the Postal Service establishes retail service standards under section 204(b).

SA 2023. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ PROHIBITION ON FOREIGN ASSISTANCE TO EGYPT.

(a) PROHIBITION.—No amounts may be obligated or expended to provide any direct United States assistance to the Government of Egypt unless the President certifies to Congress that—

(1) the Government of Egypt is not holding, detaining, prosecuting, harassing, or preventing the exit from Egypt of any person working for a nongovernmental organization supported by the United States Government on the basis of the person’s association with or work for the nongovernmental organization;

(2) the Government of Egypt is not holding any property of a nongovernmental organization described in paragraph (1) or of a person associated with such a nongovernmental organization; and

(3) the Government of Egypt—

(A) has dropped all charges against the persons described in paragraph (1);

(B) is no longer seeking the arrest of such persons; and

(C) is no longer seeking the extradition of such persons to Egypt for trial.

(b) RESCISSION OF FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), of any amounts previously appropriated for direct United States assistance to the Government of Egypt and available for obligation as of the date of the enactment of this Act, \$5,000,000 is hereby rescinded.

(2) CERTIFICATION.—If the President certifies to Congress the total amount of funds paid by the United States Government, nongovernmental organizations supported by the United States Government, and individuals working for such nongovernmental organizations to obtain the release of persons working for nongovernmental organizations detained by the Government of Egypt, the amount rescinded under paragraph (1) shall instead be the amount so certified.

(3) INSUFFICIENT FUNDS.—If the President certifies to Congress that the amount of funds required to be rescinded under paragraph (1) or paragraph (2) is greater than the amount of funds available to be rescinded, the President shall withhold from future funding available for direct United States assistance to the Government of Egypt an amount equal to the difference between the amount required to be rescinded and the amount available to be rescinded and transfer such amount to the Treasury of the United States to be used for deficit reduction.

SA 2024. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

Strike section 105 and insert the following:
SEC. 105. ENROLLING SENIORS IN THE SAME HEALTH CARE PLANS AS MEMBERS OF CONGRESS.

(a) IN GENERAL.—Chapter 89 of title 5, United States Code, is amended—

(1) in section 8901—

(A) in paragraph (10), by striking “and” at the end;

(B) in paragraph (11), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(12) the term ‘covered individual’ means an individual who, taking into account section 226(k) of the Social Security Act, would have been entitled to, or could have enrolled for, benefits under part A of title XVIII of such Act or could have enrolled under part B of such title if section 1899B had not been enacted.”;

(2) by inserting after section 8901 the following:

“SUBCHAPTER I—FEDERAL EMPLOYEES”;

(3) in section 8902—

(A) in subsection (a)—

(i) by inserting “(1)” after “(a)”; and

(ii) by adding at the end the following:

“(2)(A) In this paragraph, the term ‘equivalent health benefits plan’ means a health benefits plan proposed to be provided that offers benefits that the Director of the Office of Personnel Management determines are substantially equivalent or superior to benefits offered under, and does not impose requirements that are substantially different than requirements under, a health benefits plan in which an employee could enroll on the date of enactment of this paragraph if the employee resided—

“(i) anywhere in the United States; or

“(ii) in the same region of the United States as the health benefits plan proposed to be provided.

“(B) For contract years beginning on or after January 1, 2014, if a carrier offers to provide an equivalent health benefits plan, the Director shall enter into a contract with the carrier to provide the equivalent health benefits plan.”;

(B) in subsection (e), by striking “The Office may prescribe” and inserting “Subject to subsection (a)(2), the Office may prescribe”;

(C) by adding at the end the following:

“(p) A contract under this chapter for a contract year beginning on or after January 1, 2014, shall offer benefits for employees, annuitants, members of their families, former spouses, persons having continued coverage under section 8905a of this title, and covered individuals. In administering this subchapter

and subchapter II, employees, annuitants, members of their families, former spouses, persons having continued coverage under section 8905a of this title, and covered individuals shall be in the same risk pool.”;

(4) in section 8904—

(A) by striking “(a) The benefits” and inserting “The benefits”;

(B) by striking “this subsection” each place it appears and inserting “this section”; and

(C) by striking subsection (b);

(5) in section 8909(a)(1), by inserting “and for all payments under section 8921(d)” before the semicolon;

(6) in section 8910, by striking subsection (d); and

(7) by adding at the end the following:

“SUBCHAPTER II—COVERED
INDIVIDUALS

“§ 8921. Health insurance for covered individuals

“(a) For contract years beginning on or after January 1, 2014, and except as otherwise provided in this subchapter, the Director of the Office of Personnel Management shall ensure that to the greatest extent possible health benefits plans provide benefits for covered individuals to the same extent and in the same manner as provided under subchapter I for employees, annuitants, members of their families, former spouses, and persons having continued coverage under section 8905a of this title.

“(b)(1) The Director shall establish the deadline by which a covered individual shall elect to—

“(A) enroll in a health benefits plan under this chapter based on the status of the individual as a covered individual;

“(B) with the concurrence of the employer or former employer of the covered individual, receive payments under subsection (d) to assist in paying for health insurance provided through the employer or former employer of the covered individual; or

“(C) not enroll in a health benefits plan or receive payments under this chapter.

“(2) Failure to make a timely election under this subsection shall be deemed as an election to not enroll in a health benefits plan or receive payment under this chapter.

“(3) A covered individual—

“(A) may elect to enroll in a health benefits plan as an individual; and

“(B) may not enroll in a health benefits plan for self and family.

“(4)(A) A covered individual who elects not to enroll, or who elects not to continue enrollment, in a health benefits plan under this chapter (including a covered individual who elects to receive payments under subsection (d)) may subsequently enroll in a health benefits plan under this chapter based on the status of the covered individual as a covered individual in accordance with such procedures, and after paying such fees, as the Director of the Office of Personnel Management may establish.

“(B) The fact that a covered individual elects not to enroll, or elects not to continue enrollment, in a health benefits plan under this chapter shall not affect the eligibility of the covered individual for benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.).

“(c)(1)(A) A covered individual who elects to enroll in a health benefits plan under this chapter based on the status of the covered individual as a covered individual shall pay a monthly individual premium payment determined in accordance with subparagraph (B).

“(B) The individual premium payment under subparagraph (A) shall be determined based on income, as follows:

“(i) For an individual with an adjusted gross income (as defined under section 62 of the Internal Revenue Code of 1986) of not more than \$85,000, the individual premium payment shall be in an amount equal to the employee contribution for the health benefits plan, as determined under section 8906.

“(ii) For an individual with an adjusted gross income of more than \$85,000 and not more than \$107,000, the individual premium payment shall be in an amount equal to the sum of—

“(I) the employee contribution for the health benefits plan, as determined under section 8906; and

“(II) the product obtained by multiplying—

“(aa) the Government contribution (as determined under section 8906(b)); by

“(bb) 0.05.

“(iii) For an individual with an adjusted gross income of more than \$107,000 and not more than \$160,000, the individual premium payment shall be in an amount equal to the sum of—

“(I) the employee contribution for the health benefits plan, as determined under section 8906; and

“(II) the product obtained by multiplying—

“(aa) the Government contribution (as determined under section 8906(b)); by

“(bb) 0.1.

“(iv) For an individual with an adjusted gross income of more than \$160,000 and not more than \$250,000, the individual premium payment shall be in an amount equal to the sum of—

“(I) the employee contribution for the health benefits plan, as determined under section 8906; and

“(II) the product obtained by multiplying—

“(aa) the Government contribution (as determined under section 8906(b)); by

“(bb) 0.15.

“(v) For an individual with an adjusted gross income of more than \$250,000 and not more than \$1,000,000, the individual premium payment shall be in an amount equal to the sum of—

“(I) the employee contribution for the health benefits plan, as determined under section 8906; and

“(II) the product obtained by multiplying—

“(aa) the Government contribution (as determined under section 8906(b)); by

“(bb) 0.5.

“(vi) For an individual with an adjusted gross income of more than \$1,000,000, the individual premium payment shall be in an amount equal to the sum of—

“(I) the employee contribution for the health benefits plan, as determined under section 8906; and

“(II) the Government contribution (as determined under section 8906(b)).

“(C) The Director of the Office of Personnel Management shall adjust the income amounts under subparagraph (B) annually to reflect changes in the Consumer Price Index for all Urban Consumers published by the Department of Labor.

“(2)(A) For a covered individual who is entitled to monthly benefits under section 202 or 223 of the Social Security Act (42 U.S.C. 402 and 423), the monthly premiums of the covered individual under this subchapter shall (except as provided in subparagraph (B) or (C)) be collected by deducting the amount of the premium from the amount of such monthly benefits.

“(B) For a covered individual who is entitled to receive for a month an annuity under the Railroad Retirement Act of 1974 (whether or not the covered individual is also entitled for such month to a monthly insurance ben-

efit under section 202 of the Social Security Act (42 U.S.C. 402)), the monthly premiums of the covered individual under this subchapter shall (except as provided in subparagraph (C)) be collected by deducting the amount thereof from such annuity or pension.

“(C) If a covered individual to whom subparagraph (A) or (B) applies estimates that the amount which will be available for deduction under such subparagraph for any premium payment period will be less than the amount of the monthly premiums for such period, the covered individual may pay to the Director of the Office of Personnel Management such portion of the monthly premiums for such period as the covered individual desires.

“(D) For a covered individual who is not described in subparagraph (A) or (B) and who elects to enroll in a health benefits plan under this chapter, or with respect to whom subparagraph (C) applies, the covered individual shall pay monthly premiums to the Director of the Office of Personnel Management at such times, and in such manner, as the Director shall by regulations prescribe.

“(E) Amounts deducted or paid under this paragraph shall be deposited in the Treasury to the credit of the Employees Health Benefits Fund established under section 8909.

“(F) After consultation with the Director of the Office of Personnel Management, the Secretary of Health and Human Services shall establish procedures for making and depositing deductions under this paragraph.

“(3) The Director of the Office of Personnel Management shall establish procedures for terminating the enrollment of a covered individual in a health benefits plan if the covered individual fails to make timely payment of premiums, which shall allow such a covered individual to reenroll in a health benefits plan under such terms and conditions as the Director may prescribe.

“(d) The Director of the Office of Personnel Management shall make periodic payments to the employer or former employer providing health insurance to a covered individual who makes an election under subsection (b)(1)(B) in a total amount not to exceed the lesser of—

“(1) the cost to the employer or former employer of providing health insurance to the covered individual; and

“(2) the average Government contribution for an individual enrolled in a health benefits plan under this chapter that is available to individuals residing anywhere in the United States.

“(e) For fiscal year 2014 and each fiscal year thereafter, there are appropriated to the Employees Health Benefits Fund established under section 8909, out of any funds in the Treasury not otherwise appropriated—

“(1) an amount equal to—

“(A) the taxes imposed by sections 3101(b) and 3111(b) of the Internal Revenue Code of 1986 with respect to wages reported to the Secretary of the Treasury pursuant to subtitle F of such Code after December 31, 2013, as determined by the Secretary of the Treasury by applying the applicable rates of tax under such sections to such wages, which wages shall be certified by the Commissioner of Social Security on the basis of records of wages established and maintained by the Commissioner of Social Security in accordance with such reports;

“(B) the taxes imposed by section 1401(b) of the Internal Revenue Code of 1986 with respect to self-employment income reported to the Secretary of the Treasury on tax returns under subtitle F of such Code, as determined

by the Secretary of the Treasury by applying the applicable rate of tax under such section to such self-employment income, which self-employment income shall be certified by the Commissioner of Social Security on the basis of records of self-employment established and maintained by the Commissioner of Social Security in accordance with such returns; and

“(C) any amounts that, on or after January 1, 2014, are to be deposited in the Federal Hospital Insurance Trust Fund established under section 1817 of the Social Security Act (42 U.S.C. 1395i) under any other provision of law; and

“(2) a Government contribution equal to the difference obtained by subtracting—

“(A) the sum of—
“(i) the total amount of premiums paid by covered individuals under subsection (c)(2) for the fiscal year; and

“(ii) the amount appropriated under paragraph (1); from

“(B) the sum of—
“(i) the total cost for the fiscal year of subscription charges for health benefits plans for covered individuals enrolled in a health benefits plan based on the status of the covered individuals as covered individuals; and

“(ii) the total amount of payments for the fiscal year under subsection (d).

“(f) The Director of the Office of Personnel Management shall establish, in consultation with the Secretary of Health and Human Services acting through the Administrator of the Centers for Medicare & Medicaid Services, procedures to ensure that health benefits plans coordinate with State Medicaid programs with respect to the provision of cost-sharing and other medical assistance for covered individuals enrolled in health benefit plans who are also eligible for medical assistance and enrolled in a State Medicaid program.

“SUBCHAPTER III—HIGH RISK POOL
“§ 8941. Reimbursement of costs for high risk individuals

“(a) In this section, the term ‘high risk individual’ means an individual—

“(1) enrolled in a health benefits plan under this chapter for a contract year; and

“(2) who, of all individuals enrolled in a health benefits plan under this chapter for the contract year, is in the highest 5 percent in terms of benefits paid by a carrier under a health benefits plan relating to the contract year.

“(b) After the end of each contract year beginning on or after January 1, 2014, the Director of the Office of Personnel Management shall—

“(1) identify the high risk individuals for the contract year; and

“(2) pay to a carrier contracting to provide a health benefits plan to a high risk individual for the contract year 90 percent of the benefits paid by the carrier relating to the high risk individual.

“(c)(1) For fiscal year 2014 and each fiscal year thereafter, there are appropriated to the Director of the Office of Personnel Management from the Federal Hospital Insurance Trust Fund established under section 1817 of the Social Security Act (42 U.S.C. 1395i) such sums as are necessary to carry out this section.

“(2) If the amounts appropriated under paragraph (1) are insufficient to carry out this section, for fiscal year 2014 and each fiscal year thereafter, there are appropriated to the Director of the Office of Personnel Management, out of any funds in the Treasury not otherwise appropriated, such sums as are necessary to carry out this section.”.

(b) EXEMPTION FROM INSURANCE REQUIREMENTS.—

(1) AMENDMENT TO TITLE 5.—Chapter 89 of title 5, United States Code, is amended by inserting after section 8901 the following:

“§ 8901A. Exemption from insurance requirements

“Title I of the Patient Protection and Affordable Care Act, subtitle A of title X of such Act, and the amendments made by such title I and subtitle A shall not apply to health benefits plans.”.

(2) CONFORMING AMENDMENT.—Section 2709 of the Public Health Service Act (42 U.S.C. 300gg 8) (as added by section 10103 of the Patient Protection and Affordable Care Act) is amended—

(A) by striking subsection (g); and
(B) by redesignating subsection (h) as subsection (g).

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 89 of title 5, United States Code, is amended—

(1) in the table of sections—
(A) by inserting after the item relating to section 8901 the following:

“8901A. Exemption from insurance requirements.

“SUBCHAPTER I—FEDERAL EMPLOYEES”;

and
(B) by adding at the end the following:

“SUBCHAPTER II—COVERED INDIVIDUALS
“8921. Health insurance for covered individuals.

“SUBCHAPTER III—HIGH RISK POOL
“8941. Reimbursement of costs for high risk individuals.”;

(2) in section 8902a(d)(1)—
(A) in subparagraph (A), by adding “or” at the end;

(B) by striking subparagraph (B); and
(C) by redesignating subparagraph (C) as subparagraph (B); and

(3) by striking section 8910(d).

(d) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall take effect on the date of enactment of this Act and apply on and after January 1, 2014.

SA 2025. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. . ENDING THE MAILBOX USE MONOPOLY.

Section 1725 of title 18, United States Code, is amended by striking “established, approved, or accepted” and all that follows through “mail route” and inserting “or post office box owned by the Postal Service or located on Postal Service property”.

SA 2026. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . PERFORMANCE-BASED PAY FOR POSTMASTER GENERAL; POSTAL SERVICE BONUS AUTHORITY.

(a) IN GENERAL.—Chapter 10 of title 39, United States Code, is amended by adding at the end the following:

“§ 1012. Performance-based pay for Postmaster General; Postal Service bonus authority

“(a) PERFORMANCE-BASED PAY FOR POSTMASTER GENERAL.—

“(1) DEFINITION.—In this subsection, the term ‘base rate’ means the annual rate of pay for the Postmaster General in effect on the date of enactment of the 21st Century Postal Service Act of 2012.

“(2) ANNUAL RATE OF PAY.—Except as provided under paragraph (3), the annual rate of pay for the Postmaster General shall be the base rate.

“(3) ADJUSTMENTS.—

“(A) IN GENERAL.—The annual rate of pay for the Postmaster General shall be adjusted only in accordance with this paragraph. An adjustment under this paragraph may be made notwithstanding section 1003(a).

“(B) FISCAL YEARS WITH SURPLUSES.—If there was a surplus in the preceding fiscal year as determined under subsection (c)(1) and the individual serving as the Postmaster General served in that position for all of the preceding fiscal year, the annual rate of pay for the Postmaster General for pay periods beginning on or after October 1 in any fiscal year shall be equal to the base rate increased by the percentage of the surplus for the preceding fiscal year as determined under subsection (c)(2).

“(4) FISCAL YEAR WITH DEFICITS.—If there was a deficit in the preceding fiscal year as determined under subsection (c)(1), the annual rate of pay for the Postmaster General for pay periods beginning on or after October 1 in any fiscal year shall be equal to the base rate decreased by the percentage of the deficit for the preceding fiscal year as determined under subsection (c)(2).

“(b) BONUS AUTHORITY.—

“(1) FISCAL YEARS WITH SURPLUSES.—If there was a surplus in the preceding fiscal year as determined under subsection (c)(1), the Postal Service may provide incentive or performance award payments to employees during a fiscal year, which may not increase the total compensation of an employee relative to the base salary of the employee by a percentage greater than the percentage of the surplus for the preceding fiscal year as determined under subsection (c)(2).

“(2) FISCAL YEARS WITH DEFICITS.—If there was a deficit in the preceding fiscal year as determined under subsection (c)(1), the Postal Service may not provide incentive or performance award payments to employees during a fiscal year.

“(c) DETERMINATIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—At the end of each fiscal year the Director of the Office of Management and Budget shall—

“(1) make a determination of whether there is a surplus or a deficit in the annual budget of the Postal Service submitted under section 2009 for that fiscal year;

“(2) make a determination of the surplus or deficit described under paragraph (1) expressed as a percentage of the budget for that fiscal year; and

“(3) submit notification to the Board of Governors and Congress of the determinations made under paragraphs (1) and (2).”.

(b) FIXING PAY BY BOARD OF GOVERNORS.—Sections 202(c) of title 39, United States Code, is amended in the second sentence by striking “pay and”.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 10 of title 39, United States Code, is amended by adding after the item relating to section 1011 the following:

“1012. Performance-based pay for Postmaster General; Postal Service bonus authority.”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided under paragraph (2), the amendments made by this section shall take effect on the date of enactment of this Act.

(2) ADJUSTMENTS; BONUSSES.—

(A) ADJUSTMENTS.—Adjustments under section 1012(a) of title 39, United States Code, (as added by subsection (a) of this section) shall apply to pay periods occurring on or after October 1, 2012.

(B) BONUSSES.—The limitation on the provision of incentive or performance award payments under Adjust section 1012(b) of title 39, United States Code, (as added by subsection (a) of this section) shall apply to fiscal year 2013 and each fiscal year thereafter.

SA 2027. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CAPITOL COMPLEX POST OFFICES.

(a) HOUSE OF REPRESENTATIVES.—

(1) IN GENERAL.—The Postal Service shall not maintain or operate more than 1 post office in the United States Capitol Complex, as defined in section 310(a)(3)(B) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e(a)(3)(B)), which shall be located in a House Office Building.

(2) CLOSING OF CAPITOL POST OFFICES.—The Postal Service shall close any post office in the United States Capitol Complex, as defined in section 310(a)(3)(B) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e(a)(3)(B)), not permitted under this subsection, without regard to the requirements under section 404(d) of title 39, United States Code.

(b) SENATE.—

(1) IN GENERAL.—The Sergeant at Arms and Doorkeeper of the Senate may not enter into, modify, or renew a contract with the Postal Service to maintain or operate more than 1 post office in a Senate Office Building.

(2) EXISTING CONTRACTS.—Nothing in paragraph (1) may be construed to affect a contract entered into by the Sergeant at Arms and Doorkeeper of the Senate and the Postal Service before the date of enactment of this Act.

SA 2028. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PILOT PROGRAM TO TEST ALTERNATIVE METHODS FOR THE DELIVERY OF POSTAL SERVICES.

(a) DEFINITION.—In this section, the term “review board” means a postal performance review board established under subsection (c)(2).

(b) PILOT PROGRAM.—

(1) IN GENERAL.—The United States Postal Service may conduct a pilot program to test the feasibility and desirability of alternative methods for the delivery of postal services. Subject to the provisions of this section, the

pilot program shall not be limited by any lack of specific authority under title 39, United States Code, to take any action contemplated under the pilot program.

(2) WAIVERS.—

(A) IN GENERAL.—The Postal Service may waive any provision of law, rule, or regulation inconsistent with any action contemplated under the pilot program.

(B) CONTENT.—A waiver granted by the Postal Service under subparagraph (A) may include a waiver of requirements relating to—

(i) days of mail delivery;

(ii) the use of cluster-boxes;

(iii) alternative uses of mailboxes; and

(iv) potential customer charges for daily at-home delivery.

(C) REGULATIONS AND CONSULTATION.—The Postal Service shall issue any waiver under subparagraph (A)—

(i) in accordance with regulations under subsection (h); and

(ii) with respect to a waiver involving a provision of title 18, United States Code, in consultation with the Attorney General.

(c) REQUIREMENTS.—

(1) IN GENERAL.—

(A) APPLICATION.—Under the pilot program, alternative methods for the delivery of postal services may be tested only in a community that submits an appropriate application (together with a written plan)—

(i) in such time, form, and manner as the Postal Service by regulation requires; and

(ii) that is approved by the Postal Service.

(B) CONTENTS.—Any application under this paragraph shall include—

(i) a description of the postal services that would be affected;

(ii) the alternative providers selected and the postal services each would furnish (or the manner in which those decisions would be made);

(iii) the anticipated costs and benefits to the Postal Service and users of the mail;

(iv) the anticipated duration of the participation of the community in the pilot program;

(v) a specific description of any actions contemplated for which there is a lack of specific authority or for which a waiver under subsection (b)(2) would be necessary; and

(vi) any other information as the Postal Service may require.

(2) REVIEW BOARDS.—

(A) IN GENERAL.—Under the pilot program, a postmaster within a community may, in accordance with regulations prescribed by the Postal Service, establish a postal performance review board.

(B) FUNCTIONS.—A review board shall—

(i) submit any application under paragraph (1) on behalf of the community that the review board represents; and

(ii) carry out the plan on the basis of which any application with respect to that community is approved.

(C) MEMBERSHIP.—A review board shall consist of—

(i) the postmaster for the community (or, if there is more than 1, the postmaster designated in accordance with regulations under subsection (h));

(ii) at least 1 individual who shall represent the interests of business concerns; and

(iii) at least 1 individual who shall represent the interests of users of the class of mail for which the most expeditious handling and transportation is afforded by the Postal Service.

(iv) CHAIRPERSON.—The postmaster for the community (or postmaster so designated)

shall serve as chairperson of the review board.

(3) ALTERNATIVE PROVIDERS.—To be eligible to be selected as an alternative provider of postal services, a provider shall be a commercial enterprise, nonprofit organization, labor organization, or other person that—

(A) possesses the personnel, equipment, and other capabilities necessary to furnish the postal services concerned;

(B) satisfies any security and other requirements as may be necessary to safeguard the mail, users of the mail, and the general public;

(C) submits a bid to the appropriate review board in such time, form, and manner (together with such accompanying information) as the review board may require; and

(D) meets such other requirements as the review board may require, consistent with any applicable regulations under subsection (h).

(4) USE OF POSTAL FACILITIES AND EQUIPMENT.—A postmaster may, at the discretion of the postmaster, allow alternative providers to use facilities and equipment of the Postal Service. Any such use proposed by a person in a bid submitted under paragraph (3)(C) shall, for purposes of the competitive bidding process, be taken into account using the fair market value of such use.

(5) APPLICATIONS FROM COMMUNITIES WITH POTENTIAL CLOSURES.—When reviewing and granting applications, the Postal Service shall give priority to applications from communities identified for potential post office closures.

(d) LIMITATION ON APPLICATIONS.—

(1) IN GENERAL.—Except as provided under paragraph (2), no more than 250 applications may be approved for participation in the pilot program under this section at any 1 time.

(2) INCREASED LIMITATION.—If more than 250 applications for participation in the pilot program are filed during the 90-day period beginning on the date of enactment of this Act, no more than 500 applications may be approved for participation in the pilot program under this section at any 1 time.

(e) TERMINATION OF COMMUNITY PARTICIPATION.—Subject to such conditions as the Postal Service may by regulation prescribe and the terms of any written agreement or contract entered into in conformance with such regulations, the participation of a community in the pilot program may be terminated by the Postal Service or by the review board for that community if the Postal Service or the review board determines that the continued participation of the community is not in the best interests of the public or the Government of the United States.

(f) EVALUATIONS.—

(1) IN GENERAL.—The Postal Service shall evaluate the operation of the pilot program within each community that participates in the pilot program.

(2) CONTENTS.—An evaluation under this subsection shall include an examination, as applicable, of—

(A) the reliability of mail delivery (including the rate of misdeliveries) in the community;

(B) the timeliness of mail delivery (including the time of day that mail is delivered and the time elapsing from the postmarking to delivery of mail) in the community;

(C) the volume of mail delivered in the community; and

(D) any cost savings or additional costs to the Postal Service attributable to the use of alternative providers.

(3) ANALYSIS OF DATA.—Data included in any evaluation under this subsection shall be analyzed—

(A) by community characteristics, time of year, and type of postal service;

(B) by residential, business, and any other type of mail user; and

(C) on any other basis as the Postal Service may determine.

(4) SUBMISSION OF EVALUATIONS.—Not later than 90 days after the date on which the pilot program terminates, the Postal Service shall submit each evaluation under this subsection and an overall evaluation of the pilot program to the President and Congress.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the obligation of the Postal Service to continue providing universal service, in accordance with otherwise applicable provisions of law, in all aspects not otherwise provided for under this section.

(h) REGULATIONS.—The Postal Service may prescribe any regulations necessary to carry out this section.

(i) TERMINATION.—

(1) TERMINATION BY THE POSTAL SERVICE.—The Postmaster General may terminate the pilot program under this section before the date described in paragraph (2)(A), if—

(A) the Postmaster General determines that continuation of the pilot program is not in the best interests of the public or the Government of the United States; and

(B) the Postal Regulatory Commission approves the termination.

(2) TERMINATION AFTER 5 YEARS.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the authority to conduct the pilot program under this section shall terminate 5 years after the date of enactment of this Act.

(B) EXTENSIONS.—

(i) IN GENERAL.—The Postmaster General may extend the authority to conduct the pilot program under this section, if before the date that the authority to conduct the pilot program would otherwise terminate, the Postmaster General submits a notice of extension to Congress that includes—

(I) the term of the extension; and

(II) the reasons that the extension is in the best interests of the public or the Government of the United States.

(ii) MULTIPLE EXTENSIONS.—The Postmaster General may provide for more than 1 extension under this subparagraph.

SA 2029. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

In section 401(b), strike paragraphs (3) and (4) and insert the following:

(3) any cost savings that the Postal Service anticipates will be achieved through negotiations with employees of the Postal Service;

(4) projected changes in mail volume; and

(5) the impact of—

(A) regulations the Postmaster General was required by Congress to promulgate; and

(B) congressional action required to facilitate the profitability of the Postal Service.

SA 2030. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

Strike section 302 and insert the following:

SEC. 302. FEDERAL WORKERS COMPENSATION REFORMS FOR RETIREMENT-AGE EMPLOYEES.

(a) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

(1) DEFINITIONS.—Section 8101 is amended—

(A) in paragraph (18), by striking “and” at the end;

(B) in paragraph (19), by striking “and” at the end;

(C) in paragraph (20), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(21) ‘retirement age’ has the meaning given that term under section 216(1)(1) of the Social Security Act (42 U.S.C. 416(1)(1));

“(22) ‘covered claim for total disability’ means a claim for a period of total disability that commenced before the date of enactment of the Workers’ Compensation Reform Act of 2012;

“(23) ‘covered claim for partial disability’ means a claim for a period of partial disability that commenced before the date of enactment of the Workers’ Compensation Reform Act of 2012; and

“(24) ‘individual who has an exempt disability condition’ means an individual—

“(A) who—

“(i) is eligible to receive continuous periodic compensation for total disability under section 8105 on the date of enactment of the Workers’ Compensation Reform Act of 2012; and

“(ii) meets the criteria under section 8105(c);

“(B) who, on the date of enactment of the Workers’ Compensation Reform Act of 2012—

“(i) is eligible to receive continuous periodic compensation for total disability under section 8105; and

“(ii) has sustained a currently irreversible severe mental or physical disability for which the Secretary of Labor has authorized, for at least the 1-year period ending on the date of enactment of the Workers’ Compensation Reform Act of 2012, constant in-home care or custodial care, such as placement in a nursing home; or

“(C) who is eligible to receive continuous periodic compensation for total disability under section 8105—

“(i) for not less than the 3-year period ending on the date of enactment of the Workers’ Compensation Reform Act of 2012; or

“(ii) if the individual became eligible to receive continuous periodic compensation for total disability under section 8105 during the period beginning on the date that is 3 years before the date of enactment of the Workers’ Compensation Reform Act of 2012 and ending on such date of enactment, for not less than the 3-year period beginning on the date on which the individual became eligible.”.

(2) TOTAL DISABILITY.—Section 8105 is amended—

(A) in subsection (a), by striking “If” and inserting “IN GENERAL.—Subject to subsection (b), if”;

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

“(b) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the basic compensation for total disability for an employee who has attained retirement age shall be 50 percent of the monthly pay of the employee.

“(2) EXCEPTIONS.—

“(A) COVERED RECIPIENTS WHO ARE RETIREMENT AGE, HAVE AN EXEMPT DISABILITY CONDITION, OR FACE FINANCIAL HARDSHIP.—Paragraph (1) shall not apply to a covered claim

for total disability by an employee if the employee—

“(i) on the date of enactment of the Workers’ Compensation Reform Act of 2012, has attained retirement age;

“(ii) is an individual who has an exempt disability condition; or

“(iii) is a member of a household that would meet the income and assets requirements for eligibility for the supplemental nutrition assistance program as described in section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) (not including any provisions permitting eligibility due to benefits received under any other law) if the basic compensation for total disability of the employee were provided in accordance with paragraph (1).

“(B) TRANSITION PERIOD FOR CERTAIN EMPLOYEES.—For a covered claim for total disability by an employee who is not an employee described in subparagraph (A), the employee shall receive the basic compensation for total disability provided under subsection (a) until the later of—

“(i) the date on which the employee attains retirement age; and

“(ii) the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012.”.

(3) PARTIAL DISABILITY.—Section 8106 is amended—

(A) in subsection (a), by striking “If” and inserting “IN GENERAL.—Subject to subsection (b), if”;

(B) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(C) by inserting after subsection (a) the following:

“(b) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the basic compensation for partial disability for an employee who has attained retirement age shall be 50 percent of the difference between the monthly pay of the employee and the monthly wage-earning capacity of the employee after the beginning of the partial disability.

“(2) EXCEPTIONS.—

“(A) COVERED RECIPIENTS WHO ARE RETIREMENT AGE OR FACE FINANCIAL HARDSHIP.—Paragraph (1) shall not apply to a covered claim for partial disability by an employee if the employee—

“(i) on the date of enactment of the Workers’ Compensation Reform Act of 2012, has attained retirement age; or

“(ii) is a member of a household that would meet the income and assets requirements for eligibility for the supplemental nutrition assistance program as described in section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) (not including any provisions permitting eligibility due to benefits received under any other law) if the basic compensation for total disability of the employee were provided in accordance with paragraph (1).

“(B) TRANSITION PERIOD FOR CERTAIN EMPLOYEES.—For a covered claim for partial disability by an employee who is not an employee described in subparagraph (A), the employee shall receive basic compensation for partial disability in accordance with subsection (a) until the later of—

“(i) the date on which the employee attains retirement age; and

“(ii) the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012.”.

After section 313, insert the following:

SEC. 314. TERRORISM INJURIES; ZONES OF ARMED CONFLICT.

(a) COVERING TERRORISM INJURIES.—Section 8102(b) of title 5, United States Code, is

amended in the matter preceding paragraph (1)—

(1) by inserting “or from an attack by a terrorist or terrorist organization, either known or unknown,” after “force or individual,”; and

(2) by striking “outside” and all that follows through “1979” and inserting “outside of the United States”.

(b) CONTINUATION OF PAY IN A ZONE OF ARMED CONFLICT.—Section 8118 of title 5, United States Code, as amended by section 308(b) of this Act, is amended—

(1) in subsection (b), by striking “Continuation” and inserting “Except as provided under subsection (d)(2), continuation”;

(2) in subsection (c), as redesignated by section 308(b)(4) of this Act, by striking “subsection (a)” and inserting “subsection (a) or (d)”;

(3) by redesignating subsection (d), as redesignated by section 308(b)(4) of this Act, as subsection (e); and

(4) inserting after subsection (c) the following:

“(d) CONTINUATION OF PAY IN A ZONE OF ARMED CONFLICT.—

“(1) IN GENERAL.—Notwithstanding subsection (a), the United States shall authorize the continuation of pay of an employee described in subparagraph (A), (C), (D), or (F) of section 8101(1), who—

“(A) files a claim for a period of wage loss due to an injury in performance of duty in a zone of armed conflict (as determined by the Secretary of Labor under paragraph (3)); and

“(B) files the claim for such wage loss benefit with the immediate superior of the employee not later than 45 days after the later of—

“(i) the termination of the assignment of the employee to the zone of armed conflict; or

“(ii) the return of the employee to the United States.

“(2) CONTINUATION OF PAY.—Notwithstanding subsection (b), continuation of pay under this subsection shall be furnished for a period not to exceed 135 days without any break in time or waiting period, unless controverted under regulations prescribed by the Secretary of Labor.

“(3) DETERMINATION OF ZONES OF ARMED CONFLICT.—For purposes of this subsection, the Secretary of Labor, in consultation with the Secretary of State and the Secretary of Defense, shall determine whether a foreign country or other foreign geographic area outside of the United States (as defined in section 202(a)(7) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4302(a)(7)) is a zone of armed conflict based on whether—

“(A) the Armed Forces of the United States are involved in hostilities in the country or area;

“(B) the incidence of civil insurrection, civil war, terrorism, or wartime conditions threatens physical harm or imminent danger to the health or well-being of United States civilian employees in the country or area;

“(C) the country or area has been designated a combat zone by the President under section 112(c) of the Internal Revenue Code of 1986;

“(D) a contingency operation involving combat operations directly affects civilian employees in the country or area; or

“(E) there exist other relevant conditions and factors.”.

SA 2031. Mrs. MCCASKILL (for herself, Mr. MERKLEY, Mr. BAUCUS, Mr. BEGICH, Mr. TESTER, and Mr. SANDERS)

submitted an amendment intended to be proposed by her to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . RURAL POST OFFICES.

(a) CONDITIONS FOR CLOSING RURAL POST OFFICES.—Section 404(d) of title 39, United States Code, as amended by section 205 of this Act, is amended—

(1) in paragraph (3)—

(A) in the first sentence, by inserting “and, with respect to a rural post office, a summary of the determinations required under paragraph (9)” after “paragraph (2) of this subsection”; and

(B) in the second sentence, by striking “determination and findings” and inserting “determination, findings, and summary”; and

(2) by adding at the end the following:

“(9) The Postal Service may not make a determination under subsection (a)(3) to close a post office located in a rural area, as defined by the Census Bureau, unless the Postal Service determines that—

“(A) seniors served by the post office would continue to receive the same or substantially similar access to prescription medication sent through the mail as before the closing;

“(B) businesses located in the community served by the post office would not suffer financial loss as a result of the closing;

“(C) the economic loss to the community served by the post office as a result of the closing does not exceed the cost to the Postal Service of not closing the post office;

“(D) the area served by the post office has adequate access to wired broadband Internet service, as identified on the National Broadband Map of the National Telecommunications and Information Administration;

“(E) seniors and persons with disabilities who live near the post office would continue to receive the same or substantially similar access to postal services as before the closing; and

“(F) the closing would not result in more than 10 miles distance (as measured on roads with year-round access) between any 2 post offices.”.

(b) MORATORIUM.—Notwithstanding section 205(b) of this Act, or any other provision of law, during the 24-month period beginning on the date of enactment of this Act, the Postal Service may not close a post office located in a rural area, as defined by the Census Bureau, except as required for the immediate protection of health and safety.

SA 2032. Mr. TESTER (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . EXECUTIVE COMPENSATION.

(a) LIMITATIONS ON COMPENSATION.—Section 1003 of title 39, United States Code, is amended—

(1) in subsection (a), by striking the last sentence; and

(2) by adding at the end the following:

“(e) LIMITATIONS ON COMPENSATION.—

“(1) RATES OF BASIC PAY.—

“(A) IN GENERAL.—Subject to subparagraph (B), an officer or employee of the Postal Service may not be paid at a rate of basic pay that exceeds the rate of basic pay for level II of the Executive Schedule under section 5313 of title 5.

“(B) VERY SENIOR EXECUTIVES.—Not more than 6 officers or employees of the Postal Service that are in very senior executive positions, as determined by the Board of Governors, may be paid at a rate of basic pay that does not exceed the rate of basic pay for level I of the Executive Schedule under section 5312 of title 5.

“(2) BENEFITS.—For any fiscal year, an officer or employee of the Postal Service who is in a critical senior executive or equivalent position, as designated under section 3686(c), may not receive fringe benefits (within the meaning given that term under section 1005(f)) that are greater than the fringe benefits received by supervisory and other managerial personnel who are not subject to collective-bargaining agreements under chapter 12.”.

(b) LIMITATION ON BONUS AUTHORITY.—Section 3686 of title 39, United States Code, is amended—

(1) in subsection (a), by striking “The Postal Service” and inserting “Subject to subsection (f), the Postal Service”; and

(2) by adding at the end the following:

“(f) LIMITATION ON BONUS AUTHORITY.—

“(1) DEFINITION.—In this subsection, the term ‘covered year’ means the fiscal year following a fiscal year relating to which the Office of Management and Budget determines the Postal Service has not implemented the measures needed to achieve long-term solvency, as defined in section 208(e) of the 21st Century Postal Service Act of 2012.

“(2) LIMITATION.—The Postal Service may not provide a bonus or other reward under this section to an officer or employee of the Postal service in a critical senior executive or equivalent position, as designated under subsection (c), during a covered year.”.

(c) EFFECTIVE DATE; APPLICABILITY.—The amendments made by subsections (a) and (b) shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any contract entered or modified by the Postal Service on or after the date of enactment of this Act.

(d) SUNSET.—Effective 2 years after the date of enactment of this Act—

(1) section 1003 of title 39, United States Code, is amended—

(A) in subsection (a), by adding at the end the following: “No officer or employee shall be paid compensation at a rate in excess of the rate for level I of the Executive Schedule under section 5312 of title 5.”; and

(B) by striking subsection (e); and

(2) section 3686 of title 39, United States Code, is amended—

(A) in subsection (a), by striking “Subject to subsection (f), the Postal Service” and inserting “The Postal Service”; and

(B) by striking subsection (f).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 17, 2012, at 10 a.m., to conduct a

committee hearing entitled “Export-Import Bank Reauthorization: Saving American Jobs and Supporting American Exporters.”

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 17, 2012, at 2:30 p.m.

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

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 17, 2012, at 10:30 a.m. to conduct a hearing entitled, “The Comprehensive Contingency Contracting Reform Act of 2012 (S. 2139).”

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

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 17, 2012 at 10 in Dirksen 406 to conduct a hearing entitled, “Review of Mercury Pollution’s Impacts to Public Health and the Environment.”

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

SUBCOMMITTEE ON COMPETITIVENESS, INNOVATION, AND EXPORT PROMOTION

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Subcommittee on Competitiveness, Innovation, and Export Promotion of the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on April 17, 2012, at 10 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “Promoting American Competitiveness: Filling Jobs Today and Training Workers for Tomorrow.”

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on April 17, 2012, at 2:30 p.m.

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate, on April 17, 2012, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Ending Racial Profiling in America.”

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

21ST CENTURY POSTAL SERVICE ACT

AMENDMENT NO. 2000, AS MODIFIED

Mr. REID. Mr. President, due to a clerical error, the printout of amendment No. 2000, which was filed at the desk last evening, had missing pages.

I ask unanimous consent that the amendment be modified with the additional pages at the desk; further, that the cloture motion filed earlier today with respect to amendment No. 2000 be applicable to amendment No. 2000, as modified.

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

The amendment (No. 2000), as modified, is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “21st Century Postal Service Act of 2012”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

TITLE I—POSTAL WORKFORCE MATTERS

- Sec. 101. Treatment of postal funding surplus for Federal Employees Retirement System.
- Sec. 102. Incentives for voluntary separation.
- Sec. 103. Restructuring of payments for retiree health benefits.
- Sec. 104. Postal Service Health Benefits Program.
- Sec. 105. Medicare coordination efforts for Postal Service employees and retirees.
- Sec. 106. Arbitration; labor disputes.

TITLE II—POSTAL SERVICES AND OPERATIONS

- Sec. 201. Maintenance of delivery service standards.
- Sec. 202. Preserving mail processing capacity.
- Sec. 203. Establishment of retail service standards.
- Sec. 204. Expanded retail access.
- Sec. 205. Preserving community post offices.
- Sec. 206. Area and district office structure.
- Sec. 207. Conversion of door delivery points.
- Sec. 208. Limitations on changes to mail delivery schedule.
- Sec. 209. Time limits for consideration of service changes.
- Sec. 210. Public procedures for significant changes to mailing specifications.
- Sec. 211. Nonpostal products and services.
- Sec. 212. Chief Innovation Officer; innovation strategy.

Sec. 213. Strategic Advisory Commission on Postal Service Solvency and Innovation.

TITLE III—FEDERAL EMPLOYEES’ COMPENSATION ACT

- Sec. 301. Short title; references.
- Sec. 302. Federal workers compensation reforms for retirement-age employees.
- Sec. 303. Augmented compensation for dependents.
- Sec. 304. Schedule compensation payments.
- Sec. 305. Vocational rehabilitation.
- Sec. 306. Reporting requirements.
- Sec. 307. Disability management review; independent medical examinations.
- Sec. 308. Waiting period.
- Sec. 309. Election of benefits.
- Sec. 310. Sanction for noncooperation with field nurses.
- Sec. 311. Subrogation of continuation of pay.
- Sec. 312. Integrity and compliance.
- Sec. 313. Amount of compensation.
- Sec. 314. Technical and conforming amendments.
- Sec. 315. Regulations.
- Sec. 316. Effective date.

TITLE IV—OTHER MATTERS

- Sec. 401. Solvency plan.
- Sec. 402. Postal rates.
- Sec. 403. Co-location with Federal agencies.
- Sec. 404. Cooperation with State and local governments; intra-Service agreements.
- Sec. 405. Shipping of wine, beer, and distilled spirits.
- Sec. 406. Annual report on United States mailing industry.
- Sec. 407. Use of negotiated service agreements.
- Sec. 408. Contract disputes.
- Sec. 409. Contracting provisions.

SEC. 3. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) COMMISSION.—The term “Commission” means the Postal Regulatory Commission.

(2) POSTAL SERVICE.—The term “Postal Service” means the United States Postal Service.

TITLE I—POSTAL WORKFORCE MATTERS
SEC. 101. TREATMENT OF POSTAL FUNDING SURPLUS FOR FEDERAL EMPLOYEES RETIREMENT SYSTEM.

Section 8423(b) of title 5, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following:

“(5)(A) In this paragraph, the term ‘postal funding surplus’ means the amount by which the amount computed under paragraph (1)(B) is less than zero.

“(B)(i) Beginning with fiscal year 2011, for each fiscal year in which the amount computed under paragraph (1)(B) is less than zero, upon request of the Postmaster General, the Director shall transfer to the United States Postal Service from the Fund an amount equal to the postal funding surplus for that fiscal year for use in accordance with this paragraph.

“(ii) The Office shall calculate the amount under paragraph (1)(B) for a fiscal year by not later than June 15 after the close of the fiscal year, and shall transfer any postal funding surplus to the United States Postal Service within 10 days after a request by the Postmaster General.

“(C) For each of fiscal years 2011, 2012, 2013, and 2014 if the amount computed under paragraph (1)(B) is less than zero, a portion of the

postal funding surplus for the fiscal year shall be used by the United States Postal Service for the cost of providing incentives for voluntary separation, in accordance with section 102 of the 21st Century Postal Service Act of 2012 and sections 8332(p) and 8411(m) of this title, to employees of the United States Postal Service who voluntarily separate from service before October 1, 2015.

“(D) Any postal funding surplus for a fiscal year not expended under subparagraph (C) may be used by the United States Postal Service for the purposes of—

“(i) repaying any obligation issued under section 2005 of title 39; or

“(ii) making required payments to—

“(I) the Employees’ Compensation Fund established under section 8147;

“(II) the Postal Service Retiree Health Benefits Fund established under section 8909a;

“(III) the Employees Health Benefits Fund established under section 8909; or

“(IV) the Civil Service Retirement and Disability Fund.”.

SEC. 102. INCENTIVES FOR VOLUNTARY SEPARATION.

(a) VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—The Postal Service may provide voluntary separation incentive payments to employees of the Postal Service who voluntarily separate from service before October 1, 2015 (including payments to employees who retire under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code, before October 1, 2015), which may not exceed the maximum amount provided under section 3523(b)(3)(B) of title 5, United States Code, for any employee.

(b) ADDITIONAL SERVICE CREDIT.—

(1) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8332 of title 5, United States Code, is amended by adding at the end the following:

“(p)(1)(A) For an employee of the United States Postal Service who is covered under this subchapter and voluntarily separates from service before October 1, 2015, the Office, if so directed by the United States Postal Service, shall add not more than 1 year to the total creditable service of the employee for purposes of determining entitlement to and computing the amount of an annuity under this subchapter (except for a disability annuity under section 8337).

“(B) An employee who receives additional creditable service under this paragraph may not receive a voluntary separation incentive payment from the United States Postal Service.

“(2) The United States Postal Service shall ensure that the average actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from additional creditable service provided under paragraph (1) or section 8411(m)(1) is not more than \$25,000 per employee provided additional creditable service under paragraph (1) or section 8411(m)(1).

“(3)(A) Subject to subparagraph (B), and notwithstanding any other provision of law, no deduction, deposit, or contribution shall be required for service credited under this subsection.

“(B) The actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from this subsection shall be included in the amount calculated under section 8348(h)(1)(A).”.

(2) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—Section 8411 of title 5, United States Code, is amended by adding at the end the following:

“(m)(1)(A) For an employee of the United States Postal Service who is covered under

this chapter and voluntarily separates from service before October 1, 2015, the Office, if so directed by the United States Postal Service, shall add not more than 2 years to the total creditable service of the employee for purposes of determining entitlement to and computing the amount of an annuity under this chapter (except for a disability annuity under subchapter V of that chapter).

“(B) An employee who receives additional creditable service under this paragraph may not receive a voluntary separation incentive payment from the United States Postal Service.

“(2) The United States Postal Service shall ensure that the average actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from additional creditable service provided under paragraph (1) or section 8332(p)(1) is not more than \$25,000 per employee provided additional creditable service under paragraph (1) or section 8332(p)(1).

“(3)(A) Subject to subparagraph (B), and notwithstanding any other provision of law, no deduction, deposit, or contribution shall be required for service credited under this subsection.

“(B) The actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from this subsection shall be included in the amount calculated under section 8423(b)(1)(B).”.

(c) GOALS.—

(1) IN GENERAL.—The Postal Service shall offer incentives for voluntary separation under this section and the amendments made by this section as a means of ensuring that the size and cost of the workforce of the Postal Service is appropriate to the work required of the Postal Service, including consideration of—

(A) the closure and consolidation of postal facilities;

(B) the ability to operate existing postal facilities more efficiently, including by reducing the size or scope of operations of postal facilities in lieu of closing postal facilities; and

(C) the number of employees eligible, or projected in the near-term to be eligible, for retirement, including early retirement.

(2) PERCENTAGE GOAL.—The Postal Service shall offer incentives for voluntary separation under this section to a sufficient number of employees as would reasonably be expected to lead to an 18 percent reduction in the total number of career employees of the Postal Service by the end of fiscal year 2015.

(3) DEFINITION.—In this subsection, the term “career employee of the Postal Service” means an employee of the Postal Service—

(A) whose appointment is not for a limited period; and

(B) who is eligible for benefits, including retirement coverage under chapter 83 or 84 of title 5, United States Code.

(d) FUNDING.—The Postal Service shall carry out subsection (a) and sections 8332(p) and 8411(m) of title 5, United States Code, as added by subsection (b) of this section, using funds made available under section 8423(b)(5)(C) of title 5, United States Code, as amended by section 101 of this Act.

SEC. 103. RESTRUCTURING OF PAYMENTS FOR RETIREE HEALTH BENEFITS.

(a) CONTRIBUTIONS.—Section 8906(g)(2)(A) of title 5, United States Code, is amended by striking “through September 30, 2016, be paid by the United States Postal Service, and thereafter shall” and inserting “after the date of enactment of the 21st Century Postal Service Act of 2012”.

(b) POSTAL SERVICE RETIREE HEALTH BENEFITS FUND.—Section 8909a of title 5, United States Code, is amended—

(1) in subsection (d)—

(A) by striking paragraph (2) and inserting the following:

“(2)(A) Not later than 180 days after the date of enactment of the 21st Century Postal Service Act of 2012, or March 31, 2013, whichever is later, the Office shall compute, and by June 30 of each succeeding year, the Office shall recompute, a schedule including a series of annual installments which provide for the liquidation of the amount described under subparagraph (B) (regardless of whether the amount is a liability or surplus) by September 30, 2052, or within 15 years, whichever is later, including interest at the rate used in the computations under this subsection.

“(B) The amount described in this subparagraph is the amount, as of the date on which the applicable computation or recomputation under subparagraph (A) is made, that is equal to the difference between—

“(i) 80 percent of the Postal Service actuarial liability as of September 30 of the most recently ended fiscal year; and

“(ii) the value of the assets of the Postal Retiree Health Benefits Fund as of September 30 of the most recently ended fiscal year.”.

(B) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (iii), by adding “and” at the end;

(II) in clause (iv), by striking the semicolon at the end and inserting a period; and

(III) by striking clauses (v) through (x); and

(ii) in subparagraph (B), by striking “2017” and inserting “2013”;

(C) by amending paragraph (4) to read as follows:

“(4) Computations under this subsection shall be based on—

“(A) economic and actuarial methods and assumptions consistent with the methods and assumptions used in determining the Postal surplus or supplemental liability under section 8348(h); and

“(B) any other methods and assumptions, including a health care cost trend rate, that the Director of the Office determines to be appropriate.”; and

(D) by adding at the end the following:

“(7) In this subsection, the term ‘Postal Service actuarial liability’ means the difference between—

“(A) the net present value of future payments required under section 8906(g)(2)(A) for current and future United States Postal Service annuitants; and

“(B) the net present value as computed under paragraph (1) attributable to the future service of United States Postal Service employees.”; and

(2) by adding at the end the following:

“(e) Subsections (a) through (d) of this section shall be subject to section 104 of the 21st Century Postal Service Act of 2012.”.

SEC. 104. POSTAL SERVICE HEALTH BENEFITS PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term “covered employee” means an employee of the Postal Service who is represented by a bargaining representative recognized under section 1203 of title 39, United States Code;

(2) the term “Federal Employee Health Benefits Program” means the health benefits program under chapter 89 of title 5, United States Code; and

(3) the term "Postal Service Health Benefits Program" means the health benefits program that may be agreed to under subsection (b)(1).

(b) COLLECTIVE BARGAINING.—

(1) IN GENERAL.—Consistent with section 1005(f) of title 39, United States Code, the Postal Service may negotiate jointly with all bargaining representatives recognized under section 1203 of title 39, United States Code, and enter into a joint collective bargaining agreement with those bargaining representatives to establish the Postal Service Health Benefits Program that satisfies the conditions under subsection (c). The Postal Service and the bargaining representatives shall negotiate in consultation with the Director of the Office of Personnel Management.

(2) CONSULTATION WITH SUPERVISORY AND MANAGERIAL PERSONNEL.—In the course of negotiations under paragraph (1), the Postal Service shall consult with each of the organizations of supervisory and other managerial personnel that are recognized under section 1004 of title 39, United States Code, concerning the views of the personnel represented by each of those organizations.

(3) ARBITRATION LIMITATION.—Notwithstanding chapter 12 of title 39, United States Code, there shall not be arbitration of any dispute in the negotiations under this subsection.

(4) TIME LIMITATION.—The authority under this subsection shall extend until September 30, 2012.

(c) POSTAL SERVICE HEALTH BENEFITS PROGRAM.—The Postal Service Health Benefits Program—

(1) shall—

(A) be available for participation by all covered employees;

(B) be available for participation by any officer or employee of the Postal Service who is not a covered employee, at the option solely of that officer or employee;

(C) provide adequate and appropriate health benefits;

(D) be administered in a manner determined in a joint agreement reached under subsection (b); and

(E) provide for transition of coverage under the Federal Employee Health Benefits Program of covered employees to coverage under the Postal Service Health Benefits Program on January 1, 2013;

(2) may provide dental benefits; and

(3) may provide vision benefits.

(d) AGREEMENT AND IMPLEMENTATION.—If a joint agreement is reached under subsection (b)—

(1) the Postal Service shall implement the Postal Service Health Benefits Program;

(2) the Postal Service Health Benefits Program shall constitute an agreement between the collective bargaining representatives and the Postal Service for purposes of section 1005(f) of title 39, United States Code; and

(3) covered employees may not participate as employees in the Federal Employees Health Benefits Program.

(e) GOVERNMENT PLAN.—The Postal Service Health Benefits Program shall be a government plan as that term is defined under section 3(32) of Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(32)).

(f) REPORT.—Not later than June 30, 2013, the Postal Service shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives that—

(1) reports on the implementation of this section; and

(2) requests any additional statutory authority that the Postal Service determines is necessary to carry out the purposes of this section.

SEC. 105. MEDICARE COORDINATION EFFORTS FOR POSTAL SERVICE EMPLOYEES AND RETIREES.

(a) ADDITIONAL ENROLLMENT OPTIONS UNDER FEDERAL EMPLOYEES HEALTH BENEFITS PLANS.—Chapter 89 of title 5, United States Code, is amended by inserting after section 8903b the following:

"SEC. 8903c. COORDINATION WITH MEDICARE FOR POSTAL SERVICE EMPLOYEES AND ANNUITANTS.

"(a) DEFINITIONS.—In this section—

"(1) the term 'contract year' means a calendar year in which health benefits plans are administered under this chapter;

"(2) the term 'Medicare part A' means the Medicare program for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.);

"(3) the term 'Medicare part B' means the Medicare program for supplementary medical insurance benefits under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.); and

"(4) the term 'Postal Service employee or annuitant' means an individual who is—

"(A) an employee of the Postal Service; or

"(B) an annuitant covered under this chapter whose Government contribution is paid by the Postal Service under section 8906(g)(2).

"(b) ENROLLMENT OPTIONS.—

"(1) ESTABLISHMENT.—

"(A) IN GENERAL.—For contract years beginning on or after January 1, 2014, the Office shall establish enrollment options for health benefits plans that are open only to Postal Service employees and annuitants, and family members of a Postal Service employee or annuitant, who are enrolled in Medicare part A and Medicare part B.

"(B) ADDITIONAL PLANS.—The enrollment options established under this subsection shall be in addition to any other health benefit plan or enrollment option otherwise available to Postal Service employees or annuitants under this chapter and shall not affect the eligibility of a Postal Service employee or annuitant for any other health benefit plan or enrollment option under this chapter.

"(2) ENROLLMENT ELIGIBILITY.—Any Postal Service employee or annuitant, or family member of a Postal Service employee or annuitant, who is enrolled in Medicare part A and Medicare part B may enroll in 1 of the enrollment options established under paragraph (1).

"(3) VALUE OF COVERAGE.—The Office shall ensure that the aggregate actuarial value of coverage under the enrollment options established under this subsection, in combination with the value of coverage under Medicare part A and Medicare part B, shall be not less than the actuarial value of the most closely corresponding enrollment options for each plan available under section 8905, in combination with the value of coverage under Medicare part A and Medicare part B.

"(4) ENROLLMENT OPTIONS.—

"(A) IN GENERAL.—The enrollment options established under paragraph (1) shall include—

"(i) an individual option, for Postal Service employees or annuitants enrolled in Medicare part A and Medicare part B;

"(ii) a self and family option, for Postal Service employees or annuitants and family members who are each enrolled in Medicare part A and Medicare part B; and

"(iii) a self and family option, for Postal Service employees or annuitants—

"(I) who are enrolled in Medicare part A and Medicare part B; and

"(II) the family members of whom are not enrolled in Medicare part A or Medicare part B.

"(B) SPECIFIC SUB-OPTIONS.—The Office may establish more specific enrollment options within the types of options described under subparagraph (A).

"(5) REDUCED PREMIUMS TO ACCOUNT FOR MEDICARE COORDINATION.—In determining the premiums for the enrollment options under paragraph (4), the Office shall—

"(A) establish a separate claims pool for individuals eligible for coverage under any of those options; and

"(B) ensure that—

"(i) the premiums are reduced from the premiums otherwise established under this chapter to directly reflect the full cost savings to the health benefits plans due to the complete coordination of benefits with Medicare part A and Medicare part B for Postal Service employees or annuitants, or family members of Postal Service employees or annuitants, who are enrolled in Medicare part A and Medicare part B; and

"(ii) the cost savings described under clause (i) result solely in the reduction of—

"(I) the premiums paid by the Postal Service employee or annuitant; and

"(II) the Government contributions paid by the Postal Service or other employer.

"(c) POSTAL SERVICE CONSULTATION.—The Office shall establish the enrollment options and premiums under this section in consultation with the Postal Service."

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 89 of title 5, United States Code, is amended by inserting after the item relating to section 8903b the following:

"8903c. Coordination with Medicare for Postal Service employees and annuitants."

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to contract years beginning on or after January 1, 2014.

(d) SPECIAL ENROLLMENT PERIOD FOR POSTAL SERVICE EMPLOYEES AND ANNUITANTS.—

(1) SPECIAL ENROLLMENT PERIOD.—Section 1837 of the Social Security Act (42 U.S.C. 1395p) is amended by adding at the end the following new subsection:

"(m)(1) In the case of any individual who, as of the date of enactment of the 21st Century Postal Service Act of 2012, is a Postal Service employee or annuitant (as defined in section 8903c(a) of title 5, United States Code) at the time the individual is entitled to part A under section 226 or section 226A and who is eligible to enroll but who has elected not to enroll (or to be deemed enrolled) during the individual's initial enrollment period, there shall be a special enrollment period described in paragraph (2).

"(2) The special enrollment period described in this paragraph, with respect to an individual, is the 1-year period beginning on July 1, 2013.

"(3) In the case of an individual who enrolls during the special enrollment period provided under paragraph (1), the coverage period under this part shall begin on the first day of the month in which the individual enrolls."

(2) WAIVER OF INCREASE OF PREMIUM.—Section 1839(b) of the Social Security Act (42 U.S.C. 1395r(b)) is amended by striking "(i)(4) or (l)" and inserting "(i)(4), (l), or (m)".

(e) **EDUCATIONAL PROGRAM.**—The Postmaster General, in consultation with the Director of the Office of Personnel Management and the Administrator of the Centers for Medicare & Medicaid Services, shall develop an educational program to encourage the voluntary use of the Medicare program for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.) (commonly known as “Medicare Part A”) and the Medicare program for supplementary medical insurance benefits under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) (commonly known as “Medicare Part B”) for eligible Postal Service employees and annuitants that may benefit from enrollment, the objective of which shall be to—

(1) educate employees and annuitants on how Medicare benefits interact with and can supplement the benefits of the employee or annuitant under the Federal Employees Health Benefit Program; and

(2) reduce costs to the Federal Employees Health Benefit Program, beneficiaries, and the Postal Service by coordinating services with the Medicare program.

SEC. 106. ARBITRATION; LABOR DISPUTES.

Section 1207(c) of title 39, United States Code, is amended—

(1) in paragraph (2)—

(A) by inserting “(A)” after “(2)”;

(B) by striking the last sentence and inserting “The arbitration board shall render a decision not later than 45 days after the date of its appointment.”; and

(C) by adding at the end the following:

“(B) In rendering a decision under this paragraph, the arbitration board shall consider such relevant factors as the financial condition of the Postal Service.”; and

(2) by adding at the end the following:

“(4) Nothing in this section may be construed to limit the relevant factors that the arbitration board may take into consideration in rendering a decision under paragraph (2).”.

TITLE II—POSTAL SERVICES AND OPERATIONS

SEC. 201. MAINTENANCE OF DELIVERY SERVICE STANDARDS.

(a) **DEFINITIONS.**—For purposes of this section—

(1) the term “plant service area” means the geographic area served by a single sectional center facility, or a corresponding successor facility, as designated by the Postal Service; and

(2) the term “continental United States” means the 48 contiguous States and the District of Columbia.

(b) **INTERIM MAINTENANCE OF STANDARDS.**—During the 3-year period beginning on the date of enactment of this Act, the Postal Service—

(1) shall maintain the service standards described in subsection (c);

(2) may not establish a new or revised service standard for market-dominant products under section 3691 of title 39, United States Code, that is inconsistent with the requirements under subsection (c); and

(3) shall include in any new or revised overnight service standard established for market-dominant products under section 3691 of title 39, United States Code, a policy on changes to critical entry times at post offices and business mail entry units that ensures that any such changes maintain meaningful access to the services provided under the service standard required to be maintained under subsection (c).

(c) **SERVICE STANDARDS.**—

(1) **OVERNIGHT STANDARD FOR FIRST-CLASS MAIL AND PERIODICALS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Postal Service shall maintain an overnight service standard that provides overnight service for first-class mail and periodicals that—

(i) originate and destinate in the same plant service area; and

(ii) enter the mails before the critical entry time established and published by the Postal Service.

(B) **AREAS OUTSIDE THE CONTINENTAL UNITED STATES.**—The requirements of subparagraph (A) shall not apply to areas outside the continental United States—

(1) in the case of mail that originates or destinate in a territory or possession of the United States that is part of a plant service area having a sectional center facility that—

(I) is not located in the territory or possession; and

(II) was not located in the territory or possession on January 1, 2012; and

(2) in the case of mail not described in clause (1), except to the extent that the requirements are consistent with the service standards under part 121 of title 39, Code of Federal Regulations, as in effect on January 1, 2012.

(2) **TWO-DAY DELIVERY FOR FIRST-CLASS MAIL.**—The Postal Service shall maintain a service standard that provides that first-class mail not delivered overnight will be delivered within 2 delivery days, to the maximum extent feasible using the network of postal facilities maintained to meet the requirements under paragraph (1).

(3) **MAXIMUM DELIVERY TIME FOR FIRST-CLASS MAIL.**—

(A) **IN GENERAL.**—The Postal Service shall maintain a service standard that provides that first-class mail will be delivered—

(i) within a maximum of 3 delivery days, for mail that originates and destinate within the continental United States; and

(ii) within a maximum period of time consistent with service standards under part 121 of title 39, Code of Federal Regulations, as in effect on January 1, 2012, for mail originating or destinating outside the continental United States.

(B) **REVISIONS.**—Notwithstanding subparagraph (A)(ii), the Postal Service may revise the service standards under part 121 of title 39, Code of Federal Regulations for mail described in subparagraph (A)(ii) to take into account transportation conditions (including the availability of transportation) or other circumstances outside the control of the Postal Service.

SEC. 202. PRESERVING MAIL PROCESSING CAPACITY.

Section 404 of title 39, United States Code, is amended by adding after subsection (e) the following:

“(f) **CLOSING OR CONSOLIDATION OF CERTAIN POSTAL FACILITIES.**—

“(1) **POSTAL FACILITY.**—In this subsection, the term ‘postal facility’—

“(A) means any Postal Service facility that is primarily involved in the preparation, dispatch, or other physical processing of mail; and

“(B) does not include—

“(i) any post office, station, or branch; or

“(ii) any facility used only for administrative functions.

“(2) **AREA MAIL PROCESSING STUDY.**—

“(A) **NEW AREA MAIL PROCESSING STUDIES.**—After the date of enactment of this subsection, before making a determination under subsection (a)(3) as to the necessity for the closing or consolidation of any postal facility, the Postal Service shall—

“(i) conduct an area mail processing study relating to that postal facility that includes

a plan to reduce the capacity of the postal facility, but not close the postal facility;

“(ii) publish the study on the Postal Service website; and

“(iii) publish a notice that the study is complete and available to the public, including on the Postal Service website.

“(B) **COMPLETED OR ONGOING AREA MAIL PROCESSING STUDIES.**—

“(i) **IN GENERAL.**—In the case of a postal facility described in clause (ii), the Postal Service shall—

“(I) consider a plan to reduce the capacity of the postal facility without closing the postal facility; and

“(II) publish the results of the consideration under subclause (I) with or as an amendment to the area mail processing study relating to the postal facility.

“(ii) **POSTAL FACILITIES.**—A postal facility described in this clause is a postal facility for which, on or before the date of enactment of this subsection—

“(I) an area mail processing study that does not include a plan to reduce the capacity of the postal facility without closing the postal facility has been completed;

“(II) an area mail processing study is in progress; or

“(III) a determination as to the necessity for the closing or consolidation of the postal facility has not been made.

(3) **NOTICE, PUBLIC COMMENT, AND PUBLIC HEARING.**—If the Postal Service makes a determination under subsection (a)(3) to close or consolidate a postal facility, the Postal Service shall—

“(A) provide notice of the determination to—

“(i) Congress; and

“(ii) the Postal Regulatory Commission;

“(B) provide adequate public notice of the intention of the Postal Service to close or consolidate the postal facility;

“(C) ensure that interested persons have an opportunity to submit public comments during a 45-day period after the notice of intention is provided under subparagraph (B);

“(D) before the 45-day period described in subparagraph (C), provide for public notice of that opportunity by—

“(i) publication on the Postal Service website;

“(ii) posting at the affected postal facility; and

“(iii) advertising the date and location of the public community meeting under subparagraph (E); and

“(E) during the 45-day period described in subparagraph (C), conduct a public community meeting that provides an opportunity for public comments to be submitted verbally or in writing.

(4) **FURTHER CONSIDERATIONS.**—Not earlier than 30 days after the end of the 45-day period for public comment under paragraph (3), the Postal Service, in making a determination to close or consolidate a postal facility, shall consider—

“(A) the views presented by interested persons under paragraph (3);

“(B) the effect of the closing or consolidation on the affected community, including any disproportionate impact the closing or consolidation may have on a State, region, or locality;

“(C) the effect of the closing or consolidation on the travel times and distances for affected customers to access services under the proposed closing or consolidation;

“(D) the effect of the closing or consolidation on delivery times for all classes of mail;

“(E) any characteristics of certain geographical areas, such as remoteness,

broadband internet availability, and weather-related obstacles to using alternative facilities, that may result in the closing or consolidation having a unique effect; and

“(F) any other factor the Postal Service determines is necessary.

“(5) JUSTIFICATION STATEMENT.—Before the date on which the Postal Service closes or consolidates a postal facility, the Postal Service shall post on the Postal Service website a closing or consolidation justification statement that includes—

“(A) a response to all public comments received with respect to the considerations described under paragraph (4);

“(B) a description of the considerations made by the Postal Service under paragraph (4); and

“(C) the actions that will be taken by the Postal Service to mitigate any negative effects identified under paragraph (4).

“(6) CLOSING OR CONSOLIDATION OF POSTAL FACILITIES.—

“(A) IN GENERAL.—Not earlier than the 15 days after posting the final determination and the justification statement under paragraph (5) with respect to a postal facility, the Postal Service may close or consolidate the postal facility.

“(B) ALTERNATIVE INTAKE OF MAIL.—If the Postal Service closes or consolidates a postal facility under subparagraph (A), the Postal Service shall make reasonable efforts to ensure continued mail receipt from customers of the closed or consolidated postal facility at the same location or at another appropriate location in close geographic proximity to the closed or consolidated postal facility.

“(C) LIMITATIONS.—During the 3-year period beginning on the date of enactment of the 21st Century Postal Service Act of 2012, the Postal Service may not close or consolidate a postal facility if the closing or consolidation prevents the Postal Service from maintaining service standards as required under section 201 of the 21st Century Postal Service Act of 2012.

“(7) REVIEW BY POSTAL REGULATORY COMMISSION.—In accordance with section 3662—

“(A) an interested person may lodge a complaint with the Postal Regulatory Commission if the person believes that the closure or consolidation of a postal facility is not in conformance with applicable service standards, including the service standards established under section 201 of the 21st Century Postal Service Act of 2012; and

“(B) if the Postal Regulatory Commission finds a complaint lodged by an interested person to be justified, the Commission shall order the Postal Service to take appropriate action to achieve compliance with applicable service standards, including the service standards established under section 201 of the 21st Century Postal Service Act of 2012, or to remedy the effects of any noncompliance.

“(8) POSTAL SERVICE WEBSITE.—For purposes of any notice required to be published on the Postal Service website under this subsection, the Postal Service shall ensure that the Postal Service website—

“(A) is updated routinely; and

“(B) provides any person, at the option of the person, the opportunity to receive relevant updates by electronic mail.

“(9) PROTECTION OF CERTAIN INFORMATION.—Nothing in this subsection may be construed to require the Postal Service to disclose—

“(A) any proprietary data, including any reference or citation to proprietary data; or

“(B) any information relating to the security of a postal facility.”.

SEC. 203. ESTABLISHMENT OF RETAIL SERVICE STANDARDS.

(a) DEFINITION.—In this section, the term “retail postal service” means service that allows a postal customer to—

(1) purchase postage;

(2) enter packages into the mail; and

(3) procure other services offered by the Postal Service.

(b) ESTABLISHMENT OF RETAIL SERVICE STANDARDS.—Not later than 6 months after the date of enactment of this Act, the Postal Service shall exercise its authority under section 3691 of title 39, United States Code, to establish service standards for market-dominant products in order to guarantee customers of the Postal Service regular and effective access to retail postal services nationwide (including in territories and possessions of the United States) on a reasonable basis.

(c) CONTENTS.—The service standards established under subsection (b) shall—

(1) be consistent with—

(A) the obligations of the Postal Service under section 101(b) of title 39, United States Code; and

(B) the contents of the plan developed under section 302 of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note), and any updated or revised plan developed under section 204 of this Act; and

(2) take into account factors including—

(A) geography, including the establishment of standards for the proximity of retail postal services to postal customers, including a consideration of the reasonable maximum time a postal customer should expect to travel to access a postal retail location;

(B) the importance of facilitating communications for communities with limited or no access to Internet, broadband, or cellular telephone services;

(C) population, including population density, demographic factors such as the age, disability status, and degree of poverty of individuals in the area to be served by a location providing postal retail services, and other factors that may impact the ability of postal customers, including businesses, to travel to a postal retail location;

(D) the feasibility of offering retail access to postal services in addition to post offices, as described in section 302(d) of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note);

(E) the requirement that the Postal Service serve remote areas and communities with transportation challenges, including communities in which the effects of inclement weather or other natural conditions might obstruct or otherwise impede access to retail postal services; and

(F) the ability of postal customers to access retail postal services in areas that were served by a post office that was closed or consolidated during the 1 year period ending on the date of enactment of this Act.

SEC. 204. EXPANDED RETAIL ACCESS.

(a) UPDATED PLAN.—Not later than 1 year after the date of enactment of this Act, the Postal Service shall, in consultation with the Commission, develop and submit to Congress a revised and updated version of the plan to expand and market retail access to postal services required under section 302(d) of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note).

(b) CONTENTS.—The plan required under subsection (a) shall—

(1) include a consideration of methods to expand and market retail access to postal services described in paragraphs (1) through

(8) of section 302(d) of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note);

(2) where possible, provide for an improvement in customer access to postal services;

(3) consider the impact of any decisions by the Postal Service relating to the implementation of the plan on rural areas, communities, and small towns; and

(4) ensure that—

(A) rural areas, communities, and small towns continue to receive regular and effective access to retail postal services after implementation of the plan; and

(B) the Postal Service solicits community input in accordance with applicable provisions of Federal law.

(c) FURTHER UPDATES.—The Postal Service, in consultation with the Commission, shall—

(1) update the plan required under subsection (a) as the Postal Service determines is appropriate; and

(2) submit each update under paragraph (1) to Congress.

SEC. 205. PRESERVING COMMUNITY POST OFFICES.

(a) CLOSING POST OFFICES.—Section 404(d) of title 39, United States Code, is amended to read as follows:

“(d)(1) The Postal Service, prior to making a determination under subsection (a)(3) of this section as to the necessity for the closing or consolidation of any post office, shall—

“(A) consider whether—

“(i) to close the post office or consolidate the post office and another post office located within a reasonable distance;

“(ii) instead of closing or consolidating the post office—

“(I) to reduce the number of hours a day that the post office operates; or

“(II) to continue operating the post office for the same number of hours a day;

“(iii) to procure a contract providing full, or less than full, retail services in the community served by the post office; or

“(iv) to provide postal services to the community served by the post office through a rural carrier;

“(B) provide postal customers served by the post office an opportunity to participate in a nonbinding survey conducted by mail on a preference for an option described in subparagraph (A); and

“(C) if the Postal Service determines to close or consolidate the post office, provide adequate notice of its intention to close or consolidate such post office at least 60 days prior to the proposed date of such closing or consolidation to persons served by such post office to ensure that such persons will have an opportunity to present their views.

“(2) The Postal Service, in making a determination whether or not to close or consolidate a post office—

“(A) shall consider—

“(i) the effect of such closing or consolidation on the community served by such post office;

“(ii) the effect of such closing or consolidation on employees of the Postal Service employed at such office;

“(iii) whether such closing or consolidation is consistent with the policy of the Government, as stated in section 101(b) of this title, that the Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining;

“(iv) the extent to which the community served by the post office lacks access to Internet, broadband and cellular phone service;

“(v) the economic savings to the Postal Service resulting from such closing or consolidation; and

“(vi) such other factors as the Postal Service determines are necessary; and

“(B) may not consider compliance with any provision of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

“(3) Any determination of the Postal Service to close or consolidate a post office shall be in writing and shall include the findings of the Postal Service with respect to the considerations required to be made under paragraph (2) of this subsection. Such determination and findings shall be made available to persons served by such post office.

“(4) The Postal Service shall take no action to close or consolidate a post office until 60 days after its written determination is made available to persons served by such post office.

“(5) A determination of the Postal Service to close or consolidate any post office, station, or branch may be appealed by any person served by such office, station, or branch to the Postal Regulatory Commission within 30 days after such determination is made available to such person. The Commission shall review such determination on the basis of the record before the Postal Service in the making of such determination. The Commission shall make a determination based upon such review no later than 120 days after receiving any appeal under this paragraph. The Commission shall set aside any determination, findings, and conclusions found to be—

“(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law;

“(B) without observance of procedure required by law;

“(C) not in conformance with the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012; or

“(D) unsupported by substantial evidence on the record.

The Commission may affirm the determination of the Postal Service or order that the entire matter be returned for further consideration, but the Commission may not modify the determination of the Postal Service. The Commission may suspend the effectiveness of the determination of the Postal Service until the final disposition of the appeal. The provisions of section 556, section 557, and chapter 7 of title 5 shall not apply to any review carried out by the Commission under this paragraph.

“(6) For purposes of paragraph (5), any appeal received by the Commission shall—

“(A) if sent to the Commission through the mails, be considered to have been received on the date of the Postal Service postmark on the envelope or other cover in which such appeal is mailed; or

“(B) if otherwise lawfully delivered to the Commission, be considered to have been received on the date determined based on any appropriate documentation or other indicia (as determined under regulations of the Commission).

“(7) Nothing in this subsection shall be construed to limit the right under section 3662—

“(A) of an interested person to lodge a complaint with the Postal Regulatory Commission under section 3662 concerning nonconformance with service standards, including the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012; or

“(B) of the Postal Regulatory Commission, if the Commission finds a complaint lodged

by an interested person to be justified, to order the Postal Service to take appropriate action to achieve compliance with applicable requirements, including the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012, or to remedy the effects of any noncompliance.”

(b) PROHIBITION ON CLOSING POST OFFICES.—Notwithstanding section 404(d) of title 39, United States Code, as amended by this section, during the period beginning on the date of enactment of this Act and ending on the date on which the Postal Service establishes the retail service standards under section 203 of this Act, the Postal Service may not close a post office, except as required for the immediate protection of health and safety.

(c) HISTORIC POST OFFICES.—Section 404(d) of title 39, United States Code, as amended by this section, is amended by adding at the end the following:

“(8)(A) In this paragraph, the term ‘historic post office building’ means a post office building that is a certified historic structure, as that term is defined in section 47(c)(3) of the Internal Revenue Code of 1986.

“(B) In the case of a post office that has been closed and that is located within a historic post office building, the Postal Service shall provide Federal agencies and State and local government entities the opportunity to lease the historic post office building, if—

“(i) the Postal Service is unable to sell the building at an acceptable price within a reasonable period of time after the post office has been closed; and

“(ii) the Federal agency or State or local government entity that leases the building agrees to—

“(I) restore the historic post office building at no cost to the Postal Service;

“(II) assume responsibility for the maintenance of the historic post office building; and

“(III) make the historic post office building available for public use.”

SEC. 206. AREA AND DISTRICT OFFICE STRUCTURE.

(a) PLAN REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Postal Service shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Governmental Reform of the House of Representatives—

(1) a comprehensive strategic plan to govern decisions relating to area and district office structure that considers efficiency, costs, redundancies, mail volume, technological advancements, operational considerations, and other issues that may be relevant to establishing an effective area and district office structure; and

(2) a 10-year plan, including a timetable, that provides for consolidation of area and district offices within the continental United States (as defined in section 201(a)) wherever the Postal Service determines a consolidation would—

(A) be cost effective; and

(B) not substantially and adversely affect the operations of the Postal Service.

(b) CONSOLIDATION.—Beginning not later than 1 year after the date of enactment of this Act, the Postal Service shall, consistent with the plans required under and the criteria described in subsection (a)—

(1) consolidate district offices that are located within 50 miles of each other;

(2) consolidate area and district offices that have less than the mean mail volume and number of work hours for all area and district offices; and

(3) relocate area offices to headquarters.

(c) UPDATES.—The Postal Service shall update the plans required under subsection (a) not less frequently than once every 5 years.

(d) STATE LIAISON.—If the Postal Service does not maintain a district office in a State, the Postal Service shall designate at least 1 employee of the district office responsible for Postal Service operations in the State to represent the needs of Postal Service customers in the State.

SEC. 207. CONVERSION OF DOOR DELIVERY POINTS.

(a) IN GENERAL.—Subchapter VII of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

“§ 3692. Conversion of door delivery points

“(a) DEFINITIONS.—In this section, the following definitions shall apply:

“(1) CENTRALIZED DELIVERY POINT.—The term ‘centralized delivery point’ means a group or cluster of mail receptacles at 1 delivery point that is within reasonable proximity of the street address associated with the delivery point.

“(2) CURBLINE DELIVERY POINT.—The term ‘curbline delivery point’ means a delivery point that is—

“(A) adjacent to the street address associated with the delivery point; and

“(B) accessible by vehicle on a street that is not a private driveway.

“(3) DOOR DELIVERY POINT.—The term ‘door delivery point’ means a delivery point at a door of the structure at a street address.

“(4) SIDEWALK DELIVERY POINT.—The term ‘sidewalk delivery point’ means a delivery point on a sidewalk adjacent to the street address associated with the delivery point.

“(b) CONVERSION.—Except as provided in subsection (c), and in accordance with the solvency plan required under section 401 of the 21st Century Postal Service Act of 2012 and standards established by the Postal Service, the Postal Service is authorized to, to the maximum extent feasible, convert door delivery points to—

“(1) curbline delivery points;

“(2) sidewalk delivery points; or

“(3) centralized delivery points.

“(c) EXCEPTIONS.—

“(1) CONTINUED DOOR DELIVERY.—The Postal Service may allow for the continuation of door delivery due to—

“(A) a physical hardship of a customer;

“(B) weather, in a geographic area where snow removal efforts could obstruct access to mailboxes near a road;

“(C) circumstances in an urban area that preclude efficient use of curbline delivery points;

“(D) other exceptional circumstances, as determined in accordance with regulations issued by the Postal Service; or

“(E) other circumstances in which the Postal Service determines that alternatives to door delivery would not be practical or cost effective.

“(2) NEW DOOR DELIVERY POINTS.—The Postal Service may provide door delivery to a new delivery point in a delivery area that received door delivery on the day before the date of enactment of this section, if the delivery point is established before the delivery area is converted from door delivery under subsection (b).

“(d) SOLICITATION OF COMMENTS.—The Postal Service shall establish procedures to solicit, consider, and respond to input from individuals affected by a conversion under this section.

“(e) REVIEW.—Subchapter V of this chapter shall not apply with respect to any action taken by the Postal Service under this section.

“(f) REPORT.—Not later than 60 days after the end of each fiscal year through fiscal year 2015, the Postal Service shall submit to Congress and the Inspector General of the Postal Service a report on the implementation of this section during the preceding fiscal year that—

“(1) includes the number of door delivery points—

“(A) that existed at the end of the fiscal year preceding the preceding fiscal year;

“(B) that existed at the end of the preceding fiscal year;

“(C) that, during the preceding fiscal year, converted to—

“(i) curblineline delivery points or sidewalk delivery points;

“(ii) centralized delivery points; and

“(iii) any other type of delivery point; and

“(D) for which door delivery was continued under subsection (c)(1);

“(2) estimates any cost savings, revenue loss, or decline in the value of mail resulting from the conversions from door delivery that occurred during the preceding fiscal year;

“(3) describes the progress of the Postal Service toward achieving the conversions authorized under subsection (b); and

“(4) provides such additional information as the Postal Service considers appropriate.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter VII of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

“3692. Conversion of door delivery points.”.

SEC. 208. LIMITATIONS ON CHANGES TO MAIL DELIVERY SCHEDULE.

(a) LIMITATION ON CHANGE IN SCHEDULE.—Notwithstanding any other provision of law—

(1) the Postal Service may not establish a general, nationwide delivery schedule of 5 or fewer days per week to street addresses under the authority of the Postal Service under title 39, United States Code, earlier than the date that is 24 months after the date of enactment of this Act; and

(2) on or after the date that is 24 months after the date of enactment of this Act, the Postal Service may establish a general, nationwide 5-day-per-week delivery schedule to street addresses under the authority of the Postal Service under section 3691 of title 39, United States Code, only in accordance with the requirements and limitations under this section.

(b) PRECONDITIONS.—If the Postal Service intends to establish a change in delivery schedule under subsection (a)(2), the Postal Service shall—

(1) identify customers and communities for whom the change may have a disproportionate, negative impact, including the customers identified as “particularly affected” in the Advisory Opinion on Elimination of Saturday Delivery issued by the Commission on March 24, 2011;

(2) develop, to the maximum extent possible, measures to ameliorate any disproportionate, negative impact the change would have on customers and communities identified under paragraph (1), including, where appropriate, providing or expanding access to mailboxes for periodical mailers on days on which the Postal Service does not provide delivery;

(3) implement measures to increase revenue and reduce costs, including the measures authorized under the amendments made by sections 101, 102, 103, 207, and 211 of this Act;

(4) evaluate whether any increase in revenue or reduction in costs resulting from the

measures implemented under paragraph (3) are sufficient to allow the Postal Service, without implementing a change in delivery schedule under subsection (a), to achieve long-term solvency; and

(5) not earlier than 15 months after the date of enactment of this Act and not later than 9 months before the effective date proposed by the Postal Service for the change, submit a report on the steps the Postal Service has taken to carry out this subsection to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives;

(B) the Comptroller General of the United States; and

(C) the Commission.

(c) REVIEW.—

(1) GOVERNMENT ACCOUNTABILITY OFFICE.—Not later than 3 months after the date on which the Postal Service submits a report under subsection (b)(5), the Comptroller General shall submit to the Commission and to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that contains findings relating to each of the following:

(A) Whether the Postal Service has adequately complied with subsection (b)(3), taking into consideration the statutory authority of and limitations on the Postal Service.

(B) The accuracy of any statement by the Postal Service that the measures implemented under subsection (b)(3) have increased revenues or reduced costs, and the accuracy of any projection by the Postal Service relating to increased revenue or reduced costs resulting from the measures implemented under subsection (b)(3).

(C) The adequacy and methodological soundness of any evaluation conducted by the Postal Service under subsection (b)(4) that led the Postal Service to assert the necessity of a change in delivery schedule under subsection (a)(2).

(D) Whether, based on an analysis of the measures implemented by the Postal Service to increase revenues and reduce costs, projections of increased revenue and cost savings, and the details of the profitability plan required under section 401, a change in delivery schedule is necessary to allow the Postal Service to achieve long-term solvency.

(2) POSTAL REGULATORY COMMISSION.—

(A) REQUEST.—Not later than 6 months before the proposed effective date of a change in delivery schedule under subsection (a), the Postal Service shall submit to the Commission a request for an advisory opinion relating to the change.

(B) ADVISORY OPINION.—

(i) IN GENERAL.—The Commission shall—

(I) issue an advisory opinion with respect to a request under subparagraph (A), in accordance with the time limits for the issuance of advisory opinions under section 3661(b)(2) of title 39, United States Code, as amended by this Act; and

(II) submit the advisory opinion to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(ii) REQUIRED DETERMINATIONS.—An advisory opinion under clause (i) shall determine—

(I) whether the measures developed under subsection (b)(2) ameliorate any disproportionate, negative impact that a change in

schedule may have on customers and communities identified under subsection (b)(1); and

(II) based on the report submitted by the Comptroller General under paragraph (1)—

(aa) whether the Postal Service has implemented measures to increase revenue and reduce costs as required under subsection (b)(3);

(bb) whether the implementation of the measures described in item (aa) has increased revenues or reduced costs, or is projected to further increase revenues or reduce costs in the future; and

(cc) whether a change in schedule under subsection (a)(2) is necessary to allow the Postal Service to achieve long-term solvency.

(3) PROHIBITION ON IMPLEMENTATION OF CHANGE IN SCHEDULE.—The Postal Service may not implement a change in delivery schedule under subsection (a)(2)—

(A) before the date on which the Comptroller General submits the report required under paragraph (1); and

(B) unless the Commission determines under paragraph (2)(B)(i)(II)(cc) that the change is necessary to allow the Postal Service to become profitable by fiscal year 2015 and to achieve long-term solvency, without regard to whether the Commission determines that the change is advisable.

(d) ADDITIONAL LIMITATIONS.—

(1) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) authorize the reduction, or require an increase, in delivery frequency for any route for which the Postal Service provided delivery on fewer than 6 days per week on the date of enactment of this Act;

(B) authorize any change in—

(i) the days and times that postal retail service or any mail acceptance is available at postal retail facilities or processing facilities; or

(ii) the locations at which postal retail service or mail acceptance occurs at postal retail facilities or processing facilities;

(C) authorize any change in the frequency of delivery to a post office box;

(D) prohibit the collection or delivery of a competitive mail product on a weekend, a recognized Federal holiday, or any other specific day of the week; or

(E) prohibit the Postal Service from exercising its authority to make changes to processing or retail networks.

(2) PROHIBITION ON CONSECUTIVE DAYS WITHOUT MAIL DELIVERY.—The Postal Service shall ensure that, under any change in schedule under subsection (a)(2), at no time shall there be more than 2 consecutive days without mail delivery to street addresses, including recognized Federal holidays.

(e) DEFINITION.—In this section, the term “long-term solvency” means the ability of the Postal Service to pay debts and meet expenses, including the ability to perform maintenance and repairs, make investments, and maintain financial reserves, as necessary to fulfill the requirements and comply with the policies of title 39, United States Code, and other obligations of the Postal Service over the long term.

SEC. 209. TIME LIMITS FOR CONSIDERATION OF SERVICE CHANGES.

Section 3661 of title 39, United States Code, is amended by striking subsections (b) and (c) and inserting the following:

“(b) PROPOSED CHANGES FOR MARKET-DOMINANT PRODUCTS.—

“(1) SUBMISSION OF PROPOSAL.—If the Postal Service determines that there should be a

change in the nature of postal services relating to market-dominant products that will generally affect service on a nationwide or substantially nationwide basis, the Postal Service shall submit a proposal to the Postal Regulatory Commission requesting an advisory opinion on the change.

“(2) **ADVISORY OPINION.**—Upon receipt of a proposal under paragraph (1), the Postal Regulatory Commission shall—

“(A) provide an opportunity for public comment on the proposal; and

“(B) issue an advisory opinion not later than—

“(i) 90 days after the date on which the Postal Regulatory Commission receives the proposal; or

“(ii) a date that the Postal Regulatory Commission and the Postal Service may, not later than 1 week after the date on which the Postal Regulatory Commission receives the proposal, determine jointly.

“(3) **RESPONSE TO OPINION.**—The Postal Service shall submit to the President and to Congress a response to an advisory opinion issued under paragraph (2) that includes—

“(A) a statement of whether the Postal Service plans to modify the proposal to address any concerns or implement any recommendations made by the Commission; and

“(B) for any concern that the Postal Service determines not to address and any recommendation that the Postal Service determines not to implement, the reasons for the determination.

“(4) **ACTION ON PROPOSAL.**—The Postal Service may take action regarding a proposal submitted under paragraph (1)—

“(A) on or after the date that is 30 days after the date on which the Postal Service submits the response required under paragraph (3);

“(B) on or after a date that the Postal Regulatory Commission and the Postal Service may, not later than 1 week after the date on which the Postal Regulatory Commission receives a proposal under paragraph (2), determine jointly; or

“(C) after the date described in paragraph (2)(B), if—

“(i) the Postal Regulatory Commission fails to issue an advisory opinion on or before the date described in paragraph (2)(B); and

“(ii) the action is not otherwise prohibited under Federal law.

“(5) **MODIFICATION OF TIMELINE.**—At any time, the Postal Service and the Postal Regulatory Commission may jointly redetermine a date determined under paragraph (2)(B)(ii) or (4)(B).”

SEC. 210. PUBLIC PROCEDURES FOR SIGNIFICANT CHANGES TO MAILING SPECIFICATIONS.

(a) **NOTICE AND OPPORTUNITY FOR COMMENT REQUIRED.**—Effective on the date on which the Postal Service issues a final rule under subsection (c), before making a change to mailing specifications that could pose a significant burden to the customers of the Postal Service and that is not reviewed by the Commission, the Postal Service shall—

(1) publish a notice of the proposed change to the specification in the Federal Register;

(2) provide an opportunity for the submission of written comments concerning the proposed change for a period of not less than 30 days;

(3) after considering any comments submitted under paragraph (2) and making any modifications to the proposed change that the Postal Service determines are necessary, publish—

(A) the final change to the specification in the Federal Register;

(B) responses to any comments submitted under paragraph (2); and

(C) an analysis of the financial impact that the proposed change would have on—

(i) the Postal Service; and

(ii) the customers of the Postal Service that would be affected by the proposed change; and

(4) establish an effective date for the change to mailing specifications that is not earlier than 30 days after the date on which the Postal Service publishes the final change under paragraph (3).

(b) **EXCEPTION FOR GOOD CAUSE.**—If the Postal Service determines that there is an urgent and compelling need for a change to a mailing specification described in subsection (a) in order to avoid demonstrable harm to the operations of the Postal Service or to the public interest, the Postal Service may—

(1) change the mailing specifications by—

(A) issuing an interim final rule that—

(i) includes a finding by the Postal Service that there is good cause for the interim final rule;

(ii) provides an opportunity for the submission of written comments on the interim final rule for a period of not less than 30 days; and

(iii) establishes an effective date for the interim final rule that is not earlier than 30 days after the date on which the interim final rule is issued; and

(B) publishing in the Federal Register a response to any comments submitted under subparagraph (A)(ii); and

(2) waive the requirement under paragraph (1)(A)(iii) or subsection (a)(4).

(c) **RULES RELATING TO NOTICE AND COMMENT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Postal Service shall issue rules governing the provision of notice and opportunity for comment for changes in mailing specifications under subsection (a).

(2) **RULES.**—In issuing the rules required under paragraph (1), the Postal Service shall—

(A) publish a notice of proposed rule-making in the Federal Register that includes proposed definitions of the terms “mailing specifications” and “significant burden”;

(B) provide an opportunity for the submission of written comments concerning the proposed change for a period of not less than 30 days; and

(C) publish—

(i) the rule in final form in the Federal Register; and

(ii) responses to the comments submitted under subparagraph (B).

SEC. 211. NONPOSTAL PRODUCTS AND SERVICES.

(a) **IN GENERAL.**—Section 404 of title 39, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(B) by inserting after paragraph (5) the following:

“(6) after the date of enactment of the 21st Century Postal Service Act of 2012, and except as provided in subsection (e), to provide other services that are not postal services, after the Postal Regulatory Commission—

“(A) makes a determination that the provision of such services—

“(i) uses the processing, transportation, delivery, retail network, or technology of the Postal Service;

“(ii) is consistent with the public interest and a demonstrated or potential public demand for—

“(I) the Postal Service to provide the services instead of another entity providing the services; or

“(II) the Postal Service to provide the services in addition to another entity providing the services;

“(iii) would not create unfair competition with the private sector, taking into consideration the extent to which the Postal Service will not, either by legal obligation or voluntarily, comply with any State or local requirements that are generally applicable to persons that provide the services;

“(iv) will be undertaken in accordance with all Federal laws generally applicable to the provision of such services; and

“(v) has the potential to improve the net financial position of the Postal Service, based on a market analysis provided to the Postal Regulatory Commission by the Postal Service; and

“(B) for services that the Postal Regulatory Commission determines meet the criteria under subparagraph (A), classifies each such service as a market-dominant product, competitive product, or experimental product, as required under chapter 36 of title 39, United States Code;”;

(2) in subsection (e)(2), by striking “Nothing” and all that follows through “except that the” and inserting “The”.

(b) **COMPLAINTS.**—Section 3662(a) of title 39, United States Code, is amended by inserting “404(a)(6)(A),” after “403(c).”

(c) **MARKET ANALYSIS.**—During the 5-year period beginning on the date of enactment of this Act, the Postal Service shall submit a copy of any market analysis provided to the Commission under section 404(a)(6)(A)(v) of title 39, United States Code, as amended by this section, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 212. CHIEF INNOVATION OFFICER; INNOVATION STRATEGY.

(a) **CHIEF INNOVATION OFFICER.**—

(1) **IN GENERAL.**—Chapter 2 of title 39, United States Code, is amended by adding at the end the following:

“§ 209. Chief innovation officer

“(a) **ESTABLISHMENT.**—There shall be in the Postal Service a Chief Innovation Officer appointed by the Postmaster General.

“(b) **QUALIFICATIONS.**—The Chief Innovation Officer shall have proven expertise and a record of accomplishment in areas such as—

“(1) the postal and shipping industry;

“(2) innovative product research and development;

“(3) brand marketing strategy;

“(4) new and emerging technology, including communications technology; or

“(5) business process management.

“(c) **DUTIES.**—The Chief Innovation Officer shall lead the development and implementation of—

“(1) innovative postal products and services, particularly products and services that use new and emerging technology, including communications technology, to improve the net financial position of the Postal Service; and

“(2) nonpostal products and services authorized under section 404(a)(6) that have the potential to improve the net financial position of the Postal Service.

“(d) **DEADLINE.**—The Postmaster General shall appoint a Chief Innovation Officer not later than 90 days after the date of enactment of the 21st Century Postal Service Act of 2012.

“(e) CONDITION.—

“(1) IN GENERAL.—The Chief Innovation Officer may not hold any other office or position in the Postal Service while serving as Chief Innovation Officer.

“(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit an individual who holds another office or position in the Postal Service at the time the individual is appointed Chief Innovation Officer from serving as the Chief Innovation Officer under this section.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 39, United States Code, is amended by adding at the end the following:

“209. Chief innovation officer.”.

(b) INNOVATION STRATEGY.—

(1) INITIAL REPORT ON INNOVATION STRATEGY.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Postmaster General, acting through the Chief Innovation Officer, shall submit a report that contains a comprehensive strategy (referred to in this subsection as the “innovation strategy”) for improving the net financial position of the Postal Service through innovation, including the offering of new postal and nonpostal products and services, to—

- (i) the Committee on Homeland Security and Governmental Affairs of the Senate; and
- (ii) the Committee on Oversight and Government Reform of the House of Representatives.

(B) MATTERS TO BE ADDRESSED.—At a minimum, the report on innovation strategy required under subparagraph (A) shall describe—

(i) the specific innovative postal and nonpostal products and services to be developed and offered by the Postal Service, including—

- (I) the nature of the market demand to be satisfied by each product or service; and
- (II) the estimated date by which each product or service will be introduced;
- (ii) the cost of developing and offering each product or service;
- (iii) the anticipated sales volume for each product or service;
- (iv) the anticipated revenues and profits to be generated by each product or service;
- (v) the likelihood of success of each product or service and the risks associated with the development and sale of each product or service;
- (vi) the trends anticipated in market conditions that may affect the success of each product or service during the 5-year period beginning on the date of the submission of the report under subparagraph (A);
- (vii) any innovations designed to improve the net financial position of the Postal Service, other than the offering of new products and services; and
- (viii) the metrics that will be used to assess the effectiveness of the innovation strategy.

(2) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the submission of the initial report containing the innovation strategy under paragraph (1), and annually thereafter for 10 years, the Postmaster General, acting through the Chief Innovation Officer, shall submit a report on the implementation of the innovation strategy to—

- (i) the Committee on Homeland Security and Governmental Affairs of the Senate; and
- (ii) the Committee on Oversight and Government Reform of the House of Representatives.

(B) MATTERS TO BE ADDRESSED.—At a minimum, an annual report submitted under subparagraph (A) shall include—

- (i) an update of the initial report on innovation strategy submitted under paragraph (1);
- (ii) a description of the progress made by the Postal Service in implementing the products, services, and other innovations described in the initial report on innovation strategy;
- (iii) an analysis of the performance of each product, service, or other innovation described in the initial report on innovation strategy, including—

(I) the revenue generated by each product or service developed in accordance with the innovation strategy under this section and the cost of developing and offering each product or service for the preceding year;

(II) trends in each market in which a product or service is intended to satisfy a demand;

(III) each product or service identified in the innovation strategy that is to be discontinued, the date on which each discontinuance will occur, and the reasons for each discontinuance;

(IV) each alteration that the Postal Service plans to make to a product or service identified in the innovation strategy to address changing market conditions and an explanation of how each alteration will ensure the success of the product or service;

(V) the performance of innovations other than new products and services that are designed to improve the net financial position of the Postal Service; and

(VI) the performance of the innovation strategy according to the metrics described in paragraph (1)(B)(viii).

SEC. 213. STRATEGIC ADVISORY COMMISSION ON POSTAL SERVICE SOLVENCY AND INNOVATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the Postal Service a Strategic Advisory Commission on Postal Service Solvency and Innovation (in this section referred to as the “Advisory Commission”).

(2) INDEPENDENCE.—The Advisory Commission shall not be subject to the supervision of the Board of Governors of the Postal Service (in this section referred to as the “Board of Governors”), the Postmaster General, or any other officer or employee of the Postal Service.

(b) PURPOSE.—The purpose of the Advisory Commission is—

(1) to provide strategic guidance to the President, Congress, the Board of Governors, and the Postmaster General on enhancing the long-term solvency of the Postal Service; and

(2) to foster innovative thinking to address the challenges facing the Postal Service.

(c) MEMBERSHIP.—

(1) COMPOSITION.—The Advisory Commission shall be composed of 7 members, of whom—

(A) 3 members shall be appointed by the President, who shall designate 1 member appointed under this subparagraph to serve as Chairperson of the Advisory Commission; and

(B) 1 member shall be appointed by each of—

- (i) the majority leader of the Senate;
- (ii) the minority leader of the Senate;
- (iii) the Speaker of the House of Representatives; and
- (iv) the minority leader of the House of Representatives.

(2) QUALIFICATIONS.—Members of the Advisory Commission shall be prominent citizens having—

- (A) significant depth of experience in such fields as business and public administration;
- (B) a reputation for innovative thinking;
- (C) familiarity with new and emerging technologies; and
- (D) experience with revitalizing organizations that experienced significant financial challenges or other challenges.

(3) INCOMPATIBLE OFFICES.—An individual who is appointed to the Advisory Commission may not serve as an elected official or an officer or employee of the Federal Government while serving as a member of the Advisory Commission, except in the capacity of that individual as a member of the Advisory Commission.

(4) DEADLINE FOR APPOINTMENT.—Each member of the Advisory Commission shall be appointed not later than 45 days after the date of enactment of this Act.

(5) MEETINGS; QUORUM; VACANCIES.—

(A) MEETINGS.—The Advisory Commission shall meet at the call of the Chairperson or a majority of the members of the Advisory Commission.

(B) QUORUM.—4 members of the Advisory Commission shall constitute a quorum.

(C) VACANCIES.—Any vacancy in the Advisory Commission shall not affect the powers of the Advisory Commission, but shall be filled as soon as practicable in the same manner in which the original appointment was made.

(d) DUTIES AND POWERS.—

(1) DUTIES.—The Advisory Commission shall—

(A) study matters that the Advisory Commission determines are necessary and appropriate to develop a strategic blueprint for the long-term solvency of the Postal Service, including—

- (i) the financial, operational, and structural condition of the Postal Service;
- (ii) alternative strategies and business models that the Postal Service could adopt;
- (iii) opportunities for additional postal and nonpostal products and services that the Postal Service could offer;
- (iv) innovative services that postal services in foreign countries have offered, including services that respond to the increasing use of electronic means of communication; and
- (v) the governance structure, management structure, and management of the Postal Service, including—

(I) the appropriate method of appointment, qualifications, duties, and compensation for senior officials of the Postal Service, including the Postmaster General; and

(II) the number and functions of senior officials of the Postal Service and the number of levels of management of the Postal Service; and

(B) submit the report required under subsection (f).

(2) HEARINGS.—The Advisory Commission may hold such hearings, take such testimony, and receive such evidence as is necessary to carry out this section.

(3) ACCESS TO INFORMATION.—The Advisory Commission may secure directly from the Postal Service, the Board of Governors, the Postal Regulatory Commission, and any other Federal department or agency such information as the Advisory Commission considers necessary to carry out this section. Upon request of the Chairperson of the Advisory Commission, the head of the department or agency shall furnish the information described in the preceding sentence to the Advisory Commission.

(e) PERSONNEL MATTERS.—

(1) ADVISORY COMMISSION MEMBERS.—

(A) COMPENSATION OF MEMBERS.—Each member of the Advisory Commission shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Advisory Commission.

(B) TRAVEL EXPENSES.—Members of the Advisory Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees serving intermittently in the Government service under section 5703 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Advisory Commission.

(2) STAFF.—

(A) APPOINTMENT AND COMPENSATION.—The Chairperson, in accordance with rules agreed upon by the Advisory Commission, shall appoint and fix the compensation of an executive director and such other personnel as may be necessary to enable the Advisory Commission to carry out the functions of the Advisory Commission, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification of positions and General Schedule pay rates, except that a rate of pay fixed under this subsection may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(B) DETAILEES.—Any Federal employee, including an employee of the Postal Service, may be detailed to the Advisory Commission without reimbursement, and such detail shall be without interruption or loss of the civil service rights, status, or privilege of the employee.

(C) CONSULTANT SERVICES.—The Advisory Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of such title.

(f) STRATEGIC BLUEPRINT FOR LONG-TERM SOLVENCY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Advisory Commission shall submit a report that contains a strategic blueprint to—

(A) the President;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Oversight and Government Reform of the House of Representatives;

(D) the Board of Governors; and

(E) the Postmaster General.

(2) CONTENTS.—The report submitted under paragraph (1) shall contain a strategic blueprint for the long-term solvency of the Postal Service that includes—

(A) an assessment of the business model of the Postal Service as of the date on which the report is submitted;

(B) an assessment of potential future business models for the Postal Service, including an evaluation of the appropriate balance between—

(i) necessary reductions in costs and services; and

(ii) additional opportunities for growth and revenue;

(C) a strategy for addressing significant current and future liabilities;

(D) identification of opportunities for further reductions in costs;

(E) identification of opportunities for new and innovative products and services;

(F) a strategy for future growth;

(G) a vision of how the Postal Service will operate in a sustainable manner 20 years after the date of enactment of this Act; and

(H) recommendations for any legislative changes necessary to implement the strategic blueprint described in this paragraph.

(g) TERMINATION.—The Advisory Commission shall terminate 90 days after the date on which the Advisory Commission submits the report under subsection (f).

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal years 2013 and 2014 such sums as may be necessary to carry out this section.

TITLE III—FEDERAL EMPLOYEES' COMPENSATION ACT

SEC. 301. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This title may be cited as the “Workers’ Compensation Reform Act of 2012”.

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 5, United States Code.

SEC. 302. FEDERAL WORKERS COMPENSATION REFORMS FOR RETIREMENT-AGE EMPLOYEES.

(a) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

(1) DEFINITIONS.—Section 8101 is amended—

(A) in paragraph (18), by striking “and” at the end;

(B) in paragraph (19), by striking “and” at the end;

(C) in paragraph (20), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(21) ‘retirement age’ has the meaning given that term under section 216(1)(1) of the Social Security Act (42 U.S.C. 416(1)(1));

“(22) ‘covered claim for total disability’ means a claim for a period of total disability that commenced before the date of enactment of the Workers’ Compensation Reform Act of 2012;

“(23) ‘covered claim for partial disability’ means a claim for a period of partial disability that commenced before the date of enactment of the Workers’ Compensation Reform Act of 2012; and

“(24) ‘individual who has an exempt disability condition’ means an individual—

“(A) who—

“(i) is eligible to receive continuous periodic compensation for total disability under section 8105 on the date of enactment of the Workers’ Compensation Reform Act of 2012; and

“(ii) meets the criteria under section 8105(c);

“(B) who, on the date of enactment of the Workers’ Compensation Reform Act of 2012—

“(i) is eligible to receive continuous periodic compensation for total disability under section 8105; and

“(ii) has sustained a currently irreversible severe mental or physical disability for which the Secretary of Labor has authorized, for at least the 1-year period ending on the date of enactment of the Workers’ Compensation Reform Act of 2012, constant in-home care or custodial care, such as placement in a nursing home; or

“(C) who is eligible to receive continuous periodic compensation for total disability under section 8105—

“(i) for not less than the 3-year period ending on the date of enactment of the Workers’ Compensation Reform Act of 2012; or

“(ii) if the individual became eligible to receive continuous periodic compensation for total disability under section 8105 during the period beginning on the date that is 3 years before the date of enactment of the Workers’ Compensation Reform Act of 2012 and ending on such date of enactment, for not less than the 3-year period beginning on the date on which the individual became eligible.”

(2) TOTAL DISABILITY.—Section 8105 is amended—

(A) in subsection (a), by striking “If” and inserting “IN GENERAL.—Subject to subsection (b), if”;

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

“(b) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the basic compensation for total disability for an employee who has attained retirement age shall be 50 percent of the monthly pay of the employee.

“(2) EXCEPTIONS.—

“(A) COVERED RECIPIENTS WHO ARE RETIREMENT AGE OR HAVE AN EXEMPT DISABILITY CONDITION.—Paragraph (1) shall not apply to a covered claim for total disability by an employee if the employee—

“(i) on the date of enactment of the Workers’ Compensation Reform Act of 2012, has attained retirement age; or

“(ii) is an individual who has an exempt disability condition.

“(B) TRANSITION PERIOD FOR CERTAIN EMPLOYEES.—For a covered claim for total disability by an employee who is not an employee described in subparagraph (A), the employee shall receive the basic compensation for total disability provided under subsection (a) until the later of—

“(i) the date on which the employee attains retirement age; and

“(ii) the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012.”

(3) PARTIAL DISABILITY.—Section 8106 is amended—

(A) in subsection (a), by striking “If” and inserting “IN GENERAL.—Subject to subsection (b), if”;

(B) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(C) by inserting after subsection (a) the following:

“(b) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the basic compensation for partial disability for an employee who has attained retirement age shall be 50 percent of the difference between the monthly pay of the employee and the monthly wage-earning capacity of the employee after the beginning of the partial disability.

“(2) EXCEPTIONS.—

“(A) COVERED RECIPIENTS WHO ARE RETIREMENT AGE.—Paragraph (1) shall not apply to a covered claim for partial disability by an employee if, on the date of enactment of the Workers’ Compensation Reform Act of 2012, the employee has attained retirement age.

“(B) TRANSITION PERIOD FOR CERTAIN EMPLOYEES.—For a covered claim for partial disability by an employee who is not an employee described in subparagraph (A), the

employee shall receive basic compensation for partial disability in accordance with subsection (a) until the later of—

“(i) the date on which the employee attains retirement age; and

“(ii) the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012.”.

SEC. 303. AUGMENTED COMPENSATION FOR DEPENDENTS.

(a) IN GENERAL.—Section 8110 is amended—
(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

“(b) TERMINATION OF AUGMENTED COMPENSATION.—

“(1) IN GENERAL.—Subject to paragraph (2), augmented compensation for dependants under subsection (c) shall not be provided.

“(2) EXCEPTIONS.—

“(A) TOTAL DISABILITY.—For a covered claim for total disability by an employee—

“(i) the employee shall receive augmented compensation under subsection (c) if the employee is an individual who has an exempt disability condition; and

“(ii) the employee shall receive augmented compensation under subsection (c) until the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012 if the employee is not an employee described in clause (i).

“(B) PARTIAL DISABILITY.—For a covered claim for partial disability by an employee, the employee shall receive augmented compensation under subsection (c) until the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012.

“(C) PERMANENT DISABILITY COMPENSATED BY A SCHEDULE.—For a claim for a permanent disability described in section 8107(a) by an employee that commenced before the date of enactment of the Workers’ Compensation Reform Act of 2012, the employee shall receive augmented compensation under subsection (c).”.

(b) MAXIMUM AND MINIMUM MONTHLY PAYMENTS.—Section 8112 is amended—

(1) in subsection (a)—

(A) by inserting “subsections (b) and (c) and” before “section 8138”; and

(B) by striking “including augmented compensation under section 8110 of this title but”; and

(C) by striking “75 percent” each place it appears and inserting “66½ percent”;

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

“(b) EXCEPTIONS.—

“(1) COVERED DISABILITY CONDITION.—For a covered claim for total disability by an employee, if the employee is an individual who has an exempt disability condition—

“(A) the monthly rate of compensation for disability that is subject to the maximum and minimum monthly amounts under subsection (a) shall include any augmented compensation under section 8110; and

“(B) subsection (a) shall be applied by substituting ‘75 percent’ for ‘66½ percent’ each place it appears.

“(2) PARTIAL DISABILITY.—For a covered claim for partial disability by an employee, until the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012—

“(A) the monthly rate of compensation for disability that is subject to the maximum and minimum monthly amounts under subsection (a) shall include any augmented compensation under section 8110; and

“(B) subsection (a) shall be applied by substituting ‘75 percent’ for ‘66½ percent’ each place it appears.”; and

(4) in subsection (c), as redesignated by paragraph (2), by striking “subsection (a)” and inserting “subsections (a) and (b)”.

(c) DEATH BENEFITS GENERALLY.—Section 8133 is amended—

(1) in subsections (a) and (e), by striking “75 percent” each place it appears and inserting “66½ percent (except as provided in subsection (g))”; and

(2) by adding at the end the following:

“(g) If the death occurred before the date of enactment of the Workers’ Compensation Reform Act of 2012, subsections (a) and (e) shall be applied by substituting ‘75 percent’ for ‘66½ percent’ each place it appears.”.

(d) DEATH BENEFITS FOR CIVIL AIR PATROL VOLUNTEERS.—Section 8141 is amended—

(1) in subsection (b)(2)(B) by striking “75 percent” and inserting “66½ percent (except as provided in subsection (c))”; and

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) If the death occurred before the date of enactment of the Workers’ Compensation Reform Act of 2012, subsection (b)(2)(B) shall be applied by substituting ‘75 percent’ for ‘66½ percent’.”.

SEC. 304. SCHEDULE COMPENSATION PAYMENTS.

Section 8107 is amended—

(1) in subsection (a), by striking “at the rate of 66½ percent of his monthly pay” and inserting “at the rate specified under subsection (d)”;

(2) by adding at the end the following:

“(d) RATE FOR COMPENSATION.—

“(1) ANNUAL SALARY.—

“(A) IN GENERAL.—Except as provided in paragraph (2), the rate under subsection (a) shall be the rate of 66½ percent of the annual salary level established under subparagraph (B), in a lump sum equal to the present value (as calculated under subparagraph (C)) of the amount of compensation payable under the schedule.

“(B) ESTABLISHMENT.—

“(i) IN GENERAL.—The Secretary of Labor shall establish an annual salary for purposes of subparagraph (A) in the amount the Secretary determines will result in the aggregate cost of payments made under this section being equal to what would have been the aggregate cost of payments under this section if the amendments made by section 304(a) of the Workers’ Compensation Reform Act of 2012 had not been enacted.

“(ii) COST OF LIVING ADJUSTMENT.—The annual salary established under clause (i) shall be increased on March 1 of each year by the amount determined by the Secretary of Labor to represent the percent change in the price index published for December of the preceding year over the price index published for the December of the year prior to the preceding year, adjusted to the nearest one-tenth of 1 percent.

“(C) PRESENT VALUE.—The Secretary of Labor shall calculate the present value for purposes of subparagraph (A) using a rate of interest equal to the average market yield for outstanding marketable obligations of the United States with a maturity of 2 years on the first business day of the month in which the compensation is paid or, in the event that such marketable obligations are not being issued on such date, at an equivalent rate selected by the Secretary of Labor, true discount compounded annually.

“(2) CERTAIN INJURIES.—For an injury that occurred before the date of enactment of the

Workers’ Compensation Reform Act of 2012, the rate under subsection (a) shall be 66½ percent of the employee’s monthly pay.

“(e) SIMULTANEOUS RECEIPT.—

“(1) TOTAL DISABILITY.—An employee who receives compensation for total disability under section 8105 may only receive the lump sum of schedule compensation under this section in addition to and simultaneously with the benefits for total disability after the earlier of—

“(A) the date on which the basic compensation for total disability of the employee becomes 50 percent of the monthly pay of the employee under section 8105(b); or

“(B) the date on which augmented compensation of the employee terminates under section 8110(b)(2)(A)(ii), if the employee receives such compensation.

“(2) PARTIAL DISABILITY.—An employee who receives benefits for partial disability under section 8106 may only receive the lump sum of schedule compensation under this section in addition to and simultaneously with the benefits for partial disability after the earlier of—

“(A) the date on which the basic compensation for partial disability of the employee becomes 50 percent of the difference between the monthly pay of the employee and the monthly wage-earning capacity of the employee after the beginning of the partial disability under section 8106(b); or

“(B) the date on which augmented compensation of the employee terminates under section 8110(b)(2)(B), if the employee receives such compensation.”.

SEC. 305. VOCATIONAL REHABILITATION.

(a) IN GENERAL.—Section 8104 is amended—

(1) in subsection (a)—

(A) by striking “(a) The Secretary of Labor may” and all that follows through “undergo vocational rehabilitation.” and inserting the following:

“(a) IN GENERAL.—

“(1) DIRECTION.—Except as provided in paragraph (2), not earlier than the date that is 6 months after the date on which an individual eligible for wage-loss compensation under section 8105 or 8106 is injured, or by such other date as the Secretary of Labor determines it would be reasonable under the circumstances for the individual to begin vocational rehabilitation, and if vocational rehabilitation may enable the individual to become capable of more gainful employment, the Secretary of Labor shall direct the individual to participate in developing a comprehensive return to work plan and to undergo vocational rehabilitation at a location a reasonable distance from the residence of the individual.”;

(B) by striking “the Secretary of Health, Education, and Welfare in carrying out the purposes of chapter 4 of title 29” and inserting “the Secretary of Education in carrying out the purposes of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.)”;

(C) by striking “under section 32(b)(1) of title 29” and inserting “under section 5 of the Rehabilitation Act of 1973 (29 U.S.C. 704)”;

(D) by adding at the end the following:

“(2) EXCEPTION.—The Secretary of Labor may not direct an individual who has attained retirement age to participate in developing a comprehensive return to work plan or to undergo vocational rehabilitation.”;

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

“(b) CONTENTS OF RETURN TO WORK PLAN.—A return to work plan developed under subsection (a)—

“(1) shall—

“(A) set forth specific measures designed to increase the wage-earning capacity of an individual;

“(B) take into account the prior training and education of the individual and the training, educational, and employment opportunities reasonably available to the individual; and

“(C) provide that any employment undertaken by the individual under the return to work plan be at a location a reasonable distance from the residence of the individual;

“(2) may provide that the Secretary will pay out of amounts in the Employees’ Compensation Fund reasonable expenses of vocational rehabilitation (which may include tuition, books, training fees, supplies, equipment, and child or dependent care) during the course of the plan; and

“(3) may not be for a period of more than 2 years, unless the Secretary finds good cause to grant an extension, which may be for not more than 2 years.”;

(4) in subsection (c), as so redesignated—

(A) by inserting “COMPENSATION.—” before “Notwithstanding”; and

(B) by striking “, other than employment undertaken pursuant to such rehabilitation”; and

(5) by adding at the end the following:

“(d) ASSISTED REEMPLOYMENT AGREEMENTS.—

“(1) IN GENERAL.—The Secretary may enter into an assisted reemployment agreement with an agency or instrumentality of any branch of the Federal Government or a State or local government or a private employer that employs an individual eligible for wage-loss compensation under section 8105 or 8106 to enable the individual to return to productive employment.

“(2) CONTENTS.—An assisted reemployment agreement under paragraph (1)—

“(A) may provide that the Secretary will use amounts in the Employees’ Compensation Fund to reimburse an employer in an amount equal to not more than 100 percent of the compensation the individual would otherwise receive under section 8105 or 8106; and

“(B) may not be for a period of more than 3 years.

“(e) LIST.—To facilitate the hiring of individuals eligible for wage-loss compensation under section 8105 or 8106, the Secretary shall provide a list of such individuals to the Office of Personnel Management, which the Office of Personnel Management shall provide to all agencies and instrumentalities of the Federal Government.”.

(b) EMPLOYEES’ COMPENSATION FUND.—Section 8147 is amended by adding at the end:

“(d) Notwithstanding subsection (b), any benefits or other payments paid to or on behalf of an employee under this subchapter or any extension or application thereof for a recurrence of injury, consequential injury, aggravation of injury, or increase in percentage of impairment to a member for which compensation is provided under the schedule under section 8107 suffered in a permanent position with an agency or instrumentality of the United States while the employment with the agency or instrumentality is covered under an assisted reemployment agreement entered into under section 8104(d) shall not be included in total cost of benefits and other payments in the statement provided to the agency or instrumentality under subsection (b) if the injury was originally in-

cluded in a position not covered by an assisted reemployment agreement.”.

(c) TERMINATION OF VOCATIONAL REHABILITATION REQUIREMENT AFTER RETIREMENT AGE.—Section 8113(b) is amended by adding at the end the following: “An individual who has attained retirement age may not be required to undergo vocational rehabilitation.”.

(d) MANDATORY BENEFIT REDUCTION FOR NONCOMPLIANCE.—Section 8113(b) is amended by striking “may reduce” and inserting “shall reduce”.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Subchapter III of chapter 15 of title 31, United States Code, is amended by adding at the end the following:

“**§ 1538. Authorization for assisted reemployment**

“Funds may be transferred from the Employees’ Compensation Fund established under section 8147 of title 5 to the applicable appropriations account for an agency or instrumentality of any branch of the Federal Government for the purposes of reimbursing the agency or instrumentality in accordance with an assisted reemployment agreement entered into under section 8104 of title 5.”.

(2) TABLE OF SECTIONS.—The table of sections for chapter 15 of title 31, United States Code, is amended by inserting after the item relating to section 1537 the following:

“1538. Authorization for assisted reemployment.”.

SEC. 306. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Chapter 81 is amended by inserting after section 8106 the following:

“**§ 8106a. Reporting requirements**

“(a) DEFINITION.—In this section, the term ‘employee receiving compensation’ means an employee who—

“(1) is paid compensation under section 8105 or 8106; and

“(2) has not attained retirement age.

“(b) AUTHORITY.—The Secretary of Labor shall require an employee receiving compensation to report the earnings of the employee receiving compensation from employment or self-employment, by affidavit or otherwise, in the manner and at the times the Secretary specifies.

“(c) CONTENTS.—An employee receiving compensation shall include in a report required under subsection (a) the value of housing, board, lodging, and other advantages which are part of the earnings of the employee receiving compensation in employment or self-employment and the value of which can be estimated.

“(d) FAILURE TO REPORT AND FALSE REPORTS.—

“(1) IN GENERAL.—An employee receiving compensation who fails to make an affidavit or other report required under subsection (b) or who knowingly omits or understates any part of the earnings of the employee in such an affidavit or other report shall forfeit the right to compensation with respect to any period for which the report was required.

“(2) FORFEITED COMPENSATION.—Compensation forfeited under this subsection, if already paid to the employee receiving compensation, shall be recovered by a deduction from the compensation payable to the employee or otherwise recovered under section 8129, unless recovery is waived under that section.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 81 is amended by inserting after the item relating to section 8106 the following:

“8106a. Reporting requirements.”.

SEC. 307. DISABILITY MANAGEMENT REVIEW; INDEPENDENT MEDICAL EXAMINATIONS.

Section 8123 is amended by adding at the end the following:

“(e) DISABILITY MANAGEMENT REVIEW.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘covered employee’ means an employee who is in continuous receipt of compensation for total disability under section 8105 for a period of not less than 6 months; and

“(B) the term ‘disability management review process’ means the disability management review process established under paragraph (2)(A).

“(2) ESTABLISHMENT.—The Secretary of Labor shall—

“(A) establish a disability management review process for the purpose of certifying and monitoring the disability status and extent of injury of each covered employee; and

“(B) promulgate regulations for the administration of the disability management review process.

“(3) PHYSICAL EXAMINATIONS REQUIRED.—Under the disability management review process, the Secretary of Labor shall periodically require covered employees to submit to physical examinations under subsection (a) by physicians selected by the Secretary. A physician conducting a physical examination of a covered employee shall submit to the Secretary a report regarding the nature and extent of the injury to and disability of the covered employee.

“(4) FREQUENCY.—

“(A) IN GENERAL.—The regulations promulgated under paragraph (2)(B) shall specify the process and criteria for determining when and how frequently a physical examination should be conducted for a covered employee.

“(B) MINIMUM FREQUENCY.—

“(i) INITIAL.—An initial physical examination shall be conducted not more than a brief period after the date on which a covered employee has been in continuous receipt of compensation for total disability under section 8015 for 6 months.

“(ii) SUBSEQUENT EXAMINATIONS.—After the initial physical examination, physical examinations of a covered employee shall be conducted not less than once every 3 years.

“(5) EMPLOYING AGENCY OR INSTRUMENTALITY REQUESTS.—

“(A) IN GENERAL.—The agency or instrumentality employing an employee who has made a claim for compensation for total disability under section 8105 may at any time submit a request for the Secretary of Labor to promptly require the employee to submit to a physical examination under this subsection.

“(B) REQUESTING OFFICER.—A request under subparagraph (A) shall be made on behalf of an agency or instrumentality by—

“(i) the head of the agency or instrumentality;

“(ii) the Chief Human Capital Officer of the agency or instrumentality; or

“(iii) if the agency or instrumentality does not have a Chief Human Capital Officer, an officer with responsibilities similar to those of a Chief Human Capital Officer designated by the head of the agency or instrumentality to make requests under this paragraph.

“(C) INFORMATION.—A request under subparagraph (A) shall be in writing and accompanied by—

“(i) a certification by the officer making the request that the officer has reviewed the relevant material in the employee’s file;

“(ii) an explanation of why the officer has determined, based on the materials in the

file and other information known to the officer, that requiring a physical examination of the employee under this subsection is necessary; and

“(iii) copies of the materials relating to the employee that are relevant to the officer’s determination and request, unless the agency or instrumentality has a reasonable basis for not providing the materials.

“(D) EXAMINATION.—If the Secretary of Labor receives a request under this paragraph before an employee has undergone an initial physical examination under paragraph (4)(B)(i), the Secretary shall promptly require the physical examination of the employee. A physical examination under this subparagraph shall satisfy the requirement under paragraph (4)(B)(i) that an initial physical examination be conducted.

“(E) AFTER INITIAL EXAMINATION.—

“(i) IN GENERAL.—If the Secretary of Labor receives a request under this paragraph after an employee has undergone an initial physical examination under paragraph (4)(B)(i), the Secretary shall—

“(I) review the request and the information, explanation, and other materials submitted with the request; and

“(II) determine whether to require the physical examination of the employee who is the subject of the request.

“(ii) NOT GRANTED.—If the Secretary determines not to grant a request described in clause (i), the Secretary shall promptly notify the officer who made the request and provide an explanation of the reasons why the request was denied.”.

SEC. 308. WAITING PERIOD.

(a) IN GENERAL.—Section 8117 is amended—
 (1) in the section heading, by striking “**Time of accrual of right**” and inserting “**Waiting period**”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “An employee” and all that follows through “is not entitled” and inserting “IN GENERAL.—An employee is not entitled to continuation of pay within the meaning of section 8118 for the first 3 days of temporary disability or, if section 8118 does not apply, is not entitled”;

(B) in paragraph (1), by adding “or” at the end;

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2); and

(3) in subsection (b)—

(A) by striking “A Postal Service” the first place it appears and all that follows through “A Postal Service” the second place it appears and inserting “USE OF LEAVE.—An”;

(B) by striking “that 3-day period” and inserting “the first 3 days of temporary disability”;

(C) by striking “or is followed by permanent disability”.

(b) CONTINUATION OF PAY.—Section 8118 is amended—

(1) in the section heading, by striking “; **election to use annual or sick leave**”;

(2) in subsection (b)(1), by striking “section 8117(b)” and inserting “section 8117”;

(3) by striking subsection (c); and

(4) by redesignating subsections (d) as subsection (c).

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 81 is amended by striking the items relating to sections 8117 and 8118 and inserting the following:

“8117. Waiting period.

“8118. Continuation of pay.”.

SEC. 309. ELECTION OF BENEFITS.

(a) IN GENERAL.—Section 8116 is amended by adding at the end the following:

“(e) RETIREMENT BENEFITS.—

“(1) IN GENERAL.—An individual entitled to compensation benefits payable under this subchapter and under chapter 83 or 84 or any other retirement system for employees of the Government, for the same period, shall elect which benefits the individual will receive.

“(2) ELECTION.—

“(A) DEADLINE.—An individual shall make an election under paragraph (1) in accordance with such deadlines as the Secretary of Labor shall establish, which shall be a reasonable period after the individual has received notice of a final determination that the individual is entitled to compensation benefits payable under this subchapter.

“(B) REVOCABILITY.—An election under paragraph (1) shall be revocable, notwithstanding any other provision of law, except for any period during which an individual—

“(i) was qualified for benefits payable under both this subchapter and under a retirement system described in paragraph (1); and

“(ii) was paid benefits under the retirement system after having been notified of eligibility for benefits under this subchapter.

“(3) INFORMED CHOICE.—The Secretary of Labor shall provide information, and shall ensure that information is provided, to an individual described in paragraph (1) about the benefits available to the individual under this subchapter or under chapter 83 or 84 or any other retirement system referred to in paragraph (1) the individual may elect to receive.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Sections 8337(f)(3) and 8464a(a)(3) are each amended by striking “Paragraphs” and inserting “Except as provided under chapter 81, paragraphs”.

SEC. 310. SANCTION FOR NONCOOPERATION WITH FIELD NURSES.

Section 8123, as amended by section 307, is amended by adding at the end the following:

“(f) FIELD NURSES.—

“(1) DEFINITION.—In this subsection, the term ‘field nurse’ means a registered nurse that assists the Secretary in the medical management of disability claims under this subchapter and provides claimants with assistance in coordinating medical care.

“(2) AUTHORIZATION.—The Secretary may use field nurses to coordinate medical services and vocational rehabilitation programs for injured employees under this subchapter. If an employee refuses to cooperate with a field nurse or obstructs a field nurse in the performance of duties under this subchapter, the right to compensation under this subchapter shall be suspended until the refusal or obstruction stops.”.

SEC. 311. SUBROGATION OF CONTINUATION OF PAY.

(a) IN GENERAL.—Section 8131 is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “continuation of pay or” before “compensation”;

(2) in subsection (b), by inserting “continuation of pay or” before “compensation”;

(3) in subsection (c)—

(A) by inserting “continuation of pay or” before “compensation already paid”; and

(B) by inserting “continuation of pay or” before “compensation payable”.

(b) ADJUSTMENT AFTER RECOVERY FROM A THIRD PERSON.—Section 8132 is amended—

(1) in the first sentence—

(A) by inserting “continuation of pay or” before “compensation is payable”;

(B) by inserting “continuation of pay or” before “compensation from the United States”;

(C) by striking “by him or in his behalf” and inserting “by the beneficiary or on behalf of the beneficiary”;

(D) by inserting “continuation of pay and” before “compensation paid by the United States”; and

(E) by striking “compensation payable to him” and inserting “continuation of pay or compensation payable to the beneficiary”;

(2) in the second sentence, by striking “his designee” and inserting “the designee of the beneficiary”;

(3) in the fourth sentence, by striking “If compensation” and all that follows through “payable to him by the United States” and inserting “If continuation of pay or compensation has not been paid to the beneficiary, the money or property shall be credited against continuation of pay or compensation payable to the beneficiary by the United States”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of enactment of this Act.

SEC. 312. INTEGRITY AND COMPLIANCE.

(a) IN GENERAL.—Subchapter I of chapter 81 is amended by adding at the end the following:

“§ 8153. Integrity and Compliance Program

“(a) DEFINITIONS.—In this section—

“(1) the term ‘FECA program’ means the Federal Employees Compensation Program administered under this subchapter;

“(2) the term ‘improper payment’ has the meaning given that term in section 2(f) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note);

“(3) the term ‘Inspector General’—

“(A) means an Inspector General described in subparagraph (A), (B), or (I) of section 11(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.); and

“(B) does not include the Inspector General of an entity having no employees covered under the FECA program.

“(4) the term ‘Integrity and Compliance Program’ means the Integrity and Compliance Program established under subsection (b);

“(5) the term ‘provider’ means a provider of medical or other services under the FECA program;

“(6) the term ‘Secretary’ means the Secretary of Labor; and

“(7) the term ‘Task Force’ means the FECA Integrity and Compliance Task Force established under subsection (c)(2)(A).

“(b) INTEGRITY AND COMPLIANCE PROGRAM.—Not later than 270 days after the date of enactment of this section, the Secretary shall establish an Integrity and Compliance Program for the purpose of preventing, identifying, and recovering fraudulent and other improper payments for the FECA program, which shall include—

“(1) procedures for identifying potentially improper payments before payment is made to claimants and providers, including, where appropriate, predictive analytics;

“(2) reviews after payment is made to identify potentially improper payments to claimants and providers;

“(3) on-going screening and verification procedures to ensure the continued eligibility of medical providers to provide services under the FECA program, including licensure, Federal disbarment, and the existence of relevant criminal convictions;

“(4) provision of appropriate information, education, and training to claimants and

providers on requirements to ensure the integrity of the FECA program, including payments under the FECA program;

“(5) appropriate controls and audits to ensure that providers adopt internal controls and procedures for compliance with requirements under the FECA program;

“(6) procedures to ensure—

“(A) initial and continuing eligibility of claimants for compensation, benefits, or services under the FECA program; and

“(B) ongoing verification of information in databases relating to claimants to ensure accuracy and completeness; and

“(7) sharing and accessing data and information with other agencies and instrumentalities of the United States, including the United States Postal Service.

“(c) INTERAGENCY COOPERATION ON ANTI-FRAUD EFFORTS.—

“(1) IN GENERAL.—In administering the FECA program, including the Integrity and Compliance Program, the Secretary shall cooperate with other agencies and instrumentalities of the United States (including the United States Postal Service) and the Inspectors General of such agencies and instrumentalities to prevent, identify, and recover fraudulent and other improper payments under the FECA program.

“(2) TASK FORCE.—

“(A) IN GENERAL.—There is established a task force, which shall be known as the FECA Integrity and Compliance Task Force.

“(B) MEMBERSHIP.—The members of the Task Force shall be—

“(i) the Secretary, who shall serve as the Chairperson of the Task Force;

“(ii) the Postmaster General, who shall serve as the Vice Chairperson of the Task Force;

“(iii) the Attorney General;

“(iv) the Director of the Office of Management and Budget; and

“(v) other appropriate Federal officials, as determined by the Chairperson and Vice Chairperson of the Task Force.

“(C) ADVISORY MEMBERS.—The following officials shall attend meetings of the Task Force and participate as ad hoc, advisory members, to provide technical assistance and guidance to the Task Force with respect to the duties of the Task Force:

“(i) The Inspector General of the Department of Labor.

“(ii) The Inspector General of the United States Postal Service.

“(iii) The Inspectors General of other appropriate agencies and instrumentalities of the United States that employ a significant number of individuals receiving compensation, benefits, or services under the FECA program, as determined by the Chairperson of the Task Force.

“(D) DUTIES.—The Task Force shall—

“(i) set forth, in writing, a description of the respective roles and responsibilities in preventing, identifying, recovering, and prosecuting fraud under, and otherwise ensuring integrity and compliance of, the FECA program of—

“(I) the Secretary (including subordinate officials such as the Director of the Office of Workers' Compensation Programs);

“(II) the Inspector General of the Department of Labor;

“(III) the Inspectors General of agencies and instrumentalities of the United States that employ claimants under the FECA program;

“(IV) the Attorney General; and

“(V) any other relevant officials;

“(ii) develop procedures for sharing information of possible fraud under the FECA

program or other intentional misstatements by claimants or providers under the FECA program, including procedures addressing—

“(I) notification of appropriate officials of the Department of Labor of potential fraud or other intentional misstatements, including provision of supporting information;

“(II) timely and appropriate response by officials of the Department of Labor to notifications described in subclause (I);

“(III) the inclusion of information and evidence relating to fraud and other intentional misstatements in criminal, civil, and administrative proceedings relating to the provision of compensation, benefits, or medical services (including payments to providers) under the FECA program;

“(IV) the coordination of criminal investigations with the administration of the FECA program; and

“(V) the protection of information relating to an investigation of possible fraud under the FECA program from potential disclosure, including requirements that enable investigative files to be appropriately separated from case management files;

“(iii) not later than 1 year after the date of enactment of this section, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform and the Committee on Education and the Workforce of the House of Representatives a report that includes the description and procedures required under clauses (i) and (ii).

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit or restrict any authority of an Inspector General.

“(d) IMPROVEMENTS TO ACCESS OF FEDERAL DATABASES.—

“(1) IN GENERAL.—In order to improve compliance with the requirements under and the integrity of the FECA program, or as required to otherwise detect and prevent improper payments under the FECA program (including for purposes of computer matching under subsection (e)(1)(D)), upon written request—

“(A) the Commissioner of Social Security shall make available to the Secretary, the Postmaster General, and each Inspector General the Social Security earnings information of a living or deceased employee;

“(B) the Director of the Office of Personnel Management shall make available to the Secretary, the Postmaster General, and each Inspector General the information in the databases of Federal employees and retirees maintained by the Director; and

“(C) the Secretary of Veterans Affairs shall make available to the Secretary, the Postmaster General, and each Inspector General the information in the database of disabled individuals maintained by the Secretary of Veterans Affairs.

“(2) NATIONAL DIRECTORY OF NEW HIRES.—Upon written request, the Secretary of Health and Human Services shall make available to the Secretary, the Postmaster General, each Inspector General, and the Comptroller General of the United States the information in the National Directory of New Hires for purposes of carrying out this subchapter, in order to improve compliance with the requirements under and the integrity of the FECA program, or as required to otherwise detect and prevent improper payments under the FECA program (including for purposes of computer matching under subsection (e)(1)(D)). The Comptroller General may obtain information from the National Directory of New Hires for purposes of

any audit, evaluation, or investigation, including any audit, evaluation, or investigation relating to program integrity.

“(3) PROCEDURES.—The Secretary shall establish procedures for correlating the identity and status of recipients of compensation, benefits, or services under this subchapter with Social Security earnings information described in paragraph (1)(A).

“(4) PROVISION.—Information requested under this subsection shall be provided—

“(A) in a timely manner;

“(B) at a reasonable cost to the Secretary, the Postmaster General, or an Inspector General;

“(C) without cost to the Comptroller General of the United States; and

“(D) in the manner, frequency, and form reasonably specified by the officer making the request, which, upon request, shall include electronic form.

“(5) ASSESSMENT OF DATA COST-EFFECTIVENESS.—

“(A) IN GENERAL.—The Secretary shall consider and assess procedures for correlating the identity and status of recipients of compensation, benefits, or services under this subchapter with information relating to employees, retirees, and individuals described in subparagraphs (B) and (C) of paragraph (1) and paragraph (2).

“(B) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform and the Committee on Education and the Workforce of the House of Representatives a report on the cost-effectiveness of the use of the databases described in subparagraphs (B) and (C) of paragraph (1) and paragraph (2) for program compliance and integrity. The report required under this subparagraph may be included as part of the report required under subsection (f).

“(6) UNITED STATES POSTAL SERVICE FECA ENROLLEE DATABASE.—Not later than 180 days after the date of enactment of this section, in order to track, verify, and communicate with the Secretary and other relevant entities, the Postmaster General shall establish an electronic database of information relating to employees of the United States Postal Service who have applied for or are receiving compensation, benefits, or services under this subchapter.

“(7) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the authority of the Comptroller General of the United States under section 716 of title 31.

“(e) GENERAL PROTOCOLS AND SECURITY.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—In order to ensure strong information security and privacy standards, the Task Force shall establish protocols for the secure transfer and storage of any information provided to an individual or entity under this section.

“(B) CONSIDERATIONS.—In establishing protocols under subparagraph (A), the Task Force shall consider any recommendations submitted to the Secretary by the Inspector General of the Department of Health and Human Services with respect to the secure transfer and storage of information, and to comply with privacy laws and best practices.

“(C) FRAUD CASE PROTECTION.—The Task Force shall establish protocols and procedures to enable information and materials relating to an active investigation of possible fraud relating to the FECA program to be appropriately kept separate from the files

for employees relating to the provision of compensation, benefits, or services under the FECA program.

“(D) COMPUTER MATCHING BY FEDERAL AGENCIES FOR PURPOSES OF INVESTIGATION AND PREVENTION OF IMPROPER PAYMENTS AND FRAUD.—

“(i) IN GENERAL.—Except as provided in this subparagraph, in accordance with section 552a (commonly known as the Privacy Act of 1974), the Secretary, the Postmaster General, each Inspector General, and the head of each agency may enter into computer matching agreements that allow ongoing data matching (which shall include automated data matching) in order to assist in the detection and prevention of improper payments under the FECA program.

“(ii) REVIEW.—Not later than 60 days after a proposal for an agreement under clause (i) has been presented to a Data Integrity Board established under section 552a(u) for consideration, the Data Integrity Board shall approve or deny the agreement.

“(iii) TERMINATION DATE.—An agreement under clause (i)—

“(I) shall have a termination date of less than 3 years; and

“(II) during the 3-month period ending on the date on which the agreement is scheduled to terminate, may be renewed by the agencies entering the agreement for not more than 3 years.

“(iv) MULTIPLE AGENCIES.—For purposes of this subparagraph, section 552a(o)(1) shall be applied by substituting ‘between the source agency and the recipient agency or non-Federal agency or an agreement governing multiple agencies’ for ‘between the source agency and the recipient agency or non-Federal agency’ in the matter preceding subparagraph (A).

“(v) COST-BENEFIT ANALYSIS.—An agreement under clause (i) may be entered without regard to section 552a(o)(1)(B), relating to a cost-benefit analysis of the proposed matching program.

“(vi) GUIDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—Not later than 6 months after the date of enactment of the Workers’ Compensation Reform Act of 2012, and in consultation with the Council of Inspectors General on Integrity and Efficiency, the Secretary of Health and Human Services, the Commissioner of Social Security, and the head of any other relevant agency, the Director of the Office of Management and Budget shall—

“(I) issue guidance for agencies regarding implementing this subparagraph, which shall include standards for reimbursement costs, when necessary, between agencies; and

“(II) establish standards and develop standard matching agreements for the purpose of improving the process for establishing data use or computer matching agreements.

“(2) COMPLIANCE.—The Secretary, the Postmaster General, and each Inspector General shall ensure that any information provided to an individual or entity under this section is provided in accordance with protocols established under paragraph (1).

“(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the rights of an individual under section 552a(p).

“(f) REPORT.—Not later than 1 year after the date of enactment of this section, and annually thereafter for 5 years, the Secretary shall submit a report on the activities of the Secretary under this section, including implementation of the Integrity and Compliance Program, to—

“(1) the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Oversight and Government Reform and the Committee on Education and the Workforce of the House of Representatives.

“(g) GAO REVIEW.—The Comptroller General of the United States shall—

“(1) conduct periodic reviews of the Integrity and Compliance Program; and

“(2) submit reports on the results of the reviews under paragraph (1) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform and the Committee on Education and the Workforce of the House of Representatives not later than—

“(A) 2 years after the date of enactment of this section; and

“(B) 3 years after submission of the report under subparagraph (A).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 81 is amended by inserting after the item relating to section 8152 the following:

“8153. Integrity and Compliance Program.”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of enactment of this Act.

SEC. 313. AMOUNT OF COMPENSATION.

(a) INJURIES TO FACE, HEAD, AND NECK.—Section 8107(c)(21) is amended—

(1) by striking “not to exceed \$3,500” and inserting “in proportion to the severity of the disfigurement, not to exceed \$50,000;” and

(2) by adding at the end the following: “The maximum amount of compensation under this paragraph shall be increased on March 1 of each year by the amount determined by the Secretary of Labor to represent the percent change in the price index published for December of the preceding year over the price index published for the December of the year prior to the preceding year, adjusted to the nearest one-tenth of 1 percent.”.

(b) FUNERAL EXPENSES.—Section 8134(a) is amended—

(1) by striking “\$800” and inserting “\$6,000;” and

(2) by adding at the end the following: “The maximum amount of compensation under this subsection shall be increased on March 1 of each year by the amount determined by the Secretary of Labor to represent the percent change in the price index published for December of the preceding year over the price index published for the December of the year prior to the preceding year, adjusted to the nearest one-tenth of 1 percent.”.

(c) APPLICATION.—The amendments made by this section shall apply to injuries or deaths, respectively, occurring on or after the date of enactment of this Act.

SEC. 314. TECHNICAL AND CONFORMING AMENDMENTS.

Chapter 81 is amended—

(1) in section 8101(1)(D), by inserting “for an injury that occurred before the effective date of section 204(e) of the District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93-198; 87 Stat. 783; 5 U.S.C. 8101 note)” before the semicolon;

(2) in section 8139, by inserting “under this subchapter” after “Compensation awarded;” and

(3) in section 8148(a), by striking “section 8106” and inserting “section 8106a”.

SEC. 315. REGULATIONS.

(a) IN GENERAL.—As soon as possible after the date of enactment of this Act, the Secretary of Labor shall promulgate regulations

(which may include interim final regulations) to carry out this title.

(b) CONTENTS.—The regulations promulgated under subsection (a) shall include, for purposes of the amendments made by sections 302 and 303, clarification of—

(1) what is a claim; and

(2) what is the date on which a period of disability, for which a claim is made, commences.

SEC. 316. EFFECTIVE DATE.

Except as otherwise provided in this title, this title and the amendments made by this title shall take effect 60 days after the date of enactment of this Act.

TITLE IV—OTHER MATTERS

SEC. 401. SOLVENCY PLAN.

(a) PLAN REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Postal Service shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the Comptroller General of the United States, and the Commission a plan describing, in detail, the actions the Postal Service will take to achieve long-term solvency (as defined in section 208(e) of this Act).

(b) CONSIDERATIONS.—The plan required under subsection (a) shall take into consideration—

(1) the legal authority of the Postal Service;

(2) the changes in the legal authority and responsibilities of the Postal Service under this Act;

(3) any cost savings that the Postal Service anticipates will be achieved through negotiations with employees of the Postal Service;

(4) projected changes in mail volume;

(5) projected changes in the number of employees needed to carry out the responsibilities of the Postal Service; and

(6) the long-term capital needs of the Postal Service, including the need to maintain, repair, and replace facilities and equipment.

(c) UPDATES.—The Postal Service shall update the plan required under subsection (a) not less frequently than quarterly, until the last quarter of fiscal year 2015.

SEC. 402. POSTAL RATES.

(a) COMMISSION STUDY.—

(1) IN GENERAL.—Not earlier than 3 years after the date of enactment of this Act, the Commission shall commence a study to determine—

(A) whether and to what extent any market-dominant classes, products, or types of mail services do not bear the direct and indirect costs attributable to those classes, products, or types of mail services; and

(B) the impact of any excess mail processing, transportation, or delivery capacity of the Postal Service on the direct and indirect costs attributable to any class, product, or type of mail service that bears less than 100 percent of the costs attributable to the class, product, or type of mail service, as determined under subparagraph (A).

(2) REQUIREMENTS.—The Commission shall conduct the study under paragraph (1) in a manner that protects confidential and proprietary business information.

(3) HEARING.—Before completing the study under paragraph (1), the Commission shall hold a public hearing, on the record, in order to better inform the conclusions of the study. The Postal Service, postal customers, and other interested persons may participate in the hearing under this paragraph.

(4) COMPLETION.—Not later than 6 months after the date on which the Commission

commences the study under subsection (a), the Commission shall complete the study.

(b) ANNUAL UPDATES REQUIRED.—Not later than 1 year after the date of completion of the study under subsection (a), and annually thereafter, the Commission shall—

(1) determine whether any class of mail bears less than 100 percent of the direct and indirect costs attributable to the class, product, or type of mail service, in the same manner as under subsection (a)(1)(A);

(2) for any class of mail for which the Commission makes a determination under paragraph (1), update the study under subsection (a); and

(3) include the study updated under paragraph (2) in the annual written determination of the Commission under section 3653 of title 39, United States Code.

(c) POSTAL RATES.—

(1) DEFINITION.—In this subsection, the term “loss-making”, as used with respect to a class of mail, means a class of mail that bears less than 100 percent of the costs attributable to the class of mail, according to the most recent annual determination of the Commission under subsection (a)(1) or (b)(1), adjusted to account for the quantitative effect of excess mail processing, transportation, or delivery capacity of the Postal Service on the costs attributable to the class of mail.

(2) IN GENERAL.—Not later than 1 year after the date on which the study under subsection (a) is completed, and annually thereafter, the Postal Service shall establish postal rates for each loss-making class of mail.

(3) CONSIDERATIONS.—The Postal Service may establish postal rates under paragraph (2) in a manner that ensures, to the extent practicable, that a class of mail described in paragraph (2) is not loss-making by—

(A) using the authority to increase rates under section 3622(d)(1)(A) of title 39, United States Code;

(B) exhausting any unused rate adjustment authority, as defined in section 3622(d)(2)(C) of title 39, United States Code, subject to paragraph (4); and

(C) maximizing incentives to reduce costs and increase efficiency with regard to the processing, transportation, and delivery of such mail by the Postal Service.

(4) UNUSED RATE ADJUSTMENT AUTHORITY.—Section 3622(d)(2)(C) of title 39, United States Code, shall be applied by annually increasing by 2 percentage points any unused rate adjustment authority for a class of mail that bears less than 90 percent of the costs attributable to the class of mail, according to the most recent annual determination of the Commission under subsection (a)(1) or (b)(1), adjusted to account for the quantitative effect of excess mail processing, transportation, or delivery capacity of the Postal Service on the costs attributable to the class of mail.

SEC. 403. CO-LOCATION WITH FEDERAL AGENCIES.

Chapter 5 of subtitle I of title 40, United States Code, is amended by adding at the end the following:

“SUBCHAPTER VII—FEDERAL REAL PROPERTY ASSET MANAGEMENT

“§ 701. Definitions

“In this subchapter:

“(1) AGENCY FIELD OFFICE.—The term ‘agency field office’ means the field office of a landholding agency.

“(2) COUNCIL.—The term ‘Council’ means the Federal Real Property Council established under section 702.

“(3) LANDHOLDING AGENCY.—The term ‘landholding agency’ has the same meaning

as in section 501(i) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411(i)).

“(4) POSTAL PROPERTY.—The term ‘Postal property’ means real property owned by the United States Postal Service.

“§ 702. Establishment of a Federal Real Property Council

“(a) ESTABLISHMENT.—There is within the Office of Management and Budget a council to be known as the ‘Federal Real Property Council’.

“(b) PURPOSE.—The purpose of the Council shall be to develop guidance for the asset management program of each executive agency.

“(c) COMPOSITION.—

“(1) IN GENERAL.—The Council shall be composed of—

“(A) the senior real property officers of each executive agency;

“(B) the Deputy Director for Management of the Office of Management and Budget;

“(C) the Controller of the Office of Management and Budget;

“(D) the Administrator of General Services; and

“(E) any other full-time or permanent part-time Federal officials or employees, as the Chairperson determines to be necessary.

“(2) CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall serve as Chairperson of the Council.

“(3) ADMINISTRATIVE SUPPORT.—The Office of Management and Budget shall provide funding and administrative support for the Council, as appropriate.

“§ 703. Co-location among Postal Service properties

“(a) CO-LOCATION AMONG POSTAL SERVICE PROPERTIES.—

“(1) IDENTIFICATION OF REAL PROPERTY ASSETS.—Each year, the Council shall—

“(A) identify and compile a list of agency field offices that are suitable for co-location with another Federal civilian real property asset; and

“(B) submit the list to the Director of the Office of Management and Budget and the Postmaster General of the United States.

“(2) POSTAL PROPERTY.—

“(A) IN GENERAL.—Not later than 30 days after the completion of a list under paragraph (1), the Director of the Office of Management and Budget, in collaboration with the Postmaster General, shall identify agency field offices on the list that are within reasonable distance of a Postal property.

“(B) REASONABLE DISTANCE.—For purposes of this paragraph, an agency field office shall be considered to be within reasonable distance of a Postal property if the office would be able to fulfill the mission of the office if the office is located at the Postal property.

“(C) REVIEW BY POSTAL SERVICE.—Not later than 90 days after the receipt of the list submitted under subparagraph (B), the Postmaster General shall—

“(i) review the list; and

“(ii) submit to the Director of the Office of Management and Budget a report containing the conclusions of the review.

“(3) TERMS OF CO-LOCATION.—On approval of the recommendations under paragraph (2) by the Postmaster General and the applicable agency head, the co-location of a Postal property and an agency field office shall consist of the Executive agency that owns or leases the agency field office entering into a lease for space within the Postal property with United States Postal Service that has—

“(A) an initial lease term of not less than 5 years; and

“(B) a cost that is within 5 percent of the prevailing market lease rate for a similarly situated space.”.

SEC. 404. COOPERATION WITH STATE AND LOCAL GOVERNMENTS; INTRA-SERVICE AGREEMENTS.

(a) COOPERATION WITH STATE AND LOCAL GOVERNMENTS.—Section 411 of title 39, United States Code, is amended, in the first sentence, by striking “and the Government Printing Office” and inserting “, the Government Printing Office, and agencies and other units of State and local governments”.

(b) INTRA-SERVICE AGREEMENTS.—Section 411 of title 39, United States Code, as amended by subsection (a), is amended—

(1) in the section heading, by adding at the end the following: “**and within the Postal Service**”;

(2) in the second sentence, by striking “section” and inserting “subsection”;

(3) by striking “Executive agencies” and inserting the following:

“(a) COOPERATION WITH STATE AND LOCAL GOVERNMENTS.—Executive agencies”;

(4) by adding at the end the following:

“(b) COOPERATION WITHIN THE POSTAL SERVICE.—The Office of the Inspector General and other components of the Postal Service may enter into agreements to furnish to each other property, both real and personal, and personal and nonpersonal services. The furnishing of property and services under this subsection shall be under such terms and conditions, including

reimbursability, as the Inspector General and the head of the component concerned shall deem appropriate.”.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 4 of title 39, United States Code, is amended by striking the item relating to section 411 and inserting the following:

“411. Cooperation with other Government agencies and within the Postal Service.”.

SEC. 405. SHIPPING OF WINE, BEER, AND DISTILLED SPIRITS.

(a) MAILABILITY.—

(1) NONMAILABLE ARTICLES.—Section 1716(f) of title 18, United States Code, is amended by striking “mails” and inserting “mails, except to the extent that the mailing is allowable under section 3001(p) of title 39”.

(2) APPLICATION OF LAWS.—Section 1161 of title 18, United States Code, is amended, by inserting “, and, with respect to the mailing of distilled spirits, wine, or malt beverages (as those terms are defined in section 117 of the Federal Alcohol Administration Act (27 U.S.C. 211)), is in conformity with section 3001(p) of title 39” after “Register”.

(b) REGULATIONS.—Section 3001 of title 39, United States Code, is amended by adding at the end the following:

“(p)(1) In this subsection, the terms ‘distilled spirits’, ‘wine’, and ‘malt beverage’ have the same meanings as in section 117 of the Federal Alcohol Administration Act (27 U.S.C. 211).

“(2) Distilled spirits, wine, or malt beverages shall be considered mailable if mailed—

“(A) in accordance with the laws and regulations of—

“(i) the State, territory, or district of the United States where the sender or duly authorized agent initiates the mailing; and

“(ii) the State, territory, or district of the United States where the addressee or duly authorized agent takes delivery; and

“(B) to an addressee who is at least 21 years of age—

“(i) who provides a signature and presents a valid, government-issued photo identification upon delivery; or

“(ii) the duly authorized agent of whom—
“(I) is at least 21 years of age; and
“(II) provides a signature and presents a valid, government-issued photo identification upon delivery.

“(3) The Postal Service shall prescribe such regulations as may be necessary to carry out this subsection.”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of—

(1) the date on which the Postal Service issues regulations under section 3001(p) of title 39, United States Code, as amended by this section; and

(2) 120 days after the date of enactment of this Act.

SEC. 406. ANNUAL REPORT ON UNITED STATES MAILING INDUSTRY.

(a) IN GENERAL.—Chapter 24 of title 39, United States Code, is amended by adding at the end the following:

“§ 2403. Annual report on the fiscal stability of the United States mailing industry

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Postal Regulatory Commission shall submit a report on the fiscal stability of the United States mailing industry with respect to the preceding fiscal year to—

“(1) the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Oversight and Government Reform of the House of Representatives.

“(b) ASSISTANCE.—The United States Postal Service and any Federal agency involved in oversight or data collection regarding industry sectors relevant to the report under subsection (a) shall provide any assistance to the Postal Regulatory Commission that the Postal Regulatory Commission determines is necessary in the preparation of a report under subsection (a).”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 24 of title 39, United States Code, is amended by adding at the end the following:

“2403. Annual report on the fiscal stability of the United States mailing industry.”

SEC. 407. USE OF NEGOTIATED SERVICE AGREEMENTS.

Section 3622 of title 39, United States Code, is amended—

(1) in subsection (c)(10)(A)—

(A) in the matter preceding clause (i), by striking “either” and inserting “will”;

(B) in clause (i), by striking “or” at the end;

(C) in clause (ii), by striking “and” at the end and inserting “or”; and

(D) by adding at the end the following:

“(iii) preserve mail volume and revenue; and”;

(2) by adding at the end the following:

“(g) COORDINATION.—The Postal Service and the Postal Regulatory Commission shall coordinate actions to identify methods to increase the use of negotiated service agreements for market-dominant products by the Postal Service consistent with subsection (c)(10).”

SEC. 408. CONTRACT DISPUTES.

Section 7101(8) of title 41, United States Code, is amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(E) the United States Postal Service and the Postal Regulatory Commission.”

SEC. 409. CONTRACTING PROVISIONS.

(a) IN GENERAL.—Part I of title 39, United States Code, is amended by adding at the end the following:

“CHAPTER 7—CONTRACTING PROVISIONS

“Sec.

“701. Definitions.

“702. Advocate for competition.

“703. Delegation of contracting authority.

“704. Posting of noncompetitive purchase requests for noncompetitive contracts.

“705. Review of ethical issues.

“706. Ethical restrictions on participation in certain contracting activity.

“707. Congressional oversight authority.

“§ 701. Definitions

“In this chapter—

“(1) the term ‘contracting officer’ means an employee of a covered postal entity who has authority to enter into a postal contract;

“(2) the term ‘covered postal entity’ means—

“(A) the Postal Service; or

“(B) the Postal Regulatory Commission;

“(3) the term ‘head of a covered postal entity’ means—

“(A) in the case of the Postal Service, the Postmaster General; or

“(B) in the case of the Postal Regulatory Commission, the Chairman of the Postal Regulatory Commission;

“(4) the term ‘postal contract’ means any contract (including any agreement or memorandum of understanding) entered into by a covered postal entity for the procurement of goods or services; and

“(5) the term ‘senior procurement executive’ means the senior procurement executive of a covered postal entity.

“§ 702. Advocate for competition

“(a) ESTABLISHMENT AND DESIGNATION.—

“(1) ESTABLISHMENT.—There is established in each covered postal entity an advocate for competition.

“(2) DESIGNATION.—The head of each covered postal entity shall designate for the covered postal entity 1 or more officers or employees (other than the senior procurement executive) to serve as the advocate for competition.

“(b) RESPONSIBILITIES.—The advocate for competition of each covered postal entity shall—

“(1) be responsible for promoting competition to the maximum extent practicable consistent with obtaining best value by promoting the acquisition of commercial items and challenging barriers to competition;

“(2) review the procurement activities of the covered postal entity; and

“(3) prepare and transmit to the head of each covered postal entity, the senior procurement executive of each covered postal entity, the Board of Governors, and Congress, an annual report describing—

“(A) the activities of the advocate under this section;

“(B) initiatives required to promote competition;

“(C) barriers to competition that remain; and

“(D) the number of waivers made by each covered postal entity under section 704(c).

“§ 703. Delegation of contracting authority

“(a) IN GENERAL.—

“(1) POLICY.—Not later than 60 days after the date of enactment of the 21st Century Postal Service Act of 2012, the head of each covered postal entity shall issue a policy on contracting officer delegations of authority for the covered postal entity.

“(2) CONTENTS.—The policy issued under paragraph (1) shall require that—

“(A) notwithstanding any delegation of authority with respect to postal contracts, the ultimate responsibility and accountability for the award and administration of postal contracts resides with the senior procurement executive; and

“(B) a contracting officer shall maintain an awareness of and engagement in the activities being performed on postal contracts of which that officer has cognizance, notwithstanding any delegation of authority that may have been executed.

“(b) POSTING OF DELEGATIONS.—

“(1) IN GENERAL.—The head of each covered postal entity shall make any delegation of authority for postal contracts outside the functional contracting unit readily available and accessible on the website of the covered postal entity.

“(2) EFFECTIVE DATE.—This paragraph shall apply to any delegation of authority made on or after 30 days after the date of enactment of the 21st Century Postal Service Act of 2012.

“§ 704. Posting of noncompetitive purchase requests for noncompetitive contracts

“(a) POSTING REQUIRED.—

“(1) POSTAL REGULATORY COMMISSION.—The Postal Regulatory Commission shall make the noncompetitive purchase request for any noncompetitive award, including the rationale supporting the noncompetitive award, publicly available on the website of the Postal Regulatory Commission—

“(A) not later than 14 days after the date of the award of the noncompetitive contract; or

“(B) not later than 30 days after the date of the award of the noncompetitive contract, if the basis for the award was a compelling business interest.

“(2) POSTAL SERVICE.—The Postal Service shall make the noncompetitive purchase request for any noncompetitive award of a postal contract valued at \$250,000 or more, including the rationale supporting the noncompetitive award, publicly available on the website of the Postal Service—

“(A) not later than 14 days after the date of the award; or

“(B) not later than 30 days after the date of the award, if the basis for the award was a compelling business interest.

“(3) ADJUSTMENTS TO THE POSTING THRESHOLD FOR THE POSTAL SERVICE.—

“(A) REVIEW AND DETERMINATION.—Not later than January 31 of each year, the Postal Service shall—

“(i) review the \$250,000 threshold established under paragraph (2); and

“(ii) based on any change in the Consumer Price Index for all-urban consumers of the Department of Labor, determine whether an adjustment to the threshold shall be made.

“(B) AMOUNT OF ADJUSTMENTS.—An adjustment under subparagraph (A) shall be made in increments of \$5,000. If the Postal Service determines that a change in the Consumer Price Index for a year would require an adjustment in an amount that is less than \$5,000, the Postal Service may not make an adjustment to the threshold for the year.

“(4) EFFECTIVE DATE.—This subsection shall apply to any noncompetitive contract awarded on or after the date that is 90 days after the date of enactment of the 21st Century Postal Service Act of 2012.

“(b) PUBLIC AVAILABILITY.—

“(1) IN GENERAL.—Subject to paragraph (2), the information required to be made publicly available by a covered postal entity under

subsection (a) shall be readily accessible on the website of the covered postal entity.

“(2) PROTECTION OF PROPRIETARY INFORMATION.—A covered postal entity shall—

“(A) carefully screen any description of the rationale supporting a noncompetitive award required to be made publicly available under subsection (a) to determine whether the description includes proprietary data (including any reference or citation to the proprietary data) or security-related information; and

“(B) remove any proprietary data or security-related information before making publicly available a description of the rationale supporting a noncompetitive award.

“(c) WAIVERS.—

“(1) WAIVER PERMITTED.—If a covered postal entity determines that making a noncompetitive purchase request publicly available would risk placing the Postal Service at a competitive disadvantage relative to a private sector competitor, the senior procurement executive, in consultation with the advocate for competition of the covered postal entity, may waive the requirements under subsection (a).

“(2) FORM AND CONTENT OF WAIVER.—

“(A) FORM.—A waiver under paragraph (1) shall be in the form of a written determination placed in the file of the contract to which the noncompetitive purchase agreement relates.

“(B) CONTENT.—A waiver under paragraph (1) shall include—

“(i) a description of the risk associated with making the noncompetitive purchase request publicly available; and

“(ii) a statement that redaction of sensitive information in the noncompetitive purchase request would not be sufficient to protect the Postal Service from being placed at a competitive disadvantage relative to a private sector competitor.

“(3) DELEGATION OF WAIVER AUTHORITY.—A covered postal entity may not delegate the authority to approve a waiver under paragraph (1) to any employee having less authority than the senior procurement executive.

“§ 705. Review of ethical issues

“If a contracting officer identifies any ethical issues relating to a proposed contract and submits those issues and that proposed contract to the designated ethics official for the covered postal entity before the awarding of that contract, that ethics official shall—

“(1) review the proposed contract; and

“(2) advise the contracting officer on the appropriate resolution of ethical issues.

“§ 706. Ethical restrictions on participation in certain contracting activity

“(a) DEFINITIONS.—In this section—

“(1) the term ‘covered employee’ means—

“(A) a contracting officer; or

“(B) any employee of a covered postal entity whose decisionmaking affects a postal contract as determined by regulations prescribed by the head of a covered postal entity;

“(2) the term ‘covered relationship’ means a covered relationship described in section 2635.502(b)(1) of title 5, Code of Federal Regulations, or any successor thereto; and

“(3) the term ‘final conviction’ means a conviction, whether entered on a verdict or plea, including a plea of *nolo contendere*, for which a sentence has been imposed.

“(b) IN GENERAL.—

“(1) REGULATIONS.—The head of each covered postal entity shall prescribe regulations that—

“(A) require a covered employee to include in the file of any noncompetitive purchase request for a noncompetitive postal contract a written certification that—

“(i) discloses any covered relationship of the covered employee; and

“(ii) the covered employee will not take any action with respect to the noncompetitive purchase request that affects the financial interests of a friend, relative, or person with whom the covered employee is affiliated in a nongovernmental capacity, or otherwise gives rise to an appearance of the use of public office for private gain, as described in section 2635.702 of title 5, Code of Federal Regulations, or any successor thereto;

“(B) require a contracting officer to consult with the ethics counsel for the covered postal entity regarding any disclosure made by a covered employee under subparagraph (A)(i), to determine whether participation by the covered employee in the noncompetitive purchase request would give rise to a violation of part 2635 of title 5, Code of Federal Regulations (commonly referred to as the ‘Standards of Ethical Conduct for Employees of the Executive Branch’);

“(C) require the ethics counsel for a covered postal entity to review any disclosure made by a contracting officer under subparagraph (A)(i) to determine whether participation by the contracting officer in the noncompetitive purchase request would give rise to a violation of part 2635 of title 5, Code of Federal Regulations (commonly referred to as the ‘Standards of Ethical Conduct for Employees of the Executive Branch’), or any successor thereto;

“(D) under subsections (d) and (e) of section 2635.50 of title 5, Code of Federal Regulations, or any successor thereto, require the ethics counsel for a covered postal entity to—

“(i) authorize a covered employee that makes a disclosure under subparagraph (A)(i) to participate in the noncompetitive postal contract; or

“(ii) disqualify a covered employee that makes a disclosure under subparagraph (A)(i) from participating in the noncompetitive postal contract;

“(E) require a contractor to timely disclose to the contracting officer in a bid, solicitation, award, or performance of a postal contract any conflict of interest with a covered employee; and

“(F) include authority for the head of the covered postal entity to grant a waiver or otherwise mitigate any organizational or personal conflict of interest, if the head of the covered postal entity determines that the waiver or mitigation is in the best interests of the Postal Service.

“(2) POSTING OF WAIVERS.—Not later than 30 days after the head of a covered postal entity grants a waiver described in paragraph (1)(F), the head of the covered postal entity shall make the waiver publicly available on the website of the covered postal entity.

“(c) CONTRACT VOIDANCE AND RECOVERY.—

“(1) UNLAWFUL CONDUCT.—In any case in which there is a final conviction for a violation of any provision of chapter 11 of title 18 relating to a postal contract, the head of a covered postal entity may—

“(A) void that contract; and

“(B) recover the amounts expended and property transferred by the covered postal entity under that contract.

“(2) OBTAINING OR DISCLOSING PROCUREMENT INFORMATION.—

“(A) IN GENERAL.—In any case where a contractor under a postal contract fails to timely disclose a conflict of interest to the appro-

appropriate contracting officer as required under the regulations promulgated under subsection (b)(1)(D), the head of a covered postal entity may—

“(i) void that contract; and

“(ii) recover the amounts expended and property transferred by the covered postal entity under that contract.

“(B) CONVICTION OR ADMINISTRATIVE DETERMINATION.—A case described under subparagraph (A) is any case in which—

“(i) there is a final conviction for an offense punishable under section 27(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(e)); or

“(ii) the head of a covered postal entity determines, based upon a preponderance of the evidence, that the contractor or someone acting for the contractor has engaged in conduct constituting an offense punishable under section 27(e) of that Act.

“§ 707. Congressional oversight authority

“The Postal Service may not enter into any contract that restricts the ability of Congress to exercise oversight authority.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 39, United States Code, is amended by adding at the end the following:

“7. Contracting Provisions 701”.

GOLD STAR WIVES DAY

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 420.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 420) designating April 5, 2012, as “Gold Star Wives Day.”

Without objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 420) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 420

Whereas the Senate honors the sacrifices made by the spouses and families of the fallen members of the Armed Forces of the United States;

Whereas Gold Star Wives of America, Inc. represents the spouses and families of the members and veterans of the Armed Forces of the United States who have died on active duty or as a result of a service-connected disability;

Whereas the primary mission of Gold Star Wives of America, Inc. is to provide services, support, and friendship to the spouses of the fallen members and veterans of the Armed Forces of the United States;

Whereas, in 1945, Gold Star Wives of America, Inc. was organized with the help of Eleanor Roosevelt to assist the families left behind by the fallen members and veterans of the Armed Forces of the United States;

Whereas the first meeting of Gold Star Wives of America, Inc. was held on April 5, 1945;

Whereas April 5, 2012, marks the 67th anniversary of the first meeting of Gold Star Wives of America, Inc.;

Whereas the members and veterans of the Armed Forces of the United States bear the burden of protecting the freedom of the people of the United States; and

Whereas the sacrifices of the families of the fallen members and veterans of the Armed Forces of the United States should never be forgotten: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 5, 2012, as “Gold Star Wives Day”;

(2) honors and recognizes—

(A) the contributions of the members of Gold Star Wives of America, Inc.; and

(B) the dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(3) encourages the people of the United States to observe Gold Star Wives Day to promote awareness of—

(A) the contributions and dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(B) the important role Gold Star Wives of America, Inc. plays in the lives of the spouses and families of the fallen members and veterans of the Armed Forces of the United States.

GLOBAL YOUTH SERVICE DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to S. Res. 421.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 421) designating April 20 through 22, 2012, as “Global Youth Service Day.”

There being no objection, the Senate proceeded to consider the resolution.

Ms. MURKOWSKI. Mr. President, I rise to speak about a resolution I have submitted designating April 20 through 22, 2012, as Global Youth Service Day.” My resolution recognizes and commends the significant community service efforts that youth are making in communities across the country and around the world on this weekend in April and every day. This resolution also encourages the citizens of the United States to acknowledge and support these volunteer efforts. Passage of this resolution sends a very strong message of support to the thousands of youth across our great Nation who are contributing positively to their communities—your efforts are recognized and appreciated.

Beginning Friday, April 20, youth from across the United States and around the world will carry out community service projects in areas ranging from hunger to literacy to the environment. Through this service, many will embark on a lifelong path of service and civic engagement in more than 100 countries around the world.

Mr. President, the participation of youth in service to their communities

is more than just a way to spend a Saturday afternoon. All year long, young people across America, indeed—across the globe—identify and address the needs of their communities, make positive differences in the world around them, learn leadership and organizational skills, and gain insights into the problems of their fellow citizens.

The positive effects of this service are not limited to the projects our young people complete. Youth who are engaged in volunteer service and service-learning activities do better in school than their classmates who do not volunteer because they see a direct connection to what they are learning and the real world in which they live. Youth who engage in volunteering and other positive activities are also more likely to avoid risky behaviors, such as drug and alcohol use, crime, and promiscuity. Service within the community also contributes positively to young people’s character development, civic participation, and philanthropic activity as adults.

Youth service also plays a role in encouraging our young people to stay in school. A survey by Civic Enterprises found that 47 percent of high school dropouts reported that boredom in school was a primary reason why they dropped out. High quality service-learning activities can, however, help young people see that school matters to them personally.

It is important, therefore, that the Senate encourage youth to engage in community service and to congratulate them for the service they provide.

In an effort to recognize and support youth volunteers in my State, I am proud to acknowledge some of the young people who have participated in community service activities over the past year. Last year, the members of the Youth Advisory Board for Anchorage’s Promise partnered with various community and faith-based organizations in Anchorage and held a “Solidarity Sleep Out” event that taught both middle school and high school students what it means to be homeless and what can be done to help. I am told that the impact of this event was huge and long-lasting. This year, these young leaders have decided to focus on the problems of suicide and bullying—two major issues facing Anchorage and our entire State. Their goal is to find ways to bring more awareness, resources, and funding to these two issues.

In addition to these efforts, young people from across my home State and this country have and will continue to engage in projects such as helping the homeless, the hungry, and the elderly. In fact, young people from across Alaska turn their energy and initiative to projects such as restoring salmon streams, combating domestic violence, raising money for community needs, and providing other significant acts of service for their peers and for adults.

I am so proud of all of these young Alaskans. I value their idealism, energy, creativity, and unique perspectives as they volunteer to make their communities better and assist those in need.

Many similarly wonderful activities will be taking place all across the Nation. I encourage all of my colleagues to learn about and applaud the selfless and creative youth who are contributing in their own States this year.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 421) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 421

Whereas Global Youth Service Day is an annual event that celebrates and mobilizes the millions of children and young people who improve their communities each day of the year through community service and service-learning projects;

Whereas Global Youth Service Day, a program of Youth Service America, is the largest and longest-running service event in the world dedicated to engaging youth ages 5 through 25;

Whereas, in 2012, Global Youth Service Day is being observed for the 24th consecutive year in the United States and for the 13th year globally in more than 100 countries;

Whereas nearly $\frac{1}{3}$ of the population of the United States (approximately 104,000,000 people) and nearly $\frac{1}{2}$ of population of the world is under the age of 25;

Whereas Global Youth Service Day assists children and young people to position themselves as active citizens and community leaders as they apply their knowledge, skills, idealism, energy, creativity, and unique perspectives to serve their communities and help address a myriad of critical issues;

Whereas thousands of students and teachers in conjunction with local schools, colleges, and universities are planning Global Youth Service Day activities as part of a Semester of Service, an extended service-learning campaign launched on Martin Luther King, Jr. Day of Service, in which young people spend the semester addressing a meaningful community need connected to intentional learning goals or academic standards over the course of not less than 70 hours;

Whereas Global Youth Service Day participants are serving in conjunction with other community events, including Earth Day, J-Serve, Great American Bake Sale National Challenge Weekend, National Volunteer Week, Kiwanis One Day, Alpha Phi Omega’s Spring Youth Service Day, Sigma Alpha Epsilon’s True Gentleman Day of Service, National Day of Silence, National Environmental Education Week, National Park Week, National Student Leadership Week, and World Malaria Day;

Whereas Global Youth Service Day engages millions of young people worldwide with the support of the Global Youth Service Network of Youth Service America, including more than 200 National and Global Partners, 125 State and local Lead Agencies and Lead Organizers, and thousands of local schools,

afterschool programs, youth development organizations, community organizations, faith-based organizations, government agencies, businesses, neighborhood associations, tribes, and families;

Whereas Youth Service America will provide support to more than 800 schools and community organizations, including State Farm GYSD Lead Agency and Good Neighbor grants, UnitedHealth Heroes grants, Sodexo Foundation Youth, Lead Organizer, and School Engagement grants, Disney Friends for Change grants, and Learn and Serve America STEMester of Service grants;

Whereas, in 2011, youth volunteers who engaged in Global Youth Service Day projects served an estimated 1,417,000 hours of service that benefitted at least 885,000 individuals and contributed \$30,267,120 worth of time to their communities;

Whereas high-quality community service and service-learning programs increase—

(1) the academic engagement and achievement of young people;

(2) the workforce readiness and 21st century skills of young people;

(3) the civic knowledge and engagement of young people;

(4) the intercultural understanding and global citizenship of young people; and

(5) the connectedness and commitment of young people to their communities; and

Whereas the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) calls on the Corporation for National and Community Service, other Federal agencies and departments, and the President of the United States to recognize and support youth-led activities: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and commends the significant contributions of young people of the United States and the world and encourages the continued engagement and support of young people dedicated to serving their neighbors, their communities, and their countries;

(2) designates April 20 through 22, 2012, as “Global Youth Service Day”; and

(3) calls on the people of the United States to observe Global Youth Service Day by—

(A) encouraging young people to participate in community service and service-learning projects and to join their peers in those projects;

(B) recognizing the volunteer efforts of the young people of the United States throughout the year; and

(C) supporting the volunteer efforts of young people and engaging them in meaningful community service, service-learning, and decision-making opportunities as an investment in the future of the United States.

CONGRATULATING THE UNIVERSITY OF KENTUCKY MEN'S BASKETBALL TEAM

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 422, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 422) commending and congratulating the University of Kentucky Men's Basketball Team for winning its eighth Division I National Collegiate Athletic Association Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 422) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 422

Whereas on April 2, 2012, the University of Kentucky Wildcats defeated the University of Kansas Jayhawks, 67 to 59, in the final game of the National Collegiate Athletic Association (referred to in this preamble as “NCAA”) Division I Men's Basketball Tournament in New Orleans, Louisiana;

Whereas the Kentucky Wildcats have won 8 national titles, the second most in NCAA Division I men's basketball history;

Whereas the Kentucky Wildcats are the only men's Division I college basketball program to have won NCAA national championships under 5 different coaches;

Whereas freshman center Anthony Davis was—

(1) the recipient of the John R. Wooden Award, the Naismith Trophy, and the Adolph F. Rupp Trophy, all for national player of the year;

(2) named the United States Basketball Writers Association player of the year, Associated Press player of the year, and Basketball Times player of the year; and

(3) selected to the Associated Press All-America first team and as the Most Outstanding Player of the NCAA Final Four tournament;

Whereas forward Michael Kidd-Gilchrist, guard Doron Lamb, and center Anthony Davis were selected as members of the NCAA Final Four All-Tournament team;

Whereas senior guard Darius Miller of Maysville, Kentucky set a school record for career games played with the Kentucky Wildcats men's basketball team at 152;

Whereas each player, coach, athletic trainer, and staff member of the University of Kentucky basketball team dedicated their season and their tireless efforts to the successful season of the team and the NCAA championship;

Whereas residents of the Commonwealth of Kentucky and Wildcats fans worldwide are commended for their long-standing support, perseverance, and pride in the team; and

Whereas Coach John Calipari and the University of Kentucky Wildcats have brought pride and honor to the Commonwealth of Kentucky, which is rightly known as the college basketball capital of the world: Now, therefore, be it

Resolved, That the Senate—

(1) commends and congratulates the University of Kentucky Wildcats on its outstanding accomplishment; and

(2) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the president of the University of Kentucky.

CONGRATULATING WESTERN WASHINGTON UNIVERSITY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 423, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 423) congratulating Western Washington University for winning the 2012 National Collegiate Athletic Association Division II Men's Basketball Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statement related to the measure be printed in the RECORD.

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

The resolution (S. Res. 423) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 423

Whereas, on March 24, 2012, for the first time in the 110-year history of the Western Washington University men's basketball program, the Western Washington University Vikings won the National Collegiate Athletic Association (commonly referred to as the “NCAA”) Division II Men's Basketball Championship with a victory over the University of Montevallo by a score of 72 to 65;

Whereas Western Washington University guard John Allen, one of the most accurate free-throw shooters in the country, with a free-throw percentage of 88.7 percent, made 4 free throws in a row to end a late comeback by the University of Montevallo in the fourth quarter;

Whereas the Vikings finished the 2012 season with an impressive record of 31 wins and 5 losses;

Whereas head coach Brad Jackson was named the National Association of Basketball Coaches Division II Coach of the Year;

Whereas the members of the 2012 Western Washington University men's basketball team are excellent representatives of a university that, as one of the premier academic institutions in the State of Washington, produces many outstanding student-athletes, leaders, and scholars; and

Whereas the members of the 2012 Western Washington University men's basketball team have brought great honor to themselves, their families, Western Washington University, and the State of Washington: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Western Washington University for winning the 2012 National Collegiate Athletic Association Division II Men's Basketball Championship;

(2) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped Western Washington University win the championship; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) Bruce Shepard, President of Western Washington University;

(B) Lynda Goodrich, Director of Athletics of Western Washington University; and

(C) Brad Jackson, head coach of the Western Washington University men's basketball team.

ORDERS FOR WEDNESDAY, APRIL 18, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Wednesday, April 18, at 9:30 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to S. 1925, the Violence Against Women Reauthorization Act, with the first

hour equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans the second 30 minutes.

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

PROGRAM

Mr. REID. Mr. President, today cloture was filed on the substitute amendment to the postal reform bill and the underlying bill. If no agreement is reached, the first cloture vote will be Thursday morning. I hope that agreement can be reached.

For the information of all Senators, the filing deadline for first-degree amendments to the substitute, as modified, is 1 p.m.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:49 p.m., adjourned until Wednesday, April 18, 2012, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, April 17, 2012

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLEISCHMANN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 17, 2012.

I hereby appoint the Honorable CHARLES J. FLEISCHMANN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

HUNGER HITS HOME

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, this past Saturday the Food Network premiered their first-ever documentary called "Hunger Hits Home." This powerful program showed the struggle that millions of Americans go through just to put food on their tables. I urge my colleagues, indeed, all Americans, to watch it by going to foodnetwork.com and searching for "Hunger Hits Home."

It's fitting that the Food Network, a cable network that focuses on cooking, would choose to highlight the scourge of hunger with its first documentary. That's because food is at the heart of the problem.

While 435 Members of Congress and 100 Senators will never have to worry about going hungry, there are nearly 49 million people who struggle each year to put food on their table; 17 million kids each year go hungry in America, and those numbers are getting worse, not better.

The Food Network aired this documentary because of the hard work of

good people at Share Our Strength. Led by my good friend, Billy Shore, Share Our Strength is a leader in the fight to end child hunger, and this effort wouldn't be where it is today without them.

We have more than enough food in America to feed everyone. We also have the delivery systems to ensure that food gets to those people who need it. The problem is politics. We have the means, the food, and the programs to ensure that not one person goes without food in this country.

What we lack, Mr. Speaker, is the political will to actually make it happen. We should remember that while there is a cost to ending hunger, the cost of doing nothing is so much more. According to a report from the Center for American Progress and Brandeis University, hunger costs America more than \$261 billion each year. That's billion with a "b."

Specifically, hunger costs "at least \$167.5 billion due to the combination of lost economic productivity per year, more expensive public education because of the rising costs of poor education outcomes, avoidable health care costs, and the cost of charity to keep families fed. This \$167.5 billion does not include the cost of the Supplemental Nutrition Assistance Program and the other key Federal nutrition programs, which run at about \$94 billion a year. We call this \$167.5 billion America's hunger bill. In 2010 it cost every citizen \$542 due to the far-reaching consequences of hunger in our Nation. At the household level, the hunger bill came to at least \$1,410 in 2010. And because our \$167.5 billion estimate is based on a cautious methodology, the actual cost of hunger and food insecurity to our Nation is probably higher."

That's a lot of money—\$167.5 billion. It's a staggering amount. Yet, we continue to ignore those costs and allow hunger to grow in America.

We know that hunger would be even worse in this country if it weren't for programs like the Supplemental Nutritional Assistance Program, or SNAP, the school meal programs and other Federal anti-hunger programs. These programs are literally a lifeline for millions of hungry children, parents, and seniors.

I believe that we can end hunger in America if we muster the political will to do so. Fighting hunger has traditionally been a bipartisan effort. Unfortunately, the Republican leadership in this House is pushing an agenda that will actually make hunger worse in America.

Tomorrow the Agriculture Committee will mark up legislation that cuts \$33 billion from the most important anti-hunger program we have in this country. SNAP is a program that not only provides food to low-income parents, seniors, and children; it also provides a most effective form of economic stimulus, and it actually reduces poverty.

Yet, the Republican leadership continues to demagogue the program as wasteful, as fraudulent, and as something that is growing out of control. But nothing could be further from the truth. In fact, SNAP is among the most effective and efficient Federal programs. The truth is that the SNAP error rate is around 3 percent. That error rate includes people who do not receive the benefit that they're actually entitled to. I challenge anyone to find me a Defense Department program with an error rate as low as 3 percent.

I look forward to the time when the Republican leadership stops using hunger as a wedge issue and lets this become a bipartisan issue once again.

I understand that we need to balance the budget, Mr. Speaker. But must it be on the backs of the poor and the most vulnerable in our country?

"Hunger Hits Home," this wonderful film, shows us the problem facing this Nation. The challenge is presented to us. Are we going to end hunger once and for all or not?

So far the answer from the Republican leadership is a resounding "no," and I regret very much that decision.

Mr. Speaker, hunger is a political condition. If we muster the political will, we can end it once and for all.

SECURING OUR BORDERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. KINZINGER) for 5 minutes.

Mr. KINZINGER of Illinois. Mr. Speaker, I want to just say before I actually get started, we just saw the space shuttle fly over on the back of a 747, and I salute the end of an amazing era in space exploration, and I look forward to the next day of NASA being able to talk about space exploration and how we're going to get out there so we won't have to rely on Russians to get to space to continue to do what I think is a very important role of the Federal Government.

I was in Houston—I actually went through the NASA center there about 3 or 4 days ago—but I was in Houston for military duty. I am a pilot in the Air

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

National Guard. I fly an airplane called a RC-26, which is a reconnaissance plane. I did 9 days of duty. And what we did is we were in Texas flying missions on the border of Mexico in order to help the Border Patrol secure that border, to ensure that those people that want to come in here come in here legally and, just as importantly, if not more importantly, to ensure that the drug trade is not being brought into our country, to reduce the amount of drugs being brought in from Mexico, as well as to ensure that terrorists are not making their way through the border by sneaking in through that border of Mexico.

Now, before I went, I expected to see a border that was basically secure because that's what I've been hearing from the administration, that the border is basically secure. Yeah, there are examples of people coming across outside of that but, for the most part, it's pretty good to go. Well, what I saw was something completely different.

I'm going to tell you just a quick story about somebody who's on the border every day trying to protect this country against drugs and against terrorism coming through that border. This guy is a Border Patrol agent affectionately known as Uzi. Uzi is a former marine. He was a marine for about 5 years, started a small business when he got out of the Marine Corps, and made the decision that, you know what, he wants to go continue to serve and protect his country.

Now, I flew missions with Uzi. He was on board my aircraft as we went down and we assisted Border Patrol. And the one thing Uzi said to me is, Congressman, look, we're out here every day in the heat and the sweltering sun trying to continue to protect this country. Make sure you give us what we need here.

And when you hear the stories about how hamstrung they are from actually enforcing the border, and how there are many tools available to them that they're not allowed to use, it's actually pretty sad.

Now, look. We want to be a Nation of immigration. We want to be a Nation of legal immigration. But one thing we don't want to be is a Nation that wakes up one day and finds out that there was another terrorist attack in a major United States city and that, potentially, that weapon of mass destruction or those terrorists actually came in through an unsecure border with Mexico.

I went down there really believing that there was a fence along the line, and I saw nothing of the kind in southern Texas.

□ 1010

Let's tell the American people the truth. The truth is, we want to be a Nation that respects immigration because most of us here actually are immi-

grants removed ourselves, but we want to be a Nation that has a legal process to do it. When we have an open border, we're encouraging people to go around that legal process, and we're opening ourselves up to attack.

Let's stand together. Let's say to respect the immigration and the immigrant history of this country, but let's do it in a legal way. My eyes were opened, as I did military duty on the border, to the fact that we have a long way to go. This can be a bipartisan issue—it doesn't need to be Republican versus Democrat—but it needs to be something that we actually finally do, and we stand together and we say we'll be a Nation that is safe once and for all.

TAXES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, today is the deadline for filing tax returns. Even though we were given 2 extra days this year, we are running out of time for the Tax Code.

The tax system doesn't generate enough money for what America needs and spends today. It's getting more expensive every year to continue the huge array of tax breaks even as the code itself becomes more unfair, complex, and inefficient. It costs over \$160 billion a year for Americans just to comply with the Tax Code.

The path forward should be simple. First, we should stop making the code more complex, which, sadly, the Republican plan working its way forward will do with \$50 billion of additional unfocused tax breaks. At least if we're going to borrow another \$50 billion from the Chinese, we should use it to fund job-creating infrastructure. For instance, that \$50 billion would enable us to fund a multiyear transportation reauthorization.

We should also repeal the pernicious alternative minimum tax. It was once designed as a tax on very rich people who didn't pay taxes. Today, no billionaire hedge fund manager pays the alternative minimum tax. Instead, it falls on upper middle-income families, especially those who pay a lot of taxes.

Every year we find some creative way to avoid the consequence of it not being indexed for inflation. Every year we find some way to have a fix, to have a patch to avoid the alternative minimum tax's full impact. Unless somehow there is a complete breakdown in the political process, which, sadly, is not impossible, as we saw this last year with the FAA reauthorization. If that were to happen, then at least the full fury of 20 to 30 million of upper middle-income and middle-income households who would be forced to pay it—they would force it to be repealed.

We should combine the alternative minimum tax repeal with the imposition of the so-called "Buffett Rule," where millionaires at least pay as much as the people who answer their phones and drive them to work. This will get back to the original intent of the alternative minimum tax but in a way that simplifies the Tax Code rather than further complicating it.

We should stop the dangerous practice of suspending some of the payroll tax in the name of economic stimulus. We are uncomfortably close to destabilizing the long-term funding mechanism for Social Security. Instead of the payroll tax cut, let's target a tax credit for lower and middle-income families that will be fair, affordable, and help nurture our fragile economic recovery without threatening the long-term Social Security stability.

We should target for elimination tax breaks that are out of date, like the subsidy of oil that doesn't reflect current production techniques or the reality of global petroleum markets. We should instead protect subsidies that are key for our future, especially expiring renewable energy tax credits. We should renew the section 1603 Treasury grant program, which reflects current market realities and would actually be less expensive than traditional tax credits.

On this tax day, we should look for some progress towards building momentum for real tax reform. The Romney-Republican House budget refuses to identify any of the massive tax increases that will be necessary to meet their plan of even more tax cuts for the rich, and not increase the deficit.

With \$4 trillion in expiring tax provisions later this year, we should use some of that economic capacity to make the tax system more fair and simple while we reduce the debt.

The time to begin that process is now—not making the Tax Code more complex, not favoring those who need help the least, not risking long-term Social Security funding, and not borrowing for unfocused new tax relief. Instead, let's deal with investments like renewable energy and infrastructure. Let's use some of this budget capacity to reduce the overall corporate tax rate while broadening the base and closing loopholes.

Simpler, fairer, better for business. Let's eliminate the tyranny of the alternative minimum tax, protect our energy future, and support renewables. There is a path forward, and we should start on it now. What better way to honor American taxpayers on filing day than getting serious with an agenda that can actually be achieved, and should be.

IRS HARASSMENT OF TEA PARTY GROUPS

The SPEAKER pro tempore. The Chair recognizes the gentleman from

California (Mr. McCLINTOCK) for 5 minutes.

Mr. McCLINTOCK. Mr. Speaker, a defining aspect of the American tradition is that groups of citizens band together for a wide variety of civic purposes. They recruit volunteers, raise funds, and spend those funds to promote whatever project or cause brings them together.

For more than a century, our tax laws have recognized that such voluntary associations—nonprofits as we call them today—should not be taxed because their proceeds are devoted entirely to improve our communities through education, advocacy, and civic action. Section 501 of the Internal Revenue Code recognizes them today, and civic groups as diverse as MoveOn.org, the League of Conservation Voters, the ACLU, the National Rifle Association, and various taxpayer groups have always been included in this definition.

We don't apply a political test to these civic groups. We recognize the fundamental right of Americans to organize and to pool their resources to promote whatever causes they believe in, left or right. Indeed, whatever their political persuasion, these civic groups perform an absolutely indispensable role in our democracy by raising public awareness, defining issues, educating voters, promoting reforms, holding officials accountable, and petitioning their government to redress grievances. Abolition, women's suffrage, the civil rights movement—all would have been impossible without them.

In order to be recognized as nonprofit groups, these organizations must register with the IRS—a purely ministerial function that in the past has been applied evenly and without regard to their political views. At least until now. It seems that Tea Party groups are today being treated very differently than their counterparts on the political left. For the last 2 years, many have been stonewalled by the IRS when they sought to register as nonprofits. Most recently, they have been barraged with increasingly aggressive and threatening demands vastly outside the legal authority of the IRS. Indeed, the only conceivable purpose of some of these demands is to intimidate and harass.

A Tea Party group in my district is typical of the reports that we are now hearing across this country. This group submitted articles of incorporation as a nonprofit to the State of California, and they received approval within a month. But then they tried to register as a nonprofit with the IRS. Despite repeated and numerous inquiries, the IRS stonewalled this group for a year and a half, at which time it demanded thousands of pages of documentation and gave the group less than 3 weeks to produce it.

The IRS demanded the names of every participant at every meeting

held over the last 2 years, transcripts of every speech given at those meetings, what positions they had taken on issues, the names of their volunteers and donors, and copies of communications they had with elected officials, and on and on. Perhaps most chilling of all, the organizer of this particular group soon found herself the object of a personal income tax audit by the IRS.

Mr. Speaker, these are groups of volunteers who pass the hat at meetings to pay for renting the hall. They give of their own time to research issues and pay out of their own pockets for printing flyers. The donations made to them aren't tax deductible, so there is no legitimate purpose in asking for the names of their donors, let alone of their volunteers, unless—and this is the fine point of it—unless the purpose is to harass and intimidate.

□ 1020

Ironically, the same tactics we now see used by the United States against tea parties were once used by the most abusive of the Southern States in the 1950s to intimidate civil rights groups like the NAACP.

No such tactics have been reported by similar civic groups on the political left, so the conclusion is inescapable—that this administration is very clearly, very pointedly, and very deliberately attempting to intimidate, harass, and threaten civic-minded groups with which they disagree, using one of the most feared and powerful agencies of the United States Government to do so.

Mr. Speaker, these facts speak for themselves. They need no embellishment or interpretation. They should alarm every American of goodwill regardless of political philosophy, for if this precedent is allowed to stand, no one's freedom is safe. I bring these facts to the attention of the House today and ask that they be rigorously investigated and, if found accurate, that those officials responsible be exposed, disgraced, dismissed, and debarred from any further position of trust or power within our government.

STAFFORD LOAN INTEREST RATES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Vermont (Mr. WELCH) for 5 minutes.

Mr. WELCH. Mr. Speaker, in 74 days, this Congress may well hang a financial albatross around the necks of students and families across this country. That's because, on July 1, student interest rates are scheduled to go from 3.4 percent to 6.8 percent, literally doubling the interest costs that our kids and their parents are going to have to pay on their education.

We have got to find a way, Republicans and Democrats, to work together and avoid this punishing interest rate increase on our students. This

is not about Republicans or Democrats. It's not about red States or blue States. It's not about the 2012 elections. It's about the kids that we all represent. It's about the parents that we all represent.

In my case in the State of Vermont, it's about students like Michael McGurk, who is a freshman at the University of Vermont, and he literally doesn't know whether he's going to be able to go on in college if the interest rates double. It's about parents like Ben Truman and Jennifer Wallace Brodeur, who last month were sitting around the table with their son who was about to go to college and are trying to put the pieces together to be able to afford it.

What this is also about is ground zero for the middle class. This country faces a very fundamental question: Are we a country, are we a Congress that is going to remain committed to expanding and broadening the middle class, making it possible for low-income folks to climb their way into the middle class, making it possible for folks in the middle class to stay there? In order to do that, we have to invest in the future, and that means making it possible, making it affordable, for our kids to get the education they need to get that start.

Student debt in this country is at a crisis point. At \$900 billion, student debt outpaces that of credit cards, outpaces that of auto loans, and there is no end in sight. In Vermont—and again, this has nothing to do with what their political affiliation is—nearly 70 percent of our college students graduate with a debt of about \$30,000. That's real money. That's more than many of those students will make in their first years out of college. It's a tough job market, and entry level jobs don't pay a lot. Students are totally at the mercy of a system that is out of control. The average tuitions at 4-year public universities rose by over 8 percent last year, so costs are going up even as student aid is going down.

A recent poll found that 75 percent of Americans viewed college as unaffordable. That can't be something that we allow to continue. People need to have confidence that that ticket to the middle class is there and that it's affordable. That's why we, together, have to find a way to avoid this doubling of interest rates. For over 8 million students in this country, Stafford loans are a very critical resource, helping them afford the cost of that college education we all want them to get.

With the Federal Government now borrowing money at close to 2 percent, why are we asking middle class families to pay 6.8 percent? These are not grants. These are loans. They'll be repaid. Let's find a way to help our kids and to help our parents.

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, like my colleagues in the House, I was home for the last 2 weeks on our Easter break. It continues to amaze me why we in Congress do not listen to the American people.

I represent the Third Congressional District of North Carolina—the home of Camp Lejeune Marine Base, Cherry Point Marine Air Station, Seymour Johnson Air Force Base, and over 60,000 retired veterans. Not one person has said to me that we need to stay in Afghanistan. I'm not exaggerating, Mr. Speaker. Everyone I saw and had a conversation with, when the issue of Afghanistan came up, said, Get out. Get out now.

That's why I wanted to be on the floor today, because the administration keeps saying, Well, in 2014, in 2014.

Yesterday, when driving back to D.C., I was listening to C-SPAN, and I heard an interview with Secretary Panetta and General Dempsey. I have a lot of respect for both men, but it was kind of vague when Secretary Panetta said to the reporter who asked him our plans for 2014, Well, you know, we're hoping that we can train the Afghans to stabilize their own country.

Mr. Speaker, I say this respectfully: That's an iffy proposition at best.

In a recent Washington Post-ABC News poll, only 30 percent of the American people say the war has been worth fighting. The citizens of this country are tired of sending their loved ones to die for a country we have not been able to change in a decade. I'll even go further and say this: It has never changed in the history of Afghanistan going back to Alexander the Great. So why are we still there? Again, people say, Well, we've got to stabilize the country.

We can't even stabilize America's economy.

Sometimes it gets a little bit ridiculous when I look at all the money being spent overseas, particularly in a country like Afghanistan, and we say to the people of eastern North Carolina and to the people in the 50 States, We don't have money to fix your infrastructure; but yet, Mr. Karzai, you corrupt leader, we are proud to keep sending you \$10 billion a month.

Talking about Mr. Karzai brings me to an editorial written by Eugene Robinson, a syndicated columnist, and it's titled, "Afghanistan and Indefensible Costs." I feel that Mr. Robinson, who wrote this in 2010, could be writing it right now in 2012, and it would have even more meaning. I quote from Mr. Karzai:

The time has come to reduce military operations. The time has come to reduce the presence of, you know, boots in Afghanistan

... to reduce the intrusiveness into the daily Afghan life.

This is what President Karzai said to the Washington Post. In his column in 2010 that he could be writing today, in April 2012, this is what Mr. Robinson said in response to Karzai:

All right then. Let's save American lives and a ton of money. Let's oblige him.

Mr. Robinson, thank you.

I hope and pray that this Congress, when we debate the DOD bill in May—and we have amendments from both sides saying that we must have a more defined end to this involvement in Afghanistan—that we will pass some of these legislative amendments.

Mr. Speaker, I've got so many of these posters. I've brought with me today one of a tragic scene of a soldier, marine, airman, Navy, whatever it might be, in a coffin, going to his or her grave. That brings me to my last point: the "Body of War," which is a production by Phil Donahue and Ellen Spiro. I'm going to be talking more about this, because this young man is paralyzed from his breast down, and about what he has to go through to live. This Congress needs to meet its constitutional responsibility. Any other involvement by our country needs to be a declaration of war.

Mr. Robinson, thank you again.

And I close. God, please, God, please continue to bless our men and women in uniform, the families of our men and women in uniform, the wounded and their families. And God, please continue to bless America.

□ 1030

GOOD NEWS AND BAD NEWS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I rise this morning with good news and bad news.

This news comes by way of my hometown newspaper, the Houston Chronicle, and I'm proud that they have printed and published the news that I'm about to share with the public. The bad news is that Mr. Yondell Johnson was accosted and beaten on the streets of Houston, Texas, simply because of his race. This is bad news for anyone in our great country, a country that believes in liberty and justice for all.

The good news, however, is they were prosecuted and they were convicted in a Federal court pursuant to the James Byrd hate crime law, and I'm honored to tell you that that law passed here in this Congress in 2009 and was signed into law. It is properly styled as the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act. It was supported by many people and organizations expressing goodwill. The NAACP supported it, the ADL supported it, a good many Members of this

Congress supported it, and many others supported this law. This law allowed the prosecution to take place in a Federal court, when these three men would have been charged in a State court, and if convicted, faced misdemeanor charges.

In this, the greatest country in the world, no one should have to fear for life or liberty simply because of who you are, simply because of your race, your ethnicity, your gender, your sexuality. It shouldn't happen in this country.

The truth is that in this case there was some testimony with reference to one of the defendants having dated a person of African ancestry. There was testimony that he did not appear to be the kind of person that would be considered a white supremacist. But here is another truth that we have to deal with. The truth is that there is confusion about the hate crime law. There's a misunderstanding. This law does not allow you to impose dastardly deeds upon persons simply because you are of the same race as the person that you are assaulting.

The truth is that if you assault and target a person because of race, it doesn't matter what your race is, and you are committing a hate crime. The truth is that you can be of the same race and commit a hate crime. The victim and the perpetrator can be of the same race and you will still have a hate crime. We need to rid ourselves of this foolish notion that this law was passed in some way to assault persons who are of an ethnicity or a race that we have traditionally, in this country, found to be engaged in some of these kinds of activities. It's not targeted at any given race; it's targeted at people who commit crimes against other people simply because of who these people are.

I remind you that an injustice against any one of us is a threat to justice for every one of us, and we all have a duty to make sure that we don't send out some silly notion that this law was designed for one race of people. This law was designed for every person who would commit a hate crime against another person.

So I'm saddened to say this morning that the bad news is Mr. Johnson had to fight off several persons, stood his ground for 10 minutes, but indicated that he thought he was going to die as they assaulted him. That's the bad news. The good news is that the law has worked, that this law is bringing new meaning to the notion of justice for all. This law will not allow those who would commit dastardly deeds and be prosecuted in State courts for misdemeanors to go unchecked. They will now face felony charges in our Federal courts. This is the way it should be in the greatest country in the world.

Mr. Speaker, God bless all listening, and God bless the United States of America.

YUCCA MOUNTAIN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, I come to the floor again to continue to identify and educate you on the various locations where we store high-level nuclear waste around this country and the various positions that our colleagues in the other Chamber have voted either for or against, in hopes that eventually the public will become well informed and that they will take action through their elected officials to do even what the Blue Ribbon Commission suggested, which is decide and locate a long-term geological storage facility.

This is not new. We've been doing it for decades. The Nuclear Waste Policy Act was established in 1982. The amendments were passed through this Chamber and signed into law in 1987, which identified a long-term geological repository at a place called Yucca Mountain in the desert in Nevada.

What I've been attempting to do throughout this past year and a half—I chair a subcommittee that has direct responsibility for this—is identify different locations. So today we go to a place very close to here. In fact, I think it's only 43 miles from the District of Columbia, and that's a place called Calvert Cliffs. I like to compare and contrast it with where our nuclear waste should be stored, not in a decade or two from now, but at this very moment where it should be.

Calvert Cliffs is in Maryland, and at Calvert Cliffs there are 1,300 metric tons of uranium, of spent fuel, onsite versus Yucca Mountain, which is a mountain in a desert where we have no nuclear waste onsite. At Calvert Cliffs, this spent nuclear fuel is stored above the ground in pools and in casks above the ground. If it were stored at Yucca Mountain, it would be 1,000 feet underground. At Calvert Cliffs, the nuclear waste is stored 85 feet above the groundwater, and at Yucca Mountain, it would be 1,000 feet above the water table. Finally, at Yucca Mountain, the nearest body of water is the Colorado River, about 100 miles. As you can see here in this photo, Calvert Cliffs is right next to Chesapeake Bay.

Yucca Mountain is about 90 miles from Las Vegas, maybe 100 miles from Las Vegas. Calvert Cliffs is a straight line of 43 miles from Washington, D.C. The Senators from the surrounding areas, how did they vote? You would think they wouldn't want high-level nuclear waste next to Chesapeake Bay, 43 miles from the capital city. Well, Senator CARPER voted "no" in 2002. Senator COONS, a new Member, we don't know his position. That's part of coming down here. I'm pretty sure that if the majority leader of the Senate would call a vote and this issue was thoroughly debated, it would pass on

the floor of the Senate because we have a lot of Senators who have yet to declare their position. Here is Senator CARDIN, a former Member of the House, who voted "yea" in 2002 for Yucca Mountain. Senator MIKULSKI, the same; different Chamber, voted "no."

How does our national tally go? Currently we have 47 U.S. Senators who have a stated position in support of Yucca Mountain. We have over 16 that have never cast a vote or declared their position on what we do with high-level nuclear waste, either spent fuel or nuclear waste, in the processing of nuclear energy or nuclear weapons.

□ 1040

We have 19 who have had a position of "no" at some time in their career. So it's very, very important to continue this debate, Mr. Speaker, to continue to come down on the floor to talk about the Federal law as it is to date.

The Nuclear Waste Policy Act was passed in 1982; the amendment was agreed to in 1987. The amendment identified Yucca Mountain as our long-term geological repository to store high-level nuclear waste. The time is well past since we should be doing this. In fact, we actually pay utilities to hold their nuclear waste since it's our responsibility to take the waste.

YUCCA MOUNTAIN AND BUFFETT RULE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Nevada (Ms. BERKLEY) for 5 minutes.

Ms. BERKLEY. I'm here to talk about the Buffett bill, but I just cannot allow what Mr. SHIMKUS has just said to go unresponded to because it's such an important issue for the people of the State of Nevada.

The so-called nuclear act that he discussed that was passed in '82 and amended in '87 is known in Nevada as the "screw Nevada bill," and let me tell you what it is. It's a proposal that would ship 77,000 tons of toxic radioactive nuclear waste across 43 States to be buried in a hole in the Nevada desert, which is 90 miles from the major population center of Las Vegas, where we have groundwater issues, seismic activity, and volcanic activity. The EPA cannot come up with any radiation standards that would protect the people of the State of Nevada or anyone else in this country.

Let me tell you, originally, when they came up with this nonsensical plan, which is purely political, that it has nothing to do with science. They said that we could store the rods, the nuclear waste, in Yucca Mountain with no problem, leave it there. Then we realized that that wouldn't work because of the groundwater. So then we decided that they would put their nuclear waste in canisters. But what do you know, there are no canisters that cur-

rently exist that can safely store this stuff. Then they came up with shields that would go around the canisters that don't exist to be put into Yucca Mountain.

Then the last Republican Secretary of Energy talked about an army of robots that would walk down Yucca Mountain and be able to check on the nuclear waste while it's leaking and leaching into the groundwater. It's a ridiculous proposal, and it's time to go to Plan B because Plan A isn't going to happen. Seventy-seven percent of the people of the State of Nevada do not want nuclear waste stored at Yucca Mountain. End of that.

Mr. Speaker, I rise today to express my deep disappointment with yesterday's vote in the United States Senate. Once again, Senate Republicans sided with Wall Street millionaires against the interests of struggling middle class families throughout Nevada. The Buffett rule is simple, and it's common sense.

It means if you are a housekeeper, a nurse, a blackjack dealer, or a waitress, or any other middle class professional, you shouldn't pay higher tax rates than multi-millionaires who own yachts and travel in private jets. It means that if you are a Nevadan living paycheck to paycheck, you shouldn't be carrying the burden for Wall Street hedge fund managers and Big Oil company executives.

The Senators who voted against basic tax fairness yesterday need to spend a little more time prioritizing the needs of hardworking Nevadans. They're struggling. These are the people that are struggling to put food on the table, to fill up their cars with gas, and to pay their mortgage or their rent.

The fact that the wealthiest people in this country pay their taxes at a lower tax rate than their secretaries and their chauffeurs doesn't pass the smell test. It stinks, and that's why I'm proud to announce that I'm a cosponsor of the Buffett rule in the House, and I urge all of my colleagues to join me and let's bring some fundamental tax fairness to the people of the United States of America. Seventy-two percent of the American people agree with me that the Buffett rule should be made into law.

STEM EDUCATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, just minutes ago I had an opportunity to be outside and see the space shuttle flying around the United States Capitol on its way to Dulles, which brought back memories. Certainly those who study history realize that back in the '60s it was President Kennedy who said that the United States will take a man, deliver him to the Moon, and bring him safely back to

the Earth. Consequently, the space race took off at that point in time and literally hundreds of thousands of people became more engaged in science and technology, engineering and mathematics, something that I think that we need to rekindle today.

Mr. Speaker, I represent one of the largest manufacturing districts in the United States; and when I tour small businesses throughout the 10th District of Illinois, employers continually tell me that they have got job openings available, yet they can't find people, individuals, workers, able to fill those roles, roles that need to be filled by those who have taken science and technology, engineering and mathematics courses, or the STEM fields.

In the depths of this recession that we have been going through, manufacturing associations have statistics that say 600,000 jobs across our Nation went unfilled. They went unfilled because not enough people were trained in the STEM fields. These are not low-paying jobs, Mr. Speaker. These jobs, on average, pay \$77,000 annually. We must empower our students and job-seekers to pursue STEM education so that they can fill these good high-paying jobs right here at home.

Certainly one of the pillars of my Main Street Jobs Agenda is that of STEM education. If we can prepare our students and those who are looking for work, we can help empower these people to find good-paying jobs and keep our manufacturing and innovation right here at home.

The College of Lake County, a college in my district, has teamed up with local manufacturers to help provide education, education that is necessary in the STEM fields for those who are unemployed or wanting to pursue a manufacturing career.

I am pleased to say that one of the local manufacturers actually went to the College of Lake County and said we're actually pulling students from Iowa and Ohio, is there any way you might be able to offer courses here at the College of Lake County so that we could start hiring people locally to fill these jobs. They were all too happy to oblige.

I recently held a STEM field trip where I took interested students from high schools all across the 10th District to different high-tech organizations in the region. These students learn how they can apply their education firsthand and pursue advanced careers in this field.

Just last week, I hosted the first-ever Manufacturing and Education Summit to bridge the gap between educators and manufacturers. We had folks from high schools and colleges. We had manufacturers there trying to say what it was that they needed, what were they looking for in students who were going to be graduating from either high school or college. This is exactly what we need to be doing right now.

One of the success stories of bridging the gap between education and manufacturing is that of Wheeling High School principal Dr. Laz Lopez. He has worked with local businesses to find out what the actual needs are in the community and offering students options in pursuing a STEM education.

Today, Dr. Lopez has been recognized as starting one of the most successful STEM high schools in our country. Just this last Friday, I joined him and other STEM students from various high schools around the area while they competed in a STEM competition, focusing on nanotechnology and high-powered computing. These are extraordinarily bright students who are better prepared for the 21st-century workforce.

STEM education is and should be a bipartisan idea. I believe that this is an area of common ground and that we should be promoting local efforts all across our Nation to help manufacturers fill open jobs and better prepare our emerging workforce for 21st-century careers. We must not stand idly by and hope that this happens. Rather, we must be proactive and work to spur our local economy by demonstrating the success of STEM education.

Science, technology, engineering, and mathematics is one way we can help spur our economy to get our country back to work. I would encourage my colleagues to get involved in their local schools and communities, local colleges, to find out more on how they can better prepare students for a career in the 21st century through STEM education.

It was not too long ago that John Kennedy gave us a charge to bring a man to the Moon and safely back to this Earth, spurring on STEM education. We have to do it again today. We have to make sure that we have that pipeline of students to be able to make jobs right here at home.

□ 1050

ISSUES FACING THIS CONGRESS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. I join my colleague that just spoke on the vitality and the importance of STEM education. As a 12-year member of the Science Committee, I also had a sense of emotion as Discovery flew many times over this great democratic institution. That emotion compels me to continue to fight for a place for one of the shuttles in the hometown where it was born, the place where John F. Kennedy spoke at the Rice Hotel and inspired us to go into space, and that is Houston, Texas, NASA-Johnson. I look forward to that continued bipartisan effort to have an appropriate representation of the four shuttles back in Houston, where they belong.

I rise today as well to speak about a number of things. I believe it's important for my colleagues to sort of look at a series of issues. I support the Buffett Rule, not because I believe in any kind of class warfare. I celebrate capitalism and applaud Mr. Buffett and others. But it is a good way to raise revenue and bring down the deficit.

We, of course, will be dealing with a bill proposed by my Republican friends on the other side of the aisle. The only thing that they will do is enhance the pocket money of people who don't need it. There is an unfairness in the Tax Code. I would join in a bipartisan way to look at it. In making the Tax Code fair, I would hope that we would be able to bring down the deficit. But the bill that we will see, as I said, will increase the pocket change of millionaires. It will be a job killer. And, of course, it will cut the Medicare guarantees of those who have worked hard for their children and grandchildren. I cannot support legislation that isn't fair and balanced. I would plead to my colleagues to find the middle ground—a fair Tax Code, bringing down the deficit.

I would encourage them to look at H.R. 3710, an energy bill. I have practiced oil and gas law for 15 years. It addresses the question of the wetlands, it uses exploration dollars to bring down the deficit, and it allows expanded exploration in the gulf region, a process that has been vetted by many energy organizations, energy companies, and they believe that is a bipartisan approach. H.R. 3710 is ready for the combined work of all of us.

I also believe it's important to speak about the value of education in several ways. And I'm here today to join in H.R. 3826, proudly so, that stands with students who now carry the bulk of the debt in America—credit debt. These are students who are simply trying to, as my colleague just said, study science, technology, engineering, and math. In about 74 days, the interest rates on Stafford loans will triple to 6.8 percent. You may have borrowed at 2 percent, and here we are talking about it going up to 6.8 percent. I, with every fiber in my body, stand against that. I'm going to stand with the students and parents who have children in school. We can win this thing. We must have a legislative action to stop that stealing of money from our children, who are simply trying to be in the best colleges, the State colleges, and to be educated.

Parents, wake up. In 74 days, the interest rate on your children's loans is going up to 6.8 percent. Call our offices, get on our Web sites, and beg us to pass H.R. 3826 by my good friend Mr. COURTNEY from Connecticut. Please, I beg of you. And I will be there with you. From Texas Southern University to the University of Houston to Houston Baptist to the Houston Community College, we're going to work on this.

Let me also move very quickly, Mr. Speaker, to the fact that this is the fifth-year commemoration of the terrible killings at Texas Tech. This Congress has been charged with being fearful of dealing with gun legislation. Over the years, I have introduced the Child Gun Safety and Gun Access Prevention bill. I have, in fact, supported bills dealing with gun checks and to close gun loopholes at gun shows. I have supported bills to stop the proliferation of assault weapons. Not bills against the Second Amendment, but bills that would have stopped Mr. Zimmerman from recklessly walking around with a 9 millimeter, and he was only supposed to be the eyes and ears of his neighborhood.

Mr. Speaker, I join in a bipartisan manner, even to the extent of saying we must clean up the Secret Service—I support Mr. Sullivan—and even clean up the GSA, because Gilbane, which has received stimulus dollars from the GSA, has refused to be diverse. To the CEO of Gilbane, this Congressperson you need to call. You are an unfair company, and you're using Federal dollars from the GSA in an inappropriate way. No diverse workforce, and no small businesses.

STAFF SERGEANT JOSEPH
D'AUGUSTINE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. GARRETT) for 5 minutes.

Mr. GARRETT. Mr. Speaker, I come to the floor today with heavy heart and sadness as we honor another fallen soldier and the life and legacy of Staff Sergeant Joseph D'Augustine, a young man from Waldwick, New Jersey. Staff Sergeant D'Augustine was killed on March 27, 2012, while conducting combat operations in Afghanistan.

It was just 1 day after graduating from Waldwick High School in 2001 that this young man enlisted in the United States Marine Corps. He was assigned to the 8th Engineer Support Battalion, 2nd Marine Logistics Group, 2nd Marine Expeditionary Force. He served two tours of duty in Iraq, and was just 2 weeks away from completing his second tour of duty in Afghanistan.

Staff Sergeant D'Augustine worked as an explosive ordnance disposal tech. What does that mean? That means that he went ahead of the other soldiers, marines, and airmen and was the one that cleared the way for them so they could go on and do their work. And so it was with this greatest act of sacrifice possible that Staff Sergeant D'Augustine gave his life while protecting his fellow men and women in uniform. He was just 29 years old.

We're never going to know the number of lives that he was able to save in his work. But the tremendous outpouring of love and support that we

have seen for his family in the days since his death perhaps provided a glimpse into the number of people that he touched in his short life.

To those people who knew him best—his parents, Anthony and Patricia; his three sisters, Nicole, Jennifer, and Michele; and to his brother-in-law, Len—he will be remembered as a loving son and brother. To his many friends that he grew up with in high school, he will be remembered as a good guy and friend by the nickname “Daggo.” To his fellow marines, he will be remembered as a faithful brother in arms. And to all of us here who just may be hearing his name for the first time—to America—he will be remembered as a patriot who loved his country, the Marine Corps, and as a man who gave his life for all of us by protecting our freedoms and our liberties in this country. Let us remember this young man.

The Marine Corps motto is *Semper Fidelis*—always faithful. Staff Sergeant D'Augustine lived this motto. He was faithful to his country; he was faithful to the mission; he was faithful to the Corps, and he was faithful to his fellow Marines.

In times such as this, words fail to provide adequate comfort to his family and friends. But it is my hope that they know that the prayers and gratitude of a nation are with them.

We will always remember the price of freedom paid by Staff Sergeant D'Augustine, and may we determine to live our lives worthy of his sacrifice.

□ 1100

POVERTY IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE of California. As cofounder and cochair of the Congressional Out of Poverty Caucus, I rise today to continue talking about the tide of poverty that impacts every single district all across our country. I rise to call on all of my colleagues to come together to reignite the American Dream for all Americans by helping to create the millions of new jobs that they so desperately need.

Mr. Speaker, Social Security, Medicare and the critical benefits to feed hungry children in America did not cause our deficits. Our Nation's debt is a direct result of the Republicans' two unfunded wars, their failed economic policies, and the totally failed oversight of the financial services sector by the Bush administration regulators. And giving more tax cuts to the super-rich and their corporations will only make the deficits worse and will do nothing to grow our economy.

Mr. Speaker, let's not pass another \$46 billion loophole for the wealthy 1 percent. Mr. CANTOR'S H.R. 9 is yet another tax holiday that would only increase the deficit and will fail to create new jobs. We should be passing laws

that protect the health and safety of our Nation's most vulnerable, like our children and our seniors. And we must pass laws that provide some relief for the millions of Americans still struggling to find a good job. Mr. Speaker, any so-called “jobless recovery” where you and your family are still out of work is really no recovery at all. That is why we simply cannot seek to balance the budget on the backs of the poor, our seniors, and struggling families across America.

The Republican budget, the Ryan budget, seeks to do just that. Actually, the Republican budget really is not serious about balancing the budget at all. Their budget guts, mind you, guts food stamps for our families in a time of such desperate need, it cripples Medicaid and ends Medicare as we know it today. Their budgets make these draconian cuts not to balance the budget but to create even more tax giveaways to millionaires and to massive corporations.

Mr. Speaker, we can do better than blame the poor and the powerless for the greed and the corruption of the rich and powerful. We can do better, and we must do better for all of the American people. We can protect the most vulnerable Americans, grow our economy, and reduce our deficits. Critical programs like the Supplemental Nutrition Assistance Program, better known as SNAP, not only feeds hungry children and families, but it supports the overall economy. Every dollar of SNAP benefits generates \$1.84 in our economic activity. SNAP benefits reduce long-term health care costs, improve the educational performance of children, and help to stabilize and improve the long-term economic outcomes of the families who receive these benefits. All of those positive outcomes help boost the entire economy from top to bottom.

If people are able to buy a little more in the grocery store, someone has to grow it, pack it, and ship it. All of those things lead directly to more jobs. So making cuts on struggling families during hard times is not only heartless, mean and immoral, but it also makes no sense because it doesn't reduce the deficit.

Mr. Speaker, there is a proposal to get our fiscal house in order even while we protect American families and invest in a stronger and more prosperous future. The Congressional Progressive Caucus budget, the Budget for All, would do just that. This budget makes smart and targeted cuts that preserve our national security, protect Social Security and Medicare, and extends and expands critical unemployment benefits for millions of Americans, including those who have hit 99 weeks where they are no longer eligible. These are the people who are still struggling to find a good job.

The Budget for All would ask that the wealthiest 1 percent and the

world's biggest corporations pay their fair share so that we can afford to invest in our children's future and grow our economy.

America cannot afford another year of inaction and bills that pander to narrow special interests. Let's pass the President's American Jobs Act and pass a robust transportation bill that will fund our Nation's critical infrastructure priorities, fund green public transportation projects, and create real jobs. It's time that we all come together to put Americans back to work.

HONORING TOM HEBEL, RECIPIENT OF THE HERITAGE CONSERVANCY'S 2012 BUSINESS LEADER CONSERVATION AWARD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor Tom Hebel, who on April 19 will receive the Heritage Conservancy's 2012 Business Leader Conservation Award. Tom has been a supporter of the Heritage Conservancy's land and historic preservation mission for over 10 years, and all in Bucks County appreciate his efforts.

Upon graduating from Penn State University, Tom worked his way up to become the manager of a small landscaping contracting company called Royer Nurseries in 1981. With hard work and dedication, Tom helped the little Doylestown-based company expand by adding a garden shop, two hoop-style greenhouses, a plant sales yard, and a gravel parking lot. Tom acquired ownership of the business in 1993 and changed the name to Bucks Country Gardens. With innovative craftsmanship, the business rapidly expanded, and many claimed it to be "the best garden center and landscape design firm in Bucks County."

Today, the garden center totals approximately 24,000 square feet of enclosed space, and it occupies nearly 7 acres. It is home to a full-service lifestyle center and a landscape design firm. The company has provided top-of-the-line service to its customers and will continue to strive to achieve the best for its employees, all because of the work of Tom Hebel.

For the past 10 years, Tom has managed to use the wealth of his knowledge and resources to better the Bucks County community as a strong supporter and advocate of land preservation. Tom is a distinguished small business owner and a lifelong contributor to the beautification of Bucks County.

I congratulate Tom Hebel today on this well-deserved recognition, and I wish him many years of continued success.

GUN LAWS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, all Americans, and I being one of them, hope for justice in the Trayvon Martin case; but I stand here today because we must stop stacking the deck against all innocent Americans.

Over 10,000 Americans died a preventable death by gun violence last year—10,000. And over 2,000 of those, Mr. Speaker, were children. Many of those children were inner-city youth, and many of the victims died at the hands of inner-city perpetrators.

Trayvon Martin's case is a little different, but it is another sad addition to these statistics which are very tragic. But his case caught the attention of the American people and it illuminates problems in our society. This is indeed, ladies and gentlemen, a teachable moment. The Martin family's fight for basic justice has been delayed by Florida's "shoot first and ask questions later" law which, incidentally, is misnamed as the "stand your ground law," and it grants criminal and civil immunity regardless of the facts when individuals take the law into their own hands. We call this "vigilante-ism" or "vigilantism."

Florida's law, like so many similar laws in 25, ladies and gentlemen, of the 50 States, was the result of collusion by some of the Nation's wealthiest corporations in conjunction with the National Rifle Association through a secretive networking organization called the American Legislative Exchange Council, also known as ALEC.

ALEC promotes model legislation written by its corporate members and disseminated to conservative State lawmakers around the country. The public whose votes elect these lawmakers to represent them are kept in the dark about the fact that their Representative is a member of this network of special interest groups and of corporate interest that wine, dine, and support these lawmakers' campaigns with campaign contributions. Any lawmaker who is a member of the group can log on to its Web site—and I would encourage you to do so, too—and if you're a member, you can find hundreds of model bills to copy and introduce in your legislature.

The public, however, is not able to access that information because you must be a member; and in order to be a member, you've got to go through some kind of a screening process so they can make sure that you are of like mind because they don't want any infiltrators in there. They want to keep the business secret.

□ 1110

Membership fees for legislators are very small, \$50 a year, whereas the corporate members have to pay tens of

thousands of dollars per year for their memberships. These memberships are mostly big-lobby interest groups, big corporate-lobby interest groups, and what they do when they get into these meetings that they hold at exclusive resort locations, luxurious amenities, wining and dining these legislators, they spoon-feed them legislation which supports their, the businesses, interests.

Now, 60 percent of the legislators in the United States of America, on a State level, secretly belong to ALEC. They are members of that network. Thousands of these ALEC bills have been introduced around the country and many of them have passed. This gives the ALEC members secret and persuasive influence over our legislators, whom we elect to represent us.

The Florida Shoot First, or, in other words, Stand Your Ground is what it's called, but it's actually the Shoot First law, was written by an NRA, National Rifle Association, lobbyist in one of those committees that the bought-and-paid-for legislators are members of.

I will have further comment on this as the days go by. But the American public needs to be educated about this, and so we will talk further about it.

RECESS

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

Accordingly (at 11 o'clock and 12 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

We thank You for this proud day for all Americans and for the human race, when the space shuttle Discovery passed through the Capital's restricted air space for so many to appreciate, with awe, the symbol of our Nation's ability to achieve great things when our will is harnessed.

May that national will once again coalesce within the walls of this great Assembly. We are humbled by the enormity of this task and know well the difficulty of its attainment. Bless abundantly the Members of this people's House, with wisdom and grace, and perhaps heroism, that what is most needed by our Nation would emerge in the business of the House, and the energies that divide would be dissipated.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Ms. HAHN) come forward and lead the House in the Pledge of Allegiance.

Ms. HAHN led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

HONORING THE MEMORY OF BETTY ROSE STAIR PATCHELL

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

Mr. CRAWFORD. Mr. Speaker, I rise today to honor the memory of Betty Rose Stair Patchell. Betty's memory will continue to live on with her beloved family and friends.

Betty was married to Jack Daves Patchell for over 45 years. Together they had three children: George, Jacque, and Mark. Betty was a devoted mother, grandmother of four, and great-grandmother of 10.

Betty began her 50-year career as organist, at the age of 15, for the First Baptist Church of Heber Springs, Arkansas. She was an accomplished pianist and a member of the National Guild of Piano Teachers. Over the years, Betty served countless organizations as an accompanist.

Betty had a love for the arts, as well, as an oil and water color painter. She also loved to garden. Betty was an avid golfer, and for over 20 years she assisted pro golfers in the annual Shell Open Golf Tournament.

My thoughts and prayers are with Betty's family. While her presence here on Earth will be missed, her example will be a guide for her family and friends.

God bless Betty Rose Stair Patchell, and God bless her family.

TAX DAY

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

Mr. KUCINICH. On tax day, remember the ramifications of waging wars abroad.

In 2011, 39 percent of our income tax dollars went to the Pentagon and war, only 9 percent for trade, commerce, education, and employment programs. The Center for Arms Control and Non-Proliferation estimates the war in Iraq and Afghanistan cost the average American family of four almost \$13,000 in 2011 alone.

National unemployment rates continue to be between 9 and 10 percent, while our families struggle to pay their mortgages, send their kids to school, and feed their families. Compared to the approximately \$159 billion budgeted in fiscal year 2011 for wars, the \$6 billion Congress budgeted for the Workforce Investment Act, primary Federal programs supporting workforce development, is paltry.

We have nearly 23 million Americans either unemployed or underemployed and about 5.5 million who have been unemployed for 27 weeks or more. Wake up, America. Wars are ruining our economy. On tax day, remember our government has a responsibility to use our money wisely, not to waste hard-earned tax dollars on unnecessary wars.

The answer to war and economic decline is peace and prosperity.

DOMESTIC OIL PRODUCTION

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

Mr. BUCSHON. I recently conducted a survey on my Web site regarding gas prices because I wanted to hear directly from my constituents how higher gas prices are affecting their lives, and I received over 880 responses.

Henry, from Odon, Indiana, told me he owned a car wash, and when people are paying \$40 extra for gas, they aren't paying for a car wash, affecting his small business and his employees.

Rob, from Lynnville, Indiana, lives in a rural part of the State. He and his wife are forced to drive over 30 miles to get to work. A \$1 increase per gallon of gas can cost them up to \$2,000 extra per year.

An overwhelming majority of responders believe we should expand our domestic oil production and become more energy independent. After paying \$3.91 per gallon in Evansville, Indiana, last week, I agree.

Since President Obama has taken office in January 2009, domestic oil production has decreased by 7 percent on Federal lands. In January 2009, gas was \$1.83 per gallon. It's an average of \$3.86 per gallon today. Under this administration, they have risen over 100 percent, the highest for any President.

I urge the President and the Senate to act on the nine bills the House has passed to reduce energy costs and help reduce gas prices for all Americans.

BUDGET

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

Ms. HAHN. Mr. Speaker, before we left 2 weeks ago, my Republican friends attempted to enact their budget, a budget that would have ended Medicare as we know it, shifting costs to seniors and raising their health care costs by \$6,000 a year; a budget that would cut taxes for the wealthiest Americans and multinational corporations by \$4.6 trillion; a budget that would slash Medicaid, food stamps, and Pell Grants for students. Thankfully, the Senate has said "no."

Now, instead of reaching across the aisle and instead of working with us to pass bipartisan transportation and jobs legislation, Republicans are pushing legislation to allow the importation of animal remains. Yes, that's how we're spending our valuable time today, considering laws to allow hunters to bring back polar bear heads. Really?

I will vote, again, against this budget, and I ask my Republican friends to let go of their tricks, concentrate on what's important, and work with us to create jobs.

BUFFETT RULE TARGETS SMALL BUSINESSES

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

Mr. WILSON of South Carolina. Mr. Speaker, the President's proposal of the Buffett rule tax increase is just another political gimmick, rejected by the Senate, which is targeted at small business owners. With our Nation's record unemployment rate of over 8 percent throughout the last 3 years, it is clear the President's policies are destroying jobs and chilling economic growth.

In last week's Washington Post, Charles Krauthammer wrote:

The Buffett Rule is nothing but a form of redistributionism that has vanishingly little to do with debt reduction and everything to do with reelection.

The President is using the Buffett rule tax increase as a way to distract Americans from focusing on his failure to implement policies that will create jobs. House Republicans remain focused on reducing barriers that are discouraging job creation.

I urge my colleagues in the Senate and the President to put party politics aside and work with House Republicans to enact policies that will help create jobs for American families.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

□ 1210

GOP BUDGET AND MEDICARE

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

Mr. BACA. Mr. Speaker, today the House will vote on a rule that once again moves forward the misguided Republican budget. The American people cannot afford this misguided budget which devastates seniors and working families. The Republican budget ends Medicare guarantee, shifting health costs to our seniors. That's a no-no. It turns Medicare into a private voucher system. That's a no-no. It increases prescription drugs for America's seniors.

The American people deserve better than to be left out in the cold with cuts to Medicare, SNAP, and our educational programs. After a long life of service to our Nation, our seniors deserve a strong safety net. Let's stop and ask ourselves: Who actually benefits from this misguided budget? Millionaires and billionaires and oil companies who would receive \$3 trillion in new tax breaks. That should be a no-no.

Let's stop this shameful budget and work together on a plan that does not favor the rich over seniors and the middle class.

COMMONSENSE ENERGY POLICY

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

Mr. PENCE. As I travel across Indiana, it's clear that Hoosier families are hurting: 8.4 percent unemployment and nearly \$4 per gallon gasoline at the pump when they go to fill up their cars and trucks. It's time for this Congress to come together in a bipartisan way and adopt an all-of-the-above energy policy that will include more access to America's energy reserves, more alternative energy sources, and greater conservation.

The encouraging news is that this House has passed bipartisan legislation to do just that. We voted to streamline the energy permitting process; lift the administration's ban on new offshore drilling in the gulf and the east coast; rein in the EPA's attempt to impose a national energy tax; and even require the administration to approve and complete the entire Keystone XL natural gas pipeline. Unfortunately, the Senate and the administration have not embraced these bipartisan, commonsense measures to advance our energy independence.

The reality is the price at the pump has more than doubled from the \$1.79 a gallon when the President took office to the price it is today. Hoosiers know what all Americans know: we can do better than \$4 a gallon, but we must

embrace a commonsense, bipartisan, all-of-the-above energy policy to do it.

PASS THE DEMOCRATIC BUDGET

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

Mrs. MALONEY. Instead of being called the "Road to Prosperity," the Ryan Republican budget should have been named the "Road to Austerity," because it is a plan that is most noteworthy for the harsh austerity it demands of the many and the lavish benefits it extends to the few.

Nobel Laureate in Economics Paul Krugman has called this budget proposal the most fraudulent budget in U.S. history, calling its priorities inconceivably cruel. Our recent economic history has shown that while Republican budgets might poll well, they do not perform well. The Bush budgets produced stagnant income growth for the middle class, a jobless recovery, and a huge deficit. The Ryan Republican plan is the Bush budget plan on steroids.

If we look at what actually worked in the past, the single best model for growing jobs, sustaining economic growth, and reducing the deficit can be found in the 8 years of the Clinton administration, which created 22 million jobs, erased the deficit, and left this country with a huge surplus. A more balanced approach to deficit reduction will work for everyone. Let's pass a budget based on facts, not on fictions. Pass the Democratic budget.

HONORING OUR COMMITMENT TO VETERANS WITH SHORT CHANGE

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

Mr. STEARNS. Mr. Speaker, on May 18, 2006, then-Senator Barack Obama gave a speech where he mentioned that a number of our veterans had been apparently "shortchanged." He went on to say:

When a young man and woman goes off and serves the country in the military, they should be treated with the utmost dignity and respect when they come home.

Unfortunately, the President's budget proposal seeks to further increase the cost for health care for our military retirees and all of our veterans. On October 1, 2011, TRICARE Prime annual enrollment fees were increased dramatically for new family enrollments and dramatically for new individual enrollments. In fiscal year 2013, the administration proposes additional fees and cost-sharing increases, a new annual enrollment fee for TRICARE for Life, increases in pharmacy copayments, and a catastrophic cap of \$3,000 per family.

Mr. Speaker, when our President promised our servicemembers change,

I'm sure they didn't expect it would be "shortchanged."

WHERE'S THE FAIRNESS?

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

Ms. HANABUSA. Many of us were back in our districts for 2 weeks. I had town halls, like I'm sure many of my colleagues did, and I'm sure they probably heard what I heard. We call them kupuna in Hawaii. That means our elderly. They're concerned about their Medicare. They're concerned about their safety nets, which we provide. And the reason is because they've done everything on their part to make us the great Nation that we are today.

Today's space shuttle flying over the Capitol was a great statement. That shows you what an amazing country that we are. So we should ask ourselves, Why can't we keep our word to our elders? Why can't we keep our promises? Why can't we in our greatness ensure that they will be comforted in their senior years? Why? These are fundamental questions. Just show the compassion and fairness. That should make us the greatest country in the world.

WHERE'S OUR SENSE OF JUSTICE?

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

Mr. MORAN. Mr. Speaker, we pick up the Politico today, and the headline is: "Republicans Ax Aid to the Poor." It goes on to explain that there's a \$33 billion cut in food stamps in the Romney-Ryan Republican budget that passed the House so that the average family of four gets an 11 percent cut in their monthly benefits after September 1, and it requires that households exhaust most of their liquid assets before qualifying for help. This hits hardest among the long-term unemployed, who will be forced off the rolls until they've spent down their savings to less than \$2,000, in many cases.

Then, we read we're going to do another tax cut this week. Majority Leader CANTOR wants to cut taxes by another \$46 billion. In fact, the majority of it goes to less than 3 percent of all taxpayers and less than 8 percent of business owners. It's available to highly paid professionals, longtime lobby firms, professional sports teams, and entertainers like Paris Hilton, Kim Kardashian and the like. They all get another tax cut.

Where is our sense of justice? Where are our priorities? Where is our commonsense?

TAX CUTS TO THE WEALTHIEST

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

Mr. PALLONE. Mr. Speaker, I rise today to address the Sportsmen's Heritage Act of 2012 and its provision to deem the reconciliation of the Republican budget. In fact, it was the Republican leadership that stood right here on the House floor and emphatically claimed that they were committed to not using deeming resolutions when they were in the majority. But here we are today, and that's exactly what they're doing.

I guess it's not terribly surprising that they would break their commitments, especially when we consider the budget that they've presented. The GOP budget breaks many of the basic commitments that Congress has to all Americans. The Republican budget is an all-out assault on Medicare and the middle class. Instead of a budget that protects the middle class, the Republican budget creates tax cuts and giveaways to millionaires and the super-rich, providing income tax cuts for millionaires averaging at least \$187,000 in 2014.

How do the Republicans propose that they'll pay for these savings to the wealthiest Americans and the big corporations? Well, they end Medicare as we know it, and they balance their budget on the backs of seniors and the middle class.

It's really outrageous what they're doing, Mr. Speaker. I just want to call them to task for saying they were committed to not doing the deeming, and now doing it.

□ 1220

TAX DAY

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

Mr. YODER. Mr. Speaker, I rise to acknowledge everyone's least favorite day of the year, tax day.

In 1935, the 1040 Form was accompanied by a two-page instruction booklet. Today, taxpayers must wade through over 200 pages of instructions and a code that extends 4 million words in length and grows daily like an ever expanding blob entangling itself and attaching its burdens to the hopes and dreams of every American.

Yet as millions of Americans pay their taxes today, some in this town believe that Washington should actually tax and spend even more of the hard-earned dollars of the American people.

Instead, I believe we should first reform the Tax Code and work to control reckless and wasteful spending in the Federal budget. As it's been said: It's not that Washington taxes too little; it's that Washington spends too much.

Mr. Speaker, we must focus on reducing the tax burden on the American people, cutting spending here in Washington and working towards a bipar-

tisan plan to reform the Tax Code and simplify it for the millions of tax-paying Americans that are counting on us.

THE REPUBLICAN BUDGET IS UNFAIR

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

Mr. GEORGE MILLER of California. Mr. Speaker, later today, the House will consider legislation to make it easier to pass the Republican budget and to make it easier to pass a budget that is very unfair in its makeup. It's unfair because it continues to lavish tax breaks on the wealthiest people in this country while asking that the elderly in the Medicare program and that our poorest children in our elementary schools and young people struggling to pay for their college education all pay more to make room for a tax cut for millionaires that averages \$187,000 a year in a tax cut to the wealthiest people in this country.

It's not about wanting to tax more; it's about wanting tax fairness. It's about recognizing the economic disparity that exists in this country and how the Tax Code continues to lavish the benefits of the taxes that people do pay back to the richest people in this country. And yet later this week, the Republicans are bringing yet another tax bill that will benefit the top 3 percent of the taxpayers in this country and add \$48 billion to the deficit this year and a half a trillion dollars to the deficit over 10 years.

That's not fair, it's not right, it's not equitable, and it needs to be rejected.

CONGRATULATING CENTER ON HALSTED

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

Mr. QUIGLEY. Mr. Speaker, I rise today to congratulate Center on Halsted on its 5-year anniversary of building and strengthening the lesbian, gay, bisexual, and transgender community in Chicago.

On June 1 of 2007, I was proud to join residents from my district and across Illinois on the corner of Halsted and Waveland as Chicago's first permanent LGBT community center opened its doors. Since that time, Center on Halsted has become the Midwest's largest LGBT community center and a model for similar organizations across our Nation.

Patrons of all ages, backgrounds, and economic status participate in the wide assortment of public programs and social services offered at the center. Its youth program provides leadership training and professional development to more than 1,800 young people across

Chicago. Social service programs include rapid HIV testing, group and individual psychotherapy, legal help, job training, and the Anti-Violence Project advocating for victims of hate crimes and domestic violence.

Under the leadership of CEO Modesto Tico Valle and the great efforts of so many people, Center on Halsted has grown into the phenomenal organization that it is today, welcoming the LGBT community and making our entire community a better place.

THE HUMPHREY-HAWKINS FULL EMPLOYMENT ACT

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

Mr. CONYERS. Ladies and gentlemen of the House, it's time for a real jobs plan to get our Americans back to work in every district. And since the conservatives have taken over the House more than a year ago, they have refused to move forward with a real plan to create jobs to get our people back to work—a whole year and no comprehensive jobs plan when Americans needed it most.

Now, in my bill, H.R. 870, the Humphrey-Hawkins Full Employment Act, revised, is a way to bring unemployment down to zero percent. There is no reason why everybody that wants a job in America can't be put in a position or trained for a position.

Yet, although most of the people in the country treat jobs as the number one priority, we still haven't got movement in the House. It is a shame, and I think somebody is going to pay for it.

HONESTY ABOUT HEALTH CARE

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

Mr. YARMUTH. Mr. Speaker, my friends across the aisle like to say they support small business owners, but other than keeping fact-checkers employed, Republican leaders are holding back those businesses by continuing to make false claims about the Affordable Care Act.

In my Louisville district, more than 15,000 small businesses could qualify for tax credits to help offset the cost of providing health insurance for their employees. A small business with 24 employees paying average health care costs could receive almost \$40,000 a year in tax credits right now under the Affordable Care Act, but only 530 out of those 15,000 businesses have taken advantage of it. The situation is like that across the country.

Why is that? Could it be that the people they elected to represent them in Congress have repeatedly told them that this law is bad for business?

As Members of Congress, I believe it is our responsibility to give our constituents an honest and accurate picture of what Federal laws and policies will do to affect their lives. And yet more than 2 years after the Affordable Care Act became law, Republican leaders continue to make false claims about it.

Mr. Speaker, the small business owners in my district appreciate knowing the truth about how Federal laws can benefit them.

**THE RYAN BUDGET IS UNFAIR,
UNBALANCED, AND UNWISE**

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

Ms. MOORE. Mr. Speaker, I was so happy this week when I learned from our Presidential candidate, Mitt Romney, that the Republicans are now prepared to realize that women are a very important part of the economy. And that is why I'm wondering why Romney has embraced the Republican budget which would fix Medicare by cutting out \$30 billion in 10 years when 56 percent of all Medicare beneficiaries are women, and the oldest of old, 85 and older, 70 percent are women. Two-thirds of Medicaid recipients who are adults are women; and of the SNAP program—formerly known as food stamps—cut of \$134 billion, of the adult recipients, two-thirds of them are women.

So, in an environment where he claims that 92, 93 percent of all job losses have occurred among women, why would we snatch the safety net out from under women with this cruel Republican budget?

**PROVIDING FOR CONSIDERATION
OF H.R. 4089, SPORTSMEN'S HERITAGE ACT OF 2012, AND FOR OTHER PURPOSES**

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 614 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 614

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature

of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-19. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. (a) Pending the adoption of a concurrent resolution on the budget for fiscal year 2013, the provisions of House Concurrent Resolution 112, as adopted by the House, shall have force and effect in the House as though Congress has adopted such concurrent resolution (with the modifications specified in subsection (b)).

(b) In section 201(b) of House Concurrent Resolution 112, as adopted by the House, the following amounts shall apply:

(1) \$7,710,000,000 (in lieu of \$8,200,000,000) for the period of fiscal years 2012 and 2013 with respect to the Committee on Agriculture; and

(2) \$3,490,000,000 (in lieu of \$3,000,000,000) for the period of fiscal years 2012 and 2013 with respect to the Committee on Financial Services.

□ 1230

POINT OF ORDER

Ms. MOORE. Mr. Speaker, I raise a point of order against H. Res. 614 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(a).

The SPEAKER pro tempore (Mr. WOMACK). The gentlewoman from Wisconsin makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentlewoman has met the threshold burden under the rule, and the gentlewoman from Wisconsin and a Member opposed each will control 10 minutes of debate on the question of

consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentlewoman from Wisconsin.

PARLIAMENTARY INQUIRY

Ms. MOORE. Mr. Speaker, I raise this point of order not necessarily out of concern for unfunded mandates, although there are likely some in the underlying bill, H.R. 4089.

But before I begin, Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state the inquiry.

Ms. MOORE. The rule clearly states, "Pending the adoption of a concurrent resolution on the budget for fiscal year 2013, the provisions of House Concurrent Resolution 112, as adopted by the House, shall have the force and effect in the House as though Congress had adopted such concurrent resolution."

Does this mean that the rule deems that the Senate will have passed H. Con. Res. 112?

The SPEAKER pro tempore. The Chair will not interpret the resolution during its pendency. That is a matter for debate.

Ms. MOORE. Okay. We will have to debate this. The language, as I have construed it, says it shall have force and effect in the House as though Congress, which would include the Senate, had adopted such concurrent resolution. That is subject to debate.

So I want the House to be really clear here that, given this language, there is a real—it seems probable and likely that if we vote "yes" for House Concurrent Resolution 112, the Republican budget, which ends Medicare for a voucher system, ends the entitlement under Medicaid, cuts food support, cuts funds by \$134 billion over 10 years, that we could be deeming this to be passed.

I am raising again, Mr. Speaker, the question about that use of "Congress has adopted such concurrent resolution," meaning also the Senate.

The SPEAKER pro tempore. The Chair would reiterate that the issue is a matter for debate, and the Chair will not interpret the language of the resolution during its pendency.

Ms. MOORE. Thank you, Mr. Speaker, for your lack of clarity.

I raise this point of order because it's important to uncover whether or not the underlying rule for this Natural Resources bill—it's a Natural Resources bill—also deems the Republican budget plan to end Medicare as we know it, slash funding for SNAP.

When it comes to the Republican budget, my Democratic colleagues are most definitely not asleep at the wheel. And we want to take this moment to shed light on what's going on here.

Mr. Speaker, I'm a member of that prestigious committee, the House Committee on the Budget, and a long-time advocate for sound budgetary policy. I

recognize the importance of tackling our deficit and debt head-on, carefully balancing both the spending and revenue-raising sides of our ledger.

But House Republicans, led by my dear colleague from Wisconsin, have put out a budget that is neither sound nor balanced. This budget finds a jaw-dropping 62 percent of its \$5.3 trillion in nondefense budget cuts over 10 years from programs that serve the most vulnerable of our society, the poor, and I might add in the most vulnerable, women and children, since we've just recently established in this last week that women were very important in our economy.

In addition to the sheer magnitude of these raw numbers, I want to make it clear that the Republican budget contains major departures from current policy. This budget heralds welfare reform as a vital victory and plots the next chapter of so-called "reforms" for other areas of the safety net.

Our core programs are not spared by this budgetary trick. This budget takes an aim at Medicare. We're told that by stripping Medicare of its entitled status, cutting \$30 billion out of Medicare, that we're going to save it. We're going to save Medicare by subtracting \$30 billion. That's not the kind of math I learned at North Division High.

And we're going to set seniors adrift in the private market. Now, this budget does nothing to cut the cost of health care in the private market. It only passes those costs on to seniors.

The cuts to the SNAP program have not gotten as much attention as the Medicare cuts, even though they are cause for collective alarm. As we know, over half of our citizens in the United States, working people, many of them, found themselves with no other income. They had no job. We played phony baloney with the unemployment insurance. They had nothing except SNAP, formerly known as food stamps.

□ 1240

And so they had no other income other than the food stamp program, SNAP, but yet we're going to cut \$134 million out of this program and convert it again to a block grant and handcuff SNAP's ability to respond to its increased need.

Mr. Speaker, can I ask you how much time I have remaining?

The SPEAKER pro tempore. The gentlewoman has 5½ minutes remaining.

Ms. MOORE. I yield 2 minutes to my good friend and neighbor from the great State of Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentlewoman for yielding, and I rise in support of her point of order.

All this talk of "deeming and passing," those words mean nothing to the American people, but the vote we are about to take means a lot.

What Republicans are trying to do is to jam through the Republican budget

and pretend that it's the law of the land. They have to play these games because last year the American people rejected this budget the first time around. But instead of doing some soul-searching and offering a bill that reflects the true priorities of this Nation, the Republicans have doubled down, and the results are truly astonishing.

As has been mentioned, this budget ends the Medicare guarantee while raising health costs for seniors who have an average income of just \$19,000 a year. It increases defense spending while placing a cap on food assistance and cutting Medicaid. It gives the average multi-millionaire—listen to this—a tax break of \$394,000 while raising taxes on the middle class. It protects subsidies for oil companies and corporations that ship jobs overseas while slashing investments that create jobs and rebuild the middle class. The cuts are so severe that if their policies are carried out, by 2050 there is almost nothing left of discretionary spending but defense. As the Center on Budget and Policy Priorities has said, most of the rest of the government will simply "cease to exist."

But it doesn't have to be this way. Yesterday, Republicans in the Senate rejected a perfectly reasonable proposal—that millionaires and billionaires shouldn't pay a lower tax rate than a middle class family does. They should have passed the Buffett rule in the Senate, which would have been an important first step toward addressing our fiscal challenges in a fair way—a way that cuts waste, not opportunity; protects Social Security, Medicare, and Medicaid; creates jobs and builds the economy; and asks more from those who can afford it.

This Republican budget is not a serious effort. It's a radical proposal. But I'll give them credit for one thing: at least they're honest in proposing this irresponsible budget.

Ms. MOORE. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentlewoman has 3½ minutes remaining.

Ms. MOORE. I reserve the balance of my time. I would love to hear what the opponents to my point of order have to say.

Mr. BISHOP of Utah. Mr. Speaker, I rise to claim time in opposition to the point of order and in favor of consideration of the resolution.

The SPEAKER pro tempore. The gentleman is recognized for 10 minutes.

Mr. BISHOP of Utah. I am pleased to be down here for this procedural issue that is before us. The question before the House is: Should the House now consider House Resolution 614? While the resolution waives all point of order against consideration of the bill, the committee is not aware of any points of order.

The waiver is prophylactic in nature. The Congressional Budget Office has

stated that H.R. 4089 contains no inter-governmental or private sector mandates as defined in the Unfunded Mandate Reform Act and would impose no costs on State, local, or tribal governments. Again, Mr. Speaker, this waiver is prophylactic, and the motion from the gentlelady from Wisconsin is dilatory.

In order for the House to continue our scheduled business for today, we need to continue on with this proposal and dealing with the rule that is before us.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I would ask the gentleman if he would yield to a question.

Mr. BISHOP of Utah. Well, I would be happy to, but I don't control the time.

Ms. MOORE. I would yield my time for the purpose of your answering my question.

The Speaker has declined to answer my parliamentary query and said that that would be settled during the debate. So is it your understanding that passage of this resolution will or will not deem the Republican budget to have been passed in all of the Congress?

I yield to the gentleman.

Mr. BISHOP of Utah. I would not dare to try and supersede my interpretation over the Speaker's interpretation. That is his responsibility. However—

Ms. MOORE. No, no, no. He said it would be determined during debate.

Mr. BISHOP of Utah. Would you allow me to answer the question?

Ms. MOORE. Yes.

Mr. BISHOP of Utah. That is still the Speaker's responsibility. However, what deeming applies to is that these are for procedural considerations allowed to go forward until such time as an actual budget has indeed passed. So the answer to your question is actually both: Temporarily, yes; long term, obviously no.

Ms. MOORE. Reclaiming my time.

Mr. BISHOP of Utah. At some time, the Senate has to do their work. Hopefully, they will do it soon and then this issue would be moot.

Ms. MOORE. Reclaiming my time from the point at which I said I was reclaiming my time. And I ask that he be taxed for that extra time because he already gave me his answer—that, yes, it would be deemed to be passed.

I just want to remind people, in this week when we have learned how important it is to have a stable, good budget for women, that this program slashes funding for Medicaid—two-thirds of adults are women who depend on it. It slashes Medicare—two-thirds of the recipients are women. And 85 percent of Medicare recipients that are older than 85 depend on it.

It cuts support for key programs like childcare, which are important to women, and job training. It cuts core programs like food stamps. Our Presidential candidate said that 93 percent

of women lost jobs during the recession. Why would we want to take away the safety net of food stamps when women put food on the table every day trying to feed their babies?

Mr. Speaker, this program—which will be deemed to be passed—needs more review, and I would ask you to find my point of order in order.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman has 1 minute remaining.

Ms. MOORE. I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Ms. MOORE. I want to thank the gentleman for a vigorous debate—at least on my part—and I would ask my colleagues to take a closer look.

This is the Congress of the United States of America. We are supposed to do things very carefully. This is the budget that we're setting out, the moral document for how this country is to be run, and we should not be deeming it as passed, as this resolution calls for.

I would ask all my colleagues to support my point of order and ask them to vote against this resolution.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, once again, I wish to remind the body that we are dealing with a procedural issue. We've heard a great deal of policy debate here, but what we are dealing with is a procedural issue.

The policy of the debate has been debated on this floor and will be debated in the future as well under two criteria: one, either allowing our committees to move forward with its authorization, appropriations, and reconciliation efforts, in which case certain procedural techniques must take place; or, two, actually allowing the Senate to do their work and pass a budget, going to a conference, and then moving forward in that manner. One way or the other, the procedure must go forward. This is not policy we're debating here, it's procedure.

There is precedence for what we are doing. Indeed, in the last Congress, H.R. 1500, the opposition party, the minority party, also deemed resolutions and brought them forward—actually, it's happened six times in our history. The only difference between the deeming that we have here and the deeming that happened in the last session of Congress is that this particular budget—which will be debated again—actually went through a committee and had a vote on the floor. Unfortunately, when the Democrat Party did that a couple years ago, they had not gone through a committee, they did not have a debate on the floor or in committee or a vote on anything. Actually, the numbers that were deemed at that time were less than 1-day's notice before they were actually voted on the

floor. And everyone who has spoken against this procedure voted for that particular deeming a couple of years ago in the last Congress.

□ 1250

There is precedence for this, and the precedence is solely a procedural issue. This is not the time to talk about the policy. There was a time before, and there will be time in the future. This is a procedural precedent, and we can only move forward in doing the work of this Congress—and I appreciate the other side for at least admitting that the Republicans are trying to move forward in the work of this Congress—if we have certain procedural issues done in advance. That's what we are attempting to do.

So, in order to allow the House to continue its scheduled business of this day, I urge Members to vote "yes" on the question of the consideration of this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 234, nays 175, not voting 22, as follows:

[Roll No. 154]

YEAS—234

Adams	Cole	Griffin (AR)
Aderholt	Conaway	Griffith (VA)
Akin	Cravaack	Grimm
Alexander	Crawford	Guinta
Amash	Crenshaw	Guthrie
Amodei	Culberson	Hall
Bachmann	Davis (KY)	Hanna
Bachus	Dent	Harper
Barietta	DesJarlais	Harris
Bartlett	Diaz-Balart	Hartzler
Barton (TX)	Dold	Hastings (WA)
Bass (NH)	Dreier	Hayworth
Benishek	Duffy	Heck
Berg	Duncan (SC)	Hensarling
Biggart	Duncan (TN)	Hergert
Bilbray	Ellmers	Herrera Beutler
Bilirakis	Emerson	Huelskamp
Bishop (UT)	Farenthold	Huizenga (MI)
Black	Fitzpatrick	Hultgren
Blackburn	Flake	Hunter
Bonner	Fleischmann	Hurt
Bono Mack	Fleming	Issa
Boustany	Flores	Jenkins
Brady (TX)	Forbes	Johnson (OH)
Brooks	Fortenberry	Johnson, Sam
Broun (GA)	Fox	Jones
Buchanan	Franks (AZ)	Jordan
Bucshon	Frelinghuysen	Kelly
Buerkle	Gallely	King (IA)
Burgess	Gardner	King (NY)
Calvert	Garrett	Kingston
Camp	Gerlach	Kinzinger (IL)
Campbell	Gibbs	Kline
Canseco	Gibson	Labrador
Cantor	Gingrey (GA)	Lamborn
Capito	Gohmert	Lance
Carter	Goodlatte	Landry
Cassidy	Gosar	Lankford
Chabot	Gowdy	Latham
Chaffetz	Granger	LaTourette
Coble	Graves (GA)	Latta
Coffman (CO)	Graves (MO)	Lewis (CA)

LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce

Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin

Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—175

Ackerman
Altmire
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Ciilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah

Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchesy
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsock
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud

Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Townes
Tsongas
Van Hollen
Velázquez
Visclosky

Walz (MN)	Watt	Woolsey
Wasserman	Waxman	Yarmuth
Schultz	Welch	
Waters	Wilson (FL)	

NOT VOTING—22

Andrews	Denham	Napolitano
Austria	Doggett	Rangel
Burton (IN)	Filmer	Scott (VA)
Cardoza	Fincher	Slaughter
Carney	Hirono	Walberg
Cohen	Johnson (IL)	Whitfield
Costello	Marino	
Cummings	McIntyre	

□ 1317

Ms. CHU, Messrs. OLVER and GARAMENDI changed their vote from “yea” to “nay.”

Mr. SHIMKUS and Mrs. MILLER of Michigan changed their vote from “nay” to “yea.”

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 154, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

Mrs. NAPOLITANO. Mr. Speaker, on Tuesday, April 17, 2012, I was absent during rollcall vote No. 154 due to a family health emergency. Had I been present, I would have voted “nay” on the Question of Consideration of H. Res. 614, the resolution providing for consideration of the bill H.R. 4089, to protect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes.

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

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

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

□ 1320

Mr. BISHOP of Utah. The resolution provides for a structured rule for the consideration of H.R. 4089, a bill to protect the traditional rights of American sportsmen to fish and hunt on public lands free from undue and illogical bureaucratic restrictions and unwarranted and irrational limitations, and provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources.

Mr. Speaker, I am actually pleased to stand before this House today and support this rule, as well as the underlying legislation. Far too often decisions are made to placate certain political special interest groups who are headquartered far away from the locations they seek to dominate and control, and too often the needs of local citizens and local taxpayers who live in those areas in which the impact will occur are ignored. This asks for our consideration.

Too often local and State considerations are not taken into account. Too often there are inconsistencies within the public domain where the BLM, Fish and Wildlife, and the National Park Service will have different rules. And the difficulty, obviously, for a citizen is not knowing where one starts and where one ends. This bill tries to bring some consistency. And though I don't know how much of the debate will occur on this particular issue, it is about hunting and fishing on public lands.

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

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Utah (Mr. BISHOP) for yielding me the customary 30 minutes.

Mr. MCGOVERN. Mr. Speaker, technically, this rule allows for consideration of H.R. 4089, the Sportsmen's Heritage Act, a patchwork quilt of four different bills that ease restrictions on guns and hunting. This bill, a sop to the gun lobby, deserves to be defeated by the House.

But that's not the most important part or most egregious part of this rule. That's because of the language slipped into this rule at the last minute by the Rules Committee—language that sets the budget numbers for the next fiscal year, and language that, Mr. Speaker, once again ends the Medicare guarantee for America's seniors.

That's right, Mr. Speaker. Last night, the Republicans on the Rules Committee pulled a switcheroo just before our vote on the rule. Now, these weren't just harmless, innocuous provisions. No, Mr. Speaker. These provisions would effectively enact the Ryan budget and require that Congress use it as a framework for the rest of the year.

The irony is that by adopting this language now, the Republican leadership is admitting that their awful budget resolution isn't going anywhere and that this so-called “deeming resolution” is the only way forward. It's ironic because they are using parliamentary tricks and sleight-of-hand to pretend that their budget has the force of law. Where are the Tea Party folks who used to be so outraged at this kind of abuse of regular order? Why aren't they yelling and screaming?

There hasn't been a single committee debate or markup on this language.

These provisions undercut the bipartisan budget floor negotiated by President Obama and Speaker BOEHNER in the Budget Control Act. And worst of all, these provisions end the Medicare guarantee again.

The American people get it. They said “no” to the Ryan budget last year. They don't want Medicare to turn into a voucher program. They don't want to see their health care rationed or cut. They don't want Washington politicians trying to pull the rug out from underneath them after years of contributing to this important program.

We made a promise to America's seniors, Mr. Speaker. And once again, the Republican leadership is breaking their promise.

Mr. Speaker, it's bad enough that the Republican leadership doesn't want to focus on getting Americans back to work. It's bad enough that they're pushing cuts that will make hunger in America worse. That's evidenced by the fact that tomorrow in the Agriculture Committee we're going to be asked to vote on a package to cut \$33 billion out of the SNAP program, increasing hunger in America if that would succeed. But their insistence on continuing to push for an end to Medicare is indescribable.

Now, I'm sure my Republican friends will deny that they want to end Medicare for America's seniors. They'll say their idea is bipartisan, even though it's not. They'll say that the detractors are exaggerating. But the truth hurts. This is not bipartisan. Yes, Senator RON WYDEN cosponsored health care legislation with Congressman PAUL RYAN, but Senator WYDEN has also said that he does not support the Medicare provisions in the Ryan budget. Once again, he said he does not support the provisions in the Ryan budget with regard to Medicare. I'm sure someone will, once again, try to twist his words around, but they are very clear to me, Mr. Speaker.

This plan is not bipartisan. This is wholly owned by the Republicans and the Republican leadership, and I know my friends will say that this doesn't change Medicare. That, too, is a misrepresentation of their plan. But don't take my word for it. Let me read directly from the AARP's letter opposing the Ryan budget:

By creating a “premium support” system for future Medicare beneficiaries, the proposal is likely to simply increase costs for beneficiaries while removing Medicare's promise of secure health coverage.

AARP goes on to say:

The premium support method described in the proposal—unlike private plan options that currently exist in Medicare—would likely “price out” traditional Medicare as a viable option, thus rendering the choice of traditional Medicare as a false promise. The proposal also leaves open the possibility for private plans to tailor their plans to healthy beneficiaries—again, putting traditional Medicare at risk.

Finally, AARP says:

Converting Medicare to a series of private options would undermine the market power of Medicare and could lead to higher costs for seniors.

That's a hard-hitting analysis from a nonpartisan group, and it shatters the myth that the Ryan Medicare plan wouldn't harm current or future seniors.

Mr. Speaker, Democrats oppose the Ryan budget because it's the wrong plan for America, and the deeming language included in this rule would force the Ryan budget on this House without a direct vote. That's right: there's no up-or-down vote on this plan. No, the rule simply "deems" that the Ryan budget takes effect, despite the lack of a budget resolution conference report.

Americans want us to focus on jobs and the economy, not on partisan games designed to throw red meat to the right wing of the right wing. Reject this rule and reject the Ryan Medicare plan.

I reserve the balance of my time.

Mr. BISHOP of Utah. As was stated on the point of order, when we talk about deeming—a term that, obviously, most Americans have never heard—a procedural issue, we have had the policy debate, and we will have in the future the policy debate. But this point is about procedure.

So, Mr. Speaker, if you will allow me, I'd actually like to go back to the topic of the debate we have today and the topic of the rule and, indeed, the topic of the bill, which deals with hunting and fishing. That ought to be what we are talking about in here, because that is the issue before us in the underlying bill—hunting and fishing. And it is significant because what this bill asks for those who are sportsmen in America is that hunting and fishing be recognized as a historic and traditional recreation activity and that our bureaucracy back here in Washington will support and protect those hunting and fishing rights, although we do not insist that they prioritize them.

What that means in simple language is if the agencies back here in the bureaucracies of Washington decide that some area of public land should be closed to public recreation, they have to have a darn good reason to do it. In fact, the bill lists some reasons to do it—fire safety, public safety, national security, or compliance with State laws or regulations, and only then and there. Indeed, in addition to having that criteria, unlike other elements when we deal with public-lands issues, there is a specific time limit on when these decisions have to be made; and if, indeed, the agency will not make those decisions in a timely fashion, it reverts back to what it was and these activities may go forward.

Do we need to do this? Of course we do. One Bureau of Land Management official implied that recreational hunt-

ing should be eliminated on public lands because, in his words: The urbanites freak out when they hear the sound of shots being done on public lands.

I suggest to you that is not a logical reason on why hunting and fishing rights should be prohibited; and, therefore, you need this language in here to make sure those hunting and fishing rights are indeed protected.

There will be one amendment that will come forward later on that talks about recreational shooting. I want to remind this body that under the rules that we have, that includes such things as reenactments. If ever the Bureau of Land Management or the National Park Service has a reenactment, if that amendment were to be passed, you couldn't actually shoot a flintlock because it would violate some of the proposed rules here.

□ 1330

It also goes on to say that Congress has, for a long time, banned EPA from making rules or regulations dealing with lead ammunition or flying equipment. And yet, once again, we have a nuisance lawsuit that was filed on March of this particular year petitioning the EPA to make a decision to try and ban this particular process. There is no scientific evidence for that petition.

But we don't know necessarily what some of the agencies in here making bureaucratic regulations—in effect, making a legislative decision within the body of an executive agency—will do. Therefore, this legislation, once again, makes it crystal clear that Congress has spoken on this issue, that Congress has primacy on this issue, and that Congress' decision on this issue should, indeed, be respected.

This bill stops red tape by the bureaucracies that has stopped legal hunting trophies from coming into this country. I emphasize the word "legal" hunting trophies.

This bill is supported by every sportsmen's group imaginable.

Some people would say this is a Second Amendment issue. I don't necessarily want to go that far because our Second Amendment is about an individual right to self-defense. Hunting was not the purview of the Second Amendment when it was adopted. But, indeed, the ability of people to bear weapons on public lands to do hunting and fishing when it is allowable is important, and it is important for us to step forward and say that it should be protected.

In essence, what this bill does is say to those who like to recreate on public lands, and that recreation includes hunting and fishing, that is a traditional, that is a historic activity and that should be maintained, and any of those efforts by special interest groups to try and curtail that will be rejected

by this Congress. That's why this bill is here, that's why this bill is significant, that's why this bill is important, and that's why this bill should be passed, including the rule to start forward in that process.

With that, Mr. Speaker, we will talk about other elements, I'm sure, that will come up, but we can do that at a later time, and I reserve the balance of my time.

Mr. MCGOVERN. I yield myself such time as I may consume.

Mr. Speaker, I can see why my good friend from Utah is so desperate not to talk about the deem-and-pass language which is included in this rule. I would remind him, and I remind others on the other side, that back in March of 2010, Speaker JOHN BOEHNER said that the deem-and-pass strategy was "one of the most outrageous things I have seen since I have been in Congress." That's what the current Speaker of the House said back in March of 2010. And now, astonishingly, everybody on the other side of the aisle is quiet about that.

Let me just say this, Mr. Speaker. This place is becoming an institution where trivial matters get debated passionately and important ones not at all. My friend from Utah is saying this is all about the guns, the gun issue. Well, that's the least important part of what this rule does.

This rule deems the Ryan budget. It basically says that we're going to operate under those very difficult numbers that Congressman RYAN and the Republicans' Budget Committee have passed. And what it means is that we're going to end Medicare as we know it. That's more important to talk about than guns. What it means is that we're going to force more people into food insecurity and hunger because it's going to result in drastic cuts in food and nutrition programs. That's more important to talk about than guns.

The fact of the matter is this rule undercuts the social safety net in this country. This rule, if it is passed and these numbers become what the House operates under, I think will destroy the middle class and will force more people in the middle into poverty. It undercuts programs in education, and it undercuts programs in environmental protection and investments in our infrastructure and aid to cities and towns helping our police, helping our firefighters.

As I said—I cannot say this enough—this ends Medicare as we know it. If people want to end Medicare, then vote for this rule, because that's exactly what this rule will require. And I think that's outrageous. There are some things worth fighting for; and the protection of Medicare is one of those things, at least on our side of the aisle, we think is worth fighting for.

So please do not be fooled that this is some innocuous rule that would merely bring up a bill dealing with guns. This

bill deems the Ryan budget as basically passed, as if it has gone through the House and the Senate, and the numbers that we're going to operate under in all of our committees.

I think that as the American people pay closer attention to what is happening here, they get more and more outraged by the activities of the Republican leadership. This is not what the American people want. They rejected this attempt to undercut Medicare last year, and they're going to reject it again.

I urge my colleagues to vote "no" on this rule. Vote "no" on this rule, and I reserve the balance of my time.

Mr. BISHOP of Utah. Again, Mr. Speaker, I yield myself such time as I may consume.

I appreciate the concerns of some people who do not live in areas that have a vast amount of public lands owned and controlled by the Federal Government, who don't see the need for some of those situations to be modified, rectified, and secured.

For those of us who have the joy of the Federal Government as an absentee landlord, this bill is actually of significance. It's not just another gun bill; it's dealing with ways of life and recreation opportunities that should and ought to be maintained at all times.

But, Mr. Speaker, there is the deeming portion of this that happens to be there. Senator Eugene McCarthy of Minnesota, that name that goes back to my childhood, once gave a wonderful article in which he told people that if you were a Senator not to worry about the rules of the Senate because none of the Senators know what they are, so just go ahead and try what you want to. He also said that if you're a House Member, rules of the House are too complex, so just ask the Parliamentarians; don't try to learn them. There's a load of wisdom in that, because what we have in here, in this particular deeming section, is a procedural issue, something that must take place according to our rules if we, indeed, are to go forward with the work of what Congress is supposed to be.

Unlike the rhetoric that we have heard so far, this is not the debate on the policy issue. That has happened in the past. That will come again in the future. This rule is simply about the procedure if we allow Congress to move forward with our work.

I have said there is precedent for this. Six times in the history of the House these kind of deeming provisions have been written into the budget. Is it good? Of course not. No one wants to do it this way. But it has to go forward simply because of the dynamics of the two Houses that we have here right now.

As I said, this has precedent for it.

In 2010, indeed, there was another deeming motion that was made here on the floor in House Resolution 1500 of

that particular year. The gentleman from Massachusetts was the sponsor of that on the floor, as well, in which, at that time, under Democratic control, we also deemed. There was a difference, though, in that deeming of that time. Under this time, there has been a budget that has gone through the Budget Committee and that was voted on in the Budget Committee and was debated on the floor and passed on the floor.

In 2010, there was no budget that went through a Budget Committee and did not have a vote. Indeed, the numbers were only given a day before the actual vote took place under martial law. At that time, in 2010, this House resolution was hereby adopted. We're not doing that this time. What we are simply doing is allowing the process to go forward.

Now, there are two ways of doing this: either we can pass this deeming concept for the House so that the appropriation bills and the authorization bills and the reconciliation bills within their committee can go forward with some kind of standard on what they are doing. To do so without that is like playing a baseball game without any umpires where no one is there to say what is a ball and what is a strike and if there is an out or a safe. That's what this concept would do.

There's another way of solving that same problem, and that's asking our good friends on the other side of this Chamber, the Senate, to finally pass a budget so that we can work together and move forward.

Look, the Senate has refused to pass a budget in, now, 1,081 days; 1,081 days the Senate has refused to do a budget on their side. And we should not be paralyzed because of their inaction. In 1,081 days, Henry VIII married, divorced, and beheaded his wife in less time than that.

The Senate should be willing to move forward, and if they did, if they passed the budget and we have this conference committee, we could actually move forward in that time. But without that, we have to do something else procedural so that our committees can actually pass authorization bills, appropriation bills, and reconciliation bills and bring them here to the floor in some kind of order.

We have to have a budget if you don't want to have a government shutdown. You have to have a budget if you want a reconciliation that will solve what Secretary Panetta says is that sequester meat ax that would happen to the defense of this country.

□ 1340

You have to have a budget because the Senate refuses to do a budget. I find it surprising that some on the other side are basically arguing not to do anything, which would actually lead to shutting down the government or draconian cuts, or basically telling us

we're not supposed to do our work. That is ridiculous.

This is not a great concept. I'm not happy that we're doing this. It would be much better if the Senate would do their work and let us work together.

Or maybe there's a third option. Congressman Berger of Wisconsin, back in the 1920s, suggested that a constitutional amendment would be passed to dissolve the U.S. Senate and leave only the House. That is a third option that would solve our problems, and perhaps our friends on the other side would like that option better.

Sans that opportunity, we've got to move forward. This is a procedural issue to move us forward with precedents, having been done in the last Congress, precedents. I ask that you consider that.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, let me just say that if this were nothing, my friends on the other side of the aisle would not be hiding this deeming language in a rule dealing with guns. We'd have a straight up-or-down-vote on the floor on the deeming provision.

The fact of the matter is that this rule magically puts the Ryan budget into effect, and what that means is an end to Medicare as we know it. And we're going to fight my friends on the other side of the aisle who want to destroy one of the most important social programs that we have in this country.

At this point, I yield 1 minute to the gentleman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and for giving us all this opportunity to speak about what is happening on the floor today. It's happening just as we have returned from 2 weeks with our constituents, listening to them talk about core challenges facing the American people and the key priorities our families, businesses, and workers are facing.

Americans have made it clear over and over again. It is their constant message. We must work together to create jobs and grow our economy. We must preserve the economic security of our seniors, the middle class, and small business owners. This is all the backbone of the middle class, the backbone of our democracy.

We must protect Medicare and not dismantle it. And yet, Mr. Speaker, our Republican colleagues are at it again. Not once, not twice, not three times, but now four times are they voting to cut the Medicare guarantee. We must protect Medicare.

We must enact a budget that reflects our Nation's values of fairness and opportunity and puts the American Dream in reach for every American. Yet, House Republicans simply refuse to listen to what the American people are saying to us. Instead, they have decided to pull a stunt here today and

“deem and pass” their devastating budget. They know their budget cannot stand the scrutiny of the House, the Senate and the rest, so they want to deem and pass it using a procedural trick to pretend that both the House and the Senate have signed off on their radical agenda.

But the American people know better. They know that the Republican budget ends the Medicare guarantee, making seniors pay more to get less on the way to severing the Medicare guarantee completely; that this budget destroys more than 4 million jobs in the next 2 years, destroys jobs. And three, gives a tax cut of nearly \$400,000 to people making more than \$1 million per year, protects tax breaks for special interests and Big Oil, and forces the middle class to foot the bill. Ends the Medicare guarantee, is a job killer to the tune of 4 million jobs, gives over \$400,000 in tax cuts to people making over \$1 million a year. How can that be a statement of our national values?

We also know that the Republican budget will undermine Medicaid for the elderly and people with disabilities, slash critical investments in education—education, where all innovation springs from, education, the source of America’s competitiveness internationally, education, the source of people reaching their aspirations in life. Education, jobs, and health care would be slashed.

And we know that cuts have to be made, and important spending decisions must be made. But you just can’t say let seniors pay more for Medicare, let’s not invest in education and the rest, while we give tax breaks to the wealthiest people in our country.

So this bill, called a budget bill, breaks the deal. It breaks the debt agreement. It makes matters worse for the deficit. It breaks the deal struck last summer, abandoning a firm bipartisan promise to the American people.

Americans already rejected the Republican budget plan last year, and this year is no different, except the Republicans think so—by bringing it up over and over again, and this time by saying we know it can’t pass the Senate, so we’ll just deem it passed in the House.

Rather than trying to fool the American people, the Republicans are being called upon to join us today in opposing today’s previous question and simply allowing the House to vote. And our measure would say, if the Republicans contend—and they do—that their bill does not hurt Medicare, then let the House go on record and say that our measure would prohibit any plan to eliminate Medicare, raise costs, ration care, or reduce the benefits for seniors and people with disabilities.

By supporting our proposal we can keep the bedrock promise to our seniors that, after a lifetime of work, all Americans should be able to retire with dignity and security.

As Members of Congress, we each have a responsibility to protect Medicare for our seniors, to create jobs for our workers, to grow our economy, to build a strong, all-inclusive, and thriving middle class.

As Democrats, we are committed to reigniting the American Dream, to building ladders of opportunity for all who want to work hard, play by the rules, and take responsibility. And we want them all to succeed. We just don’t want people that make over \$1 million to climb up their ladder, make over \$1 million a year, and then pull up the ladder so that no one else can even reach some level of success.

We ask our House Republican friends, please let us work together to reach our shared goals to strengthen families, to secure a future of prosperity for all people in our country.

I urge my colleagues to vote “no” on the previous question to stop the drive to deem and pass a measure that will end the Medicare guarantee.

Mr. BISHOP of Utah. I appreciate the former Speaker’s visit to the floor, and I have a comment to make about the verbiage of deem and pass.

But first, before we get there, I’d like to actually have someone talk about the resolution itself. I yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER) to actually go back to what it’s supposed to be about, hunting and fishing.

Mrs. MILLER of Michigan. I thank the gentleman for yielding.

Mr. Speaker, I rise in favor of the legislation and the rule as well.

Our Nation has been blessed with such magnificent natural wonders that provide great enjoyment for those who hunt and fish, and today, our sportsmen continue a wonderful and a great tradition that has defined our Nation.

Unfortunately, far too often sportsmen are stymied in their efforts to build upon this great American tradition and heritage because of overzealous bureaucrats and activists who seem to want to go to almost any means, really, to stop hunting and fishing.

Today, by passing the Sportsmen’s Heritage Act of 2012, we will make a statement of support for our Nation’s sportsmen and -women. This bill states clearly that fishing and hunting and shooting are important activities that create jobs and must continue on public land, and it requires those that manage the land to make it accessible and holds them accountable.

It takes away the power from the bureaucrats to limit types of ammunition and fishing tackle that they’ve been trying to limit that can be used on public lands. And it removes red tape that keeps hunters from bringing home a limited number of legally-taken trophies from Canada as well.

□ 1350

And today, Mr. Speaker, we will send a very clear message to American

sportsmen and American sportswomen that we are on your side. We value the important role that you play in upholding our national heritage and its great tradition of America, and the jobs that you create through your activities as well.

I would urge all of my colleagues to join me in supporting this very important legislation and this rule as well.

Mr. MCGOVERN. Mr. Speaker, let me just repeat, this rule has very little to do with sportsmen, but it has an awful lot to do with ending the Medicare guarantee as we know it.

At this point, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the opportunity to join in this debate. First of all, I would like to strongly agree with the previous speakers on our side of the aisle that this is trying to shield the public from the full consequences of the Republican budget.

We just left the Budget Committee, where we had an opportunity for people to start looking at what is going to happen were their budget to move forward. And make no mistake, if our friends on the other side of the aisle thought that this “deem and pass” was just a little modest procedural thing to do and it was a good idea, we would be having the budget discussion here with trumpets blaring. The reason we’re not is what you saw in a moment of candor by the Presidential nominee—evidently—Romney talking about what’s going to happen. About Departments like Housing and Education that are going to be shrunk or eliminated, talking about the massive tax increases that are going to be necessary on middle America if they’re going to give these additional tax reductions for people who need it least.

There’s a reason why this is being shuffled through without a full, honest debate about the consequences. I’m hopeful that this falls short. But make no mistake, this is a sad effort to back away from assertions from the Republicans that they were going to try and open up the process, be inclusive, engage people in a broad discussion. Instead we get legislation like this.

I listened to my good friend from Michigan just sort of passing over, for example, the little item about being able to bring in trophies animals that have been hunted in Canada. Back up and look at what’s happening here. This encourages people to hunt for trophies the polar bears, which are threatened and endangered. They know that they’re not supposed to import it back into the United States, but now these people go out and kill these animals for trophy, for sport. Now they’re going to be able to bring them here to the United States even though for years it’s been inappropriate to do so. What sort of incentive is this to respect our efforts to protect threatened and endangered species like the polar bear?

Opening up public lands? We're all in favor of being able to use public lands. I come from the West. I'm one of those States where the Federal stewardship is over half the land. I represent Federal areas in my district, and I represent a lot of people who hunt and fish. I also represent a lot of people who like to hike, people who like the wilderness experience, people who respect efforts to try and manage our forests.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman 1 additional minute.

Mr. BLUMENAUER. This legislation, if it were enacted—and mercifully it won't be—would enable some bureaucrats in Washington, D.C. to trump the decisions of local land managers to try and protect, for example, in condition of high fire hazard. We saw forest fires in Colorado started by recreational target shooting.

Now, of course our friends on the other side of the aisle aren't concerned about increased global warming, increased drought, extreme weather conditions; but for heavens sakes, taking away the ability of the local managers to be good stewards of the land, to take away the authority of the EPA to ever deal with appropriate regulations on things like lead is just silly. It's not appropriate, it's not good policy, and it's part of an effort to obscure the real efforts that are under way, and that has to do with being able to weasel this Republican budget legislation through with as little public scrutiny as possible.

I strongly urge rejection of the rule.

Mr. BISHOP of Utah. I thank the gentleman from Oregon for being here. It was exhilarating to hear someone actually talking about the bill before us. Unfortunately, it was slightly inaccurate as well, so if I could make a couple of corrections.

The trophy concept that is there is not opening it up for new elements. It is simply saying those trophies that were already legally hunted and have been denied access to this country can be accessed into this country. It doesn't expand anything. Indeed, rather than actually taking away State and local control, one of the provisions of this bill is that the rules will be attuned to State and local laws, which means State and local authorities actually have a great deal of authority under this particular bill. They have more authority than a bureaucrat sitting here in Washington.

But let me go back to what the other people wish to talk about, and that is this deeming concept again—even though that is one of the provisions and is still not the basis of the bill.

I taught debate for almost a dozen years, and I had a debate coach when I was younger who used to say when you're totally lost on an issue and you

don't know what to do, just find an argument and keep drilling it in over and over again and just maybe the judge will vote for you. You've heard that happening today. No decision is being made on this procedural vote. We did actually have a debate and vote 3 weeks ago. That debate would have been appropriate, was appropriate 3 weeks ago, and will be appropriate in the future, but not necessarily. This is a procedural vote on how we move forward; it is not a policy vote on how we move forward.

Words do have consequences and meaning. The Speaker was kind enough to come in here and talk about how we are deeming and passing something. I have to take umbrage of that slightly. We are not deeming something and passing something. That actually took place in 2010 when Speaker PELOSI presided over House Resolution 1500 that, indeed, deemed and then passed something—passed something that had not gone through committee, had not been discussed or voted by anybody. And with less than a day of actually looking at the numbers, that was deemed and then passed.

What we are talking about here is passing something which happened 3 weeks ago and now, so that we can go forward with the discussion in our committees, deeming it simply because the Senate, once again, in over 1,000 days has failed to allow us, in a traditional way, to move forward. That's why this is a procedural vote. This is not about policy. This is not an effort where you have to pass something to find out what's in it. This is the procedure in which we will go forward on something we have already passed out of committee, on something which is in the nature of what is going forward, which has been debated here on the floor, and now allow it to be debated further. This is procedural. This is procedural.

Mr. VAN HOLLEN. Will the gentleman yield for a question?

Mr. BISHOP of Utah. I yield to the gentleman from Maryland.

Mr. VAN HOLLEN. Isn't it the case that, in passing this rule, we provide the process by which the budget will be implemented in the House of Representatives? Isn't that the case?

Mr. BISHOP of Utah. I appreciate that. And reclaiming the time very briefly because I know you're the next speaker and you're going to go over this issue one more time, yeah, that's exactly what—there has to be a procedure to go forward. But, once again, unlike what happened in 2010, we're not pulling the numbers out of thin air. You actually had the chance to debate that earlier in your Budget Committee and will have the chance to debate that again on the floor as well as in the committee. That's process; it's a process. If you want to, again, go across the rotunda and talk to your friends over

on the other side, maybe we wouldn't have to do that. But until they're willing to do something, we have a procedural problem here.

With that, I reserve the balance of my time and look forward to hearing the gentleman.

Mr. MCGOVERN. Mr. Speaker, before I yield to the ranking member of the Budget Committee, again, I want to make it clear to everybody who's watching this that this rule is about a lot more than a gun bill. This rule is about how we're going to proceed with the appropriations for the various committees. So, again, if this wasn't so controversial, my Republican friends would have brought up this deeming language on its own; but instead, they're hiding it in this gun bill, and they're trying not to talk about what this means. What this means is an end to the Medicare guarantee, among other things. It means an end to the social safety net in this country.

I think this is a horrible, horrible way to proceed. I think the budget that was passed by the House is horrible. But to move forward in this manner I think is very, very disruptive.

People need to understand that this is not just a rule that allows a gun bill to come to the floor and, oh, by the way, there's a few little minor procedural things that are contained in this rule. This is a big deal, this is a huge deal, and my colleagues need to know that.

At this point, I yield 5 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the distinguished ranking member of the Committee on the Budget.

□ 1400

Mr. VAN HOLLEN. I thank my friend, Mr. MCGOVERN. He is absolutely right. The next vote will be a vote to double down on the Republican budget.

I appreciate the answer from my colleague from Utah (Mr. BISHOP). What the next vote will allow, the vote on the rule, is for the House to proceed with the implementation of the Republican budget. Therefore, if you think that budget is the wrong direction for this country, you should vote against the rule and not give the House the authority to move forward, because that's what the next vote is all about.

Mr. Speaker, let's just remember what that budget does. I would just remind my colleagues that the issue in the debate was not whether or not we reduce the long-term deficit in this country. We've got to do that. The issue was how we do that. The Republican budget did not follow the advice of every bipartisan group that has looked at the challenge of deficit reduction, because those bipartisan groups have said that we need to take a balanced approach—meaning, we've got to make some tough cuts.

We passed some of the Budget Control Act, and we needed to do more.

They also said that we needed to deal with the revenue side of the equation, but the Republican budget doesn't ask for one penny—one penny—from millionaires for the purposes of deficit reduction. It doesn't close one single tax loophole for the purposes of deficit reduction—not one. In fact, the overwhelming majority of our Republican colleagues have signed a pledge saying they won't do that, that they won't close one tax loophole for the purpose of deficit reduction. Now, the American people understand the math of the budget. If you say that we're not going to ask the wealthiest to do a little more as part of reducing the deficit, it means you've got to sock it to everybody else even harder.

Just this week, we saw this play out. Yesterday, in the Senate, they had a vote on the Buffett rule. It is a very simple proposition: let's ask millionaires to pay the same effective tax rate as their secretaries. Every Democratic Senator but one voted for it. Every Republican Senator but one voted against it.

Contrast that to what's going to happen in the House on Thursday. Here in the House on Thursday, they're going to do another tax break. Look at the Joint Tax Committee, a nonpartisan group. Where did the bulk of those funds go—to hedge funds? to Washington law firms? There was \$50 billion added to the deficit in 1 year, and it would be \$500 billion over 10 years. When you give tax cuts like that and if you also want to reduce the deficit, it means you cut into everything else. So what do you cut? You do cut the Medicare guarantee. You hit seniors on Medicare. I'll just show you a chart that shows exactly what they do here.

If you look at this chart, it shows the current support that seniors receive under the Medicare program. That's the blue line. This is the percentage of support they get from the Medicare program. As you can see, if you continue the Medicare program at the current levels of support, it maintains that at that level. This green line is the level of support that Members of Congress get as part of the Federal employees' health benefit plan. Members of Congress get a fixed percentage of the premium costs as part of their plan. When the costs go up, Members of Congress' support for the plan goes up accordingly, and that's why the level of support from Members of Congress—that's the green line—stays constant over time. As for the Medicare voucher plan, huh-uh. Under the Medicare voucher plan, as costs for health care rise, the amount of the vouchers seniors get will not keep pace. That's how they reduce the deficit.

In other words, it's another round of tax cuts for millionaires; but for seniors who have a median income today of under \$22,000, they're going to give them a voucher that doesn't keep pace

with health care costs. For Members of Congress, your plan keeps pace with rising health care costs; not so for seniors on Medicare. Why? Again, it's not a balanced approach.

What else does it do? We just had a hearing today in the Budget Committee on what it does to Medicaid. It shreds the social safety net. It cuts Medicaid by \$800 billion over the next 10 years. According to the nonpartisan Congressional Budget Office, by the year 2022, Medicaid will be cut by 30 percent and, by the year 2050, by 75 percent.

The SPEAKER pro tempore (Mrs. EMERSON). The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. VAN HOLLEN. I would remind my colleagues that two-thirds of Medicaid funding goes to seniors in nursing homes and to care for disabled individuals, and another 20 percent goes to kids from low-income families. They would whack that in their budgets, in the Republican budget, by \$800 billion. At the same time, if you'd just take the portion of the tax cut in the Republican budget that extends the Bush tax cuts for the folks at the very top, that's \$961 billion, but they don't want to ask those Americans to go back to paying the same rates that they were paying during the Clinton administration—the same rates. The economy was booming and 20 million jobs were created—but no, they want to give the folks at the very high end a tax break and cut Medicaid by \$810 billion.

Those are the choices that are made in the Republican budget, and that's what this vote on this rule is all about: whether we should allow this body to go forward and implement that budget. It's wrong for the country. It's displaced priorities.

Mr. BISHOP of Utah. Madam Speaker, I yield myself such time as I may consume.

My old debate coach is looking down on our actions and is smiling, saying his advice was right. Just keep making the same arguments over and over again, and maybe someone will actually believe those. This, actually, still is about a sportsmen bill and about hunting and fishing rights on public property.

What the gentleman from Maryland just said is 99 percent accurate. There is one slight difference in what he said, and that is that this would be deemed until such time as there is a conference report. If there, indeed, is another avenue to go, ask the Senate to do its work, to do its job, to have a conference committee, and to actually move forward in that manner. Otherwise, we have to either do it in an improvised way, which is this, or you have to simply not do it at all.

Actually, one of the end results of what the other side is telling us to do

is to simply not do anything. Do not go forward with any ideas. Do not go forward with reconciliation, and have a defense sequestration go into effect that would devastate the military that Secretary Panetta is begging you not to do. You have to do something procedurally to move forward. This vote does not implement anything. This vote allows our committees to go back and do the work that we were supposed to do. You defeat this, and we go back to a policy of doing nothing.

As I said before, there is precedent for what we are doing. I don't know why we say we are burying this in a hunting bill; but in 2010 when we did this deeming practice over another administration, it was buried in section 4 of House Resolution 1500. Once again, in going through a different process back then because no committee had ever looked at those numbers before, they were deemed and passed. This time, we actually passed a bill. We debated it in committee. We debated it on the floor. Now we are going to deem those numbers until such time as the Senate is responsible enough to do its work and have a conference committee report so that the House at least does what we are charged to do, and that is the work of the American people.

This is a procedural resolution that allows our committees to go forward to find solutions and to do it with some order to it. It doesn't presuppose what the final decision will be. That's the argument that's being made here. It does not presuppose the final decision. It is the procedure to go forward, Madam Speaker, and that is why we so desperately need to do this—so the House can do its work when the Senate refuses to do its work.

I reserve the balance of my time.

Mr. MCGOVERN. I yield myself such time as I may consume.

Let me just remind my colleagues that, by deeming these numbers, what my colleagues will be doing if they vote for this rule will be to give the Republican leadership the green light to go ahead and dismantle Medicare, to end the Medicare guarantee for our senior citizens.

□ 1410

It will be a green light to go after anti-hunger and nutrition programs. It's the green light to go after education programs. As the ranking member on the Budget Committee said very clearly, we all want to balance the budget, we all understand we need to deal with our debt. But the way my friends on the other side of the aisle have outlined their plan, it is so one-sided. The burden is all on middle-income families, all on those who are poor.

Their way of balancing the budget is to lower the quality of life for the middle class in this country. And there are other choices to be made. For example,

making sure that Donald Trump pays his fair share or that we close some of these corporate tax loopholes or go after some of these subsidies for the big oil companies. Instead, all of the plans that have been put forward by my Republican friends are all aimed at those in the middle and those struggling to get into the middle. That is why we are so outraged here today. We believe in Medicare. We don't want to end the Medicare guarantee for our senior citizens.

At this point, Madam Speaker, I would like to yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Madam Speaker, our good friend from the State of Utah posed the question: What do the American people want?

I suppose that most of us would like to hunt on public land and fish, and the underlying bill does that. Unfortunately, tacked on to that bill—should this rule actually pass the House—will be something that I'm sure the American people do not want. And that is the crux of this current debate. The debate here is really about what will be added to the hunting and fishing legislation.

Let's consider for a moment exactly what it is. It is the end of Medicare as we know it. It sets up a program that will, as surely as we are here on the floor at this moment, terminate Medicare. It's also a bill that will immediately double the interest rate on every student loan taken out here in the United States. It's also a bill that will put 200,000 students out of school, out of college because the Pell Grants are reduced. It's also a bill that will take \$80 billion a year out of Medicaid, some 62 percent, 63 percent of which goes to nursing homes. So seniors will not be able to get into nursing homes and those who are there may not be able to stay.

What is being tacked onto the hunting and fishing bill here is something that the American public does not want. The American public does not want to see students thrown out of school, does not want to see Medicare end for seniors, does not want to see seniors no longer able to go to a nursing home, does not want to see the food stamps terminated as unemployment increases and as we find some 20 percent of American children in poverty unable to get a decent meal 7 days a week. That's what the American public does not want, but what the Republicans are offering with this rule is precisely that.

We ought to vote "no" on this rule. If you must deem, put it in a separate bill and let's have an up-and-down vote on that.

Mr. BISHOP of Utah. Madam Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentleman from

Massachusetts, the distinguished ranking member from the Committee on Natural Resources, Mr. MARKEY.

Mr. MARKEY. I thank the gentleman.

The Republican budget reads like the legislative version of the "Hunger Games," pitting American families in an unfair and losing battle against billionaires and Big Oil.

One, the Republican budget doles out tax breaks that the wealthiest don't need and we can't afford; two, gives away \$4 billion in annual tax breaks for oil companies; three, abandons grandma and grandpa, forcing them to pay more for health care or forgo coverage altogether; four, takes food out of the mouths of hungry children all across our country.

Just yesterday, Senate Republicans refused to fix a broken system that allows CEOs to pay a lower tax rate than their secretaries. Here in the House, the Republican leadership has called the Buffett rule a hoax. The real hoax is the Republican budget. The GOP used to stand for Grand Old Party. Now it stands for Guaranteed Oil Profits; now it stands for Gut and Get Old People; now it stands for Greed Over Principle. One hundred years after the *Titanic* sank, the Republican budget throws working Americans overboard while saving the lifeboats for the wealthiest.

The "Hunger Games," that's what the Republicans are playing. For the entertainment of the billionaires and the oil companies, we—that is the Republicans—are now going to sacrifice the programs that help the neediest children in our country. It is a budget that does not deserve the support of any Member of this institution.

Mr. BISHOP of Utah. Madam Speaker, I would urge the gentleman to pay particular attention to some of the amendments that are proposed under this rule, one of which would actually probably prohibit those Hollywood people from making movies on public lands again if any kind of hunting and fishing action were to be required.

Mr. DREIER. Will the gentleman yield?

Mr. BISHOP of Utah. I yield to the gentleman from California.

Mr. DREIER. I would just like to say to my friend that as the lone Republican who represents Hollywood, I don't like aspersions being cast at my very distinguished constituents, as my friend has just chosen to do.

Mr. BISHOP of Utah. With that, Madam Speaker, let me yield 5 minutes to the chairman of the Rules Committee, who is here to clean up the mess I have made so far.

Mr. DREIER. Well, it's going to take more than 5 minutes to clean up that mess.

Madam Speaker, let me just say that while I am here to clean up Mr. BISHOP's mess, I've got to say I never

in my wildest dreams believed that the ship that my grandmother almost rode on, but didn't quite get on, the *Titanic*, would be brought into this debate. I'm very impressed that my friend from Massachusetts has proceeded to do that.

But I will say that another of his lines, Madam Speaker, was just absolutely incredible: taking food from the mouths of hungry children. Come on, give me a break. Madam Speaker, the notion that anyone—Democrat or Republican alike—would in any way embrace the notion of taking food from the mouths of hungry children is one of the most preposterous things imaginable. We want to ensure that every single child in this country has opportunity, as well as food. We want to make sure that we're able to get our fiscal house in order. And frankly, as I listened to all of the complaints being leveled about the action that we will take with passage of this rule, it is simply unhappiness over the fact that our friends on the other side of the aisle have lost the budget debate.

Madam Speaker, what we're doing is very simply doing the work that this body has charged us with doing. The work that we've been charged with doing is to put into place a reconciliation package, getting the authorizing committees to work on the charge of a budget.

One of the words that we regularly hear the American people use to malign all of Washington, D.C., is the word "gridlock." I'm not one of those. I subscribe to the George Will view that sometimes the notion of having a President of one party and a Congress of a different party is not necessarily a bad thing. But we know that the term "gridlock" is used as a pejorative.

Madam Speaker, I can think of not much that would exacerbate gridlock more than our saying the House passed its budget and we all know that the Senate has failed in more than 3 years and 100-some-odd days since they've passed a budget, that the Senate has failed to pass a budget. So we have the responsibility, since we have been able to pass a budget here, to do our work.

This notion of calling it deem and pass and somehow likening it to the outrageous proposal that—fortunately the American people stood up and said it was not acceptable, and finally the House responded by not deeming and passing that incredible health care bill, which is potentially unconstitutional. We'll see what the Supreme Court says sometime this summer. But the idea of characterizing that with our doing exactly what Democrats did when it came to the budget in the past and that is that since the work hadn't been done, the reconciliation process had to begin, we had to do the work that follows the passage of a budget. That's exactly what we're doing.

□ 1420

To somehow describe this as extraordinary is, again, a gross mischaracterization of what it is that we have before us.

Madam Speaker, I will say that for us to proceed with this rule and consideration of this very important measure, we have a \$15.5 trillion national debt. We have budget deficits as far as the eye can see. The so-called Buffett rule, I mean its author in the Senate acknowledged yesterday that it would do nothing—Senator WHITEHOUSE said it would do nothing to create jobs, and he threw out there, he said, it's not going to solve all the ailments of society. It's not going to cure all the ailments of society.

The fact is we need to focus on job creation, on economic growth, and that's exactly what we're trying to do with this budget. This budget is designed to get our economy growing, and at the same time it's designed to, yes, ensure, with the social safety net, that those who are truly in need are able to benefit from those programs. But it's designed to make sure that those programs will not go into extinction completely. And it's designed to ensure that we create opportunity for every man and woman in this country, as many people have been discouraged, as many people are struggling to have the opportunity to find a job. The budget that we have is designed to encourage the kind of government structure which will make it possible for that to happen.

Madam Speaker, let me just say with that, I encourage an "aye" vote on this rule. Let's get down to work. That's what the American people want us to do.

And I hope and pray that I have cleaned up for Mr. BISHOP.

Mr. MCGOVERN. Madam Speaker, I just want to respond to something that my distinguished chairman of the Rules Committee said. You know, he implied that when my colleague from Massachusetts said that the Republican budget plans would literally take the food out of the mouths of children, that somehow we were engaged in hyperbole or some kind of empty rhetoric.

I don't know whether my chairman knows that tomorrow in the House Agriculture Committee, under the direction of the Republican leadership, that they are going to cut \$33 billion out of the SNAP program.

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman.

Mr. DREIER. I would say to my friend, obviously we have to deal with very, very serious fiscal challenges that exist here, and I know that these State-run programs are designed to ensure that those who are truly in need are able to benefit, and so no one has

the desire to take food from the mouths of hungry children.

Mr. MCGOVERN. I thank the gentleman for his comments.

Mr. DREIER. I thank my friend.

Mr. MCGOVERN. But \$33 billion in cuts will reduce benefits to people. It will take, literally, food off the table for many families and a lot of working families, too.

Under the Republican leadership's direction, the Agriculture Committee is not going after excessive subsidies and big agri-businesses. It's going after SNAP, food stamps. I am going to have an amendment in the Rules Committee today, when we bring up the transportation bill I think for, like, the 15th time I have offered it, to go after the billions of dollars that we give to oil companies in subsidies. Taxpayers subsidize these programs. We never get an opportunity to vote on the House floor.

But the Republican leadership is not only not allowing me to do that, they are not saying we should go after and trim this corporate welfare. What they are saying is \$33 billion in cuts to SNAP. That is outrageous.

Mr. DREIER. Will the gentleman yield on that point?

Mr. MCGOVERN. I will yield to the gentleman in 1 second.

I know these are difficult budgetary times. I mean, you know, to not ask the Donald Trumps of the world to pay a little bit more and rather, instead, to cut \$33 billion in SNAP, or to not insist that we pay for these wars that seem to go on forever, and let that add to our debt, but go after poor people who are on SNAP, that's where the outrage is. I can't believe that that's the first place we are turning.

I yield to the gentleman.

Mr. DREIER. I thank my friend for yielding. Let me just say that I agree with part of his statement here, that being that we need to look at overall tax reform. I concur with the notion of reducing any kind of subsidies. I don't like the idea of engaging in social planning through tax policy, and so I hope in the context of overall tax reform that we will be able to do exactly what my friend is arguing when it comes to the issue of subsidization. I thank my friend for yielding.

Mr. MCGOVERN. May I inquire of the gentleman from Utah how many more speakers he has?

Mr. BISHOP of Utah. How many would you like me to have?

Mr. MCGOVERN. As many as you want.

Mr. BISHOP of Utah. Then we will have that many, but I hope I will be the last.

Mr. MCGOVERN. Madam Speaker, I will close for our side.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for up to 1½ minutes.

Mr. MCGOVERN. Madam Speaker, if we defeat the previous question, I will

offer an amendment to the rule to ensure that Republicans can't use so-called reconciliation procedures to force through the elimination of Medicare as we know it or force through cuts to Medicare benefits for seniors or people with disabilities.

Madam Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. Madam Speaker, we have a choice here. We can either balance our budget and deal with our deficit and our debt in a fair and balanced manner, or we can do it in the way that the Republican leadership has proposed, which is to basically put the burden on middle-income families and those struggling to get into the middle, and to put an added burden on our senior citizens.

Make no mistake about it: if you vote for this rule, you are voting to end the Medicare guarantee. That is their plan, and that is what they have said. There is no question about it.

I think it is outrageous. I think when Warren Buffett pays a lower tax rate than his secretary there is something wrong with our tax system. When corporations get all these special loopholes so they don't have to pay taxes but middle-income families have to, there is something wrong with this system. We need some balance.

I urge my colleagues to vote "no" and defeat the previous question.

I urge a "no" vote on the rule, and I yield back the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, there is, as I finish this, a couple of areas I want to talk about. There are children who are preparing to go to preschool today who have lived their entire lives without seeing the Senate actually pass a budget. Were that not the case, we would not be here with this particular issue, and if they actually were to pass a budget, we would go forward without this particular issue.

Once again, the merits of the budget notwithstanding, this vote does not implement anything; it allows us the procedure to go forward to implement something. The underlying bill still does talk about the ability of those of us who live in public land States to have hunting and fishing rights guaranteed and protected without the heavy hand of Washington bureaucrats stopping that concept. Indeed, State law will have to be considered before they do any kind of concept.

I also want to put one other concept before you, just in closing, that illustrates the problem we have with the American people on how we waste money and, indeed, that needs to be

one of the first things of our consideration.

CBO has scored this bill as potentially costing \$12 million. It doesn't make a difference. There is nothing mandated in here that needs to have a review under the NEPA process of these bills. The administration said that we might have to go through this process, therefore, you should score it at \$12 million.

Let's make an assumption that you actually had to go through the reprocessing of going through all of the land management plans. And I would ask the people the question: Does it make sense that it would take \$12 million for the Park Service and the BLM to decide whether hunting would or would not be allowed? Could that not be done with the Secretary and a cell phone within a week if we actually were decent about what we were attempting to do?

When, indeed, we have bills like this in which the administration and the government is trying to say, well, it will cost \$12 million to make the decision of whether hunting is allowed or not, it puts all of our efforts into question. It does not make sense. And it may be one of the reasons why we need to look at what we are doing internally first, and that would be an appropriate thing to take place.

Madam Speaker, in closing, I want to reiterate that this is still a procedural vote on a rule that is extremely fair, and it is appropriate to the underlying legislation of H.R. 4089, which does talk about fishing and hunting rights, preserving that time-honored tradition and, indeed, allowing those of us in the West to make sure that we are not precluded from those traditional areas of activity. It's a good bill and, more importantly, this is a fair rule, and I urge you to adopt it.

Mr. BOREN. Madam Chair, as a Congressman serving on the House Committee on Natural Resources and the past Co-Chairman of the bipartisan Congressional Sportsmen's Caucus, I support America's sportsmen and the acclaimed activities of hunting and recreational fishing and shooting through the enactment of H.R. 4089.

H.R. 4089 is essential to recognizing the importance of and facilitating the expansion and enhancement of hunting and recreational fishing and shooting. It is a compilation of four different bills (H.R. 2834, H.R. 3440, H.R. 991 and H.R. 1558) that promote and advance these time-honored traditions. The Sportsmen's Heritage Act reaffirms that hunting and recreational fishing and shooting are important activities by providing a sound legislative foundation for the advancement of America's sporting heritage.

Seventy-five years ago, the conservation community, including hunters, anglers, recreational shooters, and related industries, supported the use of funds from an excise tax on firearms and ammunition—along with the dedicated revenue from hunting and fishing licenses—to be used exclusively by state fish

and wildlife agencies to professionally manage fish and wildlife populations and provide access for sportsmen and the larger public to enjoy the benefits of this management. This funding mechanism was eventually expanded to include the fishing and boating communities as well as the archery community. Accordingly, these groups produced the American System of Conservation Funding: a unique "user pays—public benefits" approach. This user-pays funding strategy has produced numerous public benefits including: abundant fish and wildlife populations, access to public lands and clean waters, improved fish and wildlife habitat, carbon sequestration, wetland protection and associated water filtration and flood retention functions, improved soil and water conservation, shooting ranges and boating access facilities that are available for the enjoyment of the entirety of the American public—hunters and non-hunters alike. In addition, sportsmen are an economic powerhouse. They directly support jobs, generate billions of dollars in Federal, State and local tax revenues, and invigorate the economies of local communities by spending their money on travel, lodging, food, sporting equipment, and so much more while participating in their sport.

Hunting and recreational fishing and shooting are the beating heart of conservation in the United States. This year marks the 75th Anniversary of the Wildlife and Sport Fish Restoration Program—a program supported and made possible by the dollars of our Nation's sportsmen. Given the current celebration of the success of this program, it seems timely to support our sportsmen by enacting legislation that will provide them with more opportunities to participate in their sport. We as a legislature must come together—overcoming partisanship and working collaboratively with our partners in the Senate—to promote, advance and protect our Nation's sporting heritage. I support our Nation's sportsmen and I urge you to join me in supporting H.R. 4089.

Ms. MCCOLLUM. Madam Chair, I rise in opposition to H.R. 4089, the Sportsmen's Heritage Act. This bill is the latest attempt by House Republicans to use America's natural treasures for the benefit of a handful of private corporations who are eager to mine, drill and log.

Protecting and increasing hunters' access to public lands has been a bipartisan issue for decades, and is something I support. As a result, America's hunters have incredible access to our Federal lands. Today, 75 percent of all Federal lands are open to hunting and fishing. This includes approximately 67 percent of National Wildlife Refuge land and 70 percent of all the land managed by the National Park Service. The Bureau of Land Management allows hunting on 95 percent of the acres it manages. In Minnesota, we are fortunate to have large areas of public land open to hunting, including the Superior National Forest.

In the United States, hunting access on public lands is not a crisis requiring legislation; it is a success story that deserves to be celebrated. H.R. 4089 abandons and reverses this legacy. This bill changes Federal laws to prioritize development over conservation and put corporate interests ahead of hunters.

H.R. 4089 reduces the decision-making power of Park Rangers and other local land

managers by centralizing authority in Washington, thousands of miles away. These highly trained professionals must be allowed to do their jobs, keeping land open to the public while protecting areas from disasters such as forest fires.

H.R. 4089 would encourage the destruction of millions of acres of wildlife habitat. Every hunter knows that less habitat leads to less wildlife, which means less hunting. It is obvious that the beneficiaries of H.R. 4089 would not be America's sportsmen and women but instead, the owners of large oil, gas and mining corporations.

This legislation repeals important provisions in the Wilderness Act that would open millions of acres of public land to development. H.R. 4089 allows the construction of new permanent road networks and authorizes permits for logging, mining and drilling in designated Wilderness areas.

As a strong supporter of conservation on America's public lands and our country's proud hunting heritage, I urge my colleagues to stand up for hunters and oppose H.R. 4089.

Mr. THOMPSON of California. Madam Speaker, I rise today to express my support for the Sportsmen's Heritage Act, H.R. 4089. This bill would improve access to public lands for our hunters, fishers, and recreationists. By passing H.R. 4089, we will ensure that public lands will continue to be used and enjoyed by sportsmen across the country.

While many of us support H.R. 4089, I do have reservations about some of the bill's details. Specifically, titles I and II of this bill require new procedures for approved closures of public lands. Federal land management agencies currently have a process in place for closures that includes public notice, review, and approval at the local, state, or federal level depending on the individual situation. I believe these decisions are best made by local land managers who are uniquely familiar with the lands, the people, and the potential hazards. I am concerned that adding additional closure approval steps by people removed from the local areas will delay, or even discourage, closures that are based on sound science, and for the safety of the people and protection of the environment.

I also believe that hunting, fishing, and recreation are often compatible with the goals of public lands, including wilderness designation. However, there are some activities that are not. Oil and gas development, mining, logging, and motorized vehicle use outside of designated areas counter the goals of current wilderness management. In addition, these activities also run counter to the intent of H.R. 4089 by further restricting sportsmen's access. These restrictions on activities in Wilderness Areas should be explicitly stated in the bill and should not leave any room for misinterpretation.

Finally, I am discouraged to see the incorporation of an amendment to H.R. 4089 that would undermine the ability of the President to designate National Monuments under the Antiquities Act. This is a process that has protected some of our most precious national treasures and cultural heritage sites. I agree that local support should be weighed heavily when considering National Monument designations, but additional legislative road blocks are unnecessary.

I commend my colleagues in the House for supporting sportsmen's access to public lands, and I hope to see their enjoyment continue in a safe and environmentally responsible manner. We need to keep public lands open when feasible, while also allowing for closures in a timely manner if it is in the best interest of public safety or environmental protection. I look forward to working with our Senate colleagues to make sure these concerns are addressed as H.R. 4089 moves forward.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 614 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new section:

SEC. 3. PROHIBITING USE OF RECONCILIATION PROCEDURES FOR ELIMINATION OF MEDICARE PROGRAM AND INCREASED COSTS OR REDUCED BENEFITS TO SENIORS AND PEOPLE WITH DISABILITIES.

(a) No measure reported by a committee pursuant to reconciliation directives in House Concurrent Resolution 112 shall be considered a reconciliation bill for purposes of the Congressional Budget Act of 1974 if it contains a provision that, with respect to the Medicare program under title XVIII of the Social Security Act, furthers, promotes, provides for, or implements any of the following:

(1) Eliminating guaranteed health insurance benefits for seniors or people with disabilities under such program.

(2) Establishing a Medicare voucher plan that provides limited payments to seniors or people with disabilities to purchase health care in the private health insurance market or otherwise increasing Medicare beneficiary costs.

(b) No measure reported by a committee pursuant to reconciliation directives in House Concurrent Resolution 112 shall be considered a reconciliation bill for purposes of the Congressional Budget Act of 1974 if it contains a provision that, with respect to seniors or people with disabilities, furthers, promotes, provides for, or implements any of the following:

(1) Rationing health care.

(2) Raising revenues or premiums for seniors or people with disabilities under section 1818 of the Social Security Act, section 1818A of such Act, or section 1839A of such Act.

(3) Increasing cost-sharing (including deductibles, coinsurance, and copayments) under the Medicare program for seniors or people with disabilities.

(4) Otherwise restricting benefits or modifying eligibility criteria under such program for seniors or people with disabilities.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on

the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 614, if ordered; and suspending the rules and passing H.R. 1815.

The vote was taken by electronic device, and there were—yeas 235, nays 179, not voting 17, as follows:

[Roll No. 155]

YEAS—235

Adams	Goodlatte	Nunnelee
Aderholt	Gosar	Olson
Alexander	Gowdy	Palazzo
Amash	Granger	Paul
Amodei	Graves (GA)	Paulsen
Austria	Graves (MO)	Pearce
Bachmann	Griffin (AR)	Pence
Bachus	Griffith (VA)	Petri
Barletta	Grimm	Platts
Bartlett	Guinta	Poe (TX)
Barton (TX)	Guthrie	Pompeo
Bass (NH)	Hall	Posey
Benishek	Hanna	Price (GA)
Berg	Harper	Quayle
Biggert	Harris	Reed
Bilbray	Hartzler	Rehberg
Bilirakis	Hastings (WA)	Reichert
Bishop (UT)	Hayworth	Renacci
Black	Heck	Ribble
Blackburn	Hensarling	Rigell
Bonner	Herger	Rivera
Bono Mack	Herrera Beutler	Roby
Boustany	Huelskamp	Roe (TN)
Brady (TX)	Huizenga (MI)	Rogers (AL)
Brooks	Hultgren	Rogers (KY)
Broun (GA)	Hunter	Rogers (MI)
Buchanan	Hurt	Rohrabacher
Bucshon	Issa	Rokita
Buerkle	Jenkins	Rooney
Burgess	Johnson (IL)	Ros-Lehtinen
Burton (IN)	Johnson (OH)	Roskam
Calvert	Johnson, Sam	Ross (FL)
Camp	Jordan	Royce
Campbell	Kelly	Runyan
Canseco	King (IA)	Ryan (WI)
Cantor	King (NY)	Scalise
Capito	Kingston	Schilling
Carter	Kinzinger (IL)	Schmidt
Cassidy	Kline	Schock
Chabot	Labrador	Schweikert
Chaffetz	Lamborn	Scott (SC)
Coble	Lance	Scott, Austin
Coffman (CO)	Landry	Sensenbrenner
Cole	Lankford	Sessions
Conaway	Latham	Shimkus
Cravaack	LaTourette	Shuler
Crawford	Latta	Shuster
Crenshaw	Lewis (CA)	Simpson
Culberson	LoBiondo	Smith (NE)
Davis (KY)	Long	Smith (NJ)
Denham	Lucas	Smith (TX)
Dent	Luetkemeyer	Southerland
DesJarlais	Lummis	Stearns
Diaz-Balart	Lungren, Daniel	Stivers
Dold	E.	Stutzman
Dreier	Mack	Sullivan
Duffy	Manzullo	Terry
Duncan (SC)	Marchant	Thompson (PA)
Duncan (TN)	McCarthy (CA)	Thornberry
Ellmers	McCaul	Tiberi
Emerson	McClintock	Tipton
Farenthold	McCotter	Turner (NY)
Fitzpatrick	McHenry	Turner (OH)
Flake	McKeon	Upton
Fleischmann	McKinley	Walberg
Fleming	McMorris	Walden
Flores	Rodgers	Webster
Forbes	Meehan	West
Fortenberry	Mica	Westmoreland
Fox	Miller (FL)	Whitfield
Franks (AZ)	Miller (MI)	Wilson (SC)
Frelinghuysen	Miller, Gary	Wittman
Gardner	Mulvaney	Wolf
Garrett	Murphy (PA)	Womack
Gerlach	Myrick	Woodall
Gibbs	Neugebauer	Yoder
Gibson	Noem	Young (AK)
Gingrey (GA)	Nugent	Young (FL)
Gohmert	Nunes	Young (IN)

NAYS—179

Ackerman Gonzalez Olver
Altmire Green, Al Owens
Baca Green, Gene Pallone
Baldwin Grijalva Pascarell
Barrow Gutierrez Pastor (AZ)
Bass (CA) Hahn Pelosi
Becerra Hanabusa Perlmutter
Berkley Hastings (FL) Peters
Berman Heinrich Peterson
Bishop (GA) Higgins Pingree (ME)
Blumenauer Himes
Bonamici Hinchey
Boren Hinojosa
Boswell Hirono
Brady (PA) Hochul
Braley (IA) Holden
Brown (FL) Holt
Butterfield Hoyer
Capps Israel
Capuano Jackson (IL)
Carnahan Jackson Lee
Carney (TX)
Carson (IN) Johnson (GA)
Castor (FL) Johnson, E. B.
Chandler Jones
Chu Kaptur
Cicilline Keating
Clarke (MI) Sarbanes
Clarke (NY) Schakowsky
Clay Kildee
Clever Kucinich
Clyburn Langevin
Connolly (VA) Larsen (WA)
Conyers Larson (CT)
Cooper Lee (CA)
Costa Levin
Courtney Lipinski
Critz Loeb sack
Crowley Lofgren, Zoe
Cuellar Lowey
Cummings Lujan
Davis (CA) Lynch
DeFazio Maloney
DeGette Markey
DeLauro Matheson
Deutch Matsui
Dicks McCarthy (NY)
Dingell McCollum
Doggett McDermott
Donnelly (IN) McGovern
Doyle Mc Nerney
Edwards Meeks
Engel Michaud
Eshoo Miller (NC)
Farr Miller, George
Fattah Moore
Frank (MA) Moran
Fudge Murphy (CT)
Garamendi Nadler
Neal Yarmuth

NOT VOTING—17

Akin Filner
Andrews Fincher
Cardoza Gallegly
Cohen Lewis (GA)
Costello Marino
Davis (IL) McIntyre

□ 1455

Messrs. SCOTT of Virginia, CLY-BURN, and Ms. BERKLEY changed their vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall No. 155, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

Mrs. NAPOLITANO. Madam Speaker, on Tuesday, April 17, 2012, I was absent during rollcall vote No. 155 due to a family health emergency. Had I been present, I would have voted "nay" on Ordering the Previous Question of H. Res. 614, the resolution providing for consideration of the bill H.R. 4089, to pro-

tect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. MCGOVERN. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 184, not voting 19, as follows:

[Roll No. 156]

AYES—228

Adams Gardner
Aderholt Garrett
Alexander Garret
Amash Gibbs
Amodei Gohmert
Austria Gohmert
Bachmann Goodlatte
Bachus Gosar
Bartletta Gowdy
Bartlett Granger
Bass (NH) Graves (GA)
Benishek Graves (MO)
Berg Griffin (AR)
Biggert Griffith (VA)
Bilbray Grimm
Bilirakis Guinta
Bishop (UT) Guthrie
Black Hall
Blackburn Hanna
Bonner Harper
Bono Mack Harris
Boustany Hartzler
Brady (TX) Hastings (WA)
Brooks Hayworth
Broun (GA) Heck
Buchanan Hensarling
Bucshon Herger
Buerkle Herrera Beutler
Burgess Huelskamp
Calvert Huizenga (MI)
Camp Hultgren
Campbell Hunter
Canseco Hurt
Cantor Issa
Capito Jenkins
Carter Johnson (IL)
Cassidy Johnson (OH)
Chabot Johnson, Sam
Chaffetz Jordan
Coble Kelly
Coffman (CO) King (IA)
Cole King (NY)
Conaway Kingston
Cravaack Kinzinger (IL)
Crawford Kline
Crenshaw Labrador
Culberson Lamborn
Davis (KY) Lance
Denham Landry
Dent Lankford
DesJarlais Latham
Diaz-Balart LaTourette
Dold Latta
Dreier LoBiondo
Duffy Long
Duncan (SC) Lucas
Duncan (TN) Luetkemeyer
Ellmers Lummis
Emerson Lungren, Daniel
Farenthold E.
Fitzpatrick Mack
Flake Manzullo
Fleischmann Marchant
Fleming McCarthy (CA)
Flores McCaul
Forbes McClintock
Fortenberry McCotter
Foxy McHenry
Franks (AZ) McKeon
Frelinghuysen McKinley

Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg

Walden
Walsh (IL)
West
Westmoreland
Whitfield
Wilson (SC)
Wittman

NOES—184

Ackerman
Altmire
Baca
Baldwin
Barrow
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi

Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
Mc Nerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Oliver

Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Owens
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Holt
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velazquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—19

Akin
Andrews
Burton (IN)
Cardoza
Cohen
Costello
Filner

Fincher
Gallegly
Lewis (CA)
Lewis (GA)
Marino
McIntyre
Napolitano

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1505

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 156, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

Mrs. NAPOLITANO. Madam Speaker, on Tuesday, April 17, 2012, I was absent during rollcall vote No. 156 due to a family health emergency. Had I been present, I would have voted “no” on agreeing to the resolution of H. Res. 614, the resolution providing for consideration of the bill H.R. 4089, to protect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes.

LENA HORNE RECOGNITION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1815) to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 2, not voting 19, as follows:

[Roll No. 157]

YEAS—410

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishkek
Berg
Berkley
Berman
Biggert
Bilbray
Billirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle

Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)

Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)

Gohmert
Gonzalez
Goodlatte
Gosar
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huiזנגa (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan

Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris
Rogers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Deutch
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)

Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

Amash
Akin
Andrews
Cardoza
Cohen
Costello
Duncan (SC)
Filner

NAYS—2
Paul

NOT VOTING—19
Fincher
Gallegly
Gowdy
Latham
Lewis (GA)
Marchant
Marino

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 1½ minutes remaining.

□ 1512

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 157, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “yea.”

Mr. DUNCAN of South Carolina. Madam Speaker, on rollcall No. 157 I was meeting with students from Clemson University concerning Pell Grant funding during the vote for the Lena Horne Recognition Act. I support recognizing the achievements of Ms. Horne and would have voted in favor of this Act. Had I been present, I would have voted “yea.”

Mrs. NAPOLITANO. Madam Speaker, on Tuesday, April 17, 2012, I was absent during rollcall vote No. 157 due to a family health emergency. Had I been present, I would have voted “yea” on the Motion to Suspend the Rules and Pass H.R. 1815, the Lena Horne Recognition Act.

SPORTSMEN’S HERITAGE ACT OF 2012

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill, H.R. 4089.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 614 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4089.

The Chair appoints the gentlewoman from Missouri (Mrs. EMERSON) to preside over the Committee of the Whole.

□ 1515

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4089) to

protect and enhance opportunities for recreational hunting, fishing and shooting, with Mrs. EMERSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Madam Chairman, I yield myself such time as I may consume.

I rise in strong support of H.R. 4089, the Sportsmen's Heritage Act of 2012.

This legislation protects the traditional right of American sportsmen to hunt and fish from arbitrary and unjustified bureaucratic restrictions and limitations. It will remove government roadblocks to these activities on certain public lands and guard against new regulations that threaten hunting and fishing.

This is a bipartisan bill, Madam Chairman. It has the bipartisan sponsorship of the Republican and Democrat chairs of the Congressional Sportsmen's Caucus, Mr. MILLER of Florida and Mr. ROSS of Arkansas, as well as the caucus' vice chairs, Mr. LATTA of Ohio and Mr. SHULER of North Carolina. This bill also has the broad support of America's recreational fishing, hunting, shooting, and wildlife conservation community.

At the appropriate time, I will include two letters, one from over 35 sportsmen's organizations and one from the Association of Fish and Wildlife Agencies, for the RECORD.

There are four titles to this legislation, and each reflects stand-alone bills sponsored by individual Members of the House. Mr. BENISHEK of Michigan, Mr. FLAKE of Arizona, Mr. YOUNG of Alaska, and Mr. MILLER of Florida all deserve credit for leadership on these important sportsmen issues. Their four bills were assembled in this package to be among the first pro-sportsmen bills considered and, I hope, passed by the House this year. I expect and anticipate further action on additional legislation in the months ahead.

This legislation is an affirmative declaration that Americans' ability to fish and hunt is not arbitrarily subject to limitation by the whim of Federal bureaucrats. It makes clear that public lands are "open until closed" to such recreational activities, and it makes absolutely clear, Madam Chairman, that the EPA does not have the authority to regulate ammunition and fishing tackle. This bill is not a solution in search of a problem, but regrettably, bureaucratic threats to hunting, fishing, and recreational shooting are very real, thus the need for this legislation.

Title I of this bill protects sportsmen from arbitrary Federal efforts to block

hunting and fishing on public lands managed by the U.S. Forest Service and the Bureau of Land Management, or the BLM.

□ 1520

It requires that these activities be supported and facilitated, but—this is very important, Madam Chairman—it does not prioritize hunting and fishing over other multiple uses.

The vast majority of our Nation's public lands are to be open and available for multiple uses, but, regrettably, there are agency personnel and land managers who attempt to control these lands as personal fiefdoms and prevent legitimate uses and activities, including hunting and fishing. In addition, activist groups bring lawsuits to limit these activities; and in the worst situations, bureaucrats willingly roll over to such lawsuits as a convenient way to limit the use of these facilities. This bill will protect against such lawsuits and the ensuing costly paperwork associated with them.

Title II of the bill directly addresses the sudden attempt last year by the Obama administration's Bureau of Land Management to limit target shooting on certain lands. An agency spokesman was cited in a news article saying that their proposed ban was being enacted in response to urbanites who "freak out" when they hear shooting and that the restriction wasn't rooted in public safety but, rather, to reduce "social conflict." This proposed ban echos the Obama administration's attempt to impose a new classification of wildlands on Federal property in an attempt to unilaterally establish de facto wilderness.

Madam Chairman, I want to remind my colleagues once again that only Congress has the authority to establish wilderness areas.

Just as with the wildlands proposal, public outcry against the BLM's attempt to limit target and recreational shooting forced Interior Secretary Salazar to retreat from this effort, and rightfully so. However, at any point—say, right after the November election—the administration could again attempt such a ban on such activities. This is exactly why this legislation is necessary, because it would clearly provide that any closure must be specifically and publicly justified and be for reasons of national security, public safety, or to comply with Federal or State laws.

Title III of the bill would allow for the importation of certain legally taken hunting trophies from Canada that, through no fault of the sportsmen, have become trapped in a bureaucratic limbo. This is focused squarely on resolving existing situations ensnared in red tape and does not open the door to unlimited future imports.

Finally, title IV of the bill is in response to perhaps the greatest bureau-

cratic threat posed, and that threat comes in the form of the Environmental Protection Agency, or EPA. In 1976, Congress barred the EPA from regulating firearms and ammunition. However, this has not stopped attempts to try and circumvent the law with the argument that EPA may not be able to regulate ammunition, but it can regulate components of ammunition and components of fishing tackle.

Regulating components of ammunition and fishing tackle would be a massive power grab by the EPA despite a clear lack of legal authority. Has that stopped the EPA under this administration? Sadly, it hasn't.

The EPA is an unfettered agency with an appetite for greater regulations that result in a greater stranglehold of our economy and how Americans are allowed to live their lives. But, unfortunately, the EPA is not without its allies.

In March, over 100 activist antihunting and environmental groups petitioned the EPA to ban the use of lead in hunting and fishing components. This is an overt attempt to end-run a law that has been on the books for nearly 40 years.

This legislation that the House will vote on today reiterates and clarifies existing law, leaving no question that the EPA does not have the authority to regulate ammunition and fishing tackle.

Madam Chairman, hunting, fishing, and recreational shooting are longstanding American traditions that deserve protection, which is exactly what this underlying legislation does, the Sportsmen's Heritage Act of 2012. This is why the bill has received strong bipartisan support and the endorsement of dozens of sporting and wildlife organizations.

I again want to commend the sponsors for their work and encourage all of my colleagues to support and vote for this legislation. I also want to thank Chairman UPTON of the Energy and Commerce Committee and Chairman LUCAS of the Agriculture Committee for their cooperation and assistance in helping to expedite consideration of this bill. At the appropriate time, I will again insert into the RECORD an exchange of letters between me and those chairmen regarding this legislation.

With that, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, March 8, 2012.

Hon. DOC HASTINGS,
Chairman, Committee on Natural Resources,
Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN HASTINGS: I am writing concerning H.R. 4089, the "Sportsmen's Heritage Act of 2012," which was ordered reported from your committee on February 29, 2012. I wanted to notify you that, although it received a referral on the bill, the Committee on Energy and Commerce will forgo

action on H.R. 4089 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce is not waiving any of its jurisdiction, and the Committee will not be prejudiced with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 4089, and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, March 8, 2012.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce,
Rayburn HOB, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4089, the Sportsmen's Heritage Act of 2012. As you know, the Committee on Natural Resources reported the bill by a bipartisan vote of 27 to 16 on February 29, 2012. I recognize and appreciate your desire to facilitate the consideration of this legislation by the House of Representatives, and accordingly, understand that the Committee on Energy and Commerce will forgo action on the bill.

The Committee on Natural Resources concurs with the mutual understanding that by forgoing consideration of H.R. 4089 at this time, the Committee on Energy and Commerce does not waive any jurisdiction over Title IV of the bill or similar legislation. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Energy and Commerce represented on the conference committee. Finally, I would be pleased to include your letter and this response in the bill report filed by the Committee on Natural Resources, as well as in the Congressional Record during floor consideration of H.R. 4089, to memorialize our understanding.

Thank you for your cooperation and support.

Sincerely,

DOC HASTINGS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, March 8, 2012.

Hon. FRANK LUCAS,
Chairman, Committee on Agriculture,
Longworth HOB, Washington, DC.

DEAR MR. CHAIRMAN: On February 29, 2012, the Committee on Natural Resources ordered reported H.R. 4089, the Sportsmen's Heritage Act of 2012, by a bipartisan vote of 27 to 16. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Agriculture and the Committee on Energy and Commerce.

I ask that you allow the Committee on Agriculture to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Agriculture rep-

resented on the conference committee. Finally, I would be pleased to include this letter and your response in the bill report filed by the Committee on Natural Resources to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

DOC HASTINGS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, April 10, 2012.

Hon. DOC HASTINGS,
Chairman on Natural Resources,
Longworth HOB, Washington, DC.

DEAR MR. CHAIRMAN: In response to your letter dated March 8, 2012, I am writing regarding H.R. 4089, the Sportsmen's Heritage Act of 2012, which contains provisions within the jurisdiction of the Committee on Agriculture.

Our two Committees have a history of working cooperatively on matters that generally concern the jurisdiction of both Committees. In order to permit floor consideration of this bill, the Committee on Agriculture will forgo action with the understanding that it does not prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this bill or similar legislation in the future.

I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration on the House floor.

Sincerely,

FRANK D. LUCAS
Chairman.

ASSOCIATION OF FISH &
WILDLIFE AGENCIES,
Washington, DC, April 16, 2012.

DEAR CHAIRMAN HASTINGS: I write to reflect the support of the Association of Fish and Wildlife Agencies for HR 4089 with the changes as reflected in the Manager's Amendment to the Rules Committee Print from Mr. Hastings of Washington. As you know, the Association represents the collective perspectives of the state fish and wildlife agencies, and all 50 state agencies are members. We appreciate the work of Committee Members and staff in concluding the perfecting language as reflected in the Manager's Amendment. We also appreciate the enhanced opportunities for recreational fishing, hunting and shooting that will be realized as a result of the bill upon enactment.

We respectfully urge you to oppose any potential floor amendments that would threaten either state fish and wildlife agency authority, or jeopardize the Pittman-Robertson and Dingell-Johnson laws, the most successful conservation funding models of user-pay/public benefits for fish and wildlife conservation and hunting, fishing and shooting sports.

As we celebrate the 75th Anniversary of the Wildlife and Sportfish Restoration Funds (Pittman-Robertson and Dingell-Johnson), it reminds us of the need to recommit ourselves to protecting the integrity of these funds and the conservation decisions using these funds that are best made at the state and local levels with the input of the hunting, angling and shooting community. State/local decision making is one of the foundational tenets of the North American Model of Wildlife Conservation, and the sportsmen's funding of fish and wildlife conservation through license dollars and Pitt-

man-Robertson and Dingell-Johnson excise taxes apportioned to the states is the most successful conservation program in the world.

Thank you for your consideration of the Association's perspectives.

Sincerely,

JONATHAN W. GASSETT,
PH.D.,
President, Association
of Fish & Wildlife
Agencies and Com-
missioner, Kentucky
Department of Fish
& Wildlife Re-
sources.

APRIL 12, 2012.

Hon. JOHN BOEHNER,
Speaker of the House, Longworth H.O.B.,
Washington, DC.

Hon. ERIC CANTOR,
House Majority Leader, Cannon Building,
Washington, DC.

Hon. NANCY PELOSI,
House Minority Leader, Cannon H.O.B., Wash-
ington, DC.

DEAR SPEAKER BOEHNER, MAJORITY LEADER CANTOR, AND MINORITY LEADER PELOSI: The undersigned organizations from the recreational fishing, hunting, shooting, and wildlife conservation community would like to bring to your attention our support for H.R. 4089, the Sportsmen's Heritage Act of 2012. This legislation is basically comprised of several of the approximately eight sportsmen's priority bills being championed by the bipartisan Congressional Sportsmen's Caucus. Additionally, in these fiscal times, none of the provisions of H.R. 4089 score or contain any authorization for funding. We understand that not all of the eight sportsmen's priority bills are included within this Act; however, we appreciate the need to quickly move this legislation as it currently stands.

H.R. 4089 is essential to recognizing the importance of and facilitating the expansion and enhancement of hunting and recreational fishing and shooting. H.R. 4089 is a compilation of four different bills (H.R. 2834, H.R. 3440, H.R. 991, and H.R. 1558) that promote and advance our hunting and recreational fishing and shooting heritage. Summarily, the bill includes language that:

Requires hunting and recreational shooting and fishing to be recognized activities on all Forest Service and Bureau of Land Management lands;

Protects recreational shooting on National Monuments under the jurisdiction of the Bureau of Land Management;

Amends the Marine Mammal Protection Act to allow hunters who legally harvested polar bears in Canada prior to its listing under the Endangered Species Act to purchase permits in order to transport their trophies into the U.S.; and

Clarifies that the Environmental Protection Agency does not have the jurisdiction to regulate traditional ammunition with lead components and lead fishing tackle.

Specifically, H.R. 4089 is composed of the following titles:

TITLE I—RECREATIONAL FISHING AND HUNTING HERITAGE AND OPPORTUNITIES. After acknowledging that "recreational anglers and hunters have been and continue to be among the foremost supporters of sound fish and wildlife management and conservation in the United States" and defining hunting and recreational fishing as "environmentally acceptable and beneficial activities," Title I would require the Bureau of Land Management and Forest

Service to keep their lands open to hunting, recreational fishing, and shooting and facilitate the use of and access to Federal public lands and waters for these activities, pursuant to reasonable exceptions. Access to areas to participate in these activities is one of the top reasons cited as to why sportsmen stop participating in their sports. We support and endorse the perfecting language designed to address potential unintended consequences, as reflected in the amended H.R. 2834 as reported out of the House Natural Resources Committee.

TITLE II—RECREATIONAL SHOOTING PROTECTION. This portion of the bill protects the ability of Americans to enjoy recreational shooting on public lands. Specifically, this portion of the bill says, "Subject to valid existing rights, National Monument land under the jurisdiction of the Bureau of Land Management shall be open to access and use for recreational shooting." Therefore, if a Federal land agency needs to close a portion of land to recreational shooting they are required to "submit to Congress a report detailing the location and extent of, and evidence justifying, such a closure or restriction" and to meet other criteria designed to keep all available lands open to sportsmen and recreational shooters. This portion of H.R. 4089 also instructs Federal land managers to manage lands "in a manner that supports, promotes and enhances recreational shooting opportunities. . . ."

TITLE III—POLAR BEAR CONSERVATION AND FAIRNESS. This portion of the legislation permits the importation of polar bear trophies taken legally by hunters in Canada through an amendment to the Marine Mammal Protection Act. If this bill were to be enacted, up to \$41,000 would be generated for polar bear conservation and research which would aid in future polar bear conservation efforts.

TITLE IV—HUNTING, FISHING, AND RECREATIONAL SHOOTING PROTECTION. This portion of the legislation amends the Toxic Substances Control Act to exclude traditional ammunition with lead components and lead fishing tackle from regulation by the Environmental Protection Agency. Title IV covers a variety of hunting and fishing components that will be exempt because they are subject to a Federal excise tax which serves as a revenue source for conservation efforts at the state level. There is no scientific evidence to suggest the lead contained in ammunition and fishing tackle is having an adverse impact at the population or ecosystem level, and a ban on lead in sporting equipment would unduly burden both industry and sportsmen alike.

The enactment of H.R. 4089 is an important step in the advancement of America's sporting heritage. We urge you to support H.R. 4089. With your support, we can help overcome the obstacles facing sportsmen and women today and further the sportsmen tradition so that it can be handed down for generations to come.

Thank you for your consideration and we look forward to working with you to enact H.R. 4089.

Sincerely,

American Sportfishing Association, Archery Trade Association, Boone and Crockett Club, Bowhunting Preservation Alliance, Campfire Club of America, Catch-A-Dream Foundation, Center for Coastal Conservation, Coastal Conservation Association, Congressional Sportsmen's Foundation, Conservation Force, Dallas Safari Club, Delta Waterfowl Foundation, Ducks

Unlimited, Houston Safari Club, International Game Fish Association, International Hunter Education Association, Masters of Foxhounds Association, Mule Deer Foundation, National Rifle Association.

National Shooting Sports Foundation, National Trappers Association, National Wild Turkey Federation, North American Bear Foundation, North American Grouse Partnership, Pheasants Forever, Pope and Young Club, Quail Forever, Quality Deer Management Association, Rocky Mountain Elk Foundation, Ruffed Grouse Society, Safari Club International, Shimano, Texas Wildlife Association, The Bass Federation, U.S. Sportsmen's Alliance, Wild Sheep Foundation, Wildlife Forever, Wildlife Management Institute.

Mr. GRIJALVA. Madam Chairman, I rise in strong opposition to H.R. 4089 and yield myself such time as I may consume.

This legislation is completely unnecessary. If enacted, it would actually harm hunting and fishing on our public lands.

Today, April 17, 2012, nearly 85 percent of Federal lands are open for hunting, fishing, and recreational shooting. These activities have always been an essential part of Federal land management, and they always will be.

Yes, hunting and shooting are facing ever increasing pressures from development, from pollution and habitat destruction. Areas that were once fertile and open hunting grounds are now condominiums or strip malls.

The reality is that Federal public lands and Federal land managers are the last bastion of a hunting tradition many have enjoyed for generations. While so much private property is closed to hunters, the Federal lands remain open.

But instead of recognizing the value of these lands and the expertise of these dedicated land managers, instead of recognizing the complexity of balancing the competing demands of our public lands, supporters of this bill accuse local land management professionals of opposing hunting and claim that officials here in Washington and we here in the Capitol know best how to manage wildlife thousands and thousands of miles away. The legislation and its supporters are wrong on every count.

As part of the analysis of H.R. 4089 by the Congressional Budget Office, CBO found that hunting, fishing, and recreational shooting are allowed on most Federal lands under current law. The problem this bill claims to solve actually does not exist. What's worse, this bill is not designed to improve the quality of our public lands or our public recreation, rather, it is another in a string of legislative proposals put forth by the majority intended to devalue and degrade our public resources.

Since the beginning of this Congress, Republicans have pushed for unlimited

oil and gas development on Federal lands, even waiving important environmental assessments designed to make sure energy development doesn't destroy wildlife and surrounding communities.

Republicans have rejected efforts to put safeguards on offshore drilling to protect important coastal ecosystems.

Republicans have fought to sell Federal lands on the cheap or just give them away.

Republicans have tried to cut off funding for new habitat through the Land and Water Conservation Fund; they support dams and other development in and along wild and scenic recoveries; they even push for uranium mining near the Grand Canyon in my beloved State of Arizona.

Supporters of this bill will claim to love wildlife, but they attack wildlife habitats every chance they get.

At every turn, we've argued that our parks, forests, and monuments are important for recreation, for wildlife, and for water. We have argued against these development proposals because we believe that these lands provide economic benefits to the surrounding communities.

For supporters of this legislation to come to this floor and claim they have seen the light, that all of a sudden they realize Federal public lands are valuable, is not credible.

This bill is not intended to save Federal lands or to support Federal land managers. This bill is designed to wrap them in red tape, place obstacles in their path, and intimidate them by making them seek permission from agency heads in Washington before they can do their jobs.

This bill is about scoring political points with outside groups, even if it means harming our precious public resources.

Not only is H.R. 4089 bad policy, it is an expensive piece of legislation. Again, according to the nonpartisan Congressional Budget Office, forcing the Federal land management agencies to scrap decades of careful planning and then forcing them to redraft all of these current plans according to the dictates of politicians here in Washington will ultimately cost \$12 million.

□ 1530

On a day when the majority has voted to deem the Ryan budget in place, a budget we are told is necessary, even though it will devastate our seniors, our students, our families, our environment, the majority is asking the House to vote for \$12 million in new spending that is both unnecessary and harmful.

Hunting and fishing and recreational shooting are commonplace on Federal lands. The only step this Congress could take to endanger these activities is to pass H.R. 4089.

With that, Madam Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 4 minutes to the author of one of those pieces of legislation, the chairman of the Veterans' Affairs Committee, the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. I thank Chairman HASTINGS for yielding, Subcommittee Chairman BISHOP and all the members of the Natural Resources Committee for their help and support in bringing this piece of legislation to the floor.

I also want to take this time to say thank you to the entire sportsmen's community, which has worked very hard to solidify the support here in Congress, including Congressmen BENISHEK, FLAKE, YOUNG, and BROWN, and my counterparts in the Congressional Sportsmen's Caucus leadership, Congressmen ROSS, LATTA, and SHULER.

I would be remiss not to recognize the efforts of the individuals who have diligently worked together with the sportsmen's community to help advance this very bipartisan package of legislation.

I agree with my friends on the other side of the aisle that hunting, fishing, and other wildlife-dependent activities have always and should be continued on our public lands. What this legislation does is protects sportsmen's rights. It protects sportsmen's rights that preserves our Nation's heritage; and among the provisions in this legislation, it prevents the EPA from expanding TSCA to regulate traditional ammunition and fishing tackle.

Those in opposition may suggest it is the majority's belief that lead shot, bullets, and other projectiles, propellants, and primers should not be regulated by anyone at all. But as you heard just a moment ago by the chairman of the full committee, State fish and wildlife agencies are authorized to manage most of the States' fish and wildlife activities and, therefore, closely monitor and address any local concerns about lead-based ammunition.

Some will also falsely claim that there is significant danger to wildlife populations. With very limited exceptions, there is simply no sound evidence that the use of traditional ammunition is causing harm to wildlife or their populations. Others incorrectly claim that traditional ammunition was a threat to human health. In fact, according to the CDC, there has never, never been a case where lead poisoning has been traced to wild-game meat.

Succumbing to the anti-hunting and anti-fishing groups at the expense of the taxpayer and sportsmen, it will be detrimental to the countless manufacturing facilities of sportsmen and recreational industry. It will destroy thousands of jobs and hurt wildlife conservation funding and efforts.

It is the very ammunition, the firearms and the fishing tackle, along with

sportsmen and -women that are footing the bill to manage, to protect, and create the habitat for the species that the very anti-hunting and -angling interests claim that they are trying to save. That is why the sportsmen's conservation organizations and the State fish and game agencies have united with industry and Second Amendment interests to get behind this piece of legislation.

While there is still much work to be done to ensure that sportsmen's rights continue to be protected, H.R. 4089 addresses some of the sportsmen's communities' most pressing concerns, and I urge passage of this important piece of legislation.

Mr. GRIJALVA. I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. BROWN), who is a member of the Natural Resources Committee.

Mr. BROWN of Georgia. Thank you, Mr. Chairman.

I rise today in support of H.R. 4089, the Sportsmen's Heritage Act of 2012, a bill that will protect hunting and fishing on public lands and preserve the use of traditional ammunition and fishing tackle.

I am an avid hunter and sportsman. In fact, I'm a life member of Safari Club International and my life member number is 17. I began coming to Washington, D.C., as a volunteer advocate for hunting and fishing rights and for gun owners' rights and responsible conservation. I'm also honored to be a life member of the National Rifle Association. I know the importance of ensuring that our hunters' and our anglers' rights are protected, as well as ensuring the sustainability of wildlife.

This legislation is a compilation of four pro-hunting, -shooting, and -fishing bills offered by my friends JEFF MILLER of Florida, DON YOUNG of Alaska, JEFF FLAKE of Arizona, and Dr. DAN BENISHEK of Michigan. I commend all of them for their great work on this issue. I am also pleased to say that I cosponsored all of their legislation.

Of note, I would like to personally thank Dr. BENISHEK for allowing me to amend his portion of the bill, the Recreational Fishing and Hunting Heritage Opportunities Act, that we marked up in our Natural Resources Committee.

In this Congress, as I have done in the past two Congresses, I introduced H.R. 1444, legislation that would require that hunting activities be considered as a land use in all management plans for Federal land. My amendment was complementary to Mr. BENISHEK's legislation, and it is included in this legislation that we are voting on today.

Sportsmen devote their time, their money, and their efforts towards ensuring that our Nation's fish and wildlife

are sustainable for all Americans to enjoy. In return, I urge my colleagues to support the Sportsmen's Heritage Act so that future generations can continue to hunt, fish, and enjoy God-given natural resources.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. BROWN of Georgia. I urge my colleagues to support the Sportsmen's Heritage Act so that future generations can continue to hunt, fish, and enjoy the God-given natural resources that were bestowed upon this country.

Mr. GRIJALVA. Madam Chair, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chair, I yield 2 minutes to the gentleman from Michigan, Dr. BENISHEK, who is also a sponsor of one of the pieces of legislation that's part of this legislation.

Mr. BENISHEK. Madam Chairman, I come before the House today as a cosponsor and a strong supporter of the Sportsmen's Heritage Act.

I thank my good friend, Chairman MILLER, for introducing it, and I'm particularly pleased that title I of the bill contains the Recreational Fishing and Hunting Heritage Opportunities Act, a bill I introduced last September.

Madam Chairman, my northern Michigan district is blessed with abundant natural resources, including three Federal forests. Like many in the First District, I have enjoyed hunting and fishing since I was a child. These are memories I have cherished for a lifetime, and I want to ensure that northern Michigan's children and grandchildren will be able to enjoy the same.

Today's bipartisan bill is not some sweeping or radical piece of legislation. It simply confirms that sportsmen will be able to access Federal lands to enjoy fishing, hunting, and recreational shooting. These pursuits are part of the tradition of American public land use, but regrettably they are threatened by animal rights and environmental groups that seek to end that tradition.

Like many in this House, I believe these traditions are something to be celebrated and protected. Whether it's trout fishing in May, deer hunting in November, or just shooting clays with some friends, every person in this country has a right to enjoy these lands.

Madam Chairman, let us make clear today that hunting, fishing, and recreational shooting on Federal lands must be protected. Let us make sure that when our grandchildren pick up their fishing rod or firearm for their first time and head out into America's great outdoors, they have the same rights and privileges that we have always known.

I invite all my colleagues to visit northern Michigan this summer for

some of the best trout fishing in America or visit this October or November for some grouse and deer hunting.

Mr. GRIJALVA. Madam Chair, just to make sure that the record is clear, as I mentioned, much of our public lands—and CBO mentioned that as well—are open to hunting, fishing, and recreational shooting.

□ 1540

I think it's important to see how that translates into acreage:

BLM lands, 245 million acres, 95 percent open;

Park Service, 84 million acres, 70 percent open;

Fish and Wildlife, 150 million acres, 57 percent open;

Forest Service, 193 million acres, 95 percent open.

The real threat to access to our public lands for hunters, anglers, and recreational shooting is the privatization of these very important public resources, degraded habitat due to lack of funding, and development that disrupts habitat and water quality.

The majority frequently laments that Federal lands dominate the West and are robbing local communities of important resources. They have promoted taking these same lands and giving it to the States, liquidating others, and intensely developing what is left. If that is the pattern of land management that the majority seeks for our public lands, then hunters, anglers, recreational and people that enjoy our open spaces and public lands will be more endangered by that public policy than by a problem that this bill attempts to address that doesn't exist.

I reserve the balance of my time.

Mr. HASTINGS of Washington. I am very pleased to yield 1 minute to the gentleman from Arizona, somebody who has worked on this legislation, Mr. GOSAR.

Mr. GOSAR. Thank you, Mr. Chairman.

Madam Chair, I rise in support of the Sportsmen's Heritage Act of 2012. I have lived in rural America my entire life, where hunting, fishing, and sport shooting are more than just hobbies—they are a way of life.

Unfortunately, in Arizona, where the Federal Government administers nearly 50 percent of our land, recreational activities are being restricted by ill-advised land management decisions. BLM has shut down nearly 72,000 acres in Agua Fria and is targeting 600,000 more at the Sonoran Desert and the Ironwood Forest National Monument.

The bill we are considering today removes government roadblocks to these activities and guards against new regulations that threaten to block or limit access to hunting and fishing. Our way of life should not be infringed upon because of the prejudices of bureaucrats who do not understand the lifestyles of sportsmen in rural America.

I urge my colleagues to protect jobs, economic growth, and the traditional right of American sportsmen to hunt and fish. Vote "yes" on H.R. 4089, the Sportsmen's Heritage Act.

Mr. GRIJALVA. I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I yield myself such time as I may consume.

Let me touch a bit on an issue that was brought up as to the cost of this legislation—cost that I acknowledge was scored by the Congressional Budget Office. I have to say, sometimes we have differences with those agencies. I guess that's understandable. But they suggest that there is a cost associated with this bill. Let me kind of walk through some points of this bill that I hope will point out: How can there be a cost associated with it?

Because, first of all, this bill does not create a new program. New programs would be associated with cost. This does not create a new program. It does not authorize any new spending. So because it doesn't authorize spending, how can there be a cost associated with it? It does not authorize any new personnel. So if we don't add any new personnel, how can there be a cost associated with it? Further, the bill restricts the ability of Federal land managers to oppose restrictions. Well, if they do less, one would say, logically, how could there be a cost associated with it?

I think what the reason is—and sometimes we point fingers here too much, but I mentioned in my opening statement that the Department of the Interior had some problems with this legislation, and maybe they had some problems and said that there would be new activities for people that work for them and, therefore, there would be a cost.

Let me reiterate: it doesn't create a new program. It does not authorize new spending, doesn't hire anybody. Under current law, they are required to do what they are required to do. How could that possibly cost more money? But yet that is what the CBO scored, and there's absolutely nothing we can do because that's their score.

But I will tell you, Madam Chairman, for the record, I highly doubt that if one were to walk their way through the restrictions that I have here and apply it to any other legislation, I would have to think that there would be no costs associated with that legislation. And I think that is probably the case, when you really get down to it, on this legislation.

With that, I reserve the balance of my time.

Mr. GRIJALVA. May I inquire as to how much time is remaining?

The CHAIR. The gentleman from Arizona has 23 minutes remaining, and the gentleman from Washington has 11½ minutes remaining.

Mr. GRIJALVA. I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. I am very pleased to yield 3 minutes to another gentleman that has authored legislation that is part of the title of this legislation, the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Thank you, Mr. Chairman, for yielding.

I rise in support of H.R. 4089, the Sportsmen's Heritage Act.

I have appreciated the opportunity and have helped with the introduction of legislation that will protect and enhance opportunities for recreational hunting, fishing, and shooting. I am proud that the Recreational Shooting Protection Act, legislation that I introduced earlier this year, is a critical measure towards protecting the rights of recreational shooters and is included in the bill that we're debating today.

As I stand here, the Bureau of Land Management is actively working to ban recreational shooting in both the Sonoran Desert and Ironwood Forest National Monument in Arizona. That's more than 600,000 acres of taxpayer-supported public lands that, if the administration had its druthers, would be closed to recreational shooting in my State of Arizona alone.

Don't be confused; this isn't just an Arizona issue. In 2010 alone, the agency unilaterally closed more than 400,000 acres across three States to recreational shooting. Just as troubling as the closures themselves is the process by which they're coming about. The mechanism for these closures is just bureaucratic fiat.

Too often, the BLM seems quick to point to the action of some bad actors and just as quick to ignore that many recreational shooting enthusiasts responsibly use their Federal lands and the existing laws already on the books that make disreputable actions illegal already. Whether it's closing a million acres of Federal lands to do mining, investigating costly pollution controls for a new power plant, trying to require costly modifications to pools, or locking up recreational shooting areas, you would think that the administration's arms at some point would get tired from overreaching.

As a remedy in the shooting areas, the Recreational Shooting Protection Act portion of the bill would require congressional approval for existing and future recreational shooting restrictions on BLM-managed national monument lands. It would also direct the BLM to manage national monument lands in a manner that enhances recreational shooting opportunities. I should say that that really is the instructions that the agencies are under now, yet they're continuing to carry forward with these actions.

For generations, the Federal Government has recognized recreational shooting as a traditional and legitimate activity on public lands. Nowhere

is this more relevant than in the Western States, like Arizona, where communities are often and literally surrounded by Federal lands.

To be clear, all this provision advocates is an additional layer of supervision and oversight of the process. It does not prevent the closure of BLM lands to recreational shooting, it does not unconditionally reverse existing closures, and it does not grant recreational shooters *carte blanche* on national monument lands. It also does not authorize any new spending.

I believe the Recreational Shooting Protection Act affords Congress the necessary oversight to prevent unnecessary recreational shooting bans, and I urge its adoption.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. FLAKE. Thank you.

I should mention that as a diverse package of critical natural resource bills, the Sportsmen's Heritage Act is poised to protect and enhance opportunities for sportsmen across the Nation. I urge its passage.

Again, I thank the chairman for bringing this forward, and those who've worked on the broader piece of legislation. It's a good piece of legislation. It ought to be passed.

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Mr. GRIJALVA. Madam Chairman, my State and my colleague's, Congressman FLAKE's, State, and my district are both blessed with Federal lands, both Forest Service Bureau of Land Management areas. The debate over access for shooting has been fierce for many, many years. We've had closures of some areas because shooting activities, in particular, using saguaro cactuses as targets, was impacting the lands, and the ironwood, which is an endangered bosque that is one of the few left in our Nation and certainly in the Southwest.

These processes by which communities go through an arbitrary, cookie-cutter approach at the national level in terms of recreational shooting robs the local community of their ability to impact and their ability to be able to negotiate compromise and draw consensus on appropriate shooting ranges and sites.

I would suggest that here in Washington, D.C., whether it's Congress or the officials here in Washington making those decisions for Arizona, for our respective districts, that the reaction from the public will not be a good one insofar as they have been robbed of the opportunity to find a workable solution for all the parties involved.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to

yield 2 minutes to a vice chairman of the bipartisan Sportsmen's Caucus, Mr. LATTA, from Ohio.

Mr. LATTA. I thank the gentleman.

Madam Chairman, I rise today in support of H.R. 4089, the Sportsmen's Heritage Act of 2012. This important legislation for sportsmen and -women protect their rights to hunt and fish while limiting restrictions in regards to these activities. As a lifelong hunter and Ohio hunter education instructor and current vice chairman of the Congressional Sportsmen's Caucus, these issues are not only important to me but to my constituents, as well as individuals across this Nation.

I strongly support H.R. 4089 and will discuss a provision of the bill relating to the importance of having access to public lands for our sportsmen and -women. This portion of the bill would ensure that Federal land management agencies, primarily the Forest Service and the Bureau of Land Management, act to protect and foster hunting, fishing, and shooting traditions on Federal public lands by directing these Federal agencies to exercise their land management discretion to facilitate sportsmen's and -women's activities.

One of my priorities has been to ensure our youth have the opportunities to access to become involved in hunting, fishing, and other shooting sports. One of the main reasons cited as to why sportsmen and -women stop participating in these activities is the limitation and access of land. By having more access to Federal lands, it helps current users and facilitates that next generation of hunters, anglers, and shooters.

In my home State of Ohio, only 3 percent of the land is publicly owned, whereas in some of our Western States, the majority of the land is publicly owned, as just mentioned by my friend. For example, in Nevada, approximately 80 percent of the land is Federal land, and in Wyoming, it's almost 50 percent. Again, if these lands in these States with large tracts of Federal lands are restricted, hunters and recreational fishermen and -women will not be able to participate in those outdoor activities. And, again, it will impede our youth from being able to participate in the future because, again, they rely on those adults to get them out.

I strongly urge my colleagues to support H.R. 4089, and I thank the gentleman.

Mr. GRIJALVA. If I may, if I could inquire from Chairman HASTINGS as to anymore speakers. I am prepared to close.

Mr. HASTINGS of Washington. I thank the gentleman. I am prepared to close, and so if he wishes to close, then I will close on my side.

Mr. GRIJALVA. Thank you, Mr. Chairman.

Dams, derricks, distress sales—that has been the agenda of the majority

until today regarding our public lands. Today, an epiphany. We need to protect wildlife habitat, water quality and access for hunters, fishermen, anglers, and recreational shooting. Promoting more hunting and fishing activities on Federal land involves ensuring the habitat is protected, acquiring new lands to expand existing habitats, funding wildlife and habitat management and continuing to ensure that our parks, forests, monuments, and wildlife areas remain in public hands.

So if we're going to have a discussion about access for a very wide and broad issue of hunting and fishing on our public lands, we should do that, have a serious discussion. I invite the majority to enter into that, a serious discussion about the funding for fish and wildlife habitat, a serious discussion of land acquisition to increase access and availability for hunters and fishermen and clean water programs that would ensure that that habitat is protected.

Hunting and fishing are under attack, but they're under attack from privatization and development, not from Federal land managers.

This bill says that top-down Washington knows best, knows the best management and that that is the way to go. We support letting local land managers and local communities do their job. You can't say you trust CBO when you like the score and don't trust CBO when you don't like the score. A vote for this bill is a vote to spend \$12 million. It's that simple. A vote for this bill is to continue the philosophy of dams, derricks, and distress sales of our public lands under the guise—under the guise—of solving a problem for hunters and fishermen in this country that does not exist on the public lands.

Four out of five acres is available for hunting and fishing on our public lands. I would suggest that that is not just a question of being enough; that is about access and opportunity on our public lands for those activities. Let's not jeopardize them.

Vote "no" on H.R. 4089, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I yield myself the balance of the time.

The CHAIR. The gentleman is recognized for up to 6 minutes.

Mr. HASTINGS of Washington. Let's go back and set the stage for why this legislation is needed, and let's understand that public lands were designated for multiple use which, of course, means recreation and, of course, commercial activity, unless Congress says otherwise. And the most obvious example of where Congress says otherwise is in wilderness designations. But even then, in wilderness designations, there are certain activities. But Federal lands were designed to be multiple use.

The reason for this legislation is because we are finding arbitrary decisions on the ground not for the exceptions that Congress looked at that

would restrict land activity. The gentleman from Arizona (Mr. FLAKE) pointed that out very well with his portion of this bill.

Some of the restrictions make perfectly good sense if one were to look at it hopefully logically, and sometimes we miss that point when we debate here on the floor. One of the reasons is for reasons of national security. If there should be restrictions on public lands for national security, nobody, I think, would argue with that. If there should be restrictions on public lands for public health, nobody would argue with that. Forest fires or wildfires come to mind in that situation—or if they are contrary to applicable Federal statutes. All of those things make sense.

But let's not lose the underlying principle of public lands, that they should be for multiple use. And what this legislation simply does is reiterates, reiterates that hunting and fishing have their portion—not higher, not lower—but have their portion on use for public lands. That's what the whole intent of this legislation is.

We hear my friends on the other side of the aisle saying this is becoming top down; and yet when you look at the concerns that Members have had trying to offer amendments where they're trying to get more flexibility, you can't have it both ways. This simply reiterates what are the national standards. It should be multiple use, but particularly in this case as it relates to hunting and fishing.

With that, I urge adoption of the legislation, and I yield back the balance of my time.

Mr. VAN HOLLEN. Madam Chair, this so-called "Sportsmen's Heritage Act" is an amalgam of four separate bills that have more to do with undermining conservation laws than hunting, fishing or recreational shooting.

Like many Americans and most Members of this House, I don't have a problem with hunting, fishing or recreational shooting on federal land where appropriate. As a practical matter, over 75% of all federal lands are already open to hunting and fishing—and more than 85% of all national monuments are open for recreational shooting. But as a matter of common sense, these recreational activities need to be balanced against the health and safety of other park users and uses, as well as the proper management of wildlife and wildfire risk. And at the end of the day, these kinds of decisions are best made by local land managers, not an agency head in Washington, D.C.

This legislation is further encumbered by a regulatory earmark benefitting an estimated 41 trophy hunters at the expense of our endangered species laws, and a provision banning the EPA from doing something it has already publicly said it isn't going to do.

Accordingly, I urge a no vote.

Mr. RYAN of Wisconsin. Madam Chair, as an avid outdoorsman and member of the bipartisan Congressional Sportsmen's Caucus, I am grateful for the opportunity to voice my

support for H.R. 4089, the Sportsmen's Heritage Act. This legislation clarifies federal policies for the management of sporting activities on public lands and protects opportunities for recreational hunting, fishing, and shooting. I commend the House Committee on Natural Resources for their commitment to preserving the legacy of conservation and upholding Second Amendment rights, and I urge my colleagues to vote in favor of this important legislation.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112 19. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 4089

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Sportsmen's Heritage Act of 2012".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—RECREATIONAL FISHING AND HUNTING HERITAGE AND OPPORTUNITIES

Sec. 101. Short title.

Sec. 102. Findings.

Sec. 103. Definition.

Sec. 104. Recreational fishing, hunting, and shooting.

TITLE II—RECREATIONAL SHOOTING PROTECTION

Sec. 201. Short title.

Sec. 202. Definitions.

Sec. 203. Recreational shooting.

TITLE III—POLAR BEAR CONSERVATION AND FAIRNESS

Sec. 301. Short title.

Sec. 302. Permits for importation of polar bear trophies taken in sport hunts in Canada.

TITLE IV—HUNTING, FISHING, AND RECREATIONAL SHOOTING PROTECTION

Sec. 401. Short title.

Sec. 402. Modification of definition.

TITLE I—RECREATIONAL FISHING AND HUNTING HERITAGE AND OPPORTUNITIES

SEC. 101. SHORT TITLE.

This title may be cited as the "Recreational Fishing and Hunting Heritage and Opportunities Act".

SEC. 102. FINDINGS.

Congress finds that—

(1) recreational fishing and hunting are important and traditional activities in which millions of Americans participate;

(2) recreational anglers and hunters have been and continue to be among the foremost supporters of sound fish and wildlife management and conservation in the United States;

(3) recreational fishing and hunting are environmentally acceptable and beneficial activities that occur and can be provided on Federal public lands and waters without adverse effects on other uses or users;

(4) recreational anglers, hunters, and sporting organizations provide direct assistance to fish and wildlife managers and enforcement officers of the Federal Government as well as State and local governments by investing volunteer time and effort to fish and wildlife conservation;

(5) recreational anglers, hunters, and the associated industries have generated billions of dollars of critical funding for fish and wildlife conservation, research, and management by providing revenues from purchases of fishing and hunting licenses, permits, and stamps, as well as excise taxes on fishing, hunting, and shooting equipment that have generated billions of dollars of critical funding for fish and wildlife conservation, research, and management;

(6) recreational shooting is also an important and traditional activity in which millions of Americans participate, safe recreational shooting is a valid use of Federal public lands, and participation in recreational shooting helps recruit and retain hunters and contributes to wildlife conservation;

(7) opportunities to recreationally fish, hunt, and shoot are declining, which depresses participation in these traditional activities, and depressed participation adversely impacts fish and wildlife conservation and funding for important conservation efforts; and

(8) the public interest would be served, and our citizens' fish and wildlife resources benefited, by action to ensure that opportunities are facilitated to engage in fishing and hunting on Federal public land as recognized by Executive Order 12962, relating to recreational fisheries, and Executive Order 13443, relating to facilitation of hunting heritage and wildlife conservation.

SEC. 103. DEFINITION.

In this title:

(1) **FEDERAL PUBLIC LAND.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term "Federal public land" means any land or water that is—

(i) owned by the United States; and

(ii) managed by a Federal agency (including the Department of the Interior and the Forest Service) for purposes that include the conservation of natural resources.

(B) **EXCLUSION.**—The term "Federal public land" does not include any land or water held in trust for the benefit of Indians or other Native Americans.

(2) **HUNTING.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term "hunting" means use of a firearm, bow, or other authorized means in the lawful—

(i) pursuit, shooting, capture, collection, trapping, or killing of wildlife; or

(ii) attempt to pursue, shoot, capture, collect, trap, or kill wildlife.

(B) **EXCLUSION.**—The term "hunting" does not include the use of skilled volunteers to cull excess animals (as defined by other Federal law, including laws applicable to the National Park System).

(3) **RECREATIONAL FISHING.**—The term "recreational fishing" means the lawful—

(A) pursuit, capture, collection, or killing of fish; or

(B) attempt to capture, collect, or kill fish.

(4) **RECREATIONAL SHOOTING.**—The term "recreational shooting" means any form of sport, training, competition, or pastime, whether formal or informal, that involves the discharge of a rifle, handgun, or shotgun, or the use of a bow and arrow.

SEC. 104. RECREATIONAL FISHING, HUNTING, AND SHOOTING.

(a) *IN GENERAL.*—Subject to valid existing rights and subsection (g), and cooperation with the respective State and fish and wildlife agency, Federal public land management officials shall exercise their authority under existing law, including provisions regarding land use planning, to facilitate use of and access to Federal public lands and waters for fishing, sport hunting, and recreational shooting except as limited by—

(1) statutory authority that authorizes action or withholding action for reasons of national security, public safety, or resource conservation;

(2) any other Federal statute that specifically precludes recreational fishing, hunting, or shooting on specific Federal public lands, waters, or units thereof; and

(3) discretionary limitations on recreational fishing, hunting, and shooting determined to be necessary and reasonable as supported by the best scientific evidence and advanced through a transparent public process.

(b) *MANAGEMENT.*—Consistent with subsection (a), the head of each Federal public land management agency shall exercise its land management discretion—

(1) in a manner that supports and facilitates recreational fishing, hunting, and shooting opportunities;

(2) to the extent authorized under applicable State law; and

(3) in accordance with applicable Federal law.

(c) *PLANNING.*—

(1) *EFFECTS OF PLANS AND ACTIVITIES.*—

(A) *EVALUATION OF EFFECTS ON OPPORTUNITIES TO ENGAGE IN RECREATIONAL FISHING, HUNTING, OR SHOOTING.*—Federal public land planning documents, including land resources management plans, resource management plans, travel management plans, general management plans, and comprehensive conservation plans, shall include a specific evaluation of the effects of such plans on opportunities to engage in recreational fishing, hunting, or shooting.

(B) *NOT MAJOR FEDERAL ACTION.*—No action taken under this title, or under section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd), either individually or cumulatively with other actions involving Federal public lands, shall be considered to be a major Federal action significantly affecting the quality of the human environment, and no additional identification, analysis, or consideration of environmental effects, including cumulative effects, is necessary or required.

(C) *OTHER ACTIVITY NOT CONSIDERED.*—The fact that recreational fishing, hunting, or shooting occurs on adjacent or nearby public or private lands shall not be considered in determining which Federal public lands are open for these activities or for setting levels of use for these activities.

(2) *USE OF VOLUNTEERS.*—If hunting is prohibited by law, all Federal public land planning documents of listed in paragraph (1)(A) of an agency shall, after appropriate coordination with State fish and wildlife agency, allow the participation of skilled volunteers in the culling and other management of wildlife populations on Federal public lands unless the head of the agency demonstrates, based on the best scientific data available or applicable Federal statutes, why skilled volunteers shall not be used to control overpopulations of wildlife on the land that is the subject of the planning documents.

(d) *BUREAU OF LAND MANAGEMENT AND FOREST SERVICE LANDS.*—

(1) *LANDS OPEN.*—Lands under the jurisdiction of the Bureau of Land Management and the Forest Service, including lands designated as wilderness or administratively classified as wilderness eligible or suitable and primitive or semi-primitive areas but excluding lands on the

Outer Continental Shelf, shall be open to recreational fishing, hunting, and shooting unless the managing Federal agency acts to close lands to such activity. Lands may be subject to closures or restrictions if determined by the head of the agency to be necessary and reasonable and supported by facts and evidence, for purposes including resource conservation, public safety, energy or mineral production, energy generation or transmission infrastructure, water supply facilities, protection of other permittees, protection of private property rights or interests, national security, or compliance with other law. The head of the agency shall publish public notice of such closure or restriction before it is effective, unless the closure or restriction is mandated by other law.

(2) *SHOOTING RANGES.*—

(A) *IN GENERAL.*—The head of each Federal agency—

(i) may lease its lands for shooting ranges; and

(ii) may designate specific lands for recreational shooting activities.

(B) *LIMITATION ON LIABILITY.*—Any designation under subparagraph (A)(ii) shall not subject the United States to any civil action or claim for monetary damages for injury or loss of property or personal injury or death caused by any activity occurring at or on such designated lands.

(e) *NECESSITY IN WILDERNESS AREAS.*—

(1) The provision of opportunities for hunting, fishing and recreational shooting, and the conservation of fish and wildlife to provide sustainable use recreational opportunities on designated wilderness areas on Federal public lands shall constitute measures necessary to meet the minimum requirements for the administration of the wilderness area.

(2) The “within and supplemental to” Wilderness purposes, as provided in Public Law 88-577, section 4(c), means that any requirements imposed by that Act shall be implemented only insofar as they facilitate or enhance the original or primary purpose or purposes for which the Federal public lands or Federal public land unit was established and do not materially interfere with or hinder such purpose or purposes.

(f) *ANNUAL REPORT.*—

(1) *IN GENERAL.*—Not later than October 1 of each year, the head of each Federal agency who has authority to manage Federal public land on which fishing, hunting, or recreational shooting occurs shall publish in the Federal Register and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) any Federal public land administered by the agency head that was closed to recreational fishing, sport hunting, or shooting at any time during the preceding year; and

(B) the reason for the closure.

(2) *CLOSURES OR SIGNIFICANT RESTRICTIONS OF 640 OR MORE ACRES.*—

(A) *IN GENERAL.*—Other than closures under subsection (c), the withdrawal, any change of classification, or any change of management status that effectively closes or significantly restricts 640 or more contiguous acres of Federal public land or water to access or use for fishing or hunting or activities related to fishing and hunting (or both) shall take effect only if, before the date of withdrawal or change, the head of the Federal agency that has jurisdiction over the Federal public land or water—

(i) publishes notice of the closure, withdrawal, or significant restriction;

(ii) demonstrates that coordination has occurred with a State fish and wildlife agency; and

(iii) submits to the Committee on Natural Resources of the House of Representatives and the

Committee on Energy and Natural Resources of the Senate written notice of the withdrawal, change, or significant restriction.

(B) *AGGREGATE OR CUMULATIVE EFFECTS.*—If the aggregate or cumulative effect of small closures or significant restrictions affects 640 or more acres, such small closures or significant restrictions shall be subject to these requirements.

(g) *AREAS NOT AFFECTED.*—Nothing in this title requires the opening of national park or national monuments under the jurisdiction of the National Park Service to hunting or recreational shooting.

(h) *NO PRIORITY.*—Nothing in this title requires a Federal agency to give preference to recreational fishing, hunting, or shooting over other uses of Federal public land or over land or water management priorities established by Federal law.

(i) *CONSULTATION WITH COUNCILS.*—In fulfilling the duties set forth in this title, the heads of Federal agencies shall consult with respective advisory councils as established in Executive Orders 12962 and 13443.

(j) *AUTHORITY OF THE STATES.*—

(1) *IN GENERAL.*—Nothing in this title shall be construed as interfering with, diminishing, or conflicting with the authority, jurisdiction, or responsibility of any State to manage, control, or regulate fish and wildlife under State law (including regulations) on land or water within the State, including on Federal public land.

(2) *FEDERAL LICENSES.*—Nothing in this title authorizes the head of a Federal agency head to require a license or permit to fish, hunt, or trap on land or water in a State, including on Federal public land in the States, except that this paragraph shall not affect the Migratory Bird Stamp requirement set forth in the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718 et seq.).

TITLE II—RECREATIONAL SHOOTING PROTECTION**SEC. 201. SHORT TITLE.**

This title may be cited as the “Recreational Shooting Protection Act”.

SEC. 202. DEFINITIONS.

In this title:

(1) *DIRECTOR.*—The term “Director” means the Director of the Bureau of Land Management.

(2) *NATIONAL MONUMENT LAND.*—The term “National Monument Land” has the meaning given that term in the Act of June 8, 1908 (commonly known as the “Antiquities Act”; 16 U.S.C. 431 et seq.).

(3) *RECREATIONAL SHOOTING.*—The term “recreational shooting” includes any form of sport, training, competition, or pastime, whether formal or informal, that involves the discharge of a rifle, handgun, or shotgun, or the use of a bow and arrow.

SEC. 203. RECREATIONAL SHOOTING.

(a) *IN GENERAL.*—Subject to valid existing rights, National Monument land under the jurisdiction of the Bureau of Land Management shall be open to access and use for recreational shooting, except such closures and restrictions determined by the Director to be necessary and supported by facts and evidence for one or more of the following:

(1) Reasons of national security.

(2) Reasons of public safety.

(3) To comply with an applicable Federal statute.

(4) To comply with a law (including regulations) of the State in which the National Monument land is located that is applicable to recreational shooting.

(b) *NOTICE; REPORT.*—

(1) *REQUIREMENT.*—Except as set forth in paragraph (2)(B), before a restriction or closure under subsection (a) is made effective, the Director shall—

(A) publish public notice of such closure or restriction in a newspaper of general circulation in the area where the closure or restriction will be carried out; and

(B) submit to Congress a report detailing the location and extent of, and evidence justifying, such a closure or restriction.

(2) **TIMING.**—The Director shall issue the notice and report required under paragraph (1)—

(A) before the closure if practicable without risking national security or public safety; and

(B) in cases where such issuance is not practicable for reasons of national security or public safety, not later than 30 days after the closure.

(c) **CESSATION OF CLOSURE OR RESTRICTION.**—A closure or restriction under paragraph (1) or (2) of subsection (a) shall cease to be effective—

(1) effective on the day after the last day of the six-month period beginning on the date on which the Director submitted the report to Congress under subsection (b)(2) regarding the closure or restriction, unless the closure or restriction has been approved by Federal law; and

(2) 30 days after the date of the enactment of a Federal law disapproving the closure or restriction.

(d) **MANAGEMENT.**—Consistent with subsection (a), the Director shall manage National Monument land under the jurisdiction of the Bureau of Land Management—

(1) in a manner that supports, promotes, and enhances recreational shooting opportunities;

(2) to the extent authorized under State law (including regulations); and

(3) in accordance with applicable Federal law (including regulations).

(e) **LIMITATION ON DUPLICATIVE CLOSURES OR RESTRICTIONS.**—Unless supported by criteria under subsection (a) as a result of a change in circumstances, the Director may not issue a closure or restriction under subsection (a) that is substantially similar to closure or restriction previously issued that was not approved by Federal law.

(f) **EFFECTIVE DATE FOR PRIOR CLOSURES AND RESTRICTIONS.**—On the date that is six months after the date of the enactment of this Act, this title shall apply to closures and restrictions in place on the date of the enactment of this title that relate to access and use for recreational shooting on National Monument land under the jurisdiction of the Bureau of Land Management.

(g) **ANNUAL REPORT.**—Not later than October 1 of each year, the Director shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) any National Monument land under the jurisdiction of the Bureau of Land Management that was closed to recreational shooting or on which recreational shooting was restricted at any time during the preceding year; and

(2) the reason for the closure.

(h) **NO PRIORITY.**—Nothing in this title requires the Director to give preference to recreational shooting over other uses of Federal public land or over land or water management priorities established by Federal law.

(i) **AUTHORITY OF THE STATES.**—

(1) **SAVINGS.**—Nothing in this title affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under State law (including regulations) on land or water in the State, including Federal public land.

(2) **FEDERAL LICENSES.**—Nothing in this title authorizes the Director to require a license for recreational shooting on land or water in a State, including on Federal public land in the State.

TITLE III—POLAR BEAR CONSERVATION AND FAIRNESS

SEC. 301. SHORT TITLE.

This title may be cited as the “Polar Bear Conservation and Fairness Act of 2012”.

SEC. 302. PERMITS FOR IMPORTATION OF POLAR BEAR TROPHIES TAKEN IN SPORT HUNTS IN CANADA.

Section 104(c)(5)(D) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374(c)(5)(D)) is amended to read as follows:

“(D)(i) The Secretary of the Interior shall, expeditiously after the expiration of the applicable 30-day period under subsection (d)(2), issue a permit for the importation of any polar bear part (other than an internal organ) from a polar bear taken in a sport hunt in Canada to any person—

“(I) who submits, with the permit application, proof that the polar bear was legally harvested by the person before February 18, 1997; or

“(II) who has submitted, in support of a permit application submitted before May 15, 2008, proof that the polar bear was legally harvested by the person before May 15, 2008, from a polar bear population from which a sport-hunted trophy could be imported before that date in accordance with section 18.30(i) of title 50, Code of Federal Regulations.

“(ii) The Secretary shall issue permits under clause (i)(I) without regard to subparagraphs (A) and (C)(ii) of this paragraph, subsection (d)(3), and sections 101 and 102. Sections 101(a)(3)(B) and 102(b)(3) shall not apply to the importation of any polar bear part authorized by a permit issued under clause (i)(I). This clause shall not apply to polar bear parts that were imported before June 12, 1997.

“(iii) The Secretary shall issue permits under clause (i)(II) without regard to subparagraph (C)(ii) of this paragraph or subsection (d)(3). Sections 101(a)(3)(B) and 102(b)(3) shall not apply to the importation of any polar bear part authorized by a permit issued under clause (i)(II). This clause shall not apply to polar bear parts that were imported before the date of enactment of the Polar Bear Conservation and Fairness Act of 2012.”

TITLE IV—HUNTING, FISHING, AND RECREATIONAL SHOOTING PROTECTION

SEC. 401. SHORT TITLE.

This title may be cited as the “Hunting, Fishing, and Recreational Shooting Protection Act”.

SEC. 402. MODIFICATION OF DEFINITION.

Section 3(2)(B) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)) is amended—

(1) in clause (v), by striking “, and” and inserting “, or any component of any such article including, without limitation, shot, bullets and other projectiles, propellants, and primers.”;

(2) in clause (vi) by striking the period at the end and inserting “, and”;

(3) by inserting after clause (vi) the following:

“(vii) any sport fishing equipment (as such term is defined in subsection (a) of section 4162 of the Internal Revenue Code of 1986) the sale of which is subject to the tax imposed by section 4161(a) of such Code (determined without regard to any exemptions from such tax as provided by section 4162 or 4221 or any other provision of such Code), and sport fishing equipment components.”

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 112-444. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by

the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1600

AMENDMENT NO. 1 OFFERED BY MR. HASTINGS OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112-444.

Mr. HASTINGS of Washington. Madam Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 15, after “of Federal public lands,” insert “including the establishment of safe and convenient shooting ranges on such lands.”

Page 5, line 4, strike “; or” and insert a semicolon.

Page 5, line 6, strike the period and insert “; or”.

Page 5, after line 6, insert the following:

(iii) the training of hunting dogs, including field trials.

Page 6, line 5, strike “and waters” and insert “, including Wilderness Areas, Wilderness Study Areas, or lands administratively classified as wilderness eligible or suitable and primitive or semi-primitive areas.”

Page 7, line 20, after “(16 U.S.C. 668dd),” insert “as amended by the National Wildlife Refuge System Improvement Act of 1997.”

Page 8, strike lines 4 through 10 and insert the following:

(C) **OTHER ACTIVITY NOT CONSIDERED.**—Federal public land management officials are not required to consider the existence or availability of recreational fishing, hunting, or shooting opportunities on adjacent or nearby public or private lands in the planning for or determination of which Federal public lands are open for these activities or in the setting of levels of use for these activities on Federal public lands, unless the combination or coordination of such opportunities would enhance the recreational fishing, hunting, or shooting opportunities available to the public.

Page 8, line 13, strike “of” the first place it appears.

Page 8, line 15, strike “agency” and insert “agencies”

Page 9, line 3, after “Forest Service, including” insert “Wilderness Areas, Wilderness Study Areas,”

Page 9, beginning at line 18, strike “The head” and all that follows through line 21.

Page 9, strike lines 23 through page 10, line 4 and insert the following:

(A) **IN GENERAL.**—The head of each Federal agency shall use his or her authorities in a manner consistent with this Act and other applicable law, to—

(i) lease or permit use of lands under the jurisdiction of the agency for shooting ranges; and

(ii) designate specific lands under the jurisdiction of the agency for recreational shooting activities.

Page 10, strike line 12 and all that follows through page 11, line 3, and insert the following:

(e) **NECESSITY IN WILDERNESS AREAS AND “WITHIN AND SUPPLEMENTAL TO” WILDERNESS PURPOSES.**—

(1) **MINIMUM REQUIREMENTS FOR ADMINISTRATION.**—The provision of opportunities for

hunting, fishing and recreational shooting, and the conservation of fish and wildlife to provide sustainable use recreational opportunities on designated wilderness areas on Federal public lands shall constitute measures necessary to meet the minimum requirements for the administration of the wilderness area.

(2) The term "within and supplemental to" Wilderness purposes in section 4(a) of Public Law 88-577, means that any requirements imposed by that Act shall be implemented only insofar as they do not prevent Federal public land management officials and State fish and wildlife officials from carrying out their wildlife conservation responsibilities or providing recreational opportunities on the Federal public lands subject to a wilderness designation.

(3) Paragraphs (1) and (2) are not intended to authorize or facilitate commodity development, use, or extraction, or motorized recreational access or use.

Page 11, strike line 4 and all that follows through line 6, and insert the following:

(f) REPORT.—Not later than October 1 of every other year, beginning with the second October 1 after the date of the enactment of this Act, the head of each Federal agency who has

Page 11, line 9, strike "publish in the Federal Register and".

Page 11, lines 14 through 18, redesignate subparagraphs (A) and (B) as paragraphs (1) and (2), respectively (and conform the margins accordingly).

Page 11, strike line 19 and all that follows through page 12, line 23, and insert the following (and redesignate the subsequent subsections accordingly):

(g) CLOSURES OR SIGNIFICANT RESTRICTIONS OF 640 OR MORE ACRES.—

(1) IN GENERAL.—Other than closures established or prescribed by land planning actions referred to in subsection (d) or emergency closures described in paragraph (3) of this subsection, a permanent or temporary withdrawal, change of classification, or change of management status of Federal public land that effectively closes or significantly restricts 640 or more contiguous acres of Federal public land to access or use for fishing or hunting or activities related to fishing and hunting (or both) shall take effect only if, before the date of withdrawal or change, the head of the Federal agency that has jurisdiction over the Federal public land—

(A) publishes appropriate notice of the withdrawal or change, respectively;

(B) demonstrates that coordination has occurred with a State fish and wildlife agency; and

(C) submits to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate written notice of the withdrawal or change, respectively.

(2) AGGREGATE OR CUMULATIVE EFFECTS.—If the aggregate or cumulative effect of separate withdrawals or changes effectively closes or significantly restricts 1280 or more acres of land or water, such withdrawals and changes shall be treated as a single withdrawal or change for purposes of paragraph (1).

(3) EMERGENCY CLOSURES.—Nothing in this Act prohibits a Federal land management agency from establishing or implementing emergency closures or restrictions of the smallest practicable area to provide for public safety, resource conservation, national security, or other purposes authorized by law. Such an emergency closure shall terminate after a reasonable period of time unless

converted to a permanent closure consistent with this Act.

Page 12, after line 23, insert the following:

(3) NATIONAL WILDLIFE REFUGE SYSTEM.—Nothing in this Act is intended to amend or modify the provisions of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), except as expressly provided herein.

Page 13, line 22, after "license" insert " , fee."

Page 18, after line 18, insert the following:

(j) CONTROLLING PROVISIONS.—In any instance when one or more provisions in title I and in this title may be construed to apply in an inconsistent manner to National Monument land, the provisions in this title shall take precedence and apply.

The Acting CHAIR. Pursuant to House Resolution 614, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Madam Chairman, I yield myself as much time as I may consume.

Madam Chairman, this manager's amendment is a noncontroversial amendment to H.R. 4089 that makes several technical, clarifying, and harmonizing changes to the bill. It adds to the bill amendments that were adopted by the Natural Resources Committee when it considered several of the individual bills that are now separate titles of the Sportsmen's Heritage Act.

In addition, although I believe the original bill never allowed extractive commercial activity or motorized travel in wilderness areas, this amendment adds language that will say so explicitly.

Finally, the amendment reduces the administrative tasks faced by the agencies with regard to the format and frequency of public notice and congressional reporting requirements.

I ask for your support for this amendment, and with that, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, we do not object to this dab of lipstick on H.R. 4089.

Mr. HASTINGS of Washington. I yield back the balance of my time.

The Acting CHAIR (Mr. SIMPSON). The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-444.

Mr. HOLT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, strike line 24 and all that follows through page 13, line 2 and insert the following:

(g) AREAS NOT AFFECTED.—Nothing in this title requires the opening to hunting or recreational shooting of—

(1) a national park or national monument under the jurisdiction of the National Park Service; or

(2) a unit of the National Park System (that is not a national park or national monument) unless specifically provided by statute that such unit be open to hunting or recreational shooting.

The Acting CHAIR. Pursuant to House Resolution 614, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, H.R. 4089 deems all Federal land open for hunting and recreational shooting unless a closure is made by the head of the agency here in Washington. The authors of the legislation intended to exempt from the bill lands under the jurisdiction of the National Park Service. I'm sure, I have it on good authority from them, from the authors, that this was their intention. However, as written, the bill only exempts national parks and national monuments. My amendment is a simple, technical correction that ensures all units of the National Park Service are included in the exemption.

The exemption language in title I is, I believe, unintentionally broad and not clear. The National Park System includes units that have a variety of designations—national seashores, national scenic trails, national battle fields, among others. The National Park System has units in urban areas, in rural areas, in suburban communities, in the East, in the West, in the center of our country.

And without this amendment, H.R. 4089 could potentially open for hunting the Paterson, New Jersey, Great Falls National Historic Park in the heart of Paterson, the third-largest city in my State. The bill could, as written, potentially allow hunting within Antietam or Manassas National Battlefields.

All units of the National Park System, like our national battlefields and military parks, are sacred ground and should be reserved for solemn contemplation of the sacrifices of our ancestors. My amendment would ensure that the policies of the National Park Service involving firearms in areas controlled by the National Park Service stay in place.

Now, some have suggested that the historic battle reenactments constitute recreational shooting, and this, my amendment, would, they say, prevent reenacting on battlefields. Maybe my good friend from Utah doesn't know the National Park Service policy.

It's important to note that current National Park Service policy, right now, prohibits "battle reenactments and demonstrations of battle tactics that involve exchanges of fire between opposing lines or any other form of simulated warfare." I'm not aware of any problems that this sensible policy has caused.

It's important to note that there are National Park System units like Lake Roosevelt National Recreation Area in Washington State, I say to my friend, the chairman, or Craters of the Moon National Preserve in Idaho that allow hunting and recreational shooting. My amendment would not affect those policies. The hunting and recreational shooting could continue in those places.

I just want to emphasize, this is a technical amendment. I'm not getting at the merits for or against the bill overall. But should this bill proceed, it would be a big mistake to say that the hunting, the recreational shooting could take place in Gettysburg and Chincoteague and any number of other places that aren't intended.

Let's ensure that, in the hurry to open all Federal lands to hunting and recreational shooting, we don't carelessly open up to gunfire consecrated grounds like the Civil War battlefields, like the parks and beaches and forests of our national recreation areas.

I urge my colleagues to support this technical correction to the bill, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Chairman, the Holt amendment uses a blunderbuss and not a rifle to address the complex issue of the programs in national parks that involve shooting. This issue goes beyond sport or subsistence hunting, which are currently allowed in some park units.

In addition to national parks that allow traditional forms of hunting, the National Park Service has a historic weapons program that would be silenced, contrary to what my good friend and the author of this amendment, Mr. HOLT, says.

In 2011, more than 600 national parks participated in some form of historic weapons demonstrations. From cannons to flintlocks, the Park Service says this program is "undeniably popular with visitors" and drew just less than a million visitors to various national parks around the country last year.

At Fort Vancouver National Park in Oregon and Washington, for example, both rangers and volunteers regularly fire muskets and cannons to demonstrate the historic role these weapons played in the history of the site.

One of the most popular public participation events in many parks involves the reenactment of historic battles. Thousands of reenactors participate. They use their own historically accurate weapons and costumes to recreate, on location, the great battles that took place at our Civil War sites.

For many of those who participate or come to watch, these educational passions are the favorite of the national park events.

It was on this week, 237 years ago, that General Thomas Gage, the Royal Governor in Boston, sent his troops to confiscate the patriot weapons at Lexington and Concord. And at the Minute-man National Historic Park today, a living history event is conducted in which volunteers are permitted to bring reproductions of the flintlock muskets, pistols, and percussion cap weapons their ancestors used during the first battle for our independence.

At a time when the National Park Service is running a multibillion dollar maintenance backlog, the Holt amendment will disarm it of its real draw. So I urge my colleagues to oppose the amendment and to allow the Park Service to continue the tradition of educating visitors about our proud American history.

I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, may I ask the remaining time?

The Acting CHAIR. The gentleman has 1 minute remaining.

Mr. HOLT. My amendment simply ensures that nothing in this act would force hunting in the National Park Service. I really don't understand what the chairman is talking about here, because where it is allowed, it would be allowed. Where it's not allowed, it would not be allowed. It is policy of the National Park Service not to allow reenactment of battles.

□ 1610

The battle reenactments and demonstrations of battle tactics that involve exchanges of fire between opposing lines, the taking of casualties, hand-to-hand combat, et cetera, are prohibited in all parks. Park Service employees can conduct demonstrations as part of their living history program. That's done now. It would be continued under this.

What this says is, under this legislation, were it to become law, a person who wants to hunt in Gettysburg Park can't do that unless the National Park Service policy allows it. That's all this says. It extends it to all facilities of the National Park Service, not just what was specified in the bill parks and monuments.

Mr. Chairman, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. HASTINGS of Washington. I yield myself the balance of the time.

I beg to differ. I understand where my good friend from New Jersey is coming from. I'm sure that's what his intent is, but that's not what his amendment says. His amendment says

that that activity has to be provided by statute at each facility, and that's simply not the case. We haven't done that. We blanket authority give that to the National Park System to carry on what is classified as pastimes, that sort of activity. He prohibits that unless it's provided by statute. He did not offer an amendment to say we should statutorize every one of those at every one of the sites. That's the flaw in the amendment. It was brought up in Rules yesterday, and yet the amendment wasn't corrected and so here we are.

Now, I understand what he's trying to do, but the amendment does not say that. So I urge defeat of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HOLT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-444.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 2, insert the following:

SEC. 105. APPLICABILITY CONDITION.

This title shall be in effect and apply only when less than 75 percent of Federal public land is available for hunting, fishing, or recreation shooting, as determined by the Secretary of the Interior.

Page 18, after line 18, insert the following:

SEC. 204. APPLICABILITY CONDITION.

This title shall be in effect and apply only when less than 75 percent of Federal public land (as defined section 103) is available for hunting, fishing, or recreation shooting, as determined by the Secretary of the Interior.

The Acting CHAIR. Pursuant to House Resolution 614, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, the purpose of my amendment is to emphasize the point that nearly 85 percent of all public lands are already open for hunting, fishing, and recreational shooting. Whether we are talking about Fish and Wildlife Service, Bureau of Land Management—including national monuments—National Park Service lands, or Forest Service lands, in each and every case the majority are open for hunting, fishing, and recreational shooting.

My amendment would only trigger the provisions in title I and II of this legislation if less than 75 percent of Federal public lands are open for hunting, fishing, and recreational shooting. I can't think of any other use that occurs on 75 percent of our public lands.

I understand that some individuals are upset about some specific court decision or specific local closures, but we need to keep things in perspective. Right now, more than 4 out of 5 acres are open for hunting, fishing, and recreational shooting. Given that, do we really need Federal employees in D.C. making decisions about which lands to close or, worse yet, have Congress make that decision?

My State and my district are both blessed with Federal lands. Debates occur all the time about shooting ranges, and they have been very fierce, as I mentioned earlier. Local land managers have worked with local groups and communities to come up with solutions, including providing access on other Federal lands. Unless we see significant closures across the landscape, I think we should allow local managers to make local decisions based on local input.

The problem this bill claims to solve does not exist, but this amendment would allow the provisions of the bill to kick in if this problem ever actually developed.

I would urge support of my amendment, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Chairman, last year, the Bureau of Land Management decided that it would close a lot of the land it manages to shooting sports. The agency never explained why it wanted to do this, but one BLM official was quoted in a news article as stating, "It's not a safety issue; it's a social conflict issue." He elaborated by saying that urbanites "freak out" when they hear shooting.

Now, after a public outcry on this, the Interior Secretary had to send out an order telling BLM to stand down on this regulation, but the question is really: For how long?

There is nothing that prevents the Obama administration from changing its mind—say, immediately after the November election—and again seeking to arbitrarily limit shooting sports. That's why this bill is necessary, to prevent such an arbitrary action by bureaucrats to limit recreational shooting, fishing, and hunting without justification.

The amendment by the ranking member of the Subcommittee on Na-

tional Parks, Forests and Public Lands is even more arbitrary. While the amendment is drafted to appear reasonable, it is most certainly not. The devil is in the clever details. It appears to permit fishing, hunting, and recreational shooting, but in reality the amendment nullifies the actual purpose of the underlying bill to protect these activities.

First, one needs to understand that you could fit a lot of eastern States in a small fraction of our land that is BLM land. BLM controls 253 million acres of land, more than one-eighth all the land in the United States.

Second, the term "public land" used in this amendment has an expansive meaning. Legally, public land means more than national forest and BLM land. It also includes the Outer Continental Shelf. So, under this amendment, as long as fishing is allowed in any part of the ocean, no actual land need to be open to hunting; in other words, the 20 percent requirement could be satisfied in the Outer Continental Shelf.

Who hunts in the Outer Continental Shelf, Mr. Chairman?

Again, the bill we are considering today is about public land open to American people for outdoor recreation. That is a good goal. This amendment tries to hijack the bill by sending it 180 degrees from the intent of the underlying legislation.

So I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, the argument that nothing to do with hunting and shooting has happened yet but there may be a secret plan to do so after the election, that's as preposterous as it is ridiculous. The problem does not exist, and this bill would do real harm.

The example that my good friend, the chairman, used about urban encroachment and development speaks to the point that we have been trying to make in this legislation, that the greatest threat to hunting and fishing and recreational shooting is exactly that—development, privatization, and unregulated extraction—as we were talking about around the Grand Canyon and uranium mining. Those threats to our public lands are the threats and the trends and the public policy that is being promoted by the majority that will limit and deny access to public lands to hunters, fishermen, and recreational shooters.

Right now, as we stand, BLM, 245 million acres, 95 percent open to those activities; Park Service, 84 million acres, 70 percent open to those activities; fish and Wildlife, 150 million acres, 50 percent open to those activities; Forest Service, 193 million acres, 95 percent open to those activities, "those activities" being hunting, fishing, and recreational shooting.

If we want to protect access and protect the opportunities for hunters and fishermen in our public lands, I would urge the approval of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

Mr. Chairman, my good friend from Arizona said that suggesting in my argument that there could be a change in direction after the November election—and I'll paraphrase. He said that's preposterous. It may be. But I would just remind my colleagues that in a situation here several weeks back when it was not supposed to be recorded, our President was talking to the President of Russia.

□ 1620

This was recorded on an open mike when he was talking to the President, and again I'll paraphrase. He said, After the election, I'll have more flexibility on missile defense.

Now, on that issue, keep in mind, he had already given up the missile defense in Eastern Europe. Why would he want to have more flexibility for the defense of our country? The issue there is flexibility. And the issue is, if the President is going to use flexibility in that context, couldn't you apply the same flexibility to something that he has already done this year that has been reversed?

So I don't think it is preposterous. The flexibility issue, I believe, is going to be an issue that is going to be talked about a lot between now and November, and it could apply to a great deal of policies that we could be considering in this House. This is one of them because the administration has already said that these activities should make BLM lands off limits to target shooting. I don't know why that same principle could not be applied if the President has more flexibility after the election.

So I urge the defeat of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-444.

Mr. PETERS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike title III.

The Acting CHAIR. Pursuant to House Resolution 614, the gentleman from Michigan (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. PETERS. I yield myself such time as I may consume.

I rise today to support my amendment, which strikes a bailout that was slipped into this bill for 41 wealthy sport hunters who want to import polar bear trophies taken during hunts in Canada.

Polar bears were listed as threatened in May of 2008 by the Bush administration's Fish and Wildlife Service, which prohibited their importation as trophies. This protection was not implemented overnight. Trophy hunters were warned. They were warned by Federal agencies and hunting associations for more than a year that the final listing would cut off imports immediately. The Hunting Report told its readers in 2007:

The bottom line is, no American hunter should be putting hard, non-returnable money down on a polar bear hunt at this point.

These individuals knowingly assumed the risk that their trophies might not be approved for importation, and they decided to hunt and to kill these beautiful, threatened creatures anyway.

While it is too late to save these bears, passing this bill creates a perverse incentive for trophy hunters to rush to hunt any species soon to be protected under the Endangered Species Act because their friends in Congress will simply bail them out after the fact. We cannot allow that, and that's why I encourage my colleagues to support this amendment.

I reserve the balance of my time.

Mr. YOUNG of Alaska. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, I strongly oppose this amendment.

I am deeply surprised the gentleman from Michigan would, in fact, propose the amendment. He has one of these bears from his State, and a lot of hunters are not wealthy. This is a legal activity in Canada. They hunted these bears prior to 2008 and even prior to 2007. These are dead bears, and they are sitting in Canada. When the hunters hunted legally, the Canadian Government gave them the proper authority to do so, and it helped the native villages. Right now, there are more bears in Canada than there ever has been in history.

Hunting is a vital process of the management of game, and these people included two wounded veterans. They were in Iraq, in that heated area, and the one dream they had when they got back was to be able to go and hunt a polar bear. I can understand that. They shot their trophies legally and with the blessing of the Canadian Government and the local province, and then they expected to be able to return those bears, those hides—and yes, even sometimes the bodies—back home for the proper display of their hunts. To say now you can't import something when a bear was declared threatened by, yes, the Bush administration—and wrongfully so—the bears are not threatened. There are more bears now than there were in 1964. I'm probably the only individual on this floor who had ever shot a polar bear in '64, and I'm certainly not rich.

I am suggesting that this amendment is ill-placed, poorly thought out, and improper. I want those people who did things legally by the nation of our neighbors and blessed by the province to be able to bring those trophies back home, as they have the right to do. Yet the act of a Secretary of the Interior took that away from them arbitrarily.

I reserve the balance of my time.

Mr. PETERS. I yield 2 minutes to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. I rise in strong support of the Peters amendment. Without this amendment, the bill will undermine the protections currently in place for wild species under the Endangered Species Act and under the Marine Mammal Protection Act.

In this case, the hunters who chose to kill these polar bears knew they were taking a risk. They had good information that polar bears would be listed as an endangered, threatened species under the Endangered Species Act, and they acted contrary to it. They were repeatedly warned by Federal agencies and hunting associations that the final listing would cut off imports immediately, and they had well over a year's notice. Despite this knowledge, hunters still chose to shoot and kill polar bears at a time when the species faced severe hardship and when legal protections were imminent.

We should not encourage a small group of people to take conscious risks and then turn around and ask Congress for relief. If we pass this bill without the Peters amendment, we are, in effect, telling hunters that, when species are likely candidates for the endangered or threatened lists, kill them as soon as you can, and then Congress will give you special treatment and exempt you from the law.

I urge my colleagues to vote "yes" on the Peters amendment. Don't destroy the long-term conservation efforts for the special interests of a few trophy hunters who are hoping for

home decor and bragging rights. I will strongly oppose the underlying bill.

Mr. YOUNG of Alaska. I am surprised by my good friend from California. He has a lot of polar bears in California. It's really amazing to me. He doesn't know squat about the population of polar bears. Then to imply that these are rich people who are going to hunt, now isn't that class warfare? It's exactly a Democrat position, the idea that now this is wrong when they did it legally. These bears weren't all killed in 2008, and they weren't all warned in 2008. I want to see the documentation of that. You know there's no documentation. That's the same propaganda you get out of the same groups of people that are anti-gun and anti-hunting.

Yes, step up to the plate. That's what you are. I know that. Yet to take that right away from an American citizen, especially from a wounded veteran—two of them—is wrong. It is wrong when this is legally taking species arbitrarily by a Secretary of the Interior who is saying now they're threatened. By the way, the administration does not oppose this bill. That's amazing. The Fish and Wildlife Service actually supports this bill now because we made some changes that they wanted, and we gave them, specifically recognizing that it does not encourage hunting.

I reserve the balance of my time.

Mr. PETERS. I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Notwithstanding the statement of my very good friend from Alaska, I rise in support of Mr. PETERS's amendment. It would remove a provision that would allow for the importation of polar bears killed in Canada, but the provision only benefits 41 big game hunters who shot bears in Canada prior to their listing as a species threatened with extinction.

□ 1630

These hunters were on notice that the trophies would likely not be allowed into the United States, but rushed to hunt the bears anyway. Now they're asking for Congress to bail them out by creating an exemption in the law so they can bring their trophies into the country.

It's not about the number of polar bears. It is about the underlying principle that decisions related to the protection of threatened and endangered animals should be based upon science and subject to consistent enforcement, not dependent upon the whims of Congress. Polar bears are already threatened, and the last thing they need is more trophy hunters chasing them down and shooting them. But that's exactly what will happen if this Congress demonstrates that it is fully willing to retroactively change the law in this manner to accommodate the wishes of a very small minority. It's only 41 big-game hunters but we're changing the law on their account?

The U.S. Fish and Wildlife Service and a Federal court have rejected previous requests to import trophies after 2008. That should be the final word on the subject.

I encourage my colleagues to vote "yes" on the Peters amendment.

The Acting CHAIR. The time of the gentleman from Michigan has expired. The gentleman from Alaska has 1½ minutes remaining.

Mr. YOUNG of Alaska. The gentleman from Virginia has lots of polar bears in Virginia. I know it's spring-time, but I don't think there's many polar bears in Virginia.

It's strange that all three of them have said endangered species. This has nothing to do with endangered species. This is about marine mammals. Endangered species, in fact, are still imported to the United States. Hartmann's mountain zebras, yes; the African elephants, yes. We can still import those. This has to do with marine mammals.

I really can't understand because the government warns you—it's not against the law, but they warn you and you better follow it because we're warning you. That's not law. These people may have been notified there's a possibility, but they hunted under existing law, under existing permits and paid for. To take that away from them—I don't care if it's one person or 500 people or 41 people. When the law is followed and we don't follow through with it, then shame on us. These people did what was right, and legally. Now you're trying to take that right away from them.

I urge a strong resounding "no" on this amendment and vote for the people of America to have a right under the Constitution as long as they follow the law to do something that's correct and they've done that. They did everything by the law and to say now to have an amendment and say you don't have a right when they followed it correctly is shame on you.

The Acting CHAIR. The gentleman's time has expired.

The question is on the amendment offered by the gentleman from Michigan (Mr. PETERS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PETERS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. FLEMING

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-444.

Mr. FLEMING. Mr. Chairman, I have an amendment that has been made in order.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, insert the following:

TITLE V—HUNTING IN KISATCHEE NATIONAL FOREST

SEC. 501. HUNTING IN KISATCHEE NATIONAL FOREST.

(a) IN GENERAL.—Consistent with the Act of June 4, 1897 (16 U.S.C. 551), the Secretary of Agriculture may not restrict the use of dogs in deer hunting activities in Kisatchie National Forest, unless such restrictions—

(1) apply to the smallest practicable portions of such unit; and

(2) are necessary to reduce or control trespass onto land adjacent to such unit.

(b) PRIOR RESTRICTIONS VOID.—Any restrictions regarding the use of dogs in deer hunting activities in Kisatchie National Forest in force on the date of the enactment of this Act shall be void and have no force or effect.

The Acting CHAIR. Pursuant to House Resolution 614, the gentleman from Louisiana (Mr. FLEMING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. FLEMING. Mr. Chairman, I yield myself such time as I may consume.

My amendment today maintains the State of Louisiana's ability to regulate hunting within its borders. In a decision announced March 1, 2012, the Forest Service Regional Forester located way over in Atlanta, Georgia, went over the heads of the Louisiana Wildlife and Fisheries Commission to forever prohibit the use of dogs to hunt deer in Kisatchie National Forest.

Deer hunting has a long and important cultural history within the State of Louisiana. When French settlers first came to Louisiana in the 18th century, Louisiana was covered by thickets and dense timber. Most of these settlers had companion dogs with them, but the most treasured were the deerhounds. The use of dogs would help the hunter drive the deer out of the forest because deer were so plentiful and provided exciting races that provided sound nourishment.

Hunting in many forms has been for decades, and continues to be, a compatible activity on the 600,000-acre Kisatchie National Forest. Oddly enough, the Regional Forester does not prohibit the use of dogs for hunting raccoon, squirrel, rabbit, and game birds.

In 2011, the Kisatchie dog deer season was only 9 days and only applies to certain ranger districts. According to communication with the Forest Service, seven southern States allow hunting on national forests within their borders. They include Alabama, Arkansas, Florida, Mississippi, North Carolina, South Carolina; but in this case, not Louisiana. However, this is the first time the Forest Service has issued a ban on dog deer hunting, or hunting deer with dogs, within a specific State.

According to the Forest Service itself, they indicate that revenue gen-

erated on dog deer hunting, including expenses to care for dogs, contributes to approximately 18 to 29 direct jobs and results in roughly \$890,000 to \$1.4 million of income. By their own assessment, it is likely that some economic benefits will be lost depending on whether hunting with dogs for deer leave the area to pursue the sport elsewhere. Now this is about to kill even more jobs in Louisiana.

I would also like to emphasize that the State of Louisiana, the NRA, and the Safari Club all support my amendment; and I urge support of this amendment.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. FLEMING. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I thank the gentleman for yielding and for his talk and discussion about the long history and strong local support for this traditional form of hunting in his State.

The primary purpose of this legislation is to limit unjustified Federal bureaucratic limitations and restrictions on hunting and fishing in public lands. The circumstances that he has detailed demonstrate that his amendment fits squarely within the spirit of this bill, and I therefore support the amendment.

It is important to recognize that it is the authority of States to regulate hunting and fishing. Individual Federal agency personnel should not be substituting their opinion for the laws of the State.

Mr. Chairman, I commend the gentleman and I urge adoption of the amendment.

Mr. FLEMING. Mr. Chair, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the Fleming amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Thank you, Mr. Chairman.

There are a few points that I really believe need to be made. The decision to eliminate dog deer hunting in this forest was made only after more than half a dozen public meetings, a comment period that resulted in a 1,000 comments which were thoroughly reviewed. In fact, the policy has been amended in response to those specific local concerns.

The justification for this policy is not only to prevent trespassing, though this is one reason it is necessary. The forest has a checkerboard pattern of non-Federal lands mixed in with Federal lands. Dog deer hunting results in deer running over long distances and hunters pursuing them and at times discharging firearms on the run. In an area with private homes, the Forest Service determined that this was simply too dangerous.

The Forest Service has collected input from local residents and not hunters who fear for their safety during dog deer hunting season. To be clear, while the decision was ultimately approved by the region in Atlanta, the policy was developed by the local Forest Service staff who work on the forest.

Lastly, this amendment is redundant and wasteful because a rule already in place meets the requirements of the proposed amendment. The current rule already covers the smallest portion of forest possible because with the checkerboard lands the rule must cover the entire forest to be effective.

While public safety is the primary justification for this rule, preventing trespass is another reason for the rule and why it was put in place.

□ 1640

The Fleming amendment would throw out the current rule and then require a new rule that meets the exact same requirements. This is redundant, a waste of time and money.

Finally, according to the Forest Service, the State of Louisiana already prohibits dog deer hunting on State lands, so this is simply consistent with State policy. This amendment should be defeated.

I reserve the balance of my time.

The Acting CHAIR. The gentleman from Louisiana has 1¾ minutes remaining.

Mr. FLEMING. Thank you, Mr. Chairman.

I would like to respond to some of the statements that were made.

I received a petition of thousands of hunters from Louisiana and several States who wanted this to continue. The State, not the Federal Government, is in the best position to make this determination. By October 6, 2009, the Forest Service had received 1,237 responses to its 2009 request for comments. Of these, 320 agreed with the proposed prohibition, but 917 were against it. That's a 77 percent majority of these respondents who were actually from central Louisiana where this Kisatchie National Forest exists. During October 2011, the Forest Service received over 1,300 more comments on the original proposal and environmental analysis. All but five letters—all but five letters, Mr. Chairman—were opposed to the proposed prohibition.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, with that, I will close. The contradiction is very important.

The majority talks about local control, local control. In this instance, you have the State of Louisiana that has prevented this, that has prohibited this type of hunting on its lands, and that is a local decision to be honored, but it is okay to honor that decision, but on Federal lands we want to make an exception and set a precedent.

I would suggest that the contradiction in this amendment merits its defeat.

I yield back the balance of my time.

The Acting CHAIR. The gentleman from Louisiana has 45 seconds remaining.

Mr. FLEMING. I just want to respond, again, the people of Louisiana, the State of Louisiana has full support of doing away with this prohibition. This was a decision made by somebody in Atlanta, a Federal person, that has to do with what is really a local issue. This is a tradition that goes back 300 years, and I think it's pretty obvious that the people of Louisiana support the continuance of hunting deer with dogs.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. FLEMING).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-444.

Mr. BISHOP of New York. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE V—RECREATIONAL FISHING FOR ATLANTIC STRIPED BASS IN THE BLOCK ISLAND SOUND TRANSIT ZONE

SEC. 501. RECREATIONAL FISHING FOR ATLANTIC STRIPED BASS IN THE BLOCK ISLAND SOUND TRANSIT ZONE.

(a) IN GENERAL.—Except as provided in subsection (a), the Secretary shall not prohibit fishing for Atlantic Striped Bass in the Block Island Sound transit zone.

(b) EXCEPTION.—This subsection does not limit the authority of the Secretary to establish seasonal or other temporary limitations on fishing that are specifically necessary for the conservation and management of Atlantic striped bass.

(c) BLOCK ISLAND SOUND TRANSIT ZONE DEFINED.—In this subsection the term "Block Island Sound transit zone" means the area of the exclusive economic zone within Block Island Sound, north of a line connecting Montauk Light, Montauk Point, New York, and Block Island Southeast Light, Block Island, Rhode Island; and west of a line connecting Point Judith Light, Point Judith, Rhode Island, and Block Island Southeast Light, Block Island, Rhode Island.

The Acting CHAIR. Pursuant to House Resolution 614, the gentleman from New York (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. BISHOP of New York. Mr. Chairman, I yield myself such time as I may consume.

The purpose of my amendment is straightforward. It opens an area off the coast of my congressional district

to recreational striped bass fishing. Striped bass is a popular game fish in New York, and it has long been an important catch for recreational fishermen.

The formation of an exclusive economic zone creates a small area of Federal water in the Block Island Sound between Montauk Point, Block Island, and Point Judith, Rhode Island. In most cases, when you hit the 3-mile point off the coast of the United States, you have nothing but Federal waters in front of you. This is not always the case for New York fishermen. Because of this geographic anomaly, when the ban on striped bass fishing in the EEZ went into effect, it closed off 60 percent of New York's traditional striped bass recreation areas from fishing, according to the Montauk Boatmen and Captains Association in my district.

The National Marine Fisheries Service recognized this unique area by designating it as a transit area where it was permissible for fishermen to possess striped bass on their boats as long as no fishing takes place while in the EEZ and the boat is in continuous transit.

My amendment goes one step further and opens this relatively small area to recreational fishing. Mindful of the need for reasonable conservation, my amendment also provides the ability to take necessary action for conservation purposes.

Fishermen and charter captains on Long Island know these waters better than anybody in Washington, D.C. Our friends on the other side of the aisle talk about government regulation stifling the economic recovery. After all, fishermen are job creators, both directly and indirectly. They hire crews, they have their boats maintained by mechanics, and they sell their catch to restaurants where Americans go out to eat.

I support fisheries management that is designed to promote robust health of fish stocks; but as the representative for the oldest fishing ports in New York State, I also support sensible efforts to ensure our fishermen can fish and earn their livelihood.

Opening this area would once again give recreational fishermen access to fruitful striped bass fishing grounds. Charter boats will benefit, as will the ports they depart from as people come to the east end of Long Island for great fishing. This will promote job growth and tourism, which is the goal of the underlying legislation.

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. BISHOP of New York. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

The Atlantic Striped Bass Conservation Act's authorization of appropriations expired at the end of fiscal year

2011. Our Fisheries Subcommittee intends to hold hearings on the reauthorization in this Congress. I think this would be the appropriate time and place to have the discussion which is the subject of your amendment.

I understand the gentleman's concern. Believe me, we have heard other concerns on the Atlantic striped bass. If the gentleman would withdraw his amendment, I can assure him that he will get a full hearing on the content of his amendment in our committee this year.

Mr. BISHOP of New York. I very much appreciate that offer, Mr. Chairman. Based on your assurance that this issue will receive a full hearing in your committee or in the appropriate subcommittee, I will ask unanimous consent to withdraw my amendment.

Mr. HASTINGS of Washington. If the gentleman will yield, I thank you very much, and we will work together on this. This is a larger issue, and I certainly understand the gentleman's concerns.

Mr. BISHOP of New York. I appreciate that.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 7 OFFERED BY MR. HEINRICH

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112-444.

Mr. HEINRICH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE V—ACTIVITIES WITHIN WILDERNESS OR LAND MANAGED AS WILDERNESS

SEC. 501. ACTIVITIES WITHIN WILDERNESS OR LAND MANAGED AS WILDERNESS.

Nothing in this Act shall be construed to allow oil and gas development, mining, logging, or motorized activity on Federal public land (as defined in section 103) designated or managed as wilderness.

The Acting CHAIR. Pursuant to House Resolution 614, the gentleman from New Mexico (Mr. HEINRICH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. HEINRICH. Mr. Chairman, I yield myself such time as I may consume.

As an active sportsman, I am proud to introduce this amendment today. It's likely that you have heard claims from some of my colleagues across the aisle that the manager's amendment will resolve the concerns that I have raised today, thus making this amendment redundant or duplicative.

Mr. Chairman, that is simply not the case. While I appreciate the intent of my colleagues to resolve my concerns, their language is still far too vague and

needs additional clarification. As an avid hunter, I strongly support increasing access to public lands for hunting and fishing, but we can achieve that goal without eliminating the very wilderness protections that have protected some of the best wildlife habitat and, I would add, some of the best backcountry hunting opportunities in our Nation.

The bill under consideration today would eliminate long-standing protections against logging, oil and gas drilling, and motor vehicle use in wilderness areas. It would create a loophole in the Wilderness Act for anything that would provide "opportunities for hunting, fishing, and recreational shooting."

Under the Wilderness Act, land managers are allowed to act in ways that are otherwise not allowed in wilderness areas if the action is necessary for "the minimum requirements necessary" for the administration of the area. In practice, the minimum requirements necessary language and standard means that land managers can use motorized vehicles, chainsaws, even helicopters in extreme emergencies, to fight fires, rescue stranded hikers, or remove downed trees from trails that threaten human safety.

This bill would extend that kind of exemption to any action that would "provide an opportunity for hunting, fishing, and recreational shooting." This means that activities otherwise not allowed in a wilderness area, like motor vehicle use, would now have to be permitted if it could be used to facilitate everyday activities like hunting, fishing, and recreational shooting.

Now, the manager's amendment includes language intended to address these concerns by providing that these provisions "are not intended to authorize or facilitate commodity development, use, or extraction, or motor recreational access or use."

□ 1650

Whether or not that's the bill's intention, the language in the bill allows for that possibility, and saying that wasn't the intent doesn't change what the language allows.

In contrast, my amendment provides that nothing in this bill "shall be construed to allow" these otherwise prohibited activities in wilderness areas.

"Intended" versus "shall"; there's a very powerful legal difference. And sportsmen across the country recognize this difference and support my amendment. In the last few hours, I've heard from countless supporters in my own State, including the New Mexico Wildlife Federation; the New Mexico chapter of Backcountry Hunters and Anglers; Dona Ana County Associated Sportsmen; the High Desert Sportsmen; and the Sportsmen Concerned of Northeast New Mexico, just to name a few. And nationally, we've heard from

groups like the Theodore Roosevelt Conservation Partnership and TU.

As the bill's sponsors say that they are not trying to create sweeping exemptions to the Wilderness Act, I have no doubt that they'll support my amendment, as it clearly eliminates these loopholes that were unintentionally included. As a back-country hunter, I know how valuable wilderness is to hunters and anglers, and I hope my colleagues will continue to support protecting wildlife habitat in wilderness areas and vote for my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Chairman, the section of the bill that applies to hunting and fishing was derived from the excellent bill offered by the gentleman from Michigan (Mr. BENISHEK).

I have noticed that whenever a new wilderness designation bill is introduced and a subcommittee hearing is held, the sponsor testifies that his or her bill will not reduce hunting because hunting is clearly permitted in wilderness areas. And they are right. Nevertheless, when an anti-hunting group went to court recently to block hunting in the wilderness section of a national forest in Michigan, the Forest Service had to waste a great deal of time and money justifying the hunting permitted there.

Similarly, anti-hunting groups have sought to use the National Environmental Policy Act, or NEPA, to entangle the land management agencies in NEPA's briar patch when the agencies allow hunting activity on public land.

Now I'm certain that many would agree that hunting and fishing on public land is not a new major Federal action that requires a full environmental impact statement. However, to protect sportsmen and to prevent the waste of resources that occurs when conservation dollars are diverted into defending against nuisance lawsuits, Dr. BENISHEK's provision gives clear statutory support to legitimacy of hunting on public land.

I believe from the beginning that the Benishek bill dealt only with hunting and fishing. It never authorized motorized travel or extractive industries, even though some environmental activist groups quickly made that accusation. But to allay any genuine concerns people may have, we worked closely with a wide variety of conservation groups and decided to include in the manager's amendment that was passed a provision that explicitly states that the relevant portions of the bill—and I quote from the amendment—"are not intended to authorize

or facilitate commodity development, use, or extraction, or motorized recreational access or use.”

With that very direct language I can honestly say that virtually every major conservation group that is not anti-hunting supports the bill. I don't have time to read the whole list, but it does include the NRA, the Safari Club, the bipartisan Congressional Sportsmen's Caucus, the U.S. Sportsmen's Alliance, Ducks Unlimited, the Theodore Roosevelt Conservation Partnership, and the Association of Fish and Wildlife Agencies.

I think H.R. 4089, as amended, now has the support of the entire range of sportsmen conservation groups, ranging from those considered conservative to those that are quite liberal, and do not believe that the wilderness section needs any additional changes as offered by the gentleman from New Mexico's amendment. Again, the concerns expressed by the gentleman from New Mexico in support of his amendment, in my view, are unfounded. This bill deals squarely with hunting and fishing, and does not authorize motorized travel or mining or other such activities in wilderness areas.

With that, I reserve the balance of my time.

Mr. HEINRICH. Mr. Chairman, at this time I would like to yield 2 minutes to my good friend and colleague and a sportsman from northern New Mexico (Mr. LUJÁN).

Mr. LUJÁN. Mr. Chairman, I rise in support of the Heinrich amendment. I want to thank my friend from New Mexico for offering this amendment to ensure protection of our wilderness areas.

Mr. Chairman, I'm from the western United States. I'm a supporter of the Second Amendment. I'm a hunter and a fisherman. My family raised sheep and cattle on allotments in the area where I was raised. Like many other States in the West, we New Mexicans value our access to public lands for hunting, fishing, shooting, and recreational enjoyment.

I want to make sure that everyone understands that I'm not opposed to everything in this bill, but I do have specific concerns with language that would create a loophole in the Wilderness Act. This loophole would undermine one of the defining laws that protects public lands and enables us to have pristine areas to hunt and fish—critical areas that should be preserved for future generations to enjoy. But this bill, as written, walks a dangerous line.

I had concerns in the committee markup of this bill, and today I reiterate these concerns—specifically, language in section 104(e), which opens up for interpretation to allow motorized vehicles in sensitive areas, completely undermining the effort to protect these lands. Although the majority has indi-

cated that they have clarified this problem in the manager's amendment, a CRS memorandum issued on April 13, 2012, on section 104(e) of H.R. 4089 has confirmed my concern that section 104(e) “could lead to motorized use and inappropriate commercial activities in congressionally designated wilderness areas.”

If the majority states through the manager's amendment that their intention is not to open up these areas for motorized vehicles, then let's make absolutely sure that this won't happen. I'm glad to see that they see that there's a problem as well, which they've attempted to address. But sadly, the loosely worded amendment won't accomplish that.

Let's work together to support the Heinrich amendment and make sure that we don't combine motorized vehicles with Second Amendment issues in our backyards. I think we can work together, Mr. Chairman.

The Acting CHAIR. The time of the gentleman from New Mexico has expired. The gentleman from Washington has 1½ minutes remaining.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

It appears that the argument here is that this language that we've drafted and passed in the manager's amendment is not strong enough. Let me read the appropriate words. In the gentleman from New Mexico's amendment, he focuses on the word “shall,” which, of course, is strong language. But he follows it with “construed.” Now that raises the question: Construed by whom?

Our language says very specifically that nothing in here is intended to authorize or facilitate any use regarding extraction. We say that is the intent of the law, very specifically. When you use the word “construed,” I dare say, Mr. Chairman, that you are opening this wide open to litigation, and maybe that is exactly what the gentleman intended.

By focusing on “shall,” he doesn't focus on the operative word, which is “construed,” because “construed” can be used by anybody outside in order to sue. We say very specifically, even though we didn't think extraction was part of this underlying legislation, but we say very specifically it's not intended to reinforce it. That was the reason that provision was in the manager's amendment.

So I urge my colleagues to defeat the Heinrich amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. HEINRICH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HEINRICH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

AMENDMENT NO. 8 OFFERED BY MS. FOXX

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112-444.

Ms. FOXX. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE V—DESIGNATION OF AND RESTRICTIONS ON NATIONAL MONUMENTS

SEC. 501. DESIGNATION OF AND RESTRICTIONS ON NATIONAL MONUMENTS.

(a) DESIGNATION.—No national monument designated by presidential proclamation shall be valid until the Governor and the legislature of each State within the boundaries of the proposed national monument have approved of such designation.

(b) RESTRICTIONS.—The Secretary of the Interior shall not implement any restrictions on the public use of a national monument until the expiration of an appropriate review period (determined by the Secretary of the Interior) providing for public input.”

The Acting CHAIR. Pursuant to House Resolution 614, the gentlewoman from North Carolina (Ms. FOXX) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX. Thank you, Mr. Chairman.

As a supporter of H.R. 4089, I rise today to offer an amendment which would add another positive element to the underlying bill. As we all know, the Antiquities Act of 1906 authorized the President to designate national monuments on Federal lands that contain historical landmark structures or other objects of scientific interest. This authority has been used 129 times by Presidents of both parties to designate such national treasures as the Grand Canyon, Grand Teton, and the Statue of Liberty.

As someone who has enjoyed and appreciated some of the abundance of national and historic treasures throughout this great country, I greatly appreciate the importance of protecting these great blessings.

Currently, a National Monument designation allows for the President to impose unilaterally further restrictions on the use of Federal lands.

□ 1700

Since State authorities are more aware of the local circumstances affecting land restrictions, I've offered a standalone bill, H.R. 302, the Preserve Land Freedom for Americans Act of 2011, which is the model for the amendment I'm now offering. This amendment provides for accountability to the process by requiring the approval of

the legislatures and Governors of the States where monuments are proposed to be located.

With the Federal Government currently owning such a large percentage of land throughout the country, particularly in Western States, it's important to respect and allow State policymakers to weigh in on proposed Federal land restrictions within their borders.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Thank you.

I rise in strong opposition to the Foxx amendment and in strong support of National Monuments and the Antiquities Act.

Following in the footsteps of Teddy Roosevelt, who used the Antiquities Act to protect the Grand Canyon, and Franklin Roosevelt, who used it to protect the Grand Tetons, 16 Presidents—eight Republicans and eight Democrats—have used the Antiquities Act to designate approximately 130 national monuments. In more recent history, President George W. Bush used the Antiquities Act to designate the largest national monument in history. Most recently, President Obama used the act to preserve an enormously popular Fort Monroe in Virginia.

These special places might have been lost to development or destruction had the 59th Congress not authorized Presidents to use the Antiquities Act to move quickly to protect Federal lands. And that is worth repeating: the Antiquities Act allows designation of national monuments on Federal land only. This land is already owned by the Federal Government, and the claim that there is some kind of land grab going on is totally false.

Our national monuments are valuable, popular tourism designations that serve as powerful economic engines. Headwaters Economics studied 17 large national monuments in 11 Western States and found positive impacts to the local economies and employment.

The Antiquities Act has served present and future generations well for more than a century, and there is no need for this amendment. National monuments do not harm private property rights, and they improve the quality of life in surrounding communities while saving historic, cultural, and scenic resources for our children and our grandchildren.

The Foxx amendment will hobble the Antiquities Act by giving States a veto over Federal designations on Federal land, and it would do so based on criticisms of the act and of national monuments that are patently false. The Foxx amendment should be defeated, and I reserve the balance of my time.

Ms. FOXX. Mr. Chairman, I now yield 40 seconds to the distinguished chairman of the committee, Mr. HASTINGS.

Mr. HASTINGS of Washington. I thank the gentelady for yielding.

Unfortunately, the Antiquities Act is used more often than not to circumvent Congress' role in setting land-use policy or to foreclose any opportunity for anyone outside the White House to participate in whatever decision they make, including the affected States.

Unlike America in 1906 when the antiquities law was first enacted, we now have an elaborate set of other laws and regulations that require deliberative processes and procedures to be followed before any significant action affecting public lands can be taken.

I think the gentelady's amendment would improve this process, and with that, I support it.

Mr. GRIJALVA. I yield the balance of my time to the gentleman from New Mexico (Mr. HEINRICH).

The Acting CHAIR. The gentleman from New Mexico is recognized for 2¾ minutes.

Mr. HEINRICH. Mr. Chairman, for more than a century, the Antiquities Act has given American Presidents the authority to protect some of our Nation's most important and threatened places. Across my State of New Mexico, we see the benefit of the Antiquities Act.

Bandelier National Monument, Carlsbad Caverns National Park, White Sands National Monument, and El Morro National Monument were all originally protected through the Antiquities Act.

Research done last year by the New Mexico Green Chamber of Commerce shows that New Mexico's 10 national monuments established through the Antiquities Act account for 1.3 million annual tourist visits and \$54 million in annual tourist spending supporting over 1,000 New Mexico jobs. In the last few weeks, countless New Mexicans, including sportsmen like myself, have asked President Obama to designate a new national monument to protect the Organ Mountains outside of Las Cruces, New Mexico.

We are calling on our President to protect our vulnerable natural and cultural resources in southern New Mexico through the Antiquities Act. This amendment offered by my colleague from North Carolina would take that power away from the President and give State legislatures the power to make decisions about public lands that belong to all Americans.

The Antiquities Act was specifically designed to allow Presidents to respond quickly to protect places in the national interest. Had the Antiquities Act been written with the language of this amendment, the Grand Canyon could have been overrun by sprawl, ancient cliff dwellings and the Petrified

Forest National Park might have been looted, and the Arches National Park wouldn't even exist.

An additional concern is that several State legislatures only meet for a limited number of days each year and can't respond to urgent threats to public lands. In my State, we only meet for 60 days in odd years and 30 days in even years.

The Foxx amendment would prevent archeological, cultural, and historical sites from receiving the urgent protections they need. It also doesn't recognize that the United States has vast areas of unincorporated territory that is not under the jurisdiction of any State legislature.

President George W. Bush used the Antiquities Act to protect lands and waters in unincorporated Federal areas, including the Marianas Trench Marine and Pacific Remote Islands Marine National Monuments.

National monuments should not be a partisan issue. After being signed into law by President Theodore Roosevelt, 16 Presidents of both parties—eight Republicans and eight Democrats—have used this act to protect federally owned lands and waters to better protect America's treasures for future generations. And by attaching this divisive issue to this bill, the chances of a Presidential veto are greatly increased. I hope that we would refrain from endangering the pro-sportsmen portions of this bill with controversial issues like this one. As an active sportsman, I strongly support the Antiquities Act, and I ask for a "no" vote on the amendment.

Ms. FOXX. Mr. Chairman, I yield 2 minutes to my distinguished colleague from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. The Antiquities Act, which allows the President to designate land, is a legislative function that the legislature gave to the executive branch in Teddy Roosevelt's time. Whether it is good or not, it is wrong for Congress to give its authority away to the executive branch. At the time, it was thought it would be okay because there were specific restrictions placed on it. You had to have a specific something geological, historical that you were going to preserve, it was in imminent danger, and it was going to be on the smallest area possible in the debate that was going to be over a couple hundred acres.

The unfortunate thing is Presidents since that time have used this monument designation power for political purposes in areas quite bigger than that. The last monument that was created in my State was not a couple of hundred acres. It was bigger than the States of Connecticut, Delaware, and Rhode Island combined. It was done at 9 a.m. after the Governor of the State was told about it at 2 a.m., after having been told earlier that day that nothing was going to happen in this kind of an area.

Earlier this year, the Antiquities Act was used at Fort Monroe when the entire delegation and the local community were in favor of it. When ours was done, as well as many of the other Antiquity Act monuments were done, the local delegation was not in favor of it, and the Governor was not in favor of it. Everyone was not in favor of it. What the Foxx amendment tries to do is simply say, look, if you're going to keep this power with the President, at least get a check-and-balance system somewhere. Let's make sure that the local people, the State people are fine with this designation before the President does something arbitrarily, capriciously and, unfortunately too often, for political reason.

Keep the legislative power where it should be, with the legislature, but at least if you're not going to do that, at least put some kind of logical check and balance on the system.

The Acting CHAIR. The gentlewoman from North Carolina has 45 seconds remaining.

Ms. FOXX. Thank you, Mr. Chairman.

I want to thank my two colleagues who spoke on behalf of my amendment and tell them how much I appreciate their comments. And I want to say to my friends on the other side of the aisle, if designating an area as a national monument would be such a good idea, there shouldn't be any problem with gaining approval from the legislatures and the Governor, and it takes no power away from the President but allows the States to be part of the process.

I encourage my colleagues to support my amendment and yield back the balance of my time.

Mr. FARR. Mr. Chair, I rise in opposition to the Foxx Amendment that seeks to gut the Antiquities Act and add unnecessary bureaucracy.

The Antiquities Act is the best tool in the tool box for saving America's heritage—cultural and natural—to respect what our ancestors set aside for us and to inspire, educate, and enlighten future generations.

The Antiquities Act has a long bipartisan tradition. After being signed into law by President Theodore Roosevelt, sixteen presidents of both parties—8 Republicans and 8 Democrats—have used this Act to protect federally-owned lands and waters to better protect America's treasures for future generations.

The Antiquities Act protects our national heritage. Sites like the Statue of Liberty, the Grand Canyon, and the World War II Valor in the Pacific National Monument and in my Congressional District the Pinnacles National Monument have been protected through the Antiquities Act.

The Foxx Amendment seeks to gut the Antiquities Act. The Antiquities Act was specifically designed to allow presidents to respond quickly to protect places in the national interest.

Had the Antiquities Act been written with Rep. FOXX's language, the Grand Canyon

would be overrun by sprawl, ancient cliff dwellings and the Petrified Forest National Park would have been looted, and Arches National Park wouldn't even exist.

The Foxx Amendment is poorly conceived. Several state legislatures only meet every other year and are ill-equipped to respond to urgent threats to public lands.

The Foxx Amendment would prevent archaeological, cultural and historical sites from receiving the urgent protections they need from looting, vandalism or other threats.

The Foxx Amendment also doesn't recognize that the United States has vast areas of unincorporated territory that is not under the jurisdiction of a state legislature.

President George W. Bush used the Antiquities Act to protect lands and waters in unincorporated federal areas including the Marianas Trench Marine and Pacific Remote Islands Marine National Monuments.

Stand up for our National Parks and our national heritage. Vote against the Foxx Amendment to H.R. 4089.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from North Carolina will be postponed.

Mr. HASTINGS of Washington. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. FOXX) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting, had come to no resolution thereon.

RECESS

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

Accordingly (at 5 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1753

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 5 o'clock and 53 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112-446) on the resolution (H. Res. 619) providing for consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 9, SMALL BUSINESS TAX CUT ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112-447) on the resolution (H. Res. 620) providing for consideration of the bill (H.R. 9) to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses, which was referred to the House Calendar and ordered to be printed.

SPORTSMEN'S HERITAGE ACT OF 2012

The SPEAKER pro tempore. Pursuant to House Resolution 614 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4089.

Will the gentleman from Idaho (Mr. SIMPSON) kindly resume the chair.

□ 1755

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes, with Mr. SIMPSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 8 printed in House Report 112-444 by the gentlewoman from North Carolina (Ms. FOXX) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-444 on which further proceedings were postponed, in the following order: Amendment No. 2 by Mr. HOLT of New Jersey.

Amendment No. 3 by Mr. GRIJALVA of Arizona.

Amendment No. 4 by Mr. PETERS of Michigan.

Amendment No. 7 by Mr. HEINRICH of New Mexico.

Amendment No. 8 by Ms. FOXX of North Carolina.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. HOLT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 152, noes 260, not voting 19, as follows:

[Roll No. 158]

AYES—152

- Ackerman, Hahn, Pastor (AZ)
Baldwin, Hanabusa, Paulsen
Bass (CA), Hastings (FL), Pelosi
Becerra, Heinrich, Peters
Berkley, Higgins, Pingree (ME)
Berman, Himes, Platts
Bishop (NY), Hinchey, Polis
Bonamici, Hinojosa, Price (NC)
Brady (PA), Hirono, Quigley
Brown (FL), Holt, Reichert
Butterfield, Honda, Reyes
Capps, Hoyer, Richardson
Capuano, Israel, Richmond
Carnahan, Jackson (IL), Rothman (NJ)
Carney, Jackson Lee, Roybal-Allard
Carson (IN), (TX), Ruppersberger
Castor (FL), Johnson (GA), Rush
Chu, Johnson (IL), Sánchez, Linda T.
Cicilline, Johnson, E. B., Sanchez, Loretta
Clarke (MI), Kaptur, Sarbanes
Clarke (NY), Keating, Schakowsky
Clay, Kildee, Schiff
Cleaver, Kucinich, Schwartz
Clyburn, Langevin, Donnelly (IN)
Cohen, Larsen (WA), Dreier
Connolly (VA), Larson (CT), Scott (VA)
Conyers, Lee (CA), Scott, David
Cooper, Levin, Serrano
Courtney, Lewis (GA), Sewell
Crowley, Lipinski, Sherman
Cummins, Loeb sack, Sires
Davis (CA), Lofgren, Zoe, Smith (WA)
Davis (IL), Lowey, Speier
DeFazio, Lujan, Stark
DeLauro, Lynch, Sutton
Deutch, Maloney, Thompson (CA)
Dingell, Markey, Tierney
Doggett, Matsui, Tonko
Dold, McCarthy (NY), Towns
Doyle, McCollum, Tsongas
Edwards, McDermott, Van Hollen
Ellison, McNerney, Velázquez
Engel, Meeks, Vislosky
Eshoo, Miller (NC), Wasserman
Farr, Miller, George, Schultz
Fattah, Moran, Waters
Fudge, Murphy (CT), Watt
Gerlach, Nadler, Waxman
Gonzalez, Neal, Welch
Green, Al, Olver, Wilson (FL)
Grijalva, Pallone, Woolsey
Gutierrez, Pascrell, Yarmuth

NOES—260

- Adams, Akin, Altmire
Aderholt, Alexander, Amash

- Amodei, Gingrey (GA), Nunnelee
Austria, Gohmert, Olson
Baca, Goodlatte, Owens
Bachmann, Gosar, Palazzo
Bachus, Gowdy, Pearce
Barletta, Granger, Pence
Barrow, Graves (GA), Perlmutter
Bartlett, Graves (MO), Peterson
Barton (TX), Green, Gene, Petri
Bass (NH), Griffin (AR), Poe (TX)
Benishek, Griffith (VA), Pompeo
Berg, Grimm, Posey
Biggert, Guinta, Price (GA)
Bilbray, Guthrie, Quayle
Bilirakis, Hall, Rahall
Bishop (GA), Hanna, Reed
Bishop (UT), Harper, Rehberg
Black, Harris, Renacci
Blackburn, Hartzler, Ribble
Blumenauer, Hastings (WA), Rigell
Bonner, Hayworth, Rivera
Bono Mack, Heck, Roby
Boren, Hensarling, Roe (TN)
Boswell, Herger, Rogers (AL)
Boustany, Herrera Beutler, Rogers (KY)
Brady (TX), Hochul, Rogers (MI)
Brooks, Holden, Rohrabacher
Broun (GA), Huelskamp, Rokita
Buchanan, Huizenga (MI), Rooney
Bucshon, Hultgren, Ros-Lehtinen
Buerkle, Hunter, Roskam
Burgess, Hurt, Ross (AR)
Burton (IN), Issa, Ross (FL)
Calvert, Jenkins, Royce
Camp, Johnson (OH), Runyan
Campbell, Johnson, Sam, Ryan (OH)
Canseco, Jones, Ryan (WI)
Cantor, Jordan, Scalise
Capito, Kelly, Schilling
Cardoza, Kind, Schmidt
Carter, King (NY), Schock
Cassidy, Kingston, Schrader
Chabot, Kinzinger (IL), Schweikert
Chaffetz, Kissell, Scott (SC)
Chandler, Kline, Scott, Austin
Coble, Labrador, Sensenbrenner
Coffman (CO), Lamborn, Sessions
Cole, Lance, Shimkus
Conaway, Landry, Shuler
Costa, Lankford, Shuster
Costello, Latham, Simpson
Cravaack, LaTourette, Smith (NE)
Crawford, Latta, Smith (NJ)
Crenshaw, Lewis (CA), Smith (TX)
Critz, LoBiondo, Southerland
Cuellar, Long, Stearns
Culberson, Lucas, Stivers
Davis (KY), Luetkemeyer, Stutzman
Denham, Lummis, Sullivan
Dent, Lungren, Daniel, Terry
DesJarlais, E., Thompson (MS)
Diaz-Balart, Mack, Thompson (PA)
Donnelly (IN), Manullo, Thornberry
Dreier, Marchant, Tiberi
Duffy, Matheson, Tipton
Duncan (SC), McCarthy (CA), Turner (NY)
Duncan (TN), McClintock, Turner (OH)
Ellmers, McCotter, Upton
Emerson, McHenry, Walberg
Farenthold, McKeon, Walden
Fitzpatrick, McKinley, Walsh (IL)
Flake, Meehan, Walz (MN)
Fleischmann, Mica, Webster
Fleming, Michaud, West
Flores, Miller (FL), Westmoreland
Forbes, Miller (MI), Whitfield
Fortenberry, Miller, Gary, Wilson (SC)
Foxx, Moore, Wittman
Franks (AZ), Mulvaney, Wolf
Frelinghuysen, Murphy (PA), Womack
Gallegly, Myrick, Woodall
Gardner, Neugebauer, Yoder
Garrett, Noem, Young (AK)
Gibbs, Nugent, Young (FL)
Gibson, Nunes, Young (IN)

NOT VOTING—19

- Andrews, Garamendi, McMorris
Braley (IA), King (IA), Rodgers
Marino, Marino, Napolitano
McCaul, McCaul, Paul
McGovern, Pitts
McIntyre, Rangel, Slaughter

□ 1818

Messrs. PERLMUTTER, BRADY of Texas, GRIMM and WITTMAN changed their vote from "aye" to "no."

Messrs. CLYBURN, AL GREEN of Texas, LUJÁN and PLATTS changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall No. 158, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

Mr. BRALEY of Iowa. Mr. Chair, on rollcall No. 158, had I been present, I would have voted "aye."

AMENDMENT NO. 3 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 138, noes 279, not voting 13, as follows:

[Roll No. 159]

AYES—138

- Ackerman, Engel, McCarthy (NY)
Baldwin, Eshoo, McCollum
Bass (CA), Farr, McDermott
Becerra, Fattah, McGovern
Berkley, Frank (MA), McNerney
Berman, Fudge, Meeks
Bishop (NY), Garamendi, Miller (NC)
Blumenauer, Gonzalez, Moore
Bonamici, Green, Al, Moran
Bono Mack, Gutierrez, Murphy (CT)
Brady (PA), Hahn, Nadler
Braley (IA), Hanabusa, Neal
Brown (FL), Hastings (FL), Olver
Butterfield, Higgins, Pallone
Capps, Hinchey, Pascrell
Capuano, Hinojosa, Pastor (AZ)
Carnahan, Hirono, Pelosi
Carney, Holt, Peters
Carson (IN), Honda, Pingree (ME)
Castor (FL), Israel, Polis
Chu, Jackson (IL), Price (NC)
Cicilline, Jackson Lee, Quigley
Clarke (MI), (TX), Reyes
Clarke (NY), Johnson (GA), Richardson
Clay, Johnson (IL), Rothman (NJ)
Cleaver, Johnson, E. B., Roybal-Allard
Clyburn, Kaptur, Ruppersberger
Connolly (VA), Keating, Rush
Conyers, Kildee, Sánchez, Linda T.
Crowley, Kucinich, T.
Cummins, Langevin, Sanchez, Loretta
Davis (CA), Larson (CT), Sarbanes
Davis (IL), Lee (CA), Schakowsky
DeGette, Levin, Schiff
DeLauro, Lewis (GA), Schwartz
Deutch, Lofgren, Zoe, Scott (VA)
Dingell, Lowey, Scott, David
Doggett, Lynch, Serrano
Doyle, Maloney, Sherman
Edwards, Markey, Sires
Ellison, Matsui, Smith (WA)

Speier
Stark
Sutton
Tierney
Tonko
Towns

Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz

Waters
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster

Turner (OH)
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf

Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Reichert
Reyes

Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)

Speier
Stark
Sutton
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—279

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Billbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)

Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hochul
Holden
Huelskamp
Huiuzenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loeb sack
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley

McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schradler
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)

Andrews
Cohen
Dicks
Filner
Fincher
Hoyer
Marino
McIntyre
Napolitano
Paul
Pitts
Rangel
Slaughter
Sullivan

NOT VOTING—14

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There are 30 seconds remaining.

□ 1822

So the amendment was rejected.
The result of the vote was announced
as above recorded.

Stated for:
Mr. FILNER. Mr. Chair, on rollcall 159, I was
away from the Capitol due to prior commit-
ments to my constituents. Had I been present,
I would have voted “aye.”

AMENDMENT NO. 4 OFFERED BY MR. PETERS
The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Michigan (Mr. PETERS)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 155, noes 262,
not voting 14, as follows:

[Roll No. 160]

AYES—155

Ackerman
Baldwin
Bartlett
Bass (CA)
Becerra
Berkley
Bernan
Bishop (NY)
Blumenauer
Bonamici
Bono Mack
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Campbell
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Ciocilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Crowley

Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Frank (NY)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Miller (NC)

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Billbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Cardoza
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)

NOES—262

Ellmers
Emerson
Farenthold
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huelskamp
Huiuzenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo

Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
Garrett
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Lance
Royce
Runyan
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt

Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones

Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaull
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pearce
Pence
Peterson
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg

Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Kaptur
Keating
Kildee
Kind
Kinzinger (NY)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran

Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Reichert
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader

Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Simpson
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
West
Wilson (FL)
Woolsey
Yarmuth

NOES—198

Ackerman
Altmire
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bono Mack
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver

Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fortenberry
Frank (MA)

Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Gene
Grijalva
Grimm
Guinta
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.

Andrews
Finer
Fincher
Marino

McIntyre
Napolitano
Paul
Pitts

Rangel
Slaughter

NOT VOTING—10

□ 1835

Messrs. ENGEL, COHEN, Ms. BROWN of Florida, and Ms. LORETTA SANCHEZ of California changed their vote from “aye” to “no.”

So the amendment was agreed to. The result of the vote was announced as above recorded.

Stated against:
Mr. FILNER. Mr. Chair, on rollcall 162, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to. The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YODER) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting, and, pursuant to House Resolution 614, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to. The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill. The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. TIERNEY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TIERNEY. I am. Mr. HASTINGS of Washington. Mr. Speaker, I reserve a point of order against the motion.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:
Mr. Tierney moves to recommit the bill H.R. 4089 to the Committee on Natural Resources with instructions to report the same to the House forthwith with the following amendment:

At the end of the bill, add the following:
TITLE V—FIGHTING OIL MARKET SPECULATION, MANIPULATION, AND FRAUD
SEC. 501. FIGHTING OIL MARKET SPECULATION, MANIPULATION, AND FRAUD.

There is hereby authorized to be appropriated to the Commodities Futures Trading Commission such sums as may be necessary to carry out enforcement, examinations, market surveillance and analytics, registration, and compliance activities which relate to oil and refined product commodity markets fraud, excessive speculation, and market manipulation.

TITLE VI—PROHIBITION ON HUNTING AND FISHING TRIPS PAID FOR BY REGISTERED LOBBYISTS OR REGISTERED FOREIGN AGENTS

SEC. 601. PROHIBITION ON HUNTING AND FISHING TRIPS PAID FOR BY REGISTERED LOBBYISTS OR REGISTERED FOREIGN AGENTS.

Nothing in this Act shall allow, promote, or facilitate hunting, fishing, or recreational shooting activities on Federal lands that are financed by a registered lobbyist or registered foreign agent for the benefit of a Member of Congress.

□ 1840

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. TIERNEY. Mr. Speaker, I rise to offer the final amendment to this bill that will give the Commodity Futures Trading Commission the resources that it needs to put an end to the speculation that’s contributing to the high gas prices across this country.

I want to be clear, Mr. Speaker. This amendment will not kill the bill, and it will not send it back to committee. If this amendment is adopted, the House will still immediately proceed to a vote on the final passage of the bill, and it should.

Today, estimates are that speculators control about 70 percent of the open interest in commodity markets—70 percent. Ten years ago, that number was 30 percent. These speculators are

essentially large banks and hedge funds. They never actually take control of the oil. They just flip the contract, make their quick profit and get out. However, unlike trading in the stocks and bonds of traditional companies, commodities speculation has a real and big-time effect on Americans, driving up the price of gas. It creates undue hardship whether you are a business owner with a small fleet of cars or a large fleet of trucks or are a homeowner who is taking his kids back and forth to school, doing your shopping or running other essential errands. This hurts people who are already struggling to make ends meet.

According to one official at the Commodity Futures Trading Commission, speculation, not the lack of production, has increased the price of gas by at least 22 percent, and today's price is about 56 cents per gallon. This should be unacceptable to every single one of us.

What is needed is for this Congress to make a concerted effort to curb speculation and Wall Street's anticonsumer practices. This amendment will do just that, and it will ensure that the CFTC has the resources it needs to carry out investigations and enforcement activities to stop commodity markets fraud, excessive speculation, and market manipulation. The President has recognized the importance of this issue and, just today, has called on this Congress to support increases in the CFTC's surveillance and enforcement staff for oil futures market trading, among other things. We need to give American families the confidence that illegal manipulation, fraud, and market rigging are not contributing to these high prices of gas. This House can take the first step and approve this amendment.

The amendment also ensures that nothing in the underlying bill allows, promotes, or facilitates lobbyist junkets related to hunting, fishing, or recreational shooting activities on Federal lands. I would hope that we can all agree that this bill should not create any loopholes to lobbying restrictions that are currently in place, and my amendment simply ensures that this is the case. I urge my colleagues to support this amendment.

I yield the balance of my time to the ranking member of the Natural Resources Committee, the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman.

The rise in gas prices is not about Obama. It is about OPEC, oil companies, and Wall Street speculators. Wall Street speculators now control nearly two-thirds of the oil market, up from 11 percent just 10 years ago. Morgan Stanley now controls 15 percent of New England's home heating oil. Experts tell us that as much as 25 percent of the price of oil is the result of excessive speculation, which means Amer-

ican drivers are paying a "Wall Street speculation tax" of more than 70 cents on every gallon of gasoline.

Wall Street speculators have turned oil markets into a crude oil casino. Yet the majority actually tried to cut funding for our Wall Street cops, the Commodity Futures Trading Commission, by \$30 million. Today, Mitt Romney called the administration's efforts to crack down on speculation a gimmick. But protecting Wall Street consumers, protecting Main Street consumers over Wall Street isn't a gimmick; it should be a given.

This motion will give the CFTC speculation cops the resources and personnel they need to put an end to Wall Street's gasoline gambling. Vote "aye" on the Tierney motion to crack down on Wall Street speculation and to protect Main Street consumers. Vote "aye" on the Tierney motion to recom-

mit. Mr. HASTINGS of Washington. Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. The gentleman's point of order is withdrawn.

Mr. HASTINGS of Washington. I rise in opposition to the motion to recom-

mit. The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, a week ago or so, I said history repeats itself, and I said it in the context that we keep hearing the same arguments over and over and over again. History repeats itself, it seems like, every week. So here we are, right back from the district work period, and history is repeating itself all over again. We are talking about energy, but we are talking about the wrong solutions.

The reason we have an energy problem in this country is due to the policies of this administration. It is so simple. We've said it over and over. In fact, last year, we addressed the issue of trying to increase the energy supply, American energy, to create American energy jobs. Unfortunately, only a few on that side voted with us. Now the other side is starting to get it. Energy matters in this country. We need to develop American energy. This is history repeating itself. Vote "no" on the motion to recommit.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Mr. TIERNEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair

will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 160, noes 261, not voting 10, as follows:

[Roll No. 163]

AYES—160

Ackerman	Grijalva	Pascrell
Baldwin	Gutierrez	Pastor (AZ)
Bass (CA)	Hahn	Pelosi
Becerra	Hanabusa	Perlmutter
Berkley	Hastings (FL)	Peters
Berman	Higgins	Pingree (ME)
Bishop (NY)	Himes	Polis
Blumenauer	Hinchev	Price (NC)
Bonamici	Hinojosa	Quigley
Brady (PA)	Hirono	Rahall
Braley (IA)	Holden	Reyes
Brown (FL)	Holt	Richardson
Butterfield	Honda	Richmond
Capps	Hoyer	Rothman (NJ)
Capuano	Israel	Roybal-Allard
Carnahan	Jackson (IL)	Ruppersberger
Carney	Jackson Lee	Rush
Carson (IN)	(TX)	Ryan (OH)
Castor (FL)	Johnson (GA)	Sánchez, Linda
Chu	Johnson, E. B.	T.
Ciциlline	Jones	Sanchez, Loretta
Clarke (MI)	Kaptur	Sarbanes
Clarke (NY)	Keating	Schakowsky
Clay	Kildee	Schiff
Cleaver	Kucinich	Schwartz
Clyburn	Langevin	Scott (VA)
Cohen	Larsen (WA)	Scott, David
Connolly (VA)	Larson (CT)	Serrano
Conyers	Lee (CA)	Sewell
Costello	Levin	Sherman
Courtney	Lewis (GA)	Sires
Crowley	Lipinski	Smith (WA)
Cummings	Loeb sack	Speier
Davis (CA)	Lofgren, Zoe	Stark
Davis (IL)	Lowey	Sutton
DeFazio	Lujan	Thompson (CA)
DeGette	Lynch	Thompson (MS)
DeLauro	Maloney	Tierney
Deutch	Markey	Tonko
Dicks	Matsui	Towns
Dingell	McCarthy (NY)	Tsongas
Doggett	McCollum	Van Hollen
Doyle	McDermott	Velázquez
Edwards	McGovern	Visclosky
Ellison	McNerney	Wasserman
Engel	Meeks	Schultz
Eshoo	Miller (NC)	Waters
Farr	Miller, George	Watt
Fattah	Moore	Waxman
Frank (MA)	Moran	Welch
Fudge	Murphy (CT)	Wilson (FL)
Garamendi	Nadler	Woolsey
Gonzalez	Neal	Yarmuth
Green, Al	Olver	
Green, Gene	Pallone	

NOES—261

Adams	Boren	Cooper
Aderholt	Boswell	Costa
Akin	Boustany	Cravaack
Alexander	Brady (TX)	Crawford
Altmire	Brooks	Crenshaw
Amash	Broun (GA)	Critz
Amodei	Buchanan	Cuellar
Austria	Bucshon	Culberson
Baca	Buerkle	Davis (KY)
Bachmann	Burgess	Denham
Bachus	Burton (IN)	Dent
Barletta	Calvert	DesJarlais
Barrow	Camp	Diaz-Balart
Bartlett	Campbell	Dold
Barton (TX)	Canseco	Donnelly (IN)
Bass (NH)	Cantor	Dreier
Benishek	Capito	Duffy
Berg	Cardoza	Duncan (SC)
Biggert	Carter	Duncan (TN)
Bilbray	Cassidy	Ellmers
Bilirakis	Chabot	Emerson
Bishop (GA)	Chaffetz	Farenthold
Bishop (UT)	Chandler	Fitzpatrick
Black	Coble	Flake
Blackburn	Coffman (CO)	Fleischmann
Bonner	Cole	Fleming
Bono Mack	Conaway	Flores

Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford

Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)

Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schradler
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Andrews
Filner
Fincher
Marino
McIntyre
Napolitano
Paul
Pitts
Rangel
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1904

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 163, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

Mrs. NAPOLITANO. Mr. Speaker, on Tuesday, April 17, 2012, I was absent during rollcall vote No. 163 due to a family health emergency. Had I been present, I would have voted “aye” on the Motion to recommit H.R. 4089—Sportsmen’s Heritage Act of 2012.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 274, nays 146, not voting 11, as follows:

[Roll No. 164]

YEAS—274

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Heinrich
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold

Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Platts
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
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Gonzalez
Green, Al

Sensenbrenner
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Shimkus
Shuler
Shuster
Simpson
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Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan

Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)

Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—146

Ackerman
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Jackson Lee
Carney
Castor (FL)
Chu
Cicilline
Clarke (MI)
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Clyburn
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Connolly (VA)
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Hanabusa
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Fudge
Gonzalez
Green, Al

NOT VOTING—11

Andrews
Filner
Fincher
Frank (MA)
Marino
McIntyre
Napolitano
Paul
Pitts
Rangel
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1913

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 164, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

Mrs. NAPOLITANO. Mr. Speaker, on Tuesday, April 17, 2012, I was absent during roll-call vote No. 164 due to a family health emergency. Had I been present, I would have voted “nay” on Final Passage of H.R. 4089—Sportsmen’s Heritage Act of 2012.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3288

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor to H.R. 3288.

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

There was no objection.

JOBS

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

Ms. FOXX. Mr. Speaker, the March employment report continues to show us that the Federal Government has not been helping to create jobs in our economy. A Wall Street Journal editorial from April 9 highlighted a few examples from the report. Here is one extremely startling statistic:

The labor force participation rate—or the share of civilian population that is working—dropped again to 63.8 percent. In March, 2009, a month after the \$800 billion stimulus passed Congress, the labor participation rate was nearly 2 percentage points higher, at 65.6 percent.

This is a prime example that continuously throwing money of hardworking taxpayers that the Federal Government takes from them at the problem will not solve it. We need real solutions that will stimulate our proven economic engine: small businesses. That’s why I support the Small Business Tax Cut Act that will help 22 million hardworking small businesses retain and create more jobs.

THE MEDICARE ORTHOTICS AND PROSTHETICS IMPROVEMENT ACT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to bring attention to H.R. 1959, the Medicare Orthotics and Prosthetics Improvement Act. This legislation has been designed to improve the quality of orthotic and prosthetic care and reduce fraudulent payments for orthotic and prosthetic services under Medicare.

This legislation would require the Centers for Medicare and Medicaid Services to reimburse only those providers who have been accredited or licensed in orthotics and prosthetics. The legislation also would require CMS to report to Congress on its enforcement efforts to reduce fraud and abuse. Fraud and abuse contributes not only

to rising costs, but it also harms patients, particularly when medically necessary devices are arbitrarily provided or without qualified providers.

Mr. Speaker, we need to collectively look at ways to create savings by combating waste, fraud, and abuse in the Medicare system. This legislation will enhance patient care and ensure that Medicare fraud is addressed, particularly when the fiscal solvency of the Medicare program is in question.

GSA GONE WILD

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

Mr. POE of Texas. Mr. Speaker, it’s party time at the General Services Administration. The good times rolled in Las Vegas, where the GSA spent over \$800,000 of tax money on a conference for 300 people. Now we learn that back in 2010, the GSA employees escaped their marble palace in Washington, D.C., and jetted off to Sin City for a taxpayer-funded high-dollar boondoggle. This so-called “conference” included a \$31,000 reception, fancy awards, food, wine, lavish suites with bubbling hot tubs, clowns, swanky parties, iPod giveaways, and even a mind reader. This kind of lavish spending is exactly why Americans don’t trust the government with their money.

But what happened in Vegas just didn’t stay in Vegas. A GSA whistleblower snitched off the bureaucrats-gone-wild bunch. Now, GSA officials are folding their cards, cashing in their chips, and resigning. The day of reckoning has come for those who played poker with the people’s money. Public servants should not be public serpents. These government bureaucrats should pay out of their own pockets the taxpayer money they squandered in Las Vegas.

And that’s just the way it is.

TROUBLE BETWEEN SUDAN AND SOUTH SUDAN

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

Ms. LEE of California. Mr. Speaker, over the weekend, the situation went from bad to worse in Sudan, with military clashes erupting into a full-blown crisis along the troubled border region between Sudan and South Sudan. President al-Bashir, wanted by the International Criminal Court for crimes against humanity, is directing this new round of bombings that threaten a fragile peace.

It was less than a year ago that the world’s youngest nation was born in South Sudan, and already we are witnessing the disturbing return to violence and inhumanity.

Last month, I was joined by 67 Members of my House colleagues on a letter

to President Obama expressing our serious concern for the ongoing human calamity in Sudan.

Mr. Speaker, in closing, let me just say half a million lives hang in the balance as the Sudanese Government attacks rebels and civilians alike with a methodical strategy to stop cultivation and block humanitarian aid. We must not idly stand by. So I call on my colleagues to sponsor legislation by our colleagues—Representatives CAPUANO, MCGOVERN, WOLF—and myself who have recently introduced H.R. 4169, the Sudan Peace, Security, and Accountability Act, to update the diplomatic tools in Sudan to reflect the current dangers on the ground.

CONGRESS OF THE UNITED STATES
Washington, DC, March 30, 2012.

Hon. BARACK OBAMA,
President of the United States, The White House, Washington, DC.

CC:
Secretary of State Hillary Clinton
Ambassador to the United Nations Susan Rice

DEAR PRESIDENT OBAMA: We write to express our serious concern for the ongoing human calamity in the Sudanese border areas of South Kordofan, Blue Nile, Abyei, and Darfur, and in Yida and other refugee camps in South Sudan. The Sudanese government continues to target civilian populations through the use of indiscriminate bombing and the denial of humanitarian aid. These actions have left nearly half a million people at risk of starvation in the coming weeks and months. Sudan’s impending rainy season, and resulting poor road conditions, will soon make the delivery of any aid extremely difficult, if not impossible.

We applaud your recent actions demonstrating your firm commitment to ending the humanitarian crisis in South Kordofan and the border areas. There are two upcoming opportunities for the United States to further support a humanitarian agenda emphasizing aid delivery and access to these border areas. First, the United States will assume the rotating presidency of the United Nations Security Council in April and secondly, the United States will host the G8 summit at Camp David in May.

We hope that the United States will take advantage of both platforms by demanding full and unimpeded access for international humanitarian organizations to the border regions, while calling on Khartoum to agree to a concrete timeline to implement the United Nations-African Union-League of Arab States Tripartite Proposal. Specifically, we request that the United States ensure that Sudan and South Sudan are placed as a priority on the U.N. Security Council agenda during the U.S. presidency. These efforts will complement and further advance the message on Sudan you delivered this week to Chinese President Hu Jintao during your bilateral meeting in Seoul.

Khartoum’s notorious ability to delay and its failure to honor agreements suggest that a more robust, consistent and coordinated approach is needed to protect the lives of vulnerable populations. We have seen such sustained international coordination led by the United States in both negotiating the Comprehensive Peace Agreement signed in 2005, and in helping to implement the successful South Sudan referendum in 2011.

Now is the time to act. Affected areas of South Kordofan and Blue Nile reached emergency levels of food insecurity in March, and

the situation has continued to deteriorate. This is one level short of famine. The remaining areas within South Kordofan, as well as much of Blue Nile state, are facing crisis levels of food insecurity.

Recognizing the concrete steps your Administration has taken to spare the lives of vulnerable populations and prevent further conflict, we ask that you use the upcoming opportunities at the United Nations Security Council and the G8 summit in May to leverage multilateral pressure on the Government of Sudan and its supporters. We appreciate your ongoing commitment to that goal.

Respectfully Yours,

Barbara Lee, Michael E. Capuano, James P. McGovern, Al Green, Karen Bass, G. K. Butterfield, Judy Chu, Wm. Lacy Clay, James E. Clyburn, Keith Ellison, Bob Filner, and Howard L. Berman.

André Carson, Yvette D. Clarke, Emanuel Cleaver, Elijah E. Cummings, Chaka Fattah, Marcia L. Fudge, Raúl M. Grijalva, Sheila Jackson Lee, Rick Larsen, John W. Olver, Lucille Roybal-Allard, and Robert C. Scott.

Terri A. Sewell, Michael M. Honda, Hank Johnson, John Lewis, Cedric L. Richmond, Gregorio Sablan, David Scott, Bennie G. Thompson, Edolphus Towns, Frederica S. Wilson, John Conyers Jr., and Laura Richardson.

Corrine Brown, Jackie Speier, Peter A. Defazio, Melvin L. Watt, Lynn C. Woolsey, Donna M. Christensen, Alcee L. Hastings, Maxine Waters, Pete Stark, Carolyn B. Maloney, Aaron Schock, and Donna F. Edwards.

Maurice D. Hinchey, Russ Carnahan, Zoe Lofgren, Lois Capps, Michael H. Michaud, Madeleine Z. Bordallo, Stephen F. Lynch, Sanford D. Bishop Jr., Brad Sherman, Sam Farr, Jesse L. Jackson Jr., and Danny K. Davis.

Steve Cohen, Jan Schakowsky, Chris Van Hollen, Jerrold Nadler, Charles Rangel, Marcy Kaptur, James P. Moran, and Steve Israel.

□ 1920

WE CAN DO BETTER

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise because I truly believe we can do better. I join my colleague from Texas to speak and raise the question of: What was the GSA, the General Services Administration, thinking? There are a lot of good workers and we should not attribute to them bad acts, but it was such poor judgment—\$800,000 to be spent recklessly on party hearty.

But I also want to raise the question of the contracts that the GSA sends out. In the instance of the stimulus dollars, my Federal building has been rehabbed under the stimulus moneys to create jobs, and we can't get the contractor, Gilbane, to address the question of diversity in the workforce or diversity in contractors. What a terrible shame. There has been some hard work and some attention, but not the hard press that should come about when you seek fairness.

Mr. Speaker, I also want to mention the fact that I'm supporting Mr.

COURTNEY's bill, of Connecticut, because it is a shame to double, triple the interest rates on loans that college students need to provide for their education.

Finally, I want to say that NASA has sent the *Discovery* to the Smithsonian. I want a shuttle in Houston, and we're never giving up until we get it. We are the historic home for the shuttle.

HUNGER AND THE RYAN BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Connecticut (Ms. DELAURO) is recognized for 60 minutes as the designee of the minority leader.

Ms. DELAURO. Mr. Speaker, in tonight's Democratic Special Order, we will be highlighting the severe and immoral cuts made to antihunger and nutrition programs in the House Republican budget.

Right now, millions of American families and children are suffering from food insecurity. As the map here clearly shows, food hardship is a national tragedy. It is present in each and every congressional district. The districts that are highlighted in pink and in red have the most food hardships, while the districts in yellow are not far behind. Districts highlighted in blue have the lowest food hardship, but the national average is that nearly one in five Americans struggles with food hardship. Simply put, they are at risk of going hungry.

According to a study done by the Center for Budget Policy and Priorities, the Republican budget, composed by Chairman PAUL RYAN and endorsed by Presidential candidate Mitt Romney, would "impose extraordinary cuts in programs that serve as a lifeline for our Nation's poorest and our most vulnerable citizens." Not the least of these are America's critical antihunger initiatives like food stamps and the Women, Infants and Children, or WIC, program, all of which the Ryan Republican budget threatens to slash by as much as 19 percent.

That means, for example, that over 8 million men, women, and children could be cut from food stamps, and 2½ million pregnant and post-partum women, infants and children may be slashed from the WIC program. The Ryan budget slashes these antihunger initiatives while preserving subsidies for Big Oil, tax breaks for the wealthiest Americans. It is a reverse Robin Hood budget that, in the words of Robert Greenstein, the head of the Center on Budget and Policy Priorities, would "likely produce the largest redistribution of income from the bottom to the top in modern U.S. history, and likely increase poverty and inequality more than any other budget in recent times and possibly in the Nation's history."

As many religious and ethical observers have noted this week, the decisions

made in this budget are antithetical to our basic moral values. Last Friday, 60 Catholic leaders and theologians wrote a letter to Chairman RYAN arguing that his budget was "morally indefensible and betrays Catholic principles of solidarity, just taxation, and a commitment to the common good. A budget that turns its back on the hungry, the elderly, and the sick while giving more tax breaks to the wealthiest few can't be justified in Christian terms."

This Ryan Republican budget is particularly cruel when you consider the scale of need in the current economy where 13 million are unemployed and one in six are living below the official poverty line.

As another group of Christian leaders, the Circle of Protection, has urged, Congress should "give moral priority to programs that protect the life and the dignity of poor and vulnerable people in these difficult times."

Our antihunger initiatives like food stamps and WIC are just such programs. Tonight, I'm proud to be joined by my colleagues. We will discuss the profound impact the Ryan-Romney Republican budget will have on these programs.

With that, I am so pleased to ask my colleague from California (Mr. FARR), who is the ranking member of the Agriculture Appropriations Subcommittee, to continue our dialogue for this evening.

Mr. FARR. Thank you very much, Madam Chair. I call you Chair because you were chair when I was on the committee, and I always respect your leadership in this field.

As was stated, I am ranking member of the House Appropriations Agriculture Subcommittee, and that is responsible for the U.S. Department of Agriculture and the Food and Drug Administration. The entire budgets of those administrations are bigger than the budget of all of California. It is a very important program, and the U.S. Department of Agriculture is responsible for food policy. Most of our food policy in the United States is about health care. It's about feeding people and assisting those who don't have adequate access to fresh fruits and vegetables through creation of farmers markets and things like that.

I'm here tonight because I'm deeply disturbed by the attention and sort of the media satisfaction that some are getting when they hear about the Ryan budget cut, squeeze, and trim; and I want to talk tonight a little bit not only to the families that receive the benefits but to the farmers who grow the food in this country.

The Ryan budget is one you ought to look at before you leap, because if you look at it in detail, you will find that it has a lot to do with knowing about the price of everything and the cost of everything, but very little about knowing the value of what these programs are all about.

Look, food in America is very important, and we wouldn't be having all these health care debates and issues if it weren't for the issues of health care. Health care begins with food. If you're going to grow healthy people, it has to do with what they eat, and we also know it has to do with the exercise that they participate in.

Of about a \$100 billion budget, \$65 billion of that is in food and nutrition. It's about feeding people. We feed a lot of people in the government. We certainly feed everybody in the military. We feed people in public institutions. We feed children in schools, and we also give families a choice of what they want to buy with the old food stamp program, now known as the SNAP program, Supplemental Nutrition Assistance Program.

In my district, one out of every five families is receiving this assistance. And what do they do with that? They can buy, because we produce so much fresh fruits and vegetables, a much healthier diet than they would have otherwise. Indeed, if we're going to prevent illness in America, we have to keep people healthy.

Who grows this food? Who produces this food? It's the farmers of America. They don't give it away. We buy it from them.

A huge percentage of the income to farmers in this country comes from the food they produce for our institutional feeding and for our health care programs. The Ryan budget devastates that. He cuts, squeezes, and trims the farmers in this country, the growers, the people that create the food security in America.

So look before you leap. This budget does a lot more harm than good.

□ 1930

And, frankly, the Supplemental Nutritional Assistance Program is a very good program. We even have spouses and children of military families that are receiving this because at some locations the pay isn't great enough to be able to give them all of the nutritional foods that they need.

So if we're going to grow a healthy America, we've got to keep this program, and we've got to avoid falling in love with the Ryan budget which will do everything but create a healthier, safer, sounder and more fiscally capable government. I urge the defeat of that budget and the support of the American farmers.

Ms. DELAURO. I thank the gentleman from California. And as this is, as I said, an issue that is coast to coast, I'd like to recognize our colleague from Massachusetts, someone who has been an unbelievable champion of eliminating hunger in the United States, JIM MCGOVERN from Massachusetts.

Mr. MCGOVERN. I want to thank my colleague from Connecticut for her pas-

sion and for her leadership on this issue, and for reminding us all of a terrible truth, and that is, there is not a single community in the United States of America that is hunger-free; that there are millions of our fellow citizens, men, women and children of every age and every background you can imagine, who are hungry or who are food insecure. They don't have enough to eat, can't put a nutritious meal on the table for their families. They go without meals on a regular basis.

This is happening in the United States of America, the richest country on this planet; and every one of us, Democrats and Republicans alike, should be ashamed of that fact.

I tell people all the time that hunger is a political condition. We have the food. We have this incredible natural resource in this country that we're able to produce enough food to be able to feed our population. We have this incredible agriculture community, wonderful farmers from coast to coast who can grow our food. And yet millions of our citizens go without.

We have the food, we have the infrastructure, we know what to do. We have everything but the political will to eradicate hunger in America.

Now, look, we all agree that we have a problem with our debt, and we need to get our budget under control. But it's hard to believe that the first place the Republicans are looking to balance the budget are on the backs of the poor and the most vulnerable in this country, on the backs of people who are hungry, because tomorrow in the Agriculture Committee, following in line with the Ryan budget, the Republican leadership is going to ask that the Agriculture Committee cut \$33 billion out of the SNAP program.

That's how they're going to balance the budget. First thing out of the box, going after the SNAP program, a program that has worked to keep millions of people not only out of hunger, but out of poverty.

I will insert an article into the RECORD that appeared in The New York Times talking about how the SNAP program has prevented millions of Americans from going into poverty.

[From the New York Times, Apr. 9, 2012]

FOOD STAMPS HELPED REDUCE POVERTY RATE, STUDY FINDS

(By Sabrina Tavernise)

WASHINGTON.—A new study by the Agriculture Department has found that food stamps, one of the country's largest social safety net programs, reduced the poverty rate substantially during the recent recession. The food stamp program, formally known as the Supplemental Nutrition Assistance Program, or SNAP, reduced the poverty rate by nearly 8 percent in 2009, the most recent year included in the study, a significant impact for a social program whose effects often go unnoticed by policy makers.

The food stamp program is one of the largest antipoverty efforts in the country, serv-

ing more than 46 million people. But the extra income it provides is not counted in the government's formal poverty measure, an omission that makes it difficult for officials to see the effects of the policy and get an accurate figure for the number of people beneath the poverty threshold, which was about \$22,000 for a family of four in 2009.

"SNAP plays a crucial, but often underappreciated, role in alleviating poverty," said Stacy Dean, an expert on the program with the Center for Budget and Policy Priorities, a Washington-based research group that focuses on social programs and budget policy.

Enrollment in the food stamp program grew substantially during the recession and immediately after, rising by 45 percent from January of 2009 to January of this year, according to monthly figures on the U.S.D.A. Web site. The stimulus package pushed by President Obama and enacted by Congress significantly boosted funding for the program as a temporary relief for families who had fallen on hard times in the recession.

But the steady rise tapered off in January, when enrollment was down slightly from December, a change in direction that Ms. Dean said could signal that the recovery was having an effect even among poor families.

The program's effects have long been known among poverty researchers, and for Ms. Dean, the most interesting aspect of the report was the political context into which it was released.

In a year of elections and rising budget pressures, social programs like food stamps are coming under increased scrutiny from Republican legislators, who argue that they create a kind of entitlement society.

In an e-mail to supporters on Monday, Representative Allen B. West, a Florida Republican, called the increase in food stamp use a "highly disturbing trend." He said that he had noticed a sign outside a gas station in his district over the weekend alerting customers that food stamps were accepted.

"This is not something we should be proud to promote," he said.

Kevin W. Concannon, the under secretary of agriculture for food, nutrition and consumer services, argued that since the changes to the welfare system in the 1990s, the food stamp program was one of the few remaining antipoverty programs that provided benefits with few conditions beyond income level and legal residence.

"The numbers of people on SNAP reflect the economic challenges people are facing across the country," Mr. Concannon said. "Folks who have lost their jobs or are getting fewer hours. These people haven't been invented."

The study, which examined nine years of data, tried to measure the program's effects on people whose incomes remained below the poverty threshold. The program lifted the average poor person's income up about six percent closer to the line over the length of the study, making poverty less severe. When the benefits were included in the income of families with children, the result was that children below the threshold moved about 11 percent closer to the line.

The program had a stronger effect on children because they are more likely to be poor and they make up about half of the program's participants.

"Even if SNAP doesn't have the effect of lifting someone out of poverty, it moves them further up," Mr. Concannon said.

Mr. Speaker, I also want to take on a myth that some of my Republican friends have been propagating that

somehow the SNAP program is a wasteful program. I've heard over and over and over again that the amount we've spent on SNAP has risen over the last decade. It has, in part, because we've gone through a terrible economic crisis. More and more of our fellow citizens have fallen into poverty, have had to rely on SNAP.

CBO tells us that they expect what we spend on SNAP to go down as the economy gets better. And this is a social safety net. This is a program that provides protection for people when they hit difficult economic times. So that is why spending has increased. It has nothing to do with fraud or waste or abuse.

In fact, the GAO and the USDA have reported time and time again that SNAP is one of the most efficiently run programs in the Federal Government. Less than 3 percent error rate, and that includes people who get underpaid what they're entitled to.

I dare anybody here to find me a program at the Pentagon that has such a low error rate in terms of the utilization of taxpayer money.

Mr. Speaker, the bottom line is this: what we're talking about here is not just a program, is not just numbers. We're talking about people. We're talking about our neighbors. And we're talking about not just people who are unemployed. We're talking about working people. Millions of working families benefit from SNAP. They're out there working trying to make ends meet, but they don't earn enough. So because of that, we have this program called SNAP to help them get by and to put nutritious food on the table for their children.

Mr. Speaker, we can talk all we want about our budgetary problems. I want to close with this. You know, people say to me, well, we can't afford to spend any more on hunger programs because, you know, things are tough and the budget need to be tight.

But I would counter, Mr. Speaker, by saying we can't afford not to. There is a cost to hunger in America and that cost we all pay for: avoidable health care costs, lost productivity in the workplace. Children who go to school without enough to eat can't learn in school. That all adds up. That is a huge cost of billions and billions of dollars that we all have to pay. And that doesn't even count what we invest in programs like SNAP and WIC and other programs designed to provide nutrition and food for our fellow citizens.

So I would say to my colleagues on the other side of the aisle, the battle against hunger has historically been a bipartisan one. We've been able to come together, Republicans and Democrats, and be able to stand together to support programs that provide a circle of protection for our most vulnerable citizens.

And all of a sudden, you know, my Republican colleagues and some of the

Presidential candidates are using hunger as a wedge issue, calling President Obama the Food Stamp President. Well, I'm proud that in this country we care about our fellow citizens, especially when they fall on hard times.

I urge my colleagues, especially on the Republican side, to stand up against your leadership and to stand with us and to stand with people who are in need. If government is not there for the neediest, then I'm not sure what good government is.

Mitt Romney doesn't need government. He's a multi-millionaire. Donald Trump doesn't need government. But there are millions of our fellow citizens who, through no fault of their own, find themselves in a difficult economic situation who rely on these programs.

It is beyond comprehension to me that tomorrow the Republicans want to cut \$33 billion out of SNAP. With all the places they could look for savings, they're going after programs to help the most vulnerable. That is unacceptable and unconscionable, and I hope that the majority in this House stand up strongly against that.

I thank my colleague for yielding the time.

Ms. DELAURO. I want to thank my colleague. I want to thank him for his eloquence. He makes a comment that these are not just statistics about the people who are being hurt. The fact of the matter is last week in my district during our district break I did an event on hunger in our community. And there I had the head of the Connecticut food bank, the woman who heads up the End Hunger Connecticut organization, and a young woman, her name was Susan Vass from Branford, Connecticut. She stood up and with tears in her eyes talked about her circumstances. Out of a job, that's someone who is a former pension adviser, a human resources director who's now unemployed, cannot find a job. She has three boys 18, 14 and 10 years old. They eat—she stood there crying—one meal a day. If we cut back on food stamps, and because she's now not eligible, she can't get them because her unemployment benefits take her over the mark, so she relies on the Connecticut food bank.

And when the food stamps are cut, the food banks don't get the emergency assistance program funding. So her ability to feed her family will continue to drop.

It's wrong. It's immoral in a land that has plenty and we are bountiful with food in this Nation.

I'm so delighted that our colleague, JACKIE SPEIER from California, has joined us tonight for this conversation.

Ms. SPEIER. I thank my colleague from Connecticut, who says it better than any of us and with such great fervor and passion.

You know, there are times here when I am elated, and there are times here

when I'm sick to my stomach. And tonight is one of those times when I am sick to my stomach. I am embarrassed for this body.

I'm embarrassed that the Republicans want to stuff polar bears and bring them back to this country as trophies for their hunters, but they do not want to stuff the bellies of poor kids in our country. There is something fundamentally wrong, and I say that with a great deal of remorse, really.

One in seven Americans now is in poverty and needs to be part of the SNAP program. You know, I think it's really important for us to say it over and over again. This program is not filled with fraud.

□ 1940

This program is one of the best programs that we run in the government, where the error rate and the fraud is less than 3 percent.

Now, I took the Food Stamp Challenge last fall, and I've got to tell you that it was a humbling experience. And for every one of my colleagues who want to cut the food stamp program by \$33 billion, I challenge them to live on the equivalent of food stamps for just 5 days. I did it for 5 days, \$4.50. There were no lattes in my diet. There were no Big Macs in my diet. There was no sushi in my diet. My diet consisted of canned tuna, eggs, one head of lettuce, and tomatoes for 5 days, and a can of instant coffee from the dollar store. That's how I survived. At the end of 5 days, I thought to myself, I just did this for 5 days. How about the family that needs to do this day in, day out, month after month.

What we don't say often enough on this issue is that you are only eligible for the SNAP program if you are a family of four making less than \$22,000 a year. If you make more than \$22,000 a year, you are not eligible, and the only place you can go to is the food banks.

So if we really are going to be a country that thinks about the poorest among us, we cannot reduce this program. We cannot say to those who are just making it, who are making less than \$22,000 as a family of four, that we're not going to help you put food into the bellies of your kids.

I say to my Republican colleagues: Don't do this. If you are, in fact, going to vote for this budget, then you take that Food Stamp Challenge for 5 days. You see what it's like and then vote for it. I thank my colleague.

Ms. DELAURO. I thank the gentle lady. Your words are poignant. If anybody would like to do this, they really should walk in people's shoes and understand what it's about. When the American people say that they don't believe Congress understands what their lives are about, in this instance you bear it out. Thank you.

Someone whom we are deeply going to miss in the next session of this Congress, there hasn't been a greater

champion for women and their families in the House of Representatives than our colleague from California, Congresswoman WOOLSEY.

Ms. WOOLSEY. I thank the Congresswoman from Connecticut for this Special Order and for those kind words. Thank you very much.

So let me see, do I have this right? Am I getting it? My colleagues on the other side of the aisle think it's just fine for the wealthiest Americans to avoid their fair share of the tax burden, that it's fine for a millionaire to pay a lower Federal tax rate than his secretary. So, tell me who they believe should make do with less in order to close the budget deficit. Just who do they want to sacrifice? Oh, of course, those Americans who are barely getting by, who can't afford life's basic necessities without support from the Federal Government.

Mr. Speaker, to convert SNAP into a block grant program and cut nutrition assistance would cut a giant hole in the social safety net. Actually, the SNAP program is a smart investment in Americans who need help the most. It stimulates the economy, it increases worker productivity, it's good for our children's development and academic performance. At this very moment, when a harsh economy is threatening the security of so many families, we should be increasing these investments. We shouldn't be standing here talking about scaling them back.

You know, Mr. Speaker—you probably don't know—I know what it's like to be working and still not earn enough to put food on the table. I was a single mother, it was 45 years ago. I had three small children, they were 1, 3, and 5 years old. Their dad was ill, he abandoned us. I went back to work to support my family. In fact, I had to lie about my marital status and about my childcare arrangements just to get a job—remember, that was 40 years ago. My salary was not enough to provide for the four of us, so to help my paycheck cover the basic needs of my family I went on public assistance—kept on working—and that was how I could make ends meet. But without food stamps, we never could have made ends meet. As I said, my children were 1, 3, and 5 years old. They had needs.

Eventually, we got through the rough patch and my children grew up to be healthy, successful adults—they're amazing, by the way—but I don't know what we would have done or how we would have survived without that help. In fact, isn't that what America is about? When our fellow citizens fall on hard times, don't we pitch in to help them? Well, that's not what the Republican philosophy is. It's quite different than that. I believe that they believe every man and woman is on their own and should be fending for themselves.

Millionaires and billionaires deserve the special breaks that they don't

need. And more hardship for Americans who are suffering enough already is just what they have to do when they happen not to be very wealthy, or in need. It's appalling, and it's shameful.

Mr. Speaker, you don't need to have my personal experience; nobody needs to. I didn't have to do the food stamp test for 5 days—I know what it's like to live on food stamps. But we, as Americans, as Members of Congress, have to fight with everything that we have to protect the nutrition programs that we have in this country because families in America depend on it.

Ms. DELAURO. I thank the gentlelady for her words, and for her telling about her personal experience.

I'd like to recognize the vice chair of our Democratic Caucus, the Honorable XAVIER BECERRA of California—which, by the way, has over a 19 percent food hardship rate.

Mr. BECERRA. I thank the gentlelady from Connecticut, my good friend ROSA DELAURO, for not just this evening, but for the years of work that she has done in committee, for her district, and simply in Congress as being one of the champions of not just children and families who are in need, but the fight to make sure that all these families have an opportunity to have access to real nutrition, not just food, but real nutrition. Because there were days when ketchup was called a vegetable. And some people made the fight to make sure that nutrition really meant good food, so that if we were going to help Americans—as we want to, as good Americans, help our fellow Americans—then let's be sure we're doing it so that they end up healthy Americans as well.

So we're here to talk about the Supplemental Nutrition Assistance Program, SNAP. SNAP is the acronym. But really what we're here to talk about is the fact that in America children still go to bed hungry. It's hard to believe, but that's the way it is for too many families in our country.

Now, the numbers are staggering. They're staggering because of the Bush recession which left so many Americans in a place they had never been before. In fact, you had to go back some 70, 80 years to find a situation similar, when we saw the Great Depression in America.

We went from somewhere in the mid-twenties, some 26 million Americans who qualified for SNAP assistance, to over 45 million, around 45 million families during the height of this Great Recession who qualified for benefits. Most of those folks who qualified included families with children, or seniors, or persons with disabilities. It should come as no surprise. But what's really disheartening is to see how many Americans live in extreme poverty, a life that most of us would not recognize.

□ 1950

When we talk about extreme poverty, we are talking about Americans who are living on less than \$2 a day. The number of Americans who were living on less than \$2 a day doubled during the Bush recession. The number of poor children who were in extreme poverty doubled during the Bush recession. Most of the people we're talking about, as my colleagues have said earlier, are living on less than \$22,000 a year as a family of four. Those in extreme poverty are living on, obviously, far less. With an individual, not a family but just an individual, we're talking about someone who would have to have an income of \$11,000 or less to be able to qualify for any assistance with the SNAP program.

What probably makes it the most difficult for many of us here in Congress and for most Americans to really grapple with as to this issue of food insecurity and children in America going to sleep hungry is the fact that this Congress is taking on legislation which would actually provide tax cuts to millionaires and billionaires at this very moment that we speak about food insecurity. So it is difficult to comprehend how we could say to Americans today, who are working hard but earning very little and who are trying to figure out how to keep their kids from going to sleep hungry at night, that we still have the money to provide tax breaks to millionaires and billionaires but that we can't figure out a way to continue a great program called SNAP that relies on our farmers to grow this food and then to make some of it available at a discounted rate to American families who are having a tough time.

This is all about values. This is all about the American family. It's all about whether we believe in the better days still to come for our country.

I happen to be someone who grew up in a very tiny house—about a 600-square-foot home—with my three sisters. My father got about a sixth grade education. My mother came from Guadalajara, Jalisco, Mexico, when she married my father at the age of 18. They came to Sacramento, California, with only the money they had in their pockets. They never once had to ask for assistance. They worked very hard. They were fortunate that they always found a way to make ends meet. I never had the Converse or the Keds or the Levi's jeans. My first bike was a bike that my friend was willing to sell to my father and me because he had just gotten a new one, but I never went to sleep hungry.

So I will tell you right now that it's a different thing to experience something where the thing you want the most before you go to sleep is a bite to eat. Too many of our kids are upset that they didn't get to watch that television program or didn't get to play on the computer very much at night.

There are still too many American children who are concerned that, when they go to bed, they wish they'd have something else in their stomachs. I believe America has the moral fiber to say that we're going to deal with this problem.

I thank the gentlelady from Connecticut for, once again, continuing the fight, because the reality is that we could figure out a way to help millionaires and billionaires continue to be successful and create the next wave of wealthy and successful Americans. At the same time, we should be able to figure out a way to make sure that the SNAP program is there for Americans who, through no fault of their own, find themselves without work and who, through no fault of their own, are trying to figure out how they will let their children go to bed with full stomachs. If we do this the right way, we'll get it solved.

I sat on the Bowles-Simpson Commission a year and a half ago, which found a way to save \$4 trillion in our budget. It did not touch the SNAP program. I sat on the supercommittee, which was supposed to also fashion a budget deficit reduction deal, and that task force was also going to come up with a deal that would not have touched the SNAP program. We can certainly do far better than what we see in the House Republican budget, which is going after the SNAP program. I encourage all of my colleagues to stand up, not just for the SNAP program but for Americans today, because there are some families who tonight are trying to figure out how they can keep their children from going to bed hungry.

So I thank the gentlelady from Connecticut for all she has done for so long to champion this issue.

Ms. DELAURO. I thank the gentleman.

I think one of the most important things that you commented on tonight was the number of U.S. households living below the World Bank measure of severe poverty in developing nations. That means they're living on less than \$2 a day per person. At the start of 2011, we had 1.4 million households, 2.8 million children—that's 800,000 households—who were living on \$2 a day, and we have colleagues in this institution who want to take food out of the mouths of those children.

Mr. BECERRA. Some people don't believe that that's the case. That is America.

Ms. DELAURO. That is.

Now I would like to say "thank you" to our colleague from New Jersey, Congressman HOLT, and ask him to join our conversation this evening.

Mr. HOLT. I thank my friend from Connecticut. I thank Mr. BECERRA for his heartfelt and very moving remarks, and I thank Ms. SPEIER from California.

Look at this. Look at this map: 46 million Americans rely on SNAP. More

than 9 million others rely on WIC, which is the Women, Infants, and Children food assistance. In New Jersey, my home State, more than 1 million residents rely on SNAP benefits to keep food on the tables. Then the budget, the Republican-Ryan budget, endorsed by Mitt Romney, would shred our social safety net while cutting taxes for the wealthy. It would cut food stamps, as these are generally known, by \$133 billion over 10 years.

The authors of this or anyone who voted for it should walk a little bit in those shoes. I've walked in the shoes. More specifically, I've walked down the supermarket aisle with beneficiaries, with people who work in the food assistance programs, with food bank representatives. How does it go? Well, you can't buy that. No, you can't afford that. Oh, Mommy, can I have this? No. We're going to have to put that back on the shelf.

\$31.50 a week. Nobody is doing this to have a little taste of luxury. Yet we have people come to the floor here in the House and say, before any of these millions of people get this assistance, they should have drug tests or means tests. I call them suspicion tests. Somehow they're trying to rip us off.

No, these are not welfare queens. Look, the average recipient is on these benefits for less than a year. More than half of them go to households where the income is below half the poverty line. The poverty line is low enough, but half of these recipients are at half that rate. Nearly 75 percent of SNAP participants are in families with children, and about half are working. These are working families who are trying to make it.

Is anybody who voted for this budget suggesting that the millionaires who might get an extra \$100,000 on average submit to a drug test? submit to a means test? Are we suspicious of them? How about the executives of the oil companies who are getting billions of dollars of benefits in this? Are we going to subject them to drug tests or to means tests in order to show that they're deserving?

My friend from Connecticut (Ms. DELAURO) already mentioned the United States Conference of Catholic Bishops. They wrote:

As pastors and teachers, we remind Congress that these—meaning the budget decisions—are economic, political and moral choices with human consequences.

Please, respectfully, they urge the rejection of any efforts to reduce funds or to restructure programs in ways that harm struggling families and people living in poverty.

I thank my colleague so much for shedding a bright light on this heart-breaking subject.

□ 2000

Ms. DELAURO. It is a heartbreaking subject. And when you think about in

that budget when we talk on averages, the number is a \$150,000 or a \$187,000 tax break to the wealthiest people in the Nation. They don't worry what they're picking up at the grocery store. They're eating well. Their kids are eating well. Their grandkids are eating well, as ours are in this institution. But it's the people that we represent who are in difficulty, and they need to know to look to us to help them when it is so tough out there economically. This program is working in the way that it should.

I thank the gentleman.

Now someone who knows what is going on really in the heartland of our country where they have suffered severe economic depression, and that is in the State of Ohio. Let me welcome to this conversation, our colleague, Congresswoman FUDGE.

Ms. FUDGE. I thank the gentlelady so much, and I thank you for your passion on this subject.

Mr. Speaker, there is a cold and cruel war being waged on the poor and hungry in America. I stand today with my colleagues as a voice for the more than 46 million Americans who depend on the food stamp program. I cannot and I will not stand by as my Republican colleagues attempt to balance the budget on the backs of these Americans.

Yesterday, the House Agriculture Committee unveiled the Reconciliation Act of 2012. The drafters of this legislation could have proposed cuts to any program within the Agriculture Committee's jurisdiction; yet they decided to satisfy reconciliation targets by cutting only one program: the Supplemental Nutrition Assistance Program, better known as SNAP. The proposal would cut more than \$33 billion from SNAP over 10 years.

Some may try to make you believe these cuts only apply to administrative costs, or they will say that the proposal is an attempt to reduce fraud or waste. They are misleading the public, Mr. Speaker. A majority of the cuts will come from benefits. These cuts will take food out of our seniors' refrigerators and food from the mouths of babies.

Nearly half of all SNAP participants are children. The Republican proposal would not only affect children being fed at home. Oh, no. That would probably be bad enough. This proposal goes further. The Congressional Budget Office predicts this proposal would prevent more than 280,000 children from receiving free meals in school. A school lunch is the only meal many poor children have every day. Millions of children already go to school hungry, Mr. Speaker. Now my Republican colleagues want to exacerbate the problem. I wonder, what did children do to deserve these proposed cuts? Of all the programs that could be cut, why attempt to balance the budget on the backs of schoolchildren?

In Ohio, more than 1.5 million people depend on the SNAP program. These are our neighbors and our friends who live in rural, suburban, and urban Ohio. SNAP is a powerful antipoverty program that has helped make our economy stronger. SNAP is the safety net for millions of people who find themselves unemployed for the first time in their lives. Without SNAP benefits, the disabled would suffer. Without SNAP benefits, seniors would be forced to make the choice between food or a roof over their heads. Without SNAP, children would go hungry. The hungry and the poor and the most vulnerable people cannot afford these cuts. Mr. Speaker, they cannot pay all of our bills by themselves.

Ms. DELAURO. I thank the gentlewoman, and I also recognize the gentleman from Ohio who as well understands what the effects of this recent recession have been to his community, his State, and the people that he represents, Mr. RYAN.

Mr. RYAN of Ohio. I thank the gentlelady, and I'm glad I have the opportunity to follow the gentlelady from Cleveland because my district is just south of her district.

As you can see from the map of Ohio, there is severe poverty and food insecurity in the northeastern part of Ohio, but all the way down, as you can see, all the way into the south. And the SNAP program is one program that we're highlighting here tonight.

But I think it's important for us to recognize how this fits into the context of an overall budget that also cuts the Medicaid program by a third. Think about the stress, A, regarding the SNAP program if you're utilizing it. What is that family going to do if a third of the Medicaid budget is cut and early childhood is cut and Pell Grants are cut and student loan rates go up and all the way down the line? We're talking about putting a huge squeeze on the poorest people in our society when we only have 300 million or 400 million people and we're trying to compete with 1.4 billion people in China and 1.3 billion or 1.4 billion people in India. How are we going to be a competitive country? That's the question that we have to ask here if you can't even get enough food in a kid's belly before they go to school.

We need to look at this in the context of what are the investments we need to make in order to be a successful country, period. We've heard a lot of amazing stories here tonight, heart-wrenching stories of people who ended up being Members of Congress because of some of these programs. Who is the next generation of leadership? Are we going to invest in them, or are we going to say, You're on your own?

We have now on the other side, Mr. Speaker, the nominee of a major political party in the United States of America saying: "I'm not concerned

about the poor," and making light of us asking people with the Buffett rule to maybe pay a little bit more. You know what? They say, oh, that's not that much money. It's only 11 hours of government spending and blah, blah, blah. You know what? That Buffett rule can help put food in people's bellies. For the 175,000 people in my congressional district in northeast Ohio that are living in poverty, that Buffett rule would help pay for the SNAP program. Is it insignificant now?

Ms. DELAURO. I thank the gentleman.

My God, what we could do if we had the will to do it. That's what this is about. It's a question of our values and where our priorities are. Is it about our kids, or is it about the richest 1 percent of the people in this Nation getting \$150,000 or \$187,000 in a tax break?

The gentlewoman from California has been extraordinary in her fight for the food stamp program, and she hasn't been afraid to take on anyone in any party on this issue of making sure that the food stamp program is secure. I recognize the gentlelady from California (Ms. LEE).

Ms. LEE of California. Thank you very much.

First, let me thank my colleague, Congresswoman DELAURO, for yielding and those kind words. But let me just thank you for not only organizing this Special Order, but for really continuing to beat the drum so that the country can understand how important nutrition programs are to our Nation. This is not just a job for Congresswoman DELAURO. This is about her life's work. So I just have to thank her for her leadership.

Republicans are preparing to attack families on food stamps. They are planning to take an axe to one of the most important protections for the poor, children, seniors, the disabled, which is, of course, the Supplemental Nutrition Assistance Program. They are attempting to cut up to \$33 billion from critical, anti-hunger programs even, mind you, as they bring up this bill, H.R. 9, the Small Business Tax Cut Act, which is another \$46 billion tax holiday for the very wealthy. They are trying to bring this up at the same time.

When Republicans target programs that protect vulnerable Americans from massive cuts that risk making millions of children suffer hunger and depravation, they are doing so unfortunately in the name of fiscal responsibility and deficit reduction. Yet in the very next breath when they want to give away tax breaks to the already wealthy businesses, then those same deficits don't seem to matter.

Mr. Speaker, making cuts on struggling families during hard times is not only heartless and mean and immoral, but it also makes no sense because it doesn't reduce the deficit, nor create

jobs. Critical programs like SNAP and WIC not only feed hungry children and families, but they support the overall economy. Every single dollar of SNAP benefits generates a \$1.84 in economic activity, and the Congressional Budget Office rated an increase in SNAP benefits as one of the two most cost-effective of all spending and tax options it examined for boosting growth and jobs in a weak economy.

Let me tell you today I really had the privilege to speak—and, Congresswoman DELAURO, I want to say to you thank you again for this because I know, as I said earlier, this is your life's work. This is not just about your job, okay. This is about you as a human being. This is about us and our values.

But let me tell you, many years ago while I was raising my two small children, two little boys as a single mother, I fell upon some very difficult times like Congresswoman WOOLSEY. She encouraged me to talk about this when I came here because, you know what, I was so embarrassed I never talked about it until LYNN WOOLSEY encouraged me to begin to share my story.

□ 2010

But I had to go on food stamps to help me just feed my kids during that very difficult period in my life, and it was hard. Again, I was very embarrassed. But to this day, mind you, to this day I want to thank my government and the people of the United States for extending this helping hand to me as a bridge over troubled waters.

Even though I was embarrassed and didn't want to be on public assistance, I had to for a while, and it was not that I was a welfare queen, but this was a very difficult time. Most families, 95, 98 percent of the families, don't really want to be on food stamps. They want to trade their book of food stamps for a living-wage paycheck. That's what they want.

Cutting SNAP, it simply doesn't make any sense. There are still four job seekers for every one job in America, and so we can't cut the benefits that help to keep food on their tables and provide that bridge over troubled waters until they can get their job.

For the life of me, it's really hard, it's really hard to understand how people of faith have forgotten what the Scriptures say, that we are our brothers' keepers, we are our sisters' keepers. This is the United States of America. This is not a poor developing country.

What the Republican budget proposes is that we will create a country that we won't even recognize, one that says go for what you know, one that says I got mine, you get yours. This 11 percent cut in food stamps, which the Republicans propose, it says you're on your own, mind you. You're on your own, unless you are very wealthy.

I know the American people aren't going to go for this. Our values as a country won't allow this kind of cut in the SNAP program. Americans care about the common good, and so I am confident that the Republicans, the Tea Party Republicans, they are going to hear from the American people on this.

Congresswoman DELAURO, once again I just thank you for giving us the opportunity to do this. I thank you because it is a privilege to be able to stand up for the 46 million people who need this helping hand, as one who needed a helping hand at a point in my life, and it helped me to live the American Dream for myself and for my family.

Ms. DELAURO. I thank the gentlewoman from California, and I want to make sure that we have the opportunity to hear from three more of our colleagues and our colleague from New York, Congressman TONKO. Thank you for being here tonight. And then we will hear from Congresswoman SCHAKOWSKY and Congressman LARSON.

Mr. TONKO. Thank you, Representative DELAURO, and thank you for leading us in what is a very important hour of discussion as we address some of the critical choices before this House. As my good friend and colleague, ROSA DELAURO, from Connecticut indicated, our budget, our budget outcomes are a sum total of our priorities, what has value in our society. What are those sensitivities that we express? What are those outright requirements, basic foundational requirements of our society?

I would suggest to you that one of those basic needs is to enable people to have the soundness of nutrition, to enable us to feed families that have stumbled across difficult times. What we have at risk as we speak here this evening on this House floor is the Supplemental Nutrition Assistance Program.

The SNAP program touches one in seven Americans. That is a staggering statistic, and for every \$5 in new SNAP benefits that we offer, they generate as much as \$9 in economic activity, almost a two-time economic factor. In my home district in upstate New York, in the Capital Region, some 23,000 households are utilizing SNAP funds. One in four of those SNAP recipients are 60-years-old and older.

Then we also have situations where three and four have had at least one member of the family out of work in the past 12 months. We have many children; one in two on SNAP are under 18 years of age.

This tells us there's a growing need out there. We have had a tough economy, and people have stumbled across tough times. Why is this so important to discuss right now? Because before the end of this month there will be an effort made through this House—they

are asking that the Ag Committee come up with cuts that are brutal.

They are asking for the Ag Committee to come up with a sum total of \$33.2 billion. Put right onto the chopping block are SNAP funds. So we are affecting the weakest amongst us, the most hungry amongst us, and we're not recognizing that those dollars invested in these families will recirculate into our regional economies.

This is a sound program that ought to be continued. There needs to be sensitivity shown, there needs to be prioritization of a very important factor here. That is sound nutrition for our American families. I have seen it, I have witnessed it firsthand in our district. It works, it works well. We need to set this as a high priority, and I thank Representative DELAURO for allowing me a few moments of time to share concerns on behalf of the good people that I represent in the 21st District of upstate New York.

Ms. DELAURO. You represent them well. I thank my colleague.

I want to be in a trench with the gentlewoman from Illinois, Congresswoman SCHAKOWSKY. She is a tough fighter, and at the base of that it's about families and their children. Congresswoman SCHAKOWSKY.

Ms. SCHAKOWSKY. I thank you so much for the opportunity to participate in this debate where so many of our colleagues have come down to the floor to talk about it.

This is the richest country in the world, and yet one out of five of our children is considered food insecure, goes hungry. That is such a moral outrage.

You know, the average food stamp benefit is \$1.50 a meal. That's what you get when you're lucky enough to be part of the SNAP program. And as this chart shows, this map shows, it's everywhere. I actually live in a district that was considered one of the least hard-hit by food insecurity, but that's all relative.

In the Ninth Congressional District in Illinois, more than 11 percent of the households are experiencing food hardship, the inability to put enough food on the table. And even the least of the hard-hit districts has 7 percent of its families unable to put enough food on the table in the richest country in the world. It's intolerable.

You know, the headline today in Politico, "Republicans Ax Aid to the Poor" makes me so sad. Who are we as a country? What are we as a country where a candidate for President, a Republican candidate for President, denigrates Barack Obama by calling him the food stamp president. I'm proud that this President wants to defend, protect, and save a program that feeds so many people.

And here's what the Catholic bishops say:

SNAP, also known as food stamps, helps feed millions of households. At

this time of economic turmoil and growing poverty, the committee should oppose cuts in this effective and efficient anti-hunger program that helps people live in dignity.

I just want to say we are asking for dignity for Americans that are struggling. The average food stamp recipient is only on it for 9 months. One of the former recipients called it a trampoline that helps you get past it.

I'm asking for dignity for Americans and saving the nutrition programs, especially the SNAP program, the food stamp program.

Ms. DELAURO. I thank the gentlewoman from Connecticut, who is chair of the Democratic Caucus and whose career, whether it was in the State senate in Connecticut in our legislature there or his work here, has been remarkable. At its core, again, are our children and our families.

I recognize Congressman JOHN LARSON of Connecticut.

Mr. LARSON of Connecticut. I thank the gentlewoman from Connecticut and the dean of our delegation, the deaness, I should say, for her tireless work and advocacy on the part of not only the citizens of the Third Congressional District of Connecticut but across this great Nation and, I daresay, this globe.

I never cease to be amazed by the eloquence of our Members, so many of them coming forward and speaking their minds and speaking from their heart about the people that we're sworn to serve and represent. This week in Congress we face, again, legislation, rather ironically, where we are deeming, deeming a budget passed, almost as though we would deem that the hungry be fed.

Franklin Roosevelt, in another time, recognized the great sacrifice that a nation had to endure, and President Obama this past January called upon the shared sacrifice that is required amongst a nation, a nation that needs to pull together in a very difficult recessionary time.

□ 2020

And in this time it's a time where you have to make choices. And those choices have to be based on your values and have to be based, as the President said, on sacrifice. Roosevelt called for the warm courage of national security that comes from a shared sacrifice.

Forty-six million people receive assistance, primarily women and children, who get fed and nourished. We're going to have a debate on a budget that strikes at the core of this at a time when we would give tax breaks of \$47 billion, while we're taking away from the neediest amongst us?

Roosevelt said the problem with our colleagues on the other side is they can become frozen in the ice of their indifference towards their fellow citizens, everyday Americans serving and struggling in this recessionary period. And

what do we get in return? We get RomneyCare, we get tax breaks for BainCapital. We get tax breaks that are coming to the Nation's wealthiest 1 percent at a time where we ask the middle class, who is struggling, to pay for it.

We're out here today talking about a very important program that provides nutrition to the least amongst us, and we're calling for cuts that are not only going to take from them but are going to take from students that are trying to be able to pay off their educational loans. This has got to stop. We're a better country than this.

I commend the gentlelady from Connecticut for bringing this to our attention and focusing on the needs of a great Nation that in a time of budgetary concerns has to choose the appropriate values for the country, that has to make the appropriate choices. We all agree on the need to sacrifice, but it has to be shared and shouldn't be balanced on the backs of the middle class and the poorest amongst us.

I thank the gentlelady from Connecticut for her leadership.

Ms. DELAURO. I thank the gentleman and I thank my colleagues for joining us tonight.

GOP DOCTORS CAUCUS: HEALTH CARE'S BROKEN PROMISES

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

Mr. FLEMING. Mr. Speaker, in this hour, I and my colleagues who will be joining me very shortly—other physicians who are from the GOP Doctors Caucus, perhaps nurses, and other health care workers as well—in this next hour we're going to be talking about our favorite subject, and that is health care reform. We're going to be talking about specific aspects, things that have actually come to light to us that I think are important. We're going to have other things that in the coming days we're going to learn about how ObamaCare was passed, what things were done by the other side of the aisle to make that happen, things that maybe some would call sausage-making, others would say it's improper. But we'll certainly spend some time on that as the days come.

I want to continue a theme that we've been discussing, and that is the broken promises of ObamaCare. Remember, to get ObamaCare passed, President Obama made a number of promises.

I'll start with the first one that is relevant to our topic tonight, and that is: Under my plan, no family making less than \$250,000 a year will see any form of tax increase. That was candidate Obama, Senator Obama at the

time, who talked about all the number of things that were going to be good about ObamaCare; but in fact we see that virtually everything that's come up, with a few possible exceptions, has not been so favorable.

I think that taxes is really a very relevant subject to speak about this evening because here we are and today is the tax deadline for the IRS, and we all have that on our minds. It's interesting, whenever I file my taxes, the first thing I think about doing is projecting into the next year what the issues are going to be for me and my taxes. And so I think it's only proper and the timing is excellent that we talk about that this evening.

Remember, Candidate Obama pledged he would not raise any of your taxes and promised not to tax health benefits. His health care broke those promises at least 10 times. Here's just a lineup of some of the taxes that we're talking about.

Fifty-two billion dollars in fines on employers who do not provide government-approved coverage. Remember that under ObamaCare not only is there a mandate date for individuals to buy health insurance. There's a mandate on the employers, the business owners to buy it as well. And upon both is the burden to buy not health insurance but government-conceived health insurance, that is, health insurance that the government in its wisdom—our Federal Government—decides and deems is proper for us. And so you have to make two fulfillments in that mandate. One is to buy health care insurance and, number two, health care insurance that's approved by the government.

Thirty-two billion dollars in taxes on health insurance plans. The actual health plans are going to be taxed as well. Now, who is going to pay that tax? Do you think the insurance companies are going to pay it? No, it's going to be passed down to you, the subscriber, as taxes on business always make their way down to the consumer.

Five billion dollars in taxes from limits on over-the-counter medication; \$15 billion in taxes from limiting the deduction on itemized medical expenses; \$13 billion in taxes from new limits on flexible-spending arrangements; \$60 billion in taxes on health insurance plans; \$27 billion in taxes on pharmaceutical companies; \$20 billion in taxes on medical device companies; \$3 billion in taxes on tanning services; \$3 billion in taxes on self-insured health plans; and \$1 billion in new penalties on health savings account distributions. The health care law also includes a high income tax. Because it's not indexed for inflation, it will eventually hit 80 percent of taxpayers.

I draw my colleagues' attention to this slide: "ObamaCare's Rising Tax Burden." You can see that the tax burden in 2012, the year we're in, is \$190 for

a family of four. That's \$15 billion. You see that the burden goes up each year, and that in the out-years, 2022, it makes it above \$150 billion. In 2032, the burden goes well above \$250 billion. And it finally tops out at \$320 billion total, and that's an average of \$3,290 for a family of four.

□ 2030

So what am I saying? Remember that when you hear the rhetoric from the other side of the aisle, it talks about how we should be having more sacrifice from the wealthy and more sacrifice from those who make more. Folks, we've been down this road before.

Remember the luxury tax that came out some years ago? What did it do? It killed the companies that made boats and luxury items. It created a lot of job losses. The people who were hurt were the working class people, not the wealthy. They can still buy those things anyplace they want to.

We also came up with this silly idea of an alternative minimum tax to make the wealthy do their fair share. Well, we have the AMT today, and where has it gotten us? Because that was never indexed for inflation, middle class people are being hit by the alternative minimum tax. So it's no longer a tax on wealthy. It is a tax on the middle class, the people that our colleagues on the other side of the aisle talk so fondly of.

That's an important point, and that is that every time we come up with a tax on the wealthy, it always makes its way to the working class and the middle class.

Now, why is this? Is this by accident or is it by grand design? Well, folks, we all know that inflation occurs every year at an average rate of about 3 percent, but it's been as high as 16 percent in our history. And so any time we have a tax law that affects people in a certain income, we know that automatically, over time, people with lower and lower incomes, because while their absolute dollars in value are going to go up, the truth is, the purchase power of those dollars goes down. So that pushes more and more people of lower and lower income levels into higher and higher tax brackets.

So, again, our colleagues on the other side of the aisle love all of these taxes on the wealthy, but they can never make enough money. We've heard in recent days about the infamous Buffett tax, the Buffett rule that would require superwealthy people to pay some additional tax. And their own side agrees that would only add about \$4 billion per year, not even a drop in the bucket, less than 1 percent of the annual deficit.

So why is that important? It's important because if you're going to get more income from taxes—and I would argue that you never really get more income from taxes, but if you think

you can, you can only do it when you spread it out among the middle class and the working class. And the way you do that, kind of the silent way, the camel nose under the tent, is to pass it on the wealthy first, and then, through inflation, it's passed down to albeit a lower income level but a much larger group, because you simply can't get enough tax revenue by putting a lot of tax on the wealthy. There just isn't enough wealthy people out there to do it. The way you have to do it is push it down where there's a lot of people, and that's the middle class and the working class.

Another slide here, rhetoric versus reality on premium cost, the average annual cost of family health insurance premiums in the U.S.

Here we are 2012. This is what President Obama in campaigning for ObamaCare said would happen, that you would follow this blue line down, and the costs would go down by 2,500. And what are we hearing from all the actuaries, the CBOs and others? Not only will it go up by \$393, but we already have a differential of around \$4,000 from where President Obama said we would be today and where we actually are. It hasn't gone down; it's actually gone up.

Let's talk about a couple more taxes, and then I'm going to introduce a colleague here and give him some sharing time as well.

The surtax on investment income, \$123 billion, which begins this past January, the creation of a new 3.8 percent surtax on investment income earned in households making at least \$250,000 for a couple or \$200,000 single. Now this is the homeowner real estate tax that you've heard about. It was, again, passed in the dead of night. Folks, this is a terrible tax, 3.8 percent on investment income.

Now, when you sell your home, it may or may not be classed as investment income, but it can be, it just depends on the situation. But it's not just that. If you own any type of other property, if you own stocks and bonds, mutual funds, whatever, they could be easily subject to this, and it is not indexed to inflation.

Again, let me reemphasize this. Yes, it's a tax on people who make over \$200,000 a year, but if you make \$50,000 a year, over time, this will affect you, too, because inflation will bring those dollars up in real terms because of inflation, and your buying power will stay at the \$50,000 level, but you will show on paper that you're making \$200,000, and this tax will affect you.

So the bottom line here is that ObamaCare has many taxes, and certainly they are Trojan horses by any explanation; and, yes, they don't raise a lot of revenue at first, but down the road they raise a lot of revenue, but not on the wealthy folks, on the middle class. That's who's getting hurt by ObamaCare.

A medicine cabinet tax, \$5 billion beginning this past January, Americans are no longer able to use their health savings accounts and flexible spending accounts and all those other types of accounts on over-the-counter drugs. So that means if you want to use your health savings account to pay for your cold medicine or medicine you're taking for a headache like Aleve or Motrin or something like that, if you want to pay for it through your health savings account, you're going to have to go get a prescription from your doctor. And the doctor is going to say, Look, I'm overwhelmed with all these people wanting me to do this. We're going to have to charge something for that, so that means more cost. Ultimately, more bureaucracy, more paperwork, more cost, and up until now, prior to ObamaCare, that was not the case. You could write that off or pay for that out of your health savings account.

An HSA withdrawal tax hike, \$1.4 billion, that began in January 2011. It increases additional tax on nonmedical early withdrawals from an HSA from 10 to 20 percent, disadvantaging them relative to IRAs and other tax advantage accounts. So, you see, if you have an early withdrawal from your IRA or some other type of retirement plan, you've had a 10 percent penalty, and that was true of HSAs. So that's been doubled. So ObamaCare has limited the use of health savings accounts, but at the same time has made the penalties even steeper for using it.

And I can tell you, in my own case, in my own companies, apart from my own medical practice, we have used health savings accounts to tremendous benefit to our employees because it has lowered their cost and taken a lot of the anxiety and the fear away from their cost in being caught in some sort of illness that would bankrupt them otherwise.

An excise tax on charitable hospitals, that's immediate, \$50,000 per hospital if they fail to meet new community health assessment needs. Section 1411 increases the Medicare hospital insurance portion of the payroll tax, so this provision will increase the employees' portion from 1.45 percent to 2.35 percent for families making more than \$250,000 a year or individuals making above 200. Combined with the employers' portion, the total rate will increase by 3.8 percent on every dollar of income over \$250,000.

And, again, I implore you, I realize, hey, I don't make \$250,000, I don't make \$200,000, but because of inflation—and trust me, with the monetary easing and the monetary policies that are coming out of this administration in half of the last 3½ years—when inflation gets going again, which it will quite soon, you will be driven up into those income levels, but your buying power will be the same as it is today. So, trust me, you're not getting by

with anything. You're going to get hit with this tax just like everybody else.

The reality is—and I'm going to be recognizing my good friend, Dr. GINGREY, here in a moment. The reality is ObamaCare includes tons of new taxes and tax hikes. Heritage has a list of them that shows an increase in revenue of more than \$500 billion in 10 years. Two examples that clearly hit consumers are the 10 percent tax on indoor tanning services that will raise \$2.7 billion between 2010 and 2019 and, beginning in 2013, the 2.3 percent excise tax on manufacturers and importers of certain medical devices that will raise \$20 billion between 2010 and 2019.

And I'm just going to just throw in a couple of more things.

Remember, this discussion began with this being the April 15—April 17 deadline for your taxes and the Internal Revenue Service.

□ 2040

Remember that under ObamaCare as many as 16,000 new IRS agents will be hired. Estimates vary, of course, and that many have not been hired yet. But there's no question about it that the IRS will be beefed up to the tune of billions of dollars in order to make that happen.

So, with that, I've been joined by my colleague, my good friend, Dr. PHIL GINGREY, an obstetrician/gynecologist from Georgia, someone that I look up to very much, who's been a great mentor to me and a role model; who was here as a physician in days past when there weren't many doctors in the House of Representatives, and has helped facilitate, in fact helped start, the GOP Doctors Caucus, which is speaking here tonight, and helped grow our numbers from just a handful of physicians and health care workers to now over 15 MDs and upwards of around 20 total health care workers that we have in the House of Representatives that I think are making big, big differences in particularly health care policy overall.

I yield to the gentleman, Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman very much for yielding, and I thank him for his kind words. I'm happy to share the time with him tonight and plan to remain here on the House floor for the rest of this hour.

I'll make some comments now and yield back to the gentleman from Louisiana, Dr. FLEMING, and maybe he'll yield some additional time to me later in the hour.

But, you know, I couldn't help but notice in the previous hour which was allotted to our Democratic colleagues, their leadership hour, they went first tonight, and they chose to talk about the SNAP program within the Department of Agriculture. And of course, SNAP is an acronym for the Supplemental Nutrition Assistance Program,

which was formerly known, I think more people would commonly know it as the food stamp program. And they spent the whole hour talking about the unintended consequences of cutting discretionary Federal spending and reducing government bureaucracy and bloatedness and saying that when you do that, of course, you hurt the poor and the nearly poor, that they desperately need these programs. They made some legitimate points, of course.

We're talking about health care in our hour and, specifically, about the passage of ObamaCare almost 2 years ago, indeed, a little more than 2 years ago now to create a whole new entitlement program for people, the uninsured, not the folks that were covered under safety net programs like the program for children, the SCHIP program it's called, the health care program for the poor, Medicaid, certainly not the program for our seniors and our disabled Americans under Medicare, but for folks that were somewhere in the middle that maybe couldn't afford or weren't offered health insurance by their employer.

But they never talked about the unintended consequences of what would happen. I'm sure our colleagues didn't intentionally pass a 2,600-page bill that would deliberately hurt anybody. I don't think anybody on either side of the aisle in any Congress would do that, any administration would do that.

But we physician Members, the gentleman from Louisiana, myself, and others that have worked in the health care industry, all of our—most of our—professional lives before we got to Congress, understood far better and knew exactly what the unintended consequences would be of this legislation.

Mr. Speaker, that's exactly what the gentleman from Louisiana's been talking about and pointing out in the poster presentation, the slide presentation that he has made. I could probably take the rest of the hour talking about the unintended consequences and list them. My good colleague and our friend on the Senate side, the chairman of the Senate Policy Committee, also a physician, orthopedic surgeon from Wyoming, Dr. BARRASSO, just recently came out with a white paper on health care policies dated March 13, so just about a month ago. And Dr. BARRASSO, in that paper, Mr. Speaker, lists 10 different unintended consequences.

The gentleman from Louisiana's already mentioned a couple, gone over a couple; but I'd like to just take a few minutes before yielding back to him, a go over a few of the promises that he has not yet mentioned. One, and this is a quote from President Obama: "I will protect Medicare." In a 2009 address to Congress, President Obama promised that he would "protect Medicare."

Well, the President's health care law, however—Dr. FLEMING may have men-

tioned this—takes more than \$500 billion from the Medicare program and uses that money. Now, he said, and the Democrat majority at the time said, well, you know, we're strengthening Medicare. But over \$500 billion, more than a 10 percent cut per year in Medicare over a 10-year period of time, it took to create this new entitlement program.

The Medicare actuary has actually written that the Medicare cuts cannot be simultaneously used to finance other Federal outlays such as the coverage expansion under this PPACA and to extend the Medicare trust fund.

You can't pay for two things with the same amount of money. Indeed, I wish we could. Then maybe folks wouldn't have to be on food stamps, as an example.

The Congressional Budget Office, on that same point, wrote, Medicare provisions in the President's health care plan, quote, and, again, this is the CBO, "would not enhance the ability of the government to pay for future Medicare benefits."

President Obama actually admitted in an interview, you can't say that you are saving on Medicare and then spending the money twice. That's what the President said. But that's exactly what the law does. It spends the same money twice, undermining, unfortunately, a great Medicare program that needs to be strengthened and protected. That was one of the promises broken, promises made, but not kept, as Dr. BARRASSO, Senator BARRASSO, pointed out.

Let me add one more. This is No. 5 of the 10 that Dr. BARRASSO mentioned in his white paper of last month from the policy committee on the Senate side. Candidate Obama said there was no need for a mandate. This is back in 2008 in that campaign against Senator Hillary Clinton.

Candidate Obama opposed a mandate to buy insurance, and made it one of the hallmarks of his primary campaign. He claimed that penalizing people for not buying health insurance—listen to this, Mr. Speaker—was like, and I quote, "solving homelessness by mandating everyone buy a house." He said, President Obama, Senator Obama at the time, Candidate Obama, solving homelessness by mandating everyone buy a house.

Well, this is like solving the uninsured problem by mandating that all the rest of us pay for health insurance for a lot of people that could afford to buy health insurance but just simply did not want it.

I don't know how many millions of people make more than \$50,000 a year or \$75,000 a year that really didn't want, don't want, would rather pay as they go. I don't recommend it. Dr. FLEMING doesn't recommend it, Mr. Speaker. We think they ought to have some minimal coverage and certainly catastrophic coverage; but this is their

right, their liberty to choose if they want to not have that coverage.

And President Obama's health care law, as we all know now, created an unprecedented Federal requirement for all citizens to purchase a product merely because they exist, because they're living and breathing. And not just a product. Under this bill when it's fully implemented in 2014, the minimal coverage requirement, as the gentleman from Louisiana pointed out, wouldn't allow them to, let's say, have a mini-med policy, as many of the franchisees do across this country in the fast-food industry.

□ 2050

They all had to be granted waivers. So here again, another promise made and not kept.

I have a couple more that I'll get to maybe later on in the hour, but just to point that out. And clearly, the Supreme Court, I think, now understands much of that in the testimony they heard a couple weeks ago. So I'll yield back to my colleague and stick with him during the remaining portion of the time.

Mr. FLEMING. Well, I thank my friend and colleague. I'll certainly be returning back to you for some more information that's very valuable information.

I want to get back to and sort of recap some of the things I talked about, and that is that the taxes are tremendously increased under ObamaCare. Well, let's talk about the financing of ObamaCare. I'm just going to stick with the basics. There are a lot of ways it is theoretically financed, but I'm going to tell you maybe the three major ways that it's supposedly paid for.

Well, number one, you heard my friend, Dr. GINGREY, say that ObamaCare actually takes over \$500 billion—that is, over a half-trillion dollars—from existing Medicare and uses that to subsidize the middle class health plans for people below a certain income level. We're going to get to that in just a moment—I'm going to draw your attention to this chart and talk about those subsidies. But not only does it do that, but as my good friend says, it's used to extend the life of Medicare.

So this is basically how it works. The idea of the bill is it takes money out of Medicare and theoretically makes Medicare last longer—because it's running out of money—by taking the same money out of the middle and putting it at the end. I don't understand how that can work, but that's the way it works. That would be sort of like taking money out of your paycheck in the middle of the year and somehow living on nothing for about 3 months, and then going back to what you took out and paying at the end. It makes no sense.

Not only that, but it takes the same \$500 billion—and we've really honed down on this in our committees, and Secretary Sebelius had to admit that this was true—it takes the same \$500 billion that's used to prolong the life of Medicare to subsidize middle class health plans. I don't know—where I come from in Louisiana, we can't spend the same dollar twice. You can spend it place A and place B. If my kids want to go to the movies or they want to do some entertainment, or maybe they need money for their education, I can give it to them, and they can spend it one time. They don't get to use the same dollar twice. And folks, neither can your Federal Government. So that is really smoke-and-mirrors accounting. We've called them out on it, and they've really basically admitted that's true.

But then another way that ObamaCare is paid for is by over \$800 billion in taxes in 10 years, which I've gone over a number of these, and I'm going to get back to them. It really is not paid for. And we know, we're getting estimates now showing that as much as 300 to \$500 billion is going to be added over the next 10 years in deficits, total debt in that period of time. So it is not paid for. All of these steep taxes, all of these smoke-and-mirror types of accounting are not going to work.

Furthermore, half of the people who are going to get health care coverage cards that they wouldn't otherwise get are going to be on Medicaid. Today, Medicaid pays on average about 60 percent of what Medicare pays to health care providers, which is already too low. So what is the chance that 15 million Americans are going to come newly on the rolls, and they're going to carry a card around that pays less than what the doctor can afford to accept to even cover the cost of that care, or otherwise go out of business, what's the chance they're going to find doctors? So what we'll have is a drop in the number of physicians, a steep rise in the demand in health care. And so these people will all end up in emergency rooms.

To my colleagues, it's one thing to have coverage in health care. It's another thing altogether to have access to health care. All you have to do is look at other countries that have socialized health care—Great Britain, Canada, and many others, and even go to the extreme steps of Cuba and North Korea—they all have coverage, and it's free. The problem is there's no access to it. There are shortages. There are waiting times, as much as 1 year, 2 years to get a CT scan. People are dying as a result of that, and they show up in their statistics.

The death rates, for instance, from breast cancer and prostate cancer in the United States are much lower than they are in Canada and Great Britain.

They have access to the same medications and the same quality physicians. The only difference is their health care systems themselves.

So let's get back again. I want to really focus on this topic for a moment before I yield time to my friend. And again, back to this idea that many of the taxes are going to be placed upon wealthy Americans in order to pay for ObamaCare. And I'll just step back through them again. There is a 40 percent excise tax on so-called "Cadillac" health plans, which would be health plans valued in excess of \$10,200 for individuals, \$27,500 for families. Those thresholds will grow annually by an inflation rate of 1 percent, which is about a third or less of what it really is.

So what that means is that, as ObamaCare unfolds, having an expensive gold-plated Cadillac health care plan, you're going to get taxed 40 percent more for having it. Well, maybe that's justified. But remember that after a few years, that will not be an expensive, gold-plated plan; that will be an average plan, and you will again have to pay the same 40 percent excise—bracket creep is what they called it back some years ago, and I think it applies here today.

Now, again, increases in Medicare hospital insurance. That's a payroll tax on people who make \$200,000 a year individually, \$250,000 as a couple, again, only applying to people who are in that \$200,000-plus range. And then, of course, I told you the 3.8 percent tax on your investments that are sold for those who, again, make \$200,000 or more.

Again, we go back to it. Remember the alternative minimum tax. Remember the luxury tax. Remember the tax that was placed on oil, the so-called "windfall" taxes. Ultimately, those taxes all fell to the middle class and below. Those are the ones who were burdened with them and why most of them have been repealed. We would repeal the alternative minimum tax if we could find a way to actually pay for it now because we're spending at a level that we can't afford to repeal it, unfortunately.

So here is this chart, which is very important in this whole discussion. Under ObamaCare, there is an income threshold for receiving subsidy. So if your income is just below \$100,000 for a family, a married couple—and I believe that is a family of four total—if you make less than \$100,000, or about \$95,000 here, you'll get some kind of subsidy beginning in 2012, 2013. However, that subsidy, that line continues out all the way indefinitely, well past 2062 and before. Now, if you make \$90,000 or less than \$90,000 today, with inflation in those out-years—5 years, 10 years, 20 years, 30 years—you will break through this threshold. So you will not get the support, the subsidy in your health plan in those out-years. You'll get it early so that you think you're getting

something, but ultimately that's going to basically go away, and you will not get that subsidy.

Now, also, if you make \$200,000 or \$250,000 a year, you will be the one paying in for those who need this subsidy. But you see this line comes down because people who make \$200,000 today, in 2022 they will still get a check that will say \$250,000, but it will be more like \$180,000 in today's dollars. With each year, it ratchets it down until finally you get to about 2042, or 2050, in that range. So a check today that says \$200,000 on it will buy equivalent to something like \$90,000 in those years because inflation devalues the actual currency that you hold.

So what you get is a crossover point where you see the subsidy threshold gets higher and higher. You've got to make more and more money to get that subsidy. But even though your income is the same, or going down, you actually drop out, and you get a crossover point. Where here, even though you're making \$200,000 or \$250,000, you're making too much for the subsidy, but you're not making too much to be taxed. And that is the problem.

□ 2100

Ultimately, over time, ObamaCare begins to take the subsidies out for those who are middle class and lower, and it begins to add taxes on those who are middle class and above. That is very destructive, my friends. That's the way you end up with socialized health care and with the kind of system that is working so poorly in many other countries.

We still have time to discuss some of these issues further, so I would ask my good friend from Georgia, Dr. GINGREY, to elaborate on some of his points tonight.

Mr. GINGREY of Georgia. Mr. Speaker, continuing on the line of reasoning that Dr. FLEMING just outlined in talking about not indexing these benefits for inflation, in fact, another thing that needs to be pointed out is that under current law in creating these exchanges and in trying to help people who are uninsured because it's not affordable to them, we, the taxpayers, are going to subsidize people who purchase health insurance on these State exchanges even if they make up to 400 percent of the Federal poverty level. For a family of four, that's \$85,000 to \$90,000 a year. If John Q. Public knew that we were forcing them to subsidize the purchase of health insurance for people making up to \$90,000 a year, they would be appalled; but that, in fact, is the case.

In just continuing with what my friend from Louisiana was talking about, the other thing is that the law also expands the Medicaid program. Some States in past years, when times were better, were covering people on the Medicaid program at more than 100

percent of the Federal poverty level—indeed, some up to 185 percent or maybe 225 percent of the Federal poverty level when they could afford it. Yet to actually say in times like these that we are going to force the States to cover people up to 133 percent of the Federal poverty level when they can barely afford to cover at the 100 percent level is an unfunded and, probably, unconstitutional mandate.

Mr. Speaker, as you know and as my colleagues know on both sides of the aisle, this was part of the argument before the Supreme Court, as was that more publicized argument against requiring individuals to engage in commerce under the rules of the Commerce Clause. So that's a huge problem. As Dr. FLEMING points out, it will become even more of a problem because it's not indexed for inflation, and you will have more and more people being subsidized.

I want to get back, though, if the gentleman will allow me a little bit more time, to those failed promises that I discussed a little earlier.

In the Republican health care policy report from orthopaedic surgeon and Senator JOHN BARRASSO, which he put out just last month, let me go straight to No. 10. We mentioned a couple. This is broken promise No. 10. Get this, colleagues, and this is a quote from President Obama, our 44th President: These negotiations will be on C-SPAN.

Candidate Obama promised to televise all health care negotiations on C-SPAN. The process that created the President's health care plan was plagued, unfortunately—and it wasn't on C-SPAN—with backroom deals like the Cornhusker kickback, Gator aid and the Louisiana Purchase, cutting special deals with Senators from certain States. You don't have to be a genius to figure out what those three States are.

The President, indeed, even conceded the process—and he said—legitimately raised concerns, not just among my opponents but also among supporters, that we just don't know what's going on; and it's an ugly process, and it looks like there are a bunch of backroom deals.

Mr. Speaker, there were a bunch of backroom deals, and I think our colleagues are aware. We got a memo today from my committee, which is the Energy and Commerce Committee, and particularly from the Subcommittee on Oversight and Investigations. We have been trying for almost 2 years—the committee staff on Energy and Commerce and on the Subcommittee on Oversight and Investigations—to get information from the White House about all of these backroom deals that were cut, negotiated, during the process of getting buy-in from stakeholders that everybody in the country would recognize.

Now, I'm not pointing fingers or saying that anybody necessarily did any-

thing wrong; but there is our own American Medical Association, the American Hospital Association, America's Health Insurance Plans, AARP, which represents 37 to 40 million seniors, and all of these advocacy stakeholder groups in these back rooms. Promises were made, and there were policy changes in the law in exchange for something special for them. Again, Congressman FLEMING talked about sausage-making and the legislative process, but the President promised that all of that would be out in the open. Indeed, he said it would even be televised on C-SPAN. Here again, that's promise No. 10.

That's all we're asking from the White House, from the Office of Health Care Reform—I think Deputy Chief of Staff Nancy-Ann DeParle was a director of that effort in the White House—and they have done nothing for the last 2 years but stonewall. We are going to continue to ask for documents of what went on behind closed doors so that we the people, the American people, can understand how this possibly could happen, what we now know are the unintended consequences.

Dr. FLEMING has pointed out in his presentation and in his slides with regard to the taxation and with regard to people thinking that if they like their health insurance they can keep it, only to find out that they can't. Whether they're on Medicare Advantage or whether they get their health insurance from an employer or whether they're working and paying \$15 to \$20 a week for a minimal coverage plan that has catastrophic protection without waivers, all of those plans will be taken away from people even though they like them.

So, again, the problem is unbelievable, and the unintended consequences are unbelievable. Unfortunately, you'd better believe it, because it has happened.

Mr. FLEMING. Would you touch a moment, Dr. GINGREY, on the fact that while we're trying to expand coverage and all of those things that there will actually be people who will be pushed off their coverage of the health care they have today, such as by their employers. Would you expound on that.

Mr. GINGREY of Georgia. I thank the gentleman for pointing that out, because the law very specifically says, if you employ 50 or more people, then you are going to be required by the Federal Government to provide for them a health insurance policy. Again, this is not just any health insurance coverage, but the one that the Federal Government, the uncle, demands that you provide.

By the way, we will be voting on a bill, Mr. Speaker, on Thursday on this House floor—we, the Republican majority. It is a bill introduced by House Majority Leader ERIC CANTOR, the gentleman from Virginia, to cut by 20 per-

cent the taxes on those small businesses; and 30 percent of them are probably, in fact, owned and operated by women. To give them the opportunity to hire people and to stimulate the economy, that, in a way, is another subject, but in another way, it's actually the same subject, is it not?

Mr. FLEMING. Yes.

You say that the threshold is 50 employees and that they lose certain subsidies or certainly face more penalties or costs after 50. What is the chance that a small business that has 49 employees will dare hire another employee?

□ 2110

Mr. GINGREY of Georgia. That is exactly the point. They won't. If they've got 49 employees and they really need 53, they'll probably hire eight more—or whatever the math is—as half-time people with no benefits because they can't afford to cover their health insurance. It is a job destroyer. It's not a job creator.

Then the other situation, of course, is for those that employ significantly more than 50. Maybe they've got 1,000 employees. Mr. Speaker, these companies are going to look at the mandated cost of coverage under ObamaCare, and they are going to say, You know what? Our bottom line will be a lot better if we just pay the darn fine.

I think the fine is about \$2,000 per year per employee that doesn't have health insurance coverage provided by them. And if they do provide the coverage under ObamaCare, as Dr. FLEMING points out, Mr. Speaker, today that would be \$12,000 a year probably for a family policy, but 10 years from now, it could be \$18,000 a year. The only groups that are held harmless from that in the taxation of these so-called Cadillac plans are guess who? The unions, organized labor.

These are all good points that people need to understand, the unintended consequences of the Federal Government trying to meddle in the marketplace and treat health care—one-sixth of the economy—just like it's any other business. You can't do that. The American people know it and they hate it.

Mr. FLEMING. I thank the gentleman. Again, great points.

Estimates are as high as 20 million Americans who are on insurance today through their employers, happy and satisfied with the coverage they have, that will be pushed off. Why? Because the employer, the business will find it at least financially reasonable and perhaps beneficial to just pay the fine, push the employees out into the marketplace, make them go into the exchanges and force them to have to deal with the realities of ObamaCare.

I know that people hearing me say this would say, Well, that's cold-hearted. If you really love your employees—and I have a small business

and we employ considerably more than 50 employees, and I love my employees and I want them to have the best possible coverage. But look, if I have a competitor out there who can lower his cost by pushing his employees out and paying a penalty and then I go and do the right thing and pay that, then he's going to be able to sell his product at a lower price than me. That puts me out of business. Now not only do my employees not have health insurance, they don't have a job.

Back to this 50 threshold. Any time you have a law in the United States that penalizes an employer for hiring above a certain level, that is a terrible law by itself. It is disincentivizing an employer who is going to say, Well, I'm not going to grow my business. If I can't grow it by leaps and bounds and take tremendous risk and in the process bring in so much money to cover that incremental cost of health care, I'm not even going to try it. In fact, I may just close my business down altogether.

In the remaining moments we have—and I'll be happy to give Dr. GINGREY even further time to add some additional comments—I just wanted to go back again to this broken promise that was mentioned before both by Dr. GINGREY and myself, "I will protect Medicare," President Barack Obama, September 2009. He promised he would protect Medicare.

Where are we today? The Republicans, through the Ryan plan, a very good plan, a very good budget, have a solution that will make Medicare sustainable for an indefinite period of time. The Democrats in the House say, No, we're not in for that. We're not in for anything. We have no ideas.

I'll remind folks in this body that the actuaries, the CBO, and all of the authorities tell us that Medicare runs out of money, becomes insolvent, becomes bankrupt in 4 to 8 years. So it's time that somebody comes up with a plan. We have a plan. We had one this year. We had one last year. We modified it a little bit to make it one that, I think, Democrats could accept, and they still have not signed on to it; although, we have one Democrat in the Senate who has, so it is bipartisan. But the President made the promise and the Republicans in the House are trying to keep it, and Democrats will not go along with that.

Again, to recap: ObamaCare cuts as much as \$575 billion from the Medicare program; \$200 billion from Medicare Advantage, which is a private form of Medicare that many Americans enjoy and love. It forces over 7 million seniors out of their current Medicare plan. Fifteen percent of hospitals, nursing homes, and home health will close because of Medicare paying less under ObamaCare.

Again, you can't cut out over \$500 billion without cutting out reimburse-

ments for something, and that's where it's going to be. It's going to be hospitals, nursing homes, home health agencies, and many other types of services that Medicare provides.

The CBO estimates that Medicare prescription drug coverage premiums will increase by 9 percent as a result of ObamaCare. Mr. Speaker, this is not a tax. It's not an expense just on the wealthy. It hits the middle class and the poor as well.

Finally, the CMS actuary projects the Medicare program could be bankrupt, as I mentioned before, as early as 2016. Medicare costs are projected to grow substantially from approximately 3.6 percent of the size of our economy, the GDP, in 2010, to 5.5 percent by 2035. That's the Medicare trustees.

The physician payment formula in Medicare needs to be fixed or seniors may lose their doctors. It costs \$316 billion. We're hearing all over America about physicians who are beginning to back away from seeing Medicare patients. Not because they don't want to, not because they are not willing to sacrifice, but because if they do, they go out of business and they can't make it. Already access is an issue because of money problems. Twelve percent of physicians stopped seeing Medicare patients due to the broken physician formula that we have and that cannot be resolved and our friends on the other side refuse to address.

In our closing moments, I would be happy to yield to the gentleman, if he has any comments.

Mr. GINGREY of Georgia. Mr. Speaker, I thank my colleague.

I did want to make one other point. Actually, our colleague on the other side of the Capitol in the Senate, Senator TOM COBURN, OB/GYN and family practitioner, a great physician from Oklahoma—I hate that he's retiring at the end of this term. He has been a fantastic contributor to this debate. He has pointed out recently, Mr. Speaker, if people think that once the Medicare, the hospital insurance trust fund becomes insolvent, whether it's 2016 or 2020 or 2024, at the very latest, that doctors cannot be paid on their Medicare claims, their hospital part of Medicare, even if the Federal Government wanted to honor those claims because the trust fund is insolvent and pay those claims out of the general treasury as Dr. COBURN correctly points out, they cannot do it. And yet we are whistling past the graveyard, fiddling away while Rome is burning. That's what we're getting out of this administration.

Mr. FLEMING. That's very important, because what I'm understanding you saying is that if the trust fund becomes insolvent and there are checks going out to physicians across America, we can't just connect a line over to the general budget and say we're going to cover the bills. No, they don't get

paid. Checks will bounce. This is a problem that must be solved.

So to recap in the final moments that we have—and I want to thank my good friend, Dr. GINGREY, for joining me this evening. We really have a strong group of physicians and nurses and other health care workers in the GOP Doctors Caucus. We hope to be joined by some more next year as a matter of fact. We feel like the physicians are a strong force in the U.S. Congress, not just because they know and understand the health care economy, which is very unique, but also because physicians are unique in a way that we want to make a diagnosis and we want to treat and we want to cure. We're not about kicking the can down the road. We want to cure the disease or solve the problem and move to the next one, and so the more physicians we have here, I think we will.

□ 2120

But again, I want to just reiterate for my colleagues that just because you have a card that says you are entitled to care in the United States does not mean you have access to it. I want to reiterate that. Just because you have a card, just because you have coverage does not mean that the doors will open for you, and this is where our colleagues, I think, are misguided on the other side.

ObamaCare is all about giving coverage, all about giving cards to people, but it does not protect their access to care. Because, in fact, under their system, which is basically based on a socialized model, the only way that the government will be able to afford it, and taxpayers in general, will be to create long lines, create shortages, and say "no," to be traffic cops to people.

And you know what? The parts of our health care system today that are government-run, already before ObamaCare, we are already seeing spot shortages; chemotherapeutic agents, injectable drugs, that are otherwise not expensive, but because of the quirks of this socialized, government-run, highly bureaucratic system, we're finding that the manufacturers can't make them because they don't get enough reimbursement to cover their cost.

So what happens is they slow down, or stop making them altogether, and we have diseases and cancers out there today where physicians are scrounging around looking for the correct chemotherapeutic agent which would cure their disease, and it's very inexpensive and has been around for many years, and we have to even look to other countries to supply that.

With that, I look forward to our next GOP Doctors Caucus. I always enjoy this. I hope that those in this Chamber who listen to this find it at least somewhat informative.

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

TAXES, ENERGY, AND OTHER
ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, these are interesting times we live in, and I've appreciated my friends, my doctor friends. We have got two physicians who would certainly like to help heal America, but we have people in powerful positions in the Senate, as well as the White House, that don't appear to be interested in their prescriptions. I sure am, and I appreciate their observations. Also, they alluded to some of the energy issues before us in the country right now, and that's certainly worth noting.

First, I want to address something that we are hearing that the President, over and over and over, he is spending millions and millions of tax dollars running around the country telling people that the cure to what ails us and the cure to all unfairness is the Buffett rule. We are told that since Buffett may pay a lower percentage than his secretary, Warren Buffett and the President are saying we need to tax the wealthy more.

We found out the President pays, apparently, a lower tax rate than his secretary, 20 percent compared to a higher percentage that his secretary pays, and it leaves some of us baffled. If somebody really feels that it's fairness or a moral issue for Warren Buffett and the President to pay more taxes than their secretaries, then at least have the morality to do it. Don't come to Congress and say we demand you pass laws to force us to do the morally right thing because we're not going to do the morally right thing unless Congress passes a law making me, Warren Buffett, me, President Obama, do the right thing. We can't control ourselves and make ourselves do the morally proper thing, the fair thing, unless Congress passes a law.

Really? Is that what we have come to—that the leader of the free world just down Pennsylvania Avenue has to have Congress pass a law to get him to do what he says is the moral and fair thing to do? Come on. Are we in that bad a shape now?

I have had one of the smarter economists in the country, Art Laffer, Ronald Reagan's economic adviser—what a great guy. Served us good spaghetti and meatballs at his home in Nashville. I personally got to try them out. Wonderful family, delightful family, a brilliant economist.

I have had him explain to me how anybody who says we're going after the rich, we're going to go after the rich, and we're going to make them pay their fair share, is probably not being honest. They're just probably not being honest, because if they think through

their proposal, if they will look at current history, if they will look at immediate past history and long past history, what they find is this. If you're a union worker, if you're a mechanic, if you're working on an oil well somewhere, if you're working as a waitress, you're working in a restaurant, you're working in a pharmacy, you're working in any of millions of businesses across America, and you're not rich, you're part of the working middle class, you cannot move if you get taxed a higher amount because you are reliant on that job.

Taxes, no matter what kind of tax you put in place, it's most likely only going to affect those who are in the middle class, no matter what else you do, because only the wealthy are not tied to a restaurant, to a car company, to an auto manufacturer, to an auto repair place, they are not tied to those. They can own them, and they can live in the next State or the next country, but they don't have to actually live at the place of business they're making money from.

When you go after the wealthiest in America and want to make them do the morally fair thing because, without Congress passing a law, these wealthiest among us can't make themselves do the moral and fair thing, according to their own words—Gee, we can't do it unless Congress makes us—what you do is tell the wealthy, we're going to slap a big old tax on you, and the wealthy can say, no thank you. I look stupid, perhaps, but I'm not that stupid. That's how I have either gained or been able to hold on to my wealth. So I'm moving. I'm voting on where I want to live with my feet, and they pick up and they go to where there are less taxes.

We've seen it in the wealthiest moving from country to another country, or island, or buying an island. We have seen that repeatedly. If the government says, gee, well, we'll outsmart the wealthiest among us. They've moved to another country, so we'll figure out a new way to go after the wealthiest. And every time it fails to work.

So after a while you get the idea, wait, let's look historically, every time a city, state, or nation goes after the wealthiest people in the world to make them pay higher taxes, unless the whole world collaborated at the same time to make it happen, they will simply move.

□ 2130

The middle class cannot do that. The middle class does not have that luxury. If you're very wealthy and gas goes to \$4 or \$5 a gallon, it's an inconvenience and you can't be tied up with trivial details like gas going up \$1 a gallon or \$2 a gallon or, like it has under this President, go from \$1.80-or-so up to \$4. And now we're heading toward \$5. And

in some places I have seen \$5—certainly, over \$5 for some time this year in some of the premium gasoline lines.

The wealthiest, they're not really bothered. It's an inconvenience. They can choose to live in an estate out in the country. They can choose to live in a town home worth millions in the middle of town, or they can choose to live on an island. They can choose to live anywhere. Because of the Internet, the telephone, Internet meetings, the wealthiest among us can do their business from anywhere.

So it becomes very clear that the only reason somebody really intelligent that understands what is going on and is willing to look at historical precedent, anybody that's really going to be fair, will realize the only reason they would say we're going after the wealthiest among us is for political gain, because they're going to drive them out of the country otherwise, or drive them out of the State or city where the taxes are going to be raised dramatically.

The thing to do that's fair for those of us who want those making more money to pay more and those who are making less money to pay less, those of us that feel that way, many of us have begun to say, To do that, let's have a flat tax. Some, like Steve Forbes, have been saying it for a long time.

The Heritage Foundation has got a new flat tax proposal that looks to have wonderful merit. There are a number of flat tax proposals. Steve Forbes was at a 17 percent flat tax, it doesn't matter how much you make. In my conversations with Art Laffer, he said you can have a flat tax and actually even be lower than 17 percent—I'm looking forward to getting the full details—and have two deductions, one for home mortgage interest and one for charitable contributions. I'm not talking about when you give underwear to some charity and say, Congratulations, you've now got my undergarments. I'm talking about real charitable contributions.

Make those things deductible, but otherwise eliminate all the loopholes, whether it's 12, 17, and the economy would explode. There would be more jobs available. And at this time when there are so many that are just on the edge of desperation, when they don't know what they're going to do, they can't keep paying \$4 a gallon for gas, for those who have been looking so long, the millions that are out of work because they just got tired of looking so they're not counted in the unemployment numbers.

So we realize, gee, the unemployment is probably much, much, much worse than the administration is telling folks. For those folks, I would like to provide a little hope. It won't be under this administration; but if we have a different President and we get a different majority in the Senate, it truly

ought to be spring time in America, figuratively, as it is literally right now.

We now know, many of us, we can be energy independent. Seven years ago, when I got to Congress, I didn't think so. The natural gas we've found is extraordinary. And how have we done it? The technology has gotten so good at slanting holes, the technology has gotten so good in sealing the hole and fracking a formation. And for those that understand how it works, if you do not have a sealed formation there, and you frack, then you have lost the formation. There will be no pressure to bring the oil or gas up.

We've also had hearings in Natural Resources—and Chairman DOC HASTINGS has done a great job there—we've had hearings and we've discussed a lot of these things. And we have some Chicken Littles in the Interior Department, Energy Department, and the EPA running around saying, gee, hydraulic fracking keeps polluting drinking water. They've shut wells down. And each time when they've brought in the scientific study to actually analyze—because there has been some drinking water polluted by something—but when they analyze, they find there is not anything that was utilized in the hydraulic fracking process that was able to make its way through the thousands of feet of rock formation to get to the drinking water and that there is nothing in the polluted drinking water that could possibly have come from the fracking.

Yet this President keeps saying, I'm for all of the above. And the best I can figure is when he says I'm for an all-of-the-above energy process, it means: I'm for anything we don't get out of the ground. So we'll give hundreds of millions, actually billions, of dollars to dear friends who have bundled money for the President's reelection and original election and we'll give them those billions of dollars and say, Go try to make solarpanels, even though it's not financially feasible. It's not a viable enterprise. Go do it and I will help you by giving billions of dollars—42 percent of which we're having to borrow. We'll give them all that money.

Some day we should be able to use solar energy; but for heaven's sake, we should not be depriving our Social Security funds of money while this President is giving away billions of dollars to cronies for energy ideas that don't work and that are not feasible and that are bankrupting America. And yet that's what's been happening. A 2 percent payroll tax cut for workers to divide Americans.

Seniors have been told, You don't have to worry. This Democratic administration is going to make sure we take care of our seniors. And the very times that's being said, they are gutting the Social Security trust fund. Even though it's IOUs going in there, there's

Social Security tax money that has been coming in since the 1930s in enough sufficiency to pay for the outgoing checks. It was not supposed to be for many years that we were supposed to reach that point where there was more Social Security money going out than Social Security tax money coming in.

Well, this President doubled down, and in what is a divisive—I guess, to use his terminology—divisive, dismissive gesture from this administration, we have undercut our seniors. This administration has been pushing to gut the Social Security trust fund. And it has done so.

Now, the friends in the mainstream media, trying to cover for the President, are not talking about the fact last year there was 5 percent of Social Security payments that we didn't have money to pay from the Social Security trust fund payments coming in. So we had to borrow around 42 percent of the rest, and we had to take tax money to make up the rest. And there's projections that though it was a 5 percent shortfall last year, it will likely be 14 or 15 percent this year. That's not a good road to stay on.

□ 2140

It is a road to Greece. It is a road that will so undercut our senior citizens, who deserve better from every administration, including this one. Seniors have been hurt by this administration, 5 percent last year, 15 percent this year, and if we don't get a different administration and a different majority in the Senate, it's going to be worse after that. It will be 45 percent the next year. If it triples in 1 year, it could triple again. We're in trouble if we continue the policies of this administration.

Now, since hydraulic fracking has brought us 100 to 300 years of natural gas, even at vastly expanded rates of usage, we could be energy independent, we could put not merely city buses on natural gas, but move cars to natural gas. At the same time, the Bakken play up in North Dakota has found a huge amount of oil we didn't realize we had. And in northeast Utah, northwest Colorado and southwest Wyoming, we are told there are tremendous amounts of energy. We're told there's clean coal technology.

And what's the answer from this administration? Let's shut down any use of coal. Why? Because this administration has "all of the above" as their energy policy, which means they're not going to use coal because it comes from underground.

We in the United States have been blessed beyond measure. We have more natural resources and more energy than any nation in the world. China, Russia, you name it—we've got more natural energy than anywhere. And this administration has continued to

put our energy off limits. The second-largest coal deposit in the world is in Utah, we are told, and it was put off-limits by President Clinton.

This administration, of all the campaign promises you would hope the administration would break, you would hope they would break the promise to see energy prices "necessarily skyrocket." I would love to have seen that promise broken, yet that seems to be one of the very few that's been kept. Energy prices have necessarily skyrocketed. And then we find out today, because hydraulic fracking has delivered the ability for this Nation to become energy independent, today, the EPA has declared war on hydraulic fracking.

People are desperate. The rich—we've seen how this works. The President calls the wealthiest among us, the Wall Street folks "fat cats." All they have to endure is a little name calling from the other end of Pennsylvania Avenue, and in return, they get richer than they've ever been. Most people can endure a little name calling by an individual when they know the individual is going to see that they're wealthier than ever. Wall Street has done pretty well under this administration. It's done a lot better than most of America.

Americans deserve better. The President says he's going after Big Oil, declaring war on Big Oil. Well, this is one of the few areas where the President actually does have a substantive plan to go after what he calls "Big Oil." Well, we've learned from the way Wall Street has been handled, call them names but make them richer than ever. Say you're going to war against Big Oil, and what happens? We get this proposal in writing from the President, this is his Jobs Act, and subtitle D of the President's job act is entitled, "Repeal Oil Subsidies."

Well, that word is extremely disingenuous. The President uses it all the time, but the word, if you look it up, means a grant or gift of money. There is no grants or gift of money. There are tax deductions for expenses. So he says he's going after Big Oil, but if you look at the specific deductions that he now has in print that he is going after Big Oil with, what do you find? You find out these deductions don't help Big Oil companies. It's so marginal, it's a drop to them. Who it will devastate and put out of business are the independent oil and gas operators who drill 95 percent of all the oil and gas wells in the continental U.S. There is a repeal in here by the President of the deduction for intangible drilling and development costs in the case of oil and gas wells. There is a repeal of the percentage depletion for oil and gas wells, there is a repeal of the deduction for injectants, and there is a repeal of the oil and gas working interest exception to passive activity rules.

Now, if anybody is interested in really finding out the truth, they can go to major oil companies and ask them, would these repeals of these deductions really hurt you as a major oil company in the world? And the answer would be, no, not really. You can go to the accountants, as I have, for independent oil and gas operators and say, if these are repealed, would it affect independent oil and gas operators who drill 95 percent of the oil wells in the continental U.S.? And the answer is, it will devastate them. Not only is he going after the deductions that keep them afloat, they're going after the investment in oil and gas wells by the mainstream public.

Now, if you're British Petroleum or Exxon, you don't put out a proposal that says, we're drilling a well, and here's the proposal, here's the geology, here's the other wells in the area, here's what we think it will do. And if you invest X amount of dollars, then we will give you X percentage amount of the working interest in this well. That's the kind of proposal independent oil and gas companies have to make to get investments for people to invest in their oil well. If they hit a gusher, hit a huge well, then those who invest and take a percentage of the well will do very well. If they hit a dry hole, then they lose money. And when you invest in a dry hole and it costs you money, you would hope you would be able to deduct your expenses of the investment that failed.

What this President is doing not only is going to destroy the independent oil companies by taking away deductions that keep them afloat and keep them able to keep drilling another well, he is going after their investments.

So once you begin to see these specifics, you realize—and there are some other things in here, repeal marginal well production, repeal of enhanced oil recovery—when you see the specifics, you realize, oh, wow, maybe he doesn't know that he will destroy oil and gas independent operators. Maybe he doesn't know. But it doesn't take a genius to realize if you put oil and gas operators out of business who are the independents, who are not big enough to have all the employees they need to do the drilling, who have so many subcontractors who go out and eat and go to the entertainment places and they go invest in things around town, and they go buy clothes—those people, those subcontractors, their subcontractors, all of those people will be without anything to do because this administration says he's declared war on major oil, but instead, it's really a war against independents.

If he stops 95 percent of the drilling for oil and gas in the continental U.S., then what happens to major oil? You've eliminated all of their competition among the small independents. Well, what does that mean? Well, there

are only a small number of massive international oil and gas companies comparatively, and you've wiped out their competition in America. It means they will charge more for gasoline, more for diesel, and there's nothing we can do about it because they're the only ones that have any energy.

□ 2150

Right now, before this President finishes driving or trying to put independents out of business, we've got to stop this train wreck that's coming.

This should be springtime in America. It should be a time of renaissance. People shouldn't have to pay \$4 a gallon. And as soon as this President takes substantive actions, just to announce that he's going to take substantive actions, not to declare war on hydraulic fracking as they have now, not to declare war on oil companies in North Dakota because there have been eight mallards that died that had some oil on them and, therefore, they have the Justice Department under the President's thumb who is prosecuting the oil companies for violations of the Migratory Bird Act even though they've got windmills they support that are chopping them up by the thousands and thousands.

No, don't go after the windmills. They're above. So when the President says he's for all of the above, that includes all of the wind being generated here in Washington and other places where there are windmills that are driven by the hot air.

It's time to start saying what we mean, so that when this President tells the leader of Israel, "I have your back," the leader of Israel doesn't realize he's got to put on something that will stop a knife coming from the back. It's time for our allies to know we support our friends, and we're going to stop supporting and trying to buy off our enemies. It's time to bring peace and prosperity back to the continental U.S., all 50 States, all our territories, by truly having an all-of-the-above energy policy. And if we want to pursue renewables, don't be letting the Social Security trust fund or the tax money dry up and leave seniors so vulnerable. Don't take away \$500 billion from Medicare and hurt the seniors like that as ObamaCare has done. Don't do those things.

If you want to go spend billions giving it to your friends in solar energy, for heaven's sake, let's start leasing the Federal land like it used to be done, and then use 25 percent royalty, use part of our royalty, to throw away on the President's friends, not be borrowing from China, not be taxing people to give to his buddies, and we can return to springtime in America.

Thank you, Mr. Speaker. I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. CANTOR) for April 16 and today and the balance of the week, on account of medical reasons.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 18, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5658. A letter from the Director, Policy Issuances Division, Office of Policy and Program Development, Department of Agriculture, transmitting the Department's final rule — Changes to the Schedule of Operations Regulations [Docket No.: FSIS-2010-0014] (RIN: 0583-AD35) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5659. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus pumilus* strain GHA 180; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0536; FRL-9343-1] received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5660. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Private Transfer Fees (RIN: 2590-AA41) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5661. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maine; Regional Haze [EPA-R01-OAR-2010-1043; A-1-FRL-9652-1] received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5662. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Amendment to HFO-1234yf SNAP Rule for Motor Vehicle Air Conditioning Sector [EPA-HQ-OAR-2011-0776; FRL-9651-3] (RIN: 2060-AR20) received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5663. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources [EPA-HQ-OAR-2010-0873; FRL-9653-3] (RIN: 2060-AH23) received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5664. A letter from the Assistant Director, Policy Division, Office of Foreign Assets

Control, Department of the Treasury, transmitting the Department's final rule — Iranian Transactions Regulations received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5665. A letter from the Assistant Attorney General, Civil Rights Division, Department of Justice, transmitting the Department's final rule — Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities; Swimming Pools [CRT Docket No.: 122; AG Order No. 3326-2012] (RIN: 1190-AA68) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5666. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, U.S. Customs and Border Protection, transmitting the Department's final rule — United States-Korea Free Trade Agreement [USCBP-2012-0007] (RIN: 1515-AD86) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5667. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Modification of Notice 2008-40; Deduction for Energy Efficient Commercial Buildings [Notice 2012-26] received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. H.R. 3523. A bill to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; with an amendment (Rept. 112-445). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX: Committee on Rules. House Resolution 619. Resolution providing for consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes (Rept. 112-446). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 620. Resolution providing for consideration of the bill (H.R. 9) to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses (Rept. 112-447). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1505. A bill to prohibit the Secretaries of the Interior and Agriculture from taking action on public lands which impede border security on such lands, and for other purposes; with an amendment (Rept. 112-448, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII the Committees on Agriculture and Homeland Security discharged from further consideration. H.R. 1505 referred to the Committee of the Whole House on the

state of the Union and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ISSA (for himself, Mr. ROSS of Florida, and Mr. LYNCH):

H.R. 4363. A bill to amend title 5, United States Code, to allow Federal employees to continue their public service while partially retired; to the Committee on Oversight and Government Reform.

By Mr. ISSA (for himself, Mr. LANKFORD, Mr. MICA, Mr. FARENTHOLD, Mr. ROSS of Florida, Mr. MCHENRY, and Mr. MACK):

H.R. 4364. A bill to amend title 5, United States Code, to specify further conditions under which payment for the services of a recess appointee may not be made from the Treasury; to the Committee on Oversight and Government Reform.

By Ms. BUERKLE (for herself and Mr. ROSS of Florida):

H.R. 4365. A bill to amend title 5, United States Code, to make clear that accounts in the Thrift Savings Fund are subject to certain Federal tax levies; to the Committee on Oversight and Government Reform.

By Ms. FUDGE (for herself, Mr. BRADY of Pennsylvania, Mr. GENE GREEN of Texas, Ms. JACKSON LEE of Texas, Ms. BROWN of Florida, Ms. RICHARDSON, Ms. SEWELL, and Mr. FILNER):

H.R. 4366. A bill to amend the Elementary and Secondary Education Act of 1965 to direct the Secretary of Education to award grants for science, technology, engineering, and math education programs; to the Committee on Education and the Workforce.

By Mr. LUETKEMEYER (for himself and Mr. DAVID SCOTT of Georgia):

H.R. 4367. A bill to amend the Electronic Fund Transfer Act to limit the fee disclosure requirement for an automatic teller machine to the screen of that machine; to the Committee on Financial Services.

By Mr. McDERMOTT (for himself, Mr. LEWIS of Georgia, Mr. STARK, Mr. RANGEL, Mr. NEAL, Mr. LARSON of Connecticut, Mr. BLUMENAUER, and Mr. PASCRELL):

H.R. 4368. A bill to amend the Internal Revenue Code of 1986 to provide for the release of Federal tax levies which cause business hardship; to the Committee on Ways and Means.

By Mr. QUAYLE (for himself, Mr. MATHESON, and Mr. ROSS of Florida):

H.R. 4369. A bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos, and the filing of such reports with the Executive Office for United States Trustees; to the Committee on the Judiciary.

By Mr. TIPTON (for himself, Mr. GRAVES of Missouri, Mrs. ELLMERS, Mr. ROSS of Florida, Mr. HULTGREN, Mr. CHABOT, and Mr. LONG):

H.R. 4370. A bill to require new policies and procedures to address duplication and inefficient spending in the Federal grants process; to the Committee on Oversight and Government Reform.

By Mr. BACA:

H.R. 4371. A bill to amend title 38, United States Code, to improve pensions for sur-

living spouses of World War II and Korean War veterans; to the Committee on Veterans' Affairs.

By Mrs. BLACK (for herself, Mr. ROE of Tennessee, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mrs. BLACKBURN, Mr. REED, Mr. ROKITA, and Mrs. ELLMERS):

H.R. 4372. A bill to amend the Internal Revenue Code of 1986 to require the social security number of the student and the employer identification number of the educational institution for purposes of education tax credits, to permanently allow disclosure of return information to prison officials to prevent prisoners from filing false and fraudulent tax returns, and for other purposes; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa:

H.R. 4373. A bill to amend the Internal Revenue Code of 1986 to make permanent the expansion of tax benefits for adoption enacted in 2001 and to permanently reinstate the expansion of tax benefits for adoption enacted in 2010; to the Committee on Ways and Means.

By Mrs. CHRISTENSEN (for herself and Mr. PIERLUISI):

H.R. 4374. A bill to amend the Internal Revenue Code of 1986 to extend the increased limitation on the cover over of the tax on distilled spirits to Puerto Rico and the Virgin Islands; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4375. A bill to provide a taxpayer bill of rights for small businesses; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 4376. A bill to amend the Internal Revenue Code of 1986 to deny all deductions for business expenses associated with the use of a club that discriminates on the basis of sex, race, or color; to the Committee on Ways and Means.

By Ms. CHU (for herself, Ms. LORETTA SANCHEZ of California, Ms. RICHARDSON, Mr. CONYERS, Mr. FALBOMVAEGA, Ms. SPEIER, Ms. LEE of California, Ms. HIRONO, Mr. VAN HOLLEN, Ms. BASS of California, Mr. SCOTT of Virginia, Mr. GRIJALVA, Ms. HAHN, Mr. AL GREEN of Texas, Mr. HONDA, Mr. CONNOLLY of Virginia, Ms. ROYBAL-ALLARD, Mrs. DAVIS of California, Ms. BORDALLO, Mr. FILNER, Mr. BERMAN, Mr. SMITH of Washington, Mr. SABLAN, Ms. HANABUSA, Ms. MATSUI, Mr. CLARKE of Michigan, Mr. BECERRA, Mr. SHERMAN, Ms. ZOE LOFGREN of California, Mr. STARK, Ms. MCCOLLUM, Mr. SCHIFF, Ms. LINDA T. SANCHEZ of California, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, Mrs. MALONEY, Mr. CROWLEY, Mr. McNERNEY, and Ms. WOOLSEY):

H. Res. 621. A resolution recognizing the significance of Asian/Pacific American Heritage Month in May as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the Nation's history; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ISSA:
H.R. 4363.
Congress has the power to enact this legislation pursuant to the following:
Art. I, Sec. 8

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. ISSA:
H.R. 4364.
Congress has the power to enact this legislation pursuant to the following:
Art. I, Sec. 8

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Art. II, Sec. 2
The President . . . shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law.

By Ms. BUERKLE:
H.R. 4365.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

The Congress shall have Power to lay and collect Taxes. . .

By Ms. FUDGE:
H.R. 4366.
Congress has the power to enact this legislation pursuant to the following:
Congress has the authority to act under Article I, §8, clause 3, the Commerce Clause.

By Mr. LUETKEMEYER:
H.R. 4367.
Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. McDERMOTT:
H.R. 4368.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. QUAYLE:
H.R. 4369.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 (To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States)

By Mr. TIPTON:
H.R. 4370.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. BACA:
H.R. 4371.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 12, 13, 14 and 18
By Mrs. BLACK:
H.R. 4372.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. BRALEY of Iowa:
H.R. 4373.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1, 3, and 18 of the United States Constitution.

By Mrs. CHRISTENSEN:
H.R. 4374.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7, Clause 1 of the Constitution of the United States provides that All Bills for raising Revenue shall originate in the House of Representatives and Section 8, Clause 1 grants Congress the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. SAM JOHNSON of Texas:
H.R. 4375.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1

By Mrs. MALONEY:
H.R. 4376.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 59: Ms. BUERKLE and Mr. CRAWFORD.
- H.R. 139: Ms. LEE of California, Ms. RICHARDSON, Ms. LINDA T. SÁNCHEZ of California, Ms. NORTON, and Mr. CROWLEY.
- H.R. 156: Ms. LORETTA SANCHEZ of California.
- H.R. 265: Mr. HINCHEY.
- H.R. 266: Mr. HINCHEY.
- H.R. 267: Mr. HINCHEY.
- H.R. 300: Mr. BACA, Mr. BERMAN, Ms. BONAMICI, Mr. FILNER, Mr. HONDA, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. MORAN, and Ms. WATERS.
- H.R. 466: Mr. BARTLETT.
- H.R. 576: Mr. HINCHEY.
- H.R. 589: Mr. COSTELLO.
- H.R. 601: Mr. FILNER.
- H.R. 616: Ms. DEGETTE.
- H.R. 631: Mr. RANGEL and Mr. BRADY of Pennsylvania.
- H.R. 683: Mr. HIGGINS.
- H.R. 718: Mr. CASSIDY.
- H.R. 719: Ms. HOCHUL, Ms. HERRERA BEUTLER, and Mr. CANSECO.
- H.R. 769: Mr. CUMMINGS.
- H.R. 777: Mr. BLUMENAUER and Mr. GIBSON.

H.R. 808: Mr. JACKSON of Illinois and Ms. RICHARDSON.

H.R. 831: Mr. CONNOLLY of Virginia.
H.R. 860: Mr. SCHWEIKERT and Mr. PRICE of North Carolina.

H.R. 912: Mrs. NAPOLITANO.
H.R. 933: Mr. TOWNS.

H.R. 941: Mr. PETERSON and Mr. CARNAHAN.
H.R. 1066: Mr. DEUTCH.
H.R. 1131: Mr. BLUMENAUER.

H.R. 1171: Mr. MCNERNEY.
H.R. 1206: Mr. SOUTHERLAND and Mr. CRAWFORD.

H.R. 1321: Mr. WILSON of South Carolina, Mr. CHABOT, Mr. BILIRAKIS, Mr. GRIMM, and Mr. RANGEL.

H.R. 1360: Mr. DOLD, Mr. ROSKAM, and Mr. BOREN.
H.R. 1385: Mrs. BLACK.

H.R. 1404: Mr. SCOTT of Virginia.
H.R. 1418: Ms. HIRONO.
H.R. 1449: Ms. HAHN and Ms. SCHAKOWSKY.

H.R. 1474: Mr. STEARNS and Mr. KLINE.
H.R. 1477: Mr. BLUMENAUER.
H.R. 1479: Mr. BARROW and Mr. MILLER of North Carolina.

H.R. 1519: Mr. SABLAN.
H.R. 1543: Ms. HANABUSA.
H.R. 1564: Mr. RANGEL.

H.R. 1588: Mr. REYES.
H.R. 1639: Mr. FLORES and Mr. AUSTIN SCOTT of Georgia.

H.R. 1653: Mr. SMITH of Nebraska.
H.R. 1666: Mr. CONYERS.
H.R. 1674: Mr. LATHAM.

H.R. 1697: Mr. GRIFFIN of Arkansas.
H.R. 1742: Mr. CONNOLLY of Virginia, Mr. CARSON of Indiana, Mr. DEFAZIO, and Mr. STARK.

H.R. 1756: Mr. RIGELL.
H.R. 1802: Mr. GIBBS and Mr. THOMPSON of Mississippi.

H.R. 1860: Mr. RIVERA, Mr. STEARNS, Ms. BORDALLO, Ms. MOORE, Mr. TURNER of New York, Mr. ALEXANDER, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1862: Mr. ROTHMAN of New Jersey.
H.R. 1876: Ms. VELÁZQUEZ.
H.R. 1909: Mr. REED and Mr. JONES.

H.R. 1955: Ms. SPEIER.
H.R. 1996: Mr. BERG and Mr. GARDNER.
H.R. 2032: Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. CRAWFORD, and Mr. BARLETTA.

H.R. 2033: Mr. HASTINGS of Florida.
H.R. 2051: Ms. HAYWORTH.
H.R. 2088: Mr. WAXMAN.

H.R. 2091: Mr. PRICE of North Carolina.
H.R. 2123: Mr. PRICE of North Carolina.
H.R. 2144: Mr. BACA and Ms. NORTON.

H.R. 2182: Mr. FILNER, Mr. GARY G. MILLER of California, and Mr. BARROW.
H.R. 2206: Mr. MARCHANT.
H.R. 2227: Mr. CHANDLER.

H.R. 2245: Mr. KILDEE.
H.R. 2353: Mr. GIBBS.
H.R. 2364: Mr. REYES, Mr. GUTIERREZ, Ms. BONAMICI, Mr. WAXMAN, and Mr. CLAY.

H.R. 2547: Ms. BONAMICI.
H.R. 2568: Mr. RENACCI.
H.R. 2569: Mr. KING of New York and Mr. ROGERS of Michigan.

H.R. 2705: Ms. WILSON of Florida and Mr. VAN HOLLEN.
H.R. 2721: Mr. RANGEL, Mr. HINOJOSA, Ms. WILSON of Florida, Mr. GRIJALVA, Mr. HONDA, Mr. MORAN, and Mr. KUCINICH.

H.R. 2741: Ms. LEE of California.
H.R. 2827: Mr. COLE and Ms. GRANGER.
H.R. 2886: Mr. GIBSON.

H.R. 2902: Mr. GONZALEZ and Ms. ROYBAL-ALLARD.
H.R. 2921: Ms. HAHN.

H.R. 2962: Mr. RANGEL, Mr. COFFMAN of Colorado, Ms. DELAURO, and Mr. AMODEI.

- H.R. 3032: Mr. FILNER.
H.R. 3057: Mr. KISSELL.
H.R. 3065: Mr. McCOTTER and Mr. LAMBORN.
H.R. 3144: Mr. PETERSON and Mr. GERLACH.
H.R. 3145: Ms. DELAURO.
H.R. 3173: Mr. COHEN.
H.R. 3187: Mr. CUMMINGS, Mr. ROGERS of Kentucky, Mr. DICKS, Ms. HOCHUL, and Mr. CARTER.
H.R. 3236: Mr. OWENS and Mr. SCHRADER.
H.R. 3238: Mr. CONNOLLY of Virginia.
H.R. 3252: Mr. TURNER of New York and Ms. BUERKLE.
H.R. 3307: Ms. BUERKLE.
H.R. 3324: Mr. PRICE of North Carolina.
H.R. 3334: Ms. DELAURO.
H.R. 3359: Ms. LEE of California and Mr. MCGOVERN.
H.R. 3364: Mr. BISHOP of New York and Mr. CHANDLER.
H.R. 3368: Mr. KUCINICH and Mr. FILNER.
H.R. 3395: Mr. WILSON of South Carolina, Mr. STEARNS, Mr. KISSELL, and Mr. BACHUS.
H.R. 3405: Mr. HOLT and Mr. COHEN.
H.R. 3435: Mr. WAXMAN.
H.R. 3486: Mr. STIVERS.
H.R. 3506: Mr. GERLACH, Mr. PETERSON, Mr. PLATTS, Mr. KISSELL, Ms. HANABUSA, and Mr. FARENTHOLD.
H.R. 3523: Mr. MCKEON.
H.R. 3541: Mr. CULBERSON and Mr. PALAZZO.
H.R. 3561: Ms. MOORE and Ms. BALDWIN.
H.R. 3586: Mr. ROE of Tennessee.
H.R. 3591: Mr. HOLT, Mr. SMITH of Washington, Mr. GRIMM, and Mrs. MALONEY.
H.R. 3595: Mr. BLUMENAUER.
H.R. 3596: Mr. THOMPSON of Mississippi, Mr. GARAMENDI, Mr. DEFazio, Mr. JOHNSON of Georgia, Ms. BERKLEY, Mr. LANGEVIN, Mr. CONYERS, Mr. ELLISON, Mr. LYNCH, and Mr. PASCRELL.
H.R. 3609: Mr. ROKITA.
H.R. 3658: Mr. DOLD and Mr. STARK.
H.R. 3670: Mr. MICHAUD and Mr. DONNELLY of Indiana.
H.R. 3712: Ms. HIRONO.
H.R. 3728: Mr. HUELSKAMP, Mr. PRICE of Georgia, Mrs. BACHMANN, and Mr. LATHAM.
H.R. 3770: Mr. MARCHANT.
H.R. 3803: Mr. STEARNS, Mr. TIBERI, Mr. CULBERSON, Mrs. MILLER of Michigan, Mr. GARRETT, Mr. HECK, Mr. LATOURETTE, Ms. FOX, Mr. POE of Texas, and Mr. HALL.
H.R. 3821: Mr. CONNOLLY of Virginia.
H.R. 3826: Ms. JACKSON LEE of Texas, Mr. HIMES, and Mr. KILDEE.
H.R. 3831: Mrs. MYRICK and Mr. PRICE of North Carolina.
H.R. 3875: Mr. BACA.
H.R. 3895: Mr. RIVERA.
H.R. 3900: Mr. SHERMAN and Ms. CHU.
H.R. 3903: Mr. TOWNS, Mr. GEORGE MILLER of California, Mr. LUJAN, Mr. DOGGETT, Mr. OWENS, Ms. LINDA T. SANCHEZ of California, Mr. DEFazio, Mr. CARSON of Indiana, Ms. MCCOLLUM, Mr. ROTHMAN of New Jersey, Ms. CLARKE of New York, Mr. GUTIERREZ, Mr. GENE GREEN of Texas, Ms. WOOLSEY, Mr. MCDERMOTT, and Ms. CASTOR of Florida.
H.R. 3914: Ms. SLAUGHTER.
H.R. 3980: Mr. MCKEON.
H.R. 3989: Mr. MEEHAN.
H.R. 3993: Mr. TOWNS, Ms. NORTON, Mr. LOEBSACK, Mr. HINCHEY, Mr. REED, and Mr. GIBSON.
H.R. 3994: Mr. CASSIDY.
H.R. 4005: Ms. BORDALLO.
H.R. 4017: Mr. RIBBLE.
H.R. 4018: Mr. ROSS of Arkansas, Mr. GRIMM, Mr. LATHAM, and Mr. PETERSON.
H.R. 4032: Mr. CICILLINE.
H.R. 4045: Ms. HIRONO.
H.R. 4055: Ms. MCCOLLUM and Ms. WOOLSEY.
H.R. 4063: Mr. STARK.
H.R. 4070: Mr. RYAN of Ohio.
H.R. 4081: Mr. MCKEON.
H.R. 4124: Mr. GIBSON and Mr. PRICE of North Carolina.
H.R. 4128: Mr. ROKITA, Mr. McCOTTER, and Mr. SCOTT of South Carolina.
H.R. 4132: Mr. ROSKAM.
H.R. 4134: Mr. AUSTIN SCOTT of Georgia.
H.R. 4157: Mr. DEFazio, Mr. COSTELLO, Mr. GRAVES of Missouri, Mr. HUIZENGA of Michigan, Mr. HURT, Mr. KISSELL, Mr. NUNES, Mr. RIBBLE, Mr. REHBERG, Mr. COLE, Mr. POMPEO, Mr. MANZULLO, Mr. AUSTIN SCOTT of Georgia, and Mr. OWENS.
H.R. 4169: Mr. DOLD, Ms. WOOLSEY, Ms. HAHN, Mr. ENGEL, and Mr. GEORGE MILLER of California.
H.R. 4170: Mr. MCDERMOTT, Mr. RUSH, Mr. TOWNS, Mr. JOHNSON of Georgia, Ms. CLARKE of New York, Ms. NORTON, and Mr. MORAN.
H.R. 4171: Mr. LANKFORD.
H.R. 4189: Mr. CROWLEY and Mr. JOHNSON of Georgia.
H.R. 4192: Ms. WOOLSEY and Mr. RYAN of Ohio.
H.R. 4201: Mr. YOUNG of Indiana, Mr. SHUSTER, Mr. RYAN of Ohio, Mr. BRADY of Pennsylvania, Mr. LANGEVIN, Mr. CRITZ, Mr. THORNBERRY, Mr. RUNYAN, and Mr. COFFMAN of Colorado.
H.R. 4222: Mr. SCHWEIKERT.
H.R. 4227: Mr. KEATING, Mr. MCGOVERN, Mr. LEWIS of Georgia, Ms. MCCOLLUM, Mr. BACA, Mr. COURTNEY, Ms. WOOLSEY, Ms. LEE of California, and Ms. JACKSON LEE of Texas.
H.R. 4228: Mr. KLINE.
H.R. 4237: Mr. POE of Texas and Mr. CASSIDY.
H.R. 4240: Mr. RANGEL, Mr. BILIRAKIS, and Mr. DANIEL E. LUNGREN of California.
H.R. 4256: Mrs. ELLMERS.
H.R. 4259: Mr. ROTHMAN of New Jersey, Mr. POE of Texas, and Mr. VAN HOLLEN.
H.R. 4269: Mr. WOMACK.
H.R. 4275: Mr. FALGOMAVAEGA, Ms. LEE of California, and Ms. RICHARDSON.
H.R. 4295: Mr. POE of Texas.
H.R. 4297: Mr. BUCSHON, Mr. ROE of Tennessee, and Mr. KLINE.
H.R. 4301: Mr. AUSTIN SCOTT of Georgia.
H.R. 4313: Mr. JONES.
H.R. 4315: Ms. LEE of California.
H.R. 4322: Mr. LANKFORD.
H.R. 4325: Ms. SLAUGHTER, Ms. MATSUI, Mr. HIGGINS, and Ms. HIRONO.
H.R. 4329: Mr. RYAN of Ohio.
H.R. 4336: Mr. HECK.
H.R. 4345: Mrs. McMORRIS RODGERS.
H.R. 4351: Mr. FILNER and Mr. PETERS.
H.J. Res. 88: Mr. CONYERS.
H.J. Res. 106: Mr. FLAKE.
H.J. Res. 107: Mr. JORDAN, Mr. NUNNELEE, and Mr. ROSS of Florida.
H. Con. Res. 40: Mr. SMITH of Washington and Mr. RANGEL.
H. Con. Res. 111: Mr. BERG.
H. Res. 111: Mr. BARLETTA.
H. Res. 130: Mr. TOWNS.
H. Res. 172: Mr. SHERMAN.
H. Res. 282: Ms. BONAMICI.
H. Res. 521: Mr. CONNOLLY of Virginia.
H. Res. 549: Mr. MCDERMOTT, Mr. SCHOCK, and Mr. RANGEL.
H. Res. 560: Mr. STARK.
H. Res. 564: Ms. WATERS.
H. Res. 568: Mr. CHANDLER, Mr. JORDAN, Mr. YARMUTH, Mrs. BONO MACK, Mr. RYAN of Wisconsin, Mr. KELLY, Mr. MCHENRY, Mr. DUFFY, Mrs. ELLMERS, Mr. CARTER, and Mr. AL GREEN of Texas.
H. Res. 583: Mr. DOLD.
H. Res. 604: Mr. MULVANEY, Mr. CANSECO, Mr. COBLE, Mr. WESTMORELAND, Mr. COLE, Mr. FARENTHOLD, Mr. JONES, Mr. DESJARLAIS, and Mr. NUNNELEE.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3288: Mr. CHAFETZ.

EXTENSIONS OF REMARKS

HONORING EARL SCRUGGS

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to honor the life and legacy of Earl Scruggs, who passed away on March 28, 2012. He was a noted banjo player whose style changed the way the banjo is played and whose music will endure for generations.

Born on January 6, 1924 in western North Carolina, Scruggs came into a musical family. His parents, brothers and sisters all had musical talents and traditional music was heard all around him. His love for music started at an early age after watching his older brothers master the banjo, which promoted his interest in playing. The support and practice he received at home with his family produced an artist who would go on to leave an indelible mark on traditional American and bluegrass music.

Scruggs began his remarkable 67-year career in music in 1945 when he began playing with Bill Monroe, the father of Bluegrass music, and his band the Blue Grass Boys. On these earliest recordings, his peculiar style of playing the banjo, which brought out a syncopated rolling rhythm using three fingers as opposed to the old "clawhammer" style, was immediately recognized as a fresh approach to playing the instrument. This style has been imitated by so many players that today it is referred to as the "Scruggs style" and is the preferred style among many musicians in traditional and bluegrass music. Bluegrass music is an essential part of the heritage of my congressional district in Southern and Eastern Kentucky, and many of the musicians in my region were influenced by him and play the banjo in his style.

In 1948, Scruggs joined forces with band mate Lester Flatt to form Flatt & Scruggs, and the two played together for over 20 years. In the 1970s, he formed the band Earl Scruggs Revue and expanded his audiences into genres where the banjo is not commonly heard, and even shared the stage with many folk, rock, and pop acts of the time, broadening the reach of traditional and bluegrass music. Even those who are not familiar with bluegrass music have likely heard Scruggs' playing on "The Ballad of Jed Clampett," which was the theme song for "The Beverly Hillbillies" television program, as well as his Grammy Award winning "Foggy Mountain Breakdown."

Earl Scruggs was a two-time Grammy Award winner, inducted into the Country Music Hall of Fame, and the Bluegrass Music Hall of Honor, as well as a recipient of the National Medal of Arts in 1992. His presence on stage will be sorely missed, but his music will last for many years to come.

DR. ROBERT DILLMAN

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. BARLETTA. Mr. Speaker, I rise today to honor Dr. Robert Dillman, who will be retiring as President of East Stroudsburg University on June 30, 2012, after sixteen years of serving the university and our region. East Stroudsburg University is one of the fourteen state universities that compose the Pennsylvania State System of Higher Education. It offers 7,387 students a world class education. Dr. Dillman, a native of Brooklyn, NY, came to East Stroudsburg University after several years of experience in higher education, and undoubtedly left his mark. Dr. Dillman demonstrated extraordinary leadership at East Stroudsburg University. By recognizing the importance of science and technology, he positioned the university as a key economic development force in Northeastern Pennsylvania. During his tenure, East Stroudsburg University became the first university in the United States to offer an undergraduate degree in computer security. The university also established its award-winning Business Accelerator Program, which joined the Ben Franklin Business Incubator Network and the University City Science Center's Port of Technology. In addition, President Dillman led the expansion of the Division of Research and Economic Development, which serves as a vital educational resource for technology-based entrepreneurs. Furthermore, he spearheaded the establishment of the university's world-class Science and Technology Center, which houses the departments of computer security and biotechnology, accommodates other sciences with classrooms, equipment, and labs, and is home to a state-of-the-art planetarium and a soon-to-come natural sciences museum.

Dr. Dillman made substantive changes to the campus environment at East Stroudsburg by giving numerous faculty, staff, students, and community members the opportunity to take the world-renowned professional development workshop titled Seven Habits for Highly Effective People, which he brought to the university. As a result, university administrators are better equipped to effectively reach out to students, while the students themselves are more prepared to enter the professional world upon graduation.

Mr. Speaker, today, Dr. Robert Dillman stands as an important bearer of change to Northeastern Pennsylvania and the nation. I commend him for his years of committed service to East Stroudsburg University, his state, and country.

CONGRATULATIONS TO THE SWEENEY CIVIC CLUB

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. PAUL. Mr. Speaker, on April 29, 2012, the Sweeney Civic Club, the oldest female civic service organization in Brazoria County, Texas, will celebrate the 100th anniversary of its founding by six Texas women whose goal was to form an organization "to do good works and charitable deeds." I am pleased to congratulate the members of the club on their century of service to the community of Sweeney, Texas.

The Sweeney Civic Club led the effort to create the Sweeney public school system and the Sweeney public library. Supporting education remains a passion of the Sweeney Civic Club to this day. The club's work to ensure the children of Sweeney obtain a first-class education alone makes them worthy of commendation. However, the Sweeney Civic Club's contributions are hardly limited to education. The Sweeney Civic Club has played a vital role in making sure the people of Sweeney have access to quality health care by working to build and support the Sweeney Community Hospital. They also played a key role in building the Sweeney Cemetery. These are just some of the many ways the members of the club have worked to fulfill their objective "to promote civic and social improvement through organized efforts and to promote the interests and improvement of the City of Sweeney."

The highlight of the 100th anniversary celebration will be the unveiling and dedication of "Lady Civic," a life-sized statue of a woman dressed in 19th century fashion. "Lady Civic" symbolizes the Sweeney Civic Club's founders, and is the club's latest gift to the city of Sweeney. This statue is a fitting tribute to all the women who have worked with the Sweeney Civic Club, freely dedicating their time and talents to improving the lives of their fellow residents of Sweeney.

The Sweeney Civic Club's 100 years of service to their community stands as a shining example of how citizens acting together can better their communities. The Sweeney Civic Club's many accomplishments should serve as model and inspiration to us all. It is therefore my pleasure to offer my congratulations to the Sweeney Civic Club on their centennial and extend my best wishes for many more years of service to the people of Sweeney.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING CARNELL EDWARD SMITH, 54TH ILLUSTRIOUS POTENTATE OF OMAN TEMPLE NO. 72 OASIS OF FLINT-DESERT OF MICHIGAN

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. KILDEE. Mr. Speaker, I rise today to honor Carnell Edward Smith on the occasion of the Oman Temple No. 72 Annual Potentate Ball on May 5, 2012 where Shriners in my hometown of Flint, Michigan will celebrate the esteemed Illustrious Potentate Smith.

The Shriners of Oman Temple No. 72 of the Ancient Egyptian Arabian Order Nobles of the Mystic Shrine have a long and distinguished 54-year history of charitable work and community outreach that has been a Shrine Organization tradition since 1893. Educational scholarships, illiteracy programs, medical research, anti-drug programs, crime prevention and the fight against the sickle cell disease and diabetes are just a few of the contributions Shriners across America have made throughout their long history.

Illustrious Potentate Carnell Edward Smith, who received his Master of Business Administration in 2007, is currently enrolled in a program of applied management and decision science leading to a Doctorate of Philosophy. He has been a dedicated Mason for more than 10 years and it is fitting that this talented community servant is being honored as Oman Temple No. 72 58th Illustrious Potentate.

Carnell Edward Smith serves my constituents on a daily basis as a skilled Internet, data and hardware technology specialist with the City of Flint. Over the years he has been involved in numerous charitable activities benefiting the American Diabetes Association, Big Brothers Big Sisters, Meals on Wheels and providing Thanksgiving dinner for needy families in his community. Working with a local community group, Illustrious Potentate Smith helped adopt a classroom at Carpenter Elementary School to provide financial support for students. Carnell Edward Smith is a remarkable and accomplished leader and an exemplary model for Shriners and all of us who value community service and civic dedication.

Mr. Speaker, please join me in recognizing the Illustrious Potentate Carnell Edward Smith, a distinguished leader from my hometown of Flint, Michigan who is being honored at the Oman Temple No. 72 Annual Potentate Ball.

PERSONAL EXPLANATION

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. FRANKS of Arizona. Mr. Speaker, had I been present for rollcall vote No. 152, I would have voted "yes."

BOROUGH OF DUNMORE,
PENNSYLVANIA

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor the Borough of Dunmore, Pennsylvania, which celebrated its 150th anniversary of being incorporated as an independent borough on April 10, 2012. Dunmore is a vital part of Northeastern Pennsylvania, and it has a proud history.

Although Dunmore was incorporated as a borough in 1862, its roots date back as far as 1783, when founder William Allsworth first settled in the area. Allsworth opened a tavern that served the subsequent settlers and travelers. Like many other communities in the region, Dunmore underwent a great change once anthracite coal became a major source of energy used to power our nation. During the Industrial Revolution, immigrants from Europe settled in Dunmore in hope of starting a new life. In the process, they built a strong community that would last for future generations.

Over the years, Dunmore's men and women have defended this nation in times of conflict. In fact, Dunmore resident, Carol Ann Drazba, was the first female casualty of the Vietnam War when her helicopter crashed in 1966. Dunmore's youth need only to look to NASA astronaut, Paul Richards, who graduated from Dunmore High School in 1982, for inspiration to see what is possible when they are determined to succeed. Rising to the occasion is what Dunmore's residents do every day through their hard work and dedication to improve their community.

Although the trolley cars and steam engines may be gone, many Dunmore establishments have stood the test of time. Financial institutions like Fidelity Deposit and Discount Bank and the First National Bank of Dunmore have served customers from their locations on Dunmore Corners for more than 100 years. Also, Dunmore High School, though newly renovated, has remained in the same statuesque building since 1937. In addition, Holy Cross High School resides in the former Bishop O'Hara High School and Dunmore Central Catholic buildings, which were built in 1964. The high school continues to educate students from throughout Lackawanna County under the Diocese of Scranton.

Mr. Speaker, today, Dunmore remains an important community in Northeastern Pennsylvania due to both its history and future. I commend Dunmore's residents for their 150 years of being a vital part of our region, and I wish them continued success.

IN RECOGNITION OF HOUSE PARLIAMENTARIAN JOHN SULLIVAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of John Sullivan upon the comple-

tion of his exemplary service as Parliamentarian of the House of Representatives. For 25 years Parliamentarian Sullivan's unsurpassed knowledge and dedication to the integrity of his office has proven to be an indispensable asset to the work of this institution.

It is clear that Parliamentarian Sullivan cares deeply for this country. Before becoming Parliamentarian, Mr. Sullivan had served in the Office of the Parliamentarian for seventeen years. He also acted as counsel to the Armed Services Committee, as well as Judge Advocate in the U.S. Air Force for seven years.

Parliamentarian Sullivan has earned the admiration of many through his demonstrated ability to provide essential and unbiased advice which few others could provide. In a town often divided along partisan lines, Parliamentarian Sullivan has faithfully served as the rare voice of independence which has garnered respect from both sides of the aisle. His commitment to his post and colleagues has ensured that the office which he is leaving is sufficiently capable of maintaining his high standard of performance.

Mr. Speaker and colleagues please join me in recognizing the career of House Parliamentarian John Sullivan and wishing him and his family all the best in the future.

HONORING THE SISTERS OF
LORETTO

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary and continued legacy of the Sisters of Loretto upon their 200th Anniversary and Jubilee. With a current global reach in education ministry spanning multiple continents, the Sisters of Loretto and their extended network spend each day on a spiritual mission to promote peace and justice, environmental stewardship, and, above all, high-quality education for children everywhere.

On April 25, 1812, the Sisters of Loretto at the Foot of the Cross came to fruition through the humble and steadfast commitment of three American frontier women in central Kentucky named Mary Rhodes, Ann Havern and Christina Stuart. With the long-time counsel and support of local pastor, Father Charles Nerinckx, the women dedicated their lives to communal living and prayer. Little did they know at the time, that their lifetime commitment to teaching local poor children and housing orphans would spur a global movement.

The women's selfless work under extreme frontier conditions inspired scores of other women to join the religious order. In a model of faith and service, the Sisters made their special purpose the education and instruction of girls and young women of every faith and economic means, including those still enslaved under the law. Over the next two decades, membership grew to 130 women overseeing nine frontier schools in Kentucky and Missouri. And over the next century, they founded 99 additional schools in territories that would become 13 different states.

The Sisters of Loretto continued to expand the work of education westward, first by

steamboat to Missouri and Louisiana. Then, by wagon train to New Mexico, mail coach to Colorado, and by train to Texas, Arizona and California. Ultimately, the order contributed to burgeoning systems of American education in more than 40 states. In one chapter of Sisters of Loretto history from 1898 to 1922, the visionary leadership of Superior General Mother Praxedes Carty SL brought greater emphasis to women's higher education goals. Mother Praxedes was one of the first leaders of her time to insist that Loretto Sisters would need master's- and doctorate-level educational training for their teaching. In 1916, a time when universities were almost exclusively off-limits to women, Mother Praxedes erected Loretto College for women in St. Louis, Missouri (now known as Webster University).

From being among the first invited women participants at Vatican II to moving toward greater, independent social peace and justice efforts in the 20th century, the organization has had a presence in China (as early as 1923), Europe, South and Central America (Guatemala, Bolivia and Peru), as well as in recent years, Uganda, Pakistan and Ghana, where they co-opened Blessed Trinity Leadership Academy in 2009. The Sisters of Loretto have formed amazing partnerships with local organizations on the ground and have galvanized a network of co-member volunteers. To name a few of its many roles, the Loretto Community NGO has consultative status at the United Nations and comprises a Loretto Hunger Fund, as well as a Committee for Racial Justice. The Sisters have also built memorials for victims of slavery as well as those who have died from AIDS.

Clearly, the trailblazing roots of this frontier organization, have persisted and flourished over the last 200 years. Altogether, the Sisters of Loretto and their colleagues have founded nearly 300 U.S. schools, colleges, centers and service programs, supporting the education and growth of close to one million American citizens. And, as a proud former student of the Sisters of Loretto at St. Joseph School in El Paso, Texas, and 2002 recipient of their Mary Rhodes Award for peace and justice, I know firsthand what their movement for quality women's education has done for our nation, and the world. They planted the seeds for my work for peace and justice. And for that, I am deeply grateful.

Therefore, on behalf of California's 9th Congressional District, I salute the Sisters of Loretto and thank them for their immense service. I congratulate all of you upon this incredible milestone, and join you in looking ahead toward centuries' more work from the Sisters of Loretto in pursuit of education, enlightenment, peace and progress.

PERSONAL EXPLANATION

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. SCHIFF. Mr. Speaker, I was unavoidably absent from the House on April 16, 2012 due to important commitments in my district.

On rollcall 152, had I been present I would have voted "yea" on H.R. 3001, the Raoul Wallenberg Centennial Celebration Act.

On rollcall 153, had I been present I would have voted "yea" on H.R. 4040, providing for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation.

IN RECOGNITION OF THE LATE
HONORABLE DONALD M. PAYNE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the late Honorable Donald M. Payne, so that we may commemorate his extraordinary life of dedication and commitment to service.

Born in 1952 in Newark, New Jersey, he graduated from Seton Hall University and pursued post graduate studies at Springfield College. A former English and social studies teacher, he also coached football at Malcolm X Shabazz High School, which was then called South Side High School. He was Vice-President of Urban Data Systems Inc. as well as an executive at Prudential Financial. In 1970, he became the first African-American president of the National Council of YMCAs.

Representative Payne entered public life in 1972 when he was elected to the Essex County Board of Chosen Freeholders. Ten years later he was elected to the Newark Municipal Council where he served three terms. In 1988, Donald became the Representative of New Jersey's 10th Congressional District, and the first African-American to represent New Jersey in Congress. As Chair of the Congressional Black Caucus, he was a relentless defender and supporter of education related issues. He was an inspiration and a friend.

He was preceded in death by his wife, Hazel Johnson, and is succeeded by son Donald Jr., daughters Wanda and Nicole, four grandchildren and one great-grandchild.

Mr. Speaker and Colleagues please join me in sending our condolences to the family and friends of Donald M. Payne who so faithfully cared for and served his community.

HONORING THEODORA J. KALIKOW

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the accomplishments of Dr. Theodora J. Kalikow on the occasion of her retirement as President of the University of Maine at Farmington.

Since Dr. Kalikow's arrival at the University of Maine at Farmington in 1994, the university has gained national recognition as one of America's top public liberal arts colleges and is a superior model of educational excellence and academic opportunity.

As President, Dr. Kalikow has overseen the addition of many new degree programs and has presided over the construction of new campus facilities, including a community arts

center, an education center, and a residence hall. She has also focused on expanding student opportunities for internships and undergraduate research.

Another of Dr. Kalikow's notable accomplishments at UMF has been her tireless pursuit of high environmental sustainability standards. Under her leadership, the University of Maine at Farmington is now recognized as one of America's "Top Green Colleges" by the Princeton Review. Dr. Kalikow's environmental efforts earned her the Green Building Leadership Award from the Maine Chapter of the U.S. Green Building Council in 2007.

Dr. Kalikow has received recognition within the state of Maine for her contributions to the community of Farmington and to the state at large. In 2001, she was inducted into the Maine Women's Hall of Fame. She has also been the recipient of the University of Maine's Maryann Hartman Award and the University of New England's Deborah Morton Award.

Mr. Speaker, please join me in honoring Dr. Theodora J. Kalikow for her many years of dedication and service to the state of Maine.

HONORING THE 11TH ANNUAL
AMERICA'S YOUNG HEROES CONTEST

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in celebration of the 11th annual America's Young Heroes contest, which honors students who have created visual art, film, poetry and essays to promote self-empowerment and combat bullying. These students have undoubtedly fostered more tolerant communities in South Florida as well as across the country, and I applaud their efforts.

Last year in the United States, nearly 5.7 million middle school and high school students were bullied. Even more tragic is the fact that almost one in five teens who were victims of bullying contemplated ending their own lives. America's Young Heroes provides a vital platform for teens to address these problems in a way that helps promote positive change.

I congratulate the organizers and participants of the America's Young Heroes contest for operating under the shared belief that in America, no child should be afraid to go to school because he or she is experiencing bullying. It is my hope that because of their efforts, we can work towards a future where all schools are a safe place for students to learn and grow.

REGARDING THE BEHAVIOR OF
GENERAL SERVICES ADMINISTRATION EMPLOYEES

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Ms. BERKLEY. Mr. Speaker, I rise today to strongly condemn reckless spending by a

group of employees from GSA, the General Services Administration, whose actions are now the subject of multiple hearings in both the House and Senate.

The misuse of taxpayer dollars by these GSA employees is truly deplorable. And it comes at a time when families in Nevada and across our Nation are tightening their belts. The lesson from this outrageous incident is clear: government must spend every penny in ways that serve the American people's interests, not the interests of those entrusted with overseeing the use of these taxpayer resources.

President Obama has acted swiftly in demanding accountability from top GSA officials who failed in their leadership roles and I commend his response to the reckless GSA spending that has been revealed.

Unfortunately, some of the comments that have been made surrounding the GSA scandal are meant to create the impression that Las Vegas itself is part of the problem.

I want to make one thing clear to those looking to use these events as an opportunity to bash Las Vegas or to point fingers in our direction—Las Vegas is not to blame.

Mr. Speaker, it's not where GSA went, it's what GSA spent.

And the issue is not Las Vegas, it's the actions of certain GSA employees who must be held accountable for their stunning lack of good judgment, blatant disregard for cost and for thumbing their noses at the rules.

There is no better destination on Planet Earth for meetings, conferences, or conventions than my hometown. No city does it better than Las Vegas.

And the problem is not the men and women in my community who work in the tourism industry and who provide hospitality to tens of millions of visitors from around the globe each year. These moms and dads bring home paychecks from an industry that is vital to the economy of Las Vegas—the community I represent—and to cities all across Nevada.

So, while I join my colleagues in calling for a thorough investigation into this incident, I hope the focus will remain on the actions of GSA employees and their behavior, and not on the location where these misdeeds took place.

WORLD CIRCUS DAY—APRIL 21,
2012

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. BUCHANAN. Mr. Speaker, I rise today to recognize April 21, 2012 as World Circus Day, a day of celebration when children of all ages celebrate the art, culture, and laughter of the circus. With over 40 countries celebrating, we recognize an art form that not only amazes and entertains, but also builds bridges between cultures and people across the globe.

In 2008, the World Circus Federation was created and established World Circus Day as an opportunity to celebrate circus culture and heritage.

The circus in America is a beloved and enduring art form. For over 200 years, the circus

has entertained generations with amazing feats of physical skill, comedy, theater, and music, while exposing us to the cultures and wonders of the world.

Today's circus continues to amaze and inspire children of all ages by bridging generations and cultures in the pursuit of the very best in circus arts and skill. From St. Louis's own Circus Harmony working with urban youth, to the Galilee Circus which uses circus arts to bring Jewish and Arab children together, social circus exemplifies the very best of the circus culture as a means of creating friendships and understanding that transcends borders, economics, politics, and religion.

The great state of Florida is home to many of the best-known and longest-operating circuses in the country, including the Ringling Bros. and Barnum & Bailey Circus, Clyde Beatty-Cole Bros. and Circus Sarasota. Many of these famous circuses and the artists who perform with them call the 13th District of Florida "home."

Known as "Circus City USA," Sarasota boasts the world-renowned John and Mable Ringling Museum, the legacy of famed circus impresario John Ringling, whose vision for establishing Sarasota as a thriving cultural center is still alive today. Now under the stewardship of Florida State University, the Ringling Museum is home to a vast collection of European art and sculpture as well as its famed Tibbals Learning Center, home to the Howard Bros. Circus model—the largest miniature circus in the world.

Internationally recognized, our hometown Circus Sarasota is a non-profit organization dedicated to the preservation and continuation of circus arts in our community. Founded by circus great Dolly Jacobs, daughter of famous Ringling Bros. clown Lou Jacobs, and partner Pedro Reis, Circus Sarasota's "Laughter Unlimited" program exemplifies the notion that "laughter is the best medicine," reaching out to hospitals and senior centers to bring joy and comfort. Its annual circus performances showcase some of the finest circus talent in the world today.

Circus Sarasota is also home to the Sarasota Sailor Circus, in operation since 1949 and the oldest continuously running youth circus in America.

From the iconic Ringling Bridge across Sarasota Bay to the main thoroughfare Ringling Boulevard, the Ringling Bros and Barnum & Bailey legacy is also ever present. Beginning with John Ringling's decision to relocate his annual winterquarters rehearsals to Sarasota in 1927, Ringling Bros. remains in many ways synonymous with our area. John and Charles Ringling—two of the five original Ringling brothers who turned a small traveling circus into an international entertainment empire—wielded incredible influence on the economy, development, culture, and character of this same quaint village on beautiful Sarasota Bay.

Now in its 142nd year, and under the stewardship of the Feld family, the Greatest Show on Earth continues to call the Sarasota area home.

Almost everywhere you look in Sarasota, our circus heritage is evident. The ever popular Circus Ring of Fame, established in 1988 at St. Armand's circle, pays tribute to the

greats of the circus world, including such Sarasota notables as famed animal trainer, Gunter Gebel-Williams, clowns Lou Jacobs and Emmett Kelley and great artists such as the Flying Wallendas and the Zacchinis.

Mr. Speaker, on behalf of the generations of circus artists, producers, and animal trainers that call the 13th District of Florida home, I take this opportunity to wish you all a very happy World Circus Day!

IN RECOGNITION OF THE COUNCIL
ON AMERICAN-ISLAMIC RELATIONS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the Council on American-Islamic Relations (CAIR) Ohio Chapter.

CAIR is a nationwide, nonprofit organization whose mission is to "enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims and build coalitions that promote justice and mutual understanding." For the past ten years, CAIR Ohio has played an instrumental role in helping to bridge the divides between Greater Cleveland's diverse communities.

CAIR Ohio's Tenth Annual Banquet will provide a platform for vibrant discourse led by this year's distinguished speakers: Mr. Faisal Kutty, of Valparaiso University School of Law, Osgoode Hall Law School of York University and KSM Law and Imam Abu Farah of the American Muslim Youth Leadership Council and CAIR-Tampa. I commend these speakers for their efforts to promote civil liberties and social justice.

Mr. Speaker and colleagues, please join me in recognizing the Council on American-Islamic Relations Ohio Chapter for their tenth years of outstanding achievement. May their efforts to promote dialogue and create a more inclusive world continue to endure.

HONORING THE CHESHIRE FIRE
DEPARTMENT

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. MURPHY of Connecticut. Mr. Speaker, as a Cheshire resident, I rise today to commemorate the 100th anniversary of the Cheshire Fire Department.

Following a devastating fire at the old Waverly Inn the citizens of Cheshire came together on the 13th of February, 1912 to discuss how to protect their community from the threat of fires. This first community meeting would lead to the organization of the Cheshire Fire Department on February 27th of that year and the chartering of its first twenty-seven members a month later. The Department's first call would come that April to respond to a chimney fire at the home of one of the Department's trustees, Mr. A.S. Bennett.

Over the past century the Cheshire Fire Department has grown from its original hand-drawn Chemical Cart and Hook and Ladder Truck (the Department wouldn't have a motorized Fire Truck until 1916) to a modern force with seven engines and several other vehicles across three stations. Throughout its history the Department has remained an organization deeply connected with the community it serves. The 100 firefighters of the Department are all volunteers who dedicate their time, and risk their lives, for the safety of their neighbors. In fact, Fire Chief Jack Casner is the first paid career fire chief in the Department's history.

The volunteers and professionals of the Cheshire Fire Department continually strive to provide the utmost level of safety and security to their community. As the north side of Cheshire has seen a dramatic growth in business development, the Department has initiated plans to open a fourth fire station in north Cheshire to improve response times and quality of service. This ability to adapt and expand while remaining focused on the needs of the community has characterized the Cheshire Fire Department throughout its now 100-year history and is why the Fire Department is the oldest continually operating municipal department in Cheshire.

In reflection of the 100 years of tireless dedication to community and public safety in Cheshire, I ask my colleagues to join me in recognizing and honoring this 100 year anniversary of the Cheshire Fire Department, the lives and properties saved by its efforts, and the daily risks its volunteers take to protect the town of Cheshire.

CONGRATULATING MR. WILLIAM HENRY "BABE" WOOLARD ON THE OCCASION OF HIS 90TH BIRTHDAY

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. BUTTERFIELD. Mr. Speaker, I rise today to send warm regards to Mr. William Henry "Babe" Woolard who celebrated his 90th birthday on February 29, 2012. Babe is in the very unique position of being born during a Leap Year and on Leap Day. In fact, he celebrates his birthday only every four years so he has only experienced 23 actual birthdays.

Babe was born to Mr. Henderson and Ms. Ida Woolard on February 29, 1922 in Williamston, North Carolina and is one of six children. Like many in eastern North Carolina, Babe went in to farming and was a farmer for the Lilley Families in the Lilley's Quarter section of Williamston. Later, he inherited the Woolard family farm located in the Farm Life Community of Williamston and Babe and his son Willie continue to farm the land today.

Like many Americans of his generation, Babe was called to serve his country during World War I. He bravely defended the United States and its allies against the tyranny perpetrated by the Axis of Evil by serving in the U.S. Army with the all Black 3,685th Trucking

Division. I commend him for his bravery and thank him for his selfless service to this great country.

When he returned from his service in Europe with the U.S. Army, Babe married Ms. Verna Mae Brown. The two reared seven children together—Hattie, Verna, Dianne, Mary, Doris, Angela, and Willie—and they settled back in Babe's hometown of Williamston. Babe and Verna Mae were married for 70 wonderful years filled with love, caring, and compassion until she passed away on June 20, 2011.

Babe is many things, but above all else he is a man of God. He has attended Cedar Hill Missionary Baptist Church in Williamston most of his life. The fellowship and community provided by his church has sustained Babe through the highs and lows of life. I admire his faith.

Mr. Speaker, I ask my colleagues to join me in congratulating Mr. William Henry Woolard on his 90th birthday—or his 23rd birthday. No matter how you add it up, Babe has always lived his life to the fullest. May he celebrate this and many more birthdays in the future.

IN REMEMBRANCE OF THE HONORABLE LILLIAN W. BURKE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of the Honorable Lillian W. Burke, the first African American female judge in the State of Ohio.

Judge Burke was born in 1917 in Pittsburgh, Pennsylvania. In 1946, she graduated from The Ohio State University with a degree in education and subsequently began working as a teacher in Cleveland Public Schools. While teaching, Judge Burke also attended Cleveland Marshall College of Law. She graduated with her law degree and passed the Ohio Bar in 1951.

Soon thereafter, Judge Burke served as the assistant attorney general for three years before being appointed to the Ohio Industrial Commission. Judge Burke was appointed to the Cleveland Municipal Court in 1969. She served on the bench until her retirement in 1987.

In addition to her trailblazing career as a judge, Judge Burke was deeply involved in the Greater Cleveland community. She worked with the Cleveland Restoration Society, City Planning Commission, Cleveland Foundation African-American Outreach Advisory Committee, National Council of Negro Women, City Club and National Association for the Advancement of Colored People. Judge Burke also set up the Lillian Walker Burke Scholarship for students of John Marshall College of Law.

Mr. Speaker and colleagues, please join me in honoring the memory of the Honorable Lillian W. Burke. Her career will continue to serve as an inspiration for years to come.

RECOGNIZING APRIL AS PARKINSON'S AWARENESS MONTH

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mrs. MALONEY. Mr. Speaker, as a co-chair of the Congressional Caucus on Parkinson's Disease, I am pleased to recognize April as Parkinson's Awareness Month. It is critical that we raise awareness of this debilitating disease and continue to work towards discovering treatments and eventually, a cure.

As the second most common neurodegenerative disease in the United States, it's estimated that there are between 500,000 and 1.5 million Americans living with Parkinson's and as the baby boomer generation ages, this number will only increase.

Parkinson's disease is a chronic, progressive neurological disease that debilitates those living with Parkinson's and affects their families, as well. There is no therapy or drug to slow its progression and a cure has yet to be found. As the loved one of someone afflicted by Parkinson's disease, I witnessed personally the toll that Parkinson's disease took on my father. As a result, I know firsthand that we must provide support to the loved ones, caregivers and researchers attempting to improve the welfare of those living with Parkinson's.

I call for continued research funding to identify treatments and a cure. I also applaud the many advocates, medical staff, volunteers, and organizations who work tirelessly to advance the quality of life for those living with Parkinson's disease and their loved ones.

STOP TRADING ON CONGRESSIONAL KNOWLEDGE (STOCK) ACT

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. WALZ. Mr. Speaker, I rise today on behalf of myself and Representative LOUISE M. SLAUGHTER to note the end of a successful journey in good government reform. Six years ago, the Stop Trading on Congressional Knowledge (STOCK) Act was introduced for the first time in the House of Representatives. We reintroduced this bill for the fourth time on March 17, 2011 and a little over a year later, we are proud to see the language we introduced to ban insider trading, signed into law.

Since the President signed the bill (S. 2038, 112th Congress; P.L. 112-105) on April 4th, 2012, we would like to submit for the record our intent in regards to banning Congressional insider trading with the STOCK Act. This overwhelming bipartisan legislation is a significant accomplishment for Congress, and we would like to have the record state our original intent.

Though Members of Congress and their staffs, executive branch employees, and federal judges and other federal judicial employees were not exempt from the insider trading prohibitions at the time, we deemed it important to affirm explicitly that no such exemption

existed and that these individuals do in fact owe a duty of trust and confidence to the U.S. government and the American people. [See, e.g., Statement of Robert Khuzami, SEC Director of Enforcement, to Committee on Homeland Security and Governmental Affairs (Dec. 1, 2011); SEC v. Cheng Yi Liang, et al., Exchange Act Rel. No. 21097 (March 29, 2011) (bringing insider trading charges against a FDA employee alleging that he violated a duty of trust and confidence owed to the federal government under certain governmental rules of conduct when he traded in advance of confidential FDA drug approval announcements); United States v. Royer, 549 F.3d 886 (2d. Cir. 2008) (affirming a conviction of an FBI agent for tipping information about ongoing investigations and information on law enforcement databases); SEC v. John Acree, Litigation Rel. No. 14231, 57 SEC Docket 1579 (Sept. 13, 1994) (announcing a settled action with a former employee of the Office of the Comptroller of the Currency for trading on the basis of material non-public information concerning banks); United States v. Rough, Crim. No. 88-425 (D.N.J. 1988) (indictment of former New York Federal Reserve Bank member for revealing highly sensitive nonpublic information regarding changes in the Fed's discount rate); SEC v. Saunders, Litigation Rel. No. 9744, 26 SEC Docket 75 (September 2, 1982) (announcing settled action with the former Director for Communications for a division of the Naval Electronics Systems Command for purchasing securities while in possession of material nonpublic information concerning a contract award); Code of Conduct for United States Judges, Canon 4(D)(5) (stating "A judge should not disclose or use non-public information acquired in a judicial capacity for any purpose unrelated to the judge's official duties"); Code of Conduct for Judicial Employees, Canon 3(D) (stating "A judicial employee should never disclose any confidential information received in the course of official duties except as required in the performance of such duties, nor should a judicial employee employ such information for personal gain.")]

In affirming that the insider trading prohibitions applied to these individuals in the same way they apply to everyone else, we made it perfectly clear that nothing in the Act—not the affirmation of the duties, nor the instructions to issue interpretive guidance, nor the interpretive guidance that may be issued as a result—can be construed to limit or impair the construction of the antifraud provisions of the securities laws or the authority of the SEC under those provisions. We included an unambiguous rule of construction applicable to the entire Act, as well as unambiguous savings clauses in the amendments being made to the Exchange Act, that make that clear.

Thus, when the Act instructs the Ethics Committee, Office of Government Ethics or Judicial Conference of the U.S. to issue interpretive guidance to clarify that government officials cannot use nonpublic information as a means for making a "private profit", this is not intended to—and in fact does not—limit or more narrowly define any insider trading requirements that currently exist in the law, nor limit or more narrowly define any ethical prohibitions that may currently exist. Similarly,

when the Act says that nothing in the Act shall be in derogation of the obligations, duties or functions of Members or employees of Congress, this is not intended to permit Members or staff to use this provision as a shield to forestall liability for insider trading.

IN REMEMBRANCE OF MR.
TYRONE "HAWK" HAWKINS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor and memory of Tyrone "Hawk" Hawkins, who worked for over two decades at the Parmadale Institute, a facility that provides a modern, safe, and secure residential and behavioral health treatment environment for adolescents.

Mr. Hawkins was born on April 21, 1952 as the fourth child to Thomas and Ethel Hawkins. Mr. Hawkins grew up in Cleveland, Ohio and graduated from John F. Kennedy High School in 1971. In 1976, he earned a degree in Social Work from Cleveland State University.

Mr. Hawkins had a passion for working with children, which led him to begin a career at Hillcrest School in Cincinnati. In 1990, Mr. Hawkins began working at the Parmadale Institute, helping thousands of children with their behavioral health needs. Mr. Hawkins' compassion and understanding were a constant at Parmadale, where he often stayed long past closing time talking to the children and staff.

I offer my most sincere condolences to his wife, Jacqueline; daughter, Tanisha; and his grandchildren. Mr. Hawkins will be dearly missed by his family and friends, especially the staff and children of Parmadale.

Mr. Speaker and colleagues, please join me in honoring Tyrone Hawkins, who served the children of his community with love and devotion.

HONORING MARIA ANTONIA
"TONI" JUAREZ

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. CUELLAR. Mr. Speaker, I rise today to honor the late Maria Antonia "Toni" Juarez, a devoted teacher and friend to the community in South Texas. Ms. Juarez modeled the virtue of charity throughout her lifetime and the impact of her care for children and those in need will resonate even after her passing.

As a Laredo native, Ms. Juarez was active in the community. At the young age of six, she was already involved in assisting her parish, San Jose Church by teaching catechism. Her Saturday mornings were dedicated to cleaning the Church and her evenings were spent practicing choir or participating in meetings devoted to Saint Theresa. She graduated from Saint Augustine High School in 1953 where she met her husband, Beto Juarez and married a year after graduation.

Ms. Juarez resumed her education at the University of Texas between 1967 and 1969 while serving as Preschool Head Teacher in the City of Austin Child Development Program. Her family, including her six children and husband spent another academic year, 1969-1970, in Guadalajara. While in Mexico, she continued to catalogue archival materials and to serve as preschool consultant and trainer at the American School of Guadalajara and completed Montessori training by correspondence. The couple and their six children then moved to Davis, California from 1970 to 1975 where she was offered the job of Preschool Head Teacher. In 1975 she was appointed Regional Education Coordinator at Woodland for the Butte County Schools. Even though she was working full-time, she managed to obtain her Bachelor of Arts degree in Child Development from Sacramento State University in 1974.

In 1975, the family returned to Laredo where Ms. Juarez was appointed Child Development Program Director for the city of Laredo. She became a full-time graduate student thereafter and earned her Master of Arts degree in Early Childhood Education and Reading from Laredo State University in 1987. Her work as a kindergarten teacher at United Independent School District in 1987-1988 was one of the most enriching experiences. Offered a position as adjunct instructor at Laredo State University, she jumped at the chance of training future teachers to carry out the work she loves in child development.

One of Ms. Juarez's greatest commitments was her contribution to the Laredo Children's Museum Board of Trustees, having served as a member of the board since the early 1990s. Simultaneously, she was devoted to teaching religious courses to San Martin de Porres Church and Adult Education and Ministry Formation for the Diocese of Laredo until her passing.

Mr. Speaker, I am honored to have had the opportunity to recognize the late Antonia "Toni" Juarez. Her devotion to children, her family and the community have truly impacted many lives.

HONORABLE RICHARD CONABOY
AND MRS. MARION CONABOY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor the Honorable Richard Conaboy and Mrs. Marion Conaboy, two of the 2012 recipients of the Governor Robert P. Casey Medal for a Lifetime of Service. This award is presented annually by the Neighborhood Housing Services of Lackawanna County and given for a person's contributions to the region throughout the years. The Neighborhood Housing Services serves individuals and families through homeownership education and promotion, property rehabilitation and affordable lending.

For more than half of a century, Judge Conaboy served as a fair jurist and an extraordinary community leader. The Conaboy's, as a couple, have mastered the public-private partnership. While Judge Conaboy served on the

bench, Mrs. Conaboy served as the matriarch of a large and loving Scranton family. They are the parents of 12 children and grandparents of 48 grandchildren.

Judge Conaboy earned his bachelor's degree in 1945 at the University of Scranton and graduated from the Catholic University of America in 1950 with a law degree. In addition, he is a former chairman of the Board of Directors of the University of Scranton, Marywood College, and the Scranton School District. During his six decade career, Judge Conaboy has serviced clients at the local, state, and federal level.

Furthermore, Judge and Mrs. Conaboy are both deeply admired for their strong faith and continual devotion to family. Together, they have served our community loyally as they continue to serve their family.

Mr. Speaker, today, the Honorable Richard Conaboy and Mrs. Marion Conaboy stand as leaders in northeastern Pennsylvania. I commend them for their years of admirable service to our community and country, and I wish them continued success in the future.

IN HONOR AND REMEMBRANCE OF HIS HOLINESS POPE SHENOUDA III

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of His Holiness Pope Shenouda III of the Coptic Orthodox Church, who was a religious and spiritual leader.

His Holiness was born Nazeer Gayed on August 3, 1923, in Egypt. Actively involved in the Church throughout his entire life, Pope Shenouda III joined the Coptic Orthodox Seminary after graduation from Cairo University.

On July 18, 1954, His Holiness became a monk, and later a monk priest, and was known as Fr. Antonious El-Syriani. He then became a hermit and lived in a cave for a period of six years. On September 30, 1962, he was consecrated Bishop of Christian Education and President of the Coptic Orthodox Theological Seminary.

On November 14, 1971, His Holiness was consecrated as the 117th Pope of Alexandria and Patriarch of the See of St. Mark. During his tenure as Pope, His Holiness worked tirelessly on behalf of the youth of the Church. He also published 101 books throughout his life spreading the message of the Coptic Church worldwide.

Mr. Speaker and colleagues, please join me in honoring the tireless work and life of His Holiness Pope Shenouda III, and his dedication to the Coptic Orthodox Church.

A TRIBUTE TO THE LIFE OF THE HONORABLE THOMAS A. GLAZE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Ms. ESHOO. Mr. Speaker, I rise today to honor the late Thomas A. Glaze, a retired Jus-

tice of the Arkansas Supreme Court, who died on March 30, 2012, in North Little Rock, Arkansas, surrounded by his family.

Judge Glaze served a total of 30 years on the bench, 22 of them on the Supreme Court of Arkansas. He was an advocate for fair elections, for legal assistance for the poor, for foster children, and for all children. He taught law and coached young boys' baseball teams, gaining inspiration from the boys he coached. He was a champion of the underdog, the underserved, and his community, and his family was always his first love.

The per-curiam order memorializing his judicial career which was adopted by his colleagues on the Court upon his retirement sums up Justice Glaze's career.

Justice Glaze is known by his colleagues in the legal community as a defender of those unable to protect themselves. A voice for children in need, he was an early proponent of foster care reform in this state. Justice Glaze advocated for the establishment of full-fledged courts for children's issues and has long encouraged the appointment of attorneys ad litem to represent children. John F. Kennedy said, "let the public service be a proud and lively career". It has been so for Justice Tom Glaze. To analogize his legal career to the game of baseball, which has always been close to his heart, Tom Glaze pitched a "complete and perfect game".

Judge Glaze leaves his wife Phyllis, his daughters, Julie Glaze Houlihan (John), Amy Glaze, and Ashley Glaze (Brett), and his sons Mike and Steve. I'm privileged to know Steve, who is married to my Washington Chief of Staff, Terri. Judge Glaze was also the devoted grandfather of eight.

Mr. Speaker, I ask my colleagues to join me in extending our deepest and most sincere sympathy to Steve and Terri Glaze and the entire Glaze family. Our nation has lost a man of justice who loved his country and its Constitution, and whose public life and service stand as a national model of a true patriot.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,654,638,525,397.64. We have added over 5 trillion dollars to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PEACE AND PROSPERITY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. KUCINICH. Mr. Speaker, on tax day, remember the ramifications of waging wars

abroad. In 2011, thirty-nine percent of our income tax dollars went to the Pentagon and war; only 9% for trade, commerce, education and employment programs.

The Center for Arms Control-Proliferation estimates that the wars in Iraq and Afghanistan have cost the average family of four almost \$13,000. National unemployment rates continue to be between 9 and 10%, while our families struggle to pay their mortgages, send their kids to school and feed their families.

Compared to the approximately \$159 billion budgeted in Fiscal Year 2011 for wars, the \$6 billion Congress budgeted for the Workforce Investment Act—primary federal program supporting workforce development—is paltry.

We have nearly 23 million Americans either unemployed or underemployed, and about 5.5 million who are who have been unemployed for 27 weeks or more. Wake up America, wars are ruining our economy.

On tax day, remember our government has a responsibility to use our money wisely, not to waste hard-earned tax dollars on unnecessary wars.

The answer to war and economic decline is peace and prosperity.

SUPPORTING PROTECT YOUR PHARMACY NOW! WEEK

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. KING of New York. Mr. Speaker, I rise today in support of the fifth annual Protect Your Pharmacy Now! week. With pharmacy crime on the rise, it is important to acknowledge this problem and reflect on ways to improve safety measures.

The Protect Your Pharmacy Now! initiative offers resources to help pharmacies protect themselves and deter criminal activity. I applaud the National Community Pharmacists Association for making these resources available and for engaging and educating local pharmacies on this important issue.

As we have seen most recently with the tragic incident in my district, it is essential to protect pharmacies and the general public from these dangerous situations. While there is no one-size-fits-all approach to eradicating these crimes, I am committed to working with pharmacies, law enforcement and my colleagues to address and eradicate this growing problem.

CONGRATULATORY REMARKS FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Andrew Ryan McKelvey for achieving the rank of Eagle Scout.

For his Eagle Scout project, Andrew organized the collection and distribution of thousands of pairs of socks and underwear for

men, women, and children in need. Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Andrew has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

RECOGNIZING ALEXANDRIA CITY'S
25TH ANNIVERSARY OF DAYS OF
REMEMBRANCE, YOM HASHOAH

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. MORAN. Mr. Speaker, I would like to recognize Alexandria City's 25th anniversary of Days of Remembrance, Yom HaShoah, for the victims of the Holocaust. We are reminded by the words of Elie Wiesel, that "for the dead and the living, we must bear witness." Bearing witness means standing by the victims of the monstrous event that was the Holocaust, and doing everything possible to ensure it doesn't happen again.

There is a moral imperative for those of us who, but for the luck of birth, benefit from peace and prosperity. Thus we also have the responsibility to speak out for those who face the atrocities of starvation and oppression. In honoring the victims, and by lifting up the survivors, we bear witness to all victims of genocidal aggression and violence by states or transnational agents of terror.

Unfortunately, genocide has not been eradicated. In the Sudan, the crisis continues. Sudan President Omar al-Bashir is currently blocking humanitarian and food aid to the South Kordofan, Blue Nile, and Abyei regions along the border of South Sudan. Military action in the region has prevented the Sudanese people from growing and planting food, threatening starvation.

The Government of Sudan's serious human rights violations have continued across different parts of the country over the last decade. It is a tragedy, and an atrocity, and we must stand together to stop what is occurring.

"Never again" is a declaration of personal commitment. We can do nothing, and nothing will change. Likewise, we can stand up, to fight back—to make things better. On this, the 25th Anniversary of Alexandria's Days of Remembrance, let us rededicate our resolve to ending this modern day genocide, as one of the best ways to honor those who perished decades ago from the inhumanity of their fellow man.

RECOGNIZING MS. LUVENIA
BREAUX

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. RICHMOND. Mr. Speaker, I rise today to honor Ms. Luvenia Breaux, a New Orleans

resident and a member of the Women's Auxiliary Army Corps during World War II. Today, I wish to publicly pay tribute to Ms. Breaux's service to our country as her family celebrates her life and mourns her passing at the age of 94.

Members of the Women's Army Corps were the first women other than nurses to serve within the ranks of the United States Army. Their contributions to the war effort are widely heralded. After completing her service in the Women's Auxiliary Army Corps, Ms. Breaux returned to Louisiana and dedicated her life to serving the children of New Orleans. Described as "the kind of person who saw a need and was aggressive enough to act on it," as the cafeteria manager in the 1950s, Ms. Breaux instituted a free breakfast program for students at McDonogh No. 24 Elementary School because she realized that a proper breakfast would increase the students' ability to learn. She also went to the homes of students who were falling behind academically to encourage and support their academic development. Ms. Breaux was a member of the Second Free Mission Baptist Church for 90 years. Family and friends fondly remember her striking hats that she wore to church.

Ms. Breaux successfully raised and mentored five children, ten grandchildren, and four great-grandchildren. She is also survived by ten grandchildren and four great-grandchildren. Her powerful legacy will live on in each of her surviving relatives and will continue to inspire the many members of the community whose lives she touched.

I wish to join with Ms. Breaux's family in celebrating her exemplary life.

A TRIBUTE TO NICK A. KELLER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Nick Keller of Ames for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Nick's project was to build a covered shelter along Ada Hayden Lake's highly traveled pedestrian trail on the outskirts of Ames. The work ethic Nick has shown in this project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Nick and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining

the Eagle Scout ranking, and will wish him continued success in his future education and career.

TRIBUTE TO ERLEEN DIDIER

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. McKEON. Mr. Speaker, I rise to recognize the passing of Mrs. Erleen Didier, a beloved community leader, wife, mother, great grandmother, great-great grandmother, and friend to all in my Congressional district of Lancaster, California.

On March 13, 2012, the community of Lancaster, and the greater Antelope Valley, said goodbye to a member of "our greatest generation." She passed peacefully and now resides in the hearts and minds of her family and the people that she touched throughout her life.

Mrs. Didier is survived by her eight children: Mary, Joe, Katie, Pat, Ruth, Annie, Clete and Mickie, 18 grandchildren and four great grandchildren who will miss her dearly. Mrs. Didier is reunited with her husband, Cletus, who passed in June 1992.

I hope my colleagues will join me in recognizing the lifelong achievements of Mrs. Erleen Didier. Without question, in her lifetime, the community of Lancaster has been made better by her contributions and are worthy of recognition by the House of Representatives today.

CONGRATULATING PAUL GRESKY

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. GARDNER. Mr. Speaker, it is my honor to congratulate Paul Gresky on reaching the 15,000 mark in teaching the Hunter Education Certification. His lifelong commitment to safety instruction is an invaluable contribution to Colorado citizens and the responsible upholding of our 2nd Amendment rights. We are grateful for the countless hours he has dedicated and the leadership Paul has exhibited to better Coloradans.

Since 1974 Paul has educated our community in the safety necessary for firearm owners. In 1983 Paul began serving Coloradans as a Master Instructor, receiving Instructor of the Year in 1985. Now Paul has successfully reached the 15,000 mark. All of these are impressive feats. I commend Paul for his service, not only because of his work teaching the Hunter Education Certification, but also because of his work in educating the Boy Scouts of America who are involved in the National Rifle Association's marksmanship and home firearms responsibility programs.

Colorado is greatly indebted to individuals like Paul who continue to promote the safe and responsible use of firearms. I commend him for his work and wish him the best as he continues to make Colorado a safer place.

A TRIBUTE TO ROBERT BRYAN GRAVELINE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Robert Graveline of Ames for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Robert's project transformed an unused grassy area into a prayer garden for the St. Cecilia Church in Ames. The garden required a great deal of landscaping mastery and includes a walking path among the various plantings. The work ethic Robert has shown in this project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Robert and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career. Thank you.

SUPPORTING THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. McDERMOTT. Mr. Speaker, some of my distinguished colleagues claim that we must cut spending to protect the future of our country and our children. But what costs are we willing to incur with reckless cuts to a critical program that has helped 46 million Americans stay fed? If we cut SNAP, we will be throwing the baby out with the bath water.

Children make up nearly half of the Americans who rely on food stamps. SNAP continues to play an instrumental role in our nation's economic recovery, helping millions of struggling American families to feed their kids. With SNAP, students across the country can start each day well-fed and ready to learn.

There's no question that SNAP works. The best way to shrink the program is not through funding cuts, but by making the American dream a reality for all Americans once again. If we truly want to protect our children's future, we cannot steal food off their dinner tables. To protect our future, we must protect SNAP.

DR. FRANK A. BUCCI

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor Dr. Frank A. Bucci, one of the 2012 recipients of the Governor Robert P. Casey Medal for a Lifetime of Service. This award is presented annually by the Neighborhood Housing Services of Lackawanna County and given for a person's contributions to the region throughout the years. The Neighborhood Housing Services serves individuals and families through homeownership education and promotion, property rehabilitation and affordable lending.

Dr. Frank A. Bucci is an internationally recognized expert in refractive and cataract surgery. After completing his residency at the Albany Medical Center and the Jersey Shore Medical Center, he graduated medical school in 1985 from New Jersey Medical School in Newark, New Jersey. Dr. Bucci is a pioneer in refractive surgery, having performed the first RK, AK, PRK and LASIK procedures in the Wyoming Valley of Pennsylvania. He performed almost 8,000 refractive surgeries, in addition to performing almost 25,000 other microsurgical ophthalmic procedures. Additionally, Dr. Bucci's peers voted him as one of the top 50 ophthalmologists in the United States, as published in *Cataract & Refractive Surgery Today*.

In May 2003, Dr. Bucci founded the Hospice of Sacred Heart, which seeks to bring peace and joy to those facing their end-of-life journeys. He currently serves as the Chairman of the Board of Directors for this non-profit organization.

Mr. Speaker, today, Dr. Frank A. Bucci stands as a role model in Northeastern Pennsylvania. I commend him for his years of committed service to his patients, community, and country, and I wish him continued success in the future.

A TRIBUTE TO TYLER CONLON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Tyler Conlon of Sheffield for achieving the rank of Eagle Scout. Tyler is the first Eagle Scout honored by Troop 24 of Sheffield, Iowa since 1948.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. The work ethic Tyler has shown in his Eagle Project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving

a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Tyler and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career. Thank you.

TRIBUTE TO THE LIFE OF SARAH RANGEL GUTIERREZ

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. BACA. Mr. Speaker, I rise today to ask Congress to pay tribute to a role model, loving wife, mother and grandmother, Sarah Rangel Gutierrez. Sarah passed away on April 3, 2012; she was nearly eighty-seven years old. I would like to extend my deepest condolences to her family, especially Jimmy who has been a friend.

Sarah was born in Santa Ana, California, and raised in Pomona along with her three brothers and sister. Their childhood was shaped by the Great Depression, which brought the family together and taught Sarah valuable lessons about the importance of a strong family. Sarah attended public school in Pomona through the ninth grade. At school, she learned to speak English fluently, which allowed her to be a lifelong translator for her mother, who only spoke Spanish.

At the age of 18, Sarah married Jesse Gutierrez, who, at the time was a soldier in the U.S. Army, fighting during World War II. Her husband contracted tuberculosis during the war, leaving him hospitalized and unable to care for their children until 1948. During this time, Sarah raised her children by herself. Sarah's strong Catholic faith helped her through these tough times. Although life was not easy for Sarah, she had a unique way of keeping her family together and their spirits high.

Even after raising her children, Sarah selflessly devoted her life to caring for others. While Sarah was raising her family, her mother and brothers lived within blocks. She was able to visit her mother daily, and watched as she took care of her mentally ill sister. Sarah followed the example of her mother when her own daughter, Teresa was born with Down syndrome. Sarah cared for her daughter until she was no longer able. Her selfless giving has taught her children and those around her the important lesson of loyalty, which stays with them to this day.

Let us take the time to pay tribute to a wonderful woman. Let us celebrate the wonderful life she led. Although she is no longer with us, her legacy and spirit will continue to live on through the lives of everyone she has touched.

Sarah was preceded by the death of her husband Jesse, her eldest son, David, and her youngest daughter, Teresa. She is survived by

her son, Jimmy and his wife, Mona, as well as her daughter, Christina, and her husband Marc. She leaves with cherished memories a loving family of 7 grandchildren, Monica Gutierrez, James Gutierrez, Sonia Dombroski, Cai Steffler, Tres Steffler, Annette Gutierrez and Josephine Gutierrez. May we all be so lucky to live a life full of love for her family. My thoughts and prayers, along with those of my wife, Barbara, and my children, Rialto City Councilman Joe Baca Jr., Jeremy, Natalie, and Jennifer are with Sarah's family at this time. Mr. Speaker, I ask my colleagues to pay tribute to Sarah Rangel Gutierrez.

HONORING THE LIFE OF NATHAN
BENDERSON

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. HIGGINS. Mr. Speaker, I rise today to honor the extraordinary life and legacy of Nathan Benderson, the Chairman of the Benderson Development Company, who recently passed away at the age of 94.

Born in Buffalo in 1917, Nathan Benderson was a true visionary who leveraged a bottle-salvaging company he created in the midst of the Great Depression as a teenager into one of the Nation's largest privately held real estate companies. Mr. Benderson personified the American ideal of ingenuity and coupled that with an unwavering commitment to charity.

The Benderson Development Company, founded six decades ago in Buffalo, is now among the largest and most diverse developers in the Nation. During that time, Nate Benderson helped transform the real-estate landscape in western New York, constructing many retail plazas and office buildings that still exist today. The company's holdings include shopping centers and malls, office buildings, industrial space, hotels, and raw land. In all, the company owns and manages roughly 500 properties—35 million square feet in 38 States—and employs more than 8,000.

Even with all of his achievements and successes as a real estate magnate, Nathan Benderson will be remembered for his indelible commitment to philanthropy. In addition to his work at the development company, Mr. Benderson was a tireless humanitarian who supported an array of causes, including Jewish-related charities, those that helped the poor and the frail elderly, and animal rescue organizations in Florida and New York.

Mr. Benderson created a \$2 million endowment for programs at Buffalo's Johnnie B. Wiley Amateur Sports Complex and was a major benefactor for Roswell Park Cancer Institute, Buffalo Zoo, SPCA Serving Erie County, Variety Club, Buffalo Philharmonic Orchestra, Food Bank of Western New York and Center for Hospice and Palliative Care.

The breadth and depth of Mr. Benderson's generosity are on a scale that is unmatched in western New York. Even after his death, Mr. Benderson's charitable work will continue through the Benderson Family Life Insurance Legacy Initiative, a foundation he created which has in excess of \$130 million in assets

to support numerous organizations well into the future.

Mr. Speaker, I ask that you join with me and with members of the House to express our deepest condolences to the family of the late Nathan Benderson, and join with me in lauding the many good works Mr. Benderson performed during his long and full life.

A TRIBUTE TO BRADY
BRINKMEYER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Brady Brinkmeyer of Ames for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Brady's project involved an extensive landscaping renovation of the chapel entrance at Riverside Bible Camp near Story City where he has spent several past summers himself. The work ethic Brady has shown in his Eagle Project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Brady and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career. Thank you.

GIRLS OF STEEL

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. DOYLE. Mr. Speaker, I rise today to congratulate the Girls of Steel robotics team on winning the prestigious Engineering Inspiration Award as well as the Website Award at the Pittsburgh Regional "For Inspiration and Recognition of Science and Technology (F.I.R.S.T.)" Robotics Competition on March 8 and 9. I also want to congratulate them for winning the Innovation in Control Award at the Queen City Regional F.I.R.S.T. competition in Cincinnati, Ohio on April 5 through 7.

As the founder of the Congressional Robotics Caucus, I am a proud supporter of F.I.R.S.T. and the tremendously important purpose it serves in introducing young people to

the fields of technology and engineering. Through its mentor-based programs, F.I.R.S.T. will inspire nearly 300,000 students this year while providing them with confidence, leadership, and communication skills. It is critical that we continue to encourage young people to get involved in these fields if our country is to remain competitive in the global economy in the future. The F.I.R.S.T. Robotics Competition instills a sense of pride in the individuals who participate in it and allows them to apply their natural creativity in the demanding and competitive field of robotics.

The Engineering Inspiration award is given to the team that best advances appreciation and respect for engineering through recruitment and outreach within their community and is the second highest team award F.I.R.S.T. bestows. It also qualifies the Girls of Steel to compete in the National competition in St. Louis at the end of April. The Website Award is presented to the team that best demonstrates excellence in a student-designed, built, and managed F.I.R.S.T. team website. The Innovation in Control Award celebrates an innovative control system or application of control components to provide unique machine functions.

The Girls of Steel beat over 40 other robotics teams in receiving the two awards in Pittsburgh, and they beat over 50 other robotics teams in receiving the Innovation in Control award in Cincinnati.

I would like to mention each of these dedicated young women by name. They are Christina Ambrosino, Sonia Appasamy, Katie Ashwood, Jaden Barney, McKenna Barney, Tammy Bevilacqua, Elizabeth Bianchini, Claire Brunson, Dakota Calvert, Abby Ceraso, Rachel Clapper, Ananya Cleetus, Claudia Contreras, Kaylie Cullison, Maureen Deken, Laurel Donatelli, Mackenzie Ferris, Kiran Gaulee, Naoka Gunawardena, Grace Handler, Heather Harrington, Rosanne Harrison, Kathryn Hendrickson, Erin Higgins, Samantha Holland, Imani Horton, Natalie Janosik, Campbell Konrad, Elizabeth Kysel, Sylvie Lee, Shana Leshko, Murong Li, Serena Mani, Mansi Mann, Pragna Mannam, Elise Medeiros, Grace Mitro, Sruthi Muluk, Lindsay Myer, Remy Niman, Raina Oravec, Olivia Parks, Jennifer Rickens, Kaylyn Rocher, Alex Roth, Rachel Round, Chelsi Sayti, Katelin Shreve, Amrita Singh, Jessica Slain, Nancy Soliman, Lauren Spence, Lynn Urbina, Bryce Volk, Rebecca Volk, Molly Walsh, Giulia Watkins, and Melanie Young.

Pittsburgh is proud of the Girls of Steel for their hard work and dedication to the fields of robotics and engineering and for inspiring others within their community to get involved in this important industry. I wish them the best of luck in St. Louis in April and congratulate them once again on their continued success in the F.I.R.S.T. Robotics Competition.

A TRIBUTE TO DEAN A. VANEVERY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Dean VanEvery of Ames for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the last century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Dean's project was to renovate a nature trail at Brookside Park in Ames, which required serious rehabilitation after flooding had left the trail covered with large amounts of debris. The work ethic Dean has shown in this project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Dean and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career. Thank you.

OBSERVANCE OF EQUAL PAY DAY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Ms. SCHAKOWSKY. Mr. Speaker, I rise today, in recognition of Equal Pay Day, a day that spotlights the financial struggles that women must endure because of wage discrimination and the need to close the gender-based wage gap once and for all.

The answer is simple. Women should be paid equal wages to their male counterparts: pay discrimination is unfair, unwarranted and costly.

Equal pay is not only a fight for women, but for the families that depend on them. Women are the primary or co-breadwinners in six out of ten households; yet earn only 77 cents to every dollar paid to men. With smaller paychecks, women are forced to stretch limited dollars even further to provide healthcare, food, and shelter for themselves and their families.

According to a report by the National Partnership for Women & Families, women across the country are collectively losing tens of billions of dollars annually because of wage inequity. Over a 40-year working career, the average woman loses \$431,000 as a result of the wage gap. This picture is even worse for African American and Hispanic women, who earn 71 cents and 62 cents respectively for every dollar men are paid.

In the 21st century, it seems unbelievable that equal pay is controversial. Yet, just last week, Wisconsin signed into law legislation to repeal provisions of the 2009 Equal Pay Enforcement Act. This Congress has the opportunity to build on the progress made by the passage of the Lilly Ledbetter Fair Pay Act—

legislation to strengthen pay discrimination lawsuits and the first bill ever signed into law by President Obama. The Lilly Ledbetter Fair Pay Act clarified that each paycheck resulting from a discriminatory pay decision would constitute a new violation of the employment non-discrimination law and restart the clock for filing a claim.

The Paycheck Fairness Act, legislation currently being considered in this Congress, would go even further to fight pay discrimination and improve wages for women. The Paycheck Fairness Act, sponsored by my friend and colleague Congresswoman ROSA DELAURO, would strengthen the Equal Pay Act by requiring an employer to prove that a difference in pay between a man and a woman for the same position is not sex-based. The legislation would also bring the equal pay law into line with all other civil rights law by increasing the available remedies to include punitive and compensatory damages. As a co-sponsor, I believe the Paycheck Fairness Act is essential legislation to address the lingering injustice of pay inequity.

As our economy shows signs of revival, women and their families must not be left behind. We must send a strong message that pay discrimination should not stand.

TRIBUTE TO JAMES NATHANIEL RICHARDS, 2012 MILITARY CHILD OF THE YEAR AWARD

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. HUNTER. Mr. Speaker, I rise today to commend and recognize James Richards of Jamul. James was named the recipient of the 2012 Military Child of the Year Award, which honors military children who stand out among others in their community.

The candidates must demonstrate good character, and excel within both military and civilian communities. James embodies all of these qualities and more.

Each year, more than 1,000 nominees are considered for this award. The recipient is chosen by a committee including those currently in the military, Family Readiness Support Assistants, teachers and others. After choosing the winner, the award is given to one military child from each branch of service.

Anyone who knows James is aware that he is extremely involved in his community. He started a blog to help deal with members of his family being deployed. Currently 87 military children follow his blog daily. James also started the anti-bully committee at his school, which meets once a week to discuss ways to prevent bullying in schools.

James is one American who is making a difference by lending a helping hand to others. Last year, James volunteered over 200 hours during Christmas season at the USO collecting toys for less fortunate children and wrapping stockings to send to the troops. After collecting gifts he would assist with babysitting for those parents while they picked out gifts.

I cannot say enough about James. He is a truly admirable young leader. Without ques-

tion, he is setting a good example and is a role model to others. I want to thank James for his continual dedication and congratulate him on the Military Child of the Year Award.

Mr. Speaker, I ask that my colleagues join me in recognizing James Richards and wishing him continued success in all future endeavors.

A TRIBUTE TO JOEL H. UHLMAYER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Joel Uhlmeier of Ames for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. For his project, Joel chose to make various improvements at the Ames Izaak Walton League. He felt this unique project was an important way to give back to the Ikes for supporting Scouting and outdoor activities. The work ethic Joel has shown in this project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Joel and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career. Thank you.

MR. SHERMAN WOODEN

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor Mr. Sherman Wooden, one of the 2012 recipients of the Governor Robert P. Casey Medal for a Lifetime of Service. This award is presented annually by the Neighborhood Housing Services of Lackawanna County and given for a person's contributions to the region throughout the years. The Neighborhood Housing Services serves individuals and families through homeownership education and promotion, property rehabilitation and affordable lending.

Mr. Wooden grew up in Montrose, Pennsylvania. He graduated from Elk Lake High School, and went on to receive both a bachelor's and master's degree from Howard University in Washington, DC. Additionally, he attended the Catholic University of America for

doctoral studies and pursued graduate work at the University of North Carolina, University of Maryland, New York University, and Harvard University.

Before joining the faculty at the University of Scranton as the Director of Multicultural Affairs, Mr. Wooden worked as a public school teacher and a lecturer at Howard University and the Catholic University of America. In 2010, Mr. Wooden retired from the University of Scranton and now dedicates his time to serving his community. Currently, he is the principal resource for information about the role of the Underground Railroad and the African-American population in Northeastern Pennsylvania.

Furthermore, Mr. Wooden serves on several boards, including the Board of Trustees of Lincoln University, Friends of the Weinberg Library Advisory Board, and the Board of Friendship House in Scranton. In the past, he served on the Pennsylvania Governor's Advisory Commission for African-American Affairs and the Pennsylvania State Board of Education, and he served as president of the Council on Community Affairs and the Old Mill Village Museum.

Mr. Speaker, today Sherman Wooden stands as an icon in Northeastern Pennsylvania. I commend him for his years of remarkable service to his community and his country as an educator, author, and lecturer, and I wish him continued success in the future.

A TRIBUTE TO TANNER MICHAEL
KNOWLTON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Tanner Knowlton of New Hampton for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. The work ethic Tanner has shown in his Eagle Project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Tanner and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career. Thank you.

HONORING DR. ROBERT A.
CORRIGAN

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Dr. Robert A. Corrigan and recognize his contribution to higher education, civic engagement and the application of university expertise to community issues. Dr. Corrigan is retiring as the President of San Francisco State University.

One of our nation's leading public urban universities, under Dr. Corrigan's leadership, San Francisco State University has become acclaimed for its diversity and is known as a "college with a conscience." With nationally recognized programs in a range of fields, the more than 212,000 graduates have contributed to the economic, cultural and civic fabric of San Francisco and beyond. Dr. Corrigan has been a dedicated supporter of the partnership between San Francisco State and the Romberg Tiburon Center for Environmental Studies, located in my district. Through research, education and outreach, and with a focus on San Francisco Bay, the Romberg Center works to advance the understanding of the world's complex marine environments.

A graduate of Brown University in Rhode Island, Dr. Corrigan earned his master's and doctoral degrees in American Civilization from the University of Pennsylvania. During a 54-year career in academia, Dr. Corrigan has held faculty positions at the University of Iowa, Bryn Mawr College, the University of Pennsylvania, and the University of Gothenburg in Sweden. He was a provost at the University of Maryland and Dean at the University of Missouri, before becoming chancellor of the University of Massachusetts at Boston.

Starting at San Francisco State University in 1988, during a period of transition, Dr. Corrigan restructured the management of the university to build a better rapport between administration and faculty. A leader with considerable collaborative skills, he has worked hard to keep the campus competitive through careful management of funds during difficult budget cuts. A well-respected colleague and administrator, Dr. Corrigan presided over a major overhaul of the campus, funded with a \$120 million facilities bond measure, student fees and private fundraising. Recently, the university opened its newly renovated library and there are plans to build a new performing arts center as well as a student wellness center.

A champion of diversity in higher education, Dr. Corrigan is credited with building a model multi-cultural campus focused on social justice and equity. Where people of color constitute 70% of the student body and 41% of the faculty, Dr. Corrigan nurtured a culture of tolerance where differences are respected and debated peacefully on campus. He is the recipient of many awards and recognitions, including the 2009 Distinguished Service Award from the Association of Public and Land-grant Universities, the 2009 San Francisco Business Times "Most Admired CEO" award and the Distinguished Community Service Award from the Anti-Defamation League.

A keen advocate of civic engagement, Dr. Corrigan has served on the boards of a variety of organizations, such as the Mayor's Children, Youth, and Families Policy Council, two terms as chair of the Board of Directors of the San Francisco Chamber of Commerce, the San Francisco Economic Development Corporation, and the California Historical Society Board of Directors. Among several active memberships, he is currently serving on the U.S. Department of Housing and Urban Development Anchor Institutions Task Force.

Mr. Speaker, Dr. Corrigan is a man of remarkable talent and considerable commitment, he will be missed in the community and at the university, but we honor him today and wish him well in his next endeavor. Congratulations, Robert Corrigan, and thank you.

A TRIBUTE TO R. LUCIA RIDDLE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize the retirement of R. Lucia Riddle as the Vice President of Federal Government Relations for the Principal Financial Group.

Ms. Riddle joined Principal in 1974 as a management trainee in the health division and quickly began rising through the company. By 1997, Lucia had obtained her M.B.A. from Drake University and had officially assumed her role as Principal's Vice President of Federal Government Relations in Washington, DC.

Principal Financial Group is a well-respected, worldwide company that has called Des Moines its home since 1889. More than 8,000 Iowans are employed by Principal Financial Group and thousands more do business with this great company renowned for its honest and professional reputation. As Vice President of Federal Government Relations, Lucia expertly assumed the responsibility of directing legislative and advocacy efforts with a focus on the company's life and health, privacy, tax and financial services issues. Every day, Ms. Riddle played the important role of representing thousands of Iowans, and the company itself, as a valuable and effective spokesperson to members of Congress.

In addition to her role at Principal, Lucia is a member of several insurance and financial service industry related technical and policy committees for numerous organizations, as well as serving on multiple boards across the country, from the Smithsonian National Museum of African Art to the Des Moines Art Center. Recently in 2011, Ms. Riddle received the President's Award from the Washington Government Relations Group and this year has been named as one of Savoy Professional Magazine's "Top 100 Most Influential Blacks in Corporate America" for the second time since 2008.

Over her 38 year career with Principal, Ms. Riddle has embodied the ideals of leadership and dedication by assuming several roles above and beyond the call of duty. Lucia is a testament to the high quality character and unwavering work ethic instilled in Iowans. I invite

the members of the House to join me in wishing Lucia a long, happy and healthy retirement. Thank you.

HONORING THE LIFE OF JOHN KEACH, SR.

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. PENCE. Mr. Speaker, John Keach, Sr. Led a Consequential Life.

John Keach, Sr. was many things. He was a husband, father, grandfather and great-grandfather. But I rise because John Keach, Sr. led a consequential life and by his actions he left this community and this state better for having been here.

The life of John Keach, Sr. has been marked by accomplishments over decades that have brought about a greater quality of life to Columbus and the surrounding areas. Though he will be missed by his family and friends, John will long be remembered for his tremendous impact.

A native of Seymour, Indiana, John was born to Glenn and Lucile Kessler Keach on July 7, 1927. Before serving in the United States Navy during World War II, John graduated from Shields High School. In 1950, John graduated a Bulldog from Butler University and then married his beloved Elaine. After working under his father as a teller at the Home Federal Savings and Loan Association in Seymour, John and Elaine moved from Seymour to Columbus where John helped develop the Columbus branch of the Home Federal Savings and Loan Association.

John held many positions at what is now known as the Indiana Bank and Trust Company, serving as a teller, branch manager, president, CEO, Chairman of the Board, and Chairman Emeritus. John also held positions in the Indiana League of Savings Institutions, the Federal Home Loan Bank of Indianapolis, and the Family Financial Life Insurance Company.

Outside of his business ventures, John sought to make Columbus and Bartholomew County a better place to live, and his efforts are felt to this day. John was a member of the Columbus Area Chamber of Commerce and received the Distinguished Service Award in 1960 and the Community Service Award in 1969. John also served as a Trustee and President of the Bartholomew County Library and played a crucial role in the development of the Cleo Rogers Memorial County Library.

John served on the Bartholomew County United Way, the Columbus Economic Development Board, the St. Columba Catholic Church Council, the Columbus Elks Lodge #521, the Knights of Columbus and the Columbus American Legion Post #24, among others.

Blessed with a loving family, John is survived by his wife of 62 years, Elaine, their four children, eight grandchildren and six great-grandchildren, as well as his sister Kathe Caplinger.

It is written, "the Lord is close to the broken-hearted," and that will be our prayer for his

beloved wife, family and all those who mourn the passing of John Keach, Sr.

The people of Columbus have lost a true giant from our community and our family has lost a friend. The life of John Keach, Sr. has come to an end but his legacy of leadership and character will endure and inspire for generations to come.

HONORING ROEHL TRANSPORT FOR 50 YEARS OF INNOVATION AND GROWTH

HON. REID J. RIBBLE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. RIBBLE. Mr. Speaker, I rise today to recognize an organization called Roehl's Transport, which is celebrating its 50th year in business in 2012. I congratulate them for this historic achievement.

Their extraordinary growth since 1962 exemplifies what can be achieved through teamwork and the American spirit. The Roehl Way of Protective Driving has won the ATA President's Award in both 2008 and 2011, and their initiative to reduce greenhouse gas emissions has earned the EPA's "Smartway Award for Excellence" multiple times.

I am honored to congratulate Roehl Transport on their 50th anniversary and extend my thanks for efforts to improve our nation by making our highways safer and advancing our air quality.

TRIBUTE TO NADINE BERG ON HER RETIREMENT

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. SERRANO. Mr. Speaker, today I rise to honor a long-time member of my staff, Nadine Berg, who recently retired from a career of service on the Hill. Nadine started with my office as a legislative assistant in 1995 and then served as my Legislative Director from 2004 until this year. During her entire time in my office, she served as a constant source of cheerfulness during many long and difficult days. Despite her many responsibilities, she always took the time to give assistance and a kind word to other members of the staff, interns, and constituents.

Nadine's service in Congress did not start in my office, but rather when she started working for former Congressman Bill Lehman of Florida less than a month after graduating from Georgetown University's School of Foreign Service in 1975. She began her career on the Hill as a Legislative Correspondent in Congressman Lehman's office and worked for him until he retired from Congress at the end of 1992.

Nadine was not only a great asset to my office and the other offices she worked in, but she was also a great asset to the people of the South Bronx and Southern Florida, for whom she worked for so long. Her knowledge

of Congress and dedication to working long hours until every detail was resolved ensured that every issue, no matter how large or small, was properly addressed.

In particular, her expertise in appropriations issues and the appropriations process was vitally helpful in my work on that committee. This expertise along with her passion for the environment helped to clean up the Bronx River and many other places in my district. When she began working on the Bronx River it was a neglected urban waterway, and no one believed that it could be cleaned up. However, her dedication and belief in improving the environment led to it becoming a beautiful urban waterway, one that can be enjoyed by all its neighbors as a ribbon of green, recreational space. It has been so transformed that it is now home, in the center of the Bronx, to a beaver. Overall, her dedication to her work meant that my constituents were well represented in Congress and that federal money was well used in the Bronx.

Nadine will be greatly missed in my office and her departure will be felt in my district. However, I know that she has a loving family at home, and will be happy taking care of her grandchildren. I am sure that her commitment to public service will continue and that she will make a difference in whatever else she decides to turn her hand to next. In closing, I would like to again thank her for her service, and wish her the best of luck in her future endeavors.

HONORING VILLAGE OF SISTER BAY

HON. REID J. RIBBLE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. RIBBLE. Mr. Speaker, I rise today to recognize the 100th anniversary of the Village of Sister Bay in Door County, Wisconsin. Settlers first arrived in 1857, and the village was incorporated in 1912.

That same year, the village suffered from a drought, a heavy hailstorm, a grasshopper invasion, and a severe fire that consumed most of the businesses at the center of the village. The Village of Sister Bay not only endured these challenges, but also sought new opportunities. The community became a major shipping location for early steam and sailing vessels, and commerce thrived year round.

Mr. Speaker, the Village of Sister Bay embodies all of the finest qualities of Door County. In the early days, the community stood out as a tourist destination. Today, tourism continues to flourish in the Village of Sister Bay with small storefronts, restaurants, art galleries, and a beautiful marina that gives visitors a reason to keep coming back to this wonderful community.

Again, I congratulate the Village of Sister Bay on its 100th anniversary, and encourage all residents in northeast Wisconsin to celebrate this community's history and heritage on June 8-9, 2012.

HAPPY 100TH BIRTHDAY TO EDNA
ECKLUND

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and honor that I congratulate Mrs. Edna Ecklund on a momentous milestone, her 100th birthday, which was on April 14, 2012. Edna celebrated with family and friends on Friday, April 13, 2012, at the Kindred Healthcare facility in Dyer, Indiana.

Mrs. Ecklund was born on April 14, 1912, in Crete, Illinois. She is the oldest of three children born to Henry and Clara Reichert. Her family later moved to Indiana and lived on a farm between Crown Point and Lowell. On June 5, 1931, Edna married Clarence Ecklund, and they lived in various locations throughout the region over the years. In 1962, Clarence and Edna moved to Schererville, Indiana, where Edna remained until relocating to her current residence. Edna worked most of her life as a millinery salesperson for the Edward C. Minas department store in downtown Hammond, Indiana, before moving to the store's River Oaks location in nearby Calumet City, Illinois. Edna, who retired in 1974, has always been known as an outstanding saleswoman with an exquisite fashion sense.

In addition to her successful career, Mrs. Ecklund was a member of the Order of the Eastern Star for many years. She is also a member of Immanuel United Church of Christ in Highland, Indiana. Edna has many friends and family who share a common respect for her commendable qualities, including her vigor, sense of humor, and kindness. Edna, an avid musician, has played both the organ and the piano for many years. A truly remarkable woman, Edna's dedication to her career and her involvement in her community is exceeded only by her devotion to her amazing family and friends.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in honoring Edna Ecklund on this special day and in wishing her a very happy 100th birthday!

HONORING MR. JOHNNY BARNES
UPON HIS RETIREMENT FROM
THE ACLU OF THE NATIONAL
CAPITAL AREA

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. BUTTERFIELD. Mr. Speaker, I rise to recognize Mr. Johnny Barnes, who, after ten years as the Executive Director of the American Civil Liberties Union of the National Capital Area, is retiring. Johnny's tireless advocacy and his outstanding leadership, passion, and integrity during his service with the ACLU have brought about a more fair and just society.

Johnny's advocacy efforts also include strong support for DC Statehood and working

to get the residents of Washington, DC, a true vote in Congress. Washington, DC, residents pay the second highest per capita federal income taxes in the United States but have no vote on how the Federal Government spends their tax dollars and no vote on important issues such as health care, education, Social Security, environmental protection, crime control, public safety, and foreign policy. Johnny is determined to educate citizens everywhere about taxation without representation for the more than 600,000 Washingtonians who live in the shadow of the United States Capitol Building.

Since joining the ACLU of the National Capital Area, Johnny has led several successful efforts to promote the rights of all people. People expect and deserve a fundamental right to privacy. Johnny fought the proliferation of video surveillance cameras in majority-minority communities in Washington, DC. He also fought for the rights of honest people against warrantless searches police checkpoints. Throughout his time with the ACLU, Johnny has given a resounding voice to those who could not be heard.

Before joining the ACLU, Johnny enjoyed a distinguished career supporting several Members of Congress in senior positions. From 1984–1990, Johnny served as the Chief of Staff to Washington, DC, Delegate Walter E. Fauntroy. From 1992–1995, Johnny served as Senior Counsel and Legislative Director to Congressman Lucien E. Blackwell from Philadelphia, Pennsylvania, and from 1995–2000, Johnny served as Chief of Staff to Congresswoman Eva M. Clayton who represented the First Congressional District of North Carolina; the same Congressional District that I have the distinct honor of representing today.

Johnny graduated Cum Laude from Central State University in Wilberforce, Ohio, and from the Georgetown University Law Center. He has shared his passion, understanding and expertise in law with countless students as Law Professor at the Georgetown University Law Center, the Potomac School of Law, and Antioch School of Law.

Johnny's work as a professor, seasoned Congressional staffer, and leader of the ACLU of the National Capital Area deserve recognition from this august body. I am confident that he will continue to be a strong advocate for civil rights wherever his interests and dedication to the community lead him.

Mr. Speaker, I ask my colleagues to join me in congratulating Mr. Johnny Barnes on his retirement from the American Civil Liberties Union.

CELEBRATING THE 10TH ANNIVERSARY
OF THE INDIAN AMERICAN
CULTURAL CENTER OF NWIHRC

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. VISCLOSKY. Mr. Speaker, it is my distinct pleasure to announce that the Indian American Cultural Center of NWIHRRC will be celebrating its 10th Anniversary by hosting a gala dinner and banquet on Saturday, April

21, 2012, at the Halls of Saint George in Schererville, Indiana.

The Indian American Cultural Center, which opened on March 9, 2002, was established with the following goal in mind: to foster peace and harmony amongst the people of Northwest Indiana by showcasing their cultural heritage and creating spiritual awareness in both young people and adults, as well as to engage in various charitable events, both nationally and locally. Since its inception, the Indian American Cultural Center has been instrumental in educating Northwest Indiana's citizens on the traditions and customs of the Indian heritage.

The members of the Indian American Cultural Center of NWIHRRC are to be commended, not only for their commitment to preserving tradition, but also for their commitment to making improvements that benefit all mankind. Proceeds from this year's gala will go to support The Arc of Northwest Indiana, located in Hobart, Indiana. The Arc of Northwest Indiana works diligently to improve the lives of individuals with intellectual and developmental disabilities and their families. In the past, proceeds from the gala have gone to such noble causes as cancer research, educational scholarships, the American Red Cross, tsunami relief, and to aid victims of Hurricane Katrina and the earthquake in Kashmir, India, and most recently, the Carmelite Home for Girls.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending the board and members of the Indian American Cultural Center of NWIHRRC for their outstanding contributions to society. Their commitment to improving the quality of life for the people of Northwest Indiana and throughout the world is truly inspirational and should be recognized and commended.

HONORING TADASHI YAMAMOTO

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Ms. DeGETTE. Mr. Speaker, I rise today to honor the life of Mr. Tadashi Yamamoto. At the age of 76, Mr. Yamamoto died from cancer on April 15, 2012. He left behind four sons, four daughters-in-law, and eight grandchildren. He left behind a legacy and enduring partnership with his friends in the United States.

As Japan rose in world influence in the 1960s and '70s, Tadashi Yamamoto created one of his country's first nongovernmental organizations in the field of international affairs. In 1967, he organized the first Shimoda Conference, designed to bring together U.S. and Japanese leaders to discuss issues of mutual interest to both countries. Out of that conference, he founded and became president of the Japan Center for International Exchange (JCIE). Since 1970, JCIE has enabled more than 1,000 U.S. and Japanese political leaders to engage in meaningful dialogue and problem-solving, strengthening our relationship and paving the way for decades of productive endeavors.

In February 2011, Mr. Yamamoto, recognizing the necessity for continued bilateral cooperation, decided to revive the concept of a

frank discussion between political, business, and media leaders. He convened the New Shimoda Conference in Tokyo. I was pleased to lead the bipartisan, bicameral U.S. delegation to that historic event. Less than one month later the depths of the U.S.-Japan relationship were affirmed by the outpouring of assistance in the wake of the devastating earthquake in March 2011.

Tadashi Yamamoto was a pioneer. In the decades before the Internet brought together people from diverse cultures to connect and exchange ideas, inspired individuals like Tadashi Yamamoto built bridges that made our world stronger. At a time when both countries were in the midst of change and protest, discovering post-war identities and ideals, Tadashi Yamamoto made our world safer. He led us to a brighter future. The United States and Japan has a distinct partnership today because of his vision, and those like him, who work tirelessly and optimistically toward peace and security for all of humanity.

Today, I ask my colleagues to join me and the House delegation to the New Shimoda Conference, Congressman TOM PETRI, Congresswoman NITA LOWEY, Congresswoman SUSAN DAVIS and Steve Davis, and Congresswoman MAZIE HIRONO, in remembering Tadashi Yamamoto. May his work and his legacy live on in continued cooperation between the United States and Japan and the open exchange between our leaders.

JOE LYLE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Joe Lyle for his distinguished service to the Savannah Rural Fire Protection District in Missouri. Joe is one of the founding board members for the district, and has served 32 years as the board's chairman.

During Joe's tenure as chairman, the district has overseen the construction of three new fire houses and purchased numerous fire trucks and fire equipment. The district has also acquired top of the line safety equipment to assist in the protection of the residents of the district. Joe's leadership and vision have been instrumental to the district's efforts to expand service and protection to the community. Joe has also been heavily involved in organizing fire protection services to the communities surrounding the City of Savannah.

Mr. Speaker, I proudly ask you to join me in recognizing Joe Lyle, a dedicated volunteer, whose service to the Savannah Rural Fire Protection District is to be commended. I wish to congratulate Joe on his contributions accomplishments and I am honored to serve him in the United States Congress.

IN RECOGNITION OF THE 20TH ANNIVERSARY OF THE SALVATION ARMY GUAM CORPS

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to recognize the Salvation Army Guam Corps for their 20 years of community service to the island of Guam. Since their establishment on Guam in 1992, the Salvation Army has built a strong network of services to individuals and groups in need of assistance in our island community.

The Salvation Army is an international non-profit organization that provides non-discriminatory humanitarian support throughout the world. In 1992, the Salvation Army Guam Corps was started by Lieutenants Ted and Debby Horwood. Since then, several Corps Officers have assumed the leadership of this organization on Guam. From July 1995 to June 2006, Captains Dave and Linda Harmon were instrumental in expanding the Salvation Army's size and services. After the Harmons relocated from Guam in June 2006, Captains Brian and Leticia Saunders served as Corps Officers for Guam until June 2007, and were succeeded by the current Corps Officers, Captains Thomas and Christina Taylor.

The Salvation Army has offered a variety of humanitarian services to the people of Guam. Its Family Services Center provides emergency assistance to families in need of food, clothing, rent or utilities, and donates toys to more than 1,500 children on Guam during the Christmas season. The Salvation Army also runs the Lighthouse Recovery Center, which began as a 16-bed residence for substance abuse recovery in 1998 and has since expanded to a state of the art facility with a bed capacity of 30. The Lighthouse Recovery Center facility is also utilized for after school activities, day camp, summer camp, youth councils, and the annual Community Thanksgiving Feast, which feeds more than 1,100 people in need. The Salvation Army also actively participates in the Guam Homeless Coalition's annual island-wide Homeless Count and Passport to Services programs, which assists our island's homeless community as well as those at risk of becoming homeless. Further, the Salvation Army Thrift Store offers clothing, furniture, and other household goods to the community at a low price.

Over the last 20 years, the Salvation Army has coordinated with federal and local officials in providing disaster recovery and relief assistance through its Emergency Disaster Services Team. This team has assisted Guam residents whose homes and belongings were destroyed as a result of natural disasters, by donating thousands of dollars of food, clothing, and supplies. Further, the Salvation Army provided humanitarian services to Kurdish refugees who were evacuated from Iraq to Guam as part of Operation Pacific Haven in 1996, and also supported Burmese refugees who were seeking political asylum in 2000.

The Salvation Army has worked with many local community organizations and businesses in their charitable efforts, including the Guam

Symphony Society, the Rotary Club of Tumon Bay, the Guam Women's Club, the Guam Council of Women's Club, the Soroptimist International of Guam, the Guam Naval Officers' Spouse Connection, the Andersen Officers Souses Club, Chinese Ladies Association, Korean Women's Association of Guam, KUAM Care Force, Chinese Chamber of Commerce Guam, Marine Corps Toys for Tots, the Guam Homeless Coalition and the Council on Homelessness, Bank of Hawaii, Citibank, First Hawaiian Bank, and Wells Fargo Financial.

I congratulate the Salvation Army Guam Corps on their 20th anniversary, and I commend them for their years of providing humanitarian services to the people of Guam and the Micronesia region. I also commend the efforts of the Corps Officers, Advisory Board Members, and all volunteers, for their commitment to the mission and vision of the Salvation Army. I look forward to the continued growth and expansion of this organization for many years to come.

CONGRATULATING POLICE CHIEF WILLIAM VILLANOVA FOR RECEIVING THE 2012 POLICE CHIEF OF THE YEAR AWARD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Chief William Villanova for receiving the 2012 Police Chief of the Year award from the Illinois State Crime Commission and for his thirty-five years of exceptional service to the citizens of Oak Lawn.

Chief Villanova first joined the Oak Lawn Police Department on March 22nd, 1977, and quickly earned the respect of officers and village officials alike with his caring, methodical, and unselfish work. In his first year alone, Chief Villanova made 7 felony arrests and 11 misdemeanor arrests, and issued 52 traffic and 74½ village ordinance citations. Continuing his record of excellence, Chief Villanova went on to earn several awards of distinction including the Police Club Officer of the Year in 1991 and the Cook County Sheriff's Law Enforcement Award of Merit in 1997.

In addition to his many achievements, Chief Villanova has also bravely served in times of great danger. In 1978, Chief Villanova negotiated with an estranged spouse to diffuse a hostage situation which resulted in the victim being released unharmed. Also, in 1980, Chief Villanova persuaded a suicidal subject to surrender. And in 2005, Chief Villanova successfully prevented an armed robbery of an Oak Lawn jewelry store. I speak not only for myself, but also the community, when I thank Chief Villanova for all of his hard work and dedication to the Village of Oak Lawn.

Chief Villanova has touched countless lives as a police officer, leader, and mentor. It is fitting that such an upstanding member of society should receive the high honor of Police Chief of the Year. This prestigious award is cause for celebration for Chief Villanova and his family, including his wife Linda, three children, and five grandchildren. Please join me in

congratulating Police Chief William Villanova for his outstanding achievement and career of service.

INTRODUCTION OF THE ENDING
TAX BREAKS FOR DISCRIMINATION
ACT OF 2012

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mrs. MALONEY. Mr. Speaker, while the Augusta National Golf Course is known as a premier golf course and for hosting the Master's tournament, the club is also known for its discriminatory policy of denying women membership. Yet Augusta is not the only 'boys club'—over 20 other clubs throughout the country prohibit women from joining.

In addition to these unfair and unjust policies, Augusta and other clubs around the country are benefitting from federal tax breaks that allow deductions of business-related entertainment, business meals, and business expenses associated with travel and meetings. The government currently indirectly subsidizes discrimination by allowing tax deductions when individuals and corporations do business at private clubs that discriminate. It is simply outrageous that taxpayers barred from joining these clubs are forced to pay for business expenses associated with them. This is why I am reintroducing the Ending Tax Breaks for Discrimination Act of 2012 so that clubs that discriminate will not be subsidized by the government. This legislation would deny all deductions for business expenses associated with the use of a club that discriminates on the basis of sex, race, or color. Discriminatory clubs will have to state on their receipts that their expenditures are nondeductible.

It's time to end tax breaks for discrimination—plain and simple.

MRS. LOIS KELLY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor Mrs. Lois Kelly, one of the 2012 recipients of the Governor Robert P. Casey Medal for a Lifetime of Service. This award is presented annually by the Neighborhood Housing Services of Lackawanna County and given for a person's contributions to the region throughout the years. The Neighborhood Housing Services serves individuals and families through homeownership education and promotion, property rehabilitation and affordable lending.

After creating a legacy of community service in her own family, Mrs. Kelly worked with the Country Day Nursery School. The school has been serving the community for over 40 years. During this time, Mrs. Kelly provided guidance and encouragement to generations of children in northeastern Pennsylvania.

In addition, Mrs. Kelly was the first woman elected to the Dunmore Borough Council. She

passionately advocated for community spirit and spent her career trying to encourage women to engage in the political process and community service.

Mr. Speaker, today, Mrs. Lois Kelly stands as an example of selflessness to her family and community in northeastern Pennsylvania. I commend her for years of dedicated service to our children, community, and country, and I wish her continued success in the future.

WISHING EUGENIA MUROS MALLIS
OF SUMMIT A HAPPY 100TH
BIRTHDAY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate Eugenia Muros Mallis who will celebrate her 100th birthday on May 2, 2012. Known as Jennie to her family and friends, Mrs. Mallis has been devoted to children's bilingual education in Summit, Illinois for many years.

Born in Slimnitsa, Greece on May 2, 1912, Mrs. Mallis immigrated to the United States in September of 1927. Becoming an American citizen on February 19, 1928, she immediately kindled a strong relationship with her neighborhood Greek-American community. She married her loving husband, Constantine J. Mallis, on April 22, 1934. After settling in the Chicago suburb of Bedford Park with her three daughters, Jennie's love of children led her to seek employment with the local area school district. As a teacher's aide in an English-as-a-second language program at Walsh Elementary School in Summit, Illinois, she helped children translate their native languages into English. Mrs. Mallis worked with hundreds of immigrant students from countries such as Albania, Greece, and Yugoslavia to help them overcome a challenging educational barrier.

A devout Christian and active member in the Chicago-area Greek Orthodox community, Mrs. Mallis is one of the founders of the Holy Cross Greek Orthodox Church in Justice, Illinois. She is active in many fellowship and philanthropic organizations including the Brotherhood of the Grammos, Holy Cross Greek Orthodox Philopticos, and the American Legion. She also enjoys classical music, reading, baking, and spending time with her three daughters and her granddaughter.

On behalf of the residents of the Third District of Illinois and the students who have benefited from her dedication, it is my honor to wish Eugenia "Jennie" Muros Mallis a happy and healthy 100th birthday.

IN RECOGNITION OF THE SERVICE
OF COMMAND SERGEANT MAJOR
GABRIEL BERHANE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today joined by my colleague, Congress-

man JAMES MORAN, of Virginia's 8th District, to recognize Command Sergeant Major Gabriel Berhane for his 29 years of exemplary service to our nation in the United States Army and to congratulate him on the occasion of his retirement.

The United States of America has distinguished itself from other nations through the entrepreneurship and spirit of our people, the knowledge that we can achieve any goal if we set our minds to it, our inherent compassion and generosity, our fierce patriotism, and the extraordinary dedication to country and sacrifices exhibited by our men and women in uniform. CSM Berhane possesses each of these qualities in abundance.

Since enlisting in the U.S. Army in 1983, CSM Berhane has consistently excelled while honorably serving in every position in the Armor and Cavalry field from Dismounted Scout to Command Sergeant Major. Other than Sergeant Major of the Army, there is no higher rank; a soldier who attains the rank of Command Sergeant Major is the epitome of success and professionalism. And while it is impossible to detail each of the remarkable events in CSM Berhane's illustrious career, let us highlight some of his more recent achievements and actions that should serve as an inspiration to all Americans.

Between August 2000 and June 2002, CSM Berhane served as a Sergeants Major Course Instructor, in which he provided pivotal instruction and mentorship to more than 750 Senior Noncommissioned Officers. In this role, he provided invaluable insight into the management of the academy and implemented an in-depth Standard Operating Procedure that was a critical component of the accreditation of the academy and the continued professional development of our military leaders.

From June 2002 to March 2004 CSM Berhane served as Squadron Command Sergeant Major of the 3rd Squadron, 7th Cavalry which consisted of more than 900 personnel assigned to four ground and three air troops. He ensured the overall readiness of more than 400 vehicles, helicopters, and equipment. While deployed, CSM Berhane led a task force of 1,241 personnel during Operation Iraqi Freedom without losing a single soldier. CSM Berhane was commended for establishing and enforcing standards of combat readiness, training, morale, and discipline for the unit during eight months of intense combat operations.

From March 2004 to January 2009, CSM Berhane served as Brigade Command Sergeant Major of the 2nd Brigade, 3rd Infantry Division. He oversaw command and control, planning, training, maintenance, deployment and combat readiness of the Brigade, ensuring the overall readiness of more than 1,230 vehicles and managing the deployment of more than 3,800 personnel to Iraq as part of the surge initiative. While deployed during this time, CSM Berhane personally led more than 300 combat patrols and increased retention standards by 40%, earning the Commanding General's Top Brigade Retention Award for the Division.

Most recently, in 2009, CSM Berhane was assigned to USAG Fort Belvoir as the Garrison Command Sergeant Major, and he has skillfully assisted in the execution of one of the

largest BRAC missions within the Department of Defense. He has provided direct leadership and management to a staff of 120 soldiers and 558 civilians to ensure the effective operations, installation management and base programs and services that provide support to 9,500 soldiers, 27,000 family members, 100,000 military retirees, and 50,000 DoD employees of 145 partner agencies. CSM Berhane has worked closely with Garrison Commanders to maintain and enhance the excellent relationships that exist between Fort Belvoir and local communities and governments that have been impacted by BRAC.

CSM Berhane is a highly decorated officer; his awards and decorations include: Legion of Merit; Bronze Star Medal (w/“V” Device); Bronze Star Medal (w/1 Oak Leaf Cluster); Meritorious Service Medal; Army Commendation Medal (w/6 Oak Leaf Clusters); Army Achievement Medal (w/6 Oak Leaf Clusters); Good Conduct Medal (8th Award); National Defense Medal (w/Bronze Star); Iraqi Campaign Medal; Global War on Terrorism Expeditionary Medal; Global War on Terrorism Service Medal; Armed Forces Services Medal; NCO Professional Development Ribbon (w/ Numeral Four); Army Service Ribbon; Overseas Ribbon (w/Numeral Five); United Nations Medal; Presidential Unit Citation Medal; Joint Meritorious Unit Medal; Meritorious Unit Commendation Medal; Parachutist Badge; Drill Sergeant Badge and Combat Action Badge. CSM Berhane is a member of the Sergeant Audie Murphy Club and also a recipient of the Order of Saint George.

Mr. Speaker, we ask our colleagues to join us in commending Command Sergeant Major Gabriel Berhane for his unwavering dedication to duty in peacetime and in combat. CSM Berhane’s accomplishments and expertise have contributed immeasurably to our national defense and security, and he has earned the admiration, respect, and gratitude of all Americans. We also thank CSM Berhane’s wife, Connie, and their children, Jasmin, Michael and Rashawn, for their support and sacrifices over the years. We wish them a happy and healthy retirement filled with continued success.

ON THE BIRTH OF TALLON
WILLIAM LENIHAN

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mrs. BLACK. Mr. Speaker, I am happy to congratulate my Legislative Director, Brian Lenihan and his wife Keagan, on the birth of their son, Tallon William Lenihan. Tallon William was born at 3:15 p.m. on Monday, April 2, 2012, in Washington, DC.

Tallon William Lenihan is nine pounds and one ounce of pride and joy to his loving grandparents, Michael and Marilyn Lenihan of Seminole, Florida, and Barclay and Lorita Resler of McLean, Virginia.

I am so excited for this new blessing to the Lenihan family and wish them all the best on their future endeavors.

RECOGNIZING THE LITERARY
COUNCIL OF NORTHERN VIR-
GINIA’S 50 YEARS OF SERVICE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the 50th Anniversary of the Literary Council of Northern Virginia.

Founded in 1962, the LCNV is the oldest literacy program in the state and one of the largest literacy councils in the nation. Throughout its 50 years of service, the LCNV has adapted to the growing needs of the Northern Virginia community to serve adult learners at the lowest literacy level. By empowering approximately 1,600 adult learners to better participate in their communities, the LCNV is ensuring the economic success of hundreds of local families for a lifetime.

With the help of more than 1,000 volunteers, the LCNV has become one of the more efficient and effective community-based literacy organizations in the country. In FY2011, these trained volunteers provided more than 31,000 hours of service, which amounts to an average of 84 hours of volunteer service per day. Their longstanding partnerships with community organizations such as Crestwood Elementary School, Woodlawn Elementary School, and the Lorton Senior Center, ensure neighborhood ties that foster educational growth for the whole family.

Following an economic downturn, adult education becomes a low priority for many low-level literacy adults. Even in the face of this, the LCNV’s programs saw improved retention and attendance rates. This last year, it also added a credentialed Special Education teacher to its staff to ensure a learner-focused education for any adult with learning differences.

Recognized for the second time as “One of the Best Small Charities in the Washington, D.C. Region” by the Catalogue for Philanthropy, the LCNV is continually lauded as a successful and valued partner in the community. It has been acknowledged for its leadership in human rights and cultural diversity through numerous awards, including the Virginia State Reading Association’s Annual Literacy Award, the Virginia Foundation’s Award for Volunteering Excellence, and the Arlington Human Rights Commission’s James B. Hunter Human Rights Award.

Mr. Speaker, I ask that my colleagues join me in recognizing the 50th Anniversary of the Literacy Council of Northern Virginia. Its values of Integrity, Innovation, Respect, Collaboration, and Excellence have propelled it to success for the past 50 years and will continue to carry the Council through the next 50 years. I also want to express my gratitude to the LCNV staff, Board of Directors, and countless volunteers who dedicate their time and resources to empower neighbors of our community to develop basic skills of reading, writing, and speaking English.

HONORING GUARIONE DIAZ ON HIS
RETIREMENT FROM THE CUBAN
AMERICAN NATIONAL COUNCIL

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to honor a great south Floridian and a dear friend, Guarione Diaz, who after 34 years as President and CEO of the Cuban American National Council is retiring. He leaves behind an immense legacy of service. Fleeing Castro’s tyrannical regime in 1961, Guarione left his native Cuba and immigrated to the United States. While working odd jobs, he graduated with a degree in sociology and philosophy from St. Francis College in New York. He later received his masters in social work from Columbia University. Guarione first worked for New York City’s Department of Employment and the Community Development Agency, where he held numerous management positions. In 1972, Guarione was invited by Father Mario Vizcaino to join CNC. Initially named the Cuban National Planning Council, the Council was the first non-profit organization conducting research on the socio-economic needs of Cuban Americans in the United States. In less than a decade, the Council transformed itself to address the educational, housing, employment needs of all Hispanics.

I have had the privilege to have worked with CNC on numerous occasions. From preschool programs to internships to employment services and low-income housing, CNC has helped prevent so many in our community from slipping through the cracks. It has been a tremendous asset and support system for so many in our south Florida community. Not only has CNC assisted those who have fallen on hard times, they have also nurtured the next generation of Hispanic leaders.

Even though his public persona has been as head of the Cuban American National Council, I consider Guarione a part of my extended family. Given that he has been friends with my dad for nearly 50 years, he has been a dear part of my life for as long as I can remember. His life has always been marked by a sense of responsibility towards those most vulnerable in our society. Guarione’s entire professional career has been centered on this mission.

Whether it’s his work with community organizations, such as the National Association for the Hispanic Elderly, National Council of La Raza and the Florida Commission on Education Reform and Accountability, Guarione has never forgotten his roots or commitment to provide help for those who most need it. In many ways, his experiences as a Cuban exile have informed so much of what he has done. As a fellow Cuban-American, I know the indelible mark that is left by the struggles of leaving one’s homeland and fighting against tyranny. The desire to give back to this great Nation that welcomed so many of us with open arms, as we fled Castro’s totalitarian grip, is something Guarione has never forgotten. Even though Guarione will be an irreplaceable voice as he retires from CNC’s leadership, his legacy will be the foundation for what I am sure will be CNC’s continued success.

TO RECOGNIZE THE SHEPHERD'S
CENTER OF OAKTON-VIENNA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the Shepherd's Center of Oakton-Vienna for its many contributions to the Northern Virginia community. Organized in 1997, the Shepherd's Center of Oakton-Vienna provides services to assist older adults to continue living independently and offer programs which supply opportunities for enrichment, learning, and socialization.

2011 has been a year of continued growth for the Shepherd Center. Volunteer drivers provided more than 500 round-trip rides for medical appointments and prescription pickup, a 10-percent increase from 2010. There were 295 round-trips rides for non-medical errands, a 28-percent increase. In addition, hours contributed to Friendly Visits increased 68 percent, ensuring that seniors can stay connected to the community. The Shepherd Center's many other services include assistance with downsizing and decluttering, minor home repairs to help older adults keep their homes safe and livable, and a range of programs designed to encourage active lifestyles and community integration, including Lunch 'n' Life, Adventures in Learning, and various trips and outings.

Mr. Speaker, I ask that my colleagues join me in recognizing the Shepherd Center of Oakton-Vienna for the services which enable older adults in our community to age in place and enjoy their golden years with dignity and independence. I thank the many volunteers who generously dedicate their time and efforts to the welfare of our neighbors. Their extraordinary contributions cannot be overstated and are deserving of our highest praise.

EQUAL PAY DAY

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. LANGEVIN. Mr. Speaker, I rise today on Equal Pay Day to highlight the persistent wage gap between women and men. April 17 marks how far into 2012 a woman has to work in order to make what her male counterpart made in 2011. This is a travesty, and a milestone we should not still be forced to mark in the 21st century.

In the 111th Congress, we passed into law the Lilly Ledbetter Fair Pay Act, which reinforced the ability of women to sue for pay discrimination. This was a crucial victory, but we must continue the fight and finish the job by passing into law H.R. 1519, the Paycheck Fairness Act. As in past Congresses, I am proud to be an original cosponsor of the Paycheck Fairness Act. This bill would narrow the wage gap between men and women and strengthen the Equal Pay Act, which makes it unlawful for an employer to pay unequal wages to men and women that have similar jobs within the same establishment.

The Paycheck Fairness Act would allow women to sue for wage discrimination and receive punitive damages, as well as compensatory damages. Currently, women who seek compensation for unequal pay can only recover back pay, or in some cases, double back pay. While this bill would increase penalties for employers who pay different wages to men and women for equal work, it also provides incentives such as training programs for employers to eliminate pay disparities and grant programs to help strengthen the negotiation skills of girls and women.

Some may argue that these changes are not necessary, but the numbers speak for themselves. Despite greatly increased commitment to the labor force over the past 45 years, women working full time make 77 cents for every dollar earned by a man—less than a 20-percent increase since the Equal Pay Act was signed into law in 1963. In Rhode Island, the median pay for a woman working full time, year round is \$40,532 per year, while the median yearly pay for a man is \$50,567. This means that women are paid 80 cents for every dollar paid to men, amounting to a yearly gap of \$10,035 between full-time working men and women in the state.

Even more troublesome, nationally, African-American women earn 66 cents to the dollar and Latina women earn 55 cents to the dollar compared to men. According to a Census Bureau study, male high school graduates earned \$13,000 more than female high school graduates in 2006. Women with a bachelor's degree employed year-round earned \$53,201, while similarly educated men earned an average of \$76,749. This same study also noted that the pay difference between men and women grows wider as they age.

Mr. Speaker, I urge my colleagues to support the Paycheck Fairness Act to protect the fundamental right of women to earn equal pay for equal work, to support mothers who just want to be treated fairly by their employers while they provide for their children, and to ensure that daughters still in school can reach their full potential when they graduate.

**HONORING THE LIFE OF COLONEL
JOHN K. CARNEY**

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to honor my constituent, Colonel John K. Carney, who dedicated his life to the service of our nation. Colonel Carney passed away on March 17. He was born on October 31, 1913 in Braxton County, West Virginia. He joined the military in 1941, serving with distinction in the U.S. Air Force in World War II, and for a total of 24 years before retiring in 1966. Colonel Carney supervised an array of management and logistics programs both in the United States and overseas, in South America, Trinidad, Saudi Arabia, and twice in the Philippines. He completed his military service at the Pentagon in the Office of the Secretary of Defense where he headed the joint service planning and negotiating groups to consolidate

major logistics functions for the Department of Defense.

Following his retirement from the Air Force, Colonel Carney continued his national service, working for the General Services Administration for 14 years. He helped institute a government-wide national supply system to improve efficiencies and eliminate duplicative functions. Colonel Carney retired from GSA in 1980 as the Director of Supply Policy in the Federal Supply Service, having spent almost four decades of his life in service.

Colonel Carney displayed the same enduring devotion throughout his private life. He was a former Divine World Seminarian who graduated from the Jesuit-run Springhill College in Mobile, Alabama during his military career under "Operation Bootstrap." Upon moving to Springfield, Virginia in 1960, Colonel Carney was dedicated to his local community. He was a founding member of St. Bernadette Catholic Church and a member of the Air Force Association, The Retired Officers Association, and the National Association of the Uniformed Services. Colonel Carney is survived by his wife, the former Adelle Wright, their four daughters, Constance Bedell, Bernadine O'Hare, and Deborah Fowler, all of Virginia, and Catherine Carney of West Virginia, their two sons, Daniel Carney of Georgia and Patrick Carney of Virginia, their 16 grandchildren, and their 19 great grandchildren.

I ask my colleagues to join with me in offering our sincerest condolences to his relatives, and in honoring the life and example of Colonel John K. Carney for his dedicated service to his country, his community, and his family.

PERSONAL EXPLANATION

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. MILLER of Florida. Mr. Speaker, due to being unavoidably detained, I missed the following rollcall vote No. 152 on April 16, 2012.

If present, I would have voted: rollcall vote No. 152—H.R. 3001—On Motion to Suspend the Rules and Pass the Raoul Wallenberg Centennial Celebration Act, "aye."

**RECOGNIZING HOLOCAUST
REMEMBRANCE DAY 2012**

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the Days of Remembrance as our Nation's annual commemoration of the Holocaust. As you know, Congress designated this weeklong observance in honor of the victims of the Holocaust and created the United States Holocaust Memorial Museum to serve as a permanent living memorial to them.

This year's Remembrance week is April 15th through the 22nd, and communities

throughout the country will observe this occasion with educational programs and other activities. I am pleased to share with my colleagues that the Fairfax County, Virginia, Board of Supervisors, in my district, is proclaiming April 22 as Holocaust Remembrance Day.

It is important that we pause annually to reflect on the systemic persecution and annihilation of European Jews by Nazi Germany and its collaborators between 1933 and 1945. More than six million Jews were murdered during that period and countless others were targeted for oppression or destruction based on factors of race, ethnicity, religion, political affiliation, disability or sexual orientation. The atrocities of that era serve as a reminder for current and future generations about the moral responsibilities of individuals, societies and governments. This year's national theme, as selected by the museum, is "Choosing to Act: Stories of Rescue" and seeks to capture that sentiment.

Confronted with the cruelty against humanity taking place in front of them, many witnesses faced a choice of whether to intervene. Of course, doing so brought the risk of severe punishment, and, in some cases, death. Fear drove many to idly stand by, but there were many ordinary citizens who carried out extraordinary acts of courage on behalf of their fellow man, whether it was a government official who forged identity papers or the housewife and her daughter who hid a family in their attic. Ultimately the United States and the Allies, which later became the United Nations, prevailed over the Axis powers, preventing the further spread of their tyranny and evil.

Mr. Speaker, commemorative events marking the Days of Remembrance are taking place here in our Nation's capital and in communities throughout the country. I hope my colleagues have an opportunity to take part in one of these observances. This is a time to stand in solidarity with our Jewish neighbors, the nation of Israel, and our allies across the globe to once again rekindle awareness of this terrible tragedy in world history and to rededicate ourselves to never allowing such acts to happen again.

PERSONAL EXPLANATION

HON. DONNA F. EDWARDS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Ms. EDWARDS. Mr. Speaker, I was absent from votes in the House yesterday (Monday, April 16) and missed rollcall votes 152–153. Had I been present, I would have voted "aye" on both rollcall votes 152 (H.R. 3001, the Raoul Wallenberg Centennial Celebration Act) and 153 (H.R. 4040, which would provide for the award of a gold medal on behalf of Congress to Jack Nicklaus).

RECOGNIZING THE FAIRFAX COUNTY SHERIFF'S OFFICE RECIPIENTS OF THE 2012 FAIRFAX COUNTY CHAMBER OF COMMERCE VALOR AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Fairfax County Chamber of Commerce.

The Valor Awards recognize remarkable heroism and bravery in the line of duty exemplified by our public safety agencies and their commitment to the community. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. More than 100 individuals are receiving much deserved awards in a variety of categories including: The Lifesaving Award, the Certificate of Valor, and the Bronze or Silver Medal of Valor.

Two members of the Fairfax County Sheriff's Office are being honored this year for their exceptional service. It is with great pride that I submit the names of the following award recipients into the CONGRESSIONAL RECORD:

2012 Bronze Medal of Valor Recipient: Private First Class Naftali Jacob

2012 Certificate of Valor Recipient: MDS Kathleen Holohan

Mr. Speaker, I congratulate the 2012 Valor Award Recipients, and thank each of the men and women who serve in the Fairfax County Sheriff's Office. Their efforts, made on behalf of the citizens of Fairfax County, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

H.R. 4134

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mrs. BLACK. Mr. Speaker, I rise today to discuss H.R. 4134, which I introduced on March 5, 2012. This legislation will curtail a tax abuse involving the mass production of cigarettes through "roll-your-own" machines at retail establishments. Currently, so-called "pipe tobacco" is taxed at rates dramatically less than "cigarette tobacco" and "roll-your-own tobacco." That has had the effect of forming an industry of retailers that put RYO machines in their stores that allow customers to manufacture cigarettes for far less than the cost of name-brand cigarettes.

My legislation will require that RYO cigarettes are produced on a level playing field with all other cigarettes. In doing so—and this is very important—H.R. 4134 should be read as applying prospectively only—neither retailers nor consumers of RYO cigarettes before the date of enactment of my legislation should

be forced to pay any taxes on cigarettes manufactured in these machines and sold before the date of enactment. I understand that there is litigation pending in this regard brought by the Department of the Treasury. My legislation should end that litigation and settle this issue once and for all.

I also want to note that H.R. 4134 is not intended to affect small, hand-operated devices used by customers at home to assemble roll-your-own cigarettes. These small devices, which customers take away from the retail establishment in original packaging and use for personal convenience and not for commercial purposes, have been sold for many decades without giving rise to the tax avoidance abuse my legislation seeks to address.

I am very pleased that Senator MAX BAUCUS amended the Senate-passed highway transportation bill with language very similar to my bill. I look forward to working with him and others in order to enact this law, and I urge my colleagues to cosponsor H.R. 4134 in the House of Representatives.

IN RECOGNITION OF THE ASIAN-AMERICAN CHAMBER OF COMMERCE AND THE RECIPIENTS OF THE 2012 ASIAN-AMERICAN CHAMBER AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the Asian-American Chamber of Commerce and the recipients of the 2012 Asian-American Chamber Awards.

The Asian-American Chamber of Commerce (AACC) is dedicated to improving the economic development for Asian Pacific American owned businesses in the Washington, D.C. region. The 11th District of Virginia is blessed by its diversity; 1 in 4 residents are foreign born and more than 40% are minorities, with Asian Americans representing the largest ethnic group. Northern Virginia has a robust international business community and is home to the largest concentration of minority-owned technology firms in the nation. The AACC and its members contribute greatly to our economic strength and stability; Asian-American businesses generate more than 52% of total revenues generated by all minority owned businesses in this region.

Each year, the AACC recognizes businesses and non-profits in the Asian American community for their outstanding contributions to the Metropolitan Washington community and economy. I congratulate the following individuals and businesses for receiving one of the 2012 Asian-American Chamber of Commerce Awards:

Asian Business Leader Award (Post-humous): Mr. Jay Chen, Asian Fortune.

Volunteer of the Year: Mr. Vance Zavala, Fairfax County Office of Public and Private Partnerships.

Small Business of the Year: Analee's Prom, Bridal, Special Occasion & Tuxedo.

Outstanding Corporate Partner: Dominion Virginia Power.

Community Service Award: Asian Community Service Center.

Public Service Award: Grace Han Wolf, Herndon Town Councilmember.

Asian Business Excellence Award: Information Management Consultants (IMC) Inc.

Mr. Speaker, I ask that my colleagues join me in congratulating the honorees of the 2012 Asian-American Chamber of Commerce Awards and in commending the Asian-American Chamber of Commerce for its work to support Asian- and Pacific Islander-owned businesses throughout our region.

IN RECOGNITION OF MR. NORMAN MEADOR

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. SESSIONS. Mr. Speaker, I rise today to recognize Mr. Norman Meador for his dedicated service to Boy Scout Troop 890 in Lake Highlands, Texas.

Chartered in 1961, Troop 890 was organized to help shape the lives of boys in Dallas by teaching them the principles of Scouting. Over the past forty years, Mr. Meador's love of Scouting has led him to serve Troop 890 in a variety of official and unofficial roles. During this time, he has taught and instilled in many young men the values and knowledge necessary to mature and become leaders in their communities and our country. Among the hundreds that benefited from Mr. Meador's servant leadership are my sons, Bill and Alex; both were active in Troop 890 and attained the prestigious rank of Eagle Scout under his tutelage.

In 2011, as Troop 890 celebrated its 50th Anniversary, Mr. Meador was recognized for his dedicated service and received the prestigious Scoutmaster Emeritus Award. On April 28, 2012, Boy Scout Troop 890 will hold a special ceremony at Camp Constantin where a new pavilion will be named in honor of Mr. Meador. The Meador Eagle Pavilion will serve as a testament of his faithful service to Troop 890 and his commitment to Scouting.

Mr. Speaker, I ask the U.S. House of Representatives to join me in congratulating Mr. Meador on this great honor. I wish him all the best. May God bless him and his family.

RECOGNIZING THE FAIRFAX COUNTY POLICE DEPARTMENT RECIPIENTS OF THE 2012 FAIRFAX COUNTY CHAMBER OF COMMERCE VALOR AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Fairfax County Chamber of Commerce.

The Valor Awards recognize remarkable heroism and bravery in the line of duty exemplified by our public safety agencies and their commitment to the community. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. More than 100 individuals are receiving much deserved awards in a variety of categories including: The Lifesaving Award, the Certificate of Valor, or the Bronze or Silver Medal of Valor.

Fifty members of the Fairfax County Police Department are being honored this year for their exceptional service. It is with great pride that I submit the names of the following Valor Award Recipients into the CONGRESSIONAL RECORD:

2012 Silver Medal of Valor Recipients: Second Lieutenant Kevin D. Barrington, Police Officer First Class Jessica R. Kane, Captain Ronald P. Novak, Police Officer First Class Ali Sepehri, Police Officer First Class Nathan D. Sloan, Police Officer First Class Federick R. Yap.

2012 Bronze Medal of Valor Recipients: Second Lieutenant Michael E. Johnson, Police Officer First Class Kenyatta L. Momon, Master Police Officer Patrick M. Nolan, Jr., Master Police Officer Peter L. Norris, Police Officer First Class John A. Parker, Police Officer First Class Daniel K. Perdue, Police Officer First Class Edward S. Rediske.

2012 Certificate of Valor Recipients: Police Officer First Class Rockie Akhavan, Sergeant Garrett G. Boderick, Police Officer First Class Terence G. Bridges, Police Officer First Class Brooks R. Gillingham, Police Officer First Class Ronald J. Grecco, Police Officer First Class Christoforos D. Mamalis, Police Officer First Class Brendan T. McMahon, Officer Gary Moore, Jr., Police Officer First Class Jose R. Morillo, Police Officer First Class Carl L. Parsons, Second Lieutenant Matthew W. Pifer, Police Officer First Class Philip C. Stone, Jr., Police Officer First Class Thomas D. Thompson, Police Officer First Class Leanna D. Wilson, Police Officer First Class Courtney K. Young.

2012 Lifesaving Award Recipients: Police Officer First Class Carolina M. Bennett, Police Officer First Class Brian T. Buracker, Nancy C. Burke, Master Police Officer Rudolph V. Coffield, Police Officer First Class Christopher L. Coleman, Master Police Officer Crystal J. Gray, Police Officer First Class Ronald J. Grecco, Second Lieutenant Brian E. Hall, Police Officer First Class Timothy M. Henderson, Police Officer First Class John C. Keenan, Police Officer First Class Jason J. Mardocco (2 Lifesaving Awards), Second Lieutenant Shawn C. Martin, Master Police Officer Maureen M. McKeon, Police Officer First Class Michael D. Mittiga, Master Police Officer Joseph A. Moore, Police Officer First Class Camille S. Neville, Police Officer First Class Richard Pearl, Police Officer First Class Scott M. Richards, Police Officer First Class Stacy L. Sassano, Master Police Officer Stephen M. Selby, Police Officer First Class Ali Sepehri, Master Police Officer William W. Stewart, III, Police Officer First Class David Trelinski, and Master Police Officer Dennis E. Vorbau.

Mr. Speaker, I congratulate the 2012 Valor Award Recipients, and thank each of the men and women who serve in the Fairfax County

Police Department. Their efforts, made on behalf of the citizens of Fairfax County, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

RECOGNIZING THE CAREER AND RETIREMENT OF MRS. MARIANA "MIMI" IACONO

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the career of Mrs. Mariana "Mimi" Iacono as she retires after 25 years of Air Force Civilian Service.

Mimi Iacono began her civil service career with the Department of Defense in 1987, starting as a Protocol and Management Assistant in the Military Airlift Command and Air Mobility Command. For 17 years, she has served as a legislative counsel for the Commander of the United States Transportation Command (USTRANSCOM).

USTRANSCOM, located at Scott Air Force Base, was established in 1987, coincidentally the same year Mimi began her civil service career. It is one of ten U.S. unified commands and is the single manager of the United States' global defense transportation system. Because of Mimi's efforts, each TRANSCOM commander has enjoyed productive engagement with Members of Congress, enabling those commanders to communicate effectively about their mission, their needs and their value to the nation.

Mimi's effectiveness has been enhanced by her thorough understanding of all aspects of USTRANSCOM as well as the legislative process. She has developed solid working relationships with Congressional staff and her work directly with my office has always been appreciated. She is truly a valuable resource who will be sorely missed, but whose legacy will endure.

Mimi and her husband, David, reside in O'Fallon, Illinois, and have two sons, Michael and David.

Mr. Speaker, I ask my colleagues to join me in an expression of appreciation to Mariana "Mimi" Iacono for her years of dedicated service to the United States Air Force and to wish her the very best in the future.

RECOGNIZING THE FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT RECIPIENTS OF THE 2012 CHAMBER OF COMMERCE VALOR AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior

dedication to public safety and have been awarded the prestigious Valor Award by the Fairfax County Chamber of Commerce.

The Valor Awards recognize remarkable heroism and bravery in the line of duty exemplified by our public safety agencies and their commitment to the community. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. More than 100 individuals are receiving much deserved awards in a variety of categories including: The Lifesaving Award, the Certificate of Valor, and the Bronze or Silver Medal of Valor.

Fifty-one members of the Fairfax County Fire and Rescue Department are being honored this year for their exceptional service. It is with great pride that I submit the names of the following award recipients into the CONGRESSIONAL RECORD:

2012 Silver Medal of Valor Recipients: Lieutenant Thomas L. Flint III and Technician Robert E. Pickel, Jr.

2012 Bronze Medal of Valor Recipients: Technician Thomas R. Barnes, Lieutenant Kenneth L. Coffelt, Technician Rolando E. Contreras, Lieutenant Aron J. Corwin, Master Technician Anthony E. Doran, Firefighter Brendan M. Downing, Technician Michael L. Frames, Technician Richard D. Gundert, Master Technician William F. Kight, Jr., Master Technician John P. McDonell, Technician Lawrence G. Mullin, Firefighter Cory S. Parry, Technician John M. Smith, Lieutenant Rodney S. Vaughn, Master Technician Reginald L. Wadley, Lieutenant Erick L. Weinzapfel, Master Technician Christopher H. Williams, Technician Eric M. Wyatt, and Lieutenant Earl J. Burroughs

2012 Certificate of Valor Recipients: Fire Medic Eli A. Bredbenner, Captain I David P. Conrad, Technician Edwin E. Flores, Technician James M. Furman, Technician John C. Guy, Jr., Captain II Glenn A. Mason, Technician Shannon G. Reed, Technician Robert G. Ritchie, and Firefighter Rodney D. Washington

2012 Lifesaving Award Recipients: Technician Mica A. Bland (2 Lifesaving Awards), Firefighter Namaste Bosse, Lieutenant Keith W. Cerzullo, Technician Brian M. Chinn, Technician Robin S. Clement, II, Firefighter/Medic Joseph C. Deutsch, Technician Michael S. Eddy, Technician Edwin E. Flores, Lieutenant Thomas Hyden, Technician Peter C. Kehne, Firefighter Salman F. Khan, Firefighter Timothy D. Kim, Technician Michael T. King, Firefighter Heather J. Lefever, Captain Jeffrey L. Mongold, Lieutenant Michael C. Nelson, Technician Laura E. Pollard, Firefighter Placido Sanchez, Technician Clarke V. Slaymaker, II, Lieutenant John J. Tedesco, Captain I Wayne P. Wentzel, and Firefighter Brandon M. Winfield

Mr. Speaker, I congratulate the 2012 Valor Award Recipients, and thank each of the men and women who serve in the Fairfax County Fire and Rescue Department. Their efforts, made on behalf of the citizens of Fairfax County, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

HONORING THE 100TH ANNIVERSARY OF OUR LADY OF MOUNT CARMEL SCHOOL IN HERRIN, ILLINOIS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Our Lady of Mount Carmel School, in Herrin, Illinois, on the occasion of their 100th anniversary.

Herrin, Illinois, was founded at the turn of the 20th century and it quickly was populated by immigrants, primarily from Italy, who came to work in the area coal mines. The first Mass for the growing Catholic population was said in the town hall in 1900 but plans were soon in place for a permanent church. The new church, initially named St. Mary's Church, was dedicated in August, 1901.

As with most Catholic parishes, the members of St. Mary's planned for a school to educate the children of the parish. A three room building was constructed in 1912 to house the first 104 students in grades one through three. Two lay teachers served as the faculty for the first two years at St. Mary's before the Precious Blood Sisters arrived in 1914.

St. Mary's school grew so quickly in its first years that the enrollment peaked at 365 students in 1920 and the 1930 graduating class of 54 remains the largest in the school's history. In 1925, a larger church was completed and the parish was officially named Our Lady of Mount Carmel, although many would continue to call it St. Mary's.

Our Lady of Mount Carmel School has adapted through many changes over its 100 year history but it has always remained true to its core values of providing the highest quality of education while rooted in the teachings of the Catholic faith. Their Mission Statement says it best, that they "exist to enable students to become knowledgeable and active in their faith, to educate students academically, and to develop strong moral character."

Mr. Speaker, I ask my colleagues to join me in congratulating the administration, faculty, staff and students of Our Lady of Mount Carmel School as they celebrate their 100th anniversary and to wish them the very best for many more years to come.

TO RECOGNIZE THE 2012 FAIRFAX COUNTY FEDERATION OF CITIZENS ASSOCIATIONS HONOREES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 17, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the 2012 honorees of the Fairfax County Federation of Citizens Associations Awards Banquet.

The Fairfax County Federation of Citizens Associations is a coalition of civic and home-

owners associations from across Fairfax County. Through the Federation, individual communities collaborate with other associations to ensure that their voices are heard and that their communities stay strong.

Each year, the Federation honors a select few individuals for extraordinary contributions to the community that have resulted in tangible improvements in our neighborhoods, schools, businesses and local government. This is the 62nd Annual Awards Banquet, and this year's honorees each have dedicated years of service to their neighbors, their community and all of Fairfax County.

It is my pleasure to recognize the following individuals for their service to the community:

2011 Citizen of the Year: Walter Alcorn for his 14 years of service on the Fairfax County Planning Commission. During his tenure, he has chaired the Tysons Corner Committee since 2008, chaired the Environmental Committee from 1997–2006, and served as Vice-Chair of the Planning Commission since being appointed in 1997. Mr. Alcorn also has been involved in his Reston community through his involvement with the United Christian Parish and also as a little league coach.

2011 Citation of Merit: Ellie Ashford for her professional community journalism, tirelessly working to produce the Annandale Blog (annandaleblog.com), an exceptional local blog that was recently recognized by The Washington Post as a "must read." Ms. Ashford also has received top honors from the Society for National Association Publications, the Association of Educational Publications, the American Society of Association Executives, and the International Association of Business Communicators.

2011 Citation of Merit: Corazon Foley for her efforts to establish the Burke/West Springfield Senior Center Without Walls (BWSSCWoW). Due to her tireless efforts, the Center has succeeded in providing programs for more than 450 seniors in Fairfax County. Mrs. Foley also was named Lady Fairfax in 2009 for founding the Asian American History Project.

2011 Citation of Merit: Terry Maynard for his work in development issues and planning for the Reston community. He has served on the Board of Directors for the Reston Citizens Association (RCA) and the Reston 2020 Committee. As the RCA representative to the ongoing Reston Master Plan Special Study Task Force, Mr. Maynard has been an outspoken advocate for reasoned, balanced, smart growth policies along the Silver Line Metro expansion.

2011 Special Gratitude Award: Suzanne Harsel for her years of service representing the Braddock District on the Fairfax County Planning Commission. First appointed in 1982, Ms. Harsel was reappointed 7 times and served with distinction until her retirement in December 2011. Having served for nearly 30 years, Ms. Harsel had the longest continuous service on the Planning Commission.

Mr. Speaker, I ask my colleagues to join me in thanking these individuals and in congratulating them on being honored by the Fairfax County Federation of Citizens Associations. Civic engagement defines a community, and it is thanks to these individuals that Fairfax County residents enjoy such an excellent quality of life. The contributions and leadership of these honorees have been a great benefit to our community and truly merit our highest praise.

SENATE—Wednesday, April 18, 2012

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

Let us pray.

Gracious God, our shelter from life's storms, give to the Members of this body a faith strong enough to face the tempest of our time. Strengthen them to confront with courage the challenges that come, knowing that Your purposes will prevail and that Your providence will sustain them.

Lord, help that this day with singleness of purpose and constancy of commitment, Your Senators will seek first Your kingdom and Your righteousness, serving You with unfettered feet and following You with freedom and faith. Reign as sovereign Lord in this Chamber. Guide the deliberations, debates, and decisions of this day.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 18, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Madam President, following leader remarks the Senate will resume consideration of the motion to proceed to S. 1925, the Violence Against Women Reauthorization Act. The majority will control the first 30 minutes, the Republicans the final 30 minutes. The filing deadline for first-degree amendments to the substitute amendment and the postal reform bill is 1 o'clock this afternoon.

POSTAL REFORM

Mr. REID. Mr. President, I really hope we can work out an agreement on the postal reform bill. I spoke to Senator LIEBERMAN, the chairman of the committee, late last night, and he is hopeful, as I am, that we can move forward on this legislation. It is a shame if we cannot. As we speak, there are more than half a million men and women working for the Postal Service, and 25 percent of them are returning veterans. We have 30,000 post offices around the country. We have about 8 million people who depend on the post office for their jobs. So to think that we can't move forward on this would be really untoward. It is something we really need to get done. I am hopeful we can get that done. People can offer amendments, and we should do that as quickly as possible and move forward on this legislation. If there is no agreement, we will have to vote on the substitute amendment tomorrow morning. I repeat, it would be too bad if we cannot get it done.

Enshrined in the Constitution by the Founding Fathers, the U.S. Postal Service has delivered this Nation's letters and other mail since the day of the quill pen and the inkwell. That is why we have inkwells here. That is what these are. I have paper clips in mine now, but originally that was the only way people who sat at these desks and did their work could write. Most of the time it was for mail.

Mail has been delivered through the years when stamps cost a nickel. Mail has been delivered through the years when mail traveled up and down America's waterways by steamship, and it has been delivered through two world wars when soldiers sent letters home to their sweethearts and families. Through it all, the U.S. Postal Service has been there to deliver the mail, rain or shine. But today America's postal system is in crisis.

We kind of use that as a throwaway, "through rain or shine." When I was a little boy, we had really bad snowstorms all over the West. In Search-

light, NV, we had a little snow a few times a year. But we had 3 feet of snow on the level. It was very, very bad.

I can remember a man named Con Hudgens. The mail came to Searchlight. There was a railroad that went through Nipton, CA, which was 22 miles from Searchlight. As that train sped through Nipton, they had an apparatus that would snatch the mail that was on the train. That mail was for Searchlight. They sorted it that way. This old man, Con Hudgens, walked through snow 22 miles to bring the mail. That is what we talk about when we say that mail has been delivered through rain or shine. That is the mantra of the post office.

But today America's postal system is in crisis. Today a personal note from a friend or payment to the electric company can be delivered online with a few quick keystrokes on your computer. This changing technology has meant serious new challenges for an organization that has serviced citizens of this Nation from its very beginning. It has served this Nation whether they live on city streets or rural routes.

Although the world the post office deals with has changed, the postal system's message and mission have not changed; that is, to deliver letters, packages, medicines—much of which is vital—online purchases, birthday cards, phone bills to hundreds of millions of Americans no matter how rural or how urban the places they call home. Neither has the current crisis changed the importance of that mission. Nearly half of rural households don't have broadband Internet access, making it difficult or impossible to pay bills or ship packages online. Rural families in Tuscarora, NV, or Baker, NV, in Elko County, NV, rely on the Postal Service. That is their way of communicating.

Small businesses benefit from cost-saving options offered at the post office, such as bulk mail. American businesses rely on the U.S. Postal Service. As I indicated earlier, 8 million people's jobs are dependent on the Postal Service.

For seniors who cannot leave their homes, mail carriers deliver lifesaving medications—an important link to the outside world. Elderly Americans rely on the U.S. Postal Service.

I will go home tonight to my home here in Washington, and there will be some mail there. A lot of it is what some people refer to as junk mail, but for the people who are sending that mail, it is very important.

And talking about seniors, seniors love to get junk mail. It is sometimes

their only way of communicating or feeling they are part of the real world. Elderly Americans, more than any other group of people in America, rely on the U.S. Postal Service.

Unless we act quickly, thousands of post offices—I indicated there are more than 30,000 in America—many of them rural, will close. I said this earlier today, and I will repeat it. These rural post offices are the only way people in those small communities have to communicate with the outside world. There may be some medicine they are getting, it may be to keep in touch with their family or friends, but it is their way of keeping in touch with the world. Hundreds of mail-processing facilities will close, and the jobs of hundreds of thousands of dedicated postal employees are at risk.

Timely, dependable mail delivery is not the only thing at stake in this debate. Today the Postal Service employs, as I have indicated, more than half a million middle-class workers, and the postal system gives more than 130,000 men and women who volunteered for this country in the armed services a chance to serve again. A quarter of all postal employees are veterans of the U.S. Armed Forces. So there is really a lot at stake in this debate.

The Postal Service has been playing an important role in the history of this country and the lives of its citizens for more than 200 years, but it has also seen a 21-percent drop in mail volume over the last 5 years and is on the verge of insolvency. Yesterday the Postal Service lost about \$20 million—1 day.

Changing times demand a leaner, more modern post office. To make that possible, we must pass legislation. The Senate must act. We must change the Postal Service business model. They cannot do it on their own. They need legislation. They need it to keep pace with technology and to keep up with the times.

The bipartisan bill before this body enacts reforms that are major but measured. The people who have worked on this so hard—I have already talked about Senator LIEBERMAN. His counterpart, Republican Senator COLLINS, has worked extremely hard. I have worked with her to maintain the 6-day delivery. This is something she believes in strongly. I really admire her for the fight she has put up to get the things that she feels are important in this legislation.

If we act, it would reduce the number of employees and facilities the Postal Service maintains in a responsible way, and that would protect employees and millions of Americans relying on the mail. It would responsibly restructure the postal system, while preserving overnight 6-day-a-week delivery. It would help the Postal Service innovate and grow by offering new products that

will attract new customers and, most importantly, would save the Postal Service from insolvency. It will help an institution enshrined in the Constitution modernize to meet the challenges of a changing world.

What Senators LIEBERMAN and COLLINS have come up with is not perfect, and we all recognize that. It is not a perfect compromise. It will not make every Senator happy. It will not make every American happy. It will not save every post office. But it is a very good compromise and one that is bipartisan. It will save an institution that has been a part of the fabric of this Nation for more than 200 years. So let's work together to save the American Postal Service, which, by the way, is the best in the world.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

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

GAS PRICES

Mr. MCCONNELL. Madam President, with gas prices hovering around \$4 a gallon, I think it is important for the American people to realize there are really two camps on this issue here in Washington: there are those who want to do something about the problem, and there are those who want people to think they are doing something about the problem. And let's be clear—President Obama is firmly planted in the "say anything but do nothing" camp. If there were any doubt about that, he dispelled it when he blocked the Keystone Pipeline and then again this week by embracing the age-old Democratic dodge of blaming gas prices on speculators.

Look, what bothers Americans is not that the President has unpopular views on this issue. Everyone knows he does not really support an all-of-the-above approach to energy. What bothers people is the fact that he pretends as though he does.

What bothers people is the President is blocking one-half of a pipeline one day and showing up at a ribbon cutting for the other half on another day. It is blocking domestic energy and then taking credit for increases that came about as a result of his predecessor's decision. It is pretending that speculators have a big impact on the price of

gas when his own staff can't even point to any.

The President said he was different, and a lot of people believed him. But to a growing number of Americans that is just what he has become: just one more politician saying the same things they always say.

This week has been a real clarifier for people when it comes to this President. Whether it is the Buffett tax that would not lower the deficit or a commission on speculators that even the White House says would not lower the price of gas, what people have seen this week is a President who seems a lot more interested in looking like he is solving problems than actually solving them.

For years Washington Democrats have had the same totally rigid opposition to expanding domestic energy exploration. The only people they seem to listen to are extremists. But instead of just stating their position and letting the political chips fall where they may, they pull out the same poll-tested talking points they always do, on the assumption that reporters will just reprint them like it is the first time they have used them and that everybody else will just somehow forget.

But with gas prices at about \$4 a gallon, it is time somebody called them out on it. Ten years ago today Democrats voted down a bill to open a tiny area of Alaska known as ANWR to drilling. They relied on the nonargument that it would take too long to get the oil to market. That was 10 years ago today. Every Democrat who was asked about it said the same thing, that it would take too long to get the oil to market. I have two pages of quotes from Democrats saying it would take at least 7 to 10 years to get the oil to market.

Well, here we are 10 years later. In some places gas prices are now three times what they were in April 2002. The United States still imports one-half of its oil. ANWR is still off-limits. If we ask Democrats why they oppose more domestic exploration, they will say the same thing they said 10 years ago.

This is precisely the kind of thing this President campaigned against 4 years ago. He was the one who was going to stop kicking the can down the road. He was the one who was going to tackle the problems everybody else was afraid to face. He was the one who was going to rise above petty squabbles and the tired talking points of the past and offer something different. He was going to be a different kind of politician who would usher in a new era of authenticity.

What did the American people get? They got the same gimmicks as before. They got someone whose idea of solving a problem is to give a speech about it or to blame whatever person, place, or thing doesn't happen to poll well that day. What the American people

got was a President who absolutely refuses to lead.

It is the same thing they got from the Democrat-controlled Senate, the same tired talking points, the same evasion, the same refusal to address our problems at all.

Yesterday, the chairman of the Budget Committee made it official. For the third year in a row, Senate Democrats will refuse to do the basic work of governance by refusing to offer a budget blueprint for government spending—by the way, as required by the law.

After pledging both to me and his Republican counterpart on the committee that he would, in fact, mark up a budget this year, the chairman of the Budget Committee bowed, once again, to the political pressure and said he would not put his Democratic colleagues at any political risk by asking them to vote on a plan their constituents might not like; that is, not until after the election. The Democratic chairman did suggest, however, that if Europe implodes, he might change his mind.

Well, with all due respect, the statute doesn't say the majority must present a budget if the European economy implodes. It says it must present a budget, period, so that the American people can see how much they are going to be taxed and how their tax dollars are going to be spent.

I am having a hard time thinking of a word to describe the level of leadership we are getting from Democrats in Washington these days—whether it is the President or the Democratic Senate. Frankly, it is a disgrace. There isn't a single issue I can think of that they are willing to do anything about.

Under this President's watch, Washington has been spending more than \$1 trillion a year more than it takes in. Senate Democrats don't even have the courage to put it all in black and white. They don't have any problem spending it; they just don't want to be on record voting for it. That is what passes for leadership in Washington these days.

Well, something has to give. Our challenges are too urgent. The status quo just would not cut it anymore.

NUCLEAR REGULATORY COMMISSION

Mr. McCONNELL. Madam President, I want to talk about the Nuclear Regulatory Commission. This is the Federal agency that ensures the safety of our Nation's nuclear powerplants.

Specifically, I want to bring attention to the reappointment of Kristine Svinicki—or, rather, the curious lack of action surrounding her reappointment.

Commissioner Svinicki is one of the most respected Commissioners ever to serve at the NRC. She is an experienced and fair-minded regulator whose leadership has earned her the admiration of

Members of Congress on both sides of the aisle. She was confirmed for her first term without a single dissenting vote.

Prior to her 4 years on the Commission, Commissioner Svinicki spent more than two decades in public service working on nuclear safety issues in the Senate, at the Department of Energy, and with the Wisconsin Public Utilities Commission. A nuclear engineer, she is one of the world's foremost authorities on nuclear safety and nuclear power, and a great asset to the Commission.

Last year Commissioner Svinicki had the courage to stand up and blow the whistle on a sitting NRC Chairman, Gregory Jaczko, for bullying subordinates.

According to an Associated Press story from December:

The commissioners told Congress [that] women at the NRC felt particularly intimidated by Jaczko. Commissioner William Magwood—

Who is a Democrat, by the way—told the oversight panel that Jaczko had bullied and belittled at least three female staff members, one of whom told Magwood she was "humiliated" by what Magwood called a raging verbal assault.

This is the Democratic Commissioner on NRC, and here is an excerpt from the inspector general's report:

"Several current and former Commission staff members," it says, "said the Chairman's behavior caused an intimidating work environment. A former Chairman told OIG that the Chairman often yelled at people and [that] his tactics had a negative effect on people. He described the behavior as ruling by intimidation."

Commissioner Svinicki stood up to this guy, who somehow managed to avoid being fired in the wake of all of these revelations, in an effort to preserve the integrity of the agency and to protect the career staffers who were the subject of the Chairman's tactics. Now, for some mysterious reason, she is being held up for renomination.

The FBI completed its background check on Commissioner Svinicki 15 months ago. Her ethics agreement was approved around the same time. She has been ready to go for more than a year. There is no legitimate reason for Commissioner Svinicki not to have been renominated and reconfirmed by now. Any further delay is unacceptable.

If Commissioner Svinicki isn't renominated by June 30, NRC will lose one of its finest members, the Commission's work will be impaired, and we will be forced to conclude that the reason is related to her honorable actions as a whistleblower—that she is being held up in retaliation for speaking up against a rogue Chairman who bullies his subordinates.

There is a reason Congress charged five Commissioners with the responsibility to protect public health and safety. Ensuring the safety of our Nation's

nuclear powerplants is serious business. So this morning I am calling on the White House to renominate Commissioner Svinicki today to ensure that this well-qualified and widely respected woman remains in place for another term.

The public is best served by a commission that is fully functional. There should be no question in anyone's mind that it will be fully functional. We cannot wait any longer for this nomination.

I yield the floor.

RESERVATION OF LEADER TIME

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1925, which the clerk will report by title.

The assistant legislative clerk read as follows:

Motion to proceed to S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

The ACTING PRESIDENT pro tempore. Under the previous order, the first hour will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Rhode Island is recognized.

LEADERSHIP IN WASHINGTON

Mr. WHITEHOUSE. Madam President, to follow up briefly on the subject of leadership in Washington, perhaps the Speaker of the House could show some leadership on jobs by calling up the bipartisan—75 to 22—jobs highway bill that passed this Senate, which is widely supported and its delay is actually costing us jobs because of the summer construction season wasting away as these extensions go on. There would be some leadership that would mean something for jobs in America.

Madam President, I rise today to address the need we have in the Senate for comprehensive cybersecurity legislation. I ask unanimous consent to speak for up to 15 minutes.

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

CYBERSECURITY

Mr. WHITEHOUSE. Madam President, our Nation's inadequate cybersecurity poses an ever-growing threat to our safety, our prosperity, and our privacy. Attackers go after our intellectual property, our national security,

and our critical infrastructure. The McAfee Night Dragon Report, for example, concluded that foreign intruders had access to major oil, energy, and petrochemical companies' computer networks for at least 2 years and likely as many as 4 years. Government reports are equally sobering, though usually classified.

One that is not classified is the Department of Homeland Security report recently that attacks on computer systems that control critical infrastructure, factories, and databases increased almost eightfold in just the last 12 months. Secretary of Defense Leon Panetta has warned that "the next Pearl Harbor we confront could very well be a cyber attack."

Majority Leader REID has recognized the severity of this national and economic security threat and intends to bring cybersecurity legislation to the Senate floor soon. We recognize too the hard work of Chairman LIEBERMAN and Ranking Member COLLINS of the Homeland Security Committee, as well as Chairman FEINSTEIN of the Intelligence Committee, and Senator ROCKEFELLER of the Commerce Committee. The Cybersecurity Act of 2012, which they introduced—and I am proud to cosponsor—is a good start toward addressing the many cybersecurity threats that face this Nation.

The SECURE IT Act, introduced by Senator MCCAIN and seven colleagues, seeks to improve the sharing of cybersecurity threat information; the Federal Information Security Management Act, or FISMA, which governs cybersecurity at Federal agencies; and our cyber research and development. There is considerable overlap between these bills, which signals that the Senate could legislate on cybersecurity in a bipartisan and serious manner.

Support for cybersecurity legislation is also bicameral. The Cybersecurity Task Force constituted by House Republicans produced recommendations that share key points with our Cybersecurity Act of 2012. Numerous bills are working their way through the House on a bipartisan basis. Central to that work in the House are the contributions of Rhode Island Congressman JIM LANGEVIN. His leadership is a major reason the House has come to recognize the dangerous vulnerabilities within our critical infrastructure and that we now stand on the verge of a breakthrough in improving the security of those networks.

When a test at the Idaho National Labs showed hackers could blow up a power generator from thousands of miles away, Congressman LANGEVIN brought the owners and operators of our electric grid before Congress and investigated their promise the issue was being addressed. When he found out that wasn't true, he called them out. His subsequent work as a cochair of the Center for Strategic and Inter-

national Study Commission on Cybersecurity, along with other experts from within and outside of government, resulted in many of the recommendations reflected in our legislation. Then, in 2010, Congressman LANGEVIN passed a landmark cybersecurity amendment in the House that provided a legislative template for setting standards for critical infrastructure. I thank JIM LANGEVIN, my colleague from Rhode Island, for his relentless commitment to keeping America safe in cyberspace.

I am here this morning to stress four points I believe we must keep in mind as we take up cybersecurity legislation. The first is that cybersecurity legislation should improve the public's limited awareness of current cybersecurity threats and the harm those threats present to our national security economy and privacy. The public, for years, has been kept in the dark, and that is wrong.

The corporate sector systematically underreports cyber attacks for fear of scaring customers, for fear of encouraging competitors or for fear of triggering regulatory review. I was pleased the Securities and Exchange Commission, after prompting by Senator ROCKEFELLER and myself and others, issued guidance for when registered companies must disclose breach information.

The government itself systematically underreports cyber attacks because it overclassifies information about cyber attacks on government systems. Jim Lewis of the Center for Strategic and International Studies, for example, recently explained that cybersecurity has a unique problem in that some of the most reliable data is classified. It was a rare exception when a November 2011 report by the Office of the National Counterintelligence Executive identified China and Russia as responsible for the systematic theft of American intellectual property through cyber espionage. The legislation that we pass must shed light on the scale and severity of the cyber threat to the American public.

In that vein, I am pleased the Cybersecurity Act of 2012 includes provisions from the Cybersecurity Public Awareness Act, S. 813, which I introduced with Senator KYL. These provisions will at least begin to improve the public's awareness of the current cyber threat environment we face.

Second, we must recognize that inadequate awareness and inadequate protection against cyber risks is endemic among our largest corporations. Part of the problem is a gulf in cybersecurity awareness between corporate chief information officers and corporate CEOs. Carnegie Mellon's CyLab recently reported:

Boards and senior management still are not exercising appropriate governance over the privacy and security of their digital assets . . . These findings are consistent with

the complaints by CISO/CSOs that they cannot get the attention of their senior management and boards and their budgets are inadequate . . . There is still an apparent disconnect.

Nor is this an area in which the market can be trusted to work. As former Bush Secretary of Homeland Security Michael Chertoff has explained:

The marketplace is likely to fail in allocating the correct amount of investment to manage risk across the breadth of the networks on which our society relies.

This is not an area where corporations manage adequately on their own. FBI Director Robert Mueller recently explained:

There are only two types of companies: those that have been hacked and those that will be.

Even more trenchant, the McAfee report on the "Shady RAT" attacks similarly stated it is possible to divide "the entire set of Fortune Global 2,000 firms into two categories: those that know they've been compromised and those that don't yet know."

Kevin Mandia of the leading security firm Mandiant has explained:

[I]n over 90 percent of the cases we have responded to, government notification was required to alert the company that a security breach was underway. In our last 50 incidents, 48 of the victim companies learned they were breached from the Federal Bureau of Investigation, the Department of Defense or some other third party.

The National Cybersecurity Investigation Joint Task Force, led by the FBI, told me the same thing: more than 90 percent of the time the corporate victim had no idea.

What we can conclude from this is that improved sharing of cybersecurity threat information is necessary but is not sufficient to protect our Nation's cybersecurity. Even a perfect information-sharing process will not prevent cyber attacks if the information being shared is incomplete. The blindness of most corporations to this threat limits the effectiveness of corporate-to-corporate information sharing. The NSA's Defense Industrial Base pilot—the so-called "DIB" pilot—proved the government can share classified information with trusted corporations, but it revealed significant risks and limitations, particularly if the government were to share its most sensitive intelligence information with a broad set of private companies.

The third point I want to make this morning, and perhaps the most important, is that this legislation on cybersecurity will have failed if it does not ensure that our American critical infrastructure has adequate cybersecurity. There must be a process for identifying critical infrastructure, establishing appropriate security standards, and ensuring that critical infrastructure companies meet the standard.

If an attack comes, we must be sure that America's most capable defenses

and countermeasures are pre-positioned to defend critical American infrastructure. We simply cannot wait until an attack is underway on basic needs and services on which we depend, such as our electric grid, our communications networks, and the servers that process our financial transactions. So there are two measures here: One is that we must have a way to define critical infrastructure so we know what it is and, just as important from a civil liberties perspective, we know what it isn't. When we identify critical infrastructure on which our safety and economic and national security depend, we are also defining what does not qualify and where privacy concerns can be much more important than national security concerns. Nobody wants government in our chat rooms, e-mails, or social media; everyone gets why government should protect the electric grids that bring power to our homes.

The second is that once we identify our critical infrastructure, we need to find a way for our national security assets to protect that critical infrastructure. Our government has unique capabilities to protect those basics, such as our electric grid.

As Kevin Mandia has explained:

[t]he majority of threat intelligence is currently in the hands of the government.

Some of this information can be disclosed, but some cannot be, in order to protect sensitive sources and methods. This requires us to find other ways for our most sophisticated government capabilities to protect our critical infrastructure. For example, we should think seriously about the concept of secure domains and how they can be deployed effectively while protecting civil liberties. I am glad section 804 of the Cybersecurity Act of 2012 takes on that task by requiring expert study of the advantages and disadvantages of establishing secure domains for critical infrastructure.

If the business community can identify a workable alternative approach, such as a voluntary or opt-in regulatory system, I am willing to get to work, but we must not balk at taking on the hard question of how to secure our critical American infrastructure.

The last point I want to make today is that Congress, in this bill, should consider the appropriate structure and resources for the cybersecurity and cyber crime mission of the Department of Justice, the Federal Bureau of Investigation, and law enforcement components of the Department of Homeland Security. We do not do enough to investigate, prosecute, and take other appropriate legal action against cyber crime, cyber espionage and other cyber threats. Last year's takedown by the Department of Justice of the Coreflood botnet should be a regular occurrence, not a special occurrence. But it will not be—it cannot be—with our current cyber crime resources. The technical,

international, and legal aspects of these investigations are too complex.

I spent 4 years as a United States attorney, I spent 4 years as our State's attorney general. These are astonishingly complicated and difficult cases. They are massively resource intensive. So it is time for a fundamental rethinking of cyber law enforcement resources: both the level of resources and the manner in which they are structured. We should be discussing whether cyber crime should have a dedicated investigatory agency akin to the DEA or ATF or whether existing task force models should be used. These are important questions the legislation has not addressed. Accordingly, I plan to offer a floor amendment that will require an expert study of our current cyber law enforcement resources that can recommend a proper level of funding and structure of forces going forward.

Once again, I thank my colleagues for their hard work to date on cybersecurity issues. I urge that all of us join together to pass cybersecurity legislation into law as soon as possible. Two years ago, I said that because of cyber we in the United States are on the losing end of the largest transfer of wealth through theft and piracy in the history of the world. GEN Keith Alexander, who leads the National Security Agency and U.S. Cyber Command, has reached the same conclusion when saying recently that cyber theft is "the greatest transfer of wealth in history." McAfee likewise has recently evaluated the theft of national secrets, source code, designs, and other documents, and concluded that what "we have witnessed over the past 5 to 6 years has been nothing short of a historically unprecedented transfer of wealth."

We are the losers in that transfer of wealth. We cannot afford to wait to address this enormous and ever-growing threat.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

POSTAL SERVICE REFORM

Mr. WYDEN. Madam President, shortly we will be turning to the legislation to reform the Postal Service, and I wanted to take a few minutes to talk about a particularly important part of that discussion.

In recent years there has been a revolution in how our citizens exercise their right to vote. Instead of every American showing up in person, more and more Americans are choosing to vote by mail, using absentee ballots, no-excuse absentee voting or, in the case of my home State of Oregon, the entire election is conducted by mail. This amendment I will be offering and that I am discussing this morning—and in which I join Senator FEINSTEIN and other colleagues—is designed to protect the millions of Americans who

choose to use the post office to exercise their right to vote. This amendment protects those millions of Americans from any kind of postal delay that could disrupt their ability to ensure their vote is counted.

My home State of Oregon has a system in which all ballots are cast by mail.

In Oregon, if the ballots are not delivered by mail to the county election offices by the deadline on election night, they are not counted. So it is essential to the conduct of fair elections in my home State that delivery of ballots cast by mail not be delayed.

To prevent the potential threat to our elections from delayed mail delivery, the Wyden-Feinstein amendment would place a moratorium on the closure of postal facilities until November 13, 2012, in States that vote by mail or allow any voter to vote no-excuse absentee. It would also require the Postal Service to notify election officials of closings and consolidations and require the Postal Service to study the effect of closing or consolidating a mail processing facility on the ability of the affected community to vote by mail.

My home State consistently has high voter turnout. Vote by mail has been successful and it is popular. In my State, more than 85 percent of registered voters participated in the 2008 elections, but this kind of approach to voting is popular not just in my home State of Oregon. In the 2008 election, 89 percent of ballots in Washington State were cast by mail, as well as 64 percent of those in Colorado, over 50 percent in Arizona, and it was nearly that high a percentage in California.

In my home State, the Postal Service is a place where people send and receive packages and mail order prescriptions, and it is also a place that community residents come together. It seems to me that if we are going to close and consolidate postal facilities, not only will it harm the delivery of ballots and campaign-related mail to voters and return of the ballots to election officials, but it also will zap much of what is vital to rural America; that is, the opportunity to come and gather in one place.

Jordan Valley, located in beautiful eastern Oregon on the Nevada border, is 457 miles from Portland. With the proposed consolidations, the nearest regional processing center would literally be almost 500 miles away. If the U.S. Postal Service goes ahead with their proposed closures and consolidations, then a ballot cast in Jordan Valley could travel approximately 1,000 miles before it reaches the hands of election officials. This is unacceptable for constituents who vote in the far corners—the rural corners—of my State.

Cuts to the Postal Service mean that ballots mailed in the final days before an election may not get to election officials in time to be counted. Ballots

sent the weekend before a Tuesday vote may not get into the hands of election officials by the present-day deadline of election day. Closing and consolidating postal facilities disproportionately harms the ability of rural residents to have their votes counted.

These issues raise important questions: Is closing postal facilities in States that primarily vote by mail a responsible approach? For me and many of my constituents and the millions of Americans who have chosen to vote in this fashion, the resounding answer is, no, this is not a responsible approach. Closing processing facilities and potentially impacting the delivery of ballots in a general election is a risk not worth it. Closing postal facilities will have unintended and unforeseen consequences on the impact of elections.

That is why this amendment would place a moratorium until November 13, 2012, in States that conduct all their elections by mail or permit no-excuse absentee voting to ensure that elections are fair. No-excuse voting, of course, allows any voter to vote absentee without having to offer additional reasons for their making that choice. Twenty-seven States allow no-excuse absentee voting. So not only will the constituents that I and Senator MERKLEY and Senator FEINSTEIN and Senator BOXER represent in Oregon and California be affected by this amendment, but States such as Nevada, Arizona, Florida, Georgia, Iowa, Kansas, Maine, Nebraska, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Utah, Wisconsin, and Wyoming are part of the many states in this country that this amendment would protect.

In September of 2011, election officials in California were doing their jobs and preparing and mailing sample ballots for a September election in an isolated community in northern California. Unaware that the small post office that serves the area was closing on October 1, the sample ballots were not immediately returned so they had no reason to believe the voters had not received them. But as ballots slowly trickled in, election officials grew a bit suspicious, and they learned many voters had just received their sample ballot more than 3 weeks after it was mailed, and many had not received their official ballot yet. Election officials received no more than two or three a day literally for the first week.

Voters explained to officials there was so much confusion over the closure of the post office that they were much more concerned about receiving their other first-class mail—bills and prescriptions—than their ballots and hadn't been looking for them. They were told the contents of their post office box were being directed to the Arcata Post Office. But when they

went to Arcata to retrieve it, there was no mail for them in Arcata. For 18 days, they didn't receive any mail at all.

Only 15 days before the election, the staff attempted several times to contact the Arcata Post Office but could only leave a message for the postmaster who was not returning their calls. Folks then contacted friends at a local central processing center in yet another town, Eureka, CA, who were able to give a direct line to the Arcata postmaster.

At first, the postmaster indicated nothing was wrong, but the residents, in his terms, were "confused about the closure of their post office." After checking the number of ballots that had been returned from the precincts, election officials decided to resend all those ballots. The postmaster finally provided election officials with the change of address list for all residents, and they were able to correct the database, cancel the ballots that had not yet been received, and remail ballots to all voters who had not yet returned their ballots.

Obviously, the bottom line is clear. The closure of small post offices requires more preparation and sharing of information with the residents of an impacted area as well as agencies and businesses that rely on the post office to communicate with their customers. Had election officials not had a contact in that area, they may not have become aware of the problem until it was too late to resend the ballots.

Under the amendment I will be offering later with Senator FEINSTEIN, the Postal Service would be required to notify election officials of closings and consolidations to prevent the kind of calamitous repeat of what I have described happened in a recent local election in California. Additionally, the amendment would require the Postal Service to study the effect of closing or consolidating a mail processing facility on the ability of the affected community to vote by mail and the ability of the Postal Service to deliver ballots on time in accordance with applicable State law.

Disenfranchising voters or discouraging the millions of Americans who now have chosen this new approach to voting is not a wise or prudent step for the Senate to take at this time. Placing a moratorium until after the elections will ensure that what is done in the Senate does not negatively impact voting in Oregon, California or the scores of other States that make extensive use of mail ballots in their elections.

I hope it will be possible for us to win bipartisan support for the proposition that ensuring the highest level of voting participation in our country is fundamental to our democracy. I hope my colleagues will support the amendment I intend to offer later with my col-

league and friend from California, Senator FEINSTEIN, to protect the millions of Americans who choose to vote by mail.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

TEN YEARS AGO TODAY

Mr. GRASSLEY. Madam President, I am here to point out that 10 years ago this very day, this Senate decided not to drill for more oil in the United States, where we know oil exists. At that time, the argument that was used was why drill because it was going to take many years to get it online. The Senate bought the argument we shouldn't drill because it was going to take too long.

Today, we think about more opportunities to drill for oil in the United States.

I wish to point out that the very same arguments that were used 10 years ago are being used today: If we drill today, we might not get some of that oil online for several years down the road. We want to be thinking about the future, as we should have thought about the future in 2002, 10 years ago, when we decided not to drill.

Around the country, American consumers are paying near-record prices for gasoline at the pump. The current average price for gasoline is near \$3.90. Since January 2009, the average price of a gallon of regular gasoline has more than doubled. In 2011, consumers spent a greater percentage of their household income on gasoline than any year since 1981, when we thought 90 cents for a gallon of gas was a lot of money.

Affordable energy is a major economic issue. Paying nearly \$4 for gas acts as a hidden tax and results in people having less money to spend on other things. Rising energy prices also increase the cost of doing business for job creators, taking away dollars that otherwise could go to hiring workers. We should be doing everything possible to prevent these high energy prices today or tomorrow.

The Senate had an opportunity 10 years ago today to take action to increase our domestic oil supply. Unfortunately, the Senate missed that opportunity. It missed an opportunity for lower prices today and importing something less than the \$830 million we spend every day to import oil. We need to keep that money in this country.

Ten years ago today, the Senate considered an amendment offered by then-Senator Frank Murkowski—father to present Senator LISA MURKOWSKI—to open a tiny portion of the Arctic National Wildlife Refuge to oil and gas development. A vote on the cloture motion was rejected by the Democratic majority in the Senate on April 18, 2002.

During that debate, opponents argued that opening ANWR to development would never supply more than 2

percent of our Nation's oil demands. They opposed it based on the belief that opening ANWR wouldn't address the real problems; namely, our dependence upon fossil fuels. They said we needed to work toward a comprehensive approach.

Opening ANWR was also portrayed as a distraction from the real solutions, such as conservation, alternative and renewable energy, and less environmentally sensitive fossil energy development. Some even argued that fully inflated or low friction tires should be a larger part of our national energy policy.

I recognize the need for a comprehensive, balanced national energy policy. I truly believe in an all-of-the-above approach that includes conservation, alternative and renewable energy, nuclear power, and oil and gas development.

But the fact remains we were talking about these policies as solutions to our energy problems in 2002. Yet gas prices are still near \$4 a gallon.

I listened to dozens of speakers in the Senate that day who argued against opening ANWR because it wouldn't address our near-term energy needs. They said it would take nearly 10 years to get that oil to the consumers. Ten years ago we were told to forget about opening ANWR because development was too far down the road to impact our energy supply and energy security.

Here are a few quotes from my Democratic colleagues during the debate in April 2002. I am not going to use their names. But this Democratic Senator said:

I oppose the proposal to drill in the Arctic National Wildlife Refuge. Drilling in ANWR will not increase energy independence, even if we started drilling tomorrow, the first barrel of crude oil would not make it to our market for at least ten years. So it would not affect our current energy needs.

Another Democratic Senator said—and these Senators are still here today:

The oil exploration in ANWR will not actually start producing oil for as many as 10 years. Exploring and drilling for oil is not forward thinking.

Another Democratic Senator said this:

That oil would not be available for 10 years. This means drilling in ANWR would not provide any immediate energy relief for American families.

Another Democratic Senator said:

Developing ANWR is simply not a necessary component of a progressive energy policy for this country. For a period starting about 2012—

That is this year, understand; he was looking ahead 10 years—

For a period starting at about 2012, we would see an increase of domestic production under ANWR, if ANWR was open to development. So development would not address the near-term prices or shortages with which people are faced.

Ten years down the road, here we are, but if we drilled back then we would

have this oil on line and we would not be spending \$830 million every day to import oil.

Another Senator said this:

When my colleagues come to the floor of the Senate and suggest to us that the crisis in the Middle East is a reason to drill in ANWR, that is a misleading argument because no oil will flow from ANWR until from 7 to 10 years from now.

That means if you open the refuge today, you are not going to see oil until about 2012, maybe a couple of years earlier.

You see, a decision made in 2002—people were looking ahead 10 years and saying it was not going to make much difference, but 2012 is here and we could have been using that oil.

Another Senator said:

Oil extracted from the wildlife refuge would not reach refineries for 7 to 10 years.

That is the end of my quotes of several Democratic Senators who are now serving. If they are using the same argument now, are they going to be smart enough to look ahead to 2022 when maybe we could start using the oil we would start drilling for today? The defeat of the Murkowski amendment back in 2002 was then enormously shortsighted. If we had voted to open ANWR 10 years ago, that oil would be driving down the price at the pump for consumers today. You know the rule of economics; if you increase supply, you reduce price. And we would at least be keeping the money in the United States instead of spending \$830 million every day to import oil. Time after time, opponents of domestic oil production have argued that because it will not lower prices at the pump today it is not worth doing. You know from the debate of 2002 that is a bunch of hogwash. Does anybody wonder if the American people wish that the Senate had opened ANWR 10 years ago?

It is past time to take action to ramp up domestic production of traditional energy, energy we can harvest in this country instead of importing it and paying \$830 million to import it. Greater domestic energy production would increase supply and help to lower prices. It would create American jobs.

President Obama continues to push policies that contribute to higher gas prices, including restricting access to Federal lands and permitting delays, regulatory threats to refiners, and his decision to deny Keystone XL. He says he is for "all of the above," but when you look at that list, he is for "none of the above." By limiting domestic energy production we have less supply and higher prices.

The Obama administration has made things worse by restricting access to domestic energy sources. The President's record contradicts his remarks that he is for an "all of the above" strategy. His policies have prevented more oil production in the United States and resulted in higher prices, lost opportunities for jobs creation,

less energy security, and shipping out of the country 830 million of our dollars that could be used in this country and kept in this country, money we are spending to import oil.

President Obama's denying of the Keystone XL Pipeline inhibits energy-related development that could create 20,000 jobs. Greater domestic energy production would increase supply and help to lower prices, and it would create American jobs.

It is time to take action. Denying ANWR development 10 years ago was a mistake, a mistake I hope we learn a lesson from. The Senate missed an opportunity 10 years ago that would have brought gas price relief and more supply, keeping more money in this country, creating jobs in this country right now. We should not make the same mistake again. You cannot repeat that statement too often. We should not make the same mistake again. We should be looking ahead 10 years, as they were doing in 2002, but they were using it as an excuse to do nothing. So don't ever tell me don't drill today because it will not come on line until 10 years from now. That is not a very wise thing to say to me, after you said that 10 years ago. We should have learned the lesson.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

GULF OILSPILL

Mr. VITTER. Madam President, I come to the floor to recognize a solemn occasion. In two days, on Friday, April 20, it will be the 2-year anniversary of the Deepwater Horizon explosion. I want to pause at this moment of anniversary, 2 years, and offer a few thoughts about what was clearly a very significant episode and challenge for our whole country, but particularly for my State of Louisiana and for the gulf coast.

First of all, I want to start where I think we should always start in discussing and considering this event, and that is the loss of 11 lives. Eleven men were killed in that explosion. Again, we need to pause, reflect, pray, and offer prayerful support to them and their families. Those 11 victims were Donald Clark, Stephen Curtis, Aaron Dale Burkeen, Adam Wiese, Roy Kemp, Jason Anderson, Gordon Jones, Blair Manuel, Dewey Revette, Karl Dale Kleppinger, Jr., and Shane Roshto.

I ask unanimous consent that here on the Senate floor we pause for a few seconds in silent, prayerful thought and consideration of those 11 men and their families.

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

(Moment of silence.)

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Thank you, Madam President. The tragedy, of course,

started there with those 11 lives lost and we must never forget that, including as we redouble our efforts to ensure safety in those sorts of drilling environments in the future.

Of course, the second big impact was on the environment, particularly the gulf environment where I live, in Louisiana—4.9 million barrels of oil were discharged during the spill. That was about 50,000 barrels a day, every day for 3 months; 320 miles of Louisiana coastline were oiled. That was a little over half of the total coastline on the gulf that was oiled—600 miles. Over 86,000 square miles of waters were closed to fishing; about 36 percent of Federal waters in the gulf were closed.

We did that on a very aggressive, proactive basis to make sure we avoided any contaminated seafood ever reaching a store shelf, ever reaching a restaurant. The good news is we accomplished that. Through that proactive closing, not a single piece of contaminated seafood ever reached a store shelf or ever reached a restaurant customer. That was quite an accomplishment.

Lots of dead animals were collected—6,800; 6,100 birds and also other sea turtles and dolphins. It was the biggest ever in American history, a huge environmental disaster.

Two years later, as we pause and look at the environmental effect of that, frankly, there is good news and bad news—or at least good news and continuing challenges. The good news is I don't think anyone would have predicted that the gulf would rebound to where it is today. Mother Nature has proved again to be amazingly resilient. That is good news. At the time there were all sorts of pretty dire predictions of huge dead zones covering half the gulf. That has certainly not materialized. So Mother Nature has proved amazingly resilient. But I don't want to trivialize continuing challenges, continuing work. There is continuing environmental work, I understand core projects that are ongoing that are very important. First is the NRDA process, under Federal law, the Natural Resource Damage Assessment. That is the process under Federal law by which all stakeholders help assess the damage to the environment so that the folks guilty of this horrendous incident pay for those damages, pay the State, pay the Federal Government, pay others who will work to restore the environment.

That NRDA process is ongoing. It is a multiyear process. But there is some positive result from that process already. Step one of the process was a settlement with BP for an upfront payment of about \$1 billion.

Just today, two specific projects in Louisiana were announced as a direct result of that first—not last but first—upfront payment of \$1 billion. There is the Lake Hermitage Marsh Creation

Project in Plaquemines Parish. That will create approximately 104 acres of brackish marsh from beneficial use of dredged material. That is being announced today. And the Louisiana Oyster Culture Project—that is the placement of oyster cultch onto about 850 acres of public oyster seed grounds throughout coastal Louisiana. So those projects are the start of that NRDA project coming to fruition.

Then the second important work that is ongoing that involves all of us here in the Senate directly is the need to pass the RESTORE Act through the highway reauthorization bill, the transportation reauthorization bill.

The RESTORE Act language would dedicate 80 percent of the Clean Water Act fines related to this disaster to gulf coast restoration. I thank all of my colleagues again for an enormously positive, overwhelmingly positive, bipartisan vote to attach that RESTORE Act language to the Senate highway bill. I urge my House colleagues, including House conservatives, to pass a House version of the highway bill today. That is important for our country, for highway infrastructure, and it is important because it is a vehicle for this RESTORE Act.

A third and final category I want to touch on that is not as positive, frankly, as the environmental rebound is the impact of all of this and the related moratorium on drilling to our economy on the gulf coast and energy production. Immediately after the disaster, very soon thereafter, President Obama announced a complete moratorium on activity in the gulf on new drilling. That moratorium lasted several months. I think that was a bad mistake, an overreaction to the disaster. I think that has been borne out in several ways, including the panel of experts that the President got together. Their report, we now know, was actually doctored and edited at the White House to make it seem like those true experts supported a full moratorium, when we know directly from them that they did not.

This moratorium went in place anyway and it created a lot of additional economic harm and hurt to a lot of gulf coast residents and workers that was unnecessary. Of course we needed to pause and get new procedures and some new safety regulations in place, of course we needed to learn the lessons of the disaster and incorporate those into practices, but we did not need an all-out moratorium for months. And we do not need a continuing slowdown that continues to this day. An analogy I have often used is when we have a horrible disaster such as an airplane crash, we do not ground every plane for months after such an incident. We allow the industry and that important travel and commercial activity to continue as we immediately learn the lessons of the disaster and incorporate it into safety proceedings.

Well, unfortunately, my point of view did not hold sway at the White House. We had this complete, formal moratorium which lasted into October 2010. But when that formal, complete moratorium was lifted, it didn't just end there. For months and months after that, we had a de facto moratorium, permits which were not happening. There was only a trickle of permits. Now, even though permitting has increased somewhat, we have a dramatic permit slowdown and a slowdown of activity in the gulf. Now more than ever, our country and our citizens cannot afford that. The price at the gas pump is about \$4 a gallon. It has more than doubled during President Obama's tenure. We cannot afford this avoidable slowdown and decrease in important domestic energy activity.

Again, a lot of folks around the country don't realize it, but permitting in the gulf is still way below pre-BP levels. It is 40 percent below pre-BP levels. Now, again, we need to learn and we have learned the lessons of the BP disaster. We need to incorporate those into our regulatory policy, and we have. But we cannot afford a permit slowdown of more than 40 percent since before the BP disaster. Because of that and because of other factors, energy production is down on Federal property and all oil production was down about 14 percent in the last year. Federal offshore production is down about 17 percent. So that is some of the most lasting negative economic impact from the disaster. The Obama administration's wrongheaded reaction to it and the lingering policy on energy production is something we cannot afford as the gulf region, we cannot afford as a country, and we can afford less than ever now with the price at the pump.

Again, I hope we do learn the lessons of this disaster. I hope we continue to ensure that those safety and other lessons are built into our regulatory framework and best practices in the industry. I think that has largely been done, and that work continues. I also hope we honor the lifework of those 11 men who lost their lives, who worked hard every day in that industry producing good American energy by not only allowing that work to happen safely but allowing that work to happen and allowing American citizens to benefit from that work.

The United States is the single most energy-rich country in the world, bar none. For instance, we are far richer than any Middle Eastern country, such as Saudi Arabia. The problem is that we are the only country in the world that puts well over 90 percent of those domestic resources off limits and says: No, no, no. No you can't do this, and no you can't touch that.

We need to build a commonsense American energy policy that says: Yes, Yes, we can. Yes, we can do it safely,

and, yes, we can provide American energy for American families and the American economy.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

GSA

Mr. HELLER. Madam President, I come to the floor today to highlight an issue I fight for every day; that is, jobs in Nevada. In Nevada, having a strong tourism industry means more jobs in the State. Las Vegas, Henderson, Lake Tahoe, and Reno have long been favorite destinations for millions of visitors both domestically and, more increasingly, internationally. The entire southern Nevada economy is heavily dependent on the hotel, gaming, and convention industry, which employs over one-quarter of the region's labor force. Plain and simple, tourism is the lifeblood for business and job creation in Nevada.

Like many taxpayers, I was shocked and disappointed to read the GSA inspector general's report that found inappropriate spending at the 2010 Western Regions Conference that was held in Nevada. This conference was excessive, wasteful, and it completely ignored Federal procurement laws and internal GSA policy on conference spending.

I believe it is appropriate for Congress to exercise its oversight authority on GSA to look into the agency's practices and provide corrective oversight to ensure that taxpayer dollars are spent wisely by this administration. However, I want to be clear: This is not an issue about location, this is the result of poor decisionmaking and leadership by the GSA. Las Vegas is one of the greatest locations in the world for a conference, a meeting, or a vacation. With over 148,000 hotel rooms and 10.5 million square feet of meeting and exhibit space citywide, it is ideally suited to host companies and organizations both large and small. In fact, this past January Las Vegas hosted the Consumer Electronics Show, which had more people attend than the Iowa caucuses. I fully agree that it was inappropriate for the GSA to waste taxpayer dollars, but it is not inappropriate to come to Las Vegas for conventions and meetings.

The actions of GSA should not reflect negatively on Las Vegas, and I am asking all of my colleagues to be mindful of that as they conduct their investigations. The viability of the economy in Nevada is dependent upon the volume of visitors to our State. Last year nearly 39 million visitors came to Las Vegas alone. These visitors came because Las Vegas continues its reign as the No. 1 trade show and convention destination in North America. Las Vegas hosts thousands of meetings and conventions annually and generates billions in revenue.

It is no secret that Washington politicians and this administration have had a negative impact on the Las Vegas economy due to their comments issued publicly. For example, in 2009 attendance at conventions and meetings in Las Vegas fell by 13.6 percent. The following year attendance fell by another 7.2 percent. In total from 2009 to 2010, Las Vegas lost 1.4 million convention attendees. While I recognize that it is unfair to blame total decline on a few ill-advised lines in a speech, there is no doubt that spoken words by politicians clearly have an impact on the Las Vegas economy. Las Vegas and the great State of Nevada should not be political targets because of GSA's misconduct. Las Vegas is an excellent destination for conferences, and I am proud of my State's ability to entertain and accommodate businesses, organizations, and individuals from all over the world.

Again, while several congressional committees investigate this issue, I would respectfully advise my colleagues that it is not the location that can be blamed for the misuse of taxpayer funds. The convention services my State offers are the best in the world. And no town in Nevada should be singled out due to poor judgment by the GSA. It is my hope that all of my colleagues will focus on the misconduct of the GSA and push for a new initiative that spurs growth in the tourist industry instead of blaming Nevada for the mistakes of incompetent government bureaucrats.

I yield the floor.

Mr. LIEBERMAN. Madam President, I suggest the absence of a quorum.

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

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. I ask unanimous consent that the order for the quorum call be rescinded.

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

POSTAL REFORM

Mr. MERKLEY. Madam President, I rise today to address an issue that goes to the very heart of our rural communities—our post offices.

First, let's set the context. Our Postal Service is facing a challenging and difficult situation, no doubt. Americans' habits with first-class mail have changed, and there is greater competition for packages with groups such as FedEx and UPS. But perhaps the biggest wound to the post office's bottom line is one that Congress imposed: a \$5.5 billion yearly financing of health care costs 75 years into the future. That is health care costs not just for folks who aren't yet employed with the post office but for future employees who have not yet been born. So, yes, the post office system must restructure, and it should start with Congress

reversing the \$5.5 billion yearly requirement for advanced yearly health care payments.

Let's go to the other end of the spectrum, which absolutely does not make sense, and that is to close our rural post offices. In a rural town, the post office is the only place where nearby residents can send and receive mail. But it is more than that: It is a shipping center for the small businesses of the communities. It is the pharmacy for seniors and others who need medicines through the mail. It is the community center where folks gather and exchange information. In short, it is the very heart of our rural communities.

Let's start by examining the critical role of rural post offices on small businesses. Virtually every small town is home to a host of small businesses that take orders through the mail and ship their products through the mail. What would happen to the efficiency of a small business if it had to drive an additional 50 miles per day in order to pick up orders and mail products? Well, quite obviously, it would destroy their efficiency, and they would think about shutting down or they would think about moving.

What would happen to the profit margin of a small business if they had to spend three or four times more on gas—very expensive gas, as we all know? Obviously, it would do a lot of damage to their bottom line and, again, they would think about shutting down or moving.

What would the impact be to that small community of the small businesses shutting down and moving? Well, it would do enormous damage. I think no one would dispute that. So we need to be clear that when we are talking about shutting down rural post offices that are many miles from the next possible opportunity to receive orders and ship products, we are talking about destroying the economic heart of our small towns. It is economic havoc, and it is unacceptable.

Here is the irony. Folks come to the floor of the Senate and talk about economic development. They talk about creating jobs. They talk about how small businesses are the job factory. And they are right on every single point. So if there were no post office in a small community, the very first thing we would do for economic development is to create one so the small businesses can pick up their orders and ship their products. So how is it possible we are considering a bill that is going to shut down these rural post offices that are so essential to small businesses across rural America?

Another powerful role of rural post offices is to deliver critical medicine to America's seniors. What happens if seniors cannot receive their medicines through the mail? One of my colleagues glibly said: Well, of course, they get it from FedEx.

Well, I beg to differ because FedEx uses the postal system to deliver medicines the last mile and to deliver packages the last mile. So, no; they simply can't get their medicines through FedEx. Now they are driving roundtrip 50 miles, sometimes on impassable roads, in order to get critical medicines? Well, they will start thinking about moving.

Then there is the fact that these post offices are the places where citizens gather, where they exchange information, where they find out what is going on. Indeed, sometimes even the last small store has closed in these communities of 200 or 300 families, so then it is the post office that is the heart of communication. So if we take away the small business, we take away the seniors, we take away the communication hub, and we do enormous damage. Why is that bill being considered with this clause on the floor of the Senate? We must change that.

That is why a number of us are putting forward an amendment to say, no; this is absolutely wrong—wrong on economic development, wrong on service to our senior citizens, and wrong in understanding the cultural heart of our rural communities.

I am going to focus on some comments from two communities in Oregon—two that are on the list of 41 post offices the Postmaster General said were slated for possible consideration for closing. This is a picture of the Tiller Post Office. It is 16 miles from the next nearest post office. Now, imagine being 5 miles from Tiller or 10 miles from Tiller and another 16 miles from the next post office. Now we are talking about 40 to 50 miles roundtrip every single day to pick up orders, ship products, and get medicines. It doesn't make sense.

Here is a letter from Diana Farris, a former postmaster in Tiller. She writes:

Tiller is one such community, where in many ways, time stands still and new technology is beyond their grasp. In Tiller, cellular phone service is unavailable. DSL and cable internet service are unavailable, satellite service is overpriced with the majority of residents unable to afford it and there is no Wi-Fi access in the area.

Diana continues:

Dial up Internet is available (when the poorly maintained telephone service is operational) at top speeds of approximately 24 to 26k, so slow that many websites, including USPS—

That is the U.S. Postal Service—

time out before you can access needed info.

She continues:

The unemployment rate has risen to 13 percent in Douglas County—

That happens to be the county where I was born in rural southern Oregon—

and the lowest gas price in Tiller in the last few months has been \$3.95 per gallon. For communities like this, the local Post Office remains the only option.

That is the end of her letter.

In Tiller, the nearest post office, if Tiller were to close, is 16 miles away. It would mean, a roundtrip, a full hour's drive through winding mountain roads, and that is assuming the best weather and road conditions.

Because of that difficult drive, closing the Tiller Post Office would have a devastating impact on small businesses that rely on the Postal Service to ship their goods.

Here is a letter from Alexandra Petrowski who owns a small business with her husband in Tiller called Singing Falls Mohair. She writes:

We utilize the services of the U.S. Post Office extensively. I would estimate that between 3 and 5 packages go out from our home to destinations all over the world on a daily basis.

We sell our products on Ebay and the business is flourishing! Our growing market is worldwide using the U.S. mail system every day of the week excluding Sundays. In the Ebay marketplace, timely mailing is an integral part of good customer service.

As it is, the Tiller Post Office is seven miles from our rural mountain ranch. A closure of the Tiller Post Office would require a 45-mile round trip journey that would severely impact our modest profit margin.

Alexandra concludes:

We have been engaged in this business for 30+ years. We are seniors and rely extensively on our cottage industry to sustain our ranch operation. Would closing Tiller's Post Office mean effectively an end to our business? The answer at this point in time is that it would seriously jeopardize our business.

Now let's turn to Malheur County and the town of Juntura. This is a picture of Juntura Post Office, approximately 19 miles, or 20 miles if we round it off, to the nearest additional post office. I have a report from a citizen of Juntura named Laura Williams. She details the negative impacts that closing Juntura Post Office would have on the community. Her report is 42 pages long, an incredibly researched and detailed study of the impact that closing this modest modular post office would have on the rural community of Juntura.

Let me read a little bit from her report. She writes:

Juntura residents will either have to drive to Drewsey, to the west, to mail packages, buy money orders and complete a variety of other transactions, or they'll have to drive east to Harper, 34 miles away, a route that winds through a river canyon dangerously choked with deer during the winter months. In essence, Juntura is between a rock and a hard place.

She notes in her letter that 25 percent of Juntura's post office users are seniors who would be particularly impacted by these changes as they rely heavily on the Postal Service to receive medication and may have difficulty driving the long distances required in the particularly hazardous winter months. There is just one word in bold on the front page of her report,

and it sums up the closure of the Juntura Post Office. The word is "disastrous." That is how she sums up her 42-page report. The impact would be disastrous on this town of Juntura, this modest structure open a couple of hours a day, serving the citizens, providing the money orders, providing the stamps, providing the ability to receive orders and to send packages. Every part and role it plays she has detailed.

These are just a few stories from rural post offices across America, but these comments are far from being isolated. I think we would find very similar comments from every single small town where these towns of modest size depend on these post offices for critical services.

I have heard these comments all across Oregon. Two weeks ago I visited Fort Klamath, which is also on the closure list. Residents converged once word went out that I was at the post office. People started arriving, cars started arriving, people started sharing their stories, and I would like to share a couple of them.

I want to start with Jeanette and Bob Evans. Bob is a veteran who receives medication through the mail that often needs to be scanned and signed for. They would need to take a 30-mile trip to pick up medications if Fort Klamath Post Office closes. Jeanette and Bob pointed out that they have a rental business that must follow State law requiring many documents be sent via first-class mail verifying the date of notification. Again, closure would force them to take 30-mile trips to Chiloquin to process this mail correctly.

Fort Klamath is a seasonal community, and the post office is the only place during the winter months where the people gather and meet each other. Without the post office, friends and neighbors will be traveling snowy, icy roads to get mail 15 miles away.

Heidi McLean comes to the Fort Klamath Post Office. She shared these comments. She is a proprietor of the Aspen Inn in Fort Klamath that operates seasonally. She uses the post office daily as they send out packages to everyone interested in staying with them during the season. They could get by with fewer days or partial days, but they feel very strongly they need access to a local post office. A 30-mile roundtrip to Chiloquin would be a serious problem for their small business.

That is why, in partnership with a number of my colleagues, I am offering an amendment to this bill that would create a 2-year moratorium on the closure of rural post offices and would ensure that future closures meet certain conditions.

Under those conditions, no rural post office could be closed unless seniors and persons with disabilities will receive the same or substantially similar

service, including access to prescription medicine through the mail; businesses in the community will not suffer economic loss, and the economic loss to the community resulting from the closure will not exceed the savings the Postal Service obtains by closing the rural post office—and that, by the way, goes to a key point which is, it is much more efficient in terms of the economy to have a common mail service in the heart of a small town than to ask hundreds of families to drive 50 or more miles daily to obtain their mail. That makes no sense. It is an enormous waste of citizens' time, an enormous cost in gasoline, in both cases devastating and economically idiotic.

Let any Member come to the floor and defend shutting down a rural post office, requiring hundreds of families to drive 50 miles every day to get their mail, when for a couple hours a day you could have a post office open, and they can access it and support their small businesses, support their access to medicines.

Let's be clear: This is not a Democratic or Republican issue. This is about critical infrastructure for our small towns. I thank Senator LEE, who has worked on this issue in brainstorming with me, Senator MCCASKILL, Senator TESTER, Senator BAUCUS, and others, who are all working on this issue.

I agree that we do need to reform the Postal Service for the 21st century. Conditions have changed, and we need to start by reversing the \$5.5 billion advance payment for folks yet unborn for health care payments. But we must not carve the heart out of our rural communities.

So for the citizens of Tiller, for the citizens of Juntura, for the citizens of Fort Klamath, and for the citizens of small towns across our Nation who depend on these rural post offices, I urge my colleagues to support the amendment I and others are offering.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Acting President pro tempore.

Madam President, I thank my friend from Oregon for his excellent statement, really. Senator COLLINS and I want to work with the Senator and the other cosponsors of the amendment.

I want to say a couple things. The first is, the particular examples Senator MERKLEY gave of the importance of post offices in small towns and in rural America make a larger point to those who have said—those within the Senate and those outside—that in the age of the Internet, the Post Office is a relic we cannot afford, and we have to cut, cut, cut, cut.

Well, there is no question that because the Postal Service is running big deficits—up to about \$13 billion over the last 2 years—there has to be econo-

mizing and we have to look at a different business model. But to draw an easy conclusion that in the age of the Internet the post office and the Postal Service do not have a role to play and are not playing a role anymore is wrong. I think the Senator's examples, in very personal ways, show that.

I said yesterday about three times—and I am going to say it again today—notwithstanding the drop in mail volume because of the Internet today, every day the U.S. Postal Service delivers 563 million pieces of mail, and a lot of the things the Postal Service is delivering are critically important to people. An awful lot of the prescription drugs people are getting today, in an increasing number, are coming through the mail. It is an example the Senator cited. The same is true for small businesses with a particular urgency or dependency in small-town and rural America.

So the Senator makes a good point. That does not mean everything that exists has to exist forever. It means we cannot reach an easy conclusion that because the Internet exists we do not need the post office or the Postal Service anymore. The fact is, a lot of people depend on the Postal Service every day, and we want to respect that reality, which is important to the quality of life people live and to the health of our economy overall.

I look forward to working with the Senator on his amendment. The existing bill tried to recognize this problem and contains within it, S. 1789, a number of steps that are aimed at ensuring the post offices in rural areas and towns are protected and appropriate weight and consideration is given to the importance of such post offices in their communities.

This was done in large part in our committee thanks to a bipartisan amendment offered by Senators TESTER and MORAN. That was strengthened, we think, in the substitute amendment we are now considering. It includes retail service standards, standards for possible post office closings, and what the standards would be on appeal to the PRC. But I do not believe this is a perfect document and I accept, therefore, the Senator's amendment as a thoughtful attempt to do even better on what we are trying to do. I say to Senator MERKLEY, I look forward to working with you to see if we can reach common ground on this issue.

I will say something else, to put this in a different sort of hard numbers context. The Postmaster General set as a goal at the outset to try to cut about \$20 billion from the annual operating expenses of the Postal Service. That is a tough number. That is over the next 3 or 4 years. We think this bill—and the Postal Service seems to agree—does not quite do that, but it gets pretty close to it. It certainly is somewhere in the \$15 billion to \$20 billion range.

Some of the elements in the bill that save a lot are the money we provide for incentivizing postal workers to retire early. That is an \$8 billion annual savings. There are significant savings in terms of the mail processing facilities—in the billions.

The reality is, interestingly enough, as I think my friend from Oregon knows, the amount of money saved if the Postmaster General actually closed the 3,700 post offices that he put on the list of possible closings is relatively small. It is not nothing, but we are talking about \$150 million to \$200 million if we closed all of them.

So as compared to the billions in the other items we are doing, and in relating that number to what the Senator described in the examples he has given and what we heard in our committee, I think this is an area in which I personally believe we have to tread cautiously.

I thank Senator MERKLEY for his thoughtful statement. I look forward to working with him. I know Senator COLLINS does too, and the other sponsors of the amendment, to see if we can reach an agreement so we can find a way to accept the Senator's amendment.

Mr. MERKLEY. Madam President, I thank my colleague from Connecticut. I appreciate him addressing this issue and I look forward to working with him.

I understand efforts were made to identify issues the Postal Service must consider before closing a post office. But the key is not simply to have them consider an issue but to have a standard by which it can be evaluated whether that standard has been met. That is the critical distinction, which then allows the review commission, which the Senators have appropriately included in the bill, to have a standard; simply: Did the Postal Service consider this? They will say, yes, they did consider it. But did it have a substantial impact in damaging the local economy? Now there is a standard for the review commission.

I look forward to working with the Senator and thank him so much. And I thank Senator COLLINS and Senator CARPER, who have been working to help address this issue as well.

Mr. LIEBERMAN. I thank the Senator.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I rise to speak on the postal reform bill and to offer constructive suggestions. I know Senator COLLINS was scheduled to speak. I am going to take this time. She is in a meeting, and it is agreeable to her we follow this sequencing.

There is no doubt that the Postal Service is in need of reform, and I support the concept of reform. I salute the architects of the bill, Senators LIEBERMAN and COLLINS, on the framework

they have proposed. I think it was thoughtful and robust and even ambitious. I wish to compliment them on the process that is the hallmark of this committee.

If I could have the attention of the Senator from Connecticut for a moment, I say to Senator LIEBERMAN, I want to comment that we know you are about to retire, and we are going to miss you because here we are having a civilized, rational, thoughtful, data-driven type of conversation, and I think it is a hallmark of the way you and Senator COLLINS have functioned to bring this bill to our attention. The Senate ought to do more of it.

I thank the Senator for his leadership, though I disagree with some of the parts in this bill. But that is the way the Senate should be.

Let me talk about postal reform, and first about the post office. The post office is not a business. It is a public utility, and we need to think of it as a public utility; that which provides universal service to keep the juice and electricity of our economy going. If we think of it as a public utility mandated by a national interest to provide universal service, then that is the way we should think about it. Will it require subsidy? Yes. Does it require an open checkbook? No. Does it require reform? Yes.

But the Postal Service has reformed itself from the days of the Pony Express to the present. They had to face the challenge when they invented Western Union. They faced the challenge when we got telephones. Why do we need the Postal Service? Time and time again, the Postal Service has needed to reform. It is time to reform again. But if we are going to reform, we need to make sure we provide safeguards to protect rural communities, to protect small businesses, and to protect vulnerable populations that do not have access to the Internet.

We have a digital divide in the United States of America. We do not have a universal superinformation highway in the United States of America. We do have a digital divide, and the divide is because of both geography and income. Not everybody walks around with these cool 500 devices. So people rely on the post office for correspondence, for paychecks, for the delivery of products that have been ordered over the Internet—those e-Bay entrepreneurs we know about. Small business relies on it for time-sensitive business documents and the time-sensitive delivery of products.

This is even more important for rural areas. Rural areas have a unique geography, and that can complicate mail delivery or create delays. I represent the mountain counties of western Maryland. At times that weather is so rugged up there you need a snowmobile to get through. Then there is the Eastern Shore—the beautiful, dynamic,

charming Eastern Shore. But it is nine counties stretching over 150 to close to 200 miles. Sometimes in places they do not even have cell phone coverage. Reductions to delivery standards, closing a post office, and, most of all, closing a processing center would have a Draconian impact. So in my State we are very concerned about this.

We are willing to do reform. We were willing to close a processing center in western Maryland and work with Pennsylvania and West Virginia—bordering States—to do this. But now they want to close the Easton Mail Processing Center. It is the only processing center on the Eastern Shore. It is the only mail processing center serving nine counties. To use the processing center in Baltimore, it is miles away and across the Bay Bridge.

Then there is this whole issue of merging it with Delaware. Delaware is nine counties away from Somerset County—over 150, close to 200 miles. The operation of this Eastern Shore postal processing facility is absolutely crucial.

Everybody says: Oh, we love the Eastern Shore. Well, I love it too. But I want it to have business. I want my senior citizens to be able to get their prescription drugs by mail, and get them on a timely basis. It is a community of small business. That is what the Eastern Shore is. Even our big business of poultry and seafood is made up of small entrepreneurs involved in this. They need the Postal Service, and they need to have it accessed on the Eastern Shore.

So last February, the Postal Service, in its unique way, announced the closing. Senator CARDIN and myself asked for hearings. The Postal Service responded in a very dismissive way. They dismissed not only CARDIN and MIKULSKI, but they dismissed a half a million residents who live on the Eastern Shore and who rely on this.

When I asked them if they would even hold a hearing so farmers and small businesses and seniors could voice their opinions, they said they heard all they needed. They had no intention of holding a hearing. My constituents have a right to be heard. They have a right to standards of delivery service and they have a right for me to fight for them and I am going to fight for them. But I am also going to fight for postal reform. The way Senator MERKLEY wants to improve the bill, so do I.

I have four amendments pending to get the post office to make sure they not only look at what they are doing—right now they look at what is the impact of what they are doing on the post office. Senator BARB looks at the impact they are having on the customer and on the community. Remember, think of it as a public utility, and we are turning the lights off on the Eastern Shore.

My first amendment says: No processing center can be closed unless a Governor from the State certifies that a closure will not harm the community or disrupt commerce.

My second amendment says: No processing center can be closed unless an independent third party, such as the Commission, talks about the impact on jobs, the unemployment rate and small business and to make the study public.

My third maintains the standard of delivery for overnight. On the Eastern Shore, my veterans need their medical care, my seniors need to be able to get their Social Security checks, and also business—even live birds come through this processing center. Are they going to sit around and go back and forth to Baltimore? Man does that ruffle my feathers. I can tell you that right now.

Fourth, it is strictly ZIP Code politics. I will offer an amendment to prevent the closing of the Easton Post Office. If my other three amendments prevail, I think we have it. It is not just my criteria; it is what Senator MERKLEY and all of us are talking about. The post office is a public utility. We look at the impact of closing, not only the impact of what the post office saves but what the community loses and if it is worth the cost. I do not want to turn the lights out on the Eastern Shore, but I do want to keep the lights of the post office going.

In the spirit of compromise and conversation and civility that marks the leadership of this committee, I want to work with the leadership and see if I can be accommodated. I wish to again congratulate Senators COLLINS and LIEBERMAN on their leadership and on their whole civilized way and also to Senator SANDERS for doing this.

I think I have made my point. Next time, the post office should listen more to the people or they will hear more from Senator BARB.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Madam President, before my friend and colleague from Maryland leaves the floor, I wish to thank her for her passionate advocacy on behalf of her constituents. I have a similar problem in my home State of Maine, where a processing center has been targeted for closure that would have an extraordinarily detrimental impact on mail delivery for two-thirds of the State of Maine. It makes no sense whatsoever. It would do away with overnight delivery, as the Senator has indicated.

I would encourage her to continue to work with us and also to look at the specific provisions we have put into the substitute that reflect the input we have had from her and many other concerned Senators. One of those standards deals with the overnight delivery and the need to maintain that standard of service.

This is an advantage the Postal Service has, and it helps it keep customers.

In my view, to do away with overnight delivery would be foolhardy, and it would actually cause more mailers to leave the Postal Service, which would produce a further decline in volume and, thus, revenues would plummet still further.

I understand a lot of the concerns the Senator from Maryland has raised. I do think we have taken care of some of her concerns in the new substitute we have proposed on a bipartisan basis. But we look forward to continuing to work with her to address her concerns.

Ms. MIKULSKI. If I may respond to the Senator, first of all, I do thank the Senator for the substitute. I think it does make substantial improvements in the bill. It demonstrates that the Senator is listening to colleagues and also to people who are affected.

I am familiar, when we worked on home health care, and the Senator and I teamed up, that in parts of Maine and parts of western Maryland, we had visiting nurses on snowmobiles and they were not going to be reimbursed. So we have an understanding of these rural, rugged communities. I do want to work with Senator COLLINS. In the spirit and tone represented by Senator COLLINS and Senator LIEBERMAN, perhaps we could have an additional conversation.

Mr. LIEBERMAN. Madam President, if I may just briefly, thanks to Senator MIKULSKI for her kind words but also for her directness about her concern about the processing facility she talked about and overall and to thank her for her willingness to work with us to see if we can work out something acceptable.

As Senator COLLINS said, we have made some changes in this substitute that will still require overnight delivery—less broadly than before because we are trying to deal with how to responsibly react to the precipitous drop in mail volume because of the Internet, yet not reduce the quality of service so much that people leave the mail system even more.

I used an analogy yesterday which is probably not exact, but way back when I was in the State senate in Connecticut, we had a crisis in the financing of our public bus system. One of the things that was done that seemed quite logical at the time was to raise the price of the bus fare. What does the Senator think happened in response to that?

Ms. MIKULSKI. They left.

Mr. LIEBERMAN. Fewer people were riding the buses and the fiscal problem got worse. There is a reality here. The mail volume has dropped so much that we have to close some of the mail processing facilities or—and Senator COLLINS and I feel very strongly about this—we have to thin out the number of personnel working at the facilities.

We put this in as a condition which we thought originally was what the Postmaster was going to be interested

in. Do not just precipitously close a lot of mail processing facilities. First—and we require this now—they have to consider a plan to reduce the capacity of a particular facility and presumably the number of people working there before they absolutely close it.

Anyway, bottom line, thanks to Senator MIKULSKI. We look forward to working with her to reach a mutually agreeable result.

Ms. COLLINS. Madam President, I wish to discuss in more detail a key provision of the postal reform bill that is before us; that is, the provision that would refund to the Postal Service an \$11 billion overpayment that the Postal Service has made to the Federal Employee Retirement System.

This is the key provision of our bill because part of the money from that refund would be used to finance the buyouts and retirement incentives the Postmaster General has estimated would allow him to decrease the size of the workforce, in a compassionate way, by about 100,000 workers.

The Postal Service has about 600,000 workers, just to give an idea of how many we are talking about. So it is about 18 percent. That would help the Postal Service right size. It is patterned on the practices many private corporations use when they find they need to downsize. They provide a little incentive for people to retire early or to retire. If they are eligible for retirement, it gives them a little incentive to take advantage of that.

I am convinced this will work because more than 33 percent of postal employees are eligible for retirement right now. We use the standards that are in current laws. The retirement incentive cannot exceed \$25,000. That is in current law for Federal agencies to use, and we would extend that so it is capped to postal employees.

We also would allow the Postal Service to give 1 year of retirement credit for someone who is 1 year short of the necessary number of years under the old Civil Service Retirement System, 2 years under the newer FERS system.

But yesterday I heard one of our colleagues describe this refund of \$11 billion as being an overpayment that will come from taxpayer pockets. That is not an accurate statement. I realize this bill is very complex. So I wish to provide to my colleagues some additional information. They do not have to just take my word for it; they can take the word of the inspector general of the U.S. Postal Service.

The FERS system does have tax dollars in it from Federal agencies that are paying in for their employees and, of course, the employees also contribute to the system. But when it comes to the Postal Service, the money is not coming from taxpayers. The contributions are not coming from taxpayers. They are coming from postal employees themselves, and they are

coming from the Postal Service, which is using its revenue from postage and other services and, thus, it is the ratepayers' money.

The inspector general makes this very clear in his letter. I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF INSPECTOR GENERAL,
UNITED STATES POSTAL SERVICE,
February 2, 2012.

Senator JOSEPH LIEBERMAN,
Senator SUSAN COLLINS,
Senator TOM CARPER,
Senator SCOTT BROWN,
U.S. Senate,
Washington, DC.

DEAR SENATORS LIEBERMAN, COLLINS, CARPER, AND BROWN: In response to your request, I am providing the following information. The postal surplus for the Federal Employees' Retirement System (FERS) has been projected to be \$11.4 billion for fiscal year (FY) 2011. The Office of Personnel Management (OPM) made this projection as of September 30, 2011. In addition, OPM has projected the postal surplus of the Civil Service Retirement System to be \$1.7 billion for FY 2011.

The source of the FERS funding comes from two streams of revenue: (1) the U.S. Postal Service contributes 11.9 percent of employee salaries to the fund and (2) the employees contribute 0.8 percent. The Postal Service contribution comes from revenue paid for postage, and this money comes from the ratepayers. The employee contribution, as with all federal employees, is made in exchange for a defined benefit.

If you have any questions, please do not hesitate to contact me or Mohammad Adra or Wally Olihovik in my office.

Sincerely,

DAVID C. WILLIAMS,
Inspector General.

Ms. COLLINS. Madam President, first of all, the inspector general verifies the amount of the overpayments. His letter to Senator LIEBERMAN, Senator CARPER, Senator SCOTT BROWN, and myself, dated February 2, 2012, says:

The postal surplus for the Federal Employees Retirement System (FERS) has been projected to be \$11.4 billion for fiscal year 2011. The Office of Personnel Management made this projection as of September 30 of 2011.

In addition, OPM has projected the postal surplus of the Civil Service Retirement System to be \$1.7 billion for fiscal year 2011.

We are not trying to deal with that; we are only dealing with the FERS surplus. Here is the key paragraph.

The source of the FERS funding comes from two streams of revenue: (1) the U.S. Postal Service contributes 11.9 percent of employee salaries to the fund and (2) the employees contribute 0.8 percent. The Postal Service contribution comes from revenue paid for postage, and this money comes from the ratepayers. The employee contribution, as with all federal employees, is made in exchange for a defined benefit.

This could not be more clear. This is not taxpayers' money. No matter how many times some of our colleagues may say this is a taxpayer bailout or

this is taxpayers' money, it is not true. It is not an accurate understanding of how the system works. I am going to circulate this letter widely, and I hope my colleagues will take the time to read it.

I can understand the confusion, because if it were a Federal agency, a regular Federal agency, it would be taxpayer money. But it is the Postal Service and it is not taxpayer money, and that is important.

The other important point I wish to make is that this is a real overpayment. It has been verified by an independent board of actuaries. This is not something the Postal Service came up with or that our committee came up with. This has been verified by the OPM Board of Actuaries, an independent body comprised of private sector actuaries that advises the Office of Actuaries within OPM and reviews annual reports.

So it is not even OPM's actuaries. It is an independent board of private sector actuaries that has verified that this is, in fact, an overpayment and it is \$11.4 billion.

I ask unanimous consent to have printed in the RECORD a letter from the Office of Personnel Management which explains the independent boards.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES OFFICE OF
PERSONNEL MANAGEMENT,
Washington, DC, February 3, 2012.

Hon. SUSAN M. COLLINS,
Ranking Member, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR COLLINS: On February 2 and 3, 2012, you contacted my office requesting information regarding the amount of surplus contributions made by the U.S. Postal Service to the Civil Service Retirement and Disability (CSR) Fund for its employees who participate in the Federal Employees Retirement System (FERS).

My staff has contacted the U.S. Office of Personnel Management (OPM) Office of the Actuaries (OA). In an email exchange and follow-up discussions on February 3, 2012, the OA indicated to us that its most recent determination of the Postal Service's projected FERS surplus is \$10.9 billion as of September 30, 2010.

We have also confirmed that this figure appears on page 20 of the "Civil Service Retirement and Disability Fund Annual Report: Fiscal Year Ended September 30, 2011", which is attached. This report is issued annually by the OA and OPM's Office of the Chief Financial Officer. The OPM Board of Actuaries, an independent body comprised of private sector actuaries that advises the OA, reviews the annual reports.

If you have any further questions, please do not hesitate to contact David Cope, the Assistant Inspector General for Legal Affairs, or Susan Ruge, Attorney-Advisor.

Sincerely,

PATRICK E. MCFARLAND,
Inspector General.

Ms. COLLINS. Madam President, the Government Accountability Office has

also looked at this issue and found that OPM's Actuary did assess that there was an overpayment—what GAO calls a surplus.

There is one paragraph in the GAO letter that I particularly want to bring to my colleagues' attention because it is a call for action. The Comptroller General says:

We have also reported that Congress and USPS urgently need to reach agreement on a comprehensive reform package to address the Postal Service's financial problems. Congress could consider a one-time return of some, or all, of the FERS surplus as part of a broader package tied to specific actions on the part of USPS to help it address its financial problems. These actions could include prefunding its retiree health benefit obligation, reducing its \$13 billion debt, or developing incentives to reduce its workforce.

Madam President, that is what our bill does. We are following the advice of the GAO to do this one-time refund of the overpayment and dedicate it specifically to the incentives to reduce its workforce and to reducing the debt the Postal Service owes to the Treasury. We also deal with the prefunding of the retiree health benefit issue in our bill as well.

My point is that there is agreement that this is not taxpayers' money. There is agreement that this is a true overpayment. And we have GAO suggesting that we do exactly what this bill does, which is the one-time refund of the overpayment, tied to reform to address the USPS's financial crisis and specifically mandating that the money be used to develop incentives to reduce the size of the workforce and pay down its debt.

I wanted to take this time today to explain this issue because I am very concerned that there are Members who are operating on the basis of a complete misconception that somehow this is a taxpayer bailout or that it is taxpayer funds that are being used to repay this overpayment. That is not accurate.

This bill is very complicated, and I hope we can stick to the facts as we debate it. People may have different views on the way forward or the path forward, but I hope we can keep this free from mischaracterizations about the bill. I understand how it is going to happen because it is a complex matter. That is why we have spent, on our committee, so many months carefully studying this issue and getting help and expertise from GAO, OPM, and outside parties to make sure—and from the IG—we fully understand the provisions of the bill.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I note the presence of my friend from Tennessee on the floor. Before he speaks, I would like to spend a moment responding to Senator COLLINS, and then I will quickly yield to him.

I thank Senator COLLINS. She made a quite complicated subject very under-

standable. It is a misunderstanding—really a misstatement—to say the money the Postal Service will be refunded is taxpayer money. It is not. It is the return of money collected, as the Senator said, by the post office from ratepayers and from their own employees which was mistakenly put into this retirement fund. This is no more a bailout with taxpayer money than in the case—which happens—where an individual or a business overpays taxes to the Federal Government. When that miscalculation or error is discovered, they can ask for a refund. That is exactly what has happened here with the Postal Service.

It is critically important to this bill and to the future of the Postal Service because we are requiring in the bill and authorizing that the money refunded not be used for more spending but be used to, one, pay down the debt and, two, make investments by incentivizing the retirement of employees, which will have an enormously important effect on the annual Postal Service budget.

The Postmaster believes that with the money he receives back—really not a majority of it—he can incentivize the retirement of approximately 100,000 current employees of the Postal Service, which is the goal we set for them in this bill. That will result in a savings of over \$8 billion a year for the Postal Service. So this is not only a refund of the Postal Service's own money—not taxpayer money—but it is going to be used to save \$8 billion a year, which is the largest savings component of the proposal we have made.

Again, I thank my friend from Maine. I yield to my friend from Tennessee.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. DURBIN. Will the Senator from Tennessee yield briefly?

Mr. ALEXANDER. Yes.

Mr. DURBIN. Madam President, I ask unanimous consent that I may speak following the Senator from Tennessee.

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

Mr. ALEXANDER. Mr. President, first, I thank the Senator from Maine and the Senator from Connecticut for letting me take a few minutes, and I congratulate them on their hard work on this bill. This is a bipartisan bill that has some bipartisan amendments and suggestions about a big problem. It is the kind of thing we ought to be working on.

I hope that—while we ran into a little obstacle yesterday, in terms of our ability to move forward with relevant amendments to the Postal Service bill, I hope we can move back in that direction so we can have a good debate.

I thank the Senator from Maine for her full explanation of the refund, which is an essential part of the bill.

TRIBUTE TO FRANKLIN NAMON WATSON AND
LOWELL RUSSELL

Mr. ALEXANDER. Madam President, my late friend Alex Haley, the author of "Roots," lived his life by these six words: "Find the good and praise it."

Occasionally, I come to the floor and cite an example of a Tennessean or some circumstances in my State that fit those six words.

A few weeks ago, I came here to talk about 91-year-old Tennessean Bill Hoffman, a resident of Memphis, who turned down a Purple Heart in 1944 when he was wounded in Germany because there were so many other people who were hurt worse than he was. His son thought, since his father is now 91, that maybe it is time that he does get it, and he contacted our office, and we got in touch with the Army. Lo and behold, he not only deserves the Purple Heart, he turns out to be one of the last three surviving rangers who scaled the cliffs at Pointe du Hoc on D-day, which was one of the most daring and courageous acts of World War II. President Reagan talked about it in his 40th anniversary speech, "The Boys of Pointe du Hoc."

Last week in Memphis, the Army presented Bill Hoffman not only with his Purple Heart but with the Bronze Star and a "V" for valor, and they gave him a special ranger cap to go along with it. That was a good day.

I am here today to talk about another story, two extraordinary Tennesseans who are united by both their friendship and their courage—LCpl Franklin Namon Watson, who sacrificed his life for our freedom, and his devoted friend and mentor, Tennessee Highway Patrol Sergeant Lowell Russell, who is recovering from critical injuries he sustained while on duty.

LCpl Franklin Namon Watson, or "Frankie" to everyone who knew him in East Tennessee, enlisted in the U.S. Marine Corps Reserve in 2010. Last year, in September, at the age of 21, Frankie was killed while serving our country in Afghanistan, sweeping for improvised explosive devices in the Helmand Province.

Frankie, the son of Stacy Couch and Troy Watson, didn't shy away from difficult or dangerous work when he was back in Tennessee. He was a law enforcement officer in the police department of Madisonville in East Tennessee, just a few miles down the road from my hometown. The chief deputy of the Monroe County Sheriff's Department, Brian Graves, described Frankie as "very upbeat and focused on what he wanted to do." What he wanted to do was be a peacekeeper and a law enforcer. Family members say his dream was to join the Secret Service and protect the President.

Madam President, I will read from a letter to the editor of the Knoxville News Sentinel written by a prominent Knoxville attorney, Billy Stokes. He

wrote about the escort of Frankie's body, delivered by a small airplane to the National Guard base and transported by a six-person military detail to a hearse, which then traveled from the airport to Madisonville in East Tennessee. Billy was one of the several hundred motorcyclists who road behind the police cars. This is what he said:

All along the route were thousands of well-wishers, many holding American flags. Lots of them were veterans, proudly holding crisp salutes as the procession passed. A significant number of those folks were crying. As we got closer to Madisonville, many young men and women were obviously grief stricken. I suppose they were school friends of Watson's.

I saw thousands of East Tennesseans trying to honor and respect a young man who has given his all for this country. Watson was a wonderful young man by all accounts from those who knew him best.

I am an Army veteran but did not experience the horrors of combat. I do know that we have an all-volunteer force protecting our liberty and freedoms every day. I am so glad that we don't seem to take them for granted. I've never been prouder to be an American and an East Tennessean than I was that day.

Another law enforcement officer, Tennessee Highway Patrol Sergeant Lowell Russell, helped raise Frankie and was a devoted friend and mentor. Not long ago, Lowell talked with a member of my staff in Knoxville, Jane Chedester, and told her about Frankie. He said that Frankie's love of serving the Madisonville Police Department was great. He told her about Frankie's dedication to honoring his State and his country.

Then, in March, Sergeant Russell was critically injured in a collision on Interstate 40 in West Knoxville when a tractor trailer hit his squad car as he sat on the shoulder finishing up some paperwork after a traffic stop. Earlier this month Lowell was discharged from the University of Tennessee Medical Center to continue his recovery in a rehabilitation facility.

Lowell is beloved by his community. A Facebook page dedicated to "Prayers for Sergeant Lowell Russell" is filled with loving prayers for Lowell. They call him "a wonderful man." They talk about his "huge heart." One says that "Lowell has done so much for everyone else."

Numerous efforts are being made to raise money to help Russell and his family with expenses.

Tennessee's General Assembly passed a resolution to honor Lowell, noting his "immeasurable contributions to his community as a Tennessee Highway Patrolman . . . who exhibits superior standards of professional conduct and ethics." It also says that "Sergeant Russell is wholly committed to noble precepts of public service that have earned Tennessee recognition as the 'Volunteer State,' and he should be specially recognized for his courage and gallantry as an esteemed member of the local law enforcement."

I add my great appreciation for Lowell to that expressed by our Governor and our general assembly. Honey and I pray for his strength in recovery and for strength for his family and friends during this very difficult time.

So Frankie Watson and Lowell Russell, we are proud of you. Find the good and praise it.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent to speak as in morning business.

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

Mr. DURBIN. I want to address the pending legislation before I go into a morning business speech—the Postal Reform Act that is before us. It is my understanding that we have an opportunity—

The ACTING PRESIDENT pro tempore. The Senate is currently considering the motion to proceed to the Violence Against Women Reauthorization Act.

Mr. DURBIN. Well, I renew my request to speak as in morning business.

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

POSTAL REFORM

Mr. DURBIN. Madam President, coming before us soon on the Senate floor will be the Postal Reform Act. This is a matter which is timely because we understand our Postal Service is in a situation where it is currently losing millions of dollars every single day. Because many things have changed in America—the use of the Internet, e-mail, bill payer—fewer people are using the Postal Service. Less revenue is coming into the Postal Service. So they are trying to reconcile today's demands with the actual costs they face.

Several years ago we said to the Postal Service: We think the day will come soon when you will have more retirees than actual workers, so start banking money for retirement and health care for those who will need it in years to come. We set a number—about \$5 billion a year—and they kept up with it for several years but then found they couldn't meet that requirement. So the Postmaster General came through with a sweeping plan in terms of cutting costs to the Postal Service. I understand the imperative to do that, although I question the premise of his statement because this is one of the first things he said: We are going to change the Postal Service, and the first thing we will do is slow down delivery.

If there is ever a marketing technique designed to fail, it is the announcement you are going to slow down the delivery of your product. Yet that is what he said, and I am sorry he did.

So now we are in the predicament or situation where we are trying to find

alternatives to the Postmaster General's proposals. We have been given until May 15. At a meeting in my office, which the Presiding Officer and the Senator from Vermont and others attended, the Postmaster General said: Yes, I will give Congress its chance to pass a bill to save money that might be different than my own suggestions.

Well, now is our chance. Unfortunately, we are tied up on the floor of the Senate. That is not a headline because it happens to be the normal state of affairs in this body. But imagine, if you will, that Senator REID, the majority leader, comes to the floor and says: We have this important Postal Service reform bill before us, and I think we should move forward on it and we should consider amendments that are relevant to that subject. In other words, if you have an amendment that is about the Postal Service and how to make it better, save money, make it operate in the black, come forward with that amendment.

There was an objection from the junior Senator from Kentucky. He said, no; he thought the Postal Service reform bill should be used to debate foreign aid to Egypt—foreign aid to Egypt. Not that foreign aid to Egypt is not an important issue; it is. But here is an issue that is timely and important and affects every single American, where the Senate has a responsibility to step up and do its job, with a deadline looming of May 15, and one Senator has said: No, not unless I can bring to the floor whatever I want to bring.

It is his right to make that request, and he has bottled things up pretty handily at this point. I hope he will reconsider.

I wish we could take up this bill right now and have a debate on the floor of the Senate about an amendment. How about that—have people disagree and actually have a vote. It would be like the good old days in the Senate. But, no, we are lurching from quorum call to quorum call and cloture vote to cloture vote, and those newcomers to the Senate may wonder if there was ever a day we debated issues.

We need to get this postal reform right. It is one of the most important institutions in America. It is protected and embodied in the Constitution. There are hundreds of thousands of men and women who are serving us in the Postal Service, one-fourth of them veterans who have served our country and have gone to work for the government.

When we ask people across America which function of government do you respect the most, the Postal Service comes out on top because we know our local letter carriers. In my neighborhood it is David Lasley. David has been my buddy for 20 years. I have known him for that long or longer, and he is a friend of my family. He is not just the

person who brings the mail. Others before him, the same way. It is a personal relationship with government that very few people have. But the letter carriers, the postal folks, the folks who do the processing and distributing are doing an important job.

The Postal Service has an amazing history. Just as a reminder, on May 7, 1833, there was a 24-year-old young man who was named postmaster general of a small town in central Illinois. It wasn't his last government job. The town was New Salem, IL, and the young man was Abraham Lincoln, who got his start in the Postal Service, which has a tradition that goes back even before then.

We need to work together on a bipartisan basis. I am glad Senator COLLINS and Senator LIEBERMAN are on the Senate floor. They have worked so closely together on a bipartisan basis to move us forward. Let's build a Postal Service that will serve us in the 21st century. Let's try to make certain we find new ways to cut costs that are reasonable, to enhance revenue that makes sense, and make certain in the process that we don't damage the brand. The U.S. Postal Service is the best in the world, the most affordable in the world, and we can make sure it continues to serve our Nation and our economy.

It is critically important to those of us who represent States with small towns. I know every small rural post office cannot survive—many of them have failed in the past—but we have to understand what a critical element that rural post office is to the culture of these communities, to the identity of these communities and, in some cases, to their very existence. So let's find flexible ways to reduce costs and still recognize that reality.

THE DREAM ACT

Madam President, 11 years ago I introduced the DREAM Act. At the time, Senator HATCH of Utah was my cosponsor. It was a bipartisan measure called to the floor of the Senate and, at one time, we had 12 Republican votes. The last time it was called we had 3. Unfortunately, over the years, it has not passed the Senate. I think it has received a majority every time we have called it but not the 60 votes which are now the norm in the Senate.

As a result, for 11 years I have been striving to change the law when it comes to immigration for a specifically small group of people. We are talking about people who came to the United States as children. They have been U.S. residents for a long period of time. They have good moral character. They have graduated from high school, and they are prepared to either serve in our military or to complete at least 2 years of college. This is a special group of people who, unfortunately, fall through the cracks in our current immigration laws.

I have met hundreds, maybe thousands of them now in the 10 years I

have been working on this issue. I know they dream of the day when they will have a country. Currently, they do not; they are undocumented. The only country they have ever known is the United States, but they just can't go forward. When it comes to college or a university, they get no help from the government unless the State they live in has a special arrangement but certainly no help from the Federal Government.

When they finish school many of them can't be the teachers, nurses, engineers, or doctors they want to be because it requires citizenship, which they do not have. We are trying to give them that chance.

I have come to the floor time and time again to introduce some of these young people to America so they can put a face with a name to the DREAM Act. The person I want to speak about today is named Yaniv Steltzer.

Yaniv was brought to the United States by his parents from Israel when he was just 3 years old. This is a photograph of Yaniv. Today he is 25. He grew up in America. Like every other American child, he believes this is home. In 2010, he graduated from Richard Stockton College in New Jersey with a bachelor of science degree in hospitality and tourism management. In college, he was chair of the Jewish Student Union/Hillel Club and was an active volunteer with several other student groups.

Yaniv's dream is to open a restaurant. He wrote a letter to me, and here is what he said:

I fell in love with cooking in high school when I took a home-economics class and I knew this is what I wanted to do for the rest of my life. I would love to give back to America by opening my own restaurant, creating jobs, contributing to the economy, and becoming a citizen in the country I love.

Now, let me tell you Yaniv's challenge. He can't become a citizen. His father was born in the United States, but Yaniv was born in Israel, so he is not an American citizen. Yaniv's father applied for Yaniv to become a citizen, but because the process took so long he became ineligible. Under our immigration laws, once Yaniv turned 21 his father could not petition for him to become a citizen any longer.

So Yaniv has lived in this country since he was 3 years old, his father is an American citizen, and he is undocumented. The only solution for him is the DREAM Act.

Here is what Yaniv told me about his situation:

America is the only country I know. I grew up here, all my family and friends are here and everything I know is in America. The DREAM Act is important to me and many others like me who are in the same situation. We have the resources to help this country greatly, but don't have that piece of paper that allows us to do this. I have high hope and optimism that Congress will do the right and humane thing, put all political issues aside and pass the DREAM Act.

Yaniv is right. I ask my colleagues, would America be a better place if we deported Yaniv Steltzer? Of course not. This young man grew up in our country. He has overcome the odds to achieve great success. He doesn't have a criminal background or any problems that we should be concerned about. He is no threat to us. He would make America a better country, a stronger country if we just gave him a chance.

Yaniv is not an isolated example. There are thousands of others like him around this country. Over the Easter break, I went out to Los Angeles and got a cab from the hotel to the airport. I looked at the cab driver's name and saw that his last name was Ark. I asked him: Where are you from?

He said: Take a guess.

So I said: France.

He said: No; I am from Belarus. My father was in the Soviet Army, and 15 years ago I came to the United States with my wife. She is a registered nurse, speaks English. I didn't speak a word of English when I got here, but I was able to come as a refugee from Belarus, which, of course, is where the last dictator in Europe presides—Lukashenko. He said: I came here and I started learning English. I just spoke Russian.

I asked: How in the world did you ever get a license to drive a cab?

He said: I had to work at it. I not only had to learn enough English to be able to have a successful business as a cab driver in Los Angeles, but I had to learn these streets and freeways and everything that came with it. He said: I did it, and now the son we brought as a citizen—my two kids—are now Americans, and 15 years later I own three cabs.

What a story. But it is not unique. It is the story of America, of people who said: I am sick and tired of where I am, and I have no chance here, but I know there is a place that will give me a chance. That was the story of my family. My mother was an immigrant to this country. I think it is the story of America.

So why do we, in this day and age, in the 21st century, have such a negative feeling about what immigration has brought, the diversity and strength it has brought to this country, and why can't we see the most fundamental question of justice when it comes to these children, these kids brought here as infants who only want a chance to do what this refugee from Belarus was able to do: make America a better place, build a life for himself, create a family that would be part of the American family.

I will continue this battle because I know all over the country there are people such as Yaniv Steltzer and many others who are waiting to see if the Senate can rise to this occasion, put politics aside, and do what is important for this country: show fairness, show justice, and give these young people a chance.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank Senator DURBIN for a moving statement and for his persistence in introducing the DREAM Act, which it has been my honor to cosponsor with him, among many others, and to support its passage. It is about basic fairness.

I think it also describes the reality, and the Senator reminded me of my own situation. We lived in my grandmother's house most of my childhood—my mom, dad, sisters, and I—and she was always one of the most patriotic Americans I ever met because she had something to compare America to. She was an immigrant from Central Europe. Particularly important to her was freedom of religion, and the respect she got from her neighbors for her religious observance, and, of course, the dream that her children and grandchildren would do better in this country, which was realized.

But I was moved by the Senator's report of his conversation with the cab driver. Maybe all of us need to do that. But when I get the immigrant cab drivers and they are a little older, I always ask: What are your kids doing? And it is quite amazing because they have the kind of excitement and sense of gratitude about the opportunity that America provides that sometimes people who have been here for a while, unfortunately, may lose. Their kids are all working hard, achieving, and contributing to this country.

We are at a time in our history where a lot of people are down about their future and down about America, which was never the case when the Senator and I were growing up—and I started growing up a little before the Senator from Illinois.

But when we think about these stories, it makes one feel good about how unique this country is. I know, because illegal immigration—people may take what I am about to say the wrong way. But I always say one of the great market measurements of the greatness of America today is that there is not another country in the world that more people are trying to get into—legally, I am talking about—and fewer people are trying to get out of than the United States of America. I think the DREAM Act recognizes that reality and is totally consistent with the values of our country.

I thank the Senator for his persistence. One day, I hope not too far from now, we are going to get that adopted into law.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

VIOLENCE AGAINST WOMEN ACT

Mrs. GILLIBRAND. Mr. President, I rise to join a strong and growing group

of my colleagues in support of the Violence Against Women Act, a commonsense bill that since it was first signed into law has always been an issue we could build a consensus around, both Democrats and Republicans alike. The reason for this is quite simple.

There is no room for tolerance of violence against women in the home anywhere in our society, and when we are talking about the safety of our families, there is simply no space for partisanship. That is why I am calling on my colleagues to not seek to block or delay this important piece of legislation any further. To do so is a disservice to the families so deeply affected by domestic violence every single day.

Anyone who is guilty of domestic abuse should be held accountable to the fullest extent of the law. Any victim of abuse should be empowered to speak out and to have access to help and support. Keeping women and families safe is a basic commonsense principle and one we have easily found agreement on since the bill was first passed, and we should be able to again agree on it today.

Every day an average of three women are murdered by a husband, a boyfriend, a partner. Every single day 600 women are raped or sexually assaulted. Millions of women and families rely on the help and support that the Violence Against Women Act provides to keep them safe. It is outrageous to turn the Violence Against Women Act into a political circus. When we allow ourselves to get bogged down in politics as usual, we are telling women and families across the country that their safety can wait for the next election.

Let's do better. Let's be better. Let's agree that women deserve access to basic justice and basic safety, and let's show the American people that we, as a body, can do what is right.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

POSTAL SERVICE REFORM

Mr. SANDERS. Mr. President, let me begin by once again thanking Senator LIEBERMAN and Senator CARPER and Senators COLLINS and BROWN for their long and hard work on this issue, which is of enormous consequence to the American people.

Sometimes what people inside the beltway perceive as opposed to what people outside the beltway perceive are two different worlds. I can tell you that back in Vermont—and I suspect in rural areas and States all over this country—people want to save the post

office. They know how important it is for small businesses, for our economy, and for their own needs. So the issue we are dealing with is a very significant issue, and I hope that as a Senate we can show America that we can come together regardless of political ideology. This is not a progressive issue, a conservative issue, Republican, Democratic or Independent. This is an issue that impacts tens of millions of Americans, and I hope we can move together as we should.

I wish to say a few words on the Postal Service and finances today. Everybody knows the Postal Service is, in fact, facing significant financial difficulties. Revenue at the Postal Service has gone down from about \$75 billion in 2008 to \$66 billion last year. In the midst of the digital revolution, first-class mail has gone down significantly—no debate about that—and it has been replaced and will continue to be replaced by e-mail usage and the Internet. There is no question but that this is a real issue that has to be addressed.

But let me be very clear that in terms of the revenue problems facing the Postal Service, the major problems we have are not just the decline in first-class mail. It is an issue that happens not to be the major issue. The major issue, in fact, is that the Postal Service has seen a significant loss in mail volume and revenue due to the most severe recession our country has faced since the 1930s. As the Postal Service indicated on May 30, 2010, "The effects of the recession account for two-thirds of the mail volume decline."

The first point we want to understand is, yes, decline of first-class mail is a real issue. But second of all, similar to businesses all over this country, revenue is being impacted by the recession. How we can get our country out of the recession, create more jobs, put more money into the hands of working people is, of course, a major issue we must address.

In that regard, I do wish to say that in the middle of this terrible recession, when real unemployment—real unemployment; it is not 8.2 percent but, in fact, is closer to 15 percent, counting those people who have given up looking for work, those people working part time—it would seem to me this body wants to do everything we can not to see 200,000 jobs slashed at the U.S. Postal Service, many of them decent-paying jobs, many of them union jobs.

We may not be able to save every one of those jobs; we want the Postal Service to be efficient. But on the other hand, I would hope we see as a significant priority that in the midst of a recession, we do not want to downsize a major American institution by 200,000 jobs—many of them, by the way, jobs belonging to veterans.

A couple months ago there was a whole lot of debate about how do we

create jobs for veterans. I can tell you one thing we don't do is downsize the Postal Service by 200,000 workers, many of them being veterans.

We talked about the decline in first-class mail being important. We talked about the recession being important. But I wish to raise another issue that I think many people are not familiar with and that has nothing to do with first-class mail, nothing to do with the recession or, in fact, e-mail or the Internet; that is, to a very significant degree, the major reason the Postal Service has been running a deficit since 2007 is due to accounting issues.

For example, everybody has to understand this issue if we are going to have an open and honest debate about the future of the Postal Service: Due to a law passed in 2006, the U.S. Postal Service—uniquely in America, uniquely within government, Federal, State, local, uniquely in terms of the private sector—has been forced to prefund 75 years' worth of future retiree health benefits in just 10 years—seventy-five years' worth of future retiree health benefits in just 10 years. There is no other agency of government that comes close to that onerous requirement, nor are there any companies in the private sector that have been asked to do that. This mandate costs the U.S. Postal Service between \$5.4 billion and \$5.8 billion per year.

So what I beg of my colleagues is when they look at the financial problems facing the Postal Service—which are real—do not forget that, because of this 2006 legislation, the Postal Service needs to come up with approximately \$5.5 billion every single year to prefund retiree health care. This is an important point, and I hope my fellow colleagues in the Senate are listening. One hundred percent of the Postal Service's \$20 billion debt from 2007 to 2010 is the result of this prefunding mandate. Let me repeat it. One hundred percent of the Postal Service's \$20 billion debt from 2007 to 2010 is the result of this \$5.5 billion per year prefunding mandate. Without this mandate, the Postal Service would have made a \$700 million profit from 2007 to 2010.

Let me repeat that, because these are facts that have not often been introduced into this debate. We have folks coming up here who are saying the Postal Service is collapsing financially and so forth and so on. But it is important to understand the facts, and the facts are that despite the worst recession—which we are currently in—since the 1930s, despite the competition from e-mail and the Internet, the Postal Service would have made a \$700 million profit from 2007 to 2010 if it was not forced to prefund future retiree health benefits.

In addition—and I hope people listen to this as well—during the first quarter of 2012, a few months ago, the U.S.

Postal Service would have generated a \$200 million profit had it not been required to prefund its future retiree health benefits.

I think as we debate these issues about the future of the post office, it is absolutely imperative that we understand the role of the \$5.5 billion every single year that the Postal Service has to come up with to prefund retiree health benefits.

A few months ago I asked the Inspector General of the Postal Service, whose name is David Williams, David C. Williams—he is the Inspector General of the Postal Service—I asked him to talk a little bit about what this prefunding of health benefits meant. I ask unanimous consent to have printed in the RECORD a copy of his letter, which is dated February 6, 2012.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF INSPECTOR GENERAL,
UNITED STATES POSTAL SERVICE,
February 6, 2012.

Senator BERNIE SANDERS,
Dirksen Building, U.S. Senate,
Washington, DC.

DEAR SENATOR SANDERS: For several days last week, I met with you and your staff to discuss solutions to the current financial crisis within the Postal Service. At the conclusion of those discussions, you requested that our office focus on one of the solutions that we presented which examined an option to address the current benefit fund financing. This proposal would eliminate the requirement for the Postal Service to make annual \$5.5 billion payments into its retiree health benefit fund, and allow the \$44 billion currently in the fund to grow with interest. No payments would be made from the fund until it is deemed to be fully funded, and the Postal Service would continue to directly pay the healthcare premiums for retirees. An additional element of the proposal would allow current overpayments of \$13.1 billion in the Postal Service pension funds to be refunded to the Postal Service. Any future overpayments would also be refunded in the year of occurrence.

Our analysis of this proposal shows that if it were adopted, the amounts in retiree healthcare fund would grow from \$44 billion to the \$90 billion estimated current liability, in 21 years. This \$90 billion projected liability is not a static or precise figure, as there are forces that will increase and decrease the liability. Historically, the figure has risen, but we note that the \$90 billion has not changed significantly over the last 3 years (\$87 billion in 2009, \$91 billion in 2010, and \$90 billion in 2011).

This solution is one option to provide needed short-term flexibility for the Postal Service to address its current financial crisis. It would alleviate payments due of nearly \$30 billion over the next 4 years, and provide an additional \$13 billion to address current needs. Though this would provide substantial relief, additional actions would be necessary to address remaining financial gaps between projected revenues and expenses during the next four year period.

To put the pension and retiree health funding issue into perspective, my office has conducted benchmarking to evaluate the Postal Service's prefunding levels as compared to both the public and private sector. The Postal Service has significantly exceeded pension

and retiree healthcare benchmarked funding levels of both public and private sector organizations. Using ratepayer funds, it has built a war chest of over \$326 billion to address its future liabilities, prefunding combined pension and retiree healthcare obligations at 91 percent. This is an astonishingly high figure for a company with such a large employee base.

For example, the Postal Service is currently over 100 percent funded in its pension funds. The federal government is funded at a much lower 42 percent level, and the military is funded at 27 percent. The average Fortune 1000 pension plan is funded at 80 percent, and only 6 percent of the Fortune 1000 companies have pension plans that are 100 percent funded.

Prefunding retiree healthcare is rare in the public and private sectors. We have been unable to locate any organization, either public or private, that has anything similar to the Postal Service's required level of prefunding of retiree healthcare benefits. The Postal Service is currently funded at 49 percent of its estimated current liability. The federal government does not prefund its retiree healthcare liabilities at all, and the military is funded at a 35 percent level. Only 38 percent of Fortune 1000 companies who offer retiree health care benefits prefund the expense at all, and the median funding level for those organizations is 37 percent.

I appreciate the opportunity to analyze this proposal, and describe it further. If you have any questions, please do not hesitate to call me or Wally Olihovik.

Sincerely,

DAVID C. WILLIAMS,
Inspector General.

Mr. SANDERS. If I might, because I think this is an important letter, I wish to report a significant part of it. I hope people appreciate what the Inspector General of the U.S. Postal Service is saying. This is a guy who knows something about the Postal Service. This is a letter to me.

Dear Senator Sanders:

For several days last week I met with you and your staff to discuss solutions to the current financial crisis within the Postal Service. At the conclusion of those discussions you requested our office focus on one of the solutions that we presented, which examined an option to address the current benefit fund financing. This proposal would eliminate the requirement for the Postal Service to make annual \$5.5 billion payments into its retiree health benefit fund, and allow the \$44 billion currently in the fund—

Let me talk about that. There is right now, as a result of these funding payments, \$44 billion currently in the fund—"to grow with interest."

What he is saying here, what happens if you have \$44 billion and it accrues, as it does, interest between 3 and 4 percent a year. Then he continues. If you did that:

No payments would be made from the fund until it is deemed to be fully funded, and the Postal Service would continue to directly pay for the health care premiums for retirees. An additional element of the proposal would allow current overpayments of \$13.1 billion in the Postal Service pension funds to be funded to the Postal Service.

This is also a point that has not been discussed at all. In fact, we do address it in the current legislation. That is,

not only is the Postal Service being asked to come up with an onerous \$5.5 billion a year to prefund future retiree health benefits, it is generally acknowledged—I think by everybody who has studied the issue—that the Postal Service has made overpayments of \$13.1 billion into the Federal Employees Retirement System and the Civil Service Retirement System, adding those two together. This is what he said, the Inspector General of the U.S. Postal Service:

Our analysis of this proposal shows that if it were adopted the amounts in retiree healthcare fund would grow from \$44 billion to the \$90 billion estimated current liability in 21 years. This \$90 billion protected liability is not a static or precise figure—

It varies a little bit is what he is saying—but essentially he says that if you don't add another nickel into the \$44 billion, it will grow to \$90 billion in 21 years and essentially take care of the payments it has to take care of.

The point I want to make clear is that in terms of future retiree health benefits, we already have \$44 billion in the account. In my view and in the view of people who know more about this issue than I do, it is not necessary to put more money into that account. That is an issue that this legislation attempts to address.

Let me conclude by saying the issue we are dealing with is of enormous consequence to our country. It is imperative, in my view, that we not shut down 3,700 rural post offices. I commend the Postmaster General. We have been working with him and he has moved away from that position. In my view, we have to do everything we can to make sure that we maintain very high standards for mail delivery in this country. So when a business puts a package in the mail, they know it will be delivered in a reasonable time. That is one of the strengths of the Postal Service. In my view, we do not want to shut down, as in the Postmaster General's original proposal, half the processing plants in this country which would slow down mail delivery service. In my view, we do not want to end Saturday mail. I think it is an important part of maintaining mail delivery standards.

But the main point I want to make today is, yes, the Postal Service faces financial problems. But not to understand the significant role—the causation of those problems that are a result of the \$5.5 billion in prehealth funding for retirees—is to miss a very significant part of this debate. I think it is fair to say in this bill we are beginning to address that issue and also address the issue of the overpayment from the Postal Service to the Federal Employees Retirement System.

Let me conclude by thanking Senators LIEBERMAN, COLLINS, CARPER, and BROWN for the work they have done. I hope we can have an intelligent and

constructive and kind of nonpartisan discussion as we go forward, with good amendments that are relevant, from both sides of the aisle.

The bottom line is that saving the Postal Service is enormously important for our economy and certainly for the tens of thousands of workers who are out there every day doing a great job for us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the Senator from Vermont for his statement but more broadly for his real steadfastness and the hard work he has done to improve the bill. It has been a pleasure to work with him.

Before Senator COLLINS came to the floor, and not counting the occupant of the chair, I was reveling in the fact that the only Senators on the floor were Independents.

Anyway, I thank Senator SANDERS. We have tried to deal with this problem. In the postal reform of 2006, Senator SANDERS is quite right, for various reasons which we need not go into the Postal Service was required to make payments into the retiree health benefit fund that were beyond what most any business or other governmental entity is doing, more than was necessary to sustain the payments and in a much shorter period of time, as the Senator from Vermont said.

I would say, to state it as bluntly as I can, maybe too bluntly, the people advocating this were, frankly, concerned that the Postal Service might get to a point where it defaulted, it was no longer able to operate, and then the fear was that the government, the U.S. Treasury, the taxpayers would at some point in the future be forced to pick up the cost of the retiree health benefits. So this uniquely demanding responsibility for payment now was put on the Postal Service.

I think everybody agrees, particularly in light of all the real problems the Postal Service has now, that is not sensible or fair. I do want to point out that in the underlying bill, S. 1789, we have attempted to ease the Postal Service's prefunding requirements for retiree health benefits by immediately beginning a stretched-out 40-year amortization schedule for these payments and we require the Office of Personnel Management, when determining how much the Postal Service has to put into the retiree health benefit fund every year, to use the same discount rate that is used to calculate the Federal Government's pension obligations to the Federal Employees Retirement System and the Civil Service Retirement System. The Postal Service thinks this accounting change will reduce their unfunded liability for the retiree health benefits plan by literally billions of dollars.

The other change made here is that right now the health benefits of retired

employees come out of the operating expenses of the Postal Service. That was going to be the case until a day later in this decade. But there is enough money in the fund that it can pick up money that the Postal Service has put in, that it can pick up the cost of health benefits for postal retirees now. So we require that. I want to state for the record we are trying to deal with that reality in the bill as it is and of course I state my intention to continue to work with Senator SANDERS to make this bill as good as we can, both in accomplishing the purposes we all have, which is to keep the Postal Service alive and well because so many people depend on it, and to do so in a much more fiscally responsible way, in every way in which that term might be understood, including the fairness of payments under the retiree health benefits plan, than has been the case before.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I, too, want to comment on this issue of the prefunding for the health care benefits of future retirees. I think it is important to note that when the 2006 law was written, the Postal Service supported this provision because it recognized that it had a huge unfunded liability for future health benefits and it knew it was important to start putting money aside to ensure that at the time those retirees needed to claim those benefits, the money would be there and the promises would be kept.

It was also important because we wanted to avoid the possibility of a system going into default and taxpayers having to step in to keep the promises the Postal Service has made.

The fact is the current liability is about \$46 billion for those retiree health benefits, the future retiree health benefits. That liability is a very real one. It is not going away. Nevertheless, we have taken steps in our bill, as Senator LIEBERMAN has described, to ease the funding by setting up a 40-year amortization schedule and by changing the discount rate. So those two provisions should save the Postal Service approximately \$2 billion—the exact number would be determined—each year, and that is obviously very welcome.

But I do want to address what I believe is another misconception, and that is that the funding for future retirees' health benefits is somehow the cause of the Postal Service's financial crisis. It is not. The fact is that the Postal Service has not made its payment of \$5.5 billion that was due to this fund in either of the last 2 fiscal years. Yet the Postal Service lost billions in both of those years, despite not paying the \$5.5 billion that was due to this fund. In total, the Postal Service has made only \$6.9 billion of the \$16.4 bil-

lion that was required in prefunding payments for the past 3 years, but has posted losses, total losses for those 3 years of \$26.9 billion. So it is certainly true that we can and should ease the funding requirement in light of the problems of the Postal Service. It is also true that we don't need to fund to 100 percent, which the 2006 law requires. If my memory serves me correctly, I believe we have lowered the funding level to 80 percent. Those provisions all have a substantial impact on lowering the annual payment.

I have two final points I want to reiterate. The prefunding requirement is not the cause of the Postal Service's financial crisis; and second, that \$46 billion liability is very real and it is not going away. Indeed, stretching out the amortization schedule, which I believe we should do, is going to actually cause that liability to increase because we will be paying it over a longer period of time.

Nevertheless, I think the changes that have been made in the funding for future retirees' health benefits make sense. I think they are financially responsible and they will provide some needed relief to the Postal Service without exposing taxpayers to the possibility of having to pick up the tab and without breaking the promise that has been made to postal employees.

Thank you, Mr. President.

Mr. LIEBERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Wyoming.

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

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

Mr. BARRASSO. I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

A SECOND OPINION

Mr. BARRASSO. Mr. President, this being tax week, people all around the country are sending in their tax returns. The deadline just passed yesterday—April 17—so people are focused a lot on what happens in Washington. They think about the IRS. They think about the money being sent and how that money is being spent. As people pay their annual tax bills, I wish to remind Americans about how the Obama administration is actually spending tax dollars on the President's unpopular health care law. That is why I come to the floor, as I have every week since the health care law passed, with a doctor's second opinion about the health care law.

I said at the time it was passed that there would be some new revelation,

some unintended consequence, something new that people would learn week after week. As someone who has practiced medicine for almost a quarter of a century taking care of families in Wyoming, I wanted to offer a doctor's second opinion, because I felt from the beginning that in spite of the many promises the President made, the bill that was actually passed and signed into law is one that is bad for patients, bad for providers—the nurses and the doctors who take care of those patients—and terrible for taxpayers.

So I come to the floor because it seems to me that instead of using much of the money to improve medical care in America, this administration is devoting hundreds of millions of dollars to what—the Internal Revenue Service. In fact, The Hill newspaper reported on April 9 of this year that the Obama administration is quietly sending an additional \$500 million to the IRS—the Internal Revenue Service. The headline is: "Obama administration diverts \$500M to IRS to implement healthcare reform law."

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Hill, Apr. 9, 2012]

OBAMA ADMINISTRATION DIVERTS \$500M TO IRS TO IMPLEMENT HEALTHCARE REFORM LAW

(By Sam Baker)

The Obama administration is quietly diverting roughly \$500 million to the IRS to help implement the president's healthcare law.

The money is only part of the IRS's total implementation spending, and it is being provided outside the normal appropriations process. The tax agency is responsible for several key provisions of the new law, including the unpopular individual mandate.

Republican lawmakers have tried to cut off funding to implement the healthcare law, at least until after the Supreme Court decides whether to strike it down. That ruling is expected by June, and oral arguments last week indicated the justices might well overturn at least the individual mandate, if not the whole law.

"While President Obama and his Senate allies continue to spend more tax dollars implementing an unpopular and unworkable law that may very well be struck down as unconstitutional in a matter of months, I'll continue to stand with the American people who want to repeal this law and replace it with something that will actually address the cost of healthcare," said Rep. Denny Rehberg (R-Mont.), who chairs the House Appropriations subcommittee for healthcare and is in a closely contested Senate race this year.

The Obama administration has plowed ahead despite the legal and political challenges.

It has moved aggressively to get important policies in place. And, according to a review of budget documents and figures provided by congressional staff, the administration is also burning through implementation funding provided in the healthcare law.

The law contains dozens of targeted appropriations to implement specific provisions. It

also gave the Department of Health and Human Services (HHS) a \$1 billion implementation fund, to use as it sees fit. Republicans have called it a “slush fund.”

HHS plans to drain the entire fund by September—before the presidential election, and more than a year before most of the healthcare law takes effect. Roughly half of that money will ultimately go to the IRS.

HHS has transferred almost \$200 million to the IRS over the past two years and plans to transfer more than \$300 million this year, according to figures provided by a congressional aide.

The Government Accountability Office has said the transfers are perfectly legal and consistent with how agencies have used general implementation funds in the past. The \$1 billion fund was set aside for “federal” implementation activities, the GAO said, and can therefore be used by any agency—not just HHS, where the money is housed.

Still, significant transfers to the IRS and other agencies leave less money for HHS, and the department needs to draw on the \$1 billion fund for some of its biggest tasks.

The healthcare law directs HHS to set up a federal insurance exchange—a new marketplace for individuals and small businesses to buy coverage—in any state that doesn’t establish its own. But it didn’t provide any money for the federal exchange, forcing HHS to cobble together funding by using some of the \$1 billion fund and steering money away from other accounts.

The transfers also allow the IRS to make the healthcare law a smaller part of its public budget figures. For example, the tax agency requested \$8 million next year to implement the individual mandate, and said the money would not pay for any new employees.

An IRS spokeswoman would not say how much money has been spent so far implementing the individual mandate.

Republicans charged during the legislative debate over healthcare that the IRS would be hiring hundreds of new agents to enforce the mandate and throwing people in jail because they don’t have insurance.

However, the mandate is just one part of the IRS’s responsibilities.

The healthcare law includes a slew of new taxes and fees, some of which are already in effect. The tax agency wants to hire more than 300 new employees next year to cover those tax changes, such as the new fees on drug companies and insurance policies.

The IRS will also administer the most expensive piece of the new law—subsidies to help low-income people pay for insurance, which are structured as tax credits. The agency asked Congress to fund another 537 new employees dedicated to administering the new subsidies.

The Republican-led House last year passed an amendment, 246–182, sponsored by Rep. Jo Ann Emerson (R–Mo.) that would have prevented the IRS from hiring new personnel or initiating any other measures to mandate that people purchase health insurance. The measure, strongly opposed by the Obama administration, was subsequently dropped from a larger bill that averted a government shutdown.

Mr. BARRASSO. This money is transferred outside the normal appropriations process. That is a concern. The money is transferred outside the normal appropriations process. It goes to the very tax agency that is responsible for implementing many of the key provisions of the health care law.

One would think that maybe we would have doctors and nurses implementing many of the provisions of the health care law. No, we have the IRS. This includes the controversial and unprecedented mandate that all Americans must buy a government-approved product—health insurance.

We remember the Supreme Court just held hearings on this unprecedented mandate. Seventy percent of Americans believe it is unconstitutional. They believe that either part or all of the health care law ought to be ruled unconstitutional. Yet the article says that the Obama administration’s Health and Human Services Department has, to date, transferred almost \$200 million to the IRS over the past 2 years and plans to send another \$300 million this year. These secretive transfers hide the true cost of the health care law. They also make it difficult for Congress to perform the agency oversight that is part of our obligation.

So I look at this and I say this law is bad. It is bad, I believe, for our patients and providers and taxpayers. I look at the way it has been structured and the way this money is being transferred and I think it highlights the problems with the law. What does the IRS intend to do? They want to hire more than 300 new employees next year to implement the Tax Code changes, such as the taxes imposed on drug companies, device manufacturers, and health insurers. This bill is a laundry list of taxes and fees. The IRS also has to implement and monitor the laws of the priciest component—the exchange subsidies. For this, the IRS is asking Congress to fund another 537 new employees dedicated to administering just the subsidies.

Last week Ways and Means Committee Chairman CAMP sent a letter to the IRS Commissioner asking that the Commissioner provide specific details about these reports.

Chairman CAMP specifically asked the IRS Commissioner to tell the committee how many employees are being hired and which tax increases the agents will be working on. The American people deserve to know how their dollars are being spent, where these tax dollars are being used, what the IRS is doing with the money. They deserve to know because the health care law actually increases the IRS’s power to insert itself into the American people’s lives.

How is it the health care law increases the IRS’s power to insert itself into Americans’ lives? By, one, having the IRS verify that Americans have acceptable government-approved insurance; also by having the IRS penalize Americans if they do not have acceptable government-approved insurance; also by having the IRS confiscate Americans’ tax refund dollars if they do not have government-approved insurance; and, finally, by having the

IRS have additional power in terms of auditing our American citizens’ lives.

This is all included in the health care law. This is not health care reform. The IRS should never be allowed to intrude into the private health care decisions of the American people. The American people deserve to know how this alleged \$500 million transfer is being spent and how many additional IRS agents will be hired to investigate their private health care decisions.

When Americans send their hard-earned dollars to Washington, they want to make sure their money is being spent wisely. The American people want to know they are getting value for their tax dollars. They do not want their dollars to create more bureaucracy and further invade their privacy.

So I come to the floor, as I have over the last couple years since the health care law has been passed, with a doctor’s second opinion. This health care law did not provide the American people with what they wanted, which was the care they need, from a doctor they want, at a price they can afford. Instead, what they are seeing is the President’s promises have been broken.

The President promised if someone likes their care, they can keep it. We now know that is not going to be true for many Americans. The President promised health care costs would actually go down instead of going up and he told Congress and he told others the health care insurance costs would drop \$2,500 per family. Instead, what families across the country have seen is that their health care premiums have gone up by about \$2,100 a year since the health care law has gone into effect, rather than going down. So we hear the President’s promises and we see the reality on the ground.

When I travel Wyoming and talk to folks and ask: How many of you believe under the health care law your own costs—your own costs—are going to go up, despite the President’s promises they are going to go down, every hand goes up. When I ask the question: How many of you believe the quality of your own care—which is what people are concerned about: their own care, their own family—how many of you believe the quality of your own care will go down, again, every hand goes up. That is not what Americans want: paying more and getting less. That is why it is time to repeal and replace this terrible health care law.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

POSTAL SERVICE REFORM

Mr. TESTER. Mr. President, I rise to discuss this postal reform bill. The Postal Service keeps rural America connected. It helps Montana seniors receive everyday necessities such as medicines, it allows our small businesses to conduct business, and it even makes sure our election ballots get counted on time. That is why this reform bill is so critically important all across rural America.

First, I wish to thank my colleagues on the committee for their hard work on the substitute amendment to the postal reform bill. I want them to know how much I appreciate their efforts to work across the aisle with my colleagues and me to address several of our concerns with this bill. This bill has come a long way from the version I opposed in committee. But there is still a lot of work that needs to be done to make sure it works for rural America.

I have been working for several months on some changes, such as preserving the requirement for overnight delivery and providing better protection for rural communities that could lose their post offices. But we need to go further to find more ways to keep rural post offices open and functioning. That is why Senator FRANKEN and Senator LEVIN and I have submitted an amendment to prevent the Postal Service from closing a post office if it leaves rural communities without sufficient access to Postal Services, from buying stamps to regular mail service.

Our amendment gives the Postal Regulatory Commission more teeth in being able to reject the Postal Service's efforts to close post offices and mail processing facilities if the Postal Service does not follow the criteria laid out in the bill.

The Postmaster General is seeking to close around 3,700 post offices and over 200 mail processing facilities in this country.

This bill will result in the reduction of another 100,000 postal employees. It will rewrite the rules of workers' compensation across the entire Federal Government. In short, it will change the lives of many people—to say nothing of the millions of Americans who will be impacted by a change in mail service.

With this in mind, I think it is critically important that the upper management at the Postal Service and the Board of Governors lead by example. That is why I am offering an amendment to reduce the number of Governors on the Postal Board of Governors from nine to seven. The Board is currently not at capacity, and it should be encouraged to work with the six Governors who presently sit on the Board.

Governors receive compensation for expenses and a stipend of about \$30,000 a year, with total compensation up to

about \$42,600. It seems like a small savings. However, reducing up to \$80,000 a year by cutting two positions could save three post offices in my State: For example, in Dupuyer or Wyola or Coffee Creek.

We need to make sure everyone is tightening their belts, not just the folks who depend on mail service or the employees who will be forced into retirement or laid off over the next few years.

My final amendment limits the six most senior postal executives—including the Postmaster General—to a base salary of not more than \$200,000, which is what a Cabinet Secretary makes.

I know there are some folks who think the Postal Service should be a private enterprise and that the pay of the postal executives should reflect that. But the reality is, the Postal Service is a public service. It is right there in the Constitution that the Congress has the power to establish post offices. You cannot get much more public than that.

Again, the savings from this amendment may seem like a drop in the bucket, but saving just \$200,000 a year in reduced executive compensation is the same savings we would get from the closure of the mail processing centers in Helena, Montana's State capital, and Havre, an important town in north-central Montana.

To me, the choice is simple. If the Postal Service is out of money and painful cuts have to be made, they need to be felt up at the top as much as at the bottom.

I hope we get a chance to consider these amendments. They are relevant to the bill. This is a debate that is long overdue. It is time to have a serious debate in the Senate about what we want the Postal Service to look like. That is why I voted to begin the debate on a bill I cannot support yet. I want to get to the point where we have a bill that is going to save the Postal Service and not lead to its dismantling.

So let's have the debate, let's look at amendments, and let's start voting.

I'd like to add one additional point that is of critical importance to rural America.

I have expressed my concern that the Postal Service is rushing to close rural post offices, and I have asked the Postmaster General to find alternatives to this effort.

Many people aren't aware that, in rural America, nearly 90 percent of postal facilities are owned by private parties and leased to the Postal Service, rather than the Postal Service owning those facilities itself. Across the nation as a whole the Postal Service leases more than one-third of its facilities.

Without the Postal leasing program, the Postal Service would not be able to meet its mandate of universal service. It would not be able to provide mail

service to huge swaths of our nation in rural America. By partnering with the private sector, the Postal Service has facilities and provides service without the enormous expense of constructing, owning and maintaining its own buildings.

More than 40 of the postal facilities in Montana are leased by the Postal Service. In all, more than 3,000 private property owners lease facilities to the USPS across America. Without the Postal leasing program, the infrastructure to serve many parts of America either would simply not exist or would require massive expenditures on building facilities that the Postal Service cannot afford.

As the Postal Service explores options about the future of rural post offices across America, I urge it to look carefully at the leasing program and to realize the role it plays in saving money and providing universal mail service. Both of those roles are critically important. So as we make the tough choices about the how we can preserve rural post offices, I hope that the Postal Service will continue to consider the leasing program as part of its future.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

RESTORE ACT

Mr. WICKER. Mr. President, this week marks the somber anniversary 2 years ago, on Friday, April 20, 2010, of an explosion on the Deepwater Horizon oilrig in the Gulf of Mexico which took 11 lives and triggered the worst oilspill in American history. We still remember the families of those who were lost and those who were injured on that fateful day. We are forever grateful to the thousands of volunteers and relief workers from all over the world who responded in the wake of this disaster.

In Mississippi, like other Gulf States, the BP oilspill caused immeasurable damage not only on the shoreline but also to all sectors of our economy. Misperceptions of tainted seafood and oil-covered beaches devastated our seafood and tourism industries. Local businesses already challenged by a difficult economy were crippled by the disruption in market demand.

The moratorium that the Obama administration put on drilling cost our

economy critical jobs related to domestic energy production and its associated support industries. The administration's delays on drilling permits are still stalling job creation along the gulf coast.

Many of my colleagues and I have come to the floor in recent weeks to talk about a better energy policy, specifically to offer solutions to lower gas prices. The administration's slowdown of domestic energy production keeps us dependent on foreign energy providers, ultimately hurting Americans at the pump.

There is no doubt that the residents of Mississippi and other Gulf States are resilient and have persevered through unprecedented circumstances. But there is work left to do. I urge all of my colleagues to remain committed to the coast's full recovery. I applaud the Senate's recent bipartisan passage of the RESTORE Act as part of the Transportation bill. It is imperative that coastal communities have the resources they need to rebuild and revitalize.

Under the provisions of the RESTORE Act, local officials will have the ability to prioritize the economic and ecological projects that are most critical to their own recovery. Local communities are in the best position to make these decisions, and needless government redtape should not stand in the way. Directly distributing Clean Water Act fines would ensure that the affected parties are compensated accordingly.

The RESTORE Act is an encouraging step forward for all Gulf Coast States.

I urge the House of Representatives to show the same support for the gulf coast in passing this important piece of legislation. Both parties can agree that the revitalization of our Gulf States is a priority and that providing local perspectives is vital to our recovery efforts. The disaster that occurred 2 years ago was an extraordinary tragedy with long-term consequences, and we cannot forget about the needs that persist.

The gulf coast provides one-third of the seafood harvested in the continental United States. The gulf coast is home to 6 of our country's 10 largest commercial ports. Mississippi and all Gulf States make up a vibrant part of this country, and the residents and businesses there are key contributors to the national economy.

There is no doubt that keeping our gulf strong is vital to our national interest, and part of that would be the passage of the RESTORE Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I concur with my friend from Mississippi on the importance of passing the RESTORE Act. It is in our transportation reauthorization bill, and it is an important

part. It not only helps the Gulf States but all the States that border oceans in this country. It is an important part of the bill that we worked out in a consensus manner in the Senate.

I take this time and ask unanimous consent that I may speak as in morning business.

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

SURFACE TRANSPORTATION ACT

Mr. CARDIN. Mr. President, we need to pass a long-term transportation reauthorization bill. The Senate has done this. The Senate passed its bill 2 months ago by a very strong margin of 74 to 22. I call it a consensus bill and not a bipartisan bill, because we went beyond bipartisan. This bill came out of the two committees of jurisdiction, the Banking Committee and the Environment and Public Works Committee, by a unanimous vote. The Finance Committee dealt with the financing provisions.

This bill gives us predictability in transportation funding. Here is the problem: The other body, the House, is currently working on a bill that would basically be a short-term extension of our transportation program. We need a long-term commitment as to the Federal partnership in transportation. We need that for many reasons. We need it for predictable funding so our local governments can commit to do the types of transportation programs that are necessary for our safety, necessary for economic expansion, and necessary for our communities.

We are missing the construction season by the failure to enact a long-term transportation reauthorization plan. Major projects cannot be planned—whether it is to replace a bridge, major maintenance programs, new highways, or expansion of our transit systems.

This translates into jobs. We are in a recovery. We all want to do everything we can to maintain and expand job opportunities in this country so our economy can recover at a quicker pace. The transportation reauthorization bill that passed the Senate is responsible for 3 million jobs.

In my State of Maryland, 28,700 jobs are connected to the passage of the transportation reauthorization program—21,000 in highways and over 7,000 in transit.

The Senate bill, as I pointed out, was a consensus bill. It was done in the finest manner of legislating. I compliment Senators BOXER and INHOFE on the Environment and Public Works Committee, on which I serve, for marshaling this bill through. There were numerous challenges in the Senate, and a number of committees had to consider it and, of course, there was floor consideration. During that entire process, we maintained the consensus and the balance that is important.

Let me point out that here you have a bill that invests in transit and roads

and bridges. We were able to reach a compromise to make sure that both priorities were preserved in the transportation reauthorization bill.

I authored an amendment, with Senator COCHRAN, that dealt with local input into the transportation decisions. We had the right balance between the Federal Government's partnership working with our States but allowing the locals to have input particularly on transportation enhancement programs. We have reform in our bill that consolidates a lot of specific programs into broader programs, providing greater flexibility, but still maintaining accountability on the Federal partnership.

During this most recent work period, when we were off for Easter and Passover, I visited various parts of Maryland. I was down in western Maryland, Appalachia country. I heard firsthand how important reauthorization of this transportation bill is to the economy of western Maryland. This is a rural part of our State. They need to build a north-south highway that will connect Pennsylvania, West Virginia, and Maryland. The bill we passed—the transportation reauthorization bill—contains some very important provisions to allow that highway to be constructed. It provides toll credits so Pennsylvania can complete an important segment of this north-south highway. It also contains a stronger match so that it makes it more feasible that we can move this highway to completion. The completion of the north-south highway means jobs and hope to the people of that region of America. It is very important to get that done. It will mean jobs. They told me—the companies that are directly dependent upon that highway being constructed—if we don't pass a multiyear reauthorization bill, that project gets delayed. Once it is delayed, we lose job opportunities.

I also spent part of the work period visiting other parts of Maryland. I was a few miles from here at the Metro Command, at the Carmen Turner facility in New Carrollton, where they operate the bus and rail command center for the Nation's transit system, which is both bus and rail in this area. It is the Nation's system. The Federal Government depends upon this, upon the Washington transit system. Many people who work in the Capitol come to us through the transit program. It is true in all of the Federal facilities.

That is an aging system. The rail system needs to be repaired. It is the second busiest rail transit system in the Nation. It is in desperate need of repair. Without predictable funding, major projects will be delayed. I will give you a list of some of the projects we need to do for the Washington metro transit system:

Overhauling the Landover and Southern Avenue bus maintenance shop in

Prince George's County, MD; improving perimeter security at the Bladensburg bus garage, also in PG County; complete the design and construction of 10,000 feet of test track at Greenbelt that is needed to test the new, safer 7,000 series railcars due to arrive in 2014.

I remind my colleagues that we had a tragedy on the transit system here not too long ago. There was a study done as to improvements that need to be made, including replacement of railcars to safer cars. These changes need to be done to improve safety of people who depend upon the transit system in this region. Also we need to continue to implement systemwide switch testing and replacement needed to comply with the National Transportation Safety Board's safety recommendations following the June 2009 red-line crash. All of that will be delayed. Yes, safety will be put at risk if we do not pass a reauthorization of the transportation program.

It is interesting that one part of my State is very rural, which I visited, and the other part of the State is urban, and it is important to that region. It is important to the entire country. We need to get this done. Every State is impacted by bridge replacement, highways, and transit.

The Maryland Department of Transportation tells me that due to the uncertainty, they are planning on a 20-percent reduction in the projects that would otherwise be done in this year. That will have a huge impact on our workforce—a huge impact on our economy.

As I am speaking, the House is taking action. It is going to pass a short-term extension. That is not good enough. That doesn't solve the problem. That doesn't give us the predictability or allow us to complete the north-south highway in western Maryland, or make the improvements we need to in the WMATA system, or in any State, to be able to move forward with transportation projects. That is not good enough. We need to do more.

However, I am pleased to see the House taking some action. I urge that as soon as they complete action, let's get into conference and resolve the differences between the House and Senate and get a bill back on the floor as quickly as possible. We did our work. We passed a bipartisan consensus bill. They are passing a partisan bill in the other body. They are delaying things again. That is not good.

Let's get together and complete a conference as quickly as possible. Let's get Americans back to work building roads and transit systems that are vital to the continued economic recovery of this Nation.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. RUBIO. I ask unanimous consent to speak as in morning business.

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

Mr. RUBIO. Mr. President, I think this is topical to the item we are debating, which is to proceed to the Violence Against Women Act, and I wish to take a moment to highlight a couple of egregious examples around the world where young girls and women are being threatened by violence in what remains a scourge throughout the planet, and then I will focus on here at home as well.

On April 17—and this is a pretty shocking incident—about 150 Afghan school girls were poisoned after drinking contaminated water. It appears by all signals that it was a deliberate contamination of the water. They are blaming this on conservative radicals who are opposed to female education. So there is evidence to suggest that 150 girls from Afghanistan were poisoned because they went to school. This is happening in the 21st century.

A new report from the Human Rights Commission on Pakistan says there were 943 Pakistani women killed in 2011 and they were killed for "honor." Of the 953 victims, 93 were minors. Around 595 of the women killed in 2011 were accused of having "illicit relations," and 219 of them were accused of marrying without permission. Again, this is the 21st century we are talking about where these things are happening. In fact, this same report, in 2010, says there were 791 honor killings of women in Pakistan.

Here is one that is really disturbing and very sick. In South Africa, a group of young males in Soweta were filmed raping a 17-year-old who was believed to be mentally ill. In fact, the term "rapevideo" was trending on Twitter in South Africa on Wednesday. It is estimated by some organizations that a woman is raped every 26 seconds in South Africa. There is a report with regard to this specific Soweta rape that the men promised the girl 25 cents if she kept silent.

Let's turn to our hemisphere for a moment, where, tragically, of the 25 countries around the world with the highest homicide rates for women, 14 are in Latin America and the Caribbean, according to a recent survey by a Geneva-based research organization called Small Arms Survey. The three most dangerous countries for women were El Salvador, Jamaica, and Guatemala, respectively.

As a region, a U.N. study found in 2011 that the Americas, including the

United States and Canada, were ranked second only to Africa for female homicide rates. While females represent only 10 percent of the murder victims in the Americas, the sheer level of violence in the region, particularly in Latin America, puts women at risk.

Here at home, I was honored a few weeks ago to sign a letter, along with Senators KIRK, BLUMENTHAL, and CORNYN, which we wrote to about 40 organizations back on April 12 to inform them that the parent company of the Village Voice publications they advertise on owns backpage.com, an online classified advertising Web site linked to dozens of child-trafficking cases in this country. We asked these companies, charitable organizations, and public, educational, and cultural institutions to work together to use their economic influence to stop this from happening, to stop this online child sex trafficking that is being facilitated by sites such as these.

I want to report to my colleagues today that there has been some progress. This letter is already having an impact. We have had representatives from two of the recipients of the letter respond that their companies will quickly act to end their advertising on the Village Voice publications.

The fact is what I just outlined now is happening here in the United States of America. I highlighted things happening around the world, and I highlighted a case of something we can be doing right now here in the United States.

The reason I come to the floor on occasion to speak about human rights violations that are happening around the world and in our own country is to remind us that atrocities are not just things that happened in history, they are happening today. If we just open a newspaper and open our eyes, we will find modern-day atrocities that rival things we have read about in history. Things we might believe are unimaginable or impossible are occurring in this century. Here in our country, we have instances such as this, where it is estimated that up to 300,000 children could potentially be at risk—300,000 people, young women, children, et cetera, in our hemisphere—to become victims of human trafficking. Part of that happens here in our own country. So we have an obligation to focus on these issues.

I will continue to use this forum and any opportunity I get to highlight human rights abuses that are happening across the world and in our own country because awareness is always the first step toward confronting these issues. The notion that one can somehow get away with this without condemnation encourages people to do more of it, encourages people to think they can get away with it, encourages people to think it may even be culturally acceptable. It is not culturally

acceptable for any civilized people to stand by and watch human beings being enslaved, trafficked, abused, or targeted. We cannot stand by silently—and I am not claiming anyone in this Chamber does this—and argue that it is culturally acceptable to carry out an honor killing of a woman because she got married without permission. That is outrageous and it is absurd. It has no place in our world.

If this Nation is to remain a leader on human rights, then those of us who serve it have an obligation to use forums such as this to call attention to egregious examples, such as those I cited today, and to condemn them in the loudest voice possible. So in the weeks and months to come, I hope to continue to come to the floor and provide not just examples of abuses happening around the world but also examples, such as the one I finished with today. That is an example of how we can, working across the party aisle in this Chamber, work collaboratively to do something about it. This letter to the advertisers on backpage.com in the Village Voice is just one example of the things we can be doing to ensure we condemn and put a stop to some of these most heinous practices.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, before I proceed to the Senator from Missouri, I want to thank my friend from Florida for his principled and passionate statement. He speaks from his own experience—his family's own experience in leaving a dictatorship in Cuba and coming to the freedom of this country, but he speaks more broadly from the depths of American history and American experience. We are a very different nation. We are different from our beginning because we defined ourselves not by our geographical borders but by our values and the values expressed in the Declaration of Independence about those human rights, that life, liberty, and the pursuit of happiness are the endowment of our Creator. Those rights, obviously, were not just the endowment God gave the people of the United States but all human beings anywhere on this planet. It is what makes us a great nation. I think the extent to which we hold to that principle that was the motivation for our founding is one by which we can measure ourselves day by day.

I really appreciate that the Senator from Florida has committed himself both to the upholding and the application of the principle of human rights, the sanctity of human rights, and America's role in protecting them, and to persistently continue to come to the floor to speak of particular cases where that principle is being violated. I happened to be on the floor for the postal reform bill, but I wanted to take this opportunity to thank him for his very compelling statement.

I yield the floor to my friend from Missouri.

The PRESIDING OFFICER. The Senator from Missouri.

POSTAL REFORM

Mrs. MCCASKILL. Mr. President, I spent a lot of my childhood in a very small town in Missouri. From the time I was about 3 years old until the fourth grade, I lived in a town called Lebanon, MO. My dad was a life insurance salesman and sold life insurance, in fact to many of the soldiers at Fort Leonard Wood, and my mother's family had the corner drugstore about a block off Main Street in Lebanon, MO.

I have fond and vivid memories of my childhood in Lebanon, and one of them was the trip I would take whenever I was hanging out down at my family's drugstore. This was my great-uncle and great-aunt who had raised my mother, so they were like my grandparents. He was the pharmacist and she ran the lunch counter at the drugstore, and I would go with my great-uncle on his run to the post office. We would walk up 2 blocks and go into the post office. I even remember how it smelled. I remember how it looked. I remember what happened there. My memory is that it was a gathering place, that I would have to tug on my great-uncle's coat and say, "Let's go, Uncle Tom. Let's go" because he would invariably find people at the post office with whom he needed to visit. It wasn't a big place, but it was a very important place in Lebanon, MO.

I rise today to talk about an amendment that will save that sense of community for dozens of rural towns in Missouri. I am very aware, as a former auditor and someone who spends a lot of time looking at our budgets and trying to figure out the numbers, of the crisis we have in terms of the fiscal sustainability of our Postal Service.

I commend the work of the committee on which I am lucky to serve with Senator LIEBERMAN as the chair and Senator COLLINS as the ranking member. It is one of the places where we have maintained strong bipartisanship in the Senate. In fact, I believe Senator LIEBERMAN's committee could serve as a role model for other committees on how to work in a bipartisan way. And I commend Senator CARPER and many others—Senator BROWN of Massachusetts and also Senator MERKLEY—who have worked on this amendment, also, trying to find a way to save these rural post offices.

I know we have a problem here, but when we look at the numbers, closing rural post offices doesn't help. It is 1 percent—less than 1 percent—of the budget. It is less than 1 percent of the amount of savings we need to save out of the postal budget. So in 167 different communities in my State, something that is essential far beyond the bricks and mortar to those communities would close all in the name of less than

1 percent. That doesn't make sense to me.

The strength of our Postal Service has been that it is reliable, that it is affordable, and that it goes to the very last mile. What will we lose in these communities if we shut down these post offices? Senior citizens would lose a place where they can depend on getting their prescription medicines. Many of these communities have no pharmacies—in fact, most of them don't—and they rely on the mail for their drugs. Small business owners would lose a shipping location. The small business owners in these rural communities depend on that post office to take packages to and to receive packages from. I think this is a sacrifice we should not make. These post offices are worth fighting to save.

When I go home and meet with Missourians and when I get outside of St. Louis and Kansas City and Springfield and Columbia, almost every single time, someone walks up to me and talks about their post office. They feel strongly that it is the one symbol they have in their community that makes them viable as a community, and I would hate to see them lose it.

I believe we should look at the closure of these post offices as a very last resort. Frankly, to me, it looks knee-jerked because it doesn't appear to me to be very thoughtful. I have not been able to get the post office to even give me the rhyme or reason as to why some of these post offices are closing. Very few of them save a significant amount of dollars.

This amendment would impose a 2-year moratorium on rural post office closures to allow the Postal Service to enjoy some of the reforms that have been put in this bill in a very thoughtful and thorough process by Chairman LIEBERMAN and many of his colleagues. It would also say after 2 years that there is a specific list of transparent criterion that must be considered before a post office could be closed.

First, it would have to ensure that seniors could retain the same access to their prescriptions they receive in the mail, that seniors and those with disabilities would have the same access to postal services they currently do, and make sure small businesses are not financially harmed by a rural post office closure.

This is not kicking the can down the road. This is being more thoughtful about preserving the part of the Postal Service that defines it. I am hopeful this is not a Republican or a Democratic issue. I am hopeful this is a rural issue.

We all know the last mile is the most expensive. Throughout the history of our country, government has stepped in and done a little more to give services the last mile. No business model in the world works when you have to take services that last mile down that one

road, all the way down to a house at the end of the road sometimes several miles. It didn't work for electricity, so we did things to help with rural electric co-ops. It didn't work for phones, so we did the USX fund to help with phones. It didn't work for broadband, so we stepped in and have done things to assist with broadband. Now we are going to say to these rural communities: The last mile is not as important. These post offices are not as important. We can make due without it.

I think that is a big mistake, and I hope we can save these rural post offices. This is very important in my State, and I want young girls who are growing up in these small communities to have the same warm and fond memories of the local post office that I carry with me every day.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank Senator McCASKILL for her statement. What is interesting, this is one of those cases where maybe we appreciate something more than we would every day when we think it may disappear. It is true of institutions as well as people. There is no question that post offices, both in rural areas and small towns—and I will say for Connecticut, in neighborhoods and cities—that the post office has played an important community-building role. But beyond that, in a tough time economically, a lot of people depend on those post offices for their mail, for their prescription drugs, and for the business interactions they need. But here is the other side of it, which my friend from Missouri knows very well.

We have 32,000 post offices in America. If we consider them to be retail outlets, which they are, that is more retail outlets than Walmart, Starbucks, and McDonald's combined. But we are talking about necessities. So we are very concerned that post offices not be closed in a precipitous manner if some have to be closed.

So as my friend from Missouri knows, we put language in this bill that doesn't stop the process of review but forces the Postal Service to consider other options, such as consolidating post offices within a reasonable distance, reducing the number of operating hours, for instance, and permitting a contractor or a rural carrier to provide retail services in the communities served by the post office.

We also allow an appeal to the Postal Regulatory Commission, and I know there are other amendments that will come in to strengthen that part of the bill.

We have to find a balance between the financial pressures on the post office—which, if unresponded to, will take it down—and the continuing dependence that millions of American people, including in small towns and rural areas, have on the post office.

Just a final word. Some of our colleagues have come to the floor and spoken about the post office as if it was in its entirety a relic which has no purpose anymore because of the Internet. Obviously, the Internet is affecting the volume of first-class mail. But the fact is today—I repeat, every day 563 million pieces of mail are delivered by the Postal Service, as you said, consistent with the promise of universal service anywhere you are, anywhere your business is.

Incidentally, that capacity to deliver to the last mile is one of the great, unique, irreplaceable assets of the Postal Service, so irreplaceable that big private sector companies such as FedEx and UPS depend on it. People depend on the Postal Service increasingly for packages too. I maybe have a limited horizon, but I still can't conceive of an Internet that can transport a package from one place to another, and a lot of those packages are needed by the recipients, including, particularly, prescription drugs.

So I thank my friend from Missouri. I say that Senator COLLINS and I would like to work with her. I think we can find a way without doing damage to the purpose of the bill to accommodate the concerns about the preservation of rural post offices, and I look forward to doing so.

I might add this for the information of Members who haven't said this yet today: Yesterday, both cloakrooms hotlined—in the vocabulary of the Senate—a request to every Senator to indicate whether they have an intention to file amendments. At this point, we have a list of over 50 amendments that have been filed. Senator COLLINS and I, Senator CARPER, and Senator BROWN are working to try to reduce that to a number that can be the basis, I hope, of a bipartisan agreement to go ahead and debate those amendments and vote on them.

We have a cloture vote that probably will occur tomorrow, unless vitiated, which will critically determine whether we have the 60 votes that say we can go forward. If we get those 60 votes, I think we can come to an agreement on a number of amendments, have a good, open debate, both sides, and then pass this bill.

If we don't pass this bill or if we don't achieve the 60 votes tomorrow, it is not as if nothing is going to happen to the post office. The fact is the deficit will continue to build, and let me be more specific.

A while back the Postmaster General issued a notice, which he was required to do, saying that as of May 15, less than a month from now, he would have a list of mail processing facilities—not post offices but mail processing facilities—which are candidates for closure. I believe he will close some on or about May 15 unless there is movement on this bill.

So I hope we can reason together; that we can agree on a good, balanced, representative, bipartisan group of amendments and, most of all, that we will not block the bill from being taken up for the lack of 60 votes to grant cloture and stop any attempt at a filibuster.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

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

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

PAT SUMMITT

Mr. ALEXANDER. Mr. President, today, the University of Tennessee, where I was once President, announced that our basketball coach, Pat Summitt, is resigning after 38 years in that position. Women's college basketball will never be the same without Pat Summitt and women's college basketball would not be the same were it not for Pat Summitt's 38 years of leadership. There will be much said about her winning record, and it is an astonishing accomplishment: 1,098 wins in basketball, more than any other coach, man or woman, in the sport; 8 national championships; in the Southeastern Conference, 32 Southeastern Conference titles, 31 straight trips to the NCAA tournament. But the statistic I always valued most, especially when I was president of the university, was every single one of Pat Summitt's athletes who have completed their eligibility with her have graduated from the University of Tennessee. That is over 38 years. So she has a remarkable record, for which we all are very grateful.

It is hard for people outside Tennessee to understand how much Pat Summitt has become a part of the lives of so many citizens in our State. She actually was asked by the university to take over the basketball program when she was in her early twenties. This was in 1974. Back then, many women's basketball games were played with three women on one end and three women on the other end, offense and the defense.

She changed all that in a big-time way. When I say women's college basketball would not be the same without her, I mean that because almost every women's coach in America would attest to the fact that Pat Summitt has played a role, either an important model or personal role in their development. Even before big games, she would have over to her house in Knoxville the opposing team and the opposing coach. She always had time for community events in Knoxville, despite her busy schedule as such a winning coach. She is a terrific person individually and a great model.

She taught many of us in Tennessee the game of women's college basketball. She was so upfront and personal about it, with her famous stare, which could stare anybody down, and her discussion of these extraordinary athletes she had and what their pluses were and what the things were that they had to work on, that we all felt we not only knew her, but we knew the athletes as well.

I have enjoyed watching Pat Summitt's team for many years. I made a point to watch three of her games in person this year in Knoxville. I arranged my Senate schedule around it because I feared this might be her last season. She announced last year that she has Alzheimer's disease and she is now devoting herself to fighting that disease. So I am sure she will be as accomplished in some appropriate way in the next stage of her life as she has been in the last 38 years.

I wanted to come to the Senate floor and say, on behalf of all the people of our State, that women's college basketball will never be the same without Pat Summitt, and women's college basketball would never be what it is today if it weren't for Pat Summitt.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to thank my friend for his moving and eloquent statement, as a Senator from Connecticut, a proud fan and admirer of UConn women's basketball, with the great coach Geno Auriemma. No one appreciates someone such as Coach Summitt more than those who have competed against her, including Coach Auriemma and the great players in the University of Connecticut women's basketball history.

She sets the standard and she has set the standard. I join my colleague in his praise of her, and with some confidence, wishing her well in the future.

Mr. ALEXANDER. Mr. President, I thank Senator LIEBERMAN. I think it is appropriate, and most fans of women's college basketball would agree, that the first two Senators on the floor to commend Pat Summitt would be the Senator from Tennessee and the Senator from Connecticut.

Mr. LIEBERMAN. It is fortuitous and I cannot believe it is accidental.

Mr. ALEXANDER. I thank the Senator for his generous remarks. I know Pat would as well.

Mr. LIEBERMAN. If Geno Auriemma were here, he would have at least echoed what I had to say and added some great stories and words of tribute because I know the respect that Coach Auriemma has for Coach Summitt.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Minnesota.

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

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

Mr. FRANKEN. I ask unanimous consent to speak as in morning business for about 20 minutes.

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

POSTAL SERVICE REFORM

Mr. FRANKEN. Mr. President, I rise today to talk about the importance of the Postal Service to Minnesota and to urge my colleagues to make thoughtful changes to strengthen S. 1789.

The Postal Service has proposed a cost-cutting plan that would close or consolidate nearly 3,700 mostly rural post offices. This plan will eliminate thousands of jobs in communities across the country and will leave many residents and businesses without direct access to the Postal Service. Of course, that includes Oregon, the Presiding Officer's State.

In Minnesota, 117 post offices are on the closure list. That includes the post office in Calumet, MN, a town of 367 people in northeastern Minnesota. I have heard from the mayor of Calumet, John Tuorila, about the hardship that closing the post office would have on his community. He told me about disabled residents who can't get a driver's license and how important it is that they are able to walk to the post office. He also told me about an elderly couple in the town. The husband has Alzheimer's, and he and his wife take a walk every day, hand in hand, to the post office.

When the Postal Service held a public meeting in Calumet to discuss the proposed post office closure, over 70 residents showed up. That is a lot. That is about one-fifth of the town.

These are the stories I hear when I travel across Minnesota, especially in rural Minnesota. Post offices are the center of so many communities. They serve as the gathering place and a source of information. Individuals and businesses rely on the Postal Service to receive medications, paychecks, absentee ballots, equipment, and even livestock. If the Postal Service's closure plan is implemented, it will have a devastating impact on rural Minnesota.

The Postal Service has also proposed to close 250 processing facilities. Five of Minnesota's processing facilities are on the block. Under the Postal Service's plan, all of the mail processing activities currently taking place in Duluth, Bemidji, Mankato, Rochester, and Waite Park would be moved to the Twin Cities.

For anyone who hasn't driven around Minnesota, let me explain what that means. When someone in Bemidji, MN,

sends a birthday card to her neighbor or a local small business sends an invoice to a customer a few streets away, that letter will be sent more than 200 miles south to the Twin Cities to be processed before it is sent 200 miles back north to Bemidji.

That doesn't make any sense. During Minnesota winters when roads are impassable, that is going to mean severe mail delay. It is going to drive business away from these communities.

The processing centers in Rochester and Duluth are also on the list. These are the third and fourth largest cities in Minnesota. Duluth is over 150 miles away from the Twin Cities. Closing these processing centers will significantly impact local businesses and will drive business away from the Postal Service. One important example is the Duluth News Tribune. This one business distributes over 2 million pieces of mail annually through the Postal Service. Last year, they paid the Postal Service well over \$400,000 for these services. If the Duluth processing center is closed, the Postal Service will no longer be able to guarantee overnight delivery of local newspapers. The Duluth News Tribune is going to have to find a different way to deliver their papers—the daily paper. That will cost both the businesses and the Postal Service a lot of money.

I have heard from hundreds of Minnesotans and met with postal workers, mayors, concerned community members, and business leaders who rely on the Postal Service. What they all agree on is that we need a strong and financially sound Postal Service. They understand that tough choices need to be made and that some cuts are on the way. But not like this, not by closing five of Minnesota's seven processing facilities and forcing the workers to move to the Twin Cities if they want any hope of keeping their jobs, not by closing nearly 3,700 post offices to save less than 1 percent of the budget, not by slowing down mail so much that it will basically render it useless for many businesses.

The Post Office is in the Constitution. It is in the Constitution. It has been around since the beginning of our country. There is a reason for this. For centuries, universal service has been at the heart of the Postal Service's mission. It is the mission that is described in the Constitution. No matter where people live—be it in Minneapolis or International Falls, MN—people count on the Postal Service delivering their mail. The Postal Service gives us a connection to the outside world. Somehow we have lost sight of that.

Senators LIEBERMAN, CARPER, COLLINS, and SCOTT BROWN put forward a bill to reform the Postal Service. I wish to thank them all for their important work moving this bill forward. S. 1789 would refund overpayments the Postal Service has made to the Federal

pension program. It will also reduce the requirement that the Postal Service prefund retiree health care benefits. I am very supportive of both of these provisions. It could save the Postal Service over \$15 billion over the next 2 years.

However, I believe the bill can be strengthened to maintain delivery standards and better protect rural post offices. I have been working with a group of my colleagues, including the Presiding Officer, led by Senator SANDERS, to improve the bill. I wish to thank Senators CARPER and LIEBERMAN for working with us.

The managers' amendment addresses some of our concerns. Most importantly, it would require the Postal Service to retain regional overnight delivery standards. This will protect many processing facilities. Importantly for Minnesota, it will likely keep the Duluth processing facility open.

But the substitute still doesn't do enough to protect rural post offices. I have introduced an amendment with my friends and colleagues, Senators TESTER and LEVIN, that will give communities the opportunity to fight to prevent the closure of their local post offices and processing facilities.

Right now the Postal Regulatory Commission can review post office closure decisions, but it can only issue advisory options. Our amendment would give the commission authority to reverse post office and processing facility closure decisions. That would guarantee that individuals and communities impacted by closures would have real recourse. I urge my Senate colleagues to support our amendment.

We need to make thoughtful changes to S. 1789 and we need to act now. Last December, I joined with a number of my Senate colleagues in pushing the Postmaster General for a 5-month moratorium on postal closures. The moratorium is now running out and the Postal Service is not waiting. It can't. On May 16, the Postal Service will close thousands of post offices and hundreds of processing centers. We need to act now.

Mr. President, I wish to now change the subject to speak about a topic that hits close to home for many Minnesotans.

(The remarks of Senator FRANKEN pertaining to the introduction of S. 2295 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FRANKEN. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

TRIBUTE TO COACH PAT SUMMITT

Mr. BLUMENTHAL. Mr. President, I noted earlier the very eloquent exchange between the Senator from Tennessee and my colleague from Connecticut, Senator LIEBERMAN, on Pat Summitt's resignation as the coach for women's basketball at the University of Tennessee. I wanted to comment very briefly at the opening of my remarks on Pat Summitt—like Senator LIEBERMAN, a fan of UConn women's basketball team, a rival to the University of Tennessee, deeply entrenched rival, enthusiastic and stalwart rival—in recognition of her enormous contribution to women's sports.

As a coach, leader, and mentor Pat Summitt transformed women's athletics in America fundamentally and forever. Her passion for excellence and her fight for fairness made her a force on and off the court. In a cause larger than herself, she achieved recognition for women's basketball, not just for her own team, and enriched the lives and careers of countless women.

Although her team was a rival of the University of Connecticut and I rooted against her when she played us, I wish her every good thing in the years ahead and admire her continued courage and fortitude.

NCAA ACADEMIC PROGRESS RATE

Mr. President, I want to speak on another basketball topic, one that is serious to the University of Connecticut and to my State where we have some wonderful student athletes—we do. The University of Connecticut has great student athletes. Connecticut residents have watched with pride as the UConn Huskies, both the women's and men's teams, have brought home numerous basketball championships.

I am a strong believer that success in the classroom must accompany success on the court. I support efforts by universities and the NCAA to develop rigorous academic standards for student athletes. I believe schools failing to meet these standards should be penalized. But I also believe these standards must be applied fairly, not capriciously or arbitrarily.

Regrettably, the NCAA's application of its own rules appears to be arbitrary, unjust, and unfair against the UConn men's basketball program. Last October, the NCAA adopted new standards that determined a school's eligibility based on 2- or 4-year average academic progress rates, so called APRs. These standards set a high bar for performance, but unfortunately they did not provide schools with a phase-in period for the new rules.

Because these standards are based on several years of data, it is possible a

school could be retroactively punished for actions that occurred before the rules were implemented. That is exactly what has happened to the UConn men's basketball team. Those players have been told they will not be eligible to compete in the 2013 postseason, including the Big East tournament and March Madness, because of the APR scores from the 2006 to 2010 academic years.

None of the players from those seasons remain on the UConn team now. This severe punishment falls on players who are clear of any substandard academic performance. In fact, UConn's recent student athletes have demonstrated exemplary academic performance. The team's academic progress rate for the 2010 to 2011 academic area was nearly perfect. The team's academic progress rate for the fall 2011 semester was, in fact, perfect.

Instead of commending this improvement, the NCAA is ignoring it. The NCAA is basing its 2013 eligibility decision on data from the 2006 to 2010 academic years. If they had included the scores from the 2010 to 2011 academic years, UConn's average would be high enough to meet the NCAA's new standards.

UConn's administrators, coaches, and student athletes have placed a strong emphasis on academic performance. The school and students have worked hard to meet these standards and to improve academics. They have demonstrated laudable success. Instead of this progress being acknowledged, it has been ignored by the NCAA, and these student athletes have been harshly punished for their predecessors' actions, not for their own.

I have written—joined by my colleague from Connecticut, Senator LIEBERMAN—to the President of the NCAA, Mark Emmert, raising these objections. We have been joined by other colleagues of the delegation. I ask unanimous consent that letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEAR PRESIDENT EMMERT: We write to express our concern with the implementation of the National Collegiate Athletic Association's (NCAA's) new structure for the Academic Progress Rate (APR). As currently implemented, we believe this structure will have unfair negative ramifications for our academic institutions and their students.

As you are aware, last October the NCAA Board of Directors adopted new standards (four year average of 900 or two year average of 930) that institutions must meet in order to qualify and participate in NCAA post-season championship events. These standards were made effective immediately and were to be applied to student-athlete academic performance that had already occurred.

We appreciate and support the NCAA's pursuit of new standards as a means to improve academic achievement. We are dismayed, however, that the NCAA based eligibility for the 2013 NCAA Men's Basketball Tournament

on data from the already completed academic years of 2009–10 and 2010–11. As a result, student-athletes and their institutions were given no phase-in period, no opportunity to adjust to the new standards, and no chance to avoid the penalty. We are deeply concerned that with this action the NCAA is ignoring the reality that more current data are now available to determine an institution's most current APR for purposes of determining eligibility for the 2013 Tournament. Using the most current, available data would remedy the existing unfairness.

While we understand and support the goals of ensuring quality educational opportunities for student-athletes and the need for strong sanctions for failure to meet those goals, we have misgivings about the retroactive implementation of the penalty. In particular, the NCAA appears to have imposed an overly harsh and unfair penalty by imposing APR sanctions retroactively for conduct and circumstances that had already occurred. By including previous years in a rolling four year average, it should have been clear at the time of adopting the new standard that some universities would be unable to avoid the new penalties—even if the university had achieved a stellar score in the most current year. Due to this rule's retroactive application, student-athletes, who are not in any manner culpable for the APR performance that is the basis of these new penalties, will be punished.

The uncompromised commitment to the academic success of student-athletes remains the paramount responsibility for any academic institution engaged in intercollegiate athletics. With this obligation in mind, we support necessary and reasonable measures that condition participation in intercollegiate post-season events on a requisite level of academic progress or achievement by student-athletes. However, and no less critical, the process for developing, adopting and implementing regulatory type measures that will be applicable to all academic institutions must be grounded in fundamental fairness. Only then will the regulatory structure appropriately address the institutional responsibility for academic success without penalizing innocent individual student-athletes.

With the enactment of the new APR penalty structure, however, we believe the NCAA has failed to meet this important standard. The NCAA has the means to address this matter at its upcoming meeting of the Committee on Academic Progress on April 23. We therefore call on the NCAA to review and modify the APR rule this session to remove its retroactive application. Such an approach would be a sensible and fair way to resolve this matter while ensuring tough standards and penalties to ensure future compliance.

Thank you for your consideration of our concerns.

Mr. BLUMENTHAL. This letter expresses our outrage and frustration with this process. It is a process that may be well intentioned. Its goals may be laudable. Raising academic standards must be done, and I support that effort enthusiastically and passionately. But the application of any rule must be fair, and applying them arbitrarily and unjustly undermines the credibility of the cause that is sought.

As we say to President Emmert of the NCAA: The present performance, current data, and facts as they now are

on the ground, on the court, in the classroom are the ones that should be operative and determinative. To deny this team an opportunity to demonstrate its excellence on the court as well as in the classroom and punish it for the failures of past teams is simply unfair and arbitrary. I hope its decision will be changed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank my friend and colleague from Connecticut for his words. I stand with him in this cause. You can say this is parochial, but it is obvious that we are all—both of us and most everybody in Connecticut are very proud of our UConn basketball programs, both the men's and the women's. But there by the grace of the NCAA go every one of our colleagues and their teams.

Everybody understands and agrees that there has to be academic standards. As Senator BLUMENTHAL said so well, these standards are being unfairly applied to the University of Connecticut men's basketball program in this case because they have been punished essentially already and they have corrected the shortcomings. They have had what might be described as a perfect record in terms of players achieving academic—the threshold standard.

To keep them out of the NCAA tournament next year is unfair. Frankly, in a direct sense, it hurts the University of Connecticut in terms of the revenues it needs to continue to produce not only good basketball but great academic offerings. It also deprives basketball fans around the country of a competition with all the best teams in it. And it has, for our program at the University of Connecticut, consequences beyond next year. In my opinion, this is cruel and unusual punishment.

I am very glad to be joining with Senator BLUMENTHAL. He has taken the lead on it, but I stand arm in arm with him and the other members of the Connecticut congressional delegation. We are going to push forward until we get this unjust decision overturned.

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

The PRESIDING OFFICER (Mr. LEVIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

(Mr. CASEY assumed the chair.)

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

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

MATT RUTHERFORD'S SOLO SAIL

Mr. HARKIN. Mr. President, I just had a very wonderful phone call from a young Matt Rutherford, a 31-year-old man. I have spoken about him on the floor on a couple of occasions. He just

made it safely home on his boat, the St. Brendan. He just crossed the finish line, coming out of the Atlantic Ocean into the Chesapeake Bay.

For those of you who have not followed this story, about 309 days ago young Matt Rutherford, on a 27-foot sailboat—a 36-year-old sailboat to boot—left the Chesapeake Bay on one of the most audacious adventures ever undertaken. It has never been done before. He sailed his little boat out of the Chesapeake Bay. He sailed it in the Atlantic Ocean, up around Newfoundland, Labrador, by Greenland, and sailed that little boat through the Northwest Passage, from the Atlantic Ocean over to Alaska. He has been certified now as the first person to ever do so solo in a small sailboat.

He sailed around Alaska. He sailed it from Alaska down to Cape Horn. Mind you, he is by himself on a 27-foot boat. He rounded Cape Horn and came up the east coast of South America, sailed up through the Caribbean, and is back, as of just a few hours ago, into the Chesapeake Bay—solo, nonstop, all by himself. He never touched land in all these days. He will set foot on land this Saturday at a homecoming in Annapolis at the National Sailing Hall of Fame dock in Annapolis, this Saturday around noontime. I am sure it will be a big welcome for Matt Rutherford.

To add frosting to the cake of what he did—which, again, is an incredible, incredible adventure—he did it to raise funds for CRAB, Chesapeake Region Accessible Boating, which is an organization that helps people with disabilities, including wounded warriors from our armed services who have service-connected disabilities, to get them out on boats that will teach them how to sail, to let them know they too can participate in that recreational activity.

So to Matt Rutherford, who has done something that has never been done before, welcome back. I am glad you are safe. I am glad you made it OK.

To those of you who want to catch up on this incredible, incredible journey—I mean, think about Robert Peary going to the North Pole. Think about Roald Amundsen going to the South Pole. Think about Sir Francis Chichester sailing around the world in the Gypsy Moth IV, who, by the way, stopped once, or Joshua Slocum, who was the first person to sail solo around the world. Think about Sir Edmund Hillary climbing Mount Everest. These are the kinds of people whom Matt Rutherford now stands alongside of in sailing solo. You can go to the Web site to catch up on this. It is www.solotheamericas.org. To think about him sailing all the way around by the North Pole, all the way down, almost, to the South Pole, back up to America again—nonstop, never touched land, never stopped, and did it solo in a small 27-foot sailboat—it is one of the

great adventures of our time—of any time.

So I am happy he is back and he is safe and will be back on dry land this Saturday.

REBUILD AMERICA ACT

Mr. President, as chair of the Health, Education, Labor, and Pensions Committee, I have come to the floor on a number of occasions over the last year to express my concern about the distressed state of the American middle class. I do so again today in order to share with my colleagues my ideas for how we can rebuild the middle class in America and make our economy work for those who work for a living.

Over the past year, while Washington has been gripped by a fear of budget deficits, I gave speech after speech here on the Senate floor pointing out an even more serious deficit: the deficit of vision in Washington, our failure to confront the current economic crisis with the boldness earlier generations of Americans summoned in times of national challenge.

By this economic crisis, I do not just mean the current economic downturn. Instead, I am referring to the economic crisis that has taken place over the last 30 to 40 years that has resulted in a shrinking middle class, rising inequality in our country, a weakened economy, and a sense that the American dream is slipping away. This is the fundamental challenge—the fundamental challenge—facing our Nation today: rebuilding the American middle class.

Altogether, I now have chaired five HELP Committee hearings on the crisis of the middle class. Last year my State staff visited all 99 counties in Iowa to gain greater insight into the challenges facing working Americans. During these events, I have heard from a diverse array of Americans, including economists, employers, union members, community college students, and everyday, hard-working, middle-class families. Not surprisingly, we found that more and more people are struggling just to make ends meet. Their jobs are insecure, their savings and pensions have shrunk, and they see an economic system that is rigged in favor of the very rich and the powerful.

At a hearing last June, I invited Amanda Greubel, a social worker in her local Iowa school district, to share her story with the HELP Committee. During her testimony, she defined what it means to be in the middle class in this way:

My husband and I didn't have dreams of great wealth. We never expected to have summer homes or expensive cars or vacations on the Riviera. We chose careers that inspire us, knowing that we would never make six-figure salaries. All we have ever wanted is security and a little comfort . . . to know that our bills are paid, our needs are met, that we can have a getaway every now and then, that our children can pursue higher education without the burden of student-

loan debt, and that someday we can retire and enjoy our final years together in the way we choose. . . . When I think back over our adult lives, it strikes me that we did everything we were always told to do in order to have the American dream. . . . We did everything that all the experts said we should do, and yet still we're struggling. When you work as hard as we have and still sometimes scrape for the necessities, it really gets you down.

That was Amanda.

Unfortunately, those of us in Washington have not listened enough to people such as Amanda. People such as Amanda do not feel this way because of factors such as "globalization" or "technology change." Indeed, harnessing those developments has helped to make the U.S. economy the envy of the world.

Instead, the crisis of the middle class can be traced largely to unwise policy choices made here in Washington. For starters, for the last three decades, too many here in Washington have bought into the failed economic doctrine that says if we give more and more to the very wealthy and to the largest corporations, then prosperity will somehow trickle down to the rest of us. That idea has utterly failed to work for the American people. It is time we get back to policies that are premised on how our economy really works. A strong, vibrant middle class with money in their pockets to spend drives the economy forward because, very simply, businesses will not make things if they do not have any customers.

As Mr. Nick Hanauer, a very successful private sector investor, put it in a recent *Business Week* column:

Rich business people like me don't create jobs. Middle-class consumers do, and when they thrive, U.S. businesses grow and profit.

So what is the best way forward? Instead of the slash-and-burn approaches of the past year and the failed economic doctrines of the past few decades, we need a way forward that rebuilds the middle class by reflecting the hopes and the can-do spirit of the American people, people such as Amanda Greubel.

To meet the great challenge of our day, restoring and revitalizing the middle class, after having a number of hearings last year, as I said, and countless visits with people throughout my State, I recently introduced sweeping legislation called the Rebuild America Act. It now has a number, S. 2252. This legislation provides comprehensive solutions to rebuilding the American middle class.

Some will say it is too bold and too ambitious, but I disagree. The sweep of this legislation is commensurate with the extraordinary challenge it addresses. The bill aims to rebuild the middle class in four broad ways: creating jobs, investing in the future, helping families, and bringing balance back into our tax system. Let me touch briefly on those four principles.

One, we need to create jobs for all Americans, including for groups of Americans such as people with disabilities who have been especially hard hit by the recent recession. With the official unemployment rate over 8 percent, and some unofficial measures as high as 17 percent, the middle class will continue to lose ground.

When jobs are scarce, workers do not have the leverage to demand fair treatment, paychecks stop growing, or even fall, and even people who are fortunate enough to have a job become fearful of losing it. People have less discretionary money in their pockets or the confidence to spend it. In the absence of robust consumer demand, businesses choose not to expand or invest.

Secondly, we must invest in our future. Not only will investing in our infrastructure help create badly needed jobs in the short term, these investments will lay the groundwork for sustained economic growth in the long term. So my bill tackles this challenge head on by providing for robust new investments in America's infrastructure, including, of course, time-tested things such as roads and bridges, energy efficiency systems, also rebuilding and modernizing our public schools, rebuilding our manufacturing base in America.

In addition, there is also the investment in the human infrastructure: helping prepare great teachers, providing better pathways to good jobs for workers, job retraining so that the old jobs that are now gone, we can now take those workers and retrain them for the future jobs, to ensure that current and future workers will have the education and skills they need to be successful and to be in the middle class.

Three, we need to do more to help middle-class families succeed. It is time for us in Washington to wake up to the harsh reality that middle-class families have been living in for the last few decades. Unfortunately, the programs and policies that helped create the middle class have been either intentionally discarded or have fallen victim to neglect.

For example, the real value of the minimum wage has declined for the last four decades, dragging down all workers' paychecks. In 1968, that was the height. That was when someone making the minimum wage had the highest purchasing power ever since we had a minimum wage—1968. Since that time, it has fallen in real terms. If, in fact, the minimum wage had kept pace just with inflation from 1968 to today, the minimum wage would be slightly over \$10.30 an hour. Right now the Federal minimum wage is \$7.25 an hour. So think of it this way: The same class of people that was making the minimum wage in 1968 is basically the same class of people making the minimum wage today: young people, minorities, people

in businesses that are just starting, people who are not highly educated, new immigrants to this country, for example. So the same people who are making the minimum wage then are the same kind of class of people making the minimum wage today.

But think about it this way. That same class of people today—today—has 30 percent less buying power than that same class had in 1968—30 percent less. Think about that. That same person making the minimum wage today is making 30 percent less than his or her counterpart in 1968.

So what my bill does is basically over a stage raise that minimum wage and then peg it to inflation in the future so we do not have that erosion again in the future. Also families and workers have seen basic rights, such as the right to organize and to bargain collectively, eroded. It is harder and harder and harder all the time for people to organize and join a union in this country.

The right to overtime pay has been eroded under the Fair Labor Standards Act. So a lot of these things have been eroded by misguided regulations, bad court decisions, and years of lax enforcement.

The fourth part of the bill. It is essential that we put balance back in the economy through a balanced tax system that will help reduce our deficit, get our fiscal house in order over the longer term. To do so, among other provisions, my bill includes a tax on Wall Street trades, often called a financial transaction tax. At just 3 cents per \$100 dollars in trade value, that would raise \$350 billion over 10 years.

Again, you might say, well, is this something now? No. We had a transaction tax, a financial transaction tax, in this country until 1966. Then it was done away with. Well, that is again one of the reasons why we have seen this terrible inequality grow in our society where more and more of our wealth goes to fewer and fewer people.

A small transaction tax would do two things. It would raise money. It would also discourage a lot of the spinning and the churning of transactions on Wall Street whereby some of these traders make hundreds of thousands of dollars a day, megamillions of dollars a year, but not adding much to our economy at all. So it's a small transaction tax.

In addition, the bill requires high-income taxpayers to pay their fair share. Well, sort of like the Buffett rule that the present occupant of the chair, the distinguished Senator from Rhode Island, championed the other day that we voted on here. It got voted down on party lines. I do not understand this, that we cannot even ask those who have the most in our society to pay their fair share.

Well, just because we lost the vote on the Senate floor the other day does not

mean we have to give up on it. I am sure the Senator from Rhode Island, Mr. WHITEHOUSE, is going to continue his efforts, as he always has, to make sure that we have more fairness in our tax system. So that is in our bill also.

Restoring balance and fairness to the Tax Code is critical to the success of our economy and is critical to the rebuilding of the middle class in America. So in sort of broad strokes, that is my Rebuild America Act, S. 2522.

Over the last few years, the American people have heard from too many of us politicians and talking heads that our country is broke, that we can no longer afford the investments that make for a strong middle class. You know, that is sort of the premise of the Ryan budget in the House, cut and slash. The premise is one that has been in favor around this town for far too long. Here is the premise. The premise is that we are broke, the United States of America is broke and we cannot afford to do these things.

This is false. The United States of America remains a wealthy Nation. We are the wealthiest Nation in the history of the world. We have the highest per capita income of any major country. So one might reasonably ask: If we are so rich, how come we are so broke? Think about that. If we are the richest Nation in the history of the world, if we have the highest per capita income of any major country, then why can we not afford to invest in our infrastructure, invest in better teachers, make sure our kids get a good education without a mountain of debt on their heads? Why cannot we invest in making new energy systems that are cleaner and more productive for the future?

We can. We can do these things. The problem is not that we are broke, the problem is that because of actions or inactions by this government over the last 30 years, America's wealth has not been spread among our people in a reasonable way. The wealth has been concentrated in fewer and fewer and fewer hands. And the middle class in the meantime has been decimated.

I submit that there can be no sustainable economic recovery to America, no sustained return to fiscal balance, without the recovery of the middle class. That is exactly the aim of the Rebuild America Act. It is comprehensive. Yes. Ambitious. Of course. But it rises to the challenge of our time.

I urge my colleagues to join me in advancing this legislation and doing all we can to restore the American middle class. It is the fundamental challenge of our time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

POSTAL SERVICE REFORM

Mrs. SHAHEEN. Mr. President, the U.S. Postal Service is a fundamental part of our Nation's history and what it means to be an American. In fact, it was actually talked about in our Constitution.

Nationwide, the Postal Service employs 550,000 Americans, and it serves as the linchpin of an industry that contributes over \$1 trillion to our economy. I have heard from a number of businesses in New Hampshire—one being Goss International in a neighboring community, which has been a major competitor in the area of printing presses, and now they are making wind turbines, or parts of wind turbines. They are very concerned, as is a company called Polaris Direct, about what is going to happen to our Postal Service and are we in Congress going to resolve this issue.

In New Hampshire, the Postal Service provides thousands of jobs, as well as a critical economic connection for many of our rural communities, which are not often in some areas of New Hampshire connected to the Internet, so they don't have high-speed broadband, and the Postal Service is their connection with much of the outside commerce and community.

Today, as we know, the Postal Service is facing a fiscal crisis that threatens its future. We should all be concerned about Draconian proposals that seek to slash 220,000 good jobs, close 3,700 post offices, and make mail delivery slower across America. The bill before us today attempts to avoid the worst of these outcomes, and I commend all of the bipartisan managers of the legislation, including Senator LIEBERMAN, Senator COLLINS, and Senator CARPER, for their tireless work to save the U.S. Postal Service.

I was proud to join a group of 28 Senators who pushed for important changes to the bill in an attempt to better protect rural post offices, develop new sources of business, and maintain the reliable and timely service Americans have come to expect. Some of these changes have been incorporated into the legislation, and I think they are an important step toward improving it.

With that said, I think we have more work to do. I know there are a lot of people in this body who wish to see us debate a number of amendments related to the bill and try to make changes to improve the work already done. Rural communities rely on the Postal Service, and I think Congress and this Senate should improve the legislation to make sure that people have a real voice in the process when their post office is threatened.

If we don't act, the Postal Service could go bankrupt or could be forced to make devastating service cuts. So

while this legislation is not perfect, I urge my colleagues to vote for cloture tomorrow so we can consider relevant amendments and make sure this important American institution, the U.S. Post Office, is saved for all Americans who so desperately need the services it provides.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

AFRICA

Mr. ISAKSON. Mr. President, I rise to speak to the Senate, but in a broader sense to the American people and, in particular, to the young people of America. An Internet posting went viral a few weeks ago, by a group called Invisible Children about Joseph Koni in Uganda, the Central African Republic, Congo, and the South Sudan.

As a member of the Africa Subcommittee of the Foreign Relations Committee and one who travels to Africa quite frequently, I have just returned from a trip to meet, in part, with our special forces and U.S. advisers who have been deployed in those countries to help assist in the search for Joseph Koni.

I wish to share with the Senate the information about what America is doing, what Joseph Koni has done, and how important our commitment is to Central Africa and to see to it that this evil man is brought to justice. Joseph Koni is under indictment by the International Criminal Court today, but for 26 years he has roamed Central Africa with his Lord's Resistance Army, killing, raping, and maiming the African people. By some estimates, Joseph Koni has abducted 66,000 children into his army and young women as sex slaves. He has displaced over 2 million Africans into camps, and they have had to be displaced because their villages were destroyed and their families disrupted. He has killed untold tens of thousands of people. He is by any stretch of the imagination an evil person. Invisible Children's posting, which went viral on the Internet, has caught the attention of America's youth, because they see the damage that has been done to the youth of Africa, and they want to know what America is doing.

I am proud to include in my remarks what America is doing, and has been doing even before the posting went viral on the Internet and most people didn't know who Joseph Koni was. Our President deployed 100 special advisers to the Central African Republic, in the Sudan and Uganda, about 2 months before this posting went viral. I met with them in a private, secured briefing, a lot of which I cannot talk about but a lot of which I can.

Because of U.S. technology, U.S. resources, and the commitment of these individuals, we are assisting to a much higher level in the intelligence that we are gaining on Joseph Koni. A lot of people think Koni is in Uganda. He isn't there and hasn't been there for 5 or 6 years. He is somewhere near the Central African Republic, where it is extremely easy to hide. We thought Vietnam had jungles. You haven't seen foliage until you've seen the Central African Republic, the Sudan, and the Congo. There is no electricity, no roads, no paths, and no listening devices. Intelligence is all human intelligence. We are fortunate to have great intelligence operatives over there and great resources there, and we are gaining more and more information.

I commend our forces also in what they have done in an amnesty program. They dropped leaflets in villages that are known to house some of Koni's workers and cronies. They drop leaflets that offer amnesty for anybody who leaves Koni, comes back to their village, and gives information to our forces, the Ugandan Army, and the African Union Army as to where Joseph Koni might be. We are getting closer all the time. We are not there yet, but thanks to the assistance of our foreign-deployed individuals, the commitment of our country, the commitment of Uganda, the Democratic Republic of the Congo, the Central African Republic, and the new country of South Sudan, we are going to close that noose and stay until the job is finished, because Joseph Koni needs to be brought to justice. He is an evil man who has killed and raped far too many people and maimed far too many people, and Africa is too good a friend of the United States for us not to offer the necessary assistance.

My message to the American people and our youth is we are doing our job. Joseph Koni hasn't been caught, but we are in pursuit. I commend Senator KERRY, the chairman of the Foreign Relations Committee; Senator COONS, chairman of the Africa Subcommittee; and Senator LUGAR and myself have joined together to support legislation that will be introduced in the Senate to include Joseph Koni, or information leading to the arrest and conviction of Joseph Koni, in our rewards program that we offer mostly now for terrorist capture. That will be an incentive for more information to be brought forward so that the noose will grow tighter.

It is time for Joseph Koni to be brought to justice, and the United States is making every effort to assist in that process in Central Africa.

My other reason for going to Central Africa is equally important. I was accompanied by members of CARE. CARE is a tremendous nongovernmental organization that delivers humanitarian aid, assistance, education,

knowledge, and technical assistance to countries around the world and, in particular, in the nation of Africa. It was the second time I traveled with CARE; the first time was 10 years ago to Ethiopia, where I saw CARE's outreach in terms of basic education and improvement and enhancement of educating young Muslim women.

On this trip, I got to see what they are doing firsthand in the city of Gulu on the border with the Congo and Northern Uganda—an area that 5 or 6 years ago, because of Joseph Koni, had been destroyed, people were displaced, everybody was in hunger, and there was a lot of violence. It is now a beautiful village. Granted, it is not a village such as you and I might know, Mr. President—thatched huts with thatched roofs, mud huts with thatched roofs, small enclaves of African citizens eking out an existence in a very difficult part of the world.

Because of what they are doing in their project, known as the village savings and loan, they are bringing about microeconomics in Africa, and they are empowering women. The village savings and loan program is a very simple program that teaches basic economics and capitalism to these villages. Groups form together, they are given a strongbox, literally like the ones that used to be on the stagecoach in the old "Lone Ranger" days. In that box, each of the women will make contributions of the money that they have into the strongbox, and they get a passbook savings account just like the occupant of the chair and I used to get when we were in elementary school a long time ago. Then they make loans out of that money they save to other people in the village to start businesses, whether it is making beads, using the shea tree to make shea butter, or doing boutique cloth, or whatever it may be. As those industries develop, those cottage industries develop, the money they make goes back into the savings and loan to be reinvested in other plans.

We met a young lady who was making beads, and I bought about 12 strands. My wife and grandkids love them. She makes beads for a German distributor in Europe. It is unbelievable what you can see being developed because of what CARE is doing. They are empowering African women and families and are bringing about the principles of economics that you and I enjoy and appreciate, and they are uplifting people who need that with empowerment, so they can be sufficient on their own, so they can rise up economically and educationally.

I also visited with the CDC folks delivering PEPFAR and health care and better awareness and better testing to identify those with AIDS, to get our retrovirals distributed to those mothers who are pregnant, so their babies can be born without AIDS and live a happy life. One of our great challenges

now in Africa—it used to be that the challenge was what we did with all the children who died because they were born to a mother with AIDS. Now we see what we can do to keep them through their life because they live a normal and happy life. And their mother, although infected with AIDS, because of the U.S. technology and retrovirals, and the CDC is providing them with a lifetime of drugs and an opportunity to live as normal and productive a life as possible.

It was great to go with CARE and to see U.S. tax dollars deployed and helping uplift the nation, uplift the people, help solve the greatest scourge on the continent, which is AIDS and its spread, and help people to be able to reinvest in themselves. CARE is a great nongovernmental entity that happens to be housed in Georgia, which is helping all over the continent of Africa, and they are empowering women and African citizens, and they are making their plight in life better, and they are reducing the amount of Federal assistance we will provide in the years to come because they will be more productive, which is the payback you want to see from foreign assistance dollars when they are invested.

As far as Joseph Koni is concerned, America knows he is a bad man, that he is indicted by the International Criminal Court, and America is making the investment of intelligence and manpower to assist the Central African Republic, Uganda, the Congo, and the South Sudan to pursue him until he is captured. He needs to be brought to justice for the evil and terror he has contributed to the continent of Africa.

I was proud to go and see America's investment of our best, our men and women in harm's way in Africa who are looking for him and providing the assistance necessary to bring him to justice.

With that said, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. BROWN of Ohio. Mr. President, I thank the Senator from Georgia. I so appreciate Senator ISAKSON's comments about Africa. He is lucky enough to represent the CDC, which is one of the greatest organizations in human history, which has made such a difference in health care for low-income people in this country and around the world and, frankly, not just low-income people but what we call the public health of this country. Few achievements are greater than the achievements of public health, whether it is eradicating smallpox internationally—we are both old enough—the Presiding Officer may not be—to remember kids that we knew from grade school who were afflicted with polio and the fear of every parent that their child might get that, and the CDC and the public health system in this country removed that threat with vaccines and all that.

THE EXPORT-IMPORT BANK

Mr. President, I rise briefly for 4 or 5 minutes to talk about one way that companies in my State grow and create jobs, and that is by selling their products around the world. President Obama set a goal to double exports from the United States in the next 5 years. I am part of the President's advisory council. There is a handful of Senators and a few Members of the House of Representatives who are part of this advisory committee, along with many business leaders in the country, CEOs of large companies, presidents and CEOs of small companies, small businesses, too, to advise the President.

Earlier today, I joined with Fred Hochberg, president of the Export-Import Bank of the United States, and Eric Burkland, president of the Ohio Manufacturing Association in Columbus, to discuss the need to reauthorize the Export-Import Bank.

Ohio has had quicker increases in job growth than other States. We are coming back; our unemployment rate is now lower than the national average, but it is still far too high. Too many Ohioans want to work and cannot find jobs. Some have jobs but are not working full time or their pay has been cut or is stagnant. Manufacturing is gaining nationally, adding 470,000 jobs since January 2010. To put that into historical perspective, for 12 years, from 1997 to 2010—12-plus years—we saw a manufacturing job loss in this country every single year from the year before, with fewer factories, fewer workers, and less manufacturing. But since early 2010, we have seen almost every single month, in Ohio and across the country, job growth in manufacturing. It is still not enough. It is positive, but we are not out of the woods yet. I fear we take a step back if Congress fails to reauthorize the Export-Import Bank.

We know that Ohio manufacturers and small businesses can compete with anyone in the world, from Zanesville to Springfield, to Ashtabula, to Toledo; American manufacturers can compete with anybody in the world if there is a level playing field.

We know how to make things in Ohio. When we stamp "made in Ohio" on a product, we know it was made with pride and by some of the most efficient, progressive companies in the world, and some of the best workers in the world.

Exporting is tough, especially for small businesses. Fewer than 1 percent of the Nation's nearly 26 million small businesses export their products. Very few small businesses are able to export for a whole host of reasons.

I hear from small business owners who want to expand and who want to get access to foreign markets, but they can't secure private financing due to the credit risks associated with some overseas investments. One of the most

important resources to help small businesses and midsize manufacturers to boost their exports is the Export-Import Bank.

Ex-Im's mission is simple: It facilitates exports and contributes to job creation in the United States. It does it through loans, through guarantees, through insurance. It fills in gaps through trade financing at no cost to taxpayers. The market sometimes doesn't deliver in these situations. The Ex-Im Bank can fill in some gaps and help companies that have the ability to grow and export to actually do that.

The Ex-Im Bank generates revenue to the U.S. Treasury. Yet despite this record of success in exports, jobs are at stake because Congress cannot agree to the Ex-Im reauthorization. The Ex-Im Bank's lending authority expires May 31. We know companies that export products create jobs, pay higher wages, and are more likely to remain in business. Export-supported jobs linked to manufacturing already account for an estimated 7 percent. One out of fourteen of Ohio's total private sector jobs, 1 out of 14 Ohio workers are linked to export. More than one-fourth of manufacturing workers in Ohio depend on exports for their jobs—the eighth highest among the 50 States.

We need to do a better job in ensuring that America's small businesses have access to that global market. The Ex-Im Bank helps. It provides credit that otherwise wouldn't be available to turn export opportunities for businesses into increased jobs, higher wages, and increased sales.

In 2011, the bank worked with almost 100 Ohio businesses to support more than \$400 million in export sales. According to the National Association of Manufacturers, Ex-Im supports 290,000 export-related jobs. More than 8 percent of Ex-Im's transactions supported small businesses last year.

Renewing the bank's charter should be a cause all Senators support, just like the 25 times the Senate has overwhelmingly reauthorized the agency since its establishment in 1934. Think about that. Since 1934, time after time after time, this body has unanimously or overwhelmingly reauthorized—kept going—the Export-Import Bank—but not today, for whatever reason. Perhaps it is the same reason as when the Presiding Officer's Buffett rule was on the floor of the Senate this week that a number of Senators said no to moving forward. I don't know if it is because the Republican leader has said he wants President Obama to fail or if it is just this rigid philosophy that there is no positive role for government.

Whether it is the highway bill, the Buffett rule or the Ex-Im Bank, we know at least that the Ex-Im Bank works, and it is strongly supported by the chamber of commerce, the National Association of Manufacturers, and the machinists who testified in our

Banking Committee this week. It is supported by all kinds of people who want to see this economy grow. Unfortunately, a number of my colleagues, for whatever reason, don't want to move forward.

This is a matter of American jobs. It is a matter of competitiveness. We had a trade deficit with China of \$295 billion in 2011, meaning every day we buy about \$800 million more in goods from China than we sell to China. The first President Bush, some years ago, said that \$1 billion in exports or imports could translate into 13,000 jobs. When we have a \$295 billion deficit, with one country alone last year, one can see the kind of job loss it means. We know China's Export-Import and development banks provide as much as \$100 billion in export credits each year. That is three times as many new export credits as the U.S. Export-Import Bank does.

So we know, even with reauthorization, that China still does way more of this than the United States. Yet we are unilaterally disarming if we allow this May 31 date to come and go and the Ex-Im Bank reauthorization expires. It makes no sense for our manufacturers, for our big and small companies, and it makes no sense for our workers and our communities that will all be hurt if we don't do that.

It is time to end the delay. It is time to reauthorize the Export-Import Bank.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

SURFACE TRANSPORTATION ACT

Mr. WHITEHOUSE. First, I want to thank my colleague, Senator CARDIN, and just recently Senator BROWN of Ohio, for referencing the highway bill.

The state of play on that at this point is that the House has just passed another extension. We passed an extension back at the end of March that extended the existing highway program to the end of June. What that bill did is cause significant job loss because not knowing for sure what the highway plan will be means that jobs will fall off the list of the departments of transportation around the country. So a further extension to September—which just passed the House 1 hour ago—just makes the situation even worse.

The solution to that problem is to make sure the House and the Senate appoint their conferees so we can get to conference quickly on that bill and get out a lasting authorization.

So I want to again thank Senator CARDIN for spending some time on the

floor this afternoon on that subject. We will keep the pressure on until we actually have a highway authorization as we go through these different procedural hurdles.

CLIMATE CHANGE

I came to speak on the floor about an issue that many in Washington would prefer to ignore; that is, climate changes that are being caused by our carbon pollution. Nature keeps sending us messages about what is happening out there, and in Washington we continue to ignore those messages. But they keep on coming.

Every week for the past 15 months I have distributed in our caucus, as the Presiding Officer knows, a quick thumbnail summary of the week's Climate News.

The stories from this week include that "Temperature Variations"—which relate to the extra energy put into the climate by the warming weather—"Could Lower Life Expectancies of the Chronically Ill." That is one story.

Another is a new report from the NOAA that "Coral Risks Extinction Due to Climate Change." More than 50 coral species in U.S. waters are likely to go extinct by the end of the century, and the experts cited human-driven releases of carbon dioxide as a key driver of the ocean's warming and acidification that is causing these extinctions.

A third is, "Tree Diseases Likely to Spread as Temperatures Rise." According to a new report by the U.S. Forest Service, forest diseases are expected to spread more quickly in the western U.S. as climate change warms the region's forests.

The fourth is a recent study published in the journal *Nature*, which finds that rising carbon dioxide levels drove temperature increases at the end of the last Ice Age. At the end of the last Ice Age, atmospheric CO₂ concentrations rose 80 parts per million. Over the past 100 years, CO₂ concentrations have risen roughly 100 parts per million. So the effects are linked very closely to climate.

Other news, as reported in the *Providence Journal* on March 30, said: The winter's warm air temperatures have helped drive up water temperatures in the Gulf of Maine, in line with a continuing trend, and the warm waters could result in lobsters molting their shells earlier than usual and ocean algae blooming ahead of schedule.

Jeffrey Runge, a biological oceanographer at the University of Maine and a researcher at the Gulf of Maine Research Institute in Portland, told the paper that the Gulf of Maine water temperatures have been rising gradually since at least the 1870s, but the increase has been pronounced in the last decade or so.

Moving from the North to the South, we have Professor Emeritus Orrin H. Pilkey, a professor of geology at Duke University, who wrote in the *Charlotte*

Observer on March 25 that new peer-reviewed research demonstrates that sea level rise and storm-surge elevations could be greater along much of the U.S. coastline than has been predicted. His opinion piece went on to say that North Carolina, Washington, California, Louisiana, Florida, and Maine have convened sea level rise panels that estimate a sea level rise of 3 to 5 feet by the year 2100.

A new study has come out from the Center for Biological Diversity confirming the link between massive oyster die-offs in the Pacific Northwest and ocean acidification caused by carbon dioxide emissions. The release reports that each day the oceans absorb 22 million tons of carbon dioxide pollution from cars and industry, setting off an unprecedented chemical reaction that since the Industrial Revolution has made the world's oceans 30 percent more acidic.

Just this morning in the Senate, Senators BINGAMAN and MURKOWSKI held a bipartisan hearing on the devastating effects of sea level rise on coastal communities. So it is good that some leaders on both sides of the aisle are starting to talk about the terrible consequences of climate change.

However, the special interests who control so much of what goes on around here and who deny that carbon pollution causes global temperatures to increase and deny that melting ice caps will raise our seas to dangerous levels still have a stronghold. Dr. Pilkey, writing in the *Charlotte Observer*, warned that the deniers' influence is, tragically, starting to influence local planning decisions, despite what he calls "new studies that predict higher than previously predicted sea level rise and storm-surge levels in coming decades." He concludes:

Preservation of the status quo (including real estate prices) may prevail on our coasts, but in a democratic society such as ours, the state has no right to shield citizens from unpleasant environmental realities.

In the face of so much evidence constantly, daily, of a changing climate, we have special interests working overtime in Washington to propagate a myth. This myth is that the jury is still out on climate change caused by carbon pollution. So with the jury still out, we don't need to worry about it or even take precautions.

This is simply outright false. Virtually all of our most prestigious scientific and academic institutions have stated that climate change is happening and that human activities are the driving cause of this change.

On October 21, 2009, I think all of us in the Senate received a letter from virtually every leading scientific organization in the country, stating:

Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted

by human activities are the primary driver. These conclusions are based on multiple independent lines of evidence, and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science.

Contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science.

So the American Association for the Advancement of Science, the Chemical Society, Geophysical Union, Institute of Biological Sciences, Meteorological Society, Society of Agronomy, Society of Plant Biologists, Botanical Society, and on and on it goes of the scientific community signed up for this.

It is, of course, not just the scientific community that knows that the jury is not in fact still out; that knows that in fact the verdict is in and that it is time to act. The insurance industry is alarmed about our inaction and has started to take action, holding a press conference with myself and Senator SANDERS not too long ago.

Marsh & McLennan, one of the largest insurance brokers in the world, called climate change "one of the most significant emerging risks facing the world today." The insurance giant AIG has established an Office of Environment and Climate Change to assess the risks to insurers in the years ahead.

It is not just the insurance industry. It is our intelligence community, it is our military services, many of our electric utilities, some of our biggest capitalists and investors all recognize that the jury is not still out; that in fact a verdict is in, and we should act.

Unfortunately, Governor Romney once wrote:

I believe that climate change is occurring. I also believe that human activity is a contributing factor.

Under the pressure of the Republican primary, he has changed his views and now claims: "We don't know what's causing climate change on this planet."

Well, that runs contrary to the evidence. More than 97 percent of the climate scientists most actively involved in publishing on this issue accept that the verdict is actually in on carbon pollution causing climate change and oceanic changes—97 percent. Think of that in terms of your own life if you were relying on expert opinion.

If you had a child who was sick and you went to a doctor and they said: She is pretty sick and she needs treatment, you thought: Well, let's be prudent and let's get a second opinion. So on you went and got a third opinion and a fourth opinion. Let's say you were just a wildly determined parent, and you went and got 99 more second opinions so that you had 100 opinions of doctors, and 97 of those 100 doctors said: Yes, your child is ill and you need to do something about this.

How foolish would you be if you did not pay attention to the 97 percent and you allowed the 3 percent to sway your

judgment and not take action to protect your child. Well, it looks as if Governor Romney is with the 1 percent when it comes to the economy for the middle class, and he is with the 3 percent when it comes to the science of carbon pollution.

This is not very debatable stuff. The basic principle that carbon dioxide traps heat in the atmosphere and traps more of it as its concentration increases was determined in 1863, at the time of the American Civil War. There is nothing new about this.

In the early 1900s it became clear that changes in the amount of carbon dioxide in the atmosphere could account for significant increases and decreases in the Earth's annual average temperatures, and that carbon dioxide released from what we call anthropogenic sources, manmade sources—primarily then the burning of coal—would contribute to these changes. This is well-established stuff, and the effects are measurable.

Over the last 800,000 years, until very recently, the atmosphere stayed within a bandwidth of 170 to 300 parts per million of carbon dioxide, 170 to 300 parts per million. That is the bandwidth, and that is a measurement. That is not a theory. We know that. We can find ancient bubbles in ancient ice and measure, and there are different ways that scientists do this, but it is measurement.

Since the Industrial Revolution, we have burned carbon-rich fuels, also in a measurable way. Now we know we burn up to 7 to 8 gigatons a year. That is the release. A gigaton, by the way, is a billion with a "b" metric tons. When you release that enormous amount of carbon into the atmosphere, it is predictable that it would have a result, and, indeed, it is having a result. We now measure carbon concentrations climbing in the Earth's atmosphere—again, a measurement, not a theory. The present concentration exceeds 390 parts per million. For 8,000 centuries we were in a bandwidth of between 170 and 300, and in recent years we have veered out that bandwidth. We are at 390 parts per million and climbing.

The increase has a trajectory—there is nothing very new about plotting trajectories either. Children do that in school, soldiers do that in the field, corporations do that to plan their businesses, and scientists do that. We do that every day. If you follow the trajectory of our carbon pollution, it predicts 668 parts per million at the end of this century and 1,097 parts per million at the end of the next century. Those carbon concentrations are not just outside the bounds of 8,000 centuries but of millions of years.

It is coming home to roost particularly in our oceans, which is a matter of real concern to me as a Senator from the Ocean State. In April of last year, a group of scientific experts came to-

gether at the University of Oxford to discuss the current state of our oceans. Their workshop report stated:

Human actions have resulted in warming and acidification of the oceans and are now causing increased hypoxia.

That is when there is not enough oxygen in the water to sustain life.

Studies of the Earth's past indicate that these are the three symptoms . . . associated with each of the previous 5 mass extinctions on Earth.

We experienced two mass ocean extinctions, 55 and 251 million years ago. Last year at Brown University in Providence, RI, paleobiologist Jessica Whiteside published a study demonstrating that after the earlier extinction 251 million years ago, it took 8 million years for plant and animal diversity to return to preextinction levels. We also know that in the lead-up to those extinctions, scientists have estimated that the Earth was emitting carbon into the atmosphere at the rate in the first one of 2.2 gigatons and 1 to 2 gigatons per year, respectively. You recall we are currently releasing at the rate of 7 to 8 gigatons per year.

We are taking some very dangerous chances with our planet. We have very solid information that is the product of measurement and not theory about the changes that are already underway. It is a continuing disgrace that in this building and in this Chamber, we are unable to do anything about this issue because of the continuing power of a small group of special interests who are controlling the debate, who are interfering with progress, and who are putting us all at risk.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MORAN. I ask unanimous consent that I be allowed to address the Senate as in morning business.

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

POSTAL SERVICE REFORM

Mr. MORAN. Mr. President, I am here this evening to express concern about the developments of the day in which I thought we were going to be addressing the issue of postal reform with the goal of making certain that this Senate, this Congress makes decisions in short order that would preserve the financial viability, the future of postal delivery and the Postal Service of the United States. I am concerned now because apparently the process has been put in place by which virtually no amendment can be offered to the 21st Century Postal Service Act of 2011.

On two occasions I voted to proceed to this piece of legislation. It is an important one, in my view. The idea of reforming and improving the opportunity for the financial viability of the Postal Service is important to the country. It matters to the Nation. We have an obligation under the U.S. Constitution to provide postal service. It matters in the sense that there are many items that are transported in commerce on an ongoing daily basis in which the Postal Service is the method by which that transportation occurs, by which we certainly deliver mail and packages. Shipping occurs in the United States as a result of the viability of the U.S. Postal Service. It is important, in my view, especially to me as a Kansan.

One of the things that is pending in the absence of reform, improvements, and financial stability in the Postal Service is the potential demise of many rural post offices across Kansas and around the country. In my view, and I have expressed this to the Postmaster General, the U.S. Postal Service on many occasions has made a decision that I think, while it may save a few dollars, reduces the service the Postal Service provides and ultimately hastens the day in which the Postal Service has even more challenges remaining viable. One of those was the decision by the Postal Service to close many rural post offices across the country, 130-plus in Kansas.

We have had attendance at more than 90 of the community meetings that revolve around the potential closing of a post office. I have expressed great concern in the committee. I serve on the Committee on Homeland Security, in which this bill originates. During that markup and debate, I expressed concern then and expressed concern on several occasions to the Postmaster General that there is no basis for making an intelligent decision about which post office should or should not be closed. In fact, when citizens across Kansas and across the country attend one of these community meetings, their question to the representative of the Postal Service is, What can our community do? What can I do to make certain our post office remains open and we have the opportunity to receive and have mail delivered from here at the U.S. post office in our community?

In working with the committee, provisions were added to the 21st Century Postal Service Act that create criteria by which these decisions would be made and the community has an opportunity to appeal should the decision be adverse and those criteria not met.

In my view, the Senate should not delay any longer addressing the issue of what we do to make certain the Postal Service is and remains viable today and in the future. It matters, as I say, for a series of reasons but certainly to me as a Kansan who is con-

cerned about what happens to the community, its senior citizens, if there is no longer postal service provided.

I know there are some in the Senate and in the House of Representatives and across the country who want to make certain the Postal Service is operated as a business. I certainly support that concept and believe we ought to do what is necessary to improve the business environment by which the Postal Service conducts its business. There is a long list of those. Some of them are addressed in the legislation that I hope remains pending here in the Senate.

But there is another reason in addition to the need to provide service to Americans that we need to address this issue. I want to make certain the decisions we make today eliminate the need that there ever would be a call upon the taxpayers of the United States to provide taxpayer dollars to support the Postal Service.

I am here this evening to encourage my colleagues but particularly the majority leader to work to find an agreement by which amendments can be offered to this bill so that we do not lose the opportunity we have this week and next to address this issue of making certain we make changes to the Postal Service that allow it to be successful.

I am concerned that, as I understand it, there is no agreement yet that would allow Members of the Senate to offer amendments to this legislation. While the provisions of this bill are important to me and important to Kansans, I also recognize the importance to every Member of the Senate to be able to offer legislation, to have debate, to make certain that our rights are protected. I know that particularly in a sense as a member of the minority, as a Republican in the Senate, but I know that even more as a member of a minority called rural America. I do not want to lose the opportunity in the Senate for me to be able to speak on issues that are important to my constituents and to be able to offer amendments to legislation that is important to a minority of Americans called rural America.

What I am troubled by and what I want to see addressed is the legislation that is pending. I do not want it to disappear because there is no agreement for Members of the Senate, all 100 of us, majority and minority, to offer amendments. So I am asking the majority leader to work with Senators to make certain their amendments are available for consideration in this legislation. Don't put me and other Senators, who care about this legislation, in the position of not being able to support moving forward because the rights of some Senators have been violated in their ability to offer amendments to this piece of legislation.

Again, this matters. The Postal Service desperately needs our attention.

The American people who are served by the Postal Service desperately need our attention. We need to set the stage today in which the taxpayers of the United States are protected from any future calls for support for the U.S. Postal Service. We need to make certain in that process, as we pursue this legislation, that the ability of those who live in rural communities, where it is very difficult for the Postal Service to be financially viable, to have access to the Postal Service is not trampled on by the desire to see that only those post offices that are financially viable individually are the ones that remain. In fact, I remind my colleagues that the Postal Rate Service Commission in their study said we could close 3,700 post offices in the United States and save less than .7 percent of the money necessary to put the Postal Service back on a financially sound basis.

This legislation is important. The concepts that are contained in it matter to me as a Member of the Senate who represents a very rural State, Kansas. But I also know how important it is to make sure we do not lose our ability to offer amendments on this legislation or legislation in the future.

Please, Mr. Majority Leader and other Senators, please come together to make certain those rights are protected so this legislation can be fully considered by the Senate.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO JUDGE G. WIX UNTHANK

Mr. McCONNELL. Madam President, I rise today in honor of a man who has made a great contribution to our Nation's judiciary system and to his native Commonwealth of Kentucky. The man of whom I speak has valiantly served in the line of duty and justly served in almost every level of our Nation's court system. He is a pioneer in the legal discipline, a patriot through and through, and a dear friend: the Honorable Judge G. Wix Unthank of Harlan County, KY.

Judge Unthank has announced his retirement and will soon bang the gavel for the last time on June 1 of this year, ending a six-decade-long legacy in the legal field. Although his official day-to-day job may be coming to an end, his public service is most likely far from over. Judging by the colorful life he has led thus far, I trust that his passion for the law and the legal system will lead him back inside the familiar walls of the courthouse for many years to come.

The Honorable Judge Unthank is a solid testimony to the attainment of the American dream. G. Wix Unthank proved that with hard work and ambition you can accomplish truly anything. He was born in the small Harlan County, KY, town of Tway in 1923. His father, Green W. Unthank, and mother, Estelle Howard Unthank, were both teachers in the Harlan County school system. Between the two of them, they spent 68 years in the classroom inspiring young men and women to achieve great things. The emphasis placed on education in the Unthank household rubbed off on young Wix, and he graduated from Loyall High School in Harlan County with the class of 1940. That same year he enlisted in the U.S. Army and proudly served in World War II.

Not even having been on this Earth for two decades, the young Mr. Unthank displayed courage, bravery, and patriotism well beyond his age. While in the service, he was a member of the 509th Paratrooper Battalion. During their training, the unit practiced jumping out of airplanes that flew at heights of 250 to 300 feet. Squad sergeant Ernie Komula of Wix's battalion will never forget how surprised his men were when the planes wouldn't go lower than 2,000 feet once behind enemy lines. Despite the unfamiliar new height, Unthank and the rest of the men didn't think twice about jumping out of that plane and fighting for their beloved country.

After completing a 5-year stint in the Army, in which he received both a Bronze Star and a Purple Heart, he was honorably discharged in 1945. He attended the University of Kentucky for his undergraduate schooling. Then he went on to the University of Miami, where he obtained a J.D. in 1950. Once he had acquired the knowledge his parents had always hoped he would, Wix entered public service in what would turn out to be a prosperous and fulfilling professional life.

Judge Unthank worked as a practicing attorney in Harlan County for a short time before running for the public office of county judge. Throughout his political career, Judge Unthank used the slogan "You'll never be Unthankful with Unthank," and obviously the people never were because he never lost an election.

In the summer of 1980, President Jimmy Carter appointed G. Wix

Unthank to the U.S. district court to serve as the presiding judge of the Eastern District of Kentucky. Eight years after his appointment, he assumed the honorable title of senior judge on the U.S. district court.

After many years of successfully running the courts in the Eastern District, Judge Unthank was honored with a portrait unveiling ceremony in Lexington, KY, in 1991 and Pikeville, KY, in 1992. At the ceremonies the judge was honored by his colleagues, family, and friends for the many achievements he had been blessed with throughout his lifetime up until that point. His portrait was hung in the courtrooms of both Lexington and Pikeville, which Judge Eugene E. Siler, Jr., who led the ceremonies, said that he believed were among the best courtrooms in the United States.

Judge Unthank was known for running a top-notch court system. He promoted collegiality amongst the judges and employees of the Eastern District. Under the leadership of Judge Unthank, they were more than just colleagues, they were a family. They enjoyed working together and seeing that the law was carried out equally and justly with each and every case.

Despite the judge's high-ranking senior status, he never shied away from work. He had an unheard-of workload for a senior judge. Day in and day out, he worked through social security cases, bankruptcy appeals, and retirement disputes with hard work and dedication.

The words carved into the front of the Supreme Court Building in our Nation's Capital read "Equal Justice Under Law." That is a standard that we as a country hold up highly and a motto that those in the legal profession look to for guidance in every decision they make. Wix Unthank was no exception to this rule. He understands the importance of equal justice, and he demonstrated an unbelievable amount of integrity both in and out of the courtroom.

As I have said many times before, I am not in the business of speculation, so I would not testify to the character of Judge G. Wix Unthank if I was at all unsure of it. Therefore, with the utmost certainty, it is my pleasure today to stand and honor the Honorable Judge G. Wix Unthank for his tremendous contribution to his profession, his community, the Commonwealth of Kentucky, and the United States of America, and I ask my Senate colleagues to join me in paying tribute to a brave veteran, a wise jurist, and a confirmed patriot of our great Nation.

ADDITIONAL STATEMENTS

TRIBUTE TO KIKKAN RANDALL

• Mr. BEGICH. Madam President, I wish to recognize Kikkan Randall, an

Olympic athlete and World Champion Nordic skier from Anchorage, AK. On March 18, 2012, Kikkan was awarded the Joska crystal globe as the Cross Country World Cup sprint champion, recognizing her as the world's top sprint ski racer. She clinched the sprint title in Drammen, Norway, despite breaking a binding and skiing on one ski for part of the race. Nevertheless, Kikkan secured the sprint title with a World Cup record that included four podium finishes. This victory makes Kikkan the first American to win a World Cup Nordic skiing title since Bill Koch in 1982.

Kikkan made her Olympic debut in the 2002 Winter Olympics in Salt Lake City. Since then, she has represented the United States in the 2006 and 2010 Winter Olympics. In 2010 Kikkan finished eighth in the sprint competition, registering the best ever Olympic finish for a female American Nordic skier.

Kikkan has been a role model for thousands of young athletes through her extensive community involvement and encouragement of a healthy and active lifestyle. She has worked with young athletes and trained with her fellow Alaskans as a member of the Alaska Pacific University Nordic Ski Team. Her hard work, training, and dedication have clearly paid off. She is an inspiration to young skiers and athletes everywhere.

I would like to congratulate Kikkan on her championship season and wish her the best of luck as she trains for the 2014 Olympics in Sochi, Russia. All of Alaska is proud of Kikkan and her accomplishments.●

REMEMBERING PETER DOUGLAS

• Mrs. BOXER. Mr. President, earlier this month, California and the Nation lost one of our true environmental heroes when Peter Douglas, the longtime executive director of the California Coastal Commission, passed away. Peter was truly a giant among California conservationists, and our State is a much better and more beautiful place because of his life's work.

Peter Douglas was there at the creation of the California Coastal Commission, which for four decades has worked to protect, conserve, restore, and enhance the California coast and ocean for current and future generations. As a legislative aide in the early 1970s, he helped draft the 1972 Coastal Initiative and the California Coastal Act of 1976, which made the Coastal Commission a permanent public institution. After 7 years as the Commission's Chief Deputy Director, he was named executive director in 1985 and served brilliantly in that capacity for more than 25 years.

When Peter was diagnosed with cancer, he faced it as he did all the other challenges in his life with intelligence, courage, grace, and good humor. Last spring, Peter began writing a cancer

blog. As he noted in his first posting, his doctors were “quite pessimistic and advised I get affairs in order and focus on my bucket list. But I am an inveterate and aggressive activist not about to give up on life, especially not my own. My time will come, but not quite yet I hope. Besides, I am too busy to die.”

Peter kept writing, producing a remarkable record of his final battle with cancer along with his political autobiography and some profound personal insights. He advised his readers to “live mindfully and fully every moment. Keep hope alive. . . . When the time comes to pass over to the other side, try to embrace that passage with dignity and grace knowing you have done well.” Peter Douglas certainly did just that.

On behalf of the people of California, who have benefitted so much from Peter Douglas’s life work, I send my deepest gratitude and condolences to his sons, grandchildren, brother, sister, and extended family and friends. Peter’s memory and legacy will live on with everyone who loves the California coast and our priceless natural heritage, which he did so much to preserve and protect.●

TRIBUTE TO JAMES MICHAEL KELLY

● Mr. JOHANNIS. Madam President, today I pay tribute to a dedicated public servant and true legal professional, James Michael Kelly. For nearly 40 years, he has served with distinction in his many roles at the U.S. Department of Agriculture. This spring, J. Michael will be retiring from USDA’s Office of General Counsel. It is a privilege to take this opportunity to recognize his many contributions and thank him for his service.

Since beginning his career at USDA in 1973, J. Michael has served as the department’s Ethics Counselor, Acting General Counsel, Deputy General Counsel, and Associate General Counsel. In these roles, he has distinguished himself as a legal professional of the highest integrity. I had the honor of working closely with J. Michael during my service as Secretary of Agriculture. In fact, throughout his career he has worked with a total of 13 Secretaries of Agriculture. J. Michael has guided many at USDA in upholding all legal and ethical standards. His character, commitment, and professionalism are to be commended.

Though J. Michael’s nearly 40-year history with USDA is impressive, it does not reveal the full extent of his service to our country. In addition to his years at USDA, he served for two years in the U.S. Army and for six years at the U.S. Small Business Administration. I thank J. Michael for his combined 47 years of military and civilian service.

I can personally speak to J. Michael’s dedication to USDA, which will long be remembered and appreciated. I congratulate him on his retirement and thank him again for his service to our country. I also wish to express my gratitude to J. Michael’s wife, Mary Jo (Josie), and their family for supporting his service. May God bless J. Michael and Josie as they begin a new chapter in their lives.●

RECOGNIZING DAVIS HIGH SCHOOL MARCHING BAND

● Mr. LEE. Madam President, today I wish to congratulate the marching band of Davis High School in Kaysville, UT. The band was recently selected to represent Utah and the Mountain West region in the 124th Tournament of Roses Parade, an exceptional honor bestowed upon only 15 of the finest marching bands in the country.

Director Steven Hendricks has been a music educator for 24 years and the director at Davis High School for 22 years. During his time there, the band has tripled in size and has been a five-time Bands of America regional finalist. Mr. President, 2013 will mark the second time that the band will march in the Tournament of Roses Parade under Hendricks’s leadership, having already received the honor once in 2003. Earlier this year, Hendricks was recognized as Utah’s Outstanding High School Music Educator by the Utah Music Educators Association.

It should also be noted and is of equal importance that Davis High School regularly sets a high standard of academic excellence. The school is consistently ranked as one of the top 1,000 high schools in the country. In addition, the Davis High School advanced placement examination scores are among the highest in Utah.

The members of the Davis High School Marching Band have worked diligently for this day, and the reward is undoubtedly well deserved. They will be able to demonstrate their talent and skill in front of nearly 1 million live spectators and tens of millions more watching on television. I know that the band will represent Utah and the Mountain West with excellence and professionalism.●

TRIBUTE TO LAUREN BARLOW

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Lauren Barlow for her hard work as an intern for the U.S. Senate Republican Policy Committee. I recognize her efforts and contributions to my office.

Lauren is a native of Gilbert, AZ, and a graduate from Gilbert High School. She graduated from the Brigham Young University with a degree in English. She has demonstrated a strong work ethic which has made her

an invaluable asset to the U.S. Senate Republican Policy Committee. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Lauren for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO GREYSON BUCKINGHAM

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Greyson Buckingham for his hard work as an intern for the U.S. Senate Republican Policy Committee. I recognize his continued efforts and contributions to my office.

Greyson is a native of Kelly, WY, and a graduate of Jackson Hole High School. He is a student at Georgetown University, where he is majoring in history and government. He has demonstrated a strong work ethic which has made him an invaluable asset to the U.S. Senate Republican Policy Committee. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Greyson for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

TRIBUTE TO LAURA CAPASSO

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Laura Capasso for her continued dedication as an intern in my Casper office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Laura is a native of Wyoming and a graduate of Kelly Walsh High School. She currently attends the University of Wyoming/Casper College Center where she is majoring in psychology and minoring in sociology. She has once again demonstrated a strong work ethic which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the time she has been with us.

I want to thank Laura for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO KEVIN FETTEL

● Mr. BARRASSO. Madam President, I would like to take the opportunity to

express my appreciation to Kevin Fettel for his hard work as an intern in the U.S. Senate Committee on Indian Affairs. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Kevin is a native of Laramie, WY, and graduated from Laramie Senior High School. He currently attends the University of Wyoming, where he is majoring in microbiology and molecular biology and minoring in chemistry. He has demonstrated a strong work ethic which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Kevin for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

TRIBUTE TO STEPHEN HUDSON

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Stephen Hudson for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Stephen is a native of Casper, WY, and a graduate of Natrona County High School. He graduated from Casper College with an associate of arts and from the University of Wyoming with a bachelor's degree in international studies and minor in Russian. He has demonstrated a strong work ethic which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Stephen for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

TRIBUTE TO TYLER NEASLONEY

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Tyler Neasloney for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Tyler is a native of Cheyenne, WY, and a graduate of Central High School. He graduated from the University of Wyoming with a bachelor of arts in Russian and a bachelor of science in marketing. He has demonstrated a strong work ethic which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Tyler for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

TRIBUTE TO BERNADETTE NELSON

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Bernadette Nelson for her hard work as a volunteer in my Washington, DC, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Bernadette is a native of Jackson, WY, and a graduate of Jackson Hole Community School. She attends the Georgetown University School of Foreign Service, where she is majoring in science, technology, and international affairs with a concentration in global health. She has demonstrated a strong work ethic which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Bernadette for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO LAUREN PERRY

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Lauren Perry for her hard work as an intern in my Washington, DC office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Lauren is a native of Buffalo, WY, and graduated from Paint Branch High School in Burtonsville, MD. She recently earned a master of arts in English at the University of Wyoming. She has demonstrated a strong work ethic which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Lauren for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO KATELYNN THOMAS

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Katelynn Thomas for her hard work as an intern for the U.S. Senate Republican Policy

Committee. I recognize her efforts and contributions to my office.

Katelynn is a native of Rock Springs, WY, and a graduate of Oakton High School in Vienna, VA. She graduated from the University of Kentucky with degrees in marketing and management and a minor in international business. She has demonstrated a strong work ethic which has made her an invaluable asset to the U.S. Senate Republican Policy Committee. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Katelynn for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO KALEIGH WILLIAMS

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Kaleigh Williams for her hard work as an intern—for a second term—in my Cheyenne office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Kaleigh is a native of Cheyenne and a graduate of Cheyenne East High School. She graduated from the University of Wyoming in 2011 with a degree in political science. She has once again demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Kaleigh for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 12:33 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks,

announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1815. An act to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

H.R. 4089. An act to protect and enhance opportunities for recreational hunting, fishing and shooting.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1815. An act to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement; to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5691. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Silicic Acid, Sodium Salt etc; Tolerance Exemption" (FRL No. 9333-6) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5692. A communication from the Manager of the BioPreferred Program, Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Designation of Product Categories for Federal Procurement" (RIN0599-AA14) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5693. A communication from the Secretary of the Commission, Division of Clearing and Risk, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Customer Clearing Documentation, Timing of Acceptance for Clearing, and Clearing Member Risk Management" (RIN3038-0092, -0094) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5694. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Ann E. Rondeau, United States Navy, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-5695. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General John E. Sterling, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5696. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an of-

ficer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5697. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to whether providing an annual allowance would increase the use of preventive health services among members of the Armed Forces and their family members; to the Committee on Armed Services.

EC-5698. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to clinical quality management in the Military Health System; to the Committee on Armed Services.

EC-5699. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled "The Department of Defense Evaluation of the TRICARE Program: Access, Cost and Quality Fiscal Year (FY) 2012"; to the Committee on Armed Services.

EC-5700. A communication from the Assistant Secretary of Defense (Logistics and Material Readiness), transmitting, pursuant to law, a report relative to core depot-level maintenance and repair capability requirements and sustaining workloads; to the Committee on Armed Services.

EC-5701. A communication from the Under Secretary of Defense (Policy), Department of Defense, transmitting, pursuant to law, a report relative to the training of the U.S. Special Operations Forces with friendly foreign forces during fiscal year 2011; to the Committee on Armed Services.

EC-5702. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to the Evolved Expendable Launch Vehicle (EELV) program and program baseline estimates; to the Committee on Armed Services.

EC-5703. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Rule; Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5704. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5705. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5706. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket

No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5707. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States" (RIN0694-AF43) received in the Office of the President of the Senate on April 16, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5708. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-5709. A communication from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting, pursuant to law, the Bank's 2011 management reports; to the Committee on Banking, Housing, and Urban Affairs.

EC-5710. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on April 12, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5711. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on April 12, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5712. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to obligations and unobligated balances of funds provided for Federal-aid highway and safety construction programs during fiscal year 2011; to the Committee on Commerce, Science, and Transportation.

EC-5713. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991" (CG Docket No. 02 278) received during adjournment of the Senate in the Office of the President of the Senate on April 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5714. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Export Administration Regulations (EAR): Export Control Classification Number 0Y521 Series, Items Not Elsewhere Listed on the Commerce Control List (CCL)" (RIN0694-AF17) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5715. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Interim Action" (RIN0648-BB89) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5716. A communication from the Acting Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, the semi-annual Implementation Report on Energy Conservation Standards Activities of the Department of Energy; to the Committee on Energy and Natural Resources.

EC-5717. A communication from the Director of the Sustainability Performance Office, Department of Energy, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Department's Fleet Alternative Fuel Vehicle Acquisition Report for fiscal year 2008; to the Committee on Energy and Natural Resources.

EC-5718. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the cost of the Little Calumet River, Indiana, Local Flood Control and Recreation Project; to the Committee on Environment and Public Works.

EC-5719. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; South Dakota; Regional Haze State Implementation Plan" (FRL No. 9658-9) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Environment and Public Works.

EC-5720. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Amendments to the Handling, Storage, and Disposal of Volatile Organic Compounds Emissions; Automobile and Light-Duty Truck Coating Operations; Paper Coating; Coating of Flat Wood Paneling; Graphic Art Systems; and Industrial Cleaning Solvents" (FRL No. 9657-1) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Environment and Public Works.

EC-5721. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Missouri: Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule; New Source Review Reform" (FRL No. 9657-8) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Environment and Public Works.

EC-5722. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Technical Corrections and Clarifications Rule" (FRL No.

9659-7) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Environment and Public Works.

EC-5723. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; Small Container Exemption from VOC Coating Rules" (FRL No. 9651-5) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Environment and Public Works.

EC-5724. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan; Yolo-Solano Air Quality Management District" (FRL No. 9652-2) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Environment and Public Works.

EC-5725. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units; Correction" (FRL No. 9654-8) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Environment and Public Works.

EC-5726. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality Implementation Plans; Kentucky; Attainment Plan for the Kentucky Portion of the Huntington-Ashland 1997 Annual PM_{2.5} Nonattainment Area" (FRL No. 9657-4) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Environment and Public Works.

EC-5727. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Northern Sierra and Sacramento Metropolitan Air Quality Management District" (FRL No. 9659-8) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Environment and Public Works.

EC-5728. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Arizona State Implementation Plan, Pinal County Air Quality District" (FRL No. 9639-5) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Environment and Public Works.

EC-5729. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted

Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2012-28) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Finance.

EC-5730. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Nonconventional Source Fuel Credit, 2011 Section 45K Inflation Adjustment Factor and Section 45K Reference Price" (Notice 2012-30) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Finance.

EC-5731. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Alan Baer Revocable Trust v. United States" (AOD 2012-04) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2012; to the Committee on Finance.

EC-5732. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule relative to extending the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Bolivia Concerning the Imposition of Import Restrictions on Categories of Archaeological Material; to the Committee on Finance.

EC-5733. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress: Plan to Reform the Medicare Wage Index"; to the Committee on Finance.

EC-5734. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties (List 2012-0037-2012-0041); to the Committee on Foreign Relations.

EC-5735. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to the waiver of the restrictions contained in Section 907 of the FREEDOM Support Act of 1992; to the Committee on Foreign Relations.

EC-5736. A communication from the Director of the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Examinations of Work Areas in Underground Coal Mines for Violations of Mandatory Health or Safety Standards" (RIN1219-AB75) received in the Office of the President of the Senate on April 16, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5737. A communication from the General Counsel, General Services Administration, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, General Services Administration, received during adjournment of the Senate in the Office of the President of the Senate on April 12, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-5738. A communication from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, a report relative to the Administration's decision to enter into a contract with a private

security screening company to provide screening services at Greater Rochester International Airport, Rochester, NY, Tupelo Regional Airport, Tupelo, MS and Key West International Airport, Key West, FL; to the Committee on Homeland Security and Governmental Affairs.

EC-5739. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Certified Business Enterprise Expenditures of Public-Private Development Construction Projects for Fiscal Year 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-5740. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Inmate Communication with News Media: Removal of Byline Regulations" (RIN1120-AB49) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-70. A resolution adopted by the Legislature of the State of Arizona urging Congress to adopt the measures and policies contained in the Save Arizona's Forest Environment (SAFE) Plan and provide for a temporary emergency suspension of the requirement to perform National Environmental Policy Act studies; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT MEMORIAL NO. 1001

To the Congress of the United States of America:

Your memorialist respectfully represents:

Whereas, the State of Arizona, its citizens and its communities have drastically suffered from catastrophic wildfires that devastated more than 850,000 acres of wildlife habitat, watersheds, timber, livestock forage and private property; and

Whereas, the water and air pollution from these catastrophic wildfires have negatively impacted human health and have endangered species and the human environment; and

Whereas, millions more acres of Arizona's forest lands face the threat of future catastrophic wildfires.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress adopt the measures and policies contained in the Save Arizona's Forest Environment (SAFE) Plan and provide for a temporary emergency suspension of the requirement to perform National Environmental Policy Act studies on forest thinning and timber and forage management activities in Arizona's forest lands that have suffered from or are threatened by future catastrophic wildfires.

2. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-71. A resolution adopted by the Legislature of the State of Arizona urging Congress to adequately fund the United States Forest Service in order to properly manage

forests and grasslands and prohibit the Forest Service from acquiring and managing additional lands until the Forest Service demonstrates its ability to properly manage and protect forests; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT MEMORIAL NO. 1003

To the Congress of the United States of America:

Your memorialist respectfully represents:

Whereas, the United States Congress established the United States Forest Service in 1905 to provide quality water and timber for the nation's benefit; and

Whereas, over the years, the United States Congress has directed the United States Forest Service to manage more national forests and grasslands; and

Whereas, the President's fiscal year 2012 budget increased funding for land acquisition by \$26,360,000; and

Whereas, the President's fiscal year 2012 budget reduced funding for the Wildland Fire Management by \$396,675,000; and

Whereas, the President's fiscal year 2012 budget reduced budgeting for the FLAME Wildfire Suppression Reserve Fund by \$97,114,000; and

Whereas, in 2011, the total number of acres consumed by wildland fires on Arizona lands that are managed by the United States Forest Service was 878,540 out of the total of 981,189 acres that were burned in Arizona that year; and

Whereas, the United States Forest Service has existed for more than 100 years with the express purpose of managing public forests and grasslands; and

Whereas, the mission of the United States Forest Service is to sustain the health, diversity and productivity of the nation's forests and grassland.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress adequately fund the United States Forest Service in order to properly manage forests and grasslands.

2. That the United States Congress prohibit the United States Forest Service from acquiring and managing additional lands until the Forest Service demonstrates its ability to properly manage and protect forests.

3. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the Chief of the United States Forest Service, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-72. A resolution adopted by the Legislature of the State of Arizona urging Congress to enact legislation making monies collected under the federal gas tax immediately available to the individual states to fund their transportation needs; to the Committee on Finance.

HOUSE CONCURRENT MEMORIAL NO. 2004

To the Congress of the United States and the Secretary of the United States Department of Transportation:

Your memorialist respectfully represents:

Whereas, the United States Department of Transportation was established by an act of Congress on October 15, 1966, and the department's first official day of operation was April 1, 1967; and

Whereas, the mission of the department is to "serve the United States by ensuring a

fast, safe, efficient, accessible and convenient transportation system that meets our vital national interests and enhances the quality of life of the American people, today and into the future"; and

Whereas, the main mission of the department has largely been fulfilled by the completion of the federal interstate highway system; and

Whereas, state and local governments are faced with difficult decisions regarding local transportation needs on a continuing and ever-increasing basis; and

Whereas, the federal motor fuel taxes charged to the citizens of Arizona are needlessly sent to the federal government before being returned to the state government; and

Whereas, federal restrictions, mandates and spending requirements prevent the citizens of Arizona from setting their own transportation priorities.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress enact legislation making monies collected under the federal gas tax immediately available to the individual states to fund their transportation needs.

2. That the United States Congress enact legislation to cease the collection of motor fuel taxes in Arizona so that this state can collect and distribute the taxes without the delay caused by federal collection and disbursement.

3. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Department of Transportation and each Member of Congress from the State of Arizona.

POM-73. A joint memorial adopted by the Legislature of the State of New Mexico requesting a Congressional resolution requesting the United States postal service issue a commemorative stamp honoring the sesquicentennial anniversary of the battle of Glorieta pass in New Mexico and recognizing the importance of the battle; to the Committee on Homeland Security and Governmental Affairs.

HOUSE JOINT MEMORIAL

Whereas, in January 1862, confederate General Henry Hopkins Sibley, with a brigade of two thousand six hundred Texans, invaded the territory of New Mexico with the intention of claiming the territory and the west for the confederacy; and

Whereas, the volunteers of the Texas confederate forces were victorious in defeating the union forces at the battle of Valverde on February 21, 1862, and shortly afterwards, on February 25, 1862, they captured Socorro, and on March 7, 1862, Albuquerque was captured; and

Whereas, the confederate forces captured Santa Fe on March 10, 1862, the capital having been moved earlier by the New Mexico territorial governor, the honorable Henry Connelly, to Las Vegas, New Mexico; and

Whereas, following these battlefield successes, the Texas confederate forces planned to conquer Fort Union and then march to Colorado to take over the mines located there; and

Whereas, from there, the forces intended to form an alliance with the Mormons and together take over the gold fields of California, which would have provided much needed capital for the confederacy; and

Whereas, the conquest of California would have additionally provided two sorely needed ports, free of union blockades; and

Whereas, the fulfillment of their plans would have severed the western territories from the Union and strengthened the position of the confederacy; and

Whereas, they next planned to take over the Mexican states of lower California, Sonora and Chihuahua, which had the potential to gain much needed recognition by foreign countries; and

Whereas, the Texas confederate forces were met in a skirmish and fought two battles with the union forces at Glorieta Pass on March 26 to 28, 1862; and

Whereas, even though the confederate forces were victorious in these two battles, they were forced to abandon their dream of taking over Fort Union and conquering the west when their supply of sixty to eighty wagons, loaded with weapons, medical supplies, food and blankets, was burned and four hundred mules and horses were captured by a contingent of United States regular army forces from Fort Union and volunteers from Colorado and New Mexico; and

Whereas, after this tremendous loss, the confederate Texans had no other choice but to abandon General Sibley's dream and retreat back to Santa Fe, then to Albuquerque and eventually out of New Mexico and back to Texas; and

Whereas, this turning point in the confederate campaign in New Mexico, the "battle of Glorieta pass", is referred to by some historians as "the Gettysburg of the west"; and

Whereas, although the loss of men killed, wounded or missing in the Civil War battles fought in New Mexico may seem insignificant compared to the carnage of the Civil War battles that were fought in the east and south, the importance and significance of this battle cannot be overstated, as the ultimate outcome helped hold the union together and assured its survival in what we now know as the United States of America; Now, therefore, be it

Resolved by the legislature of the State of New Mexico, That the New Mexico congressional delegation be requested to introduce a congressional resolution requesting the United States postal service to issue a commemorative stamp honoring the sesquicentennial anniversary of the battle of Glorieta pass in New Mexico and recognizing the importance of the battle of Glorieta pass; and be it further

Resolved, that copies of this memorial be transmitted to the president of the United States, the speaker of the United States house of representatives, the president of the United States senate, the members of the New Mexico congressional delegation, the secretary of the United States department of the interior, the postmaster general of the United States postal service and the non-profit organization, the friends of the Pecos national historical park.

POM-74. A resolution adopted by the Lauderdale Lakes City Commission, Lauderdale Lakes, Florida urging the public condemnation of President Bashar al-Assad of Syria and renouncing all genocidal regimes and the use of genocidal methods on civilian populations, including women, children and the elderly, in order to retain dictatorial power against repeated cries for freedom; to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mrs. BOXER (for herself, Mrs. GILLIBRAND, and Mr. MERKLEY):

S. 2293. A bill to establish a national, toll-free telephone parent helpline to provide information and assistance to parents and caregivers of children to prevent child abuse and strengthen families; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. CARDIN, Ms. MIKULSKI, Mr. WARNER, and Mr. WEBB):

S. 2294. A bill to provide for continued conservation efforts in the Chesapeake Bay watershed, increase energy production from animal waste, improve transparency of Federal restoration efforts, and expand agricultural opportunities to participate in State voluntary water quality credit trading programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEAHY (for himself, Mr. FRANKEN, Mr. COONS, Mr. WHITEHOUSE, Mr. BINGAMAN, Mr. BROWN of Ohio, and Mr. BLUMENTHAL):

S. 2295. A bill to permit manufacturers of generic drugs to provide additional warnings with respect to such drugs in the same manner that the Food and Drug Administration allows brand names to do so; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HAGAN (for herself and Mr. HARKIN):

S. 2296. A bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MANCHIN (for himself, Mr. KIRK, and Mrs. GILLIBRAND):

S. 2297. A bill to amend the Controlled Substances Act to make any substance containing hydrocodone a schedule II drug; to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

S. 2298. A bill to amend the Rural Electrification Act of 1936 to improve the program of access to broadband telecommunications services in rural areas; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. MURRAY (for herself, Mr. BEGICH, Mr. WHITEHOUSE, Mr. ROCKEFELLER, and Mr. AKAKA):

S. 2299. A bill to amend the Servicemembers Civil Relief Act and title 38, United States Code, to improve the provision of civil relief to members of the uniformed services and to improve the enforcement of employment and reemployment rights of such members, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MORAN (for himself and Mr. ROBERTS):

S. 2300. A bill to allow for a reasonable compliance deadline for certain States subject to the Cross State Air Pollution Rule; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCAIN (for himself, Mr. LIEBERMAN, Mr. GRAHAM, Mr. KYL, Ms. AYOTTE, and Mr. HOEVEN):

S. Res. 424. A resolution condemning the mass atrocities committed by the Government of Syria and supporting the right of the people of Syria to be safe and to defend themselves; to the Committee on Foreign Relations.

By Mr. WEBB (for himself, Ms. SNOWE, Mr. WARNER, Mr. BROWN of Ohio, and Mr. COCHRAN):

S. Res. 425. A resolution designating April 23, 2012, as "National Adopt a Library Day"; considered and agreed to.

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. Res. 426. A resolution congratulating the Lady Bears of Baylor University on winning the 2012 National Collegiate Athletic Association Division I Women's Basketball Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 714

At the request of Mr. BINGAMAN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 714, a bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes.

S. 847

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 847, a bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes.

S. 881

At the request of Mr. VITTER, his name was added as a cosponsor of S. 881, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide substantive rights to consumers under such agreements, and for other purposes.

S. 941

At the request of Mr. REED, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 941, a bill to strengthen families' engagement in the education of their children.

S. 1039

At the request of Mr. CARDIN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1316

At the request of Mr. ENZI, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1316, a bill to prevent a fiscal crisis

by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending.

S. 1575

At the request of Mr. CARDIN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1575, a bill to amend the Internal Revenue Code of 1986 to modify the depreciation recovery period for energy-efficient cool roof systems.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1833

At the request of Mr. MANCHIN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1833, a bill to provide additional time for compliance with, and coordinating of, the compliance schedules for certain rules of the Environmental Protection Agency.

S. 2051

At the request of Mr. REED, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2051, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 2076

At the request of Mr. FRANKEN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2076, a bill to improve security at State and local courthouses.

S. 2103

At the request of Mr. LEE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2120

At the request of Ms. MURKOWSKI, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2120, a bill to require the lender or servicer of a home mortgage upon a request by the homeowner for a short sale, to make a prompt decision whether to allow the sale.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2172

At the request of Ms. SNOWE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2172, a bill to remove the limit on the anticipated award price for contracts awarded under the procurement program for women-owned small business concerns, and for other purposes.

S. 2205

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 2205, a bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens.

S. 2230

At the request of Mr. WHITEHOUSE, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2230, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

S. 2270

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2270, a bill to amend the Farm Security and Rural Investment Act of 2002 to improve energy programs.

S. 2277

At the request of Mr. THUNE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2277, a bill to respond to the extreme fire hazard and unsafe conditions resulting from pine beetle infestation, drought, disease, or storm damage by declaring a state of emergency and directing the Secretary of Agriculture to immediately implement hazardous fuels reduction projects in the manner provided in title I of the Healthy Forests Restoration Act of 2003, and for other purposes.

S. J. RES. 38

At the request of Mr. GRAHAM, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. J. Res. 38, a joint resolution disapproving a rule submitted by the Department of Labor relating to the certification of nonimmigrant workers in temporary or seasonal non-agricultural employment.

S. RES. 418

At the request of Mr. BROWN of Ohio, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. Res. 418, a resolution commending the 80 brave men who became known as the "Doolittle Tokyo Raiders" for outstanding heroism, valor, skill, and service to the United States during the bombing of Tokyo and 5 other targets on the island of Honshu on April 18, 1942, during the Second World War.

AMENDMENT NO. 2003

At the request of Ms. MIKULSKI, the name of the Senator from Ohio (Mr.

BROWN) was added as a cosponsor of amendment No. 2003 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2004

At the request of Ms. MIKULSKI, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 2004 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2005

At the request of Ms. MIKULSKI, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 2005 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2008

At the request of Mr. MCCAIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 2008 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2011

At the request of Mr. MCCAIN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of amendment No. 2011 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2020

At the request of Mr. WYDEN, the names of the Senator from Colorado (Mr. BENNET), the Senator from Montana (Mr. BAUCUS), the Senator from Ohio (Mr. BROWN) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 2020 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2031

At the request of Mrs. MCCASKILL, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Colorado (Mr. UDALL), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 2031 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. FRANKEN, Mr. COONS, Mr. WHITEHOUSE, Mr. BINGAMAN, Mr. BROWN of Ohio, and Mr. BLUMENTHAL):

S. 2295. A bill to permit manufacturers of generic drugs to provide additional warnings with respect to such drugs in the same manner that the

Food and Drug Administration allows brand names to do so; to the Committee on Health, Education, Labor, and Pensions.

Mr. LEAHY. Mr. President, today, I am introducing legislation that will protect American consumers by improving the labeling on prescription drugs to promote consumer safety. This important bill will ensure that all drug manufacturers can update the warning labels for their products so that the information provided to doctors and consumers is as accurate and up-to-date as possible. It is a straightforward measure that has the support of patient groups and consumer advocates. I am pleased that Senators FRANKEN, COONS, WHITEHOUSE, BINGAMAN, BROWN of Ohio, and BLUMENTHAL have joined me as original cosponsors of the bill.

The Patient Safety and Generic Labeling Improvement Act will promote consumer safety by ensuring that generic drug companies can improve the warning information for their products in the same way that brand manufacturers can under existing law. This ability is especially important given the large role that generics play in the market for prescription drugs. The Department of Health and Human Services reports that generic drugs now make up 75 percent of the market for pharmaceuticals. Studies show that when a generic version of a drug is available, 90 percent of prescriptions are filled with the generic version of the drug. The large role that generics play in the market gives them important insight into side effects experienced by their customers. The Patient Safety and Generic Labeling Improvement Act will allow generic manufacturers to act on this information, by authorizing them to improve their labels to provide accurate and up-to-date warnings to consumers.

A recent Supreme Court decision, *Pliva v. Mensing*, created the need for this important legislation. In the *Mensing* case, a narrow 5-4 majority on the Court held that a Minnesota woman, Gladys Mensing, could not recover for debilitating injuries she received from a mislabeled drug that was intended to treat her diabetes symptoms. Despite evidence that long-term use of the drug could cause a severe neurological condition known as tardive dyskinesia, the manufacturer's label did not expressly warn against long-term use until years after Ms. Mensing began taking the drug. She developed the condition, losing control of muscles in her face, arms and legs.

Ms. Mensing's injuries are life-changing and irreversible. The Supreme Court held that she cannot be compensated for the drug company's failures because of a technicality in the law. That technicality arose because Ms. Mensing's pharmacy had filled her prescription with the generic version of

the drug. The Supreme Court held that, unlike brand name companies, generic manufacturers cannot be held liable for inadequate labeling, because they cannot change the labels on their products independently. Generic manufacturers should have the ability to participate fully in the labeling process, but they are unable to do so. More important to injured consumers, there is no remedy for them. The generic manufacturers can use this Supreme Court decision and the quirk in the labeling laws to avoid any accountability, even if they fail to inform the FDA that a label is inadequate.

The *Mensing* decision creates a troubling inconsistency in the law governing prescription drugs. If a consumer takes the brand-name version of drug, she can sue the manufacturer for inadequate warnings. If the pharmacy happens to give her the generic version, as happened to Ms. Mensing, she is unable to seek compensation for her injuries. The result is a two-track system that penalizes consumers of generic drugs even though many consumers have no control over which drug they take, because their health insurance plan or state laws require them to take generics if they are available.

In an editorial published last month, *The New York Times* criticized the inconsistency of this outcome, writing: "Same drug. Same devastating health consequences. Opposite results. This injustice will affect more people as generics, which already dominate the market, expand even more under the pressure to control health care costs." Even Justice Thomas, writing for the majority in *Mensing*, acknowledged the inconsistent outcome, writing: "[I]t is not the Court's task to decide whether the statutory scheme established by Congress is unusual or even bizarre." Writing in dissent, Justice Sotomayor accurately warned of "absurd consequences" that will flow from the "happenstance" of whether a prescription was filled with a brand-name or generic drug.

I agree that having different rules for patients who take generic and brand-name drugs makes little sense, and raises significant policy concerns. It is also troubling that generic manufacturers cannot update their safety labels in the same way that brand manufacturers can. In today's world, where generic drugs make up 75 percent of the prescription drug market, all manufacturers should be able to improve the warning information they provide to doctors and consumers. The Patient Safety and Generic Labeling Improvement Act will achieve this goal.

This legislation is not intended to overburden the makers of generic drugs. Instead, it authorizes generic drug manufacturers to act upon drug safety information that they already gather pursuant to existing regulation.

The FDA requires generic manufacturers to monitor, investigate and report adverse side effects experienced by users of their drug. Generics already must submit an annual report to the FDA summarizing new information that "might affect the safety, effectiveness or labeling of a drug product", including a "description of actions they have taken or intend to take as a result of this new information". When brand-name manufacturers exit the market—as is often the case after generics are introduced—generics may be the only manufacturers who gather this information.

The Patient Safety and Generic Labeling Improvement Act authorizes generics to act on the information they gather to improve the labeling on their product in the same way that brand-owners may do under existing law. It creates an exception to the general requirement that the labeling of a generic drug must be the same as the labeling of its brand-name or listed equivalent, and instead allows generic manufacturers to initiate a labeling change where that process is available to brand-name manufacturers. Under the law, a generic manufacturer would be able to use the "Changes Being Effected" process that permits manufacturers to implement a labeling change while the change is simultaneously reviewed by the FDA. When a labeling change is made under this provision, the FDA would be authorized to order conforming changes across equivalent drugs to ensure consistent labeling among products.

This legislation has the support of public interest groups and advocates, including the AARP, Public Citizen, the Alliance for Justice, and numerous consumer groups.

I have long worked to ensure that safe, affordable generic drugs are available to American consumers. Earlier this Congress, I introduced legislation to facilitate the importation of low-cost generic drugs from Canada, a measure that will increase competition and help drive down the prices of prescription drugs. We all benefit from the availability of safe, affordable medication to help reduce the overwhelming costs of healthcare.

The legislation I am introducing today will promote accountability and ensure that all drug makers can take appropriate steps to enhance warnings given to doctors and consumers. I hope that other Senators will join me and my cosponsors in supporting this important legislation.

Mr. President, I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2295

APRIL 17, 2012.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Patient Safety and Generic Labeling Improvement Act”.

SEC. 2. WARNING LABELING WITH RESPECT TO GENERIC DRUGS.

Section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) is amended by adding at the end the following:

“(11)(A) Notwithstanding any other provision of this Act, the holder of an approved application under this subsection may change the labeling of a drug so approved in the same manner authorized by regulation for the holder of an approved new drug application under subsection (b).

“(B) In the event of a labeling change made under subparagraph (A), the Secretary may order conforming changes to the labeling of the equivalent listed drug and each drug approved under this subsection that corresponds to such listed drug.”.

AARP,
March 30, 2012.

Hon. PATRICK J. LEAHY,
U.S. Senate,
Washington, DC.

DEAR SENATOR LEAHY: AARP is pleased to endorse your legislation, the Patient Safety and Generic Labeling Improvement Act, to address the issue of whether generic drug manufacturers have a duty to include new warnings about potentially serious side effects on their labels as they become known. Your bill would accomplish this by giving generic drug makers the same ability to update their labeling as currently exists for manufacturers of brand name drugs.

AARP believes generic drugs are one of the safest and most effective ways for consumers to lower their prescription drug costs, and we encourage our members to use generic drugs whenever possible. However, AARP is concerned that, unlike brand name drug manufacturers, generic drug manufacturers cannot be held liable for inadequate drug warning labels due to their inability to directly update their labels under current law.

As noted in an AARP Foundation amicus brief submitted in *Pliva v. Mensing*, AARP believes that holding generic drug makers to a lower standard will effectively punish consumers for choosing generic drugs and send the message that generics are less trustworthy than name brand drugs—directly counter to the intent of the Hatch-Waxman Act. We are encouraged by your bill and hope it will serve to not only ensure patients have adequate legal protections, but also prompt improvements to the FDA process for updating warning labels when new information about potentially harmful side effects comes to light.

We thank you for your leadership in this area, and we look forward to working with you and your colleagues on both sides of the aisle to advance the Patient Safety and Generic Labeling Improvement Act. If you have any further questions, please feel free to call me or have your staff contact KJ Hertz of our Government Affairs staff at 202-434-3770.

Sincerely,

JOYCE A. ROGERS,
Senior Vice President, Government Affairs.

Hon. PATRICK LEAHY,
U.S. Senate,
Washington, DC.

DEAR CHAIRMAN LEAHY: We write to express our strong support for the Patient Safety and Generic Labeling Improvement Act, which would promote consumer safety by ensuring that generic drug companies can improve the warning information for their products in the same way that brand manufacturers can under existing law.

By authorizing generic manufacturers to improve their labels using the same “Changes Being Effected” process that is currently available to brand-name manufacturers, this legislation will help protect millions of Americans. The Department of Health and Human Services reports that generic drugs now make up 75 percent of the market for pharmaceuticals, and studies show that when a generic version of a drug is available 90 percent of prescriptions are filled with the generic.

This much-needed legislation responds to the Supreme Court’s 2011 decision in *PLIVA v. Mensing*, in which the Court held 5-4 that a Minnesota woman, Gladys Mensing, could not recover damages for debilitating injuries she received from a drug with an inadequate warning label simply because her prescription was filled with the generic version of the drug, rather than with the brand-name drug. The Court previously held in *Wyeth v. Levine* (2009) that federal law does not preempt failure-to-warn claims against brand-name drug manufacturers. The *Mensing* decision thus created an arbitrary distinction whereby a court’s ruling on whether or not a consumer can obtain relief turns solely on the happenstance of whether his or her prescription was filled with a brand-name or generic drug.

This troubling and unfair inconsistency in the law is exacerbated by the fact that many consumers have little control over which version of a drug they are given. Many brand-name manufacturers exit the market after generics are introduced. Moreover, many state laws and health insurance plans require consumers to be given generics if they are available.

Given the inherent unfairness of the current law and the ongoing harm to millions of Americans, the Senate should pass this legislation without delay.

Sincerely,
Alliance for Justice, Consumer Action,
Consumer Federation of America, Consumers Union, Consumer Watchdog,
National Association of Consumer Advocates, and US PIRG.

PUBLIC CITIZEN,
Washington, DC, April 18, 2012.

Re Letter in support of Patient Safety and Generic Labeling Improvement Act

Hon. PATRICK LEAHY, Chairman,
U.S. Senate, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY: Public Citizen, a nonprofit consumer advocacy organization with 250,000 members and supporters nationwide, writes to applaud your introduction of legislation that would give generic drug manufacturers the authority to revise labeling for their products when they become aware of risks that are not adequately disclosed. This bill would fill a gaping hole in drug regulation that poses a threat to patients’ health and safety.

Your legislation reflects the concerns voiced by Public Citizen in a citizen petition that we submitted to the Food and Drug Ad-

ministration in August 2011. As we explained in the petition, the generic drug market has grown exponentially in the past 25 years, and generic drugs now constitute a majority of the prescription drugs sold in the United States. The growth of generic drug sales reflects the fact that generics offer equally effective but more affordable alternatives to their brand-name counterparts. The regulatory system, however, has not adjusted to the marketplace.

Under current law, a generic drug manufacturer is not authorized to revise product labeling when it becomes aware of inadequacies in the labeling. Specifically, FDA regulations provide that, unlike brand-name manufacturers, generic drug manufacturers are not permitted to initiate labeling revisions to strengthen warnings, contraindications, or precautions. As a result, the millions of patients who use generic drugs may not have access to up-to-date information on safety and proper use. And generic drug manufacturers lack incentive to monitor and ensure the safety of their products, even when the generic versions represent a majority of the market for a particular drug. Your legislation would correct this problem.

Your bill would also correct an illogical inconsistency in the accountability that generic and brand-name drug manufacturers have to patients. In a 2011 decision, *PLIVA v. Mensing*, the Supreme Court relied on FDA regulations to hold that a consumer injured by a generic drug with inadequate warnings cannot seek compensation under state law for failure to warn. By contrast, in a 2008 decision, *Wyeth v. Levine*, the Court had held that manufacturers of prescription drugs could be held accountable to patients for harm their drugs caused. The Justices in *Mensing* itself noted that this inconsistency “makes little sense,” with four Justices calling it “absurd.”

As the Supreme Court has noted, “the FDA has limited resources to monitor the 11,000 drugs on the market, and manufacturers have superior access to information about their drugs, especially in the postmarketing phase as new risks emerge.” Under your bill, generic drug manufacturers, who already have access to relevant safety information, would be able to revise their labeling as new information comes to light, thereby making their products safer for patients.

For these reasons, Public Citizen strongly supports your intent to fill the regulatory gap in generic drug safety. We look forward to working with you to pass this important legislation.

Sincerely,
ALLISON M. ZIEVE,
Director,
Public Citizen Litigation Group.
SIDNEY M. WOLFE, MD,
Director,
Public Citizen Health Research Group.

[From the New York Times, Mar. 23, 2012]

A BIZARRE OUTCOME ON GENERIC DRUGS

Dozens of suits against drug companies have been dismissed in federal and state courts because of a decision by the Supreme Court last year that makes it virtually impossible to sue generic manufacturers for failing to provide adequate warning of a prescription drug’s dangers. This outrageous denial of a patient’s right to recover fair damages makes it imperative that Congress or the Food and Drug Administration fashion a remedy.

This situation is particularly bizarre because patients using the brand-name drug can sue when those using the generic form of

the drug cannot, as explained by Katie Thomas in *The Times* on Wednesday. In 2008, the Supreme Court ruled that a Vermont woman who had her hand and forearm amputated because of gangrene after being injected with a brand name anti-nausea drug could sue the manufacturer for inadequate warning of the risks; she won \$6.8 million from Wyeth.

In 2011, the court ruled that similar failure-to-warn suits could not be brought against makers of generic drugs. As a result, an Indiana woman who was also forced to have her hand amputated because of gangrene after being injected with a generic version of the same anti-nausea drug had her case dismissed.

Same drug. Same devastating health consequences. Opposite results. This injustice will affect more people as generics, which already dominate the market, expand even more under the pressure to control health care costs.

The Supreme Court's disparate rulings hinge on the ability of the drug makers to change a warning label if they detect new evidence of dangers. In 2008, the court found that brand-name manufacturers had the unilateral power to change warnings through various mechanisms even before asking the Food and Drug Administration for a formal change.

Then, in 2011, the court found that, under the F.D.A.'s interpretation of a 1984 law, known as the Hatch-Waxman amendments to the Food, Drug and Cosmetic Act, the generic versions must carry warning labels identical to those of the brand-name drug. The goal was to minimize confusion and dispel any doubt that a generic was therapeutically equivalent to the brand-name drug. Generic makers can't change the warnings but can propose a change to the F.D.A., which can then bring about a revision of the brand-name label to trigger a corresponding change in the generic label. The court ruled that because the generic makers do not control the labeling, they cannot be sued under state law for inadequate warnings.

Justice Clarence Thomas, writing for the majority in 2011, acknowledged that the distinction "makes little sense" in the eyes of consumers, and Justice Sonia Sotomayor, writing the dissent, predicted "absurd consequences" depending on the "happenstance" of whether a prescription was filled with a brand-name or generic drug.

Congress should fix the disparity by amending the law to make it clear—as Representative Henry Waxman, a co-author of the statute contends—that the act did not intend to preempt all failure-to-warn claims. Alternatively, the F.D.A. should fix the liability problem by amending its regulations to allow generic manufacturers to change the warning labels.

Generic drugs have rapidly expanded their reach, and, by one estimate, from one-third to one-half of all generic drugs no longer have a brand-name competitor. The regulatory system needs to hold generic companies, many of them large multinationals, accountable for labels on the products they sell.

Mr. FRANKEN. Mr. President, Gladys Mensing lives in Owatonna, MN. She loves being around people. That is a good thing when one has a family as big as Gladys does. She is the loving mother of 8 children, with 15 grandchildren and 12 great-grandchildren.

Gladys, as I said, is from Owatonna. It is in southeastern Minnesota. A few

weeks ago, I received some old family videos that showed her playing with her grandkids. Gladys used to work as a waitress and as an apartment manager, but what she truly enjoys is a good game of bingo.

In 2001, Gladys's doctor gave her a prescription for a medication known as MCP to treat a digestive tract condition. Gladys did what I would have done—she took her prescription to the pharmacy, got it filled, and started taking her medicine per her doctor's orders.

Meanwhile, however, evidence was mounting linking MCP to neurological disorders. Within a few years, Gladys began experiencing problems. She lost control of her face, tongue, and legs. It is very hard to understand Gladys when she speaks now. Her son says people sometimes give Gladys strange looks when she goes out in public. Gladys used to be very strong and independent. Now her family has to help her bathe and walk.

Gladys wanted to hold the drug manufacturer accountable for what happened to her. She believed the warning label that came with her prescription was inadequate; that it did not sufficiently disclose the risks of taking MCP. So Gladys, a bingo-playing grandma from rural Minnesota, decided to stand up for her rights.

Gladys took her fight all the way to the U.S. Supreme Court, but that is where things took a bizarre turn. In Minnesota, as in many other States, the law requires drug manufacturers to warn patients of the known—the known—dangers associated with their products. Manufacturers that do not follow the law are held accountable to the patients who are harmed as a result—people such as Gladys.

But the Supreme Court—in a 5-to-4 decision—said those laws do not apply to generic drugs such as the medicine Gladys was taking. Rather, the Court said Federal regulations actually prohibit generic drug manufacturers from updating their labels—prohibit generic drug manufacturers from updating their labels—and it said the Federal regulations prohibiting label changes trump Minnesota's patient protection laws, which require full disclosure of potential risks. So under that ruling, even if a generic drug company wanted to provide better warnings of risks to consumers, it cannot.

Generic drugs are, for all intents and purposes, the same as brand-name drugs. They have the same active ingredients. They are used for the same purposes and, yes, in most cases, they should have the same labels. That is why current FDA regulations require generic drug labels to match brand-name drug labels. But it does not make sense to prohibit generic drug makers from updating their labels to accurately reflect new side effects or risks that have come to light. Yet that is the current state of the law.

So the Court dismissed Gladys's case just because she was taking a generic drug. Let me say that again. Because Gladys was taking the generic version of her medicine, she was unable to vindicate her rights under Minnesota law. If Gladys had suffered the same injuries from the brand-name version of the same pill containing the same warning, she would have had her day in court.

Since the Supreme Court dismissed Gladys's case last June, lower courts have dismissed dozens of similar cases because, as a recent article in the *New York Times* aptly said, "What once seemed like a trivial detail—whether to take a generic or brand-name drug—has become the deciding factor in whether a patient can seek legal recourse from a drug company."

That does not make any sense. Justice Thomas, who wrote the Supreme Court's decision in Gladys's case, admitted as much. He wrote this:

We recognize that from the perspective of Mensing . . . [this decision] makes little sense.

I agree with him on this point. I would like to think he would agree with me on this: Prescription drugs should be safe and their labels should be adequate.

So Senators LEAHY, BINGAMAN, BROWN, WHITEHOUSE, COONS, BLUMENTHAL, and I are introducing a bill that would guarantee just that. Our bill, the Patient Safety and Generic Labeling Improvement Act, would allow generic drug makers to update their warnings—allow them to update their warnings—to accurately reflect the known risks associated with their drugs. That is it. It would not require them to do so. It just lets them do what other drug manufacturers already are allowed to do.

Our bill says that millions of Americans who are taking generic drugs are entitled to the same protections as people who take brand-name drugs, and it says people such as Gladys Mensing are entitled to their day in court when manufacturers fail to disclose risks.

I thank Senator LEAHY for his leadership on this issue and urge my colleagues to join with us in supporting this commonsense fix.

By Mrs. MURRAY (for herself,
Mr. BEGICH, Mr. WHITEHOUSE,
Mr. ROCKEFELLER, and Mr.
AKAKA):

S. 2299. A bill to amend the Servicemembers Civil Relief Act and title 38, United States Code, to improve the provision of civil relief to members of the uniformed services and to improve the enforcement of employment and reemployment rights of such members, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. MURRAY. Mr. President, today, as Chairman of the Senate Committee on Veterans' Affairs, I am pleased to

introduce the Servicemembers Rights Enforcement Improvement Act of 2012.

I remain deeply committed to protecting our servicemembers and veterans. I was concerned, last year, when banks improperly overcharged and foreclosed upon deployed servicemembers in violation of the Servicemembers Civil Relief Act. Failure to comply with the protections provided to our servicemembers is unacceptable.

Our men and women in uniform deserve better than this, and I appreciate the President's and the Attorney General's leadership and commitment to enforcing these important protections. This bill, which includes a significant number of proposals provided to the Congress by the Department of Justice, would further strengthen the Department's ability to enforce these laws on behalf of servicemembers and veterans.

The bill I am introducing today would improve the Department of Justice's ability to enforce the protections of the Servicemembers Civil Relief Act by giving the Attorney General limited authority to issue civil investigative demands, which would allow the Attorney General to take a more proactive approach to investigating allegations of Servicemembers Civil Relief Act violations. This bill would strengthen the protections that prevent judgments against a servicemember when they cannot appear in court because of military service. Finally, it would clarify that servicemembers may bring a private right of action to enforce their rights under the Servicemembers Civil Relief Act.

I also remain deeply concerned about veteran employment. The number of unemployed veterans remains unacceptably high. Last year, significant provisions of a bill I introduced, the Hiring Heroes Act, were signed into law as the VOW to Hire Heroes Act. This legislation was a good first step in combatting the high rate of unemployment among our nation's veterans. But we must do more. We must also ensure that the laws designed to protect the employment rights of our servicemembers during periods of service are equally strong.

The Uniformed Services Employment and Reemployment Rights Act, commonly referred to as USSERA, protects servicemembers' employment rights during a period of military service. It also prohibits employer discrimination based on military service or obligation. This legislation would strengthen the ability of the Department of Justice and the Office of Special Counsel to enforce these valuable protections.

Specifically, this bill would grant the Attorney General the authority to investigate and file suit to challenge a pattern or practice in violation of USERRA and would grant the Attorney General limited authority to issue civil investigative demands. It will also provide the Office of Special Counsel with

subpoena authority in USERRA investigations. These enhancements will ensure that when our National Guard and Reserve members deploy, they do so knowing their jobs are secure.

It is vital that the Federal departments and agencies charged with protecting our servicemembers have the tools necessary to enforce the protections provided to them. The legislation I am introducing today would do just that.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 2299

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Servicemembers Rights Enforcement Improvement Act of 2012".

SEC. 2. MODIFICATION OF PLAINTIFF AFFIDAVIT FILING REQUIREMENT FOR DEFAULT JUDGMENTS AGAINST SERVICEMEMBERS.

Paragraph (1) of section 201(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 521(b)) is amended to read as follows:

"(1) PLAINTIFF TO FILE AFFIDAVIT.—

"(A) IN GENERAL.—In any action or proceeding covered by this section, the plaintiff, before seeking a default judgment, shall file with the court an affidavit—

"(i) stating whether or not the defendant is in military service and showing necessary facts to support the affidavit; or

"(ii) if the plaintiff is unable to determine whether or not the defendant is in military service, stating that the plaintiff is unable to determine whether or not the defendant is in military service.

"(B) DUE DILIGENCE.—Before filing the affidavit, the plaintiff shall conduct a diligent and reasonable investigation to determine whether or not the defendant is in military service, including a search of available records of the Department of Defense and any other information available to the plaintiff. The affidavit shall set forth in the affidavit all steps taken to determine the defendant's military status."

SEC. 3. RETROACTIVE APPLICATION OF PRIVATE RIGHT OF ACTION UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

Section 802(a) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597a(a)) shall apply with respect to violations of such Act occurring on or after December 19, 2003.

SEC. 4. ENFORCEMENT OF RIGHTS OF MEMBERS OF UNIFORMED SERVICES WITH RESPECT TO STATES AND PRIVATE EMPLOYERS.

(a) ACTION FOR RELIEF.—Subsection (a) of section 4323 of title 38, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "appear on behalf of, and act as attorney for, the person on whose behalf the complaint is submitted and";

(B) by striking "for such person";

(C) by striking the fourth sentence; and

(D) by adding at the end the following:

"The person on whose behalf the complaint is referred may, upon timely application, intervene in such action, and may obtain such appropriate relief as is provided in subsections (d) and (e).";

(2) by striking paragraph (2) and inserting the following new paragraph (2):

"(2)(A) Not later than 60 days after the date the Attorney General receives a referral under paragraph (1), the Attorney General shall transmit, in writing, to the person on whose behalf the complaint is submitted—

"(i) if the Attorney General has made a decision to commence an action for relief under paragraph (1) relating to the complaint of the person, notice of the decision; and

"(ii) if the Attorney General has not made such a decision, notice of when the Attorney General expects to make such a decision.

"(B) If the Attorney General notifies a person that the Attorney General expects to make a decision under subparagraph (A)(ii), the Attorney General shall, not later than 30 days after the date on which the Attorney General makes such decision, notify, in writing, the person of such decision."

(3) by redesignating paragraph (3) as paragraph (4),

(4) by inserting after paragraph (2) the following new paragraph (3):

"(3) Whenever the Attorney General has reasonable cause to believe that a State (as an employer) or a private employer is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights and benefits provided for under this chapter, and that the pattern or practice is of such a nature and is intended to deny the full exercise of such rights and benefits, the Attorney General may commence an action for relief under this chapter."; and

(5) in paragraph (4), as redesignated by paragraph (3), by striking subparagraph (C) and inserting the following new subparagraph (C):

"(C) has been notified by the Attorney General that the Attorney General does not intend to commence an action for relief under paragraph (1) with respect to the complaint under such paragraph."

(b) STANDING.—Subsection (f) of such section is amended to read as follows:

"(f) STANDING.—An action under this chapter may be initiated only by the Attorney General or by a person claiming rights or benefits under this chapter under subsection (a)."

(c) CONFORMING AMENDMENT.—Subsection (h)(2) of such section is amended by striking "under subsection (a)(2)" and inserting "under paragraph (1) or (4) of subsection (a)".

SEC. 5. SUBPOENA POWER FOR SPECIAL COUNSEL IN ENFORCEMENT OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES WITH RESPECT TO FEDERAL EXECUTIVE AGENCIES.

Section 4324 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(e)(1) In order to carry out the Special Counsel's responsibilities under this section, the Special Counsel may require by subpoena the attendance and testimony of Federal employees and the production of documents from Federal employees and Federal executive agencies.

"(2) In the case of contumacy or failure to obey a subpoena issued under paragraph (1), upon application by the Special Counsel, the Merit Systems Protection Board may issue an order requiring a Federal employee or Federal executive agency to comply with a subpoena of the Special Counsel.

"(3) An order issued under paragraph (2) may be enforced by the Merit Systems Protection Board in the same manner as any order issued under section 1204 of title 5, United States Code."

SEC. 6. ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS BY ATTORNEY GENERAL.

(a) ISSUANCE UNDER SERVICEMEMBERS CIVIL RELIEF ACT.—Section 801 of the Servicemembers Civil Relief Act (50 U.S.C. App. 597) is amended by adding at the end the following:

“(d) ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS.—

“(1) IN GENERAL.—Whenever the Attorney General has reason to believe that any person may be in possession, custody, or control of any documentary material relevant to an investigation under this Act, the Attorney General may, before commencing a civil action under subsection (a), issue in writing and serve upon such person, a civil investigative demand requiring—

“(A) the production of such documentary material for inspection and copying;

“(B) that the custodian of such documentary material answer in writing written questions with respect to such documentary material; or

“(C) the production of any combination of such documentary material or answers.

“(2) FALSE CLAIMS.—The provisions of section 3733 of title 31, United States Code, governing the authority to issue, use, and enforce civil investigative demands shall apply with respect to the authority to issue, use, and enforce civil investigative demands under this section, except that, for purposes of applying such section 3733—

“(A) references to false claims law investigators or investigations shall be considered references to investigators or investigations under this Act;

“(B) references to interrogatories shall be considered references to written questions, and answers to such need not be under oath;

“(C) the definitions relating to ‘false claims law’ shall not apply; and

“(D) provisions relating to qui tam relations shall not apply.”

(b) ISSUANCE UNDER CHAPTER 43 OF TITLE 38, UNITED STATES CODE.—Section 4323 of title 38, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection (i):

“(i) ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS.—(1) Whenever the Attorney General has reason to believe that any person may be in possession, custody, or control of any documentary material relevant to an investigation under this subchapter, the Attorney General may, before commencing a civil action under subsection (a), issue in writing and serve upon such person, a civil investigative demand requiring—

“(A) the production of such documentary material for inspection and copying;

“(B) that the custodian of such documentary material answer in writing written questions with respect to such documentary material; or

“(C) the production of any combination of such documentary material or answers.

“(2) The provisions of section 3733 of title 31 governing the authority to issue, use, and enforce civil investigative demands shall apply with respect to the authority to issue, use, and enforce civil investigative demands under this section, except that, for purposes of applying such section 3733—

“(A) references to false claims law investigators or investigations shall be considered references to investigators or investigations under this subchapter;

“(B) references to interrogatories shall be considered references to written questions, and answers to such need not be under oath;

“(C) the definitions relating to ‘false claims law’ shall not apply; and

“(D) provisions relating to qui tam relations shall not apply.”

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 424—CONDEMNING THE MASS ATROCITIES COMMITTED BY THE GOVERNMENT OF SYRIA AND SUPPORTING THE RIGHT OF THE PEOPLE OF SYRIA TO BE SAFE AND TO DEFEND THEMSELVES

Mr. MCCAIN (for himself, Mr. LIEBERMAN, Mr. GRAHAM, Mr. KYL, Ms. AYOTTE, and Mr. HOEVEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 424

Whereas, in March 2011, large-scale peaceful demonstrations began to take place in Syria against the authoritarian rule of Bashar al-Assad;

Whereas the Bashar al-Assad regime responded to protests by launching a campaign of escalating and indiscriminate violence, including gross human rights violations, use of force against civilians, torture, extrajudicial killings, arbitrary executions, sexual violence, and interference with access to medical treatment;

Whereas demonstrators initially demanded political reform, but under sustained violent attack by the Government of Syria, now demand a change in the Syrian regime;

Whereas forces loyal to Bashar al-Assad are increasingly and indiscriminately employing heavy weapons, including tanks and artillery, to attack civilian population centers;

Whereas, on November 23, 2011, the United Nations-appointed Independent International Commission of Inquiry on the Syrian Arab Republic reported that “crimes against humanity of murder, torture, rape or other forms of sexual violence of comparable gravity, imprisonment or other severe deprivation of liberty, enforced disappearances of persons and other inhumane acts of a similar character have occurred in different locations in Syria since March 2011” and that “the Syrian Arab Republic bears responsibility for these crimes and violations”;

Whereas, on February 22, 2012, the Independent International Commission of Inquiry on the Syrian Arab Republic found in a subsequent report that “commanding officers and officials at the highest level of government bear responsibility for crimes against humanity and other gross human rights violations”;

Whereas, on March 15, 2012, United Nations Secretary-General Ban Ki-Moon warned that “well over 8,000 people” have been killed because of the “brutal oppression” by authorities in Syria and called the status quo in Syria “indefensible”;

Whereas, on March 27, 2012, the United Nations reported that the death toll in Syria had climbed to “more than 9,000”;

Whereas at least 3,000 people have been killed in Syria in 2012 alone;

Whereas, on October 2, 2011, a broad-based coalition of Syrian opposition leaders announced the establishment of the Syrian National Council (SNC), calling for the end of the Bashar al-Assad regime and the forma-

tion of a civil, pluralistic, and democratic state in Syria;

Whereas, on February 24, 2012, Secretary of State Hillary Clinton called the Syrian National Council (SNC) “a leading legitimate representative of Syrians seeking peaceful democratic change” and an “effective representative for the Syrian people with governments and international organizations”;

Whereas growing numbers of people in Syria, under continued and escalating assault by the Assad regime, have taken up arms to defend themselves and organized armed resistance under the banner of the Free Syrian Army (FSA);

Whereas the leaders of the Free Syrian Army have rejected sectarianism;

Whereas, on December 6, 2011, the Syrian National Council issued a statement affirming that the Free Syrian Army “deserve[s] the backing of all supporters of human rights in Syria” and applauding the decision of FSA officers to “risk their lives and those of their families because they believe in Syria and have lost faith in the Assad doctrine”;

Whereas, on March 12, 2012, the Syrian National Council, through its spokesperson, called for “military intervention by Arab and Western countries to protect civilians” in Syria, and endorsed the arming of the Free Syrian Army;

Whereas, on March 16, 2012, opposition activists inside Syria staged protests calling for “immediate military intervention by the Arabs and Muslims, followed by the rest of the world”;

Whereas, on February 24, 2012, the Foreign Minister of Saudi Arabia, Saud bin Feisal, called providing weapons to the Syrian opposition “an excellent idea . . . because they have to protect themselves”;

Whereas, on February 27, 2012, the Prime Minister of Qatar, Sheikh Hamad bin Jassim al Thani, said of the Syrian opposition, “I think we should do whatever is necessary to help them, including giving them weapons to defend themselves.”;

Whereas, on March 1, 2012, the parliament of Kuwait voted overwhelmingly on a resolution calling on the Government of Kuwait to support the Syrian opposition, including by providing weapons;

Whereas, on March 16, 2012, Prime Minister Recep Tayyip Erdogan of Turkey said that the Government of Turkey was considering setting up a “security” or “buffer zone” along its border with Syria;

Whereas, on December 22, 2010, the Senate passed Senate Concurrent Resolution 71 (112th Congress), a bipartisan resolution recognizing that it is in the national interest of the United States to prevent and mitigate acts of genocide and other mass atrocities against civilians;

Whereas, on August 4, 2011, President Barack Obama issued Presidential Study Directive-10 (PSD-10), stating, “Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States.”;

Whereas, on May 18, 2011, President Obama signed Executive Order 13573, targeting senior officials of the Government of Syria due to the Government’s continuing escalation of violence against the people of Syria;

Whereas, on April 29, 2011, President Obama signed Executive Order 13572, imposing sanctions on certain individuals and entities in the annex to the order and providing the authority to designate persons responsible for human rights abuses in Syria, including those related to repressing the people of Syria;

Whereas, on February 4, 2012, President Obama stated that Bashar al-Assad “has no right to lead Syria and has lost all legitimacy with his people and the international community”;

Whereas, on February 17, 2012, the Senate passed Senate Resolution 379 (112th Congress), stating that the “gross human rights violations perpetuated by the Government of Syria against the people of Syria represent a grave risk to regional peace and stability”;

Whereas, on February 28, 2012, Secretary of State Clinton, in testimony before the Subcommittee on the Department of State, Foreign Operations, and Related Programs of the Committee on Appropriations of the Senate concerning Bashar al-Assad, testified that, “based on the definitions of war criminal and crimes against humanity, there would be an argument to be made that he would fit into that category”;

Whereas, on March 1, 2012, Admiral James Stavridis, commander of United States European Command and Supreme Allied Commander of NATO, during testimony before the Committee on Armed Services of the Senate, agreed with the statement that “the provision of arms, communication equipment, and tactical intelligence” would “help the Syrian opposition to better organize itself and push Assad from power”;

Whereas, on March 6, 2012, General James Mattis, commander of United States Central Command, testified before the Committee on Armed Services of the Senate that Bashar al-Assad will “continue to employ heavier and heavier weapons on his people”;

Whereas, on March 6, 2012, General Mattis testified before the Committee on Armed Services of the Senate that there is “a full throated effort by Iran to keep Assad there and oppressing his own people” in Syria, including “providing the kinds of weapons that are being used right now to suppress the opposition,” as well as “listening capability, eavesdropping capability . . . and experts who I could only say are experts at oppressing”;

Whereas, on March 6, 2012, General Mattis testified before the Committee on Armed Services of the Senate that the fall of the Bashar al-Assad regime would represent “the biggest strategic setback for Iran in 25 years”;

Whereas the continuing gross human rights violations against the people of Syria represent a grave risk to regional peace and stability: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the mass atrocities and severe human rights abuses being perpetrated against the people of Syria by Bashar al-Assad and his followers;

(2) recognizes that the people of Syria have an inherent right to defend themselves against the campaign of violence being conducted by the Assad regime;

(3) supports calls by Arab leaders to provide the people of Syria with the means to defend themselves against Bashar al-Assad and his forces, including through the provision of weapons and other material support, and calls on the President to work closely with regional partners to implement these efforts effectively;

(4) urges the President to take all necessary precautions to ensure that any support for the Syrian opposition does not benefit individuals in Syria who are aligned with al Qaeda or associated movements, or who have committed human rights abuses;

(5) affirms that the establishment of safe havens for people from Syria, as contemplated by governments in the Middle

East, would be an important step to save Syrian lives and to help bring an end to Mr. Assad’s killing of civilians in Syria, and calls on the President to consult urgently and thoroughly with regional allies on whether, how, and where to create such safe havens;

(6) urges the President, as part of an international effort to hold senior officials in Syria accountable for mass atrocities—

(A) to gather information about such mass atrocities, including gross human rights violations, use of force against civilians, torture, extrajudicial killings, arbitrary executions, sexual violence, and interference with access to medical treatment; and

(B) to continue to take actions to ensure that senior officials in the Government of Syria and other individuals responsible for mass atrocities in Syria are held accountable, including by using the authority provided under Executive Order 13572 and Executive Order 13573 to designate additional individuals;

(7) urges the Atrocities Prevention Board, once it is formally constituted by the President as called for in Presidential Study Directive-10, to provide recommendations concerning measures to prevent continued mass atrocities in Syria; and

(8) commends the establishment of the “Friends of the Syrian People” Contact Group and other international diplomatic efforts to end the violence and support a peaceful transition to democracy in Syria, and reaffirms the necessity of the departure from power of Bashar al-Assad.

SENATE RESOLUTION 425—DESIGNATING APRIL 23, 2012, AS “NATIONAL ADOPT A LIBRARY DAY”

Mr. WEBB (for himself, Ms. SNOWE, Mr. WARNER, Mr. BROWN of Ohio, and Mr. COCHRAN) submitted the following resolution; which was considered and agreed to:

S. RES. 425

Whereas libraries are an essential part of the communities and the national system of education in the United States;

Whereas the people of the United States benefit significantly from libraries that serve as an open place for people of all ages and backgrounds to use books and other resources that offer pathways to learning, self-discovery, and the pursuit of knowledge;

Whereas libraries in the United States depend on the generous donations and support of individuals and groups to ensure that people who are unable to purchase books still have access to a wide variety of resources;

Whereas certain nonprofit organizations facilitate the donation of books to schools and libraries across the United States to extend the joy of reading to millions of people of the United States and to prevent used books from being thrown away;

Whereas libraries in the United States have provided valuable resources to individuals who are affected by the economic crisis by encouraging continued education and job training;

Whereas libraries are increasingly being used as a resource for those seeking the tools and information to enter or reenter the workforce; and

Whereas several States that recognize the importance of libraries and reading have adopted resolutions commemorating April 23 as “Adopt a Library Day”: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 23, 2012, as “National Adopt a Library Day”;

(2) honors the organizations that facilitate donations to schools and libraries;

(3) urges all people of the United States who own unused books to donate the books to local libraries;

(4) strongly supports children and families who take advantage of the resources provided by schools and libraries; and

(5) encourages the people of the United States to observe “National Adopt A Library Day” with appropriate ceremonies and activities.

SENATE RESOLUTION 426—CONGRATULATING THE LADY BEARS OF BAYLOR UNIVERSITY ON WINNING THE 2012 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN’S BASKETBALL CHAMPIONSHIP

Mrs. HUTCHISON (for herself and Mr. CORNYN) submitted the following resolution; which was considered and agreed to:

S. RES. 426

Whereas the Baylor University women’s basketball team, the Lady Bears, won its second National Collegiate Athletic Association Division I Women’s Basketball Championship by defeating the University of Notre Dame by a score of 80 to 61, becoming the only team in men’s and women’s college basketball to finish the season with a perfect undefeated record of 40-0;

Whereas the Lady Bears’ 2011-2012 season marked only the 7th undefeated season in the history of Division I women’s college basketball;

Whereas Coach Kim Mulkey is the only woman in women’s basketball history to have played on and coached a national championship team;

Whereas Coach Mulkey brought the Lady Bears its 2d national championship since 2005, with a starting lineup that included Brittney Griner, Destiny Williams, Odyssey Sims, Kimetria Hayden, and Jordan Madden;

Whereas All-American junior Brittney Griner led the Lady Bears to victory with 26 points, 13 rebounds, and 5 blocks in a dominating performance over the University of Notre Dame and finished the 2011-2012 season with more than 920 points;

Whereas the members of the Lady Bears basketball team should all be commended for their teamwork, dedication, and athletic prowess;

Whereas Baylor University as 2011-2012 women’s basketball national champions, has continued to demonstrate excellence in both athletics and academics;

Whereas the Lady Bears basketball team has significantly advanced the sport of women’s basketball by demonstrating character and sportsmanship;

Whereas the Lady Bears overcame significant adversity and competition by defying expectations to finish the season with a dominating performance in the final title game and a perfect undefeated record of 40-0;

Whereas the accomplishments of the Lady Bears are another testament to the strength and will of women across the State of Texas; and

Whereas the Lady Bears basketball team is the pride of its loyal fans, current and former students, and the Lone Star State: Now, therefore, be it

Resolved, That the Senate congratulates the Lady Bears of Baylor University on winning the 2012 National Collegiate Athletic Association Division I Women's Basketball Championship and completing the 2011–2012 season with an undefeated record of 40 wins and 0 losses.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2033. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table.

SA 2034. Mr. AKAKA (for himself, Mr. INOUE, Mr. HARKIN, Mrs. MURRAY, Mr. FRANKEN, Mr. LEAHY, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2035. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2036. Mr. PRYOR (for himself, Mr. BEGICH, Mr. SANDERS, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2037. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2038. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2039. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2040. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2041. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2042. Mr. CASEY (for himself, Mr. BROWN of Ohio, Mr. SANDERS, Mr. BAUCUS, Mr. LEAHY, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2043. Mr. UDALL, of New Mexico (for himself, Mr. SANDERS, Mrs. MCCASKILL, and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2044. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2045. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2046. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2047. Mr. BENNET (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2048. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2049. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2050. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2051. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2052. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2053. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2054. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2055. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2056. Mr. TESTER (for himself, Mr. FRANKEN, Mr. LEVIN, Mr. PRYOR, Mr. WYDEN, Ms. STABENOW, Mr. BEGICH, Mrs. SHAHEEN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2057. Mr. UDALL, of New Mexico (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2058. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2059. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2060. Mr. COBURN (for himself, Mr. JOHNSON of Wisconsin, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2061. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2062. Mr. MERKLEY (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2063. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2064. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2065. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2066. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2067. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2068. Mr. WYDEN (for himself, Mr. MERKLEY, Mr. TESTER, and Mr. UDALL of New

Mexico) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2069. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2070. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2071. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2072. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2073. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2074. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2075. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2076. Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2033. Mr. MCCAIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE V—COMMISSION ON POSTAL REORGANIZATION

SEC. 501. SHORT TITLE.

This title may be cited as the “Commission on Postal Reorganization Act” or the “CPR Act”.

SEC. 502. DEFINITIONS.

For purposes of this title—

(1) the term “Postal Service” means the United States Postal Service;

(2) the term “postal retail facility” means a post office, post office branch, post office classified station, or other facility which is operated by the Postal Service, and the primary function of which is to provide retail postal services;

(3) the term “mail processing facility” means a processing and distribution center, processing and distribution facility, network distribution center, or other facility which is operated by the Postal Service, and the primary function of which is to sort and process mail;

(4) the term “district office” means the central office of an administrative field unit with responsibility for postal operations in a designated geographic area (as defined under regulations, directives, or other guidance of the Postal Service, as in effect on June 23, 2011);

(5) the term “area office” means the central office of an administrative field unit with responsibility for postal operations in a designated geographic area which is comprised of designated geographic areas as referred to in paragraph (4); and

(6) the term “baseline year” means the fiscal year last ending before the date of the enactment of this Act.

SEC. 503. COMMISSION ON POSTAL REORGANIZATION.

(a) **ESTABLISHMENT.**—There shall be established, not later than 90 days after the date of the enactment of this Act, an independent commission to be known as the “Commission on Postal Reorganization” (hereinafter in this section referred to as the “Commission”).

(b) **DUTIES.**—The Commission shall carry out the duties specified for it in this title.

(c) **MEMBERS.**—

(1) **IN GENERAL.**—The Commission shall be composed of 5 members who shall be appointed by the President, and of whom—

(A) 1 shall be appointed from among individuals recommended by the Speaker of the House of Representatives;

(B) 1 shall be appointed from among individuals recommended by the majority leader of the Senate;

(C) 1 shall be appointed from among individuals recommended by the minority leader of the House of Representatives;

(D) 1 shall be appointed from among individuals recommended by the minority leader of the Senate; and

(E) 1 shall be appointed from among individuals recommended by the Comptroller General.

(2) **QUALIFICATIONS.**—

(A) **IN GENERAL.**—Members of the Commission shall be chosen to represent the public interest generally, and shall not be representatives of specific interests using the Postal Service.

(B) **INELIGIBILITY.**—An individual may not be appointed to serve as a member of the Commission if such individual served as an employee of the Postal Service or the Postal Regulatory Commission, or of a labor organization representing employees of the Postal Service or the Postal Regulatory Commission, during the 3-year period ending on the date of such appointment.

(3) **POLITICAL AFFILIATION.**—Not more than 3 members of the Commission may be of the same political party.

(d) **TERMS.**—Each member of the Commission shall be appointed for the life of the Commission and may be removed only for cause.

(e) **VACANCIES.**—A vacancy in the Commission shall be filled in the same manner as the original appointment.

(f) **CHAIRMAN.**—The President shall, at the time of making appointments under subsection (c), designate one of the members to serve as chairman of the Commission.

(g) **COMPENSATION AND TRAVEL EXPENSES.**—

(1) **COMPENSATION.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), each member of the Commission shall be paid at a rate equal to the daily equivalent of \$40,000 per year for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) **EXCEPTION.**—Any member of the Commission who is a full-time officer or employee of the United States may not receive additional pay, allowances, or benefits by reason of such member’s service on the Commission.

(2) **TRAVEL EXPENSES.**—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions of subchapter I of chapter 57 of title 5, United States Code.

(h) **DIRECTOR.**—The Commission shall have a Director who shall be appointed by the

Commission. The Director shall be paid at the rate of basic pay for level IV of the Executive Schedule under section 5315 of title 5, United States Code. An appointment under this subsection shall be subject to the requirements of subsection (c)(2).

(i) **ADDITIONAL PERSONNEL.**—With the approval of the Commission, the Director may appoint and fix the pay of such additional personnel as the Director considers appropriate. Such additional personnel may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay at a rate of basic pay in excess of the rate of basic pay payable to the Director. An individual appointed under this subsection shall serve at the pleasure of the Director.

(j) **PROVISIONS RELATING TO DETAILS.**—

(1) **IN GENERAL.**—Upon request of the Director, the head of any Federal department or agency may detail any of the personnel of such department or agency to the Commission to assist the Commission in carrying out its duties under this title. Notwithstanding any other provision of law, to provide continuity in the work of the Commission, such details may be extended beyond 1 year at the request of the Director.

(2) **NUMERICAL LIMITATION.**—Not more than $\frac{1}{2}$ of the personnel of the Commission may consist of the number of individuals on detail from the Postal Service and the Postal Regulatory Commission combined.

(3) **OTHER LIMITATIONS.**—A person may not be detailed to the Commission from the Postal Service or the Postal Regulatory Commission if such person participated personally and substantially on any matter, within the Postal Service or the Postal Regulatory Commission, concerning the preparation of recommendations for closures or consolidations of postal facilities under this title. No employee of the Postal Service or the Postal Regulatory Commission (including a detailee to the Postal Service or the Postal Regulatory Commission) may—

(A) prepare any report concerning the effectiveness, fitness, or efficiency of the performance, on the staff of the Commission, of any person detailed from the Postal Service or the Postal Regulatory Commission to such staff;

(B) review the preparation of such a report; or

(C) approve or disapprove such a report.

(k) **OTHER AUTHORITIES.**—

(1) **EXPERTS AND CONSULTANTS.**—The Commission may procure by contract, to the extent funds are available, temporary or intermittent services under section 3109 of title 5, United States Code.

(2) **LEASING, ETC.**—The Commission may lease space and acquire personal property to the extent funds are available.

(l) **AUTHORIZATION OF APPROPRIATIONS.**—In order to carry out this section, there are authorized to be appropriated out of the Postal Service Fund \$20,000,000, which funds shall remain available until expended.

(m) **FINANCIAL REPORTING.**—

(1) **AUDIT AND EXPENDITURES.**—The Commission shall be responsible for issuing annual financial statements and for establishing and maintaining adequate controls over its financial reporting.

(2) **INTERNAL AUDITS.**—The Commission shall maintain an adequate internal audit of its financial transactions.

(3) **ANNUAL CERTIFICATION.**—The Commission shall obtain an annual certification for each fiscal year from an independent, certified public accounting firm of the accuracy of its financial statements.

(4) **COMPTROLLER GENERAL.**—The accounts and operations of the Commission shall be audited by the Comptroller General and reports thereon made to the Congress to the extent and at such times as the Comptroller General may determine.

(n) **TERMINATION.**—The Commission shall terminate 60 days after submitting its final reports under section 504(d)(3).

SEC. 504. RECOMMENDATIONS FOR CLOSURES AND CONSOLIDATIONS.

(a) **PLAN FOR THE CLOSURE OR CONSOLIDATION OF POSTAL RETAIL FACILITIES.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Postal Service, in consultation with the Postal Regulatory Commission, shall develop and submit to the Commission on Postal Reorganization a plan for the closure or consolidation of such postal retail facilities as the Postal Service considers necessary and appropriate so that the total annual costs attributable to the operation of postal retail facilities will be, for each fiscal year beginning at least 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to this subsection, at least \$1,000,000,000 less than the corresponding total annual costs for the baseline year.

(2) **CONTENTS.**—The plan shall include—

(A) a list of the postal retail facilities proposed for closure or consolidation under this title;

(B) a proposed schedule under which—

(i) closures and consolidations of postal retail facilities would be carried out under this title; and

(ii) all closures and consolidations of postal retail facilities under this title would be completed by not later than 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to such plan;

(C) the estimated total annual cost savings attributable to the proposed closures and consolidations described in the plan;

(D) the criteria and process used to develop the information described in subparagraphs (A) and (B);

(E) the methodology and assumptions used to derive the estimates described in subparagraph (C); and

(F) any changes to the processing, transportation, delivery, or other postal operations anticipated as a result of the proposed closures and consolidations described in the plan.

(3) **CONSISTENCY.**—The methodology and assumptions used to derive the cost estimates described in paragraph (2)(C) shall be consistent with the methodology and assumptions which would have been used by the Postal Service if those closures and consolidations had instead taken effect in the baseline year.

(b) **PLAN FOR THE CLOSURE OR CONSOLIDATION OF MAIL PROCESSING FACILITIES.**—

(1) **IN GENERAL.**—Not later than 300 days after the date of the enactment of this Act, the Postal Service, in consultation with the Inspector General of the United States Postal Service, shall develop and submit to the Commission on Postal Reorganization a plan for the closure or consolidation of such mail processing facilities as the Postal Service considers necessary and appropriate so that—

(A) the total annual costs attributable to the operation of mail processing facilities

will be, for each fiscal year beginning at least 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to this subsection, at least \$2,000,000,000 less than the corresponding total annual costs for the baseline year; and

(B) the Postal Service has, for fiscal years beginning at least 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to this subsection, no more than 10 percent excess mail processing capacity.

(2) CONTENTS.—The plan shall include—

(A) a list of the mail processing facilities proposed for closure or consolidation under this title;

(B) a proposed schedule under which—

(i) closures and consolidations of mail processing facilities would be carried out under this title; and

(ii) all closures and consolidations of mail processing facilities under this title would be completed by not later than 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to such plan;

(C) the estimated total annual cost savings attributable to the proposed closures and consolidations described in the plan;

(D) the criteria and process used to develop the information described in subparagraphs (A) and (B);

(E) the methodology and assumptions used to derive the estimates described in subparagraph (C); and

(F) any changes to the processing, transportation, delivery, or other postal operations anticipated as a result of the proposed closures and consolidations described in the plan.

(3) CONSISTENCY.—The methodology and assumptions used to derive the cost estimates described in paragraph (2)(C) shall be consistent with the methodology and assumptions which would have been used by the Postal Service if those closures and consolidations had instead taken effect in the baseline year.

(4) EXCESS MAIL PROCESSING CAPACITY.—The Commission shall cause to be published in the Federal Register notice of a proposed definition of “excess mail processing capacity” for purposes of this section within 120 days after the date of the enactment of this Act, and shall provide a period of 30 days for public comment on the proposed definition. Not later than 180 days after the date of the enactment of this Act, the Commission shall issue and cause to be published in the Federal Register a final definition of “excess mail processing capacity” for purposes of this section. Such definition shall include an estimate of the total amount of excess mail processing capacity in mail processing facilities as of the date of the enactment of this Act.

(5) UNDERUTILIZED MAIL PROCESSING FACILITIES.—In developing a plan under this subsection, the Postal Service may include the estimated total cost savings that would result from moving mail processing operations to any mail processing facility that, as of the date of introduction of this Act—

(A) is not currently used by the Postal Service; and

(B) is capable of processing mail to the Postal Service’s standards.

(C) PLAN FOR THE CLOSURE OR CONSOLIDATION OF AREA AND DISTRICT OFFICES.—

(1) IN GENERAL.—Not later than 300 days after the date of the enactment of this Act, the Postal Service, in consultation with the Inspector General of the United States Post-

al Service, shall develop and submit to the Commission on Postal Reorganization a plan for the closure or consolidation of such area and district offices as the Postal Service considers necessary and appropriate so that the combined total number of area and district offices will be, for each fiscal year beginning at least 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to this subsection, at least 30 percent less than the corresponding combined total for the baseline year.

(2) CONTENTS.—The plan shall include—

(A) a list of the area and district offices proposed for closure or consolidation under this title;

(B) a proposed schedule under which—

(i) closures and consolidations of area and district offices would be carried out under this title; and

(ii) all closures and consolidations of area and district offices under this title would be completed by not later than 2 years after the date on which the Commission transmits to Congress its final report under subsection (d)(3)(A) relating to such plan;

(C) the estimated total annual cost savings attributable to the proposed closures and consolidations described in the plan;

(D) the criteria and process used to develop the information described in subparagraphs (A) and (B);

(E) the methodology and assumptions used to derive the estimates described in subparagraph (C); and

(F) any changes to the processing, transportation, delivery, or other postal operations anticipated as a result of the proposed closures and consolidations described in the plan.

(3) CONSISTENCY.—The methodology and assumptions used to derive the cost estimates described in paragraph (2)(C) shall be consistent with the methodology and assumptions which would have been used by the Postal Service if those closures and consolidations had instead taken effect in the baseline year.

(d) REVIEW AND RECOMMENDATIONS OF THE COMMISSION.—

(1) INITIAL REPORTS.—

(A) IN GENERAL.—After receiving the plan of the Postal Service under subsection (a), (b), or (c), the Commission on Postal Reorganization shall transmit to Congress and publish in the Federal Register a report under this paragraph, which shall contain the Commission’s findings based on a review and analysis of such plan, together with the Commission’s initial recommendations for closures and consolidations of postal facilities, mail processing facilities, or area and district offices (as the case may be).

(B) EXPLANATION OF CHANGES.—The Commission shall explain and justify in its report any recommendations made by the Commission that are different from those contained in the Postal Service plan to which such report pertains.

(C) DEADLINES.—A report of the Commission under this paragraph shall be transmitted and published, in accordance with subparagraph (A), within—

(i) if the report pertains to the plan under subsection (a), 60 days after the date on which the Commission receives such plan; or

(ii) if the report pertains to the plan under subsection (b) or (c), 90 days after the date on which the Commission receives such plan.

(2) PUBLIC HEARINGS.—

(A) IN GENERAL.—After receiving the plan of the Postal Service under subsection (a), (b), or (c), the Commission on Postal Reorga-

nization shall conduct at least 5 public hearings on such plan. The hearings shall be conducted in geographic areas chosen so as to reflect a broadly representative range of needs and interests.

(B) TESTIMONY.—All testimony before the Commission at a public hearing conducted under this paragraph shall be given under oath.

(C) DEADLINES.—All hearings under this paragraph shall be completed within 60 days after the date as of which the Commission satisfies the requirements of paragraph (1) with respect to such plan.

(3) FINAL REPORTS.—

(A) IN GENERAL.—After satisfying the requirements of paragraph (2) with respect to the plan of the Postal Service under subsection (a), (b), or (c) (as the case may be), the Commission shall transmit to Congress and publish in the Federal Register a report under this paragraph containing a summary of the hearings conducted with respect to such plan, together with the Commission’s final recommendations for closures and consolidations of postal facilities, mail processing facilities, or area and district offices (as the case may be).

(B) APPROVAL.—Recommendations under subparagraph (A) shall not be considered to be final recommendations unless they are made with—

(i) except as provided in clause (ii), the concurrence of at least 4 members of the Commission; or

(ii) to the extent that the requirements of subsection (b)(1)(A) or (c)(1) are not met, the concurrence of all sitting members, but only if the shortfall (relative to the requirements of subsection (b)(1)(A) or (c)(1), as the case may be) does not exceed 25 percent.

(C) CONTENTS.—A report under this paragraph shall include—

(i) the information required by paragraph (2) of subsection (a), (b), or (c) (as the case may be); and

(ii) a description of the operations that will be affected by the closure or consolidation and the facilities or offices which will be performing or ceasing to perform such operations as a result of such closure or consolidation.

(D) DEADLINES.—A report of the Commission under this paragraph shall be transmitted and published, in accordance with subparagraph (A), within 60 days after the date as of which the Commission satisfies the requirements of paragraph (2) with respect to the plan involved.

(e) LIMITATION RELATING TO POSTAL RETAIL FACILITIES IDENTIFIED FOR CLOSURE OR CONSOLIDATION.—

(1) APPLICABILITY.—This subsection applies to any plan of the Postal Service under subsection (a) and any report of the Commission under subsection (d) (whether initial or final) pertaining to such plan.

(2) LIMITATION.—Of the total number of postal retail facilities recommended for closure or consolidation (combined) under any plan or report to which this subsection applies, the number of such facilities that are within the K or L cost ascertainment grouping (combined) shall account for not more than 10 percent of such total number.

(3) REFERENCES.—For purposes of this subsection—

(A) any reference to a “cost ascertainment grouping” shall be considered to refer to a cost ascertainment grouping as described in section 123.11 of the Postal Operations Manual (as in effect on June 23, 2011); and

(B) any reference to a particular category (designated by a letter) of a cost ascertainment grouping shall be considered to refer to

such category, as described in such section 123.11 (as in effect on the date specified in subparagraph (A)).

(f) ANNUAL REPORTS.—

(1) IN GENERAL.—There shall be included in the next 5 annual reports submitted under section 2402 of title 39, United States Code, beginning with the report covering any period of time occurring after the date of enactment of this Act, the following (shown on a State-by-State basis):

(A) In connection with closures and consolidations taking effect in the year covered by the report, the total number of individuals separated from employment with the Postal Service, including, if separation occurs in a year other than the year in which the closing or consolidation occurs, the year in which separation occurs.

(B) Of the total numbers under subparagraph (A)—

(i) the number and percentage comprising preference eligibles or veterans; and

(ii) the number and percentage comprising individuals other than preference eligibles or veterans.

(C) Of the total numbers under subparagraph (A), the number and percentage reemployed in a position within the general commuting area of the facility or office involved (including, if reemployment occurs in a year other than the year in which the closing or consolidation occurs, the year in which reemployment occurs)—

(i) with the Postal Service; or

(ii) with an employer other than the Postal Service.

(D) The methodology and assumptions used to derive the estimates described in subparagraph (B).

(E) The criteria and process used to develop the information described in subparagraph (C).

(2) DEFINITIONS.—For purposes of this subsection—

(A) the term “preference eligible” has the meaning given such term in section 2108(3) of title 5, United States Code; and

(B) the term “veteran” has the meaning given such term in section 101(2) of title 38, United States Code.

SEC. 505. IMPLEMENTATION OF CLOSURES AND CONSOLIDATIONS.

(a) IN GENERAL.—Subject to subsection (b), the Postal Service shall—

(1) close or consolidate (as the case may be) the facilities and offices recommended by the Commission in each of its final reports under section 504(d)(3); and

(2) carry out those closures and consolidations in accordance with the timetable recommended by the Commission in such report, except that in no event shall any such closure or consolidation be completed later than 2 years after the date on which such report is submitted to Congress.

(b) CONGRESSIONAL DISAPPROVAL.—

(1) IN GENERAL.—The Postal Service may not carry out any closure or consolidation recommended by the Commission in a final report if a joint resolution disapproving the recommendations of the Commission is enacted, in accordance with section 506, before the earlier of—

(A) the end of the 30-day period beginning on the date on which the Commission transmits those recommendations to Congress under section 504(d)(3); or

(B) the adjournment of the Congress sine die for the session during which such report is transmitted.

(2) DAYS OF SESSION.—For purposes of paragraph (1) and subsections (a) and (c) of section 506, the days on which either House of

Congress is not in session because of an adjournment of more than 7 days to a day certain shall be excluded in the computation of a period.

SEC. 506. CONGRESSIONAL CONSIDERATION OF FINAL CPR REPORTS.

(a) TERMS OF THE RESOLUTION.—For purposes of this title, the term “joint resolution”, as used with respect to a report under section 504(d)(3), means only a joint resolution—

(1) which is introduced within the 10-day period beginning on the date on which such report is received by Congress;

(2) the matter after the resolving clause of which is as follows: “That Congress disapproves the recommendations of the Commission on Postal Reorganization, submitted by such Commission on ____, and pertaining to the closure or consolidation of ____, the first blank space being filled in with the appropriate date and the second blank space being filled in with “postal retail facilities”, “mail processing facilities”, or “area and district offices” (as the case may be);

(3) the title of which is as follows: “Joint resolution disapproving the recommendations of the Commission on Postal Reorganization.”; and

(4) which does not have a preamble.

(b) REFERRAL.—A resolution described in subsection (a) that is introduced in the House of Representatives or the Senate shall be referred to the appropriate committees of the House of Representatives or the Senate, respectively.

(c) DISCHARGE.—If the committee to which a resolution described in subsection (a) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the Commission transmits the report (to which such resolution pertains) to Congress under section 504(d)(3), such committee shall, at the end of such period, be discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(d) CONSIDERATION.—

(1) IN GENERAL.—On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (c)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A Member may make the motion only on the day after the calendar day on which the Member announces to the House concerned the Member’s intention to make the motion, except that, in the case of the House of Representatives, the motion may be made without such prior announcement if the motion is made by direction of the committee to which the resolution was referred. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business,

and the resolution shall remain the unfinished business of the respective House until disposed of.

(2) DEBATE.—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(3) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a resolution described in subsection (a) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) APPEALS.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in subsection (a) shall be decided without debate.

(e) CONSIDERATION BY OTHER HOUSE.—

(1) IN GENERAL.—If, before the passage by one House of a resolution of that House described in subsection (a), that House receives from the other House a resolution (described in subsection (a)) relating to the same report, then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in subparagraph (B)(ii).

(B) With respect to the resolution described in subsection (a) (relating to the report in question) of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no resolution (relating to the same report) had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(2) DISPOSITION OF A RESOLUTION.—Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(f) RULES OF THE SENATE AND HOUSE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 507. NONAPPEALABILITY OF DECISIONS.

(a) TO PRC.—The closing or consolidation of any facility or office under this title may not be appealed to the Postal Regulatory Commission under section 404(d) or any other provision of title 39, United States Code, or be the subject of an advisory opinion issued by the Postal Regulatory Commission under section 3661 of such title.

(b) JUDICIAL REVIEW.—No process, report, recommendation, or other action of the Commission on Postal Reorganization shall be subject to judicial review.

SEC. 508. RULES OF CONSTRUCTION.

(a) CONTINUED AVAILABILITY OF AUTHORITY TO CLOSE OR CONSOLIDATE POSTAL FACILITIES.—

(1) IN GENERAL.—Nothing in this title shall be considered to prevent the Postal Service from closing or consolidating any postal facilities, in accordance with otherwise applicable provisions of law, either before or after the implementation of any closures or consolidations under this title.

(2) COORDINATION RULE.—No appeal or termination under section 404(d) of title 39, United States Code, or any other provision of law shall delay, prevent, or otherwise affect any closure or consolidation under this title.

(b) INAPPLICABILITY OF CERTAIN PROVISIONS.—

(1) IN GENERAL.—The provisions of law identified in paragraph (2)—

(A) shall not apply to any closure or consolidation carried out under this title; and

(B) shall not be taken into account for purposes of carrying out section 503 or 504.

(2) PROVISIONS IDENTIFIED.—The provisions of law under this paragraph are—

(A) section 101(b) of title 39, United States Code; and

(B) section 404(d) of title 39, United States Code.

SEC. 509. REPEALS.

Sections 202, 203, 204, and 205 of this Act, and the amendments made by those sections, shall have no force or effect.

SA 2034. Mr. AKAKA (for himself, Mr. INOUE, Mr. HARKIN, Mrs. MURRAY, Mr. FRANKEN, Mr. LEAHY, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

Strike title III and insert the following:

TITLE III—FEDERAL EMPLOYEES' COMPENSATION ACT

SEC. 301. SHORT TITLE.

This title may be cited as the "Federal Workers' Compensation Modernization and Improvement Act".

SEC. 302. PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE NURSES.

(a) DEFINITION OF MEDICAL SERVICES.—Section 8101(3) of title 5, United States Code, is amended—

(1) by striking "law. Reimbursable" and inserting "law (reimbursable)"; and

(2) by inserting before the semicolon, the following: "; and medical services may include treatment by a physician assistant or advanced practice nurse, such as a nurse practitioner, within the scope of their practice as defined by State law, consistent with regulations prescribed by the Secretary of Labor)".

(b) MEDICAL SERVICES AND OTHER BENEFITS.—Section 8103 of title 5, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a), the following:

"(b) Medical services furnished or prescribed pursuant to subsection (a) may include treatment by a physician assistant or advanced practice nurse, such as a nurse practitioner, within the scope of their prac-

tice as defined by State law, consistent with regulations prescribed by the Secretary of Labor.".

(c) CERTIFICATION OF TRAUMATIC INJURY.—Section 8121(6) of title 5, United States Code, is amended by inserting before the period, the following: "(except that in a case of a traumatic injury, a physician assistant or advanced practice nurse, such as a nurse practitioner, within the scope of their practice as defined by State law, may also provide certification of such traumatic injury and related disability during the continuation of pay period covered by section 8118, in a manner consistent with regulations prescribed by the Secretary of Labor)".

SEC. 303. COVERING TERRORISM INJURIES.

Section 8102(b) of title 5, United States Code, is amended in the matter preceding paragraph (1)—

(1) by inserting "or from an attack by a terrorist or terrorist organization, either known or unknown," after "force or individual."; and

(2) by striking "outside" and all that follows through "1979)" and inserting "outside of the United States".

SEC. 304. DISFIGUREMENT.

Section 8107(c)(21) of title 5, United States Code—

(1) by striking "For" and inserting the following: "(A) Except as provided under subparagraph (B), for"; and

(2) by adding at the end the following:

"(B) Notwithstanding subparagraph (A), for an injury occurring during the 3-year period prior to the date of enactment of the Federal Workers' Compensation Modernization and Improvement Act for which the Secretary of Labor has not made a compensation determination on disfigurement under subparagraph (A), or for an injury occurring on or after the date of enactment of such Act resulting in a serious disfigurement of the face, head, or neck, proper and equitable compensation in proportion to the severity of the disfigurement, not to exceed \$50,000, as determined by the Secretary, shall be awarded in addition to any other compensation payable under this schedule. The applicable maximum compensation for disfigurement provided under this subparagraph shall be adjusted annually on March 1 in accordance with the percentage amount determined by the cost of living adjustment in section 8146a.".

SEC. 305. SOCIAL SECURITY EARNINGS INFORMATION.

Section 8116 of title 5, United States Code, is amended by adding at the end the following:

"(e) Notwithstanding any other provision of law, the Secretary of Labor may require, as a condition of receiving any benefits under this subchapter, that a claimant for such benefits consent to the release by the Social Security Administration of the Social Security earnings information of such claimant.".

SEC. 306. CONTINUATION OF PAY IN A ZONE OF ARMED CONFLICT.

Section 8118 of title 5, United States Code, is amended—

(1) in subsection (b), by striking "Continuation" and inserting "Except as provided under subsection (e)(2), continuation";

(2) in subsection (c), by striking "subsections (a) and (b)" and inserting "subsections (a) and (b) or subsection (e).";

(3) in subsection (d), by striking "subsection (a)" and inserting "subsection (a) or (e)";

(4) by redesignating subsection (e) as subsection (f); and

(5) by inserting after subsection (d) the following:

"(e) CONTINUATION OF PAY IN A ZONE OF ARMED CONFLICT.—

"(1) IN GENERAL.—Notwithstanding subsection (a), the United States shall authorize the continuation of pay of an employee as defined in section 8101(1) of this title (other than those referred to in subparagraph (B) or (E)), who has filed a claim for a period of wage loss due to traumatic injury in performance of duty in a zone of armed conflict (as so determined by the Secretary of Labor under paragraph (3)), as long as the employee files a claim for such wage loss benefit with his immediate superior not later than 45 days following termination of assignment to the zone of armed conflict or return to the United States, whichever occurs later.

"(2) CONTINUATION OF PAY.—Notwithstanding subsection (b), continuation of pay under this subsection shall be furnished for a period not to exceed 135 days without any break in time or waiting period, unless controverted under regulations prescribed by the Secretary of Labor.

"(3) DETERMINATION OF ZONES OF ARMED CONFLICT.—For purposes of this subsection, the Secretary of Labor, in consultation with the Secretary of State and the Secretary of Defense, shall determine whether a foreign country or other foreign geographic area outside of the United States (as that term is defined in section 202(7) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4302(7))) is a zone of armed conflict based on whether—

"(A) the Armed Forces of the United States are involved in hostilities in the country or area;

"(B) the incidence of civil insurrection, civil war, terrorism, or wartime conditions threatens physical harm or imminent danger to the health or well-being of United States civilian employees in the country or area;

"(C) the country or area has been designated a combat zone by the President under section 112(c) of the Internal Revenue Code of 1986 (26 U.S.C. 112(c));

"(D) a contingency operation involving combat operations directly affects civilian employees in the country or area; or

"(E) there exist other relevant conditions and factors.".

SEC. 307. SUBROGATION OF CONTINUATION OF PAY.

(a) SUBROGATION OF THE UNITED STATES.—Section 8131 of title 5, United States Code, is amended—

(1) in subsection (a), by inserting "continuation of pay or" before "compensation"; and

(2) in subsection (c), by inserting "continuation of pay or" before "compensation already paid".

(b) ADJUSTMENT AFTER RECOVERY FROM A THIRD PERSON.—Section 8132 of title 5, United States Code, is amended—

(1) by inserting "continuation of pay or" before "compensation" the first, second, fourth, and fifth place it appears;

(2) by striking "in his behalf" and inserting "on his behalf"; and

(3) by inserting "continuation of pay and" before "compensation" the third place it appears.

SEC. 308. FUNERAL EXPENSES.

Section 8134 of title 5, United States Code, is amended—

(1) in subsection (a), by striking "If" and inserting "Except as provided in subsection (b), if";

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b) Notwithstanding subsection (a), for deaths occurring on or after the date of enactment of the Federal Workers’ Compensation Modernization and Improvement Act, if death results from an injury sustained in the performance of duty, the United States shall pay, to the personal representative of the deceased or otherwise, funeral and burial expenses not to exceed \$6,000, in the discretion of the Secretary of Labor. The applicable maximum compensation for burial expenses provided under this subsection shall be adjusted annually on March 1 in accordance with the percentage amount determined by the cost of living adjustment in section 8146a.”.

SEC. 309. EMPLOYEES’ COMPENSATION FUND.

Section 8147 of title 5, United States Code, is amended—

- (1) in subsection (a)—
- (A) by striking “except administrative expenses” and inserting “including administrative expenses”; and
- (B) by striking the last 2 sentences; and
- (2) in subsection (b)—
- (A) in the first sentence, by inserting before the period “and an estimate of a prorata share of the amount of funds necessary to administer this subchapter for the fiscal year beginning in the next calendar year”; and
- (B) in the second sentence, by striking “costs” and inserting “amount set out in the statement of costs and administrative expenses furnished pursuant to this subsection”.

SEC. 310. CONFORMING AMENDMENT.

Section 8101(1)(D) of title 5, United States Code, is amended by inserting before the semicolon “who suffered an injury on or prior to March 3, 1979”.

SEC. 311. EFFECTIVE DATE.

Except as otherwise provided, this title and the amendments made by this title, shall take effect 60 days after the date of enactment of this Act.

SEC. 312. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 2035. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

Strike title III.

SA 2036. Mr. PRYOR (for himself, Mr. BEGICH, Mr. SANDERS, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SENSE OF THE SENATE.

It is the sense of the Senate that the Postal Service should not close or consolidate any postal facility (as defined in section 404(f) of title 39, United States Code, as added

by this Act) or post office before the date of enactment of this Act.

SA 2037. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 35, line 16, strike the quotation marks and the second period and insert the following:

“(10) PROHIBITION ON CLOSING, CONSOLIDATION, AND REDUCTION IN WORKFORCE.—

“(A) IN GENERAL.—If the Postal Service conducted an area mail processing study after June 1, 2001 with respect to a postal facility which was terminated or concluded that no significant cost savings or efficiencies would result from closing, consolidating, or reducing the number of employees of the postal facility, the Postal Service may not—

- “(i) close the postal facility;
- “(ii) consolidate the postal facility; or
- “(iii) involuntarily separate an employee of the postal facility from service, except for removal for cause on charges of misconduct or delinquency.

“(B) APPLICATION.—Subparagraph (A) shall apply with respect to a postal facility that was not closed or consolidated before May 15, 2012, without regard to the conclusions of any area mail processing study conducted with respect to the postal facility after the publication of an area mail processing study described in subparagraph (A).”.

SA 2038. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. ____ . ENDING THE POSTAL SERVICE MONOPOLY ON FIRST-CLASS MAIL AND MAILBOX USE.

(a) ENDING THE FIRST-CLASS MAIL MONOPOLY.—

(1) TITLE 18.—Chapter 83 of title 18, United States Code, is amended by striking sections 1694, 1695, 1696, and 1697.

(2) TITLE 39.—Chapter 6 of title 39, United States Code, is amended—

- (A) by striking sections 601 and 602; and
- (B) by adding at the end the following:

“**§ 607. Limitation on authorization for searches, seizures, detention, inspections, and examinations of mail matter**

“(a) LIMITATION RELATING TO PRIVATE PROPERTY.—Subject to subsection (b), and notwithstanding sections 603, 604, 605, and 606, or any other provision of law, the Postal Service, and any authorized officer or employee of the Postal Service, may not search, seize, detain, inspect, or examine any mail matter that is located on private property or in a private vehicle.

“(b) EXCEPTION.—The prohibition under subsection (a) shall not apply to mail matter that—

- “(1) an individual voluntarily places in—
- “(A) the mail; or
- “(B) a letter box or post office box; or
- “(2) is otherwise placed in the possession of the Postal Service before the mail matter is searched, seized, detained, inspected, or examined by the Postal Service or any authorized officer or employee of the Postal Service.”.

(b) ENDING THE MAILBOX USE MONOPOLY.—Section 1725 of title 18, United States Code,

is amended by striking “established, approved, or accepted” and all that follows through “mail route” and inserting “or post office box owned by the Postal Service or located on Postal Service property”.

(c) REGULATIONS.—The Postal Service shall prescribe such regulations as may be necessary to carry out the amendments made by this section.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 18.—The table of sections for chapter 83 of title 18, United States Code, is amended by striking the items relating to sections 1694, 1695, 1696, and 1697.

(2) TITLE 39.—The table of sections for chapter 6 of title 39, United States Code, is amended—

(A) by striking the items relating to sections 601 and 602; and

(B) by adding at the end the following:

“607. Limitation on authorization for searches, seizures, detention, inspections, and examinations of mail matter.”.

(3) OTHER TECHNICAL AND CONFORMING AMENDMENTS.—Not later than 90 days after the date of enactment of this Act, the Postal Service shall submit to Congress a list of any technical and conforming amendments that are necessary to carry out the amendments made by this section.

SA 2039. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 107. PROHIBITION ON COLLECTIVE BARGAINING.

(a) IN GENERAL.—Section 1206 of title 39 is amended to read as follows:

“**§ 1206. Prohibition on collective-bargaining agreements**

“The Postal Service may not enter into a collective-bargaining agreement with any labor organization.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 12 of title 39, United States Code, is amended—

(1) in section 1202—

(A) in the section heading, by striking “Bargaining units” and inserting “Employee organizations”;

(B) by striking the first sentence; and

(C) by striking “The National Labor Relations Board shall not include in any bargaining unit—” and inserting “An organization of employees of the United States Postal Service shall not include—”;

(2) in section 1203, by striking subsections (c), (d), and (e);

(3) in section 1204(a), by striking “shall be conducted under the supervision of the National Labor Relations Board, or persons designated by it, and”;

(4) in section 1205(a), by striking “not subject to collective-bargaining agreements”;

(5) by striking sections 1207, 1208, and 1209; and

(6) in the table of sections—

(A) by striking the item relating to section 1202 and inserting the following:

“1203. Employee organizations.”; and

(B) by striking the items relating to sections 1206, 1207, 1208, and 1209 and inserting the following:

“1206. Prohibition on collective-bargaining agreements.”.

SA 2040. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 35, line 16, strike the quotation marks and the second period and insert the following:

“(10) PROHIBITION.—Notwithstanding any other provision of this subsection, the Postal Service may not close or consolidate a postal facility that is more than 50 miles from the nearest postal facility.”.

SA 2041. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ MORATORIUM ON CLOSING AND CONSOLIDATING POSTAL FACILITIES.

(a) DEFINITION.—In this section, the term “postal facility” has the same meaning as in section 404(f) of title 39, United States Code, as added by this section.

(b) MORATORIUM.—Notwithstanding subsection (f) of section 404 of title 39, United States Code, as added by this section, or any other provision of law, during the 2-year period beginning on the date of enactment of this Act, the Postal Service may not close or consolidate a postal facility.

SA 2042. Mr. CASEY (for himself, Mr. BROWN of Ohio, Mr. SANDERS, Mr. BAUCUS, Mr. LEAHY, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ MAINTENANCE OF DELIVERY SERVICE STANDARDS.

(a) IN GENERAL.—
(1) DEFINITION.—In this subsection, the term “2011 market-dominant product service standards” means the expected delivery time for market-dominant products entered into the network of sectional center facilities that existed on September 15, 2011, under part 121 of title 39, Code of Federal Regulations (as in effect on March 14, 2010).

(2) MAINTENANCE OF DELIVERY TIME.—Notwithstanding subsections (a), (b), and (c) of section 3691 of title 39, United States Code, the Postal Service may not increase the expected delivery time for market-dominant products, relative to the 2011 market-dominant product service standards, earlier than the date that is 4 years after the date of enactment of this Act.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) POSTAL FACILITIES.—Section 404(f) of title 39, United States Code, as added by this Act, is amended—

(A) in paragraph (6)(C)—
(i) by striking “3-year period” and inserting “4-year period”; and
(ii) by striking “section 201 of”; and

(B) in paragraph (7)—
(i) in subparagraph (A), by striking “, including the service standards established under section 201 of the 21st Century Postal Service Act of 2012”; and

(ii) in subparagraph (B), by striking “, including the service standards established under section 201 of the 21st Century Postal Service Act of 2012,”.

(2) DEFINITION.—For purposes of section 206(a)(2), the term “continental United States” means the 48 contiguous States and the District of Columbia.

(3) SECTION 201.—Section 201 of this Act shall have no force or effect.

SA 2043. Mr. UDALL of New Mexico (for himself, Mr. SANDERS, Mrs. MCCASKILL, and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

Strike section 208 and insert the following:

SEC. 208. TRANSFER OF AMOUNTS FROM THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND.

Section 8348(h)(2) of title 5, United States Code, is amended by striking subparagraphs (B) and (C) and inserting the following:

“(B)(i) The Office shall—
“(I) redetermine the Postal surplus or supplemental liability as of the close of each of fiscal years 2007 through 2043; and
“(II) report the results of the redetermination for each such fiscal year, including appropriate supporting analyses and documentation, to the United States Postal Service on or before June 30 of the subsequent fiscal year.

“(i) If the result of a redetermination under clause (i) is a supplemental liability, the Office shall establish an amortization schedule, including a series of annual installments commencing on September 30 of the subsequent fiscal year, that provides for the liquidation of such liability by September 30, 2043.

“(C)(i) Subject to clause (ii), if the result of a redetermination under subparagraph (B) for any of fiscal years 2013 through 2023 is a surplus, the amount of the surplus shall be transferred to the General Fund of the Treasury.

“(ii) Not more than a total of \$8,900,000 shall be transferred under clause (i).”.

SA 2044. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ PAYCHECK PROTECTION.

(a) SHORT TITLE.—The section may be cited as the “Paycheck Protection Act”.

(b) RIGHT NOT TO SUBSIDIZE UNION NON-REPRESENTATIONAL ACTIVITIES.—Title I of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 411 et seq.) is amended by adding at the end the following: **“SEC. 106. RIGHT NOT TO SUBSIDIZE UNION NON-REPRESENTATIONAL ACTIVITIES.**

“No employee’s union dues, fees, or assessments or other contributions shall be used or contributed to any person, organization, or entity for any purpose not directly germane to the labor organization’s collective bargaining or contract administration functions unless the member, or nonmember required to make such payments as a condition of employment, authorizes such expenditure in writing, after a notice period of not less than

35 days. An initial authorization provided by an employee under the preceding sentence shall expire not later than 1 year after the date on which such authorization is signed by the employee. There shall be no automatic renewal of an authorization under this section.”.

SA 2045. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ RIGHT-TO-WORK.

(a) SHORT TITLE.—This section may be cited as the “National Right-to-Work Act”.

(b) AMENDMENTS TO THE NATIONAL LABOR RELATIONS ACT.—

(1) RIGHTS OF EMPLOYEES.—Section 7 of the National Labor Relations Act (29 U.S.C. 157) is amended by striking “except to” and all that follows through “authorized in section 8(a)(3)”.

(2) UNFAIR LABOR PRACTICES.—Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended—

(A) in subsection (a)(3), by striking “: Provided, That” and all that follows through “retaining membership”;

(B) in subsection (b)—
(i) in paragraph (2), by striking “or to discriminate” and all that follows through “retaining membership”; and
(ii) in paragraph (5), by striking “covered by an agreement authorized under subsection (a)(3) of this section”; and

(C) in subsection (f), by striking clause (2) and redesignating clauses (3) and (4) as clauses (2) and (3), respectively.

(c) AMENDMENT TO THE RAILWAY LABOR ACT.—Section 2 of the Railway Labor Act (45 U.S.C. 152) is amended by striking paragraph Eleven.

SA 2046. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ PAYCHECK PROTECTION.

(a) SHORT TITLE.—The section may be cited as the “Paycheck Protection Act”.

(b) RIGHT NOT TO SUBSIDIZE UNION NON-REPRESENTATIONAL ACTIVITIES.—Chapter 12 of title 39, United States Code, is amended by adding at the end the following:

“SEC. 1210. RIGHT NOT TO SUBSIDIZE UNION NONREPRESENTATIONAL ACTIVITIES.

“No Postal Service employee’s labor organization dues, fees, or assessments or other contributions shall be used or contributed to any person, organization, or entity for any purpose not directly germane to the labor organization’s collective bargaining or contract administration functions unless the member, or nonmember required to make such payments as a condition of employment, authorizes such expenditure in writing, after a notice period of not less than 35 days. An initial authorization provided by an employee under the preceding sentence shall expire not later than 1 year after the date on which such authorization is signed by the employee. There shall be no automatic renewal of an authorization under this section.”.

SA 2047. Mr. BENNET (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CITIZEN'S SERVICE PROTECTION ADVOCATES.

(a) **IN GENERAL.**—Chapter 4 of title 39, United States Code, is amended by adding at the end the following:

“§ 417. Citizen's service protection advocates

“(a) **APPOINTMENT OF ADVOCATE.**—

“(1) **IN GENERAL.**—The chief executive of a State affected by the closing or consolidation of a rural post office or postal facility (as defined in section 404(f)) may appoint a citizen's service protection advocate to represent the interests of postal customers affected the closing or consolidation.

“(2) **CONSULTATION.**—In making an appointment under this subsection, the chief executive of a State shall consult with—

“(A) the mayor (or equivalent official) of any city affected by the closing or consolidation; and

“(B) the commissioner (or equivalent official) of any county or parish affected by the closing or consolidation.

“(b) **NOTICE.**—The Postal Service shall transmit to the chief executive of a State notice of any determination by the Postal Service to close or consolidate a rural post office or postal facility that affects postal customers in the State.

“(c) **ACCESS TO INFORMATION AND ASSISTANCE.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), upon the request of any citizen's service protection advocate appointed under this section, the Postal Service shall provide to the citizen's service protection advocate—

“(A) access to any records, reports, audits, reviews, documents, papers, recommendations, or other materials of the Postal Service relating to the closing or consolidation of the relevant post office or postal facility; and

“(B) assistance in carrying out the duties of the citizen's service protection advocate.

“(2) **PRIVACY PROTECTIONS.**—The Postal Service may not provide to a citizen's service protection advocate any information, or compilation of information, that is a means of identification, as defined in section 1028(d)(7) of title 18, United States Code.

“(d) **COMMUNICATION AND CONSULTATION.**—The Postal Service shall—

“(1) provide for regular and efficient communication between a citizen's service protection advocate and the officer or employee of the Postal Service responsible for the closing or consolidation of the relevant post office or postal facility; and

“(2) consult with the citizen's service protection advocate in developing and implementing service changes that affect postal customers affected by the closing or consolidation of the relevant post office or postal facility.

“(e) **TERMINATION OF SERVICE.**—An individual may not serve as a citizen's service protection advocate with respect to the closing or consolidation of a rural post office or postal facility after the later of—

“(1) the date on which the Postal Service determines not to close or consolidate the rural post office or postal facility; and

“(2) the date on which the Postal Service determines to close or consolidate the rural post office or postal facility.”.

(b) **TABLE OF SECTIONS.**—The table of sections for chapter 4 of title 39, United States Code, is amended by adding at the end the following:

“417. Citizen's service protection advocate.”.

(c) **APPEAL TO THE POSTAL REGULATORY COMMISSION.**—

(1) **POSTAL FACILITIES.**—Section 404(f)(7) of title 39, United States Code, as added by this Act, is amended by inserting “or with the requirements of section 417 of this title” after “2012” each place that term appears.

(2) **POST OFFICES.**—Section 404(d)(5)(C) of title 39, United States Code, as amended by this Act, is amended by inserting “or with the requirements of section 417 of this title” after “2012”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date on which the Postal Service establishes retail service standards under section 203.

SA 2048. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

(g) **STUDY AND STRATEGIC PLAN ON INTER-AGENCY AGREEMENTS FOR RURAL POST OFFICES.**—

(1) **DUTIES OF ADVISORY COMMISSION.**—

(A) **STUDY.**—

(i) **IN GENERAL.**—The Advisory Commission shall conduct a study concerning the advisability of the Postal Service entering into inter-agency agreements with Federal, State, and local agencies, with respect to rural post offices, that—

(I) streamline services provided by the Federal, State, and local agencies;

(II) decrease the costs of the Federal, State, and local agencies; and

(III) maintain the customer service standards of the Federal, State, and local agencies.

(ii) **CLARIFICATION OF INTER-AGENCY AGREEMENTS.**—The study under clause (i) shall include consideration of the advisability of the Postal Service entering into an inter-agency agreement with—

(I) the Bureau of the Census for the provision of personnel and resources for the 2020 decennial census;

(II) the Social Security Administration for the provision of social security cards;

(III) the department of motor vehicles, or an equivalent agency, of each State for the provision of driver licenses, vehicle registration, and voter registration; and

(IV) the division of wildlife, the department of natural resources, or an equivalent agency, of each State for the provision of hunting and fishing licenses.

(B) **STRATEGIC PLAN.**—Upon completion of the study under subparagraph (A), the Advisory Commission shall develop a strategic plan for entering into inter-agency agreements concerning rural post offices.

(C) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Advisory Commission shall submit to the Postal Service a report that contains the results of the study under subparagraph (A) and the strategic plan under subparagraph (B).

(2) **POSTAL SERVICE STRATEGIC PLAN.**—

(A) **IN GENERAL.**—Not later than 6 months after the date on which the Advisory Commission submits to the Postal Service the report under paragraph (1)(C), the Postal Service shall submit to the Postal Regulatory

Commission a strategic plan for entering into inter-agency agreements concerning rural post offices.

(B) **LIMITATIONS.**—The strategic plan submitted under subparagraph (A) shall be consistent with—

(i) the retail service standards established under section 203 of this Act; and

(ii) public interest and demand.

(C) **VOTE BY POSTAL REGULATORY COMMISSION.**—Not later than 60 days after the date on which the Postal Service submits the strategic plan under subparagraph (A), the Postal Regulatory Commission shall, by a majority vote of the members of the Postal Regulatory Commission—

(i) approve the strategic plan, in whole or in part; or

(ii) disapprove the strategic plan.

(D) **IMPLEMENTATION BY POSTAL SERVICE.**—Not later than 30 days after the date on which the Postal Regulatory Commission votes on a strategic plan under subparagraph (C), the Postal Service shall implement the strategic plan as approved by the Postal Regulatory Commission under subparagraph (C)(i).

(E) **DISAPPROVAL.**—If the Postal Regulatory Commission disapproves a strategic plan under subparagraph (C)(ii), not later than 90 days after the date of the disapproval the Postal Service shall develop and submit an amended strategic plan that the Postal Regulatory Commission shall vote on in accordance with subparagraph (C).

(h) **TERMINATION OF THE COMMISSION.**—The Advisory Commission shall terminate 90 days after the later of—

(1) the date on which the Advisory Commission submits the report on the strategic blueprint for long-term solvency under subsection (f); and

(2) the date on which the Advisory Commission submits the report on the strategic plan on inter-agency agreements for rural post offices under subsection (g).

(i)

SA 2049. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 106. SUPERVISORY AND OTHER MANAGERIAL ORGANIZATIONS.

Section 1004 of title 39, United States Code, is amended—

(1) in subsection (b), in the second sentence, by inserting “as provided under subsection (d) and any changes in, or termination of, pay policies and schedules and fringe benefit programs for members of the supervisors' organization as provided under subsection (e)” before the period; and

(2) in subsection (e)(1), by inserting “, or termination of,” after “any changes in”.

SA 2050. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 48, strike line 3 and all that follows through the end of the matter between lines 5 and 6 on page 52.

SA 2051. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States

Postal Service; which was ordered to lie on the table; as follows:

On page 39, strike line 20 and all that follows through page 45, line 17, and insert the following:

SEC. 205. OTHER PROVISIONS.

(a) FREQUENCY OF MAIL DELIVERY.—Section 101 of title 39, United States Code, is amended by adding at the end the following:

“(h) Subject to the requirements of section 3661, nothing in this title or any other provision of law shall be construed to prevent the Postal Service from taking any action necessary to provide for a 5-day-per-week delivery schedule for mail and a commensurate adjustment in the schedule for rural delivery of mail.”.

(b) OVERALL VALUE OF FRINGE BENEFITS.—Section 1005(f) of title 39, United States Code, is amended by striking the last sentence.

(c) MODERN RATE REGULATION.—Section 3622(d) of title 39, United States Code, is repealed.

(d) DELIVERY SERVICE STANDARDS AND MAIL PROCESSING.—Sections 201 and 202 of this Act, and the amendments made by those sections, shall have no force or effect.

(e) HISTORIC POST OFFICES.—Section 404(d) of title 39, United States Code, is amended by adding at the end the following:

“(7)(A) In this paragraph, the term “historic post office building” means a post office building that is a certified historic structure, as that term is defined in section 47(c)(3) of the Internal Revenue Code of 1986.

SA 2052. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

Strike section 402 and insert the following:
SEC. 402. MINIMUM COST COVERAGE FOR MARKET-DOMINANT PRODUCTS.

Section 3622(d)(1) of title 39, United States Code, is amended—

(1) in subparagraph (D), by striking “and” at the end;

(2) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(F) require that each class of domestic or outbound international mail bear the costs that are the sum of—

“(i) the direct and indirect postal costs attributable to the class of mail through reliably identified causal relationships; and

“(ii) that portion of all costs of the Postal Service other than the costs described in clause (i) that are reasonably assignable to the class of mail.”.

SA 2053. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 39, strike line 20 and all that follows through page 45, line 17, and insert the following:

SEC. 205. HISTORIC POST OFFICES.

(a) REPEALS.—Sections 201 and 202 of this Act, and the amendments made by those sections, shall have no force or effect.

(b) HISTORIC POST OFFICES.—Section 404(d) of title 39, United States Code, is amended by adding at the end the following:

“(7)(A) In this paragraph, the term “historic post office building” means a post of-

fice building that is a certified historic structure, as that term is defined in section 47(c)(3) of the Internal Revenue Code of 1986.

SA 2054. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . ALLOWANCE FOR VOLUME CHANGES IN ESTABLISHING THE PRICE CAP FOR BULK MARKET DOMINANT PRODUCTS.

Section 3622(d)(1) of title 39, United States Code, is amended by striking subparagraph (A) and inserting the following:

“(A) include an annual limitation on the percentage changes in rates to be set by the Postal Regulatory Commission that—

“(i) except as provided in clause (ii), will be equal to the change in the Consumer Price Index for All Urban Consumers unadjusted for seasonal variation over the most recent available 12-month period preceding the date the Postal Service files notice of its intention to increase rates; and

“(ii) for bulk products, shall be the rate described in clause (i), adjusted to reflect any estimated changes in unit costs due solely to changes in the volume of such products entered into the mail;”.

SA 2055. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 23, strike lines 7 through 24 and insert the following:

SEC. 106. ARBITRATION; LABOR DISPUTES.

Section 1207(c)(2) of title 39, United States Code, is amended—

(1) by inserting “(A)” after “(2)”;

(2) by striking the last sentence and inserting “The arbitration board shall render a decision not later than 45 days after the date of its appointment.”; and

(3) by adding at the end the following:

“(B) In rendering a decision under this paragraph, the arbitration board shall consider such relevant factors as—

“(i) the financial condition of the Postal Service;

“(ii) the requirements relating to pay and compensation comparability under section 1003(a); and

“(iii) the policies of this title.”.

SA 2056. Mr. TESTER (for himself, Mr. FRANKEN, Mr. LEVIN, Mr. PRYOR, Mr. WYDEN, Ms. STABENOW, Mr. BEGICH, Mrs. SHAHEEN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

Strike section 205(a) and insert the following:

(a) CLOSING POST OFFICES.—Section 404(d) of title 39, United States Code, is amended to read as follows:

“(d)(1) The Postal Service, prior to making a determination under subsection (a)(3) of this section as to the necessity for the closing or consolidation of any post office, shall—

“(A) consider whether—

“(i) to close the post office or consolidate the post office and another post office located within a reasonable distance;

“(ii) instead of closing or consolidating the post office—

“(I) to reduce the number of hours a day that the post office operates; or

“(II) to continue operating the post office for the same number of hours a day;

“(iii) to procure a contract providing full, or less than full, retail services in the community served by the post office; or

“(iv) to provide postal services to the community served by the post office through a rural carrier;

“(B) provide postal customers served by the post office an opportunity to participate in a nonbinding survey conducted by mail on a preference for an option described in subparagraph (A); and

“(C) if the Postal Service determines to close or consolidate the post office, provide adequate notice of its intention to close or consolidate such post office at least 60 days prior to the proposed date of such closing or consolidation to persons served by such post office to ensure that such persons will have an opportunity to present their views.

“(2) The Postal Service, in making a determination whether or not to close or consolidate a post office—

“(A) shall consider—

“(i) the effect of such closing or consolidation on the community served by such post office;

“(ii) the effect of such closing or consolidation on employees of the Postal Service employed at such office;

“(iii) whether such closing or consolidation is consistent with—

“(I) the policy of the Government, as stated in section 101(b) of this title, that the Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining; and

“(II) the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012;

“(iv) the extent to which the community served by the post office lacks access to Internet, broadband and cellular phone service;

“(v) whether substantial economic savings to the Postal Service would result from such closing or consolidation; and

“(vi) such other factors as the Postal Service determines are necessary; and

“(B) may not consider compliance with any provision of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

“(3) Any determination of the Postal Service to close or consolidate a post office shall be in writing and shall include the findings of the Postal Service with respect to the considerations required to be made under paragraph (2) of this subsection. Such determination and findings shall be made available to persons served by such post office.

“(4) The Postal Service shall take no action to close or consolidate a post office until 60 days after its written determination is made available to persons served by such post office.

“(5) A determination of the Postal Service to close or consolidate any post office, station, branch, or facility may be appealed by any person served by such office, station, branch, or facility to the Postal Regulatory Commission within 30 days after such determination is made available to such person. The Commission shall review such determination on the basis of the record before

the Postal Service in the making of such determination. The Commission shall make a determination based upon such review no later than 120 days after receiving any appeal under this paragraph. The Commission shall set aside any determination, findings, and conclusions found to be—

“(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law;

“(B) without observance of procedure required by law;

“(C) inconsistent with the delivery service standards required to be maintained under section 201 of the 21st Century Postal Service Act of 2012 or not in conformance with the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012; or

“(D) unsupported by substantial evidence on the record, including that substantial economic savings are likely to be achieved as a result of the closing or consolidation.

The Commission may affirm or reverse the determination of the Postal Service or order that the entire matter be returned for further consideration, but the Commission may not modify the determination of the Postal Service. The determination of the Postal Service shall be suspended until the final disposition of the appeal. The provisions of section 556, section 557, and chapter 7 of title 5 shall not apply to any review carried out by the Commission under this paragraph.

“(6) For purposes of paragraph (5), any appeal received by the Commission shall—

“(A) if sent to the Commission through the mails, be considered to have been received on the date of the Postal Service postmark on the envelope or other cover in which such appeal is mailed; or

“(B) if otherwise lawfully delivered to the Commission, be considered to have been received on the date determined based on any appropriate documentation or other indicia (as determined under regulations of the Commission).

“(7) Nothing in this subsection shall be construed to limit the right under section 3662—

“(A) of an interested person to lodge a complaint with the Postal Regulatory Commission under section 3662 concerning non-conformance with service standards, including the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012; or

“(B) of the Postal Regulatory Commission, if the Commission finds a complaint lodged by an interested person to be justified, to order the Postal Service to take appropriate action to achieve compliance with applicable requirements, including the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012, or to remedy the effects of any noncompliance.”.

SA 2057. Mr. UDALL of New Mexico (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 32, line 2, insert “within a district” after “locality”.

SA 2058. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain,

and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 131, strike lines 21 through 23 and insert the following:

“(iv) to provide postal services to the community served by the post office—

“(I) through a rural carrier; or

“(II) by co-locating an employee of the Postal Service at a commercial or government entity;

SA 2059. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 121, strike line 22 and all that follows through page 128, line 10, and insert the following:

SEC. 201. POSTAL POLICY AND POWERS OF THE POSTAL SERVICE.

(a) POSTAL POLICY.—Section 101(b) of title 39, United States Code, is amended—

(1) by striking “a maximum degree of”; and

(2) by striking “where post offices” and all that follows through “a deficit”.

(b) POWERS OF THE UNITED STATES POSTAL SERVICE.—Section 404(d)(2) of title 39, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(2) by inserting before subparagraph (B), as so redesignated, the following:

“(A) shall give primary consideration to whether such closing or consolidation is consistent with the intent of Congress, as stated in section 101(b), that the Postal Service shall provide effective and regular postal services to rural areas, communities, and small towns;”; and

(3) in subparagraph (B), as so redesignated—

(A) by striking clause (iii); and

(B) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively.

SA 2060. Mr. COBURN (for himself, Mr. JOHNSON of Wisconsin, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . GOVERNMENT SPONSORED CONFERENCES.

(a) TRAVEL EXPENSES OF FEDERAL AGENCIES RELATING TO CONFERENCES.—

(1) LIMITATIONS AND REPORTS ON TRAVEL EXPENSES TO CONFERENCES.—Chapter 57 of title 5, United States Code, is amended by inserting after section 5711 the following:

“§ 5712. Limitations and reports on travel expenses to conferences

“(a) In this section, the term—

“(1) ‘conference’ means a meeting that—

“(A) is held for consultation, education, or discussion;

“(B) is not held entirely at an agency facility;

“(C) involves costs associated with travel and lodging for some participants; and

“(D) is sponsored by 1 or more agencies, 1 or more organizations that are not agencies,

or a combination of such agencies or organizations; and

“(2) ‘international conference’ means a conference attended by representatives of—

“(A) the United States Government; and

“(B) any foreign government, international organization, or foreign nongovernmental organization.

“(b) No agency may pay the travel expenses for more than 50 employees of that agency who are stationed in the United States, for any international conference occurring outside the United States, unless the Secretary of State determines that attendance for such employees is in the national interest.

“(c) At the beginning of each quarter of each fiscal year, each agency shall post on the public Internet website of that agency a report on each conference for which the agency paid travel expenses during the preceding 3 months that includes—

“(1) the itemized expenses paid by the agency, including travel expenses, the cost of scouting for and selecting the location of the conference, and any agency expenditures to otherwise support the conference;

“(2) the primary sponsor of the conference;

“(3) the location of the conference;

“(4) in the case of a conference for which that agency was the primary sponsor, a statement that—

“(A) justifies the location selected;

“(B) demonstrates the cost efficiency of the location; and

“(C) provides a cost benefit analysis of holding a conference rather than conducting a teleconference;

“(5) the date of the conference;

“(6) a brief explanation how the conference advanced the mission of the agency;

“(7) the title of any Federal employee or any individual who is not a Federal employee whose travel expenses or other conference expenses were paid by the agency; and

“(8) the total number of individuals whose travel expenses or other conference expenses were paid by the agency.

“(d) Each report posted on the public Internet website under subsection (c) shall—

“(1) be in a searchable electronic format; and

“(2) remain on that website for at least 5 years after the date of posting.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5711 the following:

“5712. Limitations and reports on travel expenses to conferences.”.

(b) LIMITATIONS ON ANNUAL TRAVEL EXPENSES.—

(1) IN GENERAL.—In the case of each of fiscal years 2012 through 2016, an agency (as defined under section 5701(1) of title 5, United States Code) may not make, or obligate to make, expenditures for travel expenses, in an aggregate amount greater than 80 percent of the aggregate amount of such expenses for fiscal year 2010.

(2) IDENTIFICATION OF TRAVEL EXPENSES.—Not later than September 1, 2012 and after consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts, the Director of the Office of Management and Budget shall establish guidelines for the determination of what expenses constitute travel expenses for purposes of this subsection. The guidelines shall identify specific expenses, and classes of expenses, that are to be treated as travel expenses.

(c) CONFERENCE TRANSPARENCY AND LIMITATIONS.—

(1) DEFINITIONS.—In this subsection—

(A) the term “agency” has the meaning given under section 5701(1) of title 5, United States Code; and

(B) the term “conference” has the meaning given under section 5712(a)(1) of that title (as added by subsection (a)).

(2) PUBLIC AVAILABILITY OF CONFERENCE MATERIALS.—Each agency shall post on the public Internet website of that agency a detailed information on any presentation made by any employee of that agency at a conference, including—

(A) any minutes relating to the presentation;

(B) any speech delivered;

(C) any visual exhibit, including photographs or slides;

(D) any video, digital, or audio recordings of the conference; and

(E) information regarding any financial support or other assistance from a foundation or other non-Federal source used to pay or defray the costs of the conference, which shall include a certification by the head of the agency that there is no conflict of interest resulting from the support received from each such source.

(3) LIMITATION ON AMOUNT EXPENDED ON A CONFERENCE.—

(A) IN GENERAL.—No agency may expend more than \$500,000 to support a single conference.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a foundation or other non-Federal source to pay or defray the costs of a conference the total cost of which exceeds \$500,000.

(4) LIMITATION ON THE ANNUAL NUMBER OF CONFERENCES AN AGENCY MAY SUPPORT.—No agency may expend funds on more than a single conference sponsored or organized by an organization during any fiscal year, unless the agency is the primary sponsor and organizer of the conference.

SA 2061. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REQUIREMENT FOR RETIREMENT-ELIGIBLE EMPLOYEES OF THE POSTAL SERVICE TO RETIRE.

(a) DEFINITION.—In this section, the term “retirement-eligible employee”—

(1) means an employee of the Postal Service who meets the age and service requirements to retire on an immediate annuity under section 8336 or 8412 of title 5, United States Code; and

(2) does not include an individual described in section 8336(d) or 8412(g) of title 5, United States Code.

(b) PROHIBITION.—On and after the date that is 90 days after the date of enactment of this Act, a retirement-eligible employee may not perform service as an employee of the Postal Service.

SA 2062. Mr. MERKLEY (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States

Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . RURAL POST OFFICES.

Section 404(d) of title 39, United States Code, as amended by section 205 of this Act, is amended—

(1) in paragraph (3)—

(A) in the first sentence, by inserting “and, with respect to a rural post office, a summary of the determinations required under paragraph (9)” after “paragraph (2) of this subsection”; and

(B) in the second sentence, by striking “determination and findings” and inserting “determination, findings, and summary”; and

(2) by adding at the end the following:

“(9) The Postal Service may not make a determination under subsection (a)(3) to close a post office located in a rural area, as defined by the Census Bureau, unless the Postal Service determines that—

“(A) seniors served by the post office would continue to receive the same or substantially similar access to prescription medication sent through the mail as before the closing;

“(B) businesses located in the community served by the post office would not suffer financial loss as a result of the closing;

“(C) the economic loss to the community served by the post office as a result of the closing does not exceed the cost to the Postal Service of not closing the post office;

“(D) the area served by the post office has adequate access to wired broadband Internet service, as identified on the National Broadband Map of the National Telecommunications and Information Administration;

“(E) seniors and persons with disabilities who live near the post office would continue to receive the same or substantially similar access to postal services as before the closing; and

“(F) the closing would not result in more than 10 miles distance (as measured on roads with year-round access) between any 2 post offices.”.

SA 2063. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 88, strike line 4 and all that follows through page 90, line 3, and insert the following:

“(2) EXCEPTIONS.—

“(A) COVERED RECIPIENTS WHO ARE RETIREMENT AGE, HAVE AN EXEMPT DISABILITY CONDITION, OR FACE FINANCIAL HARDSHIP.—Paragraph (1) shall not apply to a covered claim for total disability by an employee if the employee—

“(i) on the date of enactment of the Workers’ Compensation Reform Act of 2012, has attained retirement age;

“(ii) is an individual who has an exempt disability condition; or

“(iii) is a member of a household that would meet the income and assets requirements for eligibility for the supplemental nutrition assistance program as described in section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) (not including any provisions permitting eligibility due to benefits received under any other law) if the basic compensation for total disability of the employee were provided in accordance with paragraph (1).

“(B) TRANSITION PERIOD FOR CERTAIN EMPLOYEES.—For a covered claim for total disability by an employee who is not an employee described in subparagraph (A), the employee shall receive the basic compensation for total disability provided under subsection (a) until the later of—

“(i) the date on which the employee attains retirement age; and

“(ii) the date that is 3 years after the date of enactment of the Workers’ Compensation Reform Act of 2012.”.

(3) PARTIAL DISABILITY.—Section 8106 is amended—

(A) in subsection (a), by striking “If” and inserting “IN GENERAL.—Subject to subsection (b), if”;

(B) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(C) by inserting after subsection (a) the following:

“(b) CONVERSION OF ENTITLEMENT AT RETIREMENT AGE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the basic compensation for partial disability for an employee who has attained retirement age shall be 50 percent of the difference between the monthly pay of the employee and the monthly wage-earning capacity of the employee after the beginning of the partial disability.

“(2) EXCEPTIONS.—

“(A) COVERED RECIPIENTS WHO ARE RETIREMENT AGE OR FACE FINANCIAL HARDSHIP.—Paragraph (1) shall not apply to a covered claim for partial disability by an employee if the employee—

“(i) on the date of enactment of the Workers’ Compensation Reform Act of 2012, has attained retirement age; or

“(ii) is a member of a household that would meet the income and assets requirements for eligibility for the supplemental nutrition assistance program as described in section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) (not including any provisions permitting eligibility due to benefits received under any other law) if the basic compensation for total disability of the employee were provided in accordance with paragraph (1).

SA 2064. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 134, between lines 16 and 17, insert the following:

SEC. 314. TERRORISM INJURIES; ZONES OF ARMED CONFLICT.

(a) COVERING TERRORISM INJURIES.—Section 8102(b) of title 5, United States Code, is amended in the matter preceding paragraph (1)—

(1) by inserting “or from an attack by a terrorist or terrorist organization, either known or unknown,” after “force or individual,”; and

(2) by striking “outside” and all that follows through “1979” and inserting “outside of the United States”.

(b) CONTINUATION OF PAY IN A ZONE OF ARMED CONFLICT.—Section 8118 of title 5, United States Code, as amended by section 308(b) of this Act, is amended—

(1) in subsection (b), by striking “Continuation” and inserting “Except as provided under subsection (d)(2), continuation”;

(2) in subsection (c), as redesignated by section 308(b)(4) of this Act, by striking “subsection (a)” and inserting “subsection (a) or (d)”;

(3) by redesignating subsection (d), as redesignated by section 308(b)(4) of this Act, as subsection (e); and

(4) inserting after subsection (c) the following:

“(d) CONTINUATION OF PAY IN A ZONE OF ARMED CONFLICT.—

“(1) IN GENERAL.—Notwithstanding subsection (a), the United States shall authorize the continuation of pay of an employee described in subparagraph (A), (C), (D), or (F) of section 8101(1), who—

“(A) files a claim for a period of wage loss due to an injury in performance of duty in a zone of armed conflict (as determined by the Secretary of Labor under paragraph (3)); and

“(B) files the claim for such wage loss benefit with the immediate superior of the employee not later than 45 days after the later of—

“(i) the termination of the assignment of the employee to the zone of armed conflict; or

“(ii) the return of the employee to the United States.

“(2) CONTINUATION OF PAY.—Notwithstanding subsection (b), continuation of pay under this subsection shall be furnished for a period not to exceed 135 days without any break in time or waiting period, unless controverted under regulations prescribed by the Secretary of Labor.

“(3) DETERMINATION OF ZONES OF ARMED CONFLICT.—For purposes of this subsection, the Secretary of Labor, in consultation with the Secretary of State and the Secretary of Defense, shall determine whether a foreign country or other foreign geographic area outside of the United States (as defined in section 202(a)(7) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4302(a)(7)) is a zone of armed conflict based on whether—

“(A) the Armed Forces of the United States are involved in hostilities in the country or area;

“(B) the incidence of civil insurrection, civil war, terrorism, or wartime conditions threatens physical harm or imminent danger to the health or well-being of United States civilian employees in the country or area;

“(C) the country or area has been designated a combat zone by the President under section 112(c) of the Internal Revenue Code of 1986;

“(D) a contingency operation involving combat operations directly affects civilian employees in the country or area; or

“(E) there exist other relevant conditions and factors.”.

SA 2065. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 140, between lines 16 and 17, insert the following:

(d) TEMPORARY AUTHORITY TO ADJUST FIRST-CLASS MAIL STAMP RATE.—

(1) AUTHORITY.—Notwithstanding the annual limitation on the percentage changes in rates established under section 3622(d)(1)(A) of title 39, United States Code, the Postal Service may, not later than 3 years after the date of enactment of this Act, establish a rate for the first ounce of a single-piece first-class letter that is not more than the greater of—

(A) 50 cents; or

(B) the rate otherwise authorized to be established under section 3622 of title 39, United States Code.

(2) IMPLEMENTATION.—Not later than 90 days after the date of enactment of this Act, the Postal Service, in consultation with the Commission, shall establish a projected annual schedule for the increase in the rate for the first ounce of a single-piece first-class letter authorized under paragraph (1) using—

(A) any authority to increase rates that the Postal Service expects to receive under section 3622(d)(1)(A) of title 39, United States Code;

(B) any unused rate adjustment authority, as defined in section 3622(d)(2)(C) of title 39, United States Code, that the Postal Service anticipates using; and

(C) any actions the Postal Service plans to take to enable the Postal Service to use the authority under paragraph (1) in a predictable and stable manner.

(3) NO EFFECT ON OTHER RATES.—The Commission may not refer to or rely on a decision by the Postal Service to exercise the authority under paragraph (1) for the purpose of determining whether any other rate (including any other first-class mail rate) complies with the requirements of title 39, United States Code.

(4) DISCOUNT CALCULATION.—Section 3622(e)(1) of title 39, United States Code, is amended by inserting after “under subsection (a)” the following: “, except that the Commission shall not consider the rates for presorted first-class mail to be a discount from the rates for single-piece first-class mail”.

SA 2066. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EXECUTIVE COMPENSATION.

(a) LIMIT ON MAXIMUM COMPENSATION.—

(1) NUMBER OF EXECUTIVES.—Section 3686(c) of title 39, United States Code, is amended in the first sentence by striking “12 officers” and inserting “6 officers”.

(2) INTERIM LIMITATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), and notwithstanding section 3686(c) of title 39, United States Code, as amended by this Act, for 2012, 2013, 2014, and 2015, the total compensation of an officer or employee of the Postal Service may not exceed the annual amount of basic pay payable for level I of the Executive Schedule under section 5312 of title 5.

(B) PERFORMANCE BASED COMPENSATION RELATING TO SOLVENCY PLAN.—

(i) IN GENERAL.—Any compensation relating to achieving the goals established under the plan under section 401 shall not apply toward the limit on compensation under subparagraph (A).

(ii) OTHER LIMITATIONS APPLY.—Nothing in this subparagraph shall be construed to modify the limitation on compensation under subsections (b) and (c) of section 3686 of title 39, United States Code, as amended by this Act.

(b) CARRY OVER COMPENSATION.—The Postal Service may not pay compensation for service performed during a year (in this subsection referred to as the “base year”) in any subsequent year if the total amount of compensation provided relating to service during the base year would exceed the amount specified under section 3686(c) of title 39, United States Code, as amended by this Act, or subsection (a)(2), as applicable.

(c) BENEFITS.—Section 1003 of title 39, United States Code, is amended by adding at the end the following:

“(e) LIMITATIONS ON BENEFITS.—For any fiscal year, an officer or employee of the Postal Service who is in a critical senior executive or equivalent position, as designated under section 3686(c), may not receive fringe benefits (within the meaning given that term under section 1005(f)) that are greater than the fringe benefits received by supervisory and other managerial personnel who are not subject to collective-bargaining agreements under chapter 12.”.

(d) EFFECTIVE DATE; APPLICABILITY.—This section and the amendments made by this section shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any contract entered or modified by the Postal Service on or after the date of enactment of this Act.

SA 2067. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ADJUSTMENT TO METHOD FOR CALCULATING PAYMENTS BY POSTAL SERVICE TO FEDERAL EMPLOYEES' RETIREMENT SYSTEM.

Section 8423(a) of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by inserting “or subparagraph (C)” after “subparagraph (B)”;

(B) in subparagraph (B)(ii), by striking the period at the end and inserting the following: “; and”; and

(C) by adding at the end the following:

“(C) the product of—

“(i) the normal-cost percentage, as determined for employees of the United States Postal Service under paragraph (5), multiplied by

“(ii) the aggregate amount of basic pay payable by the United States Postal Service, for the period involved, to employees of the United States Postal Service.”; and

(2) by adding at the end the following:

“(5)(A) In determining the normal cost percentage for employees of the United States Postal Service, the Office shall use—

“(i) demographic factors specific to such employees, unless such data cannot be generated; and

“(ii) economic assumptions regarding increases in rates of basic pay that reflect the specific past and likely future pay increases for such employees.

“(B) Upon request of the Office, the United States Postal Service shall provide any data or projections the Office may require in order to determine the normal cost percentage for employees of the United States Postal Service consistent with subparagraph (A).

“(C) The United States Postal Service may appeal any determination by the Office to the Board of Actuaries of the Civil Service Retirement System pursuant to subsection (c) of this section.”.

SA 2068. Mr. WYDEN (for himself, Mr. MERKLEY, Mr. TESTER, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the end of section 208, add the following:

(f) ELECTION PERIODS.—

(1) IN GENERAL.—Section 3691 of title 39, United States Code, is amended by adding at the end the following:

“(e) MAIL DELIVERY DURING ELECTION PERIODS.—

“(1) DEFINITION.—In this subsection, the term ‘covered election’ means a Federal, State, or local election in which individuals eligible to vote in the election are permitted or required to vote by mail.

“(2) IN GENERAL.—Except as provided in paragraph (3), during the 30-day period ending on the date of a covered election, the Postal Service shall provide delivery 6 days per week to each individual who is permitted or required to vote by mail (including by use of an absentee ballot) in the covered election.

“(3) EXCEPTION.—Paragraph (2) shall not apply with respect to any route for which the Postal Service provided delivery on fewer than 6 days per week as of December 1, 2011.”

(2) CHANGE TO SCHEDULE.—A plan established under subsection (a)(2) shall comply with section 3691(e) of title 39, United States Code, as added by this subsection.

SA 2069. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 147, line 22, strike the quotation marks and the second period and insert the following:

“(4) In this subsection, the term ‘laws and regulations’ includes any licensing, permitting, recordkeeping, or reporting obligation.”

SA 2070. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 147, line 22, strike the quotation marks and the second period and insert the following:

“(4) In this subsection, the term ‘laws and regulations’ includes any licensing, permitting, recordkeeping, or reporting obligation.”

SA 2071. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . RETIREMENT REPORTING.

(a) DEFINITION.—In this section, the term ‘agency’ has the meaning given that term in section 551 of title 5, United States Code.

(b) REPORTS.—Not later than June 1, 2012, and every month thereafter, the Director of the Office of Personnel Management shall submit to Congress, the Comptroller General of the United States, and issue publicly (including on the website of the Office of Personnel Management) a report that—

(1) for each agency, evaluates the timeliness, completeness, and accuracy of information submitted by the agency relating to employees of the agency who are retiring;

(2) indicates—

(A) the total number of applications for retirement benefits that are pending action by the Office of Personnel Management; and

(B) the number of months each such application has been pending; and

(3) provides a timetable for completion of each component of the retirement systems modernization project of the Office of Personnel Management, including all data elements required for accurate completion of adjudication and the date (which shall be not later than January 31, 2013) by which all Federal payroll processing entities will electronically transmit all personnel data to the Office of Personnel Management.

(c) BUDGET REQUEST.—The Office of Personnel Management shall include a detailed statement regarding the progress of the Office of Personnel Management in completing the retirement systems modernization project of the Office of Personnel Management in each budget request of the Office of Personnel Management submitted as part of the preparation of the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code.

SA 2072. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 32, line 15, insert “(F) the effect of the closing or consolidation on small businesses in the area, including shipping and communications with customers and suppliers and the corresponding impact on revenues, operations, and growth; and”, strike “(F)” and insert “(G)” before the clause that follows.

On page 41, line 11, insert “(ii) the effect of the closing or consolidation on small businesses in the area, including shipping and communications with customers and suppliers and the corresponding impact on revenues, operations, and growth; and”, strike “(ii)” and insert “(iii)” before the clause that follows.

On page 53, line 1, strike “customers and communities” and insert “customers, communities, and small businesses”.

On page 57, line 3, strike “customers and communities” and insert “customers, communities, and small businesses”.

SA 2073. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 23, between lines 6 and 7, insert the following:

(f) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section may be construed to authorize the Postal Service to require a Postal Service employee or annuitant (as defined in section 8903c of title 5, United States Code, as added by this section) to enroll in Medicare.

SA 2074. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 14, strike line 15 and all that follows through page 16, line 7, and insert the following:

(B) be available for participation by any officer or employee of the Postal Service who is not a covered employee;

(C) provide benefits comparable to the Federal Employee Health Benefits Plan, as determined by the Director of the Office of Personnel Management;

(D) be administered in a manner determined in a joint agreement reached under subsection (b); and

(E) provide for transition of coverage under the Federal Employee Health Benefits Program of all officers and employees of the Postal Service to coverage under the Postal Service Health Benefits Program on January 1, 2013;

(2) shall include a program through which officers and employees of the Postal Service may obtain dental benefits; and

(3) shall include a program through which officers and employees of the Postal Service may obtain vision benefits.

(d) AGREEMENT AND IMPLEMENTATION.—If a joint agreement is reached under subsection (b)—

(1) the Postal Service shall implement the Postal Service Health Benefits Program;

(2) the Postal Service Health Benefits Program shall constitute an agreement between the collective bargaining representatives and the Postal Service for purposes of section 1005(f) of title 39, United States Code; and

(3) officers and employees of the Postal Service may not participate as employees in the Federal Employees Health Benefits Program.

(e) GOVERNMENT PLAN.—The Postal Service Health Benefits Program shall be a government plan as that term is defined under section 3(32) of Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(32)).

(f) REPORT.—Not later than June 30, 2013, the Postal Service shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives that—

(1) reports on the implementation of this section; and

(2) requests any additional statutory authority that the Postal Service determines is necessary to carry out the purposes of this section.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as an endorsement by Congress for withdrawing officers and employees of the Postal Service from the Federal Employee Health Benefits Program.

SA 2075. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 4 . . . CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK COMMISSION.

Section 6(g) of the Chesapeake and Ohio Canal Development Act (16 U.S.C. 410y 4(g)) is amended by striking “40” and inserting “50”.

SA 2076. Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1789, to

improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 48, line 2, after "State," insert the following: "An employee designated under this subsection to represent the needs of Postal Service customers in a State shall be located in that State."

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on April 19, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled "S. 1684, the Indian Tribal Energy Development and Self-Determination Act Amendments of 2011."

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, April 25, 2012 at 10 a.m. in SD-106 to mark-up S. _____, the Food and Drug Administration Safety and Innovation Act; and, any nominations cleared for action.

For further information regarding this meeting, please contact the committee at (202) 224-7675.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 18, 2012, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, "Oversight Hearing on the General Services Administration (GSA)."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 18, 2012, at 10 a.m., to hold a briefing entitled "Intelligence Update on Iran and Syria."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 18, 2012, at 2:15 p.m., to hold an African Affairs subcommittee hearing entitled "Examining the U.S.

Policy Response to Entrenched African Leadership."

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled "Effective Strategies for Accelerated Learning" on April 18, 2012, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 18, 2012, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations to the Privacy and Civil Liberties Oversight Board."

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on April 18, 2012, at 10 a.m., in room 432 of the Russell Senate Office building to conduct a roundtable entitled "Perspectives from the Entrepreneurial Ecosystem: Creating Jobs and Growing Businesses through Entrepreneurship."

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 18, 2012, at 2:30 p.m.

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

SUBCOMMITTEE ON INTERNATIONAL TRADE, CUSTOMS AND GLOBAL COMPETITIVENESS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Subcommittee on International Trade, Customs, and Global Competitiveness of the Committee on Finance be authorized to meet during the session of the Senate on April 18, 2012, at 2 p.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Asia Pacific: Trade Opportunities for Agriculture and Food Producers from the Great Plains to the Pacific Northwest."

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Manage-

ment Support of the Committee on Armed Services be authorized to meet during the session of the Senate on April 18, 2012, at 2:30 p.m.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 18, 2012, at 2:30 p.m.

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

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY, AND SECURITY

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 18, 2012, at 10 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "Protecting Commuters: Ensuring Accountability and Oversight in Tolling."

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

SPECIAL COMMITTEE ON AGING

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on April 18, 2012, at 2 p.m. in room 216 of the Hart Senate Office Building to conduct a hearing entitled: "The Future of Long-Term Care: Saving Money by Service Seniors."

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

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Sarah Smurthwaite, have floor privileges for the remainder of today's session.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Mehreen Rasheed and Shelbey Keegan of my staff be granted floor privileges for the duration of today's session.

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

COMMENDING THE ACHIEVEMENTS OF THE ALLIANCE TO SAVE ENERGY

Mr. REID. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 406 and the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 406) commending the achievements and recognizing the importance of the Alliance to Save Energy on the 35th anniversary of the incorporation of the Alliance.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any related statements be printed in the RECORD.

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

The resolution (S. Res. 406) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 406

Whereas March 18, 2012, marks the first day of a year-long celebration of the 35th anniversary of the Alliance to Save Energy, which was incorporated as a nonprofit organization in accordance with section 501(c)(3) of the Internal Revenue Code of 1986 on March 18, 1977;

Whereas the Alliance to Save Energy was founded by Senators Charles H. Percy and Hubert H. Humphrey;

Whereas the Alliance to Save Energy is a unique national, nonprofit, bipartisan public-policy organization that works with prominent leaders in the fields of business, government, education, the environment, and consumer affairs to promote the efficient and clean use of energy throughout the world to benefit the economy, environment, and security of the United States;

Whereas the Alliance to Save Energy operates programs and collaborative projects throughout the United States, and has worked in the international community for more than a decade in more than 30 developing and transitional countries;

Whereas the Alliance to Save Energy leverages international relationships with government and industry leaders to promote energy efficiency throughout the world and has worked to launch affiliate organizations such as the European Alliance to Save Energy and the Australian Alliance to Save Energy;

Whereas the Alliance to Save Energy has shown that energy efficiency and conservation measures taken by the United States during the past 35 years have caused annual energy consumption in the United States to decrease by more than 52 quads;

Whereas the Alliance to Save Energy is recognized across the United States as an authority on energy efficiency, and regularly provides testimony and resources to the Federal Government, State governments, and members of the business and media communities;

Whereas the Alliance to Save Energy contributes to a variety of educational and outreach initiatives, including—

- (1) the award-winning Green Schools and Green Campus programs;
- (2) award-winning public service announcements; and
- (3) a variety of targeted energy-efficiency campaigns; and

Whereas the Alliance to Save Energy collaborates with other prominent organizations to form partnerships and create groups that advance the cause of energy efficiency, including—

- (1) the Building Codes Assistance Project (commonly known as “BCAP”);
- (2) the Southeast Energy Efficiency Alliance (commonly known as “SEEA”);
- (3) the Clean and Efficient Energy Program (commonly known as “CEEP”);
- (4) the Efficient Windows Collaborative; and
- (5) the Appliance Standards Awareness Project (commonly known as “ASAP”): Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Alliance to Save Energy on the 35th anniversary of the incorporation of the Alliance; and

(2) recognizes the important contributions that the Alliance to Save Energy has made to further the cause of energy efficiency.

NATIONAL ADOPT A LIBRARY DAY

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 425, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 425) designating April 23, 2012, as “National Adopt a Library Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to the measure be printed in the RECORD.

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

The resolution (S. Res. 425) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 425

Whereas libraries are an essential part of the communities and the national system of education in the United States;

Whereas the people of the United States benefit significantly from libraries that serve as an open place for people of all ages and backgrounds to use books and other resources that offer pathways to learning, self-discovery, and the pursuit of knowledge;

Whereas libraries in the United States depend on the generous donations and support of individuals and groups to ensure that people who are unable to purchase books still have access to a wide variety of resources;

Whereas certain nonprofit organizations facilitate the donation of books to schools and libraries across the United States to extend the joy of reading to millions of people of the United States and to prevent used books from being thrown away;

Whereas libraries in the United States have provided valuable resources to individuals who are affected by the economic crisis by encouraging continued education and job training;

Whereas libraries are increasingly being used as a resource for those seeking the tools

and information to enter or reenter the workforce; and

Whereas several States that recognize the importance of libraries and reading have adopted resolutions commemorating April 23 as “Adopt a Library Day”: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 23, 2012, as “National Adopt a Library Day”;

(2) honors the organizations that facilitate donations to schools and libraries;

(3) urges all people of the United States who own unused books to donate the books to local libraries;

(4) strongly supports children and families who take advantage of the resources provided by schools and libraries; and

(5) encourages the people of the United States to observe “National Adopt A Library Day” with appropriate ceremonies and activities.

CONGRATULATING THE LADY BEARS OF BAYLOR UNIVERSITY

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 426.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 426) congratulating the Lady Bears of Baylor University on winning the 2012 National Collegiate Athletic Association Division I Women’s Basketball Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 426) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 426

Whereas the Baylor University women’s basketball team, the Lady Bears, won its second National Collegiate Athletic Association Division I Women’s Basketball Championship by defeating the University of Notre Dame by a score of 80 to 61, becoming the only team in men’s and women’s college basketball to finish the season with a perfect undefeated record of 40-0;

Whereas the Lady Bears’ 2011–2012 season marked only the 7th undefeated season in the history of Division I women’s college basketball;

Whereas Coach Kim Mulkey is the only woman in women’s basketball history to have played on and coached a national championship team;

Whereas Coach Mulkey brought the Lady Bears its 2d national championship since 2005, with a starting lineup that included Brittney Griner, Destiny Williams, Odyssey Sims, Kimetria Hayden, and Jordan Madden;

Whereas All-American junior Brittney Griner led the Lady Bears to victory with 26 points, 13 rebounds, and 5 blocks in a dominating performance over the University of

Notre Dame and finished the 2011–2012 season with more than 920 points;

Whereas the members of the Lady Bears basketball team should all be commended for their teamwork, dedication, and athletic prowess;

Whereas Baylor University as 2011–2012 women’s basketball national champions, has continued to demonstrate excellence in both athletics and academics;

Whereas the Lady Bears basketball team has significantly advanced the sport of women’s basketball by demonstrating character and sportsmanship;

Whereas the Lady Bears overcame significant adversity and competition by defying expectations to finish the season with a dominating performance in the final title game and a perfect undefeated record of 40–0;

Whereas the accomplishments of the Lady Bears are another testament to the strength and will of women across the State of Texas; and

Whereas the Lady Bears basketball team is the pride of its loyal fans, current and former students, and the Lone Star State: Now, therefore, be it

Resolved, That the Senate congratulates the Lady Bears of Baylor University on winning the 2012 National Collegiate Athletic Association Division I Women’s Basketball Championship and completing the 2011–2012 season with an undefeated record of 40 wins and 0 losses.

ORDERS FOR THURSDAY, APRIL 19, 2012

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Thursday, April 19, at 9:30 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the

two leaders be reserved for their use later in the day; that the Senate then resume consideration of the motion to proceed to S. 1925, the Violence Against Women Reauthorization Act, and that following the remarks of the two leaders, the next hour be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes; that the filing deadline for second-degree amendments to the substitute amendment, No. 2000, as modified, and S. 1789 be 11 a.m. on Thursday; and finally, that the cloture votes with respect to the substitute amendment No. 2000, as modified, and S. 1789, the postal reform bill, occur at 2:15 p.m. on Thursday. So there are two cloture votes, one regarding the substitute amendment, No. 2000, and, as I indicated, S. 1789.

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

PROGRAM

Mr. REID. We are working on an agreement with respect to the postal reform bill. If no agreement is reached, there will be a cloture vote on the substitute amendment at 2:15 tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:37 p.m., adjourned until Thursday, April 19, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

CHARLES BENTON, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2013, VICE HARRY ROBINSON, JR., TERM EXPIRED.

CHRISTIE PEARSON BRANDAU, OF IOWA, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2016, VICE LOTSEE PATTERSON, TERM EXPIRED.

NORBERTO JESUS CASTRO, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2016, VICE DOUGLAS G. MYERS, TERM EXPIRED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

WILLIAM B. SHULTZ, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE DANIEL MERON.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF COMMERCE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JEFFREY B. JUSTICE, OF NORTH CAROLINA
DONALD TOWNSEND, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:
ENRIQUE G. ORTIZ, OF FLORIDA

WITHDRAWALS

Executive Message transmitted by the President to the Senate on April 18, 2012 withdrawing from further Senate consideration the following nominations:

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JEFFREY B. JUSTICE AND ENDING WITH ENRIQUE G. ORTIZ, WHICH NOMINATIONS WERE SENT TO THE SENATE ON FEBRUARY 29, 2012.

HOUSE OF REPRESENTATIVES—Wednesday, April 18, 2012

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 18, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

CONGRATULATING THE UNIVERSITY OF KENTUCKY MEN'S BASKETBALL TEAM FOR WINNING THE 2012 NCAA CHAMPIONSHIP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. CHANDLER) for 5 minutes.

Mr. CHANDLER. Mr. Speaker, I am the proud sponsor of a resolution congratulating the University of Kentucky Men's Basketball team for winning the 2012 NCAA championship.

Since the days of Adolph Rupp, the University of Kentucky Wildcats have been a part of the fabric of our Commonwealth, and the success of this year's team will be remembered for generations to come.

The University of Kentucky boasts one of the proudest and most celebrated basketball programs in the whole country. As an alumnus, I may be biased on this point, but I also believe that the statistics speak for themselves.

The UK Wildcats are the winningest team in the history of college basketball and have won the second most national championships. They've appeared in more NCAA tournaments and

won more games in the tournament than any other team.

Even in the great tradition of Kentucky basketball, this year's team was special. They shattered the NCAA record for shots blocked and set a new record for single season wins with 38 victories. The Wildcats dominated the NCAA tournament with a combination of explosive offense, suffocating defense, and team chemistry.

This season wouldn't have been possible without Head Coach John Calipari, known far and wide as Coach Cal. Although known as a skilled tactician and recruiter, the key to Coach Cal's success has always been how much he cares about his players.

He mentors these young men so they are primed to succeed, both on and off the court, and I think I can speak for all Wildcat fans when I say that we hope to see him on the sidelines at Rupp Arena for many years to come.

From top to bottom, every member of this team played an important role in their drive to the championship, but there are three players in particular that deserve special recognition.

Anthony Davis had one of the most remarkable college basketball seasons in recent memory, winning eight National Player of the Year awards and setting an NCAA record for most blocks in a season by a freshman.

Michael Kidd-Gilchrist was unquestionably the heart and soul of the team.

And Darius Miller, a native of Mason County and former Mr. Kentucky Basketball, ended his stellar career on a high note by setting a school record for most appearances in a Kentucky uniform and joining the prestigious 1,000-point club.

Finally, this team was supported every step of the way by its fans, the Big Blue Nation, who made Rupp Arena one of the toughest places to play in the country. They prove time and time again why Kentucky is the best State for college basketball.

This year was an especially proud year for the Commonwealth of Kentucky, as we sent two teams to the Final Four. I want to congratulate the University of Louisville Cardinals and Head Coach Rick Pitino on an outstanding season and a hard-fought rivalry game that lived up to its immense hype.

I also commend the University of Kansas and The Ohio State University on their terrific years and for making it all the way to New Orleans.

As the Member privileged to represent the University of Kentucky, I

am honored to introduce this resolution today, and I look forward to welcoming the Wildcats to Washington next month.

CONGRATULATING THE BAYLOR UNIVERSITY LADY BEARS FOR WINNING THE 2012 WOMEN'S NCAA CHAMPIONSHIP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. FLORES) for 5 minutes.

Mr. FLORES. Mr. Speaker, I rise today to congratulate Coach Kim Mulkey and her Baylor University Lady Bears for winning the 2012 women's NCAA college basketball national championship. The Lady Bears were ranked number one in the country all season long, going undefeated and becoming the first NCAA basketball team, men's or women's, to ever win 40 games in a season.

The Lady Bears recorded some impressive team and individual accomplishments on their way to their second Final Four in 3 years and winning their second national championship in 7 years.

The Lady Bear senior class, Terran Condrey, Ashley Field, and Lindsay Palmer, finished their 4-year careers with a record of 131 wins and 19 losses, one national championship, two Final Four appearances, four NCAA tournament trips, two regular season Big 12 titles, and three Big 12 tournament titles.

Ashley Field, Lindsay Palmer, and Makenzie Robertson were all chosen as first team 2012 Academic All-Big 12 honorees. Odyssey Sims, Destiny Williams, and Brittney Griner were named to the 2011–2012 All-American team.

After dominating opponents on both ends of the court all season long, Griner was chosen as the NCAA tournament MVP, and became the third women's basketball player to ever win all four National Player of the Year awards.

The Lady Bears are led by the remarkable Head Coach Kim Mulkey, whose resume and accomplishments have already cemented her place among the best women's basketball coaches of all time. As a player, Coach Mulkey was a member of the 1984 gold medal winning U.S. women's basketball team. She was inducted into the Women's Basketball Hall of Fame in 2000 and has been named Big 12 Coach of the Year three times. This year Kim was named National Coach of the Year.

Coach Mulkey is the fastest women's basketball coach to ever reach 300 wins

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and is the fifth coach in the NCAA to win multiple national championships. She has led the Lady Bears to the NCAA tournament in 11 of her last 12 seasons at Baylor.

The Lady Bears return their top six scorers and rebounders next season, so there is more to come from this outstanding group of young women.

I am privileged to represent the city of Waco, McLennan County, and Baylor University in my district, and I wish best wishes to Baylor President Ken Starr, Athletic Director Ian McCaw, and everyone else at the Baylor Nation as they continue to show that a Christian institution of higher learning can, indeed, compete and win in college athletics as well.

2011–2012 has truly been the year of the Bear. Sic 'em, Bears.

THE ARMENIAN GENOCIDE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. SARBANES) for 5 minutes.

Mr. SARBANES. Mr. Speaker, the genocide of more than 1½ million Armenians by Ottoman-era Turkish authorities is an undeniable fact of history. In 1915, the Armenian nation which had resided in Anatolia for thousands of years was subjected to an organized barbarity that included death marches, drowning, and executions.

Those who managed to survive these horrors scattered to the four corners of the Earth. Today, survivors of the Armenian genocide and their children and grandchildren bear witness to this massacre. Each year, Armenian Americans, supported by others who readily accept the teachings of history, renew their plea that the United States Government formally recognize the Armenian genocide, and every year that responsibility of recognition remains unfulfilled.

□ 1010

When faced with the deeply compelling research and scholarship surrounding the Armenian genocide, it is wholly untenable to assert that the genocide did not occur. Instead, many in Congress offer the protest that recognition would harm our relationship with Turkey and undermine our broader geostrategic interests. Others suggest weakly that it is just not the right time to push the issue of recognition. The result is the same—the continued failure on the part of the United States to do the right thing. This failure puts salt on the wounds of the Armenian people. But it does more than that. It corrodes the moral standing of our Nation as a whole.

I join those who once again, at this time of annual remembrance, implore my fellow Members of Congress and President Obama to formally recognize the Armenian genocide.

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, the number one fear of Chicago elementary schoolchildren is not braces or book reports or the dentist. It is getting shot. More than 500 Chicago students were involved in gun violence in the last 2 years, and 34 were killed by guns last year. In a single week in June, there were 60 shootings in Chicago.

The Chicago police traced many of the guns used in these types of shootings to gun shows in neighboring States. You can go to a gun show in neighboring State Indiana and buy any weapon you want without a single background check. You can be a convicted felon or a domestic abuser who is under a restraining order or a suspected terrorist, and you can walk right in to a gun show and walk out with an assault weapon.

A member of Hezbollah purchased weapons at an American gun show the day before 9/11. Is this what the American people want? Do the American people approve of a situation in which terrorists can buy guns without even the level of tracking we use for airplane tickets or cold medicine?

The American people want our law enforcement officers to have the tools they need to catch the bad guys. Eighty-one percent of gun owners support requiring a background check on all firearm purchases. Ninety percent of all Americans favor strengthening databases to prevent the mentally ill from buying guns. Sixty-nine percent of NRA members—that's NRA members—support closing the gun show loophole.

So why aren't we acting on these areas where there is such overwhelming public support? Well, the majority has to rally its base, and the NRA has to send more urgent appeals for support based on imagined threats. So, this week, we're courageously protecting bullets from harmful regulation by the EPA, because a little lead in the water never hurt anyone, right?

The bill also gives sportsmen the right to stand their ground against polar bears. Anyone who opposes vigilante justice against this arctic menace is clearly a gun-grabbing Communist. All of this would be funny if the same mentality weren't being used by the NRA against our Nation's youth. Twenty-five States have passed Stand Your Ground laws, declaring open season on anyone considered threatening to anyone at any time.

These laws were not passed because of a public demand for them. They were passed because the NRA teamed up with some of the largest soft drink manufacturing and retailing corporations to push for these laws. Why soda companies would support the efforts to pass these laws is beyond me; but the

impact is that a 17-year-old who is buying one of their sodas is now under a much greater threat. Let's have a reality check. Let's take action on one of these areas where there is clear, overwhelming support.

I sat in this Chamber and listened to Mexican President Felipe Calderon plead with Congress to close this loophole that fuels violence between the cartels in his country; but as the NRA president, himself, has pointed out, Congress has done nothing. We hold hearings to point out that the ATF lacks leadership but continue to block the appointment of a director. We talk about the need to enforce the laws on the books but look the other way as those laws are ignored at gun shows. We stop suspected terrorists from boarding airplanes but not from buying 30-round clips. All of this is based on the fantasy that denying terrorists assault rifles is the first step to national gun confiscation.

The Supreme Court answered that in the D.C. and Chicago handgun cases. The Court found that there is an individual right to bear arms. It is a limited right, subject to local control, but it is a right. That is now settled law, so the people who make their livings scaring gun owners have to resort to conspiracy theories to keep the donations coming. Now is the time to move past the beltway extremists and listen to the American people. Are these tough votes? Maybe, but that's what we were sent here to do.

I want to mention Blair Holt, a Chicago high school student, son of two lifelong public servants. Blair was riding a bus, while on his way home from school, when a gun was pulled on his friend. He stepped in front of the gun and was shot to death while protecting his friend.

I ask my colleagues to think of that the next time they want to claim they can't do anything about gun violence. Blair Holt was willing to take a bullet for a friend. Shouldn't we be willing to take a tough vote for our children?

THE NATURALIZATION OF THE HASAN FAMILY OF MILLTOWN, NEW JERSEY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. HOLT) for 5 minutes.

Mr. HOLT. Mr. Speaker, my colleagues who were Members of this body some 10 years ago may recall my coming to the floor on behalf of my constituents, the Hasan family of Milltown, New Jersey—Durre, Nida, Asna, Anum, and Iqra Hasan. They lost their husband and father, Waqar Hasan, on September 15, 2001, 4 days after the tragic events of September 11. That night, an angry man walked into Waqar's convenience store in Dallas, Texas. He ordered two hamburgers and shot the 46-year-old husband and father in the face.

This was not a robbery gone awry. It was a deliberate act of hate based on Waqar's heritage and physical appearance. When asked by police why he shot Waqar, the shooter expressed no remorse. He said, "I did what every American wanted to but didn't."

When Waqar Hasan came to the United States from Pakistan in 1993, he did so in search of a better life for his family. After working in New Jersey, he took an opportunity to run a store in Texas and was going to bring his family to join him after he was established. The Hasans epitomized the hardworking, optimistic spirit that immigrants always brought to this country. They were on the path to permanent residency and, eventually, American citizenship when Waqar lost his life for no other reason than that he was a Muslim and that the murderer thought Waqar had a Middle Eastern face.

It looked at that time as if Waqar's death ended the family's path to citizenship. The widow and four school-aged girls were subject to immediate deportation. After exhausting all legal and administrative options to allow Durre, Nida, Asna, Anum, and Iqra to remain in the United States, I determined that a private bill was the only possible course of action. Finally, in 2004, Congress passed and President Bush signed this private bill into law, giving the family a path to their dream. A few weeks ago, the Hasans took the oath of U.S. citizenship in our New Jersey congressional office. These five remarkable women had endured a long, arduous pathway from tragedy to citizenship. They formally tied their futures to the United States of America.

In a real sense, though, this naturalization ceremony was about the United States of America as much as it was about these five women. These five women were tied to America long before they took their oaths. They considered themselves Americans, and the United States of America had an obligation to them for many years.

At the ceremony, we saw hope coming out of tragedy—a fair result out of an insane injustice—and compassionate concern out of impersonal laws and regulations. The United States intends to provide and strives to give hope, fairness, and compassion, but these are not automatic. Cruel fate or happenstance often threatens to crush hope and opportunity. Irrational human passions and prejudices can thwart justice and fairness. The demands of life in a busy, complicated society and the exigencies of a complicated legal code can crowd out compassion.

In 2001, all across America, Americans reacted in dismay when they heard the news of the hate crime.

□ 1020

When they learned that the murderer committed his brutality in retaliation

for the September 11 attacks in an act of twisted patriotism, they knew it was a blot on our country. Americans felt the pangs even more deeply when they learned that Waqar Hasan left behind a struggling widow and four little girls.

For most Americans, that was the end of the story as they went back to their busy lives. They thought the wheels of justice will turn and take care of this. They didn't think about the United States' obligation to this family, nor did they consider how impersonal the law can be. On March 16, finally, hope, fairness, and compassion prevailed. It was wonderful and heart-warming.

The people of America and our government have an odd attitude toward immigration and immigrants. Often forgetting our own origins and even our own best interests, we resist diversity and even lash out at others, like ourselves, because we mistakenly think they are not like ourselves. Our country has a founding commitment and a history of openness, punctuated, I must say, with instances of rejection, bias, and hatred. The historical record is very clear that openness towards immigrants and policies of inclusion have greatly benefited us. Human prejudices sometimes break through. We see it even today. But with this oath of citizenship, the aspirations of Waqar Hasan for his family were realized.

We mustn't forget that year by year over the centuries, the United States of America has moved by means of laws to overcome these prejudices of humans and the impersonal forces of society to create an opportunity and to create fairness.

We must lift our lamp by the golden door, but also keep the door and our hearts open.

WHAT KIND OF COUNTRY ARE WE BECOMING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, the Houston Chronicle reports today that a proud father announced over his Facebook page that his baby was born. The baby was born on April 14, 2012. The baby weighed 6 pounds, 15 ounces, and was 20 inches long. He was a proud father announcing the arrival of his baby.

I regret to say, Mr. Speaker, that the Chronicle goes on to report that yesterday the mother of this child, while taking the child in to receive medical attention, was killed. A proud father announces the arrival of his baby, and the mother is killed days later.

What kind of country are we becoming? I don't know what the motive is for this, but I do know the results. I know that a baby will not have its natural mother there to care and to nurture. I know that the mother won't be

there on the first day of school, won't be there to see the first step that the child will take. The mother won't be there to turn on the light and protect the child from the creatures of the night, to pitch the ball and catch the child after a fall. I don't know what the motive was, but I know that a mother won't be there when the child walks across the stage to graduate from high school, when the child is married, and the first child is born to the next generation. The mother won't be there.

Regardless as to what the motive is, we must stop this senseless violence. I don't know what the race of the perpetrator was, but I do know that people of goodwill want to see this person prosecuted, and I want to see this person prosecuted to the fullest extent that the law permits. This senseless violence has to stop.

Prosecution alone won't do it. I think we do have to say more and do more, and let the country know that this is not the America that we see in our future. We have got to condemn all of this senseless violence. This senseless violence goes beyond race. It goes beyond status. This senseless violence has to be denounced by every one of us, and every one of us tries to do it as regularly as we can. I just want to join the choir of people who are saying that we will not tolerate it, we demand prosecution, and we understand that we must end this foolishness. Because if we don't end it, it will be our end.

HENNEPIN HEALTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. ELLISON) for 5 minutes.

Mr. ELLISON. Mr. Speaker, the rising cost of health care is one of the most difficult policy decisions and budget challenges that we face as a Nation. The problem will continue to grow unless we act.

Rather than cutting care for the most vulnerable, however, we must develop smart ways to contain costs. A great example of this type of innovative approach is something that I'm proud to describe for you, and it is happening in my district. The program is called Hennepin Health program, and it is in Hennepin County, Minnesota. It is run by Hennepin County, and it integrates care for individuals with the highest need. Low-income, poor individuals needing health care can be very expensive to treat because they end up going to the emergency room, as they don't have a regular care provider, and yet the Hennepin Health adjusts to this situation and treats them on a cost-effective basis.

These individuals often face many challenges such as chemical dependency, chronic illnesses like diabetes and others, and unstable housing. Hennepin Health tries to identify the holistic needs of the individual, whether

those needs happen to be medical care, housing, mental health treatment, or finding a job.

Here are a couple of individuals who this innovative program has already helped. A 50-year-old Native American man from my district is chronically homeless and suffers from hepatitis C. He used the emergency room as his primary medical care, but this was only because he didn't have transportation to a clinic. He was entitled to a free bus pass, but didn't have an address to receive it. Hennepin Health connected him with a social worker to pick up his bus tickets, and now he is able to see a clinic for his health care, keeping him out of the emergency room, which is, of course, the most expensive type of care and which you can't be rejected from for good reason, because it would be inhumane to do so.

The program has also helped an African American man in my district who has had a history of heart disease, kidney disease, and homelessness. Hennepin Health was able to connect him to housing providers, which helped him to stay out of the emergency room as well. He is now able to get all of his medical and mental health needs addressed at a health care home.

These are great success stories, people who are low income, who have serious health challenges, who don't have any health care, and so they seek the health care of last resort, the emergency room, which happens to be very expensive to treat them at. This is not the most effective way nor the most compassionate way to treat them. Ongoing regular treatment from a provider is what is needed. Hennepin Health has saved money, and more importantly has helped people, members of our society, Americans, get their health care needs met.

As some cities have found, 1 percent of the individuals in a safety net program can often account for up to a third of the cost because of this problem of ending up at the emergency room. By coordinating care for high-need individuals, health care programs can greatly reduce costs while also providing better care.

While Hennepin Health program is new, it is extremely promising and has already demonstrated it can be a model for the Nation. I might add, Mr. Speaker, this is government, yes, government, delivering good service by being affordable, low cost, and smart. Chalk one up for the American taxpayer and people who are in chronic need of health care.

Mr. Speaker, Hennepin Health is a good idea. I'm proud of it.

□ 1030

SMART SECURITY: BETTER INVESTMENTS AND GREATER RETURNS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from

California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, yesterday Americans filed their tax returns, sending the Federal Treasury funds for the government to perform vital functions. Unfortunately, much of that money, way too much of that money, continues to be wasted on a policy that has failed miserably.

I'm talking about a policy that has lost the confidence of the American people whose taxes support it, a policy that has cost nearly 2,000 American lives, a policy that has done more to undermine our national security goals than is done to make our Nation safer. Of course, I'm talking about the war in Afghanistan.

This past weekend brought yet more evidence that our continued military presence in Afghanistan, carrying a price tag of roughly \$10 billion a month, is stirring up unrest and emboldening insurgents rather than providing security and stability. Beginning this last Sunday, the Taliban launched a series of bold, coordinated, and simultaneous attacks throughout Afghanistan, hitting the parliament building and diplomatic sites throughout the country.

Thankfully, there were limited casualties. By many accounts, the Afghan security forces handled themselves with skill in response to the violence, which is very good news, because as the Afghans are better able to police and protect themselves, that's all the more reason to hasten our military withdrawal from Afghanistan. Every day that we continue our military occupation, Mr. Speaker, is another day that we breed resentment, that we inflame tensions and create more impassioned enemies.

Mr. Speaker, the American people are writing the check for this war. In fact, they just sent in their annual check this week. They deserve a better return on that investment. They deserve a set of policies that are more humane, more consistent with our best values as a Nation, and more likely to advance our national security objectives.

They deserve the kind of SMART Security approach I have been talking about for many years now. Instead of invasions and warfare, we need diplomacy, we need multilateral cooperation. Instead of military surges, we need civilian surges. Instead of troops with guns, we need to send humanitarian experts, experts that can help Afghanistan and other developing countries fight poverty, rebuild their infrastructure, educate their people and so much more.

Listen to this quote, Mr. Speaker:

In today's ever-complex world, we must use all the tools of national security to achieve our objectives, including a strong State Department and other civilian-led agencies. Development and diplomacy keep

us safe by addressing threats in the most dangerous corners of the world and by preventing conflicts before they occur.

That's an excellent explanation of SMART Security, but that's not LYNN WOOLSEY, and it's not the Out of Afghanistan Caucus talking. It's from a letter to Congress signed by 80 retired military leaders making the case not to cut USAID and arguing for a strong, international affairs budget.

The time is now, not in 2014, Mr. Speaker. The time is now to bring our brave troops home to implement the compassionate and cost-effective SMART Security agenda that can keep our Nation safe, and it can keep peace in the world.

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, yesterday I spoke about a secret organization called ALEC, also known as the American Legislative Exchange Council.

I talked yesterday about how ALEC promotes model legislation written by its corporate members and disseminated to conservative State lawmakers around the country. The public, whose votes elect these lawmakers to represent them, are kept in the dark about the fact that their Representative member is a member of ALEC. The legislative member goes on various retreats and junkets. The ALEC corporate members paid tens of thousands of dollars a year to be members, whereas the legislators pay \$50 a year.

You can see the imbalance there. This is something that is funded by the corporations' special interests. The lawmakers, just to make it look good, have to pay \$50 annually to join.

We don't know who those lawmakers are, although we do know that 60 percent of the lawmakers in the entire United States of America are members of ALEC. The taxpayers are probably the ones who pay the annual membership fee with which the members are then connected to corporate interests by way of ALEC committees, and these committees produce the model legislation that is then introduced by these same member legislators in their respective legislatures.

That was the way that the so-called Stand Your Ground law—but it's really a "shoot first, ask questions later" bill—began. That's how it started in Florida. It was an ALEC-produced bill. It has now spread to one-half of the States in the United States of America. Twenty-five States have adopted similar laws despite the fact that self-defense has always been a defense available to people who find themselves in that situation.

But the reason why they did this is because they wanted to produce more

handgun sales. It's nothing but about money. The NRA and the corporations that sell firearms through the retail outlets across the Nation are benefiting, but we have people dying in the streets because of these weapons.

Now that is one question. There is another committee that has been set up by ALEC, and it deals with the private prison industry. Mr. Speaker, the United States imprisons more than any other nation in the world. We currently incarcerate approximately 2.3 million people.

America's high incarceration rate is not fitting for a Nation which is routinely touted as the greatest in the world. Although high incarceration rates hurt the United States as a whole, it definitely benefits the private prison industry. In 2010, the two largest private prison companies, CCA and the GEO Group, received nearly \$3 billion in revenue that's taxpayer money.

The for-profit prison industry is driven by the corporate members of the American Legislative Exchange Council, ALEC. ALEC is a secretive organization that has advocated for harsh sentencing and detention laws that lead to mass incarceration. It provides State legislators with model legislation, and each year ALEC members introduce these bills in State houses across the country. This gives unparalleled access and authority to ALEC's corporate and legislative members, undermining the will of the people and the power of the ballot box. Private prisons have vested interests in maintaining and maximizing their profits.

□ 1040

They are not concerned about public safety or rehabilitation or reducing recidivism. Those principles directly conflict with their bottom line and mantra, which is more prisoners and more money.

Mr. Speaker, I will again be back to continue to discuss this issue. I discussed it yesterday. Today is another day. I think the American people need to know what is going on in the politics of America. If we don't do something, we are all at risk for losing the rights that we as citizens are supposed to possess: government of, by, and for the people—not for special interests.

ADDRESSING FAILED ADMINISTRATION POLICIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. KINGSTON) for 5 minutes.

Mr. KINGSTON. Mr. Speaker, the failed policies of the Obama administration continue to drag down the economy. The policies of stimulus programs, bailouts, crony capitalism, the Department of Justice investigating only what they choose worthy to be enforced, bowing to Saudi kings, going to China hat in hand asking for more

money have brought down the economy.

Indeed, the unemployment rate, which the administration says is 8.2 percent, that's not accurate at all. They simply got it down that low by omitting a whole lot of unemployed people from the unemployment category. There's about 4 million people who have given up looking for a job, and the Obama administration doesn't even consider them as being unemployed.

In my opinion, there are four things we can do to address this, and we need to do it on a bipartisan basis. I have reached out to the White House. I will continue to. And even in an election year, it's far more important to put America first and party second.

The first thing we need to do is pass a budget. Right now, the national debt is over 100 percent of the gross domestic product, a \$15 trillion national debt and a \$15 trillion economy. Indeed, we are on the road to Greece. For every dollar we spend, 40 cents is borrowed.

The United States Senate, under HARRY REID, has not passed a budget in 3 years. That is the constitutional duty of the legislative branch of government. The House has done so. The House passes a budget. We had a great debate 2 weeks ago. We had a budget offered by the Democrats, one offered by the Progressive Caucus, one offered by the Congressional Black Caucus, one offered by the most conservative caucus, one offered by the Ryan Budget Committee. We had a great debate, and we passed a budget.

Now, the Senate doesn't like that. I understand that. Footnote: we even offered the President's budget, which increases the debt \$1.2 trillion—another \$1.2 trillion—and not a single vote from NANCY PELOSI to JOHN BOEHNER, not one vote for the President's budget. The same thing happened in the Senate last year.

But I understand the Senate doesn't like our budget. They don't like the President's budget. But where is your budget? You have got to pass it. And if you would pass a budget in the U.S. Senate, we can hammer out our differences between the House and Senate. Indeed, both parties will have to give; both bodies will compromise. That's always been the case. But it would send a huge international signal that America, the economic leader of the world, is serious about getting our hands on our debt. We are leading the way instead of falling to the demise of Greece, Spain, Portugal, and so many of the other troubled countries.

So the first thing we need to do to change our economy around is to pass a budget.

The second thing to do is to look at regulatory burden, which is stifling new jobs, and instead of government bureaucracies going to the small businesses with this "I gotcha" attitude—

we know you hate people; we know you hate consumers; we know you want to pollute the air; we know you want to poison the food—maybe the Federal Government regulatory agencies should go into the small businesses and say: We recognize what you're doing right; we want to encourage it. And where you're doing wrong, we're going to discourage it; and if you don't address it, we will fine you. But don't go to every business in America assuming they're guilty of something besides creating jobs and delivering goods and services to people.

So we need to ease up and find the balance in the regulatory burden.

Thirdly, we need to drill our own oil, and we need to encourage the new technologies of horizontal drilling, fracking, and all the great promises that are out there. We need to look at the example of Williston, North Dakota, which has brought its oil production from 200,000 barrels to 600,000 barrels in less than a year's period of time. Indeed, America could perhaps become an energy exporter. Not only would that be an economic boon, but the national security advantage of it would be an unbelievable sea change in the world stability today.

Fourth and final, we need to have tax simplification. How many Americans within the sound of my voice fill out their own tax return? More and more people are turning to accountants and lawyers to figure out what the heck we owe Uncle Sam every April 15. And when you pay an accountant \$300 or \$400 or \$500 or \$1,000 to figure out what you owe Uncle Sam, that's a tax in itself. Businesses spend lots of time avoiding taxes. We need a tax system that's certain, that's clear, that's concise and fair so that everybody understands it and everybody pays their fair share. Indeed, tax simplification would help turn the economy around.

So, Mr. Speaker, in my opinion, Democrats and Republicans have the moment right now to change the economic direction of America by passing a good, solid budget; by having balanced regulatory reform; drilling our own oil and having a good energy policy; and, finally, tax simplification.

RECESS

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

Accordingly (at 10 o'clock and 46 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:
Dear God, we give You thanks for giving us another day.

Bless abundantly the Members of this people's House. During this season of new growth, may Your redemptive power help them to see new ways to productive service, fresh approaches to understanding each other, especially those across the aisle, and renewed commitment to solving the problems facing our Nation.

May they, and may we all, be transformed by Your grace, and better reflect the sense of wonder, even joy, at the opportunities to serve that are ever before us.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

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

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

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

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

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Oklahoma (Mr. LANKFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. LANKFORD led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

REMEMBERING THE VICTIMS OF THE OKLAHOMA CITY BOMBING

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

Mr. LANKFORD. On April 19, 9:02 a.m. central time, my city will stop for a moment of silence. We'll stop and we'll reflect for 168 seconds. Family and friends will stand on the green grass in the shade of the Survivor Tree and will read the names of all 168 victims of the April 19, 1995, bombing at the Murrah Building in Oklahoma City.

While the State of Oklahoma remembers, I would like to ask the Nation to also pause for a moment and to remember the service, the lives, and the families of those that we will never forget, to thank again the rescue workers who rushed into a building that they had no idea how stable it really was, and to remember again the survivors of that day.

In the days ahead, our community will visit the 3-acre memorial site. Tens of thousands will participate in a memorial marathon. Oklahoma families will again stop, discuss, and remember with their children April 19, 1995. I would like to encourage the Nation to do the same.

REPUBLICAN BUDGET BREAKS PROMISE TO AMERICA'S SENIORS

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

Mr. CARNAHAN. When I entered public service, I promised I would never forget those Americans who built this Nation. They educated my generation, passing on a better, stronger country than they inherited.

Nearly 50 years ago, Congress passed Medicare, and President Lyndon Johnson signed it, with former President Harry Truman and Bess Truman sitting at his side. America promised that if you worked hard, we would not forget you in your golden years. We promised that health care bills would not drag seniors into financial ruin.

The Republican budget breaks that promise. It tells our parents and grandparents to fend for themselves, and it ends the Medicare guarantee. The promise that I made, that this country made, and that I demand this Congress uphold, is that we treat seniors like national treasures and not national burdens. The Republican budget fails that promise to America's seniors.

NEW IRS AGENTS

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

Mr. WILSON of South Carolina. Mr. Speaker, last week, the President announced plans to divert \$500 million to the IRS for the purpose of hiring new IRS agents to promote the President's health care government takeover bill. This fact reveals that ObamaCare is not a bill designed to improve the qual-

ity of health care but instead raises taxes and creates more burdens for individuals and small businesses, destroying jobs. House Republicans remain committed to fighting for the total repeal of ObamaCare, then to promote commonsense free market health reforms preserving the doctor-patient relationship.

Additionally, I am grateful for the efforts of Tom Von Kaenel, who is in Washington today. Tom is the founder of the Sea2Sea, an organization providing assistance to our military personnel, veterans, and their families by helping them transition back to civilian life. In order to raise awareness for the cause, Tom will spend the next several weeks biking across the United States, duplicating his biking this spring across the United Kingdom.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

THE FUTURE OF MEDICARE

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

Mr. HIGGINS. Mr. Speaker, on Monday I met in western New York at the Cheektowaga Senior Center, where the discussion centered around the future of Medicare. Prior to the creation of Medicare in 1965, only 50 percent of seniors had health insurance because they were seen by insurance companies as too risky. Today, Medicare is a lifeline to affordable prescription medications and accessible preventative care for seniors across the Nation, including over 100,000 beneficiaries in my district alone.

Now some want to change the program to instead give our seniors a voucher that forces them to go out into the market on their own to try to obtain insurance. Our parents and grandparents deserve better. Medicare provides one of the most important guarantees in our society: the guarantee that if you are an older American and you get sick, you will get the care that you need without going broke. This is an American promise worth fighting to protect.

□ 1210

SUPPORT THE RESTORE ACT

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

Mr. PALAZZO. Mr. Speaker, 2 years ago this Friday, the Deepwater Horizon explosion took the lives of 11 Americans, including four Mississippians, and caused an oil spill of epic proportions. For 86 days, millions of barrels of oil gushed into the waters of the Gulf of Mexico, washed up on gulf coast beaches, and threatened the ecosystems and

the economic stability of an entire region of the country.

The images of oil gushing into the Gulf of Mexico, wildlife coated in crude, and tar balls washing up on beaches have long vanished from the national media spotlight, but the spill left lasting effects on the lives of gulf coast residents and businesses.

I ask my colleagues to take a moment this week to pause to remember the lives lost and the millions affected by this tragedy. I urge them to show their support once more to all those affected by the single largest manmade disaster in our history by voting "yes" for today's bill.

Restoring and replenishing the gulf coast is more than just a responsible decision; it's the right thing to do.

HONORING SERGEANT DENNIS WEICHEL

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

Mr. CICILLINE. Mr. Speaker, I rise today to honor the life of Sergeant Dennis Weichel, Jr., of the Rhode Island National Guard. Last month, while serving our country in Afghanistan, Sergeant Weichel saved a young Afghan child who had crawled underneath a moving armored vehicle in order to collect a brass shell casing. Responding quickly, Sergeant Weichel moved the child to safety, even though doing so placed him in the path of the same armored vehicle and took his life. Sergeant Weichel is an American hero who gave his life to protect a child he did not even know.

Rhode Islanders are often reminded that we come from the smallest State in the Union, but today, Sergeant Dennis Weichel's actions have touched our entire Nation and are an example of the sacrifices made every day by our brave men and women in uniform.

My thoughts and prayers go out to his mother, Linda; his father Dennis, Sr.; his fiancée, Ashley; and his three children.

THE SMALL BUSINESS TAX CUT ACT

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

Mr. BROUN of Georgia. I rise today in strong support of H.R. 9, the Small Business Tax Cut Act.

In my home State of Georgia, there are more than 150,000 small businesses which employ over 1.5 million people. These are the folks that tell me every day when I come home that a tax break would allow them to hire more employees. Consider this: between 2005 and 2008, more than 130,000 new jobs were created by small businesses in Georgia. But under the current administration,

in just 1 short year, Georgia's small businesses have had to let go nearly all of those jobs. That's a crushing 120,000 people out of work because of the Obama administration's policies.

Democrats somehow think that they can solve our unemployment crisis by raising taxes. But job creators know that the only way that they can put people back to work is if they have more money to hire folks. That's why I support H.R. 9 and also why I introduced my JOBS Act, H.R. 660, which would lower taxes for everybody. I urge my colleagues to support both bills.

REMOVING THE PEOPLE'S MUJAHEDIN ORGANIZATION OF IRAN FROM THE FOREIGN TERRORIST ORGANIZATION LIST

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

Mr. SIREs. Mr. Speaker, I rise today to urge that the MEK be removed from the U.S. Department of State's list of Foreign Terrorist Organizations. Since its listing in 1997, the MEK has denounced violence and provided valuable intelligence on the Iranian regime, yet they remain on our terrorist list.

Even important allies acknowledge that the MEK no longer poses a terrorist threat. In 2009, the United Kingdom and the European Union removed the group from their lists. The unjust listing has been considered by the U.S. courts, but the Department of State continues to drag its feet regarding the delisting.

In July 2010, the U.S. Court of Appeals for the District of Columbia Circuit criticized the Department of State's designation of the MEK as a terrorist organization since the group's due process rights had been violated, and the Department of State has yet to provide specific information demonstrating why the group is a terrorist threat today.

The battle over delisting the MEK has gone on far too long with far too little evidence. I urge my colleagues to follow me in calling for the immediate delisting of the MEK by the Department of State.

STUDENT LOAN DEBT

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

Ms. EDWARDS. Mr. Speaker, last week, one of our colleagues who represents a portion of my alma mater, Wake Forest University, stated that she has "little tolerance" for those who graduate with high student loan debt, based on her personal experience of working her way through school.

I want to share my personal experience. I come from a military family of six children. My father served nearly 30

years. My parents, like many across this country, couldn't afford to pay for all of my college education. But they knew that a college education was our way to achieve the American Dream. And so I had to take out student loans in addition to scholarships and work. I took out nearly \$100,000 in student loans from undergraduate school to graduate school, and I borrowed that. I only paid off my last student loan payment 1 month before my primary election in 2008. I was struggling as a single mother and meeting my other responsibilities, but I was thrilled when I made that last payment.

Contrary to what's been said about those who take out student loans to finance their education, I'm glad the Federal Government now directly issues all student loans rather than through private banks.

Comments that disparage college students and would deprive middle class families like mine to live their American Dream are just out of touch with what's happening across this country and minimize the lengths to which Americans seek higher education to better themselves and their families.

The rungs of the ladders of opportunity must be stable and available to all of us—the Federal student loan program, Pell Grants, work study, private scholarships, and, yes, work all provide the package that so many of our students need for college success.

THE REPUBLICAN BUDGET AND WOMEN'S HEALTH

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

Ms. SCHAKOWSKY. Let's talk about who wins and loses in the Ryan Republican budget. If you're a millionaire hedge fund manager, this budget is made for you. You get an average tax cut—cut—of \$394,000. If you're a senior citizen woman living on a median income of \$22,000, sorry, you're out of luck.

The Republican budget repeals ObamaCare so you pay more for prescription drugs and preventive services. It takes away your Medicare guarantee and increases your costs. It changes Medicaid to a block grant, meaning you may be on your own if you need long-term care services. And the Republican budget even cuts the Older Americans Act services like Meals on Wheels.

Older women and men shouldn't have to sacrifice so that millionaire hedge fund managers can become even richer. Under the Democratic budget, they don't have to.

THE REPUBLICAN BUDGET

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

Mr. CONNOLLY of Virginia. Mr. Speaker, budgets are about values and require elected decisionmakers to balance the needs of our constituents with fiscal responsibility.

The Republican Ryan budget this Chamber deemed adopted yesterday is in no way a reflection of the American values that have shaped this Nation. The Republican budget would turn back the clock more than a century to a time when social Darwinism—survival of the fittest—was, in fact, the norm.

Through the leadership of people like Republican Teddy Roosevelt, our Nation began to realize the value in tending to the needs of the poor, the sick, the working poor, the elderly, our children and women. The Republican budget would again put us at risk by making seniors experience a slashing of Medicare and increasing their out-of-pocket costs, and it would further line the pockets of the rich at the expense of the downtrodden among us.

The cuts in discretionary spending put forth by the Republican budget would further set our students behind and create a drag on the economy by disinvesting in research and infrastructure. Mr. Speaker, these are not American values.

BIRTH CONTROL AND MINORITY COMMUNITIES

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

Ms. CHU. For women of color, access to birth control can mean the difference between life or death. Without birth control, they face more reproductive cancers, more unintended pregnancies, and more sexually transmitted infections. And because many times they can't afford to pay for health care, such diseases have a more disproportionate effect.

Without affordable health care—and birth control being part of that health care—women's health is at risk. In fact, birth control pills prevent 200,000 ovarian deaths and 100,000 deaths overall for women. Without birth control being covered, out-of-pocket costs for women and their health care needs can be up to \$600 per year. It's like a tax on women. That's not fair.

That's why I support President Obama's decision that birth control should be part of all health care plans. Women do not have to be second-class citizens.

□ 1220

STOP STUDENT LOAN INTEREST RATES FROM DOUBLING

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

Mr. TONKO. Mr. Speaker, I rise today to sound a warning: college could become even more expensive.

While it's true that a recent report from the College Savings Plan Network put the value of a 4-year degree at \$570,000 more than a high school education would provide over a lifetime of work, paying for loans to go to school is a ticking timebomb.

On July 1, federally subsidized student loan interest rates will double for low- and middle-income families from 3.4 percent to, yes, 6.8 percent. About 8 million students nationwide will be affected by this change. For a student that takes out \$23,000 in loans over the course of a 4-year degree, this would mean paying back an additional \$11,000 over a 20-year payback period.

But it doesn't have to be this way. This body can act. It can act before July 1 to stop interest rates from doubling.

I stand here today to urge action to stop student loan interest rates from doubling overnight. Our Nation's young people face enough hurdles that range from student debt to finding a job to starting a career. They shouldn't have to worry about this body adding to the list.

JOBS AND THE ECONOMY

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, roughly 120,000 jobs were added to the economy in March, marking the 25th consecutive month of increased private sector employment.

In 2 years, American businesses have created 4.1 million jobs. Just last month, the unemployment rate was down to 8.2 percent. While the stimulus bill enacted in 2009 aided in the recovery, there is still much more that this Congress can do to close the employment gap. Instead, Republicans in Congress have insisted on either blocking Democratic job creation proposals entirely or aggressively pursuing legislation that concentrates on special interests and the superwealthy.

Mr. Speaker, as long as millions of Americans continue to struggle, we have the responsibility to engage in a meaningful way that will get our economy back on track.

WOMEN'S HEALTH WEDNESDAY

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

Ms. LEE of California. Mr. Speaker, first let me just thank Congresswoman CHU and our colleagues for standing up for women's health today.

Between 2009 and 2010, the United States teen birthrate saw a record 9 percent decrease to 34 births per 1,000.

This decrease is due in large part to increased contraceptives use in addition to sex education. Yet even as African American and Latina teens saw large birthrate decreases of 9 and 12 percent, respectively—and we know it's also true for Asian and Pacific American women—all three communities still experience much higher rates of pregnancy and sexually transmitted diseases and infections than white teens.

The reality is not much better for African American women, who, like teens, experience more than double the unintended pregnancy rate of white women. This is unacceptable.

Unintended pregnancy has a very real public health impact, not to mention the increased economic burden on families who are not able to adequately plan for their children. That is why access to affordable birth control is so very important for minority women.

HEALTH CARE DISCRIMINATION

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

Ms. SPEIER. Mr. Speaker, I'm sick of women getting the short end of the stick. On the whole, women earn less than men for the exact same jobs. In fact, compared to men, women basically work for free 3.5 months of the year since we only make 77 cents for every dollar earned by a man.

But here's something that's not free—health care for women. We pay \$1 billion more a year in health insurance premiums than men. That's astounding. And it's not because "the fairer sex" is less healthy than men. In the individual market, a woman, 40 years old, nonsmoking, in Kentucky, actually pays more for her health insurance than a 40-year-old man who does smoke. Even among 30-year-olds in Chicago, women are paying over 30 percent more for health insurance than men of the same age. In South Dakota, a 40-year-old woman pays \$1,200 more than a 40-year-old man for the exact same coverage.

The fact is, women are at the mercy of the vast majority of insurance companies which charge us significantly more than men, even with maternity coverage excluded.

Gender Rating in the individual market is wrong and must end.

And if you want maternity coverage? Forget it.

How's this for family values?

For women who do want maternity coverage in the individual market it's an uphill battle to find it and an even greater challenge to pay for it.

Maternity coverage is only covered by 6 percent of insurance companies unless it is mandated by the state. And the cost can be astronomical. Deductibles could be as high as \$10,000.

Some companies offer special maternity coverage riders. In Kansas a rider could cost

over \$1600 a month—well over the cost of a normal health insurance premium.

And some of the riders require long waiting periods before the coverage goes into effect. Insurance companies call being a woman a pre-existing condition.

And they get away with charging women more for the same coverage as men unless there are laws in place to prevent Gender Rating.

Thirteen states, including California, ban gender discrimination in insurance coverage. Fortunately, in 2014 when the Affordable Care Act goes into effect, the same will be true for the whole country.

This is a long overdue step for women's equality and a key moment for health care.

GENDER DISPARITIES IN COMPENSATION

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

Mr. POLIS. Mr. Speaker, I rise today in observation of Equal Pay Day, a day that signifies, to a degree, how far we've come with regard to breaking the glass ceiling and providing opportunities for all Americans, regardless of gender, but it also reminds us how far we have to go, how far we have to go before parity is reached.

For every dollar earned by a man, for the same job, women continue to earn only 77 cents. That extra difference—thousands of dollars a year of income for working families—constitutes a lot of groceries or a lot of gas money that men can buy for the same work that women are undercompensated for.

I was proud that one of my first votes in the United States Congress in the 111th Congress was to pass the Lilly Ledbetter Fair Pay Act.

But we are not yet there in reaching gender parity in this country and ensuring that every American, regardless of their gender, has access to the same opportunity and the same compensation. That's why I introduced the Women WIN Jobs Act, along with ROSA DeLAURO, which helps train women for high-paying jobs.

I ask my colleagues to continue to address the disparities in compensation among the genders.

PROVIDING FOR CONSIDERATION OF H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 619 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 619

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the

Whole House on the state of the Union for consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. CHAFFETZ). The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. House Resolution 619 provides for a structured rule providing for consideration of H.R. 4348, a bill which extends the Federal highway, transit, and highway safety programs through the end of fiscal year 2012 and establishes program funding levels consistent with the fiscal year 2012 appropriated levels. The highway trust fund taxes and expenditure authority are also extended through fiscal year 2012. The Federal surface transportation programs and highway trust fund taxes and expenditure authority are currently authorized through June 30, 2012.

Mr. Speaker, the underlying bill today extends the authority of the gov-

ernment to fund highway programs through the end of this fiscal year.

□ 1230

In addition, the bill provides for the approval of the Keystone XL pipeline by giving the Federal Energy Regulatory Commission 30 days to approve the Keystone XL pipeline expansion, and also includes language contained in H.R. 3096, the Resources and Ecosystem Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States, or RESTORE, Act which would establish the Gulf Coast Restoration Trust Fund and dedicate 80 percent of penalties paid by the responsible parties in connection with the Deepwater Horizon oil spill to the restoration of the gulf coast ecosystem and economy.

Mr. Speaker, our constituents are feeling great real pains at the pump, and their pains are being ignored by the President and his liberal extremist enablers in Congress.

Recent polls indicate that 63 percent of Americans say increases in gas prices have caused financial hardship for their families. My Democratic colleagues may be well served to ignore their Occupy Wall Street handlers for a moment and recognize that, as gas prices increase, it costs more to transport food and other essential goods and services, which lowers the standard of living for all Americans.

The simple truth is that when President Obama was sworn into office in January 2009, the price of a gallon of gasoline was \$1.84. Today, in many parts of our country, it's over \$5 a gallon. My guess is this is not the kind of change that most Americans were expecting or wanted when President Obama promised change.

Maybe since the President doesn't fill up his own gas tank, he does not fully appreciate this reality.

These steeply rising gas prices have major ripple effects. Higher energy costs destroy jobs and leave families with less money to meet their basic needs.

One of the most well-known precepts of economics is the principle of supply and demand, and the price of gasoline is not immune to this basic principle. That's why we need to increase the supply of all American energy sources to get us to American energy independence.

Republicans have crafted and passed legislation that would not only lower the price of gas, but create jobs at the same time. Unfortunately, the liberal Democrat-controlled Senate stubbornly refuses to move these bills through the process.

It's better to produce our own American energy and create American jobs rather than rely on unstable, hostile foreign regimes for critical energy resources.

It seems that Democrats subscribe to the wisdom of President Obama's Energy Secretary who proclaimed that

“we somehow have to figure out how to boost the price of gasoline to the levels in Europe.”

Mr. Speaker, in Italy gas prices exceed \$9 per gallon. The Obama energy policy consists of ignoring the needs of Americans and pleasing his liberal base, rather than working for all Americans.

Congressional Democrats persist in their claim that increasing domestic oil and natural gas production will not immediately decrease the price of gasoline. For decades, this argument has been used as an excuse to continue stalling. We can no longer delay and deny access to our own American resources.

Another false claim of congressional liberals is that the oil producers are somehow responsible for the high price of gasoline, even though official government investigations have shown time and again no wrongdoing. But they insist on tying their fundamental disdain for capitalism into the claim that denying fair tax treatment to domestic energy producers that is provided to every other industry will somehow lower gas prices.

Well, Mr. Speaker, increasing taxes on American energy producers will only make the price of gasoline higher for families and job creators because affected companies simply pass their increased costs on to customers in order to stay in business.

In what universe does making something more expensive to produce make it cheaper to sell?

The simple truth is that domestic energy producers are essential to the U.S. economy, job creation, energy security, and deficit reduction. It supports more than 9 million jobs and adds more than \$1 trillion to the U.S. economy each year.

Today, the energy industry pays over \$86 million a day in income taxes, royalties, bonuses, and rents to the Federal Government. Between 1996 and 2007, the industry invested more than \$1.2 trillion in a range of long-term energy initiatives, compared to net income or earnings of \$974 billion.

The reality is that failure to produce domestic energy supplies, along with global turmoil and competition for supplies with developing nations, has driven up energy prices and boosted foreign energy companies that do not pay American taxes, nor comply with American environmental standards.

House Republicans are now bringing forward yet another bill that will have the dual impact of lowering gas prices while supporting job creation. Republicans remain committed to solutions that promote America's energy independence, lower gas prices, and help create American jobs.

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

Mr. POLIS. I thank the gentlewoman for yielding me the customary 30 min-

utes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the rule and the underlying bill, H.R. 4348, the Surface Transportation Extension Act of 2012, Part II.

Transportation policy has been and should be bipartisan. In fact, it's largely considered nonpartisan across our country, where mayors and county commissioners rely on and expect certainty from Washington with regard to necessary investments in infrastructure and mass transit.

Yet, instead, here again, with this bill, politics has been injected into a process that has long been both bipartisan and an engine of our economic dynamo that ties our country together through our transportation infrastructure. Instead of creating jobs and advancing our economy, here we are with a bill that offers further delays, crippling States' and localities' ability to plan and fund projects and put Americans back to work.

The bill before us provides yet another short-term extension, the 10th extension since the last highway law expired in 2009. The facts on the ground aren't changing. Whether we extend this for 2 months or 3 months or 1 month, we'll be back here again with the same facts on the ground, the same looming fiscal crisis at the Federal level, the same need for infrastructure at the State and local levels.

So what facts are new? And what's the justification for such a short-term extension?

As we stand here today to vote on another transportation extension, 50 percent of our roads have been identified as in disrepair; 70,000 bridges are structurally deficient and potentially dangerous.

We need to make investments in our Nation's highways and transit projects—that much Republicans and Democrats can agree on—to bring our infrastructure into the 21st century. Yet, instead, this short-term bill before us represents another missed opportunity to make these critical investments for our country's future.

The impact of voting on another short-term extension is not insignificant. As a former small business owner myself, I know very well the importance of certainty in business planning. Rather than providing States with the confidence they need to pass long-term projects planned for them and plan their highways, and for construction companies to gear up, this bill prolongs the uncertainty, which only increases costs, contributing to the deficit and contributing to taxpayers getting a worse deal for their investment at the State and local levels.

The underlying bill only allows States and localities to plan for one short construction season. What guidance do they have for the next construction season? How can bidders and

contractors offer their best pricing when they don't even know if there will be a paycheck after this building season?

As the bipartisan National Governors Association has said, a string of short-term extensions will only increase uncertainty for State and local governments and the private sector. Yes, this approach will actually increase costs, rather than decrease costs.

We should be voting, instead, on the bipartisan comprehensive transportation bill that the Senate has already passed that, if this House brought to the floor, I'm confident would pass and that President Obama would sign. It passed the Senate by an overwhelming bipartisan majority of 74-22.

The Senate bill maintains critical investments in our highways and public transportation, improves accountability through asset-management plans, and establishes performance measures so States are accountable for using their funds efficiently.

□ 1240

Extremely disappointing is the transportation policy, an issue that has long been bipartisan in its support, which has turned into a political football in this Congress. The House majority has continued to offer partisan bills that would weaken our economy and create uncertainty. This time, the majority has crafted a transportation bill by linking it to unnecessary and unrelated politically motivated riders. It is a completely unrelated Christmas tree of a bill that we see before us with elements that have nothing to do with our transportation and infrastructure.

Almost as appalling as the riders in the bill are the restrictive rules before us. This rule only made in order three Republican amendments, completely shutting out all Democratic, and even some Republican, ideas. When it comes to transportation policy, this body should be considering amendments under an open process that allows Members of both parties to bring forward their ideas to save taxpayer money and to invest in infrastructure. Unfortunately, thoughtful amendments were not made in order in this process, including some that I will discuss later in the debate.

Because this rule and the underlying bill represent some of the worst partisanship that I've seen in the 3 years I've been here, I strongly oppose them both. I urge my colleagues in the House to reject this approach, to reject this rule, to reject this bill, and to bring up the Senate bill and to bring it quickly to passage in the House so that we can send it to President Obama in order to reauthorize transportation in a bipartisan way, one that reflects our values as Americans.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I think I should remind my colleague from Colorado that the Democrats were in

charge of both Houses of the Congress and had the Presidency when the authorization for this bill first expired, and I believe they reauthorized it several times and weren't able to get a bill passed.

I would now like to yield 4 minutes to my distinguished colleague from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. I want to thank my colleague and friend from North Carolina for yielding time to me.

I rise in support of the rule and of the underlying bill. I am very pleased that the rule has allowed one of my amendments to go forward, a very important amendment, I should add.

Our country depends on its maritime commerce. Without the use of our maritime transportation routes, we're not really talking about transportation. We cannot expand exports and we cannot move our agricultural commodities or our manufactured goods to other destinations around the world if we do not have waterways that have been maintained.

The Army Corps of Engineers has said to me on multiple occasions, if you take the top 60 ports and harbors in this country, fewer than 35 percent of those waterways are dredged adequately to the authorized depth and width authorized by Congress. My bill, which is now an amendment to this transportation bill, H.R. 104, is the RAMP Act. It is the Realize America's Maritime Promise Act. It has bipartisan support with 190 Members in the House and with over 30 Senators over on the Senate side.

What has happened, Mr. Speaker, is this: in 1986, Congress created the harbor maintenance tax and the Harbor Maintenance Trust Fund. This was a user fee on the owners of the cargo—a user fee, an ad valorem tax. The revenue was supposed to be dedicated solely to operations in maintenance dredging by the Army Corps of Engineers where they have Federal authorization.

What has happened over time is that these funds have been diverted to other uses. In 2011, the Harbor Maintenance Trust Fund collected more than \$1.4 billion in revenue, but only slightly over half of it was used for the intended purpose. The rest was diverted off to all kinds of other sources. Frankly, Mr. Speaker, as chairman of the Oversight Subcommittee on Ways and Means, I find this to be an egregious abuse and diversion of taxpayer dollars.

My amendment is very simple. It ties the Harbor Maintenance Trust Fund receipts to the expenditures so that these funds will be used for their intended purpose, and that is to dredge, to maintain, these very important waterways. Now, why is all that important? Well, the years of neglect of these waterways is hurting American competitiveness, and it is hurting our ability to export.

The bottom line is this: for every foot that we lose in shoaling on the Mississippi River, we're losing \$1 million per day per ship because of the short loading or the light loading of these vessels or of their operating under restricted schedules. In January of 2012 alone, we had five vessels that ran ashore on the Mississippi River—five vessels that ran ashore. It is a safety issue as well as an economic issue. Not only that, many of our Great Lake ports are closing. They're closing because of shoaling.

How can we be a competitive Nation that is engaged in international trade if we don't take care of these waterways? This funding is critical to preventing these draft restrictions. In fact, the Army Corps of Engineers has said if they could have access to the incoming receipts, they could maintain all these waterways to the specified depth and width.

What is really good about this amendment is that it also adds nothing to the deficit. According to the CBO, it doesn't score. It's not an earmark. It's programmatic spending. It's basically restoring the original intent of the use of these funds. So I urge the support of the rule and, certainly, of my amendment and of the underlying bill.

Mr. POLIS. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Vermont, my former colleague from the Rules Committee, Mr. WELCH.

Mr. WELCH. I thank the gentleman. Unfortunately, this is another example of Congress failing the American people. It's failing our States. It's failing our communities.

First of all, how in the world can we expect transportation projects to be done on a short-term basis—90-day extensions? 4-month extensions? That just isn't possible to get from planning, to execution, to construction. It won't happen. Number two, how can we have a transportation bill where we don't fund mass transit? Alternative transportation? That makes no sense whatsoever.

What has happened here is that the need to have a transportation bill for this whole country has been hijacked for political purposes. The Keystone pipeline is an example. Take whatever position you want on Keystone, but will the implementation of Keystone bring down gas prices, as is asserted? Will allowing drilling everywhere that the "drill, baby, drill" folks want to drill even lower gas prices?

A study of the Energy Information Administration said if we opened up all of the coastal waters—off Florida, off the east coast, off the west coast—and if we drilled on all of the public lands, that might add over time, which is about 10 years, 1 million barrels a day to the supply. That's in a world demand of 100 million barrels a day.

So the question is: What impact is that going to have on price? The best

estimate they came up with was about 3 cents per gallon. That suggests when there is so much effort and so much political rhetoric about something that is so profoundly ineffective in giving relief at the pump to folks who need it, that it has a political agenda. Let's, instead, do things that would make a difference at the pump.

One, let's fully fund the Commodity Futures Trading Commission. Turn that into what it has historically been, which is a safeguard for consumers and a safeguard for businesses that need stable pricing in the commodities market. Instead, we are allowing it to become a casino for Wall Street speculation, which is probably adding about \$20 on the price of a \$100-barrel of oil, or 50 cents on a gallon of gas when you go to fill up. That doesn't need to be. Squeeze out the Wall Street speculation, and give a break to our consumers and businesses.

Two, allow the President in fighting this speculation to deploy the Strategic Petroleum Reserve, 800 million barrels of oil owned by the taxpayers. When that has been deployed by Presidents—two Republicans, two Democrats—it has been a shot across the bow to the speculators, and it has brought down prices by 8 percent to 33 percent.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. WELCH. Three, let's commit ourselves to using American oil that is produced on American soil to be used in America. So, if there is going to be Keystone oil that is flowing through our States, why do we just want that to go to the export market when it will provide no benefit whatsoever to the American consumer?

Let's do the things we can to bring down the price. Let's tap the SPR. Let's strengthen the Commodity Futures Trading Commission, and let's use American oil on American soil.

□ 1250

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

Again, I want to point out to my colleague from Vermont that it was under Democrats that this authorization expired. They renewed the authorization six times while they were in control of both Houses of Congress and had the Presidency, so they haven't done the job they should have done.

I also want to point out that the President has the tools he needs through agencies already to do the investigations that need to be done; they have done them over and over again and they've found no fault on the part of "speculators" or the oil companies.

All the President and his allies on the other side of the aisle are doing, Mr. Speaker, is trying to distract people from their failed economic policies.

Every policy that they have instituted has failed miserably, brought us record unemployment, and brought record gas prices. He blames, blames, blames other people, takes no responsibility, refuses to be held accountable for anything that this administration has done, that the Democrats, when they were in charge of the Congress for 4 years, did which created this situation.

I think it's time that they quit casting blame and look for ways to solve problems, like encouraging the President to approve the Keystone pipeline and increasing the real supply, not 17 hours' worth of fuel from the strategic oil reserve.

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

Mr. POLIS. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to ensure that the House votes on H.R. 14, a bill brought forth by Representative TIM BISHOP and Representative CORRINE BROWN containing the text of the Senate transportation bill, S. 1813, which passed the Senate by an overwhelming bipartisan vote of 74-22.

To discuss our amendment to the rule, I am proud to yield 3 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, I would encourage every Member to defeat the previous question so we can end this legislative circus and bring the bipartisan Senate transportation bill to the floor.

Our Nation's infrastructure is at a critical juncture, and the traveling public and men and women who build our roads and rails don't have time for the games that the Republicans are playing with this bill.

The Republican "my way or the highway" attitude is not how we should legislate. Transportation has always been a nonpartisan issue, but that has changed since the new Republican leadership took control of the House. In just 2 years, the Republican leadership has ruined a process that used to be bipartisan from a committee that used to be bipartisan. I think Secretary LaHood said it best when he said that this bill that the Republicans are bringing to the floor is the worst bill he has seen in 35 years.

We are in danger of letting our transportation system fall into total despair, slowing the economy even further and putting the traveling public in harm's way.

The American Society for Civil Engineers give America a D grade in infrastructure quality and has estimated \$2.2 trillion is needed to bring our Nation's infrastructure to good repair. Transportation for America reports that there are 69,000 structurally deficient bridges nationwide. The U.S. Chamber of Commerce said the Nation will lose \$336 billion in economic growth over the next 5 years due to in-

adequate infrastructure. The World Economic Forum ranks the United States of America 24th in infrastructure quality. We are the world's largest superpower and we should never be ranked 24th in anything.

The Senate amendment that was offered by the Democratic leadership on the committee would fund 2 million jobs every year, provide continued dedicated funding for public transit, streamline project permitting in a responsible way, strengthen Buy America requirements, increase funding for safety programs, and—let me emphasize—is fully paid for.

Transportation and infrastructure funding is absolutely critical to this Nation and, if properly funded, serves as a tremendous economic engine to job creation. The Department of Transportation statistics show that for every \$1 billion we invest in transportation, it generates 44,000 permanent jobs.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield an additional 1 minute to the gentlewoman from Florida.

Ms. BROWN of Florida. Again, I would encourage every Member to vote "no" on the previous question. All we're asking for is an up-or-down vote on the Senate bill.

When I was a kid, we used to say, "I dare you." I double dare you, my Republicans. Bring the bill to the floor for an up-or-down vote.

I heard someone on the floor yesterday talking about the Senate, that we need to do away with the Senate. I now thank God for the United States Senate, because they are behaving very responsibly. They passed a bill with over 80 percent of the Members voting for a bipartisan transportation bill. That's what we've always had in the 20 years I've been on the committee.

Let's pick up that Senate bill. Let's pass it, send it on to the President to create jobs, and let's see what happens at the next election.

Ms. FOXX. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, it is my honor to yield 5 minutes to my colleague on the Rules Committee, the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank the gentleman for yielding to me.

Mr. Speaker, yesterday at the Rules Committee, Chairman DREIER said this: "There's no way we're going to have a transportation bill unless it is bipartisan." Mr. Speaker, it was music to my ears. I thought the chairman had a revelation, because that's exactly the tune the Democrats have been singing for weeks, that we need a bipartisan transportation bill. We've been saying this month after month after month.

Transportation bills have always been bipartisan. Our colleagues like to criticize the Senate for inaction, but

even they passed an overwhelmingly bipartisan bill this year.

Mr. Speaker, actions speak louder than words. Instead of taking the bipartisan path, my Republican friends have tried one partisan approach after another, and they have failed every time. And the partisan march continues today.

Last night, nine Members of the House submitted amendments to this bill, five Democrats and four Republicans. Then, not 2 minutes after the chairman said what he said, my Republican friends approved a rule on a straight party-line vote to block every single Democratic amendment.

Let me review this for my colleagues because I think it is important.

First, the underlying bill was written by Republicans in a back room without any Democratic input, none. Now Republicans are only allowing themselves to amend the bill they wrote.

This chart produced by the majority says it all: four Republican amendments submitted, three made in order for debate on the House floor; five Democratic amendments in order, not a single one allowed.

Maybe some of the people in the back room can't see this number because it's so small. Mr. Speaker, I'm going to make it a little bit easier for those who need a little help here. Here we go. Zero Democratic amendments allowed.

This is a bill written only by Republicans which only Republicans can amend. Apparently, this is what a bipartisan process means in the Republican House. This is the new and improved open House that they promised.

Open House my foot, Mr. Speaker.

Mr. Speaker, there are real consequences to this approach. I had a very important amendment blocked yesterday in the Rules Committee, an amendment to end the subsidies to the oil companies that are gouging Americans at the pump, an amendment that will cut the deficit by \$40 billion. I don't care what my Republican friends say, that is a lot of money.

□ 1300

The taxpayers' money that's going right into the pockets of the same oil companies that are driving up gas prices just as summer approaches, why in the world are American taxpayers being asked to subsidize Big Oil? These are the same oil companies that recorded tens of billions of dollars in profits in the first 3 months of 2012. These companies took in tens of billions of dollars in profits in 3 months while raising gas prices to more than \$4 a gallon and we reward them with \$40 billion worth of tax breaks and giveaways? Come on, what is wrong with the leadership of this House of Representatives?

Look, there is nothing wrong with corporations making profits. That's what they're in business to do. What is

wrong is for American taxpayers to be subsidizing wildly profitable companies at a time when too many Americans are still unemployed and struggling to pay their bills. With their tax dollars funding corporate welfare for Big Oil and then still paying astronomical prices at the pump, it's a double whammy for American families.

With all the talk about cutting spending and reducing subsidies here in Washington, I would have thought that the Rules Committee would have made in order my amendment, an amendment, by the way, just so there's no confusion here, that I have offered repeatedly. I have offered it over six times, and all six times it has been blocked by the Rules Committee.

But the Rules Committee decided not to make it in order. And to say that this is somehow a bipartisan process and then immediately deny any Democrat amendments, including my amendment to end tax breaks for Big Oil companies, tells you everything you need to know about the Republican leadership in this House. This is a lousy process, and the American people are paying the price.

I would just close by saying the fact that we can't vote up or down on the Senate bill to extend the highway bill for at least 2 years means that our cities and our towns and our States can't plan ahead. What an awful thing for us to do during this difficult economic time.

I urge my colleagues to reject this very partisan rule. Let's get back to working on a transportation bill in a bipartisan way that will actually help the American people.

Enough of these games.

Ms. FOXX. Mr. Speaker, I want to point out to my colleague from Massachusetts that if we raise taxes on the oil companies, surely that will be passed along to consumers.

Mr. MCGOVERN. Will the gentlelady yield?

Ms. FOXX. When I'm finished. I believe the gentleman from Colorado probably has adequate time.

Mr. MCGOVERN. I thought since you referred to me we would have a dialogue, but I guess not. Okay.

Ms. FOXX. As my colleague knows, yesterday, in the Rules Committee, people on his side of the aisle talked about tax breaks and giveaways, and that, again, implies that all the money that hardworking taxpayers earn is government money, and that is not the way it is. That attitude about giving away money from the Federal Government implies that the money belongs to the government.

I would also like to point out to my colleague that the subsidies he talks about are not subsidies. They are the tax deductions, tax "breaks" that every manufacturer gets, not just the oil companies. To talk about corporate welfare is a bit disingenuous.

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

Mr. POLIS. I yield 30 seconds to the gentleman from Massachusetts (Mr. MCGOVERN) to respond to the gentlelady.

Mr. MCGOVERN. I thank the gentleman for yielding.

Mr. Speaker, give me a break. I mean, oil companies are making record profits. We are producing more oil in this country than ever before. They are producing so much they are exporting oil, and at the same time they are raising gas prices at the pump for average, ordinary citizens.

The fact that taxpayers are subsidizing Big Oil when they're making record profits and sticking it to the American people, I think is unconscionable. That's what I tried to get rid of, and we should at least have a vote up or down on that on the floor.

Mr. POLIS. I yield 2½ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I would just add one more thing: the amount of subsidies that we are giving to multinational corporations who are taking their jobs overseas, let's stop that. Let's stop the subsidies that are going to Big Agriculture all over this country, not small mom-and-pop farms, people who are taking care of themselves. But Big Agriculture, let's stop that.

Let's also stop \$147 million going to Brazilian cotton farmers as a subsidy every year. They will not tell you. They will not tell you about these subsidies. American taxpayers are footing the bill for that and paying high prices at the gas pump to get their gas, and the oil companies are rolling around in that money.

I rise in opposition to this rule.

Yesterday I submitted an amendment to this bill that would have provided the Commodity Futures Trading Commission, or the CFTC, with a steady, sustainable source of funding so that it could do the job that it has been assigned to do—that's oversee the futures markets and curb rampant speculation in the oil market that is causing families pain at the pump.

Again, this House majority has put the profit margins of Wall Street and oil speculators over the needs of American families and the American economy. They refuse to allow an up-or-down vote on this amendment. Specifically, the amendment would authorize the collection of user fees to offset the cost of the Commission's operation. It would simply bring the CFTC into line with all other Federal financial regulators, such as the Securities and Exchange Commission, the Federal Deposit Insurance Corporation.

This is in keeping with a pattern by this majority to hamstring this Commission at every turn. Last year, their agricultural appropriations provided

only \$172 million in funding, 44 percent below the request, meaning that we have less cops on the beat to stop speculation. We fought back. We got that up to \$205 million in the final 2012 budget, but it's not enough for the Commission to do its job.

Meanwhile, high oil prices affect every aspect of Americans' lives, not just the cost of traveling but of heating homes, food, other purchases. The cost of gas is irrefutably affected by rampant speculation in the oil market. Goldman Sachs has estimated that speculators increased crude prices by about 20 percent and the price of gas by 56 cents a gallon. The chairman of ExxonMobil talked about speculation going on on Wall Street.

We're here to represent the American consumer, not oil speculators.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 1 minute.

Ms. DELAURO. I am going to repeat it, our job, the job that all of our constituents gave to us—they gave us this job—we are here to represent their interests and the consumers, not the oil speculators.

We need to ensure that the Commodity Futures Trading Commission is the agency to regulate the oil industry, that it has the resources that it needs to do the job and is doing it.

The amendment that I proposed is a commonsense solution to this problem. It should have had an airing, and it should have been passed by this Congress because that is in the best interests of American taxpayers. That's our job. And if we're not prepared to do our job, the American people should turn their backs on us and shut the place down.

I urge my colleagues to oppose this rule.

Ms. FOXX. Mr. Speaker, I want to point out that our colleagues across the aisle, as well as President Obama, the answer to everything is to raise taxes, but they never can explain how raising taxes would lower costs, especially on gasoline. To me, that shows how disconnected they are from economic reality.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. May I inquire of the gentlelady if she has any remaining speakers?

Ms. FOXX. We have no remaining speakers, and I am prepared to close if the gentleman is prepared to close.

Mr. POLIS. I yield myself the balance of my time.

Again, there were several amendments offered in Rules Committee to make this bill better. To help reduce the budget deficit, my colleague, Mr. MCGOVERN, introduced an amendment ending \$40 billion in subsidies to the oil and gas industry. As the gentlelady said, that has nothing to do with the

price of gas. Getting rid of subsidies to oil companies doesn't make gas more affordable. But the question is: Why are we giving money to oil and gas companies at a time when we have a national deficit? Why don't they pay taxes like every other company?

□ 1310

I was a small businessman before I got here, and the companies that I was involved with had to pay taxes. What I don't understand is why economically a tax subsidy is any different than an expenditure subsidy. And economists across the ideological spectrum would agree corporate welfare is a government giveaway, whether it appears on the tax line or the expenditure line.

Specifically, with regard to any tax breaks to the oil and gas industry, Mr. MCGOVERN's amendment, which is, unfortunately, ruled out of order for this bill, would end the section 451 credit for producing oil and gas from marginal wells, the section 43 credit for enhanced oil recovery, the section 263 provision allowing the existing expansion of intangible drilling costs, and a number of other provisions that in effect give oil and gas companies a lower tax rate than other companies in this country.

Why don't we use that money to reduce the deficit? Why don't we use that money to bring down the corporate tax rate overall, as is a key component of corporate tax reform, which I strongly support and discussed with Mr. BRADY in our Rules Committee yesterday with regard to the other bill which moves in the wrong direction with regard to bringing down our tax rates and having a simpler Tax Code?

Mr. MCGOVERN has offered a similar amendment to save the U.S. Government \$40 billion to reduce our deficit to several different bills in the past, including through an appropriations bill, an energy bill, a tax bill. Every single time the Republicans have said, Oh, it's not germane to this bill. Every single time they voted the McGovern amendment down.

Clearly, this is a proposal that's worthy of discussion. If it's not a tax discussion and not an energy discussion, not an expenditure discussion, what kind of discussion is it? And why can't we be talking about reducing the deficit here on the floor of the House instead of continuing to spend unnecessary money on subsidies? It's funny how the majority party waives rules when it's convenient for their agenda but refuses to apply a consistent standard to an amendment that is worthy of consideration by this House.

At the same time oil companies have record profits, we're continuing to subsidize oil injection, extraction, exploration, drilling, manufacturing, pricing, and inventory valuing by creating price floors, offsetting taxes, providing generous credits and deductions, pro-

viding tax shelters, and allowing the valuation of inventories at deeply discounted prices. If we are serious about deficit reduction, let us take this opportunity to vote down this rule and allow for the discussion of the McGovern amendment. We need to close these loopholes and allow for real deficit reduction.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment to the rule in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. This amendment is the Bishop bill and the Corrine Brown bill, which would simply allow the House the opportunity to vote on the Senate bill, which, given the strong bipartisan majority in the Senate, I believe would pass the House of Representatives. At least let's give it a chance. Let's give the House a chance to work its will, Democrats and Republicans, and see where we really are with regard to this Congress' commitment to critical infrastructure needs in this country. Voting down this rule would be the first step in allowing Mr. BISHOP and Ms. BROWN to come forward with the Senate bill for consideration in this House, which would provide some certainty to State and local planners, allowing them to reduce costs and get better value for the taxpayer dollar.

I also strongly encourage the majority to consider allowing amendments and good ideas from both sides of the aisle in bills like the transportation bill, and let us work to find an appropriate time and an appropriate place for the consideration of Mr. MCGOVERN's bill and Mr. MCGOVERN's amendment. And whether the proceeds are used to reduce the deficit or bring down corporate taxes or some split thereof, or other worthy public purposes, surely we can at this juncture, when we cannot afford the government we have, help reduce the size and the scope of government by ending subsidies and giveaways to big multinational oil companies.

Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question. I strongly urge a "no" vote on the rule, and I yield back the balance of time.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 619 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(1) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 14) to reauthorize Federal-aid highway and highway safety con-

struction programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous

question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. FOXX. Mr. Speaker, I urge my colleagues to support this rule. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered; and agreeing to the Speaker’s approval of the Journal.

The vote was taken by electronic device, and there were—yeas 243, nays 180, not voting 8, as follows:

[Roll No. 165]

YEAS—243

Adams	Blackburn	Cassidy
Aderholt	Bonner	Chabot
Akin	Bono Mack	Chaffetz
Alexander	Boren	Coble
Amash	Boustany	Coffman (CO)
Amodei	Brady (TX)	Cole
Austria	Brooks	Conaway
Bachmann	Broun (GA)	Cravaack
Bachus	Buchanan	Crawford
Barletta	Bucshon	Crenshaw
Bartlett	Buerkle	Culberson
Barton (TX)	Burgess	Davis (KY)
Bass (NH)	Burton (IN)	Denham
Benishek	Calvert	Dent
Berg	Camp	DesJarlais
Biggert	Campbell	Diaz-Balart
Bilbray	Canseco	Dold
Bilirakis	Cantor	Donnelly (IN)
Bishop (UT)	Capito	Dreier
Black	Carter	Duffy

Duncan (SC)	Kinzinger (IL)
Duncan (TN)	Kline
Ellmers	Labrador
Emerson	Lamborn
Farenthold	Lance
Fincher	Landry
Fitzpatrick	Lankford
Flake	Latham
Fleischmann	LaTourette
Fleming	Latta
Flores	Lewis (CA)
Forbes	LoBiondo
Fortenberry	Long
Foxx	Lucas
Franks (AZ)	Luetkemeyer
Frelinghuysen	Lummis
Gallely	Lungren, Daniel E.
Gardner	Mack
Garrett	Manzullo
Gerlach	Martinez
Gibbs	Marchant
Gibson	Matheson
Gingrey (GA)	McCarthy (CA)
Gohmert	McCaul
Goodlatte	McClintock
Gosar	McCotter
Gowdy	McHenry
Granger	McKeon
Graves (GA)	McKinley
Graves (MO)	McMorris
Griffin (AR)	Rodgers
Griffith (VA)	Meehan
Grimm	Mica
Guinta	Miller (FL)
Guthrie	Miller (MI)
Hall	Miller, Gary
Hanna	Mulvaney
Harper	Murphy (PA)
Harris	Myrick
Hartzler	Neugebauer
Hastings (WA)	Noem
Hayworth	Nugent
Heck	Nunes
Hensarling	Nunnelee
Herger	Olson
Herrera Beutler	Palazzo
Huelskamp	Paulsen
Huizenga (MI)	Pearce
Hultgren	Pence
Hunter	Petri
Hurt	Pitts
Issa	Platts
Jenkins	Poe (TX)
Johnson (IL)	Pompeo
Johnson (OH)	Posey
Johnson, Sam	Price (GA)
Jones	Quayle
Jordan	Reed
Kelly	Rehberg
King (IA)	Reichert
King (NY)	Renacci
Kingston	Ribble

NAYS—180

Ackerman	Cleaver
Altmire	Clyburn
Baca	Cohen
Baldwin	Connolly (VA)
Barrow	Conyers
Bass (CA)	Cooper
Becerra	Hahn
Berkley	Costello
Berman	Courtney
Bishop (GA)	Critz
Bishop (NY)	Crowley
Blumenauer	Cuellar
Bonamici	Cummings
Boswell	Davis (CA)
Brady (PA)	Davis (IL)
Braley (IA)	DeFazio
Brown (FL)	DeGette
Butterfield	DeLauro
Capps	Deutch
Capuano	Dicks
Cardoza	Dingell
Carman	Doggett
Carney	Doyle
Carson (IN)	Edwards
Castor (FL)	Ellison
Chandler	Engel
Chu	Eshoo
Cicilline	Farr
Clarke (MI)	Fattah
Clarke (NY)	Frank (MA)
Clay	Fudge

Rigell	Langevin
Rivera	Larsen (WA)
Robby	Larson (CT)
Roe (TN)	Lee (CA)
Levin	Pastor (AZ)
Rogers (AL)	Pascrell
Rogers (KY)	Pelosi
Rogers (MI)	Perlmutter
Rohrabacher	Peters
Rokita	Peterson
Rooney	Pingree (ME)
Ros-Lehtinen	Polis
Roskam	Price (NC)
Ross (FL)	Quigley
Royce	Rahall
Ryunan	Reyes
Ryan (WI)	Richardson
Scalise	Richmond
Schilling	Ross (AR)
Schmidt	Rothman (NJ)
Schock	Roybal-Allard
Schweikert	Ruppersberger
Scott (SC)	Meeks
Scott, Austin	Michaud
Sensenbrenner	Miller (NC)
Sessions	Sánchez, Linda T.
Shimkus	Sanchez, Loretta
Shuler	Sarbanes
Shuster	Schakowsky
Simpson	Schiff
Smith (NE)	Schrader
Smith (NJ)	
Smith (TX)	
Southerland	
Stearns	
Stivers	
Stutzman	
Sullivan	
Terry	
Thompson (PA)	
Thornberry	
Tiberi	
Tipton	
Turner (NY)	
Turner (OH)	
Upton	
Walberg	
Walden	
Walsh (IL)	
Webster	
West	
Westmoreland	
Whitfield	
Wilson (SC)	
Wittman	
Wolf	
Womack	
Woodall	
Yoder	
Young (AK)	
Young (FL)	
Young (IN)	

Olver	Schwartz
Owens	Scott (VA)
Pallone	Scott, David
Pascrell	Serrano
Pastor (AZ)	Swell
Pelosi	Sherman
Perlmutter	Sires
Peters	Smith (WA)
Peterson	Speier
Pingree (ME)	Stark
Polis	Sutton
Price (NC)	Thompson (CA)
Quigley	Thompson (MS)
Rahall	Tierney
Reyes	Tonko
Richardson	Towns
Richmond	Tsongas
Ross (AR)	Van Hollen
Rothman (NJ)	Velázquez
Roybal-Allard	Visclosky
Ruppersberger	Walz (MN)
Meeks	Wasserman
Michaud	Schultz
Miller (NC)	Waters
Sánchez, Linda T.	Watt
Sanchez, Loretta	Waxman
Sarbanes	Welch
Schakowsky	Wilson (FL)
Schiff	Woolsey
Schrader	Yarmuth

NOT VOTING—8

Andrews	Marino	Rangel
Filner	Napolitano	Slaughter
Kaptur	Paul	

□ 1339

Ms. CLARKE of New York, Ms. PELOSI and Mr. HONDA changed their vote from “yea” to “nay.”

Messrs. YOUNG of Indiana, SMITH of Nebraska and Mrs. BLACK changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 165, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, April 18, 2012, I was absent during rollcall vote No. 165 due to a family medical emergency. Had I been present, I would have voted “nay” On Ordering the Previous Question on H. Res. 619 Providing for consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of multiyear law reauthorizing such programs, and for other purposes.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 177, not voting 8, as follows:

[Roll No. 166]

AYES—246

Adams	Alexander	Austria
Aderholt	Amash	Bachmann
Akin	Amodei	Bachus

Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggert
Billbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buchson
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy

NOES—177

Ackerman
Altmire
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici

Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu

Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Heinrich
Hastings (FL)
Higgins
Himes
Hinchev
Hinojosa
Hirono
Schilling
Schmidt
Schock
Holt
Schweikert
Scott (SC)
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Andrews
Filner
Kaptur

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1346

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:
Mr. FILNER. Mr. Speaker, on rollcall 166, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, April 18, 2012, I was absent during rollcall vote No. 166 due to a family medical emergency. Had I been present, I would have voted “no” on agreeing to H. Res. 619 Providing for consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of multiyear law reauthorizing such programs, and for other purposes.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker’s approval of the Journal, on which the yeas and nays were ordered.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 295, nays 118, answered “present” 2, not voting 16, as follows:

[Roll No. 167]

YEAS—295

Ackerman
Aderholt
Akin
Alexander
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Berg
Berkley
Berman
Billbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Buchson
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Cicilline
Clarke (MI)
Clay
Cleaver
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier

Lowey
Lucas
Lujan
Lummis
Lungren, Daniel
E.
Mack
Marchant
Markey
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Garrett
Meeks
Gibbs
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neugebauer
Noem
Nunes
Hahn
Nunnelee
Olson
Palazzo
Pascarelli
Pelosi
Pence
Perlmutter
Petri
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rehberg
Reyes
Richardson
Richmond
Robby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schmidt
Schock
Schradler
Schwartz

Schweikert	Smith (WA)	Watt
Scott (SC)	Southerland	Waxman
Scott (VA)	Speler	Webster
Scott, Austin	Stearns	Welch
Scott, David	Stutzman	West
Sensenbrenner	Sullivan	Westmoreland
Serrano	Thompson (PA)	Whitfield
Sessions	Thornberry	Wilson (FL)
Sewell	Tierney	Wilson (SC)
Sherman	Tonko	Wolf
Shimkus	Tsongas	Womack
Shuster	Turner (NY)	Woolsey
Simpson	Upton	Yarmuth
Sires	Van Hollen	Young (FL)
Smith (NE)	Walz (MN)	Young (IN)
Smith (NJ)	Wasserman	
Smith (TX)	Schultz	

NAYS—118

Adams	Hall	Oliver
Altmire	Hanna	Pallone
Baldwin	Harris	Pastor (AZ)
Bass (CA)	Hartzler	Paulsen
Benishek	Hastings (FL)	Pearce
Biggert	Heck	Peters
Boren	Herrera Beutler	Peterson
Boswell	Himes	Poe (TX)
Brady (PA)	Holden	Quayle
Burgess	Hoyer	Reed
Capuano	Huelskamp	Reichert
Cardoza	Israel	Renacci
Castor (FL)	Jackson (IL)	Ribble
Chandler	Jackson Lee	Rigell
Chu	(TX)	Roe (TN)
Clarke (NY)	Johnson (OH)	Rush
Clyburn	Jones	Sánchez, Linda
Coffman (CO)	Keating	T.
Conaway	Kind	Sarbanes
Costa	Kinzinger (IL)	Schakowsky
Costello	Kucinich	Schilling
Courtney	Langevin	Shuler
Cravaack	Latham	Stark
Critz	Lee (CA)	Stivers
DeFazio	Lewis (GA)	Sutton
Dent	LoBiondo	Terry
DesJarlais	Luetkemeyer	Thompson (CA)
Dold	Lynch	Thompson (MS)
Donnelly (IN)	Maloney	Tiberi
Duffy	Manzullo	Tipton
Fitzpatrick	Matheson	Towns
Forbes	McCotter	Turner (OH)
Foxx	McDermott	Velázquez
Gardner	McGovern	Visclosky
Gerlach	Meehan	Walden
Gibson	Miller (FL)	Walsh (IL)
Graves (MO)	Miller, George	Wittman
Green, Gene	Mulvaney	Woodall
Griffin (AR)	Neal	Yoder
Grijalva	Nugent	Young (AK)

ANSWERED "PRESENT"—2

Amash Owens

NOT VOTING—16

Andrews	Lofgren, Zoe	Rivera
Eshoo	Marino	Slaughter
Filner	Napolitano	Walberg
Gohmert	Paul	Waters
Kaptur	Pingree (ME)	
Labrador	Rangel	

□ 1352

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. RIVERA. Mr. Speaker, on rollcall No. 167, I was unavoidably delayed. Had I been present, I would have voted "yea."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 167, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

SURFACE TRANSPORTATION
EXTENSION ACT OF 2012, PART II

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 4348.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 619 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4348.

The Chair appoints the gentleman from Georgia (Mr. WESTMORELAND) to preside over the Committee of the Whole.

□ 1355

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, with Mr. WESTMORELAND in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Florida (Mr. MICA) and the gentleman from West Virginia (Mr. RAHALL) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members of the House, today we bring up the Surface Transportation Extension Act of 2012. This is the second part of an extension that we passed previously. Just before the Congress recessed and went into the Easter work period and holiday, the House did pass a 90-day extension, and that extension expires on June 30, 2012. The extension before us today is an additional 90-day extension. The purpose of this extension is so that we can hopefully bring about resolution and conference legislation to complete our transportation bill.

Now, the previous extension was the ninth extension, and the Democrats—the other side of the aisle—were forced to pass a sixth extension, so I'm hoping that this will be our last extension and that it will also provide us a vehicle to conclude this important work that so many jobs across this country are relying on. The building of our Nation's infrastructure is tied to this work and to the completion of this important task.

This is a fairly clean extension. There are a couple of provisions in here, I think, that will provide increased energy for the country; and if anyone has not felt the pain at the pump, all they need to do is go to a

local gas station. I saw today that the lowest-cost gas in a local station not a couple blocks from here was \$4.45 a gallon. This particularly hurts the working men and women of America and those on fixed or limited incomes. I think the provision that we have here is an excellent provision, and I'll talk a little bit more about this.

This again is a vehicle that can deliver us to the completion of the important work. This extension has levels of funding that are consistent with the transportation appropriations bill which was signed by the President in November. Then we'll consider, I believe, three amendments that have been made in order by the Rules Committee. Let me talk about them again very briefly.

First, the Keystone pipeline provision. This administration is still mending not only on transportation legislation but also on energy legislation, and it has not found its way, unfortunately, for the American people.

□ 1400

But this bill can provide us reliable sources of energy. We're talking about a pipeline and a source from a good ally and neighbor in the North American continent. We're not talking about relying on Venezuela, the Middle East, or Nigeria, where we get a lot of our supplies for energy today. So it can provide again some stability, some reduction in price for the consumer, particularly when they're so hard hit at this time. We will have more to talk about with it.

In regard to the Keystone pipeline, this pipeline has been studied to death. This administration, for over 3 years, has delayed approval. The President has approved a small part in one section of the country—or at least he says he would. You can't build a pipeline that can actually deliver energy at a lower cost in reliable fuel in a piecemeal fashion. The Keystone pipeline has been studied for about 3½ years now, while they built the entire Alaska pipeline in that period of time. So the time for studying, for delay, and for not acting on reducing energy costs and increasing supply has ended.

Additionally, we have a couple of other provisions in here which I'm supportive of. One is the RESTORE Act, which creates the Gulf Restoration Trust Fund, and that provides for a fair and equitable manner for division of the penalties collected by those responsible for the Deepwater Horizon oil spill. I think that that is a provision that can also help a lot of our Gulf States that were hard hit and impacted by that disaster.

Finally, I think another amendment that I think is very laudatory is one by Mr. RIBBLE that has been made in order, and that carries, from H.R. 7, a lot of the streamlining provisions that we think are so important to getting projects done.

President Obama promised us infrastructure when they sold a \$787 billion so-called stimulus package. Mr. Oberstar and I came back here. At the time, they were looking at a \$250 to \$300 billion stimulus bill, of which 50 percent would be, in fact, infrastructure. As it turned out, it was 6 or 7 percent. That's some \$63 billion.

Last October, there was still 35 percent of the \$63 billion for infrastructure stuck in the Treasury in Washington, D.C., 2½ years after we passed the stimulus. So you can pass all the transportation bills you want, and if you can't deliver the project and cut the red tape and paperwork that Washington thrives on, then you can't get anything done. That provision is so important in moving transportation legislation forward that can make a difference in getting projects done.

In the hearings that we did across the country, starting in Mr. RAHALL's district—the Democrat leader of the committee—in Beckley, West Virginia, we heard at every single hearing all the way to the west coast when we did a bipartisan, unprecedented bicameral with Senator BOXER hearing on that coast, every single hearing, almost without question, most of the witnesses all said that we needed to speed up the projects.

"Shovel ready" has become a national joke, and we've got to end that sad joke that doesn't allow us to go forward. I think the Ribble amendment will do that.

With that, I think we have a vehicle that we can get to conference and work in a bipartisan and bicameral manner to get the job done.

Mr. Chairman, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 17, 2012.

Hon. JOHN MICA,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MICA, I am writing concerning H.R. 4348, the "Surface Transportation Extension Act of 2012, Part II," which is scheduled for floor consideration this week.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code. Subtitle D of Title I of this bill amends the Internal Revenue Code of 1986 by extending the current Highway Trust Fund expenditure authority and the associated Federal excise taxes to September 30, 2012. However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 4348, and would ask that a copy of our exchange of letters on this mat-

ter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES, COM-
MITTEE ON TRANSPORTATION AND
INFRASTRUCTURE,

Washington, DC, April 17, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means,
Longworth House Office Building, Wash-
ington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4348, the "Surface Transportation Extension Act of 2012, Part II." The Committee on Transportation and Infrastructure recognizes the Committee on Ways and Means has a jurisdictional interest in H.R. 4348, and I appreciate your effort to facilitate consideration of this bill.

I also concur with you that forgoing action on this bill does not in any way prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will include our letters on H.R. 4348 in the Congressional Record during floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation and I look forward to working with the Committee on Ways and Means as the bill moves through the legislative process.

Sincerely,

JOHN L. MICA,
Chairman.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the last long-term surface transportation authorization expired on September 30, '09. We continue to limp along, patching together our Nation's transportation system through short-term extensions that cause uncertainty and create chaos for construction crews and local communities across the country and our State transportation departments.

The Committee on Transportation and Infrastructure reported the House Republican leadership's misguided, 5-year surface transportation bill on February 13 of this year. The Rules Committee approved a rule governing its consideration on the floor on February 15. That was 9 weeks ago this day. During that time, the Republican leadership has failed to find the votes among its Members to pass that bill.

Yet, instead of working across party lines as we have traditionally done for decades on transportation policy, the extreme right wing of their party continues to hold the process hostage to their ideological tirade that the Federal Government has no business in supporting a national transportation system.

Three weeks ago, I rose to oppose another extension, the ninth extension since these critical job-creating transportation programs expired in '09, because Republicans refused to move the process forward by bringing up the bi-

partisan Senate-passed bill but, instead, merely wanted to kick the can down the road once again. Mr. Chairman, we are running out of road.

I oppose the short-term extension because I cannot, for the life of me, figure out what difference the Republican leadership hopes to achieve over the next 12 weeks that they were unable to achieve over the previous 6 weeks. I fail to understand the perverse notion that if we simply fed their dangerous addiction to serial addictions one more time, the skies would magically part and the Republican leadership would miraculously garner enough votes on their side of the aisle to pass H.R. 7. That was the 5-year bill reported by the T&I Committee, something they have failed to do for months.

Last week, we heard the Republican leadership again would be bringing up a short-term extension as a ticket to conference with the Senate. That's the bill that is before us today.

When compared with H.R. 7, which is a fatally flawed bill that would mortgage America's future at subprime rates, a clean extension is a vehicle to keep the ball rolling, provided that the Republican leadership will truly allow us to go to conference with the other body. Unlike H.R. 7, a clean extension does not make shortsighted cuts to surface transportation investments that would destroy jobs and economic growth. These cuts are out. We're talking about funding at current levels.

Under the scheme advanced by the majority, public transit revenue would have been shifted to highways. Transit would have been bailed out with a one-time transfer of \$40 billion from the general fund, robbing middle class Americans to pay for the shuffle. Under the clean extension that we're considering today, this misguided shell game is gone, fortunately.

The majority's proposal fails to close all the existing loopholes and Buy America laws. These gaping loopholes are being exploited by foreign competitors, like China, who are stealing American jobs and undermining our ability to create more American jobs and to revive American manufacturing. Under today's bill, locking in these loopholes is out and these provisions can be revisited in a long-term bill.

Under a clean extension, the majority's poison pill to needlessly eliminate Occupational Safety and Health Administration protections for hazmat workers, as was originally in H.R. 7, thankfully, is gone today.

The majority's efforts to subsidize private transit companies and mandate the use of private engineering firms on Federal-aid highway projects is gone in today's bill.

Instead of turning back the clock nearly half a century on America's greatness and the incredible work we have done to grow our Nation, to build a thriving economy, and to lead the

global market, we should be working together to develop a bipartisan bill that can pass both bodies and be signed into law.

Taking the other side at their word, that they are serious about moving the process forward—I'm beginning to think that may be a likely scenario—passage of this extension of current law through the end of the fiscal year will allow us to go to conference with the other body on their bipartisan multiyear bill which passed with the support of three-quarters of the Senate. That is 74 votes in that other body.

□ 1410

How many pieces of legislation do you get that many votes on in the other body? A long-term bill will provide the certainty that States need to invest and proceed with their plans that have been long on the books. It will provide the certainty that highway and transit contractors desperately need to give them the confidence to hire that one more worker.

Mr. Chairman, I reserve the balance of my time.

Mr. MICA. Mr. Chairman, I yield 4 minutes to the chair of the Highway Subcommittee, the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. I thank the gentleman for yielding me this time.

Mr. Chairman, H.R. 4348 extends the surface transportation programs through September 30, 2012, at funding levels consistent with the fiscal year 2012 transportation appropriations bill, which we passed in November. Under the current extension, the highway, transit, and highway safety programs are set to expire on June 30. This legislation will allow these programs to continue through the fiscal year and to provide predictability during the summer construction season.

This bill also includes provisions related to the approval of the Keystone pipeline. With the rising gas prices and uncertainty in the Middle East, it is vital that we complete construction of this crucial pipeline in order to help secure our Nation's energy resources. If we don't do this, Mr. Chairman, all we will be doing is helping foreign energy producers.

I had originally hoped that the House would be able to move H.R. 7, the 5-year surface transportation reauthorization bill that was passed by our committee in February. Unfortunately, we were not able to bring H.R. 7 to the House floor at this time. Instead, we will use this bill as a vehicle to conference with the Senate-passed surface transportation reauthorization bill.

There were three amendments that were made in order by the Rules Committee, and I would like to express my support for all three. Mr. BOUSTANY's amendment would require that we spend the revenue we are collecting for

the Harbor Maintenance Trust Fund on Army Corps of Engineers projects, as opposed to using this revenue to offset spending elsewhere in the Federal budget. This is a commonsense solution to help upgrade our Nation's ports and maintain our global economic competitiveness. Just this morning, we held a hearing on the importance to our entire economy of our inland waterway system, and Mr. BOUSTANY's amendment will certainly help in that regard.

Mr. RIBBLE's amendment is based on the environmental streamlining provisions that were included in H.R. 7. This amendment would eliminate duplication by providing a single system to review decisions. It reduces bureaucratic delay by requiring concurrent, instead of consecutive, project reviews and setting deadlines for the completion of environmental reviews. These changes could cut the delivery process in half and could save taxpayers many, many billions over the next several years.

The last two studies by the Federal Highway Administration said the average highway project takes 13 years, one study said 15 years. That is far too long. Other developed nations are doing these projects in half the time or less than we are.

Mr. MCKINLEY's amendment includes the text of H.R. 2273, the Coal Residuals Reuse and Management Act. This amendment would prohibit the United States Environmental Protection Agency from driving coal-powered plants out of existence and doubling and tripling our utility bills.

The U.S. has been called the Saudi Arabia of coal, Mr. Chairman. If we do not use our coal in a clean and safe way, we will hurt millions of poor, lower-income, and working people all across this Nation.

I salute Chairman MICA for his hard work on this bill for the last several months, and I urge my colleagues to support H.R. 4348 and the subsequent amendments.

Mr. RAHALL. Mr. Chairman, I yield 4 minutes to the ranking member on our Transit and Highways Subcommittee, the distinguished gentleman from the State of Oregon (Mr. DEFazio).

Mr. DEFazio. I thank the gentleman for yielding.

Well, it appears that the House has finally found the path out of dysfunction junction. We have been there for too long. We need a long-term, as long a term as possible, transportation bill as soon as possible.

Now, this extension is for 180 days. We can't wait for 180 days to come to agreement with the Senate. We need to go to an expedited conference as soon as possible. We have been gathering data from the individual States since the last 90-day extension 3 weeks ago. The State of North Carolina has canceled \$1.2 billion worth of projects, 40,000 jobs, this year.

Other States are reporting in, none quite so drastic, but the grand total is going to be probably close to 100,000 jobs foregone because of the uncertainty created by these 90-day extensions. It's time to put an end to 90-day extensions. This should be the last one, and we should proceed immediately to conference and begin to work through our differences with the Senate.

Even H.R. 7, which the Republicans couldn't get out of their own conference, they could not get agreement between those 50 or 60 who believe their national transportation policy should be set individually by the 50 States. Wow, what does that mean? And/or transit should be thrown under the bus, or out of the bus, with the other members of the conference saying, wait a minute, that's totally unacceptable to us. They couldn't get the bill out.

But even the fact that they couldn't get the bill out, there's much overlap and agreement between many provisions in H.R. 7 and what the Senate has done. I believe we could conference those areas in disagreement quite promptly.

As the ranking member said, this no longer ends Safe Routes to Schools, something which I opposed in H.R. 7, and other cycling and alternate modes of transportation. It doesn't throw transit out the window or off the bridge, but transit would be in play between the House and the Senate.

During the last stage or authorization of SAFETEA-LU, we had an incredible fight in conference. It wasn't between Democrats and Republicans; it was between the House and the Senate. We fought for a number of weeks over the split between transit and highways and came to a good accommodation, I believe. And hopefully we'll end up close to that in this.

But the Senate bill, which we tried to force a vote on, and had we put that in place 3 weeks ago, instead of the 90-day extension, we wouldn't have lost or been in the process of losing all those contracts and jobs now at the beginning of the construction season. That's about 100,000 jobs potentially lost with more temporary extensions. But we would, instead, have seen another 500,000 jobs, which is the predicted result of the stability of 2 years of funding with the Senate bill.

So, you know, I will support this iteration because I am anxious to get to conference, I am anxious to get agreement. I believe we should get it done before the middle of May so that States can capture this construction season, and we can put a few hundred thousand people who desperately want jobs back to work and those who supply them back to work.

Finally, on the issue of excessive fuel prices, there is only one thing we can do immediately. I mean, the XL pipeline, first off, they say they are going

to export it after they refine it. We are exporting gasoline from the United States of America today.

We have prices being set in a world market, and it's being set by speculators on Wall Street. If we just clamp down on the speculation on Wall Street, the head of ExxonMobil, Goldman Sachs, the St. Louis Federal Reserve, and prominent economists say we could save consumers 60 to 70 cents a gallon tomorrow if we stopped the rip-offs by the people on Wall Street, and the excessive speculation by the people on Wall Street, something that's only been allowed for about a decade.

It didn't used to be allowed for them to control our energy future. So if you want to do something real, that should be part of this bill. XL pipeline can do nothing to help people get lower gas prices.

Mr. MICA. Mr. Chairman, I yield 2 minutes to the distinguished chair of the House Energy and Commerce Committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. I thank the chairman for yielding.

Mr. Chairman, this is a highway and infrastructure bill. That means it is a jobs bill. Now, I would remind my colleagues and those watching that the President said back in January, as part of his weekly address, that he would do whatever it takes, whatever it takes, to create jobs. There is not a more shovel-ready project than the Keystone XL pipeline, period.

Secretary Clinton said in October of 2010, I am inclined to support this project. In August of 2011, she indicated that there was no reason why they couldn't give an approval or a denial by the end of last year.

□ 1420

This is 20,000 direct jobs, more than 100,000 indirect jobs, a \$7 billion privately funded pipeline that will subscribe to the pipeline safety bill that this committee as well as the Energy and Commerce Committee worked on, that the President signed this last year, raising the standards, raising the fines for those that violate those standards. It is a better pipeline safety route than ever before. I have to say for those detractors, the route has been changed through Nebraska. It will no longer go through that aquifer.

We will bring as much as 800,000 barrels of oil from the oil sands in Canada. As these gas prices continue to go up, Americans understand supply and demand; 800,000 barrels a day that we can get from our friends, the Canadians. If we don't do so, where is it going to go? China. China is already preparing to spend billions of dollars to instead build that pipeline to Vancouver, send it to China to be refined and, guess what, we will get none of that refined oil back.

Some detractors of this project say why don't we just build a refinery in North Dakota. Well, let's say we did. Are you not going to still then build a pipeline to connect it with the supply routes across the country?

The CHAIR. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman an additional 30 seconds.

Mr. UPTON. Mr. Speaker, we haven't built a new refinery since 1976. EPA will not allow new refineries to be built. We have spent instead billions of dollars to expand the refineries that we have.

Under regular order we moved this Keystone pipeline last summer. It passed on the House floor two-to-one. There is no reason why a construction project like this shouldn't be in this bill. I look forward to the passage of this bill later this afternoon with the inclusion of the Keystone XL pipeline.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Florida, the ranking member on our Subcommittee on Railroads, Ms. CORRINE BROWN.

Ms. BROWN of Florida. Thank you, Chairman MICA and Mr. RAHALL.

I will vote for this 3-month extension. But I have got to tell you, the Republican leadership has turned the House floor into Frankenstein's laboratory. Instead of bringing up a transportation bill that could get the support from both sides, they brought a bill to the floor that couldn't get support from either side. Now, after they couldn't convince the Tea Party Members that transportation is actually very important to our economy, they're taking parts from different bills and creating the monster that they call "transportation."

It's a very sad time for transportation in the House of Representatives. The Republican leadership has ruined a process that used to be bipartisan, from a committee that used to be bipartisan. This is not the way to run the U.S. House of Representatives, and it is clearly not the way the American people want it to be run.

I've been on the Transportation Committee for 20 years, and it has never been partisan. We were the committee that moved people, goods, and services, and put millions of people to work. Now we gut funding, abandon core programs like transit and hazmat safety, and argue about issues that aren't even germane to transportation.

The Republican leadership has had a war on our Transportation Committee from the very beginning. First, they removed the firewalls from the trust fund and would no doubt be raiding it if we had any money in it. They cut the size of our committee in half. Then they gave us all freshmen Members, many who don't know how to say anything but no, no, no, no, no, no, no. And then for 2 straight years they've gutted

transportation funding in the Ryan budget.

You can fool some of the people some of the time, but you can't fool all of the people all of the time.

President Barack Obama said recently that Republicans used to like to build roads. All of our stakeholders support a comprehensive transportation bill, and I am hoping that we can pass—I hate to say it—the Senate bill—we used to do the work—but I hope we can pass the Senate bill. I really want to say thank God for the United States Senate because finally we have some people that are pulling together a transportation bill that really will put the American people to work.

Mr. MICA. Mr. Chairman, I am pleased to yield 1½ minutes to the distinguished gentleman from Nebraska, who's the leader and one of the authors of the Keystone provisions of this legislation, Mr. TERRY.

Mr. TERRY. Thank you, Mr. Chairman.

Certainly, the President of the United States knows how to say "no." He says "no" to the Keystone pipeline, turning down its application just 3 months ago. This gives the United States access to probably the largest known oil reserve sitting there in a pool in North America, but the President won't allow us to have access to it. Yet during this administration, gas prices at the pump have gone up 120 percent.

People in my district keep asking me, What's the energy policy? I have to tell them I don't know. He kills the pipeline giving us access to oil which would increase supply in the United States, yet sends billions of dollars to Solyndra and solar panel companies to further flood the market with more solar panels. So I don't know what the plan is to lower gas prices because he's not giving us access.

Now, let's look at this \$7 billion privately funded—that's right, maybe that's the problem: it's privately funded—infrastructure project to bring us more gasoline. It's denied. A \$7 billion project to bring 20,000 new jobs. The President says he'll do anything to create new jobs, but kills the pipeline that would get union workers off the benches and into the fields working.

The CHAIR. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman an additional 15 seconds.

Mr. TERRY. He kills those 20,000 direct jobs. There's millions of jobs, if we just used our own resources. Do you know that we can be completely energy secure using our own resources? But this administration lacks the will to be able to do that.

Mr. RAHALL. May I inquire of the time remaining, Mr. Chairman.

The CHAIR. The gentleman from West Virginia has 18 minutes remaining, and the gentleman from Florida has 15¼ minutes remaining.

Mr. RAHALL. I yield 3 minutes to the distinguished gentleman from New York, a valued member of our Committee on Transformation and Infrastructure, Mr. JERRY NADLER.

Mr. NADLER. Mr. Chairman, I rise in opposition to H.R. 4348, the second Surface Transportation Extension Act that we have considered this year.

It has become eminently clear that the Republicans in the House cannot get consensus among themselves on a long-term transportation bill. They can't get consensus on a short-term transportation bill. They can barely pass this 90-day extension. The only way to get it through is to yet again add the Keystone pipeline and other anti-environmental measures. The Republican leadership keeps playing the same cards over and over, but nobody is playing this game anymore. The Senate has moved on. The Senate passed a bipartisan bill. We should do the same.

The purpose of this extension is to serve as a vehicle to formally go to conference with the Senate. I must confess that I might be inclined to vote for it on that basis. If it passes, the House position in conference will essentially be an extension of current law, putting the policy reforms in the Senate bill on a stronger footing; but I fear that this is really just a delaying tactic and a smokescreen.

For a year and a half, the House Republicans have stubbornly refused to work with Democrats to develop a bipartisan bill, completely upending the historical traditions of our committee. This is despite the fact that there are plenty of individual Republican Members who are willing to work with us on certain issues.

When H.R. 7, the original Republican long-term reauthorization bill, was introduced, several Republican Members joined me on an amendment to preserve the transit funding that would have been gutted in H.R. 7.

□ 1430

That was probably one of the reasons that H.R. 7 was ultimately pulled before it could get to the floor. So there are clearly Members on the other side of the aisle who would work with us to develop a bipartisan bill, but the Republican leadership stubbornly refuses to let that happen. Why should we expect anything different in conference?

The Republican leadership could also just bring up the Senate bill, but they won't even allow a vote. Why? What are they afraid of? Because they know it would pass. And what would be wrong with that? The Senate bill isn't perfect, but it's a bipartisan compromise measure that would put people to work right away and provide more certainty to the transportation agencies than a stream of short-term extensions. We could resolve this situation right now, but they continue to block

legislation that would likely pass both Chambers, on a bipartisan basis, and be signed into law by the President.

I hope that my concerns about the intent of the other side turn out to be unwarranted. I hope that if this extension passes, that it will ultimately move the process along in a positive manner and that we will have a meaningful conference that produces a good, bipartisan bill. Passing an extension is certainly better than passing H.R. 7, but given what has transpired so far, and given the addition of the Keystone pipeline and other anti-environmental measures, I must reluctantly vote "no."

The Keystone pipeline would cut through the United States to allow Canada to deliver up to 900,000 barrels per day of tar sand oil to gulf coast refineries. Tar sand oil extraction is destructive and dangerous. Producing one barrel of tar sand oil releases at least three times more global warming pollutants than conventional oil. If we allow this expansion to occur, it will be virtually impossible to reduce global warming. That's why the Keystone pipeline has rightfully been called a "game-changer." And there is no guarantee that any of the oil extracted would be delivered to U.S. consumers. We cannot allow such a gigantic and irreversible step backward in the fight against global warming. But these objections are not the administration's. The administration simply wants to be able to complete the normal environmental review of the Keystone pipeline provided by law to decide whether to approve it or not. But this legislation mandates approval regardless of the law. It supersedes the normal process. This makes it impossible to vote for this legislation.

Mr. MICA. Mr. Chairman, at this time, I'd like to yield 2 minutes to the distinguished Representative, the former chair of the Government Reform and Oversight Committee, Mr. BURTON from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, I want to thank the gentleman for yielding.

A question: Does the President prevaricate? Does he mislead? I've been watching him on television the last couple of days, and he says that we only have 2 percent of the oil reserves, and we've been doing more drilling over the past couple, 3 years than we've ever done before. So let's look at the facts, and I hope somebody at the White House may be paying attention.

According to the American Petroleum Institute, the number of new permits to drill issued by the Bureau of Land Management is down 40 percent from an average of 6,444 permits in 2007-2008 to an average of 3,962 in 2009-2010. The administration is stopping drilling on public lands. During this same time period, the number of new wells drilled on Federal land has declined by 40 per-

cent. And yet he keeps telling us the reason gas prices are going up is for a number of other reasons. The fact is, we're not drilling here. We've got more oil in oil shale in public lands than they have in Saudi Arabia, and we're not exploring for it.

President Obama cites that oil production is at an all-time high during his administration. However, oil production on Federal land fell by 11 percent last year. Oil production on private and State-owned land—land beyond the Federal Government's grip—grew by 14 percent. So what he's talking about is where he can't touch it, on private land, the drilling is up a little bit. But that's only a small portion of the oil that's available.

Federal lands hold an estimated—get this—116.4 billion barrels of recoverable oil, enough to produce gasoline for—get this—65 million cars and fuel oil for 3.2 million households for 60 years. And, yet, the administration keeps saying, oh, we can't do it; we're doing everything we can.

The American people need to know the truth. The truth is, if we use our own natural resources, in 5, 10, 15 years we could be energy independent. But this administration wants to put more control in the Federal administration.

The CHAIR. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman 15 additional seconds.

Mr. BURTON of Indiana. This administration wants to put more and more control in the Federal Government, in health care, in energy, in every other area, because he believes in a European-style, socialistic approach to government. And the American people need to know that. He isn't giving us the facts.

Mr. RAHALL. Mr. Chairman, I yield 2½ minutes to a distinguished member of our committee, the gentleman from Tennessee, Mr. STEVE COHEN.

Mr. COHEN. Mr. Chairman, last week in Memphis, I met with dozens of transportation, business, and civic officials involved in transportation. Every one of them said, stop the partisan politics and pass a transportation bill.

Secretary Ray LaHood, a Republican who served 12 years in this House and 17 years as the chief of staff to Bob Michel, one of the great Members of this group, came to Memphis. He said, Pass the transportation bill. And he said the reason they don't want to do it is they don't want to give President Obama any jobs because they want to beat President Obama, and the American people don't matter. That's the fact. The Secretary said this is the worst transportation bill he's ever seen, and he said it shouldn't be politicized.

Transportation leaders across the country and our Republican Transportation Secretary are begging us to take up the Senate bill, get it passed, put

Americans back to work, and improve our infrastructure.

What's going on here is political. Gas prices are soaring, yes, but that's because of trouble in the Middle East, and that's because of oil speculators. It's not because of the Keystone XL pipeline. That is hooey. Domestic oil prices are set by the international market, and more and more emerging economies are wanting and needing oil. That causes the price to go up.

This assertion, the assertion that gas will go down because of the pipeline, is false. In fact, if the pipeline is completed, gas prices will go up in this country, and TransCanada said that in their papers when they tried to get the pipeline approved.

This will not mean more energy security. It will simply mean more money for international oil companies whose purpose is to raise money for themselves, and they're going to ship that oil overseas. It's not for American consumption.

Yeah, they're not Middle Eastern, yeah, they're not Venezuelan, but they're making profit, and they're going to send that oil overseas. It won't help America at all. And then they threw in something about coal ash, coal ash rules that the EPA had that would have prevented a disaster like what happened in Tennessee. It has nothing to do with transportation. Put America back to work. Pass the Senate bill.

Mr. MICA. Mr. Chairman, I yield myself 1½ minutes.

Let me just say I heard repeated here some things about what the Secretary said, and he did not have favorable comments about H.R. 7. So we've tried to bring something forward that would bring us to passing a bill and get people to work and get this resolved. And then today the Secretary said that the Congress would not pass a multiyear bill, instead of saying he'd work with us and be a leader to do that.

Then the Secretary went on to say, look what they've loaded it up with—speaking about this bill today—Keystone, coal ash, none of it has anything to do with transportation.

Well, first of all, I guess it's difficult for the Secretary to understand that energy costs and the pain at the pump are killing the consumer and impacting dramatically the American people. Keystone does have something to do with that. I guess if you have a chauffeur pick you up in the morning and you're not pumping the gas yourself and taking the money out of your pocket, you wouldn't understand the relevance of Keystone.

And then coal ash, which was just referred to here by the gentleman, it makes our surface more durable and we save money—

Mr. COHEN. Will the gentleman yield?

Mr. MICA. I will not yield, and I don't like being interrupted, especially when I have a good point.

Mr. COHEN. That's a rare time.

Mr. MICA. Coal ash, to continue, although being interrupted, makes the surface more durable. It's important that we get value when we're putting money into roads and pavement. So it's a very important provision that saves costs and gets us more for our money.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished ranking member of the House Natural Resources Committee, the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman. This bill is an environmental atrocity. The majority has allowed an unrelated amendment that would forbid the EPA—forbid them—from requiring the safe disposal of toxic coal waste that contains arsenic, mercury, and chromium. And the majority has allowed an amendment that would provide massive exemptions from the National Environmental Policy Act and smothers the ability of communities to have input into projects that could create toxic nightmares in local neighborhoods. This is what the Republicans are doing out here today. "EPA," Every Polluter's Ally, that's what they want to turn it into.

So what we have on top of that is a provision to build the Keystone pipeline through the United States of America from Canada, the dirtiest oil, by the way, in the world, bring it through the United States, and then to bring it to Port Arthur, Texas.

□ 1440

Now, what goes on in Port Arthur, Texas? Very interesting. I think it's important for the American people to know what happens there. Last year, 73 percent of all of the gasoline that was refined in Port Arthur and in the Houston area was exported out of the United States. Understand what I'm saying? This is oil that was found in the United States, drilled for in the United States, sent down to Texas, refined down there in the Houston and Port Arthur area, and then they exported it. And where did they export it to—our oil, United States oil? They exported it to China, to the Communists.

The Republicans are here blocking an amendment that makes it possible for us to stop the oil from the Keystone pipeline from being sent to the Communist Chinese. Now, I hear gentlemen out here charging President Obama with being a Socialist, but who would engage in this kind of activity, to pretend that they want to have oil for the United States and for our citizens, and then when I ask for an amendment to ensure that all the oil that comes through the Keystone pipeline stays in the United States, the Republicans say, Oh, no, you're not making that amendment; we're going to tie your hands, Mr. MARKEY; you can't make the amendment; we don't want you to

make us be prohibited from selling this oil to the Communist Chinese?

Now, ladies and gentlemen, that's just wrong. That's wrong. That oil is American oil. That oil should stay in the United States. If we're building this pipeline, it should stay here in the United States. We should not be exporting American oil, with gasoline prices at \$4 a gallon, to China and to Latin America.

That's what this whole plot is about, by the way. This is a plot to build a pipeline down to Port Arthur, Texas, tax free, and export that oil out of the United States. That's why the amendment I requested has not been put in order.

Mr. MICA. Mr. Chairman, I'm pleased to yield 1½ minutes to the gentleman from Arkansas (Mr. GRIFFIN).

Mr. GRIFFIN of Arkansas. Mr. Chairman, I rise in support of the Keystone XL pipeline as well as the underlying bill.

The plot here is for jobs, American jobs. It's a no-brainer. Like most Arkansans, I support this pro-jobs project that will strengthen our national security by making us less dependent on Middle Eastern oil.

Arkansas families and businesses are hurting due to high gas prices, and the Keystone pipeline will bring an additional 1 million barrels of oil per day into the United States. More supply means lower prices, and Arkansans, as well as all Americans, need relief from these high gas prices.

President Obama denied construction of the Keystone XL pipeline despite years of extensive vetting for environmental impacts. Make no mistake, the President's decision to reject the Keystone pipeline has cost American jobs. Welspun, a manufacturer in my district, has manufactured nearly half of the pipe for the Keystone pipeline and was forced to lay off 60 workers after the President rejected the pipeline, after he delayed it last year.

The Keystone pipeline will strengthen American energy security and create tens of thousands of good American jobs. It's past time to move the Keystone pipeline forward.

Mr. RAHALL. Time check, please, Mr. Chairman.

The CHAIR. Both sides have 10 minutes remaining.

Mr. RAHALL. I reserve the balance of my time.

Mr. MICA. Mr. Chairman, I yield myself 1 minute at this time.

I know there's a lot of disappointment on the other side of the aisle because this extension and this ability to get the bill done contains no earmarks, no tax increases, and no programs of bigger government, so I know they're disappointed in that regard.

The other thing, too, that folks should remember is we've done everything we can in a bipartisan way to move this process forward. I remember

working with Mr. Oberstar, the former chairman, when the current Secretary and the President came in and said they weren't going to do a 6-year bill when they had all the votes, huge majorities, and they could have put people to work and gotten this done. Instead, they gave us six extensions. So here we are trying to get the job done.

As the Cable Guy says, and my son reminds me, Dad, we're gonna git-r-done. And we're going to get her done one way or the other.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield myself the remainder of my time, actually.

We're going to have time during the amendment process to debate the three amendments that have been made in order under the rule. I wish more had been made in order—that's why I voted against the rule—but that decision was the Rules Committee.

The three that will be allowed, of course one has to do with environmental gutting—I mean, streamlining; the other has to do with the Harbor Maintenance Trust Fund; and then the third has to do with legislation introduced by my colleague from West Virginia (Mr. MCKINLEY) dealing with coal waste ash, the latter of which there is support from my side of the aisle for and, indeed, from myself.

The Harbor Maintenance Trust Fund is a good amendment. I'm glad the Rules Committee made that in order, and I find myself in position to support that as well as the coal ash amendment. At the proper time, I'll speak further on it.

I would like to say that the gentleman from Florida, my chairman, has referred to the inability of our side of the aisle to pass legislation when we were in control of this body. We may have been in control of the other body as well—although, we were not, because the minority over there, as the gentleman knows, has more power than the majority in the other body; and perhaps we did not have the full support of the administration as we would have liked under then-Chairman Jim Oberstar's leadership, and that's unfortunate as well. I don't think any of us would deny that on this side of the aisle.

The fact of the matter is, today, with the other body being even more divided than it was in previous leadership regimes, they have passed a bipartisan bill. Half of the Republican Members of the other body supported their bipartisan transportation bill. Both the chairlady and the ranking member of the relevant committee joined together, put their names on a piece of legislation, put some reforms in it that are good reforms, provided a 2-year bill, paid for, and I believe is a bill that we should have been considering today and that I had made the request to the Rules Committee yesterday to con-

sider, but they did not grant my wishes, so we are where we are today.

We have an additional 90-day extension that we will be asked to vote on later today. That's a good thing, I guess, if we get to a conference. And this is the final point that I want to make is that conference must be held sooner rather than later. It must be held as soon as possible. We're ready to go to conference later today if the conferees were to be announced. We already have the Senate bill. So from our side of the aisle, we're ready to go to conference today, right now.

I would urge the majority in this body to call that conference as soon as possible. Our workers cannot wait any longer. Our small businesses cannot wait any longer. Our road contractors cannot wait any longer.

This is the time of the year when road contracts are let, as I'm sure my distinguished chairman and every Member of this body knows full well. This is the time of the year, the spring-time of the year when those decisions have to be made, when our small businesses, when our road contractors need to let their employees and prospective employees know—today they need to let them know whether or not they're going to have a job, not 90 days from now, not 90 plus 90 days from now, but today.

So that's why I would urge that this conference committee meet as quickly as possible. I call upon the leadership of this body to call a conference committee. Our workers are ready. Our contractors are ready. Contracts are ready to be let.

□ 1450

We need those American jobs now, and I would hope that Chairman MICA would join me in a bipartisan plea to assign conferees as expeditiously as possible and to call a conference even quicker, if that's possible.

I reserve the balance of my time.

Mr. MICA. I am pleased to yield 1 minute to the gentleman from Arizona (Mr. FLAKE), one of the leaders for responsible government.

Mr. FLAKE. I thank the chairman for yielding.

I rise in support of the provision in this legislation to get the construction of the Keystone pipeline under way.

For months, Members on both sides of the aisle have worked to impress upon the administration the urgent need for the Keystone XL pipeline project to proceed. Justification for Keystone as a safe and critical boon to private sector job creation and American energy security has not changed.

This project, as we all know, carries with it thousands of jobs. It will still increase the Nation's capacity to transport crude oil by 830,000 barrels a day; and the State Department is still on record saying that the Keystone "poses little environmental risk" and

will lead to "no significant impacts to most resources."

But, unfortunately, the administration's reluctance to proceed with Keystone has left some that question things on Keystone and some debate to begin. The unemployment rate is still above 8 percent. The U.S. still relies on the same sources of foreign energy, and a lot of Americans are asking why, why in the world can't we get this approved.

I would urge adoption of this provision.

The CHAIR. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman an additional 15 seconds.

Mr. FLAKE. I thank the gentleman.

I have concerns, overall, on the transportation provisions, but this provision is very good, the Keystone provision, and it should remain in.

I rise in support of this provision to get construction of Keystone XL pipeline underway.

For months, Members from both sides of the aisle have worked tirelessly to impress upon the Administration the urgent need for the Keystone XL pipeline project to proceed.

The justification for Keystone as a safe and critical boon to private sector job creation and American energy security has not changed. This project will still create thousands of jobs. It will still increase the nation's capacity to transport crude oil by 830,000 barrels per day; and the State Department is still on record stating that Keystone "poses little environmental risk" and will lead to "no significant impacts to most resources."

Unfortunately, the Administration's reluctance to proceed with the Keystone XL pipeline has left some other figures unchanged since debate on Keystone began. The unemployment is still above 8 percent. The U.S. still relies on the same sources of foreign energy; and American's are still asking why?

Yet thousands remain out of work because the President refuses to pick up his pen. Americans want more jobs and greater energy security. Construction of the Keystone XL Pipeline will help to ensure both. I urge support for this provision.

Mr. RAHALL. I reserve the balance of my time.

Mr. MICA. Mr. Chairman, I would like to yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), one of the leaders of the Energy and Commerce Committee and helper on this legislation.

Mr. SCALISE. Mr. Chairman, I want to thank the gentleman from Florida for yielding and for bringing this legislation forward and, specifically, want to talk about title III of this bill, and that deals with the RESTORE Act.

Of course, this Friday will mark the 2-year anniversary of the Deepwater Horizon disaster. People all across the country saw for weeks and weeks oil coming into the Gulf of Mexico, destroying ecosystems, destroying economic industries. And yet, still to this day, there is no mechanism in place to dictate what should happen to those fines that BP and the other responsible

parties will have to pay under the Clean Water Act.

In this component, the RESTORE Act actually sets that policy out. And it was the result of a compilation of work by Republicans and Democrats from all five Gulf Coast States who came together and recognized that the most responsible thing to do would be to dedicate that money, 80 percent of those fines, to the Gulf Coast States so that we actually have revenue to go and restore the damage that's been done.

I think most people recognize the right thing to do is to dedicate that money, not to send it up to Washington to be spent on things unrelated, but to actually allow us to restore the damage that was done in the Gulf of Mexico from that tragedy, and that's what this bill does.

The mechanism is in place, and as we go to a conference committee, I feel very confident we can get to a point where we have the full RESTORE Act in the final product so that there is no question that there is a commitment from this Congress that the Gulf Coast States ought to have the ability to restore the damage that was done during that tragedy.

Of course, another component of this bill is the Keystone pipeline. And I think as we look at the dilemma so many families are facing with escalating gas prices, the fact that you've got gas prices in some places already over \$4 a gallon, experts predicting \$5 a gallon gasoline, and here we have a friend in Canada saying that they want to send a million barrels a day of oil to America, which is a million barrels a day we don't have to get from these Middle Eastern countries who don't like us, sending billions of dollars to people, in essence, funding the enemy in some of these terrorist battles across the Middle East.

We've got the ability to create 20,000 jobs and secure our energy security. I look forward to passage of this legislation.

Mr. RAHALL. Is the gentleman from Florida ready to close?

Mr. MICA. I'm ready to close.

Mr. RAHALL. I know how much time I have left, I think, but just tell me, Mr. Chairman.

The CHAIR. The gentleman has 5½ minutes.

Mr. RAHALL. Let me, again, repeat what I said a moment ago. I'm sure the chairman heard me. And I'm asking, once again, that we go to conference as quickly as possible. I gave the reasons in my concluding speech why that is necessary for the sake of jobs for Americans.

I would hope that, in one last-ditch effort, one last-ditch effort to plead for bipartisanship in this body, as the other body has already demonstrated and proved, that perhaps the chairman would join me, his ranking member, in

a letter to the Speaker urging that we go to conference as quickly as possible.

The legislative process has been explained to me, and when you cut through it all, we could go to conference as early as tonight on this legislation. So I would ask the chairman, once again, if he would join me in that last bipartisan plea I make for such a joint pleading with the Speaker to go to conference.

I yield the balance of my time to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman for yielding, and I would yield to the chairman of the committee in the hope that he would respond to that because I think it's a reasonable request.

Mr. MICA. And I would tell the gentleman—am I on the gentleman's time, Mr. Chairman?

The CHAIR. Yes, you're on the gentleman's time.

Mr. MICA. Okay. Then I would tell the gentleman that I plan to respond in not taking his time, but in taking my time to the request from the distinguished ranking member from West Virginia (Mr. RAHALL), and I will have an answer in response to his specific question dealing with whether or not I would sign the letter asking for an expeditious approval and consideration of appointment of conferees and going to conference in an expedited manner.

Mr. DEFAZIO. Reclaiming my time, I'm afraid I didn't quite catch that. If the gentleman is saying that he wants to originate the letters making those points, I will tell him right now I would sign it, and I believe the gentleman from West Virginia would sign it. If that's the problem that he was insinuating that we in the minority would initiate the letter, the point is we would love to have the chairman write the letter and be willing to sign it.

My understanding of the procedures that have been set forth already in the Senate is when we send this bill to the Senate, and it could be there within a couple of hours, that Leaders MCCONNELL and REID must sit down and agree that it meets their preconditions to go to conference. If it does, then the Senate goes automatically to conference. They don't have to go through all their usual procedures, and then they would send a request for conference back to us, which could be here tonight or early tomorrow morning, and we could appoint conferees tomorrow, and we could begin negotiating the bill.

I'm willing to clear my weekend schedule. I have things scheduled. I'm willing to clear my weekend schedule. I hope to be a conferee on our side of the aisle to go to conference because we really need to get the certainty the States need.

Every day States are announcing delays and cancellations of projects for this construction season which, for those of us who live in the northern

part of the country, not down in Florida, means they don't get done this year. If they can't commit to a project by the end of May, except for some very minor projects, it won't get done this year.

We need those jobs. We need those projects. Instead of adding jobs and projects today, because of the temporary nature of these two extensions, States are notifying DOT that they are going to delay or cancel projects. And again, in the case of North Carolina, \$1.2 billion worth of projects, 41,000 jobs lost. In my State, a couple of thousand jobs lost, and we have high unemployment. All across the country, it probably adds up to 100,000 jobs that will be foregone this construction season if we don't get a longer-term bill done by mid- to late May.

I think it's entirely possible and, as I said, on this side of the aisle we want to expedite going to conference. That's the reason we will support this bill, despite some of its faults, because the majority has shown a willingness to sit down seriously and get this done, but we can't delay. We have to move forward with all dispatch.

Let's start tomorrow. Let's work through the weekend. Let's work through the next break. We've already had 10 or 12 or 15 breaks this year. Let's work through the next break. I'll cancel my schedule for that break, too, and get this bill done for the American people for our transportation system by mid-May.

□ 1500

Mr. RAHALL. As we are all anxiously awaiting the chairman to respond with his time, I yield back the balance of my time so that we all can wait with bated breath to hear the distinguished chairman's response to our invitation.

Mr. MICA. Might I inquire as to what time is remaining?

The CHAIR. The gentleman has 5¾ minutes.

Mr. MICA. In answering with bated breath, I yield myself the balance of my time.

First of all, let me say on a serious basis that I've tried to have the best working relationship possible with Mr. RAHALL, the Democrat leader of the Transportation Committee. He and I were respectively chosen to lead the committee, and I've tried to do my best in the last year plus several months to work with him in meeting our responsibilities.

We have done some important things. We passed a 5-year stalled FAA bill, and we did it without tax increases, without earmarks, and with a good plan for the future that will put people to work in an area, the aviation industry, that accounts for 10 percent of our economic activity in the country.

Let me say in regard to the former chair of, I believe, the Highway Subcommittee, Mr. DEFAZIO, that he was

the ranking member on 9/11 when the good Lord put us both with the responsibility of trying to get the Nation's aviation system going after the horrendous attack by terrorists on our country and on the aviation system, and we did that together.

I came to this position after 18 years, after my predecessor, Mr. Oberstar, who I enjoyed so much working with, who was the distinguished leader from the other side. I learned quite a bit from Mr. Oberstar and others, from Mr. SHUSTER who came before me. There was a whole host of great leaders in the committee—Mr. Mineta, my first chair. I tried to learn from all of them and not make mistakes but to do the best thing for the committee, not for my self-interests or my party's interests, but in the interest of the American people, because that's what we're sent here for is to help the American people.

We had a crisis after 9/11. We came together. We have a crisis now. We have millions of Americans who don't have jobs, who don't have work. I supported the bill. I think Mr. Oberstar waited 32 years to become chairman. I was elected after 18 years by my colleagues. He had his bill pretty much together. I didn't have a bill.

I first went to Mr. RAHALL's district, who is the ranking member, and held the first hearing on this legislation in Beckley, West Virginia, which I'd never been to, and I wouldn't mind going back. Everybody there was nice to me and committed then. We went across the country and did a record number of hearings—as I said, bipartisan, bicameral with Mrs. BOXER, who I hope to complete this legislation with and with other leaders and workers, because here you can't do it yourself. You really can't. You might think you can, but you can't.

So I have taken everybody's good ideas, and please don't say I wasn't bipartisan. We took every amendment, 100 Democrat amendments. I don't know anyone who has done that. We sat there until 3 o'clock in the morning—it was an 18-hour markup—and we passed 20-some of their amendments. Shoot, this is difficult. I don't have earmarks like the previous chairman had. The last bill had 6,300 earmarks. Yes, you can get the bill done quickly, but even then it took them 2 years. I've been here for—what?—14 months leading the committee, and today, we will take this to conference.

To answer your question, not only will I sign the letter; I will draft the letter asking to be expeditious in going to conference and in the appointment of conferees. In addition, I'll ask our chair, Mr. DUNCAN, to sign that letter—I hope you will join me, and I thank you for offering that—so we can get the people's work done.

I look back and I see the missed opportunities, one when Mr. LaHood

came in to Mr. Oberstar and me and turned down a 6-year bill that we had planned. I didn't like everything Mr. Oberstar proposed. In fact, I probably would have had to have held my nose and voted for it; but I told him, in the interest of the country and the American people, we needed to move forward, and I was supportive of getting the bill to conference so we could work out the details. I wasn't afforded all that opportunity in this process, and I'm saddened a bit about that because I have tried to work in good faith.

Now the American people are calling on us to stop the bickering, to stop the baloney, to get back to work. The American people are hurting.

Then again, there is the pain at the pump. I've seen people, when I've been home, taking out a few dollars at a time in trying to pay that gas bill, and sometimes I've seen people go out and buy \$5 worth of gas. It breaks my heart that they can barely make it back and forth. I saw a waitress who was telling me how difficult it was for her to get to work because she couldn't afford it. But that's why they sent us here—to get this job done, and we need to get this job done.

So I think, on behalf of the American people, we need to continue the process. We've been down several roads, and some of those had some bumps and some of them had some dead ends, but let's hope that this has a path to lower energy costs and that this has a path to building this country's infrastructure, which is so important for what the business of this country is. The business of this country is business. It wasn't Big Government. So we can do it.

I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise to support H.R. 4348, the Surface Transportation Extension Act of 2012, Part II, but I do so with a great deal of reservation. The simple fact is that we must pass a transportation reauthorization for the benefit of the country, as the piecemeal extensions cannot provide cities and states adequate time to plan, and result in wasteful spending of our precious infrastructure dollars.

The current bill was crafted in backrooms of the GOP leadership, without the benefit of hearings or a markup. This bill does not include one Democratic amendment, and contains numerous poison pills such as the Keystone XL pipeline that will be non-starters with Senate conferees. Up until the present time, the House Transportation and Infrastructure committee has worked in a fashion that focused on shared goals and producing the type of legislation that creates jobs, improves safety, and keeps Americans safe on the roads they travel. As a senior member of the House Transportation and Infrastructure Committee, I can say that this reauthorization process in the House has been a stark departure from the traditional bipartisan process, and the quality of the bill has suffered as such.

Nevertheless, I support final passage of H.R. 4348 because it will enable the House to

conference with the Senate on the reauthorization, and with a reauthorization in place, we can begin to repair our crumbling infrastructure and get thousands of American back to work.

Ms. HIRONO. Mr. Chair, I rise today to express my opposition to the bill passed by this chamber last night, H.R. 4348, the Surface Transportation Extension Act of 2012, Part II.

Each day that Congress fails to act on a long-term reauthorization of our nation's surface transportation programs is another day that our roads and bridges deteriorate. It's another day that our states and counties will be unable to plan and budget for projects to improve our communities and facilitate commerce. And it's another day that workers in the hard hit construction industry will have to wait for a chance to get back on the job.

It would have been a tremendous victory for the American people if the House had come together as the Senate did last month. They passed a 2-year transportation bill on a strong, bipartisan vote of 74–22. It isn't a perfect bill, but it is a step forward for strengthening our economy and getting people back to work.

However, the Majority in the House has blocked every attempt to have a clean, up or down vote on the Senate's bipartisan bill. Instead, they have chosen to pursue controversial, ideologically driven proposals. In fact, the bill this chamber passed yesterday has already drawn a veto threat from the White House for its inclusion of provisions to unnecessarily expedite the Keystone pipeline project. It would also undermine environmental protection procedures that allow our constituents the opportunity to weigh in on projects that impact their communities and quality of life.

These are not small policy changes. The Keystone XL pipeline is a huge project that could have significant consequences for years to come. It deserves rigorous and objective analysis to determine whether it is in fact in the best interest of our nation's future to approve and construct such a project.

Changing our environmental protection procedures for infrastructure projects requires the same sort of thoughtful debate and careful analysis. Infrastructure projects are long-term—they fundamentally change communities. We need to make sure that the impacts of these projects, and the views of local residents and businesses, are taken into account before taxpayer funds are committed.

I do support the provisions of H.R. 4348 that will allow for full utilization of funds in the Harbor Maintenance Trust Fund and provide for additional resources to continue restoring the Gulf Coast. I believe that these are important issues for the House and Senate to consider during their Conference.

However, I am still disappointed that the House has failed to come together on legislation that has historically been truly bipartisan. I hope that Conferees will get to work expeditiously and come up with a product that can receive bipartisan support in both the Senate and the House.

We owe it to our states, communities, and the families that depend on paychecks in the construction industry to move this forward quickly.

Mr. KUCINICH. Mr. Chair, the transportation infrastructure needs of our nation are urgent

and unprecedentedly large. Addressing those needs must be at the center of our economic recovery. This transportation bill does not address those needs. Instead, it forces approval of the Keystone XL Pipeline, which will undermine the recovery by driving up gas prices across the U.S., with the largest increases in Midwestern states like Ohio.

This is not just my conclusion. That is what TransCanada, the company that wants to build the Keystone XL Pipeline, told the Canadian government in its permit application. Canadian oil companies will be able to use the Keystone XL pipeline to increase America's fuel bill by up to 4 billion dollars per year, by reducing the supply of Canadian crude to Midwest refineries and by re-routing that crude around its current delivery point in Cushing, Oklahoma and on to Gulf Coast refineries.

Through manipulation of U.S. oil markets, the Keystone XL Pipeline will increase U.S. gas prices by 10 to 20 cents per gallon across the U.S., according to energy economist Philip Verleger. The greatest price increase will occur in 15 Midwest states (Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, and Wisconsin). Adding insult to financial injury, oil from the pipeline will be sold overseas instead of being used to reduce our dependence on foreign oil.

The bill's \$4 billion gift to the oil industry, which already gets tens of billions of dollars every year in subsidies, comes only one day after the President announced efforts to try to rein in gas prices and the excesses of the oil industry.

We should be considering either an unencumbered motion to go to conference or the Senate's transportation package, which passed with an overwhelmingly bipartisan vote of 74–22.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and shall be considered as read.

The text of the bill is as follows:

H.R. 4348

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—SURFACE TRANSPORTATION EXTENSION

Sec. 101. Short title.

Subtitle A—Federal-Aid Highways

Sec. 111. Extension of Federal-aid highway programs.

Subtitle B—Extension of Highway Safety Programs

Sec. 121. Extension of National Highway Traffic Safety Administration highway safety programs.

Sec. 122. Extension of Federal Motor Carrier Safety Administration programs.

Sec. 123. Additional programs.

Subtitle C—Public Transportation Programs

Sec. 131. Allocation of funds for planning programs.

Sec. 132. Special rule for urbanized area formula grants.

Sec. 133. Allocating amounts for capital investment grants.

Sec. 134. Apportionment of formula grants for other than urbanized areas.

Sec. 135. Apportionment based on fixed guideway factors.

Sec. 136. Authorizations for public transportation.

Sec. 137. Amendments to SAFETEA-LU.

Subtitle D—Highway Trust Fund Extension

Sec. 141. Extension of highway-related taxes.

Sec. 142. Extension of trust fund expenditure authority.

TITLE II—KEYSTONE XL PIPELINE

Sec. 201. Short title.

Sec. 202. Restriction.

Sec. 203. Permit.

Sec. 204. Relation to other law.

TITLE III—RESTORE ACT

Sec. 301. Short title.

Sec. 302. Gulf Coast Restoration Trust Fund.

TITLE I—SURFACE TRANSPORTATION EXTENSION

SEC. 101. SHORT TITLE.

This title may be cited as the "Surface Transportation Extension Act of 2012, Part II".

Subtitle A—Federal-Aid Highways

SEC. 111. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 111 of the Surface Transportation Extension Act of 2011, Part II (Public Law 112–30; 125 Stat. 343) is amended—

(1) by striking "the period beginning on October 1, 2011, and ending on June 30, 2012," each place it appears and inserting "fiscal year 2012";

(2) by striking "¾ of" each place it appears; and

(3) in subsection (a) by striking "June 30, 2012" and inserting "September 30, 2012".

(b) USE OF FUNDS.—Section 111(c) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 343) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A) by striking " , except that during such period" and all that follows before the period at the end; and

(B) in subparagraph (B)(ii) by striking "\$479,250,000" and inserting "\$639,000,000"; and

(2) by striking paragraph (4).

(c) EXTENSION OF AUTHORIZATIONS UNDER TITLE V OF SAFETEA-LU.—Section 111(e)(2) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 343) is amended by striking "the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "fiscal year 2012.".

(d) ADMINISTRATIVE EXPENSES.—Section 112(a) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 346) is amended by striking "\$294,641,438 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "\$392,855,250 for fiscal year 2012.".

Subtitle B—Extension of Highway Safety Programs

SEC. 121. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2001(a)(1) of SAFETEA-LU (119 Stat. 1519) is amended by striking "\$235,000,000 for each of fiscal years 2009 through 2011" and all that follows through the period at the end and inserting "and

\$235,000,000 for each of fiscal years 2009 through 2012.".

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2001(a)(2) of SAFETEA-LU (119 Stat. 1519) is amended by striking "and \$81,183,000 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "and \$105,500,000 for fiscal year 2012.".

(c) OCCUPANT PROTECTION INCENTIVE GRANTS.—Section 2001(a)(3) of SAFETEA-LU (119 Stat. 1519) is amended by striking "\$25,000,000 for each of fiscal years 2006 through 2011" and all that follows through the period at the end and inserting "and \$25,000,000 for each of fiscal years 2006 through 2012.".

(d) SAFETY BELT PERFORMANCE GRANTS.—Section 2001(a)(4) of SAFETEA-LU (119 Stat. 1519) is amended by striking "and \$36,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "and \$48,500,000 for fiscal year 2012.".

(e) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—Section 2001(a)(5) of SAFETEA-LU (119 Stat. 1519) is amended by striking "for each of fiscal years 2006 through 2011" and all that follows through the period at the end and inserting "for each of fiscal years 2006 through 2012.".

(f) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANT PROGRAM.—Section 2001(a)(6) of SAFETEA-LU (119 Stat. 1519) is amended by striking "\$139,000,000 for each of fiscal years 2009 through 2011" and all that follows through the period at the end and inserting "and \$139,000,000 for each of fiscal years 2009 through 2012.".

(g) NATIONAL DRIVER REGISTER.—Section 2001(a)(7) of SAFETEA-LU (119 Stat. 1520) is amended by striking "and \$3,087,000 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "and \$4,000,000 for fiscal year 2012.".

(h) HIGH VISIBILITY ENFORCEMENT PROGRAM.—Section 2001(a)(8) of SAFETEA-LU (119 Stat. 1520) is amended by striking "for each of fiscal years 2006 through 2011" and all that follows through the period at the end and inserting "for each of fiscal years 2006 through 2012.".

(i) MOTORCYCLIST SAFETY.—Section 2001(a)(9) of SAFETEA-LU (119 Stat. 1520) is amended by striking "\$7,000,000 for each of fiscal years 2009 through 2011" and all that follows through the period at the end and inserting "and \$7,000,000 for each of fiscal years 2009 through 2012.".

(j) CHILD SAFETY AND CHILD BOOSTER SEAT SAFETY INCENTIVE GRANTS.—Section 2001(a)(10) of SAFETEA-LU (119 Stat. 1520) is amended by striking "\$7,000,000 for each of fiscal years 2009 through 2011" and all that follows through the period at the end and inserting "and \$7,000,000 for each of fiscal years 2009 through 2012.".

(k) ADMINISTRATIVE EXPENSES.—Section 2001(a)(11) of SAFETEA-LU (119 Stat. 1520) is amended by striking "\$25,328,000 for fiscal year 2011" and all that follows through the period at the end and inserting "and \$25,328,000 for each of fiscal years 2011 and 2012.".

SEC. 122. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(8) of title 49, United States Code, is amended to read as follows:

"(8) \$212,000,000 for fiscal year 2012.".

(b) ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Section 31104(i)(1)(H) of title 49, United States Code, is amended to read as follows:

“(H) \$244,144,000 for fiscal year 2012.”.

(2) TECHNICAL CORRECTION.—Section 31104(i)(1)(F) of title 49, United States Code, is amended to read as follows:

“(F) \$239,828,000 for fiscal year 2010;”.

(C) GRANT PROGRAMS.—Section 4101(c) of SAFETEA-LU (119 Stat. 1715) is amended—

(1) in paragraph (1) by striking “and \$22,500,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.” and inserting “and \$30,000,000 for fiscal year 2012.”;

(2) in paragraph (2) by striking “2011 and \$24,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.” and inserting “2012.”;

(3) in paragraph (3) by striking “2011 and \$3,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.” and inserting “2012.”;

(4) in paragraph (4) by striking “2011 and \$18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.” and inserting “2012.”; and

(5) in paragraph (5) by striking “2011 and \$2,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.” and inserting “2012.”.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking “2011 and \$11,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012”.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking “and up to \$21,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA-LU (119 Stat. 1741) is amended by striking “and 2011 (and \$750,000 to the Federal Motor Carrier Safety Administration, and \$2,250,000 to the National Highway Traffic Safety Administration, for the period beginning on October 1, 2011, and ending on June 30, 2012)” and inserting “2011, and 2012”.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA-LU (119 Stat. 1744) is amended by striking “2011 and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012”.

(h) MOTOR CARRIER SAFETY ADVISORY COMMITTEE.—Section 4144(d) of SAFETEA-LU (119 Stat. 1748) is amended by striking “June 30, 2012” and inserting “September 30, 2012”.

(i) WORKING GROUP FOR DEVELOPMENT OF PRACTICES AND PROCEDURES TO ENHANCE FEDERAL-STATE RELATIONS.—Section 4213(d) of SAFETEA-LU (49 U.S.C. 14710 note; 119 Stat. 1759) is amended by striking “June 30, 2012” and inserting “September 30, 2012”.

SEC. 123. ADDITIONAL PROGRAMS.

(a) HAZARDOUS MATERIALS RESEARCH PROJECTS.—Section 7131(c) of SAFETEA-LU (119 Stat. 1910) is amended by striking “and \$870,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$1,160,000 for fiscal year 2012”.

(b) DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a) by striking “2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012.”; and

(2) in the first sentence of subsection (b)(1)(A) by striking “2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012.”.

Subtitle C—Public Transportation Programs

SEC. 131. ALLOCATION OF FUNDS FOR PLANNING PROGRAMS.

Section 5305(g) of title 49, United States Code, is amended by striking “2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012” and inserting “2012”.

SEC. 132. SPECIAL RULE FOR URBANIZED AREA FORMULA GRANTS.

Section 5307(b)(2) of title 49, United States Code, is amended—

(1) by striking the paragraph heading and inserting “SPECIAL RULE FOR FISCAL YEARS 2005 THROUGH 2012.—”;

(2) in subparagraph (A) by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012.”; and

(3) in subparagraph (E)—

(A) by striking the subparagraph heading and inserting “MAXIMUM AMOUNTS IN FISCAL YEARS 2008 THROUGH 2012.—”;

(B) in the matter preceding clause (i) by striking “2011 and during the period beginning on October 1, 2011, and ending on June 30, 2012” and inserting “2012”.

SEC. 133. ALLOCATING AMOUNTS FOR CAPITAL INVESTMENT GRANTS.

Section 5309(m) of title 49, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking the paragraph heading and inserting “FISCAL YEARS 2006 THROUGH 2012.—”;

(B) in the matter preceding subparagraph (A) by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012.”; and

(C) in subparagraph (A)(i) by striking “2011 and \$150,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012.”;

(2) in paragraph (6)—

(A) in subparagraph (B) by striking “2011 and \$11,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012.”; and

(B) in subparagraph (C) by striking “though 2011 and \$3,750,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “through 2012.”; and

(3) in paragraph (7)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i)—

(I) in the first sentence by striking “2011 and \$7,500,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012.”; and

(II) in the second sentence by inserting “each fiscal year” before the colon;

(ii) in clause (i) by striking “for each fiscal year and \$1,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(iii) in clause (ii) by striking “for each fiscal year and \$1,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(iv) in clause (iii) by striking “for each fiscal year and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(v) in clause (iv) by striking “for each fiscal year and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(vi) in clause (v) by striking “for each fiscal year and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(vii) in clause (vi) by striking “for each fiscal year and \$750,000 for the period beginning

on October 1, 2011, and ending on June 30, 2012.”;

(viii) in clause (vii) by striking “for each fiscal year and \$487,500 for the period beginning on October 1, 2011, and ending on June 30, 2012.”; and

(ix) in clause (viii) by striking “for each fiscal year and \$262,500 for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(B) in subparagraph (B) by striking clause (vii) and inserting the following:

“(vii) \$13,500,000 for fiscal year 2012.”;

(C) in subparagraph (C) by striking “and during the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(D) in subparagraph (D) by striking “and not less than \$26,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012.”;

(E) in subparagraph (E) by striking “and \$2,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012.”.

SEC. 134. APPORTIONMENT OF FORMULA GRANTS FOR OTHER THAN URBANIZED AREAS.

Section 5311(c)(1)(G) of title 49, United States Code, is amended to read as follows:

“(G) \$15,000,000 for fiscal year 2012.”.

SEC. 135. APPORTIONMENT BASED ON FIXED GUIDEWAY FACTORS.

Section 5337 of title 49, United States Code, is amended by striking subsection (g).

SEC. 136. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA AND BUS GRANTS.—Section 5338(b) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking subparagraph (G) and inserting the following:

“(G) \$8,360,565,000 for fiscal year 2012.”; and

(2) in paragraph (2)—

(A) in subparagraph (A) by striking “\$113,500,000 for each of fiscal years 2009 through 2011, and \$85,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$113,500,000 for each of fiscal years 2009 through 2012.”;

(B) in subparagraph (B) by striking “\$4,160,365,000 for each of fiscal years 2009 through 2011, and \$3,120,273,750 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$4,160,365,000 for each of fiscal years 2009 through 2012.”;

(C) in subparagraph (C) by striking “\$51,500,000 for each of fiscal years 2009 through 2011, and \$38,625,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$51,500,000 for each of fiscal years 2009 through 2012.”;

(D) in subparagraph (D) by striking “\$1,666,500,000 for each of fiscal years 2009 through 2011, and \$1,249,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$1,666,500,000 for each of fiscal years 2009 through 2012.”;

(E) in subparagraph (E) by striking “\$984,000,000 for each of fiscal years 2009 through 2011, and \$738,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$984,000,000 for each of fiscal years 2009 through 2012.”;

(F) in subparagraph (F) by striking “\$133,500,000 for each of fiscal years 2009 through 2011, and \$100,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$133,500,000 for each of fiscal years 2009 through 2012.”;

(G) in subparagraph (G) by striking “\$465,000,000 for each of fiscal years 2009 through 2011, and \$348,750,000 for the period

beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$465,000,000 for each of fiscal years 2009 through 2012”;

(H) in subparagraph (H) by striking “\$164,500,000 for each of fiscal years 2009 through 2011, and \$123,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$164,500,000 for each of fiscal years 2009 through 2012”;

(I) in subparagraph (I) by striking “\$92,500,000 for each of fiscal years 2009 through 2011, and \$69,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$92,500,000 for each of fiscal years 2009 through 2012”;

(J) in subparagraph (J) by striking “\$26,900,000 for each of fiscal years 2009 through 2011, and \$20,175,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$26,900,000 for each of fiscal years 2009 through 2012”;

(K) in subparagraph (K) by striking “for each of fiscal years 2006 through 2011 and \$2,625,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “for each of fiscal years 2006 through 2012”;

(L) in subparagraph (L) by striking “for each of fiscal years 2006 through 2011 and \$18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “for each of fiscal years 2006 through 2012”;

(M) in subparagraph (M) by striking “\$465,000,000 for each of fiscal years 2009 through 2011, and \$348,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$465,000,000 for each of fiscal years 2009 through 2012”;

(N) in subparagraph (N) by striking “\$8,800,000 for each of fiscal years 2009 through 2011, and \$6,600,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and \$8,800,000 for each of fiscal years 2009 through 2012”.

(b) CAPITAL INVESTMENT GRANTS.—Section 5338(c)(7) of title 49, United States Code, is amended to read as follows:

“(7) \$1,955,000,000 for fiscal year 2012.”.

(c) RESEARCH AND UNIVERSITY RESEARCH CENTERS.—Section 5338(d) of title 49, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “through 2011, and \$33,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “through 2011, and \$44,000,000 for fiscal year 2012.”; and

(2) by striking paragraph (3) and inserting the following:

“(3) ADDITIONAL AUTHORIZATIONS.—

“(A) RESEARCH.—Of amounts authorized to be appropriated under paragraph (1) for fiscal year 2012, the Secretary shall allocate for each of the activities and projects described in subparagraphs (A) through (F) of paragraph (1) an amount equal to 63 percent of the amount allocated for fiscal year 2009 under each such subparagraph.

“(B) UNIVERSITY CENTERS PROGRAM.—

“(i) FISCAL YEAR 2012.—Of the amounts allocated under subparagraph (A)(i) for the university centers program under section 5506 for fiscal year 2012, the Secretary shall allocate for each program described in clauses (i) through (iii) and (v) through (viii) of paragraph (2)(A) an amount equal to 63 percent of the amount allocated for fiscal year 2009 under each such clause.

“(ii) FUNDING.—If the Secretary determines that a project or activity described in paragraph (2) received sufficient funds in fiscal year 2011, or a previous fiscal year, to

carry out the purpose for which the project or activity was authorized, the Secretary may not allocate any amounts under clause (i) for the project or activity for fiscal year 2012 or any subsequent fiscal year.”.

(d) ADMINISTRATION.—Section 5338(e)(7) of title 49, United States Code, is amended to read as follows:

“(7) \$98,713,000 for fiscal year 2012.”.

SEC. 137. AMENDMENTS TO SAFETEA-LU.

(a) CONTRACTED PARATRANSIT PILOT.—Section 3009(i)(1) of SAFETEA-LU (119 Stat. 1572) is amended by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012.”.

(b) PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.—Section 3011 of SAFETEA-LU (49 U.S.C. 5309 note; 119 Stat. 1588) is amended—

(1) in subsection (c)(5) by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012” and inserting “2012”; and

(2) in the second sentence of subsection (d) by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012”.

(c) ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES PILOT PROGRAM.—Section 3012(b)(8) of SAFETEA-LU (49 U.S.C. 5310 note; 119 Stat. 1593) is amended by striking “June 30, 2012” and inserting “September 30, 2012”.

(d) OBLIGATION CEILING.—Section 3040(8) of SAFETEA-LU (119 Stat. 1639) is amended to read as follows:

“(8) \$10,458,278,000 for fiscal year 2012, of which not more than \$8,360,565,000 shall be from the Mass Transit Account.”.

(e) PROJECT AUTHORIZATIONS FOR NEW FIXED GUIDEWAY CAPITAL PROJECTS.—Section 3043 of SAFETEA-LU (119 Stat. 1640) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012”; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2012”.

(f) ALLOCATIONS FOR NATIONAL RESEARCH AND TECHNOLOGY PROGRAMS.—Section 3046 of SAFETEA-LU (49 U.S.C. 5338 note; 119 Stat. 1706) is amended—

(1) in subsection (b) by striking “fiscal year or period” and inserting “fiscal year”; and

(2) by striking subsection (c)(2) and inserting the following:

“(2) for fiscal year 2012, in amounts equal to 63 percent of the amounts allocated for fiscal year 2009 under each of paragraphs (2), (3), (5), and (8) through (25) of subsection (a).”.

Subtitle D—Highway Trust Fund Extension
SEC. 141. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking “June 30, 2012” and inserting “September 30, 2012”:

(A) Section 4041(a)(1)(C)(iii)(I).

(B) Section 4041(m)(1)(B).

(C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking “July 1, 2012” and inserting “October 1, 2012”:

(A) Section 4041(m)(1)(A).

(B) Section 4051(c).

(C) Section 4071(d).

(D) Section 4081(d)(3).

(b) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of such Code is amended—

(1) by striking “July 1, 2012” each place it appears and inserting “October 1, 2012”;

(2) by striking “December 31, 2012” each place it appears and inserting “March 31, 2013”; and

(3) by striking “October 1, 2012” and inserting “January 1, 2013”.

(c) EXTENSION OF CERTAIN EXEMPTIONS.—Sections 4221(a) and 4483(i) of such Code are each amended by striking “July 1, 2012” and inserting “October 1, 2012”.

(d) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—

(1) IN GENERAL.—Section 9503 of such Code is amended—

(A) in subsection (b)—

(i) by striking “July 1, 2012” each place it appears in paragraphs (1) and (2) and inserting “October 1, 2012”;

(ii) by striking “JULY 1, 2012” in the heading of paragraph (2) and inserting “OCTOBER 1, 2012”;

(iii) by striking “June 30, 2012” in paragraph (2) and inserting “September 30, 2012”; and

(iv) by striking “April 1, 2013” in paragraph (2) and inserting “July 1, 2013”; and

(B) in subsection (c)(2), by striking “April 1, 2013” and inserting “July 1, 2013”.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking “July 1, 2012” and inserting “October 1, 2012”.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 201(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601 11(b)) is amended—

(i) by striking “July 1, 2013” each place it appears and inserting “October 1, 2013”; and

(ii) by striking “July 1, 2012” and inserting “October 1, 2012”.

(e) TECHNICAL CORRECTION.—Paragraph (4) of section 4482(c) of such Code is amended to read as follows:

“(4) TAXABLE PERIOD.—The term ‘taxable period’ means any year beginning before July 1, 2013, and the period which begins on July 1, 2013, and ends at the close of September 30, 2013.”.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on July 1, 2012.

(2) TECHNICAL CORRECTION.—The amendment made by subsection (e) shall take effect as if included in section 402 of the Surface Transportation Extension Act of 2012.

SEC. 142. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking “July 1, 2012” in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting “October 1, 2012”; and

(2) by striking “Surface Transportation Extension Act of 2012” in subsections (c)(1) and (e)(3) and inserting “Surface Transportation Extension Act of 2012, Part II”.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking “Surface Transportation Extension Act of 2012” each place it appears in subsection (b)(2) and inserting “Surface Transportation Extension Act of 2012, Part II”; and

(2) by striking “July 1, 2012” in subsection (d)(2) and inserting “October 1, 2012”.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section

9508(e) of such Code is amended by striking “July 1, 2012” and inserting “October 1, 2012”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on July 1, 2012.

TITLE II—KEYSTONE XL PIPELINE

SEC. 201. SHORT TITLE.

This title may be cited as the “North American Energy Access Act”.

SEC. 202. RESTRICTION.

(a) **IN GENERAL.**—No person may construct, operate, or maintain the oil pipeline and related facilities described in subsection (b) except in accordance with a permit issued under this title.

(b) **PIPELINE.**—The pipeline and related facilities referred to in subsection (a) are those described in the Final Environmental Impact Statement for the Keystone XL Pipeline Project issued by the Department of State on August 26, 2011, including any modified version of that pipeline and related facilities.

SEC. 203. PERMIT.

(a) ISSUANCE.—

(1) **BY FERC.**—The Federal Energy Regulatory Commission shall, not later than 30 days after receipt of an application therefor, issue a permit without additional conditions for the construction, operation, and maintenance of the oil pipeline and related facilities described in section 202(b), to be implemented in accordance with the terms of the Final Environmental Impact Statement described in section 202(b). The Commission shall not be required to prepare a Record of Decision under section 1505.2 of title 40 of the Code of Federal Regulations with respect to issuance of the permit provided for in this section.

(2) **ISSUANCE IN ABSENCE OF FERC ACTION.**—If the Federal Energy Regulatory Commission has not acted on an application for a permit described in paragraph (1) within 30 days after receiving such application, the permit shall be deemed to have been issued under this title upon the expiration of such 30-day period.

(b) MODIFICATION.—

(1) **IN GENERAL.**—The applicant for or holder of a permit described in subsection (a) may make a substantial modification to the pipeline route or any other term of the Final Environmental Impact Statement described in section 202(b) only with the approval of the Federal Energy Regulatory Commission. The Commission shall expedite consideration of any such modification proposal.

(2) **NEBRASKA MODIFICATION.**—Within 30 days after the date of enactment of this Act, the Federal Energy Regulatory Commission shall enter into a memorandum of understanding with the State of Nebraska for an effective and timely review under the National Environmental Policy Act of 1969 of any modification to the proposed pipeline route in Nebraska as proposed by the applicant for the permit described in subsection (a). Not later than 30 days after receiving approval of such proposed modification from the Governor of Nebraska, the Commission shall complete consideration of and approve such modification.

(3) **ISSUANCE IN ABSENCE OF FERC ACTION.**—If the Federal Energy Regulatory Commission has not acted on an application for approval of a modification described in paragraph (2) within 30 days after receiving such application, such modification shall be deemed to have been issued under this title upon expiration of the 30-day period.

(4) **CONSTRUCTION DURING CONSIDERATION OF NEBRASKA MODIFICATION.**—While any modi-

fication of the proposed pipeline route in Nebraska is under consideration pursuant to paragraph (2), the holder of the permit issued under subsection (a) may commence or continue with construction of any portion of the pipeline and related facilities described in section 202(b) that is not within the State of Nebraska.

(c) **NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.**—Except for actions taken under subsection (b)(1), the actions taken pursuant to this title shall be taken without further action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 204. RELATION TO OTHER LAW.

(a) **GENERAL RULE.**—Notwithstanding Executive Order 13337 (3 U.S.C. 301 note), Executive Order 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive Order or provision of law, no presidential permits shall be required for the construction, operation, and maintenance of the pipeline and related facilities described in section 202(b) of this Act.

(b) **APPLICABILITY.**—Nothing in this title shall affect the application to the pipeline and related facilities described in section 202(b) of—

(1) chapter 601 of title 49, United States Code; or

(2) the authority of the Federal Energy Regulatory Commission to regulate oil pipeline rates and services.

(c) **FINAL ENVIRONMENTAL IMPACT STATEMENT.**—The final environmental impact statement issued by the Secretary of State on August 26, 2011, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

TITLE III—RESTORE ACT

SEC. 301. SHORT TITLE.

This title may be cited as the “Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012”.

SEC. 302. GULF COAST RESTORATION TRUST FUND.

(a) **ESTABLISHMENT.**—There is established in the Treasury of the United States a trust fund to be known as the “Gulf Coast Restoration Trust Fund” (referred to in this section as the “Trust Fund”), consisting of such amounts as are deposited in the Trust Fund under this section or any other provision of law.

(b) **TRANSFERS.**—The Secretary of the Treasury shall deposit in the Trust Fund an amount equal to 80 percent of all administrative and civil penalties paid by responsible parties after the date of enactment of this title in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon pursuant to a court order, negotiated settlement, or other instrument in accordance with section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321).

(c) **EXPENDITURES.**—Amounts in the Trust Fund, including interest earned on advances to the Trust Fund and proceeds from investment under subsection (d), shall be available, pursuant to a future Act of Congress enacted after the date of enactment of this Act—

(1) for expenditure to restore the Gulf Coast region from the Deepwater Horizon oil spill for undertaking projects and programs in the Gulf Coast region that would restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, and economy of the Gulf Coast region; and

(2) solely to Gulf Coast States and coastal political subdivisions to restore the eco-

systems and economy of the Gulf Coast region.

(d) **INVESTMENT.**—Amounts in the Trust Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this section.

(e) DEFINITIONS.—In this section:

(1) **COASTAL POLITICAL SUBDIVISION.**—The term “coastal political subdivision” means any local political jurisdiction that is immediately below the State level of government, including a county, parish, or borough, with a coastline that is contiguous with any portion of the United States Gulf of Mexico.

(2) **DEEPWATER HORIZON OIL SPILL.**—The term “Deepwater Horizon oil spill” means the blowout and explosion of the mobile offshore drilling unit Deepwater Horizon that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment.

(3) **GULF COAST REGION.**—The term “Gulf Coast region” means—

(A) in the Gulf Coast States, the coastal zones (as that term is defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)) that border the Gulf of Mexico;

(B) any adjacent land, water, and watersheds, that are within 25 miles of those coastal zones of the Gulf Coast States; and

(C) all Federal waters in the Gulf of Mexico.

(4) **GULF COAST STATE.**—The term “Gulf Coast State” means any of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

The CHAIR. No amendment to the bill shall be in order except those printed in House Report 112-446. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BOUSTANY

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112-446.

Mr. BOUSTANY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE IV—HARBOR MAINTENANCE PROGRAMS

SEC. 401. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

(a) **HARBOR MAINTENANCE TRUST FUND GUARANTEE.**—

(1) **IN GENERAL.**—The total budget resources for a fiscal year shall be equal to the level of receipts for harbor maintenance for that fiscal year. Such amounts shall be used only for harbor maintenance programs.

(2) **GUARANTEE.**—No funds may be appropriated for harbor maintenance programs unless the amount under paragraph (1) has been provided for all such programs.

(b) **DEFINITIONS.**—In this section, the following definitions apply:

(1) HARBOR MAINTENANCE PROGRAMS.—The term “harbor maintenance programs” means expenditures under section 9505(c)(1) of the Internal Revenue Code of 1986 (relating to expenditures from the Harbor Maintenance Trust Fund).

(2) LEVEL OF RECEIPTS FOR HARBOR MAINTENANCE.—The term “level of receipts for harbor maintenance” means the level of taxes credited to the Harbor Maintenance Trust Fund under section 9505(a)(1) of the Internal Revenue Code of 1986 for a fiscal year as set forth in the President’s budget baseline projection as defined in section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) for that fiscal year submitted pursuant to section 1105 of title 31, United States Code, reduced by the amount requested in such President’s budget for payments described in section 9505(c)(3) of the Internal Revenue Code of 1986.

(3) TOTAL BUDGET RESOURCES.—The term “total budget resources” means the total amount made available by appropriations Acts from the Harbor Maintenance Trust Fund for a fiscal year for making expenditures under section 9505(c)(1) of the Internal Revenue Code of 1986.

The CHAIR. Pursuant to House Resolution 619, the gentleman from Louisiana (Mr. BOUSTANY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. BOUSTANY. Mr. Chairman, in 1986, Congress created the Harbor Maintenance Trust Fund and the harbor maintenance tax, a dedicated user fee, to provide a steady revenue source for the Army Corps of Engineers to carry out the dredging of our critical navigation channels to meet their authorized specifications with regard to depth and width.

In the year 2011, the harbor maintenance tax that was collected was \$1.4 billion, but only slightly over half of that was directed to the intended purpose: the operations and maintenance purposes. Yet less than 35 percent of our top Nation’s harbors and ports are dredged adequately. This is hurting American competitiveness. It’s hurting American exports. It’s hurting American commerce. Frankly, as the Ways and Means Oversight Subcommittee chairman, I find this an egregious abuse of this tax.

My amendment does this: it basically ties the harbor maintenance tax revenue receipts to expenditures. All funds collected shall be utilized for the purposes that they were intended, and that is for the maintenance of our Nation’s ports and harbors.

Mr. Chairman, in January 2012 alone, five ships ran aground in the lower Mississippi River, which is our Nation’s largest export artery. This funding is critical to prevent draft restrictions, which have negatively affected our commerce. It is critical for expanding exports, and it is critical in its support for the American exploration and production of American energy. Furthermore, the Congressional Budget Office does not issue a score on this. It doesn’t add one penny to the deficit.

□ 1510

This amendment is critical for American competitiveness. It gives the House a strength of hand going into conference with the Senate as I look forward to continuing to find alternative ways to enforce that these funds are dedicated swiftly and solely for the intended purpose, and that is for port and waterways maintenance.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, although not in opposition, I ask unanimous consent to claim the time.

The CHAIR. Without objection, the gentleman from West Virginia is recognized for 5 minutes.

There was no objection.

Mr. RAHALL. I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman.

I’ve long supported changing the law so that the funds collected for harbor maintenance are spent on harbor maintenance. They’re spent all across the country on a whole range of things, except harbor maintenance. I have jetties failing in Coos Bay, Oregon; a jetty failing at the mouth of the Columbia River. I have ports that are shoaling in Port Orford or Florence that the Corps says they can’t afford dredging. I don’t blame the Corps because they’ve been shorted in the budget process. They have a \$40 billion backlog of critical projects.

This will help them focus their energies on some other critical projects by giving them adequate funds to do the dredging, to rebuild the jetties, and to do the other work to maintain our locks and channels that they need to do.

This is long overdue, and I strongly support the amendment.

Mr. BOUSTANY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. GIBBS), the chairman of the Subcommittee on Water Resources and Environment.

Mr. GIBBS. I thank the gentleman for yielding me time to discuss this important amendment.

Congress has been neglecting our Nation’s dredging needs for far too long. Ninety-five percent of the Nation’s commerce goes through our Nation’s ports. Despite the fact that the harbor maintenance fund, as was said, raises about \$1.3 billion a year, Congress has only been appropriating about \$800 million of that annually. This isn’t right. I’m a firm believer that trust funds should be used for the intended purpose—to dredge the harbors.

In response, Congressman BOUSTANY introduced H.R. 104, the Realize America’s Maritime Promise, RAMP Act. This legislation, of which I was proud to be the 100th cosponsor, simply ties the Harbor Maintenance Trust Fund revenue to expenditures.

While this amendment is slightly modified from H.R. 104, it would re-

quire the total budget resources for expenditures for the trust fund for harbor maintenance programs to equal the level of receipts plus interest credited to the trust fund for that fiscal year.

At a time where the President proposes to double our exports and we look to grow our Nation’s economy, we cannot sit back and continue to watch our Nation’s waterborne infrastructure system deteriorate.

I urge support of this amendment.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. McDERMOTT).

Mr. McDERMOTT. Mr. Chairman, I rise in support of my friend Mr. BOUSTANY’s amendment. I think it’s a good step forward. Spending all the money that’s in the cash that we take in is in the best interest of maintaining our harbors. But I think we need to take another step. I hope I can get Mr. BOUSTANY and others to help.

We need a solution that helps all our ports, like those on the west coast, those in Pennsylvania, those in Massachusetts that pay the tax. We collect \$20 on every can that comes across the dock, and we don’t get any money because we don’t dredge. We’ve got a 70-foot draft, but we do have problems with our seawall. We have big infrastructure needs all across, and nearly half the money that’s raised never is spent in the port where it is raised.

Now, we compete with international ports. We compete with Vancouver, and the Canadians are putting in a port at Prince Rupert, and we need to maintain our ports to be competitive in this very, very competitive industry.

We have a good geographic location. We’re close to Asia, but they’re going other places because they’ve got better ports. That’s our issue, and we would like to have some money later on.

Thank you very much. I support the amendment.

Mr. BOUSTANY. Mr. Chairman, I yield 1 minute to my friend from Louisiana (Mr. SCALISE).

Mr. SCALISE. Mr. Chairman, I thank my friend from southwest Louisiana for bringing this amendment forward.

As a proud cosponsor of the RAMP Act, I support this legislation because what we’re trying to say here is that you’ve got people that have been paying into this fund. This Harbor Maintenance Trust Fund has been there for years, and people have been paying into it, and the intention all along was that money would be used to dredge our waterways and to upgrade our locks and to keep our infrastructure along our waterways up to date so that we can continue moving commerce, not only throughout this country, but to be able to export and to be able to get commerce through to other countries. The Panama Canal is getting ready to come on line in 2013, and even deeper draft vessels are going to be coming through. That means we’ve got to be

able to meet that demand, otherwise we're going to lose that business to foreign nations.

And yet here you have the Harbor Maintenance Trust Fund, and that money is not even being used for its intended purpose. We've got to ensure that the fund cannot be raided for other government spending. That's what this amendment does. It's something that will help us create jobs and increase the competitiveness of our workers, and it will keep that promise that has been made to those people who have been paying billions of dollars into this fund, and yet that fund hasn't been used properly.

I support the amendment and urge its passage.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I rise in support of the amendment as the lead cosponsor with Mr. BOUSTANY of the RAMP Act, H.R. 104, that had approximately over 150 cosponsors on both sides of the aisle, people from all corners of the country. This really should be a measure that we should move forward on and fully fund, as well as with the language that, again, Mr. BOUSTANY crafted to offer here today.

There, frankly, are other reasons why we called that bill the Restore America's Maritime Promise Act, which is that again we're a great maritime Nation. In fact, our national defense requires having a strong Navy that can navigate all along the coast. And where I'm from, up in the State of Connecticut, the Groton sub base needs to be dredged out year in and year out. But just like everybody else, it depends on the kindness of the Army Corps of Engineers. This is really a priority that obviously, as others have said, affects our economy, our exports, and also our national defense, and we should support this measure.

Again, I applaud the gentleman for bringing it forward.

Mr. BOUSTANY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee.

Mr. UPTON. Mr. Chairman, this is a highway and infrastructure bill, which means it is a jobs bill.

I commend Mr. BOUSTANY in a bipartisan effort to add this as an amendment to this bill.

I represent the Great Lakes. We have a number of commercial as well as recreational harbors, but throughout the season we're bringing sand, gravel, cement, salt for the winter into our commercial ports. And sadly we've had a number of ports close this year in west Michigan, where those lake carriers have not been able to get in because they need to be dredged.

This bill allows the Great Lake harbors to be dredged with its passage.

The difference is this: on a lake carrier, it's about 600 miles per gallon per ton of cargo that you can ship on a lake carrier rather than spending 4 cents or 5 cents on diesel fuel per mile per truck. The difference for just my district is you can bring this in from the UP and other places into the southern part of Lake Michigan rather than trucking it in for hundreds of miles to the closest border.

This is a good bill and a good amendment. I'm glad to support it.

The CHAIR. The time of the gentleman from Louisiana has expired. The gentleman from West Virginia has 2 minutes remaining.

Mr. RAHALL. I yield 1 minute to the distinguished gentleman from Louisiana (Mr. RICHMOND) and commend him for all his hard work on this legislation.

Mr. RICHMOND. I thank the gentleman, and I join my colleagues from Louisiana in supporting this critical amendment.

What I would add is that we've talked about doubling our exports over the next 4 or 5 years, and this is a critical piece to allow us to do it. What we realize here in America is that we only make up 5 percent of the consumers in the world, and we have to make sure that our manufacturers, that our farmers, and that our citizens can get their goods to the other 95 percent so that we can continue to build a robust economy. This allows us to reduce the cost of our goods around the world because we can now ship more goods to market. It's a step in the right direction.

If you look at the fact that only 2 out of our 10 largest seaports are dredged to their authorized depth, it continues to move us in the right direction so that we can now focus on adequately getting to the goal of a depth of 55 feet, which other progressive countries are getting to.

We have to stay competitive, we have to continue to invest in this country, and this gives us the best return on our investment. I commend him for bringing the amendment. I support it. I would urge my colleagues to vote for it.

□ 1520

Mr. RAHALL. Mr. Chairman, has their time expired?

The CHAIR. The time of the gentleman from Louisiana has expired.

Mr. BOUSTANY. Mr. Chairman, I ask unanimous consent to give the gentleman from Michigan (Mr. HUIZENGA) a minute to speak on this.

The CHAIR. The Chair understands the unanimous consent request to provide equal time on both sides.

Without objection, the gentleman from Louisiana and the gentleman from West Virginia each will control 1 additional minute.

There was no objection.

Mr. BOUSTANY. I would ask the gentleman if he would close for us.

The CHAIR. The gentleman from Michigan is recognized for 1 minute.

Mr. HUIZENGA of Michigan. Thank you, Mr. Chairman.

I've got a radical idea, a radical idea for the people of America. Let's use Harbor Maintenance Trust Funds for harbor maintenance. For 25 years, we've been robbing Peter to pay Paul, but in reality that \$7 billion that we have taken away from that has really been robbing places like Manistee, Michigan, where this weekend in my district a ship ran aground and had to get towed off and the damage that happened to it.

We have 11 harbors in the Second District, hundreds in the Great Lakes and countless in the Nation on both of the coasts and the Gulf of Mexico. Enough money has been collected every year to pay for all of this maintenance that has to happen, but unfortunately Congress has been skimming it to help pay for other programs.

I appreciate my friend from Louisiana (Mr. BOUSTANY), his leadership with the RAMP Act, and Chairman UPTON from Michigan in leading this in the Great Lakes. We know this is the right thing to do for America and for our transportation needs, our infrastructure needs. Our Great Lakes need it. The coasts need it, our harbors need it, our economy needs this to happen.

I strongly support this amendment today.

Mr. RAHALL. Mr. Chairman, I yield 1 minute of my final 2 minutes to the distinguished gentleman from Massachusetts, a member of the Ways and Means committee, Mr. RICHARD NEAL.

Mr. NEAL. Mr. Chairman, everybody has heard of Gloucester and Boston, and certainly connected it to the *Mayflower*. The most famous ports in America perhaps are located in Massachusetts, so I want to be supportive of Mr. BOUSTANY's amendment today.

Today, Massachusetts seaports continue to play an important role. The Port of Boston's overall activity supports 34,000 jobs. It contributes more than \$2 billion to the local, regional, and national economies. America's ports provide a vital gateway to international trade by facilitating the transport of cargo around the world; yet many ports around the country, including those in Massachusetts, are in need of maintenance.

In fact, the U.S. Army Corps of Engineers estimates that the dimensions at the Nation's busiest 59 ports are available less than 35 percent of the time. Even though users of our Nation's waterways are paying significant amounts of money into the trust fund to maintain our ports, these dollars are not being spent on the ports, and the trust fund has a surplus of \$6.4 billion.

Mr. BOUSTANY's amendment addresses this situation. It makes a good deal of sense. We have held a hearing at the Ways and Means Select Revenue Subcommittee, and there was bipartisan support for his legislation.

I urge support for the Boustany amendment.

Mr. RAHALL. Mr. Chairman, I yield myself the balance of my time.

As a Representative of the great seafaring State of West Virginia, I rise in support of the gentleman's legislation as well.

Really, ports are important to my State. We export a great deal of coal out of my district to the Port of Norfolk. The northern part of West Virginia's coal goes to the Port of Baltimore, so harbors and ports are very important to West Virginia and for the movement of our coal from the State to its world customers.

I want to commend the gentleman from Louisiana (Mr. BOUSTANY), as well, for the tremendous work he has done on this legislation. For far too long, we have been collecting far more resources in the Harbor Maintenance Trust Fund than we have transferred to the Corps of Engineers for their O&M activities, to the point where in the current fiscal year, the Harbor Maintenance Trust Fund is expected to have an unexpended balance of over \$8 billion by the end of the year.

I support the gentleman's efforts to use these funds for maintenance dredging rather than to cover the general expenditures of the U.S. Treasury. However, in my view, this amendment does not go far enough because it strips out any enforcement mechanism should this language be ignored.

In addition, the language also ignores concerns expressed by our committee colleague, the ranking member of the Subcommittee on Water Resources and Environment, Mr. BISHOP of New York, on ensuring an equitable distribution of trust fund dollars between our Nation's large, midsize, and small commercial harbors.

I do look forward to working on these critical issues as we continue our discussion on a long-term surface transportation bill in conference, which we call for today.

I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Chair, I support the Boustany amendment. I have been a long-time supporter of the RAMP Act. I represent the Port of Houston. We pay into the harbor maintenance trust fund, but we get far less out than we pay in. In fact, we get far less out than we need. We are facing a dredging crisis in upcoming years if we cannot get more harbor maintenance funding.

I am proud to represent the Port of Houston. The work that happens here and the commerce that is moved through here support the economy of the entire region. The Port is the largest foreign tonnage port and the largest petrochemical port in the country. In fact, it moves the second largest amount of cargo in the country. 8.5% of our nation's cargo moves through the Port of Houston. The commerce that occurs at our port is critical to our nation's energy and chemical sectors and to our country's ability to trade and move goods.

In 1998, the Federal Government invested \$700 million in deepening and widening the

Houston Ship Channel. An investment we have benefitted from tremendously. However, as the years have passed silt has settled and reduced the draft in the channel significantly. Today, only .4% of the channel is dredged to its proper depth across the entire width of the channel. That is astounding. Our nation's investment is rapidly deteriorating. It is time that our government renews its commitment to maintaining the Port.

This is as important as ever as we face new business opportunities that are created by the expansion of the Panama Canal.

The Texas Transportation Institute performed a study and determined that a direct economic impact of the loss of 1 foot of draft is \$373 million. The majority of this impact is lost business opportunities due to light loading of non-containerized vessels. If the dredging crisis at the port continues to worsen, this cost will quickly accelerate.

This amendment will help alleviate the crisis. The Port of Houston will get more desperately needed dredging funding. I strongly support this amendment and urge my colleagues to do the same.

Ms. KAPTUR. Mr. Chair, our Nation's ports are critical drivers for local economies and I am disturbed by the chronic underfunding of maintenance activities to allow for their maximum efficiency. The Harbor Maintenance Trust Fund was set up to address this growing concern and I continue to support the full expenditure of those funds for this purpose.

In my part of the country, thousand foot Lakers carry the iron ore, limestone, coal, and sand that support the manufacturing industries, which employ thousands of hard working Americans. Without efficient, reliable shipping through ports like Toledo, Cleveland, Sandusky, and Lorain, those plants could not afford to do business in the United States.

These ships are also carrying millions of tons of grain and other food commodities that make dinner affordable for our working families, and they are helping American farmers reach other countries, helping to balance our trade deficit. Thriving ports make this all possible.

And shipping itself directly supports nearly 50,000 jobs in the Great Lakes region alone. Nationally, that number is much higher.

Unfortunately, American shipping is at risk. Huge backlogs in dredging maintenance are causing ships to operate at reduced capacity or overlook some ports where navigation has become impossible.

Insufficient maintenance is undermining our national competitiveness. While the Harbor Maintenance Trust Fund collects critical revenue to keep our ports and waterways open, only half those funds are currently spent. Those critical dollars should be fully expended for their intended purpose, keeping our ports open for business.

I am a cosponsor of the RAMP Act and rise in support of the Boustany Amendment. I hope to continue working with Representative BOUSTANY and other colleagues as we move towards a final bill to ensure that this critical issue of Harbor Maintenance is included.

The CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. BOUSTANY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. RIBBLE

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-446.

Mr. RIBBLE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

**TITLE IV—ENVIRONMENTAL
STREAMLINING**

SEC. 401. AMENDMENTS TO TITLE 23, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 23, United States Code.

SEC. 402. DECLARATION OF POLICY.

(a) EXPEDITED PROJECT DELIVERY.—Section 101(b) is amended by adding at the end the following:

“(4) EXPEDITED PROJECT DELIVERY.—Congress declares that it is in the national interest to expedite the delivery of surface transportation projects by substantially reducing the average length of the environmental review process. Accordingly, it is the policy of the United States that—

“(A) the Secretary shall have the lead role among Federal agencies in carrying out the environmental review process for surface transportation projects;

“(B) each Federal agency shall cooperate with the Secretary to expedite the environmental review process for surface transportation projects;

“(C) there shall be a presumption that the mode, facility type, and corridor location for a surface transportation project will be determined in the transportation planning process, as established in sections 134 and 135 and sections 5303 and 5304 of title 49;

“(D) project sponsors shall not be prohibited from carrying out pre-construction project development activities concurrently with the environmental review process;

“(E) programmatic approaches shall be used, to the maximum extent possible, to reduce the need for project-by-project reviews and decisions by Federal agencies; and

“(F) the Secretary shall actively support increased opportunities for project sponsors to assume responsibilities of the Secretary in carrying out the environmental review process.”.

SEC. 403. EXEMPTION IN EMERGENCIES.

If any road, highway, or bridge is in operation or under construction when damaged by an emergency declared by the Governor of the State and concurred in by the Secretary, or declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121), and is reconstructed in the same location with the same capacity, dimensions, and design as before the emergency, then that reconstruction project shall be exempt from any further environmental reviews, approvals, licensing, and permit requirements under—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(3) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(4) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(5) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(6) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(7) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(8) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetlands); and

(9) any Federal law (including regulations) requiring no net loss of wetlands.

SEC. 404. ADVANCE ACQUISITION OF REAL PROPERTY INTERESTS.

(a) REAL PROPERTY INTERESTS.—Section 108 is amended—

(1) by striking “real property” each place it appears and inserting “real property interests”;

(2) by striking “right-of-way” each place it appears and inserting “real property interest”;

(3) by striking “rights-of-way” each place it appears and inserting “real property interests”;

(b) STATE-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.—Section 108(c) is amended—

(1) in the subsection heading by striking “EARLY ACQUISITION OF RIGHTS-OF-WAY” and inserting “STATE-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS”;

(2) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(3) in paragraph (2), as redesignated—

(A) in the heading by striking “GENERAL RULE” and inserting “ELIGIBILITY FOR REIMBURSEMENT”; and

(B) by striking “Subject to paragraph (2)” and inserting “Subject to paragraph (3)”;

(4) by inserting before paragraph (2), as redesignated, the following:

“(1) IN GENERAL.—A State may carry out, at the expense of the State, acquisitions of interests in real property for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project by the State or any Federal agency.”; and

(5) in paragraph (3), as redesignated—

(A) in the matter preceding subparagraph (A) by striking “in paragraph (1)” and inserting “in paragraph (2)”;

(B) in subparagraph (G) by striking “both the Secretary and the Administrator of the Environmental Protection Agency have concurred” and inserting “the Secretary has determined”.

(c) FEDERALLY FUNDED ACQUISITION OF REAL PROPERTY INTERESTS.—Section 108 is further amended by adding at the end the following:

“(d) FEDERALLY FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.—

“(1) IN GENERAL.—The Secretary may authorize the use of Federal funds for the acquisition of a real property interest by a State. For purposes of this subsection, an acquisition of a real property interest includes the acquisition of any interest in land, including the acquisition of a contractual right to acquire any interest in land, or any other similar action to acquire or preserve rights-of-way for a transportation facility.

“(2) STATE CERTIFICATION.—A State requesting Federal funding for an acquisition of a real property interest shall certify in writing that—

“(A) the State has authority to acquire the real property interest under State law;

“(B) the acquisition of the real property interest is for a transportation purpose; and

“(C) the State acknowledges that early acquisition will not be considered by the Secretary in the environmental assessment of a project, the decision relative to the need to construct a project, or the selection of a project design or location.

“(3) ENVIRONMENTAL COMPLIANCE.—Before authorizing Federal funding for an acquisition of a real property interest, the Secretary shall complete for the acquisition the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). For purposes of the review process, the acquisition of a real property interest shall be treated as having independent utility and does not limit consideration of alternatives for future transportation improvements with respect to the real property interest.

“(4) PROGRAMMING.—The acquisition of a real property interest for which Federal funding is requested shall be included as a project in an applicable transportation improvement program under sections 134 and 135 and sections 5303 and 5304 of title 49. The acquisition project may be included in the transportation improvement program on its own, without including the future construction project for which the real property interest is being acquired. The acquisition project may consist of the acquisition of a specific parcel, a portion of a transportation corridor, or an entire transportation corridor.

“(5) OTHER REQUIREMENTS.—The acquisition of a real property interest shall be carried out in compliance with all requirements applicable to the acquisition of real property interests for federally funded transportation projects.

“(e) CONSIDERATION OF LONG-RANGE TRANSPORTATION NEEDS.—The Secretary shall encourage States and other public authorities, if practicable, to acquire transportation real property interests that are sufficient to accommodate long-range transportation needs and, if possible, to do so through the acquisition of broad real property interests that have the capacity for expansion over a 50- to 100-year period and the potential to accommodate one or more transportation modes.”.

SEC. 405. STANDARDS.

Section 109 is amended by adding at the end the following:

“(r) UNDERTAKING DESIGN ACTIVITIES BEFORE COMPLETION OF ENVIRONMENTAL REVIEW PROCESS.—

“(1) IN GENERAL.—A State may carry out, at the expense of the State, design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals of the project.

“(2) ELIGIBILITY FOR REIMBURSEMENT.—Subject to paragraph (3), funds apportioned to a State under this title may be used to participate in the payment of costs incurred by the State for design activities, if the results of the activities are subsequently incorporated (in whole or in substantial part) into a project eligible for surface transportation program funds.

“(3) TERMS AND CONDITIONS.—The Federal share payable of the costs described in paragraph (2) shall be eligible for reimbursement out of funds apportioned to a State under this title when the design activities are incorporated (in whole or in substantial part) into a project eligible for surface transportation program funds, if the State demonstrates to the Secretary and the Secretary finds that—

“(A) before the time that the cost incurred by a State is approved for Federal participation, environmental compliance pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been completed for the project for which the design activities were conducted by the State; and

“(B) the design activities conducted pursuant to this subsection did not preclude the consideration of alternatives to the project.”.

SEC. 406. LETTING OF CONTRACTS.

(a) BIDDING REQUIREMENTS.—Section 112(b)(1) is amended to read as follows:

“(1) IN GENERAL.—

“(A) COMPETITIVE BIDDING REQUIREMENT.—Subject to paragraphs (2), (3), and (4), construction of each project, subject to the provisions of subsection (a), shall be performed by contract awarded by competitive bidding, unless the State transportation department demonstrates, to the satisfaction of the Secretary, that some other method is more cost effective or that an emergency exists.

“(B) BASIS OF AWARD.—

“(i) IN GENERAL.—Contracts for the construction of each project shall be awarded only on the basis of the lowest responsive bid submitted by a bidder meeting established criteria of responsibility.

“(ii) PROHIBITION.—No requirement or obligation shall be imposed as a condition precedent to the award of a contract to such bidder for a project, or to the Secretary’s concurrence in the award of a contract to such bidder, unless such requirement or obligation is otherwise lawful and is specifically set forth in the advertised specifications.”.

(b) DESIGN-BUILD CONTRACTING.—Section 112(b)(3) is amended—

(1) in subparagraph (A) by striking “subparagraph (C)” and inserting “subparagraph (B)”;

(2) by striking subparagraph (B);

(3) by redesignating subparagraphs (C) through (E) as subparagraphs (B) through (D), respectively; and

(4) in subparagraph (C), as redesignated—

(A) in the matter preceding clause (i) by striking “of the SAFETEA-LU” and inserting “of the Surface Transportation Extension Act of 2012, Part II”;

(B) in clause (ii) by striking “and” at the end;

(C) in clause (iii)—

(i) by striking “final design or”; and

(ii) by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(iv) permit the State transportation department, the local transportation agency, and the design-build contractor to proceed, at the expense of one or more of those entities, with design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project. Design activities carried out under this clause shall be eligible for Federal reimbursement as a project expense in accordance with the requirements under section 109(r).”.

(c) EFFICIENCIES IN CONTRACTING.—Section 112(b) is amended by adding at the end the following:

“(4) METHOD OF CONTRACTING.—

“(A) IN GENERAL.—

“(i) TWO-PHASE CONTRACT.—A contracting agency may award a two-phase contract for preconstruction and construction services.

“(ii) PRE-CONSTRUCTION SERVICES PHASE.—In the pre-construction services phase, the

contractor shall provide the contracting agency with advice for scheduling, work sequencing, cost engineering, constructability, cost estimating, and risk identification.

“(iii) AGREEMENT.—Prior to the start of the construction services phase, the contracting agency and the contractor may agree to a price and other factors specified in regulation for the construction of the project or a portion of the project.

“(iv) CONSTRUCTION PHASE.—If an agreement is reached under clause (iii), the contractor shall be responsible for the construction of the project or portion of the project at the negotiated price and other factors specified in regulation.

“(B) SELECTION.—A contract shall be awarded to a contractor using a competitive selection process based on qualifications, experience, best value, or any other combination of factors considered appropriate by the contracting agency.

“(C) TIMING.—

“(i) RELATIONSHIP TO NEPA PROCESS.—Prior to the completion of the process required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), a contracting agency may—

“(I) issue requests for proposals;

“(II) proceed with the award of a contract for preconstruction services under subparagraph (A); and

“(III) issue notices to proceed with a preliminary design and any work related to preliminary design.

“(ii) PRECONSTRUCTION SERVICES PHASE.—If the preconstruction services phase of a contract under subparagraph (A)(ii) focuses primarily on one alternative, the Secretary shall require that the contract include appropriate provisions to achieve the objectives of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) and comply with other applicable Federal laws and regulations.

“(iii) CONSTRUCTION SERVICES PHASE.—A contracting agency may not proceed with the award of the construction services phase of a contract under subparagraph (A)(iv) and may not proceed, or permit any consultant or contractor to proceed, with construction until completion of the process required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

“(iv) APPROVAL REQUIREMENT.—Prior to authorizing construction activities, the Secretary shall approve the contracting agency’s price estimate for the entire project, as well as any price agreement with the general contractor for the project or a portion of the project.

“(v) DESIGN ACTIVITIES.—A contracting agency may proceed, at its expense, with design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project. Design activities carried out under this clause shall be eligible for Federal reimbursement as a project expense in accordance with the requirements under section 109(r).”

SEC. 407. ELIMINATION OF DUPLICATION IN HISTORIC PRESERVATION REQUIREMENTS.

(a) PRESERVATION OF PARKLANDS.—Section 138 is amended by adding at the end the following:

“(c) ELIMINATION OF DUPLICATION FOR HISTORIC SITES AND PROPERTIES.—The requirements of this section shall be considered to be satisfied for an historic site or property where its treatment has been agreed upon in

a memorandum of agreement by invited and mandatory signatories, including the Advisory Council on Historic Preservation, if participating, in accordance with section 106 of the National Historic Preservation Act (16 U.S.C. 470f).”

(b) POLICY ON LANDS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES.—Section 303 of title 49, United States Code, is amended by adding at the end the following:

“(e) ELIMINATION OF DUPLICATION FOR HISTORIC SITES AND PROPERTIES.—The requirements of this section shall be considered to be satisfied for an historic site or property where its treatment has been agreed upon in a memorandum of agreement by invited and mandatory signatories, including the Advisory Council on Historic Preservation, if participating, in accordance with section 106 of the National Historic Preservation Act (16 U.S.C. 470f).”

SEC. 408. FUNDING THRESHOLD.

Section 139(b) is amended by adding at the end the following:

“(3) FUNDING THRESHOLD.—The Secretary’s approval of a project receiving funds under this title or under chapter 53 of title 49 shall not be considered a Federal action for the purposes of the National Environmental Policy Act of 1969 if such funds—

“(A) constitute 15 percent or less of the total estimated project costs; or

“(B) are less than \$10,000,000.”

SEC. 409. EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT DECISIONMAKING.

(a) FLEXIBILITY.—Section 139(b) is further amended—

(1) in paragraph (2) by inserting “, and any requirements established in this section may be satisfied,” after “exercised”; and

(2) by adding after paragraph (3), as added by this Act, the following:

“(4) PROGRAMMATIC COMPLIANCE.—At the request of a State, the Secretary may modify the procedures developed under this section to encourage programmatic approaches and strategies with respect to environmental programs and permits (in lieu of project-by-project reviews).”

(b) FEDERAL LEAD AGENCY.—Section 139(c) is amended—

(1) in paragraph (1) by adding at the end the following: “If the project requires approval from more than one modal administration within the Department, the Secretary shall designate a single modal administration to serve as the Federal lead agency for the Department in the environmental review process for the project.”;

(2) in paragraph (3) by inserting “or other approvals by the Secretary” after “chapter 53 of title 49”; and

(3) by striking paragraph (5) and inserting the following:

“(5) ADOPTION AND USE OF DOCUMENTS.—Any environmental document prepared in accordance with this subsection shall be adopted and used by any Federal agency in making any approval of a project subject to this section as the document required to be completed under the National Environmental Policy Act of 1969.”

(c) PARTICIPATING AGENCIES.—

(1) EFFECT OF DESIGNATION.—Section 139(d)(4) is amended to read as follows:

“(4) EFFECT OF DESIGNATION.—

“(A) REQUIREMENT.—A participating agency shall comply with the requirements of this section and any schedule established under this section.

“(B) IMPLICATION.—Designation as a participating agency under this subsection shall not imply that the participating agency—

“(i) supports a proposed project; or

“(ii) has any jurisdiction over, or special expertise with respect to evaluation of, the project.”

(2) CONCURRENT REVIEWS.—Section 139(d)(7) is amended to read as follows:

“(7) CONCURRENT REVIEWS.—Each participating agency and cooperating agency shall—

“(A) carry out obligations of that agency under other applicable law concurrently, and in conjunction, with the review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.”

(d) PROJECT INITIATION.—Section 139(e) is amended by adding at the end the following: “The project sponsor may satisfy this requirement by submitting to the Secretary a draft notice for publication in the Federal Register announcing the preparation of an environmental impact statement for the project.”

(e) ALTERNATIVES ANALYSIS.—Section 139(f) is amended—

(1) in paragraph (4)—

(A) by amending subparagraph (B) to read as follows

“(B) RANGE OF ALTERNATIVES.—

“(i) IN GENERAL.—Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project.

“(ii) LIMITATION.—The range of alternatives shall be limited to alternatives that are consistent with the transportation mode and general design of the project described in the long-range transportation plan or transportation improvement program prepared pursuant to section 134 or 135 or section 5303 or 5304 of title 49.

“(iii) RESTRICTION.—A Federal agency may not require the evaluation of any alternative that was evaluated, but not adopted—

“(I) in any prior State or Federal environmental document with regard to the applicable long-range transportation plan or transportation improvement program; or

“(II) after the preparation of a programmatic or tiered environmental document that evaluated alternatives to the project.

“(iv) LEGAL SUFFICIENCY.—The evaluation of the range of alternatives shall be deemed legally sufficient if the environmental document complies with the requirements of this paragraph.”

(B) in subparagraph (C)—

(i) by striking “(C) METHODOLOGIES.—The lead agency” and inserting the following:

“(C) METHODOLOGIES.—

“(i) IN GENERAL.—The lead agency”;

(ii) by striking “in collaboration with participating agencies at appropriate times during the study process” and inserting “after consultation with participating agencies as part of the scoping process”; and

(iii) by adding at the end the following:

“(ii) COMMENTS.—Each participating agency shall limit comments on such methodologies to those issues that are within the authority and expertise of such participating agency.

“(iii) STUDIES.—The lead agency may not conduct studies proposed by any participating agency that are not within the authority or expertise of such participating agency.”; and

(C) by adding at the end the following:

“(E) LIMITATIONS ON THE EVALUATION OF IMPACTS EVALUATED IN PRIOR ENVIRONMENTAL DOCUMENTS.—

“(i) IN GENERAL.—The lead agency may not reevaluate, and a Federal agency may not require the reevaluation of, cumulative impacts or growth-inducing impacts where such impacts were previously evaluated in—

“(I) a long-range transportation plan or transportation improvement program developed pursuant to section 134 or 135 or section 5303 or 5304 of title 49;

“(II) a prior environmental document approved by the Secretary; or

“(III) a prior State environmental document approved pursuant to a State law that is substantially equivalent to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

“(ii) LEGAL SUFFICIENCY.—The evaluation of cumulative impacts and growth inducing impacts shall be deemed legally sufficient if the environmental document complies with the requirements of this paragraph.”; and

(2) by adding at the end the following:

“(5) EFFECTIVE DECISIONMAKING.—

“(A) CONCURRENCE.—At the discretion of the lead agency, a participating agency shall be presumed to concur in the determinations made by the lead agency under this subsection unless the participating agency submits an objection to the lead agency in writing within 30 days after receiving notice of the lead agency’s determination and specifies the statutory basis for the objection.

“(B) ADOPTION OF DETERMINATION.—If the participating agency concurs or does not object within the 30-day period, the participating agency shall adopt the lead agency’s determination for purposes of any reviews, approvals, or other actions taken by the participating agency as part of the environmental review process for the project.”.

(f) COORDINATION PLAN.—Section 139(g) is amended—

(1) in paragraph (1)(A) by striking “project or category of projects” and inserting “project, category of projects, or program of projects”;

(2) by amending paragraph (3) to read as follows:

“(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—

“(A) PRIOR APPROVAL DEADLINE.—If a participating agency is required to make a determination regarding or otherwise approve or disapprove the project prior to the record of decision or finding of no significant impact of the lead agency, such participating agency shall make such determination or approval not later than 30 days after the lead agency publishes notice of the availability of a final environmental impact statement or other final environmental document, or not later than such other date that is otherwise required by law, whichever occurs first.

“(B) OTHER DEADLINES.—With regard to any determination or approval of a participating agency that is not subject to subparagraph (A), each participating agency shall make any required determination regarding or otherwise approve or disapprove the project not later than 90 days after the date that the lead agency approves the record of decision or finding of no significant impact for the project, or not later than such other date that is otherwise required by law, whichever occurs first.

“(C) DEEMED APPROVED.—In the event that any participating agency fails to make a determination or approve or disapprove the project within the applicable deadline described in subparagraphs (A) and (B), the

project shall be deemed approved by such participating agency, and such approval shall be deemed to comply with the applicable requirements of Federal law.

“(D) WRITTEN FINDING.—The Secretary may issue a written finding verifying the approval made in accordance with this paragraph.”; and

(3) by striking paragraph (4).

(g) ISSUE IDENTIFICATION AND RESOLUTION.—Section 139(h)(4) is amended by adding at the end the following:

“(C) RESOLUTION FINAL.—

“(i) IN GENERAL.—The lead agency and participating agencies may not reconsider the resolution of any issue agreed to by the relevant agencies in a meeting under subparagraph (A).

“(ii) COMPLIANCE WITH APPLICABLE LAW.—Any such resolution shall be deemed to comply with applicable law notwithstanding that the agencies agreed to such resolution prior to the approval of the environmental document.”.

(h) STREAMLINED DOCUMENTATION AND DECISIONMAKING.—Section 139 is amended—

(1) by redesignating subsections (i) through (l) as subsections (k) through (n), respectively; and

(2) by inserting after subsection (h) the following:

“(i) STREAMLINED DOCUMENTATION AND DECISIONMAKING.—

“(1) IN GENERAL.—The lead agency in the environmental review process for a project, in order to reduce paperwork and expedite decisionmaking, shall prepare a condensed final environmental impact statement.

“(2) CONDENSED FORMAT.—A condensed final environmental impact statement for a project in the environmental review process shall consist only of—

“(A) an incorporation by reference of the draft environmental impact statement;

“(B) any updates to specific pages or sections of the draft environmental impact statement as appropriate; and

“(C) responses to comments on the draft environmental impact statement and copies of the comments.

“(3) TIMING OF DECISION.—Notwithstanding any other provision of law, in conducting the environmental review process for a project, the lead agency shall combine a final environmental impact statement and a record of decision for the project into a single document if—

“(A) the alternative approved in the record of decision is either a preferred alternative that was identified in the draft environmental impact statement or is a modification of such preferred alternative that was developed in response to comments on the draft environmental impact statement;

“(B) the Secretary has received a certification from a State under section 128, if such a certification is required for the project; and

“(C) the Secretary determines that the lead agency, participating agency, or the project sponsor has committed to implement the measures applicable to the approved alternative that are identified in the final environmental impact statement.

“(j) SUPPLEMENTAL ENVIRONMENTAL REVIEW AND RE-EVALUATION.—

“(1) SUPPLEMENTAL ENVIRONMENTAL REVIEW.—After the approval of a record of decision or finding of no significant impact with regard to a project, an agency may not require the preparation of a subsequent environmental document for such project unless the lead agency determines that—

“(A) changes to the project will result in new significant impacts that were not evaluated in the environmental document; or

“(B) new information has become available or changes in circumstances have occurred after the lead agency approval of the project that will result in new significant impacts that were not evaluated in the environmental document.

“(2) RE-EVALUATIONS.—The Secretary may only require the re-evaluation of a document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if—

“(A) the Secretary determines that the events in paragraph (1)(A) or (1)(B) apply; and

“(B) more than 5 years has elapsed since the Secretary’s prior approval of the project or authorization of project funding.

“(3) CHANGE TO RECORD OF DECISION.—After the approval of a record of decision, the Secretary may not require the record of decision to be changed solely because of a change in the fiscal circumstances surrounding the project.”.

(i) REGULATIONS.—Section 139(m) (as redesignated by subsection (h)(1) of this section) is further amended to read as follows:

“(m) REGULATIONS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Surface Transportation Extension Act of 2012, Part II, the Secretary, by regulation, shall—

“(A) implement this section; and

“(B) establish methodologies and procedures for evaluating the environmental impacts, including cumulative impacts and growth-inducing impacts, of transportation projects subject to this section.

“(2) COMPLIANCE WITH APPLICABLE LAW.—Any environmental document that utilizes the methodologies and procedures established under this subsection shall be deemed to comply with the applicable requirements of—

“(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or its implementing regulations; or

“(B) any other Federal environmental statute applicable to transportation projects.”.

SEC. 410. DISPOSAL OF HISTORIC PROPERTIES.

(a) DISPOSAL OF HISTORIC PROPERTIES.—Section 156 is amended—

(1) by striking the section heading and inserting “**Sale or lease of real property**”; and

(2) by adding at the end the following:

“(d) ASSESSMENT OF ADVERSE EFFECTS.—Notwithstanding part 800 of title 36, Code of Federal Regulations, the sale or lease by a State of any historic property that is not listed in the National Register of Historic Places shall not be considered an adverse effect to the property within any consultation process carried out under section 106 of the National Historic Preservation Act (16 U.S.C. 470f).”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 is amended by striking the item relating to section 156 and inserting the following:

“156. Sale or lease of real property.”.

SEC. 411. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following:

“§ 167. Integration of planning and environmental review

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) ENVIRONMENTAL REVIEW PROCESS.—

“(A) IN GENERAL.—The term ‘environmental review process’ means the process for preparing for a project an environmental impact statement, environmental assessment,

categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(B) INCLUSIONS.—The term ‘environmental review process’ includes the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) PLANNING PRODUCT.—The term ‘planning product’ means any decision, analysis, study, or other documented result of an evaluation or decisionmaking process carried out during transportation planning.

“(3) PROJECT.—The term ‘project’ means any highway project or program of projects, public transportation capital project or program of projects, or multimodal project or program of projects that requires the approval of the Secretary.

“(4) PROJECT SPONSOR.—The term ‘project sponsor’ means the agency or other entity, including any private or public-private entity, that seeks approval of the Secretary for a project.

“(b) PURPOSE AND FINDINGS.—

“(1) PURPOSE.—The purpose of this section is to establish the authority and provide procedures for achieving integrated planning and environmental review processes to—

“(A) enable statewide and metropolitan planning processes to more effectively serve as the foundation for project decisions;

“(B) foster better decisionmaking;

“(C) reduce duplication in work;

“(D) avoid delays in transportation improvements; and

“(E) better transportation and environmental results for communities and the United States.

“(2) FINDINGS.—Congress finds the following:

“(A) This section is consistent with and is adopted in furtherance of sections 101 and 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 and 4332) and section 109 of this title.

“(B) This section should be broadly construed and may be applied to any project, class of projects, or program of projects carried out under this title or chapter 53 of title 49.

“(c) ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law and subject to the conditions set forth in subsection (e), the Federal lead agency for a project, at the request of the project sponsors, may adopt and use a planning product in proceedings relating to any class of action in the environmental review process of the project.

“(2) PARTIAL ADOPTION OF PLANNING PRODUCTS.—The Federal lead agency may adopt a planning product under paragraph (1) in its entirety or may select portions for adoption.

“(3) TIMING.—A determination under paragraph (1) with respect to the adoption of a planning product shall be made at the time the lead agencies decide the appropriate scope of environmental review for the project.

“(d) APPLICABILITY.—

“(1) PLANNING DECISIONS.—Planning decisions that may be adopted pursuant to this section include—

“(A) a purpose and need or goals and objectives statement for the project, including with respect to whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

“(B) a decision with respect to travel corridor location, including project termini;

“(C) a decision with respect to modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

“(D) a decision with respect to the elimination of unreasonable alternatives and the selection of the range of reasonable alternatives for detailed study during the environmental review process;

“(E) a basic description of the environmental setting;

“(F) a decision with respect to methodologies for analysis; and

“(G) identifications of programmatic level mitigation for potential impacts that the Federal lead agency, in consultation with Federal, State, local, and tribal resource agencies, determines are most effectively addressed at a regional or national program level, including—

“(i) system-level measures to avoid, minimize, or mitigate impacts of proposed transportation investments on environmental resources, including regional ecosystem and water resources; and

“(ii) potential mitigation activities, locations, and investments.

“(2) PLANNING ANALYSES.—Planning analyses that may be adopted pursuant to this section include studies with respect to—

“(A) travel demands;

“(B) regional development and growth;

“(C) local land use, growth management, and development;

“(D) population and employment;

“(E) natural and built environmental conditions;

“(F) environmental resources and environmentally sensitive areas;

“(G) potential environmental effects, including the identification of resources of concern and potential cumulative effects on those resources, identified as a result of a statewide or regional cumulative effects assessment; and

“(H) mitigation needs for a proposed action, or for programmatic level mitigation, for potential effects that the Federal lead agency determines are most effectively addressed at a regional or national program level.

“(e) CONDITIONS.—Adoption and use of a planning product under this section is subject to a determination by the Federal lead agency, in consultation with joint lead agencies and project sponsors as appropriate, that the following conditions have been met:

“(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

“(2) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects.

“(3) During the planning process, notice was provided through publication or other means to Federal, State, and local government agencies and tribal governments that might have an interest in the proposed project, and to members of the general public, of the planning products that the planning process might produce and that might be relied on during the environmental review process, and such entities have been provided an appropriate opportunity to participate in the planning process leading to such planning product.

“(4) Prior to determining the scope of environmental review for the project, the joint lead agencies have made documentation relating to the planning product available to Federal, State, and local governmental agencies and tribal governments that may have

an interest in the proposed action, and to members of the general public.

“(5) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

“(6) The planning product is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

“(7) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

“(8) The planning product is appropriate for adoption and use in the environmental review process for the project.

“(f) EFFECT OF ADOPTION.—Notwithstanding any other provision of law, any planning product adopted by the Federal lead agency in accordance with this section shall not be reconsidered or made the subject of additional interagency consultation during the environmental review process of the project unless the Federal lead agency, in consultation with joint lead agencies and project sponsors as appropriate, determines that there is significant new information or new circumstances that affect the continued validity or appropriateness of the adopted planning product. Any planning product adopted by the Federal lead agency in accordance with this section may be relied upon and used by other Federal agencies in carrying out reviews of the project.

“(g) RULE OF CONSTRUCTION.—This section may not be construed to make the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) process applicable to the transportation planning process conducted under chapter 52 of title 49. Initiation of the National Environmental Policy Act of 1969 process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the National Environmental Policy Act of 1969 process. This section may not be construed to affect the use of planning products in the National Environmental Policy Act of 1969 process pursuant to other authorities under law or to restrict the initiation of the National Environmental Policy Act of 1969 process during planning.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at end the following:

“167. Integration of planning and environmental review.”

SEC. 412. DEVELOPMENT OF PROGRAMMATIC MITIGATION PLANS.

(a) IN GENERAL.—Chapter 1 (as amended by this title) is further amended by adding at the end the following:

“§ 168. Development of programmatic mitigation plans

“(a) IN GENERAL.—As part of the statewide or metropolitan transportation planning process, a State or metropolitan planning organization may develop one or more programmatic mitigation plans to address the potential environmental impacts of future transportation projects.

“(b) SCOPE.—

“(1) SCALE.—A programmatic mitigation plan may be developed on a regional, ecosystem, watershed, or statewide scale.

“(2) RESOURCES.—The plan may encompass multiple environmental resources within a defined geographic area or may focus on a specific resource, such as aquatic resources, parklands, or wildlife habitat.

“(3) PROJECT IMPACTS.—The plan may address impacts from all projects in a defined

geographic area or may focus on a specific type of project, such as bridge replacements.

“(4) CONSULTATION.—The scope of the plan shall be determined by the State or metropolitan planning organization, as appropriate, in consultation with the agency or agencies with jurisdiction over the resources being addressed in the mitigation plan.

“(c) CONTENTS.—A programmatic mitigation plan may include—

“(1) an assessment of the condition of environmental resources in the geographic area covered by the plan, including an assessment of recent trends and any potential threats to those resources;

“(2) an assessment of potential opportunities to improve the overall quality of environmental resources in the geographic area covered by the plan, through strategic mitigation for impacts of transportation projects;

“(3) standard measures for mitigating certain types of impacts;

“(4) parameters for determining appropriate mitigation for certain types of impacts, such as mitigation ratios or criteria for determining appropriate mitigation sites;

“(5) adaptive management procedures, such as protocols that involve monitoring predicted impacts over time and adjusting mitigation measures in response to information gathered through the monitoring; and

“(6) acknowledgment of specific statutory or regulatory requirements that must be satisfied when determining appropriate mitigation for certain types of resources.

“(d) PROCESS.—Before adopting a programmatic mitigation plan, a State or metropolitan planning organization shall—

“(1) consult with the agency or agencies with jurisdiction over the environmental resources considered in the programmatic mitigation plan;

“(2) make a draft of the plan available for review and comment by applicable environmental resource agencies and the public;

“(3) consider any comments received from such agencies and the public on the draft plan; and

“(4) address such comments in the final plan.

“(e) INTEGRATION WITH OTHER PLANS.—A programmatic mitigation plan may be integrated with other plans, including watershed plans, ecosystem plans, species recovery plans, growth management plans, and land use plans.

“(f) CONSIDERATION IN PROJECT DEVELOPMENT AND PERMITTING.—If a programmatic mitigation plan has been developed pursuant to this section, any Federal agency responsible for environmental reviews, permits, or approvals for a transportation project shall give substantial weight to the recommendations in a programmatic mitigation plan when carrying out their responsibilities under applicable laws.

“(g) PRESERVATION OF EXISTING AUTHORITIES.—Nothing in this section limits the use of programmatic approaches to reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by this title) is further amended by adding at the end the following:

“168. Development of programmatic mitigation plans.”

SEC. 413. STATE ASSUMPTION OF RESPONSIBILITY FOR CATEGORICAL EXCLUSIONS.

Section 326(a) is amended—

(1) in paragraph (2) by striking “and only for types of activities specifically designated

by the Secretary” and inserting “and for any type of activity for which a categorical exclusion classification is appropriate”; and

(2) by adding at the end the following:

“(4) PRESERVATION OF FLEXIBILITY.—The Secretary shall not require a State, as a condition of assuming responsibility under this section, to forego project delivery methods that are otherwise permissible for highway projects.”

SEC. 414. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

(a) PROGRAM NAME.—Section 327 is amended—

(1) in the section heading by striking “pilot”; and

(2) in subsection (a)(1) by striking “pilot”.

(b) ASSUMPTION OF RESPONSIBILITY.—Section 327(a)(2) is amended—

(1) in subparagraph (A) by striking “highway”;

(2) in subparagraph (B) by striking clause (ii) and inserting the following:

“(ii) the Secretary may not assign any responsibility imposed on the Secretary by section 134 or 135 or section 5303 or 5304 of title 49.”; and

(3) by adding at the end the following:

“(F) PRESERVATION OF FLEXIBILITY.—The Secretary may not require a State, as a condition of participation in the program, to forego project delivery methods that are otherwise permissible for projects.”

(c) STATE PARTICIPATION.—Section 327(b) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) PARTICIPATING STATES.—All States are eligible to participate in the program.”; and

(2) in paragraph (2) by striking “this section, the Secretary shall promulgate” and inserting “amendments to this section by the Surface Transportation Extension Act of 2012, Part II, the Secretary shall amend, as appropriate.”

(d) WRITTEN AGREEMENT.—Section 327(c) is amended—

(1) in paragraph (3)(D) by striking the period at the end and inserting a semicolon; and

(2) by adding at the end the following:

“(4) have a term of not more than 5 years; and
“(5) be renewable.”

(e) CONFORMING AMENDMENT.—Section 327(e) is amended by striking “subsection (i)” and inserting “subsection (j)”.

(f) AUDITS.—Section 327(g)(1)(B) is amended by striking “subsequent year” and inserting “of the third and fourth years”.

(g) MONITORING.—Section 327 is further amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following:

“(h) MONITORING.—After the fourth year of the participation of a State in the program, the Secretary shall monitor compliance by the State with the written agreement, including the provision by the State of financial resources to carry out the written agreement.”

(h) TERMINATION.—Section 327(j) (as redesignated by subsection (g)(1) of this section) is amended to read as follows:

“(j) TERMINATION.—The Secretary may terminate the participation of any State in the program if—

“(1) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

“(2) the Secretary provides to the State—

“(A) notification of the determination of noncompliance; and

“(B) a period of at least 30 days during which to take such corrective action as the Secretary determines is necessary to comply with the applicable agreement; and

“(3) the State, after the notification and period provided under paragraph (2), fails to take satisfactory corrective action, as determined by the Secretary.”

(i) DEFINITIONS.—Section 327 is amended by adding at the end the following:

“(k) DEFINITIONS.—In this section, the following definitions apply:

“(1) MULTIMODAL PROJECT.—The term ‘multimodal project’ means a project funded, in whole or in part, under this title or chapter 53 of title 49 and involving the participation of more than one Department of Transportation administration or agency.

“(2) PROJECT.—The term ‘project’ means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.”

(j) CLERICAL AMENDMENT.—The analysis for chapter 3 is amended by striking the item relating to section 327 and inserting the following:

“327. Surface transportation project delivery program.”

SEC. 415. PROGRAM FOR ELIMINATING DUPLICATION OF ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Chapter 3 is amended by adding at the end the following:

“§ 330. Program for eliminating duplication of environmental reviews

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary shall establish a program to eliminate duplicative environmental reviews and approvals under State and Federal law of projects. Under this program, a State may use State laws and procedures to conduct reviews and make approvals in lieu of Federal environmental laws and regulations, consistent with the provisions of this section.

“(2) PARTICIPATING STATES.—All States are eligible to participate in the program.

“(3) SCOPE OF ALTERNATIVE REVIEW AND APPROVAL PROCEDURES.—For purposes of this section, alternative environmental review and approval procedures may include one or more of the following:

“(A) Substitution of one or more State environmental laws for one or more Federal environmental laws, if the Secretary determines in accordance with this section that the State environmental laws provide environmental protection and opportunities for public involvement that are substantially equivalent to the applicable Federal environmental laws.

“(B) Substitution of one or more State regulations for Federal regulations implementing one or more Federal environmental laws, if the Secretary determines in accordance with this section that the State regulations provide environmental protection and opportunities for public involvement that are substantially equivalent to the Federal regulations.

“(b) APPLICATION.—To participate in the program, a State shall submit to the Secretary an application containing such information as the Secretary may require, including—

“(1) a full and complete description of the proposed alternative environmental review and approval procedures of the State;

“(2) for each State law or regulation included in the proposed alternative environmental review and approval procedures of the State, an explanation of the basis for concluding that the law or regulation meets the requirements under subsection (a)(3); and

“(3) evidence of having sought, received, and addressed comments on the proposed application from the public and appropriate Federal environmental resource agencies.

“(c) REVIEW OF APPLICATION.—The Secretary shall—

“(1) review an application submitted under subsection (b);

“(2) approve or disapprove the application in accordance with subsection (d) not later than 90 days after the date of the receipt of the application; and

“(3) transmit to the State notice of the approval or disapproval, together with a statement of the reasons for the approval or disapproval.

“(d) APPROVAL OF STATE PROGRAMS.—

“(1) IN GENERAL.—The Secretary shall approve each such application if the Secretary finds that the proposed alternative environmental review and approval procedures of the State are substantially equivalent to the applicable Federal environmental laws and Federal regulations.

“(2) EXCLUSION.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not apply to any decision by the Secretary to approve or disapprove any application submitted pursuant to this section.

“(e) COMPLIANCE WITH PERMITS.—Compliance with a permit or other approval of a project issued pursuant to a program approved by the Secretary under this section shall be deemed compliance with the Federal laws and regulations identified in the program approved by the Secretary pursuant to this section.

“(f) REVIEW AND TERMINATION.—

“(1) REVIEW.—All State alternative environmental review and approval procedures approved under this section shall be reviewed by the Secretary not less than once every 5 years.

“(2) PUBLIC NOTICE AND COMMENT.—In conducting the review process under paragraph (1), the Secretary shall provide notice and an opportunity for public comment.

“(3) EXTENSIONS AND TERMINATIONS.—At the conclusion of the review process, the Secretary may extend the State alternative environmental review and approval procedures for an additional 5-year period or terminate the State program.

“(g) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section and annually thereafter, the Secretary shall submit to Congress a report that describes the administration of the program.

“(h) DEFINITIONS.—For purposes of this section:

“(1) ENVIRONMENTAL LAW.—The term ‘environmental law’ includes any law that provides procedural or substantive protection, as applicable, for the natural or built environment with regard to the construction and operation of projects.

“(2) FEDERAL ENVIRONMENTAL LAWS.—The term ‘Federal environmental laws’ means laws governing the review of environmental impacts of, and issuance of permits and other approvals for, the construction and operation of projects, including section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), section 106 of the National Historic Preservation Act (16 U.S.C. 470f), and sections 7(a)(2), 9(a)(1)(B), and 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2), 1538(a)(1)(B), 1539(a)(1)(B)).

“(3) MULTIMODAL PROJECT.—The term ‘multimodal project’ means a project funded,

in whole or in part, under this title or chapter 53 of title 49 and involving the participation of more than one Department of Transportation administration or agency.

“(4) PROJECT.—The term ‘project’ means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by title I of this Act) is further amended by adding at the end the following:

“330. Program for eliminating duplication of environmental reviews.”

SEC. 416. STATE PERFORMANCE OF LEGAL SUFFICIENCY REVIEWS.

(a) IN GENERAL.—Chapter 3 (as amended by this title) is further amended by adding at the end the following:

“§ 331. State performance of legal sufficiency reviews

“(a) IN GENERAL.—At the request of any State transportation department, the Federal Highway Administration shall enter into an agreement with the State transportation department to authorize the State to carry out the legal sufficiency reviews for environmental impact statements and environmental assessments under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in accordance with this section.

“(b) TERMS OF AGREEMENT.—An agreement authorizing a State to carry out legal sufficiency reviews for Federal-aid highway projects shall contain the following provisions:

“(1) A finding by the Federal Highway Administration that the State has the capacity to carry out legal sufficiency reviews that are equivalent in quality and consistency to the reviews that would otherwise be conducted by attorneys employed by such Administration.

“(2) An oversight process, including periodic reviews conducted by attorneys employed by such Administration, to evaluate the quality of the legal sufficiency reviews carried out by the State transportation department under the agreement.

“(3) A requirement for the State transportation department to submit a written finding of legal sufficiency to the Federal Highway Administration concurrently with the request by the State for Federal approval of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) document.

“(4) An opportunity for the Federal Highway Administration to conduct an additional legal sufficiency review for any project, for not more than 30 days, if considered necessary by the Federal Highway Administration.

“(5) Procedures allowing either party to the agreement to terminate the agreement for any reason with 30 days notice to the other party.

“(c) EFFECT OF AGREEMENT.—A legal sufficiency review carried out by a State transportation department under this section shall be deemed by the Federal Highway Administration to satisfy the requirement for a legal sufficiency review in sections 771.125(b) and 774.7(d) of title 23, Code of Federal Regulations, or other applicable regulations issued by the Federal Highway Administration.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by this title) is further amended by adding at the end the following:

“331. State performance of legal sufficiency reviews.”

SEC. 417. CATEGORICAL EXCLUSIONS.

(a) IN GENERAL.—The Secretary shall treat an activity carried out under title 23, United

States Code, or project within a right-of-way as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 771.117(c) of title 23, Code of Federal Regulations.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) MULTIMODAL PROJECT.—The term ‘multimodal project’ means a project funded, in whole or in part, under title 23, United States Code, or chapter 53 of title 49 of such Code and involving the participation of more than one Department of Transportation administration or agency.

(2) PROJECT.—The term ‘project’ means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.

SEC. 418. ENVIRONMENTAL REVIEW PROCESS DEADLINE.

(a) IN GENERAL.—

(1) DEADLINE.—Notwithstanding any other provision of law, the environmental review process for a project shall be completed not later than 270 days after the date on which the notice of project initiation under section 139(e) of title 23, United States Code, is published in the Federal Register.

(2) CONSEQUENCES OF MISSED DEADLINE.—If the environmental review process for a project is not completed in accordance with paragraph (1)—

(A) the project shall be considered to have no significant impact to the human environment for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) that classification shall be considered to be a final agency action.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) ENVIRONMENTAL REVIEW PROCESS.—

(A) IN GENERAL.—The term ‘environmental review process’ means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) INCLUSIONS.—The term ‘environmental review process’ includes the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) LEAD AGENCY.—The term ‘lead agency’ means the Department of Transportation and, if applicable, any State or local governmental entity serving as a joint lead agency pursuant to this section.

(3) MULTIMODAL PROJECT.—The term ‘multimodal project’ means a project funded, in whole or in part, under title 23, United States Code, or chapter 53 of title 49 of such Code and involving the participation of more than one Department of Transportation administration or agency.

(4) PROJECT.—The term ‘project’ means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.

SEC. 419. RELOCATION ASSISTANCE.

(a) ALTERNATIVE RELOCATION PAYMENT PROCESS.—

(1) ESTABLISHMENT.—For the purpose of identifying improvements in the timeliness of providing relocation assistance to persons displaced as a result of Federal or federally-assisted programs and projects, the Secretary shall establish an alternative relocation payment process under which payments to displaced persons eligible for relocation

assistance pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.), are calculated based on reasonable estimates and paid in advance of the physical displacement of the displaced person.

(2) PAYMENTS.—

(A) TIMING OF PAYMENTS.—Relocation assistance payments may be provided to the displaced person at the same time as payments of just compensation for real property acquired for a program or project of the State.

(B) COMBINED PAYMENT.—Payments for relocation and just compensation may be combined into a single unallocated amount.

(3) CONDITIONS FOR STATE USE OF ALTERNATIVE PROCESS.—

(A) IN GENERAL.—After public notice and an opportunity to comment, the Secretary shall adopt criteria for States to use the alternative relocation payment process established by the Secretary.

(B) MEMORANDUM OF AGREEMENT.—In order to use the alternative relocation payment process, a State shall enter into a memorandum of agreement with the Secretary that includes provisions relating to—

(i) the selection of projects or programs within the State to which the alternative relocation payment process will be applied;

(ii) program and project-level monitoring;

(iii) performance measurement;

(iv) reporting requirements; and

(v) the circumstances under which the Secretary may terminate or suspend the authority of the State to use the alternative relocation payment process.

(C) REQUIRED INFORMATION.—A State may use the alternative relocation payment process only after the displaced persons affected by a program or project—

(i) are informed in writing—

(I) that the relocation payments the displaced persons receive under the alternative relocation payment process may be higher or lower than the amount that the displaced persons would have received under the standard relocation assistance process; and

(II) of their right not to participate in the alternative relocation payment process; and

(ii) agree in writing to the alternative relocation payment process.

(D) ELECTION NOT TO PARTICIPATE.—The displacing agency shall provide any displaced person who elects not to participate in the alternative relocation payment process with relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(4) PROTECTIONS AGAINST INCONSISTENT TREATMENT.—If other Federal agencies plan displacements in or adjacent to an area of a project using the alternative relocation payment process within the same time period as a project acquisition and relocation action of the project, the Secretary shall adopt measures to protect against inconsistent treatment of displaced persons. Such measures may include a determination that the alternative relocation payment process authority may not be used on a specific project.

(5) REPORT.—

(A) IN GENERAL.—The Secretary shall submit to Congress an annual report on the implementation of the alternative relocation payment process.

(B) CONTENTS.—The report shall include an evaluation of the merits of the alternative relocation payment process, including the effects of the alternative relocation payment process on—

(i) displaced persons and the protections afforded to such persons by the Uniform Re-

location Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.);

(ii) the efficiency of the delivery of Federal-aid highway projects and overall effects on the Federal-aid highway program; and

(iii) the achievement of the purposes of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(6) LIMITATION.—The alternative relocation payment process under this section may be used only on projects funded under title 23, United States Code, in cases in which the funds are administered by the Federal Highway Administration.

(7) NEPA APPLICABILITY.—Notwithstanding any other provision of law, the use of the alternative relocation payment process established under this section on a project funded under title 23, United States Code, and administered by the Federal Highway Administration is not a major Federal action requiring analysis or approval under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) UNIFORM RELOCATION ASSISTANCE ACT AMENDMENTS.—

(1) MOVING AND RELATED EXPENSES.—Section 202 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4622) is amended—

(A) in subsection (a)(4) by striking “\$10,000” and inserting “\$25,000, as adjusted by regulation, in accordance with section 213(d)”;

(B) in the second sentence of subsection (c) by striking “\$20,000” and inserting “\$40,000, as adjusted by regulation, in accordance with section 213(d)”.

(2) REPLACEMENT HOUSING FOR HOMEOWNERS.—The first sentence of section 203(a)(1) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4623(a)(1)) is amended by—

(A) striking “\$22,500” and inserting “\$31,000, as adjusted by regulation, in accordance with section 213(d)”;

(B) striking “one hundred and eighty days prior to” and inserting “90 days before”.

(3) REPLACEMENT HOUSING FOR TENANTS AND CERTAIN OTHERS.—Section 204 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4624) is amended—

(A) in the second sentence of subsection (a) by striking “\$5,250” and inserting “\$7,200, as adjusted by regulation, in accordance with section 213(d)”;

(B) in the second sentence of subsection (b) by striking “, except” and all that follows through the end of the subsection and inserting a period.

(4) DUTIES OF LEAD AGENCY.—Section 213 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4633) is amended—

(A) in subsection (b)—

(i) in paragraph (2) by striking “and”;

(ii) in paragraph (3) by striking the period and inserting “; and”;

(iii) by adding at the end the following:

“(4) that each Federal agency that has programs or projects requiring the acquisition of real property or causing a displacement from real property subject to the provisions of this Act shall provide to the lead agency an annual summary report that describes the activities conducted by the Federal agency.”;

(B) by adding at the end the following:

“(d) ADJUSTMENT OF PAYMENTS.—The head of the lead agency may adjust, by regulation,

the amounts of relocation payments provided under sections 202(a)(4), 202(c), 203(a), and 204(a) if the head of the lead agency determines that cost of living, inflation, or other factors indicate that the payments should be adjusted to meet the policy objectives of this Act.”.

(5) AGENCY COORDINATION.—Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) is amended by inserting after section 213 (42 U.S.C. 4633) the following:

“SEC. 214. AGENCY COORDINATION.

“(a) AGENCY CAPACITY.—Each Federal agency responsible for funding or carrying out relocation and acquisition activities shall have adequately trained personnel and such other resources as are necessary to manage and oversee the relocation and acquisition program of the Federal agency in accordance with this Act.

“(b) INTERAGENCY AGREEMENTS.—Not later than 1 year after the date of the enactment of this section, each Federal agency responsible for funding relocation and acquisition activities (other than the agency serving as the lead agency) shall enter into a memorandum of understanding with the lead agency that—

“(1) provides for periodic training of the personnel of the Federal agency, which in the case of a Federal agency that provides Federal financial assistance, may include personnel of any displacing agency that receives Federal financial assistance;

“(2) addresses ways in which the lead agency may provide assistance and coordination to the Federal agency relating to compliance with this Act on a program or project basis; and

“(3) addresses the funding of the training, assistance, and coordination activities provided by the lead agency, in accordance with subsection (c).

“(c) INTERAGENCY PAYMENTS.—

“(1) IN GENERAL.—For the fiscal year that begins 1 year after the date of the enactment of this section, and each fiscal year thereafter, each Federal agency responsible for funding relocation and acquisition activities (other than the agency serving as the lead agency) shall transfer to the lead agency for the fiscal year, such funds as are necessary, but not less than \$35,000, to support the training, assistance, and coordination activities of the lead agency described in subsection (b).

“(2) INCLUDED COSTS.—The cost to a Federal agency of providing the funds described in paragraph (1) shall be included as part of the cost of 1 or more programs or projects undertaken by the Federal agency or with Federal financial assistance that result in the displacement of persons or the acquisition of real property.”.

(c) COOPERATION WITH FEDERAL AGENCIES.—Section 308(a) is amended to read as follows:

“(a) AUTHORIZED ACTIVITIES.—

“(1) IN GENERAL.—The Secretary may perform, by contract or otherwise, authorized engineering or other services in connection with the survey, construction, maintenance, or improvement of highways for other Federal agencies, cooperating foreign countries, and State cooperating agencies.

“(2) INCLUSIONS.—Services authorized under paragraph (1) may include activities authorized under section 214 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

“(3) REIMBURSEMENT.—Reimbursement for services carried out under this subsection,

including depreciation on engineering and road-building equipment, shall be credited to the applicable appropriation.”.

The CHAIR. Pursuant to House Resolution 619, the gentleman from Wisconsin (Mr. RIBBLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RIBBLE. Mr. Chairman, the folders that I am holding here represent our dysfunctional Federal bureaucracy. They provide a stark example of the burdensome red tape that a Wisconsin business must go through just to get approval of a single project.

Mr. Chairman, in this folder is when the county controls a project. This folder is when the State controls the project. Mr. Chairman, this folder is when the Federal Government controls the project.

Well, these examples aren't specifically for a highway project. They are emblematic of the bureaucracy our Federal Government imposes in northeastern Wisconsin and across the Nation. My amendment today will smooth the road for our infrastructure projects by reducing the redundant permitting requirements that prevent us from rebuilding our roads and bridges across this country.

My amendment includes many of the practical reforms that I and my colleagues on the Transportation Committee have championed under Chairman MICA's leadership. Today, the average life span of a construction project is 15 years, but only 5 of those years involve actual on-the-ground construction.

Let me say that again. At least 10 years of a project are not spent building anything, but instead are spent filling thousands of folders just like these with millions of pages of paperwork.

My amendment expedites this process. In some cases we can cut this timeline in half merely by allowing the Federal and State agencies to work together. How about that for an idea, to work together on the review and permitting process.

My amendment sets hard deadlines for Federal agencies to approve infrastructure projects, no longer leaving them in limbo. There has been a lot of talk about shovel-ready projects in recent years. Well, my amendment will help States, municipalities, and contractors to put their pencils down and, Mr. Chairman, pick the shovels up. It's exactly what we need in a time when our economy is struggling.

The Federal Government needs to stop putting up roadblocks to job creation and figure out ways to make things easier and less costly. My amendment would do just that.

It also exempts certain unplanned emergencies from some of the review processes. When a State or city is hit by damaging storms or unexpected flooding, our top priority should be to

get our roads and bridges repaired, not subjecting our communities to an endless permitting process that may further harm their quality of life.

Mr. Chairman, the bill before us today is not perfect, but then again no bill ever is. However, my amendment will put us on the road to reforming how we build and maintain our infrastructure throughout this country, and I urge my colleagues to join me in supporting it.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman.

I am going to ask the gentleman from Wisconsin a question about his amendment.

You might remember in committee that I managed to convince the majority to strip a provision in the underlying bill that would have waived all laws at the discretion of the President of the United States to do projects of national competitiveness.

Mr. RIBBLE. Will the gentleman yield?

Our amendment takes that—

Mr. DEFAZIO. I know. You don't have that and I appreciate that; but in your amendment, from the original bill, you took this language:

The Secretary shall treat an activity carried out under title 23, United States Code, or project within a right-of-way as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements.

That means all Federal highway projects would be exempt from any environmental review. Don't you think that's a little over the top? That's a little more than streamlining it, and that's not just within existing rights-of-way. That is, acquire a new right-of-way, build an eight-lane road and no environmental review? Don't you think, I mean, that might be a little bit over the edge?

□ 1530

Mr. RIBBLE. If the gentleman will yield, it's just in the right-of-way, though.

Mr. DEFAZIO. No, it says “or.” “Or a project within a right-of-way.” You have at least a drafting problem here, if not an intentional problem.

This exempts any project under title 23, which means a brand new highway 8, 12, 15 lanes wide, newly acquired right-of-way, with no environmental review.

Mr. RIBBLE. Will the gentleman yield?

Mr. DEFAZIO. I will yield to the gentleman.

Mr. RIBBLE. I can say this to you, that I have full confidence in your State's environmental protection. I have full confidence in the leaders in the State of Wisconsin.

Mr. DEFAZIO. Reclaiming my time, I don't have confidence in a lot of people in a lot of States and I do think the American people deserve at least some protection. Now, I can understand the impatience with some of the bureaucracy—I share it—particularly when it comes to transit projects and other things and giving States authority, like we've done to California.

The CHAIR. The time of the gentleman has expired.

Mr. RAHALL. I yield the gentleman an additional 30 seconds.

Mr. DEFAZIO. But for the gentleman to say that we'll just let the States decide whether or not there will be any environmental review of a major new highway project is extraordinary to me—using Federal money. If they want to use the State money and they want to say there are no laws that apply and we're just going to build this Chinese method of here comes the bulldozer, get out of the way, get out of your house, here it comes, fine. States are like that. They do it with their own money, and people of that State can deal with it. But for the Federal Government to say, We wash our hands of this and you can do anything you want with Federal taxpayer dollars, constructing major new highways with no review, I think that's a little over the top.

Mr. RIBBLE. I yield 1½ minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding and commend him on his amendment.

I think it's a great amendment. As a freshman, you have done tremendous work on the committee. And you've been in Washington only a year-and-a-half, and yet you brought a shovel here. That shovel shovels more than just dirt. It shovels other stuff that happens here in Washington. And it's time we clear some of that out to be able to streamline building roads and highways in this country.

And that's what your amendment does. It cuts bureaucratic red tape, allows the Federal agencies to review transportation projects concurrently, which is extremely important. It delegates project approval authority to the States, establishes hard deadlines to Federal agencies to make decisions on permits, which is going to definitely speed up the process. It expands the list of activities that qualify for categorical exclusions, an approval process that's faster and simpler than the standard process. The environmental protections do remain in place.

I disagree with the gentleman from Oregon. I have all the confidence in the world that what the gentleman has in

his amendment here will allow just what's in the right-of-way. That's what we interpreted, and I believe that's how the States will interpret it. So I have all the confidence that this amendment is properly prepared and we're going to pass it here on the floor today.

So, again, these are practical reforms. Time is money, and anybody that's been in business knows time is money. And that's what these reforms are going to do: reduce the time, which will reduce the cost to get us highways and bridges built faster in this country.

I commend the gentleman from Wisconsin (Mr. RIBBLE) on his excellent work and his work on this committee and also the chairman for his tireless efforts in bringing the extension to the floor. And as we move into conference, I'm confident we're going to come up with something that's better than we see from the other side.

Mr. RAHALL. Mr. Chairman, I rise in opposition to the amendment. While I strongly support the efficient review of projects to ensure timely project delivery, I believe it is possible to balance these needs with adequate opportunity for public input. Unfortunately, the provisions in the Ribble amendment are far beyond balanced and would severely limit public input into surface transportation decisions.

In effect, the amendment places a roadblock on public participation in reviewing transportation projects by limiting and, in certain cases, outright waiving NEPA. That goes far beyond streamlining. Locking the public out of the decisionmaking process is steamrolling our constituents and local governments.

The most galling aspect of this amendment is that it would completely exempt any and all highway projects where the Federal share of the costs is less than \$10 million or 15 percent of project costs from the requirements to provide public participation and an analysis of alternatives in the project decisionmaking process.

Proponents of the amendment argue that NEPA and other laws are causing years of project delays. That's simply not true. According to the U.S. Department of Transportation, the vast majority of projects delivered both by the Federal Highway Administration and the FTA—96 percent, to be exact—already go through minimal NEPA review, meaning that all NEPA compliance is completed within 2¼ months to 6 months. Ironically, this amendment could increase those delays by excluding the public from participation in the project review process and increasing the likelihood of public opposition to a project, leading to greater delays in project delivery.

Now, many of us know the public, if they're locked out of a decisionmaking project or review process where they feel they have a legitimate right to participate, where are they going to

go? They're going to go to the courts and sue. Does the gentleman think that the judicial process, when you have to face lawsuit after lawsuit after lawsuit, is going to be streamlining the process? I think not. We're looking at a longer process there than any environmental review would ever entail.

Again, while I strongly support efficient review and sufficient review of projects to ensure timely project delivery, this amendment goes too far. It undermines public participation in local decisions and could potentially create greater problems of project delivery. And I would urge the defeat of the gentleman's amendment.

I yield back the balance of my time. Mr. RIBBLE. I do want to thank the ranking member. We do have a disagreement, and disagreements happen in this Chamber a lot. But anyone who's traveled our roads and highways and tried to cross bridges that have been falling apart, that are filled with potholes, that have needed repairs for, sometimes, decades recognizes the real cost and real cause of the delay.

Mr. Chairman, I would note that my amendment in no way eliminates NEPA or the need for an environmental review to occur. However, our current process reduces redundant submissions, and approvals can render a road project obsolete before the ground has ever been broken.

My amendment merely ensures that Federal and State governments get to actually work together in doing the review. They get to work together to do this. And unlike others, I have full confidence in the people that live in the States where this work is going to be done. They're the neighbors of these road projects. They're the ones that swim in the lakes and streams and drink the water, breathe the air. They're the ones that live there. They ought to have more say on how these projects are completed, and we can actually get more projects done because of this.

I yield back the balance of my time. The CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RIBBLE).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. RAHALL. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. MCKINLEY
The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-446.

Mr. MCKINLEY. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE IV—COAL COMBUSTION RESIDUALS
SEC. 401. HIGHWAY AND INFRASTRUCTURE SAFETY THROUGH THE PROTECTION OF COAL COMBUSTION RESIDUAL RECYCLING.

(a) IN GENERAL.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following new section:

“SEC. 4011. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

“(a) STATE PERMIT PROGRAMS FOR COAL COMBUSTION RESIDUALS.—Each State may adopt and implement a coal combustion residuals permit program.

“(b) STATE ACTIONS.—

“(1) NOTIFICATION.—Not later than 6 months after the date of enactment of this section (except as provided by the deadline identified under subsection (d)(2)(B)), the Governor of each State shall notify the Administrator, in writing, whether such State will adopt and implement a coal combustion residuals permit program.

“(2) CERTIFICATION.—

“(A) IN GENERAL.—Not later than 36 months after the date of enactment of this section (except as provided in subsections (f)(1)(A) and (f)(1)(C)), in the case of a State that has notified the Administrator that it will implement a coal combustion residuals permit program, the head of the lead State agency responsible for implementing the coal combustion residuals permit program shall submit to the Administrator a certification that such coal combustion residuals permit program meets the specifications described in subsection (c)(1).

“(B) CONTENTS.—A certification submitted under this paragraph shall include—

“(i) a letter identifying the lead State agency responsible for implementing the coal combustion residuals permit program, signed by the head of such agency;

“(ii) identification of any other State agencies involved with the implementation of the coal combustion residuals permit program;

“(iii) a narrative description that provides an explanation of how the State will ensure that the coal combustion residuals permit program meets the requirements of this section, including a description of the State's—

“(I) process to inspect or otherwise determine compliance with such permit program;

“(II) process to enforce the requirements of such permit program; and

“(III) public participation process for the promulgation, amendment, or repeal of regulations for, and the issuance of permits under, such permit program;

“(iv) a legal certification that the State has, at the time of certification, fully effective statutes or regulations necessary to implement a coal combustion residuals permit program that meets the specifications described in subsection (c)(1); and

“(v) copies of State statutes and regulations described in clause (iv).

“(3) MAINTENANCE OF 4005(C) OR 3006 PROGRAM.—In order to adopt or implement a coal combustion residuals permit program under this section (including pursuant to subsection (f)), the State agency responsible for implementing a coal combustion residuals permit program in a State shall maintain an approved program under section 4005(c) or an authorized program under section 3006.

“(c) PERMIT PROGRAM SPECIFICATIONS.—

“(1) MINIMUM REQUIREMENTS.—The specifications described in this subsection for a

coal combustion residuals permit program are as follows:

“(A) The revised criteria described in paragraph (2) shall apply to a coal combustion residuals permit program, except as provided in paragraph (3).

“(B) Each structure shall be, in accordance with generally accepted engineering standards for the structural integrity of such structures, designed, constructed, and maintained to provide for containment of the maximum volumes of coal combustion residuals appropriate for the structure. If a structure is determined by the head of the agency responsible for implementing the coal combustion residuals permit program to be deficient, the head of such agency has authority to require action to correct the deficiency according to a schedule determined by such agency. If the identified deficiency is not corrected according to such schedule, the head of such agency has authority to require that the structure close in accordance with subsection (h).

“(C) The coal combustion residuals permit program shall apply the revised criteria promulgated pursuant to section 4010(c) for location, design, groundwater monitoring, corrective action, financial assurance, closure, and post-closure described in paragraph (2) and the specifications described in this paragraph to surface impoundments.

“(D) If a structure that is classified as posing a high hazard potential pursuant to the guidelines published by the Federal Emergency Management Agency entitled ‘Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams’ (FEMA Publication Number 333) is determined by the head of the agency responsible for implementing the coal combustion residuals permit program to be deficient with respect to the structural integrity requirement in subparagraph (B), the head of such agency has authority to require action to correct the deficiency according to a schedule determined by such agency. If the identified deficiency is not corrected according to such schedule, the head of such agency has authority to require that the structure close in accordance with subsection (h).

“(E) New structures that first receive coal combustion residuals after the date of enactment of this section shall be constructed with a base located a minimum of two feet above the upper limit of the natural water table.

“(F) In the case of a coal combustion residuals permit program implemented by a State, the State has the authority to inspect structures and implement and enforce such permit program.

“(G) In the case of a coal combustion residuals permit program implemented by a State, the State has the authority to address wind dispersal of dust from coal combustion residuals by requiring dust control measures, as determined appropriate by the head of the lead State agency responsible for implementing the coal combustion residuals permit program.

“(2) REVISED CRITERIA.—The revised criteria described in this paragraph are—

“(A) the revised criteria for design, groundwater monitoring, corrective action, closure, and post-closure, for structures, including—

“(i) for new structures, and lateral expansions of existing structures, that first receive coal combustion residuals after the date of enactment of this section, the revised criteria regarding design requirements described in section 258.40 of title 40, Code of Federal Regulations; and

“(ii) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria regarding groundwater monitoring and corrective action requirements described in subpart E of part 258 of title 40, Code of Federal Regulations, except that, for the purposes of this paragraph, such revised criteria shall also include—

“(I) for the purposes of detection monitoring, the constituents boron, chloride, conductivity, fluoride, mercury, pH, sulfate, sulfide, and total dissolved solids; and

“(II) for the purposes of assessment monitoring, the constituents aluminum, boron, chlorine, fluoride, iron, manganese, molybdenum, pH, sulfate, and total dissolved solids;

“(B) the revised criteria for location restrictions described in—

“(i) for new structures, and lateral expansions of existing structures, that first receive coal combustion residuals after the date of enactment of this section, sections 258.11 through 258.15 of title 40, Code of Federal Regulations; and

“(ii) for existing structures that receive coal combustion residuals after the date of enactment of this section, sections 258.11 and 258.15 of title 40, Code of Federal Regulations;

“(C) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for air quality described in section 258.24 of title 40, Code of Federal Regulations;

“(D) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for financial assurance described in subpart G of part 258 of title 40, Code of Federal Regulations;

“(E) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for surface water described in section 258.27 of title 40, Code of Federal Regulations;

“(F) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for recordkeeping described in section 258.29 of title 40, Code of Federal Regulations;

“(G) for landfills and other land-based units, other than surface impoundments, that receive coal combustion residuals after the date of enactment of this section, the revised criteria for run-on and run-off control systems described in section 258.26 of title 40, Code of Federal Regulations; and

“(H) for surface impoundments that receive coal combustion residuals after the date of enactment of this section, the revised criteria for run-off control systems described in section 258.26(a)(2) of title 40, Code of Federal Regulations.

“(3) APPLICABILITY OF CERTAIN REQUIREMENTS.—A State may determine that one or more of the requirements of the revised criteria described in paragraph (2) is not needed for the management of coal combustion residuals in that State, and may decline to apply such requirement as part of its coal combustion residuals permit program. If a State declines to apply a requirement under this paragraph, the State shall include in the certification under subsection (b)(2) a description of such requirement and the reasons such requirement is not needed in the State. If the Administrator determines that a State determination under this paragraph does not accurately reflect the needs for the management of coal combustion residuals in the State, the Administrator may treat such State determination as a deficiency under subsection (d).

“(d) WRITTEN NOTICE AND OPPORTUNITY TO REMEDY.—

“(1) IN GENERAL.—The Administrator shall provide to a State written notice and an opportunity to remedy deficiencies in accordance with paragraph (2) if at any time the State—

“(A) does not satisfy the notification requirement under subsection (b)(1);

“(B) has not submitted a certification under subsection (b)(2);

“(C) does not satisfy the maintenance requirement under subsection (b)(3); or

“(D) is not implementing a coal combustion residuals permit program that meets the specifications described in subsection (c)(1).

“(2) CONTENTS OF NOTICE; DEADLINE FOR RESPONSE.—A notice provided under this subsection shall—

“(A) include findings of the Administrator detailing any applicable deficiencies in—

“(i) compliance by the State with the notification requirement under subsection (b)(1);

“(ii) compliance by the State with the certification requirement under subsection (b)(2);

“(iii) compliance by the State with the maintenance requirement under subsection (b)(3); and

“(iv) the State coal combustion residuals permit program in meeting the specifications described in subsection (c)(1); and

“(B) identify, in collaboration with the State, a reasonable deadline, which shall be not sooner than 6 months after the State receives the notice, by which the State shall remedy the deficiencies detailed under subparagraph (A).

“(e) IMPLEMENTATION BY ADMINISTRATOR.—

“(1) IN GENERAL.—The Administrator shall implement a coal combustion residuals permit program for a State only in the following circumstances:

“(A) If the Governor of such State notifies the Administrator under subsection (b)(1) that such State will not adopt and implement such a permit program.

“(B) If such State has received a notice under subsection (d) and, after any review brought by the State under section 7006, fails, by the deadline identified in such notice under subsection (d)(2)(B), to remedy the deficiencies detailed in such notice under subsection (d)(2)(A).

“(C) If such State informs the Administrator, in writing, that such State will no longer implement such a permit program.

“(2) REQUIREMENTS.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1), such permit program shall consist of the specifications described in subsection (c)(1).

“(3) ENFORCEMENT.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1), the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals and structures and the Administrator may use such authorities to inspect, gather information, and enforce the requirements of this section in the State.

“(f) STATE CONTROL AFTER IMPLEMENTATION BY ADMINISTRATOR.—

“(1) STATE CONTROL.—

“(A) NEW ADOPTION AND IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(A), the State may adopt and implement such a permit program by—

“(i) notifying the Administrator that the State will adopt and implement such a permit program;

“(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

“(iii) receiving from the Administrator—

“(I) a determination that the State coal combustion residuals permit program meets the specifications described in subsection (c)(1); and

“(II) a timeline for transition of control of the coal combustion residuals permit program.

“(B) REMEDIATING DEFICIENT PERMIT PROGRAM.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(B), the State may adopt and implement such a permit program by—

“(i) remedying the deficiencies detailed in the notice provided under subsection (d)(2)(A); and

“(ii) receiving from the Administrator—

“(I) a determination that the deficiencies detailed in such notice have been remedied; and

“(II) a timeline for transition of control of the coal combustion residuals permit program.

“(C) RESUMPTION OF IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(C), the State may adopt and implement such a permit program by—

“(i) notifying the Administrator that the State will adopt and implement such a permit program;

“(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

“(iii) receiving from the Administrator—

“(I) a determination that the State coal combustion residuals permit program meets the specifications described in subsection (c)(1); and

“(II) a timeline for transition of control of the coal combustion residuals permit program.

“(2) REVIEW OF DETERMINATION.—

“(A) DETERMINATION REQUIRED.—The Administrator shall make a determination under paragraph (1) not later than 90 days after the date on which the State submits a certification under paragraph (1)(A)(ii) or (1)(C)(ii), or notifies the Administrator that the deficiencies have been remedied pursuant to paragraph (1)(B)(i), as applicable.

“(B) REVIEW.—A State may obtain a review of a determination by the Administrator under paragraph (1) as if such determination was a final regulation for purposes of section 7006.

“(3) IMPLEMENTATION DURING TRANSITION.—

“(A) EFFECT ON ACTIONS AND ORDERS.—Actions taken or orders issued pursuant to a coal combustion residuals permit program shall remain in effect if—

“(i) a State takes control of its coal combustion residuals permit program from the Administrator under paragraph (1); or

“(ii) the Administrator takes control of a coal combustion residuals permit program from a State under subsection (e).

“(B) CHANGE IN REQUIREMENTS.—Subparagraph (A) shall apply to such actions and orders until such time as the Administrator or the head of the lead State agency responsible for implementing the coal combustion residuals permit program, as applicable—

“(i) implements changes to the requirements of the coal combustion residuals permit program with respect to the basis for the action or order; or

“(ii) certifies the completion of a corrective action that is the subject of the action or order.

“(4) SINGLE PERMIT PROGRAM.—If a State adopts and implements a coal combustion residuals permit program under this subsection, the Administrator shall cease to implement the permit program implemented under subsection (e) for such State.

“(g) EFFECT ON DETERMINATION UNDER 4005(C) OR 3006.—The Administrator shall not consider the implementation of a coal combustion residuals permit program by the Administrator under subsection (e) in making a determination of approval for a permit program or other system of prior approval and conditions under section 4005(c) or of authorization for a program under section 3006.

“(h) CLOSURE.—If it is determined, pursuant to a coal combustion residuals permit program, that a structure should close, the time period and method for the closure of such structure shall be set forth in a closure plan that establishes a deadline for completion and that takes into account the nature and the site-specific characteristics of the structure to be closed. In the case of a surface impoundment, the closure plan shall require, at a minimum, the removal of liquid and the stabilization of remaining waste, as necessary to support the final cover.

“(i) AUTHORITY.—

“(1) STATE AUTHORITY.—Nothing in this section shall preclude or deny any right of any State to adopt or enforce any regulation or requirement respecting coal combustion residuals that is more stringent or broader in scope than a regulation or requirement under this section.

“(2) AUTHORITY OF THE ADMINISTRATOR.—

“(A) IN GENERAL.—Except as provided in subsection (e) of this section and section 6005 of this title, the Administrator shall, with respect to the regulation of coal combustion residuals, defer to the States pursuant to this section.

“(B) IMMINENT HAZARD.—Nothing in this section shall be construed to affect the authority of the Administrator under section 7003 with respect to coal combustion residuals.

“(C) TECHNICAL AND ENFORCEMENT ASSISTANCE ONLY UPON REQUEST.—Upon request from the head of a lead State agency that is implementing a coal combustion residuals permit program, the Administrator may provide to such State agency only the technical or enforcement assistance requested.

“(3) CITIZEN SUITS.—Nothing in this section shall be construed to affect the authority of a person to commence a civil action in accordance with section 7002.

“(j) MINE RECLAMATION ACTIVITIES.—A coal combustion residuals permit program implemented under subsection (e) by the Administrator shall not apply to the utilization, placement, and storage of coal combustion residuals at surface mining and reclamation operations.

“(k) DEFINITIONS.—In this section:

“(1) COAL COMBUSTION RESIDUALS.—The term ‘coal combustion residuals’ means—

“(A) the solid wastes listed in section 3001(b)(3)(A)(i), including recoverable materials from such wastes;

“(B) coal combustion wastes that are co-managed with wastes produced in conjunction with the combustion of coal, provided that such wastes are not segregated and disposed of separately from the coal combustion wastes and comprise a relatively small proportion of the total wastes being disposed in the structure;

“(C) fluidized bed combustion wastes;

“(D) wastes from the co-burning of coal with non-hazardous secondary materials provided that coal makes up at least 50 percent of the total fuel burned; and

“(E) wastes from the co-burning of coal with materials described in subparagraph (A) that are recovered from monofills.

“(2) COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—The term ‘coal combustion residuals permit program’ means a permit program or other system of prior approval and conditions that is adopted by or for a State for the management and disposal of coal combustion residuals to the extent such activities occur in structures in such State.

“(3) STRUCTURE.—The term ‘structure’ means a landfill, surface impoundment, or other land-based unit which may receive coal combustion residuals.

“(4) REVISED CRITERIA.—The term ‘revised criteria’ means the criteria promulgated for municipal solid waste landfill units under section 4004(a) and under section 1008(a)(3), as revised under section 4010(c) in accordance with the requirement of such section that the criteria protect human health and the environment.”

(b) 2000 REGULATORY DETERMINATION.—Nothing in this section, or the amendments made by this section, shall be construed to alter in any manner the Environmental Protection Agency’s regulatory determination entitled “Notice of Regulatory Determination on Wastes from the Combustion of Fossil Fuels”, published at 65 Fed. Reg. 32214 (May 22, 2000), that the fossil fuel combustion wastes addressed in that determination do not warrant regulation under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.).

(c) CONFORMING AMENDMENT.—The table of contents contained in section 1001 of the Solid Waste Disposal Act is amended by inserting after the item relating to section 4010 the following:

“Sec. 4011. Management and disposal of coal combustion residuals.”

The CHAIR. Pursuant to House Resolution 619, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, I want to thank Chairman MICA and the leadership for working with our office to allow this amendment to proceed and to be offered.

Just a reminder, this issue passed the House on a 2-1 vote last October and previously on a continuing resolution. The legislation has had strong bipartisan support, with numbers of Democrats voting in favor.

So we’re not here to rehash those old fights. What we’re here to do is discuss how fly ash pertains to maximizing funds for our roads and our bridges and our construction projects and protecting hundreds of thousands of jobs all across America. But there are those that don’t see the correlation between coal ash and concrete, even though it’s been an integral part of concrete in America for over 80 years.

Quite frankly, upwards of 316,000 jobs are at stake with this amendment and over \$100 billion in roads, bridge, and infrastructure projects if coal ash is not recycled into concrete. Keep in

mind, 60 million tons of fly ash are recycled annually.

Let's read some quotes from some of the individuals that have talked about this.

The Veritas Economic Consulting report talks about 316,000 jobs. There's one from the American Road and Transportation Builders Association talking about the \$100 billion. Here's one from the Home Builders Association:

Removing coal ash from the supply chain would increase the price of concrete by an average of 10 percent.

□ 1540

Fly ash replaces the American concrete pipe and replaces 15 million tons of cement in its use. Look at what the administration's agencies are talking about under the Department of the Interior and the Department of Transportation.

Department of the Interior:

We concur with industry leaders who feel strongly that if fly ash is designated a hazardous waste, it will no longer be used in concrete.

Here from the same Department:

Fly ash costs approximately 20 to 50 percent less than the cost of cement.

From the Department of Transportation:

Fly ash is a valuable byproduct used in highway facility construction. It is a vital component of concrete and is important for a number of other infrastructure uses.

And the last:

Cement is more costly than fly ash. In some areas, it is as much as twice the cost.

So what does EPA say? Their own statement:

One ton of fly ash used as a replacement for cement reduces the equivalent of nearly 2 months of an automobile's carbon dioxide emissions.

One ton of fly ash used as a replacement for cement saves enough energy to provide electricity to an average American home for nearly 20 days.

Coal ash leads to "better road performance."

Mr. Chairman, let's be honest. What we're relating to here is about the use of fly ash in concrete that's been for over 80 years. Anyone opposing this legislation clearly has an agenda, and that agenda is anticoncrete. So that's why I'm asking my colleagues to join me today in supporting this amendment, once again, and protecting 316,000 jobs and maximizing the highway funds available for upgrading our roads and bridges all across America.

I reserve the balance of my time.

Mr. RAHALL. I ask unanimous consent to claim the time in opposition; although, I am in support of the amendment.

The CHAIR. Without objection, the gentleman from West Virginia is recognized for 5 minutes.

There was no objection.

Mr. RAHALL. I yield 3 minutes to the distinguished gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. I rise in opposition to the amendment.

President Obama has already threatened to veto this legislation because it circumvents the longstanding process for reviewing the potentially dangerous Keystone XL pipeline. The McKinley amendment would add another extraneous provision to the underlying bill. This amendment would prevent EPA from regulating toxic coal ash and would put our Nation's drinking water and public health at greater risk.

On December 22, 2008, a coal ash impoundment in Kingston, Tennessee, burst, releasing 5.4 million cubic yards of toxic sludge, blanketing the Emory River and surrounding land and creating a Superfund site that could cost up to \$1.2 billion to clean up.

At hearings in the Energy and Commerce Committee, we heard testimony about the devastating impacts contamination from coal combustion wastes can cause. We learned of contaminated drinking water supplies and ruined property values. We learned that improper disposal of coal ash can both present catastrophic risks from ruptures of containment structures and cause cancer and other illnesses from long-term exposure to leaking chemicals.

Two years ago, EPA proposed regulations to ensure stronger oversight of coal ash impoundments in order to prevent disasters like the one at Kingston and to protect groundwater and drinking water from the threat of contamination. The agency had proposed two alternatives for regulating coal combustion residuals. One proposal was to regulate these wastes under subtitle C of the Resources Conservation Recovery Act, or RCRA, as a hazardous waste. The other proposal was to regulate under subtitle D of RCRA as a non-hazardous solid waste.

Under both proposals, there would be a minimum Federal standard developed to protect human health and the environment. Those standards would address wet impoundments, like in Kingston, and would also ensure that basic controls like the use of liners, groundwater monitoring, and dust control meet a minimum level of effectiveness.

But this amendment blocks both of EPA's proposals. It replaces those proposals with an ineffective program that will not ensure the safe disposal of coal ash, won't protect public health, and won't protect the environment. We could and we should do better.

Under each of our environmental laws, Congress has always established a legal standard when delegating programs to the States. These standards are the yardsticks by which it is determined whether a State's efforts measure up. They ensure a minimum level of effort and protection throughout the Nation. This approach has worked well because it prevents a race to the bottom by the States.

The CHAIR. The time of the gentleman has expired.

Mr. RAHALL. I yield the gentleman from California an additional 30 seconds.

Mr. WAXMAN. This legislation does not include any legal standard to establish a minimum level of safety, and to the extent new safety requirements are established, nearly all of them can be waived at a State's discretion.

This legislation appears to create a program, but the decision about whether or not to go forward is one that will be at the States' discretion. The result will inevitably be uneven and inconsistent rules between the States. Some will do a good job and others won't.

If this legislation is adopted, no one should be fooled. This bill won't protect communities living near these waste disposal sites.

Mr. MCKINLEY. Mr. Chairman, just a quick couple of observations, just to remind everyone, we've been using fly ash in concrete for over 80 years, and the President has not—has not—issued a veto threat on this legislation. Perhaps he's aware of the 316,000 jobs that others are not as concerned about.

I want to thank my colleague from West Virginia for cosponsoring this legislation, and I hope he will continue to help us find the bipartisan support in protecting the jobs.

Mr. Chairman, how much time remains?

The CHAIR. The gentleman from West Virginia has 1¼ minutes remaining.

Mr. MCKINLEY. I'm going to yield time to the gentleman from Michigan, the chairman of the committee, for the purpose of closing.

The CHAIR. The gentleman is recognized for 75 seconds.

Mr. UPTON. I would just like to remind the House that this amendment is the same bill that the House passed last year with a vote of 267-144. We moved this through regular order through our committee hearings, subcommittee and full committee markup, and I want to say, as I recall, by nearly a 3-1 margin in the full committee did we pass this amendment.

This amendment establishes a program that protects human health and environment. It requires groundwater monitoring and requires that States monitor for the same constituents that EPA identified as being important for the regulation of coal ash. The amendment also requires that States require liners for new structures and establishes appropriate controls on fugitive dust.

For 2 years, EPA has been considering regulating coal ash. This bill would allow the safe use of coal ash in such products as concrete, wallboard, and roofing shingles. As the gentleman from West Virginia said, it saves 316,000 jobs. This is a highway and infrastructure bill. It is a jobs bill. This saves

American jobs, and it is very important that the House continue to support the McKinley amendment, whether it be a freestanding bill, as we did last year, or the amendment to this bill.

Mr. RAHALL. Mr. Chairman, back in 1980, former Representative Tom Beville of Alabama and I inserted an amendment into the Solid Waste Disposal Act requiring EPA to study and then determine how to regulate coal ash. That was in 1980. Today, 32 years later, EPA has not done so in a final manner, so I believe it is completely appropriate to place this authority within the hands of the State as the pending amendment by the gentleman from West Virginia would clearly do.

In the wake of the 2008 coal waste disaster at a TVA facility, I introduced legislation to strengthen the regulation of coal ash impoundments. The pending legislation is not perfect in these respects. In fact, there are some flaws which need to be worked out further. I also believe there are more appropriate ways to gain enactment of the provisions of H.R. 2273 which this amendment reflects. In fact, we should all note that the bill has already passed the House and been sent to the other body where Senators are actually working to achieve a bipartisan agreement.

□ 1550

I will, however, vote for this amendment because I have long supported many of the concepts embodied in it, including active oversight of coal ash impoundments and the promotion of the beneficial reuse of coal ash for activities like road building, which my colleague from West Virginia has already well demonstrated.

So as I conclude, I urge my colleagues to support this amendment, and I join in thanking my colleague from West Virginia for bringing it to us today. And I praise him for his consistency because he came to me early on in our T&I markup process to have this introduced in committee.

The CHAIR. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. RIBBLE

The CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. RIBBLE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 255, noes 165, not voting 11, as follows:

[Roll No. 168]

AYES—255

Adams	Garrett	Neugebauer
Aderholt	Gerlach	Noem
Akin	Gibbs	Nugent
Alexander	Gibson	Nunes
Altmire	Gingrey (GA)	Nunnelee
Amodei	Gohmert	Olson
Austria	Goodlatte	Palazzo
Baca	Gosar	Paulsen
Bachmann	Gowdy	Pearce
Bachus	Granger	Pence
Barletta	Graves (GA)	Peterson
Barrow	Graves (MO)	Petri
Bartlett	Green, Gene	Pitts
Barton (TX)	Griffin (AR)	Platts
Bass (NH)	Griffith (VA)	Poe (TX)
Benishek	Grimm	Pompeo
Berg	Guinta	Posey
Biggart	Guthrie	Price (GA)
Bilbray	Hall	Quayle
Bilirakis	Hanna	Reed
Bishop (GA)	Harper	Rehberg
Bishop (UT)	Harris	Reichert
Black	Hartzler	Renacci
Blackburn	Hastings (WA)	Ribble
Bonner	Hayworth	Rigell
Bono Mack	Heck	Rivera
Boren	Hensarling	Roby
Boswell	Herger	Roe (TN)
Boustany	Herrera Beutler	Rogers (AL)
Brady (TX)	Huelskamp	Rogers (KY)
Brooks	Huizenga (MI)	Rogers (MI)
Broun (GA)	Hultgren	Rohrabacher
Buchanan	Hunter	Rokita
Bucshon	Hurt	Rooney
Buerkle	Issa	Ros-Lehtinen
Burgess	Jenkins	Roskam
Burton (IN)	Johnson (IL)	Ross (AR)
Calvert	Johnson (OH)	Ross (FL)
Camp	Johnson, Sam	Royce
Campbell	Jones	Runyan
Canseco	Jordan	Ryan (WI)
Cantor	Kelly	Scalise
Capito	King (IA)	Schilling
Carter	King (NY)	Schmidt
Cassidy	Kingston	Schock
Chabot	Kinzinger (IL)	Schweikert
Chaffetz	Kissell	Scott (SC)
Chandler	Kline	Scott, Austin
Coble	Labrador	Sensenbrenner
Coffman (CO)	Lamborn	Sessions
Cole	Lance	Shimkus
Conaway	Landry	Shuster
Costa	Lankford	Simpson
Costello	Latham	Smith (NE)
Cravaack	LaTourrette	Smith (NJ)
Crawford	Latta	Smith (TX)
Crenshaw	Lewis (CA)	Southerland
Critz	LoBiondo	Stearns
Cuellar	Long	Stivers
Culberson	Lucas	Stutzman
Davis (KY)	Luetkemeyer	Sullivan
Denham	Lummis	Terry
Dent	Lungren, Daniel	Thompson (PA)
DesJarlais	E.	Thornberry
Diaz-Balart	Mack	Tiberi
Dold	Manzullo	Tipton
Donnelly (IN)	Marchant	Turner (NY)
Dreier	Matheson	Turner (OH)
Duffy	McCarthy (CA)	Upton
Duncan (SC)	McCaul	Walberg
Duncan (TN)	McClintock	Walden
Ellmers	McCotter	Walden
Emerson	McHenry	Walsh (IL)
Farenthold	McIntyre	Webster
Fincher	McKeon	West
Fitzpatrick	McKinley	Westmoreland
Fleischmann	McMorris	Whitfield
Fleming	Rodgers	Wilson (SC)
Flores	Meehan	Wittman
Forbes	Mica	Wolf
Fortenberry	Miller (FL)	Womack
Fox	Miller (MI)	Woodall
Franks (AZ)	Miller, Gary	Yoder
Frelinghuysen	Mulvaney	Young (AK)
Galleghy	Murphy (PA)	Young (FL)
Gardner	Myrick	Young (IN)

NOES—165

Ackerman	Gutierrez	Pallone
Amash	Hahn	Pascarell
Baldwin	Hanabusa	Pastor (AZ)
Bass (CA)	Hastings (FL)	Pelosi
Becerra	Heinrich	Perlmutter
Berkley	Higgins	Peters
Berman	Himes	Polis
Bishop (NY)	Hinchee	Price (NC)
Blumenauer	Hinojosa	Quigley
Bonamici	Hirono	Rahall
Brady (PA)	Hochul	Reyes
Braley (IA)	Holden	Richardson
Brown (FL)	Holt	Richmond
Butterfield	Honda	Rothman (NJ)
Capps	Hoyer	Roybal-Allard
Capuano	Israel	Ruppersberger
Carnahan	Jackson (IL)	Rush
Carney	Jackson Lee	Ryan (OH)
Carson (IN)	(TX)	Sánchez, Linda
Castor (FL)	Johnson (GA)	T.
Chu	Johnson, E. B.	Sanchez, Loretta
Ciulline	Keating	Sarbanes
Clarke (MI)	Kildee	Schakowsky
Clarke (NY)	Kind	Schiff
Clay	Kucinich	Schrader
Cleaver	Langevin	Schwartz
Clyburn	Larsen (WA)	Scott (VA)
Cohen	Larson (CT)	Scott, David
Connolly (VA)	Lee (CA)	Serrano
Conyers	Levin	Sewell
Cooper	Lewis (GA)	Sherman
Courtney	Lipinski	Shuler
Crowley	Loeb sack	Sires
Cummings	Lofgren, Zoe	Smith (WA)
Davis (CA)	Lowey	Speier
Davis (IL)	Lujan	Stark
DeFazio	Lynch	Sutton
DeGette	Maloney	Thompson (CA)
DeLauro	Markey	Thompson (MS)
Deutch	Matsui	Tierney
Dicks	McCarthy (NY)	Tonko
Dingell	McCollum	Towns
Doggett	McDermott	Tsongas
Doyle	McGovern	Van Hollen
Edwards	McNerney	Velázquez
Ellison	Meeks	Visclosky
Engel	Michaud	Walz (MN)
Eshoo	Miller (NC)	Wasserman
Farr	Miller, George	Schultz
Fattah	Moore	Waters
Frank (MA)	Moran	Watt
Fudge	Murphy (CT)	Waxman
Garamendi	Nadler	Welch
Gonzalez	Neal	Wilson (FL)
Green, Al	Olver	Woolsey
Grijalva	Owens	Yarmuth

NOT VOTING—11

Andrews	Kaptur	Pingree (ME)
Cardoza	Marino	Rangel
Filner	Napolitano	Slaughter
Flake	Paul	

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There are 2 minutes remaining.

□ 1618

Mr. BILBRAY and Ms. HAYWORTH changed their vote from “no” to “aye.” So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Wednesday, April 18, 2012, I was absent during roll-call vote No. 168 due to a family medical emergency. Had I been present, I would have voted “no” on agreeing to the Ribble Amendment No. 2.

Mr. FILNER. Mr. Chair, on rollcall 168, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

The CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr.

CHAFFETZ) having assumed the chair, Mr. WESTMORELAND, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, and, pursuant to House Resolution 619, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. POLIS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. POLIS. I am opposed in its current form.

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

The Clerk read as follows:

Mr. Polis moves to recommit the bill H.R. 4348 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end of subtitle A of title I of the bill, add the following (and conform the table of contents accordingly):

SEC. 112. PROHIBITION AGAINST CONSTRUCTION OF HIGHWAYS IN FOREIGN COUNTRIES.

(a) IN GENERAL.—None of the funds made available under this Act may be used for the construction of a highway outside of a State (as defined in section 101(a) of title 23, United States Code) or a territory (as defined in section 215(a) of that title).

(b) REMOVAL OF EXISTING AUTHORITY TO USE HIGHWAY TRUST FUND REVENUES TO CONSTRUCT A HIGHWAY IN A FOREIGN COUNTRY.—

(1) REPEAL.—Section 218 of title 23, United States Code, and the item relating to that section in the analysis for chapter 2 of that title, are repealed.

(2) NHS APPORTIONMENTS.—Section 104(b)(1)(A) of title 23, United States Code, is amended in the matter preceding clause (i) by striking “, \$30,000,000” and all that follows through “Highway.”

(c) RESCISSION.—Of the unobligated balances of funds made available for the Alaska Highway under section 104(b)(1)(A) of title 23, United States Code, \$12,289,131 is rescinded.

SEC. 113. PROHIBITION ON FUNDING FOR CORRIDOR EARMARK THAT LIMITS FUNDING FOR OTHER ARC STATES.

(a) SYSTEM MILEAGE.—Notwithstanding any other provision of law, any corridor des-

ignation that increased the authorized mileage of the Appalachian development highway system above 3,025 miles shall no longer be effective.

(b) REVISION OF COST TO COMPLETE ESTIMATE.—Not later than 90 days after the date of enactment of this Act, the Appalachian Regional Commission shall revise the cost to complete estimate for the Appalachian development highway system under section 14501 of title 40, United States Code, to reflect the elimination of the corridor designation under subsection (a).

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. Mr. Speaker, usually when something is killed, it stays dead. But just like a zombie movie, some earmarks refuse to die and return to life as wasteful deficit spending. That's what has happened with this bill and what my simple commonsense amendment corrects.

This Congress was supposed to eliminate earmarks, but zombie earmarks from prior sessions keep appearing and reappearing and my amendment corrects that. Republicans are taking earmarks from previous sessions and calling them something else. Is that our new spending plan? Mr. Speaker, at a time when we face a massive national deficit and have limited resources to address our Nation's transportation needs, the pending measure provides billions of dollars for the construction of the Alabama Porkway and the Canadian Baconway.

Mr. Speaker, even as many in Congress have sworn off earmarks, this legislation continues funding to the Alabama Porkway, a 65-mile, six-lane beltway zombie earmark, a massive highway that surrounds the City of Birmingham, costing taxpayers billions. In fact, just last year, an article in the Birmingham News cited how cost estimates have soared from \$3.4 billion to \$4.7 billion before construction. So costs have soared, and now Alabama wants a bailout for their zombie highway, an earmark and a bailout.

Mr. Speaker, I guess the more Washington changes, the more it stays the same. The good news is, Mr. Speaker, with this amendment I'm calling out this bailout and giving Members on both sides of the aisle the opportunity to stop the bailout of the Alabama Porkway.

In 2004, a Republican Member of Congress added a provision that had not been included in either the House or the Senate bill behind closed doors to an appropriations bill adding a new 65-mile, six-lane Birmingham beltway to the Appalachian Development System. This earmark is unprecedented in the Appalachian region's more-than-45-year history. Alabama went from receiving 6.2 percent of highway funds to 25 percent in one fell swoop. That's good for the Alabama Porkway and those living high on the hog, but bad for taxpayers everywhere and worthy projects across Appalachia.

My amendment strikes the windfall bailout and a windfall that comes at the expense of 12 other States in the Appalachian region. The money comes directly from projects that would have been funded in Georgia, Kentucky, Maryland, Mississippi, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.

Even many Alabamans understand that this is a waste of Federal dollars. If Alabamans want to build a porkway around Birmingham, go right ahead. Just don't do it with our tax dollars outside of the normal process while competing for their share of Federal dollars.

Many Alabamans agree. One in the Birmingham News said, “Spend, spend, spend. That's the mantra of the Birmingham beltway and State and local government.” Another Alabaman says, “As a businessman, I am more concerned about the flagrant disregard for the economic damage that will be wreaked on Alabama in the long term by the beltline.”

The beltline goes right through the farm of 88-year-old Ardell Turner. She lived her entire life in Alabama. The Northern Beltline goes right through her farm that she and her husband have had since 1950. This is big Federal deficit spending, a big beltway, a big porkway right through Ardell's farm.

My amendment also prohibits construction of highways in foreign countries, which this bill contains.

□ 1630

Mr. Speaker, the bill before us provides gas tax funds, \$30 million a year, for a 325-mile Canadian baconway right through the Yukon, out of the pocket of American families and into a Canadian baconway.

The next time my colleagues are at home at a gas station talking to constituents, I encourage them to ask their constituents if they think our gas tax dollars should be used to build a 325-mile highway in Canada or any foreign country.

Now, this isn't an anti-Canada amendment. In fact, I don't think Mexico or Canada should be building highways through the United States. What this amendment does is it gives every Member of the House a chance to decide if we would rather build highways in Canada or reduce our deficit. Our choice.

If you want to reduce the deficit and make sure there isn't a precedent for Mexico or Canada building highways through your State, vote “yes.” If you want to engage in more deficit spending to build expensive highways through the Yukon, vote “no.”

My amendment would prohibit the use of any funds provided under this act for construction of highways outside of the United States and reduce the Federal deficit by over \$12 million.

Mr. Speaker, on March 2, 2011, I offered an amendment to stop Federal taxpayer money from funding the infamous Bridge to Nowhere. Mr. MICA gave a response to it and said it was smoke and mirrors. He said it's trying to mislead the House and it's smoke and mirrors.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. Mr. Speaker, this is not smoke and mirrors.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. The House cannot hide behind smoke and mirrors, behind wasteful pork—from Alabama to the Yukon.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. POLIS. I yield back the balance of my time.

Mr. MICA. Mr. Speaker, I claim time in opposition.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 5 minutes.

Mr. MICA. Mr. Speaker and my colleagues, I will be very brief.

The gentleman said that I had said before we had smoke and mirrors, and once again we have smoke and mirrors. Every opportunity was given to the other side. My committee sat for some 18 hours. They never brought this issue up. We heard over 100 Democrat amendments. It was not brought up in one of the single 200 amendments proposed to the committee.

What this is is an obstruction to getting people working, to getting our infrastructure for this country built. We need to vote down this motion to recommit and let's move forward in getting America building its infrastructure and getting people to work and affordable energy to people that can't even afford to fill up their gas tank today. I've had it with these delays.

I yield back the balance of my time.

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

There was no objection.

POINT OF ORDER

Mr. JACKSON of Illinois. Mr. Speaker, I would like to raise a point of order.

The SPEAKER pro tempore. The gentleman may state his point of order.

Mr. JACKSON of Illinois. In the future, when a Member is speaking and someone asks for order, does the clock stop or does the clock continue while they're asking for order in the House?

The SPEAKER pro tempore. The Chair will respond to the inquiry.

Time spent obtaining order is not charged to the Member under recognition.

Mr. JACKSON of Illinois. It is not charged against the speaker?

The SPEAKER pro tempore. The gentleman is correct.

Mr. JACKSON of Illinois. I thank the Speaker.

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

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and the motion to suspend the rules and pass H.R. 2453.

The vote was taken by electronic device, and there were—ayes 176, noes 242, not voting 13, as follows:

[Roll No. 169]

AYES—176

Ackerman
Altmire
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Brady (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
Meeke
Michaud
Miller (NC)
Miller, George
Moore

Moran
Murphy (CT)
Nadler
Neal
Oliver
Pallone
Pascarell
Pastor (AZ)
Perlmutter
Peters
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Townes
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Culberson
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—13

Andrews
Filner
Flake
Honda
Kaptur
Marino
McNerney
Napolitano
Paul
Pelosi
Pingree (ME)
Rangel
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1648

Mr. MARCHANT changed his vote from "aye" to "no."

So the motion to recommit was rejected.

NOES—242

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 169, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, April 18, 2012, I was absent during rollcall vote No. 169 due to a family medical emergency. Had I been present, I would have voted “aye” on the motion to recommit on H.R. 4348—Surface Transportation Extension Act of 2012, Part II.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. MICA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 293, noes 127, not voting 11, as follows:

[Roll No. 170]

AYES—293

Adams Costello Guinta
 Akin Cravaack Guthrie
 Alexander Crawford Hahn
 Altmire Crenshaw Hall
 Amodei Critz Hanna
 Austria Cuellar Harper
 Baca Culberson Harris
 Bachmann Davis (IL) Hartzler
 Bachus Davis (KY) Hastings (WA)
 Barletta DeFazio Hayworth
 Barrow Denham Heck
 Bartlett Dent Hensarling
 Barton (TX) DesJarlais Herger
 Benishek Diaz-Balart Herrera Beutler
 Berg Dicks Higgins
 Biggert Dold Hochul
 Bilbray Donnelly (IN) Holden
 Bilirakis Doyle Huelskamp
 Bishop (GA) Dreier Huizenga (MI)
 Bishop (NY) Duffey Hultgren
 Bishop (UT) Duncan (SC) Hunter
 Black Duncan (TN) Hurt
 Blackburn Ellmers Issa
 Bonner Emerson Jackson (IL)
 Bono Mack Eshoo Jackson Lee
 Boren Farenthold (TX)
 Boswell Fattah Jenkins
 Boustany Fincher Johnson (IL)
 Brady (PA) Fitzpatrick Johnson (OH)
 Brady (TX) Fleischmann Johnson, E. B.
 Braley (IA) Fleming Johnson, Sam
 Brown (FL) Flores Jones
 Buchanan Forbes Keating
 Bucshon Fortenberry Kelly
 Buerkle Foxx King (IA)
 Burgess Franks (AZ) King (NY)
 Burton (IN) Frelinghuysen Kingston
 Calvert Gallegly Kinzinger (IL)
 Camp Gardner Kissell
 Canseco Garrett Kline
 Cantor Gerlach Lamborn
 Capito Gibbs Lance
 Cardoza Gibson Landry
 Carson (IN) Gingrey (GA) Lankford
 Carter Gohmert Larson (CT)
 Cassidy Goodlatte Latham
 Chabot Gosar LaTourrette
 Chaffetz Gowdy Latta
 Chandler Granger Lewis (CA)
 Clyburn Graves (GA) Lipinski
 Coble Graves (MO) LoBiondo
 Coffman (CO) Green, Al Loeb sack
 Cole Green, Gene Lofgren, Zoe
 Conaway Griffin (AR) Long
 Cooper Griffith (VA) Lucas
 Costa Grimm Luetkemeyer

Lummis
 Lungren, Daniel E.
 Lynch
 Mack
 Manzullo
 Marchant
 Matheson
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McCotter
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 Meehan
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Murphy (PA)
 Myrick
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Owens
 Palazzo
 Pascarell
 Pastor (AZ)
 Paulsen
 Pearce
 Pence
 Perlmutter
 Peterson
 Petri
 Pitts

Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Rahall
 Reed
 Rehberg
 Reichert
 Renacci
 Ribble
 Richardson
 Richmond
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Rothman (NJ)
 Royce
 Runyan
 Ruppersberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sanchez, Loretta
 Scalise
 Schilling
 Schmidt
 Schock
 Schrader
 Schwartz
 Scott (SC)
 Scott, Austin
 Sessions

Sewell
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Terry
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner (NY)
 Turner (OH)
 Upton
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Watt
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yarmuth
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

NOES—127

Ackerman
 Aderholt
 Amash
 Baldwin
 Bass (CA)
 Bass (NH)
 Becerra
 Berkley
 Berman
 Blumenauer
 Bonamici
 Brooks
 Broun (GA)
 Butterfield
 Campbell
 Capps
 Capuano
 Carney
 Castor (FL)
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Cohen
 Connolly (VA)
 Conyers
 Courtney
 Crowley
 Kingston
 Cummings
 Davis (CA)
 DeGette
 DeLauro
 Deutch
 Dingell
 Doggett
 Edwards
 Ellison
 Engel
 Farr
 Frank (MA)
 Fudge

Garamendi
 Gonzalez
 Grijalva
 Gutierrez
 Hanabusa
 Hastings (FL)
 Heinrich
 Himes
 Hinchey
 Hinojosa
 Hirono
 Holt
 Honda
 Hoyer
 Israel
 Johnson (GA)
 Jordan
 Kildee
 Kind
 Kucinich
 Labrador
 Langevin
 Larsen (WA)
 Lee (CA)
 Levin
 Lewis (GA)
 Lowey
 Lujan
 Maloney
 Markey
 Matsui
 McClintock
 McCollum
 McDermott
 McGovern
 McNerney
 Meeke
 Miller (NC)
 Edwards
 Ellison
 Engel
 Farr
 Frank (MA)
 Fudge

Nadler
 Neal
 Olver
 Pallone
 Pelosi
 Peters
 Polis
 Price (NC)
 Quayle
 Quigley
 Reyes
 Holt
 Roybal-Allard
 Sánchez, Linda
 T.
 Sarbanes
 Schakowsky
 Schiff
 Schweikert
 Scott (VA)
 Scott, David
 Sensenbrenner
 Serrano
 Sherman
 Smith (WA)
 Speier
 Stark
 Sutton
 Thompson (CA)
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velázquez
 Visclosky
 Wasserman
 Schultz
 Waters
 Waxman
 Welch
 Wilson (FL)
 Woolsey

NOT VOTING—11

Andrews
 Carnahan
 Filner
 Flake

Kaptur
 Marino
 Napolitano
 Paul

□ 1658

Messrs. SMITH of Washington, SERRANO and HOYER changed their vote from “aye” to “no.”

Messrs. GOSAR, BARTON of Texas, CAMP, AL GREEN of Texas and Ms. JACKSON LEE of Texas changed their vote from “no” to “aye.”

So the bill was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, April 18, 2012, I was absent during rollcall vote No. 170 due to a family medical emergency. Had I been present, I would have voted “no” on final passage on H.R. 4348—Surface Transportation Extension Act of 2012, Part II.

Mr. FILNER. Mr. Speaker, on rollcall 170, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

MARK TWAIN COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2453) to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 4, answered “present” 2, not voting 17, as follows:

[Roll No. 171]

YEAS—408

Ackerman Blackburn Carson (IN)
 Adams Blumenauer Carter
 Aderholt Bonamici Cassidy
 Akin Bonner Castor (FL)
 Alexander Bono Mack Chabot
 Altmire Boren Chaffetz
 Amodei Boswell Chandler
 Austria Boustany Chu
 Baca Brady (PA) Cicilline
 Bachmann Braley (IA) Clarke (MI)
 Bachus Brooks Clarke (NY)
 Baldwin Broun (GA) Clay
 Barletta Brown (FL) Cleaver
 Barrow Buchanan Clyburn
 Bartlett Bucshon Coble
 Barton (TX) Buerkle Coffman (CO)
 Bass (CA) Burgess Cohen
 Bass (NH) Burton (IN) Conaway
 Becerra Butterfield Connolly (VA)
 Benishek Calvert Conyers
 Berg Camp Cooper
 Berkley Campbell Costa
 Berman Canseco Costello
 Biggert Cantor Courtney
 Bilbray Capito Cravaack
 Bilirakis Capps Crawford
 Bishop (GA) Capuano Crenshaw
 Bishop (NY) Cardoza Critz
 Bishop (UT) Carnahan Crowley
 Black Carney Cuellar

Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt

Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone

Pascarell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton

Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)

Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)

Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—4

Amash
Brady (TX)

Nugent
Rigell

ANSWERED "PRESENT"—2

Duncan (SC) Mulvaney

NOT VOTING—17

Andrews
Cole
Filner
Flake
Garrett
Grijalva

Kaptur
King (NY)
Loebsack
Marino
McCotter
Napolitano

Paul
Perlmutter
Pingree (ME)
Rangel
Slaughter

□ 1706

Ms. JACKSON LEE of Texas changed her vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 171, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Mrs. NAPOLITANO. Mr. Speaker, on Wednesday, April 18, 2012, I was absent during rollcall vote No. 171 due to a family medical emergency. Had I been present, I would have voted "yea" on the motion to suspend the rules and pass H.R. 2453—Mark Twain Commemorative Coin Act, as amended.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3993

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 3993.

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

There was no objection.

HOOR OF MEETING ON TOMORROW

Mr. GIBSON. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

COMMUNICATION FROM THE HONORABLE JAMES P. MCGOVERN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JAMES P. MCGOVERN, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 18, 2012.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Commonwealth of Massachusetts, Department of Industrial Accidents, in connection with a workers' compensation dispute currently pending before that department.

After consultation with the Office of General Counsel, I have determined that because the subpoena is not "material and relevant," compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.

HEEDING THE LESSONS OF THE TITANIC

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week we remember and recognize the sinking of the *Titanic* 100 years ago. It is humbling to reflect upon the frailty of even so mighty a ship.

Titanic-like, this country faces threats that this generation must sadly confront and must address. We can see the icebergs in the water ahead. Recent spikes in interest rates on Spanish debt reinforce cause for concern about our own future. President Obama's successive trillion-dollar budget deficits have sunk us deeper in debt than we've ever been before. We see the fiscal icebergs looming around us, yet the Senate has not even passed a budget for 1,000 days.

Mr. Speaker, it's time to recognize that we cannot spend money that we do not have. It's time for us to get serious about finding ways to steer for open water. We owe it to ourselves, our children, and our grandchildren to balance the long-term income and expenses of this government and of this country. If we do not steer clear of the icebergs, they will send us down.

□ 1710

IN DEFENSE OF THE GREAT STATE OF NEVADA

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

Ms. BERKLEY. Mr. Speaker, today I rise in defense of the great State of Nevada. For almost 30 years, out-of-state Washington politicians have been trying to dump the Nation's nuclear waste in my State's backyard at a place called Yucca Mountain.

The site is 90 miles from the world's greatest tourism destination, Las

Vegas, and in order to get the radioactive toxic nuclear waste to this location they have to truck it on Nevada roads, through Nevada neighborhoods, and by Nevada schools. A single accident would have devastating consequences to the health of the people of the State of Nevada, not to mention the economy.

Mr. Speaker, this is the most dangerous substance known to man. But there are still those in Washington trying to force it on the people of my State. One of those people is Nuclear Regulatory Commissioner Kristine Svinicki. Thankfully, her term ends on June 30. I strongly oppose the renomination of someone who puts the interests of the nuclear industry ahead of the people of the State of Nevada. And I urge my Nevada colleagues in the Senate to do everything in their power to ensure this Yucca nuclear waste pusher does not have another term.

SPACE TRAVEL IN AMERICA IS HISTORY

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

Mr. POE of Texas. Mr. Speaker, yesterday, the space shuttle *Discovery* flew through the blue sky over the Nation's capital on its way to its final resting place at the Smithsonian National Air and Space Museum in Virginia. The flyover was met by cheers from some but tears from others.

Space travel in America is history. Our government has chosen to abandon the space program as we know it. JFK, NASA, and America put the first man on the moon, but we have been the leader in the space race for years. Now the sun has set on American manned space travel. Now we are raising the white flag of surrender in space travel to the Russians. JFK might not approve.

Ironically, American astronauts will have to rely on an expensive ride from the Russians just to get to the Space Station.

Former *Discovery* astronaut Dr. Anna Fisher said it well when a bright young boy asked her how he could become an astronaut one day. She said, study Russian. That ought not to be.

But that's just the way it is.

SALUTING THE ACCESS TO JUSTICE COMMITTEES OF THE AMERICAN BAR ASSOCIATION

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise to salute the Access to Justice Committees of the American Bar Association from States all over the Nation and, particularly, my constituents that I just met with, the chair of the Access to Justice Com-

mittee, Judge Lindsey, and a number of others who have come to join us to again emphasize that when lawyers, as myself, take our oath of office and become members of the bar, we have an obligation and a duty to public service. That public service is to ensure that every American under the Constitution has access to justice, and to insist that they're able to be represented and their legal rights protected.

I beg that this House accept the \$402 million that is the Senate mark for Access to Justice programs, and not the \$328 million that is the House mark. Shame on us if we realize that more and more laws are complex, more and more Americans suffer, more and more Americans need help, more and more Americans are under foreclosure over the years. And even though we have worked hard in this government to restore those homes, they need legal rights. Let us support the funding for Access to Justice.

SUMMITS OF THE AMERICAS

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

Mr. RIVERA. Mr. Speaker, this past weekend I attended the Summits of the Americas, where Western Hemisphere leaders were in attendance to discuss regional policy issues and challenges. Leftist regimes repeatedly criticized the United States for our strong opposition to communist Cuba participating in the summits.

This summit is and should be reserved only for democratic nations, not totalitarian, dictatorial terrorist regimes like the Castro dictatorship. We should continue our commitment to the Cuban embargo and reiterate the importance of condemning a regime that refuses to grant its citizens the freedoms every human deserves: human rights, civil liberties, and free elections.

The illicit drug operation in our hemisphere contributes to the problem of increasing violence and terrorism in the regime. Legalizing drugs is not the answer. Instead, we must bolster regional security and directly target drug gangs and violent narcotraffickers. America must stand strong against these efforts and in favor of democratic values.

HONORING THE VOLUNTEER FIRE DEPARTMENTS OF LONG ISLAND

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of New York. Mr. Speaker, I rise today to recognize and honor the courageous volunteer fire departments of Long Island for their skill and dedication in combating the recent outbreaks of wildfires in my district.

Once again, they have proved their mettle and won our trust and admiration.

While, thankfully, no lives were lost, the fire, now extinguished, consumed roughly 1,100 acres, destroyed three homes, and damaged or destroyed six other structures, including one commercial building. If not for the actions of our local firefighters, the damage could have been far worse.

We are also fortunate that the three firefighters who were injured fighting the fire are all recovering well.

As a lifelong resident of Suffolk County, I was inspired by the willingness to help shown by the county's fire departments, all 109 of which participated in the effort to combat what turned out to be the seventh-largest fire in Long Island history. Through their combined and coordinated efforts, a larger crisis was averted.

Mr. Speaker, I ask that you join me in thanking all of Suffolk County's Fire Departments, as well as our local elected leaders who supervised this operation, for their dedication and exceptional skill in subduing the recent fires.

SOLUTIONS FOR SMALL BUSINESSES

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

Mr. GRAVES of Georgia. Mr. Speaker, tonight we're going to have a conversation that I think impacts Americans all across this country, and it's about small businesses, and what has this Congress been doing, what has the President been doing or promoting, and how is it impacting small businesses.

I am going to be joined tonight by some great, great colleagues and champions of small business to talk about what are some of the solutions, what can we be doing here in Washington, not creating more government, not spending more money, but what can we be doing to create an environment that is conducive for business development and for our small business owners.

When I think about the greatness of America, we can list so many items and characteristics of this great Nation, and one of those would have to be small businesses—taking a simple idea in a free market system and taking it to the consumer and growing a business.

And we hear a lot from the administration. They say, businesses are too big. Yet, they need to be smaller. For small businesses, you guys are going too fast, too far. You need to slow down. When, in fact, it should be just the opposite. We should be encouraging small businesses to do more, to grow faster, to invest in their employees.

There is no big business in this Nation that did not first start out as a small business. And I would contend that tonight, Mr. Speaker, that there are small business owners all across this Nation, here even in the eastern time zone, that have yet to have gone home because they're still working. They get up each and every day, putting on their boots, chasing that dream, that idea that they have, and turning it into a business or a concept and chasing that American Dream, to realize that American Dream.

So, to all those small business owners across this great Nation, I want to say thank you. I want to say thank you for your hard work, for pushing against the burdens that come from the Federal Government, the high gas prices, the regulatory environment, this crazy Tax Code that we have, and say don't give up. We are here with you tonight, and we're going to be speaking on your behalf tonight.

I have been joined by some Members from all across this country who are going to talk about small business and concepts that we can be promoting here in Washington to help the small business owner to promote an environment in which small businesses can flourish, not creating more government.

□ 1720

Before I do that, Mr. Speaker, I'd like to read a letter. I think it's important to share correspondence from our constituents. This comes from Mark, who is in Cumming, Georgia. He says:

Congressman GRAVES, I just wanted to let you know that I am a business owner in Cumming, and I'm tired of all my hard work going to pay taxes which the Federal Government squanders—Federal income tax, State income tax, property tax, sales tax. We are all taxed to death, and apparently, the tax system we have in place now is not working or we wouldn't be so far in debt. So I am strongly in favor of passing the Fair Tax. I believe this system is not only much more equitable, but it eliminates loopholes. It is a much simpler and fairer way to raise revenue. That won't solve the mismanagement of our taxes by government, but at least it will allow us to keep more of the money that we earn. Please vote for it. Thank you.

Mark, I'm happy to tell you, not only will I vote for it, but I'm a cosponsor of it.

Next up to speak on the Fair Tax is the sponsor of the Fair Tax himself, and that's Congressman WOODALL from the great State of Georgia.

Congressman WOODALL, share with us a little bit about the Fair Tax, about how it impacts small businesses and how it would help them.

Mr. WOODALL. Mr. GRAVES, I appreciate you taking this time tonight.

Folks ask me, What goes on in the evenings there on Capitol Hill? When you finish the votes for the day, what goes on next?

I say, Well, folks are all back in their offices, working, just like small busi-

ness folks across the country. Just because the customers leave doesn't mean the doors close.

Folks are still working, and this is that time when we get to come down and really fully debate some of these ideas that folks have been watching all day today. We've been talking about transportation policy. We've been talking about Mark Twain a little bit. We've been talking about the rules, the process; but we haven't gotten to talk about small businesses.

When we talk about economic growth in this country—you're from the great State of Georgia, as I am, and we've got some fantastic big companies there. UPS is there, doing fantastic things. They're the folks dressed in brown. Delta Airlines is there, carrying more passengers than anybody else in the country. We've got Coca-Cola there, a brand name that's known the world around. There's Home Depot, the Big Orange, which everybody understands. But that is not where the jobs come from. The jobs come from those small business men and -women who risk everything—everything—to believe that by the sweat of their brows and the power of their ideas they can make their tomorrows better than today.

That letter that you got from your constituent, Mr. GRAVES, is exactly the kind of letter that I get from folks every single day who say, Rob, I don't mind paying the taxes. I understand part of the social contract is that the government has to run, but it doesn't have to be this painful. We can do it in a better way, in H.R. 25, the Fair Tax, of which you are a proud cosponsor, a huge leader on that bill. It is the single most popularly cosponsored piece of fundamental tax reform legislation in either the U.S. House or the U.S. Senate because voters are demanding it one Member of Congress at a time.

Mr. GRAVES of Georgia. I thank you for your leadership on that.

I see we've been joined here by the chairman of Rules, the gentleman from California.

Mr. Chairman, thank you for joining us.

Mr. DREIER. I thank my friend for yielding, and I appreciate his yielding.

The reason I've come to the floor is to share with our colleagues the very sad news of the passing of my very close friend Dick Clark, who just within the past couple of hours, it has been reported, has passed away.

When I listen to the topic of your discussion, I am reminded of a conversation. I had dinner with him 2 weeks ago, and he was somebody who said exactly what my friend from Georgia indicated. He was a proud taxpayer. I know people are going to be talking about "American Bandstand." This was someone who actually broke the barrier by bringing African Americans on to television in the 1950s and the

1960s. He is someone who was an amazingly successful businessman. He was a small business man, himself, but was a very, very successful one. I just want to say that, as I listened to your discussion, I was reminded of how he regularly said everyone should pay their fair share of taxes. He said that not too long ago to me, and I said I appreciated that because he knew he was paying my salary and yours and yours as well.

But I just want to share with our colleagues what a great loss this is for our country. The show that he started initially and became so famous for was "American Bandstand," and I think it's a very appropriate one because this guy was a very patriotic American. He was a believer in the free enterprise system. He was a believer in encouraging individual initiative and opportunity on a regular basis, and he is someone who provided inspiration to people all the way across the spectrum.

I just wanted to say that, as you guys are here, talking about the need for tax fairness and the imperative to ensure that we encourage more people like Dick Clark, I think it's important for us to remember the wonderful life that this man had. I've got to say just a couple of things if I might.

He was someone who, you'll all recall, on New Year's Eve would regularly host up in Times Square; and in 2004, he suffered a massive stroke. I have never seen anyone with more determination and fight than Dick Clark. A number of people said, Gosh, why did Dick Clark continue to go out and be on television?

Do you know what? I had a conversation with him just before he decided to go this past fall to do this program. People across this country said to him, The fact that you have suffered this stroke and are continuing to fight to get better and continuing to be active is something that is an inspiration to us.

So that kind of fighting spirit is exactly what the small business man or -woman has who at this hour is still working and who my friend was just talking about; and the imperative to make sure that everyone pays their taxes but no more is something that, I think, he should be remembered for along with all of the great, great accomplishments that he had.

I just wanted to take this moment to share this with our colleagues here in the House.

Mr. GRAVES of Georgia. Thank you, Mr. Chairman, for sharing that with us.

You're right, you talk about small business owners. They're going to work extremely hard. They get up early every day. They work late every night. They're going to pay their fair share. They just want to know it's being handled properly and that it's being fairly collected.

Mr. WOODALL, I hear criticisms every now and then about the Fair Tax. I'm

a cosponsor of it. I hear criticisms here and there. They say, Well, this will impact one group more than another. How can something called the "Fair Tax" not be fair to everyone?

How do you refute that when they come up with the criticisms to the Fair Tax? Actually, I guess, when they're criticizing the Fair Tax, they're defending the current Tax Code and the 60,000 pages of mess that we currently have and the loopholes and the corporate welfare. They must be defending that. So how do you respond to the criticisms that you hear?

Mr. WOODALL. That is what is so amazing about small business folks. You never have a small business person come to your office and say, Rob, what I want is a leg up on everybody else. I want an unfair playing field so I can beat all my competition.

That's not who our small business owners are. Our small business owners are people who say, Rob, give me a level playing field, and I will out-compete anybody in any nation around the globe because nobody works harder and has more powerful ideas than does the American worker. Well, that's what the Fair Tax is all about. It says, let's create a level playing field.

My friend is not a freshman as I am. He got here 6 months earlier in a special election that he had to work incredibly hard for; but those of us who are newer to this institution, as you and I are, know there are some folks here who like using the Tax Code to pick winners and losers. I mean, it's an easy thing to do. I look around this body. I can find some examples. I see fluorescent lights here in the Chamber. I could put a huge tax on fluorescent lights so we would never have any more fluorescent lights. I could put a huge tax on plaid shirts so we never have any more plaid shirts. That is what happens with the Tax Code.

The Fair Tax says no. It says we're going to have a single tax rate on everything the consumer buys. You're going to be taxed on everything once—but only once—because those small business men and women who write those letters to your office and to mine say, Rob, I spend more time trying to figure out tax decisions than I do figuring out business decisions. So, when these are the men and women who employ so many of our friends and neighbors, when these are the men and women who create the job growth in this country, we have to have them focus on business decisions, not on tax decisions; and the Fair Tax does that.

Mr. GRAVES of Georgia. Thank you. I hope you'll stick around. In a minute, I'm going to yield to the gentleman from Ohio.

Just to make clear, I mean, the Fair Tax is not an additional tax; it's not something that is added on, a layer. It's actually eliminating income tax, eliminating corporate income tax,

eliminating capital gains tax, dividend tax, death tax. It's eliminating all of that. It's throwing it all out. I guess it's eliminating the Internal Revenue Service for some part and in a great way, and I think there would be a lot of Americans across the country applauding on that day if that were to ever occur.

□ 1730

Also with us tonight is the chairman of the Republican Study Committee, Congressman JIM JORDAN from Ohio, a great leader on conservative principles, a great mind when it comes to policy, and I know a great advocate for tax reform. Regardless of fair or flat or whatever it is, it's about empowering the taxpayer and not empowering the government.

Mr. JORDAN. I thank the gentleman for yielding, and I thank him more importantly for his leadership here in the Congress.

You said it right. You said it well. Whether you're for a fair tax or for a flat tax, one thing is certain: The American people have had it with the current Tax Code.

Think about it. Any Tax Code that allows 47 percent of the citizens not to pay, 47 percent of all the people that live in this country not to pay the main tax, the income tax that we have, you can't repair it; you can't fix it; it's completely broken, and you've got to throw it away and start over. Any Tax Code that now requires our companies headquartered in the United States of America to pay the highest corporate tax rate in the world is broken.

This is one thing that is amazing to me. We are talking about small business and we are talking about tax policy. What's amazing to me is, in spite of stupid policies from the Federal Government, how well our small business owners do. It's a testimony to what Mr. WOODALL was talking about, the work ethic and the entrepreneurship of the American people and the American small business owner that, in spite of bad policies, they're still succeeding.

Imagine if we had a tax policy that actually made sense. Imagine if we had a regulatory environment that made sense. Imagine if we had an energy policy that made some sense and used the resources the good Lord has blessed us with in this country. Imagine if we had monetary and fiscal policy that made sense. We wouldn't be having 1.5 percent, 2 percent growth. We'd be having 3 percent, 4 percent, 5 percent growth in this economy. As you said, Mr. Chair, we would be creating an environment that is conducive to economic growth.

If we actually did that, get out of the way and let the American entrepreneur, let the American family, let the American small business owner do what they've been doing for 200-plus

years, they would be making good things happen: growing our economy, creating jobs, helping our communities, and making us the greatest Nation in the world. That's what's at stake here, and it does start with the policies that we have here at the Federal Government.

So we need to change this Tax Code, change the regulatory environment, and certainly change our energy policy and start getting spending under control. If we have a chance, we'll talk about that here in just a few minutes, but I know we've got another speaker who we want to get to.

Mr. GRAVES of Georgia. Thank you, Chairman JORDAN.

You're absolutely right about small business owners. They don't want equal outcomes; they just want equal opportunity. That's what it's all about. That is the American Dream. That's American exceptionalism. Just give me a chance and I will beat the next guy, the next Nation. We are more competitive. And when we have that more competitive advantage and it's a level playing field, we will win every time. That is the spirit of the small business owner.

Speaking of spirit and small business owner, we have joining us also tonight, JEFF LANDRY from Louisiana. I thank you for joining us, and I look forward to hearing your insight.

Mr. LANDRY. I thank the gentleman for yielding.

Mr. Speaker, this week marks another tax day, culminating another year that Americans have been subjected to an outdated and overcomplicated Tax Code.

Three years ago on tax day, I attended the first Tea Party rally in my hometown of New Iberia. I was fed up with an overreaching government and fed up with an overburdensome Tax Code.

As a small business owner in the oil and gas industry, I've created jobs; I have made payroll; I have paid insurance; I have balanced budgets. I did these things like the majority of small businesses out there across America did, with hard work, determination, and, of course, a fantastic accountant to sift through the 3,837,105 words of the United States Tax Code.

Mr. Speaker, it's no secret that small businesses are the real drivers of our economy. To date, small businesses employ half of the U.S. workers. And despite our lagging recovery, they have managed to generate nearly 65 percent of all of the new jobs created over the past 15 years, often outperforming their larger counterparts.

I often speak with small business owners in my district. The one word I hear again and again from them is "uncertainty." From looming health care mandates to volatile energy prices, American small businesses simply don't know what to expect. To the

farmer out there who is watching his energy prices and his fertilizer prices increase, to the small business owner trying to determine if hiring that new talent is the responsible thing to do, to building a new factory, the uncertainty in the current environment is what is keeping them from expanding and what is keeping them from creating jobs.

The oil and gas industry is a classic example. And I'm not talking about Big Oil. I'm talking about the nearly 18,000 independent oil and gas producers here in this country who are small business owners. These small business owners develop 95 percent of all oil and gas wells, produce 68 percent of America's oil, produce 82 percent of America's gas. In total, America's onshore independent oil and gas small businesses supported 2.1 million direct jobs here in the United States in 2010.

In my State alone, over 47,000 people are employed directly by the oil and gas sector. When you add in other aspects of the oil and gas industry—refining, transportation, pipeline—there are over 111,000 people in the State of Louisiana directly employed by the oil and gas industry.

And just like every other small business, these businesses, the ones that literally fuel America, are faced with a crushing tax burden that threatens their very survival. And they hear from our President who is threatening to take away parts of the Tax Code that helps them.

I'm not talking about Big Oil subsidies. I'm not talking about lowering the corporate tax rate either. Believe it or not, most of our domestic energy producers don't pay that corporate tax rate. They don't get a subsidy. They don't get a direct check from the government. They simply are taking advantage of the same credits out there that other small businesses around this country partake in.

Logically, as most small businesses deduct their expenses, these small businesses deduct theirs as well. These independent producers, like other small businesses, like I said, do not receive a direct check from the government. Instead, it's a cost of doing business.

Without the ability to expense these ordinary and necessary business costs, an independent producer would have to reduce its drilling budget by 20 percent to 35 percent almost immediately and bring a drastic decrease of energy production here in this country.

Without this reinvestment, U.S. production would decline rapidly because wells deplete as they are produced. America cannot afford a decrease in energy production, and small oil and gas businesses cannot afford a tax hike.

Tax hikes would also hurt American retirees whose mutual funds, pension plans, IRAs are invested in these publicly traded oil and gas companies, all the while harming American energy.

With so much uncertainty being created here in Washington, the threat of billions of dollars in new job-crushing tax hikes, a Federal takeover of hydraulic fracturing, regulations, less access to taxpayer-owned energy resources of our Federal lands, the permitting process still lagging, the cost of doing business continues to be challenging.

Mr. Speaker, Washington can do better. We can do better. We owe it to our small business owners in every industry to provide for a basic sense of consistency and certainty in our Tax Code.

Tomorrow the House will consider the Small Business Tax Cut Act, legislation that would allow small businesses to deduct 20 percent of their active income in order to retain more capital and create more jobs.

I congratulate our majority leader for bringing this bill to the floor. I'm confident that with a strong step in the right direction, we will continue to work to make sure that our small businesses have the certainty they need to grow and to thrive.

I thank you, Mr. Speaker.

Mr. GRAVES of Georgia. I thank the gentleman from Louisiana for sharing his insight tonight, and you're absolutely right. You brought us some great points about small business owners. They do all the things they do that the government never does: They get up every day early; they work hard and long; they know how to balance budgets; they pay paychecks; they pay their taxes. They have to every day be held accountable by the consumer with their goods.

□ 1740

Is it meeting the demands of the consumer? Is the customer service there? Every day they're held accountable, and every day they get up with that desire and that drive to produce a better product, a better good and provide a better service. What a great tribute to the small business owners across America.

With that, I'd like to shift over to Mr. HANNA from New York, who is going to share with us about small businesses in his region. I want to thank you for joining us and appreciate your leadership on this issue.

Mr. HANNA. I thank the gentleman for yielding.

Mr. Speaker, small businesses are the lifeblood of our economy. They are the catalyst for job growth and job creation all across our Nation. They certainly are in upstate New York where I started my own small business some 30 years ago, which I ran successfully for that same period of time, employing hundreds of people from my community, friends and neighbors to this day.

Unemployment is still too high. It's over 8 percent in my home of New York. Our constituents want to go back to work. They just need the op-

portunity. That's what I heard from small business owners when I hosted a meeting of the Central New York Business Network earlier this month.

Government can help by advancing policies that enable our 27 million small businesses to do what they do best—compete and create jobs. There is no silver bullet, but there are solutions that we can work together on starting today. Here are a few:

Tax relief. Small businesses in America pay some of the highest taxes in the world, and the associated regulations are also an enormous barrier to growth. The average tax compliance cost for employees for small businesses is three times what it is for large businesses. We need to make taxes lower, fairer, more predictable and generally more understandable. We will be voting on a bill of this nature sometime this week.

Freedom from government competition. Too many of our small businesses find themselves pitted against their own government when it comes to doing commercial work like landscaping, construction, and engineering. We should require Federal agencies to use the private sector when providing goods and services that are available in the open marketplace. This gives small businesses in our community a chance to work efficiently and create jobs, and this has been shown to save taxpayers money.

Finally, and most importantly, a jobs-based education policy. A major root cause of our long-term unemployment is the changing nature of the global marketplace. We are competing against developing countries like never before. Competition isn't bad, but we need to be better prepared. In order to maintain a high standard of living, we need to cultivate the value-added, knowledge-based innovative sector of our economy. This can only be achieved through education and a new focus on the fields of science, technology, engineering, and math, also known as STEM. STEM jobs, on the average, pay 27 percent more than non-STEM jobs. The only effective long-term way to rebuild the middle class is through education. It's been this way since the dawn of time with better-paying, tax-generating jobs that provide at least those basics of the American Dream: a home, a college education for your children, and a dignified retirement.

Mr. Speaker, there are few tasks more important than helping small businesses put our neighbors and friends back to work in America. Let's join to work on pro-growth policies that will enable them to do just that.

Mr. GRAVES of Georgia. I thank the gentleman from New York.

I appreciate your plea there. Let's get government out of the way. Let's let small business owners do what they do best, and that is dream big and work hard.

Next to share with us is Mr. BARTLETT from Maryland. Thank you.

Mr. BARTLETT. Thank you very much for yielding.

I would like to spend just a couple of minutes putting this discussion in context.

I'm from Maryland. I have been there 51 years now, and for 12 years my wife and I ran a small business, meeting a payroll every Wednesday morning. That's pretty good discipline. I wanted to give you some statistics from Maryland.

Now, we're an average, a little smaller than average State. We have only eight Representatives in the Congress. We have something over 5 million people. In our little State, we have 106,441 small businesses. That is a lot of individual businesses. They have between one and 500 employees, and they totally employ 1,105,200 individuals. Now, this is in a little State like Maryland.

It's interesting to see who employs these people. The top three industries by employment:

Over 157,000 in health care and social assistance. This is one of the most rapidly growing segments of our society, which we have to kind of calm down or we won't be able to afford it;

There are over 135,000 employees in professional, scientific, and technical services. And Maryland is probably either number two or number three in biotech in the whole country, so we're proud of that;

We have 133,000 employees in construction. That's down. We used to have more than that, of course, and we hope we can have more in the future.

According to the Census Bureau, of the small businesses in Maryland, 15,717 are women-owned, and they employ 147,751 employees.

I would just like to note that, before the recent increase in employment in Hispanic small businesses, that women-owned small business are the fastest growing small businesses in our country. They are better employers than men. Men and women are different. Our military has a little trouble figuring that out sometimes, but they are different. They are ranked to be better employers by their employees, so let's give a way to women who are entering the small business community.

In addition to this, to these small businesses, in 2009, Maryland was home to 365,492 sole proprietorships. These are small businesses with one person in them, sole proprietorships.

Many of these self-employed small businesses also benefit from the 20 percent small business tax cut in H.R. 9, which is one of the things we are focusing on this evening, because I understand that we're voting on that tomorrow.

A couple of interesting statistics:

Between '05 and '08, small business created a net total of 63,576 new jobs in Maryland, but in just '08 and '09, we've

lost 57,433. So we just are barely up in small business now because of how many of those small businesses we lost.

One of the previous speakers mentioned the Tax Code and how we need to make it simpler and fairer. Let's just talk about the Fair Tax for just a moment.

If we went to the Fair Tax—that's a tax on consumption—then let's repeal the 16th Amendment. Don't give the government any chance to ever come back with a personal income tax again. If we did that, we could have a bigger tax revenue with no increase in tax burden, because the tax burden today is not just the tax as you pay, but the \$200 billion that it costs businesses and individuals across their country every year to comply with the code.

I don't know anybody out there who wouldn't be happy to roll that compliance cost into the tax burden so that now the revenues will go up with no increase in tax burden. That's one of the things that we need to do to balance the budget. If we just went to the Fair Tax with no increase in tax burden, we'd have \$200 billion a year more money flowing into the U.S. Treasury and small business would be a big part of this.

Mr. GRAVES of Georgia. Thank you. I appreciate your words there.

As I wrap up this segment that we have here this evening, I just want to say thank you to the small business owners across America. You have heard great reports from Members of Congress who are with you, who are fighting with you and fighting for you. We just want to thank you, because every day you're getting up and you're going against some of the greatest pressures and the greatest burdens that a government could ever place on you, but you don't give up.

You get up each day. You put the boots on. You go out and you work hard. You take that dream, that idea, that concept, and you build it into reality, and you are building jobs and you are providing for other families. We want to thank you for that.

While the optimism index is getting lower, the misery index is getting higher. I'm here to tell you Americans have not given up. Small business owners have not given up. In fact, statistics show that if just one out of two businesses across this Nation hire one person in the next 12 months, unemployment would be near zero. That's how close we are, because small business owners haven't given up. I want to thank you for that. I want to applaud you for that. Keep up the great fight.

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

□ 1750

SMALL BUSINESS TAX CUT ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 5, 2011, the gentleman from Ohio (Mr. CHABOT) is recognized for 28 minutes as the designee of the majority leader.

Mr. CHABOT. Thank you very much, Mr. Speaker. I appreciate that, and I really appreciate Chairman GRAVES making it possible for so many of us who care about small business in this country this evening to take a little time to talk about how important it is and what we ought to be doing to support our small business folks all over the country. After all, 70 percent of the jobs that are created historically in the American economy aren't the big guys. They're not the huge corporations, although we want them to do well and hire a lot of people. But even though a lot of people think it's the huge corporations that are doing all the hiring, it's really small business folks. It's mom-and-pops places. It's people that have fewer than 500 employees. Oftentimes, fewer than 50. Sometimes it's 5, or even 1. These are the folks that historically have created 70 percent of the jobs.

And, unfortunately, I would argue that this administration and the policies that have been implemented by many of the folks on the other side of the aisle, unfortunately, have made it very challenging to these small businesses to be successful and to hire additional employees. And there's a whole range of issues that we're going to talk about this evening. We have limited time, so I'm going to turn it over to a couple of my colleagues.

I would like to first recognize the gentleman from Arizona, DAVID SCHWEIKERT, who's been a leader in trying to come up with policies that will be supportive for small businesses in this country.

Mr. SCHWEIKERT. Mr. Speaker, to my friend, thank you for yielding me a few minutes here.

One of the reasons I'm standing here is, over the last week we've heard the President talk about what we call the Buffett rule, and the Senate, and its failure to move the Buffett rule—thank heaven. And realizing, for a lot of Americans, they don't understand this is, A, it's absolutely pretend math. But it's also meant as an absolute attack on the entrepreneurs, on the wealth creators and the people that create jobs and economic growth in this country.

So I thought I would do another one of my clocks to try to help folks understand the reality of the math. Think about this. We borrow about \$3.5 billion every single day, which is actually an improvement from where we've been, but \$3.5 billion every day. There's 1,440 minutes in a day. So we were trying to figure out how do you explain how little the Buffett rule does to help us in our debt crisis but how much damage it will ultimately do to our economic growth.

And where this came from is 2 days ago my phone rang, and I had a gentleman from my district who was absolutely insistent that the Buffett rule would solve the debt problem. So we made a clock. And here it is. If you think about how much we borrow in a single day—that \$3.5 billion in a day—how much would the Buffett rule, with our math, how much of that day would it cover of the debt? Remember, 1,440 minutes in a day. It would cover 3½ minutes of borrowing in a day. It's fantasy.

So why does the left, why does this President engage in this sort of political theater? Maybe because it's good politics. But it's really crappy math.

And here's the reality of our future, and this keeps coming back, and why we so desperately have to do those things to get our small businesses to start hiring and growing. But we here in the Federal Government, we here in Congress, are going to have to deal with a reality that's coming at us like a freight train. This year, 63 percent of all of our spending is Medicare, Medicaid, Social Security, interest on the debt, veterans' benefits. In 4½ years—so the 2017 budget—75 percent of all of our spending will be what we call the mandatory—the entitlement.

It is consuming us as a people. Your government is very quickly becoming a health insurer with a shrinking army. We need the President to stop pushing policies that attack our job-creation engines. The fantasy of things like the Buffett rule may be great politics but it's not good for this country.

Mr. CHABOT. I thank the gentleman. Reclaiming my time, the gentleman mentioned the Buffett rule. And maybe I'll talk about that as well very briefly here because I think the gentleman from Arizona did a great job in showing that this is really all about politics, is all this so-called Buffett rule policy is.

There's a gentleman named Charles Krauthammer who happens to be, I believe, one of the smartest, most interesting political commentators or pundits in the land. I saw him talk about the Buffett rule and what a farce it is the other evening, and he illustrated it a little bit differently but it's the same type of illustration. One that brings it, I think, down to Earth.

He had the numbers run on this from a very reputable organization. And if the dollars were collected on the so-called Buffett tax for the next 250 years—so the next 250 years this tax is collected—and he commented that that is longer than the Republic has been in existence, the United States of America. This is longer than our existence. So you collect it for the next 250 years. Do you know how much we would actually collect from that relative to the deficit, which is what this is supposed to do, pay down the deficit? It wouldn't cover last year's deficit alone. So not one year of the Obama deficit would be

covered by the so-called Buffett rule if we collected it for 250 years. So it's nothing but pure politics. Don't be fooled by that.

Now, Mr. Speaker, as small businesses across the country fight to make ends meet and stay out of debt, the Federal Government continues to dig itself into a hole with its exorbitant spending habits. Small businesses are burdened with massive regulations brought on by ObamaCare. They're further plagued by the threat of tax increases—significant tax increases—next year, should the relief from the 2001 and 2003 tax cuts be allowed to expire. And that's what some people, particular those on the other side of the aisle, would like to happen. They would like the tax cuts to go away. In other words, if tax cuts go away, taxes go up. And this wasn't on the very wealthy. It was on virtually all Americans—middle class folks, people that take advantage of the child tax credit, and a whole range of people in the middle. And yes, at upper income levels as well.

So a lot of folks would be hit very hard with this, particularly small business folks, because the so-called wealth in this country, many of them are small business folks. Again, as I mentioned before, 70 percent of the jobs in this country are created by those folks. So if you're trying to bring the unemployment rate down, why put additional burden on the people that are actually creating the jobs?

Mr. Speaker, tax issues are the single most significant set of regulatory burdens for most small businesses. A recent NFIB Research Foundation study—the NFIB, by the way, is the National Federation of Independent Businesses—found that 4 of the top 10 small business problems were tax-related. Just this week, struggling families and businesses were forced to give the government more of their hard-earned money to satisfy the hungry appetite of government bureaucracies.

Mr. Speaker, enough is enough. Confiscatory tax rates and fiscal irresponsibility have got to come to an end. Small businesses across the country are fighting to keep their doors open and keep their lights on. It's shameful for the Federal Government to expect these hardworking taxpayers to foot the bill for GSA excursions to Las Vegas and inept corporate schemes like Solyndra while the backbone of our economy, which is the small businesses, continues to suffer. After all, American small businesses are responsible, as I said before, for 70 percent of the jobs that are created in this country. Why do we want to continue to make life so difficult for them? Why are they the target for the left in this House so often?

The America I know is a Nation where hard work creates opportunities for success. After all, that's what our forefathers were seeking in the first

place. At the founding of our Nation, small businessowners came to this land to escape excessive taxation and cumbersome regulation. These were families of farmers and builders, traders, inventors, and merchants. It's disheartening that today it's our very own government that's creating the job-killing taxation and regulation.

Our economy is still struggling to rebound from the worst recession since the Great Depression, and we must support the engine that will propel America forward. This engine has always been fueled by hard work and an economic climate that rewards success.

When I'm back home in my district in greater Cincinnati, I make a point to frequently meet with small businessowners to talk about their successes as well as their struggles. I too often hear that the burden of taxes and regulations, coupled with great uncertainty, is keeping these businesses from growing, and in many cases forcing many of them to close their doors altogether.

That's why I'm a cosponsor of H.R. 9, the Small Business Tax Cut Act. If passed, this legislation would amend the Internal Revenue Code to allow American businesses a tax deduction of 20 percent. This is common sense. It's a fair bill that would help small businessowners to keep more of what they have earned to invest in expansion and hiring. That's the important thing—hiring Americans who now need those jobs.

□ 1800

We still have over 8 percent that are unemployed. I urge my colleagues to support this critical legislation that will be a shot in the arm to small businesses across the Nation. If there are any of my colleagues that would have any additional things they would like to say, we would welcome them at this time.

May I ask the Speaker how much time we have remaining.

The SPEAKER pro tempore. The gentleman from Ohio has 16 minutes remaining.

Mr. CHABOT. One of the other issues that we haven't covered too much here, and let me talk about this very briefly, is the impact that the high cost of energy, gasoline in particular, what kind of difficulty that's causing small businesses across the country, because I hear this all the time from my small business constituents. It's not surprising that energy prices, and gas prices in particular, have been going up so much. They're double—the gas prices alone at the pump are double what they were when the Obama administration took over, and that's most unfortunate.

But it's really not surprising when you consider the person that President Obama appointed to be the head of energy in this country. The chief mind

about energy and what we should do about it is the Secretary of Energy, Steven Chu. Steven Chu a couple of months before President Obama appointed him to that position said that it was his goal, what we ought to try to do, what we ought to strive for, is to raise the price of gasoline in this country, energy costs, prices of gasoline, for example, to European levels. Think of that.

Now they've got approximately, it depends on the country you're talking about, but it's around \$9 a gallon—they do liters over there—but it's about \$9 a gallon. Now we're not there yet, but, unfortunately, we're well on our way. It's approaching \$4 back in my district in Cincinnati. Here in Washington, just the other day, I had to fill up, and it was about \$4.50. So we're not quite there yet, but we're approaching that. It's just unbelievable that we're in this state.

But really I guess it shouldn't be surprising when you consider that the person that President Obama put in control of our energy policy here in this country said that it was his goal to get energy prices up to European levels. As I say, unfortunately, we're well on our way.

Those gas prices, that's what the delivery trucks have to pay, the small business folks that are delivering things to towns, or getting products from other manufacturers. When they come in, they cost more. So they can't charge the consumers as much; or if they do, they drive those consumers away. So it's a vicious circle. We need to get energy prices down in this country, and, unfortunately, they're on their way up.

Another, I think, terrible mistake that this administration has made is to basically shut the door on the Keystone pipeline. This is oil sands from Canada, our friendly neighbor to the north. Our largest supplier of petroleum, by the way, is Canada. And this is a pipeline that would mean a significant number of jobs here in the United States, tens of thousands of jobs. And if we ever needed jobs, we know it's now. And those are good-paying jobs. Many of them are union jobs. But the President has decided that, no, we're not going to make this decision until maybe after the election. So tens of thousands of jobs are at risk here.

Canada has been pretty clear about what they're going to do. If we're not going to accept the oil in our country and build the pipeline, it's quite likely that they'll go ahead and build the pipeline through Canada to British Columbia and ship that oil that ought to be going to the U.S. to China, who is one of our biggest competitors in a lot of ways. And if you know anything about China, the environmental controls that they have over there are far weaker than what we have in the United States.

So if your goal is to make sure that you're protecting the environment—and that's what many of the President's allies, the really radical left-wing environmentalists who are fighting against the Keystone pipeline—if you buy their argument, what they're saying is they want to protect the environment by not having that oil come down here and be refined in the gulf. But the controls we have here are much stronger than what they are over in China. So you're not protecting the environment at all or climate change or anything else if you're going to allow them to spew out what they usually do in China when they handle refining and manufacturing oftentimes and a lot of other things.

We all know how the administration supported an organization like Solyndra and how much tax dollars were wasted there. And it goes on and on. So the energy policy in this country by this administration is impacting consumers. It's impacting you and me and anybody who goes and fills up at the gas pump nowadays. But it's also adversely impacting small businesses and job creation.

Another way that this administration, I believe, has made a mistake which is causing these high prices is to continue to keep off limits much of the Outer Continental Shelf. The gulf, the moratorium, was disastrous for jobs in the gulf region after the spill down there; and, yes, it should have been investigated very thoroughly. But a lot of those oil derricks ended up leaving that area. They couldn't hold out with that cost, the expensive capital costs over 6 months' period of time, so they ended up off the coast of Brazil, for example.

And the President famously said, We'll be happy to buy your oil, Brazil. Well, we can look at oil all around the world, but we ought to be self-sufficient. And the President said he was interested in being energy self-sufficient in this country, but his policies are anything but that.

So he continues to put off limits much of the Outer Continental Shelf. We had the disaster in the gulf, and ANWR up in Alaska the administration has continued to put off limits. Now, we need to do all these things in an environmentally safe manner. And we have the ability to do that now. But, again, this administration has shut this down. That's affecting all of us in higher and higher gas prices. So it's long overdue for this administration to take a look, a long hard look, at what their policies are doing to the country and to reconsider this, to allow us to go after oil that we have available to us, clean coal, natural gas, and a whole range of fuels that we have here in this country so we don't have to be buying that from countries that oftentimes don't have our best interests at heart.

It sends a lot of money over to regions and countries where, unfortu-

nately, a lot of terrorism that has endangered the world and endangers us has come from. So those dollars aren't always spent in a way that's going to help the United States. So, it's time for the administration to turn its policies around.

Mr. Speaker, without further ado, I will yield back the balance of my time.

□ 1810

HIGHER EDUCATION AFFORDABILITY

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

Mr. COURTNEY. Mr. Speaker, I appreciate the opportunity to spend some time on the floor this evening. I will be joined by other colleagues, we anticipate, to talk about an issue which is front and center for millions of families all across the country.

As my poster next to me indicates, there is actually a very critical deadline that's approaching this country in terms of the issue of higher education affordability, about helping families pay for college, one of the biggest challenges that middle class families face today.

Back in 2007, Congress made a very positive, progressive move when it enacted the College Cost Reduction Act, a measure which addressed issues that had been long neglected by prior Congresses in terms of helping students and families pay for college. The College Cost Reduction Act, in particular, took aim at the Stafford student loan program, a loan program that helps lower-income and middle-income students pay for college. It's a program which has been on the books since the 1960s; but over the late 1990s into the early 2000s, the interest rate in the Stafford student loan program had fluttered upwards to 6.8 percent, almost the same levels at what private banks were offering for student loans.

The College Cost Reduction Act in 2007 correctly moved forward to cut the interest rate for that program to make it more affordable for students, again, who are facing ever rising tuition increases in both public and private universities and colleges—2-year programs, you name it—all across the country. As a result of that measure, which passed by a bipartisan vote in this House—we had 77 Republicans who joined the Democratic majority that was in control at that time—it was sent to the Senate. Approximately two dozen Republicans voted in favor of the Stafford student loan program, and it was sent to President Bush, who signed it into law. That measure has helped 15 million students with lower interest rate costs pay for college.

That measure was sunset. It had an expiration date of July 1, 2012. As my poster indicates, that's a date which, today, is 73 days away for families and students who today are trying to budget for next year's school year. That deadline will, in effect, return the interest rate back to where it was back in 2007. It will double the interest rate from 3.4 percent to 6.8 percent unless Congress acts.

President Obama, during his State of the Union Address, alerted this Congress and the Nation to the fact that at a time when student loan debt now exceeds credit card debt and car debt, we must, as a Congress, move quickly to make sure that we lock in that rate at 3.4 percent; otherwise, students who use this program, it's been calculated, will have added debt levels of between \$5,000 and \$10,000.

Now, in terms of the stakes that exist right now for what that means, this chart—which is from a figure that was produced by the Federal Reserve Bank of New York—shows again, vividly, the challenge that we face as a Nation, that student loan debt now, as I mentioned earlier, exceeds credit card debt. It exceeds car loan debt. For many families, particularly if you're talking about going to a 4-year private college, it literally is like buying a house to try and figure out ways to pay for college.

So if we do not act, if we do not lock in that lower rate of 3.4 percent between now and July 1—the 73-day deadline that we face, literally, as we stand here today—we will, in fact, compound that bar graph which shows, again, rising debt levels for students who are trying to pay for college.

The stakes could not be bigger for our Nation.

Back in the 1980s, America was number one in terms of graduation rates across the world. Today, the national College Board—which tracks this data and has been doing it for decades—reports to us that the U.S. now ranks 12th in the world in terms of graduation rates. That is a dynamic for mediocrity. That is a dynamic that says that our country is not going to be able to produce the workforce that we need for the future in terms of facing all the technological challenges, all the competitive challenges that we face as a Nation. We here in Congress have that power within our hands to at least avoid worsening the situation that, again, has now, in my opinion, reached epidemic, critical proportions in terms of this country's capacity to refresh its workforce.

The Republican majority has leadership which recently talked about this issue. The chairwoman of the Higher Education Subcommittee, when asked last week on a radio program about the issue of student loan debt, basically stated very clearly that she has very little tolerance for people who tell her

that they graduate with \$200,000 of debt or even \$80,000 of debt because there's no reason for that. Well, this morning's Wall Street Journal had a very long story about a couple who are exactly in this predicament, where they are carrying \$74,000 of student loan debt, making monthly payments of approximately \$900 a month. The headline basically is that student loan debt is deferring marriage and children for young people.

Frankly, that is an issue which is being compounded in terms of young people being able to go out and look for work and not be haunted or burdened—almost smothered and buried—by student loan debt. That affects the vitality of our economy. It affects, really, the career path of many of our young people who, at that point in life, really should be maximizing their attempts to really experiment and to innovate and to be, again, the leaders of a new generation in terms of taking this country to new heights.

This is a sad statement of the priorities of the majority that's controlling this Congress, which, again, at a point where we literally have before us in 73 days a choice to make in terms of whether or not we are going to avoid this explosion in interest rates, we have a leadership which basically says they have no sympathy or tolerance.

You know, as we're sitting here tonight, Capitol Hill is being visited in Members' offices hour after hour by organizations like dental students, nursing students, folks who, again, are very excited about starting their careers and have issues about policy that we're taking up here in their different professions. In each instance, when you asked a dental student, "Well, what kind of student loan debt do you have?" or a nurse anesthetist, "What kind of student loan do you have?"—and they were in my office a couple days ago—in every instance, their debt levels exceeded the levels that the chairwoman of the Higher Education Subcommittee was talking about.

We need a Congress which is not out of touch with middle class families and young people in this country. We need a Congress which is ready to move forward with the need to lock in that lower interest rate so that, again, we do not compound this problem of student loan debt skyrocketing in increases.

There is legislation which is pending, H.R. 3826, a measure which I introduced, and now we have over 120 co-sponsors in the House Democratic Caucus—I'm joined here this evening by some of the folks who have joined in that effort—that would lock in that rate, that would say that, You know what? This is a priority that really matters in terms of the future of this country, which is to invest in young people, to help middle class families deal with, again, probably as big a

challenge as either buying a home or trying to save and prepare for retirement.

For us, at a time when the Federal Reserve is lending money almost for free, when home mortgage interest rates are about 3.1 percent for a 30-year mortgage and even lower for a variable rate, to say that we are going to stand here and turn our backs and allow interest rates for the Stafford student loan program—one of the workhorse, bedrock programs for middle class families to pay for college—to go from 3.4 percent to 6.8 percent is unconscionable. It is unforgivable. We cannot let this happen.

Here this evening on the floor I've been joined by some Members who agree and have been working hard on this issue back home, getting the word out in their States, and also have co-sponsored this legislation and have joined us to talk a little bit about this issue from their perspective.

Congressman CICILLINE from Rhode Island was here first, and I am pleased to yield to my neighbor from Rhode Island. Thank you, sir, for joining us here this evening.

Mr. CICILLINE. I thank the gentleman from Connecticut for his extraordinary leadership on this issue, which is important to Rhode Island, but really important to students all across our country.

I think one of the things that has struck me during this debate about this issue in the last several weeks as we've tried to bring attention to this issue is that this is really a moment in the history of our country where we need to recognize—maybe more than anytime at least in my lifetime—the urgency of investing in education and of ensuring that young people have access to a quality education.

The idea that we're in a position to prevent interest rates from doubling for those who are benefiting from Stafford loans and that this Congress seems poised not to do anything about it, to me, is, as you said, unconscionable.

There was a report that was done recently, the Georgetown University Center on Education and the Workforce. They found that over the period from 2008 to 2018, about 47 million job openings will be created; and of that, more than 30 million of these jobs will require at least some level of postsecondary education.

So this is the reality for our country, that we have got to realize if we're going to create jobs and be sure that we have young people who have the skills necessary to fill those jobs in this new knowledge economy of the 21st century, we have to make it easier for people to access higher education, not more difficult.

□ 1820

And Congress wisely cut the rate in half from 6.8 percent to 3.4. We have to make sure it stays there.

Now, I come from a State that brought us the great Senator Claiborne Pell, who was the creator of the Pell Grant, which created and continues to create hope and opportunity and access to education for millions and millions of Americans, really unlocking opportunity and keys to success.

We all understand that not only the student benefits from that education, but we all benefit. The community benefits when we have a well-educated group of young people that are making new discoveries, that are finding cures for diseases, that are inventing new products, that are building productive lives to support themselves and their families.

And this is a moment when we have to be sure that we're protecting families from the consequences of this kind of interest rate increase, doubling, as you just said, Representative.

The United States Public Interest Research Group says that without congressional action, borrowers who have taken out the maximum \$23,000 in subsidized student loans will see their interest balloon to an additional \$5,200 over a 10-year repayment and \$11,300 over a 20-year repayment. So this is a huge increase for families, many of whom in my State, where we continue to have very high unemployment, the second highest in the country, where families are struggling with the consequences of the housing crisis and difficulty finding work, this cannot, we cannot allow this to happen. It will cause incredible hardship for families in Rhode Island and my district.

I was recently at Roger Williams University and at several other universities in my district meeting with young people. All were concerned about will Pell Grants continue, will we be able to protect Pell Grants, and what's going to happen when they graduate and have student loans. Are these kinds of interest rates going to be in existence, which are just not affordable to young people.

And the idea that we have 73 days, you know, this is a moment where we can demonstrate we can get something done. My friends on the other side of the aisle don't seem interested in addressing this issue which, for Rhode Islanders, and I know you recently had an event in Connecticut, and I know many of our colleagues around the country doing this, we've got to rally young people to demand that the legislation which you sponsored, H.R. 3826, and which I'm proud to be a cosponsor of, and my Senator, Senator REID on the Senate side is the lead sponsor, we've got to demand that Speaker BOEHNER bring this to the floor for a vote.

Our colleagues need to hear from their families in their districts, from young people all across this country. This is about our own investment in our future as a country, that we benefit

from young people who have access to higher education. At a time where our economy is still recovering, we can't allow interest rates to student loans to double.

I'm going to continue to fight very hard. I thank the gentleman for his leadership on this. I hope that we will continue to beat the drums on this for the next 73 days till we force some action here on the floor of the House for the sake of the young people in this country and for the sake of our future as a thriving and prosperous democracy.

I again thank the gentleman for the opportunity to speak to this issue tonight.

Mr. COURTNEY. Thank you, Congressman CICILLINE. And I'm glad you mentioned Senator REID. Actually, we had an event in front of the Capitol a couple of weeks ago where Public Interest Research Group dropped off 130,000 petition signatures from college campuses all across America, and they are going to go out and get even more because, as I said, 15 million college students benefited from that rate cut in 2007; 8 million will be impacted if we do nothing with higher interest rates.

Someone who can speak on this issue as knowledgeably as almost anyone, literally, in the House or Senate, in the U.S. Congress is Congressman BISHOP, again, my neighbor across Long Island Sound in the State of New York. Again, thank you for joining us here tonight, TIM, and I yield to your comments.

Mr. BISHOP of New York. Thank you very much for the opportunity, Congressman COURTNEY. And let me begin by commending you for being the sponsor of H.R. 3826. I'm proud to join you in that effort, and over 100 of our Democratic colleagues have joined in this effort. And I find it both distressing and, frankly, shocking that we don't have a single Member from the other side of the aisle who cares about students and wants to see the student loan rate maintained at 3.4 percent.

Let me start with a statistic that ought to give pause to everyone who cares about the future of our country. We have fallen from first to 15th in the world in the proportion of our population ages 23 through 35 that has a college degree. In an intensely competitive global marketplace, we are going to continue to struggle if we do not have the educated populace that we need to have to compete in that global marketplace. And if we continue to make it more difficult for students to go to college, that's precisely the outcome that we'll have.

And so, at the very moment when we ought to be doing everything that we possibly can to facilitate college enrollment, we are, in fact, in the House of Representatives, being led by people who are taking us in the exact opposite direction.

The student loan issue is crucial. As you say, we have 73 days to act before students take on a significant additional hardship, doubling the interest rate.

But look at what the House Republican budget that has now been passed twice in this Chamber, once before Easter recess and as recently as yesterday, look what it does to higher education. It cuts funding for the Pell Grant program, as Representative CICILLINE said, the core program, the core student financial aid program that came about as a result of the leadership of Senator Pell. It cuts it by \$104 billion over 10 years, \$104 billion over 10 years at a time when we're trying to facilitate college enrollment.

It will render 18,000 students in my home State of New York ineligible for Pell, students who are eligible for it now who won't be eligible for it next year. Across the country, 400,000 students who are eligible for Pell now won't be eligible for it.

And at the very time that the Republican leadership of the House of Representatives is proposing that, they are also proposing to make it more expensive for students to do the only thing they could do to replace the dollars they're going to lose from Pell, and that's borrow. So we're going to hit them both ways. We're going to take away non-repayable assistance, grant assistance, and then we're going to make it more expensive for them to borrow. And it's just simply wrong.

We ought to be about opportunity in this country. And when I hear a Presidential candidate talk about how the desire to send more students to college is elitist, it, frankly, gives me great pause. And if we look at the history of higher education in this country, before World War II and the GI Bill, it was elitist. And then with the advent of the GI Bill and then the community college, higher education became egalitarian. And it's what built the great middle class in this country. It is what has allowed us to thrive and become the strongest and most prosperous Nation in the world.

We cannot afford to take a step back; and this dual effort to both diminish Pell, significantly diminish Pell, and then make it more expensive for students to borrow, the consequence of that will be to move us backward at a time when we need to be aggressively charging forward.

Mr. COURTNEY. I thank the gentleman.

Again, someone who's been a leader on this issue, first sponsor after we introduced the bill is Congressman GARY PETERS from Michigan, so we're not all from New England and New York on the floor here this evening because this is a national issue; and thank you for joining us, Congressman PETERS.

Mr. PETERS. Thank you, Mr. COURTNEY, for yielding some time. And

you're absolutely right: this is a national issue. Certainly in my home State of Michigan, it is an issue of incredible concern to people and young people and older folks, as well, that have been saddled with these debts over the years that are coming to me saying, you know, How can this happen? How can we be in a situation where interest rates are going to double when you look in the papers and you go to the bank and you see the banks basically pay no interest to anybody if you're trying to save money. The Treasury bonds are at a couple of percent. You've got mortgage rates at 4 percent, and yet these rates are going to be doubling to 6.8 percent.

It just defies logic that we even have to be here debating this for an issue that is so important to millions of Americans who will be impacted either directly or a member of their family that has to deal with these loans and these high costs.

And the thing that is really so tragic and so sad is that it is because of congressional inaction. We have the power to do it. It is very simple for us to make this change, to lock in these rates at 3.4 percent. And yet our colleagues on the other side of the aisle turn a blind eye and refuse to take the action that is necessary to help all of these young people and others that are going to be saddled with these additional costs.

And it's going to have an incredible burden, not just on their families. But it will actually have a major impact on the economy as well. We have all heard stories of folks who have to pay these loan amounts, these monthly payments that are very large and, as a result of that, people are postponing marriage, they're postponing buying a new automobile.

As a gentleman who represents the State of Michigan, I don't want to discourage anybody from purchasing an automobile and having the transportation they need. And yet young people are forced to do that because they have these loans that are now going to become even more expensive.

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It also means buying homes and starting to live that American Dream and being able to make those kinds of investments that are being postponed.

So this inaction from Congress, in addition to being a big burden on many families, will actually slow down the economic recovery as well. Our focus here should be about jobs; it should be about the economic activity, strengthening that; and it should be about helping middle class families and working families be able to pursue that American Dream.

Mr. COURTNEY, I think you'll agree that we're kind of facing a perfect storm right now when it comes to this issue—and not just in this interest

rate. We're looking at the fact that a growing number of high school seniors are now going into college. We also have increased unemployment and underemployment so that more folks are going back to try to get an education, to get the skills that they need in order to get those jobs. As a result of that, they need to be taking on loans. Otherwise, they aren't going to be able to afford that education. At the same time, we've got folks trying to better themselves and pursue their dreams.

We see college costs continually escalating. It's getting increasingly expensive for most people to be able to afford college. It's certainly not something that most people can do just by writing a check. Their families don't have that kind of money. It is just way too expensive. I know that we heard from one of the Presidential candidates who said this is a government subsidy to have a loan to help children go to school. I know that particular Presidential candidate never had to worry about paying for anything. He had very rich parents. He's very, very wealthy himself. He doesn't really face what most American families face, which is that, in order to pursue a college education today, you need to have a loan. It is very difficult to do it without taking that loan.

So the fact that we are standing here just 73 days away from when nearly every family in America is going to find that it's going to be harder to afford college I think is unconscionable. As we talked about what this means to put this in dollars and cents, this increase from 3.4 to 6.8 percent means it's about \$11,000 more for the average family over a 20-year loan. It is \$11,000 for an individual to be able to pay that loan back. It makes no sense, as I mentioned in my beginning comments, at a time when Treasury rates are at 2 percent and when mortgage rates are less, that the Federal Government would be charging 6.8 percent to these individuals.

We also know that the affordability of making these payments is becoming more difficult as new graduates are going into a weak employment market right now. Wage levels are lower. In fact, we've seen that the median wage for college graduates has gone down nearly \$10,000, since just 2009, to about \$37,000. So, with the median wage of \$37,000, having an additional cost of \$11,000 over the 20-year life of a loan is something that is a huge burden for a family, especially young families, trying to become established and move forward.

I think we have a couple of policy options here as Members of Congress. Certainly, first off, we want to make sure that young people who are going into college have all the facts and understand what sort of obligations they're getting into when they take

out these loans and incur these debts. I am, certainly, very pleased with the Consumer Financial Protection Bureau, which we both fought for very aggressively to put into effect here in this country in order to protect people from predatory practices, particularly related to debt, in that it is now launching a new tool to help families.

I would encourage anybody who may be watching tonight to go to the Web site and look at those tools, which will help them really get a better handle on how much they will need to borrow to go to school, how much they'll have to pay back and really what those monthly payments are. If we can, we want to equip folks with information that helps people from getting in trouble, that helps them understand how they have to manage that debt; but while they are doing that, we certainly have to make sure, in addition to that financial literacy, that we're making sure that these costs are not onerous. By doubling this rate in just 73 days, by doubling the rate, it is something that we cannot tolerate.

I hope that we can convince our colleagues on the other side of the aisle that they need to be engaged in this debate, that they need to know that families back home are going to be suffering as a result of our inaction or, I should say, as a result of the unwillingness of some of our colleagues not to do our jobs, which is to stand up for our constituents back home.

So I will say that I am very proud to stand with you on this legislation, H.R. 3826. I certainly hope that as folks are watching here tonight that they will realize they need to contact their individual Members of Congress and make sure that their voices are heard; that they cannot handle additional college tuition loan payments. It is something that they're not going to be able to handle. It's going to put them in a very difficult situation. But with action—if they get on the phone, email, contact their Members of Congress—and in letting their voices be heard, hopefully, in 73 days, we can avoid what is going to be a certain hardship.

Mr. COURTNEY. Mr. PETERS, as to your comment about why this should not be a partisan issue, I just want to reiterate the fact that when we cut the rate back in 2007, 77 Republicans in the House voted with the Democratic majority to implement that law, and there were over two dozen Republican Senators in the Senate who voted for it. George W. Bush signed it into law.

Ironically, the Stafford student loan program, which we've talked about a lot here this evening—and a lot of people are familiar with it, but some, I think, would be interested to know—was named after a Republican Senator, Robert Stafford from Vermont, who was a passionate advocate for education just like Senator Pell from Rhode Island was. This, again, used to

be an issue that was nonpartisan totally. Abraham Lincoln was the force that started land-grant colleges in the middle of the Civil War. I mean, it's amazing to think about that, that he just had such vision during the worst conflict in American history to say, you know, we still need to be investing in the future of this country and so started the land-grant process. Stafford from Vermont was another guy who certainly represented a party that, at that time, would have easily understood the fact that we cannot create new barriers at a time when historic levels of debt are rising to a point which exceed credit card debt and student loan debt.

Mr. BISHOP, in your experience as a college administrator, you know. I mean, we are now in late April, and kids are literally getting notices from colleges in their mailboxes today. People are going to have to start planning in terms of how to pay for college. Again, notices are already being sent out to people, saying, you know, you may or may not have this rate right now. So it's changing family decisions literally by the inaction. Frankly, we should not have to wait 73 days. We should do this this week. We shouldn't go home until this gets done, because families need to have some horizon in terms of planning a decision that literally is almost as big as buying a house.

Then I know, Mr. CICILLINE, you were up on your feet, and I just want to keep contact.

Mr. CICILLINE. I just want to say that I think one of the things that we sort of recognize and are very proud of as Americans is that we have always revered our system of higher education and that we have always understood that people's ability to access education is part of, for many young people, the way they help to realize the American Dream for themselves and their families. We've always prided ourselves as a democracy on this mobility: that no matter who you are, if you want to and if you work hard enough, you can go to college and you can afford to, and then you can build a better life for yourself and your family. This mobility is really a key part of the American success story.

I read recently a piece in *The Times* about our living in a time now when that mobility is really being threatened, and college access is part of that challenge. If we are going to preserve the mobility that has made this democracy so strong and so great, we have to be sure we protect access to higher education for the young people who are pursuing it.

It's not only that it's going to be this incredible hardship on families, but we're going to be crushing the dreams of many young people. As you said, as they're getting these decisions in the mail, some young people are going to

have to decide, you know, I can't go to the college of my choice. I can't pursue this dream I have because I'm not going to be able to afford to pay back these loans at these interest rates.

We're going to be crushing the dreams of young people. As you said, we can fix it. This is easy. This is something we can do by congressional action, and we should do it. We shouldn't wait 73 days. I was always taught—I think we were all taught—that education is the key. I come from a State that understands that. As I said, it's the home of Senator Pell. We understood education to be the key to success as well as the access to education for our own futures and the futures of young people. We've got to fix it. This is wrong. It's going to hurt families. It's going to hurt our economy. We've got to take action.

Mr. BISHOP of New York. I want to pick up on a couple of points but certainly on the point, Congressman COURTNEY, that you made with respect to students who are making decisions right now. I mean, they were notified of their acceptances between April 1 and April 15, and they've got to respond to the colleges that accepted them between May 1 and May 15.

□ 1840

They are making life-altering decisions right now. And we here in the Congress, I believe, have an obligation to give them the information they need to have in order to make informed decisions. If they're going to have a significant additional repayment burden upon graduation, that's going to affect their decisions. If a student has excelled and worked hard and gotten into the college of his or her choice, for them not to be able to accept that offer of admission in part because we haven't given them the information that they need, that's unconscionable.

The other point I would make is that governing is about choosing. What we're talking about here is an increase of \$550 a year over the life of a 20-year repayment for 7.5 million students. If anyone walked into this Chamber and proposed a \$550 tax increase on an annual basis for 7.5 million people, our friends on the other side of the aisle wouldn't discuss it, wouldn't hear it at all, and yet they are willing to sit silently by while we're going to impose that very kind of payment increase on 7.5 million students.

The last point I would make is that there is this myth that increased availability of student financial aid drives up college costs, and it is one of the arguments that is made. When people argue for reducing access to student aid, they say that if we reduce access to student aid, college costs will at least moderate, if not come down, because that is what is allowing administrators to raise prices. It is a myth that has absolutely no basis in fact. It

is insidious, and it is damaging because it drives the kind of decisionmaking or priority-making that we're seeing here in this move to reduce Pell, this move to increase student loan rates.

The principal driver of student costs right now is diminished support from State and local government. We are funding public higher education, per FTE, at the lowest level we have funded it in 25 years. That's what's driving college costs. Seventy percent of the students in this country go to publicly supported colleges. Publicly supported colleges are increasing at a rate of 8½ to 9 percent a year because the funding for FTE from the State government or from local government, in the case of community colleges, is going down. That's what is driving costs. If our response to that increased need is to say that's not bad enough, we're going to make it even worse, we're going to take away Pell, and we're going to make your student loans much more expensive, we're going to rue the day we did that because 5 years from now, 10 years from now, 15 years from now we're not going to have the educated workforce we need to have to drive this country forward.

Mr. COURTNEY. Just for our viewers, FTE is an acronym.

Mr. BISHOP of New York. Full-time equivalent student.

Mr. COURTNEY. Again, a true college administrator.

Mr. CICILLINE. Mr. COURTNEY, I was just wondering. You talked about how the interest rate was cut in half by the prior Congress, which was obviously very important for young people and for families, and how the Stafford Act was created and named after Republicans. So this was done in a bipartisan way, which reminds me that I just finished reading a book called "An Uncommon Man" about Senator Pell. In fact, it recounted some of the bipartisanship that existed. I'm wondering what your sense of it is. Why was it that access to higher education seemed to enjoy bipartisan support as recently as a year or two ago when the rate was cut? Certainly the importance of higher education and access to college remains urgent and important. The economy has become more competitive, not less. So what has caused this sort of willingness of my friends on the other side of the aisle to turn their backs on young people? What do you think has changed?

Mr. COURTNEY. Congressman BISHOP was around before the 2006 election and was there when we passed the 2007 College Cost Reduction Act. I believe, frankly, that it is because there was an unprecedented boost in involvement by young people. The 18- to 29-year-old voter turnout in 2006 was a historic high for a midterm election. Frankly, it did slip in the last cycle.

When I'm out at the University of Connecticut or other State universities

in higher education, I tell that story about how in 2006, the issue of higher education was front and center. It was an issue that was a national issue in the 2006 campaign that we put forward to cut the interest rate. And frankly, I think the power of that issue and the message of that election from young voters turning out in record numbers basically kind of shook this place up, and people recognized that they've got to start doing something for higher education. I think in 2010, there was a bit of a slip and this issue kind of lost focus.

Again, I think as we get closer to this incredible doubling of interest rates on July 1—when I talk to people back home when I've done a number of events like you and others have, people greet that with absolute disbelief because they know how mortgage interest rates are, they see what banks are getting from the Federal Reserve, they see what the Treasury bonds are selling for. To say that this one segment of the economy—college students—is going to have a 6.8 percent rate in terms of a loan program is totally unacceptable. That's why, I think, this event we're doing here this evening—and certainly the efforts from PIRG with 130,000 petition signatures—is a way, again, that we can shake this place up again and avoid this catastrophe.

Mr. BISHOP of New York. I would absolutely agree.

I would also observe that when we passed it for 3.4 percent, it was at a time when this Congress was less racked by the partisan antipathy, frankly, that seems to have taken over our Congress. This is an example of that. We have just lived through the last several weeks of perhaps the greatest example of that. We've taken something that historically has sailed through this Congress on a bipartisan basis with little or no objection—the surface transportation bill—and we have been unable to pass the surface transportation bill in this House. It's an embarrassment.

In 2004, I believe it was, or 2005, we passed a surface transportation bill written by Chairman DON YOUNG, Republican of Alaska. It was a very good bill. We passed it with, I think, 30 dissenting votes. And it was written with bipartisan involvement and bipartisan support. That's gone away. I think when we were able to pass the legislation that did the student loan reduction in interest, we had bipartisan support, we had bipartisan involvement. And I hope perhaps this is the issue around which we can coalesce and bring it back, bring back that kind of bipartisan cooperation.

Mr. CICILLINE. I hope that what you're speaking about, kind of the young people of our country, not just the students, but the families of students who are affected—I was at a Por-

tuguese social club recently, and a woman constituent of mine, a single mom, said, I have three children, and this question of what's going to happen to student loans and whether or not their interest rate is going to go up is important.

This is an issue not just for the students but for the whole family. I'm hoping that young people and families who are affected by this issue, which are obviously millions of Americans, will reach out to their Members of Congress and be sure their voices are being heard in this discussion because, I think, that's our only hope that there be sort of a national movement. I know U.S. PIRG is helping to really bring pressure on our Speaker and on our colleagues on the other side of the aisle to take the legislative action that will correct this.

The point we have to really underscore is it's not just for the student; it's for the sake of our country. Our young people are competing not just with a person in Connecticut or New York; they are competing with people all over the world in an increasingly global and competitive economy. We owe it to them to ensure that they have access to the best quality education we can provide. The interest rate doubling on their loans is clearly an impediment to that. We owe it to them, but we owe it to ourselves as a country.

So I thank you again.

Mr. BISHOP of New York. If I may just pick up on that point.

In President Obama's State of the Union address of January 2011, he said that in order for us to win the 21st century, we have to out-build the rest of the world, we have to out-innovate the rest of the world, and we have to out-educate the rest of the world. The innovation piece and the education piece is all about access to higher education.

This is about our future competitiveness. This is about our future economic stability and economic security. It's about filling the jobs that the economy of the 21st century is going to create. The economy of the 21st century is going to create jobs that require post-secondary training. If we make it more difficult for students to access that training, those jobs are going to go unfilled, and our economy is going to continue to struggle.

Mr. COURTNEY. I can give a local example of an employer in our area, which Mr. CICILLINE knows well—and so do you, TIM—which is Electric Boat, which has a new design project where they're going to be hiring about 300-plus new engineers and draftsmen.

□ 1850

They are scouring the countryside trying to find mechanical engineers. Again, these are high-value jobs. The fact of the matter is that it's a struggle out there to get these folks with

hard science degrees for, again, really good openings that exist in our economy right now. They're going to get there. There is no question that's going to happen.

The fact of the matter is that opportunities like that are going to definitely continue to grow as this economy heals and recovers. We want to make sure these young people, again, have not been discouraged from having that chance to take hold of that opportunity when that time comes because of really just the indifference of this body to deal with an issue which, again, just goes to the heart of creating opportunity.

This chart, sadly, when we started it, it was 75 days when the rate was going to go up. Obviously, yesterday, it was 74, today is 73. We are going to continue to make sure that this countdown clock is front and center before the people of this country so that they know that here in this body we have control of this issue, direct control of this issue. Many other issues are so complex and affect a small part of the economy and the country. This is a broad-based issue that affects 8 million college students across America that we have a set deadline. Either we do it or we don't and, again, this colloquy this evening, again, I think is going to be part of the effort to build the noise to make sure that we do it.

Mr. BISHOP of New York. I couldn't agree more. Again, I want to commend you for your leadership first in filing the bill, generating over 100 cosponsors that the bill has, organizing this Special Order tonight. This is a very, very important effort.

One last thing I will say. I will say to the students of America, what I have found is the most compelling effort of advocacy that individuals can put forward is to put a human face on the consequences of our failure to act. If the students all across this country could make their Members of Congress aware of what this is going to mean for them, both in terms of their repayment and the future students in terms of the choices they are going to have to make, I think the decision we need to make will become a lot easier for many of our colleagues to make.

Mr. CICILLINE. I too want to thank the gentleman from Connecticut, and I hope that we will all do everything we can to keep this issue alive over the next 73 days. As you said, JOE, it's not something that has a complicated answer. We can fix it.

You have introduced the legislation. Many of us have cosponsored it to fix this problem. I think the more Members of Congress and our colleagues hear from young people and their families about the real-life impact in the coming week in Rhode Island, we are going to organize an event around this and with young people and their families to really put a human face on what

the consequences of the doubling of these Stafford loans would be, what the impact would be for families.

If everyone does that, the voices of young people and their families have to be heard and represented in this Chamber. I really want to salute you for your extraordinary leadership and leading the charge tonight, but also being a leader in our country on this issue.

Mr. COURTNEY. Well, again, I think you are going to have a really powerful event when you do that. Again, I think the media who have been covering this issue, in many instances they either have children in college or they themselves are still carrying student-loan debt. This issue touches really just a huge cross-section of the country.

To say and to point out the fact which, again, a lot of people aren't aware of, interest rates are going to double on July 1 from 3.4 percent to 6.8 percent unless Congress acts. Again, it is something that people just can't even comprehend the fact that at this moment in the economy, when interest rates are so much lower across the board, that this one segment, college students, particularly entering college

students, kids who are in high school today, frankly, have almost as much, if not more, at stake than kids who are presently enrolled in college to make sure that this place hears their voices and listens and, most importantly, acts to avoid this totally unwarranted increase in college borrowing costs from a program which has a proud bipartisan history. Thank you both for joining me here this evening.

I look forward to getting a bill signing soon to protect these interest rates.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today and April 19 on account of a family medical emergency.

BUDGET AGGREGATES

(On-budget amounts, in millions of dollars)

	Fiscal Year		
	2012	2013	2013–2022
Current Aggregates:			
Budget Authority	2,858,503	2,793,848	(1)
Outlays	2,947,662	2,891,589	(1)
Revenues	1,890,365	2,293,339	32,472,564
Change for the Small Business Tax Cut Act (H.R.9):			
Budget Authority	0	0	(1)
Outlays	0	0	(1)
Revenues	-12,526	-32,174	-33,424
Revised Aggregates:			
Budget Authority	2,858,503	2,793,848	(1)
Outlays	2,947,662	2,891,589	(1)
Revenues	1,877,839	2,261,165	32,439,140

(1) Not applicable because annual appropriations Acts for fiscal years 2013 through 2022 will not be considered until future sessions of Congress.

ADJOURNMENT

Mr. COURTNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 19, 2012, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5668. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a proposed change to the Fiscal Year 2010 National Guard and Reserve Equipment Appropriation (NGREA) procurement; to the Committee on Armed Services.

5669. A letter from the Acting Assistant Secretary, Department of Defense, transmitting the National Guard Youth Challenge Program Annual Report for Fiscal Year 2011; to the Committee on Armed Services.

5670. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2011 Annual Report regarding the Department's enforcement activities under the Equal Credit Opportunity Act, pursuant to 15 U.S.C. 1691f; to the Committee on Financial Services.

5671. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's 2011 annual Report on the Food and Drug Administration Advisory Committee Vacancies and Public Disclosures; to the Committee on Energy and Commerce.

5672. A letter from the Chair, Medicaid and CHIP Payment and Access Commission, transmitting the March 2012 Report to Congress on Medicaid and CHIP; to the Committee on Energy and Commerce.

5673. A letter from the Under Secretary for Industry and Security, Department of Commerce, transmitting Report to Congress: Export and Reexport License Requirements to Temporary Control Items that Provide at Least a Significant Military or Intelligence Advantage to the United States or for Foreign Policy Reasons; to the Committee on Foreign Affairs.

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2013 BUDGET RESOLUTION RELATED TO LEGISLATION REPORTED BY THE COMMITTEE ON WAYS AND MEANS

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to sections 404 of H. Con. Res. 34, the House-passed budget resolution for fiscal year 2012, deemed to be in force by H. Res. 287, and 503 of H. Con. Res. 112, the House-passed budget resolution for fiscal year 2013, deemed to be in force by H. Res. 614, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the budget allocations and aggregates set forth pursuant to the budget for fiscal years 2012 and 2013 as set forth under the provisions of those resolutions. The revision is designated for the Small Business Tax Cut Act of 2012 H.R. 9. A corresponding table is attached.

This revision represents an adjustment pursuant to sections 302 and 311 of the Congressional Budget Act of 1974, as amended (Budget Act). For the purposes of the Budget Act, these revised aggregates and allocations are to be considered as aggregates and allocations included in the budget resolutions, pursuant to sections 101 of H. Con. Res. 34 and section 101 of H. Con. Res. 112.

5674. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with Australia Concerning Defense Trade Cooperation (Treaty Doc. 110-07) activities report; to the Committee on Foreign Affairs.

5675. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-134, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5676. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BRP-Powertrain GmbH & Co KG Rotax Reciprocating Engines [Docket No.: FAA-2012-0126; Directorate Identifier 2015-NE-07-AD; Amendment 39-16959; AD 2012-04-03] (RIN: 2120-AA64) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5677. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments

[Docket No.: 30830; Amdt. No. 499] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5678. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Authorization to Use Lower Than Standard Takeoff, Approach and Landing Minimums at Military and Foreign Airports; Confirmation of Effective Date [Docket No.: FAA-2012-0007; Amt. No. 135-126] (RIN: 2120-AK02) received March 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5679. A letter from the Assistant Secretary — Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Production Measurement Documents Incorporated by Reference [Docket ID: BSEE-2012-0003] (RIN: 1014-AA01) received March 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5680. A letter from the Vice President, Government Affairs and Corporate Communications, Amtrak, transmitting an addendum to the Fiscal Year 2011 Legislative and Grant Request of February 1, 2012; to the Committee on Transportation and Infrastructure.

5681. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Corrections to Customs and Border Protection Regulations: Petitions For Relief [CBP Dec. 12-07] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5682. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — United States-Korea Free Trade Agreement [USCBP-2010-007] (RIN: 1515-AD86) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5683. A letter from the Acting Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for the Chiricahua Leopard Frog [Docket No. FWS-R2-ES-2010-0085] (RIN: 1018-AX12) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5684. A letter from the Chief, Publications and Regulations Branch, Department of the Treasury, transmitting the Service's final rule — Applicable Federal Rates — Correction to Rev. Rul. 2012-9 (Rev. Rul. 2012-12) received March 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5685. A letter from the Chief Counsel, Department of the Treasury, transmitting the Department's final rule — Payments by Banks and Other Financial Institutions of United States Savings Bonds and United States Savings Notes (Freedom Shares) Regulations Governing Payment under Special Endorsement of United States Savings Bonds and United States Savings Notes (Freedom Shares) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5686. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — April 2012 (Rev. Rul. 2012-11) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5687. A letter from the Secretary, Department of Health and Human Services, transmitting A report on the Post-Acute Care Payment Reform Demonstration Program, pursuant to 42 U.S.C. 1395b-1 Public Law 109-171, section 5008(c) (120 Stat. 37); jointly to the Committees on Energy and Commerce and Ways and Means.

5688. A letter from the Assistant Secretary, Department of Defense, transmitting proposed legislation, titled "National Defense Authorization Act for Fiscal Year 2013"; jointly to the Committees on Foreign Affairs, Veterans' Affairs, Ways and Means, Energy and Commerce, Armed Services, Education and the Workforce, House Administration, and Oversight and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROSS of Florida (for himself, Mr. SMITH of Texas, Mr. COBLE, and Mr. PETERSON):

H.R. 4377. A bill to provide for improved coordination of agency actions in the preparation and adoption of environmental documents for permitting determinations, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY:

H.R. 4378. A bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. LEWIS of Georgia, Ms. MOORE, Ms. LEE of California, Mr. MCDERMOTT, Ms. WOOLSEY, Ms. SCHAKOWSKY, Ms. DELAURO, Mrs. MALONEY, Mr. JACKSON of Illinois, Ms. RICHARDSON, Ms. NORTON, Mr. CONYERS, Mr. DAVIS of Illinois, and Mr. RUSH):

H.R. 4379. A bill to amend title IV of the Social Security Act to permit States to exempt single parents with children under 60 months of age from TANF participation rate requirements; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Indiana:

H.R. 4380. A bill to suspend temporarily the duty on capacitor grade homopolymer polypropylene resin in primary form; to the Committee on Ways and Means.

By Mr. TIPTON:

H.R. 4381. A bill to direct the Secretary of the Interior to establish goals for an all-of-the-above energy production plan strategy on a 4-year basis on all onshore Federal lands managed by the Department of the Interior and the Forest Service; to the Committee on Natural Resources.

By Mr. COFFMAN of Colorado:

H.R. 4382. A bill to ensure Federal oil and natural gas lease sales occur, eliminate redundant leasing bureaucracy, and provide leasing certainty; to the Committee on Natural Resources.

By Mr. LAMBORN:

H.R. 4383. A bill to streamline the application for permits to drill process and increase funds for energy project permit processing, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself and Mr. BRALEY of Iowa):

H.R. 4384. A bill to permit manufacturers of generic drugs to provide additional warnings with respect to such drugs in the same manner that the Food and Drug Administration allows brand names to do so; to the Committee on Energy and Commerce.

By Mr. ROKITA (for himself, Mr. GOWDY, Mr. QUAYLE, Mr. SCHWEIKERT, Mrs. BACHMANN, Mr. WILSON of South Carolina, Mr. CHAFFETZ, Mr. MCHENRY, Mr. ROONEY, Mr. HENSARLING, Mr. ROE of Tennessee, Mr. DUNCAN of South Carolina, Mr. GRAVES of Georgia, Mr. GOHMERT, Mr. MULVANEY, Mr. HUIZENGA of Michigan, Mr. FLORES, Mr. HARRIS, Mr. YODER, Mr. HUELSKAMP, Mr. FLEMING, Mr. MCCLINTOCK, Mr. MANZULLO, and Mr. AKIN):

H.R. 4385. A bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees; to the Committee on Education and the Workforce.

By Mr. LAMBORN (for himself, Mr. CHABOT, Mr. ROKITA, Mr. MULVANEY, Mrs. MYRICK, Mr. HARRIS, Mrs. LUMMIS, Mr. ROE of Tennessee, Mr. MANZULLO, Mr. DUNCAN of South Carolina, and Mr. HUIZENGA of Michigan):

H.R. 4386. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the adjustment for disaster funding; to the Committee on the Budget.

By Mr. POMPEO (for himself, Ms. JENKINS, Mr. YODER, and Mr. HUELSKAMP):

H.R. 4387. A bill to allow for a reasonable compliance deadline for certain States subject to the Cross-State Air Pollution Rule; to the Committee on Energy and Commerce.

By Mr. RIGELL (for himself, Mr. LANDRY, Mr. GRIFFIN of Arkansas, Mr. HARRIS, Mr. WALSH of Illinois, Mr. CLEAVER, Mr. ROSS of Florida, Mr. MULVANEY, Mr. THORNBERRY, Mr. LABRADOR, Mr. JOHNSON of Illinois, Mr. SIMPSON, Mr. ROKITA, Mr. MILLER of Florida, Mr. YOUNG of Indiana, Mr. REED, Mr. RIBBLE, Mr. DESJARLAIS, Mr. BUCSHON, Mr. GOWDY, Mr. CULBERSON, Mr. WILSON of South Carolina, Mr. GINGREY of Georgia, Mr. LANKFORD, Mr. CANSECO, Mrs. HARTZLER, and Mr. CONAWAY):

H.R. 4388. A bill to state that nothing in the Authorization for Use of Military Force or the National Defense Authorization Act for Fiscal Year 2012 shall be construed to deny the availability of the writ of habeas corpus for any person who is detained in the United States pursuant to the Authorization for Use of Military Force in a court ordained or established by or under Article III of the Constitution; to the Committee on Foreign

Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTA (for himself, Mr. THOMPSON of California, Mr. HERGER, Mr. DANIEL E. LUNGREN of California, Mr. MCCLINTOCK, Ms. MATSUI, Ms. WOOLSEY, Mr. GEORGE MILLER of California, Ms. PELOSI, Ms. LEE of California, Mr. GARAMENDI, Mr. MCNERNEY, Ms. SPEIER, Mr. STARK, Ms. ESHOO, Mr. HONDA, Ms. ZOE LOFGREN of California, Mr. FARR, Mr. CARDOZA, Mr. DENHAM, Mr. NUNES, Mr. BACA, Mr. CALVERT, Mrs. BONO MACK, Mr. CAMPBELL, Mr. BILBRAY, Mr. HUNTER, Mr. MCCARTHY of California, Mrs. CAPPS, Mr. GALLEGLY, Mr. MCKEON, Mr. DREIER, Mr. SHERMAN, Mr. BERMAN, Mr. SCHIFF, Mr. WAXMAN, Mr. BECERRA, Ms. CHU, Ms. BASS of California, Ms. ROYBAL-ALLARD, Ms. WATERS, Ms. HAHN, Ms. RICHARDSON, Mrs. NAPOLITANO, Ms. LINDA T. SÁNCHEZ of California, Mr. ROYCE, Mr. LEWIS of California, Mr. GARY G. MILLER of California, Mr. ROHRBACHER, Ms. LORETTA SANCHEZ of California, Mr. ISSA, Mr. FILNER, and Mrs. DAVIS of California):

H.R. 4389. A bill to designate the facility of the United States Postal Service located at 19 East Merced Street in Fowler, California, as the "Cecil E. Bolt Post Office"; to the Committee on Oversight and Government Reform.

By Mr. GRIJALVA:

H.R. 4390. A bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes; to the Committee on Education and the Workforce.

By Ms. HOCHUL:

H.R. 4391. A bill to require the Commodity Futures Trading Commission to take certain actions to reduce excessive speculation in energy markets; to the Committee on Agriculture.

By Mr. HONDA:

H.R. 4392. A bill to extend the temporary suspension of duty on subassemblies for instruments or apparatus for measuring or checking electrical quantities; to the Committee on Ways and Means.

By Mr. HONDA:

H.R. 4393. A bill to extend the temporary suspension of duty on parts or accessories of instruments or apparatus for measuring or checking electrical quantities; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 4394. A bill to provide incentives to encourage financial institutions and small businesses to provide continuing financial education to customers, borrowers, and employees, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE:

H.R. 4395. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish new procedures and requirements for the registration of cosmetic product manufacturing

establishments, the submission of cosmetic product and ingredient statements, and the reporting of serious and unexpected cosmetic product adverse events, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LUJÁN (for himself and Mr. GOSAR):

H.R. 4396. A bill to extend Forest Service and the Bureau of Land Management stewardship end result contracting authority, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY:

H.R. 4397. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for expenses paid for household and dependent care services necessary for gainful employment and to increase, and make refundable, the credit for such expenses; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 4398. A bill to provide grants to States in order to prevent racial profiling; to the Committee on Transportation and Infrastructure.

By Mr. YODER:

H.R. 4399. A bill to amend the Legislative Reorganization Act of 1946 to reduce the rates of pay of Members of Congress by 5 percent and eliminate future cost-of-living adjustments in such rates of pay; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN (for himself, Mr. KIND, Mr. NEAL, Mr. DUFFY, Mr. TIBERI, Ms. MOORE, Mr. SHIMKUS, and Mr. ELLISON):

H. Con. Res. 116. Concurrent resolution expressing the sense of the Congress that tax-exempt fraternal benefit societies have historically and continue to provide critical benefits to Americans and United States communities; to the Committee on Ways and Means.

By Mr. CHANDLER (for himself, Mr. ROGERS of Kentucky, Mr. WHITFIELD, Mr. YARMUTH, Mr. DAVIS of Kentucky, and Mr. GUTHRIE):

H. Res. 622. A resolution congratulating the University of Kentucky Wildcats on winning the 2012 National Collegiate Athletic Association (NCAA) Men's Division I basketball championship; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROSS of Florida:

H.R. 4377.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sections 1 and 8, including, but not limited to, Clauses 1, 3 and 18 of Section 8.

By Mr. CROWLEY:

H.R. 4378.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. STARK:

H.R. 4379.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of article I of the Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. YOUNG of Indiana:

H.R. 4380.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. TIPTON:

H.R. 4381.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the Constitution.

By Mr. COFFMAN of Colorado:

H.R. 4382.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution.

By Mr. LAMBORN:

H.R. 4383.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the Constitution.

By Mr. VAN HOLLEN:

H.R. 4384.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ROKITA:

H.R. 4385.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 Clause 3 of the Constitution of the United States that states "The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. LAMBORN:

H.R. 4386.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. POMPEO:

H.R. 4387.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. RIGELL:

H.R. 4388.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 2: The privilege of the writ of habeas corpus shall not be suspended, unless when in case of rebellion or invasion the public safety may require it.

Article I, Section 8, Clause 1: The Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

Article 1, Section 8, Clause 11: To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

By Mr. COSTA:

H.R. 4389.

H.R. 4301: Mr. RIBBLE, Mr. ROE of Tennessee, Mr. FLEMING, Mr. KINGSTON, and Mr. ROKITA.
H.R. 4304: Mr. SCOTT of South Carolina.
H.R. 4315: Mr. OLVER.
H.R. 4332: Mr. MATHESON.
H.R. 4342: Mr. COHEN, Mr. SHIMKUS, and Mr. OLSON.
H.J. Res. 104: Mr. LUCAS.
H.J. Res. 107: Mr. HUIZENGA of Michigan.
H. Con. Res. 40: Ms. HAHN and Ms. MOORE.
H. Con. Res. 107: Mr. BURTON of Indiana and Mr. COFFMAN of Colorado.

H. Con. Res. 110: Mr. LANDRY and Mr. ROONEY.
H. Res. 59: Mr. SHERMAN.
H. Res. 137: Mr. YODER.
H. Res. 152: Mrs. ELLMERS.
H. Res. 262: Mr. LUTKEMEYER.
H. Res. 271: Mr. GRIFFIN of Arkansas.
H. Res. 507: Mr. NUNNELEE.
H. Res. 583: Ms. WATERS.
H. Res. 608: Mr. PASCARELL.
H. Res. 613: Mr. BLUMENAUER.
H. Res. 618: Ms. BORDALLO and Ms. RICHARDSON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3993: Mr. GIBSON.

EXTENSIONS OF REMARKS

HONORING TERRI CRUZ AND HER MANY CONTRIBUTIONS TO THE PEOPLE OF ARIZONA

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. PASTOR of Arizona. Mr. Speaker, I ask my colleagues to join me in recognizing the many achievements of Ms. Terri Cruz, my friend and a matriarch of the Hispanic community in Phoenix, who has advocated for the social well-being of thousands of Arizonans throughout her lifetime.

On March 28, 2012, Terri was recognized with an Arizona Latina Trailblazer Award presented by Phoenix College Raul H. Castro Institute and Latino Perspectives Magazine. Such an event provided the opportunity to reflect on her many contributions to the Latino community in Phoenix and Arizona.

More than 43 years ago, I met Ms. Cruz while she was working with the Migrant Opportunities Program and SER Jobs for Progress, two very important programs in our community. At the same time, Ms. Cruz was also serving as one of the founding board members of Chicanos Por La Causa, Inc., a nonprofit agency based in Phoenix. Today that agency provides social services, education, economic development, and housing programs throughout Arizona. Terri's known trait of serving with compassion, professionalism, and dignity is apparent in all areas of CPLC's work.

For the past 20 plus years, Terri has worked as a social service provider with CPLC, the organization she helped start. Her small frame and friendly disposition is no match for her powerful advocacy skills, which has undoubtedly allowed her to effectively represent and advance the needs of countless Arizonans. In tribute, CPLC named one of its buildings for Ms. Cruz, and in 2008, she was quoted in The Arizona Republic as saying, "I learned that people are what's important. If people need help, you help them. If you have, you share."

As a child of the depression era, who lost both parents by the time she was six, Terri understood the value of hard work and the importance of caring for others. When she was old enough, she began working at a laundry, married at the age of 15, and became a mother to eight children. Terri assumed the challenge of being a single parent, while simultaneously beginning her work as an advocate for our community, and the issues most important to us. Despite her limited education, Terri's "can do" attitude led her to eventually pursue career opportunities as an office assistant, job developer, and a personnel manager.

Ms. Cruz has also encouraged civic participation and over the past two decades has been one of our most reliable volunteers at my annual Citizenship Day event, where she as-

sists citizenship candidates in preparing their application packets.

Additionally, Ms. Cruz's leadership skills has benefited the many boards and commissions on which she has served. In 1985, she was appointed by former Arizona Governor Bruce Babbitt to the Nursing Care Institution Administrators Board, while concurrently serving as the National Chairman of the Hispanic Senior Citizen Foundation Board.

Mr. Speaker, I ask that you join me in honoring Ms. Terri Cruz and her continued commitment and service to the people of Arizona.

LIEUTENANT COMMANDER ZEITA MERCHANT

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. CUMMINGS. Mr. Speaker, I rise today to commend Lieutenant Commander Zeita Merchant for her service to the country and her contributions to the work of the House of Representatives. As Chair of the Subcommittee on Coast Guard and Maritime Transportation during the last Congress, I was very fortunate to have her join our staff as a fellow in 2010. I was pleased that she agreed to continue her fellowship during this Congress with the Committee on Oversight and Government Reform.

Lieutenant Commander Merchant made invaluable contributions to our work. In particular, she assisted in organizing a forum I co-hosted on the military's efforts to address hazing, as well as recruitment, retention, and promotion challenges for women and minorities across the Armed Services. Her unique perspective and hard work were critical to the success of this event.

Lieutenant Commander Merchant also contributed her expertise on port security matters to our ongoing oversight of the Department of Homeland Security and the Transportation Security Administration.

In addition to her work in the homeland security area, Lieutenant Commander Merchant contributed to hearings on stimulus spending and the implementation of weatherization and green energy loan programs.

We were fortunate and blessed to have Lieutenant Commander Merchant join us for a term as a fellow. I wish her continued success in her next assignment as the Executive Officer of Marine Safety Unit Texas City and note that she will be the first African American woman to serve as the executive officer of a marine safety unit. I am certain that her crew members will benefit from her determination and her exceptional leadership.

As Ranking Member of the Committee on Oversight and Government Reform, I thank Lieutenant Commander Merchant for her serv-

ice and wish her the best in her future endeavors.

RECOGNIZING THE NORTHWEST INDIANA BUSINESS AND INDUSTRY HALL OF FAME'S CLASS OF 2012

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with deep respect and admiration that I rise to commend five exceptional business leaders from Northwest Indiana who were recently honored as the Northwest Indiana Business and Industry Hall of Fame's Class of 2012. Created by The Times and BusIness magazine, induction into the Indiana Business and Industry Hall of Fame is determined by a panel of local civic and business leaders. While there were many deserving nominees, the individuals selected as the 2012 Indiana Business and Industry Hall of Fame inductees are: Milford Christenson, Wil Davis, Linda Woloshansky, Tom Gryzbek, and Steve Pangere. For their many contributions to the enhancement of Northwest Indiana, these honorees were recognized at a ceremony that took place at the Radisson Hotel at Star Plaza in Merrillville, Indiana, on Friday, March 9, 2012.

Milford Christenson, of Highland, is the president of Christenson Chevrolet. For decades he has been a leader in the philanthropic community of Northwest Indiana. Milford served in the United States Army during World War II as a member of General Patton's Third Army and earned a Bronze Star for his service. A 1947 graduate of Indiana University, he is a proud member of the Indiana University Alumni Association. In 1951, Mr. Christenson and his family purchased a Chevrolet dealership in Griffith and, twelve years later, moved to their current location on Indianapolis Boulevard in Highland. Christenson Chevrolet was named Indiana Dealer of the Year by Time magazine in 2001. Milford Christenson's story is proof that with hard work and determination, anything is possible.

Wil Davis, of Gary, is the owner/operator of the Gary Jet Center, located at the Gary/Chicago International Airport. A Brooklyn native, Wil graduated from Cornell University and later entered the United States Navy. After serving on active duty during the Vietnam War, Mr. Davis joined the Navy Reserve and served until 1987. In 1989, he visited the Gary Airport, and one year later, Wil and his wife, Jean, along with two partners, purchased a small regional airline and moved its base of operations to Gary. Since then, he has developed the Gary Jet Center into a growing and thriving business, which is a tremendous benefit to the citizens of Northwest Indiana.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Linda Woloshansky, of Ogden Dunes, is the president and chief executive officer of The Center of Workforce Innovations in Valparaiso. An East Chicago native, Ms. Woloshansky graduated from Andean High School and Indiana University. Linda learned early on that good employment opportunities allow people to obtain a better quality of life. Her career has been dedicated to the service of others by improving the educational attainment, workforce viability, and economic development of Northwest Indiana.

Tom Gryzbek, of Dyer, is the president of Franciscan Saint Margaret Health in Hammond and Dyer. Mr. Gryzbek earned a degree from the University of Illinois in 1974. Mr. Gryzbek has also earned a master's degree in business administration from Indiana University Northwest and a law degree from DePaul University College of Law. Soon after graduating, he joined the former Saint Margaret Hospital as a suggestion plan manager. Tom has since made his way up the ranks of the organization, serving in numerous capacities, including executive vice president and chief operating officer of Saint Margaret Mercy. In 2004, Tom was deservedly appointed to his current position. He also serves the religious community of Northwest Indiana as a Gary Diocese deacon at Saint Andrew the Apostle Parish in Merrillville.

Steve Pangere, of Crown Point, is the president and chief executive officer of The Pangere Corporation and Culver Roofing Incorporated, both located in Gary. The Pangere Corporation was founded by Steve's grandfather, John Pangere, who opened the company in Gary after arriving to the Calumet Region from Greece in 1905. Steve Pangere hopes his sons, Nick and Tony, will someday take over the company, making it a fourth generation family business. Steve Pangere has managed to lead a successful corporation while battling the effects of progressive vision loss due to Rod-Cone Dystrophy. He is an advocate and an inspiration to the visually impaired and has contributed to many worthy causes around the Chicagoland and Northwest Indiana region.

Mr. Speaker, the lives of every citizen living in Northwest Indiana has been enriched because of the selfless good work of these five extraordinary individuals. I ask you and my distinguished colleagues to join me in commending these outstanding leaders on their induction into the Indiana Business and Industry Hall of Fame. These individuals are most deserving of being named the Class of 2012, and for their leadership and commitment to the Northwest Indiana community, each of them is worthy of our respect and admiration.

HONORING DAVID SMITH ON HIS
DISTINGUISHED CAREER

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. PASTOR of Arizona. Mr. Speaker, I ask my colleagues to join me in recognizing the long public service career of Mr. David Smith, who is retiring this month as Maricopa County

Manager after more than 17 years as the county's top appointed official.

Mr. Smith's career dates back to 1968, when he served three years in the U.S. Marine Corps Reserve, including two years in Vietnam. Since this time, Mr. Smith has received countless recognitions for his work, including the honor of being named Governing Magazine's "Public Official of the Year" in 2001.

Beginning first as a lobbyist for Westchester County, NY, it was there, that he first learned the art of the legislative process and the nuances of federal, state and local governance. In December 1994, he arrived in Phoenix in the midst of a fiscal crisis. In response, he fashioned a strategic plan based on realistic economic analysis, accurate forecasts, smart budgeting, continuous fiscal oversight, and a relentless quest for service improvement. His efforts have in turn helped Maricopa County establish a Triple A bond rating, no general obligation debt, a structurally balanced budget, and more Arizona Quality Awards than any other public or private entity in the state.

Through Mr. Smith's fiscal discipline, Maricopa County was able to build satellite facilities, correction centers, and courthouses with cash reserves, saving hundreds of millions in interest payments that bonding would incur. Also, due in large part to his guidance, Maricopa County's adult probation department is considered a national leader in evidence-based practices and reducing recidivism.

Noting the fiscal challenges associated with rising health care costs, Mr. Smith pushed the county to invest in public health programs. As such, more Arizonans are able to take advantage of health screenings and assessments and the county will also soon open a clinic for integrative medicine, utilizing alternative therapies.

Like many urban centers, downtown Phoenix has needed to address the concerns of chronically homeless adults. Therefore, Mr. Smith proposed a one-stop service center and organized a public-private response with county government taking the lead. Today, the Human Service Campus provides its clients with professional support and resources, and uniquely, through its establishment, has helped spur private economic investment in downtown Phoenix.

Mr. Smith is retiring from county government, but his leadership, vision, and focus will surely have a lasting impact in Maricopa County. Mr. Speaker, I ask that you join me in thanking Mr. Smith for his work and congratulate him on the occasion of his retirement as Maricopa County Manager.

JIM COLE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. GRAVES of Missouri. Mr. Speaker, it is with great pride and pleasure that I rise today to recognize the outstanding service of Jim Cole on the occasion of his retirement after 23 years of service to the State of Missouri and our veterans.

Jim began his career as a Local Veterans Employment Representative for the Missouri Career Center in 1989, and in the 23 years that have passed since then, he has worked tirelessly to help our veterans find employment. Jim helps coordinate the largest career fair in the northwest region of Missouri, which is held in St. Joseph every year. In 2006, Jim was able to visit Washington, D.C. to receive the State Veteran Services Award from the Department of Labor for his hard work.

Jim is also a veteran himself. Before he began his work for the Missouri Career Center, he served in the United States Navy two different times, first serving from 1972-1976, then again from 1977-1981. Jim worked as an Aviation Structural Mechanic repairing A-7 aircraft carrier planes. His life's dedication and hard work should serve as an example of how we can better serve each other and our great nation.

Now that Jim will be retired, he will have more time for his other passions in life, namely, motorcycles. The biker dude will finally be able to ride into the sunset on his new Harley Softail, and take long camping trips with his wife, Elizabeth. As I understand it, Jim was hit by an older driver while driving a motorcycle as a teenager, and thought it would be funny to pretend to be in serious pain to scare the old man. Now that he will be the retired driver, I send him best wishes on avoiding a replay of that day.

Mr. Speaker, I ask my colleagues to join with me in commending Jim Cole for his dedicated service to Missouri's veterans. I know Jim's colleagues, family and friends join with me in thanking him for his commitment to others and wishing him happiness and good health in his retirement.

CONGRATULATING THE 2012 MAKE
A DIFFERENCE DAY WINNERS
FROM LAS VEGAS

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Ms. BERKLEY. Mr. Speaker, today, I would like to acknowledge the great work of the volunteers of Las Vegas, Nevada, involved with the 13th annual Make A Difference Day food drive. These volunteers from Las Vegas have been selected as national 2012 Make a Difference Day winners. Make a Difference Day is a celebration of the power of neighbors helping neighbors. Created by USA Weekend, Make a Difference Day is an annual day of service that mobilizes more than three million volunteers to create change in their community.

This group of outstanding volunteers from Las Vegas has made a substantial impact on our community by collecting 3,500 pounds of canned food. For the past 13 years on Make a Difference day, publicist Mary Vail has teamed up with local grocery stores and encouraged shoppers to buy just one extra can of food to donate. This year, the Smith's Food and Drug store in the Summerlin community served as the event's host location. Volunteers included Mayor Pro Tern Stavros Anthony, TV

talent show contestants, and local news personalities who came by to support Mary Vail and her 22 volunteers. Throughout the 13 years Mary Vail has been holding these food drives, she has collected 22.3 tons of food and toiletries for the Salvation Army.

I want to congratulate these outstanding Nevadans for their leadership and great work in the community. I am proud they will be honored here in Washington during National Volunteer Week for their service at the Points of Light event, Celebrating People in Action, on April 19.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. JOHNSON of Illinois. Mr. Speaker, on Tuesday, April 17, 2012 my flights from Illinois did not arrive in Washington at their predicted time. As a result, I was unable to attend the first vote on rollcall No. 154. Had I been present, I would have voted "aye" on the Question of Consideration of the Resolution.

HONORING QUINTON COLE
WHITAKER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Quinton Cole Whitaker. Quinton is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 247, and earning the most prestigious award of Eagle Scout.

Quinton has been very active with his troop, participating in many scout activities. Over the many years Quinton has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Quinton has become a Foxman, a Warrior in the Tribe of the Mic-O-Say and has acted as Patrol Leader and Den Chief. Quinton has also contributed to his community through his Eagle Scout project. Quinton, after discussion with the Elmo, Missouri, Betterment Club created a new park, complete with a trio of all wooden picnic tables and a pair of A frame swings.

Mr. Speaker, I proudly ask you to join me in commending Quinton Cole Whitaker for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING ANNE AND
JACK MURPHY

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. GARAMENDI. Mr. Speaker, I offer my warmest congratulations today to Anne and Jack Murphy on the occasion of their 70th Wedding Anniversary and Anne's 90th birthday. We join in celebration with their three children and their families including seven grandchildren and five great grandchildren, Anne's sister, Mary Jane, their nieces and nephews, cousins, and lifelong friends.

Teresa Anne McSorley was born on March 23, 1922, at the McSorley Ranch in Chili Gulch, near Mokelumne Hill, in Calaveras County, California, and Raymond "Jack" Murphy was born on March 16, 1918, and raised at the Murphy family home on St. Charles Street in San Andreas, also in Calaveras County, California.

The young couple first met at a dance at the Mokelumne Hill Town Hall in 1935 when they were 14 and 18. Jack graduated from Calaveras High School in 1935 and went on to earn a MBA Degree in Business from Stanford University in 1941. Anne, also a graduate of Calaveras High School, Class of 1939, went on to attend UC Berkeley for two years and Munson School of Business, and later worked for the manager of Rexall Drug Store in San Francisco. The couple dated for about three years, became engaged and were married on May 2, 1942, in San Andreas, before Jack became an ensign for the US Navy. Jack served in the Second World War in Alaska, then Europe and finally the Pacific Theater in 1945. Jack Murphy attained the rank of Lieutenant, Senior Grade was given command of the USSYMS 359, a mine sweeper.

Anne and Jack Murphy have three children, Kathleen; Dennis; and Teresa; and raised them in California at homes they made in Park Merced, Santa Monica, Sherman Oaks, and Corona Del Mar. Jack managed the Murphy Hain Company, while Anne devoted her time and talents to her family, her children's Catholic schools and her favorite charity, St. Anne's, until the couple retired to their current home in Roseville, Northern California.

Anne and Jack Murphy teach us all that is key to a long life and happy marriage: love, friendship, mutual respect, faith, patience, humor, rounds of golf, card games, good books, soap operas, time in the yard, hometown memories, world travel, family vacations and trips to the ranch, a cocktail or two, and the value of time spent with family and friends.

HONORING JOURNEYMEN LINEMEN

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. GINGREY of Georgia. Mr. Speaker, I rise to recognize this day, April 18, as a day of honor for Journeymen Linemen.

Accordingly, I have introduced H. Res. 561 to recognize April 18, 2012, as National Jour-

neymen Linemen Day in order to honor these brave men and women for their contributions to protect public safety.

Journeymen Linemen are often the first responders during a storm or other catastrophic event, which means these brave men and women are often required to make the scene safe for other public safety heroes. Linemen work with thousands of volts of electricity high atop power lines every day of the year in order to protect the nation from dangerous electrical currents.

The profession of Journeymen Linemen is steeped in tradition and family, both professionally and personally. Generations ago, Linemen climbed poles using hooks and blocks, but as technology has grown through the years, innovative Linemen have pioneered advancements with innovative materials, altering the direction of line work for the future.

Mr. Speaker, I ask my colleagues to join me today in honoring the extraordinary commitment and courage demonstrated everyday by the nation's Journeymen Linemen.

HONORING ALEX JOSEPH
ALSHOUSE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Alex Joseph Alshouse. Alex is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 247, and earning the most prestigious award of Eagle Scout.

Alex has been very active with his troop, participating in many scout activities. Over the many years Alex has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Alex has earned the Order of the Arrow, Star Rank, Life Scout and is a Warrior in the Tribe of Mic-O-Say. Alex has also contributed to his community through his Eagle Scout project. Alex oversaw construction and installation of two bridges over a ravine so that students at Northview Elementary School could evacuate further away from the school in case of an emergency.

Mr. Speaker, I proudly ask you to join me in commending Alex Joseph Alshouse for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING CAPTAIN KYLEANNE
HUNTER, U.S.M.C.

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. WILSON of South Carolina. Mr. Speaker, Captain Kyleanne Hunter served in the office of the Second District of South Carolina

as a Military Fellow from January–December 2010. After leaving our office, she served in the Marine Corps Liaison office on Capitol Hill. In the coming months, Captain Hunter plans to serve in a Reserve unit with the U.S. Marine Corps while attending graduate school at the University of Denver. She has been accepted into the very competitive Sié Fellows Program which will further her education in international studies.

Throughout her service, she consistently demonstrated her expertise and knowledge by providing timely and accurate information to the Congressional Members and their respective staffs. Captain Hunter was a vital asset for all matters relating to the Marine Corps in the House of Representatives. Members and staffers alike respected and trusted Captain Hunter's straightforward and dependable assistance. Her forthrightness and knowledge were key attributes in maintaining the Marine Corps' superb relationships with the many Members of the House of Representatives.

Throughout her tour, Captain Hunter personally responded to, or supervised hundreds of congressional inquiries, some of which gained national level attention. Through her exceptional inter-personal skills and broad knowledge in a wide range of military affairs, she assisted the Director, Marine Corps Liaison Office, in gaining the Members' support and trust on critical issues.

Captain Hunter successfully planned, coordinated, and escorted an extensive number of international and domestic trips for Congressional and Staff Delegations. I had the pleasure of attending one such CODEL which Captain Hunter helped organize for the House Democracy Partnership to the Kyrgyz Republic. Her attention to detail and anticipation of requirements allowed our CODEL to focus on fact-finding and learning new information, which helped to guide critical decisions to support the people of the United States.

Through her exceptional personal efforts, Captain Hunter has contributed immeasurably as a member of my staff and also in the Marine Liaison Office here on Capitol Hill. I wish her well in all of her future endeavors. I look forward to hearing of her many future successes.

OIT HUSTLIN' OWLS—2012 MEN'S BASKETBALL NAIA DIVISION II NATIONAL CHAMPIONS

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. WALDEN. Mr. Speaker, it is with great pleasure that I rise today to congratulate the Oregon Tech Hustlin' Owls men's basketball team for winning the 2012 NAIA Division II national championship.

Combining an impressive defensive performance with a 45-point second half outburst, the No. 2-ranked Hustlin' Owls defeated the top-ranked Northwood University 63–46 on March 13 to take the national title in Point Lookout, Missouri. Oregon Tech set a new school record this year with 34 wins, and by notching their third national championship,

they tied Bethel College for the most titles in NAIA Division II men's basketball.

Bobby Hunter scored a game-high 20 points and pulled down nine rebounds en route to earning tournament MVP honors. Jason Gamblin added 16 points on 7-of-10 shooting and David Clarke scored 11 points with five rebounds. Kyle Gomez contributed nine points and six rebounds.

Congratulations to the Hustlin' Owls are never complete without special mention of their legendary head coach, Danny Miles. In a day and age when personal advancement comes before loyalty far too often—especially in the sports world—Coach Miles has spent his entire coaching career at Oregon Tech. That's 42 years and counting. His 971 wins make him the second winningest men's coach in U.S. college basketball history. And his three national championships—in 2004, 2008, and 2012—are further evidence of the standard of excellence he has established at Oregon Tech.

But perhaps the most important statistic is this: 14 out of the last 15 years' teams have all maintained a 3.0 or better GPA in the classroom—and that with a very challenging curriculum of a world-class technical institute. Coach Miles has built one of the finest athletic programs in the country, be it measured on the court or in the classroom. For this, I know I can speak on behalf of the entire Oregon Tech community and the state of Oregon itself when I say, "Thank you, Coach Miles."

My colleagues, let's recognize the tremendous effort of the Oregon Tech players: Jordan Kiely, Kyle Gomez, David Clarke, Liston Case, Bobby Hunter, Bryant Sentman, Alex Zerbach, Fred Corpening, Kyle Waits, Scott Riddle, Jason Gamblin, Josh Johnson, Braxton Miles, Austen Flint, Mihajlo Matic, Nathan Maddox, and Brandon Bautista.

And, of course, we must congratulate the great coaching staff behind them: Coach Miles, Associate Head Coach Mike Pisan, Associate Coach Jason de Vries, and Associate Coach Paul Poetsch.

Mr. Speaker, on behalf of the Oregon delegation and the House of Representatives, congratulations to the 2012 Hustlin' Owls!

HONORING ZACHARY MICHAEL P'POOL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Zachary Michael P'Pool. Zachary is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 247, and earning the most prestigious award of Eagle Scout.

Zachary has been very active with his troop, participating in many scout activities. Over the many years Zachary has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Zachary has earned the Arrow of Light, 2011

Chieftains Award, Coup of the Long Trail Award and the God and Country Award. Zachary has also contributed to his community through his Eagle Scout project. Zachary planned, managed and assisted in creation of a walking path 350 yards long, requiring 300 man hours, from Northview Elementary School to the school's nature area nicknamed named Coughlin's Corner.

Mr. Speaker, I proudly ask you to join me in commending Zachary Michael P'Pool for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. SULLIVAN. Mr. Speaker, I intended to vote "no" on rollcall vote 159 to H.R. 4089 taken on April 17, 2012. The CONGRESSIONAL RECORD currently lists me as not voting on this amendment. I firmly believe that this amendment, under the guise of permitting hunting, fishing and recreational shooting, in effect guts the bill, and is a vote against sportsmen nationwide.

HONORING CHARLES "CHUCK" W. OWEN

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. CUELLAR. Mr. Speaker, I rise today to honor the late Charles "Chuck" W. Owen, a former Laredo Morning Times news reporter, Church of Christ Minister and veteran. Mr. Owen's actions in his lifetime resonate with the community as he strived to focus on his faith in his work and his family.

While Mr. Owen was born in Dickson, Tennessee in 1940, his family notes that he was a Laredoan by choice, not birth. By the young age of 19 years old, he joined the Navy and was stationed in Corpus Christi, Texas where he met his wife, Clema Owen. By 1962 they married and raised their daughters while they traveled the world. He was an air traffic controller and instructor during his naval career and was the youngest air traffic controller in the history of the naval air station at Corpus Christi. His career in the Navy led him on three tours of Antarctica.

He retired from the military while in Corpus Christi and became a small business owner with a commercial refrigeration business. After 10 years, he sold his business and ventured into the hotel business, La Quinta Inns where they hired husband-and-wife teams. Working alongside with his wife for 8 years, he then started contributing religious articles to the local newspaper, the Laredo Morning Times.

As active members of the Church, Mr. Owen had established a church in Laredo 12 years ago, even though he was a member of a different congregation. He was devoted to

studying the Bible and retired as a pastor from the congregation in June of 2011 due to his health.

Mr. Owen serviced our country as a U.S. Navy lieutenant, delved in the business community as a small business owner, wrote religious contributions to the local paper and served as a minister to his faith. He was faithful, loving and generous in all his work for the community and his family. Mr. Speaker, I am honored to have had the opportunity to recognize the late Chuck Owen. His devotion to the community has truly impacted many lives.

A TRIBUTE TO TIM TEBOW

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. NEUGEBAUER. Mr. Speaker, I would like to recognize Tim Tebow, professional football player and quarterback for the New York Jets, for his superior accomplishments both on and off the field. He is a true leader, a man of character, and a humble servant of God. Throughout his college and professional football career he has been a role model of integrity, providing a beacon of light for Jesus Christ. I would like to recognize him for his athletic achievements, but more importantly for utilizing his special opportunity in the spotlight to provide a Christ-like example to his peers, aspiring young athletes, and our Nation.

Tim was born in the Philippines to American parents, who were serving as Baptist missionaries. He is the youngest of five children, all of whom were homeschooled and taught to follow the teachings of Christ. At a young age, Tim moved with his family to Florida, where he began developing his football talents that would ultimately culminate in a successful college career and propel him into the National Football League, NFL.

Tim was recruited by the University of Florida, and he played there from 2006 to 2009. During his time at the University, he led his team to national championship victories in the 2006 and 2008 seasons. He also earned the top honor of the Heisman Trophy after his sophomore season in 2007. By the end of his college career, Tim held five NCAA, 14 Southeastern Conference, and 28 University of Florida statistical records.

In the 2010 NFL Draft, Tim was selected in the first round and 25th overall by the Denver Broncos. By the early part of his second year with the team, Tim won the starting job. The Broncos went 7–4 with Tim at starting quarterback and ultimately earned a playoff berth. Earlier this year, he was traded to the New York Jets, where he is expected to bring the same leadership qualities and work ethic that has made him successful throughout his football career.

More important than his accomplishments off the field, however, are Tim's extraordinary pursuits in philanthropy and religious evangelism. He is the founder of the Tim Tebow Foundation, which focuses on reaching out to children with life-threatening diseases, aiding children and families in the developing world, constructing a hospital in the Philippines, and

building playrooms in children's hospitals around the world. Tim has a profound faith in God and uses that faith to guide him in his daily pursuits, offering a superb example for all followers of Jesus Christ.

I am honored to speak about Tim's great accomplishments, and encourage him to continue his efforts to spread the word of God and be a positive example for all young athletes. He is a model athlete and a model citizen. On behalf of everyone in the 19th Congressional District of Texas, I thank Tim for all he has given and continues to give to the community.

CONDEMNING LAST WEEK'S LAUNCH OF A MULTISTAGE ROCKET BY THE NORTH KOREAN MILITARY

HON. ENI F. H. FALÉOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. FALÉOMAVAEGA. Mr. Speaker, I rise today to condemn last week's launch of a multistage rocket by the North Korean military. Fortunately, the launch failed and the missile disintegrated within a couple of minutes.

However, that does not mean a future experiment like this by the North Korean government could not succeed, given that the rocket—which was ostensibly carrying a “weather satellite”—could just as easily deliver nuclear or chemical weapons over a long distance, threatening the peace and security of Northeast Asia and the Western Pacific.

The words of the Security Council's statement in response to the launch deserve repetition, and I request that the full text—which was read out by the United States Permanent Representative to the United Nations, Ambassador Susan Rice—be inserted into the CONGRESSIONAL RECORD:

“The Security Council strongly condemns the 13 April 2012 (local time) launch by the Democratic People's Republic of Korea, DPRK.

“The Security Council underscores that this satellite launch, as well as any launch that uses ballistic missile technology, even if characterized as a satellite launch or space launch vehicle, is a serious violation of Security Council resolutions 1718 (2006) and 1874 (2009).

“The Security Council deplores that such a launch has caused grave security concerns in the region.

“The Security Council demands that the DPRK not proceed with any further launches using ballistic missile technology and comply with resolutions 1718 (2006) and 1874 (2009) by suspending all activities related to its ballistic missile programme and in this context re-establish its pre-existing commitments to a moratorium on missile launches.

“The Security Council agrees to adjust the measures imposed by paragraph 8 of resolution 1718 (2006), as modified by resolution 1874 (2009). The Security Council directs the Committee established pursuant to resolution 1718 (2006) to undertake the following tasks and to report to the Security Council within 15 days:

- (a) Designate additional entities and items;
- (b) Update the information contained on the Committee's list of individuals, entities, and items, S/2009/205 and INFCIRC/254/Rev.9/Part.1, and update on an annual basis thereafter;
- (c) Update the Committee's annual work plan.

“The Security Council further agrees that, if the Committee has not acted pursuant to the paragraph above within 15 days, then the Security Council will complete action to adjust these measures within an additional five days.

“The Security Council demands that the DPRK immediately comply fully with its obligations under Security Council resolutions 1718 (2006) and 1874 (2009), including that it: abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner; immediately cease all related activities; and not conduct any further launches that use ballistic missile technology, nuclear tests or any further provocation.

“The Security Council calls upon all Member States to implement fully their obligations pursuant to resolutions 1718 (2006) and 1874 (2009).

“The Security Council expresses its determination to take action accordingly in the event of a further DPRK launch or nuclear test.”

In contrast to the behavior of the North Korean regime, the strong alliance between the United States and the Republic of Korea has been a pivotal relationship in world affairs since we fought side by side in the Korean War six decades ago. Out of that conflict was born one of the most significant dividing lines of the Cold War, a demilitarized zone that splits the Korean Peninsula and marks the divide between communist and democratic Asia. The partnership between the U.S. and the Republic of Korea has held this line for more than six decades.

So, in light of North Korea's provocative actions, it is particularly important that we acknowledge our deep and abiding friendship with South Korea. As a key member of the Six-Party Talks to denuclearize North Korea, the Republic of Korea shares an important responsibility for broader security in Northeast Asia.

We share this responsibility, and this is why I urge my colleagues to join me in condemning the North Korean missile launch and in compelling the North Korea regime to eliminate its nuclear program.

DR. ED GOLDEN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. GRAVES of Missouri. Mr. Speaker, it is with great pleasure that I rise today to recognize Dr. Ed Golden for his outstanding service to his nation and his community.

Dr. Golden has truly dedicated his entire life to serving others. He served in the United States Navy for ten years, where he served aboard four ships and two shore stations, and became a Vietnam combat veteran.

After battling an addiction to alcohol, his two sons motivated him to turn his life around. He earned his Masters Degree in Counseling Psychology, and a Doctorate in Theology from Southwest University. Dr. Golden became a Certified Substance Abuse Counselor, as well as an ordained Unity Minister. He currently serves as Chaplain for the Inter-City Fire Protection District in Kansas City, the Blue Springs Police Department, and the Central Jackson County Fire Protection District. He also serves as CEO of Operation Thermal Reunion, Inc., a not-for-profit organization that raises funds to purchase thermal imaging cameras for fire fighters.

Dr. Golden has been nominated twice for Citizen of the Year by the local Chamber of Commerce, and twice for Volunteer of the Year by the Blue Springs Police Department. He was named Civic Leader of the Year in 2010 by the Missouri Municipal League, and has received two Lifetime Presidential Volunteer Service Awards for his work in the community.

Dr. Golden has served more than 38 years as a speaker in the field of Addiction Recovery throughout the United States, and he helped to write and teach the "How to Cope" program for families with an active substance abuser. He is the Founder of Celebration of Life Counseling & Consulting, and the author of *The Unhooked Celebration*, a book on nicotine addiction recovery. He has also been published in magazines and other periodicals.

Incredibly, this is only a fraction of Dr. Golden's accomplishments. However, the accomplishment that he is perhaps most proud of is one for which he has never received recognition. During his time in the Navy, Dr. Golden moved up quickly in the ranks and eventually became the leading petty officer in the communications division for the USS *Vermillion*.

Being the only person in the division who knew how to work the new electronic equipment, Dr. Golden spent two years writing a training program on shipboard electronics. Under his leadership, 13 of 14 of the radiomen who took the exam for the next rate had the highest scores in the fleet, and they received a nearly flawless inspection. He is extremely proud of the work that he did for the Navy, and he had expected to receive a commendation, as well as a Radioman First Class rating for his work. Unfortunately, he ended up receiving an honorable discharge and never received the honors that he had earned.

Mr. Speaker, I ask that you join me in applauding Dr. Ed Golden for his commendable service to the United States Navy. He poured his time, skill and heart into building a program that would serve his division well, and he deserves our gratitude. I also ask that you join me in recognizing the lifetime of service that he has demonstrated throughout his career. It is an honor to serve a man like Ed Golden in Congress, and I know his colleagues, family and friends join with me in thanking him for his commitment to others and wishing him happiness and good health in his future endeavors.

PERSONAL EXPLANATION

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. McINTYRE. Mr. Speaker, I was unexpectedly unable to make votes on April 16, 2012. Had I been present, I would have voted "yes" on rollcall vote Nos. 152 and 153.

FISCAL YEAR 2013 BUDGET RESOLUTION

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. CICILLINE. Mr. Speaker, on March 29, 2012, less than a year after a similar proposal was defeated, the House Republican leadership held a vote on H. Con. Res. 112—The Republican Fiscal Year 2013 Budget Resolution. This budget proposal sets the wrong priorities for my home state of Rhode Island and the nation as a whole—extending tax cuts for the wealthiest Americans, making deep cuts to programs that serve middle class families, and ending the Medicare guarantee for our seniors.

As the Congressman representing Rhode Island's First District, I have listened to families across my district who are tired of the same old political games that got our country into this mess to begin with. They know that Washington should put politics aside and work on policies that will create jobs, support the middle class, and put the economy back on the right track. Yet, the budget proposed by Representative PAUL RYAN (R-WI), and approved 228–191 by the House of Representatives, would not only fail to create jobs, it would also give the wealthiest Americans an average tax cut of \$150,000, cut education and job training programs by a total of \$166 billion over the next ten years, slash transportation and infrastructure investments by at least twenty-five percent over 10 years, and reduce investments in science, research, and technology by more than \$100 billion over a decade.

With so many Americans out of work, it's hard to believe that the House Republican leadership would ask members to support a budget proposal that would seriously undermine key investments that are so important to creating jobs. Rather than trying to pass another tax giveaway for the richest among us, House Republicans should join with Democrats and enact public policies that will actually benefit our seniors, and middle class and working families. Instead the Republican budget proposal will undermine our economic recovery, and replace the current health care system for our seniors with a voucher program that could allow Medicare to wither on the vine, create higher costs, and reduce the overall quality of health care services.

That is why I supported an alternative budget proposal introduced by Congressman CHRIS VAN HOLLEN (D-MD) that would have preserved the Medicare guarantee, permanently

extended middle class tax cuts, and maintained vital investments in transportation jobs, manufacturing, and education—while also reducing the deficit through policies that balance spending cuts and increased revenue. This proposal stood in stark contrast to the Republican plan—and closely aligned with the priorities shared by many Rhode Islanders.

On March 28, 2012, I spoke out against the Republican proposal on the House floor, and the following day I joined all of my Democratic colleagues and 10 Republicans in voting against this bill. With virtually no chance that this radical legislation will ever pass in the Senate, it is unfortunate that some in Washington have once again chosen political posturing over pragmatism.

All of us in Congress need to help reignite the American dream and build ladders of opportunity for anyone willing to work hard, take responsibility, and play by the rules. There were alternative budget proposals presented in the House of Representatives during debate, including options offered by the Congressional Progressive Caucus (CPC) and the Congressional Black Caucus (CBC). Both initiatives were superior to Representative Ryan's Republican budget document, and included provisions that would preserve the Medicare guarantee, eliminate tax subsidies for big oil companies and loopholes that encourage corporations to ship jobs overseas, and maintain vital investments in education, job creating initiatives, manufacturing, and capital access for small businesses and entrepreneurs. Ultimately, while I support a number of the proposals offered in both the CPC and CBC budget alternatives, I believed the Van Hollen proposal aligned most closely with priorities shared by many Rhode Islanders—including a permanent extension of the 2001–2003 tax cuts for the middle class. In addition, unlike both the CPC and CBC proposal, Representative VAN HOLLEN's Democratic alternative adhered to the discretionary spending levels set in the Budget Control Act of 2011—an agreement that represented a bipartisan, bicameral compromise. In order to prevent a first ever default on our nation's obligations, and to avoid the very real potential of an economic catastrophe, I voted in favor of the Budget Control Act on August 8, 2011. To be clear, there was a lot about this compromise legislation that I did not like, but my prerequisite for voting in favor of the bill was that we avoid a default and we protect Social Security, Medicare, and Medicaid beneficiaries, which this bill did. Just as I could not support Representative Ryan's proposal to walk away from this compromise legislation and make further, dramatic reductions to discretionary spending below the caps set by the Budget Control Act, I also could not support alternatives that did not adhere to the bipartisan, bicameral compromise we agreed to less than one year ago.

There were other proposals, including one offered by Congressmen JIM COOPER (D-TN) and STEVEN LATOURETTE (R-OH) purportedly modeled after recommendations of the Simpson-Bowles Commission (so named after the co-chairs of President Obama's Commission on Fiscal Responsibility and Reform—former White House Chief of Staff under President Clinton, Erskine Bowles, and former Republican Senator Alan Simpson). The Simpson-

Bowles Commission clearly depicted the unsustainable nature of our country's deficit and debt, and delineated a number of policies for serious debate in order to improve our nation's fiscal trajectory. However, the budget proposal offered by Representatives COOPER and LATOURETTE contained provisions that I believe set the wrong priorities. For example, the Cooper-LaTourette plan contained \$1 trillion less in revenue increases as compared to the Simpson-Bowles Commission recommendations—further eroding the balance between revenue increases and spending reductions needed to achieve deficit reduction that does not fall disproportionately on the backs of the middle class and working families. In addition, the Cooper-LaTourette plan includes \$100 billion more in discretionary program reductions than recommended by the Simpson-Bowles report, further distorting the ratio between revenue raisers and spending cuts. Furthermore, the Cooper-LaTourette proposal calls for a shift in corporate tax policy that the Treasury Department has argued would increase incentives for corporations to shift investment and jobs overseas. Lastly, the proposal from Congressman COOPER and LATOURETTE, like the Simpson-Bowles plan, would undermine the benefits and guarantees of Social Security and Medicare.

Ultimately, with so many Rhode Islanders struggling to find work, our fragile economic recovery in the balance, and our seniors in need a strong voice to protect the benefits they earned and deserve, I supported an alternative budget proposal that would have preserved the Medicare guarantee, permanently extended middle class tax cuts, and maintained vital investments in transportation jobs, manufacturing, and education—while also reducing the deficit through policies that balance spending cuts and increased revenue. My constituents in Rhode Island's First Congressional District, and the American people as a whole, deserve nothing less.

INTRODUCING THE WOMEN'S OPTION TO RAISE KIDS (WORK) ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. STARK. Mr. Speaker, I am pleased to introduce legislation that will recognize the hard work that all mothers engage in each day.

In the past week, presumptive Republican Presidential nominee Mitt Romney has said that he believes "all moms are working moms." I agree. Unfortunately, if you are a low-income mother, the Temporary Assistance for Needy Families (TANF) program punishes you if you decide to stay home to care for your young child. Our laws should reflect the value of care giving work done by all mothers.

Current law does not count low-income stay-at-home parents who are raising young children as meeting the necessary Temporary Assistance for Needy Families (TANF) work requirement. Current law also bans States from counting these individuals toward that State's work participation rate, which can re-

sult in financial penalties if not met. This effectively bars low-income parents who choose to stay home to raise their young children from access to the financial support of TANF.

The WORK Act would recognize that raising children is, in fact, work. The legislation would amend current TANF law to provide States the option to maintain a safety net for poor parents. Low-income parents could receive job training or search for work, or they could raise their children until they are school-aged without fear of being pushed deeper into poverty. This is the same option that wealthy families enjoy.

I urge all of my colleagues to show that they understand the importance of all mothers and the care they provide by supporting the WORK Act.

TRIBUTE TO ATMORE MAYOR HOWARD SHELL

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. BONNER. Mr. Speaker, I rise to pay tribute to one of South Alabama's senior statesmen. This fall, Atmore Mayor Howard Shell will officially retire from office, leaving a legacy of 22 years of dedicated service to his community.

A four-year Navy veteran of the Korean War, and a retired research and development employee for Monsanto Corporation, Howard Shell first entered politics in 1984, winning an Atmore city council seat. After holding the post for just two years, he was appointed to serve out the remaining two years of the late Mayor Patricia McKenzie's term of office in 1986.

Mayor Shell's characteristic strong leadership was a natural fit as the city's chief executive. Consequently, he threw his hat into the ring, serving two consecutive terms as Atmore's duly-elected mayor from 1988 to 1996. In 2000, he reentered the mayor's race, returning to serve three more consecutive terms as Atmore's top office holder.

With more than two decades of his life invested in leading the city he loves, Mayor Shell has made a difference in the lives of the citizens of Atmore. He has presided over local economic growth and, more recently, has led efforts to extend the city's revenue base through new industrial and commercial recruitment along Interstate 65.

A dedicated and visionary leader, Mayor Shell has not only been Atmore's strongest advocate but also an active civic leader on regional, state and national levels. He has served on the National League of Cities' Economic Development Board, as well as the Alabama League of Municipalities, the South Alabama Regional Planning Commission Board of Directors, and the Jefferson Davis Community College Board of Advisors.

As he prepares to leave public office, I join with all the people of South Alabama in extending our heartfelt thanks for a job well done, as well as our very best wishes for all future endeavors. May he and his lovely wife, Nannette, find ample time to enjoy their two children, five grandchildren and great grand-

son as they open another rewarding chapter in their already rich lives.

CELEBRATING THE 50TH ANNIVERSARY OF GRAPEVINE- COLLEYVILLE INDEPENDENT SCHOOL DISTRICT

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. MARCHANT. Mr. Speaker, it is with great pride that I celebrate the 50th Anniversary of the consolidation of the Grapevine and Colleyville school communities into Grapevine-Colleyville Independent School District (GCISD). This outstanding school district has excelled in educating thousands of students and has prepared them with the necessary skills to live a successful, happy, and meaningful life.

GCISD is a K-12 public school system located in the heart of the Dallas-Fort Worth Metroplex. The 54.1-square mile district consists of 17 traditional schools and two alternative campuses serving approximately 13,400 students and 1,750 employees.

GCISD has been rated a Recognized school district for 2010 under the Texas accountability system. In addition, nine GCISD schools achieved the State's highest rating of Exemplary. For the ninth consecutive year, GCISD received a rating of "Superior Achievement" under Texas' Schools FIRST (Financial Integrity Rating System of Texas) financial accountability rating system. The Superior Achievement rating is the State's highest, demonstrating the quality of the District's financial management and reporting system.

As of today, the average GCISD population of 13,400 students annually accomplishes a 95% graduation rate with 80% of those students enrolling in post-secondary studies. The students' success is credited to the outstanding and experienced teachers and administration staff as well as an involved and supportive community.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in congratulating the Grapevine-Colleyville Independent School District on its 50th Anniversary. I am extremely proud to represent the cities of Grapevine and Colleyville, and I am grateful for the school district's exceptional and enduring commitment to educating our youth.

CONGRATULATING MRS. SUSAN AND MR. STANLEY KRAMER ON THEIR 50TH ANNIVERSARY

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. GARAMENDI. Mr. Speaker, I offer my highest congratulations today to Mrs. Susan and Mr. Stanley Kramer on their 50th wedding anniversary.

Married June 10, 1962, Susan and Stanley have raised three wonderful sons, including

my good friend Doug Kramer. Meeting in the summer of 1959 in Monterey Park, California, they quickly began dating and stayed together during Susan's return to New York to attend Brooklyn College and Stanley's enlistment and service in the Naval Reserve.

On June 10, 2012, they will have stood by each other and at the head of a rapidly growing family for half of a century. The world today is a very different place than it was in June 1962, but the love between these two people is unchanged. They are a shining example to all of us and I hope you will all join me in offering them congratulations and wishing them many more years of happiness.

TRIBUTE TO ARMY STAFF SGT.
CHRISTOPHER BROWN

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. BONNER. Mr. Speaker, I rise to pay tribute to Army Staff Sgt. Christopher Brown, 26, who lost his life on April 3, 2012, while defending our country. We are grateful for his service and we will always remember his sacrifice for our freedom.

A native of Columbus, Ohio, Staff Sgt. Brown was assigned to A Company, 2nd Battalion, 12th Infantry Regiment, 4th Infantry Division, Fort Carson, Colorado. On March 20, he was stationed in Afghanistan in support of Operation Enduring Freedom.

Staff Sgt. Brown succumbed to injuries he sustained when an improvised explosive device detonated near his dismounted patrol in Kunar Province.

Staff Sgt. Brown was on his third combat assignment since he enlisted in the Army in 2003. His previous service included a tour in Iraq from August 2004 to July 2005 and a prior tour in Afghanistan from June 2009 to May 2010.

Staff Sgt. Brown was awarded the Bronze Star, Purple Heart and Army Commendation Medal.

Staff Sgt. Brown was a devoted soldier who loved his country and his loss is shared by all our community.

On behalf of the people of Alabama and a grateful nation, I offer my deepest condolences to his wife, Ariell Taylor-Brown, and their daughters, Charlie and Dilyn of Mobile, their unborn son, Carter Christopher, and their extended family.

You are all in our hearts and prayers during this difficult time.

INTRODUCTION OF CHILD CARE
AFFORDABILITY ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mrs. MALONEY. Mr. Speaker, throughout the country, affordable and safe child care is essential for working families. According to the U.S. Census Bureau, more than 70 percent of

children have one or more parents in the labor force. A survey commissioned by the National Association of Child Care Resource & Referral Agencies revealed that 57 percent of parents reported in 2010 that child care was a necessity, compared with 49 percent in 2006.

Despite the great need for affordable child care, there is a wide gap between what today's families are earning and the cost of child care and household expenses. In 2010, the average cost of full-time care for an infant in a child care center varied from \$4,650 in Mississippi to over \$18,000 in the District of Columbia. In my own state of New York, the average yearly cost of part time care for a school-age child is an exorbitant \$10,400. The amount of assistance offered by the current federal credit for child care costs is a minimum of only \$600 for one child and \$1,200 for two children. Unfortunately, this amount does little to offset our country's extraordinarily high child care costs. To ease the burden on our working families, today I am introducing the Child Care Affordability Act. This legislation would create a new tax deduction for child care and dependent care expenses and expand the current credit for child and dependent care expenses, so families receive a truly impactful level of assistance. Parents would be given the choice of utilizing the tax deduction or the tax credit to select the option that provides them with the greatest amount of relief.

During tax season, it is important to offer working families who are struggling to afford child care.

REFLECTIONS ON THE WORLD
BANK PRESIDENTIAL CONTEST

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. BURTON of Indiana. Mr. Speaker, on Monday the World Bank formally selected Dr. Jim Yong Kim, president of Dartmouth College, and an expert in public health, as its next president. Dr. Kim's selection continues a long-standing practice of having an American lead the institution; which is appropriate as the United States is the single largest financial contributor to the bank. Typically, the selection of a new World Bank president draws little notice but this year, in the most open and transparent selection process in the bank's 68 year history, the Board of Directors had three well-qualified candidates to choose from.

Although the United States supported Dr. Kim, and I agree with his selection, it should be noted that the other two candidates, former Colombian finance minister Jose Antonio Ocampo and Nigeria's current finance minister Ngozi Okonjo-Iweala, were equally qualified for the position. Mr. Ocampo has a strong record of public service with both the United Nations and the Government of Colombia, most notably serving as the United Nations' Under-Secretary-General for Economic and Social Affairs; Executive Secretary for the Economic Commission for Latin America and the Caribbean; and in Colombia as Minister of Finance and Public Credit and Minister of Agriculture and Rural Development. Likewise,

Ms. Okonjo-Iweala is a globally renowned Nigerian economist best known for her two terms as Finance Minister of Nigeria (her current position) and for her work at the World Bank, including several years as one of its Managing Directors. The Board of Directors was clearly blessed to have three outstanding candidates to choose from.

I commend Mr. Ocampo and Ms. Okonjo-Iweala for driving a spirited and appropriate debate about the future direction of the World Bank. It is always good to obtain new perspectives and to explore new ideas. Indeed, in accepting his new position yesterday, Dr. Kim recognized the growing influence of our colleagues in the world's emerging economies—as represented by Mr. Ocampo and Ms. Okonjo-Iweala—and pledged to “seek a new alignment of the World Bank Group with a rapidly changing world.” And he also committed himself to fostering a bank that, among other things, “amplifies the voices of developing countries and draws on the expertise and experience of the people we serve.”

I hope that Mr. Ocampo and Ms. Okonjo-Iweala will take up Dr. Kim's call to work with him to reshape the World Bank into a more potent tool for helping to resolve some of the world's most intractable problems. And I ask my colleagues to join me in recognizing all three outstanding World Bank president candidates for their dedication to service.

CONGRATULATING THE 2011 BCS
NATIONAL CHAMPION UNIVERSITY
OF ALABAMA CRIMSON
TIDE

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. BONNER. Mr. Speaker, on Thursday, the University of Alabama Crimson Tide makes its second trip in three years to the White House to be honored as Bowl Championship Series National Football Champions.

On January 9, 2012, the Crimson Tide reclaimed the BCS National Football Championship with the University of Alabama's 21 to 0 shutout of the LSU Tigers in the New Orleans Superdome.

During a football season that many armchair quarterbacks claimed lacked drama due to the apparent domination of one team for much of the year, the final verdict was confirmation to Crimson Tide fans around the nation and throughout the world that Bama was simply the best.

In a land of many great traditions, football is uniquely American. The struggle to overcome and outlast your opponent for four quarters in one of the most physically challenging sports is what draws many of us to the game. Down South, we may not have written the first chapter in the book of football, but the Southeastern Conference has become the main character for the last six years.

By capturing the 2011 BCS title, the Alabama Crimson Tide can lay claim to 14 NCAA college football championships and the second in three years under Coach Nick Saban.

Going into New Orleans on January 9, the world of college football was divided over

whether the unbeaten and number one LSU Tigers or the one-loss Crimson Tide would leave the Louisiana Superdome wearing the BCS crown. But for Bama fans the outcome was never in doubt. Both the Tigers and the Tide earned their journey to the final contest, but only the Crimson Tide came ready to play.

By halftime it was already apparent that victory for the Tide was in the offing and the third and fourth quarters only brought confirmation. The Crimson Tide offense scored 21 unanswered points and the Bama defense dominated the formerly mobile Tigers offense, holding them to just 92 total yards.

Once again, the BCS National Championship title returns to Tuscaloosa and the historic victory in New Orleans is not only a triumph for the Tide but a win for all football fans in the State of Alabama.

Mr. Speaker, I join the entire Bama nation in congratulating Coach Saban, his talented assistants, the staff, the team, their loyal families and Bama fans everywhere . . . Roll Tide!

HONORING ROSE FELDSHER'S 50
YEARS OF VOLUNTARY SERVICE

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Ms. SCHWARTZ. Mr. Speaker, I rise today to honor and congratulate Rose Feldsher on her retirement from the volunteer program at Einstein Medical Center in Philadelphia after 50 years of service.

Rose is the longest serving volunteer out of 500 at Einstein. Her volunteer work there started back when John F. Kennedy was president.

After waiting long, stressful hours by herself for her own husband in surgery, Rose took it upon herself to volunteer her time so that people in similar positions did not have to go through the same thing she did. And so, in 1961 Rose started "making rounds". She delivered water, comforted loved ones in the waiting room and assisted nursing staff.

Since then, the hospital has changed staff, technology, and facilities. Even with the arrival of new technology and ways of helping those who come to see patients, Rose still personally sees that family members and friends get personal updates directly from her. Although the hospital itself has changed over the years, Rose has faithfully shown up every Friday morning for the past 50 years.

Now retiring at the age of 90, Rose plans on spending time with her four grandchildren and two great grandchildren.

Mr. Speaker, I ask that my colleges join me in thanking Rose Feldsher for her 50 years of dedication and service to those in need in the community.

IN RECOGNITION OF GREEK
INDEPENDENCE DAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Greek Independence Day as people of Greek heritage around the world gather to remember and celebrate those who partook in the heroic struggle for freedom.

On March 25th people around the world will celebrate Greek Independence Day which commemorates the beginning of the Greek War of Independence. For four hundred years the Ottoman Empire had controlled Greece and attempted to suppress Greek language, culture, and religion. In 1821, behind the leadership of Bishop Germanos of Patras, the citizens of Greece began their long and difficult fight for liberty. After nine long years, the Greeks eventually won the freedom they had previously been denied. The Bishop also chose March 25th as the annual celebration of The Annunciation of the Mother Christ.

This year marks the 12th Annual Greek Independence Day Parade for the Northeast Ohio Greek American Celebration. The parade will be led by Father Dean Dimon of the Annunciation Greek Orthodox Church and other area clergy members. The celebration will include local Greek dance groups and a church service.

Mr. Speaker and colleagues please join me in recognizing the anniversary of Greek Independence, and wish the Greek Americans in Northeast Ohio a joyous celebration.

INTRODUCTION OF THE RACIAL
PROFILING PREVENTION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Ms. NORTON. Mr. Speaker, as we await a surface transportation bill, I rise to introduce a bill to reestablish a federal grant program for states that desire to develop racial profiling laws, collect and maintain data on traffic stops, design programs to reduce racial profiling, and train law enforcement officers, which I worked to get included in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in 2005. Despite the fact that the grant program was just a small piece of the very large SAFETEA-LU bill, nearly half of the states participated in the program for multiple fiscal years. Racial profiling is a form of racial discrimination that is now back in the forefront of national concern because of the tragic killing of Trayvon Martin.

Racial profiling on roads built with federal funds is a violation of Title VI of the 1964 Civil Rights Act, because it amounts to a government subsidy of discrimination. However, while it remains a widespread problem in our country, there is little experience in developing legislation in this sensitive area to address racial profiling while allowing for appropriate law en-

forcement. My bill would help states to better develop their racial profiling laws and to help law enforcement understand what role racial profiling plays in traffic stops.

My bill imposes no mandates on states. Instead, it simply authorizes a grant program, but does not require states to participate. However, it provides resources that many states and localities clearly need if they are to curb racial profiling.

HONORING EULESS FIREFIGHTER
BATTALION CHIEF GARY THOMPSON

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. MARCHANT. Mr. Speaker, it is with great pride that I recognize Battalion Chief Gary Thompson for his 34 years of public service with the City of Euleless. He served 32 years of his tenure with the Euleless Fire Department.

Thompson began his service in 1976 in the Euleless Public Works Department. In 1977, Thompson left public service and attended Tarrant County College where in 1979 he earned more than 50 hours toward an Associate's Degree in Fire Technology. After studying in college, Thompson rejoined the Euleless Public Works Department in 1979 and then left that department to join the Euleless Fire Department in 1980.

After only a month as a firefighter in 1980, Thompson was promoted to Second Driver. Thompson's talents were often recognized by his superiors, and from 1980 to 1996, he was continuously promoted up the ranks. During his tenure, Thompson was promoted to Driver Engineer (1981), Lieutenant (1983), Captain (1986), Captain-Paramedic (1989), Battalion Chief (1995), and finally Battalion Chief-Paramedic (1996).

Throughout his career, Thompson has received numerous awards from the City of Euleless for his outstanding service. The awards include Firefighter of the Year (1981), Supervisor of the Year (1986), Supervisor of the Year (1988), Paramedic of the Year (1992), Distinguished Service Award (1993), Supervisor of the Year (1995), EFD Employee of the Year (1998), Lifesaving Award (1999), Distinguished Unit Award (2004), Distinguished Unit Award (2006), and Distinguished Unit Award (2009).

Thompson grew up in Euleless where he attended Oakwood Terrace Elementary, Euleless Junior High, and Trinity High School. His father, Bill Thompson, also served the Euleless community as a police officer for 25 years where he retired in 1989 as an Assistant Police Chief. Thompson is married to Delia, and their family includes three daughters and three grandsons.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in thanking Gary Thompson for his 34 years of public service.

IN HONOR OF MR. GEORGE B. SOBIERAJ

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. George B. Sobieraj, a gentleman whose dedication to the Polish-American community of Cleveland has led the Cleveland Society of Poles Foundation to name him the 2012 recipient of the "Good Joe" Award.

Mr. Sobieraj was born and raised in the St. Hyacinth area of Cleveland. He graduated from the University of Dayton with a degree in Business Management. He has since been a successful entrepreneur and venture capitalist. In 1980, George founded Rubber City Machinery Corporation in Akron, Ohio and is the only certified appraiser of rubber machinery in the U.S.

Many organizations within the Polish-American community in the Greater Cleveland area have benefitted from Mr. Sobieraj's leadership. He serves as Vice President of the Polish American Cultural Center and Union of Poles in America Group 33. He is a member of the Kosciuszko Foundation, a finance committee member for St. John Cantius Church and a member of the boards of trustees of the Polonia Foundation and the Cleveland Society of Poles, of which he is also a past president. Mr. Sobieraj is responsible for Polish Night at the annual "Polish Open" golf tournament at Progressive Field.

Mr. Sobieraj has also been honored many times throughout his life for his service to the Polish community. Among his many awards, George is the recipient of the Polish Heritage Award and was the Honoree of the Ohio Chapter of the Kosciuszko Foundation in 2011.

Mr. Speaker and Colleagues, please join me in honor and recognition of Mr. George B. Sobieraj, whose tireless devotion to the Polish-American community has been an inspiration to many.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,661,574,232,598.82. We've added \$5,034,697,483,685.74 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CONDEMNING THE NORTH KOREA ROCKET LAUNCH

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. BURTON of Indiana. Mr. Speaker, last week, the despotic regime in North Korea launched a rocket under the guise of sending a "weather satellite" into outer space. Fortunately, the three-stage missile failed within two minutes and crashed into the sea, a setback for the North Korean military but a moment of relief for that country's peace-loving neighbors.

While this missile test was a failure—so spectacular a failure that even the propaganda arm of North Korea's government admitted it—that does not mean that any next such test will also fail. This launch was another slap in the face to the United States by a regime that has repeatedly violated agreements we have made in good faith. The Obama Administration has yet again attempted to negotiate with a terrorist regime that uses every negotiation opportunity to buy time to develop its nuclear program. Meanwhile, thousands of North Koreans are starving.

In the most recent "Leap Day Agreement" entered into with the United States, Pyongyang agreed to suspend major elements of its nuclear program and refrain from any long-range missile launches. We, in turn, would provide another 240,000 tons of nutritional assistance. Now we have once again provided the regime with food which they reportedly sell for hard currency in order to continue to prop up their military programs. North Korea yet again chooses to violate violates its part of the deal.

I have read reports that estimated the cost of the failed rocket launch at \$850 million. The same report said that the cost of the launch cost would have been enough money to buy 2.5 million tons of corn and 1.4 million tons of rice—or enough for the North Korean Government to feed millions of its starving people. This to me is criminal behavior. This launch was a gesture of contempt for the efforts of the United States, the Republic of Korea, and our other partners in Northeast Asia who have been working to prevent nuclear proliferation on the Korean peninsula and to damper North Korea's belligerence.

We must remain vigilant not only in preventing missile tests but also in preventing North Korea's further attempts to develop nuclear weapons.

For more than six decades, it has been the policy of the U.S. government to promote peace, stability, and security in Northeast Asia and in the Korean Peninsula.

South of the Demilitarized Zone, these efforts have seen tremendous and unparalleled success. Since the armistice ended the Korean War in 1953, our ally South Korea has grown economically and matured politically. Korea is now a model democracy, one of the most successful in East Asia, and it shares with the United States the values of liberal governance, free enterprise, and regional security.

By contrast, North Korea is ruled by a family dynasty that disdains those values and seeks to undermine them.

South Korea now has the 11th-largest economy in the world. It is the seventh-largest trading partner with the United States. Over the past six decades, Americans have fought side-by-side with our allies from the Republic of Korea not only in the Korean War, but also in Vietnam, Iraq, and Afghanistan.

Over two million Americans of Korean descent live in our country, raising families, building businesses, and contributing to their communities. Thousands of South Korean students are enrolled in American colleges and universities. Many Korean tourists and business travelers visit the United States each year.

The bonds between the United States and Korea are strong and long-lasting, dating back to the 1882 Treaty of Amity and Commerce—130 years ago.

We have no ill wishes for the people of North Korea, whose government does not represent them. That 1882 friendship treaty was made with all of Korea and we look forward to the day when all Koreans and all Americans may participate fully in amity and commerce.

Sadly, the belligerent nature of the North Korean regime has postponed that bright day.

For that reason, in this time of tension in Northeast Asia, I urge my colleagues to condemn, unequivocally, North Korea's programs to develop both nuclear bombs and long-range missiles. We must insist that these projects be ended in the interest of peace and stability.

IN HONOR AND REMEMBRANCE OF MR. EARL NOLAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Mr. Earl Nolan, an active member of and asset to the Northeast Ohio community.

Born on December 15, 1931, Earl served in the U.S. Army during the Korean Conflict and had been a member of the Disabled American Veterans. He was employed by the U.S. Postal Service for over 30 years as a General Mechanic performing repair work on the post office buildings and mailboxes in the Cleveland District. The U.S. Postal Service provided him training at the University of Oklahoma where he earned a technician certificate in heating, ventilating and air conditioning. Earl was a longtime member of the Cleveland Ward 19 Democratic Club. He also volunteered for over 20 years with the Cleveland Police Auxiliary to help keep his West Park neighborhood safe for all fellow residents.

I offer my condolences to his beloved wife, the late Joanne (Pease); loving children Janet (Ray) Sirbaugh, Kathy A., and the late Carolyn J. Nolan; grandchildren Courtney and Tim; siblings Clarence, the late Agnes Matel, Robert and Raymond; as well as his many nieces and nephews.

Mr. Speaker and colleagues, please join me in honoring the life of Mr. Earl Nolan.

LOANTAKA CHAPTER OF NATIONAL SOCIETY DAUGHTERS OF THE REVOLUTION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Loantaka Chapter of the National Society Daughters of the Revolution, organized in the Borough of Madison, Morris County, New Jersey and the Parsippanong Chapters of the National Society Daughters of the Revolution, organized in the Township of Parsippany-Troy Hills, Morris County, New Jersey as they celebrate their 85th and 100th anniversary respectively.

The Loantaka-Parsippanong Chapter resulted from the merger of the Parsippanong and Loantaka DAR chapters in 1992. The Parsippanong Chapter was organized on October 14, 1912 with Ruth E. Tichenor Fairchild as Organizing Regent and the Loantaka Chapter was organized in 1927 with Jane Wilson Graham Ridley as Organizing Regent. Today, members continue to promote the awareness of our rich history.

Throughout their history, both the Loantaka and Parsippanong Chapters have demonstrated a marked commitment to the Morris area. In the past, the Loantaka Chapter has supported efforts to make Jockey Hollow a national historical park and participated in the celebration of the National Parks bicentennial in 1972.

Similarly, the Parsippanong Chapter has demonstrated its commitment by sponsoring Memorial Day Services at the Parsippany Presbyterian Church Cemetery where 84 Revolutionary War soldiers are buried.

The Loantaka-Parsippanong Chapter prides itself on working to preserve buildings and landmarks that are of historical significance, and on supporting the National Society's scholarships, approved schools, and Native American endeavors.

The Daughters of the Revolution persistently furthers its mission of education as well as the preservation of history by sponsoring activities such as Good Citizens, a program which recognizes and awards scholarships to high school seniors exemplifying the ideals of good citizenship, and by joining with other patriotic, heritage, and historical organizations in providing educational opportunities to local citizens and schoolchildren.

The Loantaka and Parsippanong chapters have also enriched the community by providing philanthropic services such as supporting schools for children with special needs, providing service to patients in Veterans' Hospitals, and offering financial aid for American Indian students. Through their steadfast dedication to addressing the educational and social needs of the community while preserving the culture and history of the Morris area, the Loantaka-Parsippanong chapter has proved itself to be a pillar of our community.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Loantaka and Parsippanong Chapters of the National Society Daughters of the Revolution as they celebrate their 85th and 100th anniversaries.

RECOGNITION OF COMMANDER BOB DOUGLAS OF THE NEWARK, CALIFORNIA POLICE DEPARTMENT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Commander Bob Douglas. Commander Douglas retired from the City of Newark, California's Police Department, on April 12, 2012, after serving over 30 years in law enforcement with over 28 years as a member of the Newark Police Department. He was a distinguished police officer and was recognized by his peers as the Police Officer of the Year in 1991 and 1998.

Commander Douglas began his career in law enforcement with the Town of Los Gatos as a Police Cadet. He was promoted to the position of Community Service Officer in 1981. He was hired as police officer by the Newark Police Department on November 16, 1983. During his time as an officer, Commander Douglas served as a Field Training Officer, Property Crimes/Fraud Detective, Reserve Officer Coordinator, Citizen Police Academy Instructor, PR-24 Baton Instructor, and Defensive Tactics Instructor.

Commander Douglas was promoted to the rank of Sergeant on February 25, 2001. As a Sergeant, he was assigned to the Patrol Division and served two terms as the Detective Sergeant. For two years, he was in charge of the Newark Police Department's Field Training Program for new officers. Commander Douglas received the Winter 2002 Police Department Employee of the Quarter Award and was City of Newark Pride Awardee in 2006.

On August 26, he graduated from the Sherman Block Supervisory Leadership Institute. Commander Douglas was promoted to Police Lieutenant on November 1, 2008 and served in that capacity as the Administrative Lieutenant. On January 1, 2009, the Lieutenant position was reclassified to the rank of Police Commander. As the Administrative Lieutenant and Commander, he has been in charge of the Training Division, Internal Affairs, Property/Evidence, Red Light Photo Enforcement, as well as serving as the Newark Police Department's Public Information Officer.

Commander Douglas received the Chiefs Challenge Coin of Special Recognition for his outstanding work, loyalty to the organization, and tireless efforts in the development and promotion of the department's mission, vision, and values.

I join Commander Douglas' colleagues and the community in thanking him for his exemplary service and commitment, and wish him well on his retirement.

IN HONOR OF THE HONORABLE MARY HARNEY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the Honorable Mary Harney, a former

dignitary in Ireland, who will be visiting Cleveland, Ohio on St. Patrick's Day.

Ms. Harney was born in Ballinasloe, County Galway in 1953. She attended Trinity College, Dublin where she earned a Bachelor of Arts in Modern Studies. During her college career, Ms. Harney became the first female auditor of the College Historical Society. After graduating, she worked as a mathematics and economics teacher at Castletknock College in Dublin for a year.

In 1977, at the age of 24, Ms. Harney was appointed to Seanad Éireann (Irish Senate) by the Taoiseach (Prime Minister). At the time of her appointment, she was the youngest person to ever be a member of the Seanad. Following several years of dedicated service, Ms. Harney was elected to the Teachta Dála (Irish Parliament) in the 1981. She served continuously until her retirement in 2011. During her service in the Teachta Dála, Ms. Harney served as Tánaiste (Deputy Prime Minister) from 1997 through 2006. She also served as Minister for Enterprise, Trade and Employment for seven years and as Minister for Health and Children from 2004 until 2011. Ms. Harney was also the Leader of the Progressive Democrats between 1993 and 2006 and again in 2007 and 2008.

Throughout her career, Ms. Harney has been recognized for her dedicated service to the Republic of Ireland. She was named the Irish Independent Woman of the Year in 1996 and Irish Tatler Woman of the Year in 2005.

Mr. Speaker and colleagues, please join me in welcoming the Honorable Mary Harney to the City of Cleveland on St. Patrick's Day.

BECKLEY, WEST VIRGINIA, ONE OF THE 20 BEST SMALL TOWNS IN AMERICA

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. RAHALL. Mr. Speaker, our Nation's premiere collection of American culture, the Smithsonian Institution has spoken. My hometown of Beckley, West Virginia, is among the Smithsonian's list of "The 20 Best Small Towns in America."

The master curators of our national trends, tastes, tragedies and triumph scoured one of our broad Republic's basic foundations, our small towns, to identify those that best celebrate culture, often those that celebrate their own culture and share it with the world.

The forthcoming article in the May 2012 edition of Smithsonian Magazine highlights a few of the Beckley area's many institutions, including the Beckley Exhibition Coal Mine, our Arts center, Tamarack, and the venerable Theater West Virginia. They reflect a hardworking, talented, inspiring, sharing, genuine people who would do anything and everything within their power to help their neighbor. The faith, hope and abundant charity within the hearts of the community is a hallmark we cherish. These cultural icons attract visitors across many cultures as well as our own school kids and families, all who are eager to learn and enjoy.

The Smithsonian quest was prompted by the premise that our “big cities” and “grand institutions” do not have a monopoly on our Nation’s creative juices. I wholeheartedly agree. I would only add to the authors’ survey, that partnerships as well as individuals—can constitute a virtual wellspring of cultural opportunity.

I know, firsthand, that partnerships on all levels of government and from all corners of the private sector have mixed and matched manpower, material and money to share the magic and majesty of our mountain heritage and living to all who pass our way.

These public sector commitments to local arts, theater and culture are long term investments of precious taxpayer dollars. They are among the fundamental building blocks of a regional economy. They are among the pillars that support an elevated quality of life for everyone. I know that my hometown is not unique in this respect and hope that my colleagues will keep this in mind as we debate the great needs of our nation.

I salute everyone involved in Beckley’s, Raleigh County’s and the great State of West Virginia’s progress and in this most deserved distinction.

I say to my colleagues, it’s worth a visit real soon.

I commend the Smithsonian, affectionately known at the nation’s attic, for recognizing the best of our small cities, where the country’s front porches have much to offer.

PERSONAL EXPLANATION

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. McINTYRE. Mr. Speaker, I was unexpectedly unable to make votes on April 17, 2012. Had I been present, I would have voted in the following way: “no” on rollcall vote No. 154; “no” on rollcall vote No. 155; “yes” on rollcall vote No. 156; “yes” on rollcall vote No. 157; “no” on rollcall vote No. 158; “no” on rollcall vote No. 159; “no” on rollcall vote No. 160; “yes” on rollcall vote No. 161; “yes” on rollcall vote No. 162; “no” on rollcall vote No. 163; “yes” on rollcall vote No. 164.

IN REMEMBRANCE OF KEVIN O’DONNELL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Kevin O’Donnell.

Kevin O’Donnell was born in Cleveland, Ohio in 1925 and attended West High School and Kenyon College before joining the U.S. Navy Supply Corps during World War II. After returning home from the war, he attended Harvard University and established himself as a businessman, working for SIFCO and Booz, Allen, Hamilton.

In 1966, he made a life-changing decision after spotting a story in a local paper about a

man serving in the Peace Corps. He applied and accepted an assignment to head the Peace Corps’ office in South Korea. As the Country Director in South Korea, he was charged with establishing educational programs. After four years in that post, he moved to the Peace Corps headquarters in Washington, D.C. and quickly rose up the ranks, finally becoming Director of the Peace Corps in 1971. O’Donnell was instrumental in successfully opposing Congressional efforts to slash funding for the Peace Corps. His daughter Megan and granddaughter Allison would continue his legacy, volunteering with the Peace Corps in Nepal and Honduras, respectively.

After 6 years with the Peace Corps he returned to Lakewood, Ohio and to SIFCO, serving as the company’s CEO. O’Donnell was recognized several times for his dedication to public service, receiving honorary doctorates from Kenyon College, Ohio Wesleyan, and Pusan National University in Korea.

Kevin O’Donnell is survived by his children Kevin, Susan, Michael, John, Maura, Megan and Hugh; as well as by 17 great grandchildren.

Mr. Speaker, please join me in honoring the memory of Mr. Kevin O’Donnell. His work and legacy will live on with all those who were blessed with knowing him.

HONORING NEWARK, NEW JERSEY
MAYOR CORY BOOKER

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor Newark, New Jersey Mayor Cory Booker for his heroic efforts on April 13, 2012.

Mayor Booker returned home last Thursday evening to find flames erupting out of his neighbor’s home. His neighbor screamed that her daughter was still inside. The mayor ran inside without hesitation, hoping to rescue the woman he had known for years. In doing so, Mayor Booker suffered second-degree burns and smoke inhalation. The woman who was trapped inside the burning home suffered second-degree burns on her back. Mayor Booker’s neighbor, Zina Hodge, said “If Cory wouldn’t have come in there and rescued me, I would have died in there.”

Mayor Booker is one of our Nation’s foremost Mayors. As Mayor of Newark, he has worked diligently to create thousands of jobs, reduce crime, and improve education. Mayor Booker’s leadership has attracted approximately \$100 million in private philanthropy to the City of Newark, and a variety of nonprofits and public-private partnerships have been created with the goal of improving the lives of Newark residents. Mayor Booker is a shining example of what being a public servant truly means.

Mr. Speaker, Mayor Booker continues to strive to improve the lives of the citizens of Newark. I would like to recognize the Honorable Cory Booker for his determination, hard work, and bravery. His dedication and leadership are outstanding models for public service.

HONORING THE LIFE OF MERVA E. JACKSON

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to honor the life and memory of Ms. Merva E. Jackson, who sadly passed away on April 4, 2012.

Few times in one’s life do you come across a person with such great passion, grace, and expertise like Merva Jackson. Merva had an indelible impact on everyone she met, including me. I vividly remember a meeting I had with her and several of her colleagues in my Washington office in the spring of 2010. It was one of those inspiring meetings that you never forget. The excitement in the room and the commitment to change was palpable as we brainstormed ways to combat the pervasive school-to-prison-pipeline that entangles too many of our youth. We left the meeting energized and with a plan for a statewide conference to tackle ways to reform the system. Merva’s passion ignited my own, and I remember feeling so lucky that the State of Connecticut had her to advocate on behalf of vulnerable youth. A few months later our vision became a reality when over 150 people from across the State—and the Assistant Secretary of Civil Rights at the U.S. Department of Education—came together to listen to Merva and others discuss the critical issue of promoting dignity in schools. Of course, she provided invaluable insight and perspective that day, as she did every day.

I am deeply saddened by the loss of Merva Jackson but feel so lucky to have known her. I last saw Merva in October at a juvenile justice event in Wethersfield, Connecticut. She was busy planning events for the future, to continue her work for justice and equal opportunity for all. I hold that memory near to me, and hope all who knew her find some comfort in reflecting on their own many loving memories of Merva and take pride in all that she did and all that she was.

IN HONOR OF MS. MALAK JADALLAH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Ms. Malak Jadallah and to acknowledge her receipt of the Community Service Award from the Cleveland American Middle East Organization (CAMEO). Ms. Jadallah is being recognized for her service, dedication, leadership, volunteerism and advocacy on behalf of the Arab American Community of Greater Cleveland.

Malak was born and raised in Jerusalem, Palestine. She is a former art and German language teacher. Ms. Jadallah later moved with her beloved husband, Muhammad Amer, to Kuwait in 1972. Later, the Palestinians that had settled in Kuwait were forced to leave

their homes and lives. Malak immigrated to the United States in 1990 and settled with her mother and sisters in Brooklyn, Ohio.

Soon after becoming a Member of Congress, I asked Malak to join my Congressional staff in Lakewood, Ohio. She has been faithfully serving the residents of the 10th District for 15 years as a constituent service representative specializing in immigration and visa issues. Prior to working in my office, Malak was a program director for the Arab American Community Center for Economic and Social Services (AACCESS). She has continued her work in the Arab community and has been a member of CAMEO for 18 years. She also worked with the Council of American-Islamic Relations, American-Arab Anti-Discrimination Committee, American Arab Institute, Beit Hanina Federation and the Ramallah Federation.

As a result of her steadfast dedication, Malak has been honored numerous times throughout the years. She has been recognized by the Arab American Community Center, Albanian American Association of Cleveland and Saudi Arabian Cultural Mission to the U.S.

Mr. Speaker and colleagues, please join me in congratulating Ms. Malak Jadallah as she is honored by the Cleveland American Middle East Organization.

TRIBUTE TO MR. JOHN PAYTON

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. CONYERS. Mr. Speaker, "Democracy, at its core, requires that all of the people be included in 'We the People.'" Uttered by Mr. John Adolphus Payton during a 2008 speech in Michigan, this quote embodies his legacy. A true pioneer, John Payton rarely turned down an opportunity to advocate for the least among us and reminded America time and again of the necessity to advance toward a more inclusive and tolerant society. From his youth until his last days, John Payton fought for the recognition of individual rights and taught us how to work toward democracy—not just speak about it.

A quick glance at John's background quickly reveals the makings of a civil rights giant. At the height of the overt racial tensions of 1965, John Payton was one of only a handful of black students at Pomona College. Even as a working student, John found time to enhance the quality of collegiate life for disadvantaged students by founding Pomona's Black Student Association, organizing and participating in anti-war and civil rights demonstrations, successfully lobbying Pomona's administration to recruit more black students, and for the creation of a black studies program. A year after graduating from Pomona College, John enrolled at Harvard Law School in 1974. As a law student he obtained affidavits from black student activists who were injured during Boston's school busing controversy. John served as an ideal model of what true civic engagement should be. Even without a formal title, he used his resources to fight for the rights of others.

Serving as the sixth president of the NAACP Legal Defense and Educational Fund (LDF), John led many victories before the U.S. Supreme Court, including the 2010 case *Lewis v. City of Chicago*, where John successfully represented a group of firefighters who argued that the city had discriminated against black recruits by using a grading system that resulted in no black applicants being hired. Though their claims had been barred by a statute of limitations defense in the lower court, the Supreme Court reversed those findings, allowing the recruits' claims to move forward. Prior to taking the helm of the NAACP LDF, in 2003 John argued in *Gutter v. Bolinger* that the University of Michigan had a compelling interest in promoting class diversity, and that acknowledging race as one of many factors in admissions decisions was not a quota. In a 5-4 decision, the Supreme Court agreed with John's argument, and put our nation one step closer towards achieving equitable higher education for all.

John's journey to erasing the "badges of slavery" meant challenging racism head on. As an associate with the D.C. law firm Wilmer, Cutler and Pickering (now known as Wilmer Hale), he contributed to the firm's representation of the NAACP in various legal matters, including assisting with the 1982 Supreme Court case *NAACP v. Claiborne Hardware Co.* The Claiborne case rescued the NAACP from certain bankruptcy by avoiding a financial penalty after the group organized a 1960s boycott against white merchants in Mississippi. In 1988, John represented the city of Richmond's program which set aside 30 percent of municipal construction jobs for minority-owned businesses. The Supreme Court ruled that the Richmond law was unconstitutional because it violated the white-owned construction firms' right to equal protection. Many would have been discouraged by the loss, but as John eloquently stated in the 2008 edition of *The Civil Rights Monitor*, published by the Leadership Conference on Civil and Human Rights, "We must recognize that this is a marathon and not a race if we are to find solutions that will work."

As I sat at John's memorial service, I not only sat as a legal colleague, but as a friend. Many shared their respects for a man who gave so much to promote justice and equality. I thank his wife of 20 years, Gay McDougall, for sharing her lifelong partner so that we could be beneficiaries of his lifelong mission.

WE SAY NEVER AGAIN TO THE
HOLOCAUST

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. RANGEL. Mr. Speaker, on Yom HaShoah, better known as Holocaust and Heroism Remembrance Day, people from all walks of life regardless of politics, faith, race, gender, or sexual orientation recognize the Holocaust as one of the most horrific events in world history. Since the end of World War II the United States and our allies have promised to never allow such mass genocide to be

repeated. Never again shall humanity experience the evil and destruction that brutally robbed eleven million people of their lives.

After the Allies took back Europe from the forces of evil, millions of Jews emigrated to the United States and to the area now globally recognized as the State of Israel. It is here where the Jewish people found a home to restore their identity in the aftermath of the War. When General Dwight Eisenhower arrived at Buchenwald, he ordered the U.S. 4th Armed Division to tour the facility. He wanted them to bear witness to the atrocities unleashed on human beings so that no person would ever question what happened.

For the Holocaust survivors, they live with the nightmares and trauma of having seen their brothers and sisters treated like animals. To this day former prisoners wake up seeing the most visible scar from that era, an identification tattoo forced on them upon entering the concentration camps.

New York is home to half of the Holocaust survivors living in the United States. Although we can never undo this tragedy, we can continue to remember and pay tribute to the survivors and their families. I am proud to live in a country that recognizes human rights and has provided sanctuary to oppressed people throughout the world. America must continue to remain that beacon of hope.

IN RECOGNITION OF CLEVELAND
PEACE ACTION

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Cleveland Peace Action as they gather for the Second Annual Save Our Communities—Books Not Bombs, Jobs Not Jails, Families Not Foreclosures Forum and Dinner and Rally on April 14 and 17, 2012.

Cleveland Peace Action, a chapter of Peace Action, was established in 1981 as the Greater Cleveland Nuclear Weapons Freeze Campaign. Their mission is "To reduce the threat of violence, war and terrorism by working through peaceful, just and democratic means." Cleveland Peace Action works for global nuclear disarmament, a comprehensive nuclear test ban treaty, a reduced military budget, alternatives to war and violence, cooperation with other nations and protection of human rights.

On April 14 and 17, 2012, Cleveland Peace Action will host the Save Our Communities—Books Not Bombs, Jobs Not Jails, Families Not Foreclosures Forum and Dinner and Save Our Communities—Make Taxation Fair! Bring the War \$\$\$ Home! Invest In Real Security! Rally. The community forum will be held on Saturday, April 14 at the Pilgrim United Church of Christ and will feature National Priorities Project's Senior Research Analyst, Chris Hellman, as the keynote speaker. The rally will be held on April 17 in Cleveland Public Square.

Mr. Speaker and colleagues, please join me in recognizing Cleveland Peace Action as members of the Northeast Ohio community

gather for the Second Annual Save Our Communities—Books Not Bombs, Jobs Not Jails, Families Not Foreclosures Forum and Dinner and Rally.

CELEBRATING STANLEY GORSKI ON HIS 50 YEARS OF TEACHING IN THE STATE OF NEW HAMPSHIRE

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. GUINTA. Mr. Speaker, it is with great pleasure that I congratulate Mr. Stanley Gorski on his 50 years of teaching in the state of New Hampshire.

For the past fifty years, Mr. Gorski has inspired hundreds of high school students to pursue their talents and goals, and excel in their studies. As an English teacher, he has helped to spark an interest in reading and writing, and broadened the minds of many students in his classes, doing so with a great sense of humor and kindness appreciated by all. He is to be commended for his many years of service and dedication to his profession and students, and recognized for the impact he has had on their lives.

Throughout his fifty years of teaching, both at Bishop Brady High School and Trinity High School, Mr. Gorski has not only become a trusted and valued employee, but a mentor and friend to his fellow teachers. He generously shares his knowledge and experience with those around him and we are all thankful for his many contributions to teaching.

I congratulate Stanley on reaching this great milestone and for his outstanding commitment to education and his students. Tonight's celebration is well deserved for the many years of service he has given and I wish him all the best for continued success in the future.

PERSONAL EXPLANATION REGARDING RECORDED VOTE ON THE HOLT AMENDMENT TO H.R. 4809

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. BLUMENAUER. Mr. Speaker, I wish to correct a vote I made yesterday, regarding the Holt Amendment to H.R. 4809, the Sportsmen's Heritage Act of 2012. I mistakenly voted against the amendment, when I intended to support it. I strongly support Rep. HOLT's intention, which was to make a technical correction to the legislation to allow a local park manager to close a park to hunting and recreational shooting when necessary. My record in supporting and protecting our national parks is a testimony to my strong commitment to these important places, and I believe that Rep. HOLT's amendment was an important technical correction.

I wish to clearly state for the record that I supported the Holt Amendment to H.R. 4809 and did not intend to vote against it.

IN RECOGNITION OF CLEVELAND FEDERAL EXECUTIVE BOARD'S 26TH ANNIVERSARY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 26th anniversary of the Cleveland Federal Executive Board, and to thank all the federal employees in our community for their individual and collective dedication to the public good.

The community of federal employees in Cleveland, Ohio is comprised of more than 25,000 individuals who contribute their talent and expertise daily in an array of roles, including park rangers, administrators, accountants, clerical employees, attorneys engineers, military personnel, mail carriers, scientists, nurses and physicians.

The professional contributions extended daily by federal employees serve as a foundation of support, safety and security throughout the community. Every day, the environment is protected; the mail is delivered; veterans receive medical care; our national park is preserved; immigrants are guided to citizenship; citizens are provided with benefits and programs; and the universe is studied and explored thanks to federal employees in Northeast Ohio.

Mr. Speaker and colleagues, please join me in honoring the members of the Cleveland Federal Executive Board and the thousands of federal employees who live and work within the Cleveland community. Their dedication to their work continues to preserve, protect and strengthen our entire community.

RECOGNITION OF SERGEANT FRANK LEHR OF THE NEWARK, CALIFORNIA POLICE DEPARTMENT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Sergeant Frank Lehr. Sergeant Lehr retired from the City of Newark, California's Police Department on January 27, 2012.

Sergeant Lehr began his career with the Newark Police Department on August 2, 1986. Prior to joining the department he served as an officer in the City of San Jose Airport Police Force. During his time as a Police Officer in Newark, Sergeant Lehr served two terms with the Southern Alameda County Narcotics Enforcement Team as a Narcotics Detective. In addition to his patrol and detective assignments, Sergeant Lehr served as a Field Training Officer, an instructor for the Citizens Police Academy, a SWAT team member, a hostage negotiator, and in 1990 was named Officer of the Year by his peers.

Sergeant Lehr was promoted to the rank of sergeant on July 1, 2004. He was assigned to the Patrol Division and was the Community Safety Team Sergeant. In this position he

worked with his team on gang related problems in Newark. In addition to his day-to-day duties, Sergeant Lehr also served as the Hostage Negotiation Team Sergeant and was an original member of the City of Newark's first Honor Guard.

On August 12, 2009, Sergeant Lehr graduated from the Sherman Block Supervisory Leadership Institute. The Institute is designed to stimulate personal growth, leadership, and ethical decision-making among California law enforcement's front-line supervisors.

Throughout his tenure with the Newark Police Department, Sergeant Lehr has served with distinction. I extend congratulations to him on his retirement and join the City of Newark in thanking him for his commitment to exemplary law enforcement.

50TH ANNIVERSARY OF SAINT ANDREW GREEK ORTHODOX CHURCH

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Saint Andrew Greek Orthodox Church, located in the Township of Randolph, Morris County, New Jersey as they celebrate their 50th Anniversary.

Saint Andrew Greek Orthodox Church came together with approximately 50 families and their first priest, Fr. Konstantine Tsigas, for their First Divine Liturgy on December 23, 1962 in Dover, New Jersey. The groundbreaking ceremony for a new church facility in Randolph, New Jersey took place on December 16, 1973. The Church has thrived throughout its many decades, growing from 50 families to over 500 and will continue to thrive for the many years to come.

Saint Andrew prides itself on not only preserving the Greek Orthodox faith and heritage for future generations but also on sharing its culture and faith with the Morris County community.

St. Andrew's incorporates individuals of varying interests and backgrounds through their comprehensive selection of community activities and programs. The Church has enriched the community by offering regular religious services, religious education, and weekly classes on the Greek Language and Hellenic culture. Members of their community can participate in the Church's Byzantine Choir, join one of the many Greek folk dancing groups, attend youth or adult Greek language classes, or join one of several service groups. By offering an array of cultural programs and activities, St. Andrew has succeeded in keeping the Greek culture and language a part of the holistic Orthodox experience.

The Church also provides philanthropic services to the community through volunteer work and services such as providing Life Line Screening, which preemptively scans for risk factors for Stroke, Vascular Disease, and Osteoporosis. St. Andrew's Daughters of Penelope organization award numerous college scholarships to graduating high school seniors in the area while the Philoptochos Society

strives both to promote the Greek Orthodox tradition and to assist those in need through fundraisers.

Through their steadfast dedication to addressing the educational and social needs of the community while preserving the cultural and religious diversity of the Morris area, Saint Andrew Greek Orthodox Church has proved itself to be a pillar of our community.

The Saint Andrew Greek Orthodox Church is truly a place where anyone is welcome to find God and find a community of caring, friendly faces. We are proud to have them here in Morris County.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Saint Andrew Greek Orthodox Church as they celebrate their Fiftieth Anniversary.

IN RECOGNITION OF TOASTMASTERS INTERNATIONAL, DISTRICT 10

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the members of Toastmasters International, District 10 as they gather in Cleveland, Ohio for their Spring District Conference on April 27 and 28, 2012.

Toastmasters International was established in 1924 as an organization dedicated to making people more confident in front of audiences. The organization empowers people to achieve their full potential. Through its member clubs, people throughout the world can improve their communication and leadership skills, and find the courage they need for successful public speaking. Toastmasters International has more than 270,000 members that belong to 13,000 clubs in 116 countries. District 10 of Toastmasters International serves approximately 1,700 members and consists of more than 100 active clubs in Northeast Ohio.

The theme of the Spring Conference is "Strive for Excellence" and will consist of educational workshops, contests and a dinner. It will also feature the 2011–2012 Toastmaster International President, Mr. Michael Notaro and the Communication and Leadership Award recipient, Reverend Larry L. Harris, Sr., the Senior Pastor of Mt. Olive Missionary Baptist Church.

Mr. Speaker and colleagues, please join me in recognizing the members of Toastmasters International, District 10 as they gather for their Spring Conference.

RECOGNIZING ELIE WIESEL

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. RIGELL. Mr. Speaker, I rise today to enter a statement into the RECORD on behalf of my constituent, Dr. Israel Zoberman. Dr. Zoberman is the Founding Rabbi of Congregation Beth Chaverim in Virginia Beach, Virginia.

He is also the president of the Hampton Roads Board of Rabbis and Cantors. Dr. Zoberman asked me to enter the following remarks into the RECORD recognizing Elie Wiesel. Dr. Zoberman's statement follows:

"With over 50 books to his illustrious credit, Elie Wiesel continues to bless us at age 84 with his multiple pursuits, including recently as a musician of his childhood songs and melodies. If anyone deserves the honorary appellation of "Our Teacher and Rabbi" these unsettling times of post-Holocaust perplexities for Jew and Gentile, it is this distinguished yet humble survivor of the Holocaust's unique tragedy, calling upon us to bear sacred witness with Zachor's undying remembrance. He emerged from the "Kingdom Of The Night" resolved to help save humanity, struggling with his shaken faith in his early classic "Night," while contending with his brethren's fate in Soviet captivity in "Jews Of Silence," ever faithful to his rich Jewish moorings as well as universal culture.

Wiesel, a 1986 Nobel Peace Laureate—he should receive one for literature too—is on the very short list of those serving as humanity's conscience. He courageously speaks out for human rights in addition to his "Elie Wiesel Foundation for Humanity," and academic work as the Andrew W. Mellon Professor in the Humanities at Boston University. Among many awards and honors, this great American and humanitarian is a recipient of the United States Congressional Gold Medal along with the Presidential Medal of Freedom, and is the 1980 Founding Chairman of the U.S. Holocaust Memorial Council, receiving on May 16th, 2011, the first U.S. Holocaust Memorial Museum Award, the museum's highest honor, now bearing Wiesel's name. He turned down, reportedly, in 2007 the sure opportunity to become Israel's President.

Wiesel's latest literary gem, "The Sonderberg Case," is a suspenseful Holocaust related novel reflecting his being at home both in the vineyard of Jewish knowledge as well as general philosophy and literature. Wiesel is the Founding President of the Universal Academy of Cultures. In the book, Werner Sonderberg's grandpa, and unrepentant ex-Nazi officer of the notorious Einsatzgruppen, boasts to his grandson of his murderous record and only regretting that Hitler lost the war with hope of yet a future victory. My own maternal aunt, Bas-Malka Bobrov Gurvitz, husband Shachne and children Aharon, 14, Yisrael, 12, and Rochel-Leah, 2, were murdered in Sarny, the Ukraine, on August 27–28, 1942, among 14,000 Jews by the Einsatzgruppen and their collaborators.

My grandma Esther Bobrov was killed by German air bombs when on the run with my mother, Chasia, from their hometown Sarny. My great-grandparents, Rabbi Yaacov and Dena Manzies Zoberman from Zamosc, Poland, perished in the Belzec death camp and great-grandparents Yitzchak and Zipora Anker were also among the many victims from both family sides, of the 6 million martyrs with its million and a half children. Five million Gentiles were murdered by the Nazis with World War II claiming the lives of 50 million. My uncle, Emanuel Zoberman, who was a member of a Russian attached Polish commando unit, helped liberate Poland and was killed while crossing the Oder River.

My father, Yechiel Zoberman, served in the Russian Army for five years, fighting on the outskirts of Moscow and St. Petersburg (Leningrad), among other battles. We cherish the enormous sacrifices of the heroic American military and all the Allied Forces, along with Righteous Gentiles who stepped forward to protect human dignity and honor.

Wiesel applies the Holocaust's awesome lessons of guilt and responsibility, resonating in the anguished sharing of his German students at Boston University, as well as those of healing and hope, to the lingering conflict between Palestinians and Israelis while trying to acknowledge all concerned and seeking to protect the "The Other" that both sides have suffered from. He probingly reflects on the opposite polls and messages of Auschwitz and Jerusalem, altering and sensitizing us toward mutually respectful and professional relations, and that what we do bears moral consequence. Wiesel eases the burden of memory without diluting its sacred essence.

The outstanding Holocaust Commission of the United Jewish Federation of Tidewater of which I have been a proud member for many years, sponsors this season the 15th annual Elie Wiesel Writing Competition and the 10th annual Elie Wiesel Visual Arts Competition. Teachers' Awards for Excellence in Holocaust Education are also given out at an inspiring annual gathering of commemoration. A new documentary, "What We Carry," featuring four local survivors, Dana Cohen, Kitty Saks and of blessed memory David Katz and Hanns Loewenbach, has already received high acclaim.

So close to recalling the destruction of 2/3 of European Jewry—a 1/3 of world Jewry—which has reduced the potential of the Jewish people and humanity, we celebrate this year the 64th anniversary of the only Jewish state, The State of Israel, that is America's very special democratic ally in an uncertain world. With its deep historical roots in the Middle East from whence its prophets challenged humanity with the message of universal shalom, the re-established Third Jewish Commonwealth absorbed the remnant of Holocaust survivors and dispersed Jews from over 100 countries and diverse cultures, bound together by shared faith and fate. It has set a high bar with its astonishing accomplishments in all fields of human endeavor in spite of mighty existential threats, as it rose from the ashes of a consuming Holocaust following a most trying history of exile and denial, with its survival vow, "Never Again!"

In the midst of a still raging "Arab Spring" with the Syrian slaughter continuing and the international community doing so little, a reminder of the Holocaust's years of deafening silence, Israel's flourishing democracy and loadable stability stand out in a region lacking both, as a beacon of hope and noble example. Iran, whose theocratic leaders are Holocaust deniers calling for Israel's destruction, is a threat to the entire world. It is the world's largest exporter of terrorism seeking a nuclear capability to further its goals of de-stabilization and dominion, and being able to conclude what Hitler began."

INCREASING AMERICAN JOBS THROUGH GREATER EXPORTS TO AFRICA ACT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. SMITH of New Jersey. Mr. Speaker, yesterday I chaired a hearing that examined U.S. policy toward American exports to Africa as a part of U.S.-Africa trade. The original African Growth and Opportunity Act, or AGOA, was intended to be mutually beneficial for both African and American entrepreneurs, but the focus of the three administrations since its passage in 2000 has been on increasing African exports to the United States and the resultant job growth on the African continent.

This policy has neglected the job growth here in the United States that could be created through increasing U.S. exports to Africa. The purpose of the Increasing American Jobs Through Greater Exports to Africa Act of 2012, H.R. 4221, which I introduced together with Rep. Bobby Rush on March 20th, is to address this important component of U.S.-Africa trade by increasing U.S. exports to Africa by 200 percent over the next decade. This bill does not replace AGOA; it complements it by providing for a rebalancing that makes it beneficial to Americans as well as Africans. Senators Dick Durbin and John Boozman have introduced an identical version of the bill in the Senate—S. 2215.

The bill intends to achieve its ambitious, but achievable, goal by taking several steps, including the creation of a U.S.-Africa trade coordinator to ensure that all U.S. agencies involved in trade work in concert with one another. This legislation also calls for not less than 25% of available U.S. trade financing to be devoted to facilitating U.S.-Africa trade. Furthermore, it encourages the descendants of Africa in this country, who largely operate small and medium-sized businesses, to play a greater role in trade with the countries in Africa.

Small and medium enterprises in Africa and the United States have not benefited from AGOA to the extent that they could have or should have, and the bill addresses this deficit. U.S. companies can benefit from an expanding African market of businesses and consumers, and increased American production will create new, sustainable jobs.

Some have expressed concern that such an expansion of U.S. exports to Africa could flood African markets and damage their economies. However, many of these U.S. exports, such as in the agriculture sector, will enable African producers to become more efficient and profitable and create jobs for their workers as well. In trade, the best situation is one of observing the principle of comparative advantage: countries sell what they make most efficiently and buy what another country makes most efficiently. In this way, both buyer and seller countries benefit from trade by meeting each other's needs.

According to the U.S. International Trade Administration, the United States is the world's largest importer of sub-Saharan African goods, receiving 20.2% of the region's total global ex-

ports. On the other hand, during the height of the global recession in 2008–2009, our exports to sub-Saharan Africa plummeted by 45% from \$78.3 billion to \$42.8 billion. As of the end of 2011, the United States sold nearly \$20.3 billion worth of goods to sub-Saharan Africa, while purchasing more than \$74 billion worth of goods. Consequently, we had a trade deficit with the nations of sub-Saharan Africa last year of nearly \$54 billion.

The African Development Bank estimates that one out of three Africans is considered to be in the middle class—that's 314 million Africans who have escaped poverty and can now buy consumer goods, including those from the United States. In order to reduce our trade deficit with the nations of Africa, there is room to engage in trade that increases economic opportunity for Africans and Americans. We just haven't taken advantage of the opportunities that exist. The United States has over the last decade taken many steps to enhance U.S.-Africa trade. African governments have taken steps to encourage trans-Atlantic trade as well. Still, both sides can do better.

More exports help the economy grow because they typically boost factory production, which can fuel more hiring and lead to greater consumer spending. Fewer imports subtract less from growth, largely because consumers are spending less on overseas goods and services. H.R. 4221 would contribute to job growth in the United States by facilitating increased sales to the emerging markets of Africa.

The rest of the world understands how valuable the nations of Africa have become as economic markets. Last month, this subcommittee held a hearing on the role of China in Africa that not only pointed out China's designs on selling their goods to Africa countries, but also illustrated the economic interest in Africa shown by nations as far-flung as Brazil, Turkey and South Korea. We in the United States must join in the more equal two-way trade the rest of the world envisions for their commerce with Africa.

Our witnesses yesterday discussed current administration policy toward U.S.-Africa trade, the U.S. business sector view on trade with Africa, and examined the realities of doing business in Africa by both a current and a prospective enterprise on the continent.

H.R. 4384—PATIENT SAFETY AND DRUG LABELING IMPROVEMENT ACT

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. BRALEY of Iowa. Mr. Speaker, the Patient Safety and Drug Labeling Improvement Act is meant to address a troubling inconsistency in the law, created by *Pliva v. Mensing*, which does not allow consumers injured by generic drugs to hold the manufacturer accountable for inadequate warnings.

The Mensing ruling also eliminates any incentive for generic drug manufacturers to monitor the safety of the products they sell and propose necessary changes to labeling to the FDA, as currently required by federal law.

Under the Patient Safety and Drug Labeling Improvement Act manufacturers of generic drugs assume the same duties as brand manufacturers to monitor the safety of the drugs they sell and to ensure that their labeling contains accurate risk information. More specifically, the legislation authorizes generic drug manufacturers to independently initiate labeling changes through the Changes Being Effected (CBE) process under the same circumstances that apply to manufacturers of branded drugs in order to ensure that all drug labels accurately reflect current health and safety information.

HONORING DR. DENNIS FISHER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Dr. Dennis Fisher on his retirement as the Superintendent of the Park Hill School District in Kansas City, Missouri.

Dr. Fisher started his career in education as a Junior High Social Studies teacher in Papillion, Nebraska. He also served as the interim Superintendent and the Assistant Superintendent for Business Services at the Liberty School District in Liberty, Missouri. He began his time at Park Hill in 1999 as the Assistant Superintendent for Business Services before becoming Superintendent in 2005. Dr. Fisher has a total of 36 years of experience in education.

Under Dr. Fisher's leadership, the Park Hill School District has achieved many awards. They became the first school district ever to receive the Missouri Quality Award and continues to receive the Distinction in Performance Award from the State of Missouri each year. Park Hill is one of the highest-achieving districts in the state, but Dr. Fisher has still pushed for continuous improvement through the years.

Dr. Fisher has received many acclamations personally also. In 2011, he was named the Missouri Superintendent of the Year and received the Pierce Award, the Missouri Association of School Administrators' highest honor. In 2005, Dr. Fisher received the Missouri School Business Official of the Year award.

He leads not only 10,292 students, 1,400 staff members, and an annual operating budget of \$120 million, but also many organizations of his peers. He has served as President of the Missouri Association of School Business Officials, the Kansas City Association of School Business Officials, and the Greater Kansas City Administrators Association. He is also very dedicated to helping the community and has served on the Board of Directors for the Missouri Securities Investment Program, Synergy Services Inc, the Northland Regional Chamber of Commerce, the Platte County Economic Development Council, and the Parkville Economic Development Council.

I have had the honor of working with Dr. Fisher over the last few years and have seen first hand his dedication to the education and

development of students in the Park Hill School District. His commitment to the students, staff, and community is all-encompassing.

Mr. Speaker, I proudly ask you to join me in congratulating Dr. Fisher on his retirement and in wishing him the best of luck in the years to come.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 19, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 24

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the collapse of MF Global, focusing on lessons learned and policy implications. SD-538

Commerce, Science, and Transportation
To hold hearings to examine the emergence of online video, focusing if it is the future. SR-253

Finance
To hold hearings to examine fraud, focusing on investigation and conviction. SD-215

Judiciary
Immigration, Refugees and Border Security Subcommittee
To hold hearings to examine the constitutionality and prudence of state and local governments enforcing immigration law. SDG-50

10:15 a.m.
Environment and Public Works
Water and Wildlife Subcommittee
To hold hearings to examine S. 810, to prohibit the conducting of invasive research on great apes, S. 1249, to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States, S. 2071, to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, S. 357, to authorize the Secretary of the Interior to identify and declare wildlife disease emergencies and to coordinate rapid response to those emergencies, S.

1494 to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, S. 1266, to direct the Secretary of the Interior to establish a program to build on and help coordinate funding for the restoration and protection efforts of the 4-State Delaware River Basin region, S. 2156, to amend the Migratory Bird Hunting and Conservation Stamp Act to permit the Secretary of the Interior, in consultation with the Migratory Bird Conservation Commission, to set prices for Federal Migratory Bird Hunting and Conservation Stamps and make limited waivers of stamp requirements for certain users, S. 2282, to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017. SD-406

2:30 p.m.
Armed Services
Airland Subcommittee
To hold hearings to examine tactical aircraft programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program. SR-232A

Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings to examine proliferation prevention programs at the Department of Energy and at the Department of Defense in review of the Defense Authorization Request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session. SR-222

Appropriations
Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Education. SD-124

APRIL 25
9:30 a.m.
Rules and Administration
To hold hearings to examine S. 219, to require Senate candidates to file designations, statements, and reports in electronic form. SR-301

10 a.m.
Finance
To hold hearings to examine tax reform, focusing on what it means for state and local tax and fiscal policy. SD-215

Health, Education, Labor, and Pensions
Business meeting to consider an original bill entitled "Food and Drug Administration Safety and Innovation Act", and any pending nominations. SD-106

Banking, Housing, and Urban Affairs
Housing, Transportation and Community Development Subcommittee
To hold hearings to examine helping homeowners save money through refinancing. SD-538

Veterans' Affairs
To hold hearings to examine Veterans' Affairs mental health care, focusing on evaluating access and assessing care. SD-138

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To hold closed hearings to examine proposed budget estimates for fiscal year 2013 for national and military intelligence programs. SVC-217

2 p.m.
Armed Services
Personnel Subcommittee
To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program. SD-106

2:30 p.m.
Appropriations
Financial Service and General Government Subcommittee
To hold hearings to examine expanding broadband access, promoting innovation, and protecting consumers in a communications revolution, focusing on fiscal year 2013 resource needs for the Federal Communications Commission. SD-138

Armed Services
Readiness and Management Support Subcommittee
To hold hearings to examine current readiness of U.S. forces in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program. SR-232A

Armed Services
Strategic Forces Subcommittee
To hold hearings to examine ballistic missile defense policies and programs in review of the Defense Authorization Request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session. SR-222

APRIL 26

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine weather related electrical outages. SD-366

10 a.m.
Finance
To hold hearings to examine tax filing season, focusing on improving the taxpayer experience. SD-215

Armed Services
SeaPower Subcommittee
To hold hearings to examine Marine Corps acquisition programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program. SR-222

2:30 p.m.
Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold hearings to examine financial literacy, focusing on empowering

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Americans to prevent the next financial crisis.

MAY 9

setts, to be Administrator for Federal Procurement Policy, Executive Office of the President.

SD-342 10 a.m.
Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Joseph G. Jordan, of Massachu-

SD-342

SENATE—Thursday, April 19, 2012

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

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Rebecca Spencer, senior pastor of Central Congregational Church, United Church of Christ, Providence, RI.

The guest Chaplain offered the following prayer:

Shall we pray.

Gracious and loving God, we thank You for Your presence with us. You offer wisdom and perspective and grace. We ask Your blessings to be upon these elected representatives. May all that we do reflect Your purpose that we live together as Your children in harmony and freedom. May Your blessings and our work bring real hope to those who may be struggling or oppressed.

We do ask for Your special blessings to be with those who serve our country in the military—at home, at sea, in the air, and foreign countries. Shield them from danger as they work for peace.

This is indeed a gift of a new day You have given to us. May all our endeavors honor You and may we all serve the cause of life, liberty, and the pursuit of happiness in this beloved land of ours. May we truly do justice and love kindness and walk humbly with You, our God.

Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 19, 2012.

To the Senate:

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

DANIEL K. INOUYE,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1925, which the clerk will report by title.

The assistant legislative clerk read as follows:

Motion to proceed to S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

Mr. REID. Mr. President, I would yield to my friend from Rhode Island.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is recognized.

WELCOMING THE GUEST CHAPLAIN

Mr. WHITEHOUSE. Mr. President, I thank the majority leader for that courtesy. I will only take a moment to recognize and welcome Rev. Rebecca Spencer who shared with us the prayer that began the Senate session this morning.

She has been the senior pastor of the Central Congregational Church in Providence, RI, since 1988. It was my congregation for the years that I lived in Providence. My wife and I renewed our vows under her care. She is a wonderful and thoughtful preacher from the pulpit. Her church has perhaps the best musical and choral program certainly anywhere in Rhode Island and probably for a good distance around. If you have not heard the "Hallelujah Chorus" sung at Easter at Central Congregational Church, you have missed an extraordinary experience.

But her greatest contribution in a community that she has served now for 24 years has been pastoral work with the families who make Central Congregational their home and the home of their faith. From birth to baptisms and for kids coming up through the youth programs the church runs, through marriages and unfortunately sometimes divorces, and through illness and death, Reverend Spencer is a wonderful friend and a wonderful solace and a wonderful gift to all of the congregation that she serves.

She is joined today by her sons Tom and Ezra. We welcome them as well,

and are delighted that she has taken the time to come down from Providence, RI.

I thank our Chaplain, Chaplain Black, for his courtesy in helping to facilitate this visit.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, the Senate is now considering the motion to proceed to the Violence Against Women Reauthorization Act. Following my remarks and those of the Republican leader, if any, the first hour will be equally divided between the two sides. The Republicans will control the first 30 minutes, the Democrats the final 30 minutes.

I note that the filing deadline for second-degree amendments to the substitute amendment and to the postal reform bill is 11 a.m. today. We are still hopeful of working out an agreement on the postal reform bill. If no agreement is reached, there will be a cloture vote on the substitute amendment this afternoon at 2:15.

POSTAL REFORM

Mr. President, for more than two centuries, 200 years, America's postal system thrived and grew in spite of rapidly changing technology. The Postal Service survived the invention of the telegraph, the telephone. It expanded despite radio and television. It grew regardless of the fax machine.

The post office was created in the day of the quill and ink—these inkwells we talked about yesterday—and mailbags slung across horses. The post office survived all of that. It grew through the days of horse and buggy, steamboat and railroad, into the age of airplanes. It adjusted to the expansion of the suburbs, to the growth of cities, and the explosion of our population generally.

It adapted from hand sorting and conveyer belts, with the invention of ZIP Codes and optical sorting machines. The post office has always found creative, cutting-edge ways to do more and more to move mail more quickly, and more of it.

In fact, for two centuries, the Postal Service relied on technology to cope with constant growth, growth in the volume of mail it delivered and the number of homes and businesses to which it delivered. And for 200 years, the Postal Service kept up with a flood of packages and letters and mail orders and online purchases, catalogues and

fliers, life-saving medications and absentee ballots, bulk mail and overnight delivery. The post office survived.

Today the Postal Service handles nearly half the world's mail—554 million pieces every day, 6,400 pieces every second. That feat would be impossible without modern technology and world-class workers and facilities. But now technology is both a solution and a problem. In the last 5 years, the Postal Service has seen mail volume drop by more than 20 percent. That trend is expected to continue.

E-mail and online bill payments significantly contributed to this crisis. Today letters, orders, payments across the world happen with the click of a mouse. And the challenge facing the Postal Service is how to adapt to a decreasing volume of mail rather than how to deal with increasing demand.

The bipartisan compromise before the Senate will help the system do that. It will build a leaner, smarter post office which offers new products and services while protecting its mission—delivering the mail 6 days a week to every corner of our great Nation.

The postal reform legislation before this body will sensibly restructure the system while preserving overnight and Saturday delivery. The legislation will save the Postal Service from insolvency. It will responsibly reduce the Postal Service workforce and the number of facilities it maintains. But it will also protect postal employees, including 130,000 veterans from our Armed Forces. It will also safeguard the more than 8 million jobs that depend on a vibrant postal system. And, most importantly, it will account for the needs of millions of seniors, people with disabilities, small business owners, and rural Americans for whom the U.S. mail is an important lifeline to the outside world.

Unlike the unacceptable bill Congressman ISSA is pursuing in the House, this bipartisanship Senate bill preserves the Postal Service we know and rely on. The House bill, by contrast, would immediately eliminate Saturday delivery, and it would set up commissions to unilaterally cut costs by closing post offices and processing plants, voiding union contracts and laying off tens of thousands of workers when our economy can least afford it.

That may be why Congressman ISSA's bill has not come up for a vote. There could be other reasons. But even the tea party advocates have trouble supporting his reckless ideas. The Senate bill we are considering today is not perfect. It will not save every post office, every job, or every distribution center. It will not please every Senator, every postal worker, or every customer. But unlike the House legislation, it is a strong, bipartisan bill that will modernize an institution enshrined in the Constitution without gutting its mission.

I hope we can continue to work together to pass this worthy legislation, but we are going to have to make a decision on that this morning. I appreciate everyone's cooperation. I especially appreciate the hard work of Senator JOE LIEBERMAN and Senator SUSAN COLLINS, the two floor managers of this legislation. There have been others who have worked very hard on this legislation, not the least of whom is TOM CARPER who has devoted a lot of the last few years of his life to this legislation.

Mr. President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

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

SVINICKI NOMINATION

Mr. MCCONNELL. Mr. President, yesterday I came to the floor to call attention to a woman named Kristine Svinicki, a widely respected nuclear engineer who sits on the Nuclear Regulatory Commission, the Federal agency charged with ensuring the safety of our Nation's nuclear powerplants. At the moment, Commissioner Svinicki is in Africa, sharing her expertise on nuclear safety at the request of the Obama administration, which should not surprise anybody, since she is one of the world's leading experts on the topic, and since President Obama's own Chief of Staff signed a letter a few months ago expressing the administration's confidence in her commitment to the mission of the NRC and her ability to fulfill it.

I have the letter. It is dated December 12. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,

Washington, DC, December 12, 2011.

Hon. GREGORY B. JACZKO,
Chairman, U.S. Nuclear Regulatory Commission, Washington, DC.

Hon. GEORGE APOSTOLAKIS,
Commissioner, U.S. Nuclear Regulatory Commission, Washington, DC.

Hon. WILLIAM D. MAGWOOD IV,
Commissioner, U.S. Nuclear Regulatory Commission, Washington, DC.

Hon. WILLIAM C. OSTENDORFF,
Commissioner, U.S. Nuclear Regulatory Commission, Washington, DC.

Hon. KRISTINE L. SVINICKI,
Commissioner, U.S. Nuclear Regulatory Commission, Washington, DC.

DEAR COMMISSIONERS: I am writing to you regarding the internal management issues at the Nuclear Regulatory Commission raised

in the Commissioners letter to me dated October 13, 2011.

As an initial matter, I would like to thank you again for raising these concerns with me, and for your commitment to fulfilling the agency's important mission to ensure the safe civilian use of nuclear materials. The Nuclear Regulatory Commission has an important mission, and we respect and appreciate your strong commitment to the Commission's work and values.

As you know, upon receipt of the October 13 letter, I arranged to meet personally with each of you so that I would have opportunity to discuss these matters with you. I also met with the agency's Executive Director of Operations. By letter dated December 7, 2011, Chairman Jaczko subsequently responded in writing to the concerns raised in the October 13 letter.

While I recognize that there are tensions and disagreements among the Commissioners, each of you made it clear in your conversations with me that these management differences have not impaired the Commission's ability to fulfill its mission or in any way jeopardized the safety and security of nuclear facilities in the United States.

I share your commitment to the mission of the Nuclear Regulatory Commission and agree that sound leadership and management practices are essential to its proper functioning. In our meetings each of you expressed your strong commitment to the agency and to ensuring that it fulfills its mission. We have confidence in your ability to do so, and urge each of you to make every effort to improve the internal communications at the agency.

The Chairman has committed to improve communications amongst you, including by keeping fellow Commissioners better informed, and has proposed that all of the Commissioners meet with a trusted third party to promote a better dialog. I urge you to pursue such a course of action and to keep me apprised of your progress and, as appropriate, any findings or recommendations of the agency's Office of Inspector General, as I intend to continue to monitor the situation.

I have also enclosed for your information my response to a letter I received on this matter from Chairman Issa.

Sincerely,

WILLIAM M. DALEY,
Chief of Staff.

Mr. MCCONNELL. Mr. President, what is surprising is that despite all of this, despite her expertise, despite the administration's own stated support for her work, she has not yet been renominated. The White House alone has the power to renominate. For some reason they have not. Look, the only possible reason for this delay is the fact that she had the courage to blow the whistle on the Commission's Chairman Gregory Jaczko, a guy whose temper and condescension toward subordinates, particularly women, nearly cost him his job.

So let's be clear about this. The only reason we are even talking about Kristine Svinicki right now is because she had the courage to stand up to a hostile work environment and the bully who was responsible for it. That is the only reason we are even having this conversation. She should be applauded for that, not hung out to dry.

Yet that is precisely what has been happening here. Commissioner

Svinicki is one of the world's leading experts on nuclear safety. She was confirmed in her current term without a single dissenting vote—not one. She enjoys the respect of her colleagues and, as the letter I just cited shows, of the Obama administration as well. Her renomination papers were completed more than a year ago, as was the FBI report that nominees have to complete ahead of being confirmed.

If this nomination continues to be held, after she had the courage to take a stand, it will send a chill up the spine of every whistleblower in Washington. Commissioner Svinicki spoke out against a guy that even Democratic commissioners say bullied employees and intimidated female workers. Kristine Svinicki did the right thing in raising the alarm. She should not pay a price for it. The White House says it likes the job she is doing. They sent her to Africa to give a keynote address on nuclear safety. Yet for over a year there has been silence. It is my hope they are not rewarding abusive behavior by silencing someone who had the courage to speak out. There is no reason for this renomination and reconfirmation to wait another single day.

If Democrats have a problem with Commissioner Svinicki, then let's debate it.

This morning, I renew my call for the White House to send this nomination over immediately and for the Senate to act quickly to get Commissioner Svinicki reconfirmed. The White House said just yesterday there should be no interruption in service on the Commission, so why don't we get this done.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the first hour will be equally divided and controlled between the two leaders, or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

The Senator from Oklahoma is recognized.

CONFERENCE SPENDING

Mr. COBURN. Mr. President, I want to spend a few minutes talking about what is occurring with the GSA conference waste that has been in the news of late. My criticisms are not mainly directed toward GSA.

Over 3 years ago, I started doing oversight on conferences by government agencies. Today I have an amendment, which will not be allowed to be considered, that will hold the agencies accountable in terms of their conferences. Through the years I have put out five reports on wasteful conference spending from the Department of Justice, where it spent \$380 million over a 5-year period on conferences, to the Department of Agriculture, and to the Department of HHS in terms of sending thousands of people to one conference at a time. All of it went unheeded.

Now we have the GSA—with Members of the Senate and the House aghast at the waste that has been spent in terms of the GSA conference out West. Had we been doing our job—and there were multiple amendments I have offered over the last 6 years to control conference spending, which have been rejected on party-line votes, to try to bring some semblance of reasonableness and control to conference spending by the various Federal Government agencies.

So we have this problem with the GSA today, but not because of the GSA; it is because of ourselves. We refused to do the hard work of passing requirements that would hold Federal agencies accountable.

My hope is that we would, in one small step, accept an amendment on the postal bill that would allow us to start holding the agencies accountable. It makes for great press and great TV when we stand aghast at what is obviously wasteful spending by an agency, but that accomplishes nothing other than advancing the political careers of my colleagues. We can accomplish something with real legislation that has real teeth and holds the agencies accountable. It is my hope we can have a vote—I don't even think it would take a vote; I think it would be accepted by unanimous consent—that would force the agencies to now come into compliance both in terms of transparency and accountability in how they spend their money.

Every Federal Government agency today has the capability for teleconferencing. We don't have to send 1,000 people, at \$2,000 apiece, to a conference to accomplish education and training. We all have it in our offices. The GAO has determined that most Federal employees see conferencing as one of the perks of their job, which is in one of their reports.

I invite the American constituency to look at my Web site, coburn.senate.gov, and go to the studies we put out and oversight reports on wasteful conference spending over the last 3 to 5 years and ask themselves a question: Why didn't Congress act on it? Why didn't they do something about it?

Now we claim we are insulted at the waste. We have had five different opportunities with amendments to do something about it, and we rejected them. We have seen oversight reports that are fully documented which show the waste. Yet we have not done anything.

If Americans are upset with the waste of the GSA conference, they need to be upset with Members of the Senate who have rejected time and again the ability to hold agencies accountable on conference spending. It is my hope that in a bipartisan manner we can address this issue—and not just for GSA but for every government agency so that now

we can see transparency and accountability in how the hard-working American taxpayers' dollars are spent, not wasted, and they will know when money is spent on a conference, everybody will see it, and they are going to have to justify not only the expenditure but the reason they are sending people to vacation spots when they should be doing it through teleconferencing and bringing needed updates to Federal employees in a much more efficient and effective way.

With that, I yield the floor.

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

THE ECONOMY

Mr. BLUNT. Mr. President, I thank my friend and my congressional neighbor. When we were in the House, we represented adjoining districts in Missouri and Oklahoma, and it is good to be serving in the Senate with my friend and to hear his commonsense approach on how we need to solve the problems we are facing as a country and the needless problems the government seems to be willing to create for itself.

We have been talking so much—at least the President has been talking about economic fairness as the principal goal of the Tax Code. Frankly, the most fair thing we can do in the Tax Code and in the Senate would be to work to be sure we are dealing with the important issues the job creators and families are dealing with across the country today.

All of us have had the opportunity to be home over the last 2 weeks. I was able to be in the last of the 115 Missouri counties that I hadn't been in since I was sworn into the Senate 15 or so months ago. I learn a lot when I am out there.

What I learned this time is that people are focused on fuel costs. Fuel costs are on track to hit an average of \$4 per gallon by summertime. This is more than double what fuel costs were in January of 2009, and it set the all-time record for the last 2 months. I talked to the people in south central Missouri who are trying to provide transportation for older Americans and disabled Americans, and the fuel cost increase of \$150,000 means they have to cut back their services.

The chamber of commerce survey this week found that nearly one out of four small businesses reported that their top concern was gas prices. When we think about that, whether it is delivery or whether it is employees getting to work or whether it is people deciding they cannot go to that small business—the restaurant, the bowling alley, a movie theater, or whatever it might be because they just put too much money in the gas tank of their cars—we should be concerned.

Unfortunately, instead of working to pass solutions that would jumpstart our economy and restore consumer

confidence, we simply want to talk about the wrong thing over and over. We had a vote on the so-called Buffett tax this week, which almost everybody who talked about it said it is more of a gimmick than a solution because even if we collected this new tax on Warren Buffett and his wealthy friends, in a year we would collect what the Federal Government deficit is in a day. We will not solve this problem dealing with one three-hundred sixty-fifth of the deficit like it is the solution to the problem.

The lead sponsor of the Buffett tax in the Senate, Senator WHITEHOUSE, said on the Senate floor that the aim of the bill is not to lower the unemployment rate or the price of gasoline. Why would we not have a bill on the Senate floor the aim of which is either to do something about energy prices or job creation?

This bill would generate less than 1 percent of the \$7 trillion deficit projected in the 2013 budget during that same period of time. It would take 250 years to collect enough money under the so-called Buffett rule to pay the 2011 deficit. If the solution to last year's deficit would take us 250 years of recovery, the truth is we are just wasting a lot of time on little things rather than big things. We can make little things sound big.

We can make it sound as though fairness is the critical element of everything the government should do, as opposed to opportunity being the critical element of everything the government should do. We can make it sound as though people will still invest money, their IRAs or their lifetime savings—their return is, even if they are successful, zero. But that is not what is going to happen.

I just finished reading a book about President Eisenhower and General Eisenhower. There are many pertinent things in that book, but one was when General Eisenhower and others came back from World War II, the top tax rate was 90 percent. From 1933–1934 until 1981, it was at least 70 percent.

Two points can be made there. Nobody paid it if they figured out how to avoid it, and almost everybody figured out how to avoid it—lots of passive investments instead of active ones. It had to be a good time for municipal bonds because there was no tax on them. So why not put your money there. If you made any money, 70 percent would go to the Federal Government or, in 1946, 90 percent would go to the Federal Government.

But the capital gains rate—which happened to be the rate at which World War II memoirs were taxed, which is why it was in this book—was 25 percent. Even when the top rate in the country was 90 percent, nobody thought the capital gains rate should be even one-third of that because they knew people would not invest money if

there was no return. We need tax policies that multiply the opportunities created in our economy rather than subtract from those opportunities.

If we want this not to be about politics but about math, it needs to be about multiplication not subtraction and about how to drive an economy to encourage more private sector jobs.

How do we encourage investment and encourage people to take risks? If nobody takes a risk, somebody else doesn't get an opportunity. People being willing to take a risk means that an opportunity is created for somebody else that would not have been created otherwise. Last month, we were here talking about tax hikes on American energy producers that clearly would be passed along to consumers. Nobody even argues if we had passed those tax hikes last month that gas prices would not go up.

Why in the world would we argue about anything that would raise gas prices rather than lower gas prices? The sponsor of that bill said nobody has made the claim that this bill is about reducing gas prices. The majority leader, Mr. REID, admitted that this is not a question of gas prices. Senator SCHUMER said this was never intended to talk about lowering gas prices. Senator BEGICH said the bill would not decrease prices at the pump for our families and small businesses—and these were the supporters of the bill.

Why would we have a bill on the Senate floor to do that when we could support what the President says he is for, which is an "all-of-the-above" energy strategy? Let's do what we can to solve this problem. The most glaring recent example is, of course, the Keystone Pipeline, which would run through North Dakota, go through Nebraska and other States, and get to our refineries. It would create 20,000 jobs, and it would decrease our country's dependence upon people who don't like us very much. It would also encourage more North American energy and encourage energy from our best trading partner, Canada. It is just one of the commonsense steps we can make.

If someone would have told me a couple years ago that when we went home in the spring of 2012, one of the things people would be talking about is why aren't we building a oil pipeline from Canada, I would have said that is a pretty detailed understanding of our energy problem, but it is an understanding that is out there. If we are going to create real economic fairness, we need to work together to pass solutions that will bring down the prices at the pump and get Americans back to work. That is why I believe we need to utilize all forms of American energy, including wind, solar, renewable, biomass, shale gas, shale oil, coal, and nuclear alternatives.

An announcement is being made today by one of our Missouri utility

companies and Westinghouse about small nuclear and how that might be part of this all-of-the-above solution.

I am ready to work with my colleagues across the aisle and anywhere else to do what we can to help American families. I hope we can do this together. The shortest path to more American jobs is more American energy. The best and the most fair thing we could do is what is good for American families and small businesses and job opportunities. I hope we can get to work on that.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

THE BUDGET

Mr. CONRAD. Mr. President, I rise today to discuss what I did in the Budget Committee yesterday, why I did it, and where we are headed.

I have heard people say repeatedly that the Senate has now gone for some 1,000 days since passing a budget resolution. What they are not telling people is that last year, instead of a budget resolution, the Senate and the House and the President signed a budget control law. The occupant of the chair knows very well, being a former attorney general, that a resolution is purely a congressional document. It never goes to the President for his signature. The Budget Control Act—we passed last year, while it is true it is not a resolution, was a law signed by the President of the United States, and that law—the Budget Control Act—said we are going to set the budget for this year and next, but beyond that we are also going to put in place 10 years of spending caps, saving \$900 billion.

On the question of whether the Budget Control Act represents or takes the place of a budget resolution for this year and next, let me read from the text because I think it makes it abundantly clear. It says: The allocations, aggregates, and levels set in the Budget Control Act shall apply in the Senate in the same manner as for a concurrent resolution on the budget.

That is pretty clear. This law, the Budget Control Act law, is to serve in the same manner as a budget resolution for 2012 and 2013, and it sets out the spending limits for those years. But it even goes further and sets spending caps for 10 years—something that, in my time here, has never been done in a budget resolution. Never in a budget resolution, while I have been here, has there been the setting of 10 years of spending caps, but that is what was done in the Budget Control Act last year.

But that law went even further than that. It also created a special committee and empowered that committee to come up with a proposal to reform the entitlement programs—Social Security and Medicare—and reform the tax system of the United States, and it told that special committee that if it

came to an agreement, that legislation could come to the floor without fear of filibuster—without fear of filibuster. Extraordinary powers were granted in that Budget Control Act to reform Social Security and Medicare and the tax system as well.

That special committee did not agree, and the Budget Control Act said: If you don't agree, there are consequences, and the consequences are another \$1.2 trillion of spending cuts on top of the \$900 billion of spending restraint that was in the underlying act.

So the special committee didn't agree, and now we have the prospect of a sequester imposing another \$1.2 trillion of spending cuts on top of the \$900 billion of spending cuts in the underlying act, for a total of over \$2 trillion of spending cuts. That is the biggest spending cut package, as far as I know, in the history of the United States. Yet the other side suggests repeatedly that nothing has been done to set spending limits when they know full well what the Budget Control Act, passed last year, does. Yes, it wasn't a resolution; it was a law. Boy, that is sort of civics 101, that a law is stronger than a resolution.

I said several days ago I would go to markup in the Budget Committee and I would lay out a long-term plan because while it is true that we have in place for the next 2 years a budget under the Budget Control Act, what we don't have is an overall long-term plan. The Budget Control Act limits discretionary spending for the next 10 years, but we also need a program that outlines what we are going to do about entitlement programs—Medicare, Social Security—and what we are going to do to reform our tax system, which is badly broken.

So several days ago I said I would lay before the Budget Committee the Bowles-Simpson plan, which is the only bipartisan plan that has emerged. It was supported by 11 of the 18 Commissioners. I was proud to be one of five Democrats, five Republicans, and one Independent. Eleven of the 18 voted to support that Bowles-Simpson package. Unfortunately, it took a super supermajority for that plan to come to the floor of the House and the Senate; it required 14 of the 18 members to agree. Eleven of 18 did, which is more than 60 percent. Even in Washington, usually 60 percent carries the day, but it didn't with respect to the Bowles-Simpson recommendations.

So I said several days ago I would put before the body the Bowles-Simpson plan. I did not suggest we would complete action on it at the beginning of the markup. Why? Because we already have in place the spending limitations for this year and next. What we don't have is a longer term plan. We don't need that longer term plan right at this moment, but we need it before the end of the year because at the end of

the year all of the Bush-era tax cuts are going to expire, and at the end of this year we are going to face that sequester I mentioned that is in the Budget Control Act law that we passed last year instead of a budget resolution.

Why do we need this longer term plan? Well, because we are borrowing about 40 cents of every dollar we spend, and that is unsustainable. It has to change. I have warned repeatedly of where we are headed if we don't change course. And here is where we are headed. This chart shows the gross debt of the United States if we stay on the trajectory we are on. We can see we are here in 2012. At the end of this year, the gross debt of the United States will be 104 percent of our gross domestic product, headed for 119 percent on our current trajectory. That shouldn't be permitted to happen, and under the plan I laid before our colleagues yesterday, it won't happen.

If we look at the underlying cause of these deficits and debt, we can see it is the relationship between spending and revenue. The red line is the spending line, the green line is the revenue line of the United States looking back to 1950, and what one sees is that spending is at or near a 60-year high. Actually, we have fallen back somewhat from the 60-year high we reached 2 years ago. Revenue is at or near a 60-year low. Actually, we can see it bumped up to a 70-year low back in 2010. But still we see a very wide gap between revenue and spending. As a result, there is a very large deficit—a deficit of \$1.2 trillion.

Now, I could have gone before the Budget Committee yesterday and laid out another partisan plan, because that is what is happening. Congressman RYAN, to his credit, laid out a plan, and in the House they passed his plan. I give him credit for laying out a plan. I think the plan is a very bad plan for the country and completely lacks balance. It is all done on the spending side of the equation, which leads him to truly Draconian cuts—dramatic changes in Medicare, for example, dramatic changes in Medicaid, dramatic changes in the whole structure of services the government provides people in this country. And the American people don't want a plan that is just a partisan plan. They do not want a plan that lacks balance. They do not want a plan that is just on one side of the ledger.

As I showed in the previous chart, we have a problem on both sides of the ledger—on revenue and on spending. We have to work on both sides of the ledger. And the American people believe that as well. When asked in the Pew Research Center poll last year in November, "What is the best way to reduce the Federal budget deficit?" 17 percent said just cut major programs—only 17 percent, 1–7. On increasing taxes, 8 percent said just increase

taxes. And 62 percent said a combination of both. I think the American people have it right. They are pretty smart. They are pretty smart.

In 2010 we had the Bowles-Simpson Commission, the so-called fiscal commission. Eighteen of us were named to serve. It was created by the President after a legislative attempt, led by Senator Gregg of New Hampshire, a Republican, and myself, failed here. We got a majority but we didn't get a supermajority. So our attempt to form a commission legislatively was thwarted. President Obama showed leadership and named a Presidential commission in order to take on the subject, and in December of 2010 that commission reported their conclusion, with 11 of the 18 of us agreeing to the recommendations.

Here are the principles and values the fiscal commission used to guide their efforts: that it is a patriotic duty to make America better; that we shouldn't do anything that would disrupt the economic recovery; that we ought to cut and invest to promote economic growth and keep America competitive; that we ought to protect the truly disadvantaged; that we ought to cut spending we cannot afford, with no exceptions; that we ought to demand productivity and effectiveness from Washington; that we ought to reform and simplify the Tax Code; that we shouldn't make promises we can't keep; and that the problem of deficits and debt are real and the solution will be painful.

Let's be honest. When you are borrowing 40 cents of every dollar you spend, you are not going to solve this in a way that doesn't affect anyone. All of us are going to have to participate in the solution.

The last principle that was used to guide the commission was that we should do things to make America sound over the long run.

So what does the fiscal commission plan I laid out do? It puts in place \$5.4 trillion in deficit reduction over 10 years, including savings that have already been enacted in the Budget Control Act. It lowers the deficit from 7.6 percent of GDP in 2012 to 2.5 percent in 2015 and down to 1.4 percent in 2022. So because of the reductions in deficits, it stabilizes the debt and begins to bring it down. In fact, it stabilizes the gross debt by 2015 and lowers it to 93 percent of GDP by 2022.

Remember my previous slide? Here is the quiz. What did it say the debt would become by 2022 if we don't do anything as a share of GDP? It said it would become 119 percent if we didn't act. Under the proposal I laid before the Budget Committee yesterday, it would bring down the debt to 93 percent of GDP—the gross debt to 93 percent of GDP by 2022 instead of 119 percent if we fail to act.

The plan I laid out reduces overall spending to 21.9 percent of GDP by 2022,

discretionary spending to 4.8 percent of GDP by 2022, a record low—a record low. In fact, this overall spending level is lower than the average spending level during the Reagan administration.

Our colleagues on the other side are always eager to embrace Ronald Reagan's policies. The proposal I laid out yesterday has a lower average spending as a share of our national income than did President Reagan during the entire period of his Presidency.

The plan I laid out also builds on health care reform with additional health care savings and fully funds the doc fix. What is the doc fix? That is the measure to prevent the doctors who treat Medicare patients from taking a cut of more than 20 percent.

The plan also calls for Social Security reform that ensures the 75-year solvency of Social Security, with the savings only to extend solvency, not for deficit reduction. In other words, Social Security reform, those savings are not used for deficit reduction. They are only used to extend the solvency of the program itself. The plan I laid out includes fundamental tax reform; makes the Tax Code simpler, fairer, more efficient, while raising more revenue to reduce our deficit and debt.

This chart shows the deficit as a percentage of GDP under the fiscal commission budget plan I laid before our colleagues yesterday. We can see, it takes the deficit from 7.6 percent of GDP this year—which is down, by the way, substantially from 10 percent, which is where it has been—down to 1.4 percent in 2022. The fiscal commission budget plan reduces the deficits below the 3-percent-of-GDP level that is considered sustainable by economists, and it does that by 2015.

Again, the gross debt under the plan I put before colleagues that comes from the fiscal commission work, the Bowles-Simpson plan that was concluded and recommended in 2010, would take the gross debt down to 93 percent of GDP from the 104 percent it is now and, as I indicated earlier, an even more dramatic improvement compared to what the debt would be if we failed to act.

As I indicated, the spending level under the fiscal commission budget plan is about 21.8 percent of GDP. During the Reagan administration, spending was 22.1 percent of GDP. So we have lower overall spending as a share of the national income than was the case during the Reagan administration. In fact, discretionary spending goes to an all-time low of 4.8 percent by the end of the 10-year plan.

We can see, discretionary spending—that is distinct from mandatory spending. Mandatory spending are things such as Social Security and Medicare. Discretionary spending are things such as defense and national parks and law enforcement and education. We can

see, discretionary spending as a share of our national income is dropping very sharply under this plan.

What is happening on the other side of the spending ledger is the 800-pound gorilla, which is health care. That is the thing that threatens to swamp the boat around here because we can see what is happening. Back in 1972 Medicare, Medicaid, and other Federal health spending was about 1 percent of our gross domestic product. If we don't take further steps by 2050, it is going to be 13 percent of our gross domestic product, from 1 percent to 13 percent. Right now in this country, 18 percent of our GDP is going to health care. One in every six dollars in our whole economy is going to health care—more than \$1 in every \$6. So that is something we have to focus on like a laser, and in the fiscal commission plan, we do focus on it like a laser. It doesn't open the health care reform debate that we just concluded, but it does provide an option to phase out the tax exclusion for health care that economists tell us would be one of the most effective things we could do to change the direction of health care expenditure.

It fully offsets the cost of the so-called doc fix, so our doctors treating Medicare patients don't face this huge cut that is currently in the law. We have additional savings proposals with Medicare beneficiary cost sharing, payments to health care providers being reformed, eliminating State gaming of the Medicaid tax, and providing the Medicaid drug rebate for those who are duly eligible in Medicare. This would save hundreds of billions of dollars.

While the fiscal commission did make a recommendation on Social Security, those numbers are not included in the proposal I put before our colleagues yesterday because I am precluded from doing so by the law. The Congressional Budget Act of 1974 prohibits the inclusion of Social Security in deficit totals of a budget resolution. So I did lay out the proposal from the fiscal commission on reforming Social Security; but I could not include it in the numbers because I am precluded from doing so by the law.

Here are the recommendations from the fiscal commission that I included in my proposal to our colleagues but that are not in the numbers for the reason I have given: calls for Social Security reforms to make it solvent, not for deficit reduction; restores 75-year solvency and puts it on a stable path beyond 75 years; strengthens the safety net by enhancing the minimum benefit for low-wage workers and by giving an actual bump up in benefits for the oldest seniors and the long-time disabled. One of the things we know, people who live a long time run out of their benefits. So in the fiscal commission we proposed to actually give them a little bump up after they have been in retirement for an extended period of time.

We also provided a hardship exemption for those who are unable to work past the age of 62. One of the things we know is a person can take early retirement at age 62—and we are going to have to increase the retirement age of Social Security over time, over a very long time, by the way. In this proposal, we increase the retirement age to 69 over decades.

We have to increase also the maximum level of wages that are taxed for Social Security because the traditional standard is no longer being followed. We are not taxing 90 percent of wages. That doesn't mean the tax is 90 percent, by the way. It means 90 percent of wages is being subjected to the tax. What has been happening over years is we have been getting a reduced share of income in this economy to apply the Social Security tax to. That is one of the reasons we have a shortfall over time. Under this plan, we raise the retirement age—but only very gradually—reaching 69 by 2075. This is 2012. So we don't raise the retirement age to 69 until 2075. That is 63 years from now. But make no mistake, that is important because people are living longer. In fact, people are living much longer.

We also have a need for tax reform. The Tax Code is out of date, it is inefficient, and it is hurting U.S. competitiveness. The complexity imposes significant burden on individuals and businesses. The expiring provisions create uncertainty and confusion. We are hemorrhaging revenue to the tax gap, to tax havens, to abusive tax shelters.

Many times on this floor I have shown a picture of a little building down in the Cayman Islands called Ugland House. Ugland House claims to be the home to 18,000 corporations. A little 5-story building down in the Cayman Islands claims to be the home to 18,000 companies. Are all those companies doing business out of that little five-story building? No. The only business they are doing down there is monkey business, and the monkey business they are doing is ducking their taxes here and shoving the burden onto all the rest of us who pay our taxes. That is not right.

We have to go after these tax havens, these abusive tax shelters, and we can do it. We need to restore fairness. The current system is contributing to growing income inequality, and our long-term fiscal imbalance, the deficits and debt we talked about, must be addressed.

CBO Director Elmendorf talked about the economic benefits of tax reform in a hearing before the Budget Committee. He said:

I think analysts would widely agree that reform of the Tax Code that broadened the base and brought down rates would be a positive force for economic growth, both in the short term and over a longer period.

Tax reform has to be part of the agenda of this Congress. Here is what is

happening to income disparity in America. Look at what is happening. The top 1 percent—and I am all for the top 1 percent doing well. I want everyone to do well in America, but look what is happening. Since 1979, the top 1 percent, their incomes have gone up almost 300 percent. Look at what has happened to those in the middle and those at the bottom. Their incomes have stagnated. They have been about stable—gone up a little bit but not very much. The top 1 percent has gone up like a rocket. One of the reasons is the Tax Code of the United States has dramatically reduced for the wealthiest in our country the tax burden they shoulder. They will show us, oh, their taxes have gone way up. Sure, they have because their incomes have gone way up. What has gone down—what has gone way down is the effective tax rate they pay. The top 400 families, the wealthiest 400 families in America, have had their effective tax rate almost cut in half since 1995.

Again, I am not one who is against success. I come from a family who has succeeded. I come from a family who has done well, and I am deeply appreciative. I am grateful for the opportunity this country has provided to my family. But do you know what. What is fair is fair. What is fair is fair. We have to ask everybody to help pull this wagon out of the ditch. We are in the ditch, and let's get serious about getting out.

If we broaden the base of our tax system, the people who will be most affected are the wealthiest among us because look what happens. Here is the increase in aftertax income, on average, from tax expenditures in this country; that is, the loopholes, the deductions, the credits, the exclusions that are in the current Tax Code. The average benefit for the top 1 percent is \$219,000 a year. The middle quintile, their benefit is \$3,000. If we reform tax expenditures, which we should do, that will put some additional burden on those who are the wealthiest among us.

By the way, not everybody who is doing well is treated the same way under this Tax Code. There are many people who are doing well who are paying a tax rate that is very close to the top rate of 35 percent. There are others who are paying at a level one-half as much; the same income but paying much less in taxes. Why? Because they have set up their affairs in a way that they especially benefit from the credits, the exclusions, the deductions, and all the rest of the tax gimmicks that riddle the current Tax Code.

Here is what one of the most conservative economists in the country said about reducing tax expenditures. This is Martin Feldstein, professor of economics at Harvard, Chairman of the Council of Economic Advisers under President Reagan. This is what he said about cutting tax expenditures:

Cutting tax expenditures is really the best way to reduce government spending. . . . [E]liminating tax expenditures does not increase marginal tax rates or reduce the reward for saving, investment or risk-taking. It would also increase overall economic efficiency by removing incentives that distort private spending decisions. And eliminating or consolidating the large number of overlapping tax-based subsidies would also greatly simplify tax filing. In short, cutting tax expenditures is not at all like other ways of raising revenue.

That, from one of the most conservative economists in the country.

Our colleagues on the other side say wait a minute, we should not have revenues more than 18 percent of gross domestic product because that is, on average, what it has been over the last 30 or 40 years. The problem with their analysis is the last five times we have balanced the budget the revenue has not been 18 percent of GDP. The last five times we have balanced the budget, revenue has been at 19.7, in 1969; 19.9, in 1998; 19.8 percent of GDP in 1999; 20.6 percent of GDP in 2000; and 19.5 percent of GDP in 2001. If people want to be serious about balancing the budget, we are going to have to have a revenue level, based on what we see historically, that is more than 18 percent of GDP.

The fiscal commission plan I laid before colleagues yesterday, the so-called Bowles-Simpson plan, does this with respect to tax reform. It eliminates or scales back those tax expenditures we were discussing but lowers tax rates. You can lower tax rates and get more money if you broaden the base, if you reduce some of these tax expenditures that frankly go disproportionately to the wealthiest among us and have grown like Topsy in the Tax Code.

We can promote economic growth and improve America's global competitiveness, we can make the Tax Code more competitive, we can have what was included in the fiscal commission, an option, a reform plan that calls for three rates for individuals: 12 percent, 22 percent, and 28 percent. The top rate now is 35 percent. A corporate rate of 28 percent. The corporate rate now is 35 percent.

The fiscal commission plan called for capital gains and dividends to be taxed as ordinary income. Instead of having a differential for capital gains and dividends, they were taxed at ordinary rates. But the fiscal commission also said if you want to have a differential, you have to pay for it by buying up the top rate.

For those who believe strongly you need to have a differential for cap gains and perhaps dividends, you can do that, but then you have to have a higher top rate than 28 percent.

The fiscal commission plan reforms the mortgage interest and charitable deductions, it preserves the child tax credit and earned-income tax credit, and completely repeals the alternative minimum tax.

Under this plan, revenues grow to 20.5 percent of GDP by 2022. In fact, the revenue under the fiscal commission plan during the 10 years of the plan averages 19.7 percent. That is right at the level that has been required the last five times we have balanced the budget. That is very close to the revenue level during the Clinton administration, the last time we did balance the budget. By the way, that was a Democratic President.

Some say that is a big tax increase you are talking about, Senator. No, it is not a big tax increase. It is additional revenue of \$2.4 trillion compared to roughly current policy, what is happening right now. But compared to current law it is actually a \$1.8 trillion tax cut because all of the tax cuts that were put in place in the Bush administration are about to expire. So if you compare it to that law, this proposal represents a \$1.8 trillion tax cut. It is more revenue than we would get under current policy but less revenue than we would get under current law.

The fiscal commission plan I laid before colleagues yesterday, the so-called Bowles-Simpson plan, also had certain process changes to tighten things up around here, to become more disciplined. It set discretionary spending caps through 2022 enforced by a 60-vote point of order and sequester; firewalls between security and nonsecurity spending so money could not be diverted between the two; a separate cap for war funding with annual limits proposed by the President; more rigorous emergency designation procedures and annual budgeting for disasters; a fail-safe to pressure Congress to maintain a stable debt-to-GDP ratio starting in 2015; more accurate inflation adjustments for indexed programs—that is the so-called chained CPI, a more accurate measurement for inflation adjustment; and a process to ensure more reliable and timely extended unemployment insurance benefits.

I have heard from my colleagues repeatedly that the President showed no leadership. I don't believe that. I think the President showed extraordinary leadership. He averted a depression—and make no mistake, that is where we were headed when he came into office. When he came into office here is what was happening. We were losing 800,000 jobs a month in the private sector. That is what he walked into. He did not create the conditions that led to losing 800,000 jobs a month, he inherited that.

Look at the progress that has been made. Since 24 months ago we have seen jobs in the private sector on the positive side of the ledger—4 million jobs created. That is after he was in a situation in which we were losing 800,000 jobs a month. In the last 4 months we have been averaging 200,000 jobs created. That is pretty good leadership. That is a dramatic turnaround.

The same is true of economic growth. When he came into office the economy was shrinking at a rate of almost 9 percent. Now it is growing at a rate of about 3 percent. That is pretty good leadership. That is a dramatic change from what he inherited.

When I hear that the President did not show leadership—oh, yes? I would say he showed pretty good leadership. He stopped the hemorrhaging. He got us going back in the right direction. It is not everything we hoped for, but my goodness, what a remarkable turnaround. Two of the most distinguished economists in this country said if we had not taken the actions that were taken by the Federal Government at the end of the Bush administration and during this administration, we would be in a depression.

We are not in a depression. In fact we are growing. We are growing modestly but we are growing. We are creating jobs in the private sector. The private sector is growing. It added 4 million jobs since this President got things turning around. This President named the fiscal commission. There would not be a Bowles-Simpson commission had the President not appointed it. The Bowles-Simpson commission plan is what I put before our colleagues yesterday.

Some have criticized me to say: You didn't vote on it. That is right. We are not going to vote on it until we believe there is the best possible chance to actually get results. If you go back to the Bowles-Simpson commission approach, what you saw is they did not time the vote until after the 2010 election. What I am saying to colleagues is I think we ought to follow their good example. That is because the truth is, people are not likely—all sides are unlikely to get off their fixed position right before a national election.

Let me end as I began. We have a budget for this year and next. It is contained in the Budget Control Act, a law that was passed last year. When my colleagues say there was no budget resolution passed, what they are not telling you is instead of a budget resolution, we passed a budget control law. A law is stronger than any resolution. A resolution is purely a congressional document and never goes to the President for his signature. The Budget Control Act passed the House and the Senate and was signed by the President of the United States.

It says in part:

The allocations, aggregates and levels of spending set in this act shall apply in the Senate in the same manner as for a concurrent resolution on the budget.

What could be more clear? This law is in place of a budget resolution. It is stronger than any resolution because it is a law. Next time somebody tells you there has been no budget resolution for 1000 days, ask them, but did they pass a law that set spending limits? That

set the budget for this year and next? That set 10 years of spending caps that saved \$900 billion, that gave a special committee the ability to change Social Security and Medicare and the tax system of the United States and not face a filibuster? And if they did not succeed, there would be another \$1.2 trillion of cuts? And because they did not agree, that additional \$1.2 trillion of cuts is now in law and will begin to be imposed at the beginning of next year?

That is a total of more than \$2 trillion of spending cuts in the Budget Control Act passed by the Congress, signed by the President, and in force today. That is the biggest spending cut package in the history of the country.

If anybody suggests to you no spending limits have been put in place, ask them: What about the Budget Control Act? Didn't you vote on that? Because it passed the House. The Republican-controlled House, they passed it. It passed the Senate and it was signed by the President of the United States. It is the law. A law is stronger than any resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. MANCHIN. Mr. President, first I thank my colleague, Senator KENT CONRAD from North Dakota. To say he is going to be missed is an understatement as he goes back to the private sector with his beautiful wife and family. But his steadfast commitment to this country to put our financial house back in order is the direction we should be going. We should have the courage to do that. I believe we will with his leadership because he has laid out a plan that is more reasonable. There has been more bipartisan support for a longer period of time, and it has grown. It is the only plan since I have been here, less than 2 years, that has maintained that bipartisan support because of the leadership of Senator KENT CONRAD. On behalf of the grateful State of West Virginia and the people of America and my colleagues here in the Senate, we thank Senator CONRAD. We thank him for his leadership.

POSTAL SERVICE REFORM

Mr. MANCHIN. Mr. President, I rise today to share with you the deep concerns that I am hearing from my constituents all across the great State of West Virginia, who are worried about what will happen to their rural communities if their local post offices are forced to shut their doors. In our State, we know that the Postal Service is at the very core of what makes this country great, and what connects us all. In fact, the Postal Service is America. That is why we are willing to come together across party lines to fight hard to preserve the essential services the Postal Service provides.

We also know that serving rural communities is not always profitable and private companies will not come in to

fill the gap if the Postal Service leaves. As Americans, we need our rural communities to stay in touch with this great Nation. I am fighting, along with the members of our delegation, to put a stop to these proposed closures.

These concerns for the future of the Postal Service are bringing all West Virginians—Democrats and Republicans alike—together for protests, rallies, and letter-writing campaigns.

In communities where people were told their post offices down the road might be closed, I am hearing people's fears of unacceptable consequences: seniors who wouldn't be able to get their medicines delivered, problems receiving important checks and other financial services, and, just as importantly, the loss of the ability to stay connected to the community and to the country as a whole.

This note comes from Mr. George Jones in Nebo, WV, which is in Clay County. He writes:

Few people in this area have access to the Internet. They still rely on the post offices to keep them connected to the world. And our people still use the post office. It just makes no sense to cut services to the people who still use them.

They need them as well.

In communities where the post office has already closed, I have heard about what it means to the town and its residents.

This note comes from Delores Wilson in Norton, WV, which is in Randolph County:

Our Post Office was closed last November. We now have cluster boxes which are out there in the weather, and our residents are scared to have their prescription drugs mailed to their home or these boxes. Our community has been severely affected. We used to see each other while getting our mail. Our postmaster would let us know when children were born and neighbors passed away. We collected funds at the post office to help our neighbors when they fell on hard times or were in need. Now we don't have this central location to do that because our small community no longer has its post office.

I have always said that we as a people and a country need to pick our priorities based on our values. In West Virginia, keeping the Postal Service intact is one of the things our people truly care about. That is why I have raised very serious concerns about this bill which does nothing to keep the 3,700 post offices open, and they are currently on the list for potential closure, including 150 of these proposed closures in West Virginia.

Today I wish to encourage all of my colleagues to vote for an amendment I have offered that would prohibit any postal facility from being closed for 2 years while the Postal Service figures out better ways, working with the Postal Service unions, to get its financial house in order. I have offered this amendment because, as I have heard from my constituents, we simply cannot afford to let these facilities close

in the communities that need them most. In our rural towns—places such as Norton and Nebo, WV—the Postal Service is about much more than a place to send and receive mail. Our postal facilities are the centerpieces of our communities. They are places where people gather and share important information. They are a symbol of the importance of our small towns to the people whose families have always been there. They are our little place on the map.

This note came from Deanna Halstead from Boone County, where the Uneeda Post Office could soon be closed. She writes:

We have had a post office in this area since 1902. In fact, the story goes that the citizens petitioned for a post office and were asked what to name it back in 1902. A gentleman saw a can of Nabisco's Uneeda Biscuits, and that is how the post office and town got their name. It would be a shame to lose that history, and it would be hard for our elderly and disabled citizens to travel farther for these services. Fifteen miles does not sound like much to people in Washington, but when you rely on public transportation or a neighbor to take you, it becomes a big burden.

I myself grew up in the small town of Farmington, WV, a community of just a few hundred people. I speak from experience when I say the post offices in these rural communities serve as a critical lifeline.

Even now, as an elected representative, I receive dozens, sometimes hundreds of letters a day from my constituents, many of whom don't have access to the Internet and can only reach me by writing me a letter. That is what is so unique about our post offices. They are a vital link for West Virginians and many others throughout the country, and for them it is so important that their mail service remain uncompromised.

We all know the U.S. Postal Service is in dire straits. The combination of the recent recession, the increased use of e-mail and text messages, and the cost of retiree health benefits has put the Postal Service on a path to financial ruin. In order to remain solvent, the U.S. Postal Service must cut costs by \$20 billion by 2015.

Anyone who has heard me speak before knows I share a deep commitment to fiscal responsibility, and we just heard our dear friend, Senator KENT CONRAD, lay it out for us. I truly believe this Nation's out-of-control finances are the biggest threat we face. I am not alone. At a Senate Armed Services Committee hearing a year ago, the then-Chairman of the Joint Chiefs of Staff, ADM Mike Mullen, was asked his opinion on the greatest threat to our national security. Coming from the Defense Department and the person in charge, Admiral Mullen—I would have thought he would have said something about all the turmoil around the world, the wars that are going on, the unease and unrest that could contribute to

more wars. I thought he would tell us about some rising military power we should be concerned about or another uprising of a violent attack on this country or a terrorist group wishing to do us harm. But what he said was very simple, and it was a defining moment for me as a Senator when he said that our national debt is the greatest threat this Nation is concerned about, it is the greatest threat this Nation faces. It was a sobering moment. So believe me when I say I truly believe we all have to set our priorities based on our values and learn very quickly to live within our means. That is right. There is a right way and a wrong way to go about this.

The bill we have before us proposes to close 3,700 rural post offices—I am sure including some in the Presiding Officer's own State—for a total savings of \$200 million—a figure that is less than 1 percent of the Postal Service's \$20 billion and is roughly equivalent—listen to this figure—to the amount we spend in 1 day in the Afghanistan war. We spend that amount in 1 day fighting in Afghanistan, which I think everyone knows I am totally opposed to. Yet we are going to close 3,700 post offices for that 1-day savings for a war in Afghanistan. While achieving very little in terms of the Postal Service's bottom line, this proposal would have an enormous impact on people all over the United States of America, including the people in West Virginia who would lose up to 150 of their post offices. This bill would also lower delivery standards by allowing the Postal Service to go to 5-day service and eliminating door delivery. It would add to our national deficit. In short, I am not sure what exactly we are hoping to accomplish with this piece of legislation.

Already in West Virginia we know for certain that three of our mail-processing facilities will be closing, one in Clarksburg, one in Parkersburg, and one in Petersburg. We still don't know the fate of our facility in Bluefield. The impact those closures will have on the Postal Service's bottom line is minimal, but the impact to those communities is widely felt and deep.

Rather than making drastic cuts on the front lines, the Postal Service needs to consider a different approach to getting its financial house in order. I truly believe we can save the Postal Service without making cuts to the services our communities rely on and the lifeline that they are, and they are needed, and without adding to our enormous deficit. We can work together on a way to keep our postal facilities open, expand services that raise revenue, eliminate enormous bonuses for executives, and sustain 6-day-a-week delivery service.

My colleagues and I have suggested many commonsense ideas that could help solve the problem. For one, current law caps pay for Postal Service ex-

ecutives at \$199,700—the rate of pay for most Cabinet-level Secretaries—but provisions in the law allow for bonuses and other compensation to increase total take-home pay for these executives to \$276,840. That figure is 20 percent higher than the salary of the Vice President of the United States. In addition, the Congressional Research Service has noted that “postal executives may be eligible for deferred annual incentive bonuses that exceed existing caps, the payment of which can be deferred until after he or she leaves the postal service.” As an example, according to CRS, former Postmaster General John Potter earned \$501,384 in total compensation in fiscal year 2010. I think most Americans would be shocked to know Postal Service executives can earn larger salaries in the form of bonuses and deferred compensation than Cabinet-level Secretaries. These excesses must be eliminated.

We know from an August 2011 report by the Postal Service inspector general that the Postal Service maintains 67 million square feet of excess interior space and that getting rid of this unneeded real estate could net \$3.4 billion over 10 years. I think this is a revenue raiser that deserves some serious consideration, and I believe most of my colleagues would think the same.

I would also ask, during a time when finances are tight, why did the Postal Service spend advertising dollars sponsoring the U.S. Tour de France team and is now sponsoring a NASCAR racing team? I love NASCAR racing, but I am not sure they can afford to be sponsoring a team.

There are a variety of ways for the Postal Service to get its financial house in order without closing their doors in the communities that rely on them most.

Back in April my office coordinated regional open meetings in the communities where post offices are on a list for potential closure. Along with representatives from the U.S. Postal Service, my staff was on hand at these meetings in McDowell, Raleigh, Wood, and Randolph Counties to give local residents the opportunity to share their creative proposals and commonsense ideas to help preserve post offices in their communities. We got the message loudly and clearly: West Virginians do not want to see their post offices closed. They are the lifeblood of the community.

We continue to hear from hundreds of West Virginians in letters, phone calls, and petitions, folks such as Rebecca from Raleigh County, where the Clear Creek Post Office is facing closure. Her community has had a post office for 140 years—140 years. Tell me anything that is more American than that. Here is her letter:

We are an isolated area. The roads are curvy and our citizens are elderly. If this

post office closes, it will mean 20 miles round trip to the nearest post office.

It is rare to see a community—hundreds of communities, really—come together around a single issue such as this one. But we are seeing hundreds of people rush to the defense of an institution that has built this Nation and connected this Nation into what we are today. West Virginians do not want to see that disappear, and neither do I. That is why I will fight, along with my colleagues, to find a solution that forces the Postal Service to get its financial house in order, which I believe can be done, without balancing its books on the backs of our rural communities and the people who depend on that lifeline most—our citizens.

Thank you, Mr. President. I yield the floor and note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I rise today to address an issue that goes to the very heart of our rural communities: our rural post offices. I am speaking while negotiations are going on regarding the Postal Service reform bill that has many dimensions to it, attempting to put the Postal Service on stable financial grounds. But I want to focus on this particular aspect: that today we must modify the bill that is before us so we do not end up destroying our rural post offices that are at the heart of the communities they serve.

It was a few months ago that I was in eastern Oregon and received a message that the Postmaster General had put on the list for closure 41 rural community post offices—and that was just in my State of Oregon. In the next couple days, I dropped by several of those rural community post offices. In two cases they were open. I talked to the postmaster, I talked to citizens who were nearby, and I quickly got feedback on the destruction that would happen in that rural community if we do not address this issue in this bill.

Specifically, there will be a huge impact on the small businesses that use the post offices to receive orders and to ship orders on a daily basis. Those businesses will not be able to function if they have to drive 30, 40, 50, 60 miles roundtrip each day to pick up orders and to ship products—a huge waste of time, often on dangerous, winding, narrow roads; a huge additional cost, a huge distraction from the work they do on their farms or on their ranches. In short, this will shut down a lot of small businesses or those small businesses will have to move. They will move to

larger towns. When they move, the retail dollars move, and it will not be long before that small store at the heart of that town shuts down.

In addition, I heard from seniors who receive their medicines through the mail. In some cases, they are controlled medicines for which they have to sign. They have to be there in person. They cannot simply receive them through a mailbox, if you will. Certainly, often our seniors are not always in the shape where they can drive daily to see if a medicine they are waiting for has arrived—that they would have to go 40, 50, 60 miles roundtrip to check and see if their medicines came in. Those folks will start thinking: Well, maybe I can't live in this rural community anymore. Maybe I need to move to a larger town that has a post office.

Part of the irony of the bill we have before us is often on the Senate floor we are talking about spending government resources for economic development. Well, if you go to a small town and ask people what is the most essential component for the success of their small town, their small businesses, they are going to tell you the rural post office; that without that they are pretty much out of business. So how is it we spend so much time talking about jobs and economic development and small business as the factory of job creation, and yet we have a bill before us that basically cuts the heart out of the small town economy?

I originally come from a very small town, the small town of Myrtle Creek. When I was a small child—born there—the Dairy Queen at the heart of town was the place we occasionally went as a family. That Dairy Queen is still there, and I still often drive through Myrtle Creek just to go by and have a hamburger as I am going north and south through Oregon.

Now, Myrtle Creek does not happen to be on the list of the 41 towns where the post offices would be shut down.

But visit my hometown and one would get a real sense of the damage that would occur if the post office were shut down. So I bring a very kind of personal sense that this battle matters. I wanted to share some of the feedback I have had from a couple towns. I wish to start with the town of Tiller in Douglas County. Tiller is not that far away. Myrtle Creek is in Douglas County; Roseburg is in Douglas County where I started grade school; Tiller is in Douglas County.

This is the post office in Tiller. It is 16 miles from the next nearest post office. Imagine that a person lives 10 miles from Tiller and then they have to drive another 16 miles to get to the next nearest town. Now we are talking about 50 miles round trip. That is an hour or more out of their day, and that is a lot of cost in gas. That might be \$10 a day in gas right there, and that is a huge factor for many of our families.

I am going to share with everyone some passages from a letter from Diana Farris, a former postmaster in Tiller. She writes:

Tiller is one such community where, in many ways, time stands still and new technology is beyond their grasp. In Tiller, cellular phone service is unavailable, DSL and cable internet service are unavailable, satellite service is overpriced with the majority of residents in the area unable to afford it and there is no Wi-Fi access.

She continues:

Dial up internet is available (when the poorly maintained telephone system is operational) at top speeds of approximately 24 26k, so slow that many websites, including USPS, time out before you can access the needed information.

Diana Farris, former postmaster, then says:

The unemployment rate has risen to 13 percent in Douglas County, and the lowest gas price in Tiller in the last few months has been \$3.95 per gallon. For communities like this, the local Post Office remains the only option.

Many folks in the Senate may think in terms of big cities they represent that have many options, that have FedEx, that have all forms of electronic communications. They have all kinds of alternatives. But those alternatives, as Diana points out, are not options they have in a small town. Indeed, one of my colleagues said: I do not understand why you are so concerned because FedEx can deliver the medicines.

If one has been to a small town, they would find out that FedEx uses the post office system to complete the last mile of their deliveries. So, no, FedEx does not provide an answer for our veterans, for our seniors, for others who need medicines or other products being delivered through the mail.

Because of that difficult drive from Tiller to the next post office, because of the time, because of the distance, the closing of the Tiller Post Office would have a devastating impact on the small businesses that rely on the U.S. Postal Service.

Here is a letter from Alexandra Petrowski, who owns a small business. It is called Singing Falls Mohair. She owns the business with her husband, lives in Tiller, and she writes:

We utilize the services of the U.S. Post Office extensively. I would estimate that between 3 and 5 packages go out from our home to destinations all over the world on a daily basis. We sell our products on eBay and the business is flourishing. Our growing market is worldwide using the U.S. mail system every day of the week excluding Sundays.

In the eBay marketplace, timely mailing is an integral part of good customer service. As it is, the Tiller post office is 7 miles from our mountain ranch. A closure of the Tiller Post Office would require an approximately 45 mile round trip journey that would severely impact our modest profit margin.

She concludes:

We have been engaged in this business for 30+ years. We are seniors and rely extensively on our cottage industry to sustain our

ranch operation. Would closing Tiller's post office mean effectively an end to the home business?

Then she answers her own question.

The answer at this point in time is that it would seriously jeopardize our business.

So here there is a family living on a ranch quite a ways outside Tiller, but Tiller is the closest place. They would have to drive into Tiller, then drive this additional 16 miles to the next post office, would have to do this on a daily basis to ship products.

They are fortunate to have Internet and have been able to advertise and have the world see their products and advertise them through eBay, but they get customer ratings on eBay. If you have ever been on eBay, you will see that people who have these small businesses establish online reputations because they are judged by each of their customers. They are rated by each of their customers.

We feel pretty comfortable ordering from someone who, say, has shipped 500 orders and has a 5-star rating and not that comfortable ordering from someone who has a 3-star rating and customer after customer has said: The product does not come in a timely manner or it is not packaged well, it is not shipped well. So this model, small businesses completely depend on the U.S. Postal Service serving that small community.

Let me turn to Malheur County, a different part of the State, and the town of Juntura. I will get a picture of the Juntura Post Office before us. We will see it is quite a simple looking structure, a manufactured building, not very expensive to build, certainly not very expensive to have it open a couple hours a day. So we are talking about microscopic costs in the context of postal reform that have a monumental impact on the success of our small communities—low cost, high impact.

Is that not the type of deal we argue for every day: government efficiency, low cost, high impact. This little, simple modular building, a few wooden steps going up to the door, may not look like much, but it is a shipping hub and a communications hub that makes the economy work in Juntura, OR.

I have a report from a Juntura resident named Laura Williams. She went into a comprehensive analysis of the impact of this very modest building. She wrote up a 42-page report. It examines every aspect of how this very inexpensive investment—the returns it has for the community. I thought I would read to all of you a little bit from that report.

She writes that the residents of Juntura:

Will either have to drive to Drewsey, to the west, to mail packages, buy money orders and complete a variety of other transactions—or they'll have to drive east to Harper, 34 miles away, a route that winds

through a river canyon dangerously choked with deer during the winter months.

That is the end of that first part of the passage. When I looked at her report, she actually compiled numbers of the number of collisions per week with deer on this road as one drives from Juntura to Drewsey. I was astounded by the high rate. It was a rate of several collisions a week.

I remember when I was a kid, a small child, and we would be driving the rural roads in Douglas County and my parents would say: We have to watch for deer. If you have a deer come through your windshield, you can be pretty much toast if you are traveling at any substantial speed. If you are on a motorcycle and you go around a curve and you hit a deer, the deer is going to do a lot of damage.

So it may not sound like something folks who come from cities would understand, but driving roundtrip—in this case to Harper, 34 miles away—70 miles roundtrip through a road that is dangerous, in dangerous weather conditions, dangerous because of deer and certainly an enormous waste of time and fuel, doesn't make any sense.

She continues, and this is an analysis of Laura Williams from Juntura:

In essence, Juntura is between a rock and a hard place.

She then analyzes that 25 percent of Juntura's post office users are seniors who would be particularly impacted by these changes, as they rely heavily on the Postal Service to receive medication and may have more difficulty driving long distances in hazardous conditions.

She has one word in bold on the front page which sums up her analysis of the impact of closing this humble post office, "disastrous." It would be disastrous for seniors, for veterans, and for small businesses. It is disastrous for the sense of the community that uses this as a place to connect with each other.

Two weeks ago when we were on the State work period, I visited Fort Klamath, which is also on the list to be closed. When I came, they wanted to share their stories, and I want to share several of those with you now.

The first comment is from Jeanette and Bob Evans. Bob is a veteran, and he receives medication through the mail that often needs to be scanned and signed for. They would have to take a 30-mile trip to pick up the medication if Fort Klamath post office was closed. They will feel the impact in that manner, and then they might make that trip and find out the medicine hasn't arrived yet. So they may have to make multiple trips.

They have a rental business that must follow State law requiring many documents be sent via first-class U.S. mail in order to verify the date of notification. Again, closure of the Fort Klamath Post Office will force them to

take more 30-mile trips to Chiloquin to process this mail correctly.

So there are a couple hundred families in this community. It is a beautiful area and has a lot of residences rented out in the summer. Those folks who rent need to have timely service or they are not going to come to town. This point was made. Once the summer renters arrive, which drives the economy of the town, those renters want to be able to mail their letters, and they want to be able to receive their packages.

So that post office—I don't have a picture of the Fort Klamath Post Office here, but closing that post office would take away not only from the business of renting out summer residences but from the number of folks who believe they want to go there and spend their vacation.

Heidi McLean is the proprietor of the Aspen Inn in Fort Klamath, which operates seasonally. Heidi uses the post office daily to send out information packages to everybody interested in staying with them during the season. Once they get word of somebody being interested, they send out the details. They have to be received on a timely basis or the customer will say they got information from somewhere else and that is where they are going to go for their summer vacation. Then Heidi will have lost that business.

Heidi said they could get by with fewer days or partial days, but they feel very strongly they need access to a local post office and that a 70-mile roundtrip to Chiloquin to access their mail would be a serious problem for their small business.

Currently, several of my colleagues have worked to put together a process in the managers' amendment. They have been working hard. I applaud them for taking a step forward from the basic bill. I appreciate the hard work Senator CARPER from Delaware has been doing and the hard work Senator LIEBERMAN from Connecticut has been doing. They have both indicated a willingness to continue working to try to make sure we do not destroy our rural communities by shutting down their post offices. So we are continuing that conversation.

We have a group of us who have an amendment now, including Senator MCCASKILL, who is the lead on it. Many other folks are involved, including Senators TESTER, BAUCUS, and LEAHY. I don't have the full list. I thank them all. They understand this basic notion of little money and the huge impact. It is a type of solution we should be driving through this Chamber.

Currently, the plan in the managers' amendment is a step forward but not quite far enough. I will explain. It says the post office will design a series of service standards, and they will design a procedure. Essentially, before they close a post office they will have to do

an analysis of whether closing the post office meets the retail service standards they have laid out, and after they announce the decision there will be an opportunity for the decision to be appealed. That appeal will go to the PRC, Postal Review Commission. The PRC will evaluate whether they met their own standards, and they will evaluate whether the procedures were followed. If they were not, then the PRC can say to the post office that they must go back and look at this again.

It sounds like a system that has some routine to it. But why is that not sufficient to protect our rural post offices? Very simply, the post office management is trying to save money. If they set service standards, those standards will be set in a manner that allows many of our small towns to be shut down—many of our post offices to shut down. It is the same reason they put up a list of 41—let me put up Tiller again. Forty-one of these small town post offices already said—from their internal review, from their sense of responsibility, and from their service standards they want to shut down 41 of these.

After a lot of protests, we got a 6-month delay, and I am very thankful for that. The Postmaster General also said: Maybe not 41. For now, we will take 20 of them off the list. And he took one more off. So we are down to about 20 in Oregon. Others could be added back at any time.

The post office has already said they want to shut down 41 based on their understanding of their service responsibilities. So a process we put into statute that simply says: Will you be a little more clear about writing your service standards or your procedures is just window dressing.

So we need the Senate to say: Here are service standards for delivering medical supplies to our seniors, veterans, and others. Here are standards for the communities that do not have all the electronic communications that big towns have. Here are standards for supporting the small businesses in these communities. We need to set those standards because it is we on the Senate floor who have been elected to fight for the people of America. The post office is trying to balance their budget. That is why they said they think it is OK to shut down these 41.

The amendment that Senators MCCASKILL, TESTER, BAUCUS, LEAHY, and a number of others have put forward is completely compatible with the general vision of having an appeal process with the Postal Review Commission. But it gives the Postal Review Commission an actual standard by which to make a decision; otherwise, all the post office has to say is, yes, we considered the issue—and the word “consider” is right in the current amendment, the managers’ amendment. It is not enough for the post office to say: Yes, we considered the fact

that it does affect small businesses, such as the Mohair Company that I described. There has to be a standard of service that we in this body are comfortable with in defending the commerce of the small town and for small businesses.

So I appreciate the work Senators COLLINS, CARPER, and LIEBERMAN are doing and that they are engaged in this dialog about defending our small towns. I know they understand the impact that would occur. Maybe it is an impact that hits harder in some States than others. It certainly hits hard in Oregon.

I look forward to continuing to work with the sponsors of our amendment, lead by Senator MCCASKILL, and to working with the floor leaders of the bill because we must not pass through this Chamber a bill that would carve the heart out of the economy and the communications of rural America.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. BROWN of Ohio. I rise to urge the reauthorization of the Violence Against Women Act.

In 1994, this very important act became law. It was groundbreaking for women, for law enforcement, and for local advocacy organizations that received the resources they needed to better protect victims of abuse. It empowered us to combat domestic and dating violence and to prevent sexual assault and stalking.

The Violence Against Women Act has improved the criminal justice system’s ability to keep victims safe and to hold perpetrators accountable. It has been a valuable tool for so many women, so many children, so many families, and law enforcement to make sure we can keep people safe. It is vital we ensure these services remain intact.

Last year, the law expired. Critical efforts that help women and their children protect themselves from domestic violence and stalking and now cyber threats continue only on a short-term basis.

As a husband, as a father of three daughters and a daughter-in-law and as a Senator, I find any further delay of reauthorization of the Violence Against Women Act to be simply unacceptable. Our mothers, our sisters, our daughters deserve more protection and security and less of the political bickering.

In 2011, there were more than 38,000 reported cases of domestic violence in Ohio. Of course, many more than

that—thousands more, we think—went unreported. Women live, as do children, with fear and pain. These women live with the fear and pain of their partner’s physical and emotional abuse. It is because of the Violence Against Women Act that they have somewhere to turn. It is because of that law that when they do, they have the help to escape violent relationships and the support to seek legal representation when they need it. It is why authorizing the Violence Against Women Act is so important.

Women’s shelters and domestic violence centers clearly would have trouble existing without this law. These are the very organizations that connect women with legal help, emergency housing, transportation, and like services. They help with primary prevention programs so children grow up learning the importance of healthy and safe relationships.

The Violence Against Women Act is about assisting law enforcement officials who place themselves in danger when they investigate and prosecute cases of abuse and violence.

Reauthorizing the Violence Against Women Act would invest in State grant programs—such as the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program—that help law enforcement respond to assault crimes. The bill provides tools for law enforcement, victim service providers, and court personnel to better identify and manage high-risk offenders and prevent domestic violence homicides.

Reauthorizing the Violence Against Women Act is long overdue. It is time to stand for the women in this country so they are no longer subject to neglect and abuse and the law’s inaction. I urge my Senate colleagues to reauthorize, finally, after the opposition—opposition I don’t even understand—from a number of my most conservative colleagues, how important it is to reauthorize one of the most important pieces of legislation affecting women in our country.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

THE BUDGET

Mr. SESSIONS. Madam President, my friend and colleague Senator CONRAD said earlier this morning, protesting a bit, that he never said we would have a markup in the Budget Committee—mark up a budget, as required by law. But that was what I understood. I am not here to argue the details of it. But he said publicly, as I understood it, that he was going to

have a markup. Our people were working on as many as 80 amendments. I was working on amendments, key health care amendments, at the time. I heard the Senator was having a press conference, we turned it on, and he basically said we are not going to have a markup.

He said there was a markup, we started a markup, we had opening statements, and I offered a bill but we just did not have votes, no amendments, no final vote on passage; didn't ask a single member on the Democratic team on the Budget Committee to vote for or against anything. That is how it happened.

I am not accusing him of deliberately misleading me. What I would say is I thought we were going to have a markup—and a markup means the chairman lays down the chairman's mark, it is marked up with amendments, others can offer substitutes, and you vote, and citizens of the United States of America can hold us accountable for what we do and if they do not like what we do, they vote us out of office. They have been pretty good at that in recent years. A couple of times they whacked the Republicans, last time they whacked the big-spending Democrats in 2010. That is what America is all about. We are accountable. But there is no ability or need or right to avoid responsibility for the critical issues of America. I wanted to say that.

Let me tell you what happened. This is not a mystery here. There is no mystery here. This started 3 years ago when the Senate Budget Committee—Senator CONRAD was chairman—moved out a budget. But the majority leader, Senator REID, decided it was going to be uncomfortable to vote on that budget. The United States Code requires that by April 1 the Budget Committee produce a budget and by April 15 it is voted on, on the floor. Congressmen and Senators who passed the Congressional Budget Act in 1974 did it because we were not having budgets moved promptly, on time. They laid out how it should be conducted. They did not put down that you lose your pay if you do not produce a budget, they did not put down you go to jail if you violate the statute, they just said that you should do it. So there is no penalty in the code. Senator REID blocked the budget from coming to the floor 3 years ago.

Then last year, despite the code requiring that we have a budget, Senator REID and his Democratic colleagues decide they did not want to have a budget even in committee. There was no budget in committee as the law requires, no budget was brought to the floor, except Senator MCCONNELL forced a few votes but without the normal debate that you have on a budget as it moves through the Senate.

What was going to happen this year? What happened this year is that Sen-

ator CONRAD is not going to be running again. He is proud of his service on the Budget Committee. He served on the Erskine Bowles-Simpson fiscal commission, the Gang of Six he was involved in—he had some ideas. He wanted to do what the law said, I think. I think he wanted to bring forth a budget. At least the last thing he did, he was going to comply with the law—at least that is what I thought.

He got started. We were prepared. On the eve of the hearing to mark up the budget we were told we were going to not have a normal markup, but a markup in which we would not vote. You get to have opening statements—everyone could make one—and then he would lay down the mark, but nobody would vote for it or any amendment or any other substitute mark.

I think that is a pretty sad thing. The reason Congress passed the Congressional Budget Act in 1974 is that Congress recognized they were not fulfilling a fundamental responsibility of good government, and that as the largest entity in the world, the entity that spends more money than any other government agency or so forth in the world, the United States of America, ought to lay out in advance a plan for spending its money. That is so basic. So it required a budget and usually we have had one—at least with regard to committee work.

We do not produce budgets in election years, they say. There have been times in election years when budgets have not been passed and reconciled with the House. But I have never known in the 15 years I have been in the Senate, other than these 3 years, a year when the Budget Committee did not move a budget. The Budget Committee has always managed at least to move forward. And usually we have had votes on the floor—virtually every year. I think this is all miscommunication. It is a concern to me.

The question that we need to ask—and what the American people need to ask is this: Why don't you consider a budget? Why don't you have a budget?

There have been several excuses in the last 3 years about why we do not have a budget. Senator DURBIN, Speaker PELOSI, Jack Lew, Chief of Staff at the White House and former Director of OMB, who ought to know better, said on television: You can filibuster a budget and we can't have a budget because you can filibuster it.

Wrong, you cannot filibuster a budget. The Congressional Budget Act was passed in 1974 to make sure we pass the budget. It is passed with a simple majority. You are guaranteed 50 hours of debate and then you have a vote. But in that 50 hours of debate you can offer amendments. So it cannot be filibustered. That is a bogus excuse. So that is not the real reason, is it?

They said we had the Budget Control Act last summer and that takes care of

it; we don't need a budget. Wrong. If it is "the budget control act is the excuse," why didn't we have a budget last year, before the Budget Control Act passed? Why didn't we have one the year before that? That was not an election year; last year was not an election year. Why? The Budget Control Act is not the reason they did not bring up a budget. It was not the reason they did not bring up a budget last year and the year before, because we did not have the Budget Control Act last year or the year before and a budget was not brought up. It was not brought up for other reasons.

This is the code book, United States Code, Annotated, where the Congressional Budget Act is, and it requires us to pass a budget out of committee by April 1.

If the Budget Control Act said we did not need to have a budget, why did the President submit a budget this year? He submitted a budget. The Budget Control Act was passed last summer. If that obviated the need to pass a budget, why did Congressman RYAN and the House lay out an historic budget that would change the debt course of America, put us on a path to prosperity and not decline? Why did they do it? There were six other budgets offered in the House, some by Democrats, some by a bipartisan group, and some by conservative Republicans. But the Ryan budget passed and the others were voted on, too. Why did they go through that process if the Budget Control Act eliminated the need for a budget? So that is not the reason.

All they said is that we cannot have a budget during an election year. What does that mean? We don't want to vote on tough economic issues with an election coming, do we? Somebody might note how we voted. They might not be happy with it. They might vote us out of office and the last thing we want is to be voted out of office. We don't want to be held accountable. We don't want the American people to know what we are doing. We want to allow the debt to continue year after year without taking any leadership to change it. That is getting close to the matter.

Senator CONRAD said we may reconvene the committee after the election. But we don't want to bring it up before the election. I have to tell you, in this town, with the media, old hands around Washington, lobbyists, political gurus—they probably think that is clever. They say it is clever on TV. "Oh, Senator REID didn't want to bring up a budget because his people would have to vote. That's good politics," they would say. Senator REID said he would not bring up a budget last year because it would be foolish to bring up a budget. Foolish for the United States of America to have a budget at a time when the debt is the greatest threat to our future of any thing that is out there? It dwarfs any other danger our

Nation faces, our surging debt, and yet it is foolish to have a budget?

No, he wasn't saying it is foolish to have a budget. He was basically saying it was foolish for us Democrats to lay out a plan on how we are going to spend the Nation's money, because we are going to propose big tax increases in our plan and if we put it out there they are not going to like it. The great unwashed out there, these tea party people, they might be angry with us if they find out how much we are going to increase taxes and how little spending is going to be cut in our budget. That is what he meant, "it is foolish." It was politically foolish, not substantively foolish.

We were at this so-called markup—this faux markup I called it yesterday—and the Democratic members were speaking, and you would have thought they were serving the Nation's interest by not having a vote: You know, we are going to talk about this. We should talk about it so we can begin to make plans for next year. Next year? We have gone three years without a budget. They were serving the national interest?

All that was rhetoric. The interest they were serving was political, and the political interest was not to have to vote and be held accountable, because the President's budget is so irresponsible. I offered it last year. Senator MCCONNELL called it up and got a vote on it. We did not get to debate it. We called it up, and Senator MCCONNELL was able to force a vote—97 to 0 against the President's budget. Every Democrat voted against the President's budget last year.

Earlier this year the President's budget was brought up in the House. It went down 414 to 0. Then they brought up Congressman RYAN's budget here in the Senate. All our Democratic colleagues voted against it because it cuts spending and doesn't raise enough taxes. They voted against it, but they did not say what they would do. They brought up Senator TOOMEY's budget, which would balance the budget in 10 years, last year. He has one that would balance maybe even sooner this year—a tough thing to do, but he has a budget that would do that. It was brought up on the floor of the Senate, and every Democrat voted against it.

So with regard to budgets last year, what happened? Our Democratic colleagues voted against the President's budget, they voted against the Toomey budget, they voted against the Ryan budget, they voted against the Rand Paul budget, and they didn't vote for anything. They didn't go on record for anything because they don't have the courage or the coherence or the willingness to agree on a vision for America. It is that simple. One can spin all this any way one wants to, but the Democratic majority in this Senate is incapable of uniting behind a plan that

the American people would see as credible and would change our dangerous debt path.

Alan Simpson, the former Senator, and Erskine Bowles, former Chief of Staff to President Clinton, chaired the Fiscal Commission. The President appointed them to the Fiscal Commission. They told us this Nation has never faced a more predictable financial crisis, and they were talking about the surge in debt. I think that is true. I think the needle is in the danger zone. Our debt-to-GDP is now over 100 percent. Our total gross debt is greater than the entire gross domestic product of our country. Our debt per capita is greater than Europe's. Our debt per capita is greater than Greece's. Our debt per capita is \$50,000 per person, and under the President's 10-year budget, it would go to \$73,000 per person—greater than Europe, which is in a financial crisis today. We have some unique advantages now, but we could lose those. We are heading to a crisis unless we change our path.

I am so disappointed in the President. This is the leader of the Nation. What does he do? Not only does he not lay forth a credible plan for the future, he attacks Congressman RYAN. He invites him to come sit in on a meeting and then attacks him. Meanwhile he says he wants to have a bipartisan plan to change America.

We need to make some tough decisions—a lot of tough decisions. They are not going to be easy when we borrow 40 cents of every dollar we spend. Last year we were taking in \$2,300 billion and spending \$3,600 billion. I know people think this is not true. I am telling my colleagues that it is true. That is why Republicans and Democrats, liberals and conservatives acknowledge we are on the wrong path.

The budget that Senator CONRAD laid down but none of his colleagues voted for—and he didn't vote for it either—the budget he laid down yesterday would not cut any spending over the agreement of the Budget Control Act next year. After the Budget Control Act passed, we were projecting to spend \$44 trillion over 10 years, and under Senator CONRAD's budget, we would spend \$44 trillion over 10 years. But he claimed we are going to reduce deficits. How? By getting \$2.6 trillion in new taxes—no cuts, but \$2.6 trillion in new taxes. No wonder they don't want to have it out here on the floor where it can be talked about and amendments can be offered and the American people can know what is in it. That is no way to solve our Nation's problem.

The President goes around saying we need the Buffett tax. We know the Buffett tax and how horrible it is, and people don't see that as a solution to our problem when, in fact, it would raise \$4 billion a year and this year our deficit is projected to be, again, \$1,300 billion. This Buffett tax is going to

raise \$4 billion. How irresponsible is that? Is this all we are getting from the other side? Tax oil companies, raise the Buffett tax—there is no reality here.

So what I believe is this: A budget lays out a comprehensive plan. It lays out a plan for 10 years. We have some smart people around here, and they can add up the numbers, and they will know how that budget raises taxes, how little it may be cutting spending, how much debt we will be accumulating each and every year in the years to come, and the Congressional Budget Office tells us how much interest we will pay on our debt each year.

We could ask Congressman RYAN: How much interest are we going to have to be paying on our debt over the next 10 years? We could ask Senator CONRAD or Senator REID: How much interest will your budget cause us to pay? For example, President Obama's budget—last year we paid \$230 billion in interest on the debt of the United States. According to the Congressional Budget Office, which has analyzed the numbers, they calculated that at the end of the 10th year, we would pay \$743 billion in interest—in one year. The Federal highway program spent faster to meet the \$40 billion budget this year for highways. Federal aid to education is \$70 billion. The Defense Department's base budget is \$530 billion. Interest would be the fastest growing item in the Federal budget based on the fact that we are running virtually trillion-dollar deficits for the rest of the decade.

Also, the President's budget fails to alter the debt course in the future. Congressman RYAN's does. It deals with the surging entitlements—at least the ones that can be dealt with. We can't deal with Social Security in a budget by law, but we can deal with Medicare, Medicaid, and other surging entitlement programs that have to be brought into some sort of stable control so they don't go bankrupt. Congressman RYAN dealt with that, but the President doesn't deal with it in a realistic way, and he has failed to lay out a plan.

I guess what I am saying is I am just frustrated this morning to hear that our colleagues are aggrieved that they did not get—that we felt we should have had a markup on the budget, but we didn't get one. The reason we didn't get one is because a decision has been made in the highest counsels of the majority party of the U.S. Senate that they do not want to be held accountable for the votes necessary to put our country on a sound path. I am very disappointed about it, and that is the bottom line. Hopefully, as time goes by, we can come together and work together to pass a plan for America—including tax reform—that will put us on the right path. That certainly is what is needed.

I would just say, though, that a budget can be passed on a party-line basis.

It has been done many times in the past. The majority party in particular has a responsibility, in my view, to lay out its vision for the country, and the biggest part of that vision is where they intend to spend the taxpayers' money. I can't imagine they would want to go to the American people and ask for higher taxes when they refuse to comply with the plain statutory law that says they should have a budget to show where that money is going to be spent. If they won't tell the American people where they are going to spend the money, how much debt they are going to run up, how much spending they are going to cut or not cut, then I don't think the American people ought to send another dime to this place—not another dime. That is why the polling numbers show we are in such sad shape.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

RETIREMENT OF KATHY KERRIGAN

Mr. KERRY. Madam President, all of us who work here in the Senate and who are privileged to serve as Senators know on a personal level that we are always only as good as our staff and staff work that we are privileged to have from them. I think every Senator is enormously grateful for the hours all of our staffs invest to help us do our work. Oftentimes, that means missing weekends, deferring, delaying, or plain canceling vacations, or working away on a beautiful Saturday morning when other people are out and about, and I am sure the best of them would readily admit they would rather be spending their time somewhere other than perhaps the Russell Senate Office Building.

That is why today I mark a very bittersweet transition on my team because tomorrow is Kathy Kerrigan's last day on my Senate staff. After having been confirmed at the end of the last work period, she is leaving the Senate to serve as a judge on the U.S. Tax Court, and that is the capstone in an already distinguished life spent in public service.

As proud as I am to see her serve on the Tax Court, it is really difficult to imagine my office without her. She has had the title of "tax counsel," but she really was a lot more than that. The chairman of the Finance Committee, MAX BAUCUS, and my colleague from Massachusetts in the House, Kathy's old boss, RICHIE NEAL, all know better than anyone just how much—on almost every single issue in the Congress, it always somehow comes to be a tax issue, a Finance Committee issue. So for 6 years Kathy has been my indispensable utility player. It didn't matter if it was on health reform, climate change, energy, infrastructure, or supercommittee, if it was anything I was working on with a fairly high level of focus, you can bet Kathy was there.

I can tell my colleagues that she wasn't just there, she was invariably the indispensable player.

I don't know if she will like it, but I would say at times she was a wonk's wonk. She knew the Finance Committee brilliantly, and sometimes I had to struggle to follow Kathy because Kathy talked tax, and tax is a different language. She was almost a charter member of the very unique clique of the Finance Committee staffers, and MAX BAUCUS knows what I am talking about from his staff director, Russ Sullivan. They actually had their own annual tax prom, and that is how exclusive a bunch they are. There are a lot of us who are a little scared to think of what a tax prom looks like. I once said it was probably a prom for people who didn't go to their own proms once upon a time, but, in fact, it is a party for the smartest, most detail oriented, hardest working staffers the Senate has because they are always in the middle of everything around here and, boy, do they deliver.

That is really where Kathy was in her element—driving into the minutiae of issues, crystal-balling legislation better than just about anybody with whom I have ever worked. I will tell my colleagues, if she had chosen the Navy instead of the Finance Committee, we would be here today saluting Admiral Kerrigan. She comes to an issue always armed with facts. She has always thought through every question a Senator or anybody else might ask about a particular issue. She is driven to get the job done, and she always did.

On health care, she was a phenomenal thinker as we worked through the Finance Committee issues and the funding mechanisms.

Last summer, she was nominated for the court. But then, nevertheless, I asked her to serve on the deficit committee. She promised to stay until the work was done, and I cannot emphasize how valuable she was there also. On the Joint Select Committee, there were many times when committee members from both parties would ask if Kathy could join a meeting. That is a sign of respect and of ability. She was someone who quietly, head down, did the work, and let the work try to find a way toward a solution.

Everything I admire about her as a public servant is written into her DNA. I think it is the result of growing up in Springfield, MA, where her father Bill Sullivan served as mayor. She had a front-row view of what it is like in public life, of what the demands are, and of what a difference earnest people like her father can make in government—people who do the work without worrying about the limelight or who gets the credit.

She never lost sight of that through Boston College and Notre Dame Law School and 14 years on Capitol Hill working on tax policy. As much as I

admire the special energy Kathy brought to her job, what I admire most about her is her ability to distinguish between right and wrong and her moral compass that always guided her in her public service.

I will just share one quick story before I wrap up. Last summer, deadly tornadoes clipped through her hometown of Springfield, MA. The first thing Kathy did was, obviously, make sure her parents were safe. But the second thing she did was get in her car and drive to work immediately. Instead of going home to Massachusetts, she came to work in the Senate on a bright Sunday morning and immediately got busy working on tax disaster legislation to help the people of Springfield, the small businesses, the people who had been impacted. She did not see arcane tax legislation; what she saw were bricks and mortar, lumber and nails and lives that had been disrupted.

That is the Kathy Kerrigan I know. That is the Kathy Kerrigan I have been privileged to have working with me through some of the most interesting, most grueling, most productive legislative years I have had the privilege of being part of in 27 years in the Senate. I will miss her energy, her creativity, and the dedication she brought to my office.

But it is good to know and we will all be reassured by the fact that she will bring those same qualities, heart and head to the Federal bench. She will be a phenomenal tax judge, and she will continue to make her family and her friends and her home State of Massachusetts very proud.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. (Mrs. MCCASKILL). Without objection, it is so ordered.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is considering the motion to proceed to the Violence Against Women Act.

Mr. LEAHY. I am glad we are doing that. I want to thank the majority leader for moving to proceed to the reauthorization of the Violence Against Women Act as the next legislative measure for the Senate to consider. He made the motion Tuesday afternoon.

My hope is that it is not going to be necessary to have extended debate or a filibuster or the filing of a cloture motion and a delay of several days and then a delay of 2 more days even after more than 60 Senators vote to bring the debate to a close and proceed to the bill and then another vote on the motion to proceed before the Senate is

permitted to consider this important measure.

I expect anybody listening got lost through that whole process. That is something we Senators should think about. The American public expects us to vote yes or no, not maybe. The longer the delay and the motions go on, the more we are voting maybe. Let's vote yes or no.

For almost 18 years, the Violence Against Women Act has been the centerpiece of the Federal Government's commitment to combat domestic violence, dating violence, sexual assault, and stalking. The impact of this landmark law has been remarkable. It has provided lifesaving assistance to hundreds of thousands of women and children and men. I appreciate the bipartisan support that this bill has had from the beginning.

Senator CRAPO and I introduced a reauthorization of the Violence Against Women Act last year after months of discussion. We wanted it to be a bipartisan bill, and it is. Too often in recent times, the Senate goes through all kinds of delaying moves before they proceed to legislation. Again, as I said, the American people elect us. They expect us to vote yes or no not maybe. The delays are a big fat maybe.

The Violence Against Women Act is a measure that is cosponsored by 61 Senators. It is a bipartisan measure cosponsored by Democrats, Republicans, and Independents, and passed out of the Senate Judiciary Committee in February. So I hope Democrats and Republicans and Independents will come together to proceed to consider the bill without delay. I would hope they step forward and do the right thing and send the message to America that we are united in the effort to see the Violence Against Women Act reauthorized.

It is an opportunity for the Senate to come together and renew what I believe is a shared commitment among Senators to end violence against women. For generations, violence against women in this country was condoned. Too often these insidious crimes were dismissed with a joke or a shrug or that "they involve somebody else." Rape was too often excused and domestic violence was tolerated as a family matter.

Victims were blamed, humiliated, and ignored. They had nowhere to turn. There were no crisis centers, there were no shelters. Far too many women and families were left to fend for themselves with no help. The Violence Against Women Act was passed nearly 18 years ago and has helped to change that. It sent a powerful message that violence against women is a crime and it is not going to be tolerated, no matter where it happens.

It transformed the law enforcement response and provided services to victims all across the country. Now is the time to renew our commitment to

these victims by passing this legislation. We need to move forward. We need to reaffirm that ending violence against women is a priority for all Americans. We need to be a beacon to others around the world in this regard.

With this effort we set the standard. We show that America understands equality and recognizes human dignity. We are going to fight injustice against the most vulnerable among us.

The legislation that I introduced with Senator CRAPO last November is drawn from the needs of survivors of domestic and sexual violence. It is based on the recommendations of the tireless professionals who serve those survivors every day.

It includes improvements suggested by law enforcement officers across the country. As we build on the progress we have made in reducing domestic and sexual violence, we made vital improvements to respond to remaining, unmet needs to better serve the victims of violence.

We incorporate the important work that Chairman AKAKA, Senator MURKOWSKI, and the Senate Indian Affairs Committee have been doing to try to respond to the epidemic of domestic and sexual violence in tribal communities. We increase the focus on effective responses to sexual assault.

While the annual incidence of domestic violence has fallen since VAWA was introduced by more than 50 percent, the progress has not yet translated to reducing sexual assault. Incidents of sexual assault remains high, while reporting rates, prosecution rates, and conviction rates remain appallingly low.

So we faced that problem head on. We ensure that funds are allocated to law enforcement and victims service responses to sexual assault and authorize support for law enforcement sexual assault training and the reduction of the backlogs of untested rape kits.

In a lot of places, they say: We cannot test this rape kit for several months. So often the perpetrator comes back. So during the several months it takes to test the rape kit, they say to the victim: Be sure and keep your door locked. This is not how victims should be treated; they should not have to live in fear. We should be able to say we can test this immediately, and then go get the person involved.

My early experience with the question of sexual assault was not as a Senator but as a local prosecutor. Senator CRAPO has been visiting women's shelters and working on these issues for decades as well. His principled bipartisanship should be respected and celebrated as being in the best traditions of the Senate, the Senate I came to 37 years ago. From the outset, we have consulted to make this bill the best it can be.

More than a month ago, Senators from both parties came forward to urge

the Senate to take up and pass the reauthorization of the Violence Against Women Act. The Senate heard that day from Senator KLOBUCHAR, Senator MURKOWSKI, Senator MIKULSKI, Senator MURRAY, Senator HAGAN, Senator SHAHEEN, Senator FEINSTEIN, and Senator BOXER, who was the author of the House bill in 1990. Eight Senators came to the floor to remind us all why this bill is important and why the Senate should pass it.

There is nothing radical or new about saying that all victims—all victims—are entitled to services. I have been at some of the most horrendous crime scenes you can imagine in my earlier career. I never asked, and certainly none of the police officers ever asked, whether the victim was a Democrat or Republican, rich or poor, or from a minority. A victim is a victim, and we should be helping all victims not discriminating among them.

We know that even though the economy is improving, these remain difficult economic times and we have to spend our taxpayer money responsibly. That is why in this bill, we consolidated 13 programs into 4 to reduce duplication and bureaucratic barriers. We cut the authorization level by more than \$135 million a year, a decrease of 20 percent from the last reauthorization.

We have significant accountability provisions including audit requirements, enforcement mechanisms, and restrictions on grantees and costs. I sought to consult with Senator GRASSLEY and others in making these changes to authorization levels and for increased accountability, knowing how important these aspects are to them. In the Senate Judiciary Committee those who opposed the bill were given an opportunity to offer a substitute and other amendments. Senator GRASSLEY offered a substitute which was voted on and rejected. In the minority views of the Committee report, Senator KYL noted disagreement with the provisions of the bill responding to the crisis of violence against Native women that incorporated a provision for the SAVE Native Women Act to provide domestic violence jurisdiction over those perpetrators with significant ties to the prosecuting tribes.

Opponents have noted their disagreement with the U visa provisions requested by law enforcement. Some opposed the provisions intended to ensure against discrimination in services based on sexual orientation or gender identity.

Again, I will say what I have said over and over again: a victim is a victim is a victim. We should not ask what category they fall in.

Since the bill was passed by the Judiciary Committee I have continued to reach out to Senator GRASSLEY and ask what amendments opponents wish to offer during Senate consideration.

While amendments to strike the tribal, U visa and sexual orientation provisions were not offered before the Judiciary Committee, I would understand if opponents wished to do so before the Senate. I have reached out to try to construct a pathway for consideration of the bill pursuant to an agreement that is fair to opponents of these various provisions. If they have other amendments, let's bring them up. Let's vote on them. Let's vote this up or down. Do not vote maybe.

I hope we can reach out to the leadership on both sides, get a time to get this done, do not keep holding up legislation that has been endorsed by more than 700 State and national organizations, numerous religious and faith-based organizations, and our partners in law enforcement. Let's show the country we will not duck this issue. We will vote for it or we will vote against it.

The Violence Against Women Act should not be a partisan matter. The last two times the Violence Against Women Act was reauthorized, it was unanimously approved by the Senate.

Although it seems that partisan gridlock is too often the default in the Senate over the last couple of years, it remains my hope that those who have voted for VAWA in the past will come forward and join our eight Republican cosponsors to support it. If so, we can pass our VAWA reauthorization with a strong bipartisan majority as we always have.

Domestic and sexual violence knows no political party. Its victims are Republican and Democrat, rich and poor, young and old, male and female, gay and straight. Let's pass this without delay. It is a law that has saved countless lives, and it is an example of what can be done when we work together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Madam President, I salute and thank the Senator from Vermont for his extraordinary leadership on this issue of the Violence Against Women Act. He has been truly and deservedly a hero in championing a measure that has saved countless lives and prevented the kinds of suffering and brutality we have seen all too often.

I join in his remarks, and I will speak at greater length about the need for that bill in the future.

(The remarks of Mr. BLUMENTHAL pertaining to the introduction of S. Res. 428 are located in today's RECORD under "Submissions of Concurrent and Senate Resolutions.")

Mr. BLUMENTHAL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

50TH ANNIVERSARY OF SEATTLE WORLD'S FAIR

Ms. CANTWELL. Madam President, this Saturday marks the 50-year anniversary of Seattle's World's Fair. The fair was a presentation of what the world would be like in the 21st century. The Space Needle was built and it gave us an iconic symbol that still lasts and defines our skyline today.

More than 9 million people visited that World's Fair in 1962. Elvis Presley stopped by during the filming of a movie, because the movie was called "It All Happened at the World's Fair." All the visitors to the fair saw a very futuristic rendition of what boundless energy and innovative spirit in America would be all about.

President Kennedy opened the fair, highlighting the innovations of science and technology. He said, "These accomplishments are a bridge which will carry us confidently toward the 21st century." Indeed, the World's Fair was a bridge toward the 21st century, especially for our Washington State economy.

The fair foreshadowed the Puget Sound and the entire State as a region that would look to innovation and entrepreneurship. It gave the public a glimpse of what life would be like in the 21st century. And in the years following the fair, Washington State was home to many of the innovations and technologies that revolutionized the way we live and work.

In 1962, Seattle was home to the first satellite transmissions of telephone calls and television broadcasts. That same year, the Seattle Times declared, "Boeing Is In Space Age to Stay." The rest of the changes that we have continued to see have led to many things, including Boeing's 787 Dreamliner—a true 21st century plane.

Also, it helped in setting a tone. Bill Gates took his company from his parents' house to a global headquarters in Redmond, WA. The Microsoft Company was founded in 1975. After the opening of its first store in Seattle in 1983, Costco became the first company ever to go from zero to \$3 billion in sales in just under 6 years. Amazon revolutionized the way people shop online and it is a company that has continued to make innovations.

Today many other companies in Washington State—producing everything from composites for airplanes to lean manufacturing to mobile apps software to clean energy technology—are continuing to innovate because of Washington State's reputation for making sure we have a talented workforce.

So 50 years ago, the World's Fair, and what was announced there, made sure the United States was poised for bigger things to come. Some of the predictions we saw about life in the 21st century may not have come true yet,

things such as flying cars—although I recently saw an article about flying cars, so maybe they weren't too far off—but other things were just as they predicted, such as that one day we would be able to have a telephone in our pocket.

Fifty years later, we can look back and see a glimpse of the 21st century in the exhibitions and booths that were at the fair, but we also see how fast the future can come and what we need to do to keep moving forward, not just in Washington State but around the country, in an innovation economy.

I thank the Chair. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. I ask consent to speak in morning business.

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

(The remarks of Mr. DURBIN pertaining to the introduction of S. 2303 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I now ask unanimous consent that the cloture votes with respect to the Lieberman-Collins substitute amendment 2000, as modified, and S. 1789 be postponed to a time to be determined by me after consultation with Senator McCONNELL.

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

Mr. REID. Mr. President, as I indicated this morning, we are real close to an agreement. The main issue now is whether there will be a 50-vote hurdle or 60-vote hurdle. We have been through that before. Obviously, we know where we are going to wind up, in my opinion, if we are going to have a bill. So we will work on that for the next hour or so and see what we can come up with.

We are very close to getting something done. As I have said here before the last few days, Senators LIEBERMAN and COLLINS have done an outstanding job to the point we are. We have made progress. We are here. We are trying to legislate. We have a rule of relevance. It is very broad. That is indicated by the amendments that people have suggested.

So I hope we can work this out very soon. If we cannot, we will have to come back and I guess walk away from postal reform, which is a shame. But everyone who is holding up things should understand, if there is no bill, you are not going to get what you want. If there is no bill, the post office will be drastically hit. The Postmaster gave us until May 15 to come up with something. We have come up with nothing to this point. So if people are concerned about some rural post offices, as well they should be, or about processing centers, as of May 15, the Postmaster General, unless we do something, will have carte blanche to do almost anything he wants to do.

That is not what the Senate wants. So those Senators who are holding up the bill because they do not like it, they may not like what the result of having no bill is.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

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

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

FOR-PROFIT COLLEGES

Mr. DURBIN. Mr. President, I have come to the floor a number of times to talk about a new business in America that has become a major source of income and a major source of Federal subsidy that most people are not aware of. The business I am talking about is the for-profit college. These are schools which are popping up everywhere across my State and across the Nation. You can hardly go to the Internet and put in the word "college" or "university" that you will not be bombarded by all these for-profit schools that try to entice young people to sign up.

Some of them, I am sure, offer valuable courses. But too often these schools offer worthless diplomas. They entice young people into a curriculum that is vastly overpriced, and it turns out these schools they attend and the education they achieve doesn't lead to a job.

Here is this young person, all full of hope and idealism, signing up to go in one direction or the other, and they find themselves lured into a school which is, frankly, not much of a school at all. I have seen these cases over and over again.

I was just in southern Illinois last weekend and a young girl came up—she was a high school senior, standing there with her mom—and I said: So what is next for you? She said: Well—

and I am not going to use the name of the school—I have just been accepted at the XYZ cooking school in St. Louis.

I said: Well, that is interesting. How much does it cost?

She said: Well, after I give them my Pell grant—\$5,500—my mother will cosign a note for \$17,000 for me to go to this cooking school.

That is the tuition, and it is a 2-year course. Well, it turns out she is getting off easy.

In the Chicagoland area I ran into a student who was actually picketing outside a hearing I had on for-profit schools. He was dressed up like a chef, and I asked him: So you are going to culinary school?

He said: Oh, I love these food shows. I watch the Food Channel all the time. I think this is great.

I said: So you are studying to be a chef.

Yes.

I said: How much will it cost you? How much do you have to borrow to finish a 2-year course in culinary school in the Chicagoland area?

He said \$57,000—\$57,000.

The point I am trying to get to, Mr. President, is student loan debt in America has surpassed credit card debt in America, and it is growing by leaps and bounds. Decisions are being made by young people and their supportive parents and grandparents—and I will talk about that in a minute—to get deep in debt to go to a school. These young people think they are doing the right thing. They have been told all their lives not to quit after high school; that they need to pick up additional education or additional skills, perhaps a bachelor's or a professional degree. So they instinctively believe they are doing the right thing for themselves, and they instinctively believe if the Federal Government is loaning money to the students to go to the school that it must be a good school; right? The Federal Government wouldn't loan money if it were a bad school.

But the honest answer is that some of these are very bad schools. There are three numbers to remember when we talk about for-profit schools: 10, the percentage of college students that attend for-profit schools, 10 percent; 25, the percentage of Federal aid to education going to for-profit schools, 25 percent; and 40, the percentage of students defaulting on their student loans—40 percent going to for-profit schools.

The reality is that the student loan default rate on for-profit schools is substantially higher than for any other schools. We can just open the box and look inside and say: I think I understand why. They are being charged too much in tuition, and they end up with training or an education that doesn't lead to a job or doesn't lead to a job

that pays money—enough money to pay back their student loans.

The other thing is we passed a law that said for-profit schools in America can receive no more—get ready—than 90 percent of their revenue directly from the Federal Government. How close is this to a Federal agency? Ten percent, that is all they need to be a complete Federal agency. We send subsidies to these for-profit schools by way of Pell grants and student loans to the tune of 90 percent. If they train veterans, we waive that and let them go to 95 percent and higher.

In the academic year 2009–2010, for-profit colleges took in \$31 billion in title IV Federal student aid—Pell grants and student loans. For-profit colleges received one out of every four Pell grants given to institutions of higher education—only 10 percent of the students going to these schools, 25 percent of the Pell grants. As I mentioned, current law allows them to receive up to 90 percent—90 percent.

The for-profit college industry is just 10 percent away from being an actual Federal agency. Let's put that aside for a moment and think about what \$31 billion means to the private for-profit school industry. This chart is interesting because it compares the amount of money we spend in a given fiscal year for a variety of things.

How much does it cost us to run the Federal Bureau of Investigation for a year? Less than \$10 billion. The Environmental Protection Agency, less than \$10 billion; Customs and Border Patrol, about \$10 billion; the Coast Guard, \$10 billion; the Federal Aviation Administration, responsible for the safe landing of airplanes all across the United States, comes out to about \$16 billion or \$17 billion. The space program is about \$18 billion. How about the National Institutes of Health? This is where we do all the medical research to find the new drugs and cures for diseases all across America. The annual expense there is right at \$30 billion.

Now, take a look at the last bar. This is the Federal subsidy to for-profit colleges. Over \$31 billion a year—\$31 billion a year.

Fifteen percent of the students who take out loans at for-profit colleges default within 2 years. That is double the rate of public colleges and three times the rate of private nonprofit colleges, which are historically more expensive. We spend more on for-profit schools than we do keeping planes in the sky or protecting our borders or tracking down criminals through the FBI or responding to disasters through FEMA or researching cures for cancer at the National Institutes of Health or protecting the Nation's food supply or making sure our air and water are safe for the people in America or exploring the outer reaches of our universe. That is how much we are investing in this relatively new and horrendously expensive industry.

I think the question we face with the deficit is where are we going to make our choices. I have been a reflexive voter for student aid all the time I have been in the House and Senate. Why? That is why I am standing here. I got National Defense Education Act loans to pay for my college and law school. That is why I am here. I know it, and I think the next generation deserves the same opportunity. So I have reflexively voted for these things.

Then someone said: Have you looked at where this money is going? Do you realize 25 percent of it is headed to an industry where so many students are being sucked into signing up, dropping out, and carrying loans for the rest of their lives?

Mr. President, you and I know this, but everybody should know there is something different about a student loan from another loan you take out. The loan you take out for your home, the loan you take out for your car, maybe the loan to buy some appliances is a lot different from a student loan.

Do you know what the difference is? It is not dischargeable in bankruptcy.

No matter how badly things go for you at any stage in your life, you are going to carry that student loan debt to the grave. It is there forever. It can't be wiped out.

There are Federal college loans, such as the ones I took out, they are different today. But they are much more reasonable. Do you know what the difference is between the private loans these schools are pushing on families and students and the Federal student loans? Start with the interest rate.

The interest rate on Federal student loans is 3.4 percent. The interest rate on private loans can be up to 18 percent. It is like credit card debt. Do you have any idea what that means when you borrow \$50,000 or \$60,000 and you face an 18-percent interest rate? Do the calculation and math, and I will tell you some stories about what it does when you start falling behind in your payments.

Brandy Walter grew up in a small town in Indiana. She wanted more out of life so she left for college right out of high school. She enrolled in the International Academy of Design and Technology in Chicago, a for-profit school owned by the Career Education Corporation. She switched later to Harrington College in Chicago, also owned by the same for-profit corporation.

Brandy took out a total of \$99,844 in private and Federal student loans to cover the cost of her attending these for-profit schools, and then she ran out of money. She hadn't finished her degree. She took out the maximum amount of Federal student loans, she took out the private student loans, and without any cosigners she couldn't get any more loans. She was all in. Without any advanced notice from her school or her lender, one day her stu-

dent ID card just stopped working. She dropped out and returned back home to Indiana with no options. She can't get a job in her field, and she doesn't have a degree because she didn't finish. So \$99,000 into it and she didn't finish.

She is 24 years old. Think about being 24 years old and owing \$99,000 in student loans, unemployed. Her private student loans have interest rates between 9 and 11½ percent. Not the highest, but still much higher than the Federal loans. The monthly loan payment for this young woman for her private loan is around \$900. Her total loan balance has ballooned because she couldn't find a job, from \$99,000 to \$139,000. She has been unable to save any money to go back to school or to even have a place to live on her own. She doesn't know what to do with her life at this early stage because of bad decisions to go to worthless schools.

She says:

If I could erase that student debt, I could move on with my life, and hopefully return to school to finish my degree.

Mr. President, 139,000 bucks.

Let me give you a taste of what kind of business Career Education Corporation runs. The Career Education Corporation that owned the two schools Brandy went to owns 83 schools and enrolls almost 100,000 students across America. Many of them are in Illinois. I have spoken on this floor about several of their schools and, unfortunately, my office continues to be contacted regularly by students who have attended the Career Education Corporation school and left with a worthless degree.

In 2011, Career Education received \$1.4 billion in title IV student aid. Career Education schools received about 83 percent of their total revenue from the U.S. Department of Education's student aid programs, and that doesn't include the money they get from the GI bill program. So 81 percent of the students take out student loans, and of those students who take out loans over 14 percent will default on their loans within 2 years.

On November 1 of last year, Career Education Corporation's CEO resigned while admitting that some of their schools, had falsified the employment rate of graduating students. Their accreditors—the people who say they are a real school—require a job placement rate of at least 65 percent for schools to remain eligible for title IV assistance. Career Education Corporation job placement rates were below 65 percent and, incidentally, the departing CEO who falsified the information to the Department of Education was run out of town on a rail with a \$5 million bonus payment as he left.

I have met the new head of this Career Education Corporation. As with every for-profit school that actually sends someone in to see me, he has said: We are changing everything. We are going to straighten this mess out.

I will believe it when I see it. And I will believe it when Brandy and students like her are given a chance.

It is hard to believe that we live in a time when student borrowers and their families risk losing their homes because of student loan debt. I have introduced legislation that would permit private student loans to be discharged in bankruptcy like every other private loan. This legislation will help these young people.

Let me tell you one other story that was in the Washington Post. Recently, one of the headlines in that paper read "Senior Citizens Continue to Bear the Burden of Student Debt." Senior citizens. The story highlighted one of my constituents, 58-year-old Sandy Barnett.

As an adult, Sandy found herself in a familiar situation: Her husband was laid off, and she wanted to go back to school. When she was younger, college wasn't an option. Sandy enrolled in a bachelor's degree program in psychology. Concerned about the debt, Sandy didn't take out any student loans. She worked full time while in school and paid her tuition as the bills came due.

Balancing work and school was difficult, but Sandy graduated in 1987 with a bachelor's degree in psychology and no student loan debt. The school adviser told her it would be a good idea to keep going to school and get a master's degree. Because the degree program required a number of internships, she decided she wanted to focus on her studies and not work. She was going to be a full-time graduate student. Then, for the first time, she took out a student loan.

Sandy graduated in 1989 with a master's degree in psychology and \$21,000 in debt. She taught part time for the next 10 years at Lincoln Land Community College in my hometown of Springfield, IL. By then she was divorced and it was tough for her to make the \$300 monthly payments on her student loan. It took a few years for her to find a good job, but as soon as she did, she started paying back the loans again.

By 2005 she was already too far in debt to ever work her way out of it, and she filed for bankruptcy, but her student loan debt was not forgiven. They are not dischargeable in bankruptcy. Fortunately, many of her other debts were relieved, and she thought she just might be able to get back on track.

In 2008 she got a job with AT&T as a customer service representative, where she still works. Currently, 15 percent of her wages are garnished by the Federal Government to pay her student loans. That is \$200 to \$300 a month, depending on her income. Her total loan balance is now up to \$54,000—more than double the amount she started with. The loan servicer will not work with her on a

payment plan. And we hear that complaint all the time. What is worse is that her balance keeps going up because her payment doesn't cover the interest on the loan.

You may wonder what Sandy's life is like as a 58-year-old with a student loan debt. How did she get there? Does she live an extravagant lifestyle? The answer is a resounding no. Sandy's co-workers drive her to work because the cost of gasoline is now too much for her to pay. She has no money to do anything, is what she tells us. She owns a mobile home that needs a lot of repairs she can't afford.

When asked if, looking back, she would have taken the same path, Sandy says she would have absolutely not gone to school if she had known this was going to happen. Her degree is the worst thing that ever happened to her, she said. She doesn't think she will ever be able to retire. She said: I just don't have any money. I have nothing because of student loans.

Her advice, 58-year-old Sandy's advice to others? Don't do it. Do not go to college. There is no guarantee your college degree will help you get a job that will pay for your student loans.

What a sad statement. All of us tell our children: Keep going; go to school. And we should. It is the right thing to do. But she has a right to be disappointed, even cynical about what has happened to her.

Sandy isn't alone. Other older Americans out there are bearing the burden of student loan debt because of different situations. Do you know why? They were generous to their children and grandchildren and said: Let me sign the loan with you. Do you want to go to school? It is the dream of your life. Let me cosign.

Tim Daniel's grandparents are two of them. When Tim signed up for \$80,000 in student loans, he had no idea that years later his grandparents would be at risk of losing their home because of his student loans. Tim dreamed of going to college. In 2004 he enrolled in the Illinois Institute of Art, a for-profit school owned by the Career Education Corporation, I talked about before. Tim's grandparents were so proud and happy, they cosigned his loans.

Like many students who contact my office, Tim says he would have never taken out the loans if it was clearly stated to him how much his monthly payments would be. He put his trust in the school and he thought the counselors really had his best interests in mind, so he took out the loan.

Tim makes \$25,000 a year. That is a modest income. He can't afford to get a car loan, and he says he will probably have to rent for the rest of his life. His Federal loans, which have a balance around \$23,000—Federal Government loans—have a manageable monthly payment, but his private student loans are completely unmanageable. The

lenders won't work with him to come up with a reasonable payment plan, leaving the burden of debt on his grandparents, who cosigned his loans. His grandparents don't have any money. They filed for bankruptcy, too, but because the private student loans are not dischargeable in bankruptcy, they risk losing their home to pay off their grandson's student loans.

This isn't the American dream. This is a nightmare, and we are complicit. We are complicit because this Federal Government continues to offer Pell grants and student loans to worthless schools. And students who sign up there think, well, if the Federal Government is going to loan some money, this must be a good school. So we are complicit in not policing the ranks of these for-profit schools on behalf of these students.

Secondly, the outrage I hear expressed on this floor all the time about overspending by the Federal Government should be directed as well at these for-profit schools. The annual subsidy of these for-profit schools—\$31 billion—is greater than the amount we spend as a nation for medical research in a given year—as a nation. So people who are intensely aware of our deficit—as the Presiding Officer is—who want to cut spending and wasteful areas, join me in taking a look at these for-profit schools.

Congress could start by passing legislation to keep interest rates on the Federal Government student loans at a manageable level of 3.4 percent. They are going to double in July if we don't take action, so we had better do that.

Senator HARKIN of Iowa and I recently introduced legislation that will help educate borrowers about private student loans.

Actually, there are situations where students at these for-profit schools are still eligible to borrow money from the Federal Government at 3.4 percent, and the so-called counselors at these schools steer them into private loans at 5, 11, and up to 18 percent interest rates, and the students don't know it. They sign up not realizing they could still borrow the money under manageable terms from the Federal Government if they wish. There ought to be clear disclosure to the students, their families—and their grandparents.

Our legislation, the Know Before You Owe Private Student Loan Act, will require private student loan lenders to certify a potential borrower's enrollment status and cost of attendance with the borrowing school and require institutions of higher education to counsel students about all their student aid options before the private student loan is actually disbursed. Most importantly, schools would have to inform the students about the differences between private student loans and Federal student loans. Federal student loans have consumer protections built in but not the private loans.

I encourage my colleagues to go home and listen to these families. On your Web site, ask for the victims of student loan abuse to write in, as they have to my office, and you will come to realize this is a growing problem in this country. Student loan debt is greater than credit card debt, and it is coming due. Less than 40 percent of student loan borrowers today are current on their payments. This is a problem that is going to haunt our Nation for a long time.

I hope my colleagues will join me in bringing some real changes. If the for-profit school industry has anything to offer by way of real education and training, they had better shape up and they had better be honest with their students. They shouldn't drag them deeply in debt for worthless diplomas which could literally ruin a life.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WARNER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

(Mr. MANCHIN assumed the Chair.)

The PRESIDING OFFICER (Mr. FRANKEN). The majority leader.

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

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

UNANIMOUS CONSENT
AGREEMENT S. 1789

Mr. REID. Mr. President, first of all, let me express my appreciation to every Senator. We tried something a little different, and I think it is something we can look to in the future. We decided we were going to have an amendment process. Maybe it is not as far as everyone wants to go, but it is a pretty good step in the right direction. Rather than having no amendments, rather than having only germane amendments, we decided we would have a standard that is very broad; that is, relevant amendments. It has given people the opportunity to offer lots of different things. So I hope in the future—it may not happen on every piece of legislation that comes along, but I hope we get in the habit of being able to do things such as this; that gives Senators wide range on things they can do. But anyway, we have done it on this and I appreciate everyone's cooperation.

I also appreciate the good work of Senator LIEBERMAN and Senator COLLINS. I have many times in the last week or so expressed that appreciation to them for their leadership. This has been extremely difficult. It is a massive bill dealing with more than one-half million postal employees, more than 30,000 post offices, 500 or so processing centers, and it has been extremely difficult to get to a point

where I hope we can arrive shortly. So we are here. I have been given the nod.

Mr. President, I ask unanimous consent that the cloture motions with respect to the Lieberman-Collins substitute amendment and the bill be vitiated; the motion to recommit be withdrawn; that the pending amendments Nos. 2013 and 2015 be withdrawn and that the following amendments be the only amendments in order to S. 1789 or the pending substitute amendment No. 2000, as modified: McCain 2001; Tester 2056; Coburn 2060; McCain 2033; Wyden-Feinstein 2020; Coburn 2058; McCaskill-Merkley 2031; Coburn 2061; Snowe 2080; Udall of New Mexico 2043; Durbin 2082; Akaka 2034, with a modification agreed to by the two managers; Bennet-Blunt 2047; Corker 2083; Mikulski 2003; Akaka 2049; Paul 2025; Manchin 2079; Paul 2026; Bingaman 2076; Paul 2027; Cardin 2040; Paul 2028; Carper 2065; Paul 2029; Carper 2066; Paul 2039; Casey 2042; Paul 2038; Landrieu 2072; DeMint 2046; McCaskill 2030; Coburn 2059; Pryor 2036; Rockefeller 2073; Rockefeller 2074; Schumer 2050; Tester 2032; and Warner 2071, with a modification agreed to by the two managers; that on Tuesday, April 24, at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate vote in relation to the amendments in the order listed; that there be 2 minutes equally divided in the usual form prior to each vote; that all after the first vote be 10-minute votes; that the amendments be subject to a 60-affirmative-vote threshold; that there be no other amendments in order to the bill, the substitute amendment, as modified, or the amendments listed; and there be no points of order or motions in order to any of these amendments, the substitute amendment or the bill, other than budget points of order and the applicable motions to waive; that upon disposition of the amendments, the substitute amendment, as modified and amended, if amended, be agreed to; further, the bill, as amended, then be read a third time and the Senate proceed to a vote on passage of the bill, as amended; finally, that the vote on passage of the bill be subject to a 60-affirmative-vote threshold.

THE PRESIDING OFFICER (Mr. UDALL of Colorado). Is there objection? Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 36

Mr. REID. Mr. President, another important issue: I ask unanimous consent that at 2 p.m., on Monday, April 23, the Republican leader or his designee be recognized to move to proceed to the consideration of S.J. Res. 36, a joint resolution disapproving a rule submitted by the National Labor Relations Board relating to representation election procedures; that there be up to 4 hours of debate on the motion to pro-

ceed, with the time equally divided and controlled between the two leaders or their designees; further, that the first 2 hours of debate, equally divided, occur from 2 p.m. to 4 p.m., Monday, April 23, and the final 2 hours of debate, equally divided, occur from 10:30 a.m. to 12:30 p.m., Tuesday, April 24; that at 2:15 p.m., Tuesday, April 24, the Senate proceed to vote on the adoption of the motion to proceed; that if the motion is successful, then the time for debate with respect to the joint resolution be equally divided between the two leaders or their designees; that upon the use or yielding back of time, the joint resolution be read a third time and the Senate proceed to vote on passage of the joint resolution; finally, all other provisions of the statute governing consideration of the joint resolution remain in effect.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

DISCHARGE OF FURTHER CONSIDERATION

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Health, Education, Labor, and Pensions be discharged of further consideration of S.J. Res. 36, a resolution on providing for congressional disapproval of a rule submitted by the National Labor Relations Board relating to representation election procedures, and further, that the resolution be immediately placed upon the Legislative Calendar under General Orders.

Michael B. Enzi, Thad Cochran, Roy Blunt, Bob Corker, John Boozman, Kelly Ayotte, Marco Rubio, Olympia Snowe, Lamar Alexander, Rob Portman, Orrin Hatch, Jerry Moran, John Hoeven, John Cornyn, Mike Crapo, Jeff Sessions, Patrick Toomey, Jim DeMint, Tom Coburn, David Vitter, Ron Johnson, Lindsey Graham, Saxby Chambliss, Richard Burr, Johnny Isakson, John Thune, Michael Lee, Chuck Grassley, Roger F. Wicker, Richard G. Lugar.

THE PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I want to thank Senator REID, and, of course, thank Senator COLLINS. We have again worked very closely together. I thank the staff on both sides who worked very hard, and I thank all of our colleagues.

I know it took a lot of effort, because people have strong opinions about the crisis in the Postal Service of the United States, but we have ended with a process here that will allow a discussion and votes on a wide range of amendments on both sides. I would say based on the knowledge we have of this list that not all of these amendments listed will actually require rollcall votes.

We will be working over the weekend trying to see if we can find common ground, accept some of these amendments or modify them. But bottom line, this consent agreement, though we are not there yet, gives me great

hope that the Senate is going to prove that we are capable of taking on a crisis situation which the post office is in, losing \$13 billion plus over the last 2 years. If we do not do anything, it is only going to get worse and a lot of people are going to lose their jobs and a lot of people who depend on the mail are not going to get it in the same way.

This is a bill that will provide an orderly reform that will keep the post office not only alive but change it so it can survive throughout the 21st century.

Senator COLLINS and I will be here at noon on Monday to debate any of the amendments people want to come to debate. I believe I am speaking for both of us in saying—I know I am—after the votes Monday afternoon unrelated to this matter, we are prepared to remain here into the evening to continue debating amendments before the actual votes occur on Tuesday afternoon.

Again, I thank everyone involved, particularly Senator COLLINS.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I want to echo the thanks to everyone who was involved in formulating this very extensive unanimous consent agreement. We have been working extremely hard the last couple of days to make sure we were being fair to all Members on a bill on which there are diverse opinions, on an issue that is so important and that is how do we save an essential American institution, the U.S. Postal Service.

I too want to thank our two leaders, Senator REID and Senator MCCONNELL, and my dear friend and chairman of the Homeland Security and Governmental Affairs Committee, Senator LIEBERMAN, as well as our staffs and our floor staff who have put in so many hours.

I want to reiterate that Senator LIEBERMAN and I will be available to negotiate—our staffs will as well—and to debate these issues. We will be available over the weekend and tomorrow, and then on Monday to begin the debate on the amendments. But, again, I want to thank everyone involved. I think this is how the Senate should operate. It took a lot of work to get here, but no one gave up. Everyone kept working away.

I believe we have come up with a very fair agreement to allow us to proceed on a bill of great significance. I want to thank everyone involved.

I yield the floor.

THE PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

TRIBUTE TO MR. CHIP HUTCHESON

Mr. McCONNELL. Mr. President, I stand before you today in honor of someone who has made a substantial contribution to the people of Caldwell County, KY, for his work in the field of journalism: Mr. Chip Hutcheson, publisher of Caldwell County's local periodical, the Princeton Times Leader. Mr. Hutcheson was recently inducted into the Kentucky Journalism Hall of Fame in Lexington, KY, along with five other esteemed broadcasting and journalism colleagues from all over the Commonwealth.

The relationship between Chip Hutcheson and the paper that would become the Princeton Times Leader began when Chip was just 10 months old. His parents, the late John and Betsy Hutcheson, purchased the then-Princeton Leader and moved to Princeton, KY, just after the birth of their son, Chip. John and Betsy shared a love for their chosen profession of journalism, a love of the trade that Chip, too, would inherit at a young age.

Looking back, Chip recalls the paper being a big part of his adolescent life. He remembers writing sports news all throughout his teenage years. Chip left Princeton after high school to attend the University of Kentucky, just like his father before him. He enlisted in the U.S. Army after graduating from the college and served 4 months of active duty in Vietnam.

Upon his return from the service, he immediately re-entered the field he had been passionately involved with for so long. He understood that journalism was his calling, and he wanted to make a career out of bringing the news to the people of Caldwell County, just as his beloved mother and father had. Chip remembered a piece of advice his father gave him about the media industry: "He said, 'This is a good business, but remember this—you will never be caught up; there will always be one more advertiser you can see, one more story you can write.'"

After watching his parents run a newspaper throughout his childhood, Chip was no doubt aware of the difficulties of producing a new edition day in and day out, but he was okay with it. He had a deep desire to be in the thick of reporting. He wanted to follow leads, piece together stories, record monumental events, and most importantly, inform the citizens of Princeton of the goings on of the world around them.

Chip became publisher of the Princeton Leader in 1976, assumed the role of publisher of the Times Leader in 1992, and has been doing an outstanding job ever since. Chip Hutcheson is a testament to the success one can achieve when one enters a field of work one has a true passion for.

It is with the most sincere gratitude that I congratulate Mr. Chip Hutcheson on his induction to the Kentucky Journalism Hall of Fame and thank him for the heartfelt devotion he has shown the people of Princeton, Caldwell County, and the Commonwealth of Kentucky throughout the years. And I would like to ask my colleagues in the United States Senate to join me in commemorating Mr. Chip Hutcheson for his many accomplishments in the field of journalism.

There was recently an article published in the Princeton Times Leader which made note of Chip Hutcheson's induction into the 2012 Kentucky Journalism Hall of Fame. Mr. President, I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD as follows:

[From the Princeton Times Leader, Apr. 14, 2012]

TL PUBLISHER JOINS HALL OF FAME RANKS

(By Jared Nelson)

Times Leader Publisher Chip Hutcheson and two others with western Kentucky connections were among a class of six individuals inducted into the 2012 class of the Kentucky Journalism Hall of Fame this week.

The induction ceremony followed a luncheon hosted by the University of Kentucky Journalism Alumni Association and the UK School of Journalism and Telecommunications in Lexington Wednesday.

Other inductees included: D.J. Everett III, president of Ham Broadcasting Company, which operates the WKDZ and WHVO radio stations; Dr. Bob McGaughey, retired chairman of the Department of Journalism and Mass Communications at Murray State University; Albert B. "Ben" Chandler, Jr., long-time publisher of the Woodford Sun; Bill Luster, retired photo-journalist with the Louisville Courier-Journal and two-time Pulitzer Prize winner; and Michael M. York, a former Lexington Herald-Leader and Washington Post reporter, also a Pulitzer Prize winner.

Duane Bonifer, president of the alumni association, noted April as national Jazz Appreciation Month and drew parallels between the work of great jazz musicians and great journalists, their balance of innovation and improvisation.

"We're going to celebrate the artistry of Chandler, Everett, Hutcheson, Luster, McGaughey, and York," he said. "That's not a bad sextet to be jamming with on a Wednesday afternoon in Lexington."

Hutcheson has served as publisher of the Times Leader since its 1992 creation, when the community's two newspapers, the Caldwell County Times and the Princeton Leader, were purchased by the Kentucky New Era and merged.

Hutcheson had published the Leader, taking over from his parents, in 1976.

In his induction speech Wednesday, he recalled a life spent in the business.

"If anyone has ink in their veins, that would be me," he said.

His parents, the late John and Betsy Hutcheson, bought the Leader when their son was 10 months old and moved to Princeton, a town where the only person they knew was the paper's prior owner.

"But that paper was a labor of love for my parents, and in turn for me," he said.

The paper, he said, was a major part of his life throughout childhood and into his teenage years, when he began writing sports news.

He enrolled at UK, following his father's footsteps.

Faced with the prospect of being drafted into the U.S. Army after graduating, he returned to Princeton.

He was hired as a sports editor for the Kentucky New Era, taking his father's advice to gain experience outside the family business.

The day before he was to be drafted, he was able to enlist in the Army Reserve. "That meant four months of active duty rather than two years, so my time away from the New Era was brief," he said.

He served as sports editor there from 1970 to 1976, when his father retired from the Leader and handed the reins to his son.

"My father only offered one piece of advice, and I have never forgotten it," he told the Lexington crowd.

"He said 'This is a good business, but remember this—you will never be caught up; there will always be one more advertiser you can see, one more story you can write.'"

"It was that philosophy that has guided me ever since."

Hutcheson credited the support of his family in the years since: his mother, who worked 60-plus hours each week at the paper into her 70s, retiring only when the papers merged; his wife, Karen, a nurse by profession who became a utility employee; and children Cindy and John Mark, who spent much time in the newspaper office during their formative years.

"The Leader truly was a 'family' business," he said "I regret that my parents are not here today for this honor my dad died 10 years ago and my mother just last year—because they were the ones who instilled in me this love of community journalism."

He also gave thanks to the employees of the Times Leader for their support, and to the community at large for being a "strong newspaper town."

The publisher quoted Lou Gehrig's famous farewell speech to a 1939 Yankee Stadium—"Today I consider myself the luckiest man on the face of this earth"—in closing.

"I'm not the luckiest man," Hutcheson said. "I'm the most blessed man. I'm blessed to work with the people I work with. I'm blessed to be in the community I live in, and I'm blessed to have a family who thinks much more highly of me than I deserve."

150TH ANNIVERSARY OF TEMPLE BETH ISRAEL

Mr. LEVIN. Mr. President, religious institutions play an important role in communities across the Nation. They are places where families bond; they are places where culture and traditions are handed down from generation to generation; and they are places where many turn for guidance. This Saturday, April 21, marks a significant milestone for one such place of worship in Jackson, MI. On Friday evening, Temple Beth Israel will celebrate the sesquicentennial anniversary of its founding on April 21, 1862. This momentous occasion will be commemorated through a service that highlights the congregation's rich history and important place within the greater Jackson community.

Since 1862, this close-knit synagogue has been a mainstay in Jackson and has helped to preserve and instill religious values and culture from one generation to the next. Nowhere is this better portrayed than in a short vignette on Temple Beth Israel's web site, which brings to life what may seem to be routine—scores of proud families pouring out of a service laughing, smiling and bonding with one another; providing a place for members of the Jewish community to come together in fellowship to learn, to seek spiritual guidance and to celebrate important religious and life events is at the core of Temple Beth Israel's mission.

Temple Beth Israel, situated on West Michigan Avenue, is the first and only synagogue in the city of Jackson and is at the center of Jewish life there. Four stained glass windows representing the ideals the congregation holds dear—Torah, peace, justice and good deeds—adorn the synagogue's sanctuary. Through the years, there have been abundant examples of these ideals put into action.

Temple Beth Israel is a landmark, literally. Preceding the Temple's founding was the Hebrew Benevolent Society. One of the lasting achievements of the Benevolent Society was the purchase, along with others in the community, of land for burial in 1859. Today, it stands as one of the oldest Jewish cemeteries in continuous use in Michigan and has been recognized nationally as an important landmark through its listing in the National Register of Historic Places. Notable, also, is that Temple Beth Israel served as the student pulpit for Rabbi Sally Priesand, the first female rabbi in the United States.

I extend my very best to the Temple Beth Israel community as they commemorate this wonderful milestone. Through strong spiritual leadership and an active congregation, they have etched an impressive legacy for all to see. Jackson, MI is a better place because of their work, and as they look toward the future, I am certain it is equally bright. A hearty mazel tov to Temple Beth Israel.

HOLOCAUST REMEMBRANCE DAY

Mr. LEAHY. Mr. President, today, Thursday, April 19, is Holocaust Remembrance Day. Observances and remembrance activities are taking place across the Nation in civic centers, schools, churches and synagogues, on military bases and in workplaces.

As always, the United States Holocaust Memorial Museum—created as a permanent living memorial to its victims—is taking a leading role in this annual observance.

We must never forget the horrors of the Holocaust, we must never let the world forget, and we must never forget or neglect the Holocaust's lessons.

Never forgetting means keeping alive the memory of those who suffered and died in the Holocaust.

Never forgetting also means declaiming against crimes against humanity that erupt in our midst, and on our watch.

As searing as the Holocaust's lessons are, the world is too easily tempted to avert its eyes from heinous crimes committed by governments and others against our fellow human beings. The community of nations will always bear the shame of doing so little during the massacres on the killing fields of Cambodia, and in the villages of Rwanda.

The United States Holocaust Memorial Museum itself has taken the lead in shining a light on atrocities in our time in Darfur, and I commend its Committee on Conscience for lending its unmatched moral authority to the crusade to bring an end to the violence there.

In that spirit, our voices are also needed to expose the crimes against humanity that are occurring behind the walls of the prison camps of North Korea. More and more information now is coming to light about the systematic, state-sponsored brutality that is being waged upon some 200,000 people, according to the State Department, in those camps. The fact of these prison camps is not new. But horrifying new glimpses are now coming to light from those who have successfully broken free and crossed the frontier to eventual freedom. Publicly available satellite photos are helping to expose a system whose very existence the North Korean government continues to deny.

A new report on these prison camps, authored by David Hawk, has been released by the Committee for Human Rights in North Korea, a U.S.-based, private organization. It documents the imprisonment of entire families, including children and grandparents for the "political crimes" of other family members.

At the report's Washington release this month, a young man born to prisoners—and thereby condemned to spend his entire life in one of these camps—spoke about visiting the United States Holocaust Memorial Museum, every time he comes to Washington. Shin Dong-hyuk's harrowing escape is detailed in a new book by Blaine Harden, a former Washington Post reporter.

We have vital national security interests at stake in our dealings with the North Korean regime, which has acquired nuclear weapons. I am one who believes that we can fully and effectively pursue these interests through diplomacy and other means, without having to mute our outrage about human rights atrocities like these.

I welcome the strong comments about this report made by Robert King, the United States human rights envoy

for North Korea, who said that conditions in North Korea's prison camps are worse than in the former Soviet Union's gulag. I would hope that today's leaders of Russia and China would voice similar outrage about these atrocities.

Social media and a powerful video recently brought the story of the crimes of Joseph Kony and his Lord's Resistance Army to an audience of millions of people around the world. Let us individually and together similarly raise our voices against the crimes against humanity that are taking place behind the walls and barbed wire of North Korea's labor camps, where some one in four people die each year—starved to death, or worked to death, or executed.

Let it not be said by future generations that though we knew enough, we did not care enough to condemn and to lend our efforts to end this brutal system.

Several news organizations have reported or commented on this new information about North Korea's prison camps. I commend to the Senate's attention two recent such writings. I ask unanimous consent that an editorial, and a commentary by Fred Hiatt, both from the Washington Post, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 12, 2012]

TURNING A BLIND EYE TO NORTH KOREA'S
'HIDDEN GULAG'
(Editorial)

While attention focused on North Korea this week ahead of Friday morning's missile launch, hundreds of Americans, Koreans, Japanese and others gathered in Washington to examine a different aspect of life in that communist nation: its "hidden gulag."

That was the title of an unprecedented conference organized by the U.S. Committee for Human Rights in North Korea (HRNK) and the Jacob Blaustein Institute for the Advancement of Human Rights. The gulag is a network of labor camps that houses 150,000 to 200,000 prisoners. They are generally arrested for no crime, sent away with no trial, never again allowed to communicate with anyone outside the camps, fed on starvation rations and forced to work until they die. Other than from one camp, according to South Korean expert Yoon Yeo-sang, no one deported to North Korea's gulag is ever released.

As noted by Blaine Harden, author of the recently published book "Escape from Camp 14," the North Korean gulag has existed twice as long as did the Soviet network of labor camps created by Lenin and Stalin, and 12 times as long as Hitler's concentration camps. Yet, for the most part, "Americans don't know anything about these camps," Mr. Harden said. "They don't know they exist."

This is not, the title of the conference notwithstanding, because the gulag is all that hidden, although North Korea's regime continues to deny its existence. In fact, as David Hawk said, a great deal is known about the camps, both from the testimony of those who have escaped and from satellite imagery. Mr. Hawk has just published the second edition of his definitive survey, also called "The

Hidden Gulag," which draws on horrifying testimony from 60 former prisoners.

The reason for the ignorance is mostly political. The United States, with a goal of keeping the peace and depriving North Korea of nuclear weapons, has not made human rights a priority. In South Korea, the gulag has been a political football between left-wing politicians favoring warmer ties with the North and right-wing politicians pushing a harder line. China, North Korea's neighbor to the north and west, abuses the human rights of its own population and does not believe any country's freedom to abuse its population in the same way should be interfered with.

China, in fact, is complicit in North Korea's abuses, since it sends many defectors who have made it across the Yalu River back into North Korea, where they face punishment or, if they are repeat escapees, execution. North Korean women who have become pregnant in China often are forced to abort their children. "In cases where the pregnancy is too advanced, guards beat the infants to death or bury them alive after they are born," writes Roberta Cohen, the chair of HRNK.

Inevitably, there remains much that is unknown. It's impossible to be confident of a population count for the gulag, Mr. Hawk said, because it's not clear whether deaths are outpacing deportations.

Enough is known, however, for indifference to be inexcusable. As a first step, the United Nations could establish a commission of inquiry to investigate crimes against humanity taking place inside the prison camps. As Ms. Cohen said, "It is not just nuclear weapons that have to be dismantled but an entire system of political repression."

[From the Washington Post, Mar. 25, 2012]

NORTH KOREA'S DEHUMANIZING TREATMENT OF ITS CITIZENS IS HIDING IN PLAIN SIGHT
(By Fred Hiatt)

With President Obama in Korea this week, we will hear a lot about the dangers of North Korea's nuclear aspirations.

We're unlikely to hear about a young man named Shin Dong-hyuk, who was bred, like a farm animal, inside a North Korean prison camp after guards ordered his prisoner-parents to mate. But Shin arguably has as much to teach about Korea's past and future as about the cycle of negotiation, bluster and broken promises over the nuclear issue.

"Shin was born a slave and raised behind a high-voltage barbed-wire fence."

So writes Blaine Harden, a former East Asia correspondent for The Post, in a soon-to-be-published account of Shin's life, "Escape from Camp 14."

Harden describes a closed world of unimaginable bleakness. We often speak of someone so unfortunate as to grow up "not knowing love." Shin grew up literally not understanding concepts such as love, trust or kindness. His life consisted of beatings, hunger and labor. His only ethos was to obey guards, snitch on fellow inmates and steal food when he could. At age 14, he watched his mother and older brother executed, a display that elicited in him no pity or regret. He was raised to work until he died, probably around age 40. He knew no contemporaries who had experienced life outside Camp 14.

At 23, Shin escaped and managed, over the course of four years, to make his way through a hungry North Korea—a larger, more chaotic version of Camp 14—into China and, eventually, the United States. He is, as far as is known, the only person born in the North Korean gulag to escape to freedom.

Improbably, his tale becomes even more gripping after his unprecedented journey, after he realizes that he has been raised as something less than human. He gradually, haltingly—and, so far, with mixed success—sets out to remake himself as a moral, feeling human being.

How is this tale even possible in the 21st century, the era of "Never Again," of the United Nations proudly (in 2005) declaring that all nations have a "responsibility to protect" civilian populations abused by their own governments?

"Fashioning a comprehensive policy to deal with North Korea's nuclear programs, its human rights abuses, and its failed economy is hardly child's play," explains Victor Cha, a Georgetown University professor, in his forthcoming book, "The Impossible State." "No administration thus far has been successful at addressing one, let alone all three."

Cha, who helped shape Korea policy on the National Security Council under President George W. Bush, describes a nation where schoolchildren learn grammatical conjugations by reciting "We killed Americans," "We are killing Americans," "We will kill Americans."

With 25 million people, it is a failed state in every way but one, which is coddling the regime and a small elite that resembles a criminal syndicate more than a traditional bureaucracy. While cautioning that predictions are risky, Cha argues that "the end is near." The next U.S. presidential term, he predicts, is likely to face "a major crisis of the state in North Korea, and potentially unification."

When that happens, "what is likely to be revealed is one of the worst human rights disasters in modern times."

Only, as both books make clear, it won't be much of a revelation. Harden points out that North Korea's labor camps "have now existed twice as long as the Soviet gulag and about twelve times longer than the Nazi concentration camps." They are easily identified in satellite photographs. One is larger than the city of Los Angeles. Altogether they house about 200,000 people.

They are visible, in other words, but people do not want to see them, and Shin's story helps explain why.

It's no surprise that China, with its own gulag archipelago, objects to any suggestion that a government can't abuse its citizens as it pleases.

But South Koreans, living in freedom, also fear a North Korean collapse—not only for the potential financial cost but also because they sense how different their erstwhile countrymen have become. Not all North Koreans live as stunted a life as Shin did inside Camp 14, but generations of isolation, propaganda and warped morality take a toll. And 20 years of post-Soviet experience have taught us that civic virtues can be far more difficult to rekindle than private markets or democratic forms.

When he watched his teacher beat a six-year-old classmate to death for stealing five grains of corn, Shin says he "didn't think much about it."

"I did not know about sympathy or sadness," he says. "Now that I am out, I am learning to be emotional. I have learned to cry. I feel like I am becoming human."

But seven years after his escape, Harden writes, Shin does not believe he has reached that goal. "I escaped physically," he says. "I haven't escaped psychologically."

FOOD SAFETY ACCOUNTABILITY ACT

Mr. LEAHY. Mr. President, one year ago, the Senate unanimously passed the Food Safety Accountability Act. This week, the Food and Drug Administration announced that raw tuna from a California supplier has sickened more than 100 people in 20 States with salmonella poisoning. We do not yet know the cause of the current outbreak, but if enacted, the Food Safety Accountability Act would help stop outbreaks of illness related to food safety. It is time for the House to pass this noncontroversial legislation.

The Food Safety Accountability Act promotes more accountability for food suppliers by increasing the sentences that prosecutors can seek for people who violate our food safety laws in those cases where there is conscious or reckless disregard of a risk of death or serious bodily injury. Current statutes do not provide sufficient criminal sanctions for those who knowingly violate our food safety laws.

Knowingly distributing adulterated food is already illegal, but it is in most cases merely a misdemeanor, and the Sentencing Commission has found that perpetrators generally do not serve jail time. The alternative, fines and recalls, fall short in protecting the public from harmful products. Too often, those who are willing to endanger our American citizens in pursuit of profits view such fines or recalls as merely the cost of doing business.

Salmonella poisoning is all too common and sometimes results from inexcusable, knowing conduct such as that carefully targeted by the Food Safety Accountability Act. The company responsible for a salmonella outbreak last summer had a long history of environmental, immigration, labor, and food safety violations. It is clear that fines are not enough to protect the public and effectively deter this unacceptable conduct. We need to make sure that those who knowingly poison the food supply will go to jail. This bill will significantly increase the chances that those who commit serious food safety crimes will face jail time rather than merely a slap on the wrist.

Food safety received considerable attention in the last Congress, and I was pleased that we finally passed comprehensive food safety reforms, but our work is not done. A provision almost identical to the Food Safety Accountability Act has previously passed the House with strong, bipartisan support. Now that the Senate has unanimously passed this bill, it is long overdue for the House to act.

The American people should be confident that the food they buy for their families is safe. The uncertainty and fear caused by the current salmonella outbreak only reinforces the need to pass the common sense Food Safety Accountability Act. I urge the House

to quickly pass the Senate bill and join us in taking this important step toward protecting our food supply.

TRIBUTE TO IRENE DAVEY

Mr. BROWN of Massachusetts. Mr. President, today I wish to recognize Irene Davey of Attleboro, MA, who on January 26, 2012, turned 104 years of age. It is a privilege for me to join her family, friends and veterans everywhere in extending warm wishes to Irene.

In March of 1943, Irene joined the U.S. Army and served until November 1945. Irene had a distinguished military career where she earned the rank of staff sergeant. She was part of a force of about 351,000 women who served in World War II. Irene served in the Women's Army Auxiliary Corps and was assigned to motor transport.

While serving in the Army, Irene directly contributed to the success of the motor corps by training the other women in the auxiliary corps to drive trucks and provide vehicle maintenance. One of her duties while serving in the motor corps included transporting sick and injured soldiers home by ambulance. She even became a recruiter, using what she had learned in the Army to bring in the next generation of soldiers.

Irene understood the true meaning of shared sacrifice. The motto of the time was "release a man to help your man." According to Irene it meant that if a woman could take a man's job, that man was released to join the armed forces. That made the armed forces stronger, helping your man who was in the armed forces be that much safer.

After World War II, Irene continued her service by becoming a warden at the election polls in her hometown of Attleboro. Irene is an exceptional woman who has served her country and community in many ways. Irene has been a champion for veterans all her life and the Commonwealth of Massachusetts owes her its deepest gratitude.

There is nothing Irene likes more than hearing someone thanking a veteran for their service. Today, however, the Senate recognizes Irene Davey the poet, songwriter, and lifelong public servant.

Irene has witnessed many wonderful events during her long and distinguished life. Throughout her years, she has demonstrated that one person can make a difference. It is people as dedicated as Irene who continue to make a difference in this world. Others should take notice and become inspired by the example that she has set.

I would like to thank Irene for her tremendous service to our country and our communities. I know that her family and friends, as well as the people of Massachusetts are extremely proud of her selfless service.

ADDITIONAL STATEMENTS

TRIBUTE TO BOWEN FLOWERS

• Mr. COCHRAN. Mr. President, I am pleased to commend Bowen Flowers of Clarksdale, MS, for his service and contributions to the State of Mississippi while serving as the 77th President of Delta Council. The Delta Council was formed in 1935 and has grown into a widely respected economic development organization representing the business, professional, and agricultural leadership of the alluvial floodplain commonly known as the Mississippi Delta. I am grateful to Delta Council for its continuous role in meeting the economic and quality of life challenges which have historically confronted this part of my State.

Bowen Flowers' tenure as president of Delta Council has coincided with the development of a new farm bill, the primary legislation for establishing Federal agriculture and food policies. Mr. Flowers has used his insight and judgment to lead the Delta Council in effectively working with Congress to help ensure that the priorities of those living and working in rural America are met. He is also recognized for his dedication to conservation and wildlife as part of his ongoing service to Mississippi.

In addition to his role as president of Delta Council, Mr. Flowers is a director of Staplcotn Producer Cooperative and the Covenant Bank, and is a commissioner on the Coahoma County Soil and Water Commission. Some of his previous leadership positions include director of the Mississippi Association of Conservation Districts, president of the Mississippi Soybean Promotion Board, producer director of the National Cotton Council, president of Delta Wildlife, and chairman of the Delta Council Soil and Water Committee.

Bowen Flowers is well respected in Mississippi and his performance as president of the Delta Council will add to his well-earned reputation of working to improve the quality of life of rural America. His dedication to the future of the Mississippi Delta and those who live there speaks highly of him as a person. In Mississippi, we appreciate Bowen Flowers, as well as his wife Susan and their daughter Anderson, for their service and commitment to Mississippi.●

TRIBUTE TO ALFRED RANKINS, SR.

• Mr. COCHRAN. Mr. President, I am pleased to commend Alfred Rankins, Sr., of Greenville, MS, for his tireless and effective leadership while serving on the Washington County Board of Supervisors. Mr. Rankins recently retired from the board following a long career dedicated to protecting and en-

hancing the lives of the residents of Greenville and Washington County, and people throughout the Mississippi Delta. Washington County has historically faced a unique set of challenges, and I am grateful for the board's consistent leadership in willingly addressing these challenges on a daily basis.

Al Rankins has served Washington County long enough to understand the dynamics of the local economy and the needs of the region. Mr. Rankins served on the Board of Supervisors since 1990 and served as its president. His tenure was characterized by consistent focus on retaining and recruiting new businesses and industries to the area. During his career, Al Rankins has also been a member of the Mississippi Water Management Advisory Board and the Allied Enterprise Advisory Board. On the Delta Council, he served as the longtime chairman of the Council's Flood Control Committee and as chairman of the Development Department Board of Directors.

Prior to serving in these important jobs, Al Rankins worked almost 21 years as a police officer for the city of Greenville, retiring in 1990 as deputy chief. He also served his country honorably during a tour of duty in Vietnam with the U.S. Air Force.

Related to his career as a civic leader and business owner, Al Rankins has received many accolades and honors, including the Lifetime Achievement Award for Civil Service to the Community, the Outstanding Citizen Achievement Award, and the Outstanding Service to the Community Award. These awards are examples of the recognition extended to Mr. Rankins for his public service and community volunteer contributions to the Mississippi Delta Region.

Al Rankins and his wife Mary are a credit to my great State. In conjunction with the end of his long service with the Washington County Board of Supervisors, I join many Mississippians in commending Alfred Rankins, Sr., for his dedication and service to the people of Mississippi.●

REMEMBERING BRUNO BENNA

• Mr. HELLER. Mr. President, today I wish to pay tribute to a Nevadan who spent his life working to strengthen his local community and enrich the lives of its residents. After a courageous 9-year battle with cancer, Bruno Benna passed on April 1, 2012. Our State has lost a selfless and giving Nevadan. My thoughts and prayers continue to be with his family.

From starting a small concrete company that would later become a staple in Reno to his patronage for the fine arts, Bruno was involved in nearly every facet of Northern Nevada's community. In 1958, he co-founded C.B. Concrete Company, which literally laid the foundations for modern Reno. For

the next 50 years, Bruno contributed to the construction of Reno's major infrastructure projects. Generations of Reno residents have become familiar with C. B. Concrete Company's iconic yellow trucks emblazoned with the bumble bee logo.

C. B. Concrete Company exemplifies the vital role small businesses play in both our economy and local community. As the backbone of our economy, they must continue to remain vibrant and healthy in order to create jobs at a time when Nevadans need them the most. I am saddened that Reno has lost such a passionate entrepreneur who was responsible for employing hundreds of Nevadans. Northern Nevada was fortunate to have such a talented businessman who was continuously striving to improve the business community while serving on the Reno Chamber of Commerce Board, the U.S. Interstate Commerce Commission, and as an advisor to the U.S. Small Business Administration.

In 1997, Bruno and his wife, Edna, started the Benna Family Foundation to give back to their community. Through the foundation, the couple were avid supporters of the University of Nevada, the Nevada Discovery Museum, the Nevada Opera, the Nevada Art Museum, and the Reno Little Theater. In 2002, Governor Kenny Guinn awarded the Bennas with the Governor's Arts Award for their decades of service for arts in Northern Nevada.

Bruno's extensive philanthropic endeavors and generous contributions to our State continue to be inspiring to those within the Reno and larger northern Nevada community. I am both grateful for and humbled by his commitment to the Silver State. I ask my colleagues to join me today in remembering the life of a great Nevadan.●

RECOGNIZING WEST BRANCH HERITAGE TIMBER, LLC

● Ms. SNOWE. Mr. President, my home State of Maine, with its vast acres of trees, has traditionally been a hub for the lumber industry since the advent of wood pulp in paper making. In recent years, the lumber industry has suffered due to the economic downturn, and the resulting decline in the housing market has reduced the need for wood products to build homes such as hardwood flooring and cabinet construction. Despite this, there are companies that persevere in the face of such hardships, confronting economic challenges with innovation and creativity. Today, I rise to commend and recognize one such company, West Branch Heritage Timber, for helping to revive the lumber industry while creating a beautiful and artistic product inscribed with Maine's rich history.

Since 2010, West Branch Heritage Timber located in Millinocket, ME, has

harvested 20,000 tons of wood from Quakish Lake—part of the Penobscot River system—which became a repository for thousands of tons of lost timber cut by river-driving loggers over a century ago. The extensive wood inventory remained preserved under the water for over 100 years, until coowners Steve Saunders and Tom Shafer developed an idea to retrieve the unique and magnificent lumber. To put it simply, these two innovators have been “fishing” this timber from the bottom of the lake for the commercial value it holds today.

Currently, West Branch Heritage Timber is in the process of reclaiming an estimated 1 million cord of timber at the bottom of the West Branch of the Penobscot River, making it the largest timber reclamation project ever conducted in New England. The quality of their product has not gone unnoticed as this small firm was recently selected by another local business, Shaw & Tenney of Orono, as the primary wood supplier for the paddles they are producing for L.L. Bean's 100-year anniversary. Lake wood contains aesthetically impressive designs which develop and evolve as minerals from the lake's water seeps deep into the wood over many years, creating rich earth tones. Shaw & Tenney saw an opportunity to utilize this niche-commodity offered by West Branch Heritage Timber to demonstrate the beauty of Maine in L.L. Bean's commemorative paddles.

However, the artistic preservation of history is only one purpose that the wood of Quakish Lake serves. Steve hopes that the business will soon obtain a paper mill contract as West Branch would be able to provide pulping wood at a substantially less cost than competitors. Steve has attested to the feasibility and value of such a venture by estimating the potential to produce 40,000 tons of wood annually for the next 20 years. While the company currently employs nine full-time employees, obtaining a pulp contract would allow for expansion and job creation.

The ingenuity and creativity of the West Branch Heritage Timber team embodies the entrepreneurial spirit of our country's history and serves as an exemplary small business that so ardently comprises the backbone of the American economy. I am proud to extend my congratulations to Steve and Tom, as well as everyone at West Branch Heritage Timber, for their hard work in providing a product that is both beautiful and vital to the resurgence of Maine's lumber industry.●

2012 NATIONAL DRUG CONTROL STRATEGY—PM 46

The PRESIDING OFFICER laid before the Senate the following message from the President of the United

States, together with an accompanying report; which was referred to the Committee on the Judiciary:

To the Congress of the United States:

I am pleased to transmit the 2012 *National Drug Control Strategy*, which follows through on the commitment made by my Administration to chart a new course in our efforts to reduce illicit drug use and its consequences in the United States. The balanced approach outlined in the Administration's inaugural *National Drug Control Strategy* has yielded significant results, which are detailed in the following pages.

Our Nation still faces serious drug-related challenges, however. Too many Americans need treatment for substance use disorders but do not receive it. Prescription drug abuse continues to claim American lives, and those who take drugs and drive threaten safety on our Nation's roadways. Young people's perceptions of the risks of drug use have declined over the past decade, and research suggests that this often predicts future increases in drug use. There is still much left to do to reform our justice system and break the cycle of drug use and crime. Our commitment to work with partner nations must remain steadfast to reduce drug production, trafficking, and related transnational threats.

Based upon the progress we have achieved over the past three years, I am confident we can address these challenges through concerted action along the entire spectrum of prevention, early intervention, treatment, recovery support, criminal justice reform, law enforcement, and international cooperation. However, we must match our commitment with the appropriate resources.

Illicit drug use in America contributed to an estimated \$193 billion in crime, health, and lost productivity costs in 2007, the year for which the most recent estimate is available. In today's challenging economic environment, we cannot afford such a drain on our economy and public resources. While difficult budget decisions must be made at all levels of government, we must ensure continued support for policies and programs that reduce drug use and its enormous costs to American society. In doing so, we will not only strengthen our economy but also sustain the national character and spirit that has made the United States a world leader.

I look forward to continuing to work with the Congress and Federal, state, local, tribal, and territorial leaders, international partners, and the American people in this important endeavor.

BARACK OBAMA,
THE WHITE HOUSE, April 19, 2012.

MESSAGE FROM THE HOUSE

At 10:37 a.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2453. An act to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain.

H.R. 4348. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2453. An act to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain; to the Committee on Banking, Housing, and Urban Affairs.

MEASURE DISCHARGED

The following joint resolution was discharged by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 36. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to representation election procedures.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2327. A bill to prohibit direct foreign assistance to the Government of Egypt until the President makes certain certifications related to treatment of nongovernmental organization workers, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5741. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Asian Longhorned Beetle; Additions to Quarantined Areas in Massachusetts" (Docket No. APHIS-2010-0128) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5742. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Clementines From Spain; Amendment to Inspection Provisions" (Docket No. APHIS-2010-0036) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5743. A communication from the Congressional Review Coordinator, Animal and

Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Pomegranates From Chile Under a Systems Approach" (Docket No. APHIS-2010-0024) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5744. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Fresh Pitaya Fruit From Central America Into the Continental United States" (Docket No. APHIS-2010-0113) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5745. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Under Sections 642 and 643 (Income Ordering Rules)" ((RIN1545-BH66) (TD 9582)) received in the Office of the President of the Senate on April 16, 2012; to the Committee on Finance.

EC-5746. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Under Section 267(f); Deferral of Loss on Transactions Between Members of a Controlled Group" ((RIN1545-BI92) (TD 9583)) received in the Office of the President of the Senate on April 16, 2012; to the Committee on Finance.

EC-5747. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles, including, technical data, and defense services to Malaysia for the assembly, test and production of the Colt M4 carbine in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-5748. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-343 "Tenant Security Deposits Clarification Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5749. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-344 "South Capitol Street Memorial Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-5750. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Rules Governing Hearings Before the Agency of Original Jurisdiction and the Board of Veterans' Appeals; Repeal of Prior Rule Change" (RIN2900-09A043) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Veterans' Affairs.

EC-5751. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law,

the report of a rule entitled "Payment or Reimbursement for Emergency Services for Nonservice-Connected Conditions in Non-VA Facilities" (RIN2900-AN86) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Veterans' Affairs.

EC-5752. A communication from the Acting Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report relative to a proposed change by the Navy Reserve to the Fiscal Year 2011 National Guard and Reserve Equipment Appropriation (NGREA) procurement; to the Committee on Armed Services.

EC-5753. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2013; to the Committee on Armed Services.

EC-5754. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Karnal Bunt; Regulated Areas in California" (Docket No. APHIS-2011-0074) received in the Office of the President of the Senate on April 17, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5755. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Golden Nematode; Removal of Regulated Areas" (Docket No. APHIS-2011-0036) received in the Office of the President of the Senate on April 17, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5756. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Forest System Land Management Planning" (RIN0596-AD02) received in the Office of the President of the Senate on April 17, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5757. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Quizalofop Ethyl; Pesticide Tolerances" (FRL No. 9340-5) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 743. A bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes (Rept. No. 112-155).

By Mr. INOUE, from the Committee on Appropriations:

Special Report entitled "Allocation to Subcommittees of Budget Totals for Fiscal Year 2013." (Rept. No. 112-156).

By Mrs. MURRAY, from the Committee on Appropriations, without amendment:

S. 2322. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112-157).

By Ms. MIKULSKI, from the Committee on Appropriations, without amendment:

S. 2323. An original bill making appropriations for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112-158).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit.

John Thomas Fowlkes, Jr., of Tennessee, to be United States District Judge for the Western District of Tennessee.

Kevin McNulty, of New Jersey, to be United States District Judge for the District of New Jersey.

Michael A. Shipp, of New Jersey, to be United States District Judge for the District of New Jersey.

Stephanie Marie Rose, of Iowa, to be United States District Judge for the Southern District of Iowa.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REED (for himself and Mr. ISAKSON):

S. 2301. A bill to help prevent the occurrence of cancer resulting from the use of ultraviolet tanning lamps by providing sufficient information to consumers regarding the health risks associated with the use of such devices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY:

S. 2302. A bill to extend the temporary suspension of duty on certain ski boots, cross country ski footwear, and snowboard boots; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 2303. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MIKULSKI:

S. 2304. A bill to amend title XVIII of the Social Security Act to allow chiropractors to provide items and services through private contracts under the Medicare program; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2305. A bill to extend the temporary suspension of duty on yarn of carded hair of

Kashmir (cashmere) goats, of yarn count less than 19.35 metric, not put up for retail sale; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2306. A bill to extend the temporary suspension of duty on fine animal hair of Kashmir (cashmere) goats, processed beyond the degreased or carbonized condition; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2307. A bill to extend the temporary suspension of duty on yarn of carded cashmere of 19.35 metric yarn count or higher; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2308. A bill to extend the temporary suspension of duty on yarn of combed cashmere or yarn of camel hair; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2309. A bill to extend the temporary suspension of duty on camel hair, carded or combed; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2310. A bill to extend the temporary suspension of duty on woven fabrics containing 85 percent or more by weight of vicuna hair; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2311. A bill to extend the temporary suspension of duty on waste of camel hair; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2312. A bill to extend the temporary suspension of duty on camel hair, not processed in any manner beyond the degreased or carbonized condition; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2313. A bill to extend the temporary suspension of duty on camel hair, processed beyond the degreased or carbonized condition; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2314. A bill to extend the temporary suspension of duty on noils of camel hair; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2315. A bill to extend the temporary suspension of duty on yarn of carded camel hair; to the Committee on Finance.

By Mr. KERRY (for himself and Mr. BROWN of Massachusetts):

S. 2316. A bill to designate the Salt Pond Visitor Center at the Cape Cod National Seashore as the "Thomas P. O'Neill, Jr. Salt Pond Visitor Center", and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr. PORTMAN, Mr. BROWN of Ohio, Mr. DURBIN, Mr. LEVIN, Mr. CASEY, Mr. SCHUMER, Mrs. GILLIBRAND, Ms. KLOBUCHAR, and Mr. FRANKEN):

S. 2317. A bill to compel the Secretary of the Army to complete the Great Lakes Mississippi River Interbasin Study within 18 months and to focus particular attention on the permanent prevention of the spread of aquatic nuisance species between the Great Lakes and the Mississippi River Basins; to the Committee on Environment and Public Works.

By Mr. KERRY (for himself, Mr. BOOZMAN, Mr. COONS, Mr. ISAKSON, Ms. LANDRIEU, Mr. GRAHAM, and Mr. DURBIN):

S. 2318. A bill to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, and for other purposes; to the Committee on Foreign Relations.

By Ms. COLLINS (for herself, Mr. LIEBERMAN, Mr. BROWN of Massachusetts, Mr. AKAKA, and Mr. CARPER):

S. 2319. A bill to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. AYOTTE (for herself and Mr. BEGICH):

S. 2320. A bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself and Mr. AKAKA):

S. 2321. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the programs and activities of the National Institutes of Health with respect to Tourette syndrome; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY:

S. 2322. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. MIKULSKI:

S. 2323. An original bill making appropriations for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mrs. HUTCHISON:

S. 2324. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Neches River in the State of Texas for potential addition to the National Wild and Scenic River System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON of Florida (for himself, Mrs. BOXER, and Mr. KIRK):

S. 2325. A bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system; to the Committee on Foreign Relations.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2326. A bill to designate the new United States courthouse in Buffalo, New York, as the "Robert H. Jackson United States Courthouse"; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 2327. A bill to prohibit direct foreign assistance to the Government of Egypt until the President makes certain certifications related to treatment of nongovernmental organization workers, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COBURN (for himself and Mr. UDALL of Colorado):

S. Res. 427. A resolution to prevent the creation of duplicative and overlapping Federal programs; to the Committee on Rules and Administration.

By Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Ms. KLOBUCHAR, Mr. KIRK, Ms. COLLINS, Mr. COATS, Mr. MCCAIN, and Mr. CARDIN):

S. Res. 428. A resolution condemning the Government of Syria for crimes against humanity, and for other purposes; to the Committee on Foreign Relations.

By Mr. WICKER (for himself, Mr. COONS, Mr. COCHRAN, Mr. CARDIN, Mr. DURBIN, Mr. BOOZMAN, and Mr. BINGAMAN):

S. Res. 429. A resolution supporting the goals and ideals of World Malaria Day; to the Committee on Foreign Relations.

By Mr. WICKER (for himself, Mr. PRYOR, Mr. COCHRAN, Mr. BOOZMAN, Mr. INHOFE, and Mr. TESTER):

S. Res. 430. A resolution recognizing the 75th anniversary of the founding of Ducks Unlimited, Incorporated, the achievements of the organization in habitat conservation, and the support of the organization for the waterfowling heritage of the United States; considered and agreed to.

By Ms. CANTWELL:

S. Res. 431. A resolution celebrating the 50th anniversary of the 1962 Seattle World's Fair; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 91

At the request of Mr. WICKER, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 91, a bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and unborn human person.

S. 424

At the request of Mr. SCHUMER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 424, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 434

At the request of Ms. MIKULSKI, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 434, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 881

At the request of Ms. LANDRIEU, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 881, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide substantive rights to consumers under such agreements, and for other purposes.

S. 891

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mr.

HARKIN) was added as a cosponsor of S. 891, a bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician assistants as attending physicians to serve hospice patients.

S. 1244

At the request of Mr. INOUE, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1244, a bill to provide for preferential duty treatment to certain apparel articles of the Philippines.

S. 1534

At the request of Mr. NELSON of Florida, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1534, a bill to prevent identity theft and tax fraud.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from California (Mrs. BOXER) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1629

At the request of Mrs. GILLIBRAND, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1629, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 1734

At the request of Mr. BLUMENTHAL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1734, a bill to provide incentives for the development of qualified infectious disease products.

S. 1773

At the request of Mr. BROWN of Ohio, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1773, a bill to promote local and regional farm and food systems, and for other purposes.

S. 1850

At the request of Mr. HARKIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1850, a bill to expand and improve opportunities for beginning farmers and ranchers, and for other purposes.

S. 1919

At the request of Mr. REID, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1919, a bill to amend title 18, United States Code, to provide penalties for transporting minors in foreign commerce for the purposes of female genital mutilation.

S. 2003

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico

(Mr. BINGAMAN) was added as a cosponsor of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States and for other purposes.

S. 2066

At the request of Ms. MURKOWSKI, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2066, a bill to recognize the heritage of recreational fishing, hunting, and shooting on Federal public land and ensure continued opportunities for those activities.

S. 2112

At the request of Mr. BEGICH, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 2112, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 2139

At the request of Mrs. MCCASKILL, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2139, a bill to enhance security, increase accountability, and improve the contracting of the Federal Government for overseas contingency operations, and for other purposes.

S. 2146

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2146, a bill to amend the Public Utility Regulatory Policies Act of 1978 to create a market-oriented standard for clean electric energy generation, and for other purposes.

S. 2160

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of S. 2160, a bill to improve the examination of depository institutions, and for other purposes.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2185

At the request of Mr. GRAHAM, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 2185, a bill to authorize the Secretary of Health and Human Services acting through the Administrator of the Health Resources and Services Administration, to award grants on a competitive basis to public and private entities to provide qualified sexual risk

avoidance education to youth and their parents.

S. 2255

At the request of Mrs. BOXER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2255, a bill to amend chapter 1 of title 36, United States Code, to add Welcome Home Vietnam Veterans Day as a patriotic and National observance.

S. 2295

At the request of Mr. LEAHY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2295, a bill to permit manufacturers of generic drugs to provide additional warnings with respect to such drugs in the same manner that the Food and Drug Administration allows brand names to do so.

S. 2296

At the request of Mrs. HAGAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2296, a bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

S. RES. 400

At the request of Ms. STABENOW, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. Res. 400, a resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day.

AMENDMENT NO. 1975

At the request of Mr. MERKLEY, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of amendment No. 1975 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2031

At the request of Mrs. MCCASKILL, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Vermont (Mr. LEAHY), the Senator from Arkansas (Mr. PRYOR), the Senator from Ohio (Mr. BROWN), the Senator from Minnesota (Mr. FRANKEN), the Senator from West Virginia (Mr. MANCHIN), the Senator from Maryland (Ms. MIKULSKI) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 2031 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2034

At the request of Mr. AKAKA, the names of the Senator from New Jersey

(Mr. LAUTENBERG), the Senator from Massachusetts (Mr. KERRY) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 2034 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2036

At the request of Mr. PRYOR, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of amendment No. 2036 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2041

At the request of Mr. MANCHIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 2041 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2042

At the request of Mr. CASEY, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 2042 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2043

At the request of Mr. UDALL of New Mexico, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Ms. STABENOW) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of amendment No. 2043 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2050

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of amendment No. 2050 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2056

At the request of Mr. TESTER, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Oregon (Mr. MERKLEY), the Senator from North Dakota (Mr. CONRAD) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 2056 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2060

At the request of Mr. COBURN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 2060 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. ISAKSON):

S. 2301. A bill to help prevent the occurrence of cancer resulting from the use of ultraviolet tanning lamps by providing sufficient information to consumers regarding the health risks associated with the use of such devices; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am pleased to be joined by Senator ISAKSON in introducing the Tanning Transparency and Notification Act, or the TAN Act.

This legislation is a continuation of an initiative that we worked on together five years ago during the Food and Drug Administration Amendments Act, FDAAA, of 2007. That initiative required the Food and Drug Administration, FDA, to issue a report to Congress on whether the labeling requirements for indoor tanning devices provide sufficient information to consumers regarding the risks that the use of such devices pose for the development of irreversible damage to the eyes and skin, including skin cancer.

We called for this report in 2007 because the FDA had not updated its warnings on tanning beds since 1979. The FDA still has not acted and we believe that users of indoor tanning beds deserve to be fully informed. While the American Academy of Dermatology, the FDA, the National Institutes of Health, the Centers for Disease Control and Prevention, and the World Health Organization, WHO, continue to discourage the use of indoor tanning beds, this message and up-to-date information about the risks of indoor tanning are still not being adequately provided to consumers.

Not surprisingly, the FDA found in its report to Congress that updating current labeling requirements for tanning beds would better protect consumers from irreversible skin damage. This is an excerpt from the FDA's own report:

Based on its analysis of the results of the consumer study required by section 230 of FDAAA, FDA has determined that there are warnings that are capable of adequately communicating the risks of indoor tanning, and that a modified warning statement label may more effectively convey these risks than the current labeling requirements. FDA has also determined that changes to the positioning requirements for the warning statement label may communicate such risks more effectively.

Unfortunately, the FDA has not heeded its own advice. Tanning bed labels remain unchanged and skin cancer rates continue to rise. This year, approximately 131,810 new cases of melanoma will be diagnosed in the United States, and nearly 9,180 people will die from melanoma. Some of these cases result from the use of tanning beds.

Two million Americans, approximately 70 percent of whom are girls

and women, visit a tanning salon each day. The WHO reports that the risk of cutaneous melanoma increases by 75 percent when use of tanning devices starts before 30 years of age.

Better informing these individuals about the incidence of melanoma, and increasing transparency and improving notification about the risks of indoor tanning are all ways to reduce skin cancer rates. The Tanning Transparency and Notification Act would require the FDA to carry out the recommendations in its report and update the labeling requirements for tanning beds.

Initiatives like this can make a difference in the health of Americans. Indeed, just last year, the FDA finalized critical regulations—at my and others' urging—that were 30 years in the making regarding sunscreen labeling. Providing consumers with critical information about the risks of indoor and outdoor tanning can help better protect them against skin cancer. I look forward to working with my colleagues on improving the labeling of indoor tanning beds and continuing efforts to combat skin cancer.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 2303. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, today I am introducing the Fairness in Federal Disaster Declaration Act. I am introducing it on behalf of myself and my colleague, Senator MARK KIRK. What we are trying to achieve is fairness in FEMA's consideration of whether a community will be granted Federal assistance after a disaster. I think this legislation is essential because of what just happened in my State.

From 2007 to 2011, Illinois was denied Federal assistance three times. Texas was denied nine times. The damage was caused by everything from wildfires to tropical storms. California was denied five times during that 5-year period. Florida was denied four times, including for damage from Hurricane Ike. And unfortunately, as I mentioned, in my home State of Illinois, the communities of Harrisburg and Ridgway were denied.

This is the damage I saw when I went down to Harrisburg, IL, after a recent tornado. This was a shopping mall, but it was virtually collapsed by winds of 175 miles-per-hour intensity. That is the second highest intensity of recorded winds in a tornado. This property damage, of course, is just a minor part of what actually happened. The major part was the loss of life. Seven people were killed as a result of the tornado damage.

I grew up in the Midwest. I have seen tornadoes all my life. I lived waiting to hear the air raid sirens and head toward the basement. But I never saw anything quite as devastating as what I saw in Harrisburg. And then when I went over to Ridgway, IL, about 25 miles away, I saw that the local Catholic church, which had been standing for I think a century, collapsed when the winds hit it.

It was clear to me and to the Governor and many others as we toured the site that this was going to be a Federal disaster area.

That 175 mile-an-hour wind literally lifted homes off of their slab foundations and tossed them on top of other homes. In one neighborhood in Harrisburg, I happened to see some people leaving in a truck, and I stopped them and they said that the lady in the front seat actually lived in one of the houses that had been destroyed. She pointed it out to me. She got up early enough so that she heard the air raid siren and had the good sense to hit the floor in the bathroom right before the tornado hit her home. Of course, after it hit, and another home collapsed on top of it, the ceiling of her bathroom collapsed on her, but there was enough room for her to survive. They started hearing shortly thereafter the rescuers coming in. She made it with a few scratches and bruises. Just across the street, in one of the homes that was tossed was a 22-year-old local nurse who died as a result.

There were great efforts by first responders, terrific humanitarian gestures. The local coal miners a few miles away, when they heard about the disaster, in full gear, came out of the coal mines and rushed into Harrisburg to pull people out of their homes after they had collapsed.

We went ahead and made our application for Federal disaster aid in Harrisburg, IL, and we were denied. In the President's home State, we were denied. We thought, something is wrong here. We thought, with all of this damage from a tornado of this intensity, it must be wrong. So Governor Quinn sat down with local and State officials and redrafted our application for Federal assistance. It was sent to Washington, and it was denied a second time. I was stunned by it. I couldn't believe it, after having seen it, that this happened.

We went to FEMA and said, What did we miss here? People died, over 100 homes were destroyed, and it ripped its way through Harrisburg and into Ridgway, IL. What was missing here? Well, they said, we have to do a calculation under the law, and one of the elements in the calculation is the population of your State. Well, this is how it turned out. The damage that happened in southern Illinois, if it had happened across the river in Indiana or in Kentucky or in Missouri, would have

been a Federal disaster. But because we have about 12 million people, we weren't declared a Federal disaster. What is the thinking behind that? If you are from a big State, you must have a lot of resources to take care of your own problems. Not so. Unfortunately, the State budget of Illinois is virtually bankrupt.

So we decided it was time to put a bill in that took into consideration a lot of factors and did not allow this disqualification for a large State. The bill Senator MARK KIRK and I are introducing today assigns a value to each of the six factors that are to be considered in a disaster declaration analysis. When it comes to individual assistance, help for people to rebuild their homes and pay for temporary housing, we use the same consistent factors no matter where the disaster strikes. The population of the State is worth 5 percent of the consideration. The consideration of the concentration of damages is worth 20 percent; the amount of trauma to the disaster area, 20 percent; the number of special populations such as the elderly or unemployed, 20 percent of the analysis; the amount of voluntary assistance in the area, 10 percent; and the amount of insurance coverage for the type of damage incurred, 20 percent.

Our bill also adds a seventh consideration to FEMA's metrics: the economics of the area. It turns out that southern Illinois is hard-pressed. There are a lot of unemployed people, a struggling economy. So we take a look at the local tax base, the median income as it compares to that of the State, and the poverty rate in the area that has been hard hit. It is reasonable that FEMA should take into consideration the size of a State; I don't argue with that, but it shouldn't loom large and disqualify situations which clearly deserve to be considered Federal disasters. Assigning values to the factors will ensure that damage to a specific community weighs more than just the State's population.

After the tornadoes hit Harrisburg and Ridgway, the head of the Illinois Emergency Management Agency, Jonathon Monken, worked with locals and people from the FEMA regional office to determine if the State could apply for public assistance—money to help local Mayor Gregg in Harrisburg and others pay for overtime accrued by all the people working around the clock to help the community dig out of the destruction. What Director Monken and others discovered was that it would have been a waste of the State's time and resources to even consider applying for it. We didn't meet FEMA's threshold.

Currently, FEMA multiplies the number of people in a State by \$1.35 to determine the threshold of the amount of damage a State would have to incur to qualify for public assistance. In Illinois, that figure is \$17 million. Well,

Harrisburg, Ridgway, and the surrounding communities had about \$5.5 million in public assistance damage. That is a lot of loss for rural areas and small towns, but not enough to qualify for Federal assistance.

So we put together in this bill a standard for public assistance—money that would go to local units of government. Per capita consideration, 10 percent; localized impact of the disaster, 40 percent; the estimated cost of assistant needed, 10 percent; insurance coverage, 10 percent; the number of recent multiple disasters, 10 percent; and an analysis of other Federal assistance in the area, 10 percent. The bill would also add a seventh consideration just as it did under individual assistance, and that is the economic circumstances of the affected area. I mentioned earlier the elements that were brought into consideration there. I think this is a more honest and realistic approach.

Today, in order to introduce this bill, I am talking about a disaster which visited our State a few weeks ago. Tomorrow it could be the State of one of my colleagues. My colleagues could find out that a devastating natural disaster does not qualify for Federal disaster assistance simply because of the population of their State. I don't think that is a fair metric to use. I think our approach is fairer.

I commend this bill to my colleagues. As I say in closing, over this last few months it was Illinois. Tomorrow, it may be a colleague's State. Please take the time and look at this approach. I think it is fair to taxpayers. It is certainly fair to families across America.

Those of us who have been in the Senate and the Congress for a while have stepped up time and again when our colleagues were affected by a natural disaster. I hope my colleagues will take the time to consider this legislation from Senator KIRK and myself.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD as follows:

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 2303

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fairness in Federal Disaster Declarations Act of 2012".

SEC. 2. REGULATORY ACTION REQUIRED.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this Act referred to as the "Administrator" and "FEMA", respectively) shall amend the rules of the Administrator under section 206.48 of title 44, Code of Federal Regulations, as in effect on the date of enactment of this Act, in accordance with the provisions of this Act.

(b) NEW CRITERIA REQUIRED.—The amended rules issued under subsection (a) shall provide for the following:

(1) PUBLIC ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the need for public assistance—

(A) specific weighted valuations shall be assigned to each criterion, as follows—

- (i) estimated cost of the assistance, 10 percent;
 - (ii) localized impacts, 40 percent;
 - (iii) insurance coverage in force, 10 percent;
 - (iv) hazard mitigation, 10 percent;
 - (v) recent multiple disasters, 10 percent;
 - (vi) programs of other Federal assistance, 10 percent; and
 - (vii) economic circumstances described in subparagraph (B), 10 percent; and
- (B) FEMA shall consider the economic circumstances of—

(i) the local economy of the affected area, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State; and

(ii) the economy of the State, including factors such as the unemployment rate of the State, as compared to the national unemployment rate.

(2) INDIVIDUAL ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the severity, magnitude, and impact of the disaster and the evaluation of the need for assistance to individuals—

(A) specific weighted valuations shall be assigned to each criterion, as follows—

- (i) concentration of damages, 20 percent;
 - (ii) trauma, 20 percent;
 - (iii) special populations, 20 percent;
 - (iv) voluntary agency assistance, 10 percent;
 - (v) insurance, 20 percent;
 - (vi) average amount of individual assistance by State, 5 percent; and
 - (vii) economic considerations described in subparagraph (B), 5 percent; and
- (B) FEMA shall consider the economic circumstances of the affected area, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State.

By Ms. COLLINS (for herself, Mr. LIEBERMAN, Mr. BROWN of Massachusetts, Mr. AKAKA, and Mr. CARPER):

S. 2316. A bill to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, today, I rise to introduce the Integrated Public Alert and Warning System, IPAWS, Modernization Act of 2012. I am pleased to be joined by Senators LIEBERMAN, SCOTT BROWN, AKAKA, and CARPER in introducing this bill. It will ensure that more people receive life-saving information in more parts of America, more of the time, through current and future technologies.

Effective communication with the public before, during, and after a disaster is vitally important and can literally mean the difference between life and death. Since the 1950's, the U.S.

Government has had a system in place to ensure that citizens can be warned in times of crisis. This system can also be used for local authorities to warn citizens of impending severe weather or other hazards to public safety.

Most people know the Emergency Alert System, EAS, as the crawling text on their television screens, and although this system remains the backbone of our national alerting capability, times have changed, and so must the way we communicate with the public during times of crisis.

This bill will strengthen the IPAWS system and ensure that as many Americans as possible receive these alerts in a timely and useful manner. The bill ensures that the integrated public alert and warning system incorporates multiple communications technologies, including new technologies such as smart phones and social networking sites;

The bill is designed to adapt to and incorporate future technologies;

The bill is designed to provide alerts to the largest portion of the affected population, including remote areas;

The bill promotes local and regional public and private partnerships; and

The bill provides redundant alert mechanisms in order to reach the greatest number of people possible.

The bill also requires the FEMA Administrator to ensure the inclusion of those with disabilities in the alert and warning system; ensure that the system is included in future exercises conducted through DHS's National Exercise Program, including the annual National Level Exercises; and requires FEMA to coordinate with DHS's National Terrorism Advisory System office. The bill provides for periodic nationwide tests of the system, and establishes a training program to instruct federal, state, tribal and local government officials in system use.

The bill also establishes an IPAWS Advisory Committee composed of federal, State and local representatives, as well as members who represent relevant industry groups and a consumer/privacy advocate. The committee would meet at least once a year and issue a yearly report on improvements to IPAWS. The bill also states that the administrator may not transmit a message from the President that does not relate to a natural disaster, act of terrorism, other man-made disaster, or other hazard to public safety.

This bill has been endorsed by the National Emergency Management Association, NEMA, the National Association of Broadcasters, NAB, the National Federation of the Blind, and the Hearing Loss Association of America. Additionally, we have received a letter of support from the CEOs of all 50 State broadcast trade associations.

I look forward to working with all of my colleagues to pass this bill and have it signed into law.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
BROADCASTERS,

Washington, DC, April 16, 2012.

Hon. SUSAN COLLINS, Ranking Member,
Committee on Homeland Security and Govern-
mental Affairs, Dirksen Senate Office Build-
ing, Washington, DC.

DEAR RANKING MEMBER COLLINS: I write in support of your bill, the Integrated Public Alert and Warning System (IPAWS) Modernization Act of 2012, which will modernize the public alert and warning system of the United States to ensure that the president, under all conditions, can effectively alert and warn citizens during times of disaster. America's broadcasters strongly support this legislation.

Broadcasters serve our local communities during emergencies by providing life-saving information, important news and weather reports. We have proudly worked with local and federal governments for more than six decades, airing alerts issued by the Emergency Alert System (EAS), and continue to do so today. Working hand in hand with law enforcement, broadcasters have helped to successfully recover more than 540 abducted children to date through the use of AMBER Alerts.

The IPAWS Modernization Act of 2012 is an important step towards expanding the nation's public warning system by integrating multiple communications systems and future technologies. This legislation promotes local and regional public and private partnerships and provides redundant alert mechanisms to reach the largest number of people during an emergency.

Additionally, this legislation establishes a training program to instruct federal, state, tribal and local government officials in system use. Broadcasters are very supportive of such a training program and view this as a critical component to successful alerting. Strengthening coordination among the different levels of government, the legislation will set up an IPAWS Modernization Select Advisory Committee composed of federal, state and local representatives as well as members from various industry groups. We look forward to participating in this Advisory Committee and continuing our partnership with the federal government.

Sincerely,

GORDON H. SMITH,
President and CEO.

HEARING LOSS ASSOCIATION
OF AMERICA,

Bethesda, MD, April 12, 2012.

Hon. SUSAN COLLINS,
U.S. Senate, Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR COLLINS: The Hearing Loss Association of America is pleased to endorse the Integrated Public Alert and Warning System Modernization Act of 2012. We applaud your efforts to update the integrated public alert and warning system, and are particularly pleased to see that this legislation would require specific steps to ensure individuals with disabilities are not forgotten.

One of the Federal Emergency Management Agency's (FEMA) core responsibilities is to keep Americans informed about threats to public safety, and yet the current public alert and warning system is not always accessible to people with hearing loss. In fact, the November 9, 2011 testing of EAS proved to be problematic: some cable stations did

not provide the needed text to properly inform people with hearing loss that it was only a test; some did not provide the needed audible alerts; others did not provide the emergency alert at all.

The Integrated Public Alert and Warning System Modernization Act of 2012 updates the system to incorporate multiple communication technologies and adapt to emerging technology, and it requires the system to reach people with hearing loss and other disabled people. The bill also ensures that organizations representing people with hearing loss will sit on an advisory committee that will make recommendations on modernization of the system, keeping people with hearing loss engaged with Federal agencies during this process.

By requiring the system to incorporate new technologies but still reaching people with hearing loss and other people with disabilities, FEMA will be supporting technology that is accessible to all. The modernization will also ensure that people with hearing loss are provided with the same critical information at the same time as the rest of the country, allowing everyone to make independent, educated decisions during emergencies. On behalf of Americans with hearing loss, we thank you again for taking the initiative in this matter and sponsoring this important legislation.

Sincerely,

BRENDA BATTAT,
Executive Director.

NATIONAL EMERGENCY
MANAGEMENT ASSOCIATION,
Washington, DC, March 7, 2012.

Hon. SUSAN COLLINS,
Ranking Member, Homeland Security and Govern-
mental Affairs Committee, U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the National Emergency Management Association (NEMA) representing the emergency management director of all 50 states, Territories, and the District of Columbia, we are pleased to endorse The Integrated Public Alert and Warning System Modernization Act of 2012.

The Integrated Public Alert and Warning System (IPAWS) was designed to bring together different and emerging communication technologies into a fully coordinated network so comprehensive communication may occur in the event of an emergency or disaster. Created by a 2006 Executive order, IPAWS represents a step forward from outdated systems which relied on radio and television alone to reach the population at-large when there is an incident.

Since the 2006 Executive Order, IPAWS has languished without a true direction, appropriate authorization, or codified organization. Your legislation brings about all these needed aspects to the program that we have supported in recent years. In 2008, NEMA unanimously approved a position paper regarding IPAWS. One aspect of the program in which we felt needed improvement was greater coordination with state and local governments. Since last year, outreach to state officials has certainly improved, but we believe your recommendation of the IPAWS Advisory Committee will help bring about even more coordination with the Federal Emergency Management Agency.

Alert systems represent critical components of local and state emergency operations plans, so it remains essential the IPAWS system is integrated, coordinated, and comprehensive. We must remain careful, however, that these components to not come

at the expense of already stressed state budgets.

We greatly appreciate your leadership on this issue and look forward to working together with you, Chairman Lieberman, and the rest of the committee to ensure passage of this bill. Please feel free to utilize our membership as a resource as The Integrated Public Alert and Warning System Modernization Act of 2012 moves through the legislative process. You may also call upon our Director of Government Relations, Matt Cowles any time.

Sincerely,

JIM MULLEN,
NEMA President, Di-
rector, Washington
Military Department
Division of Emer-
gency Management.

NATIONAL FEDERATION
OF THE BLIND,
Baltimore, MD, April 18, 2012.

Hon. SUSAN COLLINS,
U.S. Senate, Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR COLLINS: The National Federation of the Blind (NFB), the nation's largest and oldest organization of blind people, endorses the Integrated Public Alert and Warning System Modernization Act of 2012. We thank you for sponsoring a bill that updates the integrated public alert and warning system to require inclusion of individuals with disabilities, and we encourage the U.S. Senate to pass this legislation promptly.

One of the Federal Emergency Management Agency's (FEMA) core responsibilities is to keep Americans informed about threats to public safety, and yet many aspects of the current public alert and warning system are not accessible to blind people. This inaccessibility is perpetuated by misconceptions about blindness and the ever-growing popularity of inaccessible digital technology. As a result, blind people are regularly denied access to critical public information. The Integrated Public Alert and Warning System Modernization Act of 2012 updates the system to incorporate multiple communication technologies and adapt to emerging technology, and it requires the system to reach blind and other disabled people. The bill also ensures that a representative from a blindness advocacy group will sit on an advisory committee that will make recommendations on the modernization, keeping the blind engaged with Federal agencies during this process.

By requiring the system to incorporate new technologies but still reach blind and other disabled people, FEMA will be encouraging manufacturers and carriers to make their communication technologies accessible by nonvisual means. The modernization will also ensure that blind people are provided with the same critical information at the same time as the rest of the country, allowing blind people to make independent, educated decisions during emergencies. On behalf of blind Americans, we thank you again for taking the initiative in this matter and sponsoring this legislation.

Sincerely,

JOHN G. PARÉ, Jr.,
Executive Director for Strategic Initiatives.

NATIONAL ALLIANCE OF STATE
BROADCASTERS ASSOCIATIONS,
April 16, 2012.

Hon. SUSAN M. COLLINS,
U.S. Senator,
Washington, DC.

DEAR SENATOR COLLINS: The undersigned, who are the chief executive officers of the named State Broadcasters Associations, are pleased to offer our support and endorsement for your proposed bill authorizing the Integrated Public Alert and Warning System (IPAWS).

If passed, this bill will ensure that more people receive life saving information in more parts of America, more of the time, through current and future alert and warning technologies, while strengthening broadcasters' role as the backbone of America's public alerting system.

Many of us serve as chairs or members of our respective State Emergency Communications Committees, which are charged with managing the Emergency Alert System (EAS) in our states. We have all worked tirelessly over the years to ensure that a robust, reliable alerting system is available when it is needed.

We have observed over the years that the system needs a higher level of coordination among the various federal, state and local public safety and emergency management agencies as "message originators," on the one hand, and the broadcast, cable and satellite "message relayers" on the other hand; and that the absence of any formal, on-going training of state and local public safety and emergency management personnel on the use of EAS has hampered state and local officials' willingness and ability to use it efficiently in times of emergency, thus putting lives and property at risk.

Your bill will address these problems and will make giant strides toward improvement of alert and warning capability in our states and across our nation. We look forward to working with you toward successful passage of this important measure.

Very truly yours,

The Undersigned CEOs of the Fifty State Broadcast Trade Associations.

Alabama Broadcasters Association, Sharon Tinsley; Alaska Broadcasters Association, Darlene Simon; Arizona Broadcasters Association, Art Brooks; Arkansas Broadcasters Association, Doug Krile; California Broadcasters Association, Stan Statham; Colorado Broadcasters Association, Byron Grandy; Connecticut Broadcasters Association, Mike Rice; Florida Association of Broadcasters, Pat Roberts; Georgia Association, of Broadcasters, Jere Pigue; Hawaii Association of Broadcasters, Jamie Hartnett; Idaho State Broadcasters Association, Connie Searles; Illinois Broadcasters Association, Dennis Lyle; Indiana Broadcasters Association, Linda Compton; Iowa Broadcasters Association, Sue Toma; Kansas Association of Broadcasters, Kent Cornish; Kentucky Broadcasters Association, Gary White; Louisiana Association of Broadcasters, Lou Munson; Maine Association of Broadcasters, Suzanne Goucher; Maryland/D.C./Delaware (MDCD) Broadcasters Association, Lisa Reynolds; Massachusetts Broadcasters Association, Jordan Walton; Michigan Association of Broadcasters, Karole L. White; Minnesota Broadcasters Association, Jim du Bois; Mississippi Association of Broadcasters, Jackie Lett; Missouri Broadcasters Association, Donald Hicks; Montana Broadcasters Association, Greg MacDonald; Nebraska Broadcasters Association, Marty Riemenschneider; Nevada Broadcasters Association, Robert

Fisher; New Hampshire Association of Broadcasters, Jordan Walton; New Jersey Broadcasters Association, Paul Rotella; New Mexico Broadcasters Association, Paula Maes; New York State Broadcasters Association, David Donovan; North Carolina Association of Broadcasters, Wade Hargrove, Esq.; North Dakota Broadcasters Association, Beth Helfrich; Ohio Association of Broadcasters, Chris Merritt; Oklahoma Association, of Broadcasters, Vance Harrison; Oregon Association of Broadcasters, Bill Johnstone; Pennsylvania Association of Broadcasters, Rich Wyckoff; Radio Broadcasters Association of Puerto Rico, Jose A. Ribas Dominici; Rhode Island Broadcasters Association, Lori Needham; South Carolina Broadcasters Association, Shani White; South Dakota Broadcasters Association, Steve Willard; Tennessee Association of Broadcasters, Whit Adamson; Texas Association of Broadcasters, Ann Arnold; Utah Broadcasters Association, Dale Zabriskie; Vermont Association of Broadcasters, Jim Condon; Virginia Association of Broadcasters, Doug Easter; Washington State Association of Broadcasters, Mark Allen; West Virginia Broadcasters Association, Michele Crist; Wisconsin Broadcasters Association, Michelle Vetterkind; Wyoming Association of Broadcasters, Laura Grott.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 427—TO PREVENT THE CREATION OF DUPLICATIVE AND OVERLAPPING FEDERAL PROGRAMS

Mr. COBURN (for himself and Mr. UDALL of Colorado) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 427

Resolved,
SECTION 1. SHORT TITLE.

This resolution may be cited as the "Preventing Duplicative and Overlapping Government Programs Resolution".

SEC. 2. REPORTED LEGISLATION.

Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking "and (b)" and inserting "(b), and (c)";

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

"(c) The report accompanying each bill or joint resolution of a public character reported by any committee (including the Committee on Appropriations and the Committee on the Budget) shall contain—

"(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

"(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist."

SEC. 3. CONSIDERATION OF LEGISLATION.

Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

"6. (a) It shall not be in order in the Senate to proceed to any bill or joint resolution unless the committee of jurisdiction has prepared and posted on the committee website an overlapping and duplicative programs analysis and explanation for the bill or joint resolution as described in subparagraph (b) prior to proceeding.

"(b) The analysis and explanation required by this subparagraph shall contain—

"(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

"(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.

"(c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of—

"(1) a significant disruption to Senate facilities or to the availability of the Internet; or

"(2) an emergency as determined by the leaders."

SENATE RESOLUTION 428—CONDEMNING THE GOVERNMENT OF SYRIA FOR CRIMES AGAINST HUMANITY, AND FOR OTHER PURPOSES

Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Ms. KLOBUCHAR, Mr. KIRK, Ms. COLLINS, Mr. COATS, Mr. MCCAIN, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 428

Whereas, on December 22, 2010, the Senate passed S. Con. Res. 71 (111th Congress), a bipartisan resolution recognizing that it is in the national interest of the United States to prevent and mitigate acts of genocide and other mass atrocities against civilians;

Whereas, since the uprisings in Syria began in January 2011, the Government of Syria has manifestly failed in its responsibility to protect its people;

Whereas, on August 4, 2011, President Barack Obama issued Presidential Study Directive/PSD-10, stating, "Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States.";

Whereas, on November 23, 2011, the United Nations-appointed Independent International Commission of Inquiry on the Syrian Arab Republic expressed grave concern that "crimes against humanity of murder, torture, rape or other forms of sexual violence of comparable gravity, imprisonment or other severe deprivation of liberty, enforced disappearances of persons and other inhumane acts of a similar character have occurred in different locations in Syria since

March 2011" and that "the Syrian Arab Republic bears responsibility for these crimes and violations";

Whereas, on February 3, 2012, Syria security forces began using indiscriminate sniper fire and shelling of the densely populated neighborhoods of Homs with heavy weaponry;

Whereas, on February 4, 2012, President Obama stated that President Assad "has no right to lead Syria and has lost all legitimacy with his people and the international community";

Whereas, on February 4, 2012, the United States co-sponsored a draft United Nations Security Council resolution condemning "the continued widespread and gross violations of human rights and fundamental freedoms by the Syrian authorities such as the use of force against civilians, arbitrary executions, killing and persecution of protestors and members of the media, arbitrary detention, enforced disappearances, interference with access to medical treatment, torture, sexual violence, and ill-treatment, including against children";

Whereas, on February 17, 2012, the Senate passed S. Res. 379 (112th Congress), stating that the "gross human rights violations perpetuated by the Government of Syria against the people of Syria represent a grave risk to regional peace and stability";

Whereas, on February 22, 2012, the Independent International Commission of Inquiry on the Syrian Arab Republic found in a subsequent report that "[a] reliable body of evidence exists that, consistent with other verified circumstances, provides reasonable grounds to believe that particular individuals, including commanding officers and officials at the highest levels of Government, bear responsibility for crimes against humanity and other gross human rights violations" and that "children continue to be arbitrarily arrested and tortured while in detention";

Whereas, on February 28, 2012, the United Nations Security Council was informed that over 7500 people in Syria have been killed, an estimated 100 more are killed each day in attacks directed against the civilian population, and there are between 100,000 and 200,000 internally displaced persons in Syria;

Whereas, on February 28, 2012, Secretary of State Hillary Clinton testified before the Subcommittee on the Department of State, Foreign Operations, and Related Programs of the Committee on Appropriations of the Senate concerning President Assad, stating that "based on the definitions of war criminal and crimes against humanity, there would be an argument to be made that he would fit into that category";

Whereas, on March 1, 2012, Assistant Secretary of State for Near East Affairs Jeffrey Feltman testified before the Committee on Foreign Relations of the Senate that "large numbers of Syrians are living every day under siege, deprived of basic necessities including food, clean water and medical supplies, and women and children are wounded and dying for lack of treatment";

Whereas, on March 8, 2012, Ambassador Susan Rice, the United States Permanent Representative to the United Nations, stated that the United States "remain[s] determined to hasten the day when the brave people of Syria can shake off the yoke of bondage and tyranny";

Whereas, on March 27, 2012, United States Ambassador to Syria Robert Ford, in testimony before the Tom Lantos Human Rights Commission, cited massive human rights violations that, "may amount to crimes against humanity"; and

Whereas, with the intent and knowledge of the highest level of the Government of Syria, including commanding officers of the Syria security forces and the President of the Syrian Arab Republic, Bashar Assad, members of the Syria security forces have reportedly committed a widespread and systematic pattern of gross human rights violations, including use of force against civilians, torture, extra judicial killings, arbitrary executions, sexual violence, the execution of defectors, and interference with medical treatment and other humanitarian assistance: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of Syria, Syria security forces, and the President of the Syrian Arab Republic for widespread and systematic attacks against the civilian population of Syria;

(2) commends the President for the vote of the United States at the United Nations Security Council to condemn the continued widespread and gross violations of human rights and fundamental freedoms by the authorities in Syria;

(3) urges the President to use his authority to collect information on incidents in Syria that may constitute crimes against humanity under section 2113 of the ADVANCE Democracy Act of 2007 (title XXI of Public Law 110-53; 22 U.S.C. 8213) and take action to ensure that the Government of Syria, its leaders, and senior officials who are responsible for crimes against humanity are brought to account for such crimes in an appropriately constituted tribunal;

(4) urges the President to formally establish the Atrocities Prevention Board established by Presidential Study Directive 10 in August 2011, and for the Board to provide recommendations to the President concerning the prevention of mass atrocities in Syria;

(5) urges the international community, working with the people of Syria to review legal processes available to hold officials of the Government of Syria, Syria security forces, and the President of the Syrian Arab Republic accountable for crimes against humanity and gross violations of human rights; and

(6) expresses solidarity and support for the people of Syria as they seek to exercise universal rights and pursue peaceful democratic change.

Mr. BLUMENTHAL. Mr. President, I rise to submit a resolution condemning the Government of Syria for crimes against humanity. I am pleased to be joined by Senators GRAHAM, KLOBUCHAR, KIRK, CARDIN, COATS, COLLINS, and MCCAIN in submitting this resolution.

I am very proud we have strong bipartisan support and I thank, in particular, Senator GRAHAM for his leadership, along with Senator MCCAIN, who repeatedly and consistently in this area of human rights and liberties have stood for basic American principles of democracy and freedom. I had the great opportunity to visit a number of the Middle Eastern countries with them, and my strong support for this kind of resolution rises from the firsthand views we were able to have of the results of freedom fighters in Tunisia, Libya and Egypt and the impact on the future of their country and being on the right side of history, as the United

States was there. Those people showed their gratitude and welcomed us to their countries.

I am grateful to Senators MCCAIN and GRAHAM for giving me that opportunity, along with Senators SESSIONS and HOEVEN, who accompanied us, for their leadership.

Syrian crimes against humanity include acts such as murder, torture and unlawful punishment and imprisonment when committed as part of a widespread or systematic attack on civilian populations.

Since peaceful protests began last year, the Syrian regime has brutalized and savaged its own people, leaving thousands dead as it commits horrific crimes against humanity, including the abduction and torture of children.

This resolution tells the Syrian people they are not alone, that the American people are with them as they fight for freedom and basic democratic rights; the people of the world are watching.

On November 23, 2011, the U.N.-appointed Independent International Commission of Inquiry on the Syrian Arab Republic expressed grave concern that "crimes against humanity of murder, torture, rape or other forms of sexual violence . . . imprisonment or other severe deprivation of liberty, enforced disappearances of persons and other inhumane acts . . . have occurred in different locations in Syria since March 2011."

The Commission also found that "the Syrian Arab Republic bears responsibility for these crimes and violations."

Assistant Secretary of State for Near East Affairs Jeffrey Feltman testified before the Committee on Foreign Relations of the Senate that "large numbers of Syrians are living every day under siege, deprived of basic necessities including food, clean water and medical supplies, and women and children are wounded and dying for lack of treatment."

General Mattis, commander of the U.S. Central Command, for whom I have the strongest and deepest respect, explained before the Senate Armed Services Committee "the Syrian military continues to ruthlessly use lethal force with impunity against the Syrian people."

In this body, we have not remained silent in the face of this humanitarian disaster, approving on February 17, 2012, S. Res. 379, condemning violence by the Government of Syria against the Syrian people. We have also approved S. Res. 391, which I cosponsored, condemning violence by the Government of Syria against journalists and expressing the sense of the Senate on freedom of the press in Syria.

The world should be inspired by the continuing courage and determination of Syrian protesters standing and speaking, despite the Syrian military gunning down and bombing their homes, businesses, and neighborhoods.

I know our Nation is at war and rightly wary of intervention abroad. But military intervention is not our only option, not the only means to summon support or step forward in solidarity with the freedom fighters in Syria, nor is military intervention alone sufficient to call forth the world's conscience. Even without military action, we need not abdicate the democratic rights and principles that underlie and underpin our own Nation's constitutional ethos.

One powerful and profound step this body can take is to bear witness to the atrocities occurring in Syria. More than 9,000 people have died in Syria since these protests began. As Elie Wiesel has said, "For the dead and the living, we must bear witness."

The Syrian thugs who detain and torture children must know the United States bears witness to their crimes. We should say to President Assad that the world is watching and witnessing as he uses snipers to target civilians, indiscriminately shelling homes and businesses, and torturing protesters who dare to speak of change.

This resolution calls on President Obama to bear witness by using his existing authority. America can and must bear witness by taking and preserving evidence of actions and incidents in Syria that constitute crimes against humanity. America must bear witness by asking the President's newly created Atrocities Prevention Board to consider crimes against humanity occurring in Syria.

These atrocities epitomize the crimes this prevention board must address. I commend President Obama and Secretary of State Clinton for their work at the U.N. and with our allies to assist the Syrian people. We should make our own findings about what has occurred in Syria concerning the crimes against humanity. We cannot avoid this obligation simply because the result may present difficult choices.

As Martin Luther King would often remind us, "The arc of the moral universe is long, but it bends toward justice."

If we bear witness today, justice will come closer for the Syrian people. President Assad and the Government of Syria, its leaders and senior officials who are responsible for crimes against humanity, will be brought to account and justice for their crimes.

I urge my colleagues to join me in supporting this resolution.

SENATE RESOLUTION 429—SUPPORTING THE GOALS AND IDEALS OF WORLD MALARIA DAY

Mr. WICKER (for himself, Mr. COONS, Mr. COCHRAN, Mr. CARDIN, Mr. DURBIN, Mr. BOOZMAN, and Mr. BINGAMAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 429

Whereas April 25th of each year is recognized internationally as World Malaria Day;

Whereas malaria is a leading cause of death and disease in many developing countries, despite being completely preventable and treatable;

Whereas fighting malaria is in the national security interest of the United States Government, as reducing the risk of malaria protects members of the Armed Forces of the United States serving overseas in malaria endemic regions, and reducing malaria deaths helps to promote stability in less developed countries;

Whereas, according to the Centers for Disease Control and Prevention, 35 countries, the majority of which are in sub-Saharan Africa, account for 98 percent of global malaria deaths;

Whereas young children and pregnant women are particularly vulnerable to and disproportionately affected by malaria;

Whereas malaria greatly affects child health, as children under the age of 5 account for an estimated 85 percent of malaria deaths each year;

Whereas malaria poses great risks to maternal health, causing complications during delivery, anemia, and low birth weights, with estimates that malaria infection causes 400,000 cases of severe maternal anemia and between 75,000 and 200,000 infant deaths annually in sub-Saharan Africa;

Whereas heightened national, regional, and international efforts to prevent and treat malaria over recent years have made measurable progress and helped save hundreds of thousands of lives;

Whereas the World Malaria Report 2011 by the World Health Organization states that in 2011, approximately 50 percent of households in sub-Saharan Africa owned at least 1 insecticide-treated mosquito net (referred to in this preamble as an "ITN"), and household surveys indicated that 96 percent of people with access to an ITN within a household actually used the ITN;

Whereas, in 2010, a total of 185,000,000 people were protected by indoor residual spraying (referred to in this preamble as "IRS");

Whereas the World Malaria Report 2011 further states that malaria mortality rates have fallen by more than 25 percent globally, and 33 percent in Africa alone, since 2000;

Whereas the World Malaria Report 2011 further states that out of 99 countries with ongoing malaria transmissions, 43 countries recorded decreases of more than 50 percent in the number of malaria cases between 2000 and 2010, and 8 other countries recorded decreases of more than 25 percent;

Whereas continued national, regional, and international investment in efforts to eliminate malaria, including prevention and treatment efforts and the development of a vaccine to immunize children from the malaria parasite, is critical in order to continue to reduce malaria deaths, prevent backsliding in areas where progress has been made, and equip the United States and the global community with the tools necessary to fight malaria and other global health threats;

Whereas the United States Government has played a leading role in the recent progress made toward reducing the global burden of malaria, particularly through the President's Malaria Initiative (referred to in this preamble as "PMI") and the contribution of the United States to the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

Whereas the United States Government is pursuing a comprehensive approach to end-

ing malaria deaths through PMI, the United States Agency for International Development, the National Institutes of Health, the Centers for Disease Control and Prevention, the Department of Defense, and the private sector focused on helping partner countries to achieve major improvements in overall health outcomes through advances in access to, and the quality of, healthcare services in resource-poor settings; and

Whereas PMI, recognizing the burden of malaria on many partner countries, has set a target of reducing the burden of malaria by 50 percent for 450,000,000 people, representing 70 percent of the at-risk population in Africa, by 2015; Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World Malaria Day, including the target of ending malaria deaths by 2015;

(2) recognizes the importance of reducing malaria prevalence and deaths to improve overall child and maternal health, especially in sub-Saharan Africa;

(3) commends the recent progress made toward reducing global malaria deaths and prevalence, particularly through the efforts of the President's Malaria Initiative and the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

(4) strongly supports ongoing public-private partnerships to research and develop more effective and affordable tools for malaria diagnosis, treatment, and vaccination;

(5) recognizes the goals to combat malaria in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110-293; 122 Stat. 2918);

(6) supports continued leadership by the United States in bilateral, multilateral, and private sector efforts to combat malaria as a critical part of the President's Global Health Initiative; and

(7) encourages other members of the international community to sustain and scale up their support for and financial contributions to efforts worldwide to combat malaria.

SENATE RESOLUTION 430—RECOGNIZING THE 75TH ANNIVERSARY OF THE FOUNDING OF DUCKS UNLIMITED, INCORPORATED, THE ACHIEVEMENTS OF THE ORGANIZATION IN HABITAT CONSERVATION, AND THE SUPPORT OF THE ORGANIZATION FOR THE WATERFOWL HERITAGE OF THE UNITED STATES

Mr. WICKER (for himself, Mr. PRYOR, Mr. COCHRAN, Mr. BOOZMAN, Mr. INHOFE, and Mr. TESTER) submitted the following resolution; which was considered and agreed to:

S. RES. 430

Whereas Ducks Unlimited, Incorporated (referred to in this preamble as "Ducks Unlimited") was founded in 1937, when the drought-plagued waterfowl populations of North America plunged to unprecedented lows;

Whereas, after decades of commitment to conserving waterfowl habitats, Ducks Unlimited has become the largest private organization for waterfowl and wetlands conservation worldwide and one of the most effective private organizations dedicated to that cause;

Whereas, since the founding of Ducks Unlimited, the organization has conserved and

protected more than 4,500,000 acres of waterfowl habitat in the United States and more than 12,600,000 acres of waterfowl habitat in North America;

Whereas Ducks Unlimited has nearly 750,000 members internationally, including 550,000 members in the United States;

Whereas, since the founding of Ducks Unlimited, the organization has raised more than \$3,400,000,000 for waterfowl conservation and education, leveraging public support to obtain more than half of its contributions from private sources;

Whereas Ducks Unlimited provides support to local projects that are important to waterfowlers in each State of the United States; and

Whereas Ducks Unlimited maintains the vital mission of conserving, restoring, and managing wetlands and associated habitats for the waterfowl of North America, a mission that also benefits other wildlife and people; Now, therefore, be it

Resolved, That the Senate recognizes the important contributions of Ducks Unlimited, Incorporated and its members across the United States to the conservation of habitats and the preservation of the waterfowl of North America during the past 75 years.

SENATE RESOLUTION 431—CELEBRATING THE 50TH ANNIVERSARY OF THE 1962 SEATTLE WORLD'S FAIR

Ms. CANTWELL submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 431

Whereas, on April 21, 2012, the City of Seattle will celebrate the 50th anniversary of the 1962 Seattle World's Fair (referred to in this preamble as the "Seattle World's Fair"), which showcased the optimism, energy, and innovative spirit of Seattle;

Whereas more than 9,000,000 people visited the Seattle World's Fair, a number that represents roughly 3 times the total population of the State of Washington at the time;

Whereas the Seattle World's Fair brought together the most talented architects of the Pacific Northwest to create a civic legacy and the treasured Seattle Center public space, which includes the Space Needle, the Seattle Center Armory, the Pacific Science Center, the Coliseum (now known as "Key Arena"), Memorial Stadium, the International Fountain, and the Opera House;

Whereas the Seattle World's Fair facilitated the construction of key transportation infrastructure, including the SR 520 floating bridge, the portion of Interstate 5 that traverses downtown Seattle, and the Monorail;

Whereas, to officially open the Seattle World's Fair, President John F. Kennedy used the same historic telegraphic key that had been used to open the Alaska-Yukon-Pacific Exposition in Seattle 53 years earlier;

Whereas the attendance of music icon Elvis Presley in Seattle during the filming of the movie "It Happened at the World's Fair" further elevated the City of Seattle as an international city for the arts;

Whereas the theme of the Seattle World's Fair, "science", foreshadowed regional innovations in technology and advanced manufacturing that now support world leading companies and tens of thousands of high-paying jobs;

Whereas some of the earliest satellite transmissions of telephone calls and television broadcasts occurred at the Seattle World's Fair, and the Seattle area is now

home to global information and communications technology companies; and

Whereas the Seattle World's Fair celebrated aviation and the new Space Age, and the aerospace industry in the Seattle area now employs 82,000 people (including 7,000 engineers), generates a combined annual revenue of \$32,000,000,000, and includes a cluster of 650 companies; Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 50th anniversary of the 1962 Seattle World's Fair;

(2) commends the City of Seattle for its innovation, growth, and entrepreneurial spirit during the past 50 years;

(3) supports the "Next Fifty" initiative to develop a blueprint for success in Seattle for the next half-century; and

(4) requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the City of Seattle for appropriate display.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2077. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2037 submitted by Mr. DURBIN and intended to be proposed to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table.

SA 2078. Mr. ROCKEFELLER (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 2073 submitted by Mr. ROCKEFELLER and intended to be proposed to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2079. Mr. MANCHIN (for himself, Mr. ROCKEFELLER, Mr. MERKLEY, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2080. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2081. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2082. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2083. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2084. Mr. REID (for Mr. COONS) proposed an amendment to the bill H.R. 1021, to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

TEXT OF AMENDMENTS

SA 2077. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2037 submitted by Mr. Durbin and intended to be proposed to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 1, strike line 3 and all that follows through page 2, line 8, and insert the following:

"(10) PROHIBITION ON CLOSING, CONSOLIDATION, AND REDUCTION IN WORKFORCE.—

"(A) IN GENERAL.—During the 3-year period beginning on the date of enactment of the

21st Century Postal Service Act of 2012, if the Postal Service conducted an area mail processing study after June 1, 2001 with respect to a postal facility which was terminated or concluded that no significant cost savings or efficiencies would result from closing, consolidating, or reducing the number of employees of the postal facility, the Postal Service may not—

"(i) close the postal facility;

"(ii) consolidate the postal facility; or

"(iii) involuntarily separate an employee of the postal facility from service, except for removal for cause on charges of misconduct or delinquency.

SA 2078. Mr. ROCKEFELLER (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 2073 submitted by Mr. Rockefeller and intended to be proposed to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 1, strike line 8 and insert the following:

to enroll in Medicare.

(g) CLAIMS POOL.—Notwithstanding section 8903c(b)(5)(A) of title 5, United States Code, as added by subsection (a), the Office may not establish a separate claims pool for individuals eligible for coverage under any of the enrollment options under section 8903c(b)(4) of title 5, United States Code, as added by subsection (a).

SA 2079. Mr. MANCHIN (for himself, Mr. ROCKEFELLER, Mr. MERKLEY, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ MORATORIUM ON CLOSING AND CONSOLIDATING POSTAL FACILITIES OR POST OFFICES, STATIONS, OR BRANCHES.

(a) DEFINITION.—In this section, the term "postal facility" has the same meaning as in section 404(f) of title 39, United States Code, as added by this Act.

(b) MORATORIUM.—Notwithstanding section 404 of title 39, United States Code, as amended by this Act, or any other provision of law, the Postal Service may not close or consolidate a postal facility or post office, station, or branch, except as required for the immediate protection of health and safety, before the later of—

(1) the date on which the Postal Service establishes the retail service standards under section 203 of this Act; and

(2) the date that is 2 years after the date of enactment of this Act.

(c) CONFORMING PROVISION.—Section 205(b) of this Act shall have no force or effect.

SA 2080. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 28, strike line 13 and all that follows through page 30, line 8, and insert the following:

"(2) AREA MAIL PROCESSING STUDY.—

“(A) NEW AREA MAIL PROCESSING STUDIES.—After the date of enactment of this subsection, before making a determination under subsection (a)(3) as to the necessity for the closing or consolidation of any postal facility, the Postal Service shall—

“(i) conduct an area mail processing study relating to that postal facility that includes a plan to reduce the capacity of the postal facility, but not close the postal facility;

“(ii) publish the study on the Postal Service website; and

“(iii) publish a notice that the study is complete and available to the public, including on the Postal Service website.

“(B) COMPLETED OR ONGOING AREA MAIL PROCESSING STUDIES.—

“(i) IN GENERAL.—In the case of a postal facility described in clause (ii), the Postal Service shall—

“(I) consider a plan to reduce the capacity of the postal facility without closing the postal facility; and

“(II) publish the results of the consideration under subclause (I) with or as an amendment to the area mail processing study relating to the postal facility.

“(ii) POSTAL FACILITIES.—A postal facility described in this clause is a postal facility for which, on or before the date of enactment of this subsection—

“(I) an area mail processing study—

“(aa) that does not include a plan to reduce the capacity of the postal facility without closing the postal facility has been completed; or

“(bb) is in progress; and

“(II) a determination as to the necessity for the closing or consolidation of the postal facility has not been made.

“(C) PRC REVIEW.—

“(i) IN GENERAL.—For each area mail processing study conducted under subparagraph (A) or relating to a postal facility described in subparagraph (B)(ii), the Postal Regulatory Commission shall determine whether—

“(I) the area mail processing study used an appropriate methodology; and

“(II) the cost savings identified in the area mail processing study relating to that postal facility are accurate.

“(ii) REPORT.—The Postal Regulatory Commission shall submit to the Postal Service a report regarding each determination made under clause (i).

“(D) LIMITATION ON CLOSING OR CONSOLIDATION.—

“(i) IN GENERAL.—The Postal Service may not make a determination under subsection (a)(3) to close or consolidate a postal facility if the Postal Regulatory Commission determines under subparagraph (C) that—

“(I) the area mail processing study relating to that postal facility did not use an appropriate methodology; or

“(II) the cost savings identified in the area mail processing study relating to that postal facility are inaccurate.

“(ii) SUBSEQUENT AREA MAIL PROCESSING STUDIES.—If the Postal Regulatory Commission makes a determination described in clause (i) regarding to an area mail processing study relating to a postal facility, the Postal Service may conduct a subsequent area mail processing study relating to that postal facility in accordance with this paragraph.

SA 2081. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States

Postal Service; which was ordered to lie on the table; as follows:

On page 39, strike line 20 and all that follows through page 45, line 17, and insert the following:

SEC. 205. OTHER PROVISIONS.

(a) FREQUENCY OF MAIL DELIVERY.—Section 101 of title 39, United States Code, is amended by adding at the end the following:

“(h) Subject to the requirements of section 3661, nothing in this title or any other provision of law shall be construed to prevent the Postal Service from taking any action necessary to provide for a 5-day-per-week delivery schedule for mail and a commensurate adjustment in the schedule for rural delivery of mail.”

(b) OVERALL VALUE OF FRINGE BENEFITS.—Section 1005(f) of title 39, United States Code, is amended by striking the last sentence.

(c) MODERN RATE REGULATION.—Section 3622(d) of title 39, United States Code, is repealed.

(d) DELIVERY SERVICE STANDARDS, MAIL PROCESSING, AND COMMUNITY POST OFFICES.—Sections 201 and 202 of this Act, and the amendments made by those sections, shall have no force or effect.

(e) APPLICABILITY OF REDUCTION-IN-FORCE PROCEDURES.—Section 1206 of title 39, United States Code is amended by adding at the end the following:

“(d) Collective-bargaining agreements between the Postal Service and bargaining representatives recognized under section 1203, ratified after the date of enactment of this subsection, shall contain no provision restricting the applicability of reduction-in-force procedures under title 5 with respect to members of the applicable bargaining unit.

“(e)(1) If a collective-bargaining agreement between the Postal Service and bargaining representatives recognized under section 1203, ratified after the date of enactment of this subsection, includes reduction-in-force procedures which can be applied in lieu of reduction-in-force procedures under title 5, the Postal Service may, in its discretion, apply with respect to members of the applicable bargaining unit—

“(A) the alternative procedures (or, if 2 or more are agreed to, 1 of the alternative procedures); or

“(B) the reduction-in-force procedures under title 5.

“(2) In no event may, if procedures for the resolution of a dispute or impasse arising in the negotiation of a collective-bargaining agreement (whether through binding arbitration or otherwise) are invoked under this chapter, the award or other resolution reached under such procedures provide for the elimination of, or the substitution of any alternative procedures in lieu of, reduction-in-force procedures under title 5.”

(f) HISTORIC POST OFFICES.—Section 404(d) of title 39, United States Code, is amended by adding at the end the following:

“(7)(A) In this paragraph, the term ‘historic post office building’ means a post office building that is a certified historic structure, as that term is defined in section 47(c)(3) of the Internal Revenue Code of 1986.

SA 2082. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 35, line 16, strike the quotation marks and the second period and insert the following:

“(10) PROHIBITION ON CLOSING, CONSOLIDATION, AND REDUCTION IN WORKFORCE.—

“(A) IN GENERAL.—During the 3-year period beginning on the date of enactment of the 21st Century Postal Service Act of 2012, if the Postal Service conducted an area mail processing study after June 1, 2001 with respect to a postal facility which was terminated or concluded that no significant cost savings or efficiencies would result from closing, consolidating, or reducing the number of employees of the postal facility, the Postal Service may not—

“(i) close the postal facility;

“(ii) consolidate the postal facility; or

“(iii) involuntarily separate an employee of the postal facility from service, except for removal for cause on charges of misconduct or delinquency.

“(B) APPLICATION.—Subparagraph (A) shall apply with respect to a postal facility that was not closed or consolidated before May 15, 2012, without regard to the conclusions of any area mail processing study conducted with respect to the postal facility after the publication of an area mail processing study described in subparagraph (A).”

SA 2083. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

On page 39, strike line 20 and all that follows through page 45, line 17, and insert the following:

SEC. 205. OTHER PROVISIONS.

(a) FREQUENCY OF MAIL DELIVERY.—Section 101 of title 39, United States Code, is amended by adding at the end the following:

“(h) Subject to the requirements of section 3661, nothing in this title or any other provision of law shall be construed to prevent the Postal Service from taking any action necessary to provide for a 5-day-per-week delivery schedule for mail and a commensurate adjustment in the schedule for rural delivery of mail.”

(b) OVERALL VALUE OF FRINGE BENEFITS.—Section 1005(f) of title 39, United States Code, is amended by striking the last sentence.

(c) MODERN RATE REGULATION.—Section 3622(d) of title 39, United States Code, is repealed.

(d) DELIVERY SERVICE STANDARDS, MAIL PROCESSING, AND COMMUNITY POST OFFICES.—Sections 201 and 202 of this Act, and the amendments made by those sections, shall have no force or effect.

(e) APPLICABILITY OF REDUCTION-IN-FORCE PROCEDURES.—Section 1206 of title 39, United States Code is amended by adding at the end the following:

“(d) Collective-bargaining agreements between the Postal Service and bargaining representatives recognized under section 1203, ratified after the date of enactment of this subsection, shall contain no provision restricting the applicability of reduction-in-force procedures under title 5 with respect to members of the applicable bargaining unit.”

(f) HISTORIC POST OFFICES.—Section 404(d) of title 39, United States Code, is amended by adding at the end the following:

“(7)(A) In this paragraph, the term ‘historic post office building’ means a post office building that is a certified historic structure, as that term is defined in section 47(c)(3) of the Internal Revenue Code of 1986.

SA 2084. Mr. REID (for Mr. COONS) proposed an amendment to the bill

H.R. 1021, to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts; as follows:

Strike section 3 and insert the following:

SEC. 3. BANKRUPTCY FILING FEE INCREASE.

(a) **BANKRUPTCY FILING FEES.**—Section 1930(a)(3) of title 28, United States Code, is amended by striking “\$1,000” and inserting “\$1,167”.

(b) **UNITED STATES TRUSTEE SYSTEM FUND.**—Section 589a(b)(2) of title 28, United States Code, is amended by striking “55” and inserting “48.89”.

(c) **COLLECTION AND DEPOSIT OF MISCELLANEOUS BANKRUPTCY FEES.**—Section 406(b) of the Judiciary Appropriations Act, 1990 (28 U.S.C. 1931 note) is amended by striking “25” and inserting “33.33”.

(d) **PAYGO OFFSET EXPENDITURE LIMITATION.**—\$42 of the incremental amounts collected by reason of the enactment of subsection (a) shall be deposited in a special fund in the Treasury to be established after the date of enactment of this Act. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the date of enactment of this Act.

(e) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 4. SUBSEQUENT REAUTHORIZATION.

Prior to further reauthorization of any judgeship authorized by this Act, the Committee on the Judiciary of the Senate and House of Representatives shall conduct a review of the bankruptcy judgeships authorized by this Act to determine the need, if any, for continued reauthorization of each judgeship, to evaluate any changes in all bankruptcy case filings and their effect, if any, on filing fee revenue, and to require the Administrative Office of the Courts to submit a report to the Committee on the Judiciary of the Senate and House of Representatives on bankruptcy case workload, bankruptcy judgeship costs, and filing fee revenue.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 19, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 19, 2012, at 10 a.m., to hold a hearing entitled, “Syria: U.S. Policy Options.”

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

COMMITTEE ON INDIAN AFFAIRS

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Com-

mittee on Indian Affairs be authorized to meet during the session of the Senate on April 19, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled “S. 1684, the Indian Tribal Energy Development and Self-Determination Act Amendments of 2011.”

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled “Time Takes Its Toll: Delays in OSHA’s Standard-Setting Process and the Impact on Worker Safety” on April 19, 2012, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 19, 2012, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SUBCOMMITTEE ON SEAPOWERS

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate, on April 19, 2012, at 9:30 a.m.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, April 23, at 5 p.m. the Senate proceed to executive session to consider Calendar No. 528; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote, with no intervening action or debate, on Calendar No. 528; that the motion to reconsider be considered made and laid upon the table, there be no intervening action or debate, and there be no further motions in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate’s action; and the Senate then resume legislative session.

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

TEMPORARY BANKRUPTCY JUDGESHIP EXTENSION ACT OF 2011

Mr. REID. I ask unanimous consent that the Judiciary Committee be dis-

charged from further consideration of H.R. 1021.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1021) to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I congratulate Senator COONS on the passage of legislation that will reauthorize 30 temporary bankruptcy judgeships in districts around the country. I was pleased to support Senator COONS’ very strong and persistent efforts on this important legislation. The Judiciary Committee reported this legislation favorably on December 15, 2011. I am glad to see the Senate finally being allowed to act.

The bill we pass today, when enacted, will reauthorize 30 temporary judgeships in 14 States and Puerto Rico. All of these positions have already expired, and without this legislation, upon retirement or departure of the judges in these positions, they could not be filled again. Needless to say, reducing the resources of our bankruptcy courts does nothing but put more pressure on Americans who are already navigating a difficult economic environment. This legislation should help avoid that and provide some small degree of relief to overburdened bankruptcy courts around the country. Quite frankly, I think we should be doing more.

As Chairman of the Judiciary Committee, I will note one concern with the legislation the Senate passes today. In order to secure passage of this legislation, Senator COBURN insisted upon adding a section to the bill that purports to tell future Senate and House Judiciary Committees how to conduct their business. Senator COBURN’s amendment would dictate that before any of these 30 judgeships could be reauthorized again, the Senate and House Judiciary Committee’s would be required to take certain steps and require a report from the Administrative Office of the United States Courts (AO). As a member of the Judiciary Committee, Senator COBURN knows this is precisely what committees do in the ordinary course of the consideration of legislation, and what was done during the development of this legislation. Senator COONS worked with the AO, which made recommendations, and with bankruptcy judges in a variety of districts to determine where need was greatest. To codify an unenforceable mandate nominally imposed on future Congresses is unnecessary and unwise.

I thank and congratulate Senator COONS for his hard work and attention to this issue. This would not be passing

without his diligence, focus, and legislative skill. He has done what has seemed impossible.

Mr. REID. I ask unanimous consent that a Coons amendment, which is at the desk, be agreed to, the bill as amended be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The amendment (No. 2084) was agreed to, as follows:

AMENDMENT NO. 2084

(Purpose: To address bankruptcy filing fee increases, future reauthorizations, and for other purposes)

Strike section 3 and insert the following:

SEC. 3. BANKRUPTCY FILING FEE INCREASE.

(a) **BANKRUPTCY FILING FEES.**—Section 1930(a)(3) of title 28, United States Code, is amended by striking “\$1,000” and inserting “\$1,167”.

(b) **UNITED STATES TRUSTEE SYSTEM FUND.**—Section 589a(b)(2) of title 28, United States Code, is amended by striking “55” and inserting “48.89”.

(c) **COLLECTION AND DEPOSIT OF MISCELLANEOUS BANKRUPTCY FEES.**—Section 406(b) of the Judiciary Appropriations Act, 1990 (28 U.S.C. 1931 note) is amended by striking “25” and inserting “33.33”.

(d) **PAYGO OFFSET EXPENDITURE LIMITATION.**—§42 of the incremental amounts collected by reason of the enactment of subsection (a) shall be deposited in a special fund in the Treasury to be established after the date of enactment of this Act. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the date of enactment of this Act.

(e) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 4. SUBSEQUENT REAUTHORIZATION.

Prior to further reauthorization of any judgeship authorized by this Act, the Committee on the Judiciary of the Senate and House of Representatives shall conduct a review of the bankruptcy judgeships authorized by this Act to determine the need, if any, for continued reauthorization of each judgeship, to evaluate any changes in all bankruptcy case filings and their effect, if any, on filing fee revenue, and to require the Administrative Office of the Courts to submit a report to the Committee on the Judiciary of the Senate and House of Representatives on bankruptcy case workload, bankruptcy judgeship costs, and filing fee revenue.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 1021), as amended, was read the third time and passed, as follows:

H.R. 1021

Resolved, That the bill from the House of Representatives (H.R. 1021) entitled “An Act to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.”, do pass with the following amendment:

Strike section 3 and insert the following:

SEC. 3. BANKRUPTCY FILING FEE INCREASE.

(a) **BANKRUPTCY FILING FEES.**—Section 1930(a)(3) of title 28, United States Code, is amended by striking “\$1,000” and inserting “\$1,167”.

(b) **UNITED STATES TRUSTEE SYSTEM FUND.**—Section 589a(b)(2) of title 28, United States Code, is amended by striking “55” and inserting “48.89”.

(c) **COLLECTION AND DEPOSIT OF MISCELLANEOUS BANKRUPTCY FEES.**—Section 406(b) of the Judiciary Appropriations Act, 1990 (28 U.S.C. 1931 note) is amended by striking “25” and inserting “33.33”.

(d) **PAYGO OFFSET EXPENDITURE LIMITATION.**—§42 of the incremental amounts collected by reason of the enactment of subsection (a) shall be deposited in a special fund in the Treasury to be established after the date of enactment of this Act. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the date of enactment of this Act.

(e) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 4. SUBSEQUENT REAUTHORIZATION.

Prior to further reauthorization of any judgeship authorized by this Act, the Committee on the Judiciary of the Senate and House of Representatives shall conduct a review of the bankruptcy judgeships authorized by this Act to determine the need, if any, for continued reauthorization of each judgeship, to evaluate any changes in all bankruptcy case filings and their effect, if any, on filing fee revenue, and to require the Administrative Office of the Courts to submit a report to the Committee on the Judiciary of the Senate and House of Representatives on bankruptcy case workload, bankruptcy judgeship costs, and filing fee revenue.

RECOGNIZING THE 75TH ANNIVERSARY OF THE FOUNDING OF DUCKS UNLIMITED, INCORPORATED

Mr. REID. I ask unanimous consent that we now proceed to S. Res. 430.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 430) recognizing the 75th anniversary of the founding of Ducks Unlimited, Incorporated, the achievements of the organization in habitat conservation, and the support of the organization for the waterfowling heritage of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 430) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 430

Whereas Ducks Unlimited, Incorporated (referred to in this preamble as “Ducks Unlimited”) was founded in 1937, when the drought-plagued waterfowl populations of

North America plunged to unprecedented lows;

Whereas, after decades of commitment to conserving waterfowl habitats, Ducks Unlimited has become the largest private organization for waterfowl and wetlands conservation worldwide and one of the most effective private organizations dedicated to that cause;

Whereas, since the founding of Ducks Unlimited, the organization has conserved and protected more than 4,500,000 acres of waterfowl habitat in the United States and more than 12,600,000 acres of waterfowl habitat in North America;

Whereas Ducks Unlimited has nearly 750,000 members internationally, including 550,000 members in the United States;

Whereas, since the founding of Ducks Unlimited, the organization has raised more than \$3,400,000,000 for waterfowl conservation and education, leveraging public support to obtain more than half of its contributions from private sources;

Whereas Ducks Unlimited provides support to local projects that are important to waterfowlers in each State of the United States; and

Whereas Ducks Unlimited maintains the vital mission of conserving, restoring, and managing wetlands and associated habitats for the waterfowl of North America, a mission that also benefits other wildlife and people: Now, therefore, be it

Resolved, That the Senate recognizes the important contributions of Ducks Unlimited, Incorporated and its members across the United States to the conservation of habitats and the preservation of the waterfowl of North America during the past 75 years.

ORDERS FOR MONDAY, APRIL 23, 2012

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it stand adjourned until Monday, April 23, at 12 noon; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate then resume consideration of the motion to proceed to S. 1925; that at 2 p.m., the Republican leader or his designee be recognized to make a motion to proceed to S.J. Res. 36, which would be under a previous order that has already been entered; further, that at 4 p.m., the Senate resume consideration of the motion to proceed to S. 1925; and, finally, at 5 p.m., the Senate proceed to executive session under the previous order.

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

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THANKING THE PRESIDING
OFFICER

Mr. REID. Mr. President, first of all, I say to the Presiding Officer, thank you very much for your patience. We often need patience, so I appreciate yours.

 UNANIMOUS CONSENT
AGREEMENT—S. 1789

Mr. REID. Mr. President, I ask unanimous consent that in the previous order with respect to S. 1789 and the Akaka amendment No. 2034 the reference to the modification of the Akaka amendment No. 2034 be stricken.

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

MEASURE READ THE FIRST
TIME—S. 2327

Mr. REID. Mr. President, there is a bill at the desk due for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2327) to prohibit direct foreign assistance to the Government of Egypt until the President makes certain certifications related to treatment of nongovernmental organization workers, and for other purposes.

Mr. REID. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

PROGRAM

Mr. REID. Mr. President, at 5:30 p.m. on Monday, there will be a rollcall vote on confirmation of the Wimes nomination.

This evening we reached an agreement to complete action on the postal reform bill. On Monday there will be time from 12 p.m. to 2 p.m. and from 4 p.m. to 5 p.m. and following the vote at 5:30 p.m. for Senators to debate their amendments to the bill.

 ADJOURNMENT UNTIL MONDAY,
APRIL 23, 2012

Mr. REID. Mr. President, I ask unanimous consent that the Senate adjourn under the previous order.

There being no objection, the Senate, at 8:16 p.m., adjourned until Monday, April 23, 2012, at 12 noon.

HOUSE OF REPRESENTATIVES—Thursday, April 19, 2012

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mrs. MILLER of Michigan).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 19, 2012.

I hereby appoint the Honorable CANDICE S. MILLER to act as Speaker pro tempore on this day.

JOHN A. BOEHRNER,
Speaker of the House of Representatives.

PRAYER

Reverend Gerald Baker, St. Ann Catholic Church, Morganfield, Kentucky, offered the following prayer:

Heavenly Father, we thank You this day for Your many blessings to us as citizens of the United States of America: for our Nation, for our freedom, for our prosperity, for our heritage, for our defenders past and present, for the beauty of our land, for our families, for our faith in You, for all whom we love.

Keep us in Your watchful care. Make us strong as a people. Bless our unity. Bless our diversity. Bless this august body in its deliberations.

May God bless us every one.
Amen.

THE JOURNAL

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

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

Mr. GENE GREEN of Texas. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

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

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

Mr. GENE GREEN of Texas. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from New York (Ms.

HOCHUL) come forward and lead the House in the Pledge of Allegiance.

Ms. HOCHUL led the Pledge of Allegiance as follows:

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

WELCOMING THE REVEREND GERALD BAKER

The SPEAKER pro tempore. Without objection, the gentleman from Kentucky (Mr. WHITFIELD) is recognized for 1 minute.

There was no objection.

Mr. WHITFIELD. Madam Speaker, I am delighted that, today, Father Gerald Baker, pastor of the St. Ann Catholic Church in Morganfield, Kentucky, gave our opening prayer.

He has served as pastor in Morganfield since 2003. Prior to that, Father Baker was also the pastor in my hometown of Hopkinsville, Kentucky, where he was a wonderful community leader.

Among other things, he started the St. Luke's Free Clinic in Hopkinsville. He received his Master of Divinity degree from Mount St. Mary's Seminary in Emmitsburg, Maryland, in 1983, and I might say that was the same year that our chaplain, Father Conroy, received his degree, also. He was ordained in 1983.

We are also delighted to have the eighth-grade class of the St. Ann Catholic Church with us this morning from Morganfield, and they will be taking a tour of the Capitol.

So, once again, I want to thank Father Baker for being with us today, for his leadership in our congressional district as well as in the State of Kentucky, and for the spiritual leadership he provides our citizens.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 5 requests for 1-minute speeches on each side of the aisle.

IN TRIBUTE TO HERB BRAV

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

Mr. WOMACK. Madam Speaker, I rise today to remember the life and service of Command Sergeant Major (retired) Herb Brav.

This extraordinary American, who served his country in uniform for over 30 years and another 27 years as waterfront, gymnasium, and physical fitness director for the Multinational Force and Observers, Sinai, Egypt, died March 9, 2012, in St. Augustine, Florida.

Herb was a legend. A former heavyweight boxer, he joined the Army in 1947, served tours in Korea, the Philippines and Vietnam. His iconic service with the MFO impacted thousands of soldiers from many contingent forces. I fondly remember his mantra: "When the will is strong, everything is easy." Soldiering was everything to this patriot. He rarely took a vacation, and never spent a Christmas away from the soldiers at South Camp.

Madam Speaker, it is a great honor to speak on behalf of MFO veterans worldwide, his wife, Gisela, and his two children in saluting Herb Brav for his service to country and his fellow man.

Let us remember his immortal words: "When the will is strong, everything is easy."

SERGEANT WILLIAM WILSON III

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

Ms. HOCHUL. I rise today to honor and recognize a true American patriot, Sergeant William Wilson of Amherst, New York, my district, for giving the ultimate sacrifice and service to his country. On March 26 of this year, Sergeant Wilson lost his life defending us in Afghanistan while serving with NATO forces.

Billy, as he was fondly called by his mom and dad and his brothers, served our country for 7 years, and was on his third tour of duty. His commander said:

Without question, he was my best, most skilled and talented squad leader. That's who Billy was—selfless, dedicated and always putting his heart and soul into his soldiers.

If you ask his family or friends and look into the eyes of his mom and dad, they are overwhelmed with pride of his service. Billy was proud to put on the uniform and to serve our country. His smile would light up a room. Just ask any of the thousands of people who came and paid tribute to him just this past week—a devoted family friend, respected and loved by many. To his brother, he was known as Superman. For his brave efforts, Sergeant Wilson was posthumously awarded the Bronze Star and the Purple Heart.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

But my message today is for Billy's parents, Bill and Kim, for his brothers Jeremy and Wesley, for his fiancée, for his entire family, for his grandma. I want them to know from a grateful Nation: your boy did not die in vain. He honored our country with his service, and for that we are forever grateful.

THE VOICE OF TEXAS—THE
REGULATORS V. SUSAN

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

Mr. POE of Texas. Madam Speaker, it's a new day in Washington, and soon the unelected, unaccountable regulators will be sending out new rules to the people.

The fourth branch of government meddles in every aspect of our lives. In the name of saving us from ourselves, they regulate, regulate, regulate without regard to the consequences of these expensive government mandates. Sometimes they put businesses out of business. Susan, a small business owner in Texas, wrote me this:

Our small business has operated on a shoestring for several years, and we started in 1978, but I fear we are at an end. We manufacture 400 products, all made from the same materials. The new product safety regulations require that we certify every product to the tune of about \$500 per product, even though they're all made from the same materials. Do the math: \$175,000 or more just to get these products that we've made since '78 certified. Add on the health care fines and the rising cost of gasoline and the rising property and sales and income taxes—well, you know the rest of the story.

Madam Speaker, the regulators close the doors of small businesses like Susan's, and that ought not to be.

And that's just the way it is.

□ 0910

LANCE CORPORAL ABRAHAM
TARWOE

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

Mr. CICILLINE. Madam Speaker, I rise today in honor of Lance Corporal Abraham Tarwoe of the United States Marine Corps.

A Liberian American, Lance Corporal Tarwoe elected to serve the United States when he joined the Marine Corps in 2009. He was promoted to the rank of lance corporal just 2 years ago.

As a mortar man with the 2nd Battalion, 9th Marine Regiment, 2nd Marine Division based at Camp Lejeune in North Carolina, Lance Corporal Tarwoe was conducting combat operations as part of Operation Enduring Freedom in Helmand province in Afghanistan when he lost his life on April 12.

Among other awards, Lance Corporal Tarwoe earned the Combat Action Ribbon and Sea Service Deployment Ribbon.

His family is planning to hold a burial service in Liberia, following a memorial service in the United States on April 28.

My thoughts and prayers are with Lance Corporal Tarwoe's wife, their 1-year-old son, and their entire extended family.

As a grateful Nation and with heavy hearts, we remember him today for making the ultimate sacrifice in defense of our freedom and on behalf of our Nation. May we honor his memory always.

ANNIVERSARY OF ARMENIAN
GENOCIDE

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

Mr. DOLD. Madam Speaker, about 97 years ago, the government of the Ottoman Empire killed over 1.5 million people during the Armenian genocide. The Turkish state has never accepted responsibility for the acts of its predecessor government and maintains that the genocide never took place.

For the past 90 years, the Armenian people have sought justice, yet the Turkish Government has continued to actively obstruct any attempt to recognize what has happened to the Armenian people.

The United States can help bring closure to this longstanding moral issue by recognizing the Armenian genocide. That's why I'm proud to be a sponsor of House Resolution 304, which would formally recognize this atrocity. To date, 88 Members of this body have joined me in support of the resolution.

I urge all of my other colleagues to support what is a very important resolution.

If we do nothing, the victims of this horrible genocide may be forgotten. We cannot allow that to happen.

DAN-LOC AND AMERICAN
MANUFACTURING

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

Mr. GENE GREEN of Texas. Madam Speaker, I rise in support of small business and domestic manufacturing in our district and throughout our country and the need for Congress to support manufacturing and job creation.

Last week, I visited DAN-LOC Bolt & Gasket, a bolt and metal gasket manufacturer located in our district in Houston. DAN-LOC's products are highly regarded for their quality and longevity. They produce for our energy industry the bolt like I'm holding right now.

In recent years, DAN-LOC, like thousands of similar businesses throughout our country, has been under attack

from cheap and low-quality competition from overseas that has actually forced businesses to either close their doors or make drastic cuts. These foreign imports are oftentimes cheaper than the raw materials to produce these bolts. They can only do this with illegal subsidies from their governments.

We can no longer ignore this issue; otherwise, our Nation will no longer have a manufacturing sector and the millions of middle class jobs it supports.

Congress needs to remember the hard workers who make these bolts and support their jobs.

CONGRATULATIONS TO THE ILLINOIS
MATH AND SCIENCE ACADEMY

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

Mr. HULTGREN. Madam Speaker, I rise to congratulate the Illinois Mathematics and Science Academy on their 25 years of excellent education.

Since opening its doors to students in 1986, the academy has graduated nearly 5,000 students and brought national and global recognition to the State of Illinois.

With a focus on science, technology, engineering, and mathematics, or STEM, education, IMSA has developed the talented workforce our State and Nation needs to compete in the modern world. Furthermore, the academy has provided opportunities to under-resourced students, effectively breaking down geographic and socioeconomic barriers.

I am proud to represent the academy here in Washington, and I'm proud of the way IMSA alumni represent Illinois.

I'd like to add a special thanks to Dr. Leon Letterman. His vision helped found the academy; his leadership has helped it to become what it is today, and his presence will be missed after he retires.

Congratulations to the Illinois Math and Science Academy, and good luck to the Titan Robotics Team as they compete in St. Louis.

MILITARY KID OF THE YEAR

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

Mr. WALZ of Minnesota. Madam Speaker, I rise today to honor Ms. Sydney Schmidt.

Sydney hails from Hayfield, Minnesota, the First Congressional District of Minnesota, and was recently named the Military Kid of the Year. She is the daughter of Mary Kay and Lieutenant Colonel Brad Schmidt and a sister to Dani Schmidt.

As a high school teacher and a 24-year veteran of our military, I understand how challenging it is for families when parents are deployed overseas. We know that when a parent is called to duty, they aren't the only ones who serve this Nation. The family serves us as well.

Sydney maintains a 4.0 grade average, volunteers as a Big Sister, tutors elementary students, spends time with senior citizens, and, as well, excels at band and sports.

I applaud Sydney's ability to set an example for her peers, not only in Hayfield, but across this country. Sydney's remarkable achievements at such a young age are a testament to her passion for community, her involvement and her love of country. We honor those achievements and the example she has set for others.

Congratulations to Sydney, all the military kids, families, and service-members. I and the rest of this Nation thank you for your service to America.

AMERICA'S NATIONAL FORESTS

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

Mr. COFFMAN of Colorado. Madam Speaker, if managed wisely, America's national forests can provide a safe wildlife habitat, recreational opportunities, and thousands of jobs in the timber industry.

Unfortunately, a lack of effective forest management in the United States has led to poor forest health. This can and does cause catastrophic forest fires.

Recently, in Colorado, the North Fork fire destroyed 27 homes and killed 3 homeowners. The fire was caused by a prescribed burn designed to prevent a catastrophic forest fire. Clearly, this incident exemplifies the need for alternative forest management tools, such as increased timber harvesting, to reduce the risk of wildfires in the future.

Through prudent forest management and the ability to access and harvest our timber resources, these communities can support jobs while fostering healthy forests, safeguarding the natural beauty of Colorado and the Nation, and protecting against dangerous wildfires.

ROTARY DAY

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

Mr. DEUTCH. Madam Speaker, today I rise to recognize the White House's first-ever Rotary Day. Tomorrow, Americans from Rotary Clubs across the Nation will be honored as champions of change in their communities.

Many of us in this House frequent Rotary Clubs throughout our districts.

I'm always pleased to meet with constituents so committed to honest discussion, civic engagement, and the betterment of our community.

Last week, at a meeting of a Rotary Club in Coral Springs, Florida, I was reminded of something I would like to share with you today. It's called the Four-Way Test. These principles guide Rotary members in their daily lives, and they read as follows:

Is it the truth?

Is it fair to all concerned?

Will it build goodwill and better friendships?

Will it be beneficial to all concerned?

Madam Speaker, Washington has been paralyzed by partisan politics and a disappointing level of discourse. If we could just approach our Nation's problems a bit more like the Rotary Club's Four-Way Test, we would all be better off. After all, at a time of great challenges facing our Nation, the American people deserve no less than a Congress that operates with honesty, builds bipartisanism, and bases decisions on whether or not they will be beneficial to all our citizens.

Enjoy your visit to the White House tomorrow for Rotary Day. I hope the Rotary's Four-Way Test visits this U.S. Congress very soon.

□ 0920

PROVIDING FOR CONSIDERATION OF H.R. 9, SMALL BUSINESS TAX CUT ACT

Mr. SESSIONS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 620 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 620

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 9) to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; (2) the further amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Levin of Michigan or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

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

AMENDMENT OFFERED BY MR. SESSIONS

Mr. SESSIONS. Madam Speaker, I ask unanimous consent to amend the resolution with an amendment I have placed at the desk.

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

The Clerk read as follows:

Page 2, line 8 strike "one hour" and insert "70 minutes".

Page 2, line 16 strike "20" and insert "25".

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

Without objection, the resolution is amended.

There was no objection.

Mr. SESSIONS. Thank you, Madam Speaker.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. Madam Speaker, I rise today in support of this rule and the underlying bill. House Resolution 620 provides a structured rule for H.R. 9, the Small Business Tax Cut Act. The bill was introduced on March 21, 2012, by our leader, the gentleman from Virginia (Mr. CANTOR), and was ordered reported by the Committee on Ways and Means on April 10.

The rule provides for consideration of an amendment in the nature of a substitute as is standard practice for this legislation when dealing with tax policy.

Madam Speaker, today we will be considering the underlying legislation, which will allow the House of Representatives yet another opportunity to ease the burden on small businesses across America by giving them the economic tools to create jobs and to help grow our economy. It would be an understatement not to recognize that this country, including small business, is under duress.

We are under duress in this country. The economic circumstances, which abound across the entire country, are not only obvious to every one of our citizens but also to this body, and we are here doing our job today following through not just in regular order, but the process to make sure that we are talking about what Congress should be doing to aid small business. I believe

that by giving them the economic tools, the free enterprise system and entrepreneurs, men and women, will know exactly what to do because we're allowing them competitive advantages.

Earlier this week, congressional Democrats and President Obama offered their competing plan, and their plan is to raise taxes on small businesses. We disagree with that.

Today, the Republicans in the House of Representatives, under the great tutelage and leadership of our majority leader, ERIC CANTOR, offer a different vision for America. Despite their best effort, congressional Democrats think that we can tax our way to improving our economy. It's really simple logic. Increasing taxes on job creators will not help create jobs. It will place new impediments and roadblocks for not just job creation, but the opportunity for business and small business to be successful.

Congressional Republicans, once again today, will stand with small businesses across the Nation as we demand less government intervention and more marketplace creativity and the opportunity for small business to get what it needs.

Madam Speaker, as this Congress and the American people know, job creators are small businesses. They are the engine of our economy and, as a former chairman of the board for a small chamber of commerce in Dallas, Texas, the Greater East Dallas Chamber of Commerce, I saw firsthand entrepreneurship and the availability of talent that was necessary in small business. That same engine of our economy is what we are trying to restart and ignite today. Congressional Republicans will continue to promote job creation through robust economic growth because we must grow our economy by giving those job creators a chance to get that done.

H.R. 9 will allow small businesses under 500 full-time employees to take a tax deduction equal to 20 percent of their domestic business income. So, no matter how they're organized under the Tax Code, under the bill the size of the tax cut is kept at 50 percent of W-2 wages paid, encouraging increasing hiring. I have been in touch with small businesses across Dallas, Texas, and across that area, and we do understand that small business wants to come and create more jobs to increase the amount of not just employment, but to help them grow their businesses. In return, what happens is that loyalty that comes from entrepreneurship to those employees and obviously, then, Uncle Sam, gets the advantage because taxes are being paid instead of paying for unemployment.

Small business, we know, employs about half of our private sector workforce and generates 65 percent of our new jobs. What we are here on the floor talking about today supports ideas

that come straight from these small business job creators, directly from men and women, many minorities, many moms who are in the marketplace who are trying to help their family to make sure that they can perhaps pay for their kids to go to college, ideas that they have.

Entrepreneurship, the American Dream, is what we are talking about today, and we need to keep that dream alive. With an unemployment rate consistently over 8 percent for the past 3 years, it's time that we not only take aggressive action, but that we do the things that are being asked for that will create jobs.

In my home State of Texas, the 14 million citizens who work for 387,000 small businesses and 1.69 million sole proprietorships will see immediate benefits from this bill. They call that relief. They call that competitiveness, and we call it up here giving back to those job creators what they need by listening to them and then offering solutions. Those real Texans are struggling even in the midst of perhaps one of the best economies in this country. Texans are still struggling, and small business needs this opportunity today.

Madam Speaker, just a few weeks ago, Congress and the President came together to pass what was known as the JOBS Act, a bill designed and designated to generate unique sources of new credit for small business. I was proud to manage that rule and for legislation that not only passed on a bipartisan effort, but has become law.

This underlying bill today applies those very same principles. But instead of opening up new avenues of credit, this legislation before us enables the very same small businesses to keep more of what they have earned and to reinvest into their own business and to make sure that that capital that was difficult to achieve is now possible through their own success.

Democrats, quite likely, as we have heard up in the Rules Committee and seen in the press, will oppose this novel concept because they really want Washington lawmakers and bureaucrats, not our hardworking constituents back home, to have the availability to get those dollars. I'm proud to tell the small businesses in the congressional district that I represent in Dallas, Irving, Addison, and Richardson, Texas, that with this bill those small businesses, not just in my congressional district that I am lucky to represent, but all across this country, will be able to see the potential, will be able to grow and succeed and, perhaps most of all, it is a group of people in Washington who are willing to listen to the needs of small business, men and women who are trying to create the avenues of success, not just for them and the American Dream, but also for more employees.

□ 0930

I encourage my colleagues to vote for this fair rule and the underlying bill, and I reserve the balance of my time.

Mr. HASTINGS of Florida. I thank my friend for yielding the time.

I would begin a little bit unusually by asking a few questions of my friend and then yielding to him for any response that he may have.

A gentleman named Bruce Bartlett was the former Department economist for President Ronald Reagan. He makes this comment: The serious point here is that the term "small business" casts a very wide net.

Indeed, since the only test for being a small business under the legislation, as my good friend proposes, is the number of employees, the ultimate beneficiaries of the Republican bill will be some large and profitable businesses that just happen to have few employees.

What is my friend's response to that?

Mr. SESSIONS. Thank you for yielding me the time, and I hope that the substance that I provide back is of great measure to the gentleman's request.

First of all, let me say I know Bruce Bartlett. I had a chance to work with Mr. Bartlett when I served as vice president of the National Center for Policy Analysis. Mr. Bartlett was a contributor not just to the NCPA, but of economic terms.

I will completely agree with Mr. Bartlett that there are many out there who have successful businesses. Our point is we want them all to grow. Successful businesses are able to hire new people. Unsuccessful businesses struggle and cannot provide not only an increase in the amount of pay, but also the benefit issue becomes difficult. So we want people to be successful. And I think Mr. Bartlett is correct. It's a wide swath.

I want small business, because of the size, not because of how successful they are, to be able to employ more people. And that's what Republicans are trying to do. Guilty as charged.

Mr. HASTINGS of Florida. Then I ask my friend first to just listen, and then I will ask yet another question.

Mr. Bartlett also said this:

The Republican tax plan will do nothing whatsoever to increase employment. It is nothing more than an election-year giveaway to favored Republican constituencies and should not be taken seriously.

But I ask my friend, after hearing what Mr. Bartlett said, and listening to you, as well, saying that it's suggested that there will be jobs, is there a requirement in the legislation as is proposed that requires the creation of jobs?

Mr. SESSIONS. I thank the gentleman.

Mr. HASTINGS of Florida. Can you give me a "yes" or "no"?

Mr. SESSIONS. Here's what I can give. Mr. Bartlett is wrong, because I

know there will be at least one new net job created, and I know that because the testimony and information that I received last week as I was at the North Dallas Chamber, several people told me this is exactly what they need. They needed the jobs bill to get credit. They need this opportunity.

And what's interesting is, on the reverse side, is where Illinois, in January, a full year ago, passed a bill which increased taxes, and they lost 58,000 jobs in Illinois quickly because of high taxes. We're trying to make it easier to grow small business. Mr. Bartlett seems like there will be no new job growth—there will be—and he knows better than that.

Mr. HASTINGS of Florida. Let me offer to my friend a complaint: the fact that this matter didn't go through regular order, did not have hearings. It did have one question period during the Ways and Means Committee markup, and the person that was being questioned on the Committee on Taxation was the chief of staff, Thomas Barthold. And when he was asked about the effects of H.R. 9—and the question was put to him by our colleague, Mr. BECERRA: Is there a requirement that you create jobs? Mr. Barthold says: There's no requirement on the result of the tax relief.

I go back to you and ask you again: Is there a requirement that jobs be created in the measure as offered?

Mr. SESSIONS. The answer is no. And I would reply to the gentleman, I saw in this House of Representatives when former Speaker PELOSI increased the amount of money that we had in our Member reimbursement account, we went out and did more, and I hired an additional person at that rate.

If given an opportunity, small business wants to grow and they want to add employees, and this is what nobody seems to understand in this town.

We are for growing our economy. No one on our side would do something that wouldn't necessarily work. We are doing it because this is what people are asking for to grow the economy.

Mr. HASTINGS of Florida. My friend says that no one would do anything that would not necessarily work. Well, why are we spending the time on this when my friend and I know that this measure is not going to become law for the reason, whether we like it or not, that the United States Senate is not going to pass it?

Last week, contrary to what you said, in the United States Senate the President's plan and the Democrats' plan was offered where there would be an alternative minimum tax for people that pay a million dollars or more in taxes. It's been referred to as the Buffett rule. You said that it didn't pass. It had a majority. But it didn't come up because Republicans didn't allow for it to have a majority. Whereas, had it come up, it likely would have

passed because some Republicans would have caused it to pass, also.

You don't create jobs with your 20 percent. And now you need to answer for me: What if somebody, after they get the 20 percent, rather than hiring somebody, fires somebody; do they still get the tax cut?

Mr. SESSIONS. Thank you very much for yielding.

As the gentleman knows quite well from the legislation and from the hearing which we had in the Rules Committee yesterday, that while these are great questions that you ask, the answer is we do not tell them what to do. There are no limitations in this bill that would say that you must or must not do these things. We don't do that.

We try and encourage, on the Republican side, and believe that this is what small business is asking for. I think you will be shocked with not only the success, if we had testimony from these small businesses, but this is what they're asking for.

Let's go to the worthiness of why would we possibly push an agenda that will never be held to the light of day with a vote in the United States Senate—for the same reason that the President will never get a tax increase from JOHN BOEHNER. This Republican House will not increase taxes, and so I don't know why the President is doing what he's doing.

Mr. HASTINGS of Florida. All of what my friend says is most regrettable. One of the things that I'm sure Members in your Conference are concerned about is the fact that this is a 1-year measure.

Am I correct about that?

Mr. SESSIONS. I believe that would be correct.

Mr. HASTINGS of Florida. Tell me then, how many times have we passed anything 1 year that's a tax something or another that cuts taxes? Let's take the Bush tax cuts that lasted 10 years that are soon to expire. How is it then that you expect that this is not going to go beyond 1 year? One year already is going to cost \$46 billion.

Now my friend is a deficit and a debt hawk, and I like to think that I'm conservative enough to feel that the deficit and the debt are matters that we should address in order to give Americans opportunity. Toward that end, what is a \$46 billion measure going to do, other than blow a hole in the deficit, since it's not paid for?

I yield to my friend.

Mr. SESSIONS. I appreciate that and thank you so much for asking the question.

The gentleman was here in 1997. The exact same arguments took place as we worked with President Clinton, and we were told on this floor a capital gains tax cut will result in \$9 million not coming into the Treasury, and \$554 million appeared quickly in that same tax year.

I would say to the gentleman, if we encourage people to go do things, they will turn things into great opportunities.

Mr. HASTINGS of Florida. Reclaiming my time, we can point back. I'm talking about what you're trying to do today. What you're trying to do today is blowing a \$46 billion hole in the deficit, which will destroy opportunity.

I thank my friend, and let me move on, now that I've had the opportunity to talk with you.

□ 0940

I rise in strong opposition to this rule and its opportunity-destroying under the underlying bill. When it comes to small businesses, Congress should work to create chances for smart, savvy, small business owners to thrive so that hardworking Americans can get a fair shot at a good paying job for an honest day's work and thereby ensure that our economic recovery continues.

Instead, the Republican bill creates only one opportunity, and that is the opportunity for those that are better off, including those of us in the United States Congress, to pay less than we could and can as our fair share in taxes.

Make no mistake: H.R. 9, despite its name, is not going to level the playing field so that American businesses can create the kinds of opportunities that the average American needs. That's because House Republicans have made the benefits of this bill available to a wide range of enterprises owned by wealthy people, including lawyers. I'm one of the lawyers, not one of the wealthy. But when I was a lawyer and had three secretaries as a single practitioner, if you had given me a 20 percent tax cut, I may have shared some of that with those three employees. I assure you I would not have hired anybody. Had you, when I was a lawyer, given me a 20 percent tax cut and required me to hire somebody, then I would have hired somebody, and it may have done some good. But other wealthy people—lobbyists, hedge funds, private equity fund managers, as well as many professional sports teams, without a single requirement to expand employment or invest in the United States.

In fact, under this bill, a business owner could fire, as I asked my friend, U.S. workers, hire full-time workers in foreign countries and still be eligible for the full deduction.

According to an analysis of the Tax Policy Center, approximately 49 percent of the benefits of H.R. 9 would go to 0.3 percent of people with incomes exceeding \$1 million in 2012—each receiving an average tax cut of more than \$44,000.

That's not creating an opportunity environment in which small businesses can create jobs. As I've said before and

will say again, I have no quarrel with millionaires and billionaires and the wealthiest of us in America. And like my friend from Texas, I want everybody to be able to have significant wealth if that were to be possible. I do, however, have a problem with legislation designed to tip the scales in favor of the best among us in this country masquerading as tax cuts for small businesses.

Furthermore, Madam Speaker, the Republican justifications for this kind of “trickle down” tax policy are inaccurate and debunked by history. In actuality, tax rates have little bearing on economic productivity. Some of the fastest economic growth of the post-war period came in the 1950s, when the top tax rate was above 80 percent. The slowest growth came in the 2000s, when the top tax rate was 35 percent—which I pay, and which some of you do not because you are in better circumstances than mine, but all of us in the House of Representatives are better off than the people we want to really help, other than those that are better off like us.

Furthermore, Madam Speaker, the Republican justifications allow that this occurrence, that the change from the 1950s to the 2000s, is easy to explain. Businesses do not make decisions based on tax rates. They make decisions based on factors specific to their business, like their number of competitors and larger macro- and microeconomic factors.

Bills such as the one before us today ignore this reality in favor of pushing Republican pet policies that ignore the actual difficulties facing hardworking small business owners. In the Rules Committee, I cited Betty’s Restaurant in Fort Lauderdale, Florida, where I eat breakfast and sometimes lunch or dinner. Betty’s doesn’t have more than nine employees. If we were to target our relief to 20 percent, Betty would be in better shape. But if Larry Flynt at “Hustler” is going to be in better shape because he has less than 500 employees, I’m taking Betty.

I get my clothes cleaned at Spring Cleaners. They’ve been in business for over 25 years. The owner of that business, after he retired, left it with his daughter. They don’t have more than 10 employees in 2 of their cleaning plants. This kind of measure, if targeted to her, would help her. But a law firm here in Washington or a lobbying firm with 49 lawyers that’s making \$500 million a year will qualify for this tax cut, and I’m taking Spring Cleaners over those lawyers and lobbyists here in this town.

Simply put, what we have before us is the exact opposite of a jobs bill. It’s a boon for the rich, the very antithesis of smart tax reform, and does nothing to create opportunities for middle class, let alone, poor Americans. Instead of this misguided legislation before us today, Madam Speaker, we

should pass policy initiatives that stimulate economic growth and job creation such as public-private partnerships.

When compared to measures such as infrastructure spending, today’s bill would have a relatively small effect on strengthening our economy and helping businesses create even more jobs. In comparison, for every \$1 billion invested in infrastructure construction projects, 18,000 jobs—and nobody controverts that, and if you do, say 15,000 jobs—are supported nationwide. And my Governor turned down a billion-plus dollars for a rail project that had been appropriated and that Republicans and Democrats had sought, and it would have created 18,000 jobs. And yet we find ourselves in Florida, just like other places in this country, suffering job diminution. This wasn’t money that did not go to Illinois, California, and the Northeast Corridor for rail; it just did not come to Florida.

There are other circumstances. We yesterday passed a measure here to extend the transportation measure for 3 months. Cut me some slack. Jim Oberstar had been begging us before he left Congress to do a \$400 billion infrastructure bill that probably would have put us in the position of not having to have done the stimulus had we done it when he asked for it, and we need to do a better bill than the 3-month extension. This was the 10th extension of the transportation measure that we have done. We are better than that, and we could have done what the Senate offered, MAP-21, and we would kick-start this economy rather than kicking this can down the road.

Let me tell you something about the can. It’s getting ready to run up against a wall or a cliff, and there ain’t going to be nowhere else to kick it. Some day, Republicans and Democrats, liberals and conservatives, are going to have to stand up and face the fact that we must address this in a significant way, and we can’t have this gridlock, and we can’t have this continuing standoff.

This is supposed to be the “land of opportunity,” Madam Speaker. Let’s make sure that it’s the land of opportunity for rich people. Let’s make sure that it’s the land of opportunity for middle class and poor people. Let’s make sure that it’s the land of opportunity for small and large businesses. In short, opportunity for all Americans.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, at this time, I would like to yield 4 minutes to the gentleman from Minnesota (Mr. CRAVAACK) who is a freshman who serves on the Transportation, Homeland Security, and Science Committees, and a man who understands what people back home are asking for.

Mr. CRAVAACK. I rise today in support of this rule and the underlying

bill, H.R. 9, the Small Business Tax Cuts Act.

The fact is, Madam Speaker, American small businesses are drowning in red tape, and the National Federation of Independent Business has determined that tax compliance is one of the biggest costs.

American small businesses now spend between 1.7 billion and 1.8 billion hours on tax compliance, with a total estimated cost of between \$15- to \$16 billion annually. This wasted time and effort would be better invested in creating jobs and manufacturing products instead of handing over hard-earned capital to the government.

I support efforts to reform the Tax Code and make it simpler to reduce those tax compliance costs, and I also support reducing the tax burden on American job creators. That’s why I am glad to be cosponsor of H.R. 9, legislation that would reduce the burden faced by small businesses. Since 99.9 percent of all U.S. businesses employ less than 500 people, small businesses are vital to the American economy.

In the Eighth District, 8 out of 10 jobs are due to small businesses. When I return home, I repeatedly listen to the same concerns from small business people in the Eighth District. My constituents are hesitant to expand their businesses as a result of deficient access to capital, complex legal burdens, and Tax Code uncertainty.

□ 0950

The Small Business Tax Cut Act immediately creates access to capital by allowing productive employers to reinvest more of their hard-earned money into their businesses.

The bill will have an immediate impact on every city and town in this country. In fact, more than 22 million small businesses will receive a much-needed infusion of capital.

Several small business owners that I have personally spoken with in my district have already expressed strong support for this proposal. This includes businesses like RC Fabricators in Hibbing, Minnesota, which manufactures precision steel and aluminum construction equipment; Extreme Equipment Repairs in Harris, Minnesota, which specializes in large transport truck repair; and the London Road Rental Center in Duluth, Minnesota, which provides all kinds of equipment and party rentals for the Duluth area.

For example, because of the recent success in northern Minnesota’s mining and paper industries, RC Fabricators has been looking for ways to expand, but high taxes have prevented them from accumulating enough capital to grow. This bill will ease that tax burden and allow them to update machinery, hire workers, and provide high-quality products. These kinds of stories are repeated throughout the

country, and this legislation will help them.

Madam Speaker, H.R. 9 is a commonsense, pro-growth bill that will provide immediate assistance to employers and American workers as we labor to jumpstart our economy and ease the burden felt by small businesses and American families.

I urge all of my colleagues to support the rule as well as the underlying bill.

Mr. HASTINGS of Florida. Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to ensure that the House votes on the Buffett rule, which Representative BALDWIN has introduced—and I'm a cosponsor of—as H.R. 3903, the Paying a Fair Share Act of 2012. This bill would ensure that people making over \$1 million a year do not pay a lower tax rate than middle class Americans. To discuss our amendment to this rule, I'm very pleased to yield 3 minutes to my good friend, the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. I thank the gentleman from Florida for the time.

I rise today on behalf of the hard-working middle class families in Wisconsin and across the country who have unfairly been paying at a higher tax rate than multi-millionaires and billionaires.

Working Wisconsinites are struggling to find good-paying jobs, pay their mortgages, send their kids to college, and save for a secure retirement; meanwhile, the ultra-rich are reaping benefits unavailable to the rest of us. No wonder middle class Americans have long felt that our tax system is rigged against them. Frankly, it is.

Middle class Americans deserve a Tax Code that is fair. Powerful special interests have manipulated our Tax Code to make sure that the wealthiest Americans don't have to pay their fair share. Loopholes and special provisions have made it so that billionaire Warren Buffett's secretary pays a higher tax rate than he does. In fact, approximately one-quarter of all people who make over \$1 million a year pay lower effective tax rates than middle class families.

I introduced the Paying a Fair Share Act, which would make the Buffett rule law and ensure that middle class workers do not pay a higher tax rate than those making over \$1 million a year. This is a commonsense solution that would address the disparity that Warren Buffett decried, and it would reduce the deficit by billions of dollars over the next decade.

Now, let's be honest about what the Buffett rule is and what it is not. The Buffett rule is not a comprehensive tax reform bill, which I favor, by the way. The Buffett rule is not going to wipe our Nation's deficit away, something that I agree must be tackled. The Buffett rule is not a tax increase on small businesses. According to the Con-

gressional Research Service, less than one-half of 1 percent of businesses may be impacted by the Buffett rule.

Here is what the Buffett rule is really about: fairness. Plain and simple, this is about fairness. It's high time that we level the playing field between middle class taxpayers and those who make over \$1 million per year. The Paying a Fair Share Act will help restore people's faith that if you work hard and play by the rules, you'll have a chance to get ahead.

It's up to Congress to fix this obvious injustice. According to a recent CNN poll, nearly three-quarters of Americans support the Buffett rule. Earlier this week, a bipartisan majority of Senators demonstrated their support for the Buffett rule to institute tax fairness for the middle class.

I urge my colleagues to vote to defeat the previous question so that I may offer the Paying a Fair Share Act, also known as the Buffett rule.

Mr. SESSIONS. Madam Speaker, we're hearing a lot of rhetoric today about all these millionaires that are out there. And I would be for their ideas if they worked, but the facts of the case are what they create is less opportunity.

The IRS, on their Web site, shows that there were 37 percent fewer people who filed as millionaires one year over the next. That's the latest information we have on the IRS Web site—37 percent fewer people reported numbers of \$1 million or more. That falls right in line with what's happening as America goes into bankruptcy. Because this is about fairness. Well, it shouldn't be about fairness. It should be about opportunities, creating more opportunities. That's the same reason why this same rhetoric, why 63 percent of our children move back in to our homes when they finish college—lack of opportunities. That's not fair. Fairness is opportunity and the chance for people to go make something better of their lives.

What we're talking about today will help some 54,509 women-owned businesses in the State of Texas alone that account for 483,000 individuals. That's what we're trying to help and save. This is the right thing. I'm very proud of it.

I know what they want to do is raise taxes. I know what they want to do is call it fairness. All it simply does is cause further economic malaise and deficiencies all across this country of small business.

Madam Speaker, at this time I'd like to yield 3 minutes to the gentleman from Florida (Mr. NUGENT), the gentleman who sits on the Rules Committee.

Mr. NUGENT. Thank you, Mr. Chairman. I appreciate the opportunity to be here.

Madam Speaker, we hear so much out here on the House floor. I support

the rule and the underlying legislation because it gives the ability to small businesses to create jobs here in America. It allows people to go back to work. Those folks, when they go back to work, actually pay taxes. They start contributing as citizens of this great country.

This small business group tax deduction affects small businesses that are minority-owned, that are women-owned, that are veteran-owned businesses. You hear all this talk about how it affects all these other folks, but this is really about creating jobs in America. It's about allowing people that are entrepreneurs to utilize the resources that they've worked hard for and their employees have worked hard for to create additional jobs.

You've heard a whole lot of stuff down here about transportation. The transportation bill expired back in September of 2009. My good friend from Florida, I agree with you, we should have a long-term transportation bill. But what did you do since 2009? I got up here in 2011. We're still talking about the lack of action by this Congress, by the Senate, and by this President since 2009 to get Americans back to work.

When you talk to those that are small businesses that actually do the work on roads, they said if you do a 90-day, a 2-year extension, we're not going to add jobs. We're going to be able to keep the jobs that we have, but we're not going to add jobs. We're not going to be buying equipment from Caterpillar up in Peoria, Illinois, and putting people to work in Illinois. We've already canceled those jobs.

So, Madam Speaker, this is about America. This is about actually looking people in the eye, those that actually create jobs. Remember, small businesses create over 70 percent of the new jobs in America. We're making them the villain in this instead of returning it back and saying, you know, small businesses and entrepreneurs, they're going to use the money to grow their business. That's why they're in it. That's why they get into this whole thing in regards to putting their risk, their money, and their reputations at stake.

□ 1000

You hear about class warfare. We heard it here today.

And I agree about comprehensive tax reform. I'll give you the best comprehensive tax reform. Why don't we move to the fair tax?

Why don't we move to the fact that we can encourage our small businesses and businesses in America that can compete globally instead of under a tax burden and debt that we have here in America?

We have the ability to move forward and do the right thing. Let's not get caught up in the semantics and the political rhetoric. Let's really stand here

and do the right thing for small businesses to allow them, Madam Speaker, to create the jobs that we know they can. I have the utmost confidence in small businesses.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 3 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE), my good friend.

Ms. JACKSON LEE of Texas. I thank Judge HASTINGS, I thank him very much for telling us the story of America, from spring cleaners to families that have held their businesses for a long period of time.

And I really wish I could join my friend. I know he's pleading for us to believe that any job will be created, but, frankly, the answer is that there is no requirement for jobs to be created under this tax bill.

What this tax bill does is complicate any manner of tax reform which Americans are begging for. It adds to the already burgeoning, growing Bush tax cuts. Now this added burden, \$6 trillion in the combination package of the existing tax cuts under the Bush administration. It adds to the deficit of human life.

And let me just tell you about some young woman, a caretaker, a mother, maybe a mother who's at home and works at home, not only to take care of her children, but has a home business, or maybe a caretaker taking care of an elderly or disabled person. Let me tell you what these tax cuts will do. And this is what it equals.

It equals almost \$180 billion in cuts and food stamps, where soldiers' families cannot eat and the caretakers cannot provide for their families. It equals to the increase in the Stafford loans to 6.8 percent in interest, where middle class families are priced out of higher education. It equals the cut in Medicaid to women who need access to health care.

And I don't know why we haven't addressed our good friends in the restaurant industry. These are the people whose doors are open and truly could hire an additional staff, who has the smallest margin of profit.

We're not doing anything for depreciation relief. No, we're sitting around giving the top 3 percent over one-half of this tax break, a big Christmas in the middle of April. 125,000 millionaires will get a check for \$58,000, and then it'll cost a budget busting \$46 billion.

In my own State of Texas, there's an article that says we're pricing the middle class, Congressman HASTINGS, out of higher education. They're investing in research, but tuition is going up and there's no relief. And the loans that we give from the Federal Government, as I said, will be almost 7 percent in interest in just about 70 days. This is what this tax cut will do.

I'm not afraid to stand up for small businesses, but you absolutely need to

look at the framework. Five hundred employees. You could be a big law firm. You could be a big engineering firm. And God bless you; I want you to keep working. That's why I voted on the transportation bill. But what I need to have happen is that there is a requirement for jobs.

The stimulus package created 3 million jobs because we had a mission of shovel-ready projects, and, in addition, we gave monies to people who put the money out on the street.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS of Florida. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE of Texas. I thank the distinguished gentleman.

But not in this case. No requirement for jobs. You want to sit here and tell at-home moms, working moms like the young woman that I wanted to tell you about who gets up early morning, doesn't get into a car, gets onto a bus, rides that bus to get her child to the school, jumps off the bus, makes sure she can run to the front door of the school, drops the child before the bus turns around to get her back; on the bus to go across town to get a job or to go to her work, you're cutting her access to health care because you're taking \$46 billion.

Madam Speaker, all I can say to you: This is a budget buster on top of \$6 trillion of which we are paying for the Bush cuts. We're doing nothing for restaurants, nothing for small businesses, and nothing for the working young woman that I've told you about this morning.

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

By the way, President Obama even admitted that did not work, that shovel-ready proposition that he tried to sell across the country simply did not work. I would be for the President's ideas if they worked. What they're about is the supposed fairness, which diminishes the economic opportunity for this country to grow and have jobs and make small businesses grow.

Madam Speaker, at this time I yield 2 minutes to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. I thank my friend from Texas for yielding me the time.

I wanted to come down and talk today. I support the rule, but I really support H.R. 9, the Small Business Tax Cut bill. This tax relief will go to 28,000 small businesses in West Virginia.

I'm from a small State. Small businesses, I heard earlier, the statistics, create 70 percent of the jobs. In my State, it's probably 90 percent of the jobs are small business owners. Entrepreneurship and small businesses are going to drive us to recovery, not more spending and more debt.

I heard the gentlelady talk about restaurants. That's who this is aimed at.

Our top three small businesses in West Virginia would be health care and the service industry and the food industry.

I've spent the last 2 weeks traveling in my district and listening to the concerns of families and job creators. They're very frustrated, very frustrated by the high price of gasoline, rising health care costs, and new regulation upon new regulation. It's making it difficult for our job creators to operate and to grow the jobs.

A recent study by the U.S. Chamber found that 80 percent of small businesses reported that taxation, regulation, and legislation from Washington make it harder for them, for their businesses, to hire more employees. This tax cut will have an immediate effect, I believe, on the economy and certainly in my State.

Just several weeks ago the Senate, the House, and the White House, we worked together to pass the JOBS Act; and I've already gotten very positive feedback from several people that they're, number one, glad that we're looking at the real problem in this country, which is the lack of jobs and job creation and, number two, that we did something together, that we worked together to try to get ourselves out of this slow recovery that we're in right now.

I hope we can work in the same bipartisan spirit and pass this tax cut to give our job creators the ability to hire somebody else, buy new equipment, expand their businesses, choose another location, all the things that I think this tax cut bill will provide.

Mr. HASTINGS of Florida. Madam Speaker, I would urge my friend from Texas that I'm going to be the last speaker, and I'm prepared to close if he has no further speakers.

Mr. SESSIONS. Thank you very much. In fact, I would tell the gentleman we have no additional speakers other than myself, and I'll plan to close.

Mr. HASTINGS of Florida. Madam Speaker, I yield myself the balance of the time.

H.R. 9 is not about creating jobs or helping small businesses increase hiring. It is another in a long line of Republican proposals that benefit those of us, including those of us in the House of Representatives, that are the better-off Americans at the expense of the middle class.

My Republican friends rejected an amendment offered by our colleague, Representative CROWLEY, which I offered in the Rules Committee in his stead, which would have prevented businesses from eliminating jobs in the United States while creating jobs overseas under this bill.

Procedurally, it is also disconcerting that, contrary to my Republican colleagues' self-professed commitment to an open process, Democrats have been allowed only one substitute in an otherwise closed process. Nor was H.R. 9

the subject of any hearing before either the full Ways and Means Committee, or the Select Revenue Measures Subcommittee, with the exception of a brief question-and-answer session with Joint Committee on Taxation staff during the markup.

Finally, instead of taking real steps to address the very real need to create opportunities for businesses to succeed in a still nascent economic recovery, House Republicans are more than willing to rush through another tax bill that could, if it were to pass—and it is not going to, and they know that—only help those of us that are better off in society, while sticking middle- and lower-income families with the bill and creating exactly zero jobs.

□ 1010

And you call this opportunity?

Madam Speaker, I ask unanimous consent to insert the text of the amendment to the rule in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Florida. Madam Speaker, I urge my colleagues to vote “no” on this opportunity-destroying measure and to defeat the previous question. I urge a “no” vote on the rule, and I yield back the balance of my time.

Mr. SESSIONS. I appreciate the gentleman from Florida, not only for his vigorous defense of the Democrat position to increase taxes, but I would like to, if I can, state what really are the facts of the case and what is in this bill.

The claim is that tax cuts will be available for small businesses even if they ship jobs overseas. Well, the fact is this legislation allows the 20 percent deduction for qualified domestic business income. Domestic. That’s here. Domestic business. It would not be allowed to include money that was earned overseas. So I think that that is a good part of this bill. I think what Mr. CANTOR did is understand that we are trying to grow American jobs.

There have also been a lot of statements made by our friends, but I think the American people need to hear this about the bill and the substitute, which will be allowed and which was allowed in the Rules Committee, and that is, similar to H.R. 9, which is this bill, the Levin amendment, which would be the substitute, does not include any provision addressing companies that continue to make foreign investment. It’s devoid of that. Both proposals do tie the small business tax deduction to domestic wages. Both bills do that exact same thing. So to accuse us of not doing something or something that would create or stop busi-

ness from having jobs overseas, that’s devoid of that in both bills. They are both consistent. It’s about domestic works.

Similar to H.R. 9, the Levin amendment does not require job creation to benefit from the tax deduction. No one says you have to go and create jobs. We understand enough about business to know this is what they’re asking for so they can grow jobs.

The Levin amendment does deviate from H.R. 9 in one very significant way, and that is the amount of money that would be available to small business so that they can expand the economy, grow jobs, and create opportunities for Americans. Obviously, what we’re here today to do is to grow the economy.

Madam Speaker, I would like to include in the RECORD an article which is from The Wall Street Journal, June of 2011. I would like to read just a little bit of this:

This past January, Illinois Governor Pat Quinn signed into law a 67 percent increase in the State personal income tax rate and a 45 percent increase in corporate taxes.

By the way—and it’s off what is here—this was done for fairness. It is the same proposal that Barack Obama, as our President who was just elected, was trying to push in the campaign. Illinois thought it sounded really, really great. So let’s see what happened, what the fairness resulted in, and I go back to the article, that between its passage and June—6 months later—Illinois lost 56,223 jobs according to statistics released by their own departments there in the State of Illinois. But here is what’s really amazing. It’s not just that they lost the jobs, but it’s the hysteria that ensued therein. I continue to read:

To combat the job losses caused by the higher taxes on businesses, the Illinois Department of Commerce “has already shelled out some \$230 million in corporate subsidies to keep more than two dozen companies from fleeing the State.”

So they were not even going to get \$230 million worth of additional revenue. They put this tax on, and now they’re having to beg people to stay. Madam Speaker, I would be for what President Obama and our friends, the Democrats, are for if it worked the way they said it would. The facts of the case are simple.

The Republicans understand business, but we understand the ability to listen and give small business what it’s asking for. They’ll do their job. I know small business and I know it well. They’ll get their job done, and they’ll do it quite well. They will add employment. They will hire their neighbors. They will hire more women and minorities who can come in. They will provide real dreams for people and give them not just that entrepreneurship angle but the angle to make sure that we’re adding revenue in this country.

Republicans get it and Democrats, too. We are for fairness in a different way. Fairness comes from a job and job creation and the American Dream, not losing jobs and explaining to people, I’m sorry, we just had to do this just to make things fair.

Fairness and not having a job is not fairness. We’re aiming for job creation and the development of that, and that’s why we’re asking people to make sure that we pass this bill today. I applaud Republican Majority Leader ERIC CANTOR for introducing this legislation. It comes from his listening to people across this country.

I encourage a “yes” vote on the rule.

Over the last few weeks, President Barack Obama has adamantly supported raising taxes on corporations and small businesses that employ millions of American workers as a precondition for cutting our bloated federal spending.

To see the real world effect of this proposal on jobs and the economy, President Obama’s home state provides a useful, cautionary example.

This past January, Illinois Governor Pat Quinn signed into law a 67 percent increase in the state personal income tax rate and a 45 percent increase in corporate taxes. Between its passage and June, Illinois lost 56,223 jobs according to statistics released last week.

To combat the job losses caused by the higher taxes on businesses, the Illinois Department of Commerce “has already shelled out some \$230 million in corporate subsidies to keep more than two dozen companies from fleeing the state.”

So not only is Illinois bleeding productive jobs, but it’s now allowing the government to pick winners (large, politically-connected companies) and losers (everyone else).

Extracting an ever-increasing toll from job creators is simply the wrong answer for American jobs. Just ask the 56,000 Illinoisans who have lost their jobs since January. Spreading this failure nationwide is simply not an option.

We are in a debt crisis not because we tax too little, but because Democrat-led Washington spends beyond its means. House Republicans have been focused on encouraging and providing certainty (not new burdens) to our job creators—and paying down our nation’s debt for our children.

The rest of America simply cannot afford more of the failed policies of the President’s home state, and House Republicans will fight against tax hikes so that we may ensure a brighter future for generations to come.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 620 OFFERED BY
MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3903) to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and

ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the mo-

tion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. SESSIONS. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HASTINGS of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 620, if ordered; and agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 234, nays 179, not voting 18, as follows:

[Roll No. 172]

YEAS—234

Adams	Burgess	Ellmers
Aderholt	Calvert	Emerson
Akin	Camp	Farenthold
Alexander	Campbell	Fincher
Amash	Canseco	Fitzpatrick
Amodei	Cantor	Fleischmann
Austria	Capito	Fleming
Bachmann	Carter	Flores
Bachus	Cassidy	Forbes
Barletta	Chabot	Fortenberry
Bartlett	Chaffetz	Fox
Barton (TX)	Coble	Franks (AZ)
Benishek	Coffman (CO)	Frelinghuysen
Berg	Cole	Gallely
Biggart	Conaway	Gardner
Billbray	Cravaack	Garrett
Bilirakis	Crawford	Gerlach
Black	Crenshaw	Gibbs
Blackburn	Culberson	Gibson
Bonner	Davis (KY)	Gingrey (GA)
Bono Mack	Denham	Gohmert
Boren	Dent	Goodlatte
Boustany	DesJarlais	Gowdy
Brady (TX)	Diaz-Balart	Granger
Brooks	Dold	Graves (GA)
Broun (GA)	Dreier	Graves (MO)
Buchanan	Duffy	Griffin (AR)
Bucshon	Duncan (SC)	Griffith (VA)
Buerkle	Duncan (TN)	Grimm

Guthrie	McCaul	Ros-Lehtinen
Hall	McClintock	Roskam
Hanna	McCotter	Ross (AR)
Harper	McHenry	Ross (FL)
Harris	McIntyre	Royce
Hartzler	McKeon	Runyan
Hastings (WA)	McKinley	Ryan (WI)
Hayworth	McMorris	Scalise
Heck	Rodgers	Schilling
Hensarling	Meehan	Schmidt
Herger	Mica	Schock
Herrera Beutler	Miller (FL)	Schweikert
Huelskamp	Miller (MI)	Scott (SC)
Huizenga (MI)	Miller, Gary	Scott, Austin
Hultgren	Mulvaney	Sensenbrenner
Hunter	Murphy (PA)	Sessions
Hurt	Myrick	Shimkus
Issa	Neugebauer	Shuler
Jenkins	Noem	Shuster
Johnson (IL)	Nugent	Simpson
Johnson (OH)	Nunes	Smith (NE)
Johnson, Sam	Nunnelee	Smith (NJ)
Jones	Olson	Smith (TX)
Jordan	Palazzo	Southerland
Kelly	Paulsen	Stearns
King (IA)	Pearce	Stivers
King (NY)	Pence	Stutzman
Kingston	Petri	Sullivan
Kinzinger (IL)	Pitts	Terry
Kline	Platts	Thompson (PA)
Labrador	Poe (TX)	Thornberry
Lamborn	Pompeo	Tiberi
Lance	Posey	Tipton
Landry	Price (GA)	Turner (NY)
Lankford	Quayle	Turner (OH)
Latham	Reed	Upton
LaTourette	Rehberg	Walberg
Latta	Reichert	Walden
Lewis (CA)	Renacci	Webster
LoBiondo	Ribble	West
Long	Rigell	Westmoreland
Lucas	Rivera	Whitfield
Luetkemeyer	Roby	Wilson (SC)
Lummis	Roe (TN)	Wittman
Lungren, Daniel	Rogers (AL)	Wolf
E.	Rogers (KY)	Womack
Mack	Rogers (MI)	Woodall
Marchant	Rohrabacher	Yoder
Matheson	Rokita	Young (IN)
McCarthy (CA)	Rooney	

NAYS—179

Ackerman	Cummings	Jackson Lee
Altmire	Davis (CA)	(TX)
Andrews	Davis (IL)	Johnson (GA)
Baca	DeFazio	Johnson, E. B.
Baldwin	DeGette	Kaptur
Barrow	DeLauro	Keating
Bass (CA)	Deuth	Kildee
Becerra	Dicks	Kind
Berkley	Dingell	Kissell
Berman	Doggett	Kucinich
Bishop (GA)	Donnelly (IN)	Langevin
Bishop (NY)	Doyle	Larsen (WA)
Blumenauer	Edwards	Larson (CT)
Bonamici	Ellison	Lee (CA)
Boswell	Engel	Levin
Brady (PA)	Eshoo	Lewis (GA)
Brown (FL)	Farr	Lipinski
Butterfield	Fattah	Loeb
Capps	Frank (MA)	Loeb, Zoe
Capuano	Fudge	Lowe
Cardoza	Garamendi	Lujan
Carnahan	Gonzalez	Lynch
Carney	Green, Al	Maloney
Carson (IN)	Green, Gene	Markey
Castor (FL)	Grijalva	Matsui
Chandler	Gutierrez	McCarthy (NY)
Chu	Hahn	McCollum
Cicilline	Hanabusa	McDermott
Clarke (MI)	Hastings (FL)	McGovern
Clarke (NY)	Heinrich	McNerney
Clay	Higgins	Meeks
Cleaver	Himes	Michaud
Clyburn	Hinchee	Miller (NC)
Cohen	Hinojosa	Miller, George
Connolly (VA)	Hirono	Moore
Conyers	Hochul	Moran
Cooper	Holden	Murphy (CT)
Costa	Holt	Nadler
Costello	Honda	Neal
Courtney	Hoyer	Oliver
Critz	Israel	Owens
Crowley	Jackson (IL)	Pallone
Cuellar		Pascarell

Table listing names and states of members present at the start of the session, including Sanchez, Linda T. (AZ), Thompson (MS), Donnelly (IN), Kinzinger (IL), Renacci (CA), Lee (CA), Pascrell (AZ), Serrano (CA), Pelosi (CA), Sanchez, Loretta T. (CA), Tonko (NY), Kline (OH), Ribble (IN), Levin (MI), Pastor (AZ), Sewell (VA), Perlmutter (VA), Sanchez, Loretta T. (CA), Tonko (NY), Kline (OH), Ribble (IN), Levin (MI), Pastor (AZ), Sewell (VA), Peters (CA), Sarbanes (MD), Towns (NC), Duncan (SC), Labrador (NH), Kline (OH), Ribble (IN), Levin (MI), Pastor (AZ), Sewell (VA), Peterson (CA), Schakowsky (TX), Towns (NC), Duncan (SC), Labrador (NH), Kline (OH), Ribble (IN), Levin (MI), Pastor (AZ), Sewell (VA), Pingree (ME), Schiff (VA), Van Hollen (MD), Elmers (VA), Emershov (VA), Lofgren (CA), Zoe (CA), Lowey (NY), Lujan (NM), Lynch (NY), Maloney (NY), Markey (MA), Matsui (CA), McCarthy (NY), McCollum (IA), McDermott (WA), McGovern (MA), McNeerney (NY), Meeks (OH), Michaud (VT), Miller (NC), Moore (CA), Moran (CA), Murphy (CT), Nadler (VA), Neal (VA), Olver (VA), Owens (VA), Pallone (NJ), Ryan (OH), Sanchez, Linda T. (CA), Serrano (CA), Stutzman (IA), Thompson (CA), Wasserman (VA), Yarmuth (VA).

NOT VOTING—18

Table listing names and states of members not voting, including Bass (NH), Gosar (AZ), Rangel (NY), Bishop (UT), Guinta (VA), Sewell (VA), Braley (IA), Manzullo (IL), Slaughter (VA), Burton (IN), Marino (VA), Walsh (IL), Filner (CA), Napolitano (CA), Young (AK), Flake (AZ), Paul (VA), Young (FL).

□ 1041

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 172, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

Ms. SEWELL. Mr. Speaker, on rollcall No. 172, had I been present, I would have voted "nay."

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, April 19, 2012, I was absent during rollcall vote No. 172 due to a family medical emergency. Had I been present, I would have voted "nay" on Ordering the Previous Question to H. Res. 620, Providing for consideration of H.R. 9, Small Business Tax Cut Act.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 178, not voting 19, as follows:

[Roll No. 173]

AYES—234

Table listing names and states of members voting 'Ayes', including Adams (MA), Blackburn (TN), Carter (GA), Aderholt (AL), Bonner (TN), Cassidy (CA), Akin (OH), Bono Mack (VA), Chabot (OH), Alexander (VA), Boren (OR), Chaffetz (UT), Amash (MI), Boustany (LA), Coble (NC), Amodei (NV), Brady (TX), Coffman (CO), Austria (VA), Brooks (VA), Cole (VA), Bachmann (TX), Broun (GA), Conaway (TX), Bachus (CA), Buchanan (VA), Cravaack (VA), Barletta (PA), Bucshon (IN), Crawford (VA), Bartlett (VA), Buerkle (VA), Crenshaw (VA), Barton (TX), Burgess (VA), Culberson (TX), Benishek (MI), Calvert (MD), Davis (KY), Berg (VA), Camp (VA), Denham (VA), Biggert (IL), Campbell (VA), Dent (PA), Bilbray (CA), Canseco (CA), DesJarlais (VA), Bilirakis (VA), Cantor (VA), Diaz-Balart (FL), Black (VA), Capito (WV), Dold (VA).

Table listing names and states of members voting 'Noes', including Ackerman (TX), Clyburn (SC), Green, Al (VA), Altmire (PA), Cohen (VA), Green, Gene (VA), Andrews (VA), Connolly (VA), Grijalva (TX), Baca (CA), Conyers (MI), Gutierrez (TX), Baldwin (VA), Cooper (VA), Hahn (VA), Barrow (VA), Costa (VA), Hastings (FL), Bass (CA), Costello (VA), Courtney (VA), Becerra (CA), Critz (VA), Berkley (CA), Crowley (VA), Berman (VA), Cuellar (VA), Bishop (NY), Cummings (VA), Blumenauer (OR), Davis (CA), Bonamici (OR), Davis (IL), Boswell (VA), DeFazio (OR), Brady (PA), DeGette (VA), Brown (FL), DeLauro (VA), Butterfield (VA), Deutch (VA), Capps (VA), Dicks (VA), Capuano (CA), Dingell (MI), Cardoza (VA), Doggett (VA), Carnahan (VA), Doyle (VA), Carney (VA), Edwards (VA), Carson (IN), Ellison (VA), Castor (FL), Engel (VA), Chandler (VA), Eshoo (VA), Chu (VA), Farr (VA), Ciulline (VA), Fattah (VA), Clarke (MI), Frank (MA), Clarke (NY), Fudge (VA), Clay (VA), Garamendi (CA), Cleaver (VA), Gonzalez (TX).

NOES—178

Table listing names and states of members voting 'Noes', including Green, Al (VA), Green, Gene (VA), Grijalva (TX), Gutierrez (TX), Hahn (VA), Hanabusa (VA), Hastings (FL), Heinrich (VA), Higgs (VA), Himes (VA), Hinchey (VA), Hinojosa (VA), Hirono (HI), Hochul (VA), Holden (VA), Holt (VA), Honda (VA), Hoyer (VA), Israel (VA), Jackson (IL), Jackson Lee (TX), Johnson (GA), Johnson, E. B. (VA), Kaptur (VA), Keating (VA), Kildee (VA), Kind (VA), Kucinich (VA), Langevin (VA), Larsen (WA), Larson (CT).

NOT VOTING—19

Table listing names and states of members not voting, including Bass (NH), Griffith (VA), Schock (VA), Bishop (UT), Guinta (VA), Slaughter (VA), Braley (IA), Manzullo (IL), Walsh (IL), Burton (IN), Marino (VA), Young (AK), Filner (CA), Napolitano (CA), Young (FL), Flake (AZ), Paul (VA), Rangel (NY), Gosar (AZ).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1050

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 173, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, April 19, 2012, I was absent during rollcall vote No. 173 due to a family medical emergency. Had I been present, I would have voted "no" on agreeing to the resolution, as amended, to H. Res. 620, providing for consideration of H.R. 9, Small Business Tax Cut Act.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 290, nays 118, answered "present" 3, not voting 20, as follows:

[Roll No. 174]

YEAS—290

Table listing names and states of members voting 'Yeas', including Ackerman (TX), Alexander (VA), Baca (CA), Aderholt (AL), Amodei (NV), Bachmann (TX), Akin (VA), Austria (VA), Bachus (CA).

Barletta
Barrow
Bartlett
Barton (TX)
Becerra
Berg
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Cicilline
Clarke (MI)
Clay
Coble
Cole
Connolly (VA)
Conyers
Cooper
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Davis (CA)
Davis (IL)
DeGette
DeLauro
Denham
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fincher
Fleischmann
Fleming
Flores
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gibbs
Gingrey (GA)
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Green, Al
Griffith (VA)

Grimm
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Higgins
Himes
Hinchee
Hinojosa
Hirono
Hochul
Holden
Holt
Huiזנגa (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Larson (CT)
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Lujan
Lummis
Lungren, Daniel
E.
Mack
Maloney
Marchant
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley
McClintock
McCollum
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neugebauer
Noem
Nunes
Nunnelee

Olson
Palazzo
Pascarell
Pearce
Pelosi
Pence
Perlmutter
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rehberg
Reyes
Richardson
Rivera
Coffman (CO)
Cohen
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schiff
Schmidt
Schwartz
Kline
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stearns
Stutzman
Sullivan
Sutton
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walden
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wolf
Womack
Woolsey
Yarmuth
Young (IN)

NAYS—118

Adams
Altmire
Andrews
Baldwin
Bass (CA)
Benishek
Biggert
Bishop (NY)
Boswell
Brady (PA)
Burgess
Capuano
Cardoza
Price (FL)
Price (NC)
Chandler
Chu
Clarke (NY)
Cleaver
Clyburn
Johnson (OH)
Keating
Kind
Kucinich
Langevin
Latham
Lee (CA)
Lewis (GA)
LoBiondo
Luetkemeyer
Lynch
DesJarlais
Dold
Donnelly (IN)
Duffy
Fattah
Fitzpatrick
Forbes
Foxy
Miller (FL)
Miller, George
Neal
Nugent

Olver
Pallone
Pastor (AZ)
Paulsen
Peters
Peterson
Poe (TX)
Quayle
Rahall
Reed
Reichert
Renacci
Ribble
Richmond
Rigell
Rooney
Ros-Lehtinen
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schilling
Schock
Shuler
Sires
Stark
Stivers
Terry
Thompson (CA)
Thompson (MS)
Velázquez
Visclosky
Walberg
Walters
Wittman
Woodall
Yoder

ANSWERED "PRESENT"—3

Amash Gohmert Owens

NOT VOTING—20

Bass (NH)
Bishop (UT)
Braley (IA)
Burton (IN)
Cummings
Davis (KY)
Filner
Flake
Gosar
Guinta
Manzullo
Marino
Napolitano
Paul
Rangel
Schrader
Slaughter
Walsh (IL)
Young (AK)
Young (FL)

□ 1057

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

SMALL BUSINESS TAX CUT ACT

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 620, I call up the bill (H.R. 9) to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to House Resolution 620, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, is adopted. The bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 9

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

1. SHORT TITLE.

This Act may be cited as the "Small Business Tax Cut Act".

DEDUCTION FOR DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

"SEC. 200. DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.

"(a) ALLOWANCE OF DEDUCTION.—In the case of a qualified small business, there shall be allowed as a deduction an amount equal to 20 percent of the lesser of—

"(1) the qualified domestic business income of the taxpayer for the taxable year, or

"(2) taxable income (determined without regard to this section) for the taxable year.

"(b) DEDUCTION LIMITED BASED ON WAGES PAID.—

"(1) IN GENERAL.—The amount of the deduction allowable under subsection (a) for any taxable year shall not exceed 50 percent of the greater of—

"(A) the W-2 wages of the taxpayer paid to non-owners, or

"(B) the sum of—

"(i) the W-2 wages of the taxpayer paid to individuals who are non-owner family members of direct owners, plus

"(ii) any W-2 wages of the taxpayer paid to 10-percent-or-less direct owners.

"(2) DEFINITIONS RELATED TO OWNERSHIP.—

For purposes of this section—

"(A) NON-OWNER.—The term 'non-owner' means, with respect to any qualified small business, any person who does not own (and is not considered as owning within the meaning of subsection (c) or (e)(3) of section 267, as the case may be) any stock of such business (or, if such business is other than a corporation, any capital or profits interest of such business).

"(B) NON-OWNER FAMILY MEMBERS.—An individual is a non-owner family member of a direct owner if—

"(i) such individual is family (within the meaning of section 267(c)(4)) of a direct owner, and

"(ii) such individual would be a non-owner if subsections (c) and (e)(3) of section 267 were applied without regard to section 267(c)(2).

"(C) DIRECT OWNER.—The term 'direct owner' means, with respect to any qualified small business, any person who owns (or is considered as owning under the applicable non-family attribution rules) any stock of such business (or, if such business is other than a corporation, any capital or profits interest of such business).

"(D) 10-PERCENT-OR-LESS DIRECT OWNERS.—The term '10-percent-or-less direct owner' means, with respect to any qualified small business, any direct owner of such business who owns (or is considered as owning under the applicable non-family attribution rules)—

"(i) in the case of a qualified small business which is a corporation, not more than 10 percent of the outstanding stock of the corporation or stock possessing more than 10 percent of the total combined voting power of all stock of the corporation, or

"(ii) in the case of a qualified small business which is not a corporation, not more than 10 percent of the capital or profits interest of such business.

"(E) APPLICABLE NON-FAMILY ATTRIBUTION RULES.—The term 'applicable non-family attribution rules' means the attribution rules of subsection (c) or (e)(3) of section 267, as the case may be, but in each case applied without regard to section 267(c)(2).

"(3) W-2 WAGES.—For purposes of this section—

"(A) IN GENERAL.—The term 'W-2 wages' means, with respect to any person for any taxable year of such person, the sum of the

amounts described in paragraphs (3) and (8) of section 6051(a) paid by such person with respect to employment of employees by such person during the calendar year ending during such taxable year.

“(B) LIMITATION TO WAGES ATTRIBUTABLE TO QUALIFIED DOMESTIC BUSINESS INCOME.—Such term shall not include any amount which is not properly allocable to domestic business gross receipts for purposes of subsection (c)(1).

“(C) OTHER REQUIREMENTS.—Except in the case of amounts treated as W-2 wages under paragraph (4)—

“(i) such term shall not include any amount which is not allowed as a deduction under section 162 for the taxable year, and

“(ii) such term shall not include any amount which is not properly included in a return filed with the Social Security Administration on or before the 60th day after the due date (including extensions) for such return.

“(4) CERTAIN PARTNERSHIP DISTRIBUTIONS TREATED AS W-2 WAGES.—

“(A) IN GENERAL.—In the case of a qualified small business which is a partnership and elects the application of this paragraph for the taxable year—

“(i) the qualified domestic business taxable income of such partnership for such taxable year (determined after the application of clause (ii)) which is allocable under rules similar to the rules of section 199(d)(1)(A)(ii) to each qualified service-providing partner shall be treated for purposes of this section as W-2 wages paid during such taxable year to such partner as an employee, and

“(ii) the domestic business gross receipts of such partnership for such taxable year shall be reduced by the amount so treated.

“(B) QUALIFIED SERVICE-PROVIDING PARTNER.—For purposes of this paragraph, the term ‘qualified service-providing partner’ means, with respect to any qualified domestic business taxable income, any partner who is a 10-percent-or-less direct owner and who materially participates in the trade or business to which such income relates.

“(5) ACQUISITIONS AND DISPOSITIONS.—The Secretary shall provide for the application of this subsection in cases where the taxpayer acquires, or disposes of, the major portion of a trade or business or the major portion of a separate unit of a trade or business during the taxable year.

“(c) QUALIFIED DOMESTIC BUSINESS INCOME.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified domestic business income’ for any taxable year means an amount equal to the excess (if any) of—

“(A) the taxpayer’s domestic business gross receipts for such taxable year, over

“(B) the sum of—

“(i) the cost of goods sold that are allocable to such receipts, and

“(ii) other expenses, losses, or deductions (other than the deduction allowed under this section), which are properly allocable to such receipts.

“(2) DOMESTIC BUSINESS GROSS RECEIPTS.—

“(A) IN GENERAL.—The term ‘domestic business gross receipts’ means the gross receipts of the taxpayer which are effectively connected with the conduct of a trade or business within the United States within the meaning of section 864(c) but determined—

“(i) without regard to paragraphs (3), (4), and (5) thereof, and

“(ii) by substituting ‘qualified small business (within the meaning of section 200)’ for ‘non-resident alien individual or a foreign corporation’ each place it appears therein.

“(B) EXCEPTIONS.—For purposes of paragraph (1), domestic business gross receipts shall not include any of the following:

“(i) Gross receipts derived from the sale or exchange of—

“(I) a capital asset, or

“(II) property used in the trade or business (as defined in section 1231(b)).

“(ii) Royalties, rents, dividends, interest, or annuities.

“(iii) Any amount which constitutes wages (as defined in section 3401).

“(3) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (2) and (3) of section 199(c) shall apply for purposes of this section (applied with respect to qualified domestic business income in lieu of qualified production activities income and with respect to domestic business gross receipts in lieu of domestic production gross receipts).

“(d) QUALIFIED SMALL BUSINESS.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified small business’ means any employer engaged in a trade or business if such employer had fewer than 500 full-time equivalent employees for either calendar year 2010 or 2011.

“(2) FULL-TIME EQUIVALENT EMPLOYEES.—The term ‘full-time equivalent employees’ has the meaning given such term by subsection (d)(2) of section 45R applied—

“(A) without regard to subsection (d)(5) of such section,

“(B) with regard to subsection (e)(1) of such section, and

“(C) by substituting ‘calendar year’ for ‘taxable year’ each place it appears therein.

“(3) EMPLOYERS NOT IN EXISTENCE PRIOR TO 2012.—In the case of an employer which was not in existence on January 1, 2012, the determination under paragraph (1) shall be made with respect to calendar year 2012.

“(4) APPLICATION TO CALENDAR YEARS IN WHICH EMPLOYER IN EXISTENCE FOR PORTION OF CALENDAR YEAR.—In the case of any calendar year during which the employer comes into existence, the number of full-time equivalent employees determined under paragraph (2) with respect to such calendar year shall be increased by multiplying the number so determined (without regard to this paragraph) by the quotient obtained by dividing—

“(A) the number of days in such calendar year, by

“(B) the number of days during such calendar year which such employer is in existence.

“(5) SPECIAL RULES.—

“(A) AGGREGATION RULE.—For purposes of paragraph (1), any person treated as a single employer under subsection (a) or (b) of section 52 (applied without regard to section 1563(b)) or subsection (m) or (o) of section 414 shall be treated as a single employer for purposes of this subsection.

“(B) PREDECESSORS.—Any reference in this subsection to an employer shall include a reference to any predecessor of such employer.

“(e) SPECIAL RULES.—

“(1) ELECTIVE APPLICATION OF DEDUCTION.—Except as otherwise provided by the Secretary, the taxpayer may elect not to take any item of income into account as domestic business gross receipts for purposes of this section.

“(2) COORDINATION WITH SECTION 199.—If a deduction is allowed under this section with respect to any taxpayer for any taxable year—

“(A) any gross receipts of the taxpayer which are taken into account under this section for such taxable year shall not be taken into account under section 199 for such taxable year, and

“(B) the W-2 wages of the taxpayer which are taken into account under this section shall not be taken into account under section 199 for such taxable year.

“(3) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (1), (2), (3),

(4), (6), and (7) of section 199(d) shall apply for purposes of this section (applied with respect to qualified domestic business income in lieu of qualified production activities income).

“(f) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out the purposes of this section, including regulations which prevent a taxpayer which reorganizes from being treated as a qualified small business if such taxpayer would not have been treated as a qualified small business prior to such reorganization.

“(g) APPLICATION.—Subsection (a) shall apply only with respect to the first taxable year of the taxpayer beginning after December 31, 2011.”

(b) CONFORMING AMENDMENTS.—

(1) Section 56(d)(1)(A) of such Code is amended by striking “deduction under section 199” both places it appears and inserting “deductions under sections 199 and 200”.

(2) Section 56(g)(4)(C) of such Code is amended by adding at the end the following new clause:

“(vii) DEDUCTION FOR DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.—Clause (i) shall not apply to any amount allowable as a deduction under section 200.”

(3) The following provisions of such Code are each amended by inserting “200,” after “199.”

- (A) Section 86(b)(2)(A).
- (B) Section 135(c)(4)(A).
- (C) Section 137(b)(3)(A).
- (D) Section 219(g)(3)(A)(ii).
- (E) Section 221(b)(2)(C)(i).
- (F) Section 222(b)(2)(C)(i).
- (G) Section 246(b)(1).
- (H) Section 469(i)(3)(F)(iii).

(4) Section 163(j)(6)(A)(i) of such Code is amended by striking “and” at the end of subclause (III) and by inserting after subclause (IV) the following new subclause:

“(V) any deduction allowable under section 200, and”.

(5) Section 170(b)(2)(C) of such Code is amended by striking “and” at the end of clause (iv), by striking the period at the end of clause (v) and inserting “, and”, and by inserting after clause (v) the following new clause:

“(vi) section 200.”

(6) Section 172(d) of such Code is amended by adding at the end the following new paragraph:

“(B) DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.—The deduction under section 200 shall not be allowed.”

(7) Section 613(a) of such Code is amended by striking “deduction under section 199” and inserting “deductions under sections 199 and 200”.

(8) Section 613A(d)(1) of such Code is amended by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively, and by inserting after subparagraph (B) the following new subparagraph:

“(C) any deduction allowable under section 200.”

(9) Section 1402(a) of such Code is amended by striking “and” at the end of paragraph (16), by redesignating paragraph (17) as paragraph (18), and by inserting after paragraph (16) the following new paragraph:

“(17) the deduction provided by section 200 shall not be allowed; and”.

(c) CLERICAL AMENDMENT.—The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by adding at the end the following new item:

“Sec. 200. Domestic business income of qualified small businesses.”

The SPEAKER pro tempore. After 70 minutes of debate on the bill, as amended, it shall be in order to consider the further amendment in the nature of a substitute printed in House Report 112-447, if offered by the gentleman from Michigan (Mr. LEVIN) or

his designee, which shall be considered read and shall be separately debatable for 25 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 35 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 9.

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

There was no objection.

□ 1100

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

I rise today in support of H.R. 9, the Small Business Tax Cut Act. This legislation will allow small businesses with fewer than 500 employees to take a 20 percent tax deduction.

Small businesses are the engine of job creation, and while we pursue comprehensive tax reform that will give all businesses certainty to invest and hire, this bill will help small businesses to reinvest, hire new workers, or provide a raise to an employee.

The policies put forth by President Obama and congressional Democrats have yielded more government spending but have failed to generate strong income growth and the jobs Americans need. Instead of lowering unemployment, we got a lower credit rating; instead of massive job creation, we got massive and unprecedented levels of debt; and instead of higher wages for working families, we got higher gas prices.

This bill provides real relief to American small businesses and the workers they employ, and it treats every small business equally. Contrary to the political cronyism we've seen time and time again, this bill does not pick winners and losers. It provides relief to all small businesses, including those in my home State of Michigan. Michigan has been hit especially hard over the last 3 years with some of the highest unemployment rates in the Nation. And while small business owners in my district need and want comprehensive tax reform, they also agree that we must take steps to spur investment and hiring today as well. These business owners are the real experts who know what they need to add jobs back to our communities.

Take, for example, Bob Yackel, president of Merrill Tool. As part of the 400-employee Merrill Technologies Group, Mr. Yackel says:

As a manufacturing business in mid-Michigan, we know firsthand the ramifications of

the recent economic turmoil. The best way Washington can help energize economic growth is by making sure business owners are spending less on tax payments and more on creating jobs.

Bob Yackel is a larger small business owner, but there are smaller businesses that feel the same way.

Jim Holton, owner of Mountain Town Station in Mount Pleasant, has served the central Michigan community as a restaurant owner for more than 15 years. He is especially pleased with the simplicity and ease of this legislative approach. He says:

The beauty of the Small Business Tax Cut Act is its simplicity. If you're earning profits and contributing to the economy, then you can take 20 percent off your tax bill. No hoops to jump through. This is a great way for business owners like myself in the Great Lakes Bay region and across America to help jump-start our economy.

Those are just two examples in Michigan's Fourth District, but they echo small businesses and small business owners across the country.

Throughout our history, we've depended upon these industrious and innovative risk-takers to help us move through tough economic times. While we work to provide them the long-term comprehensive tax reform they need, we can also take steps today to unlock new opportunities for them immediately. Passing this bill will provide these much-needed, immediate opportunities.

I urge my colleagues to join me in supporting small business and to demonstrate that they support them as well by voting "yes" on H.R. 9.

Mr. Speaker, I ask unanimous consent that the gentleman from Virginia (Mr. CANTOR) be permitted to control the balance of the time, and I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, Mr. CANTOR will control the time and have the authority to dispense time.

There was no objection.

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

This bill needs to be graded, and the grade it gets is F, a fat F grade. It fails all tests of sound tax policy.

Let me start with truth in advertising, a grade F. This is not a small business bill. It's small business in name only. It's totally untargeted, totally. It applies as long as an entity has under 500 employees—law firms, sports teams, financial consultants, lobbyists, corporate farmers—and regardless of what their annual receipts are. They can be tens of millions, hundreds of millions of dollars.

Interestingly, when the SBA looks at its loan program, it has what's called a common standard. What that is is that generally the businesses it serves cannot have more than \$7 million in average annual receipts for most nonmanufacturing firms. This bill has no limits—none—as to function or amount of

receipts, so really this bill mocks the use of the title "small business." This isn't about mom and pop. It's about popping the cork for wealthy taxpayers.

Secondly, graded on tax fairness, F. According to the most cautious estimate, 56 percent of the tax break under this bill goes to taxpayers making \$250,000 or more annually. It provides 125,000 taxpayers making \$1 million a year with a tax break of over \$58,000. Another model says that 49 percent of this \$46 billion revenue loss goes to people with incomes over \$1 million. This is Bush tax cuts on steroids.

Thirdly, in terms of job creation, another grade F. Listen to the Joint Tax Committee analysis. It says this bill's economic impact "is so small as to be incalculable." The only thing calculating about this bill is its political nature.

We've looked at the Web site of the majority leader. He uses Mr. Robbins, who was the one who advised Herman Cain on 9-9-9. Here's what Mr. Robbins says about this bill: He estimates that a 1-year tax cut would create 39,000 jobs. This is on the majority leader's Web site. So, according to the analysis that the leader is touting on its own Web site, H.R. 9 would increase the Federal deficit by \$1.1 billion for every job supposedly created. So, another big F.

Now let's talk about where these jobs would be created. The bill is so untargeted to require that the jobs that are created here would really be created, because a company would get this benefit if it sheds jobs or if it uses the deduction to hire workers overseas.

Let's next go to fiscal irresponsibility, another fat F in terms of responsibility. This bill adds a whopping \$46 billion to the deficit in 1 year; if it's made permanent, one-half trillion dollars over the next 10 years. So I say this to anybody who votes for this bill and then goes home and utters the word, once, "Federal deficit." They will sell short the intelligence of their constituents, because they will know when someone is selling them a pig in a poke.

Now let's talk about tax reform, another fat F. This bill is the antithesis of tax reform. What it does is ridicule supporters who claim their fealty to tax reform. It doesn't simplify tax structures; it complicates it. That's why I quote The Wall Street Journal this morning. This is what they say about your bill: It's another tax gimmick.

□ 1110

Just earlier today somebody got up here and read from The Wall Street Journal. It was some months ago. Again, The Wall Street Journal says: "The U.S. economy does not need another tax gimmick." So this is tax policy gone haywire.

I'm going to offer a substitute, after we finish debate here on general debate, that's targeted; that will help create jobs; that's fair; that is fiscally responsible and continues a policy that both Republicans and Democrats have supported in the past.

This flies in the face of anything bipartisan. It flies in the face of anything that is truthful in advertising. It flies in the face of anything that is fair. It flies in the face of anything that creates jobs. It flies in the face of fiscal responsibility, and it flies in the face of tax reform.

So I more than urge people to vote "no" and vote "yes" on our substitute. I really urge that they exercise their responsibility to try to get this country moving in the right direction, not with policies that deserve a total F on the test of sound tax policy.

I reserve the balance of my time.

Mr. CANTOR. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, we know jobs won't come back until small businesses recover. Small businesses have generated over 65 percent of the new jobs in this country; but the economic downturn, red tape, and higher taxes coming from Washington have simply made it harder for small business to create jobs.

Tax policies should encourage economic growth, investment, and job creation, not stifle it. We need to stop and think about what kind of country we want to be. Do we want to be one with lower taxes, more growth, and more jobs; or do we want to be one of more government control and fewer opportunities?

This week, when every American filed their tax returns, the other party in the Senate voted to increase taxes. We should not be taking money out of the hands of those we are counting on to create jobs. We need to let small business owners keep more of their hard-earned money so they can start hiring again.

Today, Mr. Speaker, we'll vote on the Small Business Tax Cut Act to give every small business with fewer than 500 employees a 20 percent tax cut. Our bill puts more money into the hands of small business owners so they can reinvest those funds to retain and create more jobs and grow their businesses, plain and simple.

According to a study, the Small Business Tax Cut Act will help create more than 100,000 new jobs a year once fully in place. One-third of the firms that benefit from our tax cut are owned by women. One-fifth are owned by minorities. And our legislation won't just benefit small business owners; it benefits current workers by boosting wages.

Mr. Speaker, when I talk with small business owners across the country, I hear they need more opportunity to grow. I hear that taxes are siphoning away their income. I hear they can't access capital.

One small business owner in Spotsylvania, Virginia, called the small business tax cut a win-win for him and other small business owners in the economy. He said that with more money to invest in his businesses he could afford to hire more staff, buy new equipment and expand.

Mr. Speaker, while we continue to work toward tax reform that broadens the base, brings down the rates for everybody, and gets rid of loopholes, Washington assumes the role of picking winners and losers. We need to take incremental steps to give job creators tax relief right away. This Small Business Tax Cut Act is a step in that right direction.

President Obama called small businesses the anchors of our Main Streets. We agree. I hope we can all unite around helping the small businesses which are the engines of job creation in our country.

Mr. Speaker, I'd say in response to the gentleman's assertion towards the definition of small business in this bill, this is the Small Business Administration definition of small business. This is what every program that comes out of this government aimed to help small businesses is premised upon. The SBA definition of a small business is one of 499 or fewer.

As far as the gentleman's allegations about the potential for abuse under this bill, if he'd read the language of the bill, Mr. Speaker, it caps the ability to benefit from the tax cut to 50 percent of the W-2 wages that that small business paid out. This is, straight up, something to help small businesses keep more of their money while they're having so much difficulty keeping the lights on and, instead, giving them the ability to grow, to grow, invest, and create more jobs.

As far as the gentleman's allegations that somehow this bill only affects those millionaires, billionaires and the rest, I think he will see the studies have shown that just 18.3 percent of those people are in the categories of income he suggests, with 80-some percent in the middle class—80-some percent, the true small business owners who we're relying on to create jobs for the middle class to come back.

And I would say to the gentleman, as far as the allegation of gimmickry, the essence of supply-side economics, the centrality issue on taxes is the reduction of marginal rates. That's exactly what this bill does.

Does it provide it for long enough? Does it provide permanency? No. But what we want to do in a permanent way is effect broader tax reform. But since we can't see eye to eye on that, since we've still got work to do, let's give the small businesses some help now.

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

Mr. LEVIN. I yield myself 30 seconds.

We have a Statement of Administration Policy in total opposition to this. The Small Business Administration would not provide a loan for innumerable people who benefit from this. They have a \$7 million limit.

Supply-side economics, we tried that for a number of years, and we were losing 700,000 jobs a month when this administration took over—700,000, and you raise supply-side economics as something we should embrace? No way. No way.

I yield 3 minutes to the distinguished gentleman from Washington, Dr. JIM McDERMOTT, a member of our committee.

Mr. McDERMOTT. Mr. Speaker, Members of the House, in 5 hours we're going to get on planes and go home, so we have to get the press releases ready to go. And that's what this is about.

This bill will be dead in the Senate the minute it hits the desk. It's not going anywhere. It is a press release, and it is the most wasteful bill of the season so far. Now, I'm sure that Mr. CANTOR and others will find worse things to do down the way as we get closer to the election.

This week has been a disaster in here. We started on Tuesday by deeming the budget passed, here and in the Senate. It's a fiction. It never happened. That's how this week started.

Then we went to the Ways and Means Committee yesterday, and we cut \$68 billion out of health, children's services, social services, foster care, in reconciliation to balance the budget.

And then we get up this morning and here we have a bill that borrows \$46 billion from the Chinese, or whoever, to give it to small business. The fact is that 125,000 millionaires in this country will get an average tax cut of \$58,000.

That's what this bill does. It does not create jobs. It's supposed to create jobs. In fact, the job creation is so small, as you heard, it's incalculable.

Now, that wouldn't satisfy the majority leader. He had to go and find an economist somewhere who'd give him a better number.

□ 1120

So he found Herman Cain's guy, the guy who had the 9-9-9 tax deal. Now, there's a solid citizen. He really knows what's going. Well, he comes up with 39,000 jobs will be created. 39,000 jobs. It sounds like quite a bit, doesn't it? Until you figure how many billions of dollars are going to create them. The figure is that each job will cost \$1.1 million in tax cuts. This is to get one job. Do you think they're hiring somebody for \$1.1 million? They're hiring them for \$6 or \$8 an hour.

This is not a job creation bill. It is simply a press release. The Republicans have not brought out a serious job creation bill. Yesterday was as close as we came when we finally did the highway

bill so that we could at least keep highway infrastructure being created. Otherwise, there has been nothing solid that has gotten through the Congress. The highway bill will get through because everybody knows it creates jobs, but this kind of stuff is simply sinking us.

What's really interesting, though, is that, as I look at that \$1.1 million per job, I remember when they came up with the phony claim—never proven—that the Recovery Act would cost \$278,000 for a job. This costs us four times as much, and it's from his own economist. Vote "no" on this bill.

Mr. CANTOR. Mr. Speaker, I now yield 1 minute to the gentlewoman from Washington (Ms. HERRERA BEUTLER).

Ms. HERRERA BEUTLER. Last week, I met with more than 70 small businesses throughout southwest Washington, so I am here to support a bill today that would give every one of those businesses a much-needed, positive injection of capital.

What my friends on the other side of the aisle seem to have a hard time understanding is that 7 out of 10 jobs in this country over the last 20 years have come from small businesses. If we create an environment where they can grow and succeed, more people are going to find work, and that's what this is all about. They need it. My district has endured multiple years of double-digit unemployment, and job-providing small businesses haven't seen much from their government to give them hope or to encourage them to grow their workforces.

For example, many small businesses that I've met with are really worried about hitting that 50-employee threshold that is going to trigger the health care law's burdensome cost. They're staying under it. Imagine that: a government rule that is deterring small businesses from hiring. This is a terrible time to send that message. Another business owner talked to me about how he is exasperated by the government reaching out to him, saying he had 4 days to put together a mountain load of paperwork or face a fine.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CANTOR. I yield the gentlelady an additional 30 seconds.

Ms. HERRERA BEUTLER. We need to remove those barriers. Today, the bill that we get a chance to pass is going to send a different signal that says, Government wants you to grow. We want you to hire. You're not Uncle Sam's piggy bank. We want you to succeed and prosper.

These businesses are going to put moms, dads, and hardworking taxpayers to work. Let's allow them to do more of that. On behalf of small business owners in southwest Washington, I stand in strong support of this bill.

Mr. LEVIN. I yield myself 5 seconds.

Is it worth \$1.1 million a job in Washington?

I now yield 2 minutes to the very distinguished gentleman from Oregon, an active member of our committee, Mr. BLUMENAUER.

Mr. BLUMENAUER. I listened to my good friend and colleague from the other side of the river from my hometown of Portland, Oregon, talking about trying to assist small business and encourage economic development.

But the facts are that the vast majority of this aid, as we've talked about, is going to be unfocused. It's going to go to people whether they need it or not, including some of the wealthiest individuals and partnerships—accountants, lobbyists—and to companies regardless of whether or not they add employment or reduce it.

At this very time, we have people on Capitol Hill who are begging us to get real about infrastructure investment. We finally are getting a bill to conference, but we're hung up on funding it. The Republican budget would cut transportation funding 46 percent, \$6.5 billion less than is necessary to keep current obligations. This week, small business people, including a number who visited my office, came in, imploring us to stop the games and to get on with the reauthorization of the Surface Transportation Act.

If we really are going to borrow \$46 billion from China or from whomever and add to the deficit, if we have that capacity, for heavens sakes, we should invest it in rebuilding and renewing America.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. With this \$46 billion, added to the bipartisan Senate bill that passed with 74 votes—half the Republicans—we could have a robust reauthorization of the Surface Transportation Act and create hundreds of thousands of family-wage jobs. Not by picking winners and losers, but by going back to the day when we used to work together on a bipartisan basis to fund infrastructure and to help strengthen every community around the country.

Reject this gimmick. If we have an extra \$46 billion we're going to borrow, invest it in rebuilding and renewing America—really helping small business and strengthening the environment in every community across America.

Mr. CANTOR. I now yield 1 minute to the gentlewoman from Kansas (Ms. JENKINS).

Ms. JENKINS. I thank the leader for yielding.

Job growth is my top priority, and no one can deny that small business is the engine that drives our economy and our job market. Since 1980, small businesses have accounted for 60 percent of

job creation. Their success is vital to the strength of this economy and to the availability of jobs for all Americans.

As a CPA and a legislator, I've heard from small business owners throughout my career, and their message has been remarkably consistent: They need relief from the burdensome Tax Code, and they need capital to hire and expand, which is exactly what the Small Business Tax Cut Act provides.

While our colleagues in the Senate are devising new and creative ways to raise taxes, here in the House we have the opportunity to pass legislation that supports our small businesses, encourages growth and job creation, and lifts our economy out of the current economics of the day. We can and should do all of this by passing the Small Business Tax Cut Act today.

Mr. LEVIN. I now yield 3 minutes to another very active member of our committee, the gentleman from California, XAVIER BECERRA.

Mr. BECERRA. I thank the gentleman for yielding.

When you hear of small business, what comes up in your mind first? The corner drug store? The tech troubleshooting startup? My daughter's martial arts instructor? How about Donald Trump? How about Trump Sales and Leasing, or Paris Hilton Entertainment? What about Larry Flynt Publications? Not that any of these latter companies have volunteered to show me their tax returns, but by all accounts, these are the businesses that will devour the lion's share of the tax breaks in this legislation.

Mr. Speaker, 3 percent of the businesses in America will get 56 percent of the tax breaks provided. The rich and famous will get most of the money. 125,000 millionaires in America will get \$58,000 in tax breaks this year alone, which is the first year of this tax break. That's how targeted this particular bill is.

More than that, what we find is that most Americans don't believe that our tax system is fair. They believe that it is skewed towards the very wealthy. H.R. 9 proves that they are right. Seventy percent of Americans believe that the tax system is skewed against them and favors the very wealthy. If Paris Hilton, who has what we understand are about five employees based in Beverly Hills, can take advantage of this tax cut, or if Donald Trump or Larry Flynt or Kim Kardashian or Oprah Winfrey—all small business people—can take advantage and get, maybe, \$58,000 in tax breaks while most small businesses will get barely anything, then I think the American public is correct.

□ 1130

Remember, most businesses in America are sole proprietorships. Most of those sole proprietorships have no employees. Under this bill, if you're a sole

proprietor and have no employees, you get zero of the tax break benefits.

I have another example. Two companies, both have 500 employees. One company decides to hire more Americans; 10 more Americans are put on the payroll. The other company of 500 employees decides, I think it's easier for me to make more money if I take some of those jobs and put them overseas, so I'm going to fire 10 Americans here in America, and I'm going to start those jobs overseas, outsource those jobs.

Guess who gets the tax break—the company that hires 10 new American employees? No. They get nothing. The firm that fires 10 American employees here and outsources those jobs to another country, that company will get the benefits of this tax break.

The American public is correct. Today's tax system is skewed towards the wealthy, and that's why we have to vote against this legislation. Let us have job creation legislation. Let us focus on small businesses. This does neither.

I urge my colleagues to vote against H.R. 9.

Mr. CANTOR. I yield myself 30 seconds just in response, Mr. Speaker, to the allegation about those who benefit from the Small Business Tax Cut Act. I would ask the gentleman to perhaps look at the language of the Democrat alternative on the motion to recommit because it, as well, provides the same benefit it's trying to provide to others. All those people, the so-called "rich and famous" that he says are the only ones that benefit, also benefit under their alternative.

Mr. BECERRA. Will the gentleman yield?

Mr. CANTOR. I will not yield.

Mr. Speaker, we are here to provide the kind of relief to the small business men and women that will benefit from this.

With that, I yield 2 minutes to the gentleman from Tennessee (Mrs. BLACK).

Mrs. BLACK. Thank you, Mr. Leader, for allowing me to be here today.

I have spent the last year and a half traveling throughout the Sixth Congressional District that I represent talking to small-, medium-, and large-size businesses. What I have asked them across the board is, what is it that would help you to be able to grow your business.

What I hear from them is that there's a lot of uncertainty out there, and they are concerned already about large burdens of increasing taxes, more regulations, more mandates. They really fear what Washington will do to them next.

What if we said to small businesses, that really are the engine of our economic growth, that we're going to do something for you instead of to you? What if Washington encouraged growth instead of causing small businesses to live in fear that one more tax might sink them?

Over 20 years ago, my family started a small business, and I can tell you that if the conditions were like they are today then we probably would not have taken the risk to put everything on the line and start our small business. That's why I'm supporting Leader CANTOR's 20 percent small business tax cut that would allow small business owners to, one, retain more capital; two, invest in their business; and three—this is the key—to hire more workers.

In the State of Tennessee, we have over 96,000 small businesses that employ over 1.38 million individuals. In particular, we have 12,000 small women-owned businesses, which have been, until recently, the fastest growing sector of our small business economy.

So it's not just a cliché that getting small business growing again is the key to our economic growth; it's a fact.

Mr. LEVIN. Mr. Speaker, I yield myself 1 minute.

What the leader said is not correct. The substitute provides some help to those who invest in property, plant, and equipment. That's not Paris Hilton.

Mr. CANTOR. Will the gentleman yield?

Mr. LEVIN. Let me finish.

You didn't yield at all to us, so let me finish.

It has to be a factory that's built here.

I yield to the gentleman from California.

Mr. BECERRA. What the gentleman Mr. LEVIN is saying is correct, and I want to correct Mr. CANTOR because he misspoke about the Democratic alternative.

The Democratic alternative requires that a small business make an investment in a plant or small machinery. If Paris Hilton wishes to invest in a plant and machinery, then perhaps she will qualify. If Larry Flynt would want to invest in plants and machinery for his business, perhaps he would qualify. Otherwise, this is a giveaway. Ours requires you to make investments in America.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to another distinguished member of our committee, the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL. Thank you, Mr. LEVIN.

Mr. Speaker, I stand in opposition to this proposal today.

I have just a couple of thoughts, having had long-term membership here.

This is not the way to write legislation, and the Members on the other side know this.

The chairman of the Ways and Means Committee should be here with us today to discuss this. This should have been vetted into the full committee. This should have had an active markup with full participation.

I revere this institution, and I revere that committee. Members spend their

careers trying to become members of the Ways and Means Committee. To bring this legislation to the floor today without a hearing is ill-considered.

From a historic perspective, why don't we talk about how we got into this situation?

This bill today adds \$46 billion to the deficit. Without a hearing? Why don't we just do these proposals by unanimous consent and bring them to the floor? We missed the point of what the vetting process does, where people stand in front of that committee and they offer expert testimony. But our friends on the Republican side, they call this a small business tax cut. This is about the theater of the election year, and everybody knows it.

This is the same group that would have you believe, incidentally, that tax cuts pay for themselves, even though you can't find an economist who will adhere to that position.

They have run up the deficits in this country recklessly, and in the name of a political campaign, they're prepared to do it again. They want to pour syrup on the plate and not even bother to serve pancakes with it. In our current fiscal situation, to have not vetted this sort of proposal in front of the committee is a mistake.

You want to talk about helping small business with tax policy? Count me in. We've worked on some good bipartisan legislation over the last 20 years to help small business, not to do it in this manner where this legislation has been brought to the floor.

We had a markup in the committee yesterday where cuts are being proposed to senior citizens, to low-income families, eliminate funding for Meals On Wheels, and yet they bring this proposal up today with a straight face.

Mr. CANTOR. I yield myself 30 seconds.

I just want to set the record straight, Mr. Speaker.

The Ways and Means Committee had two small business hearings on the implications of tax reform in which this proposal was raised. In addition, the gentleman well knows that there was a markup.

Mr. NEAL. Will the gentleman yield?

Mr. CANTOR. If I could finish. No.

There was a markup in committee in which even the gentleman offered an amendment and then withdrew it because it was ruled nongermane. Of course there was a markup. Of course this idea has been the subject of discussion in committee.

Again, I just wanted to set the record straight, Mr. Speaker.

With that, I yield 1 minute to the gentleman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the majority leader for yielding.

Mr. Speaker, Tuesday was Tax Day, when Americans everywhere were reminded just how much Uncle Sam

takes out of our pockets each and every year. But it was also a reminder that not all of our tax policies are created equal.

Some in Washington want to raise taxes simply to feed the Federal Government's spending addiction, even when higher taxes on things like capital gains and investments would only discourage growth and shrink revenue in the long term.

I think our Tax Code should be designed to promote simplicity, competition, and economic growth. We can do this by reducing the burden on small American businesses that are responsible for the majority of new jobs created in our country every day.

This bill will provide an immediate 20 percent deduction for millions of small businesses, one-third of which, by the way, are owned by women and one-fifth of which are minority-owned.

□ 1140

Let's allow small businesses to reinvest in new jobs, new opportunities, and new products that will grow our economy. Mr. Speaker, I urge my colleagues to listen, as I have done, to the voices of their small business owners and operators back home.

Mr. LEVIN. May I ask the distinguished gentleman from the State of Ohio how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from the State of Michigan has 15½ minutes, and the gentleman from Virginia, the majority leader, has 20½ minutes remaining.

Mr. LEVIN. I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT), another active member of our committee.

Mr. DOGGETT. I thank the gentleman.

You know, the Republicans are always so much better in the names they give these bills than what's in them. I think in considering this one we have to look at what it is and what it is not.

It is not an economic recovery measure. A nonpartisan analysis has shown that the economic benefits are considered to be so small as to be incalculable.

It is not helpful to sole proprietors, who do not benefit at all from this bill.

It is not a way to reduce the deficit or the national debt. Indeed, this is a measure that will add \$46 billion to the national deficit.

We were told only yesterday that because of a pressing national debt, we can no longer provide one source of federal funding for hot meals for seniors through the Meals on Wheels program in Texas, that we could not afford to provide Federal resources that are necessary there on child abuse or on keeping a child with disability at home, or helping seniors maintain their independence, that there just aren't the resources to do that. But today we are

told there is \$46 billion we can add to the debt for a nice-sounding bill.

What is this bill? It is another failed Republican retreat. It is a measure that will help those at the top rather than those who are really struggling to get to the top. I'm concerned about the icehouse on the west side of San Antonio, about the beauty shop in Lockhart, about the auto repair shop in San Marcos. But those are not the places that will receive the principal benefits of this measure.

Indeed, 125,000 millionaires in this country will get more in tax benefits out of this than many of the owners of those businesses earn during an entire year, in fact, more than the median income throughout San Antonio, Austin, and central and south Texas.

What this measure is is a boon.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. DOGGETT. It will be a boon to highly paid professionals, private equity firms, hedge fund managers, and professional sports teams. I think they've received enough economic benefit in the past with the Bush tax cuts.

We ought to be focusing our support for small businesses not on those who are already at the top and should be contributing a little to the shared sacrifice necessary to get our national debt under control and meet basic human needs.

Mr. CANTOR. Mr. Speaker, I yield myself 30 seconds.

Again, Mr. Speaker, just to correct the record, the gentleman from Texas indicated that this bill doesn't benefit sole proprietors. Sole proprietors are, in fact, the disproportionate beneficiaries under this bill. According to the Committee on Joint Taxation, 17.9, almost 18 million sole proprietors benefit under this bill, again, to set the record straight, Mr. Speaker.

I yield 2 minutes to the gentleman from Texas (Mr. BRADY), not only the chairman of the Subcommittee on Trade but, as well, the vice chairman of the Joint Economic Committee.

Mr. BRADY of Texas. I want to first thank Leader CANTOR for his leadership on economic issues, especially those along Main Street. That's what this is about. This isn't about Paris Hilton, Larry Flynt, or even Hilary Rosen, the President's top adviser, who recently denigrated women who choose to work at home. It's not about celebrities. It's about small business people. They're the ones who have been left behind in the Obama economy.

Think about this. We have tens, literally, tens of millions of Americans who can't find a full-time job. There are millions more who have just given up. They don't even look for work anymore. Here we are. It's hard to believe there are fewer Americans working today than when the President took of-

fice. Bailouts, stimulus, Cash for Clunkers, housing bailout, Solyndra bailout, all of that, fewer Americans working, 700,000 fewer women with a job.

Small businesses have borne the brunt of this terrible recovery. It is time we help them instead of raising taxes on those who succeed. Why don't we let them keep 20 percent more of the income they earn, the sales they make, the weekends they work, the charges they put on their credit cards, all they do to survive and succeed in this economy? Republicans are determined to give them a chance to succeed until this economy can get back to work, to hire new workers, to keep new workers.

I have to tell you, I remember in Ways and Means Committee the debate on ObamaCare, the Republicans offered an amendment to shield small businesses from tax increases, and our Democrat friends said they can't do that because small businesses have had it too easy all these years—small businesses have had it too easy all these years.

It's time to give our small businesses a break, time to get this economy back on track. It's time to let them keep what they have worked so hard to earn.

Mr. LEVIN. I yield 2 minutes to another very active member of our committee, the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, we are really in the middle of the theater of the absurd. I'm not opposed, and apparently the other side is not opposed, to stimulus spending for the economy. I don't know where they have been for the last 18 months. Let's make effective stimulus.

Since you mentioned the CBO, Mr. CANTOR, through the Chair, they rank this bill next to last in bang for the buck in job creation. You didn't quote CBO about that.

Through the Speaker, the Joint Committee on Taxation said the economic impact is so small as to be incalculable—your own analysis on your Web site. It's very clear it's going to cost, add, \$1.1 million, for every job created, to the deficit.

I rise in strong opposition to this legislation. Just yesterday, in order to comply with the majority's budget that violates the deal Speaker BOEHNER agreed to last year—that deal is clear, public—the Ways and Means Committee cut \$53 billion in health care tax credits, child tax credits, social services block credits. You cut it yesterday for the disabled, for the elderly who are most vulnerable. In New Jersey, they could lose millions of dollars for Meals on Wheels, foster care.

This is unacceptable. We are voting to add \$47 billion to the deficit today with a giveaway to professional sports teams—oh, you didn't know that—or hedge fund operators or managers or

whatever they call themselves, and multimillion-dollar partnerships and corporations.

Yes, \$47 billion goes to 125,000 millionaires.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. But each of them gets a tax cut, Mr. Speaker, \$60,000. This is wrong.

The same report found that the best options for job growth include aid to States and increased safety net spending, something I know that the other side opposes.

In fact, the Agriculture Committee just voted yesterday to cut food stamps, get this, by \$34 billion; like all of those people on food stamps want to be on food stamps, all those people that are poor want to be poor. And that's your anthem. But it can't find reality. It has no foundation, and it is immoral—immoral.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair asks all Members to heed the gavel.

Mr. CANTOR. Mr. Speaker, I yield 1 minute to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. I thank the leader for yielding.

You know, it never ceases to amaze me the misleading claims that will come from my colleagues on the other side of the aisle at times. One of them that has been talked about a lot here today is the fact that only the rich and famous would benefit from this piece of legislation. Well, I have been sitting back here, and I have been trying to think of even a handful of famous people in South Dakota that are going to benefit from this.

□ 1150

I can't come up with it; but I've got over 20,000 jobs in the State of South Dakota, and 20,000 different businesses that are going to benefit from this piece of legislation. That's why I'm supporting it. My constituents in South Dakota so many times only look at government as an entity that costs them money and makes it very detrimental and hard for them to succeed. When the government can actually step in and do something that makes it easier for them to succeed and help drive that success, then that is something we should be behind, and that's why the Small Business Tax Cut is a perfect example of that situation.

Small businesses create jobs, and they also employ almost half of all the private sector employees in this country. This bill is going to free up the cash so that those small businesses can keep people employed when they've hit tough times and maybe reinvest in their businesses. It's the key to what we need to do, and I hope we can all

come together and support this good legislation before us.

Mr. LEVIN. I yield 2 minutes to another distinguished member of our committee, the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. I thank the gentleman, my friend from Michigan, for yielding me this time.

Mr. Speaker, I rise in strong opposition to this bill. There are a number of reasons to oppose this legislation.

One, this bill is not targeted towards job creation. Frankly, it is not targeted at all. It will provide 99.6 percent of all businesses with a tax break, regardless of whether or not they create one American job or not.

Two, this bill does not prevent businesses from taking a tax cut even when they lay off workers.

Three, this bill fails to help the businesses most in need, such as new businesses or start-ups. They're not eligible for any provisions in this bill.

Fourth, this bill will add billions to the deficit, which will hurt economic growth in America.

Five, and most egregiously, this bill provides companies who are in the midst of offshoring jobs with a tax break.

During committee consideration of this legislation, I offered an amendment to deny this tax deduction to any company that reduces the number of American workers and jobs while correspondingly increasing its foreign workforce. Additionally, the amendment stated if a company offshores U.S. jobs next year, after this 1-year tax expenditure expires, the funds would be recaptured or taken back by the Treasury. This is so a company cannot take the money this year and run away with American dollars and jobs next year and put them overseas.

My amendment enjoyed the support of every Democrat on the Committee of Ways and Means. Unfortunately, it was not supported by one Republican on that committee. Americans and their taxpayer dollars should not be subsidizing the destruction of American jobs.

Let me state: Democrats recognize we live in a global economy. We recognize that many of our companies need to operate internationally to remain competitive and expand their markets and market share. But Americans should not have their hard-earned tax dollars—\$46 billion in this case, Mr. Speaker—taken away and used to subsidize this kind of business activity.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 15 seconds.

Mr. CROWLEY. Democrats worked hard while in the majority to end the practice of incentivizing the offshoring of U.S. jobs in the Tax Code. We killed a number of perverse tax loopholes and reinvested the revenue into initiatives

focused on creating U.S. jobs and assisting America's small businesses.

Defeat this bill. It is immoral. We should not be spending U.S. tax dollars in this way.

Mr. CANTOR. Mr. Speaker, I yield myself 30 seconds just to respond to the gentleman. I think he put his finger on the problem here. The problem with his kind of amendment is the problem with the Tax Code today, because it means that if you're a business, under his rule, you would have to come to Washington to seek eligibility for a tax break or seek eligibility for a tax favor. And if you're on the approved list in Washington, then you can go and benefit and have an advantage over others.

That's not what we believe. We believe in helping all small businesses.

With that, I yield 2 minutes to the gentleman from Missouri (Mr. GRAVES), the Small Business Committee chairman.

Mr. GRAVES of Missouri. Mr. Speaker, tax season reminds us that small businesses are disproportionately affected by tax compliance and high tax rates. The Small Business Administration reports that the average tax compliance cost per employee for small businesses is almost three times the cost of larger firms. And according to the NFIB, tax issues are the single most significant set of regulatory burdens for most small firms. The Small Business Tax Deduction Act is simple, fair, and gives small businesses access to badly needed capital to invest in their companies while providing a little more certainty to help them plan for the future.

As chairman of the Small Business Committee, I hear from small business owners every single week about their regulatory and tax burdens. Through our interactive Web page, "Small Biz Open Mic," we have heard that tax policies may drive some small firms out of business.

On Tuesday, Wendy Koller, owner of Koller Moving and Storage in Fort Smith, Arkansas, said:

We are hesitant to hire new employees for fear of what new tax burdens await us with the expiration of the older tax law and the new health care laws coming. We are concerned that these new issues may be the ones that push us out of business.

Last Saturday, Debbie Peacock, owner of a fabricating distributor in Mesa, Arizona, wrote:

Any additional taxes will only stop any chance of a recovery, and the government needs to realize we need every penny to increase staff, which puts people back to work.

I can go on and on and on with examples like these.

Yesterday, our committee held a hearing on the flood of new taxes that are just around the corner, such as new taxes from the health care law and the massive tax increase that's going to occur if the 2001 and 2003 tax cuts expire. All of these measures could send

the economy into a tailspin, costing thousands of jobs.

That's why the Small Business Tax Deduction Act is necessary and is going to provide that tax relief for America's most robust job creators.

With that, Mr. Speaker, I would ask that my colleagues support this bill.

Mr. LEVIN. I yield 3 minutes to the ranking member of the Budget Committee, the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Thank you, Mr. LEVIN.

Mr. Speaker, here we go again. This bill provides a windfall tax break to hedge fund owners, to big Washington law firms, to the very wealthy, even if they don't hire a single person—not one. In fact, in a cruel hoax and twist on this, wealthy individuals can qualify for this tax break even if they fire people this year. And in some cases they can also get a bigger tax break if they do not make their investments this year.

Mr. Speaker, this place sometimes gets to be a fact-free zone. We have the nonpartisan Joint Tax Committee say, The economic activity generated by this is so small as to be incalculable. That's why Bruce Bartlett, former economic adviser to President Reagan said, It will do nothing whatsoever to increase employment.

So what's this all about? It gives a big tax break to the wealthiest individuals while adding \$50 billion to our deficit and debt.

Now, Mr. Speaker, this week highlights the unfortunate doublespeak from our Republican colleagues when it comes to the deficit. On the Senate side, a majority of Republicans voted against a bill to apply the Buffett rule, meaning that we were going to ask millionaires to pay the same effective tax rate as many of their employees paid and use that \$50 billion toward deficit reduction. Here in the House, we're providing a \$50 billion tax break that adds to the deficit, and this one is targeted disproportionately to very wealthy individuals.

There's another sort of strange irony. When we were debating the payroll tax cut for a year that would benefit 160 million Americans, our Republican colleagues dragged their feet and then said this was all a gimmick, it was a 1-year thing, it was a sugar high. Well, at least the nonpartisan Congressional Budget Office said that it would generate economic activity. In fact, they ranked it near the top.

This is a 1-year thing that's going to give a great sugar high to the wealthiest individuals. They are going to be floating on this. But it's ranked near the bottom by the nonpartisan Congressional Budget Office in terms of economic activity.

You want to know another irony? When it came to providing a tax break for 160 million Americans, payroll tax

cut, we paid for it. We offset the cost of that. When it comes to providing a sugar high, \$50 billion tax cut that disproportionately benefits the wealthy, we don't offset it. We put it on our national credit card. We increase the debt. Who pays for that? We've heard on a bipartisan basis that's our kids, our grandkids. We're all going to be paying for that debt.

□ 1200

So Mr. Speaker, this is worse than a gimmick. It's not good for the economy, it adds to the deficit, and I urge that we reject this bill.

Mr. CANTOR. I ask unanimous consent that the gentleman from Michigan (Mr. CAMP) be permitted to control the balance of the time.

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

There was no objection.

The SPEAKER pro tempore. The Chair would advise that the gentleman from Michigan (Mr. CAMP) now controls 14½ minutes, and the gentleman from Michigan (Mr. LEVIN) has 5¼ minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

Mr. CAMP. I yield 1 minute to the distinguished gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the Small Business Tax Cut. Louisiana alone will see 80,000 small businesses that will be able to benefit from this and over 890,000 workers that will benefit from this. Yet my colleagues on the Democrat side maybe think that it's their money. They don't want those small businesses to be able to keep it, and they think that Washington can spend it better than the small businesses.

How has that worked, by the way? They don't want small businesses to be able to keep some more of the hard-earned money that they make so they can invest it in their business. They'd rather keep it up here for critical Washington spending like the \$535 million they blew on Solyndra, or maybe the \$850,000 that Obama's GSA blew on the Vegas junkets. Those are the kind of things that they would rather see, and so they don't want those small businesses to be able to keep more of their hard-earned money. They want to keep taxing businesses. They've added over \$1.9 trillion of new taxes in President Obama's own budget.

We've tried it their way. More than 2 million Americans have lost their jobs since President Obama took office. How about we actually try letting small businesses keep more of their hard-earned money so they can create good jobs for hardworking taxpayers?

Mr. LEVIN. I yield 3 minutes to our distinguished whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, ladies and gentlemen of this House, it is hard to call us to responsibility, but that's what our public wants. Our public wants it on the right, they want it on the left, and they want it on the middle. This is fiscally a totally irresponsible piece of legislation, and you know it. And I know you know it, and America ought to know you know it.

Ladies and gentlemen, what this bill does is blow a \$46 billion hole in the deficit this year alone. But ladies and gentlemen, Mr. Speaker, the people of America need to know that we use 10-year figures for the most part, so this means \$460 billion.

Now, I know all of you on your side of the aisle—because I've been here for a substantial period of time—are next year going to say we're going to raise taxes on small businesses and put that 20 percent back. Bet me. You're going to say if we did that, it would be the largest tax increase in the history of small business. So you're going to do it year after year.

One of the previous speakers said that we're taking money from small businesses. Well, let me tell you who you're taking money from today: my children, your children; my grandchildren, your grandchildren; and, yes, my two great-grandchildren. That's who's going to pay this \$46 billion hole that you're creating today.

And what does Bruce Bartlett, economic adviser to Ronald Reagan—not a Democrat, a Republican—an economic adviser, somebody who advised Ronald Reagan how to get this economy moving—unlike George Bush, I might add—and what did he say? What did he say about this bill that you have brought to the floor—which, by the way, The Wall Street Journal today called “a tax gimmick.” The Wall Street Journal called this bill that you are offering today a tax gimmick. And so what did Bruce Bartlett say? “It will do nothing whatsoever to increase employment.”

Point number one, this is not a jobs bill. It will not grow the economy, and it will not do what all of us think needs to be done.

And they went on to say that “it is nothing more than an election-year giveaway to a favored Republican constituency,” a political gimmick, a tax gimmick that will cost us \$46 billion this year alone and \$460 billion—let me say, round that to half a trillion as inflation pushes it up, a half-a-trillion-dollar hole adding to the budget deficit that confronts this country that all Americans know we must address.

My colleagues, it takes no courage to vote for this bill. What takes courage is to pay for things. What takes courage is to say we have an obligation. What took courage was to make sure that we paid our debts. We didn't do it. So what happened? We almost took this country to the brink of default.

Ladies and gentlemen of this House, summon the responsibility, judgment, and intellectual honesty that our public expects. Vote against this bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would again ask all Members to heed the gavel and also to address their remarks to the Chair and not to other Members in the second person.

Mr. CAMP. Mr. Speaker, I yield 3 minutes to the distinguished majority whip, the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. I thank the distinguished chairman of Ways and Means. It's an honor to be able to speak on this floor. It's an honor to listen to the debate on both sides. And what's so ironic is that when you listen to the debate, you wonder, what happens here becomes law, but more importantly, do we ever measure, do we ever measure what creates jobs? Do we ever measure in America who creates jobs?

Now, some of you know my story. I actually grew up in a family of Democrats. I got rather fortunate. I didn't have great grades, so I went to junior college. The family didn't have enough money to send me away. I worked through the summer, I took my money, and I created a small business. At the end of 2 years, I then had enough money to pay my whole way through college, so I sold my business.

I applied for a summer internship with my local Congressman, and he turned me down. But today on this floor, I sit elected to the seat I couldn't even get an internship to. That small business paid my way through college. But when I sit and measure and talk and listen to my constituents, they talk about jobs.

They know that there have been 11 recessions since World War II, and every other recession we've come out of it stronger and faster. Even the greatest recession of '82, when interest rates were double digit, and you measured until today, we'd have 13 million more jobs. But the policy holds it back.

So I thought I would go back and I would analyze just the nearest time in America's culture of where we created jobs. So I went back to the end of the last recession, 2001, to the beginning of this recession in 2007. When people look at America, they think that was a pretty good time in America. The jobs grew, the economy was strong, and people were able to buy houses. And I analyzed who created the jobs. Do you realize during that time in America, small business added 7 million jobs? Large corporations cut a million.

So to hear somebody on the floor, Mr. Speaker, say they're some special constituency? Well, I'm very proud to stand with the constituency that will grow jobs. I'm very proud to stand today to cut 20 percent to put people back to work in America.

Mr. Speaker, I will stand proudly behind this bill because statistics, the facts, and the history of America have proven we are the strongest when small business is strongest, we are strongest and create jobs through small business, not through more politics.

Policy matters, small business matters, and jobs in America matter. That's why I tell Members on both sides of the aisle, this is an American bill for American jobs, for small business to be strong again in America, and America will be strong again.

Mr. LEVIN. I reserve the balance of my time.

Mr. CAMP. At this time, I yield 2 minutes to the distinguished gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. Thank you, Mr. Chairman.

Mr. Speaker, I rise in strong support of the legislation before us today.

Small businesses are the foundation of our economy. It's the small businesses that drive job creation in America. And every time I'm home in eastern Washington, it is such a privilege to sit down with small business owners. I'm always inspired by these people who have an idea to improve our lives and they turn it into a reality.

One such business that I recently toured was called Made Naturally. Two stay-at-home moms had an idea to come up with natural cleaning products 2 years ago. They put together a business plan, and they have now executed it, hired 13 employees, and they are doing well in Spokane, Washington. And when I toured their business, what they told me was that it is the tax burden and the regulatory uncertainty that is preventing them from hiring any new employees right now.

Just like these two business owners in Spokane, Washington, there are men and women all across this country that face the same challenges when it comes to growing businesses. As someone who worked in a family business for more than 13 years, I can say they are certainly right.

So I'd like to shed some light, especially on the women, the entrepreneurial women right now whose businesses are hurting because of this administration's policies. It's important because two out of three businesses right now are being started by women in America. They're actually the fastest-growing segment in our U.S. economy, and every dollar they save in taxes is one more dollar they can spend in hiring a new employee.

The current path is both unacceptable and unsustainable. It's time to change course. It's time to give America's small business owners tax breaks, not tax burdens.

□ 1210

It's time to give them relief, not just rhetoric. It's time to give them the

flexibility and freedom they need to create jobs. So it's time to move forward with the legislation that will do just that. I strongly support this bill.

Mr. LEVIN. I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from North Carolina (Ms. FOX).

Ms. FOX. I thank the gentleman for yielding time.

I want to say that our colleagues reveal their attitude toward taxpayer money when they say this will cost us. The attitude of our colleagues on the other side of the aisle, Mr. Speaker, is that all the money that hardworking taxpayers earn belongs to the government. This doesn't cost us; this allows some people to keep more of their money.

I rise today in support of H.R. 9, the Small Business Tax Cut Act, which would provide America's private sector with the resources needed to help supercharge desperately needed hiring.

It's worth mentioning how this bill will benefit women since one-third of the firms directly benefiting from the act are owned by women. In North Carolina, small businesses with between one and 500 employees employ 205,490 individuals; 23,348 of those businesses are women-owned. Mr. Speaker, it's for these reasons I urge my colleagues to support H.R. 9.

Mr. LEVIN. Mr. Speaker, how much time is remaining, please?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) has 7½ minutes remaining. The gentleman from Michigan (Mr. LEVIN) has 2¼ minutes remaining.

Mr. LEVIN. I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. SCHILLING).

Mr. SCHILLING. I thank Leader CANTOR for giving me the opportunity to be here today and speak in favor of the Small Business Tax Cut Act.

As Illinoisans filed their tax returns, folks in my district felt the pinch of the tax increases imposed on them by our State's lawmakers, who last year raised personal income taxes by 66 percent and corporate taxes by 45 percent.

State lawmakers told us that taxes would be used to pay Illinois debt and prevent budget deficits down the line; but the truth, as many of us feared, is that these tax hikes have done nothing to help our State. In fact, Illinois unemployment has remained above 9 percent for 36 straight months, since March of 2009. And thanks to Illinois tax hikes, rising gas prices, and Federal tax rates as high as 35 percent, our small businesses are strapped for cash.

As a small business owner, I know the pain all too well. Rather than advancing partisan and un-serious show votes—votes that don't lower gas

prices, don't encourage economic growth, and don't impact our deficit—we in the House want to ensure more opportunities for job seekers and job creators.

Mr. LEVIN. I now yield 30 seconds to the distinguished gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank my friend. Mr. Speaker, we keep hearing that this is a small business tax cut. It is not. It is a bait and switch. One-half of this so-called "small business tax cut" will go to millionaires. So you call it a small business tax cut, and they give away the store to millionaires, Mr. Speaker.

They are saying that we have to dismantle Medicare because they say we can't afford it on the one hand, and on the other hand they are lavishing millionaires with a \$46 billion tax cut. If you're one of 125,000 millionaires in America, you get \$58,000 from this bill. If you're a senior on Medicare, it costs you an additional \$6,000 for your medicine. I oppose this bill.

Mr. CAMP. I yield 1 minute to the distinguished gentlewoman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS. Thank you, Mr. Chairman.

Mr. Speaker, I would like to speak today on the intellectual responsibility of H.R. 9.

Back in my home town of Dunn, I have friends who are pharmacists. They own and run an independent pharmacy started by their father 60 years ago. I'm speaking of Paige Houston and Cathy Blackman.

Paige told me the other day that initially in this recession they were missed because people were afraid to go without their medications, and they were willing to pay the money even though the economy was starting to take a turn. Today, things are so bad that people are going without their medications, which as a result is a decrease in the number of customers they have and the amount of revenue coming in. Now their accountant has told them that they have no choice but to cut contributions to their employees' 401(k) plans and their health insurance premiums or be forced to lay off employees. Paige told me this 20 percent tax cut will keep more money in their business, allowing her to maintain benefits for her employees.

Mr. LEVIN. I reserve the balance of my time.

Mr. CAMP. I yield 1 minute to the distinguished gentlewoman from Michigan (Mrs. MILLER.)

Mrs. MILLER of Michigan. Mr. Speaker, we all understand that American small businesses are the engine of job creation. I think the Democrats are waging a war on small business.

I have spoken with so many small business job creators in my district, and they all share the same message: government overregulation and government overtaxation is stifling their

ability to grow. This House has already acted decisively to address government overregulation, and today we're going to act decisively to give small businesses the tax relief that they need to grow.

Allowing small businesses with fewer than 500 employees a 20 percent tax cut to free up capital and to allow those businesses to invest in and to grow their businesses to create the jobs that we so desperately need in this economy is the right thing to do. So I was very disappointed to see that President Obama threatened to veto this bill, because, Mr. Speaker and Mr. President, I would respectfully tell you that hundreds of small manufacturing firms in Michigan that are struggling to buy new equipment, to pursue new customers and grow their businesses are not among the corporations with the biggest profits; and those small businesses would benefit from this bill. You can contrast that with General Electric, which made over \$14 billion in profits in 2010 and yet paid no Federal income tax.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CAMP. I yield the gentlewoman an additional 15 seconds.

Mrs. MILLER of Michigan. We need to remember that the CEO of General Electric is actually the head of President Obama's Jobs Council.

So, Mr. Speaker, I would say that we can trust the American small businesses to spend their money more wisely than government will ever do. Again, it's mystifying to me that the Democratic Party seems to be waging a war on the small business community of America.

Mr. CAMP. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. You all know the saying, "money is power," right? I think we all can agree in this Chamber that the one thing that we want to do is empower small business. How do you empower small business? You let them keep more of the money they earn so they can go out and they can invest in new products so they can hire people. I'd love to get people back to work. I'd love to empower small business. That's why we want to let them keep more of what they earn.

I did an initiative in my district called the One More Jobs Initiative, where it asks small business owners, What do you need from the Federal Government to create just one more job? A pretty noble concept: instead of pontificating here, let's actually ask those who create jobs. The number one answer I got, Mr. Speaker, was: let us keep more of the money we earn and let us hire people. Give us tax certainty.

That's why I rise in support today of this tax cut package, because this is exactly what small business needs to

continue to be successful, to pull this country out of this recession we're in, and continue to reclaim our mantle as the most powerful country in the world.

Mr. CAMP. At this time, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I thank the chairman for yielding.

Our Nation is at a crossroads. This President wants to take more money from the private sector and continue the exponential growth of the Federal Government. We want to make sure that job creators are able to reinvest their hard-earned money back into their businesses to expand and grow the economy and get this job creation cycle going again. That's why we support a 20 percent tax cut for small businesses. The President, on the other hand, wants to raise taxes on small businesses and job creators.

There are 22 million small businesses helped by this bill, and I think it's necessary that we pass this bill today. I urge my colleagues to support a 20 percent tax cut for small businesses so we can create jobs and make a more prosperous America.

□ 1220

The SPEAKER pro tempore. The Chair would advise both sides, the gentleman from Michigan (Mr. CAMP) has 2¼ minutes, and the gentleman from Michigan (Mr. LEVIN) has 1¼ minutes.

Mr. CAMP. At this time, I have two additional speakers. One of them will close, so I have one speaker before closing.

Mr. LEVIN. I reserve the balance of my time.

Mr. CAMP. At this time, I yield 1 minute to the distinguished gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, this recession is different, and the difference is there's no recovery. And that is a historic difference.

Now, what is different about this recession and all our other recessions when we had a recovery is government policy. Government policy has stifled job creation. Normally, at this time in a recovery, 65 percent of the jobs are being created by small businesses. But 2 million jobs aren't there because of Obama's health care policies alone, regulatory policies, tax policies. Small business is struggling.

Now, let me tell you, Congress cannot create jobs. We're not going to create jobs with this bill. We're going to allow small businesses to create jobs.

You'll either choose government or you'll choose the people. You'll choose government to continue to create jobs like with Solyndra, and we saw the disaster there, or you'll allow the people to create those jobs. I'm putting my trust in the people.

Mr. CAMP. Mr. Speaker, at this time, we're prepared to close.

Mr. LEVIN. I yield the balance of my time to a distinguished member of the committee, the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this bill today—a \$46 billion price tag, and it's unpaid for. Moreover, 1 year is not tax certainty if you're a small business person.

I rise also as a small business person. Equally as troubling as this bill, unpaid for, \$46 billion bill, is the fact that yesterday, in the Ways and Means Committee, the majority passed a bill that they said was to reduce the deficit. But instead, what they did is they cut programs that were incredibly important to the elderly, to children, to the disabled, programs that allowed people help with their daycare so they could go to work. If those people don't have daycare, they're not going to be able to go to work. And, at the same time, the Ag Committee passed a bill to cut food stamps.

These actions are hard to understand, even in these most difficult times. But even harder to understand is, in light of this fiscally irresponsible bill today, those bills were passed.

I said yesterday that it was a bad day to be poor. Well, today is a bad day to be fiscally responsible, because this bill is anything but fiscally responsible.

And it's wrong to claim on Wednesday that you have to cut daycare for low-income people or put seniors at risk, disabled people at risk, and children at risk to cut the deficit but then turn around on Thursday and add \$46 billion to the deficit. That's just wrong.

The Joint Committee on Taxation said that this bill's economic impact is "so small as to be incalculable." I can tell you, the people that will be hurt across this country, that hurt won't be incalculable.

I strongly oppose this bill.

Mr. CAMP. I yield the balance of my time to the distinguished gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Speaker, my wife and I were small business owners for more than two decades, and we still retain part of that business, so I know what it's like to meet a payroll. I know what it's like to employ people. We only had 15 to 20 people on our payroll over the course of 20 years, but I worked a lot with small businesses. And in small business it really is about how do you grow, how do you have the positive cash flow, Mr. Speaker, to grow your business, to invest in new technology, new equipment, to take your ideas and spin them forward and grow jobs. That's your whole nature as an entrepreneur in America, and as it should be.

In Oregon, we've got 86,000 small businesses employing more than three-quarters of a million people. This legis-

lation will help those small businesses have what is called "positive cash flow." That is from whence jobs flow.

If you have the money and you can retain it rather than have to give it all up to the government, then you're going to make wise choices in your business to grow your business, because it's your competitive nature to grow your business, which means to create jobs in the economy.

My friends on the other side of the aisle had no problem a few years ago spending \$1 trillion to have the government borrow the money and pick winners and losers and waste it.

This is a good way to spur jobs and growth in our economy. I urge its passage.

Mr. STARK. Mr. Speaker, I rise today in opposition to H.R. 9, the Small Business Tax Cut Act, a bill that provides a \$46 billion tax break for the wealthy paid for by ordinary working people. This bill will send half of the tax cuts to those with annual incomes over \$1 million and 80 percent of benefits to those earning more than \$200,000. Once again, Republicans are extending a helping hand to those who need it least, including professional sports teams, law firms, lobbying firms, and accounting firms.

The Republican Leadership claims that we need this legislation to create jobs, yet the non-partisan Joint Committee on Taxation, JCT, tells us that this bill will do no such thing. The Congressional Budget Office, CBO, ranks broad business tax deductions like this bill as one of the least effective proposals for promoting economic growth. This is not surprising. H.R. 9 gives a tax deduction to any business, even those that don't hire workers or even lay off workers.

Today's bill caps off another banner week for House Republicans that once again laid bare their priorities: hand tax breaks to those who don't need them, and cut the programs that help the middle class, the poor, the sick, and the elderly. Yesterday, the Ways and Means Committee passed partisan legislation that would take away the child tax credit for 3 million children, weaken health coverage for 350,000 middle class Americans, and eliminate funding for the Social Services Block Grant that provides child care for 4.4 million children and serves 1.7 million low-income seniors through programs like Meals on Wheels. That's a total of \$53 billion in cuts to the safety net so Republicans can pay for more take cuts for the rich. This is class warfare and one side is clearly winning.

If we want to commemorate Tax Day with a vote on a tax bill, we should be voting on the Buffett Rule, a bill that promotes tax fairness. The Buffett Rule is targeted—it will only impact taxpayers who have income over \$1 million and are not paying their fair share of taxes. Nearly 65 percent of taxpayers who earn more than \$1 million pay lower tax rates for those who make less than \$100,000. There is something wrong with our tax system when ordinary working families are paying higher tax rates than some of the wealthiest individuals.

According to CBO, the Buffett Rule would generate \$47 billion over the next decade. We could use this \$47 billion to create jobs, reviv-

talize the middle class, and sustain a safety net for the poor, the sick, the elderly, and other groups who are being abused by the Republican Majority.

It is time we got our priorities straight and stopped providing handouts to the most fortunate at the expense of lower income Americans. I strongly oppose this legislation and urge my fellow members to join me in voting "no".

Mr. MORAN. Mr. Speaker, I rise today in strong opposition to H.R. 9, an irresponsible bill that, in the name of cutting taxes for small business and spurring job growth, would provide a windfall for those who need them least. This one-year measure would increase our federal deficit to the tune of \$46 billion.

H.R. 9 provides qualifying businesses with less than 500 employees a 20 percent tax deduction for domestic business income which could be taken during the current tax year. Instead of supporting local small businesses though, this bill inordinately benefits wealthy business owners. Half of the tax cuts in the bill would go to the four percent of small business owners earning over \$1 million a year. The 55 percent of small-business employers that have incomes below \$100,000 would receive only 6 percent of the benefit from this bill. Struggling small business owners who are operating at an annual loss will not benefit from this bill in any way.

The Center for American Progress reports that professional sports franchises such as the Los Angeles Dodgers, Donald Trump's Trump Tower Sales & Leasing, and Paris Hilton Entertainment, Inc. are among the businesses owned by millionaires that would enjoy this tax break.

This one-time windfall simply will not change incentives for hiring. According to the Congressional Budget Office (CBO): "[T]he one-year of tax savings provided by the bill is unlikely to make the costs of much investment in physical capital or labor recruitment and training worthwhile." In fact, this will incentivize qualifying business to delay investment in order to maximize taxable income in 2012. Additionally, H.R. 9 does not require a company to create any jobs or invest in the U.S. economy. In fact, if a company reduces their workforce or sends jobs overseas, they would still qualify for this 20 percent tax break.

H.R. 9 borrows billions in order to create a new tax expenditure yet fails to address the primary issue facing American small business, lack of consumer demand. This bill chooses anti-tax orthodoxy over fiscal and economic logic. Given our current fiscal situation we cannot afford another reckless giveaway to the wealthy. I urge my colleagues to reject H.R. 9.

Ms. VELAZQUEZ. Mr. Speaker, I rise in opposition to this legislation. There is nothing in this bill specifically for small businesses. Instead, this is another attempt to award tax breaks to the wealthy. In fact, millionaires will receive nearly half of the benefit from this legislation, while true small businesses accrue only 10 percent. Once again, as the largest corporations get fatter, small businesses have to struggle for scraps.

Small, fast growing startups, which often have little tax liability, would see no tax savings—yet these are the firms most likely to create jobs. Even worse, this plan would give

tax breaks to companies shedding employees—exactly the wrong incentive. Finally, this bill does nothing to address small business owners' top concern—a lack of demand for their goods and services. A real small business bill would tackle that problem.

This is not a small business bill—it is a millionaire's tax break bill. Vote no so we can focus on real solutions to small businesses' needs.

Mr. WILSON of South Carolina. Mr. Speaker, today, the House is expected to vote on the Small Business Tax Cut Act, legislation allowing for job creation promoting economic growth by cutting taxes for small business owners.

In an opinion piece published Tuesday in *Politico*, Steve Forbes writes "Real economic growth has been pathetic during the Obama Presidency. Last year, the economy grew 1.7 percent. By comparison, the Reagan recovery was spectacular, growing at 4.5 percent in 1983, with nearly 3.5 million jobs. In just one month, September 1983, the Reagan economy added more than a million jobs, nearly as many as the economy grew for all of 2011."

In order for our nation to recover from the economic recession, small businesses must be given the opportunity to grow and create jobs. The President and the liberal-controlled Senate continue to stall dozens of bills which would promote jobs. I urge my colleagues to vote in favor of this bill and help American families create jobs.

In conclusion, God Bless our troops and we will never forget September 11th in the Global War on Terrorism.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to H.R. 9, the legislation before this chamber today that would provide a one-time tax windfall in the tens of thousands of dollars to entertainers, sports franchises, smut peddlers, and other wealthy business owners, while doing little to create jobs for struggling middle-class America and adding \$46 billion to the national deficit.

My colleagues on the other side of the aisle are bringing this legislation before the House in the name of tax relief for small businesses and job creation.

I would happily vote in favor of legislation that provided targeted relief to small businesses and spurred much-needed job creation in my district and throughout the country.

Unfortunately, H.R. 9 would do no such thing. In fact, the Joint Committee on Taxation stated, "the effects of the bill on economic activity are so small as to be incalculable."

Similarly, a report last year by the Congressional Budget Office rated the approach taken in H.R. 9 to be one of the least cost-effective ways to encourage growth or create jobs in a weak economy. CBO estimated that this legislation's approach would create one job or fewer per \$1 million of budgetary cost.

However, H.R. 9, if enacted, would be a boon to wealthy taxpayers. Nearly half of the benefit would go to individuals with incomes of over \$1 million.

Seventy-six percent of small business employers have incomes below \$200,000, but this group only received 16 percent of the benefit under H.R. 9. And 55 percent of small business employers have incomes below \$100,000 but this group receives only six percent of the total benefit.

At a time when our Nation must tackle its growing deficit, and push further job creation, the last thing this Congress ought to do is give expensive handouts to the richest individuals in our society.

Instead, this Congress ought to be debating on how to deliver targeted job creation legislation and protect essential safety net programs, like the Supplemental Nutritional Assistance Program and Medicaid, which this House recently voted to cut in the hundreds of billions of dollars over the next decade in the name of "deficit reduction."

I call on my colleagues on both sides of the aisle today to stand for commonsense fiscal principles and targeted job creation and vote against H.R. 9.

Mr. POE of Texas. Mr. Speaker, our small businesses are hurting.

In the past year, only one in five small businesses has hired.

This is a problem because if small businesses aren't hiring, we don't recover.

According to a survey from the U.S. Chamber of Commerce, they are not hiring because they don't know what Washington, DC is going to do to them next.

Four in five small-business owners said that the taxes, regulations and legislation coming from Washington made it more difficult for them to hire additional workers.

In other words, our government is getting in the way of economic recovery.

H.R. 9 will be a breath of fresh air to them.

For every \$100 of income, small businesses will save \$7 in federal taxes.

That's 7 percent they can put towards hiring a veteran back from Iraq or someone who hasn't been able to find a job for years.

Washington needs to get out of the way and let our small businesses do what they do best: hire new workers.

And that's just the way it is.

Mr. RAHALL. Mr. Speaker, I support tax and regulatory policies that help small businesses attract investment and create jobs, but I also believe that we in the Congress must be responsible stewards of taxpayer funds.

I voted against H.R. 9 because it would spend an enormous amount of money without any requirements that the funds be invested in job creation or even invested in the American economy. Any company that receives the tax benefit provided by this bill could use it to bolster profits while laying off workers and shipping American jobs overseas. Half of the tax breaks would go to only 0.3 percent of taxpayers, those with incomes exceeding \$1 million, costing \$46 billion while the rest of our Nation is forced to endure the impact of painful spending cuts in programs important to working middle-class families. That's hardly fair and certainly not right.

This measure is more about scoring political points in an election year—trying to play gotcha—when we should be trying to move forward on measures that would give a real boost to job creation and economic growth.

Mr. WOLF. Mr. Speaker, I have been consistent in my support for comprehensive tax reform that lowers rates for individuals and businesses by eliminating the types of carve outs and deductions in the tax code that, as recently reported by The Hill, have let 26 Fortune 500 companies pay a negative tax rate

over a four-year span. To be clear, that means these companies are getting paid by the government while hard-working men and women pay their taxes.

Something is very wrong with this picture. That is precisely the reason why we need real, long-term comprehensive tax reform. Last year, Senator TOM COBURN identified nearly \$1 trillion in annual spending through the tax code through tax earmarks that benefit special interests such as video game developers, hedge fund managers, NASCAR, dog and horse tracks and ethanol producers. Unlike an earmark in an annual appropriations bill, these tax earmarks are far worse because once enacted they typically exist in perpetuity.

Using these extensive tax loopholes, General Electric (GE) paid no federal taxes in 2010. Yet, the Congressional Research Service has found that GE was honored by a Chinese newspaper for ranking 32nd among commercial service sector companies that paid taxes to China.

Let me repeat: GE paid no taxes to the United States, but was a significant source of tax revenue for China. China? China, a country that is spying on us, persecutes people of faith and has a long record of horrific human rights abuses.

Rather than putting forth true comprehensive tax reform—the type that would bring stability to the economy by providing certainty for job creators and families—both parties in both chambers have pushed political agendas instead of what is best for America.

The so-called "Buffett rule" the Senate attempted to pass earlier this week was defeated, and rightly so. Washington Post columnist Ruth Marcus points out President Obama's pursuit of this policy "is pure political stunt. . . . It won't pass. And even if that happened, it would have a negligible impact on the exploding debt—\$4.7 billion a year, or less than four-tenths of 1 percent of this year's deficit—and take a tiny nibble out of income inequality."

At a time when strong leadership is needed to address our nation's crippling debt, it is unfortunate that President Obama has continually failed to lead by example. He even walked away from the recommendations of his own bipartisan fiscal commission.

Unfortunately, the House today has done no better than the Senate or president. The Wall Street Journal, in an editorial today headlined *Bipartisan Tax Gimmickry*, candidly described the proposal before us as a "gimmick" and went on to say that Republicans "would do more for the economy and their political prospects if they began to educate the country about sensible tax policy."

The bill before us is a temporary, one-year proposal that will increase our debt by \$46 billion, without an offset to pay for this additional deficit spending. I want to stress: \$46 billion for a temporary, one-year proposal.

I want to remind my colleagues that two months ago Congress essentially wiped out the \$95 billion in savings cut from the 2011 and 2012 appropriations bills when it approved extending the payroll "holiday" for another year at a cost of \$93 billion.

We are now talking about adding to this spending for a total of \$139 billion in temporary, one-year stimulus spending with no offsets; no way to pay for it.

We are already running trillion dollar deficits for the fourth straight year. We are \$15.6 trillion in debt. We have unfunded obligations and liabilities of \$65 trillion. Republicans on the Senate Budget Committee earlier this month posted a chart on its Web site showing that our debt at the end of 2011 was greater than the combined debt of the United Kingdom and the entire Eurozone.

We need look no further than the riots in Europe to see the destructive impact that results from the crushing reality of a government unable to deliver promised entitlements to its citizens. There have been riots in Belgium, Spain, France, Ireland, England, Italy, Latvia, and Greece. And yet we are considering another proposal that moves us closer to Europe's instability.

We are now spending \$4.3 billion a week simply on interest to service the debt. And this is at historically low interest rates.

The Congressional Budget Office (CBO) projects that by 2022 we're going to be sending \$11.6 billion out the door each week to nations such as China, which is spying on us, where human rights are an afterthought, and Catholic bishops, Protestant ministers and Tibetan monks are jailed for practicing their faith, and oil-exporting countries such as Saudi Arabia, which funded the radical madrasahs on the Afghan-Pakistan border, resulting in the rise of the Taliban and al Qaeda.

And, unless we change course, according to the CBO's long term estimate, every penny collected of the federal budget will go to interest on the debt and entitlement spending by 2025.

Every penny. That means no money for national defense. No money for homeland security. No money to fix the nation's crumbling bridges and roads. No money for medical research to find a cure for cancer or Alzheimer's or Parkinson's disease.

Quite frankly this borrowing is unsustainable, dangerous and irresponsible.

Given our nation's fiscal obligations, one must ask: Can we really afford another costly, one-year policy absent the needed comprehensive reform?

Why are we spending time on a policy that everyone knows has no chance of being signed into law as currently drafted? Could it be because, as recently reported by Politico, "Congress is readying for a political fight with dueling tax votes this week that will define each party's priorities in this election year"?

The final paragraph of today's Wall Street Journal editorial noted that "[t]he economy works best when investors and companies can operate under predictable policies that allow them to better judge their risks for the long term. Reagan-era officials understood this, but too many Republicans have forgotten. The U.S. economy doesn't need another tax gimmick. It needs a tax reform that includes a permanent cut in individual and business tax rates for everyone."

The president and some on the other side of the aisle say that our debt crisis is because Americans are under-taxed. Like President Reagan said, and I believe, "the problem is not that people are taxed too little, the problem is that government spends too much." There is no question that the real problem is overspending, especially on runaway entitle-

ment costs and through hundreds of billions of so-called tax expenditures.

It is no secret that our inefficient and burdensome tax code is undermining consumer and business confidence, further weakening our fragile economic recovery. Comprehensive tax reform is needed now more than ever to rid our tax code of earmarks and loopholes that promote crony capitalism and let Washington pick winners and losers.

Two weeks ago I was one of 38 members to vote for the bipartisan Cooper-LaTourette substitute amendment to the budget, which was modeled on the work of the Simpson-Bowles Commission. The Simpson-Bowles Commission produced a credible plan that gained the support of a bipartisan majority of the commission's 18 members. Called "The Moment of Truth," the commission's report made clear that eliminating the debt and deficit will not be easy and that any reform must begin with entitlements. Mandatory and discretionary spending also has to be addressed as well as other "sacred cows," including tax reform and defense spending.

The Cooper-LaTourette substitute was a balanced and ambitious plan, that, while not perfect, was the type of bitter medicine necessary to address our deficit. There is never a convenient time to make tough decisions, but the longer we put off fixing the problem, the worse the medicine will be. Unfortunately, the amendment failed.

For nearly six years I have pushed bipartisan legislation to set up an independent commission to develop a comprehensive deficit reduction package that would require an up-or-down vote by the Congress. I have said that the enormity of the crisis we face demands that everything must be on the table for discussion—all entitlement spending, all domestic discretionary spending, and tax policy; not tax increases, but reforms to make the tax code simpler and fairer and free from special interest earmarks.

I have supported every serious effort to resolve this crisis: the Bowles-Simpson recommendations, the "Gang of Six" effort, and the "Cut, Cap and Balance" bill—including the Balanced Budget Amendment. None of these solutions were perfect, but they all took the steps necessary to rebuild and protect our economy.

But powerful special interests continue to hold this institution hostage and undermine every good faith effort to change course. And that's why we have these actions on the floor of the House and Senate instead of the much-needed proposal to enact comprehensive reform.

Mr. Speaker, I do not sign political pledges to special interest groups. My only pledge is the oath of office I take on the first day of each Congress. And that is why I cannot partake in this political vote that would further add to the deficit without dealing with the underlying drivers of our deficit and debt.

As The Hill reported this week: "Republicans and Democrats are hurtling toward a fiscal cliff, but neither side wants to take the plunge.

"In less than nine months, Bush-era tax rates are scheduled to expire, hiking rates for the middle class as well as top income earners. At the same time, automatic spending

cuts will kick in. The combination, coupled with the expiration of the payroll tax cut and other factors, would constitute a blow that analysts say could imperil the economic recovery and send America crashing back into recession."

We need to simplify the tax code to lower tax rates. But we need to do it through real, comprehensive reform, not through a piecemeal approach that makes it too politically easy to ignore our overall finances. I vote "present" to bring attention to this point.

Mr. PENCE. Mr. Speaker, I rise today in strong support of the Small Business Tax Cut Act (H.R. 9), which will provide tax relief to Hoosier small businesses and help them to grow and create jobs.

In Indiana there are more than 100,000 small businesses that employ more than a million Hoosiers. Nearly 14,000 of these small businesses are owned by women. As I travel across Indiana and hear from these hard-working Hoosier entrepreneurs and taxpayers, one thing is clear: Washington, DC needs a new approach to fostering job growth. With unemployment in Indiana at a disheartening 8.4 percent, Hoosiers are looking for tax relief that will help their friends and neighbors get back to work.

The Small Business Tax Cut Act reduces the heavy burden of taxes on Hoosier small businesses by allowing them to deduct 20 percent of their active income this year. In all, this important measure would reduce taxes on job creators by \$46 billion, freeing up capital for small businesses to grow and take on new employees.

This pro-growth, pro-taxpayer legislation will help to foster new investment in our economy and spur job growth. I urge my colleagues to support the Small Business Tax Cut Act.

Mrs. MALONEY. Mr. Speaker, I rise in strong opposition to H.R. 9, the so-called Small Business Tax Cut Act, which, instead of helping small businesses or growing the economy, is merely another tax giveaway to the rich.

Americans are demanding that we take action to create jobs and spur economic growth, but this legislation before us today adds \$46 billion to the deficit in the next year alone, fails to create jobs and actually discourages the investments our economy needs.

Now is the time to support American small businesses and grow the economy, as Democrats would do in an alternative proposal, by allowing companies to deduct 100% of the cost of capital, or "bonus depreciation," in the first year for new investment in machinery and equipment—a proposal even conservative economists consider one of the most productive ways to boost economic growth.

This is not the time to hand another tax cut to our nations' wealthiest as H.R. 9 proposes, and I urge my colleagues to oppose this misguided legislation.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise to speak out against the fallacy that is H.R. 9.

I am always happy to support policy initiatives to stimulate economic growth and job creation and believe a private-public partnership during this time of economic recovery is essential.

Unfortunately, H.R. 9, the so-called Small Business Tax Cut Act, is a broad measure affecting 99.6 percent of all businesses that is not targeted at job creation.

The benefits it provides will be meted out unevenly and in an arbitrary manner, accruing in large measure to the wealthiest taxpayers.

While these facts alone argue for its rejection, this temporary and expensive provision is also the very antithesis of tax reform. It couldn't be further from the truth.

Yet again the Republican tax plan in the form of H.R. 9 would along with the Ryan Republican Budget Plan, serve to dismantle Medicare and instead hand older and disabled people a voucher toward the cost of private insurance. It's not a new or creative idea, and it will actually add more costs to families and to our Nation's bottom line. You cannot have a tax giveaway to a select few businesses while Medicare continues to suffer, ultimately hurting our most vulnerable.

While claiming to "preserve" Medicare, the plan would actually imperil the community program and shift much of the costs to the very people it is supposed to help. As private plans aggressively court the healthiest and least costly beneficiaries, the traditional Medicare program would be left with an ever dwindling pool of beneficiaries—those who are too sick and poor to purchase private insurance with the help of Mr. RYAN's coupon.

In time, Medicare will "wither on the vine," as those who oppose the program have long intended. Like last year's proposal from Mr. RYAN and last week's proposal from Senate Republicans, this plan does nothing to really preserve Medicare or to solve our Nation's skyrocketing healthcare costs.

It only slams those costs onto individuals who can least afford them: older and disabled Americans, while jeopardizing their health coverage, adding profits to corporations, and letting millionaires off the hook.

Similarly, the Supplemental Nutrition Assistance program is our most important anti-hunger program, with over 46 million Americans in more than 21 million households relying on it to help feed themselves and their families. Yet, by advancing H.R. 9 this Majority takes away money that could be used to shore up this program which serves the truly destitute.

The Supplemental Nutrition Assistance Program, SNAP, is the cornerstone of the Nation's nutrition assistance safety net. SNAP touches the lives of over one in seven Americans. Indeed you could say that SNAP saves lives. Everyone's life is not as simple as some on the other side would have us believe—every person who is homeless cannot be fixed with magic dust and self-help policy prescriptions. Life is complicated and fraught with danger and uncertainty.

Lucky are many of us who go home to warm shelter, food, and family. There, but for the grace of God go I.

SNAP benefits are available to most people who meet the financial requirements, and the program serves a broad spectrum of low-income people. In Fiscal Year 2010, SNAP provided about \$5.4 billion in food benefits to a monthly average of over 3.6 million people in Texas.

Another pressing issue is the encroaching and massive debt from student loans. In January President Obama stated:

When kids do graduate, the most daunting challenge can be the cost of college. At a time when Americans owe more in tuition

debt than credit card debt, this Congress needs to stop the interest rates on student loans from doubling in July.

Student debt loan and the looming prospect of a massive interest rate increase is like a stealth tax darkening the horizon of borrowers nationwide. Indeed it is a ticking time bomb for students and families: If Congress doesn't act in 74 days, subsidized Stafford student loans rates will double from 3.4 percent to 6.8 percent.

In 2007, Congress made an historic investment in higher education when we passed the College Cost Reduction and Access Act. Included in this legislation was a provision that reduced the fixed rate on Stafford student loans for undergraduate students. The College Cost Reduction and Access Act lowered subsidized Stafford student loan rates from 6.8 percent to 3.4 percent over a four-year period easing the burden on thousands of students and their families.

However, despite the ever-increasing cost of a higher education and the challenging job market graduates face, without Congressional action these rates will double later this year and cost students and families thousands of dollars over time.

In their zeal to avoid picking "winners and losers," the majority has embraced a massive \$46 billion tax cut that is being offered in the name of small business but will go to 99.6 percent of all businesses, whatever the value of their assets or the amount of their income and irrespective of the nature or function of their business.

The tax break is available to partnerships of highly paid professionals, including lawyers and lobbyists. It is available to hedge fund and private equity fund managers. By restricting the definition of small business to an employee count and ignoring other relevant factors, such as revenues, H.R. 9 guarantees that the benefit will be available to a host of businesses that are anything but small. For example, many professional sports teams would get the tax break.

H.R. 9 is not targeted at job creation. Any number of measures could have been included in H.R. 9 to limit the availability of the tax benefit to businesses that hire or invest in the United States.

None of these measures was included. There is no requirement that a business receiving the deduction created by H.R. 9 expand employment.

In fact, a business that reduces employment remains eligible for the deduction. Even worse, businesses that reduce their American workforce while expanding overseas still get the tax break. In contrast to measures such as bonus depreciation or expensing, there is no requirement that a business receiving the tax break invest in the United States. And in contrast to measures such as infrastructure spending, this one-time tax cut for the very wealthiest would have a relatively small effect on cumulative economic output.

The benefit provided by H.R. 9 is arbitrary. In the case of small business owners, the same amount of small business income will not always produce the same benefit. Because the benefit is a deduction and not a credit, the value of the benefit increases with income.

In addition, because the size of the benefit can be limited by a taxpayer's taxable income, losses that reduce or eliminate such income, including losses carried forward from prior years, can eliminate the benefit.

Preliminary analyses indicate that H.R. 9 is a \$46 billion tax cut disproportionately benefitting the very wealthiest Americans.

Although a distributional analysis by the Joint Committee on Taxation is not yet available, the Center on Budget and Policy Priorities indicated that, based on an analysis provided by the Tax Policy Center, approximately "49 percent of the tax cut provided by H.R. 9 would go to the 0.3 percent of people with incomes exceeding \$1 million in 2012; they each would receive an average tax cut of more than \$44,000."

Middle- and low-income families are struggling to recover from the deepest recession in decades; they have lost jobs, homes and retirement security. The Republican Majority for months resisted extending the payroll tax cut benefitting these families. But now, the Majority is rushing to put forward another tax break for the very wealthiest Americans.

Given that this Committee has spent the last year and three months talking about tax reform, perhaps the most striking thing about H.R. 9 is that it is the antithesis of tax reform. The House Republican budget assumes that this Committee will produce a tax reform package with two rate brackets, but it offers no clear indication of how to finance rate reductions that would cost trillions of dollars.

The only hint we have gotten is the vague promise of the House Budget Committee chairman to eliminate what he calls "tax loopholes." But to raise sufficient funds for his tax reform plans, his definition of "tax loophole" would have to include provisions related to health, education, home mortgage interest, and pensions.

These are not "loopholes." Rather, in many cases, they are provisions designed to achieve clear economic and social policy goals. Ironically, H.R. 9 would be a new tax expenditure and a temporary one at that. And it would have far less merit than policies, such as the mortgage interest deduction and the exclusion for employer provided healthcare, that now appear to be in the majority's crosshairs.

Mr. Speaker, I cannot in good conscience support a measure that takes away from Medicare, the SNAP Program, and dollars that could be used to mitigate the devastating effect of sharply escalating interest rates on Stafford student loan.

Let's reject this bill and move on to real job creation, tax reform and deficit reduction and not the sham version before us this morning.

Ms. MCCOLLUM. Mr. Speaker, I rise in strong opposition to H.R. 9, the so-called Small Business Tax Cut Act. This bill is an incredible waste of taxpayer money that will do nothing to grow America's economy or create jobs.

House Republicans admit that H.R. 9 will add \$46 billion to federal deficits and force our country to borrow more money from foreign countries such as China. They argue deficit-spending is worthwhile because their bill will create jobs and stimulate economic growth. Unfortunately, there is absolutely no evidence

to support their claim. The nonpartisan Joint Committee on Taxation determined the economic impact of this Republican bill is “so small as to be incalculable.”

The country’s wealthiest individuals and corporations are the true beneficiaries of this legislation. H.R. 9 will provide over 125,000 millionaires with an average tax cut of \$58,000. According to the nonpartisan Tax Policy Center, nearly half of the bill’s benefits go to individuals with annual income over \$1 million even though this group comprises just 0.5 percent of all taxpayers and 4 percent of all small-business employers. The largest tax breaks in this bill go to law partners, corporate consultants, lobbyists, hedge fund managers, and other highly profitable, private enterprises that do not need extra support from America’s taxpayers.

The tax benefits in H.R. 9 are so poorly targeted that reality-show stars Donald Trump, Paris Hilton and Kim Kardashian qualify as “small businesses” and will receive taxpayer-financed handouts. In fact, this legislation provides tax breaks to pornography shops and corporations that ship American jobs overseas.

This legislation represents a new low point for the House Republican majority. It is so flawed that even fellow conservatives are mocking the bill. The Wall Street Journal editorial page calls H.R. 9 a “tax gimmick.” Former economic advisor to President Reagan Bruce Bartlett said H.R. 9 “will do nothing whatsoever to increase employment. It is nothing more than an election year give-away to a favored Republican constituency and should not be taken seriously.”

H.R. 9 is a signal to the American people that House Republicans are officially out of ideas for creating jobs. This bill merely recycles the Bush Administration’s failed economic policies that ballooned the national debt and produced the lowest rate of job creation since World War Two. The nonpartisan Congressional Budget Office analyzed a range of policies that could be enacted to strengthen the economy and promote economic growth: this measure ranked second to last.

I urge my Republican colleagues to abandon this dead-end legislation and instead, join with Democrats to support proven job creation measures, including bonus depreciation for main street businesses.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MR. LEVIN

Mr. LEVIN. Mr. Speaker, I offer an amendment in the nature of a substitute.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Business Tax Cut Act”.

SEC. 2. DEDUCTION FOR DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of

1986 is amended by adding at the end the following new section:

“SEC. 200. DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.

“(a) ALLOWANCE OF DEDUCTION.—In the case of a qualified small business, there shall be allowed as a deduction an amount equal to 20 percent of the lesser of—

“(1) the qualified domestic business income of the taxpayer for the taxable year, or

“(2) taxable income (determined without regard to this section) for the taxable year.

“(b) DEDUCTION LIMITED BASED ON WAGES PAID.—

“(1) IN GENERAL.—The amount of the deduction allowable under subsection (a) for any taxable year shall not exceed 50 percent of the greater of—

“(A) the W-2 wages of the taxpayer paid to non-owners, or

“(B) the sum of—

“(i) the W-2 wages of the taxpayer paid to individuals who are non-owner family members of direct owners, plus

“(ii) any W-2 wages of the taxpayer paid to 10-percent-or-less direct owners.

“(2) DEFINITIONS RELATED TO OWNERSHIP.—For purposes of this section—

“(A) NON-OWNER.—The term ‘non-owner’ means, with respect to any qualified small business, any person who does not own (and is not considered as owning within the meaning of subsection (c) or (e)(3) of section 267, as the case may be) any stock of such business (or, if such business is other than a corporation, any capital or profits interest of such business).

“(B) NON-OWNER FAMILY MEMBERS.—An individual is a non-owner family member of a direct owner if—

“(i) such individual is family (within the meaning of section 267(c)(4)) of a direct owner, and

“(ii) such individual would be a non-owner if subsections (c) and (e)(3) of section 267 were applied without regard to section 267(c)(2).

“(C) DIRECT OWNER.—The term ‘direct owner’ means, with respect to any qualified small business, any person who owns (or is considered as owning under the applicable non-family attribution rules) any stock of such business (or, if such business is other than a corporation, any capital or profits interest of such business).

“(D) 10-PERCENT-OR-LESS DIRECT OWNERS.—The term ‘10-percent-or-less direct owner’ means, with respect to any qualified small business, any direct owner of such business who owns (or is considered as owning under the applicable non-family attribution rules)—

“(i) in the case of a qualified small business which is a corporation, not more than 10 percent of the outstanding stock of the corporation or stock possessing more than 10 percent of the total combined voting power of all stock of the corporation, or

“(ii) in the case of a qualified small business which is not a corporation, not more than 10 percent of the capital or profits interest of such business.

“(E) APPLICABLE NON-FAMILY ATTRIBUTION RULES.—The term ‘applicable non-family attribution rules’ means the attribution rules of subsection (c) or (e)(3) of section 267, as the case may be, but in each case applied without regard to section 267(c)(2).

“(3) W-2 WAGES.—For purposes of this section—

“(A) IN GENERAL.—The term ‘W-2 wages’ means, with respect to any person for any taxable year of such person, the sum of the amounts described in paragraphs (3) and (8)

of section 6051(a) paid by such person with respect to employment of employees by such person during the calendar year ending during such taxable year.

“(B) LIMITATION TO WAGES ATTRIBUTABLE TO QUALIFIED DOMESTIC BUSINESS INCOME.—Such term shall not include any amount which is not properly allocable to domestic business gross receipts for purposes of subsection (d)(1).

“(C) OTHER REQUIREMENTS.—Except in the case of amounts treated as W-2 wages under paragraph (4)—

“(i) such term shall not include any amount which is not allowed as a deduction under section 162 for the taxable year, and

“(ii) such term shall not include any amount which is not properly included in a return filed with the Social Security Administration on or before the 60th day after the due date (including extensions) for such return.

“(4) CERTAIN PARTNERSHIP DISTRIBUTIONS TREATED AS W-2 WAGES.—

“(A) IN GENERAL.—In the case of a qualified small business which is a partnership and elects the application of this paragraph for the taxable year—

“(i) the qualified domestic business taxable income of such partnership for such taxable year (determined after the application of clause (ii)) which is allocable under rules similar to the rules of section 199(d)(1)(A)(ii) to each qualified service-providing partner shall be treated for purposes of this section as W-2 wages paid during such taxable year to such partner as an employee, and

“(ii) the domestic business gross receipts of such partnership for such taxable year shall be reduced by the amount so treated.

“(B) QUALIFIED SERVICE-PROVIDING PARTNER.—For purposes of this paragraph, the term ‘qualified service-providing partner’ means, with respect to any qualified domestic business taxable income, any partner who is a 10-percent-or-less direct owner and who materially participates in the trade or business to which such income relates.

“(5) ACQUISITIONS AND DISPOSITIONS.—The Secretary shall provide for the application of this subsection in cases where the taxpayer acquires, or disposes of, the major portion of a trade or business or the major portion of a separate unit of a trade or business during the taxable year.

“(c) LIMITATION BASED ON INVESTMENT IN QUALIFIED PROPERTY.—

“(1) IN GENERAL.—The amount of the deduction allowable under subsection (a) for any taxable year shall not exceed the allowance which would be determined under section 168(k)(1)(A) with respect to the taxpayer for the taxable year if such section were applied—

“(A) by substituting ‘100 percent’ for ‘50 percent’, and

“(B) without regard to paragraph (2).

“(2) ADJUSTMENT OF BASIS.—No deduction shall be allowed to the taxpayer under subsection (a) for any taxable year unless the adjusted basis of property taken into account under paragraph (1) is reduced by the amount of the deduction allowed under subsection (a) before computing the amount otherwise allowable as a depreciation deduction under this chapter (including any allowance otherwise determined under section 168(k)) for such taxable year and any subsequent taxable year.

“(d) QUALIFIED DOMESTIC BUSINESS INCOME.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified domestic business income’ for any taxable year means an amount equal to the excess (if any) of—

“(A) the taxpayer’s domestic business gross receipts for such taxable year, over

“(B) the sum of—

“(i) the cost of goods sold that are allocable to such receipts, and

“(ii) other expenses, losses, or deductions (other than the deduction allowed under this section), which are properly allocable to such receipts.

“(2) DOMESTIC BUSINESS GROSS RECEIPTS.—

“(A) IN GENERAL.—The term ‘domestic business gross receipts’ means the gross receipts of the taxpayer which are effectively connected with the conduct of a trade or business within the United States within the meaning of section 864(c) but determined—

“(i) without regard to paragraphs (3), (4), and (5) thereof, and

“(ii) by substituting ‘qualified small business (within the meaning of section 200)’ for ‘nonresident alien individual or a foreign corporation’ each place it appears therein.

“(B) EXCEPTIONS.—For purposes of paragraph (1), domestic business gross receipts shall not include any of the following:

“(i) Gross receipts derived from the sale or exchange of—

“(I) a capital asset, or

“(II) property used in the trade or business (as defined in section 1231(b)).

“(ii) Royalties, rents, dividends, interest, or annuities.

“(iii) Any amount which constitutes wages (as defined in section 3401).

“(3) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (2) and (3) of section 199(c) shall apply for purposes of this section (applied with respect to qualified domestic business income in lieu of qualified production activities income and with respect to domestic business gross receipts in lieu of domestic production gross receipts).

“(e) QUALIFIED SMALL BUSINESS.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified small business’ means any employer engaged in a trade or business if such employer had fewer than 500 full-time equivalent employees for either calendar year 2010 or 2011.

“(2) FULL-TIME EQUIVALENT EMPLOYEES.—The term ‘full-time equivalent employees’ has the meaning given such term by subsection (d)(2) of section 45R applied—

“(A) without regard to subsection (d)(5) of such section,

“(B) with regard to subsection (e)(1) of such section, and

“(C) by substituting ‘calendar year’ for ‘taxable year’ each place it appears therein.

“(3) EMPLOYERS NOT IN EXISTENCE PRIOR TO 2012.—In the case of an employer which was not in existence on January 1, 2012, the determination under paragraph (1) shall be made with respect to calendar year 2012.

“(4) APPLICATION TO CALENDAR YEARS IN WHICH EMPLOYER IN EXISTENCE FOR PORTION OF CALENDAR YEAR.—In the case of any calendar year during which the employer comes into existence, the number of full-time equivalent employees determined under paragraph (2) with respect to such calendar year shall be increased by multiplying the number so determined (without regard to this paragraph) by the quotient obtained by dividing—

“(A) the number of days in such calendar year, by

“(B) the number of days during such calendar year which such employer is in existence.

“(5) SPECIAL RULES.—

“(A) AGGREGATION RULE.—For purposes of paragraph (1), any person treated as a single

employer under subsection (a) or (b) of section 52 (applied without regard to section 1563(b)) or subsection (m) or (o) of section 414 shall be treated as a single employer for purposes of this subsection.

“(B) PREDECESSORS.—Any reference in this subsection to an employer shall include a reference to any predecessor of such employer.

“(f) SPECIAL RULES.—

“(1) ELECTIVE APPLICATION OF DEDUCTION.—Except as otherwise provided by the Secretary, the taxpayer may elect not to take any item of income into account as domestic business gross receipts for purposes of this section.

“(2) COORDINATION WITH SECTION 199.—If a deduction is allowed under this section with respect to any taxpayer for any taxable year—

“(A) any gross receipts of the taxpayer which are taken into account under this section for such taxable year shall not be taken into account under section 199 for such taxable year, and

“(B) the W-2 wages of the taxpayer which are taken into account under this section shall not be taken into account under section 199 for such taxable year.

“(3) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (1), (2), (3), (4), (6), and (7) of section 199(d) shall apply for purposes of this section (applied with respect to qualified domestic business income in lieu of qualified production activities income).

“(g) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out the purposes of this section, including regulations which prevent a taxpayer which reorganizes from being treated as a qualified small business if such taxpayer would not have been treated as a qualified small business prior to such reorganization.

“(h) APPLICATION.—Subsection (a) shall apply only with respect to the first taxable year of the taxpayer beginning after December 31, 2011.”

(b) CONFORMING AMENDMENTS.—

(1) Section 56(d)(1)(A) of such Code is amended by striking “deduction under section 199” both places it appears and inserting “deductions under sections 199 and 200”.

(2) Section 56(g)(4)(C) of such Code is amended by adding at the end the following new clause:

“(vii) DEDUCTION FOR DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.—Clause (i) shall not apply to any amount allowable as a deduction under section 200.”

(3) The following provisions of such Code are each amended by inserting “200,” after “199,”

(A) Section 86(b)(2)(A).

(B) Section 135(e)(4)(A).

(C) Section 137(b)(3)(A).

(D) Section 219(g)(3)(A)(ii).

(E) Section 221(b)(2)(C)(i).

(F) Section 222(b)(2)(C)(i).

(G) Section 246(b)(1).

(H) Section 469(i)(3)(F)(iii).

(4) Section 163(j)(6)(A)(i) of such Code is amended by striking “and” at the end of subclause (III) and by inserting after subclause (IV) the following new subclause:

“(V) any deduction allowable under section 200, and”.

(5) Section 170(b)(2)(C) of such Code is amended by striking “and” at the end of clause (iv), by striking the period at the end of clause (v) and inserting “, and”, and by inserting after clause (v) the following new clause:

“(vi) section 200.”

(6) Section 172(d) of such Code is amended by adding at the end the following new paragraph:

“(8) DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.—The deduction under section 200 shall not be allowed.”

(7) Section 613(a) of such Code is amended by striking “deduction under section 199” and inserting “deductions under sections 199 and 200”.

(8) Section 613A(d)(1) of such Code is amended by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively, and by inserting after subparagraph (B) the following new subparagraph:

“(C) any deduction allowable under section 200.”

(9) Section 1402(a) of such Code is amended by striking “and” at the end of paragraph (16), by redesignating paragraph (17) as paragraph (18), and by inserting after paragraph (16) the following new paragraph:

“(17) the deduction provided by section 200 shall not be allowed; and”.

(c) CLERICAL AMENDMENT.—The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by adding at the end the following new item:

“Sec. 200. Domestic business income of qualified small businesses.”

The SPEAKER pro tempore. Pursuant to House Resolution 620, the gentleman from Michigan (Mr. LEVIN) and a Member opposed each will control 12½ minutes.

The Chair recognizes the gentleman from Michigan.

Mr. LEVIN. I yield myself such time as I may consume.

The Democratic amendment in the nature of a substitute offers a 1-year extension of 100 percent bonus depreciation for certain U.S. businesses.

Most importantly, the amendment offers a stark contrast to the majority’s untargeted giveaway to the very wealthy Americans.

First, bonus depreciation is available only to businesses that make investments in depreciable property. As a result, most of the benefit from the bonus depreciation provision will flow to businesses such as manufacturers that make significant investments in property, plant, and equipment. These are the types of businesses that create good jobs here in our country.

In contrast to the majority’s mistaken bill, very little, if any, benefit would go to lawyers, lobbyists, hedge fund managers, and entertainers, to mention just a few. These service professionals simply do not make large investments in depreciable property.

Second, bonus depreciation is only available for property used in our country. So a business that builds a new factory only gets the deduction if the factory is built in this country.

In contrast, the majority’s bill provides a benefit to businesses regardless of where they’re expanding or investing. Businesses that cut jobs in the U.S. and expand overseas could get the benefit of H.R. 9. In practice, they would get no benefit from this amendment.

Third, the incentive to purchase depreciable property provides a benefit to all of the businesses that produce the property. The result is a more general and widespread economic stimulus.

Fourth, and finally, bonus depreciation is a proposal that has had bipartisan support, unlike H.R. 9. H.R. 9 is going nowhere—nowhere—and it should not.

Vote for and pass this substitute. It is sound policy and can become the law of the land.

I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, I rise to claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) is recognized for 12½ minutes.

Mr. CAMP. I yield such time as he may consume to a distinguished member of the Ways and Means Committee, the gentleman from Illinois (Mr. SCHOCK).

Mr. SCHOCK. Mr. Speaker, I appreciate my distinguished chairman yielding time.

I can understand why the American people are frustrated. We have a President who, from day one, campaigned on raising taxes, raising taxes, then became the President of the United States, and his party in the House and his party in the Senate, they've talked about raising taxes. All the while, we've had a down economy. All the while, we've had unemployment above 8 percent. Yet the interesting thing is that, when the same Democratic Party controlled the House of Representatives and controlled the United States Senate for 2 years, they decided not to implement the Buffett tax.

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They decided not to increase taxes on Americans.

Why? Because they know what we know and they know the truth, and that is that raising taxes will hurt the economy, that raising taxes is not what you do when you want to put people back to work. It's bad policy. It's why a year ago, despite all the rhetoric against the Bush tax cuts, despite all the rhetoric against the '01 and '03 rates, this same majority in the United States Senate and this same President said—what? President Obama said, Now is not the time to increase taxes on any American. A year ago.

If that were good policy a year ago, I might submit to you that it's good policy today. I don't know many Americans who believed a year ago that the economy was in any worse of a situation than it is in today. Raising taxes is not good policy on any American. If ever there were a starker contrast between the two visions for America, if ever there were a starker contrast between the Republican Party and the Democratic Party's visions on how to get the economy going, it is what's happening today in Washington, D.C.

Across this hallway, in the United States Senate, they are attempting to raise taxes on America's small businesses—yes, pass-through entities that pay a rate and take that capital away from them and their ability to invest in capital, in their ability to hire workers. Here in the House of Representatives, we are trying to do the opposite. We're saying that we're listening to these job creators, that we're listening to these people who actually do the hiring.

Do you know what they're saying? Their access to capital is drying up, and the cash in their bank accounts doesn't quite meet their needs each month. They need more capital to be able to go out and hire people. They need more capital to be able to go out and buy equipment.

So that's what this targeted tax cut is. It's not for the big corporations. It's targeted at people who have fewer than 500 employees. And guess what? You can have whatever opinion you want on the political ideology. You can't have your own facts, and the facts are these:

Over the last 2 years, seven out of 10 jobs created in this country were created by people who employ fewer than 500 people, the very people this tax bill is targeted at. Second, you can't throw up your hands and wonder why America's job creators are not hiring, why unemployment continues to be above 8 percent for the longest time in our country's history while at the same time advocating policies that will drive a stake into the heart of our economy and our small businesses.

This tax policy targeted at America's small businesses will give them the capital they need to stay in business, to hire those additional workers, to invest in additional capital, and maybe even to prevent layoffs, maybe even to prevent somebody from having to go on the unemployment line. It is the right policy. I wish that our friends on the other side of the aisle would embrace the policy that they had a year ago, which is that tax increases on any American is a bad policy in a down economy.

Mr. LEVIN. I yield myself 30 seconds.

The gentleman is correct in that the contrast is very stark. They've tried to raise taxes on millionaires in the Senate so they pay like the people who work for them. This bill would provide a tax break of \$58,000 to those who make over \$1 million, which are 125,000 taxpayers. That is a stark contrast. Have people very wealthy pay a fair share on the one side, and have this House give them a big break.

I now yield 2 minutes to another distinguished member of our committee, the gentlelady from Nevada, SHELLEY BERKLEY.

Ms. BERKLEY. I thank the gentleman for yielding.

I rise in support of the Levin substitute and on behalf of the middle

class families of Nevada, who are struggling to make ends meet. I'm talking about the housekeepers and the card dealers, the teachers, the nurses, the cops on the beat, the ones who work hard to take care of their families—to put food on the tables, to fill their cars with gas, to buy new sneakers for their kids, and to make the mortgage payments on time.

Yet, in spite of these challenges, Washington asks them to give a little more. Washington Republicans ask them to make additional sacrifices and ask them to carry the extra burden for wealthy Wall Street millionaires who are not paying their fair share. Why on Earth should a waitress in Nevada pay a higher tax rate than a yacht owner? Why should a janitor pick up the slack for a Big Oil executive? Why should a card dealer sacrifice more than a Wall Street hedge fund manager? That doesn't make sense. It's not fair. Wall Street corporations shipping American jobs overseas and big oil companies making record profits don't need our help. Working men and women in this country do.

This piece of legislation would be destructive to them, their futures, and their families. It is time we started siding with middle class families, who most definitely do need our help, and that starts by passing the Buffett rule.

Mr. CAMP. I yield 2 minutes to the distinguished gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Thank you, Mr. Chairman.

Mr. Speaker, I am intrigued by my colleague's comments a few minutes ago about how we need to support this substitute to help small businesses and all.

Yet what troubles me is, first of all, it's highly complicated. It further complicates the Tax Code. The real beneficiary will be your accountant because you've got to go through all of these machinations to figure out which side of this you qualify for. At the end of the day, according to the Joint Committee on Taxation, because of the imposition of the additional restrictions called for by the Democrats in their substitute, which we're debating at this moment, the entire relief would be something on the order of \$287 million nationwide to small businesses.

So there is your alternative.

You've got the Democrats saying, boy, according to Joint Tax, \$287 million. Oh, that's going to solve the problem this year. That's really going to help. We're saying, no, we want to do something that really affects small businesses, middle class small businesses—people like my wife and me when we were in small business and worked with other small businesses in small communities. They are small businesses that want to keep some of their cash flow home, where they can invest it in their businesses, in their

employees, chase these ever-rising costs of health insurance and all of these other things that you do in small business—the added government costs of regulation, all of the things that drive up your costs you need cash to pay for.

We want to help those small businesses because that is the heartbeat, the growth of where innovation comes from—from jobs in America. It is small business. This is targeted specifically at small businesses in America that can keep some of their money.

By the way, it's not the government's money first. The government wasn't your best business partner. You went out and you earned it. You ought to be able to keep more of it. That's the difference in philosophy working out here on the floor; and those of us who have met payrolls, who have paid bills, who have dealt with government regulation get that. Those who haven't have a hard time understanding why, at the beginning, this is the business's money, the individual's money, the individual who has worked hard. It is not the government's money. It is the individual's money.

I urge the defeat of the substitute.

Mr. LEVIN. I yield 1½ minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. Mr. Speaker, I support the substitute amendment, and I oppose the underlying bill.

I think my Democratic friends actually have it all wrong about this bill. I could be mistaken, but I think there was a drafting error in this legislation. When introducing this bill, the sponsor said, It will put more money into the hands of small business owners to reinvest those funds in order to retain, create jobs and grow their businesses, plain and simple.

This bill does nothing of the sort.

For starters, it does not target small businesses as the title claims. Rather than maximizing assistance for those employers who need it most, fewer than half the tax cuts go to legitimate small businesses. What's more, there is no requirement that this taxpayer subsidy should be used to hire new workers or expand facilities to grow the economy. I am also puzzled, Mr. Speaker, when looking at the bill before us today and previous drafts. You see, earlier drafts excluded certain businesses like liquor stores, casinos and strip clubs from receiving any tax relief; but the current draft does not have such exclusions. Further, this bill is not offset and would actually increase the deficit by \$46 billion, which I know runs contrary to the intent of the sponsor, who believes that even in emergencies Federal assistance should be offset.

So you see, Mr. Speaker, I know my colleagues are very busy and are, perhaps, distracted with issues like com-

promising women's reproductive health rights, which is why I can only assume that these simple drafting errors have come to characterize this bill. I urge its rejection. Let's start over.

□ 1240

Mr. CAMP. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. There are 6½ minutes remaining on both sides.

Mr. CAMP. Thank you.

At this time, I yield 2 minutes to the distinguished gentleman from Illinois, a Member of the Ways and Means Committee, Mr. ROSKAM.

Mr. ROSKAM. Mr. Speaker, I thank the gentleman for yielding.

I want to speak for just a minute on the substitute.

Speaking of drafting errors, you can only assume that there was a drafting error on the substitute. Look, that happens. If it was a drafting error, the best thing to do is take the bill out of the record and start again. I think the notion of comparing \$287 million in tax relief to \$47 billion in tax relief is simply a nonstarter. It's as if the minority is saying, We sort of accept part of the premise of this tax cut, but we're going to cut it down. And then we're going to cut down the tax relief a little more. And then we're going to cut down the tax relief a little more and a little more and a little more and a little more until finally it's this obscure little bit of nonsense that isn't going to do anything.

Here's what we need to do. We need to give relief to the small business in my district. I was touring a plant, and the owner/entrepreneur who started the company said, Look, the smart move for me, Congressman, is to put three-quarters of a million dollars into this new production line. It would mean that I would expand production, bring in more people, and so forth, and have a very simple ripple effect, but I'm not going to do it. The reason I'm not going to do it is because Washington, D.C., tells me I'm rich. I'm not rich. I'm just a prudent businessman who's built a successful business.

What we need to do, Mr. Speaker, is to create an environment where that business owner, that entrepreneur says to himself or herself, I'm willing to invest.

They need relief. They're begging for relief in suburban Chicago from their tax liability, and this is an opportunity now with this language that is authored by the majority leader and that is on the House floor.

I urge its passage, and I urge rejection of the substitute.

Mr. LEVIN. I yield 2 minutes to another distinguished member of our committee, the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I want to thank the ranking member for yielding me this time.

Mr. Speaker, just to set the record straight, the amendment that was offered by Mr. McDERMOTT at the Rules Committee, and what our Ranking Member LEVIN and we Democrats in the Ways and Means Committee supported, offered immediate expenses, a bonus depreciation for capital investment for small businesses that was fully offset and fully paid for by eliminating the tax breaks that large oil companies are receiving today, who are sitting on record profits, with record high prices. And it wouldn't add a nickel to the deficit.

That's why I adamantly oppose the underlying bill before us today. It's the here-we-go-again syndrome around here. How deep are we going to create this hole? It's a \$46 billion tax cut that's not offset, that's not paid for, will go straight to deficit, close to half of it going to millionaires. An average tax savings of over \$58,000 is not the way to get this economy out of the hole that it's in. In fact, when the Joint Committee on Taxation and the Congressional Budget Office analyzed the Republican underlying bill, they said this is probably the worst thing for the buck that we can invest in the economy to create the jobs that we need today. Yet, this is a syndrome that happens over and over again from the other side. They support huge tax cuts without paying for them, driving our Nation deeper into debt.

If they think it's worthwhile enough and important enough to invest in, then pay for it. Find offsets in the spending, and let's have that discussion as far as our priorities. But don't go down the easy route of trying to offer this illusion of tax relief to all Americans, especially the iconic small business owner out there, without paying a nickel for it and adding to the budget deficits that are accumulating today.

I tried to explain to folks back home how we got into this hole. Certainly, the most important driving factor is the underperforming economy and the huge recession that we're trying to climb out of right now. But you can also look back at previous policies not so long ago supported by the other side: two huge tax cuts that weren't paid for; two wars that weren't paid for; the largest expansion of entitlement spending in the prescription drug bill that wasn't paid for. It's little wonder we're facing huge deficits.

I reject the underlying bill and support the Levin amendment.

Mr. CAMP. I reserve the balance of my time.

Mr. LEVIN. I yield 1½ minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, I think it needs to be reiterated once again that the sponsor of the underlying bill, the gentleman from Virginia (Mr. CANTOR), believes that we need to find pay-fors. We need to pay for it and not add

to the deficit when it comes to disaster relief.

Let's put that in perspective. A hurricane hits, wipes out a town. The American government cannot go and rescue and help those people and pay for that without finding a pay-for in order to substitute for that payment.

When tornados hit middle America and peoples' lives are destroyed, their homes are destroyed, and cities and towns are eviscerated, the Congress has to come up with pay-fors in order to help in that disaster relief, but not when it comes to a tax break for companies that will offshore American jobs.

Those tax breaks we don't have to pay for. Mr. CANTOR doesn't believe you have to pay for those. But for disasters that hit America and cities and towns that are annihilated, they must be paid for. I just think that needs to be pointed out to the American people.

The Levin bill is a far superior bill. It incentivizes growth within small businesses without burdening the American taxpayer at the same time.

Whose money are we talking about? This is not the small business person's money. This is money that otherwise would be revenue to the country. This is the American taxpayer's money that we're just giving back to millionaires, hardworking Americans who work and toil every day to give a tax break to millionaires.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would again ask Members to heed the gavel.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

Mr. CAMP. I continue to reserve the balance of my time.

Mr. LEVIN. Does the gentleman from Michigan have any other speakers?

Mr. CAMP. No.

Mr. LEVIN. I now yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I heard my good friend from Chicago talking about people begging for investment. Well, business is looking for our assistance, but nobody has come seeking an inefficient effort like this that will dig ourselves deeper into debt and not have impact. We have offered alternatives that would not have added to the deficit and would have helped business right away.

I'm honored to be joined on the floor by a young friend, Johnny Hammer, who in looking at this assessment, said, This is going to be adding to the deficit. That's right, and we didn't need to do that. Instead, we should be focusing on things that are deficit neutral that will give American business things that will add productivity right now.

I strongly urge my colleagues to reject this proposal and think about the young Johnny Hammers of this world

investing in our future in a way that is responsible and sustainable.

Mr. CAMP. Mr. Speaker, I am prepared to close.

I believe the gentleman from Michigan (Mr. LEVIN) has the right to close.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) has the right to close. It is Mr. LEVIN's amendment, and Mr. CAMP is a manager in opposition.

The Chair recognizes the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for 2 minutes.

Mr. LEVIN. There is a criticism that the bonus depreciation provision doesn't go far enough. My answer to that is: let's pass this and then join together. You have supported bonus depreciation in the past. You haven't acted on it. We do.

Let me just say what's at stake. This bill isn't going anywhere—it's going nowhere, but it says everything about the majority's priorities.

They oppose raising taxes on the very wealthy, they take a pledge that applies to the very wealthy, and they end up with a bill they won't pay for. They make empty rhetoric about the deficit. Essentially what they're coming here today to do is to make it worse, by giving a tax break to the very wealthy through this bill.

□ 1250

We've said it many times, nobody refutes it. You're stuck on a pledge not to raise taxes even for the very wealthy, and you come today with a proposal for a tax break for 125,000 taxpayers making more than a million dollars with a tax break of 58,000. Then to make it still worse, you cut necessary programs for lower- and middle-income families, from child care and Meals On Wheels. Where's your conscience?

The SPEAKER pro tempore. The time of the gentleman from Michigan (Mr. LEVIN) has expired, and the gentleman from Michigan (Mr. CAMP) has 4½ minutes remaining.

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

I appreciate at least hearing some of the new-found fiscal responsibility from my friends on the other side, since the Obama administration has come into office with help from Democrats on the other side of the aisle who increased the debt by \$5 trillion, with a "..."

Let me just comment on this substitute. It's not that the bonus depreciation in this legislation doesn't go far enough. It's that it doesn't provide bonus depreciation. It does limit the bill based on the concept of bonus depreciation, but this bill has been analyzed by the Joint Committee on Taxation.

Rather than providing the \$46 billion of tax relief, this bill only provides a small fraction of that, 6 percent. Under the underlying legislation, millions of small businesses would be able to make investments, be able to buy equipment, would be able to hire workers. This substitute guts the bill and will result in no economic impact in this country.

I would urge a "no" vote on the substitute. I would urge support for the underlying bill, and I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would note that it is not in order during debate to refer to persons on the floor of the House as guests of the House.

Pursuant to the rule, the previous question is ordered on the bill, as amended, and on the amendment offered by the gentleman from Michigan (Mr. LEVIN).

The question is on the amendment offered by the gentleman from Michigan (Mr. LEVIN).

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 175, nays 236, not voting 20, as follows:

[Roll No. 175]

YEAS—175

Ackerman	DeGette	Kissell
Altmire	DeLauro	Kucinich
Andrews	Deutch	Langevin
Baca	Dicks	Larsen (WA)
Baldwin	Dingell	Larson (CT)
Bass (CA)	Doggett	Lee (CA)
Becerra	Donnelly (IN)	Levin
Berkley	Doyle	Lewis (GA)
Berman	Edwards	Lipinski
Bishop (GA)	Ellison	Loeb
Bishop (NY)	Engel	Lofgren, Zoe
Blumenauer	Eshoo	Lowey
Bonamici	Farr	Lujan
Boswell	Fattah	Lynch
Brady (PA)	Frank (MA)	Maloney
Brown (FL)	Fudge	Markey
Butterfield	Garamendi	Matsui
Capps	Gonzalez	McCarthy (NY)
Capuano	Green, Al	McCollum
Cardoza	Green, Gene	McDermott
Carnahan	Grijalva	McGovern
Carney	Gutierrez	McNerney
Carson (IN)	Hahn	Meeks
Castor (FL)	Hanabusa	Michaud
Chandler	Hastings (FL)	Miller (NC)
Chu	Heinrich	Miller, George
Ciçilline	Higgins	Moore
Clarke (MI)	Himes	Moran
Clarke (NY)	Hinchee	Murphy (CT)
Clay	Hinojosa	Nadler
Cleaver	Hirono	Neal
Clyburn	Hochul	Olver
Cohen	Holden	Owens
Connolly (VA)	Holt	Pallone
Conyers	Honda	Pascarell
Cooper	Hoyer	Pastor (AZ)
Costa	Israel	Pelosi
Costello	Jackson (IL)	Perlmutter
Courtney	Jackson Lee	Peters
Critz	(TX)	Pingree (ME)
Crowley	Johnson (GA)	Polis
Cuellar	Johnson, E. B.	Price (NC)
Cummings	Kaptur	Quigley
Davis (CA)	Keating	Rahall
Davis (IL)	Kildee	Reyes
DeFazio	Kind	Richardson

Richmond	Scott, David	Van Hollen
Rothman (NJ)	Serrano	Velázquez
Roybal-Allard	Sewell	Viscosky
Ruppersberger	Sherman	Walz (MN)
Rush	Sires	Wasserman
Ryan (OH)	Smith (WA)	Schultz
Sánchez, Linda	Speier	Watt
T.	Stark	Waxman
Sanchez, Loretta	Sutton	Welch
Sarbanes	Thompson (CA)	Wilson (FL)
Schakowsky	Tierney	Woolsey
Schiff	Tonko	Yarmuth
Schwartz	Towns	
Scott (VA)	Tsongas	

NAYS—236

Adams	Gingrey (GA)	Noem
Aderholt	Gohmert	Nugent
Akin	Goodlatte	Nunnelee
Alexander	Gowdy	Olson
Amash	Granger	Palazzo
Amodi	Graves (GA)	Paulsen
Austria	Graves (MO)	Pearce
Bachmann	Griffin (AR)	Pence
Bachus	Griffith (VA)	Peterson
Barletta	Grimm	Petri
Barrow	Guthrie	Pitts
Bartlett	Hall	Platts
Barton (TX)	Hanna	Poe (TX)
Benishak	Harper	Pompeo
Berg	Harris	Posey
Biggart	Hartzler	Price (GA)
Bilbray	Hastings (WA)	Quayle
Bilirakis	Hayworth	Reed
Black	Heck	Rehberg
Blackburn	Hensarling	Reichert
Bonner	Herger	Renacci
Bono Mack	Herrera Beutler	Ribble
Boren	Huelskamp	Rigell
Boustany	Huizenga (MI)	Rivera
Brady (TX)	Hultgren	Roby
Brooks	Hunter	Roe (TN)
Broun (GA)	Hurt	Rogers (AL)
Buchanan	Issa	Rogers (KY)
Bucshon	Jenkins	Rogers (MI)
Buerkle	Johnson (IL)	Rohrabacher
Burgess	Johnson (OH)	Rokita
Calvert	Johnson, Sam	Rooney
Camp	Jones	Ros-Lehtinen
Campbell	Jordan	Roskam
Canseco	Kelly	Ross (AR)
Cantor	King (IA)	Ross (FL)
Capito	King (NY)	Royce
Carter	Kingston	Runyan
Cassidy	Kinzinger (IL)	Ryan (WI)
Chabot	Kline	Scalise
Chaffetz	Labrador	Schilling
Coble	Lamborn	Schmidt
Coffman (CO)	Lance	Schock
Cole	Landry	Schweikert
Conaway	Lankford	Scott (SC)
Cravaack	Latham	Scott, Austin
Crawford	LaTourette	Sensenbrenner
Crenshaw	Latta	Sessions
Culberson	Lewis (CA)	Shimkus
Davis (KY)	LoBiondo	Shuler
Denham	Long	Shuster
Dent	Lucas	Simpson
DesJarlais	Luetkemeyer	Smith (NE)
Diaz-Balart	Lummis	Smith (NJ)
Dold	Lungren, Daniel	Smith (TX)
Dreier	E.	Southerland
Duffy	Mack	Stearns
Duncan (SC)	Marchant	Stivers
Duncan (TN)	Matheson	Stutzman
Ellmers	McCarthy (CA)	Sullivan
Emerson	McCaul	Terry
Farenthold	McClintock	Thompson (PA)
Fincher	McCotter	Thornberry
Fitzpatrick	McHenry	Tiberi
Fleischmann	McIntyre	Tipton
Fleming	McKeon	Turner (NY)
Flores	McKinley	Turner (OH)
Forbes	McMorris	Upton
Fortenberry	Rodgers	Walberg
Fox	Meehan	Walden
Franks (AZ)	Mica	Webster
Frelinghuysen	Miller (FL)	West
Gallely	Miller (MI)	Westmoreland
Gardner	Miller, Gary	Whitfield
Garrett	Mulvaney	Wilson (SC)
Gerlach	Murphy (PA)	Wittman
Gibbs	Myrick	
Gibson	Neugebauer	

Wolf	Woodall	Young (AK)
Womack	Yoder	Young (IN)

NOT VOTING—20

Bass (NH)	Guinta	Schrader
Bishop (UT)	Manzullo	Slaughter
Braley (IA)	Marino	Thompson (MS)
Burton (IN)	Napolitano	Walsh (IL)
Filner	Nunes	Waters
Flake	Paul	Young (FL)
Gosar	Rangel	

□ 1317

Mrs. ROBY and Messrs. MCCARTHY of California and REICHERT changed their vote from “yea” to “nay.”

Messrs. CARSON of Indiana, COURTNEY, and CAPUANO changed their vote from “nay” to “yea.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, April 19, 2012, I was absent during roll-call vote No. 175 due to a family medical emergency. Had I been present, I would have voted “yea” on agreeing to the Levin Substitute Amendment to H.R. 9, Small Business Tax Cut Act.

Mr. FILNER. Mr. Speaker, on rollcall 175, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “yea.”

□ 1320

The SPEAKER pro tempore (Mr. WOMACK). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. DEUTCH. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DEUTCH. I am opposed.

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

The Clerk read as follows:

Mr. Deutch moves to recommit the bill H.R. 9 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendments:

At the end of paragraph (2) of section 200(c) of the Internal Revenue Code of 1986, as proposed to be added by section 2 of the bill, add the following:

“(C) DENIAL OF DEDUCTION FOR CERTAIN BUSINESSES.—The term ‘domestic business gross receipts’ shall not include any gross receipts attributable to any of the following:

“(i) ILLEGAL ACTIVITIES.—Any illegal activity, including trafficking in illegal drugs and prostitution.

“(ii) PORNOGRAPHY.—Any property with respect to which records are required to be maintained under section 2257 of title 18, United States Code.

“(iii) DISCRIMINATORY GOLF COURSES AND CLUBS.—Golf courses or clubs that discriminatorily restrict membership on the basis of sex or race.

“(iv) LOBBYING.—Activities described in section 162(e)(1).

“(v) BUSINESS ACTIVITIES OF PERSONS IN VIOLATION OF THE IRAN SANCTIONS ACT OF

1996.—Any activity of any person (including any successor, assign, affiliate, member, or joint venturer with an ownership interest in any property or project any portion of which is owned by such person) that is in violation of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note) or the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.).

“(D) DISCLOSURE BY MEMBERS OF CONGRESS.—No amount shall be taken into account as domestic business gross receipts by any Member of Congress unless the amount of the deduction allowed under this section and a description of the business activities giving rise to such deduction are publicly disclosed (in such manner and form as the Secretary may prescribe) not later than the date on which the return of tax is filed.”.

Add at the end of the bill the following:

SEC. 3. DENIAL OF DEDUCTION FOR MOVING UNITED STATES JOBS OVERSEAS.

(a) IN GENERAL.—Subsection (e) of section 200 of the Internal Revenue Code of 1986, as added by section 2 of this Act, is amended by adding at the end the following new paragraph:

“(4) DENIAL OF DEDUCTION FOR MOVING UNITED STATES JOBS OVERSEAS.—

“(A) IN GENERAL.—No deduction shall be allowed under this section with respect to any employer—

“(i) which has fewer full-time equivalent employees in the United States for the taxable year beginning in calendar year 2012 as compared to the preceding taxable year, and

“(ii) which has more full-time equivalent employees outside the United States for the taxable year beginning in calendar year 2012 as compared to the preceding taxable year.

“(B) EMPLOYEES OUTSIDE THE UNITED STATES.—For purposes of this paragraph, an employee shall be treated as employed by the employer outside the United States whether employed directly or indirectly through a controlled foreign corporation (as defined in section 957) or a pass-through entity in which the taxpayer holds at least 50 percent of the capital or profits interest.

“(C) EXCEPTION FOR EMPLOYEES SEPARATED VOLUNTARILY OR FOR CAUSE.—For purposes of this paragraph, the number of full-time equivalent employees shall be determined without regard to any employee separated from employment voluntarily or for cause.

“(D) AGGREGATION RULE.—Subsection (d)(5)(A) shall apply for purposes of this paragraph.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

Mr. DEUTCH (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

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

Mr. CAMP. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

Mr. CAMP (during the reading). Mr. Speaker, I ask unanimous consent to suspend the reading.

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

Mr. CROWLEY. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida is recognized for 5 minutes in support of his motion.

Mr. DEUTCH. Mr. Speaker, this debate has revealed deep differences between the majority and minority when it comes to how to grow our economy. We object to how Leader CANTOR's bill borrows \$47 billion from China for tax cuts designed to benefit millionaires. That's why the CBO ranked this proposal second to dead last in a long list of things we could do to create jobs.

Now, Americans have learned by now that there is no such thing as a temporary Republican tax cut for the wealthy. They're all permanent. Let's acknowledge the real price tag here, a half a trillion dollars in deficit spending over the next decade—not for education, not for infrastructure, another \$500 billion in windfall for the wealthy.

As I said before, our disagreements run deep. The fact that we are outnumbered means that this misguided legislation will likely pass. Given that reality, we should at least be able to come together and agree on which businesses should be excluded from this new windfall. That's what my amendment aims to do.

My changes are relatively small. In fact, Leader CANTOR's legislation remains largely the same. For example, pass my amendment, and H.R. 9 will still uphold the GOP plan to take \$46 billion from China and give half of it to millionaires. H.R. 9 will still count oil speculators, professional sports teams, and corporate lobbyists as small businesses. H.R. 9 will still pick and choose winners and losers by arbitrarily adding new loopholes to our already over-complicated Tax Code. And, of course, Leader CANTOR's massive tax cut will remain available to businesses even if they create no jobs at all.

So let me be crystal clear about what my bill changes. It better safeguards our taxpayer dollars.

First, my amendment will stop businesses engaging in illegal activity, from drug trafficking to prostitution, from receiving this deduction. This is a no-brainer, and I have no idea why it's not in the bill already. We should all agree, given the recent news from South America, that there is no such thing as being too careful with American tax dollars.

Second, this amendment ensures that no company that outsources American jobs will qualify for this windfall. Certainly our constituents don't want us borrowing money from China to give to companies that outsource jobs to China. Certainly we can all agree that cutting taxes for businesses that are American in name only, that choose foreign workers over American workers, do not deserve another giveaway.

Third, my amendment prevents companies that do business with Iran from

being eligible for this tax cut. As Iran pursues an illicit nuclear weapons program, we should not reward businesses that threaten the security of the United States and our treasured ally Israel.

Mr. Speaker, my amendment also stops this bill from cutting taxes for pornographic empires that somehow qualify as small businesses under this bill. It also requires Members of Congress who are owners of small businesses to disclose any benefits that they get under this bill. It excludes golf courses that discriminate based on race and gender. Finally, my amendment bans lobbyists from cashing in on this deduction.

Now, look, I know as soon as I sit down a colleague from the other side of the aisle will come forward and claim that I'm pursuing some procedural ploy and attempting to kill the bill. That's simply not true. Adopt these changes so we can vote on the final bill right here and right now.

Join me and prevent Americans' hard-earned tax dollars from subsidizing Iranian nucs, cutting costs for criminals, and padding the pockets of pornographers. And let's make sure that this bill does not reward companies that ship jobs overseas. It is the right thing to do. It's up to us to make these changes. We can make them right here and right now.

I ask all of my colleagues to protect the American taxpayers and support these final protections to the bill.

I yield back the balance of my time.

□ 1330

Mr. CAMP. Mr. Speaker, I seek time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. CAMP. I would just say to my friend that I'm not going to stand up and say that this is a procedural ploy. But I will stand up and say it is a political ploy.

We should not be picking winners and losers. The fact is small businesses are hurting because of the failed policies of the Obama administration. It's time to stand up for small business and the people they employ.

Let's get America back to work. I urge defeat of this motion to recommit and support for H.R. 9, the Small Business Tax Cut Act.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Mr. DEUTCH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 179, noes 229, not voting 23, as follows:

[Roll No. 176]

AYES—179

Ackerman	Fudge	Murphy (CT)
Altmire	Garamendi	Nadler
Andrews	Gonzalez	Neal
Baca	Green, Al	Olver
Baldwin	Grijalva	Owens
Bass (CA)	Gutierrez	Pallone
Becerra	Hahn	Pascrell
Berkley	Hanabusa	Pastor (AZ)
Berman	Hastings (FL)	Pelosi
Bishop (GA)	Heinrich	Perlmutter
Bishop (NY)	Higgins	Peters
Blumenauer	Himes	Pingree (ME)
Bonamici	Hinchev	Polis
Boren	Hinojosa	Price (NC)
Boswell	Hirono	Quigley
Brady (PA)	Hochul	Rahall
Brown (FL)	Holden	Reyes
Butterfield	Holt	Richardson
Capps	Honda	Richmond
Capuano	Hoyer	Ross (AR)
Cardoza	Israel	Rothman (NJ)
Carnahan	Jackson (IL)	Roybal-Allard
Carney	Jackson Lee	Ruppersberger
Carson (IN)	(TX)	Rush
Castor (FL)	Johnson (GA)	Ryan (OH)
Chandler	Johnson, E. B.	Sánchez, Linda
Chu	Jones	T.
Cicilline	Kaptur	Sanchez, Loretta
Clarke (MI)	Keating	Sarbanes
Clarke (NY)	Kildee	Schakowsky
Clay	Kind	Schiff
Cleaver	Kissell	Schrader
Cohen	Kucinich	Schwartz
Connolly (VA)	Langevin	Scott (VA)
Conyers	Larsen (WA)	Scott, David
Cooper	Larson (CT)	Serrano
Costa	Lee (CA)	Shuler
Costello	Levin	Sires
Courtney	Lewis (GA)	Smith (WA)
Critz	Lipinski	Speier
Crowley	Loeb sack	Stark
Cuellar	Lofgren, Zoe	Sutton
Cummings	Lowey	Thompson (CA)
Davis (CA)	Lujan	Tierney
Davis (IL)	Lynch	Tonko
DeFazio	Maloney	Towns
DeGette	Markey	Tsongas
DeLauro	Matheson	Van Hollen
Deutch	Matsui	Velázquez
Dicks	McCarthy (NY)	Visclosky
Dingell	McCollum	Walz (MN)
Doggett	McDermott	Wasserman
Donnelly (IN)	McGovern	Schultz
Doyle	McIntyre	Waters
Edwards	McNerney	Watt
Ellison	Meeks	Waxman
Engel	Michaud	Welch
Eshoo	Miller (NC)	Wilson (FL)
Farr	Miller, George	Woolsey
Fattah	Moore	Yarmuth
Frank (MA)	Moran	

NOES—229

Adams	Black	Carter
Aderholt	Blackburn	Cassidy
Akin	Bonner	Chabot
Alexander	Bono Mack	Chaffetz
Amash	Boustany	Coble
Amodei	Brady (TX)	Coffman (CO)
Austria	Brooks	Cole
Bachmann	Broun (GA)	Conaway
Bachus	Buchanan	Cravaack
Barletta	Bucshon	Crawford
Barrow	Buerkle	Crenshaw
Bartlett	Burgess	Culberson
Barton (TX)	Calvert	Davis (KY)
Benishek	Camp	Denham
Berg	Campbell	Dent
Biggert	Canseco	DesJarlais
Bilbray	Cantor	Diaz-Balart
Bilirakis	Capito	Dold

Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)

NOT VOTING—23

Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci

□ 1345

Mrs. EMERSON changed her vote from “aye” to “no.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, April 19, 2012, I was absent during roll-call vote No. 176 due a family medical emergency. Had I been present, I would have voted “aye” on the Motion to Recommit to H.R. 9, Small Business Tax Cut Act.

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 176, the Democratic Motion to Recommit H.R. 9, had I been present, I would have voted “aye.”

Mr. FILNER. Mr. Speaker, on rollcall 176, I was away from the Capitol due to prior com-

mitments to my constituents. Had I been present, I would have voted “aye.”

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 173, answered “present” 1, not voting 22, as follows:

[Roll No. 177]

YEAS—235

Adams
Aderholt
Akin
Alexander
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (NY)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Buchanan
Busch
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxy

Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)

Upton
Walberg
Walden
Walz (MN)
Webster
West
Westmoreland

NAYS—173

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Reed
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fortenberry
Frank (MA)
Fudge

Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Labrador
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)

Whitfield
Wilson (SC)
Wittman
Womack
Yoder
Young (AK)
Young (IN)
Nadler
Neal
Olver
Pallone
Pascarell
Pastor (AZ)
Pelosi
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Holt
Reyes
Ribble
Richardson
Israel
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woodall
Woolsey
Yarmuth

ANSWERED “PRESENT”—1

Wolf

NOT VOTING—22

Bass (NH)
Bishop (UT)
Braley (IA)
Burton (IN)
Clyburn
Filner
Flake
Gosar

Green, Gene
Guinta
Landry
Manzullo
Marino
Napolitano
Nunes
Paul
Perlmutter
Rangel
Slaughter
Thompson (MS)
Walsh (IL)
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1355

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 177, final passage of H.R. 9, had I been present, I would have voted "nay."

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, April 19, 2012, I was absent during rollcall vote No. 177 due to a family medical emergency. Had I been present, I would have voted "nay" on final passage of H.R. 9, Small Business Tax Cut Act.

Mr. FILNER. Mr. Speaker, on rollcall 177, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. MANZULLO. Mr. Speaker, I missed votes today to attend to official government business in Illinois. If I had been here, I would have voted "yea" on rollcall No. 172; "yea" on rollcall No. 173; "yea" on rollcall No. 174; "no" on rollcall No. 175; "no" on rollcall No. 176; and "yea" on rollcall No. 177.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2341

Mr. LANGEVIN. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor of H.R. 2341.

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

There was no objection.

□ 1400

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to the majority leader, the gentleman from Virginia (Mr. CANTOR), for the purpose of inquiring about the schedule for the week to come.

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

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

Mr. Speaker, the House will consider a number of bills under suspension of the rules, a complete list of which will be announced by the close of business tomorrow.

Among next week's suspensions will be a noteworthy bill, H.R. 2146, authored by Congressman DARRELL ISSA and known as the DATA Act. This is an important step in our continuing effort to make government more accountable, accessible, and transparent, especially when it comes to the expenditure of taxpayer dollars.

It is also possible that the House will consider a motion to go to conference and motion to instruct conferees on the surface transportation authorization bill.

In addition, Mr. Speaker, we expect a full debate next week on the importance of our Nation's cybersecurity. The House will consider a number of bipartisan bills to reduce obstacles to voluntary information sharing between the private sector and government, secure our Nation's infrastructure, better protect government systems and combat foreign threats.

A number of committees have been involved in this effort, Mr. Speaker, including the Intelligence Committee, Homeland Security, Oversight and Government Reform, Science, Judiciary, and Energy and Commerce.

Of the bills coming to the floor, we will consider H.R. 3523, the Cyber Intelligence Sharing and Protection Act, under a rule. This important legislation is authored by Chairman MIKE ROGERS and cosponsored by Ranking Member DUTCH RUPPERSBERGER.

I thank the gentleman for yielding.

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

The gentleman, in his comments, indicates that we might go to conference on the surface transportation bill. As the gentleman knows, the Senate surface transportation bill passed overwhelmingly and with a very substantial bipartisan vote and a vote led by Senator BOXER and Senator INHOFE of Oklahoma. There were 22 Republican Senators. About half of the Republican Senators voted for it, and so it passed overwhelmingly.

I am wondering, given the timeframe in which we are dealing, whether or not the gentleman feels comfortable with some assurance that we are going to move to go to conference so that we can get a conference under way. I know the majority indicated it wanted a bill so that it could, in fact, go to conference. I have had discussions with, I think, you but I know Mr. BOEHNER, the Speaker, and Mr. MCCARTHY, that that was the intent to go to conference.

What would preclude us, I suppose would be the better way to phrase the question, from having a motion to go to conference next week? As the gentleman knows, we are going to be out the week following so that we will not be back until May, into May; and to the extent that we delay going to conference, we are going to delay the resolution of what I think is a very, very important bill. I know the gentleman does as well. We believe this is a real job creator.

As you know, Mr. LaHood is the Secretary of Transportation, your former colleague on your side of the aisle. He has made it very clear that this is a very substantial jobs bill. To the extent that we could move quickly, I

think it would be in the best interests of our country, of infrastructure investment, and the creation of jobs.

I yield to my friend.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I will tell the gentleman we have every intention of going forward, and, at this point, I don't know what could come up and preclude us from doing so. But we look forward to working with the gentleman over the course of the next two-plus months to come to resolution so that we can provide some certainty to States, industries, private sector, public, and the rest with regard to our transportation infrastructure.

Mr. HOYER. I thank the gentleman.

And in light of the fact that he looks forward to my help, I want to tell him that if he brings a motion to go to conference next week, I will bring the overwhelming majority of my caucus to a vote with that motion to go to conference so that we can get that done. I will be glad to help in that respect.

Will that help him?

Mr. CANTOR. I thank the gentleman.

Mr. HOYER. I didn't know whether those votes would help you get the job done that I think needs to be done. I don't say that facetiously. I think we want to go to conference. I have been told you want to go to conference, and I would hope we could move forward on that. As a matter of fact, the chairman of your committee, Representative MICA, said yesterday we should go to conference immediately, and we would be very interested in helping you towards that process.

Mr. Leader, the Appropriations Committee has started to mark up its bills and has dealt with the reconciliation instructions. My understanding is the reconciliation instructions, the result of those instructions will be coming to the floor probably the first month, the month of May.

Is that accurate?

Mr. CANTOR. That is correct, Mr. Speaker.

Mr. HOYER. With respect to the appropriations bills, much was made of the fact that you wanted to bring appropriations bills to the floor one at a time and under open rules. I think that's a good practice. Frankly, I would have liked to have done that when we were in charge, and we didn't get that done. I said then that I didn't think it was good for the institution for the consideration of appropriation bills, and you, I think, rightfully criticized us for that—not you, personally, but the Republican side of the aisle.

Is it your intention to bring the appropriations bills to the floor singly, individually, with an open rule as Speaker BOEHNER indicated would be the case, and, if so, when will that occur?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I would say to the gentleman that, as he

knows, working through the committee at this point are the CJS bill and the energy and water bill. It is our intention to bring one of those forward the week that he indicates, May 7, to be debated.

The Speaker has consistently come down on the side of wanting there to be an open process. I think that, given the House's track record on appropriations bills and the debates surrounding them, we are hoping that we can have a deliberate debate around the substance and policy of the issues and set as a model for going forward.

But I would say to the gentleman, as far as we go right now, we are looking at May 7 to be the time in which we bring one of those bills to the floor for deliberation and a vote.

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

I make the additional observation that we passed a budget. Many of us voted against that budget, as you know, that passed. We voted for our alternative. But the American people, I think, have an interest and, frankly, a right to know what the ramifications of that budget that was passed are; and obviously they will find that out as the appropriation bills move forward, are considered on this floor, open to debate and open to amendment. That will educate the American people on what the consequences are of passing budget A over budget B, your budget, our budget, or an alternative budget.

It's really in the appropriations bill. The budget doesn't really do anything, as we all know, other than set a 302(a) allocation. That is the amount of discretionary dollars that can be applied in the appropriations process. What that means is that the only thing it does is set that limit and does not apportion resources to particular objectives in the appropriations bill or, for that matter, in the Ways and Means Committee bill in terms of actions that might occur with reference to taxes and revenues.

□ 1410

So I say to my friend that the importance of bringing the appropriation bills to the floor is to give that transparency to the American public so they can make a judgment on which priorities they support. We think it's going to be very difficult, frankly, to bring appropriation bills to the floor under the constraints that have been imposed. And we regret, as the gentleman knows, very much that we did not follow the agreement that was reached when we precluded the country's going into default. We agreed on a figure of \$1.048 trillion to be the figure that the Appropriations Committee would mark to.

I don't know whether the gentleman had an opportunity to see, but 12 out of the 14 Senators on the Appropriations Committee voted to honor the agree-

ment that was reached today, including Senator MCCONNELL. Regrettably, we did not do that in the House. We reduced that figure very substantially, and we also shifted some of the resources from one object—nondefense to defense—which cuts even further the nondefense portion of the budget by about \$8 billion.

So I ask the gentleman, in that context, is the committee going to mark to the House-passed budget, which we have deemed adopted? Notwithstanding the fact it has not been adopted, is the House going to mark to those figures, and will it mark to those figures knowing full well what dollars are left for bills that are to follow? In other words, are you going to front-load and make those appropriation bills sweeter? That will then not leave resources for bills that will come after.

Mr. CANTOR. Mr. Speaker, I would say to the gentleman, first of all, the gentleman knows that we did pass a budget in the House. We didn't have a conference committee report to vote on because the Senate did not pass a budget, which has then forced us to have to deem what the House passed—again, the Senate having gone way past a thousand days without a budget.

So I would say to the gentleman it is our perception that what the deal was in August, the BCA, was a ceiling. And that we want to try in every way we can to save taxpayer dollars, and that is a rule which we're continuing to follow. The Appropriations Committee has taken up its obligations and is working on the bills, and we will be bringing up those bills consistent with that rule.

Again, I say to the gentleman, we look forward to a robust, policy-oriented debate on the spending issues facing this country throughout the appropriations process and look forward to a deliberative civil process so that we can get our work done and deliver on what the people expect—and that is to begin to shave the spending that has gotten out of control in Washington over the last several decades.

Mr. HOYER. I know the gentleman doesn't like to relitigate history, but when he says spending got out of control over the last two decades, I may agree with him on the last decade we went deeply into debt, but certainly the decade preceding that my friend surely remembers that we ran 4 years of surplus and a net surplus over 8 years during the Clinton administration. A \$62.9 billion net surplus after 8 years. And we had 4 years of surplus. Two of those were actual surpluses—and we counted Social Security's revenues, which obviously were borrowed money from the Social Security trust fund. So we swapped Social Security money for IOUs. But 2 of those years of actual balance.

So I would agree with him on the last decade, but I would not agree with him

on the decade before that because, frankly, working from both sides of the aisle and an exploding economy, we created those deficits essentially together.

I want to say to my friend that in that context, yes, the American people want to see us use their money wisely. We all agree on that. They need to know how we intend to use their money. And if they don't have appropriation bills on the floor—because the gentleman talks about the fact that the Senate hasn't passed a budget in a thousand days. It has had no effect, none, zero on what we are doing. Why? Because all the budget does, as the gentleman well knows, is not allocate money. It sets a ceiling—as the gentleman likes, apparently, ceilings and not agreements—a ceiling on what discretionary spending will be. Other than that, it doesn't do anything. Therefore, it sets forth a plan.

But the key is going to be how you carry out that plan and let the American people know how you're going to carry it out. We do that in appropriation bills and the Ways and Means tax bills.

Does the gentleman have an idea of when a Ways and Means tax bill carrying out the budget might come to the floor?

Mr. CANTOR. As the gentleman knows, Ways and Means is continuing in their mission to conduct hearings as far as tax reform is concerned. They just had a hearing on retirement provisions and what comprehensive tax reform means when it comes to retirement provisions.

The gentleman knows that tax reform doesn't come easy in this town. And we are all, I think, bound by the commitment to try and simplify the code with the differences that we have. And we're going to continue to look to see what Chairman CAMP and the committee's work produces. But with maintaining our commitment that we believe, as you do—Mr. Speaker, I would say the gentleman joins me in wanting to simplify the code, bring down rates, get rid of loopholes, and the rest.

Again, I would say we're looking to our committees to continuing their work. They're doing good work toward that end exposing the issues and identifying them so that we can get this in a way that is responding to what the public really wants to see, which is a simplified Tax Code and a much fairer way.

Mr. HOYER. We passed—if I can go to another subject briefly—we passed a bill today which the gentleman was a principle advocate of which cost \$46 billion in terms of revenues in effect forgone, if you will, that otherwise were being expected, if that bill passes. Does the gentleman believe that if that bill passes and is signed by the President, that in light of the fact it's a 1-

year bill, does the gentleman believe that it will be only 1 year or does the gentleman intend, if his party happens to be in charge in the next Congress, to see that lapse and that tax increased again on small businesses? What is the gentleman's thought on that? I ask him that question, if I might, in light of The Wall Street Journal's observation today that certainly this did not give small businesses much certainty.

Mr. CANTOR. First of all, I'd say the gentleman has a very interesting question if we're talking about the scheduling of the floor and how we're going forward, but I'll be delighted to answer the question.

The bill that we passed today in a bipartisan way is a bill that responds to the urgency that small business is feeling and, frankly, the people of this country are feeling that the economy is not growing quickly enough.

Is it a panacea? No. Do we want to see comprehensive overall tax reform? Absolutely. But as the gentleman knows, our side and his have big differences when it comes to tax reform.

Unfortunately, the discussions that ensued last year were hung up on the notion that your side really, really continues to advocate higher taxes. You want to start with a baseline that's just higher than ours. We don't believe right now that we ought to assume Washington has a revenue problem. Instead, we ought to fix the spending problem before you start jacking up more taxes, if at all.

So this measure that we passed is something that is a first start towards a pro-growth outlook to empower businesses and allow men and women who are out there taking risks starting businesses and creating jobs a little easier time in doing so, allowing them to keep more of the money to put back into their business and allocate the capital the best way they see of doing so, not Washington.

Again, I know the gentleman knows we have a difference of opinion when it comes to that. But, again, it is a small step in a bridge toward what we all would like to see but are unable to accomplish right now, which is overall tax reform.

Mr. HOYER. I thank the gentleman, and he is correct, we do have a very substantial difference of opinion. The indication is this is a start. Frankly, we were told it was a start in 2001. We were told it was a start in 2003 when we cut taxes very substantially. Unfortunately, we didn't cut revenues very substantially. And when you don't cut revenues after you cut taxes, what happens is you have deficit. And that's why we went from a \$5.6 trillion projected surplus after the Clinton administration, projected by the Bush administration, to an \$11 trillion deficit at the end of the Bush administration—because we cut revenues and we increased spending.

□ 1420

We were not in charge for 75 percent of that time. In fact, we weren't in charge of ultimately passing legislation any of that time because the President, of course, had an 8-year term. So I say to my friend, we dug another \$46 billion hole.

My belief is that your side of the aisle will not want to reinstate that tax next year no matter what the economy is doing, no matter how good the economy is. That's my suspicion. But it's based upon 30 years of experience, I tell my friend. And if that's the case, then we're not talking about \$46 billion, we're talking about a half trillion dollars, which is \$46 billion times 10 with escalation for inflation, so about a half-a-trillion-dollar additional hole in the deficit unless the gentleman is prepared to say, look, if the economy recovers, we're going to reinstate that revenue.

The difference between us is you want to talk about tax increases, and I want to talk about paying our bills. And I believe that if we don't want to buy, then we don't have to tax. But if we buy, we have a moral responsibility to have the courage to ask people to pay for it.

Very frankly, I think you've taken the discipline out of the system. I think supply-side economics takes the discipline out of the system. What supply-side economics does is, we can cut revenues but don't have to cut spending because magically we're going to get more revenues.

Very frankly, Mr. Greenspan thought for a while that that worked. He said 3 years ago, no, he was wrong. I think he was right the second time. He was demonstrably, graphically not right the first time when he rationalized the 2001 and 2003. We cut revenues, they did not raise sufficient additional dollars and growth in the economy.

As a matter of fact, whether there was a direct result, we had the worst economy I've experienced in my adult lifetime at the end of the Bush term and at the beginning of the Obama term as responsibility for the economy went over to President Obama.

Now, there's a lot of debate during this bill about how we've lost jobs. That's true. Those jobs were lost in the early part of the Obama administration. As the gentleman knows, over the last 24 months, we've had 4 million new jobs created, 10 quarters of economic growth in our country, and the Dow has doubled. The Dow has doubled since March of 2009. It's hard for me to see how that was a failure. It certainly hasn't been the success we'd like, but not a failure.

I tell my friend that, yes, we have a difference, and the public needs to come to grips with that difference and that debate, and that is whether or not we're going to pay for things we buy. And if we don't want to buy them, we

won't have to pay for them, and we can cut taxes.

Unless the gentleman wants to say something further, I yield back the balance of my time.

ADJOURNMENT TO MONDAY, APRIL 23, 2012

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. on Monday next.

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

There was no objection.

THE GSA SCANDAL

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

Mr. CRAWFORD. Mr. Speaker, the recently discovered GSA spending scandal is a prime example why Americans have lost faith in their government.

This week, I questioned GSA officials about the now infamous conference hosted in Las Vegas. This one lavish conference left American taxpayers with an \$822,000 tab.

Let me list just a few of the expense items from Las Vegas that are sure to enrage the American taxpayers: \$75,000 was spent on a bicycle-building exercise to encourage team building; \$3,200 was spent on mind readers to entertain the attendees. Guess what I'm thinking now. The average cost for breakfast per attendee, \$44—that's \$44 per person per day. And I save the worse for last, a \$30,000 pool party.

Adding insult to injury, the chief organizer of the 2010 Las Vegas conference was approved for a bonus by senior Obama officials for his work in organizing the conference.

Officials who organize and authorize wasteful spending must be held responsible. This body must work to end the culture of waste at GSA and other government agencies and ensure that taxpayer dollars are respected.

NATIONAL DAY OF SILENCE

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

Mr. FARR. Mr. Speaker, I rise today in honor of the National Day of Silence, which is tomorrow. This is the 15th year we've commemorated the National Day of Silence, a time when students across the country remain silent for the whole day to draw attention to discrimination toward their LGBT peers.

Lesbian, gay, bisexual, transgender, questioning youth and their allies face

verbal and physical bullying on a daily basis just for being who they are.

In a time when these teens are at a greater risk of suicide and self-harm, we cannot afford to be silent.

I'm proud to say that in my district, queer youth and allies work together to make life better. Many of our middle schools and high schools in my district host student-run gay-straight alliances which create a supportive space so that queer youth do not feel isolated.

I'm proud of my constituents for calling for a stop to harassment of GLBT individuals, and I encourage all Americans to do the same.

I am particularly proud of two high school seniors from my district:

Joaquin Garcia, from Pacific Collegiate School, and Lucy Walters, from Harbor High School, are two of 14 recipients of eQuality Scholarships in honor of their service and leadership within the LGBT community. Joaquin and Lucy are already making a difference in their communities, and I know they will continue making a difference at college.

Though many lesbian, gay, bisexual, or transgender youth advocates and their straight allies are silent tomorrow, we in Congress must never be silent. It is our job to speak for those who cannot speak for themselves.

SMALL BUSINESSES CREATE NEW JOBS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, over the past two decades, our Nation's small businesses have generated 65 percent of new jobs. According to a recent small business survey from the U.S. Chamber of Commerce, today 64 percent of small businesses stand idle at current staffing levels, with 52 percent not hiring because they aren't confident in our Nation's recovery, and another 33 percent pointing to uncertainty driven by Washington.

These concerns are justifiable, Mr. Speaker, with the Senate continually choosing to ignore our jobs crisis in favor of advancing an agenda that will only grow government, not our economy.

The latest proposal surely wasn't about economic growth, for it takes private investment away from small businesses and turns it over to bureaucracies. It wasn't even about fairness, because it was fair to no one—not to the wealthy who pay even more taxes instead of investing in our economy, and not to the rest of us who need jobs, growth, and greater opportunity.

With economic uncertainty still pervasive, every decision made by government must pass the simple test of whether or not it aids the Nation's recovery. Senate Democrats either fail to understand our economic problems or

have, as troubling as it may be, chosen to ignore them.

THE HOLOCAUST

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

GENERAL LEAVE

Mr. COHEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the topic of my 1-minute.

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

There was no objection.

Mr. COHEN. Thank you, Mr. Speaker.

Today, there was a Yom HaShoah service held in the United States Capitol, and they were held in State Capitols throughout the Nation. It's the remembrance of the Holocaust that occurred in Europe. Six million lives were lost.

What the Yom HaShoah program is about is never to forget the Holocaust and never to forget what caused it to occur, to remember the outstanding military and people that helped Jews survive, the military that liberated the camps and the hundreds of thousands of righteous gentiles who helped and risked their own lives to save Jews. I wear a button for Raoul Wallenberg. The Swedish Government sent people over here, and he was a diplomat that saved 100,000 Jews, and they participated today.

There was testimony about how Treasury Secretary Morgenthau and two people in his administration, Mr. Pehle and Mr. DuBois, implored the President to help rescue Jews, and they did so. Many, many were lost because we didn't get involved soon enough. Never be silent to evil and remember the victims of the Holocaust.

I urge you to visit the United States Holocaust Memorial Museum.

Mr. VAN HOLLEN. Mr. Speaker, I rise today to join with people in the U.S., in Israel and around the world in recognition of International Holocaust Remembrance Day. On this day we honor the memory of the six million Jews and the many millions of others who perished during the Holocaust and we celebrate the strength and perseverance of the survivors. By stopping each year to recognize the significance of this day, we also rededicate ourselves to the principles of individual freedom and to a just society and we renew our pledge to Never Forget.

Ms. RICHARDSON. Mr. Speaker, today I rise to recognize Yom Hashoah, or Holocaust Remembrance Day, which is the official Israeli Day of Remembrance for victims of the Holocaust. During the Holocaust, six million European Jews were systematically annihilated by the Nazi Regime. Today, I rise to pay tribute to those whose lives were irreparably affected by the Holocaust and to reaffirm my commitment to human rights.

The extermination of the Jewish people during World War II is greatest crime against humanity committed by a nation state in the history of the world. The Holocaust was initiated by members of the National Socialist (Nazi) Party, led by Adolf Hitler, who took control of Germany in 1933 and began increasing assaults on the rights and properties of German Jewish citizens.

During World War II, the Nazi party went even further and implemented their "Final Solution" which sought to eliminate the entire Jewish people. Of the nine million Jews who had resided in Europe before the Holocaust, approximately two-thirds perished. In particular, over one million Jewish children were killed in the Holocaust.

Holocaust Remembrance Day, observed on the 27th day of Nisan on the Hebrew Calendar is observed internationally by the Jewish community. This day of remembrance was established in 1953, by a law signed by the Prime Minister of Israel, David Ben-Gurion, and the President of Israel, Yitzhak Ben-Zvi. Although the date was established by the Israeli government, it has become a day observed by Jewish communities and individuals worldwide. Today, many commemorate Yom Hashoah with candle lighting, speakers, poems, prayers, and singing. Often, six candles are lighted to represent the six million lives lost.

Holocaust Remembrance Day is a day of public observance and education. Public observation is important because it serves as tribute to those who perished. It is up to us to learn and share their stories on their behalf.

Further, the Holocaust was the ultimate disregard for human rights. Education is the best way to prevent these human rights abuses in the future. By encouraging educational programs about the Holocaust, we can help prevent future acts of genocide.

Mr. Speaker, I ask my colleagues to join with me in observing Yom Hashoah and in doing all we can to teach our children and future generations to work together to prevent bigotry, hatred, and prejudice. Let us commit ourselves to combating intolerance wherever it might exist.

Ms. SCHAKOWSKY. Mr. Speaker, I rise to honor the six million European Jews murdered by the Nazi regime during the Holocaust. Today, we join together to remember the victims who perished. We stand in solidarity with the people of Israel and around the world to honor Holocaust Remembrance Day, Yom Hashoah.

Six million Jews were killed at the hands of the Nazis as a part of the "Final Solution" to eradicate all of Europe's Jews, and countless others were brutalized, raped, dehumanized, and robbed. It is essential to listen and learn from the stories of the past, and to ensure that the experiences of the Holocaust are preserved as a permanent part of our history.

Too many times in history, people have stood by and allowed the targeting, brutalization, and massacre of an innocent civilian population. The 2012 theme of these Days of Remembrance, Choosing to Act: Stories of Rescue, highlights the actions of several witnesses who risked severe punishment to help Jews to safety. These actions serve to remind us of the amazing power of individual choice to act in the face of injustice. The principle

“Never Forget, Never Again.” is a commitment to fighting hatred, intolerance, and brutality through education, dialogue, and determination. We can honor those who died in the Holocaust by countering similar atrocities in the future.

Holocaust remembrance is even more crucial today, given recent events in the Middle East and around the world. In the past year, there has been an increase in statements of holocaust denial throughout Europe, Asia, South America and the Middle East. The world has also witnessed an alarming increase in anti-Semitic attacks, coupled with harsh criticism of Israel that is tinged with anti-Semitism. As tensions escalate in the Middle East, Iranian President Mahmoud Ahmadinejad has alluded to the goal of the annihilation of Israel. It is continuously important to strengthen the U.S.-Israel relationship, and to focus on the goal of achieving lasting peace in the Middle East.

The annual Days of Remembrance are particularly meaningful to my community and to me, as a Jew. My district, the 9th Congressional District of Illinois, is home to one of the largest concentrations of Holocaust survivors in the country. Skokie, located in my district, attracted many Jewish families in the wake of WWII, and remains a vibrant Jewish community today. There are currently 1,000–2,000 Holocaust survivors living in Skokie, and this community understands the importance of preserving memories and honoring history.

In 2009, the Illinois Holocaust Museum and Education Center in Skokie opened in Skokie, assisted by active involvement of the community, and welcomes over 250,000 visitors annually. The Holocaust Memorial Foundation of Illinois has been educating school and community groups since 1981, and due largely to these efforts, Illinois was the first state to make Holocaust education mandatory. This center for education and preservation of history was made possible by the hard work and dedication of the community, and its commitment to combating intolerance.

Later this month, I will have the pleasure to visit with the remarkable students from McCracken Middle School in Skokie, who founded a student group to help prevent child labor around the world, Aiding Children Together, or A.C.T. On March 22, 2012, McCracken students involved in A.C.T. had the opportunity to visit the Illinois Holocaust Museum for their Student Leadership Day. The day included discussions, a chance to explore the museum, and then students were able to sit with survivors of the Holocaust at lunch and hear their stories. Students were deeply affected by guest speaker Nadja Halibegovich, and her account of living through the Bosnian War and genocide as a child. One student reflected, “Just seeing all of the people who were killed in his horrible time just really made me want to push through, and make sure this would never happen again”. Another student mentioned, “We should never forget what happened. I want to help and change the future; I won’t be a bystander!”

Throughout these days of remembrance, we look back on the atrocities of the Holocaust, and we honor and mourn those who perished. It is equally important to remember the survivors and to learn from their experiences. As

we move forward, it is imperative to preserve the past and to continue teaching the history of the Holocaust. We must commit today to fighting hatred and indifference in a world where genocide is an ever-present problem.

Mr. WAXMAN. Mr. Speaker, today is Yom Hashoah U’Gvurah. It is a day to remember the Holocaust heroes and martyrs—those who fought and those who resisted; those who survived and those who perished.

In Israel, the day is marked with the piercing wail of sirens that stops traffic and calls the nation to attention. Those sirens evoke the cries of loss, the cries of families torn asunder, the cries for vibrant Jewish communities reduced to memories and the cries of resolve that the State of Israel exists today as haven for Jews fleeing persecution.

In the United States, Yom Hashoah is observed with events in cities and states around the country. This week, the L.A. Museum of the Holocaust held a Walk of Remembrance and a day of activities at its memorial in Pan Pacific Park.

In Washington, DC, Yom Hashoah is commemorated as part of the Days of Remembrance sponsored by U.S. Holocaust Memorial Museum in Washington, DC.

This year, the U.S. Holocaust Memorial Museum’s events have the theme, “Choosing to Act: Stories of Rescue.” It is especially appropriate as we mark the 100th birthday of Raoul Wallenberg, a Swedish Diplomat who used his post to save as many as 100,000 Hungarian Jews. His legacy is profound and this nation is proud to have made him an honorary citizen of the United States. With the Raoul Wallenberg Centennial Celebration Act that passed the House this week, he is also one of the next awardees of the Congressional Gold Medal of Honor.

Jewish tradition teaches that for one who saves a life, it is as if they have saved the whole world.

People like Wallenberg, Irena Sendler, Miep Gies and the thousands of others recognized by Yad Vashem as “Righteous Among the Nation” risked their lives over and over again for the Jewish people they saved. In doing so, they restored humanity in a place where there was no value for human life. They brought dignity to a time in history that is measured in shame. They helped save the world from being eclipsed by the evil of Nazism.

It is an honor to rise and pay tribute to the survivors of the Holocaust, the rescuers, and the liberators. At a time when fewer and fewer survivors are alive to tell their stories, we must all bear witness to their tremendous legacy.

Mr. CROWLEY. Mr. Speaker, I rise today to solemnly recognize Holocaust Remembrance Day—Yom Hashoah. This date marks the anniversary of the Warsaw Ghetto Uprising, when thousands of Polish Jews, faced with deportation and certain death, launched the first urban-uprising in Nazi-occupied Europe.

Surprised by the makeshift, yet effective, resistance they encountered, German troops systematically leveled the ghetto building-by-building and killed or deported to death camps tens of thousands of innocent men, women and children. We look back with sadness at the terror and despair these victims must have felt and with admiration at the courage and strength they summoned. And from their

heroics, we are called to remember how much we lost, as well as what we gained, from this unprecedented tragedy.

The Nazi killing machine slaughtered millions of people—law-abiding and productive members of society—because they were Jewish. We will never know what scientific discoveries these people or their children would have made, what businesses they would have started, what books they would have written, what music they would have composed and what trophies they would have won. Their loss has left a void not only in Europe, but throughout the world, and our lives are diminished because of it.

Let us honor the memory of those who perished in the Holocaust by remembering their suffering and bravery, standing by our friend and ally Israel, and fighting for justice and peace.

Ms. BERKLEY. Mr. Speaker, I rise today to mark Yom HaShoah, Holocaust Remembrance Day. Each year on the 27th day of the Jewish month of Nisan, we remember the victims whose lives were destroyed, and who suffered unspeakable brutalities at the hands of their Nazi tormentors. We all know the number six million far too well, but we must always remember that each of those six million—along with so many others—was an individual whose life was snuffed out because of baseless, senseless hatred.

We should also remember that the date for Yom HaShoah was also chosen to coincide with the anniversary of the Warsaw Ghetto Uprising of 1943, perhaps the most famous example of Jewish resistance to the Nazis. When the Germans came to liquidate the last remaining inhabitants of the Warsaw Ghetto in order to murder them at the Treblinka extermination camp, these brave, untrained, over-matched and starving souls fought back. Though they were ultimately crushed, they held out against the Nazis for nearly a month, forcing the German army to divert thousands of troops, as well as air force, artillery, armed vehicles, minethrowers, and machine guns in order to put down the rebellion.

While the Holocaust is the greatest of Jewish tragedies, the Warsaw Ghetto Uprising stands as a moment of pride for the Jewish people, and a foreshadowing of the new Jewish spirit that would rise with the State of Israel just a few years later. Never again would Jews give up without a fight. With a state and an army, the Jewish people would finally have a refuge to run to in their time of need.

While we commemorate the Holocaust today, I call on my colleagues to join me in reaffirming our connection to the State of Israel, and our responsibility to help Israel through its most difficult times. The Jewish State ensures the survival of the Jewish people in a dangerous and often anti-Semitic world, which is one of the many reasons we in the United States have stood by Israel for so many years and will continue to stand by Israel for as long as they need our help.

The memory of the six million killed by the Nazis demands no less. We in Congress stand with the entire Jewish people in saying Never Again.

Mrs. LOWEY. Mr. Speaker, I rise today in solemn recognition of Holocaust Remembrance Day. Today marks the passage of almost 70 years since the unfathomable annihilation of six million Jewish men, women, and children from Europe. In addition to working to systematically eliminate the Jewish people, the Nazis also targeted other marginalized groups such as political opponents, the LGBT community, the Roma, Soviet prisoners of war, the disabled, and other religious minorities.

The effort to remove, wholly and completely, from society certain categories of human beings because of their ethnic, political, religious, cultural, and biological characteristics was atrocious. While we honor the memory of the millions lost during the Holocaust and the millions more who were never born because of this unparalleled crime against humanity, we must learn from the past in order to ensure that the worst actions in history are never again repeated.

On this Holocaust Remembrance Day, it is important not only to commemorate those who perished, but also those who refused to be bystanders to this grave human tragedy. We may take heart from the brave efforts of those who resisted the Nazi reign of terror, in the ghettos and the camps, from the cities to the countryside. We stand in awe of the rescuers who, against all odds and at great personal risk, demonstrated moral courage the world must honor, remember, and uphold as a model for ourselves, our children, and our grandchildren.

As individuals, communities, and as a nation, we must rededicate ourselves to ensuring that the world will never stand idly by in the face of mass atrocity. We must work to extinguish the sparks of hatred, intolerance, and violence wherever they may be found, while nurturing in ourselves and others the seeds of empathy and a resistance to the indifference that enabled the unthinkable destruction of human life 70 years ago.

Mr. Speaker, may we let this be our monument to the millions who perished in the Holocaust.

Mr. GARAMENDI. Mr. Speaker, I rise today on Yom Ha'Shoah to honor the memory of the victims of the Holocaust. In the 1940's, the Nazi regime murdered six million innocent human beings in an attempt to wipe out the entire Jewish community.

It is of the utmost importance that we continue to reflect upon this tragedy and teach our children about this horrific event, so that we fully understand the importance of embracing our common humanity, so that we recognize the universality of human dignity, and so that we prevent genocide from ever occurring again.

In the first few years of the Nazi regime, Jews were harassed and humiliated in every imaginable way to tear away at their basic human dignity.

This denial of their human dignity and humanity culminated in the death camps, where mass murder was accomplished with a factory-like efficiency that shocks the soul.

Facing a totalitarian state intent on genocide and war, several Jewish underground organizations found the strength to create resistance movements. In the Warsaw Ghetto, these groups launched an uprising that lasted over a

month against the entrenched Nazi war machine. The Warsaw Ghetto Uprising inspired other uprisings across Europe, including in the Bialystok and Minsk ghettos and in the Treblinka and Sobibor death camps.

The indomitable resilience of the human spirit was also demonstrated in the aftermath of the Holocaust when Jews recreated their lives, rebuilt their families and their culture. This rebirth is epitomized by the creation of the first independent Jewish state in our modern era—the state of Israel.

In Israel, Yom Ha'Shoah is marked by the sound of a siren, which calls for two minutes of silence. Two minutes when an entire country stands in silent reflection.

I ask all of my colleagues to join with me in observing the lives that have been lost, in honoring the survivors, and in recommitting ourselves to ensuring that such a tragedy is never repeated again.

ANTIETAM NATIONAL BATTLEFIELD MEMORIAL ILLUMINATION

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

Mr. BARTLETT. Mr. Speaker, Baltimore, Maryland, was site of the first blood that was shed in our Civil War on April 19, 1861. The next year, on September 17, 1862, the bloodiest one-day military battle in America's history took place on farms along Antietam Creek near the small town of Sharpsburg in Washington County, Maryland.

The 24th Antietam National Battlefield Memorial Illumination will take place on Saturday, December 1, 2012. At twilight, 23,110 luminaries prepared by 1,400 volunteers will be lit, one for each soldier who fell there. Twenty thousand people will personally witness 23,110 individual lights not divided into camps, one Union, the other Confederate, but one unbroken formation across peaceful, rolling farmland on a silent winter night.

The first illumination in 1988 was spearheaded by Georgene Charles, the event's founder, who continues each year to coordinate this monumental effort. Local Girl and Boy Scouts, the Hagerstown-Washington County Convention and Visitors Bureau, and others take pride in preparing North America's largest memorial illumination.

I highly recommend you make time to attend the 24th Antietam National Battlefield Memorial Illumination on December 1, 2012. It powerfully reminds us of the true costs of war and the sacrifices by generations of the members of our military and their families. It is a truly moving event. Please come.

□ 1430

TRIBUTE TO "HUMAN EVENTS"

(Mr. ROKITA asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. ROKITA. Mr. Speaker, I rise today to commend a publication that has played a central role in shaping the ideas that have powered the conservative movement for decades.

Launched in 1944, Human Events is the Nation's oldest conservative newsweekly. In 1961, a rising star by the name of Ronald Reagan began reading Human Events. He enjoyed it so much that throughout his Presidency he would receive the very first issue each week hot off the presses.

Back in 1992, I was honored to serve as an intern for Human Events, where I worked closely with political editor John Gizzi, whom I consider a good friend. This week, Human Events relaunched its print edition with a new format and expanded Washington coverage.

Conservatives have long depended upon Human Events to carry out its mission, which is to analyze events through the eyes that favor limited constitutional government, local self-government, free enterprise, and individual freedom. That is a mission I wholeheartedly support.

I commend Human Events to you, Mr. Speaker, and to this entire body.

SMALL BUSINESS TAX CUT ACT

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

Mr. McCLINTOCK. Mr. Speaker, the House just passed H.R. 9, purporting to give a temporary tax cut to small businesses. I say "purporting" because it doesn't cut spending at the same time, and thus it merely shifts current taxes into the future. Once a dollar has been spent, it has already become a tax, taken either from today or from tomorrow to pay off deficits.

Nor does H.R. 9 do much to promote economic growth because it does little to reward new productivity at the margin. At best, it produces a 1-year sugar high until the bills come due.

Tax cuts without either spending reductions or real economic growth are an illusion. Real tax reform would permanently reduce the marginal tax rate for all businesses and cut government spending concurrently. This would encourage and reward growth, shift investment decisions from politicians to entrepreneurs, and not rob our economy of its future. I hope before the end of this session that we will do so.

PROGRESSIVE CAUCUS

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

Mr. ELLISON. Mr. Speaker, my name is KEITH ELLISON, and I will claim the

time on behalf of the Progressive Caucus. This is the Progressive Caucus' moment where we come together and talk about our ideals, our values, the things that are critically important, we believe, to all Americans.

This week, I'm joined by two outstanding leaders in the Progressive Caucus and in the Congress and in America, HANK JOHNSON of Georgia and LYNN WOOLSEY of California. I want to invite both of my colleagues to jump in as they feel inspired to do so, but let me just set the groundwork a little bit.

This week, we saw a number of things occur. One of the things that we saw this week is the Buffett rule that was taken up in the Senate. The Senate voted on the Buffett rule on a policy that requires millionaires and billionaires to pay the same tax rates as middle class families and working people.

I want to make it clear: we don't begrudge anybody for doing well; but we do believe, in a country as great as America, if you have been privileged enough to do well, that maybe you should do something for America. This wildly popular measure was filibustered and therefore defeated in the Senate. According to the CNN international poll, nearly three-fourths of Americans support the Buffett rule and believe it should be law. Despite this, Republicans in the Senate blocked the bill from even getting a majority vote.

I mention this particular situation this way as I begin our dialogue that we'll have tonight over the course of this hour because I think that this is emblematic of the problem that we're facing today. We're going to talk tonight about Citizens United; we'll talk about a lot of things. But one of the things that I think is emblematic of the problem we're facing here in the U.S. Congress today is that what the overwhelming majority of Americans want the overwhelming majority of Americans don't get, something like the Buffett rule. The reason why is the pernicious and corrosive effect of money in politics today.

So, we are the Progressive Caucus. We're honored to be before the American people today, Mr. Speaker. We are the caucus that, yes, will stand up for civil and human rights for all people without regard to your color, your culture, your sex, your gender, your sexual preference, your religion, wherever you were born—national origin. We believe that all Americans are valued and believe in liberty and justice for all.

Yes, the Progressive Caucus is the caucus that's going to say that if you work hard every day, you ought to be able to make enough money to feed your family in America. And, yes, we believe that if you've been able to be in this great country of ours and do well in this environment, you ought to do something, you ought to pay enough taxes so that the needs and the costs of

our society can be paid for. And, absolutely, we believe we have a duty and obligation, a responsibility to the environment and our natural world.

Now, we're not ashamed to stand up for these values: peace, working-class prosperity and fairness, environmental sustainability, and civil and human rights for all people. We care about these things and we're going to. But today, we're going to discuss a number of issues, including the Buffett rule, Citizens United, ALEC, the budget, the Ryan budget, and a whole range of issues.

At this point I'm going to hand it over to my colleague and friend, LYNN WOOLSEY of California.

Ms. WOOLSEY. I'd like to thank the chairman of the Progressive Caucus for bringing this together today to talk about what's so important to the people of the United States of America, our country, and in turn the world.

I want to say a few things about the Buffett rule just to fill out that discussion. There are some things we know: the Buffett rule is fiscally responsible. According to the Joint Committee on Taxation, the Buffett rule could reduce the deficit by anywhere from \$47 billion to \$162 billion over the next decade. The Buffett rule is widely supported, as the chairman just said. The Buffett rule would restore the principled fairness of the Tax Code because it ensures that millionaires can't game the system to pay a lower rate than middle class families.

Overwhelming majorities of Americans across the political spectrum believe millionaires should pay their fair share. An overwhelming 76 percent of Americans support increasing the taxes paid by people who make more than \$1 million per year, which includes 75 percent of Independents and 56 percent of Republicans.

□ 1440

The majority of millionaires themselves support the Buffett rule. In a recent poll of millionaires, an overwhelming 68 percent support the Buffett rule. Millionaires support the Buffett rule.

And remember, it's taxation above \$1 million and it's stepped up. It isn't the minute you hit \$1 million you're taxed at a much greater rate. It's over. From \$1 million up, the taxes will go up.

Seven thousand millionaires paid no individual income taxes in the year 2011. Seven thousand millionaires didn't pay any personal taxes in 2011. According to the Tax Policy Center, 7,000 millionaires—it was that tax center that told us that.

The Republican budget would shower even more tax breaks on millionaires while putting more of the burden on the middle-class families. While Democrats are fighting to restore fairness in the Tax Code, the Republican budget offers extreme right-wing alter-

natives—that's my opinion—that would shower millionaires and billionaires with tax breaks at the expense of the middle class, and that would further skew the system in favor of the wealthiest Americans.

So we've got a lot of statistics. We know the facts. We're ready to support the Buffett rule. Millionaires, themselves, support it. So the question is: Why can't we get the people we work with in the U.S. Congress to support the Buffett rule?

Mr. ELLISON. Well, I would say this to the gentlelady. You know, much of it has to do with the fact that we have a disproportionate percentage of wealthy interests. The fact is you've got money coming in, lobbyists paid for, campaign donations, all this stuff, and now we've got the onset of the super PAC and we have the Citizens United decision.

And if you ask yourself why can't we pass the Buffett rule, why can't we pass the public option, which is wildly popular, why can't we get environmental regulations we need to protect our lungs and our health and our Earth, why can't we do these things, and the reason why is because of the disproportionate corrosive effect of money in our government.

This is why earlier this week we were able to pass something, a Declaration for Democracy, which reads:

I declare my support for amending the Constitution of the United States to restore the rights of people undermined by Citizens United and related cases, to protect the integrity of our elections and limit the corrosive influence of money on the democratic process.

We have a lot of people who signed this particular document. But not just Members of Congress signed it. Some people who signed it were city council members, were community citizen activists. There are people from a broad cross section of American life, because they asked the same question you ask, Congresswoman WOOLSEY: Why can't we pass the Buffett rule? Why can't we pass environmental protections? Why can't we pass the public option? Why can't things that Americans want get through?

The reason they can't get through is because you've got the lobbyist money being poured in. You've got campaign donations here. You're about to see a whole plethora of ugly, nasty, divisive, corrosive attack ads in this upcoming Presidential election.

The bottom line is, if we get this money out, what will happen is that citizens' voices will emerge past the money. Citizens' voices will come up, and citizens will have their will reflected in the Congress more so.

It was an awesome lift to pick up health care, and we didn't even get all the things we wanted in there, but we got a lot of things we wanted.

But why didn't we get all the things we wanted even though they were popular? The corrosive, divisive effect of money.

I think the health care industry was putting in, like, \$14 million a day to lobby against the Affordable Care Act. And of course you know with all that kind of pushing and shoving and cajoling, it just gets incredibly difficult.

So I want to yield back to the gentleman from Georgia, who has some important information about a number of things.

Mr. JOHNSON of Georgia. I'd first like to address, Congressman, the issue of taxes and fair taxes. Yesterday, or, actually, the day before yesterday, I stood with a group of "Fair Taxers," people who are recommending the fair tax as an alternative to our current system. And I stood with them and I spoke to them, told them that I was not there to endorse the fair tax; I was there to tell them that I believed that it was something that Congress should definitely study. We shouldn't just put it aside.

There's no doubt that we need fundamental tax reform in this country, and the fair tax is a vehicle to open the door for Congress to start reviewing other possibilities, including the fair tax, as a way of fixing our inherently unequal Tax Code. And our policies—if we can't pass the Buffett rule, which simply says that a millionaire would not pay a less effective rate than working people, and so, in other words, the maids and the butlers and everyone else who—the secretary—

Mr. ELLISON. The police officers.

Mr. JOHNSON of Georgia. Cops who patrol the area, the security guards—

Mr. ELLISON. Teachers, nurses.

Mr. JOHNSON of Georgia.—that control the estate of these rich folks, the firefighters, ambulances that will come pick them up, they don't pay the same tax rates as those people.

And 70,000 of the millionaires in the country didn't pay a dime in income tax, and enjoying all of those benefits—police, fire. It's truly amazing to me that we are still not at the point in this country where we are willing to consider redoing our complicated Tax Code.

It's just ridiculous that it's not working. And we can't even pass a bill in this Congress which mandates that common people pay at a rate that is not in excess of those that the millionaires enjoy. That's just an issue of fairness. It's not fair. It's not right.

I would suggest to you, Congressman and Congresswoman, that perhaps the reason why we're seeing this kind of favorable treatment afforded to millionaires by this Congress is because almost half of the incoming freshmen, I understand, are millionaires. I think the figure is about 43 percent. And if someone can correct me on that, I'd stand corrected. But my information is

43 percent of the Tea Party freshmen are millionaires, and so they benefit from these laws, these trickle-down economics laws, and they've been enjoying them since 1980. That's when voodoo economics, as George Herbert Walker Bush called it, trickle-down economics, voodoo economics, or whatever you want to call it, it has not worked. But we still have proposals today to make it work.

And it's evident by what we did today, with a \$46 billion tax cut for what's called "small businesses," but, actually, a small business with 500 employees, when we only have about 1,000 businesses in the country with 1,000 or more employees. So we're actually talking about big business when we talk about 500 employees.

It's a one-time, 1-year, \$46 billion tax cut that they get, according to this legislation that we passed today, and it's totally unpaid for.

□ 1450

Ms. WOOLSEY. I want to add a couple of things about the Buffett rule. There is so much to talk about that, I'm sure, our C-SPAN viewers and probably most of the Members of Congress really don't realize.

The 400 highest-earning Americans in 2008, who made an average each of \$271 million, paid an average effective Federal tax rate of just 18.1 percent. At the same time, a married couple earning \$70,000 a year paid a rate of 25 percent. Is that just unbelievable?

Mr. ELLISON. Amazing.

Ms. WOOLSEY. The Buffett rule seeks to restore balance to families, and the Tax Code would make sure that no millionaire would pay a lower tax rate than middle class Americans. In fact, the Buffett rule is targeted. The legislation will only impact taxpayers with a taxable income of over \$1 million who are not paying a minimum tax rate of 30 percent. So realize that. Of the 144 million tax returns filed in 2010, fewer than 500,000 of them—0.1 percent of the taxpayers—had taxable incomes of over \$1 million. Remember, these are taxable incomes because there are lots of write-offs.

Mr. ELLISON. So the people who have the kind of money you just described are actually a small part of the population, but I think they're punching above their weight because they have an inordinate influence in the political process.

Ms. WOOLSEY. You're right. They have an influence in the political process, and average working Americans don't realize that that's not them. The families who earn \$70,000 a year are taxed on that at a rate of 25 percent.

Mr. ELLISON. So, if you're making 70k a year, paying 25 percent of your income in income taxes, that means, if there is an increase in your property taxes, you're really going to feel that. That's going to punch you right in the

stomach. That's going to make a difference in whether the kids can get braces or not. That's going to make a difference as to whether or not you can put a roof on the house. It will make a huge difference. \$70,000 is actually doing pretty well, but small variations can change your life.

If you're a two-income household and are making \$70,000 and if one of the partners in the relationship gets sick or dies, that means catastrophic expenses on the family because, if you're spending at a \$70,000-a-year level and you lose a household member, you've got all those bills with just the one person, and then you're going to be in bankruptcy. This is why we know 56 percent of all bankruptcy filings are driven by medical debt. This is how this happens even to middle class people. But the Buffett rule and putting Americans to work and doing a lot of things are really what the Progressive Caucus is all about. It's about addressing these systemic problems we're talking about today.

So I just want to let everybody know, if you want to check out what the Progressive Caucus says about the Buffett rule, you should know that we have the Buffett rule contained in our budget.

We put America back to work by front-loading jobs in our budget. We invest in America's future by investing in infrastructure, and we reduce the deficit, in part, by asking the wealthiest and most privileged Americans to do the patriotic thing and pony up a little bit more to help America.

Mr. JOHNSON of Georgia. It's disturbing to me, with all that the Congressional Progressive Caucus has done to try to level the playing field in this country for working men and women, that we would all be lumped together and called names.

I want you to comment about one of our colleagues who, in response to a question asked of him—how many Communists are there in the United States Congress?—this Congressman stepped up to the mike in a calm and polite manner—thoughtful-looking, with a pensive look on his face—and he said, I believe that there are between 78 and 81 members of the Communist Party who are Members of Congress.

Now, can you respond to that, Congressman?

Mr. ELLISON. Do you know what? I have to demur and say that I'm not that excited to respond. I've responded on Ed Schultz. I've responded on Wolf Blitzer. I've responded on Martin Brashir, and I've just said it's not true. It's a false statement. It's untrue. It's unfair. It's unkind. It raises the level of vitriol and insult in this body, and of course, it's tough enough around here already. We don't need to hurl false accusations against each other.

I would just urge the public to remind Members of Congress that we need to have a little bit more civility

around here and that, if you do want to make an ugly comment or a negative comment about your colleagues, at least try to make it somewhere within 10,000 miles of being true. This is absolutely false.

Mr. JOHNSON of Georgia. Sir, the next day, a statement was released by the gentleman. The statement was to the effect that the entire membership of the Congressional Progressive Caucus are card-carrying members of the Communist Party. I just think that it's important that we say, first of all, that that's not true and, secondly, that it has no place in the rational dialogue and in the honest dialogue that we seek to have here amongst us on both sides of the aisle. It has no place.

Mr. ELLISON. One thing I don't want to do—and I'm just speaking for me. If he calls us names, I'm not going to call him names. If he calls us names, I'm not going to call them ugly names like that. There are a lot of ugly names that you could call someone who has a right-wing perspective on the extreme. We don't engage in tit for tat, because that's childlike. We're adults. We're here to discharge a responsibility on behalf of the American people. We swore an oath to uphold and defend the U.S. Constitution, and that is what I'm going to do. I'm not going to be distracted by somebody who is not clear on what we're supposed to be doing here. I'm going to stay focused on what we're here to do.

Ms. WOOLSEY. I would like to say, by caring about American workers, by caring about women and children, by caring about our seniors, by wanting to put food on the tables of all Americans and help them with clean air and good food and clean water, if that labels us, so be it. All that says to me is somebody is very frightened about the good things we do. I think we should move on now.

Mr. JOHNSON of Georgia. Congresswoman, I agree.

I also want to point out that to label folks as Communists and Socialists just because they believe in fairness for the working people of this country is not true, and I think that it should be called out because, if it's left unaddressed, then some folks will think it's true.

With that, I certainly would love for us to get into a discussion about Citizens United, Congresswoman.

Ms. WOOLSEY. Thank you.

I believe that it's evermore important that we do something about the Supreme Court's decision in Citizens United v. FEC, which overturns nearly 100 years of campaign finance laws in this country which limit corporation involvement in political campaigns.

□ 1500

The SPEAKER pro tempore. The gentleman will suspend.

Under the Speaker's announced policy of January 5, 2011, the gentleman

from Georgia (Mr. JOHNSON) will control the remainder of the hour as the designee of the minority leader.

Ms. WOOLSEY. In that action by the Supreme Court, big business was given a louder voice than the individual in this country. If we want to protect our democracy, that's what we have to bring an end to, all that money coming into the political system without transparency and making the average citizen feel like their voice means nothing.

Mr. JOHNSON of Georgia. Congresswoman, I believe that you have hit the nail on the head. This Citizens United ruling by the United States Supreme Court definitely puts corporations in a position of superiority over just the regular working people of this country. The reason why is because corporations have now been afforded the same rights that individuals have, to speak freely and with no regulation. Congress refuses to even consider any regulations on that speech for purposes of campaigning and affecting the outcome of campaigns.

This is a decision that is devastating to the working people of this country, the people who don't have a voice like the U.S. Chamber of Commerce or like some unknown super PAC that is formed on the eve of an election, funded anonymously, and used to affect an election and used in such a way that you can't even mount a response to it because the cascade of money is in that PAC and you have the slightest ability to raise the requisite amount of money to match it. They control the outcome of these elections with the money, and that is a devastating blow to our democracy.

Ms. WOOLSEY. HANK, the entire time I've been in the Congress—I mean, I've been here for 20 years now, and we've had a Republican majority and we've had a Democrat majority. But when the Republicans have been in the majority, they use as part of their mantra that they are returning government to the people.

Excuse me. Citizens United takes government away from the people. I don't hear them trying to change that. They—the other side of the aisle, the party in the majority right now—seem to be defending Citizens United.

The other thing they are doing at this moment is they are trying to upend the Presidential campaign finance system. They want to drown out the voice of the people and give more power to the well-heeled special interests in the Presidential elections as well. Those elections go quite well with public financing. People choose on their tax form whether or not they want to give to the Presidential elections.

Mr. JOHNSON of Georgia. Congresswoman, that was something that has happened this year that perhaps not a lot of people know about is that, under

this Republican-controlled 112th Congress, the House has voted to do away with or abolish the \$1 checkoff on a tax form that you send in. You can check the box and it will automatically deduct a dollar from the amount that you owe or the amount of whatever refund you're entitled to. That \$1 then goes into a pot to be distributed among the candidates who applied for this funding.

So everything that had been put in place to try to make everything equal, along with giving people their rights to invest to a certain amount in campaign-related donations, everything is being dismantled systematically. It certainly does not help the people on our side of the aisle, the Democratic side of the aisle, who traditionally have depended on workers unions and labor organizations to be the deep pockets for our campaign contributions.

I had a visit from one of my good friends in labor the other day back in my district, and this gentleman has grown to be a good friend of mine. He's a good man. He is a full-time union worker, works for the union, the administrative part of the union, not just represented by the union. He told me that with all of the people in the union who are out of work today—and we've got a few jobs in the Atlanta area that are near completion. After completion, even those workers who are able to work won't have any more work, and then there's nothing else on the agenda that these people can go and get jobs at.

He said it's gotten so bad with the attacks on labor and the unemployment to where the workers represented by the union can't pay the dues, and then the moneys having been drawn down by the unions to take care of the workers to assist them during this extended period of unemployment are on the decline and almost exhausted. After telling me that, he said, Today is my last day employed at the union because they had to let me go. We both sat there and we cried.

It was really touching, because that gentleman is in the same boat that many other workers are in, and the union which represents those workers is suffering greatly. They won't be able to do what they have done in the past for campaigns. But these super PACs and wealthy individuals who fund them—anonously, much of the time—can afford to actually put millions in and billions in. This is a very serious situation that we face in this country.

Who's going to win, is it money or is it the people?

Ms. WOOLSEY. Congressman, the one beacon of light in the system is the public financing of Presidential campaigns. I have to remind everybody, that's voluntary. People volunteer \$1 a year out of their tax return to support

the public financing of the Presidential races. They have to opt to do that. They don't have to. It's served our country well, and it's a very limited expense. It needs updating. It doesn't need dismantling. We need more public financing of our Federal election, not less.

Actually, if I had my way, we would have public financing, we would have a much shorter campaign season, and we would also publicly finance advertising as well as set spending limits and not turn campaigns—it's an industry in this country now that certainly employs thousands and thousands of people. But it spends a lot of our time and individual money in order to get people elected.

□ 1510

Mr. JOHNSON of Georgia. Yes. I would echo those comments, Congresswoman. You know, Members around here, some folks spend 60, 70 percent of their time, instead of being in committee meetings, they are out making phone calls trying to raise money for their next election. It's not, it doesn't augur well for the country's future for us to have, you know, this kind of leadership, in other words, leadership that depends on others to make the decision. They come in, vote on it, and then go back to the phones making calls.

Ms. WOOLSEY. Right. I have been so fortunate because I represent a district that I fit. You know I'm retiring, but I have represented this district for 20 years, and I have fit so well that I have not had to raise millions of dollars.

I have watched my colleagues who are in these districts that could go either way and where now Citizens United has brought this super-PAC money in against them, and I don't know how they do it. I mean, what a way to ruin our democracy, to have the people you elect to represent you spend much of their time raising money instead of raising consciousness, instead of raising issues, instead of fighting for what we know needs to be done in this country.

This corrupt campaign finance system we have, with the special interest money, is going to actually corrode our democracy. If we don't step up to it on both sides of the aisle, everybody is going to be affected by it, not just Democrats.

Mr. JOHNSON of Georgia. Well, I am going to tell you, Congresswoman WOOLSEY, that's why I am going to hate to see you leave, and I know you have been here for 20 years. That's a long time to be anywhere. You have certainly been an unrelenting spokesperson for equity and fairness for all, and you have been a voice for peace, and you have been a voice for telling the truth. You are, indeed, a rare breed in Congress, and I'm personally going to miss you, and I know many others will too.

But I'll tell you, Congresswoman, there are people on the other side of the aisle and some, I know, feel the same way that we do. They don't like the way or the route that our country is going. We've even had some good people over there who have already been defeated for reelection based on that special interest money coming in at the last minute, shaking things up and telling a bunch of lies, and then the public votes a good Representative out.

I think people on both sides of the aisle are being hurt by what's happening in America right now, and I'm hopeful that this next election will see the kind of change that needs to come here. We need to take care of the people's business. This is their Congress, this is not the corporations' Congress. We should be of, by and for the people, not of, by and for the corporate special interests.

You know, I'm afraid that's where we are now. I, myself, have been fortunate so far to be in sync with the people of my district and so, consequently, I've not been forced to go out there and raise a billion dollars, but I still have to raise money.

I would prefer a system where I could just be a legislator and we could have a fairness in our elections, everyone starting with the same amount of money to spend; and that way it's not the money, it's your message that counts.

Ms. WOOLSEY. Right. If everybody has a certain amount of time on air, they can spend it putting down their opponent, or they can spend that time letting their constituents know who they are. If they want to be negative, they can do it the way they want to, but they will probably find out it's much more wholesome and people will like them a lot better when they know them for who they are and not as put-down artists.

When you say there's folks from the other side of the aisle, and I'm sure there are, I think that it's our job now to pull together a core here in the Congress who are willing to limit the influence of contributors and who are willing to curb the power of political action committees and impose spending limits and not let corporate America have a bigger voice than the average voter.

Somehow or another, I think it's going to be possible, but it's going to take leaders like yourself, HANK, to make that happen, so I'll be cheering for you.

Mr. JOHNSON of Georgia. Well, I believe you are right about that. But I will say, though, those moderates on the other side of the aisle who I am referring to are the prime targets of the interests that want to get rid of them and go to an extreme. So folks over here on the Republican side of the aisle are forced to comply with the party

line or else they'll suffer the consequences.

Even when they follow the party line here, they think, okay, well, we don't trust this person over here because there's some new blood over here that talks much more extremely, and so we want to get rid of that person here and put this new person in.

Ms. WOOLSEY. Well, if we eliminate special interest money, if we have the Declaration for Democracy and have a constitutional change, the United States Constitution regarding this Citizens United action of the Supreme Court, I think we can help turn that around.

Mr. JOHNSON of Georgia. Well, you know, Congresswoman, you lead into the Declaration for Democracy, which I had the pleasure to sign yesterday, along with many of my other colleagues; and I am sure that the longer that this is around, the more that people will sign up. Have you had an opportunity to sign?

Ms. WOOLSEY. I signed the little card. I haven't signed that one, but I'm looking why aren't I on there. I mean, that's how much I support it.

Actually, Leader PELOSI has signed the declaration. It's very well received in the Congress.

Mr. JOHNSON of Georgia. I'm going to read it. It's the Declaration for Democracy, and it reads as follows:

I declare my support for amending the Constitution of the United States to restore the rights of the American people undermined by Citizens United and related cases, to protect the integrity of our elections, and limit the corrosive influence of money in our democratic process.

Anytime we start talking about putting limits on any activity and creating more fairness, then we get labeled as socialists and communists and we're just people that care. I don't care what you call it, we're in support of this Declaration for Democracy, which would put the reins of government back into the hands of working people, poor people, everyone. Even the corporations would have a seat at the table, but they would not speak any louder than you or I; and I think it's very important. So I was proud to sign the Declaration for Democracy.

We are in a climate where we have an organization that is set up to connect the corporate influence, the corporate money, the special interests. We have an organization that is set up to pair those special interest corporations with legislators from the various State legislatures of the Nation.

□ 1520

About 60 percent of the legislators in the United States—the State legislators—have joined this organization. It's called ALEC. ALEC is the American Legislative Exchange Council. And what ALEC does is it's funded, of

course, by business interests, billionaires and millionaires, and companies. What it does is it invites the legislators to join. It really entices them to join by offering them for a mere \$50 a year—and the taxpayers, of course, pay that—as a professional fee or professional cost. And so the legislators join. Then he or she gets to go off on these 2- and 3-day weekends at some location like Hilton Head or Jekyll Island or Martha's Vineyard, Los Angeles, Las Vegas, wherever they can be alone and with some anonymity and in a luxurious setting.

So these legislators who join go to these locations for the retreats. The business interests are there because they're underwriting it. And then they get together in committees, and the committees work out various model laws that are produced before the folks even get there. They're told about these model laws in the committees that they work on—the committees being the legislators and the business interests. And the public's interest is not there. It's all done in secret.

And so the result is that the legislators come home, and they have legislation which they can claim as, This is my legislation and I'm introducing it. And, By the way, this is my 80th piece of legislation that I have introduced and it has passed and I'm a busy substantive legislator.

So it makes them look good out there on the campaign trail. Nobody knows what the substance of that legislation is and what it actually does and how much it costs. And then, for introducing that legislation, the legislator is rewarded with a campaign contribution also from the same corporations and individuals associated with those corporations.

So based on that formula right there you've got business being done behind closed doors to benefit folks other than the people who elect these legislators, and then you never know who those legislators are because that's private information. They keep it private. But if you're a member, you can log into the Web site and then go to a page and find out who all of the corporate and who all the legislative members are. You can only get access to that if you're a member. And to become a member you have to be prescreened in advance to make sure that you are like-minded. And if you can pass that muster, they will let you in.

So this is the same organization that announced yesterday that they would not be involving themselves—they're disbanding their committee that had to do with social issues, as they call them, including voter rights. And so the Trayvon Martin killing, the shooting and killing of Trayvon Martin and then the claim of self-defense, stand your ground, but, really, shoot to kill legislation, that legislation was produced by an ALEC committee.

I'm glad to know that committee will no longer be in action, but the damage has already been done. As a result of that, you have had some corporations that have decided that this is not—we didn't buy into this. We didn't buy into this social thing. We just joined ALEC because we wanted to deal on the committees that deal with our issues—taxes, FDA, whatever. We wanted to deal on those things, but instead ALEC has gone to an extreme.

Now we have corporations that are threatened with boycotts of their goods and services jumping off the ALEC bandwagon, and that caused ALEC to announce yesterday that, We're not going to deal in any more social issues.

So I think that is instructive of the power of the people. If the people only know what is happening, the people will come together, despite the differences that we have. We can look at each other and say, Okay, you are older than I am. Plus, you are a white woman. And so, therefore, we don't have anything in common. Or I could say that this person over here doesn't have the same sexual orientation as I think they should and so therefore I'm going to condemn them to purgatory just on that basis alone. Or we can look at somebody and say Well, they've got a hoodie on. He's wearing a hoodie, and it's a black guy in a neighborhood. He can be 9 years old, he can be 15, or he can be 17; but he's still threatening me just by his mere presence. We size people up like that.

But when we really get down to it, our interests are the same. And if we can get past the fear that we have of each other and the misunderstanding that we have about each other, we can come together and we can reclaim this country so that it will be a government run by, of, and for the people. And so that is my goal, to continue to work towards that, if my citizens think that I'm worthy of continuing to do that.

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

CLEARING THE NAMES OF JOHN BROW AND BROOKS GRUBER

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

Mr. JONES. I am coming to the floor again to clear the names of two marine pilots who crashed in Arizona April 8, 2000. Not only two pilots, but there were 17 marines in the back.

The V-22, which is the plane that goes from a helicopter mode to a plane mode, at that time was really an experimental plane. Major Gruber and Colonel Brow in the cockpit had no idea of what was happening when the plane went into what's called "vortex ring state."

I would like to go through this 10-year journey for the RECORD, Mr. Speaker.

It so happened that in November 2002, Major Gruber's wife, who lives in my district in Jacksonville, North Carolina, wrote me a letter that I would like to read. Her husband, Brooks Gruber, was the copilot.

□ 1530

I contact you in hopes that leaders of integrity, free of bias, would have both the intelligence and the courage it takes to decide the facts for themselves. If you do that, you will agree the "human factor/pilot error" findings should not stand as it is in the marine military history. Again, I respectfully ask for your support. Please do not simply pass this matter along to General Jones without offering the support my husband and his comrades deserve. Please remember, these 19 marines can no longer speak for themselves. And I certainly am not afraid to speak for them and I believe someone has to. Even though it's easier to put to rest and forgotten, please join me in doing the right thing by taking the time to address this important issue.

Mr. Speaker, on March 9 of this year, The Hill magazine—and I would like to thank a new young man on the staff named Jeremy Herb, who did an article in the magazine about this 10-year journey that started with Connie Gruber's letter to me.

Mr. Speaker, over the 10-year journey, I have spoken to many, many experts. One that I would like to quote today for the RECORD is a former Assistant Secretary of Defense, Phil Coyle, and he states: Major Gruber should not be blamed for an accident caused by loss of lift due to the aircraft entering "vortex ring state," a phenomena which no one in the Marine Corps adequately understood in relation to the Osprey at the time of the accident.

Secretary Coyle further states: Not only did the Marine Corps not understand Osprey performance under VRS, the root cause of the accident, but neither did the contractor nor the Marine Corps had not tested the aircraft near VRS—vortex ring state—conditions, something which, following the accident, it later took the Marine Corps years to accomplish. Surely Major Gruber and Colonel Brow could not be blamed for something that the Marine Corps, itself, did not grasp until years after the accident and after the death of the 19 marines. Considering that it was ignorance on the part of the Marine Corps that caused the April 2000 accident, the Marine Corps should make it clear to the Gruber and Brow families, with no ifs, ands, or buts, that Gruber and Brow were not responsible for the accident.

He further stated: I don't suppose the Marine Corps ever apologizes, but considering that the accident was their fault and not Major Gruber's and Colonel Brow's fault, an apology to the family would be in order also.

Mr. Speaker, I read that because this 10-year journey—and I will continue to add names in the next few minutes of people trying to help me. These two marines were the very best of the pilots, Major Brooks Gruber and Colonel John Brow. They gave their life for this new plane known as the V-22 Osprey. And those young marines sitting in the back, 19, 21, 23, 24, and 25, were selected from other marines to sit in the back of that plane. Those in the Marine leadership that created the mission in Arizona should join me in clearing the names of these two pilots.

Mr. Speaker, I further read for the RECORD, a former adviser to the Secretary of Defense, Rex Rivolo, stated in a letter trying to clear these names, and I read:

The failure of the manufacturer, Bell-Boeing, and the Navy to characterize the slow speed, high rate of descent handling qualities of the V-22 through flight testing, to describe them for the aircrew in the NATOPS, and to provide an adequate warning system were the causes of the mishap—not aircrew error.

With the passing of 10 years, and the future of the aircraft now secure, I sincerely hope that the names of Lieutenant Colonel Brow and Major Gruber can now be exonerated and cleared for posterity. I strongly support any and all measures to this end and request this letter be included in any official record regarding the causes of the MV-22 mishap at Marana, Arizona, on April 8, 2000, or any resolution attempting to clear the names of Lieutenant Colonel Brow and Major Gruber.

Mr. Speaker, what has been so ironic about this 10-year journey of everyone that was part of reviewing the accident, or maybe it was in the air like Lieutenant Colonel Jim Schafer who is joining this effort. Colonel Schafer was a friend of John Brow and Brooks Gruber, and Colonel Schafer was in a third airplane that night, a V-22, and he saw his friends and the 17 marines in the back flip, crash, and burn. And there is no reason that the Marine Corps will not give the wives what they're asking, and I'll explain that in just a moment, Mr. Speaker.

In this 10-year journey, Mr. Speaker, I've gotten to know the two attorneys, Jim Furman in Arizona, who defended the families of John Brow and Brooks Gruber before Bell-Boeing—it was a major suit—and then Brian Alexander in New York, who defended the 17 families of the marines sitting in the back of the plane. They have all joined in this effort to clear the names of John Brow and Brooks Gruber.

Mr. Speaker, what is so ironic in their effort, Jim Furman and Brian Alexander, to see the names cleared, they have given letters to the commandant that clearly state there can be no future lawsuits. It has all been settled. There can be no more lawsuits.

I must say that along this journey, at one time I had the Marine Corps to take the findings of the experts and put it into the personnel jacket of Colonel John Brow and Major Brooks Gruber.

But, Mr. Speaker, I knew at that time that was not enough because the press continues to put articles about the crash in Arizona, and they say pilot error, human factors.

The JAGMAN report, which was the official report that was written by and signed by Colonel Mike Morgan, Colonel Ron Radich and Major Phil Stackhouse—they were the three investigators sent from Camp Lejeune, North Carolina, to Arizona the day after the crash, and they were given the responsibility, Mr. Speaker, of determining what caused the crash. Mr. Speaker, in the JAGMAN report that I just made reference to, on page 77, those three men that I just named wrote this:

During this investigation, we found nothing that we would characterize as negligence or deliberate pilot error.

Mr. Speaker, all the two wives are asking the Marine Corps is a letter from the commandant on his stationery that clearly states one paragraph: Lieutenant Colonel John Brow, pilot, and copilot, Major Brooks Gruber, were not at fault for the accident that occurred on April 8 of the year 2000.

□ 1540

Mr. Speaker, the three investigators have joined in this effort, and I'd like to read from retired Lieutenant Colonel Ron Radich, one of the three investigators that I just named:

Despite the fact procedures were in the NATOPS for vortex ring state, there was no discussion concerning the aircraft flight characteristics during high rates of descent at slow airspeeds. No mention was made of a possible asymmetric condition that could lead to an uncontrolled and unrecoverable situation. With no knowledge, training, or warning concerning the possible consequences of VRS, the pilots of Nighthawk 72 were essentially on their own in uncharted territory.

These two pilots did not know what was happening, and it was the fault of Bell-Boeing and the Marine Corps. He further stated:

It was through their misfortune that the MV22 VRS hazard was identified.

Because of the accident, they learned so that nothing like this would ever happen again to a pilot. Colonel Radich further stated:

The Marana mishap of April 8, 2000, represents a monumental discovery that enhanced the overall safety and effectiveness of this highly capable weapon system. May the marines of Nighthawk 72 rest in peace knowing that the ultimate sacrifice they made for their country also led to a critical advancement in V22 safety and capability, and overall readiness of the United States Marine Corps. My thoughts and prayers go out to the families who continue to cope with the loss of their loved one and search for some form of closure.

Mr. Speaker, I further would like to add some comments from Lieutenant Colonel Mike Morgan. Again, he was the lead investigator of this crash that happened in Arizona. And I read:

I applaud and fully support the extraordinary effort you have undertaken in support of John Brow, Brooks Gruber, and the families who lost loved ones in the tragic crash of Nighthawk 72. One merely needs to look at what has transpired in the years since this tragic accident. After a second MV22 crashed just 8 months later, a blue ribbon panel closely examined the MV22 program. NAVAIR also aggressively pursued a test program to understand VRS and develop safety measures to educate and protect future MV22 pilots from the dangers. This was such a monumental undertaking that the lead developmental test pilot, Mr. Tom McDonald, was awarded the Society of Experimental Test Pilots Kinchloe Award for outstanding professional accomplishment in the conduct of flight testing.

Colonel Morgan further states:

John Brow and Brooks Gruber did their job and did it well. I look forward to the day when DoD officials accurately recognize the sacrifice made by them and all the marines of Nighthawk 72.

Mr. Speaker, I'd like to read the third letter from the third investigator, Major Phillip Stackhouse. It states:

I do not believe that it would be a surprise to anyone that it is in my opinion the mishap was not a result of pilot error, but was the result of a perfect storm of circumstances. During the conduct of the investigation, we collected some 20 binders of evidence—including, among other things, maintenance records, training records, telemetry records, operational and testing records, and dozens of photographs.

I do not feel that our investigation reflects that the mishap was a result of pilot error and if the investigation was interpreted that way, it was misinterpreted. For any record that reflects the mishap was the result of pilot error, it should be corrected. For any publication that reflects the mishap was a result of pilot error, it should be corrected and recanted.

Mr. Speaker, the problem has always been that after the JAGMAN report, which I just made reference to, if the Marine Corps in 2001, 2002 had issued a press release stating that new evidence has shown and proven that Colonel John Brow, pilot, and copilot Brooks Gruber were not at fault, Mr. Speaker, I wouldn't be on the floor today. But the Marine Corps has never, in a press release, corrected the misinformation that happened shortly after the Osprey crash when the Marine Corps' original press release indicated possible pilot error.

Mr. Speaker, that's why all these names that I have read today have joined me in asking the United States Marine Corps—who I have great respect for; they're among the best—to give the families, Connie Gruber and her daughter Brooks, to give Trish Brow and her two sons, Matthew and Michael, one letter on the commandant's heading on his stationery, clearly state to the Brow family that your husband, John Brow, a true American hero, was not responsible for the crash on April 8, 2000. The same for Connie Gruber and her daughter Brooks down in Jacksonville, North Carolina, one paragraph

with the same language that I just mentioned for Colonel John Brow, the same language for Major Brooks Gruber.

Mr. Speaker, I can assure you that as long as I have the privilege to serve in the United States Congress, and with all these experts that I've quoted today that are willing to join me, that the right thing must be done for the family, and the right thing is that letter from the commandant.

Mr. Speaker, I would not be the kind of person that I am without the faith that I have in my God. My mom and dad taught me the Bible. They taught me right from wrong, and they taught me that truth does matter. I have, with the help of God and the many experts, we have the truth. The truth is that these two outstanding pilots were put into an impossible situation without any training to understand how to react to vortex ring state. So, therefore, Mr. Speaker, we will continue to speak out on the floor of the House.

I have told the families that when this clarification comes through and their husbands are cleared, I would like to go with the Brow family to Arlington Cemetery and stand there with Trish, Matthew, and Michael and salute the colonel and say, Colonel, rest in peace. You're not blamed for this accident any longer.

I want to do the same thing with Connie Gruber down in Jacksonville, North Carolina, where her husband is buried. I want to walk with Connie and Brooks, and I want to stand at the grave and say the same thing to Major Gruber: Rest in peace. You no longer will be blamed for the accident on April 8, 2000.

Mr. Speaker, before closing, there's a quote that someone sent me in this 10-year journey to clear these names by Voltaire that says:

To the living we owe respect. To the dead we owe the truth.

That's what this is all about, Mr. Speaker, is the Marine Corps could issue one paragraph to the two families so that never again will they have to read in the paper the accident in Marana, Arizona, on April 8, 2000, was due to pilot error. Because as the families have said to me, help us get this clarification, and we will make sure that any print about the pilot error on April 8, we will ask and demand that it be retracted because it is not the truth.

□ 1550

I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God to hold in His loving arms the families who've given a child dying for freedom in Afghanistan and Iraq.

I ask God to please bless the Brow family and the Gruber family. Bring peace to these families, God, by helping us get this misinformation corrected.

And I'll ask God to please bless the House and Senate that we will do what is right in the eyes of God for God's people.

I will ask God to bless the President that he will do what is right in the eyes of God for God's people.

And I'll ask three times, God, please, God, please, God, please continue to bless America.

I yield back the balance of my time.

BUDGET AUTONOMY FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 30 minutes.

Ms. NORTON. Mr. Speaker, I've come to the floor today to inform the Congress of exciting new developments about the major priority for the District of Columbia for this year's Congress. These developments have come very quickly, both in the Congress and in the Nation.

We now have unprecedented momentum, both in the country and here in the Congress, to allow the District to spend its own local funds without coming to the Congress of the United States. That will seem very strange to Members of the public since they've never heard of a local jurisdiction having to bring its own local funds to a national legislature, which had nothing to do with raising those funds, for approval to spend them.

It is an anomaly whose time has passed. And I'm very pleased at the response we are getting in the Congress, and that we have gotten in very little time, less than 6 months.

We see it culminating in a national poll that, in essence, blesses the momentum we are seeing in the Congress for budget autonomy for the District of Columbia. This poll was released just this week, and it's been an important week for the District of Columbia, because the District has just celebrated Emancipation Day. The slaves who lived in the District of Columbia were emancipated 9 months before slaves in the rest of the United States. And there's some analogy here, my friends, because what was not emancipated was the budget of the District of Columbia. And that's what we're trying to free now.

And that's what the American people seem to want, by a very large majority. A polling organization that is bipartisan, called Purple Insights, using the traditional methodologies that you see in all the national polls, asked this question of Americans in all parts of the country, from both parties and Independents.

The question was preceded by the following: The budget of the city of Washington, DC, is funded by local residents' tax dollars. Do you think that

decisions about Washington, DC's local budget should be made by Washington, DC, taxpayers and their own elected officials, or should those budget decisions be made by the U.S. Congress?

And here are the results. Seventy-one percent of the American people said the DC budget should be decided exclusively by the DC government. Only 23 percent said that the decisions should be made by the U.S. Congress.

What is most gratifying is the way in which these numbers reflect both parties. The polling organization broke down these numbers, and they were careful to ask people from both parties. For Democrats, the notion that the budget should be decided only by the DC government was 71 percent. But Independents were at 75 percent, and Republicans were at 72 percent. So, no matter where my colleagues come from, their constituents support the bedrock principle—no principle is more American—that if you raise the money, you get to decide how to use it. And you certainly don't go to a national body for approval.

And they looked at men and women. 68 percent of men, and 72 percent of women believe that the local government should decide the local budget and be the final decisionmakers.

If you look at regions of the country, Mr. Speaker, they had the same kind of virtually even breakdown in support of local control. If you look at the Northeast, it's 69 percent. You look at the Midwest, it goes up to 74 percent. You look at the South, it's 68 percent. You look at the West, it's 72 percent.

No red-blooded American is going to say, with a straight face, that you can take my local budget with my money in it and make the Congress the final decision-maker on that budget. That's what this poll shows.

The Republicans and the Democrats are virtually even. But more Republicans say that DC budgets should be made by the local DC government; that's 72 percent, 71 percent Democrats.

If you look at those who oppose, the opposition shows the same breakdown. You have 24 percent of Democrats saying Congress should control the DC budget, and you have 22 percent of Republicans.

Where's your majority here?

The majority is where I think most people would have expected it to be. But I am grateful for a local organization called DC Vote for commissioning this poll. And DC Vote realized that the poll might come under some scrutiny, so it went to a polling organization which is known for its bipartisan reputation in polling.

□ 1600

That, of course, should be all we need to hear, but the fact is we have a parallel development right here in the Congress.

This week, Senator JOE LIEBERMAN announced that he was preparing his own budget autonomy bill for the District of Columbia. Now, Senator LIEBERMAN, who works in a very bipartisan way in the Senate—I am so sorry to see that he has decided to retire—has long been the foremost Senate champion of equal rights for residents of the District of Columbia.

The momentum for budget autonomy began with a Republican chairman in the House, DARRELL ISSA. I will have something to say about how that happened. We then had two more Republican leaders—House Majority Leader ERIC CANTOR and the Republican Governor of Virginia, Bob McDonnell—weigh in for budget autonomy for the District of Columbia. This week, citizens from the organization DC Vote were here in the Congress, speaking to Members about the latest poll results. But let me say something about the Members because it's the Members who have the last say here.

As chairman of the House Oversight and Government Reform Committee, DARRELL ISSA is responsible in the House for matters that involve the District of Columbia. His committee, and I've been here more than 20 years, had never had a hearing on the DC budget. He decided to have one. He listened to his witnesses, and he listened to the chief financial officer of the District of Columbia and to other District of Columbia officials.

What he heard was that the District of Columbia had the largest budget surplus in the United States, here in the middle of a recession, and that its budget and finances were in better shape than those of virtually any State in the United States. He heard the witnesses from his side as well as our side—the Republican side as well as the Democratic side—and from objective witnesses from the outside saying that the major problem the District faces are the inefficiencies and the premiums it pays on Wall Street because its local budget cannot be implemented until it is approved by the Congress of the United States. This creates huge uncertainty, of course, among bondholders and on Wall Street not of the making of our citizens but due to the fact that the Congress has to approve the City's budget.

Now, I can tell you that no one can remember when the Congress of the United States has changed the City's budget itself, and you can imagine why. A budget is a very delicate document to put together, and Congress does not have the kind of hearings you would have here to know what to take out and what to put in and how to sew it back together again. So what's the point of bringing it over here except tradition? The chairman listened to the problems with bringing the D.C. budget to the Congress and heard even more problems than he expected.

School begins in September, but by the time Congress finishes with the Federal budgets, even the earliest point is September 30. The reason that most jurisdictions are on a July 1 fiscal year and not a fiscal year that begins on October 1, as the Federal Government does, is precisely because of the importance of schools in every jurisdiction. But in the District, our schools and our city are handicapped by the fact that the budget isn't approved by the time school opens.

That impressed the chairman, apparently, and he was impressed by the fact—and I will soon get to this issue—that the District government has faced shutdowns because its budget was here during fights over the Federal budget, which has resulted in the possibility of the shutdown of the D.C. government.

Chairman ISSA listened at the hearing and did something I've never seen a chairman of a committee do before in my years in the Congress. He listened so intently, heard so well that he announced as the hearing ended that he intended to write a bill for DC budget autonomy. Everyone was surprised. His staff told us they had no idea in advance. Mr. ISSA decided upon hearing the witnesses at his hearing.

That is, I must say to my colleagues and to members of the public, a civics lesson in committee work at its best. The chairman listened. The chairman made a decision. The chairman then went to work.

He worked on several versions of a budget autonomy bill, and exchanged them with me, with the mayor, and with other officials in the city. There were some issues, and we indicated what those difficulties would be operationally. Then, he announced his final proposal for a DC budget autonomy bill. I can tell you that, while it has its own form that clearly bears his signature, in many ways it mirrors my own DC Budget Autonomy Act.

You can imagine how thrilled we were that the chairman of the full committee had, indeed, decided that it was in the best interest of the District of Columbia and in the best interest of the Congress for the District's budget to remain in the District and to be implemented in the same way that the budgets of every other jurisdiction in the United States, except the budget of the District, are implemented. June 30 comes. On July 1, other jurisdictions begin to implement their budget. They prepare for school, and they are ready when school begins.

Mr. ISSA's bill came to the attention of the President of the United States. The President had weighed in the year before for budget autonomy, but upon hearing of Mr. ISSA's bill, he included in his own budget, which was submitted this year, the following language:

Consistent with the principle of home rule, it is the administration's view that the Dis-

trict's local budget should be authorized to take effect without a separate annual Federal appropriation bill. The administration will work with Congress and the mayor to pass legislation to amend the D.C. Home Rule Act to provide the District with local budget autonomy.

That's the President's statement, inspired by the Republican chairman's proposal for budget autonomy. I know that there are many in this Chamber and in the public who see rare instances—perhaps none—of bipartisan ideas from this Congress. There you see one. You see a Democratic President. You see a strong Republican chairman.

Mr. Speaker, that is not all.

Mr. ISSA was moved, in part, to address budget autonomy because of the problems the District has had with Federal shutdown threats. Most of America is aware of the shutdown threats. By the skin of our teeth, we barely missed a shutdown a year ago. No one believes, of course, that the underlying issues had anything to do with the District of Columbia budget. Those issues are well-known. They involve disagreements between Democrats and Republicans over Federal issues like the Federal deficit. The District has long had a balanced budget, and as I indicated before, beyond its balanced budget, it has the highest surplus in the United States.

So why is the District of Columbia caught in Federal fights that lead to the possibility of shutdowns of the Federal Government?

□ 1610

If the D.C. budget is here, if the budget of the District of Columbia is here and has not been passed by the Congress—and it usually is not passed until, of course, the Federal budgets are passed, or certainly no sooner than September 30—then the District of Columbia's local budget gets thrown in the pot with a budget of—for instance—Health and Human Services, the Department of Defense, all of the Federal agencies that get shut down, though there's nothing that the District can do to extricate itself from this fight, because this fight does not involve any concession that the District can make—it involves only Federal issues—nevertheless, the District government will get shut down with the Federal Government.

There were three shutdown threats in 2011. The Federal Government didn't get shut down, although I can tell you it came so close to being shut down I don't even like to think about it. The problem is that every time there is the threat of a Federal shutdown, the local government of the District of Columbia has to spend time and money preparing to shutdown, whether or not it occurs.

Imagine your county, imagine your city pulling people together three times to prepare for a shutdown, to prepare for which agencies can keep going and which agencies to shut down.

Because in the event of a shutdown, the only agencies that can be kept in operation are essential agencies. Three times the District of Columbia government had to do that. The District of Columbia is going through the same problems that every local jurisdiction is having as we climb out of the Great Recession. You can imagine what a waste of time and energy that was.

That was one of the issues that made Chairman ISSA think through the notion of budget autonomy. I myself have had several bills to keep the District government from shutting down in the case of a Federal Government shutdown. I put in a bill each fiscal year saying that if the Federal Government shuts down, the District can spend its own local funds, no other funds, no Federal funds, nobody can spend those, but its own local funds. Those bills have not passed.

Just 2 months ago, I warned the mayor that we could be headed for a shutdown this year because the Senate and the House have different budgets. An agreement was reached between the two Chambers in the Budget Control Act about the level of spending in 2013. While the Senate has stuck to that number, the House is using another number. So if the two don't agree, and they each come forward with different appropriation bills, the country could be faced again with the possible shutdown of the Federal Government.

That's bad enough for the country, but suppose you were the mayor of the District of Columbia or a member of the city council and had to consider that there could be a shutdown of the District government over the fact that the House and the Senate are using different budget numbers this year? That would be enough to make you, I think, tremble, as I'm sure the District is now as it considers what to do. Of course, Congress is going to try to reach some agreement. But at the moment, they're going in absolutely divergent directions, despite having reached an agreement on what the number would be for the budget this year.

The President, noting these shutdown threats and the cost to the taxpayers of the District of Columbia, did something quite unusual. He not only submitted his views on budget autonomy—that he favored it—he submitted actual language that would keep the District open in case of a shutdown. I would like to submit that language for the record.

The language referred to is as follows:

Consistent with the principle of home rule, it is the Administration's view that the District's local budget should be authorized to take effect without a separate annual Federal appropriations bill. The Administration will work with Congress and the Mayor to pass legislation to amend the D.C. Home Rule Act to provide the District with local budget autonomy.

When the President submits the language to the Congress, that puts a very

special emphasis on the need for what he is asking for.

Mr. Speaker, not only have you had the President and Mr. ISSA; the majority leader of this body, Mr. CANTOR, has indicated that he supports budget autonomy. His spokesman said that "he is certainly willing to work with the District toward its goal of budget autonomy." That's the first time that a leader of my friends on the other side of the aisle has indicated public support for budget autonomy.

This afternoon, I want to thank Mr. CANTOR personally for doing so. Mr. CANTOR may have been moved by his own Governor. The Republican Governor of Virginia, Governor Bob McDonnell, wrote to Majority Leader CANTOR indicating that he supports budget autonomy for the District.

One of the reasons he gave was that 100,000 Virginians come to the District of Columbia to work every day in the private and Federal sector, and that if the District government shuts down, those 100,000 residents from Virginia, who had nothing to do with this fight—just as the District of Columbia had nothing to do with the Federal fight—are seriously inconvenienced.

The fact that these two Virginians from our region have spoken out speaks to the practical reality behind budget autonomy. In addition, the Governor of Virginia made it clear he did not see how the mayor of the District of Columbia could run his city when he could not be certain when his budget would be passed. Here you have one chief executive speaking to another, and both from different parties.

The case we think, Mr. Speaker, has been made. It has been made here by the leadership of this body and the leadership of the Senate, and it has been made in the country as leaders have stepped forward to indicate that the rational thing to do, the American thing to do, if you will, is to respect the right of a local jurisdiction to spend its own local money without coming to a national body which has had nothing to do with raising those funds.

If I could inquire, Mr. Speaker, how much time I have remaining?

The SPEAKER pro tempore. The gentlewoman has 4 minutes remaining.

Ms. NORTON. I want to summarize how much on the same page Democrats and Republicans are on the proposition that D.C. should control D.C.'s local budget. There's nothing radical about that one, my friends. It would be hard to go out in the street of your city or your county and get a different response.

So it's not surprising, but it's very important to have these poll figures, which back up where Chairman ISSA is trying to take us, where Mr. CANTOR is trying to take us, where the Governor of Virginia is trying to take us, where D.C. officials, and, I hope, the Congress

will come this year. The polls show very gratifying numbers, but they are numbers that reflect where Americans always are. Americans are, first, local people. They want to do as much locally as possible. They understand that there are national issues. They know that one of those issues is not their own local money.

Mr. Speaker, this week, the District of Columbia celebrated D.C. Emancipation Day, and, of course, it's worthy of celebration, when this city was the first jurisdiction whose slaves were freed by Abraham Lincoln. Isn't it amazing that the Nation's capital had slavery in 1862?

□ 1620

But it is very hard to celebrate Emancipation Day in the District of Columbia when your own local funds cannot be spent by your own local people. We raise about \$6 billion in local funds. It is a very diverse city of people from all walks of life with all levels of income, and there is absolute agreement across all political lines that the one thing we deserve is budget autonomy.

This year was the 150th anniversary of the liberation of slaves by Abraham Lincoln in the District of Columbia. We noted that the slaves had to be very grateful to be liberated because there was nothing they could do to liberate themselves. Armed struggle was certainly not possible for slaves here or anywhere else. Peaceful opposition to slavery would have brought armed struggle against their peaceful opposition, so they had to wait to be liberated.

The people of the District of Columbia understand it is up to them to liberate themselves, but they, too, cannot free themselves entirely. They do not have a Member who has a vote on the floor of the United States Congress. I vote in committee. I do not have the right to vote for final passage of any legislation.

Yet my residents have been in every war the Nation has fought since the Nation was created. We pay federal income taxes at the highest levels. We're second per capita in federal income taxes among the 50 States and the District of Columbia. So you can imagine that it is with some anguish that we send our own local budget to people we respect but people who have contributed nothing to the money we have raised in our city.

I thank all who have supported us here in the Congress, and I look forward to the day, which I hope will be this year, when there will be budget autonomy for the District of Columbia.

I yield back the balance of my time.

"The following is the actual proposal the president included in his fiscal year 2013 budget to prevent a D.C. government shutdown in the event of a federal government shutdown:"

SEC. 817. Section 446 of the Home Rule Act (D.C. Official Code sec. 1-204.46) is amended

by adding the following at the end of its fourth sentence, before the period “: Provided, That, notwithstanding any other provision of this Act, effective for fiscal year 2013, and for each succeeding fiscal year, during a period in which there is an absence of a federal appropriations act authorizing the expenditure of District of Columbia local funds, the District of Columbia may obligate and expend local funds for programs and activities at the rate set forth in the Budget Request Act adopted by the Council, or a reprogramming adopted pursuant to this section.” (Financial Services and General Government Appropriations Act, 2012.)

PURPLE INSIGHTS POLL, APRIL 5-9, 2012

Q: The budget of the city of Washington, D.C. is funded by local residents' tax dollars. Do you think that the decisions about Washington, D.C.'s local budget should be made by Washington, D.C. taxpayers and their own elected officials OR should those budget decisions be made by the U.S. Congress?

71% of Democrats believe D.C. should control D.C. local budget

72% of Republicans believe D.C. should control D.C. local budget

75% of Independents believe D.C. should control D.C. local budget

68% of Males believe D.C. should control D.C. local budget

73% of Females believe D.C. should control D.C. local budget

60% with High School or Less believe D.C. should control D.C. local budget

78% with Some College believe D.C. should control D.C. local budget

80% of College Graduates believe D.C. should control D.C. local budget

69% in the Northeast believe D.C. should control D.C. local budget

74% in the Midwest believe D.C. should control D.C. local budget

68% in the South believe D.C. should control D.C. local budget

72% in the West believe D.C. should control D.C. local budget

24% of Democrats believe Congress should control D.C. local budget

22% of Republicans believe Congress should control D.C. local budget

20% of Independents believe Congress should control D.C. local budget

26% of Males believe Congress should control D.C. local budget

20% of Females believe Congress should control D.C. local budget

33% with High School or Less believe Congress should control D.C. local budget

18% with Some College believe Congress should control D.C. local budget

13% of College Graduates believe Congress should control D.C. local budget

26% in the Northeast believe Congress should control D.C. local budget

19% in the Midwest believe Congress should control D.C. local budget

25% in the South believe Congress should control D.C. local budget

6% in the West believe Congress should control D.C. local budget

5% of Democrats do not know whether D.C. or Congress should not control D.C. local budget

6% of Republicans do not know whether D.C. or Congress should not control D.C. local budget

6% of Independents do not know whether D.C. or Congress should control D.C. local budget

5% of Males do not know whether D.C. or Congress should control D.C. local budget

7% of Females do not know whether D.C. or Congress should control D.C. local budget

7% with High School or Less do not know whether D.C. or Congress should control D.C. local budget

4% with Some College do not know whether D.C. or Congress should control D.C. local budget

7% of College Graduates do not know whether D.C. or Congress should control D.C. local budget

5% in the Northeast do not know whether D.C. or Congress should control D.C. local budget

7% in the Midwest do not know whether D.C. or Congress should control D.C. local budget

7% in the South do not know whether D.C. or Congress should control D.C. local budget

6% in the West do not know whether D.C. or Congress should control D.C. local budget

METHODOLOGY

National omnibus interviews of 1,007 adults age 18 and older in the continental United States on April 5-9, 2012 conducted via a random digit dialing methodology telephone and cell phone methodology.

The sample consisted of:

—757 interviews from the landline sample

—250 interviews from the cell phone sample

—504 men

—503 women

The data is weighted to reflect the geographic, demographic, and socioeconomic information that are known for the population as well as measured in the survey.

HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Georgia (Mr. BROUN) for 30 minutes.

Mr. BROUN of Georgia. Mr. Speaker, this afternoon I'm going to talk about health care. I'm a medical doctor. I'm a primary care physician. As a medical doctor, I'm very concerned about where we are going as a Nation.

Back during the debate over the Patient Protection and Affordable Care Act, otherwise known as ObamaCare, I presented several alternatives to that bill. Most people know in this country that the U.S. Supreme Court a couple of weeks ago, 3 weeks ago, had hearings about the constitutionality of the individual mandate, whether the Federal Government, under the Constitution, can demand that every single person in this country buy health insurance that's dictated by the Federal Government, that the Federal Government actually puts out all the parameters for that health insurance.

We recently saw Kathleen Sebelius, the Secretary of Health and Human Services, say that everybody's health insurance in this country is going to have to provide free birth control pills, free pills that are designed for nothing but to cause an abortion and free sterilization for everybody in the country. That's whether you are male or female. Who pays for that? Well, we all will.

Mr. Speaker, this is not about birth control. It's about government control. Because, you see, under ObamaCare, if it stays in place, it's going to be a tool

where the Federal Government can mandate every aspect of our lives, what we eat. In fact, Justice Scalia, during the hearings a few weeks ago, said, if it stays in place, couldn't the Federal Government demand everybody in the country eat broccoli? I love broccoli and I eat a lot of it, but it's not the Federal Government's business to mandate that I eat broccoli—or anybody else, for that matter—and he's absolutely right.

In fact, under the auspices of health care, the Federal Government could control every aspect of our lives, could tell us what kinds of cars that we drive. The Federal Government could basically say, We believe everybody should drive a Chevy Volt or a Ford Focus, and if you don't, we're going to fine you.

There are already doctors that are associated with the CDC in my home State of Georgia that say it's a health hazard for people to have private ownership of firearms and it's a particular health hazard to children. They could outlaw private ownership of firearms. They could outlaw anything that the Federal Government decided to do.

ObamaCare is going to be a destroyer. It's going to destroy the doctor-patient relationship. It will destroy the quality of health care, because the Federal Government is going to decide who can get care and who is not. It can decide whether a person is fit to receive surgery or go in the hospital or not. Age is going to be a determining factor, and it's all going to be based on economics, on cost. The high cost of health care today is because of government intrusion into the health care system. In fact, I will just give you two quick examples.

Back when I was practicing medicine down in rural southwest Georgia, in my little office I had a fully automated, quality-controlled laboratory. If a patient came in to see me that had a fever, aching all over, sore ribs, swollen throat, coughing, nose running, I would do a complete blood count, a CBC, to see if they had a bacterial infection which needs to be treated with antibiotics or whether they had a viral infection which is not helped by antibiotics, the patient doesn't need to go spend the money on those antibiotics. The best practice is it is not a good standard of care to treat viral infections with antibiotics. I would do a CBC. I could do it in 5 minutes. I charged 12 bucks.

Congress, in its infinite wisdom, decided that I might make a few pennies off of doing CBCs and, thus, would have an incentive to do too many. Well, they passed CLIA, the Clinical Laboratory Improvement Act. Instead of being able to do the test in 5 minutes, 12 bucks, I had to send patients over to the hospital. It took 3 to 4 hours, \$75 for one test—from 12 bucks to \$75—because of a law that Congress passed.

What do you think that did to everybody's insurance all across this country? What do you think it did to the cost of Medicaid as well as Medicare? It markedly elevated the cost.

The second issue, Congress passed and is now law, HIPAA. It's a totally unneeded act. It has cost the health care industry, alone, billions—billions with a B—billions of dollars, but a totally unneeded act, and it has not paid for the first aspirin to treat the headaches it has created. There are other industries—like the insurance industry, legal industry, accounting industry, and a whole lot of others—that are affected by HIPAA also. It's government intrusion in the health care system.

The President promised us that ObamaCare would not cost over a trillion dollars. They went through a whole lot of budgetary gimmicks to try to get it under a trillion dollars. Just recently, CBO said that ObamaCare is going to cost \$1.75 trillion.

The President promises, if you have insurance and you like it, you can keep it.

□ 1630

Nobody is going to be able to afford it. I talked to a businessman, and his insurance went up this year over last year by 43 percent because of the mandates in ObamaCare. Hopefully, the Supreme Court is going to throw out ObamaCare because it's going to destroy the doctor-patient relationship and the quality of medicine. It's also going to destroy budgets. As I've already mentioned, it's very, very expensive. The expansion of Medicaid is going to destroy State budgets. The whole bill is going to destroy the Federal budget and destroy our economy. And as I've already mentioned, it's going to destroy our freedom.

So what's the alternative? What happens if the Supreme Court throws out ObamaCare, as hopefully they will—and they should—because it's blatantly unconstitutional. Well, the first thing, this chart shows us what ObamaCare is like. And this isn't all of the new bureaus and agencies that are created under the plan. Right in the middle is the Secretary of Health and Human Services. Kathleen Sebelius, if she's still in office a year from now, has the potential to be the greatest tyrant to take away our freedom because of this law.

We must get rid of ObamaCare and replace it with something that makes sense economically and we put patients and doctors in the business of making their own decisions.

Well, I introduced a bill a few weeks ago called the Patient Option Act. It's H.R. 4224. What would it do? The first thing, it repeals ObamaCare completely. Gets rid of it, as we should. It also makes health care cheaper for everybody. It will lower your cost of in-

surance. It makes all health care expenses cheaper for everyone. It will provide coverage for all Americans, and also it will save Medicare from going broke.

Today, I heard some of my Democrat colleagues talk about Republicans want to destroy Medicare as we know it. And that's what their mantra keeps being. But their policy is characterized by four Ds. The first D is that they deny that Medicare and Social Security has any problem whatsoever. The actuaries of both Social Security and Medicare say they're going to go broke within just a few short years—within the life span of almost every American, except for the extreme elderly. So they deny there's a problem.

The second D, they're delaying fixing the problem. Their mantra of let's save Medicare as we know it is going—they deny the problem.

The third D is they're going to destroy Medicare as we know it because it's just totally not feasible to go forward and not fix it. That's what Republicans have been trying to do.

And the fourth thing that my Democrat colleagues do is they demonize all of us who want to try to fix it. The Patient Option Act will fix it, and that's what we need to do. We need to have policies to give patients, give people a whole lot more options, and that's exactly what I'm trying to do with my Patient Option Act.

So how does it make it cheaper for everyone? The first thing it does is it provides 100 percent tax deductibility for all health care expenses, including insurance. What's this do? Well, most people in this country get their health insurance through their employer—at least working people do. And what this does is it will allow a business to just give the money to their employees and let the employees go out and buy the health insurance that makes the most sense for them and their families. So the employer is not dictating what kind of insurance the employee gets. It's a normal business expense to the employer to give that money to the employee, and then the employee can go out and buy whatever kind of insurance that they want to. In doing so, they can buy health insurance across State lines.

What this will do is it will get rid of all the State mandates because somebody in Georgia can go to Ohio and buy a basic policy without State mandates that are given to the insurance companies in Georgia. Plus, this issue breaks up the monopolies. In every State there are only just a very few health insurance companies that are providing health insurance within that State. They have what's tantamount to a monopoly. By allowing people to work with the insurance agents, they can buy health insurance anywhere in the country and can have a whole lot more options in health insurance—those

kind of insurance policies that fit their families' needs the very best at a much lower cost.

It also increases the contribution limits and does patient reforms to the health savings accounts. What my bill does is it allows everybody to contribute up to \$10,000 a year into their health savings account, and the employer can help provide the funds so that the employee can fund their health savings accounts. Actually, the employee will own that health savings account, manage it themselves.

Now, my Democrat colleagues seem to think that nobody can manage their own health insurance or their own economic affairs, that we have to have the Federal Government telling all of us how to manage all of our affairs. That seems to be their philosophy. But I trust the American people. I think people can manage their own affairs if we give them the ability to do so, and expanding health savings accounts will do just that. It's not a use-it-or-lose-it situation under the Patient Option Act. That can continue to grow over the lifetime of the individual. And when they die, when they pass it, that health savings account will actually go into their estate and go to their heirs.

So this puts competition into the health insurance industry. It takes away all those mandates and lets patients have multiple options where they can purchase the health insurance at a lower cost that makes sense to them, and their employer will not dictate it and neither will the Federal Government. So it will be a whole lot cheaper for everyone.

Now, it also offers coverage for all Americans. Well, in repealing ObamaCare, the thing about ObamaCare is we were told we need to have health care for everybody. Well, the thing is what is confusing to most Americans is we haven't been talking about health care. We're just talking about health insurance. When ObamaCare says "provide health care for everybody," what they're saying is health insurance for everyone that is mandated by the Federal Government. In fact, the President went on a national address over TV just prior to passing ObamaCare, where he said he wants everybody in this country in one pool. One insurance pool.

What's that mean? That means the Federal Government provides all health care coverage and all health care for everybody. That's socialized medicine. Socialized medicine. And that's exactly what ObamaCare is all about. It's geared towards forcing people out of their private insurance—we already see that happening today—and forcing everybody into a national pool run by the Federal Government, which in itself is going to destroy the quality of health care, and Federal bureaucrats are going to be making decisions for everybody about the kind of surgery

that everybody can or cannot have, whether you can get a certain medication or not, whether you can go in the hospital or not. The doctor will not be able to make those decisions.

Already, as a physician, a primary care doctor, the health management corporations as well as the government entity, CMS, determine today whether a patient can go in the hospital or not or whether they can get a certain treatment or not. We've got to stop that. We've got to put patients in control, where they can work with their doctors and get the kind of health care that they need without some bureaucrat—insurance company bureaucrat or government bureaucrat—making the decisions.

But what this does, my Patient Option Act, H.R. 4224, allows businesses or individuals to come together and form an association and have huge insurance pools all across the country. That association could offer multiple insurance products—a Cadillac plan or bare-bones plan or something in between. Whatever the members of that association want to purchase, the association can offer multiple products. Since you will have such huge pools across the land, then the cost is much lower. It spreads the liability across many more people, and so health insurance is a whole lot less expensive for all of us.

□ 1640

In doing so, it will help cover a lot of people who are uninsured today because they can't afford it, and it will also allow people who have preexisting conditions to join those associations and be able to buy health insurance at a price where they can afford it, so it will help cover those people with preexisting conditions. So this will allow those groups to make these associations as well as individuals or businesses to buy the health insurance across State lines. It will provide coverage for virtually everybody.

Well, what about Medicare? And I'm going to come back to coverage for particularly poor people that can't afford insurance even with the lower prices. And I'll tell you what the bill, the Patient Option Act, H.R. 4224, does.

My bill will save Medicare. It will save it from going broke and make it so that our senior citizens not only today, but these children that I see, young people I see in the gallery today, they'll be able to have insurance in the future through Medicare if that's what they want to do. It allows seniors to opt out of Medicare if they want to.

I've got a constituent that worked for a large cable company here in this country. When he retired, the cable company wanted to provide health insurance for him for the rest of his life as an executive of the cable company. But they couldn't do it and he couldn't do it because, under the current law, everybody has to go into Medicare once

you turn 65, at least part A. You don't have any option about that. It's mandated.

Of course, mandates like that, I don't think that's freedom, frankly, Mr. Speaker. Everybody is mandated to go into Medicare when they turn 65. Well, my bill will allow them to say, No, I want to buy private insurance; I don't want Medicare; I don't want to be involved in it. So they can use their own insurance, whether it's provided through a company or whether it's something they've bought all along, and it moves Medicare into a more flexible program.

It actually sets up a Medicare health savings account that Medicare will fund. The patient will own that health savings account and will manage the dollars. It won't be managed by some Federal bureaucrat. And if the patient doesn't utilize all those funds before they pass away, those funds actually go into the Medicare recipient's estate and the heirs will get the dollars.

The Medicare recipient will control the money, will control the decisions, can work with their doctor, and it gives the Medicare recipient a lot of options. And it also gives premium support on top of the Medicare health savings account so that the Medicare patient will have comprehensive coverage for any medical emergency or even very costly medical treatments.

So it takes care of Medicare patients. It gives them good quality care. It puts the Medicare patient in control of those decisions, and it will save Medicare from going broke, which it's going to in just a very few short years.

The other thing my bill does, and this will help with those poor people who can't even buy the much-reduced-cost health insurance, even bare-bone policies, and, unfortunately, there are some people in this country that are in that category. In my over four decades of practicing medicine, I have literally given away hundreds of thousands of dollars of my services. That's what most doctors do, particularly in my generation. A lot of the younger doctors aren't doing that as much because of the government diktats to them and because of the requirements that CMS puts upon their practices that they don't have time to give to their patients. They don't have time to try to develop relationships with their patients. They don't have time to give good quality care anymore because of the Federal Government.

If I was accepting Medicare as a physician and I was a preferred provider—that's the providers that are accepting Medicare as a payment. And Medicare, by the way, sets the prices but says you cannot publish those prices. There's no transparency because of Federal diktats, by the way, Federal law.

If I was a preferred provider and a patient came in to see me that was really

struggling and trying to make ends meet, they didn't have health insurance, they're trying to pay their bills, and they came in to see me, and I said, Don't worry about the bill—and I have done that to thousands of patients over my four decades of practicing medicine. I said, Don't worry about it. Forget it. I'm glad to give you these services for free. If I did that and I was a preferred provider, Medicare could literally throw me in jail for treating somebody for free. They could throw me in jail and they could fine me.

Doctors today cannot give away their services to somebody who needs, desperately, to get their services. So what my bill does is it stops that, and it gives a physician a tax credit between \$2,000 and \$8,000 a year for giving away their services. It gives them a tax credit.

I talked to a lot of doctors throughout Georgia and asked them, if we did this, how many doctors would actually see patients for free. Every single one in every single doctors' meeting has held up their hands. And I'll give you an example.

I talked to a urologist who basically practices in a very upscale, wealthy community. He's in his office 4 days a week. It's a retirement community with high-price real estate and homes. And he told me, if I would do this in a bill, he would set aside 2 of the 4 days he's in his office to see nothing but indigent patients. Let me repeat that. This doctor who is working in this area will give half of his time to see indigent patients in his office if we would just give him this tax credit.

And that's what we did in this bill so that doctors are no longer under the threat of being fined and being jailed for just having compassion on poor people, as the Federal Government has stopped that, prevented that and said it's against the law to have compassion on poor people. You have to charge them. You have to try to collect, and you cannot give away your services. This stops all that.

Medicare has no compassion. Medicaid has no compassion. It's all about money and government control.

Another thing that my bill does is it reforms EMTALA, the Emergency Medical Treatment and Active Labor Act. This is another law that Congress passed that requires every emergency room in this country to see whoever comes in and to treat them. In my area in Georgia, throughout my Tenth Congressional District in Georgia, a person can walk into any emergency room in my district and they will find the emergency room filled with patients who do not need to be in the emergency room, should not be in the emergency room.

I worked for 2 years before I moved to northeast Georgia. I was working at a hospital down in southwest Georgia as the director of emergency services.

For 2 years, I worked full-time as an ER doc and directing those emergency services. Way over 90 percent of the patients that came in that emergency room, as they do in most emergency rooms, had no emergency. And, actually, emergency rooms all across this country are filled with illegal aliens that are going there and getting services, utilizing the emergency room in the hospital as their primary care provider; in other words, they're going to see doctors in the emergency room for stumped toes or colds, sore throats, headaches, any medical problem. And they don't have to pay because of EMTALA.

The Federal Government has required the emergency rooms to see and treat everybody who walks in. Whether they can pay or not, whether they are here legally or not, whether they are a citizen or they are an illegal alien, it requires them to do so.

What's happening with EMTALA is there is a tremendous economic burden upon hospitals. We have hospitals, particularly rural hospitals, going broke today so that nobody in their community gets services because of EMTALA.

□ 1650

It's not fair. It's not fair to the people in that community. It's not fair to people who really need to be in the emergency room. It's not fair particularly that we are forcing emergency rooms and hospitals to see illegal aliens. Actually, it's hurting people who have true emergencies because emergency rooms are filled with people who don't need to be there. People can come in with severe injuries or severe medical problems. If it's not blatantly apparent, then people have delayed administering of treatment that they desperately need to keep them well or to save their lives.

What my bill does is it allows hospitals to set up a basic screening process so that the hospital can set up somebody with basic medical knowledge and can screen patients and say to the patient, this is not an emergency, go see your doctor, go to a free clinic, we can't see you. So it reforms EMTALA and makes it so that hospitals don't have this economic burden that's been placed on them because of Federal law and Federal dictate.

I presented this bill to a lot of groups. In fact, I'm very pleased, I did an interview with *Forbes* magazine recently. They wrote up a blog and this article about my health care bill, the Patient OPTION Act, H.R. 4224.

They said this: Now a new plan has come forth, backed by one of the most influential Tea Party groups—that I'll mention in just a second—that contains some intriguing and original ideas for bringing cheaper health care to more people. This is from *Forbes* magazine.

BROUN's plan would revolutionize the insurance market by incentivizing

companies, particularly smaller ones and startups, to pay their workers directly their wages—so that the wage earner will control their own money. They're earning it, they should get it, and they should make their own health care insurance decisions themselves—and let those workers decide how to pay for their own care.

Forbes magazine. It's not a Tea Party magazine; it's a magazine that I think most Americans know.

The Tea Party group—which a lot of people don't understand Tea Parties and what it's all about, but Freedom Works is a grassroots group, and it's been dubbed a Tea Party group. Actually, Freedom Works has been around for some time. But Freedom Works has endorsed my Patient OPTION Act, and this is what they said:

Congressman BROUN has authored a bold, timely, and principled plan that offers exactly what a majority of Americans want, a patient-centered health care so that patients can make their own decisions, along with their doctors. It makes health care cheaper for everybody. It provides coverage for all Americans. And it will save Medicare from going broke.

Americans need to contact their Senators and Congressmen and the leadership of the House and Senate and demand that we pass the Patient OPTION Act, H.R. 4224.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members should not refer to occupants of the gallery.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian E. Pate, one of his secretaries.

NATIONAL DRUG CONTROL STRATEGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-98)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committees on Armed Services, Education and the Workforce, Energy and Commerce, Financial Services, Foreign Affairs, Homeland Security, Judiciary, Natural Resources, Oversight and Government Reform, Transportation and Infrastructure, Veterans' Affairs, Ways and Means, and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit the 2012 *National Drug Control Strategy*, which follows through on the commitment made by my Administration to chart a new

course in our efforts to reduce illicit drug use and its consequences in the United States. The balanced approach outlined in the Administration's inaugural *National Drug Control Strategy* has yielded significant results, which are detailed in the following pages.

Our Nation still faces serious drug-related challenges, however. Too many Americans need treatment for substance use disorders but do not receive it. Prescription drug abuse continues to claim American lives, and those who take drugs and drive threaten safety on our Nation's roadways. Young people's perceptions of the risks of drug use have declined over the past decade, and research suggests that this often predicts future increases in drug use. There is still much left to do to reform our justice system and break the cycle of drug use and crime. Our commitment to work with partner nations must remain steadfast to reduce drug production, trafficking, and related transnational threats.

Based upon the progress we have achieved over the past three years, I am confident we can address these challenges through concerted action along the entire spectrum of prevention, early intervention, treatment, recovery support, criminal justice reform, law enforcement, and international cooperation. However, we must match our commitment with the appropriate resources.

Illicit drug use in America contributed to an estimated \$193 billion in crime, health, and lost productivity costs in 2007, the year for which the most recent estimate is available. In today's challenging economic environment, we cannot afford such a drain on our economy and public resources. While difficult budget decisions must be made at all levels of government, we must ensure continued support for policies and programs that reduce drug use and its enormous costs to American society. In doing so, we will not only strengthen our economy but also sustain the national character and spirit that has made the United States a world leader.

I look forward to continuing to work with the Congress and Federal, state, local, tribal, and territorial leaders, international partners, and the American people in this important endeavor.

BARACK OBAMA.
THE WHITE HOUSE, April 19, 2012.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BASS of New Hampshire (at the request of Mr. CANTOR) for today on account of attending a funeral service.

ADJOURNMENT

Mr. BROUN of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p.m.), under its previous order, the House adjourned until Monday, April 23, 2012, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5689. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's "Major" final rule — Customer Clearing Documentation, Timing of Acceptance for Clearing, and Clearing Member Risk Management (RIN: 3038-0092, -0094) received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5690. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Commodity Pool Operators and Commodity Trading Advisors: Compliance Obligations (RIN: 3038-AD30) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5691. A letter from the Acting Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Tuberculosis in Cattle and Bison; State and Zone Designations; NM; Correction [Docket No.: APHIS-2008-0124] received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5692. A letter from the Administrator, Risk Management Agency, Department of Agriculture, transmitting the Department's final rule — Common Crop Insurance Regulations; Onion Crop Insurance Provisions [Docket No.: FCIC-11-0004] (RIN: 0563-AC29) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5693. A letter from the Acting Under Secretary, Department of Defense, transmitting the National Defense Stockpile (NDS) Annual Materials Plan (AMP) for Fiscal Year 2013, along with proposed plans for FY 2014 through 2017, pursuant to 50 U.S.C. 98h-2(b); to the Committee on Armed Services.

5694. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's report on activities under the Secretary's personnel management demonstration project authorities for the Department of Defense Science and Technology Reinvention Laboratories for Calendar Year 2011; to the Committee on Armed Services.

5695. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Frank G. Helmick, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5696. A letter from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting the Administration's final rule — Revising Standards Referenced in the Acetylene Standard [Docket No.: OSHA-2011-0183] (RIN: 1218-AC64) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5697. A letter from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting the Administration's "Major"

final rule — Hazard Communication [Docket No.: OSHA-H022K-2006-0062] (formerly Docket No.: H022K) (RIN: 1218-AC20) received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5698. A letter from the Correspondence and Regulations Assistant, Department of Health and Human Services, transmitting the Department's final rule — Student Health Insurance Coverage [CMS-9981-F] (RIN: 0938-AQ95) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5699. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Terrestrial Environmental Studies For Nuclear Power Stations, Regulatory Guide 4.11, Revision 2, received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5700. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Leakage Tests on Packages for Shipment of Radioactive Material, Regulatory Guide 7.4, Revision 1, received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5701. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of intent to use FY 10 Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) funds for Global Threat Reduction (GTR) activities in Libya; to the Committee on Foreign Affairs.

5702. A communication from the President of the United States, transmitting notification that the national emergency with respect to Somalia originally declared on April 12, 2010, by Executive Order 13536, is to continue in effect beyond April 12, 2012, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112-97); to the Committee on Foreign Affairs and ordered to be printed.

5703. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-343, "Tenant Security Deposit Clarification Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5704. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-344, "South Capitol Street Memorial Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5705. A letter from the President and CEO, Overseas Private Investment Corporation, transmitting the Department's Fiscal Year 2011 Annual Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002 Report; to the Committee on Oversight and Government Reform.

5706. A letter from the Director, Peace Corps, transmitting a copy of the Peace Corps' Fiscal Year 2011 Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act Annual Report; to the Committee on Oversight and Government Reform.

5707. A letter from the Secretary, Railroad Retirement Board, transmitting the Board's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5708. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's

"Major" final rule — Medicare Program; Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs for Contract Year 2013 and Other Changes [CMS-4157-FC] (RIN: 0938-AQ86) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

5709. A letter from the Chairman, U.S.-China Economic and Security Review Commission, transmitting the Commission's record of the public hearing on "Chinese State-Owned and State Controlled Enterprises"; jointly to the Committees on Ways and Means, Armed Services, and Foreign Affairs.

5710. A letter from the Chairman, U.S.-China Economic and Security Review Commission, transmitting the Commission's record of the public hearing on "China's Global Quest for Resources and Implications for the United States"; jointly to the Committees on Ways and Means, Armed Services, and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1335. A bill to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes; with an amendment (Rept. 112-449). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2240. A bill to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes; with an amendment (Rept. 112-450). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2362. A bill to facilitate economic development by Indian tribes and encourage investment by Turkish enterprises (Rept. 112-451). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3452. A bill to provide for the sale of approximately 30 acres of Federal land in Uinta-Wasatch-Cache National Forest in Salt Lake County, Utah, to permit the establishment of a minimally invasive transportation alternative for skiers, called "SkiLink", to connect two ski resorts in the Wasatch Mountains, and for other purposes; with an amendment (Rept. 112-452). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MARKEY (for himself, Mr. FRANK of Massachusetts, Mr. NEAL, Mr. OLVER, Mr. MCGOVERN, Mr. TIERNEY, Mr. CAPUANO, Mr. LYNCH, Ms. TSONGAS, Mr. KEATING, and Ms. PELOSI):

H.R. 4400. A bill to designate the Salt Pond Visitor Center at Cape Cod National Seashore as the "Thomas P. O'Neill, Jr. Salt

Pond Visitor Center", and for other purposes; to the Committee on Natural Resources.

By Mr. POSEY:

H.R. 4401. A bill to direct the Secretary of Defense to work with non-Federal entities and accept non-Federal funding under strict implementation guidelines to promote efficiencies of the space transportation infrastructure of the Department of Defense in commercial space activities; to the Committee on Armed Services.

By Mr. AMODEI:

H.R. 4402. A bill to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR:

H.R. 4403. A bill to suspend subchapter IV of chapter 31 of title 40, United States Code, commonly known as the Davis-Bacon Act, through the end of fiscal year 2023, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CRAWFORD:

H.R. 4404. A bill to create a centralized website on reports issued by the Inspectors General, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MCGOVERN (for himself, Mr. WOLF, Mr. LEVIN, Ms. ROS-LEHTINEN, Mr. HASTINGS of Florida, Mr. ROYCE, Mr. MCDERMOTT, Mr. BURTON of Indiana, Mr. CONNOLLY of Virginia, Mr. SMITH of New Jersey, Mr. TOWNS, Mr. ROSKAM, Mr. MICHAUD, Mr. PITTS, Mr. RANGEL, and Mr. TURNER of Ohio):

H.R. 4405. A bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, and for other gross violations of human rights in the Russian Federation, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself and Ms. SLAUGHTER):

H.R. 4406. A bill to compel the Secretary of the Army to complete the Great Lakes Mississippi River Interbasin Study within 18 months and to focus particular attention on the permanent prevention of the spread of aquatic nuisance species between the Great Lakes and the Mississippi River Basins; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Indiana:

H.R. 4407. A bill to amend the indemnification responsibilities applicable to the Secretary of Defense when Department of Defense property at military installations closed pursuant to a base closure law is conveyed to expand such indemnification responsibilities to include all military installations closed since October 24, 1988; to the Committee on Armed Services.

By Ms. BORDALLO:

H.R. 4408. A bill to amend the Sikes Act to promote the use of cooperative agreements under such Act for land management related

to Department of Defense installations and to amend title 10, United States Code, to facilitate interagency cooperation in conservation programs; to the Committee on Armed Services, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARROW:

H.R. 4409. A bill to provide for reforming and consolidating agencies of the Federal Government to improve efficiency and save money, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BISHOP of Georgia:

H.R. 4410. A bill to extend the temporary reduction of duty on acrylic or modacrylic staple fibers; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4411. A bill to extend the temporary reduction of duty on certain polyacrylonitrile tow; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4412. A bill to extend temporarily the reduction of duty on certain dyed acrylic staple fibers; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4413. A bill to extend temporarily the reduction of duty on certain undyed acrylic staple fibers; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4414. A bill to extend temporarily the reduction of duty on certain dyed polyacrylonitrile staple; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4415. A bill to extend temporarily the reduction of duty on certain undyed polyacrylonitrile staple; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4416. A bill to suspend temporarily the duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4417. A bill to suspend temporarily the duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4418. A bill to suspend temporarily the duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4419. A bill to suspend temporarily the duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4420. A bill to suspend temporarily the duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Ms. BROWN of Florida:

H.R. 4421. A bill to amend the Internal Revenue Code of 1986 to eliminate the separate income tax return form for the earned income credit, to require the information required by that form to be included on the appropriate income tax return forms, and to require the Internal Revenue Service to compute the earned income credit for taxpayers; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4422. A bill to extend the temporary suspension of duty on certain staple fibers of viscose rayon; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4423. A bill to suspend temporarily the duty on cyan 854 inkjet printing ink; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4424. A bill to suspend temporarily the duty on cyan 1 RO inkjet printing ink; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4425. A bill to suspend temporarily the duty on black 661 inkjet printing ink; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4426. A bill to suspend temporarily the duty on black 820 inkjet printing ink; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4427. A bill to extend the temporary suspension of duty on Phenyl (4,6-dimethoxypyrimidin-2-yl) carbamate; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4428. A bill to extend the temporary suspension of duty on certain mixtures of methyl 2-[[[[[4-(dimethylamino)-6-(2,2,2-trifluoroethoxy)-1,3,5-triazin-2-yl]amino]carbonyl]amino]-3-methylbenzoate]; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4429. A bill to temporarily suspend the duty on certain lamps used in liquid chromatographs or spectrophotometry; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4430. A bill to extend the temporary reduction of duty on Pyriithiobac-sodium; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4431. A bill to extend the temporary suspension of duty on Ethyl 2-(Isocyanatosulfonyl)benzoate; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4432. A bill to extend temporarily the suspension of duty on Flutolanil; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4433. A bill to suspend temporarily the duty on Buprofezin; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4434. A bill to suspend temporarily the duty on Pyraflufen-ethyl; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4435. A bill to extend the suspension of duty on Triasulfuron; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4436. A bill to extend the suspension of duty on Phosphoric acid; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4437. A bill to reduce temporarily the duty on Thiamethoxam; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4438. A bill to extend the suspension of duty on trifloxysulfuron-sodium; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4439. A bill to suspend temporarily the duty on Fenpyroximate; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4440. A bill to suspend temporarily the duty on Glyoxylic acid; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4441. A bill to suspend temporarily the rate of duty on Triflic Anhydride; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4442. A bill to suspend temporarily the rate of duty on Triflic acid; to the Committee on Ways and Means.

By Mr. CHABOT (for himself and Mrs. SCHMIDT):

H.R. 4443. A bill to reduce temporarily the rate of duty on parts of frames and mountings for spectacles, goggles, or the like; to the Committee on Ways and Means.

By Mr. CHABOT (for himself and Mrs. SCHMIDT):

H.R. 4444. A bill to reduce temporarily the rate of duty on frames and mountings for spectacles, goggles, or the like, the foregoing of plastics; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4445. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4446. A bill to extend the temporary suspension of duty on certain modacrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4447. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4448. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4449. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4450. A bill to suspend temporarily the duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4451. A bill to suspend temporarily the duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4452. A bill to suspend temporarily the duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4453. A bill to suspend temporarily the duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. FLEISCHMANN:

H.R. 4454. A bill to require the approval by the head of an agency for any conference costing more than \$25,000, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HIGGINS:

H.R. 4455. A bill to extend the temporary suspension of duty on certain bags for toys; to the Committee on Ways and Means.

By Mr. HIGGINS:

H.R. 4456. A bill to suspend temporarily the duty on certain infants' products; to the Committee on Ways and Means.

By Mr. HINCHEY (for himself, Mr. CICILLINE, Mr. GRIJALVA, Mr. BOSWELL, Mr. COHEN, Mr. COURTNEY, Mr. DEFAZIO, Ms. DELAURO, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. GUTIERREZ, Mr. HONDA, Mr. JACKSON of Illinois, Ms. ZOE LOFGREN of California, Mr. MARKEY, Mr. MCINTYRE, Mr. RANGEL, Ms. LINDA T. SANCHEZ of California, Ms. H. TSONGAS, Mr. VAN HOLLEN, Mr. WELCH, Ms. BONAMICI, Mr. KISSELL, Ms. BALDWIN, Mr. YARMUTH, Mrs. DAVIS of California, Mr. MICHAUD, and Mr. MCGOVERN):

H.R. 4457. A bill to require the Commodity Futures Trading Commission to take certain actions to reduce excessive speculation in energy markets; to the Committee on Agriculture.

By Mr. KIND:

H.R. 4458. A bill to promote Department of the Interior efforts to provide a scientific

basis for the management of sediment and nutrients in the Upper Mississippi River Basin, and for other purposes; to the Committee on Natural Resources.

By Mr. LUETKEMEYER:

H.R. 4459. A bill to suspend temporarily the duty on Thidiazuron; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4460. A bill to extend the suspension of duty on Fenamidone; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4461. A bill to extend the suspension of duty on Spirodiclofen; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4462. A bill to extend the suspension of duty on 2,4-dichloroaniline; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4463. A bill to suspend temporarily the duty on Thioclopid; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4464. A bill to extend the suspension of duty on Pyrimethanil; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4465. A bill to suspend temporarily the duty on Pyrasulfotole; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4466. A bill to suspend temporarily the duty on Fosetyl-Al; to the Committee on Ways and Means.

By Mr. BACA:

H.R. 4467. A bill to amend section 520E of the Public Health Service act to require States and their designees receiving grants for development or implementation of statewide suicide early intervention and prevention strategies to consult with each Federally recognized Indian tribe, tribal organization, and urban Indian organization in the State; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Mississippi:

H.R. 4468. A bill to extend the authority to make grants for specified energy property in lieu of tax credits; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIPTON (for himself, Mr. COFFMAN of Colorado, and Mr. POLIS):

H.R. 4469. A bill to provide certain counties with the ability to receive television broadcast signals of their choice; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS (for herself, Ms. LEE of California, Mrs. CHRISTENSEN, and Ms. BORDALLO):

H.R. 4470. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, the Internal Revenue Code of 1986, and title 5, United States Code, to require individual and group health insurance coverage and group health plans and Federal employees health benefit plans to provide coverage for routine HIV screening; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, and Oversight and Government Reform, for a period to be subsequently de-

termined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENHAM (for himself and Ms. NORTON):

H. Con. Res. 117. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; to the Committee on Transportation and Infrastructure.

By Mrs. MYRICK (for herself, Mr. COOPER, and Mr. LANKFORD):

H. Res. 623. A resolution amending the Rules of the House of Representatives to prevent duplicative and overlapping government programs; to the Committee on Rules.

By Mr. CRAWFORD (for himself and Mrs. DAVIS of California):

H. Res. 624. A resolution expressing support for the designation of the first Saturday in May as National Explosive Ordnance Disposal Day and for the designation of "Initial Success or Total Failure" as the official motto of the Explosive Ordnance Disposal organizations in the United States Armed Forces; to the Committee on Armed Services.

By Mr. FATTAH:

H. Res. 625. A resolution honoring the members of the United States Armed Forces who served in Vietnam; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FUDGE:

H. Res. 626. A resolution expressing support for designation of the week of April 16 through April 20, 2012, as National Assistant Principals Week; to the Committee on Education and the Workforce.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. PALLONE, Mr. SARBANES, Ms. LEE of California, and Mr. SIRES):

H. Res. 627. A resolution expressing the sense of the House of Representatives that the former Yugoslav Republic of Macedonia should work within the framework of the United Nations process with Greece to achieve longstanding United States and United Nations policy goals of finding a mutually acceptable composite name, with a geographical qualifier and for all uses for the former Yugoslav Republic of Macedonia; to the Committee on Foreign Affairs.

By Mr. MCCAUL (for himself and Mr. LANGEVIN):

H. Res. 628. A resolution expressing the sense of the House of Representatives that the United States should preserve, enhance, and increase access to an open, global Internet; to the Committee on Foreign Affairs.

By Mr. SCHIFF (for himself, Mr. PENCE, Mr. WOLF, and Mr. BERMAN):

H. Res. 629. A resolution condemning violence by the Government of Syria against journalists, and expressing the sense of the House of Representatives on freedom of the press in Syria; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LARSEN of Washington:
H.R. 4302.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section. 8. Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. MARKEY:
H.R. 4400.
Congress has the power to enact this legislation pursuant to the following:
Article IV, section 3 of the United States Constitution, which states in relevant part that, "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States," grants Congress the authority to enact this legislation.

By Mr. POSEY:
H.R. 4401.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, clause 1.

By Mr. AMODEI:
H.R. 4402.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2 of the Constitution.

By Mr. GOSAR:
H.R. 4403.
Congress has the power to enact this legislation pursuant to the following:
Because this legislation adjusts the formula the federal government uses to spend money on federal contracts, it is authorized by the Constitution under Article 1, Section 8, Clause 1, which grants Congress its spending power.

By Mr. CRAWFORD:
H.R. 4404.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 and 3 of Section 8 of Article I of the Constitution of the United States.

By Mr. MCGOVERN:
H.R. 4405.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18

By Mr. CAMP:
H.R. 4406.
Congress has the power to enact this legislation pursuant to the following:
According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have the power to enact this legislation to regulate commerce with foreign Nations, among the several States, and with Indian tribes;

By Mr. YOUNG of Indiana:
H.R. 4407.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 in which Congress has the explicit authority to provide for the common Defense and general Welfare of the United States and Article I, Section 8, Clause 14 to make Rules for the Government and Regulation of land and naval forces.

By Ms. BORDALLO:
H.R. 4408.
Congress has the power to enact this legislation pursuant to the following:
Clause 14 of section 8 of Article I of the United States Constitution

By Mr. BARROW:
H.R. 4409.
Congress has the power to enact his legislation pursuant to the following:
The constitutional authority on which this bill rests is Section 8 of Article I of the Constitution of the United States.

By Mr. BISHOP of Georgia:
H.R. 4410.
Congress has the power to enact this legislation pursuant to the following:
Article I, sec. 8

By Mr. BISHOP of Georgia:
H.R. 4411.
Congress has the power to enact this legislation pursuant to the following:
Article I, sec. 8

By Mr. BISHOP of Georgia:
H.R. 4412.
Congress has the power to enact this legislation pursuant to the following:
Article I, sec. 8

By Mr. BISHOP of Georgia:
H.R. 4413.
Congress has the power to enact this legislation pursuant to the following:
Article I, sec. 8

By Mr. BISHOP of Georgia:
H.R. 4414.
Congress has the power to enact this legislation pursuant to the following:
Article I, sec. 8

By Mr. BISHOP of Georgia:
H.R. 4415.
Congress has the power to enact this legislation pursuant to the following:
Article I, sec. 8

By Mr. BISHOP of Georgia:
H.R. 4416.
Congress has the power to enact this legislation pursuant to the following:
Article I, sec. 8

By Mr. BISHOP of Georgia:
H.R. 4417.
Congress has the power to enact this legislation pursuant to the following:
Article I, sec. 8

By Mr. BISHOP of Georgia:
H.R. 4418.
Congress has the power to enact this legislation pursuant to the following:
Article I, sec. 8

By Mr. BISHOP of Georgia:
H.R. 4419.
Congress has the power to enact this legislation pursuant to the following:
Article I, sec. 8

By Mr. BISHOP of Georgia:
H.R. 4420.
Congress has the power to enact this legislation pursuant to the following:
Article I, sec. 8

By Ms. BROWN of Florida:
H.R. 4421.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 and Amendment XVI

By Mr. CARNEY:
H.R. 4422.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4423.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4424.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4425.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4426.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4427.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4428.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4429.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4430.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4431.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4432.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4433.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4434.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4435.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4436.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4437.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4438.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CARNEY:
H.R. 4439.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 & 3 of Section 8 of Article I of the Constitution.

By Mr. CASSIDY:

H.R. 4440.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . ."

By Mr. CASSIDY:

H.R. 4441.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . ."

By Mr. CASSIDY:

H.R. 4442.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . ."

By Mr. CHABOT:

H.R. 4443.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, Article I, Section 8, Clause 1, The U.S. Constitution, Article I, Section 8, Clause 3 and The U.S. Constitution, Article I, Section 8, Clause 18: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises[,] To regulate Commerce with foreign Nations [and] To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CHABOT:

H.R. 4444.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, Article I, Section 8, Clause 1, The U.S. Constitution, Article I, Section 8, Clause 3 and The U.S. Constitution, Article I, Section 8, Clause 18: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises[,] To regulate Commerce with foreign Nations [and] To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. COBLE:

H.R. 4445.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. COBLE:

H.R. 4446.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. COBLE:

H.R. 4447.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. COBLE:

H.R. 4448.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. COBLE:

H.R. 4449.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. COBLE:

H.R. 4450.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. COBLE:

H.R. 4451.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. COBLE:

H.R. 4452.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. COBLE:

H.R. 4453.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. FLEISCHMANN:

H.R. 4454.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. HIGGINS:

H.R. 4455.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. HIGGINS:

H.R. 4456.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. HINCHEY:

H.R. 4457.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. KIND:

H.R. 4458.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. LUETKEMEYER:

H.R. 4459.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. LUETKEMEYER:

H.R. 4460.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. LUETKEMEYER:

H.R. 4461.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. LUETKEMEYER:

H.R. 4462.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. LUETKEMEYER:

H.R. 4463.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. LUETKEMEYER:

H.R. 4464.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. LUETKEMEYER:

H.R. 4465.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. LUETKEMEYER:

H.R. 4466.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. BACA:

H.R. 4467.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 & Clause 18

By Mr. THOMPSON of Mississippi:

H.R. 4468.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, section 7 & 8 of the Constitution of the United States and Amendment XVI of the United States Constitution.

By Mr. TIPTON:

H.R. 4469.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 (To regulate commerce among the several states)

By Ms. WATERS:

H.R. 4470.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 of the U.S. Constitution and

Article 1, Section 8, clause 18 of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 25: Mr. FLORES.
- H.R. 32: Ms. MATSUI, Mr. COSTELLO, Mr. STARK, Mr. MCDERMOTT, Mr. TIERNEY, Mr. DOYLE, Mr. BLUMENAUER, and Mr. BUCHANAN.
- H.R. 192: Mr. PASCRELL and Mr. KILDEE.
- H.R. 265: Mr. PASTOR of Arizona.
- H.R. 266: Mr. PASTOR of Arizona.
- H.R. 267: Mr. PASTOR of Arizona.
- H.R. 300: Mr. HIMES.
- H.R. 365: Mr. CHABOT.
- H.R. 374: Mr. DUFFY.
- H.R. 459: Mr. SMITH of New Jersey, Mr. KINZINGER of Illinois, Mr. COBLE, and Mr. HALL.
- H.R. 591: Mr. ENGEL.
- H.R. 616: Mr. PASCRELL.
- H.R. 639: Mr. COFFMAN of Colorado and Mr. GRIMM.
- H.R. 780: Mr. NEAL.
- H.R. 808: Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLEAVER, Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Mr. HINCHEY, Ms. HIRONO, Mr. ROTHMAN of New Jersey, Mr. RYAN of Ohio, and Mr. LARSON of Connecticut.
- H.R. 835: Mr. FLORES.
- H.R. 860: Mr. SHUSTER, Mr. FARENTHOLD, and Mr. COBLE.
- H.R. 893: Mrs. MCCARTHY of New York.
- H.R. 942: Mr. REED, Mr. AUSTIN SCOTT of Georgia, Mr. BERG, Mrs. ELLMERS, Mr. HINCHEY, and Mrs. BLACK.
- H.R. 997: Mr. SCHWEIKERT.
- H.R. 1004: Mr. AMODEI.
- H.R. 1005: Mr. GIBSON.
- H.R. 1044: Mr. OWENS.
- H.R. 1048: Mr. MCDERMOTT and Mr. LARSEN of Washington.
- H.R. 1057: Mr. REICHERT.
- H.R. 1063: Mr. SCHOCK.
- H.R. 1116: Mr. CLAY and Mr. CARSON of Indiana.
- H.R. 1175: Mr. KLINE.
- H.R. 1193: Mr. BRADY of Pennsylvania and Mr. PASCRELL.
- H.R. 1242: Mr. CARSON of Indiana.
- H.R. 1259: Mr. LANKFORD.
- H.R. 1267: Ms. CASTOR of Florida.
- H.R. 1283: Mr. ELLISON and Ms. HIRONO.
- H.R. 1356: Mr. CARSON of Indiana.
- H.R. 1409: Mr. SCHOCK.
- H.R. 1418: Mr. POLIS.
- H.R. 1426: Mr. WALDEN.
- H.R. 1463: Mr. PAULSEN.
- H.R. 1464: Mr. SHERMAN.
- H.R. 1519: Mr. MEEKS.
- H.R. 1537: Ms. SCHWARTZ.
- H.R. 1543: Mr. HIMES and Mr. LANGEVIN.
- H.R. 1588: Mr. BARTLETT, Mrs. NOEM, Mr. YOUNG of Alaska, Mr. GIBBS, Mrs. CHRISTENSEN.
- H.R. 1620: Mrs. MYRICK.
- H.R. 1653: Mr. AMODEI.
- H.R. 1666: Mr. CLARKE of Michigan.
- H.R. 1744: Mr. SMITH of Texas.
- H.R. 1753: Ms. RICHARDSON.
- H.R. 1755: Mr. CASSIDY and Mr. REED.

- H.R. 1781: Mr. CARNAHAN.
- H.R. 1802: Mr. LUJÁN and Mr. TERRY.
- H.R. 1821: Mr. MCDERMOTT.
- H.R. 1876: Mr. CARSON of Indiana.
- H.R. 1881: Ms. CHU.
- H.R. 1897: Mr. HIMES and Ms. SCHAKOWSKY.
- H.R. 1919: Mr. PRICE of North Carolina.
- H.R. 1946: Mr. YOUNG of Indiana.
- H.R. 2000: Mr. TERRY.
- H.R. 2028: Mrs. CAPPS.
- H.R. 2033: Mr. SCHRADER and Mr. KILDEE.
- H.R. 2083: Mr. GENE GREEN of Texas.
- H.R. 2108: Mr. CANSECO.
- H.R. 2139: Ms. HOCHUL, Mr. LANDRY, and Mr. AMODEI.
- H.R. 2151: Mr. GRIJALVA.
- H.R. 2152: Ms. RICHARDSON, Mr. PRICE of North Carolina, and Mr. PETERSON.
- H.R. 2245: Mr. BACHUS.
- H.R. 2288: Mr. SESSIONS.
- H.R. 2299: Mr. GIBBS, Mr. GUTHRIE, and Mr. HARRIS.
- H.R. 2304: Ms. BORDALLO.
- H.R. 2366: Mr. LOBIONDO, Mr. AMODEI, and Mr. SMITH of Washington.
- H.R. 2377: Mr. MICHAUD.
- H.R. 2389: Mr. BACA.
- H.R. 2446: Mr. GRIFFIN of Arkansas, Mr. HUNTER, and Mr. GUTHRIE.
- H.R. 2502: Mr. PETERS.
- H.R. 2529: Mr. POMPEO.
- H.R. 2555: Mr. KEATING.
- H.R. 2569: Mr. AMODEI.
- H.R. 2741: Ms. ZOE LOFGREN of California.
- H.R. 2765: Mrs. NAPOLITANO.
- H.R. 2766: Mr. BACA.
- H.R. 2780: Mr. KIND.
- H.R. 2809: Ms. HAHN and Mr. CARSON of Indiana.
- H.R. 2810: Mrs. BLACKBURN, Mr. ROKITA, Mrs. MYRICK, Mr. GRAVES of Georgia, Mr. SOUTHERLAND, Mr. QUAYLE, Mr. MCHENRY, Mr. MULVANEY, Mr. MANZULLO, Mr. KINGSTON, Mr. GOWDY, and Mr. FLAKE.
- H.R. 2827: Mr. GOSAR.
- H.R. 2900: Mr. GRIFFIN of Arkansas.
- H.R. 2914: Mr. NEAL.
- H.R. 2948: Ms. BONAMICI and Mr. BACA.
- H.R. 2951: Mrs. HARTZLER.
- H.R. 2954: Mr. CARNAHAN.
- H.R. 2969: Mr. DIAZ-BALART.
- H.R. 2989: Mr. WELCH.
- H.R. 3015: Mr. PRICE of North Carolina.
- H.R. 3032: Mr. COBLE.
- H.R. 3059: Mr. WHITFIELD.
- H.R. 3187: Ms. MATSUI.
- H.R. 3199: Mrs. BIGGERT.
- H.R. 3238: Mr. KILDEE and Mr. ELLISON.
- H.R. 3356: Mr. GOSAR and Mr. ROONEY.
- H.R. 3357: Mr. WAXMAN.
- H.R. 3387: Mr. GIBSON.
- H.R. 3395: Mr. BRALEY of Iowa.
- H.R. 3423: Ms. BERKLEY.
- H.R. 3596: Ms. DEGETTE.
- H.R. 3612: Mr. CARSON of Indiana and Mr. STIVERS.
- H.R. 3661: Ms. CASTOR of Florida, Mr. QUIGLEY, Mr. STARK, and Mr. ELLISON.
- H.R. 3720: Mr. LATTA.
- H.R. 3767: Mr. LUJÁN, Mr. MCINTYRE, Mr. LATHAM, and Mr. WOLF.
- H.R. 3795: Mr. RANGEL.
- H.R. 3803: Mr. GARDNER and Mr. COFFMAN of Colorado.
- H.R. 3808: Mr. CALVERT.
- H.R. 3826: Mr. BOSWELL, Mr. CROWLEY, Mr. DEUTCH, Mr. FARR, and Mr. CRITZ.
- H.R. 3839: Mr. BRALEY of Iowa.
- H.R. 3849: Mrs. BLACK, Mr. DENT, and Mr. LOBSACK.
- H.R. 3862: Mr. HUIZENGA of Michigan, Mr. KINGSTON, Mr. MCHENRY, Mr. ROKITA, Mrs. BLACKBURN, Mr. FLORES, Mr. HARRIS, and Mr. YODER.

- H.R. 3881: Ms. RICHARDSON.
- H.R. 3903: Mr. MARKEY, Mr. STARK, Mr. COURTNEY, Mr. BRADY of Pennsylvania, Ms. JACKSON LEE of Texas, and Ms. SPEIER.
- H.R. 3993: Mr. HANNA.
- H.R. 4017: Mr. PETRI.
- H.R. 4049: Mr. LARSON of Connecticut, Mr. PASCRELL, Mr. CROWLEY, Ms. SCHWARTZ, Mr. THOMPSON of California, and Mr. LEWIS of Georgia.
- H.R. 4051: Mr. GRIFFIN of Arkansas, Ms. HANABUSA, and Mr. MICHAUD.
- H.R. 4052: Ms. HANABUSA.
- H.R. 4077: Mr. CARSON of Indiana.
- H.R. 4094: Mr. COBLE.
- H.R. 4114: Mr. MICHAUD.
- H.R. 4115: Mr. CARSON of Indiana and Mr. GIBSON.
- H.R. 4120: Mr. COBLE.
- H.R. 4132: Ms. ROS-LEHTINEN.
- H.R. 4134: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HALL, Mr. STIVERS, Ms. SPEIER, and Mr. SMITH of Washington.
- H.R. 4137: Mr. PASCRELL.
- H.R. 4142: Mr. MICHAUD.
- H.R. 4153: Mr. DENT and Mr. BARTLETT.
- H.R. 4154: Mr. SIMPSON.
- H.R. 4157: Mr. ROGERS of Michigan, Mr. GIBBS, and Mrs. EMERSON.
- H.R. 4160: Mr. COBLE, Mr. AUSTIN SCOTT of Georgia, and Mr. SCHWEIKERT.
- H.R. 4169: Mr. CARSON of Indiana, Mr. PERLMUTTER, and Mr. WELCH.
- H.R. 4171: Mr. BOREN.
- H.R. 4175: Mr. BRALEY of Iowa.
- H.R. 4180: Mr. LUCAS.
- H.R. 4192: Mr. GARAMENDI, Mr. BRADY of Pennsylvania, Mr. CLEAVER, Ms. SUTTON, and Mr. HEINRICH.
- H.R. 4196: Mrs. BLACK, Mr. CLAY, and Mr. LONG.
- H.R. 4201: Mr. WITTMAN, Mr. LAMBORN, Ms. BORDALLO, and Mr. FORBES.
- H.R. 4209: Mr. ROTHMAN of New Jersey, Mr. DEUTCH, Mr. BARTLETT, and Mr. FARR.
- H.R. 4222: Mr. FRANKS of Arizona.
- H.R. 4232: Mr. CHABOT.
- H.R. 4234: Mr. AMODEI and Mr. McCLINTOCK.
- H.R. 4235: Mr. SCHWEIKERT.
- H.R. 4237: Mr. BARLETTA.
- H.R. 4243: Mrs. MILLER of Michigan.
- H.R. 4249: Mr. ACKERMAN.
- H.R. 4254: Mr. RANGEL.
- H.R. 4256: Mr. CALVERT.
- H.R. 4259: Ms. SPEIER.
- H.R. 4268: Mr. HUELSKAMP.
- H.R. 4269: Mr. NUGENT.
- H.R. 4270: Mr. MCGOVERN and Mr. MICHAUD.
- H.R. 4271: Mr. TOWNS, Mr. CAPUANO, Mr. BRADY of Pennsylvania, Mr. STARK, Ms. LINDA T. SÁNCHEZ of California, Mr. CONNOLLY of Virginia, Mr. MCNERNEY, Mr. FRANK of Massachusetts, and Mr. DEFAZIO.
- H.R. 4275: Mr. RANGEL.
- H.R. 4290: Mr. DEUTCH.
- H.R. 4296: Mrs. NOEM, Mrs. ELLMERS, Mr. GUINTA, and Mr. HUELSKAMP.
- H.R. 4301: Mr. McCLINTOCK.
- H.R. 4313: Mr. GERLACH, Mr. DENT, and Mr. DESJARLAIS.
- H.R. 4315: Mr. STARK.
- H.R. 4351: Mr. CARSON of Indiana.
- H.R. 4367: Mr. WESTMORELAND, Mr. GRIMM, Mr. SCHWEIKERT, Mr. POE of Texas, and Mr. CANSECO.
- H.R. 4379: Mr. FILNER, Ms. HAHN, and Mr. ELLISON.
- H.J. Res. 103: Mr. COFFMAN of Colorado and Mr. TIPTON.
- H.J. Res. 106: Mr. GOSAR.
- H.J. Res. 107: Mr. CALVERT.
- H. Con. Res. 40: Ms. SCHAKOWSKY and Ms. DEGETTE.
- H. Con. Res. 110: Mr. TIPTON.

H. Con. Res. 113: Mr. LONG.

H. Con. Res. 115: Mr. ROGERS of Kentucky, Mrs. ELLMERS, Ms. HAYWORTH, Mr. MULVANEY, Mr. ROKITA, Mr. MCHENRY, Mrs. MYRICK, Mr. GUINTA, Mr. PEARCE, Mr. GOODLATTE, Mr. WOODALL, Mr. ROE of Tennessee, Mr. DESJARLAIS, Mr. FLAKE, Mr. REED, Mr. SCOTT of South Carolina, Mr. HUELSKAMP, Mr. MICHAUD, Mr. PRICE of Georgia, Mr. DIAZ-BALART, Mr. COBLE, Mr. KING of Iowa, Mr. MARINO, Mr. MILLER of Florida, Mr. MURPHY of Pennsylvania, Mr. SAM JOHNSON

of Texas, Mr. HULTGREN, Mr. LATTA, and Mr. LONG.

H. Res. 137: Mr. GIBSON.

H. Res. 394: Mr. HUNTER.

H. Res. 568: Mr. RAHALL, Mr. BASS of New Hampshire, Mr. MCINTYRE, Mr. YOUNG of Florida, Mr. WOODALL, Mrs. MALONEY, and Mr. KIND.

H. Res. 583: Ms. GRANGER.

H. Res. 592: Mr. GRIJALVA.

H. Res. 604: Mr. LANKFORD and Mr. STEARNS.

H. Res. 609: Mr. OLVER.

H. Res. 618: Mr. BURTON of Indiana.

DELETIONS OF SPONSORS FROM
PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2341: Mr. LANGEVIN.

EXTENSIONS OF REMARKS

A TRIBUTE TO THE FERRIS STATE UNIVERSITY MEN'S ICE HOCKEY TEAM

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to the Ferris State University Men's Ice Hockey Team upon their runner up finish in the 2012 NCAA Frozen Four Men's Ice Hockey Championship.

This year's Bulldog team made the first showing in school history in an NCAA championship game and won the school's second-ever Central Collegiate Hockey Association regular-season championship as well as a Midwest region crown. Along the way, the Bulldogs saw significant moments of success, including an impressive 15-game unbeaten streak during the regular season. Accomplishments of this magnitude can only be achieved through teamwork and a shared determination amongst players, coaches, and staff.

Several individuals were recognized for their personal achievements throughout the 2011-2012 hockey season. Bulldog's head coach Bob Daniels received the 2012 Spencer Penrose Award as the Division I Men's Ice Hockey National Coach of the Year. Bob's leadership and guidance were crucial in developing skillful and dedicated players that could meet and surpass the season's challenges.

Ferris State's Tommy Hill, the team's senior co-captain, received the NCAA Elite 89 award. This award recognizes athletes that have reached the pinnacle of achievement by competing for a national championship as well as achieving the highest academic standard among peers. Teammates Kyle Bonis and Chad Billins were also recognized and named to the 2012 NCAA Frozen Four All-Tournament Team for their significant efforts during the Frozen Four games.

On behalf of the Fourth District of Michigan, I congratulate the 2011-2012 Ferris State Bulldog's Men's Ice Hockey Team on their monumental and record-setting season.

PIONEER FIRE COMPANY NO. 1

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor the Pioneer Fire Company No. 1 of Hazleton, Pennsylvania, which will celebrate its 145th anniversary on April 21, 2012.

In 1867, merchants and citizens of Hazleton established the first volunteer fire company to protect the lives and property of their neighbors. Two years later, the borough council

elected fifteen members and formally established the Pioneer Fire Company No. 1 of Hazleton. The company responded to their first fire at the Bramer household on July 5, 1869 at 1:45 p.m.

Additionally, the pioneers have always been active within the community. After raising funds, the pioneers bought the first Hazleton community ambulance which began serving the community on July 2, 1952. They are also charter members of the Hazleton Little League and sponsor a team yearly.

Mr. Speaker, for the last 145 years, the Pioneer Fire Company No. 1 has proudly served the citizens of Hazleton, Pennsylvania. Therefore, I commend all those pioneers who have given so unselfishly and to all those who have gone on to their eternal rest.

75TH ANNIVERSARY OF PRINCE WILLIAM FOREST PARK

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. WITTMAN. Mr. Speaker, I rise to recognize the 75th Anniversary of Prince William Forest Park. Located in southern Prince William County, Virginia, Prince William Forest Park is a natural oasis just outside Washington D.C.

Established in 1936, Chopawamsic Recreational Demonstration Area (RDA) was constructed as a Great Depression area federal relief program. Recreational Demonstration Areas were built across the country, largely near urban areas to combat unemployment and to provide recreational opportunities for poverty stricken urban poor. Work on the park also provided employment. Depression era job programs, including the Civilian Conservation Corps and Works Progress Administration contributed the labor to build the parks, roads, cabins, lakes and other facilities. For decades, Chopawamsic RDA provided outdoor recreational and education opportunities to the urban youth of our nation's capital.

Following the bombing of Pearl Harbor in 1941, and the United States entrance into the war, Chopawamsic RDA served as training grounds for covert operatives of the Office of Strategic Services (OSS). A precursor to today's Central Intelligence Service, OSS was a highly secretive wartime agency that waged covert activities behind enemy lines during World War II. Chopawamsic's forests and cabin infrastructure located in a rural area just an hour from Washington, D.C. provided an ideal location to train spies for the war effort.

After the War, the Park was renamed Prince William Forest Park in 1948. Today, the Park provides miles of hiking and biking trails, camping, picnic spots and many programs for school aged children. Prince William Forest

Park is truly one of the special natural resources in the Commonwealth of Virginia.

I encourage my colleagues to join with me in commemorating Prince William Forest Park's 75th Anniversary.

TO COMMEMORATE THE 100TH ANNIVERSARY OF HADASSAH

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to commemorate the 100th Anniversary of Hadassah, the Women's Zionist Organization of America.

Hadassah is a voluntary women's organization whose members dedicate their time to creating a stronger relationship with Israel, while ensuring Jewish continuity in the world. With over 300,000 members in total, they are one of the largest women's volunteer organizations in the world.

Hadassah was founded by Henrietta Szold in 1912, a woman whose life's work was shaped by the ignorance, injustice, and anti-semitism she faced every day. In founding Hadassah, Henrietta gave the Jewish people a means to unify and fight back against these trepidations and hatreds. Ultimately, she played an integral role in unifying Jewish people all over the world, something that was desperately needed in the midst of the Shoah (Holocaust).

From the time of its establishment, Hadassah has managed to accomplish many goals. In 1918, the organization sent medical units across the globe to provide American medical care to people of all races, creeds, and ethnicities. Hadassah was also instrumental in organizing the rescue of thousands of children during Germany's darkest years, bringing them to safety in the land of Palestine. This act, along with many others helped to further the development of the modern state of Israel.

The Hadassah Organization's humanitarian efforts have become a pivotal part of our society and should never be forgotten. I am honored to be speaking on the organization's behalf today, and on behalf of the thousands of people Hadassah managed to help over the last 100 years.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN SPECIAL RECOGNITION OF
BRITTNEY WOLFORD ON HER
OFFER OF APPOINTMENT TO AT-
TEND THE UNITED STATES AIR
FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Brittney Wolford of Woodville, Ohio has been offered an appointment to the United States Air Force Academy at Colorado Springs, Colorado.

Brittney's offer of appointment poises her to attend the United States Air Force Academy this fall with the incoming cadet Class of 2016. Attending one of our Nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Brittney brings an enormous amount of leadership, service, and dedication to the incoming Class of 2016. While attending Woodmore High School in Elmore, Ohio, Brittney was a member of the National Honor Society, Fellowship of Christian Athletes, and Teen Advisory Group. Brittney was also president of Woodmore's chapter of the National Honor Society her senior year.

Throughout high school, Brittney was a member of her school's soccer and basketball teams; earned varsity letters in both sports, as well as being nominated team captain in both sports her junior and senior years. In addition, Brittney volunteered her time to her community and brought pride to her country by singing the national anthem at sporting and local veteran events. I am confident that Brittney will carry the lessons of her student and athletic leadership to the Air Force Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Brittney Wolford on the offer of her appointment to the United States Air Force Academy. Our service academies offer the finest military training and education available. I am positive that Brittney will excel during her career at the Air Force Academy, and I ask my colleagues to join me in extending their best wishes to her as she begins her service to the Nation.

PROTECTING AMERICAN BABIES
FROM THE SCOURGE OF THE RE-
PUBLICAN PLUTOCRACY

HON. SHELIA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise this evening because this House Majority seeks to play Freddy Krueger with our social safety net, attacking the Supplemental Nutrition Assistance Program, SNAP, or food stamps, and ripping families to shreds, under the guise of budget cutting.

This program is our most important anti-hunger program, with over 46 million Americans in more than 21 million households relying on it to help feed themselves and their families.

The Supplemental Nutrition Assistance Program, SNAP is the cornerstone of the Nation's nutrition assistance safety net. SNAP touches the lives of over one in seven Americans. Indeed you could say that SNAP saves lives.

Everyone's life is not as simple as some on the other side would have us believe—every person who is homeless cannot be fixed with magic dust and self-help policy prescriptions. Life is complicated and fraught with danger and uncertainty.

Lucky are many of us who go home to warm shelter, food, and family. There, but for the grace of God go I.

SNAP benefits are available to most people who meet the financial requirements, and the program serves a broad spectrum of low income people. In Fiscal Year 2010, SNAP provided about \$5.4 billion dollars in food benefits to a monthly average of over 3.6 million people in Texas.

The program served 55 percent of those eligible for benefits in Texas in 2008. SNAP also has an economic multiplier effect with every \$5 in new SNAP benefits generating as much as \$9 in total economic activity.

It is a proven fact Mr. Speaker that people who receive SNAP benefits put them to almost immediate use. SNAP beneficiaries are not converting their benefits into convertible bonds or stock options. They spend and help the economy along the way.

The Ryan Republican Budget would force SNAP into an inadequate State-by-State block program. Such a breakdown would make SNAP static and unable to react to a changing economy. This is not an example of a sensible ordering of the fiscal priorities.

When times are tough, SNAP expands to bring assistance where needed. And as the economy improves, SNAP shrinks in size as families are better able to provide for themselves. A static program would not be able to react to such economic changes and Americans would suffer.

The Republican Budget also is asking for SNAP recipients' aid to be 'contingent on work or job training.' SNAP does help many people who are unemployed or underemployed to make ends meet. Let's not make our fiscal and economic policies punitive towards the people who need us most.

But it also helps families with children, the elderly and the disabled. SNAP was created to respond to the economic climate and help the most vulnerable among us, including but not limited to those that have lost their job, avoid hunger.

In my district, the Texas 18th, more than 190,000 people live below the poverty line. Additionally, a study conducted in August 2011 by the Food Research and Action Center ranked the 18th Congressional District as having the 33rd highest rate of food hardship in households with children.

According to the Texas Food Bank Network and Baylor University's Texas Hunger Initiative, 700,000 families in Harris County, Texas struggle to provide enough food for their families.

In 2010, there were 46.2 million Americans living in poverty nationwide. According to the 2010 Federal poverty threshold, determined by the U.S. Census, a family of four is considered impoverished if they are living on less than \$22,314 per year.

The Kaiser Family Foundation estimates that there are currently 5.6 million Texans living in poverty, 2.2 million of them children, and that 17.4 percent of households in the State struggle with food insecurity.

I am committed to preserving essential programs aimed at combating poverty, like the Supplemental Nutrition Access Program, SNAP, that fed 3.9 million residents of Texas in April 2011, or the Women, Infants, and Children, WIC, Program that provides nutritious food to more than 990,000 mothers and children in my home State.

SNAP kept more than 5 million people out of poverty in 2010 in addition to helping feed millions more who were already below the poverty line. About three-quarters of the families aided by the program have children. More than a quarter of the families include seniors or people with disabilities.

The Supplemental Nutrition Assistance Program, SNAP, provides benefits to low-income, eligible households on an electronic benefit transfer, EBT, card; benefits can then be exchanged for foods at authorized retailers. SNAP reaches a large share of low-income households. In November 2011, there were 46 million persons in 22 million households benefiting from SNAP.

Federal SNAP law provides two basic pathways for financial eligibility to the program:

(1) meeting federal eligibility requirements, or (2) being automatically or "categorically" eligible for SNAP based on being eligible for or receiving benefits from other specified low-income assistance programs. Categorical eligibility eliminated the requirement that households who already met financial eligibility rules in one specified low-income program go through another financial eligibility determination in SNAP.

In its traditional form, categorical eligibility conveys SNAP eligibility through the receipt of cash assistance from Supplemental Security Income, SSI, the Temporary Assistance for Needy Families, TANF, block grant, or State-run General Assistance, GA, programs.

However, since the 1996 welfare reform law, States have been able to expand categorical eligibility beyond its traditional bounds. That law created TANF to replace the Aid to Families with Dependent Children, AFDC, program, which was a traditional cash assistance program. TANF is a broad-purpose block grant that finances a wide range of social and human services.

TANF gives States flexibility in meeting its goals, resulting in a wide variation of benefits and services offered among the States. SNAP allows States to convey categorical eligibility based on receipt of a TANF "benefit," not just TANF cash welfare. This provides States with the ability to convey categorical eligibility based on a wide range of benefits and services. TANF benefits other than cash assistance typically are available to a broader range of households and at higher levels of income than are TANF cash assistance benefits.

In total, 43 jurisdictions have implemented what the U.S. Department of Agriculture,

USDA, has called "broad-based" categorical eligibility. These jurisdictions generally make all households with incomes below a State-determined income threshold eligible for SNAP. States do this by providing households with a low-cost TANF-funded benefit or service such as a brochure or referral to an "800" number telephone hotline.

There are varying income eligibility thresholds within States that convey "broad-based" categorical eligibility, though no State has a gross income limit above 200 percent of the federal poverty guidelines. In all but three of these jurisdictions, there is no asset test required for SNAP eligibility. Categorically eligible families bypass the regular SNAP asset limits.

However, their net incomes (income after deductions for expenses) must still be low enough to qualify for a SNAP benefit. That is, it is possible to be categorically eligible for SNAP but have net income too high to actually receive a benefit. The exception to this is one- or two-person households that would still receive the minimum benefit.

During the decade of the 2000s, there were a number of proposals to restrict categorical eligibility based on receipt of TANF benefits. These proposals would have limited TANF-based categorical assistance to households receiving TANF-funded cash assistance. The proposal was made by the Bush Administration in its farm bill proposals and several budget submissions. It passed the House in a budget reconciliation bill in 2005 but was not part of that year's final reconciliation package, the Deficit Reduction Act of 2005 (P.L. 109-171).

Mr. Speaker, let's not punish those in need any longer! Help the poor—don't show the dark side of America.

RECOGNIZING EQUAL PAY DAY

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to celebrate Equal Pay Day and to stress my commitment to closing the wage gap between men and women once and for all. Women are critical to our Nation's economic success and it is essential for us to redouble our efforts to end discriminatory practices in the workplace. Although many positive steps have been taken and much change has been effectuated, there is much more that can be and should be done.

On this day, let us give attention to how the wage gap affects women, families and the economy. Today, more than ever, women are equal, if not primary, income earners in most American families. Yet women in our economy and our work force are still earning just 77 cents on every dollar paid to men. Couple the gender gap with statistics on race and it is even worse. African-American women earn a mere 64 cents on the dollar, while Hispanic women receive an appalling 56 cents on the dollar compared to men. In States across the country, women are collectively losing tens of billions of dollars annually—money that could

alleviate the financial strain countless families are facing in this tough economy.

We must put an end to discriminatory practices in the workforce once and for all. Expanding economic opportunities for women is critical to building an economy that restores security for middle class families. We must promote such an economy by encouraging the advancement of women in the workforce and by rewarding their efforts equally. We must ensure that when a woman seeks higher employment she is able to attain it without being discriminated against based on her gender and more importantly that she receive equal pay for equal work. We must ensure that equal pay and equal opportunity go hand in hand with hard work in the twenty-first century.

In the 1950s a sole income earner, historically a man, could support an entire family. Those days are long past, not ever to return. We are living in an era where dual incomes are not a luxury, but rather the necessary condition to sustain a middle class status.

I applaud President Obama's commitment to ensuring that women are treated equally in the workforce and paid fairly for their work. From signing the Lilly Ledbetter Fair Pay Act, to creating the National Equal Pay Task Force, President Obama has fought for equality for women in the workforce, and there is no reason why this Congress should not be equally committed to the cause of pay equality for women.

In a time where women's labor force participation has increased dramatically and where families are becoming increasingly reliant on women's incomes due to the rise of living costs, it makes no sense that pay disparities between men and women still persist. Women should not have to face greater risks for income insecurity than men. The reality is that over the course of her lifetime, these pay discrepancies can cost a woman and her family up to hundreds of thousands of dollars in lost wages, reduced pensions, and reduced Social Security benefits. I call this "gender theft." The Republican majority apparently believe this is an acceptable state of affairs.

The statistics are very clear; we cannot have a vibrant society if women are not doing well. The success of American women is critical for the success of American families and the American economy. Consequently, when women face barriers to participation in the workplace and marketplace, it affects all Americans.

Unfortunately, rather than concentrating on eliminating such discrepancies and ensuring equality, the Republican majority has instead been fixated on limiting women's rights and freedoms. This war on women is hurtful and destructive, wastes time, and makes no economic sense. It makes America weaker, not stronger. It certainly does not reflect a kinder and gentler America.

Mr. Speaker, on this day—Equal Pay Day—let us resolve to honor women for the work they do to support and sustain their families. Let us start by paying women equally for the honorable work they do. It is through our hard work to ensure equal treatment of all women in the workforce, marketplace, and society as a whole that we can resoundingly voice our commitment to support American women and families.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 158, I was detained while attempting to reach the House floor to cast my vote. Had I been present, I would have voted "no."

IN HONOR OF THE RECIPIENTS OF THE PHILADELPHIA DIALOGUE FORUM AND PEACE ISLANDS INSTITUTE'S 8TH ANNUAL FRIENDSHIP AWARD

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor five awardees who are receiving the Philadelphia Dialogue Forum and Peace Islands Institute's 8th Annual Friendship Award. On behalf of the 8th District of Pennsylvania, I would like to congratulate Kail Ellis, Natosha Warner, Dennis O'Brien, Richard Negrin, and Dan Gottlieb. Thank you all very much for your fortitude and perseverance in a mission worth striving to accomplish.

In today's society, it is especially important that we all do our best to work together. I greatly appreciate the efforts of the Philadelphia Dialogue Forum and Peace Islands Institute in working to create links of understanding, acceptance, hope and trust amongst different communities, especially the communities in Bucks County.

My Congressional District is very diverse, but it's the efforts of organizations like these that make our community unite. By bringing people together in conferences, lectures, festivals and community service projects, local residents are given the opportunity to interact with one another and work to promote common values. It is more of these efforts that our country really needs.

I am honored to be speaking on behalf of the Philadelphia Dialogue Forum and Peace Islands Institute today, as well as the five awardees who have dedicated their time to promoting peace and tranquility in our society. I look forward to hearing about what you all have accomplished in the future, and I am grateful to represent you in Congress.

IN SPECIAL RECOGNITION OF MATTHEW SHOWMAN ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that

Matthew Showman of Willard, Ohio has been offered an appointment to the United States Military Academy in West Point, New York.

Matthew's offer of appointment poises him to attend the United States Military Academy this fall with the incoming cadet Class of 2016. Attending one of our Nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Matthew brings an enormous amount of leadership, service, and dedication to the incoming Class of 2016. He has served in a leadership capacity as a class officer, student council class representative, and he also tutored elementary students. Matthew volunteered in his community by participating in fundraisers for the Ronald McDonald House and Willard Mercy Hospital. While attending Willard High School in Willard, Ohio, Matthew consistently achieved high honors, with an exceptional grade point average.

Throughout high school, Matthew was a member of the football and wrestling teams and earned varsity letters in each. In addition, Matthew was captain of the wrestling team and was the recipient of the team's Captain Award and Coach's Award. I am confident that Matthew will carry the lessons of his student and athletic leadership to the United States Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Matthew on the acceptance of his appointment to the United States Military Academy at West Point. Our service academies offer the finest military training and education available. I am positive that Matthew will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

HONORING BRIDGET PHILLIPS

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. McCOTTER. Mr. Speaker, today I rise to honor the extraordinary life of Bridget Phillips and mourn her upon her passing at the age of 79.

Born on December 19, 1932, Bridget Phillips grew to be a woman loved and revered by all who knew her. Mrs. Phillips was the proud matriarch of a three generation Michigan-based business. She was gifted with a gracious, thoughtful and philanthropic spirit, generously dedicated to local organizations, such as St. Mary's Hospital, Madonna University, Angela Hospice, and The Fallen and Wounded Soldiers Fund.

Regrettably, on April 17, 2012, Bridget Phillips passed from this earthly world to her eternal reward. She is survived by her beloved husband of 57 years, William and her cherished children Lynn, Donna, Lisa, Terry, Scott, Bob, Amy, and Sean. She will be long remembered by her much-loved siblings Bill, Derm, Mary, Fran, and Terry. She leaves a precious legacy in her grandchildren Sarah, Erin,

Meghan, Ben, Lauren, Max, Caleb, Haley, Laine, Jarred, Molly, Amy, Andy, Matt, Alia, Zane, Jack, Will, Luke, and Owen. An amiably benevolent woman, Bridget will be sorely missed.

Mr. Speaker, Bridget Phillips is remembered as a devoted wife, loving mother, adored grandmother, treasured sister, compassionate neighbor, and a valued friend. Bridget was a true lady who deeply treasured her family, friends, community, and her country. Today, as we bid Bridget farewell, I ask my colleagues to join me in mourning her passing and honoring her dedicated commitment to her family, our community, and country.

DESIGNATING THE SALT POND VISITOR CENTER AT CAPE COD NATIONAL SEASHORE AS THE "THOMAS P. O'NEILL, JR. SALT POND VISITOR CENTER" STATEMENT OF INTRODUCTION

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. MARKEY. Mr. Speaker, I rise today to introduce a bill renaming the Salt Pond Visitor Center at Cape Cod National Seashore as the "Thomas P. O'Neill, Jr. Salt Pond Visitor Center." I am proud to be joined by the entire Massachusetts delegation in the House of Representatives, who are original co-sponsors of this legislation, along with Democratic Leader NANCY PELOSI, who has been the greatest Speaker of the House since the legendary Tip O'Neill. Senator JOHN KERRY (D-MA) has introduced companion legislation in the Senate.

This year, on December 9th, Tip would have celebrated his 100th birthday. Tip lived a life dedicated to public service and lifting up the disadvantaged in society, beginning with his election to the Massachusetts House of Representatives in 1936. In 1949, Tip became the first Democratic Speaker in the history of the Massachusetts State Legislature, serving as Speaker until 1952, when he ran successfully for the United States House of Representatives to fill the seat vacated by Senator-elect John F. Kennedy.

Many of us here who served with Tip remember his warmth, his magnetic personality, and his unyielding support for working families and the middle class. When I was elected to the House, the very first vote I cast was the vote to elect Tip O'Neill Speaker of the House in 1977. I had the honor of serving with Tip for ten years—his entire tenure as Speaker, which was the longest continuous term of any Speaker since the first Congress met in 1789.

Tip served in public life for 50 years, including 34 years as a Member of Congress. As Speaker, Tip worked with both Democrats and Republicans as a champion of working families. He was a master legislator who dedicated his entire life to Massachusetts and our country. Tip found joy in rebuilding communities, restoring neighborhoods, and helping families get back on their feet. He never tired of helping the middle class, helping students with student loans, and protecting the hard-earned benefits of seniors. Tip was an incredibly in-

sightful public servant with a spirit of service who truly enjoyed the work of the American people.

The squawking of politicians in Washington may have been Tip's weekday passion, but the squawking of birds on the Cape is what brought him weekend peace.

The sweeping arm of the Cape reminds me of Tip's outstretched hand, greeting everyone he met.

Tip was a giant of American politics. While he made famous his "All politics is local" approach to public service, Tip's influence also was felt on the international level. One of his greatest accomplishments was crafting a peace agreement between rival factions in Northern Ireland. He, along with our late friend Senator Ted Kennedy, worked together to develop the "St. Patrick's Day declaration" condemning violence in Northern Ireland.

A public service powerhouse at the state, federal and international level of American politics, Tip embodied the values we strive for as servants of the People's business. As an Irish-Catholic politician from Boston, I am proud of Tip's successful international negotiations that helped to pave the way for peace in Northern Ireland. As an American, I feel privileged to have served with such an historic guardian of America's working families and middle class. And as a citizen of Massachusetts, I am pleased to introduce this bill to forever recognize a great defender of the natural beauty of Cape Cod.

HONORING THE 110TH ANNIVERSARY OF THE UNION GOSPEL MISSION TWIN CITIES

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. McCOLLUM. Mr. Speaker, today I rise to honor the 110th anniversary of the Union Gospel Mission in the Twin Cities.

The Union Gospel Mission Twin Cities was founded in Saint Paul, Minnesota in 1902. After starting out as a refuge for the homeless and the downtrodden, they now serve as a beacon of hope for not just the homeless, but the jobless, lost, addicted, and battered.

Over the years, the Mission has expanded their operations from a small clinic off Jackson Street, to now include rescue homes for single mothers, opening learning centers, career development centers, child care centers, and medical clinics. As the community evolved, so did the Union Gospel Mission to meet the needs of the community.

During the Second World War, Americans throughout the country were doing their part, and the men and women at The Union Gospel Mission Twin Cities were no exception. In 1942, the Mission created a day nursery for mothers, not only allowing these women to make sure their children were cared for, but allowing these same women to work in their communities as well.

Today, Union Gospel Twin Cities is helping many Minnesotans by giving them the tools to find jobs, especially to those who have to overcome barriers to do so. One example is

the WorkNet Career Development Program in the Twin Cities, which has helped hundreds of Minnesotans by providing access to the training, guidance, and tools needed to find and keep a job in a market where it has been increasingly difficult for many to do so.

The Union Gospel Mission Twin Cities provides direct assistance to those in need, in addition to the many different volunteer opportunities that give people an opportunity to give back to their community.

IN HONOR OF THE 2012 MAKE A DIFFERENCE DAY WINNERS

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. FITZPATRICK. Mr. Speaker, today, I would like to acknowledge the great work of the volunteers of Yardley, Pennsylvania, especially the students at Pennsbury High School who have been selected as one of the 2012 Make a Difference Day winners. Make a Difference Day is a celebration of the power of neighbors helping neighbors. Created by USA Weekend, this annual day of service mobilizes more than three million volunteers to create change in their community.

This group of outstanding volunteers from Yardley has made a substantial impact on their community by conducting a book drive and stocking the shelves of the library at the Feltonville Intermediate School. The leader of the project, Neha Gupta, founded Empower Orphans, a non-profit that has used \$325,000 in donations and grants to clothe and feed impoverished Indian children, create a sewing center, and set up libraries at four different schools.

But even within a few miles of her home in Bucks County, Neha, now 15, sees children in need. In the months leading up to Make a Difference Day, Neha and a group of volunteers gathered 3,000 titles and bought colorful furnishings for the library. Then, on Make a Difference Day, the team cleaned up the library, decorated it and stocked the shelves. Since October's project, Neha has started an Empower Orphans club at her high school and plans to hold a Make a Difference Day Project every year.

I want to congratulate Neha and the students of Pennsbury High School and thank them for their service and dedication to our community. I am honored to represent you in Congress.

TRIBUTE TO DR. MALCOLM PORTERA, CHANCELLOR OF THE UNIVERSITY OF ALABAMA SYSTEM

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. BONNER. Mr. Speaker, I rise to pay tribute to Dr. Malcolm "Mack" Portera, who recently announced his well-deserved retirement

after leading the University of Alabama System for more than a decade. He was the fifth chancellor and the longest serving in the System's history.

In March, Mack Portera officially retired as Chancellor of the University of Alabama System, which includes the school's three campuses in Birmingham, Huntsville and Tuscaloosa.

Dr. Portera has a long and distinguished association with the University of Alabama, also holding the title of Vice President of External Affairs as well as interim president of the Birmingham and Huntsville campuses.

Over the years, Mack Portera's contributions to the University, higher education and business development in Alabama have been considerable. Even before he assumed the top leadership post at the University, Dr. Portera was already involved in top-tier business recruitment efforts in the state of Alabama, including Mercedes Benz.

Under his leadership as Chancellor of the University of Alabama System, total enrollment expanded from 45,000 to 58,000 students. Over the same period, the total budget for the three campuses more than doubled—increasing from \$2.1 billion in 2001 to \$4.6 billion today.

Prior to becoming Chancellor, Dr. Portera was the 16th president of Mississippi State University, and in 1996, he launched a successful business development and strategic planning company.

In 2003, he was inducted into the Alabama Academy of Honor, a group of 100 living Alabamians elected on the basis of service to the state.

Dr. Portera's impact has been felt both within and beyond the University System. He also serves on the Board of Directors of Alabama Power Company and in leadership roles for the Birmingham Business Alliance, the Riley Foundation, Southern Research Institute, the University of Alabama at Birmingham Health System, the West Alabama Chamber of Commerce, the Bryant-Jordan Scholarship Foundation, Operation New Birmingham, the University of Alabama at Birmingham Research Foundation, and the University of Alabama at Huntsville Foundation. He is the former chair of the Council of Presidents of the Southeastern Universities Research Association and Vice Chair of the Alabama Research Alliance.

Dr. Portera received his undergraduate and master's degrees from Mississippi State University and a Ph.D. in Political Science from the University of Alabama.

Not one to divert from his life-long devotion of giving to the community he loves so much, Dr. Portera plans to remain in Tuscaloosa offering his services as a part-time teacher.

I join the people of Alabama in extending to Dr. Portera our sincere gratitude for his tireless service to the University of Alabama System and to our state. His legacy is a strong one and there are countless examples of where his service has benefitted the entire state and nation. May Mack and his lovely wife, Olivia, enjoy a happy and rewarding retirement with their children and grandchildren.

IN RECOGNITION OF DIANE LILLY

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize a dedicated and courageous citizen from my district in Massachusetts. Diane Lilly, a resident of Duxbury, will be retiring as a Trooper First Class from the Massachusetts State Police after 26 years of exemplary service.

Diane was born on December 13, 1956 in Dorchester, Massachusetts. She graduated from Cardinal Cushing High School in South Boston in 1974 and the University of Massachusetts, Boston, in 1980. Six years later, she graduated from the State Police Academy and began her long career of service to the state. Her work did not slow her passion for education or justice, however, as she graduated from Westfield State College with a Masters in Criminal Justice in 1990.

Diane comes from an extraordinary family of civil servants and community leaders, so it is no wonder she has chosen such an admirable career path. Her father, Leonard, was a Boston Police Officer and retired as Chief Court Officer in Boston Municipal Court. Her sister, Janet, also went to work at that court for many years and her brother, Michael, has been a corrections officer at Suffolk County House of Correction. Two of her other brothers, Lenny and Brian, have both worked as police officers in Massachusetts, while her brother, Kevin, runs the heart and lung machines during open heart surgery at Cape Cod Hospital.

Between 1987 and 2001, Diane worked out of the Norfolk County State Police Office. During this time she was instrumental in the Salvi and Sampson case that put a dangerous and prolific criminal behind bars for more than 30 years. She then began working with the Plymouth County Homicide Unit, where she was able to play an important role in the Matthew Cody cold case and the Magnarelli murder case. Since 2005, she has been a member of the Diversion Investigative Unit working on prescription drug abuse cases.

Bay Staters are safer because Diane—and her colleagues—have had the courage to take on the most dangerous issues facing our community.

As Diane retires after such a commendable life of public service, she will be able to spend some much deserved down time with her three dogs, Dermott, Maggie and Josephine.

Mr. Speaker, I am proud to honor Diane Lilly on this remarkable occasion. I ask that my colleagues join me in wishing her a great retirement and many years of happiness with her family and dogs and thank her for making Massachusetts a safer place.

A TRIBUTE TO DOCTOR JOHN BYRD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize the retirement of Dr. John Byrd as

the President of Simpson College in Indianola, Iowa.

This month, President Byrd announced that he will be retiring at the conclusion of the upcoming 2012–2013 academic year as Simpson's 22nd president. Dr. Byrd has been involved with higher education in numerous ways for more than 30 years and has been Simpson's president since 2005. Over his long career, Dr. Byrd has acquired valuable experience in academic services, planning and strategic services, institutional research, student affairs, financial aid and enrollment management. Dr. Byrd originally received his bachelors and masters degrees from the University of Missouri-Columbia, before earning his Ph.D. in health education from Southern Illinois University.

It goes without saying that President Byrd will certainly be missed on the Simpson campus. It was through Dr. Byrd's leadership that Simpson initiated a new strategic planning process to accompany new faculty initiatives. President Byrd's legacy will be felt for years to come through his work to increase diversity on campus as well as overseeing the college's plans for building renovation and construction. Dr. Byrd will leave Simpson next year with a completed Kent Campus Center, expanded Blank Performing Arts Center, updated Pfeiffer Dining Hall, as well as a new activities quad well under way.

Outside of Simpson, Dr. Byrd is known for his extensive involvement in the community, most notably the Indianola Rotary Club. Dr. Byrd also serves his community in his capacity as a member of the Village Advisory Council, Greater Des Moines Committee, as Secretary of the Board for the Iowa College Foundation Board of Governors, and as Chair of the Executive Committee for Iowa Campus Compact.

I want to thank President Byrd for his many years of service to the students and employees of Simpson College. It is an honor to represent all the great people of Indianola in the United States Congress, and I know that my colleagues in the House will join me in wishing Dr. Byrd, and his wife Nancy, happiness and good health as they enter this new chapter of their lives together.

IN RECOGNITION OF KELLY
KOLANDER

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. GARAMENDI. Mr. Speaker, I rise today in honor of Kelly Kolander, who has served Northern Calif. through the O.C. Jones & Sons, Inc. TLC for Kids Sports Program. As his colleagues, friends and family gather together to celebrate these accomplishments, we ask all of our colleagues to join us in saluting this outstanding and giving Company and this businessman.

Kelly Kolander's journey began soon after graduating from The California State University in Fresno where he earned a BS in Heavy Civil Construction. It was there that he began his career in Heavy Construction, working part time and summers for a local firm while going

to school. Upon graduation, he continued his career for a few short years in the Central Valley before coming to O.C. Jones as an Estimator in 1987. In O.C. Jones, he found a firm with an outstanding reputation with tremendous experience and top quality people. Today he sits as the President and CEO of O.C. Jones & Sons Inc where he's served since 2006.

While heading O.C. Jones in 2009 the Company searched for a way that they could further their community outreach and support during the difficult recession. The Company's background in Heavy Civil Construction as well as Stadiums and Sports Facilities led Kolander to create the TLC for Kids Sports Program. The TLC for Kids Sports Program allows youth sports leagues to compete for renovations on their subpar facilities that would otherwise go to ruin. It is designed to improve the Community and Youth Sports . . . One field at a Time.

TLC for Kids Sports' Contributions to the community prove to be a great asset in Northern California in the fight to keep sports programs alive and well. Mr. Kolander's work is pivotal in the fight against childhood obesity and diabetes. The newly renovated little fields they have refurbished thus far will surely motivate and keep children interested in America's great pastime.

Kelly Kolander and the TLC for Kids Sports Program have already renovated three baseball and softball facilities in Northern California since 2009. The Tahoe Tallac, Eastridge and Antioch Little Leagues have all benefited from the efforts and charity of the TLC for Kids Program. The Eastridge Little League now has a girls division thanks to the new fields and can now proudly say young boys and girls are part of their organization. Most recently the program renovated the fields for the Antioch Little League in my own 10th district in California. Additionally, TLC for Kids Sports is continuing its efforts in the Community by constructing an Outdoor Classroom Memorial at Las Lomas High School in Walnut Creek to commemorate students Matt Miller and Gavin Powell, who died in February 2011 in a rafting accident. There are also plans to renovate another series of fields and playground area in West Sacramento. Mr. Kolander's contribution to my district is greatly appreciated and does not go without recognition. O.C. Jones and its 'TLC for Kids Sports program' work in the 10th District and throughout the Bay Area can only help create a better tomorrow through a more healthy and motivated youth.

The long lasting benefits of Kelly Kolander's TLC for Kids Sports Program not only benefit children now but will create healthy and more motivated adults in the future; they stand as a testament to what diligent work and true commitment to community can produce.

Mr. Speaker, We are truly honored to pay tribute to our friend and dedicated program founder and president Kelly Kolander. We ask our colleagues to join with us in thanking Mr. Kolander and O.C. Jones and Sons, Inc., for their dedicated service to the citizens of Northern California and wishing continued success in all his future endeavors.

CONGRATULATING THE 1,000TH
GRADUATION CEREMONY OF THE
U.S. BORDER PATROL ACADEMY

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. CUELLAR. Mr. Speaker, I rise today to congratulate and recognize the 1,000th graduation ceremony of the U.S. Border Patrol Academy in Artesia, New Mexico, where members of this graduating class will be assigned to one of three Border Patrol sectors: Tucson, Arizona, Del Rio or in my Congressional district in Laredo, Texas.

As an active member of the Committee on Homeland Security in the U.S. House of Representatives, I understand the vital role that Border Patrol plays in securing our country, while facilitating trade and travel responsibilities and enforcing drug laws to protect our nation. Border patrol is a critical component for my Congressional district that sits along the nation's southwest border, as well. Their national presence along the border is necessary to ensure Americans' safety, protect our homeland and serve our nation and is greatly appreciated. The men and women of the Border Patrol make up the largest law enforcement organization; therefore this 1,000th graduating class is a milestone for the agency and enables the organization to foster increased security, trade and travel at the border.

Every day, the Border Patrol processes over 932,000 passengers and pedestrians and over 64,000 truck, rail and sea containers, based on fiscal year 2011 data. Nearly 14,000 pounds of drugs are seized on a typical day showing the product of their vigilance to law enforcement and protection. The intricate composition of the organization includes a range of professionals such as, trade specialists, intelligence analysts, agricultural scientists and more to run an efficient system. With 21,063 CBP officers, 21,137 border patrol agents and 1,220 air and marine agents, their service is unified to their sole mission—"securing America's borders while facilitating legitimate travel and trade" as their slogan states.

The graduation ceremony was held on April 12th and included the Secretary of Homeland Security, Janet Napolitano, Acting Commissioner of Customs and Border Protection, David V. Aguilar, and Chief of the United States Border Patrol, Michael J. Fisher.

I look forward to members of this graduating class being assigned to the three sectors, including Laredo, Texas in my Congressional district. Congratulations and thank you for your vital work to secure the homeland.

TRIBUTE TO RAY AND JUDY OBER

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to two good friends of mine, Ray and Judy Ober. Ray and Judy passed away just 21 days apart from each

other, a testament to their love for one another. Ray and Judy were a pillar of the community in Riverside, California and they will be deeply missed.

Judy was born in New York, and grew up in the San Fernando Valley, while Ray was born in Hollywood and raised in Van Nuys, California. They lived a blessed life in Riverside for 53 years and raised all four of their children there. Ray and Judy owned Ober Graphics, Inc. for many years, where Ray was the "premier graphic artist of Riverside," while Judy went back to school and eventually earned her bachelor's degree from Cal Poly Pomona at the age of 49. After graduating, she passed the Certified Public Accountant (CPA) exam and went to work at Macher and Clark, where she worked for over 20 years. Their chosen careers, Ray a talented artist and Judy a CPA, may have appeared to be in stark contrast, but were the perfect recipe for a loving, lasting marriage.

Ray and Judy were long time members of Canyon Crest Country Club during the 1970s and 1980s where they played tennis and socialized with many great friends. Ray and Judy enjoyed spending time at their beach house in Newport and trips to Las Vegas. They took their children on many family vacations, celebrating their love of life. Judy held officer positions in various clubs including treasurer of the Riverside County Republican Party and president of the Riverside Soroptomists. Ray's passions were genealogy and "playing the ponies." In their more recent years Judy enjoyed playing golf with her golf girlfriends, going on vacations with her high school girlfriends, spending time with her sisters and friends and playing games with her grandchildren. Ray more recently enjoyed photography, visits from his family and friends and trips to Pechanga. Judy and Ray were both amazing, multi-faceted, rare human beings who will be incredibly missed by all who knew them.

I am particularly thankful for the friendship I shared with both Ray and Judy. They were great supporters and, most importantly, dear friends. I will miss their generous spirit, kind nature and enduring friendship.

On April 15, 2012, there was a combined service celebrating the lives of Ray and Judy. They will always be remembered for their generosity, contributions to the community and love of family. Their dedication to their family and community are a testament to lives lived well and a legacy that will continue. I extend my condolences to Ray and Judy's family and friends; although they may be gone, the light and goodness they brought to the world remain and will never be forgotten.

A TRIBUTE TO KATIE STRICKLAND

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Katie Strickland of Ames for being awarded the Girl Scout Gold Award.

The Gold Award is the highest award that a high school-aged Girl Scout can earn. This is

an extremely prestigious honor as less than six percent of all Girl Scouts will attain the Gold Award's rigorous requirements.

To earn a Gold Award, a Girl Scout must complete a minimum of 80 hours towards a community project that is both memorable and lasting. For her project, Katie worked with children in her community to teach them the value of donating their time and the positive effects that selfless volunteering has on others. The work ethic Katie has shown to earn her Gold Award speaks volumes of her commitment to serving a cause greater than herself and assisting her community.

Mr. Speaker, the example set by this young woman and her supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Katie and her family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating her in obtaining the Gold Award, and will wish her continued success in her future education and career.

CONGRATULATING RICK AND KELA ELLIS OF RHINELANDER, WISCONSIN, ON BEING NAMED A 2012 NATIONAL "MAKE A DIFFERENCE DAY" AWARD RECIPIENT

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. DUFFY. Mr. Speaker, today, I would like to acknowledge the great work of the volunteers of Rhineland, Wisconsin, especially those who worked to benefit the Ronald McDonald House of Marshfield, Wisconsin. They have been selected as a one of the 2012 "Make A Difference Day" winners and I could not be more proud.

Make a Difference Day celebrates the power of neighbors helping neighbors. Created by USA Weekend, this annual day of service mobilizes more than three million volunteers to create change in their community.

This group of outstanding volunteers from Rhineland has made a substantial impact on their community by collecting aluminum cans for the local Ronald McDonald House. Rick and Kela Ellis were heartbroken when they lost their 2-year-old daughter, Ashley, to brain cancer in 1989. But within a year they had found a way to honor her memory—by recycling aluminum cans to benefit the Ronald McDonald House of Marshfield, Wisconsin, their "home" while Ashley was hospitalized. Since giving their "Cans for Cancer" collection a huge boost by tying it to Make A Difference Day in 1998, the Ellises have recycled 6,000 pounds of aluminum, raising more than \$2,500.

Rick and Kela will be honored at the Make A Difference Day event presented by Points of Light here in Washington, DC, on April 19, 2012. I congratulate them for this great service in the midst of such loss.

IN RECOGNITION OF VINCENT STURTEVANT

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Officer Vincent Sturtevant for his 30 years of service at the Daly City Police Department.

Mr. Sturtevant was appointed a police officer in 1981 and graduated from San Jose Criminal Justice Training Center Academy the following year.

Officer Sturtevant started his career as a patrol officer serving as a field training officer. In 1994, he was assigned as a detective. He has also served many times as an acting patrol sergeant.

Officer Sturtevant's enthusiasm and commitment to his job are exemplary and didn't go unnoticed by his fellow officers who voted him most valuable police officer for his shift in 1990 and 1992. He also received numerous letters of appreciation from citizens and departmental commendations. In 1993, he received a commendation for his assistance in apprehending a barricaded suspect who had fired a shotgun. In 1994, he was commended for his participation in the capture of three armed robbery suspects.

Vincent is a Daly City boy through and through, having graduated from Westmoor High School and earned his Bachelor degree in history from San Francisco State University.

He lives in Daly City with his wife of 20 years, Marianne.

Mr. Speaker, I ask this body to rise with me to honor the heroic service of Officer Vincent Sturtevant to the residents of Daly City. For over three decades, he has made our community a safer and better place.

IN SPECIAL RECOGNITION OF CALEB LIPSCOMB ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES NAVAL ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Caleb Lipscomb of Perrysburg, Ohio has been offered an appointment to the United States Naval Academy at Annapolis, Maryland.

Caleb's offer of appointment poises him to attend the United States Naval Academy this fall with the incoming midshipmen Class of 2016. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Caleb brings an enormous amount of leadership, service, and dedication to the incoming

Class of 2016. While attending Perrysburg High School in Perrysburg, Ohio, Caleb was on the High Honor Roll and was a member of the National Honor Society.

Throughout high school, Caleb was a member of his school's wrestling and football teams and earned varsity letters in both sports. In addition, Caleb participated in several mission trips in Ohio and West Virginia and served as Master Counselor for Demolay International. I am confident that Caleb will carry the lessons of his student and athletic leadership to the Naval Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Caleb Lipscomb on the offer of his appointment to the United States Naval Academy. Our service academies offer the finest military training and education available. I am positive that Caleb will excel during his career at the Naval Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

CONGRATULATING GIRL SCOUTS
TROOP 333

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. WHITFIELD. Mr. Speaker, today I rise to congratulate Girl Scouts Troop 333 from Madisonville, Kentucky on their selection as one of the 2012 Make A Difference Day honorees.

Make A Difference Day is a celebration of the power of neighbors helping neighbors. Created by USA Weekend, this annual day of service mobilizes more than three million volunteers to create change in their community.

Nine Junior and Cadet Girl Scouts of Madisonville Housing Authority Troop 333 dedicated a second Make A Difference Day to seniors. In 2010 the troop did chores for their older neighbors in public housing. This time around, they decided to bring cheer to nursing home residents.

The girls decorated 450 greeting cards and wrote special messages for the seniors. They distributed the cards to residents in three assisted living homes and spent time visiting with each resident who received a card.

I am pleased that Troop 333 will be honored for their efforts tonight during the Points of Light 2012 Make A Difference Day Awards Luncheon at the Ronald Reagan Building and International Trade Center here in Washington. Please join with me in celebrating their outstanding service.

HONORING JOURNEYMEN LINEMEN

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. GINGREY of Georgia. Mr. Speaker, I rise to recognize this day, April 18, as a day of honor for Journeymen Linemen.

Accordingly, I have introduced H. Res. 561 to recognize April 18, 2012, as National Jour-

neymen Linemen Day in order to honor these brave men and women for their contributions to protect public safety.

Journeymen Linemen are often the first responders during a storm or other catastrophic event, which means these brave men and women are often required to make the scene safe for other public safety heroes. Linemen work with thousands of volts of electricity high atop power lines every day of the year in order to protect the nation from dangerous electrical currents.

The profession of Journeymen Linemen is steeped in tradition and family, both professionally and personally. Generations ago, Linemen climbed poles using hooks and blocks, but as technology has grown through the years, innovative Linemen have pioneered advancements with innovative materials, altering the direction of line work for the future.

Mr. Speaker, I ask my colleagues to join me today in honoring the extraordinary commitment and courage demonstrated everyday by the nation's Journeymen Linemen.

CONGRATULATING THE SHAW UNIVERSITY WOMEN'S BASKETBALL TEAM ON THEIR NCAA DIVISION II CHAMPIONSHIP

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate this year's NCAA Division II Women's Basketball Champions, the Lady Bears of Shaw University!

As fans of the game know all too well, North Carolina schools have a tradition of excellence in collegiate basketball. That success became even more legendary in 2012. We have a new champion in our midst, the Lady Bears.

In some ways it's no surprise that the Lady Bears won the 2012 national title. They made the Final Four in 2011 and began the year in the top ten. But every season is different, and nothing in life or basketball is certain. I don't know what Coach Curtis did, but the season didn't finish as it begun. After compiling a 4-5 record in the first 9 games, the Lady Bears found their groove. From that point on, the team went 25-1 and closed the season on a 15-game winning streak. The Lady Bears went 15-1 in CIAA conference play, were undefeated on their home court, and won the conference tournament.

Then came the quest for the national championship. The Lady Bears beat West Virginia Wesleyan 92-78, Gannon University 64-59, Edinboro University 70-53, Pittsburg State 61-58 and Rollins College 87-71. The final game was as exciting and hard fought as they come. Shaw battled back from a 43-32 half-time deficit to force overtime. When the buzzer sounded, the Lady Bears had won 88-82 over Ashland University. Guards Sequoyah Griffin and Brittney Spencer led the team in scoring with 24 and 16 points, respectively. Center Aslea Williams scored 14 points and pulled down 11 rebounds, and Forward Kyria Buford scored 10 points and grabbed 8 rebounds. Reserve Guard Brittany Ransom also scored

14, providing the team with a valuable lift. The Lady Bears ended the season number one in the polls and with a National Championship in hand!

Coach Curtis deserves special mention for leading this team to victory. He was named the Division II Bulletin National Coach of the Year and the Minority Division II Coach of the Year. But he's done much more than coach. Every single player who has completed four years of eligibility under Coach Curtis has graduated. True collegiate champions pair winning on the court with strong character and academic dedication, and that's exactly what Shaw has done. As an educator, I admire the academic focus that Coach Curtis has made an integral part of the Lady Bears basketball culture.

Mr. Speaker, it was a tremendous season for the Lady Bears of Shaw. On behalf of my colleagues in this body, I congratulate this team for their perseverance, their will to win, and their success in becoming the 2012 champions.

No. 20 Shemieka Brown PG Sr. 5-8 Salisbury, NC; No. 21 Kyria Buford F Sr. 6-1 Charlotte, NC; No. 2 Isayra Diaz G Jr. 5-6 New York, NY; No. 10 Sequoyah Griffin G Jr. 5-9 Columbus, GA No. 30 Crystal Harris C So. 6-1 Jersey City, NJ; No. 32 Ariel Hatcher G Sr. 5-10 Detroit, MI; No. 15 Allyssa Lane PG Sr. 4-11 Winter Park, FL; No. 22 Jashaye Magnum C Fr. 6-1 Miami, FL; No. 33 Brittany Ransom G Sr. 5-10 Columbus, OH; No. 11 Brittney Spencer G Sr. 5-7 Norfolk, VA; No. 3 Enonge Stovall F Jr. 5-11 Philadelphia, PA; No. 41 Victoria Tanner F Sr. 5-10 Raleigh, NC; No. 5 Aslea Williams C Jr. 6-1 Akron, OH; Head Coach: Jacques Curtis; Associate Head Coach: Carl Hatchell; Assistant Coach: Ashante Timoli; Assistant Coach: Jonas Richard; and Athletic Trainer: Sean Burton.

IN RECOGNITION OF CAROL
SLOANE

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Lieutenant Carol Sloane for her 21 years of service at the Daly City Police Department.

Ms. Sloane was appointed police officer in 1990 and graduated from the Basic Academy at Butte Community College in Oroville, California. As a patrol officer, she trained new recruits as field training officers and was well respected by her fellow officers. She served as acting patrol sergeant on several occasions.

In 1994, Officer Sloan was awarded a departmental commendation for the arrest of three graffiti suspects. Four years later she received the same recognition for apprehending a homicide suspect. Immediately after a stabbing incident, Officer Sloan identified a suspicious person and through her investigation determined that the person was indeed the homicide suspect.

In February of 2003, Ms. Sloan was promoted to the rank of police sergeant. She graduated from the Sherman Block Supervisory Leadership Institute and was then assigned to the Management Control and Audit

Unit where she conducted internal affairs investigations, departmental audits and served as the public information officer. Sergeant Sloane was the face of the Daly City Police Department on many local television news stories.

Carol Sloane broke the gender barrier by becoming the first woman to be promoted to police lieutenant at the Daly City Police Department in 2006. She earned the respect and admiration of her department by dedicating much time, attention and mentorship to new and young officers.

Carol Sloane graduated from Terra Nova High School in 1975. She attended City College of San Francisco and the College of San Mateo. In 1999 she completed her degree in management at St. Mary's College.

Lieutenant Sloan lives in Pacifica with her husband of 14 years, Daly City Firefighter Doug Blanckensee, and their seven-year-old son Bryce.

Mr. Speaker, I ask this body to rise with me to honor the outstanding service of Lieutenant Carol Sloan to the residents of Daly City. She will be remembered for her dedication, her leadership and for making our community a safer and better place.

TRIBUTE TO OPERATION UNITE
FOR THE INAUGURAL NATIONAL
RX DRUG ABUSE SUMMIT

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to Operation UNITE, the non-profit anti-drug organization in southern and eastern Kentucky for organizing the inaugural National Rx Drug Abuse Summit in Orlando, FL April 10-12, 2012.

This small grassroots organization took on the enormous task of uniting federal, state and local officials on a national stage to discuss obstacles and solutions for the prescription drug epidemic plaguing our country. In its first year, the Summit garnered an outstanding audience of 750 attendees, along with national headlines including: the Director of the Office of National Drug Control Policy, Gil Kerlikowske; U.S. Surgeon General, Dr. Regina Benjamin; the Principal Deputy Director of the Centers for Disease Control and Prevention, CDC, Dr. Ileana Arias; Deputy Assistant Administrator of the Office of Diversion Control with the U.S. Drug Enforcement Administration, DEA, Joseph Rannazzisi; the Director of the National Institute on Drug Abuse, NIDA, Dr. Nora Volkow; the Appalachian Regional Commission, ARC; and four members of the Congressional Caucus on Prescription Drug Abuse, including myself, U.S. Rep. MARY BONO MACK of California, U.S. Rep. JACK KINGSTON of Georgia, and U.S. Rep. NICK RAHALL of West Virginia.

As a nation, we can no longer afford to sit quietly on the sidelines. The epidemic now claims more lives every year through drug overdoses than any other accidental death, according to the CDC. During the Summit, Director Kerlikowske called it a public health cri-

sis, noting prescription drug abuse is the fastest growing drug problem in the country. In Kentucky, we are losing 82 people a month to drug abuse—more than car crashes. This Summit brought forth the realization that unsecure medicine cabinets are more dangerous than our cars.

President & CEO, Karen Kelly, highlighted the multi-pronged approach of the UNITE organization on the national stage as a model for the rest of the country. The Summit featured sessions on healthcare, advocacy and prevention, human resources, treatment and law enforcement. Together, leaders from each field shared resources and information at the Summit, crossing industry lines and state boundaries, for the first time in some areas.

Mr. Speaker, I ask my colleagues to join me in congratulating Operation UNITE on a successful inaugural National Rx Drug Abuse Summit. They tossed a pebble into a big pond and I believe the ripple effect will be tremendous in the years to come.

HONORING GLENDON ENGERT

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. DENHAM. Mr. Speaker, I rise today to honor Glendon Engert, who was slain together with Deputy Bob Paris on April 12th in Modesto, California while serving an eviction notice. My thoughts go especially to his wife of 11 years, Irina. No words can lessen the grief that is felt by those close to him; but I hope they know that we share, in what measure we can, their sorrow.

Mr. Engert was a man who did not discourage easily. Like so many in the Valley, he lost his employment when the recession took hold. He didn't give up, though, and secured a new job as a locksmith—a job that gave him the ability to support his family and maintain an active role in his church and community.

It is a tragedy that his initiative, his strong work ethic, unwittingly placed him in harm's way on April 12. We are thankful for the life of Glendon Engert and if this act, this statement, seems small before the moment, be assured of the sincerity of our sympathy and the depth of our emotion. May God bless the family and friends of Mr. Engert and welcome him to his everlasting reward.

CONGRATULATING BRENDA V.
TRIPLETT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to congratulate Ms. Brenda V. Triplett on her retirement from the Social Security Administration after thirty-four years of service to our government. As a member of the Federal Workforce Subcommittee in the House, we have had the honor of hosting many fellows from SSA that have advised us on the many complex issues of the agency.

Brenda has worked at various SSA offices in Illinois and Indiana. Her first position for SSA was at the Harvey, IL field office as a clerk and also as a clerk in the Markham, IL field office. Brenda's next position with SSA was at the Agency's Chicago Regional Office as a personnel staffing assistant in addition to the Gary, IN field office where she worked as an administrative aide; and later promoted to the service representative position there. Brenda was then promoted again to the Title 16 claims representative position located at the Back of the Yards field office in Chicago, IL. Finally, in August 2008, she was promoted to the Chicago Teleservice Center, Chicago, IL as a supervisor where she remained until present.

During Brenda's retirement, she anticipates joining a bowling league. As an avid skater, there will be more opportunities for her to roller skate. In addition, she plans to act as primary caregiver for her parents and attend Bible study on regular basis.

I congratulate Brenda on all of her achievements and wish all best in her future endeavors. In the words of an old Irish saying, "May the sun always shine on your windowpane, May a rainbow be certain to follow each rain, May the hand of a friend always be near you, May God fill your heart with gladness to cheer you!"

IN SPECIAL RECOGNITION OF
MARSHALL KOBYLSKI ON HIS
OFFER OF APPOINTMENT TO AT-
TEND THE UNITED STATES MILI-
TARY ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Marshall Kobylski of Bowling Green, Ohio has been offered an appointment to the United States Military Academy at West Point, New York.

Marshall's offer of appointment poises him to attend the United States Military Academy this fall with the incoming cadet Class of 2016. Attending one of our Nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Marshall brings an enormous amount of leadership, service, and dedication to the incoming Class of 2016. While attending Bowling Green Senior High School in Bowling Green, Ohio, Marshall was a member of the National Honor Society, participant in the Ohio Energy Project, President of the Chess Club, and a Buckeye Boys State delegate.

Throughout high school, Marshall was a member of his school's cross country and track teams and earned varsity letters in both sports. In addition, Marshall participated in various church based organizations, including the youth group. I am confident that Marshall

will carry the lessons of his student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Marshall Kobylski on the offer of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Marshall will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

IN RECOGNITION OF ALLEN M.
PROWS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Officer Allen Prows for his 31 years of service at the Daly City Police Department.

Mr. Prows was appointed police officer in 1980 and graduated from the Northern California Criminal Justice Training Center Academy at College of the Redwoods in Eureka, California.

Upon completion of the field training program, Officer Prows began his extensive career as a patrol officer. Working all shifts, he rose quickly from rookie to seasoned veteran in the patrol division where he spent his entire career. He is highly respected by his fellow officers and citizens alike and has received numerous letters of appreciation from residents and recognition for good team work with unit commanders from the department.

Officer Prows was awarded several departmental commendations, including one in 1986 for his part in the capture of two suspects who had vandalized Jefferson High School with graffiti and broken windows. He received another one in 1991 for being part of a team that apprehended a bank robbery suspect.

Allen Prows graduated from Newark High School in 1975. He earned an Associate of Arts degree from Ohlone Community College.

He lives in South San Francisco and is the proud father of two sons, Kevin and Mathew.

Mr. Speaker, I ask this body to rise with me to honor the service of Officer Allen Prows to the residents of Daly City. For over three decades, he has been dedicated to our community and made it a safer and better place.

H.R. 4335, THE POSTAL SERVICE
ACCOUNTABILITY ACT

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. RAHALL. Mr. Speaker, on March 29, I introduced H.R. 4335, the Postal Service Accountability Act.

My bill would empower the independent postal regulator, the Postal Regulatory Commission, PRC, to block postal closures where the Postal Service, USPS, does not give sufficient attention to the undue burden a closure would have on a community.

Under current law, when the Postal Service is considering closing a post office, the affected public must be notified. The Postal Service opens a 60-day comment period, which includes a public meeting to allow local citizens a chance to voice their concerns. Once the public comment period closes, should the Postal Service decide to close a post office, the public has 30 days to appeal the decision to the Postal Regulatory Commission.

According to the Congressional Research Service, the PRC may fault the USPS' decision to close a post office only if the PRC finds the decision to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law; without observance of procedure required by law; or unsupported by substantial evidence on the record. The PRC may require the USPS to reconsider its decision, but the ultimate authority to close a post office rests with the USPS.

My bill would give the PRC a binding authority to block a post office closure. It would require the Postal Service to consider the economic impact of a closure on a community, and empower the PRC to set aside a determination that is unsupported by substantial evidence regarding projected savings, mail delivery services, and community and worker impact. In addition, the Postal Service would be required to perform an after-the-fact review one year after a closure and make public its findings to ensure mail delivery services have been maintained.

My bill also would apply the revised appeals process to postal sorting facilities. Currently, there is no appeals process for mail processing facilities.

As well, my measure would prevent the Postal Service from proceeding with a closure without the written concurrence of three commissioners, halting the dubious practice of affirming closures by tie votes.

These are modest and practical changes designed to ensure that the Postal Service approaches these closures with an open mind and listens respectfully and attentively to community opinion. At issue is the basic right of citizens of a community to be heard. It will help to guard against the bureaucratic mentality, which too often takes root in executive agencies, that agency officials know best. We must ensure that the Postal Service's actions are grounded in the best interests of the people it was created to serve.

In July 2011, when the Postal Service announced its Retail Access Optimization Initiative and its intention to study nearly 3,700 post offices nationwide for closure, including 85 in southern West Virginia, the Postal Service was already pursuing a host of closure studies for separate post offices, as well as the consolidation of postal sorting facilities, including eighteen post offices and three processing facilities in southern West Virginia.

Under the law, the Postal Service is required to consider the impact of a post office closure on a community, on the affected postal workers, and on mail delivery services. Federal law requires the USPS to "provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining."

And, yet, there have been serious doubts raised about the Postal Service's adherence to these requirements. In its advisory opinion on the Postal Service's RAOI proposal, the PRC found that the Postal Service was unable to provide the data necessary to confirm its cost savings projections associated with the post offices proposed for closure. The Commission also expressed concerns about ensuring that alternatives are available to meet the needs of affected communities prior to a postal facility closure decision.

In a concurring opinion, the PRC chairman strongly rebuked the Postal Service's closure process, noting: "The Commission has recently heard appeals on more than 60 individual post office closings. The records in these cases reveal a pattern of inaccurate and overly optimistic economic savings calculations and of careless disregard of community concerns. While the facts of those cases were not considered by the Commission in its Advisory Opinion, they nevertheless demonstrate an ongoing institutional bias within the Postal Service that presumes closing small post offices automatically provides cost savings and network efficiencies."

The PRC's findings echo what I am hearing anecdotally from my constituents—that the public comment process is a perfunctory exercise—just for show—as the Postal Service bulldozes ahead closing valued postal facilities for very little, if any, economic savings. This sentiment has become so frequent that it prompted me to contact the Postmaster General last October to question whether the public comment process is truly accomplishing its purpose, which is to give the public an opportunity to convey its views to the Postal Service and to give the Postal Service the opportunity to adjust its actions accordingly.

Within a two-month period last fall, the USPS Appalachian District scheduled more than 40 public meetings in southern West Virginia, raising doubts that the Postal Service can appropriately manage the public feedback received from each meeting and prepare for continued mail delivery should a closure occur.

In one case, residents said that their post office was closed before rural delivery was fully established. In other instances, public meetings have been scheduled at inconvenient times, like Halloween night, limiting public participation.

In 2009, as part of a separate closure process, the Postal Service issued an emergency suspension of the Hacker Valley Post Office in Webster County, West Virginia. I said at the time that the action was unwarranted and I was later validated in my concerns by the Postal Regulatory Commission. In response, the Postal Service offered to solicit for a Contract Postal Unit, CPU, in Hacker Valley, which would be operated by a supplier under contract with the Postal Service to provide retail postal services. After soliciting bids in March 2011, postal officials abruptly ended the process, requiring me to contact the Postal Service to remedy the matter, which it did.

What happened in Hacker Valley underscores the need to keep a close eye on the Postal Service's proposed closures. I am convinced that legitimate safety and convenience concerns of residents and businesses are not

being sufficiently addressed—that many post offices' fates are predetermined and that the public comment process, in too many instances, has become a perfunctory step in the closure process, instead of being used to truly assess legitimate safety and convenience issues, and to take steps to minimize the adverse impact on the community.

I also question the criteria used to select post offices for a closure study, noting the conflict with the Postal Service's statutory charter that requires the Postal Service to provide "a maximum degree of effective and regular postal services" to rural communities where post offices are not self-sustaining, explicitly prohibiting small post offices from being closed solely for operating at a deficit.

Despite this requirement, the Postal Service has utilized computer-driven criteria in identifying retail facilities for closure. Three of the four criteria are financially based and clearly target small facilities that are not heavy revenue producers. As such, it is not surprising that there is a concentration of closings in rural areas, where computer-driven criteria cannot fully reflect the importance of a post office.

Clearly, the Postal Service has a responsibility to ensure its long-term fiscal solvency, but that must not happen at the expense of its public service obligations in ensuring universal mail services.

The Postal Service is not FedEx or UPS, which can pick and choose between profitable and unprofitable markets. Nowhere does the law waive the Postal Service's public service obligations if deficits run high. The Postal Service needs to look at other ways to become more profitable and competitive by improving and modernizing its services rather than cutting off rural customers.

Rural customers, more so than their urban counterparts, rely on the Postal Service for basic mail necessities—for sending bills and receiving checks, newspaper deliveries, and small businesses reaching customers—especially in areas where internet access is limited.

These closures will disrupt local economies and the lives of residents and businesses—from seniors who depend on the delivery of life-sustaining mail-order drugs, to the communities where the post office is the heart of the neighborhood—and there needs to be a better mechanism in place to ensure not only that public concerns are being addressed, but also that the public feels as though it is being heard. Some may want to view the Postal Service solely as a business, but it is still a public institution and it must remain responsive and accountable to the people.

The Congress must take action to reinforce the point, empowering an independent regulator to watch over the Postal Service to guard against overly optimistic savings projections and insufficient attention to community needs in the closure process.

I previously urged the Postmaster General to place a moratorium on postal closures until a practical and realistic plan for managing and responding to public concerns is provided to the American public. Subsequently, the Postal Service announced that it would delay any closings or consolidations until May 15, 2012. I recently wrote to the Postmaster General to ask that he extend the May 15 moratorium

until the Congress has completed action on postal reform legislation.

In the coming weeks, the House is expected to consider such legislation. While I am opposed to the Committee reported bill in its current form, especially with regard to its eliminating six-day delivery and potentially expediting the closure process, I am hopeful that the House will consider and pass legislation that will help ensure that our small, rural postal facilities are not made to bear the brunt of the Postal Service's nationwide budgetary challenges. I urge the House leadership to act expeditiously.

SERGEI MAGNITSKY RULE OF LAW
ACCOUNTABILITY ACT OF 2012

HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. MCGOVERN. Mr. Speaker, I first learned of the case of Sergei Magnitsky two years ago at a hearing of the Tom Lantos Human Rights Commission. At that hearing, a witness described the brutal torture and vicious mistreatment by Russian authorities of Mr. Magnitsky, a courageous man of integrity who paid the ultimate price for speaking out publicly about massive corruption in Russia. Today, the Russian government has still held no one accountable for this outrageous crime.

The facts of the Magnitsky case are simply shocking. Mr. Magnitsky, a bright young tax lawyer, uncovered evidence of a criminal conspiracy involving public officials who stole \$230 million from the Russian treasury. In August 2008, Mr. Magnitsky testified about this tax fraud scheme before Russian authorities and implicated high-level officials in the conspiracy.

This honesty and courage led Mr. Magnitsky to be arrested and, perversely, charged with the crimes he had helped to expose. He was kept in pretrial detention in inhuman conditions for almost a year, and was tortured by officials who pressured him to retract his damning testimony. He refused to do so, but his health badly broke down as a result of his abuse. As he developed serious medical problems, including pancreatitis and gallstones, Russian authorities refused to provide him with medical care. Eventually, he fell into critical condition, and when that happened, rather than treating him, prison guards chained him to a bed and beat him for one hour and eighteen minutes, resulting in his death.

The response of Russian authorities to these crimes has been as outrageous as the crimes themselves. After Mr. Magnitsky died, the Russian government said he had never complained about his health in prison, even though he had made more than 20 official requests for medical attention. Russian authorities have still not held anyone accountable for his arrest, abuse, and death. As if to spit on his grave, they even absurdly opened a new, groundless criminal case against him this year, marking the first posthumous prosecution in Russian history.

Since Russian authorities have not provided justice to Mr. Magnitsky and his family, the

United States should do what it can to hold individuals accountable for these heinous crimes. The bill I am introducing today, the Sergei Magnitsky Rule of Law Accountability Act of 2012, would provide a measure of justice for this courageous man by imposing a visa ban and asset freeze on the people who participated in or covered up his detention, abuse, and death, as well as on those individuals who benefited financially from his mistreatment or participated in the criminal conspiracy that he uncovered.

Mr. Speaker, this legislation is about much more than the Magnitsky case. In recognition of the many other severe human rights abuses that take place each year, the bill also imposes a visa ban and asset freeze on other individuals who have committed internationally recognized gross violations of human rights against people seeking to expose illegal activity by Russian officials or to exercise fundamental rights and freedoms.

In this way, the bill would hold accountable those individuals who have perpetrated grave abuses against other whistleblowers or government critics, such as Anna Politkovskaya, Natalia Estemirova, and others whose names are less well-known in the United States.

I am deeply grateful to the bipartisan group of members of Congress that supports this legislation and has helped to shape it. These members include Representatives FRANK WOLF, SANDER LEVIN, ILEANA ROS-LEHTINEN, ALCEE HASTINGS, ED ROYCE, JIM MCDERMOTT, DAN BURTON, GERRY CONNOLLY, CHRIS SMITH, EDOLPHUS TOWNS, PETER ROSKAM, MICHAEL MICHAUD, JOSEPH PITTS and CHARLES RANGEL.

I am also deeply grateful to my colleagues in the Senate for their leadership on this issue. Senator BEN CARDIN has introduced similar legislation that has attracted over 30 bipartisan cosponsors, and he has spoken out eloquently about the legislation's vital importance.

I would also like to underscore that this effort is far from just a U.S. initiative. Similar legislation is being considered in nearly a dozen other legislatures around the world. My hope is that the United States Congress will be the first, but not the last, legislature to enact a Magnitsky human rights law.

Importantly, these legislative efforts have strong support from the Russian human rights community, including opposition leaders such as Garry Kasparov, Boris Nemtsov, and Alexei Navalny. As Mr. Navalny commented recently, "Such legislation is not anti-Russian. In fact I believe it is pro-Russian. It helps defend us from the criminals who kill our citizens, steal our money, and hide it abroad."

Enactment of the Sergei Magnitsky Rule of Law Accountability Act will provide the Administration with the tools it needs to hold accountable human rights violators and provide an important boost to human rights activists and defenders. It will also demonstrate that the protection of human rights is a cornerstone of U.S. foreign policy. Our country has always been at its best when we stood firmly on the side of people seeking to exercise fundamental rights and against the actions of governments seeking to repress basic freedoms. This legislation is in keeping with that great tradition.

FACT SHEET ON SERGEI MAGNITSKY RULE OF LAW
ACCOUNTABILITY ACT OF 2012

THE STORY OF SERGEI MAGNITSKY

After exposing the largest tax fraud in Russian history, tax lawyer Sergei Magnitsky was wrongly arrested and tortured in a Russian prison. Six months later he became seriously ill and was denied medical attention despite 20 formal requests. On the night of November 16, 2009, he went into critical condition, but instead of being treated in a hospital he was put in an isolation cell, chained to a bed, and beaten by eight prison guards for one hour and eighteen minutes, resulting in his death. Sergei Magnitsky was 37 years old and left behind a wife and two children. Those responsible for this crime have yet to be punished, and the Magnitsky story is emblematic of corruption, human rights abuses, and impunity in Russia.

THE MAGNITSKY BILL

The Sergei Magnitsky Rule of Law Accountability Act of 2012 would hold accountable Magnitsky's killers and other human rights violators by placing targeted sanctions on them. In particular, the draft bill imposes a visa ban and asset freeze on: (1) individuals responsible for participating in or covering up Magnitsky's detention, abuse, and death, and (2) individuals responsible for other gross violations of human rights against people seeking to expose illegal activity by Russian officials or to exercise fundamental rights and freedoms.

The bill requires the Secretary of State, in consultation with the Secretary of the Treasury, to publish a list of the people who should be subject to sanctions under its provisions, and requires the Secretary of State to respond within 120 days to requests from the chairperson and ranking member of key congressional committees to add an individual to that list. The bill provides the executive branch with the authority to waive the sanctions on national security grounds, and requires the executive to submit an annual report to Congress on actions taken to implement it.

The bill includes findings on the mistreatment of Magnitsky and other individuals, and on the extent of corruption and impunity in Russia.

The bill updates H.R. 1575, a bipartisan bill introduced by Rep. MCGOVERN in 2011. The new bill improves on H.R. 1575 by placing sanctions on a broader range of human rights violators (rather than only on people involved in Magnitsky-related abuses), by requiring the executive to publish the list of sanctioned individuals, and by giving key members of Congress the ability to request that people be added to the list. A similar bill, introduced as S. 1039 by Sen. CARDIN, has attracted over 30 bipartisan cosponsors in the Senate.

PROJECT READY STEM ACT

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. FUDGE. Mr. Speaker, I rise today to address the need to increase the number of minorities in Science, Technology, Engineering, and Math, or STEM-related fields. Throughout

the Nation, employment in professional scientific and technical services is projected to grow by 29% by 2020. Currently, African-Americans and Hispanics occupy only 6% of the STEM workforce.

This week, I introduced the Project Ready STEM Act of 2012. This legislation addresses critical disparities in student achievement in math and science at the middle and high school levels.

Without the opportunity to develop skills necessary to compete for STEM-related jobs, many students of color may be confined to a lifetime of lower wages. I urge my colleagues to support the Project Ready STEM Act.

IN CELEBRATION OF THE 100TH
BIRTHDAY OF MR. PRINCE T.
JONES

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor to extend my personal congratulations and Happy Birthday wishes to Mr. Prince T. Jones, a beloved citizen of Albany, Georgia, who turned 100 years of age on Sunday, April 15, 2012. On Saturday, April 14, 2012 he was honored by his family and friends at a celebration at Morning Side Assisted Living Facility in Albany, Georgia in recognition of his 100th birthday.

Prince T. Jones, the youngest of six children, was born on April 15, 1912, to Daniel Jones and Julia Fields Jones. He grew up in the tiny town of Barboursville, Virginia and attended public school in Orange County, Virginia.

Following his academic training in the Orange County public school system, Mr. Jones embarked on a tenured and successful career as a farmer and later as a butler. He worked for several years at the prestigious Farmington Country Club in Charlottesville, Virginia. At the conclusion of his stint at the Farmington Country Club, he went on to work at Winholm Farms for 25 years before he retired in 1981.

Always pressing towards the mark for the prize of the high calling of God in Christ Jesus, in order to better improve the craft of Christian discipleship, he served for many years as a Sunday School Teacher; Chairman of the Trustee and Deacon Board; and Treasurer for the Ministers and Deacons Union at Blue Run Baptist Church in Somerset, Virginia. It is worth noting that Mr. Jones was a member of Blue Run Baptist Church for 88 years.

In 1933, he married the "woman of his dreams" Gertrude Mary Jones. They remained married for 66 years and they would go on to have three beautiful and loving children. Mr. Jones has achieved numerous successes in his life, but none of this would have been possible without the love and support of his late wife and his children's devoted mother. Together their legacy set sterling examples of family and parenting for their sons, Dr. T. Marshall Jones and the late Arthur Lee Jones; daughter Gladys Jones Saddler; their nine grandchildren; their nine great-grandchildren; and their great-great-grandson.

George Washington Carver once said, "How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and strong because someday in your life you will have been all of these." Mr. Jones has advanced so far in life because he never forgot these lessons and always kept God first.

The race of life isn't given to the swift or to the strong, but to those who endure until the end. Mr. Jones has run the race of life with grace and dignity and God has blessed him over his lifetime.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to Mr. Prince T. Jones. On a personal note, I would like to not only congratulate Mr. Jones on becoming a distinguished centenarian but also express my profound admiration for his outstanding Christian stewardship and dedication to his church and family.

Truly to God be the glory!

IN RECOGNITION OF
NATALIE BERG

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Dr. Natalie Berg who today is receiving the 2011 Silver Spur Award from San Francisco Planning and Urban Research (SPUR). This award recognizes a lifetime of civic achievement of a San Franciscan.

Dr. Berg has had parallel careers in higher education and land use issues. She is a member of the Board of Trustees at City College of San Francisco and she is the President of NKB Strategies, a consulting company specializing in strategies for land use.

For twelve years, she was Senior Vice President of Forest City Development where she was responsible for obtaining the entitlements for the Westfield San Francisco Centre and now continues to be a consultant there. She also served as the president of the Yerba Buena Alliance, the vice president of the Market Street Association and numerous community and neighborhood groups.

Dr. Berg has served City College for over 30 years as a professor, dean, and an elected member of the Board of Trustees. In 1997, 2001, and 2006 she was President of the board.

She started in 1967 as an instructor in English, ESL, History, and Civics. In 1976 she became administrative assistant to the President of the Community College Division. The following year she was appointed administrative assistant to the Vice Chancellor of Personnel. In 1980, she was named Coordinator of Personnel Relations and in 1984 became Director of Employee Relations.

Dr. Berg was originally elected to the San Francisco Community College District Board of Trustees in 1996 and re-elected every four years since then. She chairs the board's Community Relations Committee and is a member of the Policy Implementation Committee. Before her service on the board, Dr. Berg was

the Dean of the John Adams Campus and the School of Health and Physical Education.

It is evident from Dr. Berg's career and service that she loves San Francisco and is committed to the highest quality of public policy and urban planning. Her outstanding leadership has earned her the title of one of "The Most 100 influential Women in the San Francisco Bay Area" from The San Francisco Business Times four times. The same paper chose her to be on the "Forever Honor Roll" of the most influential women in the Bay Area.

Dr. Berg received her Ed.D. in Community College Administration/Curriculum from Nova University in Fort Lauderdale in Florida, her MA in Educational Administration/College Finance from San Francisco State University and her BA in Economics from UC Berkeley.

She lives in San Francisco with her husband Peter Finnegan. They have three children, eleven grandchildren and six great-grandchildren.

Mr. Speaker, I ask this body to rise with me to acknowledge the many contributions of Natalie Berg, a great community leader and my friend.

IN SPECIAL RECOGNITION OF JOSEPH CURTIS ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES NAVAL ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that Joseph Curtis of New London, Ohio has been offered an appointment to the United States Naval Academy at Annapolis, Maryland.

Joseph's offer of appointment poises him to attend the United States Naval Academy this fall with the incoming midshipmen Class of 2016. Attending one of our Nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Joseph brings an enormous amount of leadership, service, and dedication to the incoming Class of 2016. While attending New London High School in New London, Ohio, Joseph was a member of the National Honor Society, Model United Nations, Academic Challenge, and a Buckeye Boys State delegate.

Throughout high school, Joseph was a member of his school's cross country and track teams and earned varsity letters in both sports. In addition, Joseph participated in various fundraisers for community-based organizations, including the Salvation Army and Red Cross. I am confident that Joseph will carry the lessons of his student and athletic leadership to the Naval Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Joseph Curtis on the acceptance of his appointment to the United States

Naval Academy. Our service academies offer the finest military training and education available. I am positive that Joseph will excel during his career at the Naval Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

CONGRATULATING ALICE EASON BALLANCE ON THE OCCASION OF APRIL 20TH BEING DECLARED AS "ALICE EASON BALLANCE DAY" IN BERTIE COUNTY, NORTH CAROLINA

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. BUTTERFIELD. Mr. Speaker, I rise today to acknowledge a constituent and friend, Mrs. Alice Eason Ballance, who has been the epitome of service to her community. For more than fifty years, Mrs. Ballance has advocated for better educational opportunities, voting rights, and racial equality for African American citizens. On April 20, 2012, the Bertie County, North Carolina Board of Commissioners will officially declare that day "Alice Eason Ballance Day" for the County. I can think of no finer individual to bestow such an honor than this great American.

Mrs. Ballance was born Alice Eason on July 8, 1919 in the small community of Cedar Landing in Bertie County, North Carolina. She was the youngest of three children following behind brother Willie and sister Mary, reared by parents George and Cynthia Eason. She grew up on a small farm where she learned very early the value and necessity of hard work; a trait she would go on to instill in everyone with whom she worked over the years.

After graduating from Bertie County's W.S. Etheridge High School, Ms. Alice married Frank Winston Ballance, Sr. on August 14, 1938 and began to grow a family. Mr. and Mrs. Ballance reared five children: Frankie, George, Frank, Jr., James, and Vashti. She also pursued her passion of seeking to bring reforms to the system of public education that was clearly discriminating against African American children. She felt that it was unconscionable that African American children were required to attend inferior schools. She believed it was immoral and illegal that African American children were forced to walk to school while their white counterparts enjoyed bus transportation. And she found it unacceptable that the African American schools received their books, instructional materials, and other supplies as "hand-me-downs" from the white schools when they were no longer useful.

As former President of the local branch of the NAACP for nearly two decades, Mrs. Ballance used the political process to make the changes she sought. Over the better part of the 20th century, Mrs. Ballance registered thousands of voters across North Carolina and informed them on the importance of voting. Her efforts impacted local, state, and federal elections in North Carolina and she became a well-known political force throughout the State.

Mrs. Ballance's passion has always been ensuring that children—particularly those without privilege—are well cared for and receive a quality education. To that end, Mrs. Ballance in 1980 opened the non-profit Kiddie World Child Care Center, Inc. in Windsor, North Carolina. For more than 32 years, Mrs. Ballance has served as the Chief Executive Officer—a position this vibrant 93 year old still holds today. She tirelessly manages a staff of 20 that serve up to 50 children each day. She is extremely proud that Kiddie World has graduated more than 3,000 students since it opened more than three decades ago.

Mrs. Ballance is a deeply religious individual. She is a long standing member of Cedar Landing Missionary Baptist Church in Windsor, North Carolina. Over the years, she has held nearly every official Church position including Sunday School Teacher and Chair of the church's Kitchen Committee. The Church recently recognized Mrs. Ballance's dedication and longtime service to the Church and its members by honoring her with the title "Mother of the Church."

Mr. Speaker, Alice Eason Ballance has dedicated her life in service to friends, family, and all of humanity. I commend and congratulate Alice Eason Ballance on the great honor of having April 20th from this year forward known as "Alice Eason Ballance Day" in Bertie County, North Carolina.

IN RECOGNITION OF THE PENINSULA HILLS WOMEN'S CLUB

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor the Peninsula Hills Women's Club of Redwood City, California on the occasion of its 50th anniversary. Over the past 50 years the members of this group have touched the lives of people in their community, across the country and throughout the world.

In 1960, thirteen women founded the club in order to donate time and money to a variety of causes locally and worldwide. Today, the club has 36 members who continue that mission.

This Thanksgiving will be the 28th year that the members will serve dinner for lonely seniors. For 15 years, the club has provided fruit and cookies twice a month to low-income AIDS patients. For 13 years, children at migrant camps in Mexico have received hats, blankets, school supplies, sports equipment and toys. Club members sew post-op pillows for breast cancer patients, turtle pillows for seriously ill children, knit baby caps for African children and wool caps for our soldiers. They throw one birthday party a year for a low-income senior over 80 years of age. The club adopts a class and gives books to the students twice a year—on Dr. Seuss' Birthday and Christmas. It donates money to Pennies for Pines, a reforestation program, and to the Heifer Project which gives livestock to communities in developing countries in an effort to end hunger and poverty.

The Peninsula Hills Women's Club has held numerous fundraisers for Haiti Relief, Shelter

Network and the Redwood City Educational Foundation. At one of the most memorable fundraisers for the Police Youth Athletic League, sheriffs and police officers played baseball against each other—with a twist: all players were on donkeys!

As is obvious from this long and diverse list of activities, the women of the Peninsula Hills Women's Club are extraordinarily dedicated, passionate and creative. The club may be small, but it is mighty. It is currently under the leadership of its fourth president, Judy Yoakum; however, her three predecessors, Veva Wheaton, Judy Imperiale and Kit Fragulia, continue to serve on the state board.

Mr. Speaker, it is right to honor the Peninsula Hills Women's Club on this day, October 20, 2011, for 50 years of outstanding community service and to wish the members the best for the next 50 years.

HONORING THE ARMY NATIONAL
GUARD AND AIR NATIONAL
GUARD OF THE STATE OF OKLAHOMA

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. SULLIVAN. Mr. Speaker, I rise to state for the RECORD my gratitude to the members of the Army National Guard and Air National Guard of the State of Oklahoma and their families for their service and sacrifice on behalf of the United States since their deployment to Operation Enduring Freedom in July 2011.

The Army National Guard and Air National Guard of the State of Oklahoma are composed of several units, including the 45th Infantry Brigade Combat Team. The 45th Infantry Brigade Combat Team is made up of six subordinate Battalions. Additionally, the 146th Air Support Operations Squadron (ASOS), and Oklahoma Air National Guard unit were attached to the 45th IBCT for combat operations.

In July of 2011, the 45th Infantry Brigade Combat Team mobilized for Operation Enduring Freedom to conduct full spectrum operations. Since July 2011, the 45th Infantry Brigade Combat Team deployed more than 3,000 soldiers to provide command and control and conduct security force and detainee operations and to provide training to Afghan Security Forces, representing the largest single deployment for the Oklahoma Army National Guard since the Korean War.

When the 45th Infantry Brigade Combat Team moved into theater, 1,200 soldiers from the 1-160th Field Artillery Battalion and the 1-180th Cavalry Squadron were detached from the 45th Infantry Brigade Combat Team and redirected to Kuwait.

Upon arrival in Regional Command-East, the 45th Infantry Brigade Combat Team, as Task Force Thunderbird, assumed responsibility for Panjshir and Laghman Provinces as well as the three western districts of Nuristan Province; Mandol, Do Ab and Nurguram. The combined operations area in Afghanistan consisted of over 10,000 square kilometers and an estimated population well over 600,000.

Through the exceptional performance of the 45th Infantry Brigade Combat Team as Task Force Thunderbird, the Provinces where the 45th were operating are better prepared to run their government independently of Coalition Forces.

Sadly, these successes did not come without a price, as 14 soldiers from Task Force Thunderbird made the ultimate sacrifice, and many soldiers were wounded, to ensure the freedom and security of the United States and Afghan people.

I wish to publicly recognize the citizen-soldiers and airmen of the Oklahoma National Guard as invaluable to the national security of the United States, vital to defending against threats both foreign and domestic, and I welcome these brave men and women home to a grateful nation.

IN RECOGNITION OF CAPTAIN
KYLEANE HUNTER

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. HUNTER. Mr. Speaker, today, I want to recognize and pay tribute to Captain Kyleane Hunter, of the United States Marine Corps. I, and many other Members of this chamber, have had the great pleasure of working with Captain Hunter over the past year that she has served as part of Headquarters U.S. Marine Corps Office of Legislative Affairs Liaison Office in the House of Representatives. She will soon be leaving the liaison office and looking toward new challenges ahead.

Captain Hunter diligently and professionally represented the Marine Corps on all matters in the House of Representatives from September 2009 to April 2012. Throughout this period, Captain Hunter advised and assisted in the execution of many of the Marine Corps' most difficult and challenging legislative initiatives and distinguished herself as a leader and standard bearer of Marine Corps values and skills. Through her direct and skillful interaction with numerous Members of Congress, she ensured that Marine Corps' concepts, programs, and requirements were widely understood; ensuring the greatest possible support to the Marine Corps. Her initiative, leadership, and tireless efforts as a USMC Military Fellow and as the Operations Officer of the House Liaison Office have had a direct and lasting impact on improving the war fighting capabilities and the quality of life for Marines throughout the Marine Corps.

Throughout her time, Captain Hunter personally supervised and responded to hundreds of inquiries, many of which gained national level attention. Through her exceptional interpersonal skills and broad knowledge in a wide range of military affairs, she assisted the Director, Marine Corps Liaison Office, in gaining the Members' support and trust in critical issues. This served to provide the Marine Corps latitude and time to reach appropriate solutions in each case. Captain Hunter directly contributed to the Marine Corps' high degree of success in these matters that may not have been otherwise achieved.

Captain Hunter successfully planned, coordinated, and escorted an extensive number of international and domestic trips for high-level Congressional and Staff Delegations. These delegations often included senior leadership Representatives, such as the Chairman or Ranking Member of the major Defense Committees. These delegations visited heads of state, military commands, and deployed U.S. military personnel worldwide. Her attention to detail and anticipation of requirements allowed the Representatives and staff personnel to focus on fact-finding and learning new information to guide critical decisions to support the people of the United States. These trips led to an understanding of the successes and challenges facing our Marines that could only be gleaned from first-hand observation and face-to-face interaction.

Captain Hunter also assisted in the planning, coordination, and execution of countless events, receptions, and meetings on Capitol Hill. These events included New Member Orientation for the Freshman Congressional Class of the 112th Congress on Capitol Hill and in Williamsburg, Virginia; The House of Representative Marine Corps Birthday Cake Cutting Ceremonies, Multiple House Armed Services and House Democracy Partnership events, Promotion Ceremonies, Awards Ceremonies, and tours of the Capitol. She also scheduled and supported a great many office calls for the leadership of the Marine Corps to include Commandants of the Marine Corps, Assistant Commandants of the Marine Corps, and numerous other General Officers conducting business on Capitol Hill.

Through her exceptional personal efforts, Captain Hunter has contributed immeasurably to the Marine Corps' professional reputation throughout Capitol Hill. The rapport she developed with Members of the House of Representatives and the Professional Staff Members has in large part helped to ensure the strength and vitality of the Navy/Marine Corps team for years to come. Her exceptional performance as a USMC Congressional Fellow and Operations Officer of the House Liaison Office has made a lasting impact on the readiness and welfare of the Marine Corps, and as such, I thank her for her steadfast dedication to the Marine Corps and our country.

From one Marine to another, I can unequivocally state that Captain Hunter is a testament to the Marine Corps' commitment to excellence. On behalf of my colleagues; we thank Captain Hunter and wish her the very best of luck in future endeavors.

URGING THE FORMER YUGOSLAV
REPUBLIC OF MACEDONIA
(FYROM) TO WORK WITHIN THE
FRAMEWORK OF THE UNITED
NATIONS PROCESS WITH GREECE
TO ACHIEVE LONGSTANDING
UNITED STATES AND UNITED
NATIONS POLICY GOALS OF
RESOLVING THE NAME DISPUTE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mrs. MALONEY. Mr. Speaker, today I am reintroducing legislation urging the Former

Yugoslav Republic of Macedonia (FYROM) to work within the framework of the United Nations process with Greece to achieve longstanding United States and United Nations policy goals of resolving the name dispute and encourages the United States to work with its NATO allies to uphold previous NATO Summits decisions, with regard to the enlargement issue.

Negotiations are ongoing between Greece and the FYROM to resolve the name dispute. Historical and archaeological evidence shows that the ancient Macedonians were Greek. Macedonia is a Greek name that has designated the northern area of Greece for 2,500 years. In 1944, the name of the Skopje region was changed to Macedonia as part of Tito's imperialist campaign to gain control of the Greek province of Macedonia.

NATO's Heads of State and Government unanimously agreed in Bucharest (April 3, 2008) that ". . . within the framework of the UN, many actors have worked hard to resolve the name issue, but the Alliance has noted with regret that these talks have not produced a successful outcome. Therefore we agreed that an invitation to the former Yugoslav Republic of Macedonia will be extended as soon as a mutually acceptable solution to the name issue has been reached. We encourage the negotiations to be resumed without delay and expect them to be concluded as soon as possible"—an agreement for which the heads of State and Government participating in the NATO Summit meetings in Strasbourg/Kehl (April 4, 2009), as well as in Lisbon (November 20, 2010) reiterated their support.

This resolution urges the FYROM to work within the framework of the United Nations process with Greece to achieve longstanding United States and United Nations policy goals of resolving the name dispute and encourages the United States to work with its NATO allies to uphold previous NATO Summits decisions, with regard to the enlargement issue and extend an invitation to the former Yugoslav Republic of Macedonia as soon as a mutually acceptable solution to the name issue has been reached.

IN RECOGNITION OF PATRICIA
SIEGEL

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Patricia Siegel, who has dedicated her life and career to making child care accessible and affordable for all families. I have known Patty for over 25 years and have witnessed her passion and determination to have child care recognized as a vital component of community life. Patty was a ferocious advocate for children in the California Legislature. She was unstoppable and never hesitated to shame people into doing the right thing.

Drawing on her experience as a mother, teacher and parent-organizer, Patty began developing and delivering child care services 40 years ago. She organized the Yellow Garage Playgroup for families in the Inner Sunset Dis-

trict in San Francisco. In 1972, she founded Childcare Switchboard to help families elsewhere in the city find such services. Four years later she was instrumental in initiating and implementing alternative child care solutions through the passage of AB 3059 which provided funding for the Child Care Resource & Referral Programs and Alternative Payment Programs in all California counties.

In 1980, Patty was the Founding Director and Executive Director of the California Child Care Resource & Referral Network, which has grown into the most established system of child care resource and referral services in the country.

As the Executive Director of the California Child Care Resource & Referral Network, Patty shaped state and federal policy for children and families. Her work included the Child Care Initiative Project, a statewide public-private partnership to expand the supply of licensed quality child care by recruiting and training new family child care providers, with special emphasis on infants and toddlers and Spanish speaking communities. She also inspired and guided the development of Parent Voices, a grassroots parent-led effort to engage and empower parents to actively and successfully participate in the policy process.

Patty also played an essential role in the creation and implementation of TrustLine, California's registry of license-exempt caregivers.

Beyond her role at the Network, Patty served on the Governor's Advisory Committee on Child Care Development, was one of the original state commissioners for the California Children and Families First Commission (First 5), and represented California in the Children's Defense Fund state child care advocates network. She is the state advocate and liaison for the National Women's Law Center and volunteers her time and expertise with the National Association for the Education of Young Children.

Patty was born in Oakland and received her B.A. in French and English from the University of California, Davis.

In 1965 she married her husband Sanford "Sandy" Siegel. They have three children, Toby, Tara and Kelsey, and three grandchildren, Declan, Caio and Oona.

In her well deserved retirement, I am certain that Patty will enjoy spending more time with her family, gardening, traveling, cooking, hiking, reading, dancing and being in the outdoors.

Mr. Speaker, I ask this body to rise with me to recognize my friend Patricia Siegel for her lasting contributions to families in California and the country and for always putting her community before herself.

HONORING LARRY GODWIN, A
FRIEND, COMMUNITY LEADER
AND TRUE PATRIOT

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. MICA. Mr. Speaker, I rise today to pay tribute to Larry Godwin, a wonderful friend of nearly four decades.

Larry lost his most recent battle with cancer on Thursday, April 12, 2012. With his passing, his family lost someone they loved, our community lost a leader and our country lost a true patriot.

It was my good fortune to have met Larry when we were active in the Winter Park Jaycees and in other community activities nearly 40 years ago. When you met Larry Godwin, you knew you were talking to someone with purpose, determination and principle. Successful in real estate, he also made his mark in politics and never paused in his commitment to good government. As a successful entrepreneur, he was part of that special formula that allowed Larry and our nation to be successful and great.

During one of his early visits to Washington for cancer treatment, I still remember his determination to fight on and survive that most dreaded and cruel disease. I will remember his faith, his love of family and that impish grin that, if you knew Larry, was never to be forgotten. So today, along with, I know, dozens of former Winter Park Jaycee buddies, we all salute and say a fond farewell to a special friend.

Mr. Speaker, today, April 19, 2012, in honor of Larry Godwin's memory, service to our nation and final services, I have asked the Architect of the Capitol to fly an American Flag over the U.S. Capitol Building.

Finally, to his family and especially his son Robbie, I extend my very deepest sympathy. I ask my colleagues to join me in recognizing the life and memory of Larry Godwin.

HONORING THE ELLIS FAMILY

HON. REID J. RIBBLE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. RIBBLE. Mr. Speaker, I rise today to acknowledge the great work of the Ellis family of Rhinelander, Wisconsin, who worked to benefit the Ronald McDonald House of Marshfield, Wisconsin and are the 2012 Make A Difference Day winners. Make a Difference Day is a celebration of the power of neighbors helping neighbors. Created by USA Weekend, this annual day of service mobilizes more than three million volunteers to create change in their community.

The Ellis family has made a substantial impact on their community by collecting aluminum cans for the local Ronald McDonald House. Rick and Kela Ellis were heartbroken when they lost 2-year-old daughter Ashley to brain cancer in 1989. But within a year they'd found a way to honor her memory: by recycling aluminum cans to benefit the Ronald McDonald House of Marshfield, Wisconsin, their "home" while Ashley was hospitalized. Since giving their Cans for Cancer collection a "huge boost" by tying it to Make A Difference Day in 1998, the Ellises have recycled 6,000 pounds of aluminum, raising more than \$2,500.

I want to congratulate the Ellis family for this honor and thank them for their service to our community.

RECOGNIZING THE ANNUAL INTERNATIONAL MEMORIAL SERVICE AT FORT CHAMBLY

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. OWENS. Mr. Speaker, I rise today to recognize the annual International Memorial Service at Fort Chamblay.

This memorial serves as a tribute to our fallen heroes who fought bravely during the American Revolutionary War, particularly those who weathered disease and below freezing temperatures to fight off the British on the U.S. and Canadian border.

The annual memorial service honors the courageous efforts these individuals demonstrated in their struggle for America's independence. Their service inspired generations of Americans to sacrifice for their country, in order to preserve and protect many of the liberties we enjoy today.

With gratitude, we acknowledge the legacies of our fallen heroes with great reverence and appreciation. I commend the Saranac Chapter of the Daughters of the American Revolution, along with various associated organizations and dignitaries for keeping the valiant struggle of these individuals in the memories of community members.

IN RECOGNITION OF PETER DOUGLAS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Peter Douglas on the occasion of his retirement on October 31, 2011 as Executive Director of the California Coastal Commission for 26 years.

Mr. Douglas' great legacy is the lack of something—the lack of development on the spectacular 1,100 miles of California coastline. For over four decades he has worked to guarantee public access to the coast and to keep coastal bluffs pristine.

Mr. Douglas is the third executive director, appointed in 1985 after having served as the Coastal Commission's Chief Deputy Director for seven years. Before joining the commission, he worked as a legislative aide to Assemblyman Alan Sieroty of Beverly Hills. In that capacity he co-authored Proposition 20 in 1972 which created the Coastal Commission. He went to work for the Assembly Natural Resource Committee and the Select Committee on Coastal Protection where he co-drafted the California Coastal Act which was made permanent by the legislature in 1976. The law gives priority to public recreation over private development and gives the commission authority to enforce the law. Mr. Douglas deserves credit for turning a start-up panel into one of the country's most powerful land-use authorities.

Thanks to his work, millions of Californians and visitors are able to enjoy one of the most

beautiful coastlines in the world. Had it not been for Mr. Douglas, Hearst Ranch would be a golf resort, Monterey Bay would be lined by condominiums and San Onofre State Park would be a paved toll road.

Mr. Douglas is one of the fiercest defenders of open space and he is not afraid to speak truth to power. For example, this year some landowners wanted to build "environmentally friendly" mansions along a bluff overlooking Malibu. Speculation persisted that the commission would approve the project until Peter Douglas stated he had "never seen a project as environmentally devastating as this." The commission voted against it.

Mr. Douglas took on the Jonathan Club and the Olympic Club, private men's clubs in Santa Monica and San Francisco respectively. He urged the commission to vote against their expansion arguing that it would be a travesty if a state agency gave its good housekeeping seal to a club on public land that discriminates against Jews, African Americans, Latinos, Asians and women. He ignored the advice of the Attorney General's office, the case went all the way to the Supreme Court and the commission won. Mr. Douglas succeeded in righting a grievous constitutional wrong with the Coastal Act.

In 1987 he refused an order by Governor Deukmejian to close the commission offices in Santa Barbara and Santa Cruz. He argued the commission could not implement the Coastal Act without offices in those critical areas. The commission backed him on the basis that the Governor did not have authority over an independent commission and the offices remained open.

His upbringing gave him the tools and mindset to deal with adversity and conflict. Peter Douglas was born into a Jewish family in Berlin in 1942. They immigrated to the United States from Mexico in the early '50s. He received both his undergraduate and graduate degrees from UCLA.

Among a long list of additional professional accomplishments, Mr. Douglas is one of the original members of the NOAA Science Advisory Board, was appointed by President Clinton of the U.S. Panel on Ocean Exploration, and is a Member of the National Academy of Sciences.

As Mr. Douglas is handing over his Coastal Commission responsibilities to Senior Deputy Director Charles Lester, he is looking forward to spending more time with his family and friends, especially his grandchildren, on his beloved coast. To quote him, "If we want it to be there for our children, we have to keep fighting to protect it. In that way, the coast is never saved, it's always being saved."

Mr. Speaker, I ask this body to rise with me to honor the life's work of Peter Douglas who has preserved the natural beauty of the California coast and my belief that an individual can change the world.

RECOGNIZING THE 75TH ANNIVERSARY OF THE EXCHANGE CLUB OF FOND DU LAC, WISCONSIN

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. PETRI. Mr. Speaker, I am pleased to congratulate and recognize the Exchange Club of Fond du Lac, Wisconsin, as it celebrates 75 years of serving the Fond du Lac community. Established in 1937 by some of the city's most prominent leaders, the Exchange Club was viewed by its founding members as a chance to develop an entirely new type of service organization in the area, with an emphasis on helping those less fortunate while working to make life better for all area citizens.

It is a commitment Fond du Lac Exchangites have been fulfilling for 75 years. In the process, they have made innumerable contributions to the quality of life in the Fond du Lac area.

For 75 years, members of the Fond du Lac organization have met to exchange ideas about how to better serve the community while working to advance the National Exchange Club goals of benefiting and developing youth, promoting crime prevention, recognizing military and public safety service providers, fostering Americanism and preventing child abuse.

In its early years, the Exchange Club of Fond du Lac underwrote Christmas parties for the community's underprivileged children and held programs to recognize the area's high school sports teams. In the late 1940s, the Exchange Club was instrumental in convincing city officials that an underutilized city-owned building designated as a community center could be converted to a gathering place for area youth, something many felt the city badly needed. Thus, the Hamilton Community Building near downtown Fond du Lac was extensively remodeled in 1947 and used for decades as the Fond du Lac Youth Center.

In 1957, the club achieved one of its proudest moments by raising the funds needed to purchase a cutting-edge piece of medical equipment, called a Flame Photometer, for Fond du Lac's St. Agnes Hospital. At the time, only two other, much larger, medical facilities in Wisconsin had this particular life-saving equipment.

Another signature Exchange Club accomplishment was the furnishing of grounds supervision, maintenance and support for many years for Camp Tiwaushara, a large Girl Scout Camp located in Redgranite, Wisconsin, and operated by the former Wau-Bun Girl Scout Council. Members of the club went to Redgranite annually to clear brush and prepare the grounds for the camping season and to build structures needed for the camp.

More recently, Exchangites in Fond du Lac have been active in running a petting zoo for the community at Fond du Lac's Lakeside Park, distributing flags to children during the annual Fond du Lac Memorial Day Parade, and erecting numerous Exchange Club Freedom Shrines, permanently mounted reproductions of the most important documents in

American history. Also in recent years, club members have purchased a walk-in cooler for a local food pantry and have funded numerous public safety initiatives, as well as supporting countless other local causes and nonprofit organizations in the Fond du Lac area.

I am proud to join with the Fond du Lac community in recognizing the invaluable contributions and outstanding service of the Exchange Club of Fond du Lac, and in congratulating the club on its 75th anniversary. In addition, I extend my best wishes to all club members for continued success in the future.

IN HONOR OF NURSES FOR
NEWBORNS

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. CARNAHAN. Mr. Speaker, I rise today to recognize the Nurses For Newborns Organization, as they celebrate their 20th anniversary.

Since 1992, Nurses For Newborns has served our most vulnerable citizens—newborn babies. As a nurse home visiting agency, volunteers help provide a safety net for families most at risk to help prevent infant mortality, child abuse, and neglect through home based programs that provide education, healthcare, and positive parenting skills. Services also include programs for teen moms and moms that are mentally and physically challenged, as well as referrals to medical, social or government services.

Nurses visiting new mothers for whom poverty is the primary risk factor provide maternal depression, risk for domestic violence and child abuse and neglect screenings in the home. “Medically fragile” babies—those born prematurely, diagnosed with Down Syndrome or other genetic disorders, or who have been exposed to drugs or alcohol are afforded extra special care by volunteer nurses.

Moms with intellectual or physical disabilities who need assistance with routine tasks like formula preparation and feeding; administration of medications or managing appointment schedules will receive support from Nurses For Newborns with more frequent home visits.

Our citizens have rallied around this worthy organization. Churches, school groups, and businesses, and community members routinely donate clothes, toys, diapers, blankets, car seats, baby beds, and formula to the Nurses For Newborns organization, for families in need.

Evidence based outcomes of the hard work of Nurses For Newborns staff and volunteers are impressive. Ninety-nine percent of babies whose parents are enrolled in the program do not suffer from abuse or neglect; 89 percent are current with immunization schedule; 99 percent have established a medical home for their babies, and 99 percent are not unnecessarily hospitalized.

I thank Chief Executive Officer Melinda Ohlemiller, her staff, and all of the volunteers who have made Nurses For Newborns the effective and vitally important organization that it is today. Because of their compassion and

hard work, all St. Louis area babies can have the best possible start and the brightest possible future.

HONORING H. MICHAEL WEITZMAN

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. HAHN. Mr. Speaker. I rise today to honor the memory of H. Michael Weitzman, who passed away on April 16, 2012 and whose absence is felt deeply in his community and in the hearts of all who knew him.

Born August 19, 1929, H. Michael Weitzman was an alumni of Case Western University and the Ohio State University’s School of Optometry. He served his country as a line officer in the Navy and continued to work as an optometrist until just over a year before his death.

Dr. Weitzman was an immensely caring person with a poignant and selfless dedication to serving his fellow man. A deeply spiritual person, he lived out the Jewish ethic of loving-kindness until his dying day. As an established Optometrist in the San Pedro community, Dr. Weitzman was known for his attention to his patients, often seeing people at no charge.

Not only was Michael Weitzman generous in his own practice, his philanthropy extended to several charities and non-profits including the Lions Club Vision Programs, fIndings Art Center, and the California Vision Foundation which provides free eye care for the needy.

I extend my deepest condolences to his wife, his two sons, Gregg and Dan, his daughter, Dr. Debra Gierut, and his seven grandchildren. Though Dr. Weitzman is no longer with us, his legacy lives on in the lives of the loved ones he has left behind and in the community he served tirelessly throughout his life.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,661,574,232,598.82. We’ve added \$5,034,697,183,685.74 to our debt in just over 3 years. This is debt our Nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING THE SERVICE OF
GRETCHEN VanNATTER

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. BURTON of Indiana. Mr. Speaker, I am honored today to rise and pay tribute to

Gretchen VanNatter, a dedicated civil servant, a loving mother and truly great Hoosier. Gretchen is being honored this week for her 37 years of public service with the Social Security Administration. Gretchen is a second generation Social Security Administration employee, as her mother is a retired Claims Representative for the Administration. Gretchen began her career with the Social Security Administration in 1975 as an Administrative Aide to the District Manager. From there she worked her way up the Social Security Administration’s ladder, attaining positions as Claims Representative, Management Support Specialist, Operations Supervisor and finally in her current position as District Manager of the Marion, Indiana office. Gretchen has been a tireless supporter and ambassador of the Social Security Administration, and has been a valuable resource not only to countless numbers of Hoosiers throughout the Marion area, but as a resource to members of my staff in Marion as well. Throughout her career Gretchen has delivered countless speeches to local organizations, attended fairs to educate the community on administration services, and has worked tirelessly with senior citizens’ organizations to ensure that they are properly receiving their Social Security benefits.

The pride in public service Gretchen has exhibited during her career is only eclipsed by her dedication to her family. Gretchen is a loving and devoted wife to her husband Bob VanNatter. The VanNatters are proud parents of 3, along with 3 wonderful grandchildren.

It is my distinct honor to congratulate Gretchen VanNatter for her dedicated public service to the Social Security Administration. She will always have a special place in the hearts of all those who have had the opportunity to work with her over the years, and especially the countless lives she has touched through her unwavering commitment to the Social Security Administration and the citizens of the great State of Indiana.

Congratulations Gretchen!

IN RECOGNITION OF RANDY
ROYCE

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Randy Royce, a member of the San Carlos City Council for four years and a resident of this wonderful community for over 30 years. Randy has served San Carlos with distinction both on the council and before becoming a member.

When people think of Randy they think of community and even global service. As a member of the Sister Cities Association, Randy has strengthened the ties between San Carlos and its sister cities around the world. In 2007, Randy travelled to Pass Christian Mississippi, a town adopted by San Carlos after the 2005 devastation of Hurricane Katrina. Both through his on-site effort to reconstruct that city and through his encouragement of donations to the community, Randy helped to raise structures and the spirits of his fellow Americans.

In his earliest years in San Carlos, Randy could be found coaching soccer, and urging the development of the hearts, bodies and minds of the youth of San Carlos. As a man of many talents, he has also boosted the love of local history by serving as a volunteer with the San Carlos History Museum, and he volunteered for many years to organize the Summer Concert Series in Burton Park. On behalf of the less fortunate within our Peninsula Community, Randy has served on the Board of Directors of the Housing Endowment and Regional Trust (HEART). He served on the San Carlos Arts and Culture Commission, the city's Economic Development Advisory Committee, the Planning Commission and the Residential Design Review Committee. He has also served as Mayor of San Carlos.

Of course, if you really want to see Randy hustle for two days non-stop, you can spot him helping from dawn until dusk during the annual Hometown Days celebration, a charming small-town event that celebrates family, community and country. In short, Mr. Speaker, from his own backyard in San Carlos to places around the globe, Randy has extended his heart and his talents in service to the health, safety and welfare of tens of thousands of human beings.

It should therefore not be surprising that Randy has also helped to build our local community college district's curriculum and programs as a member of the Cañada College Presidential Advisory Committee. His service in senior management positions at Hewlett Packard, Agilent and three Silicon Valley startups demonstrated to him that talented employees are first molded through education, then invited to be further educated in the enterprises of our Nation. Our community was fortunate to have his insights available to its students.

Through his own education in finance, and his life's experiences, Randy was able to offer steady counsel to his colleagues on the City Council of San Carlos. He was often a voice of reason amidst a passionate outcry, a role that is difficult for any public servant, but an essential role within any democracy.

Of course, no public servant is capable of such great accomplishments without the support of family members. Randy has been supported at all times by his talented wife, Yvette, and his two sons Roger and Todd.

Mr. Speaker, I ask this body to rise with me to honor Randy Royce for a life and career dedicated to public service on the occasion of his retirement on December 12, 2011. Randy Royce is an American who thinks reflexively about the well-being of us all. As a result, his contributions to San Carlos and to our Nation over these many decades are legion, and will surely last for generations yet to come.

IN RECOGNITION OF THE MONMOUTH UNIVERSITY MARJORIE K. UNTERBERG SCHOOL OF NURSING & HEALTH STUDIES 30TH ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. PALLONE. Mr. Speaker, I rise today to celebrate Monmouth University's Marjorie K. Unterberg School of Nursing & Health Studies' 30th Anniversary. The School of Nursing continues to provide its students, from the Baccalaureate through the Doctoral level, with an exceptional education. Throughout its tenure, the School of Nursing has demonstrated tremendous growth and is worthy of this body's recognition.

Monmouth University's Department of Nursing and Health Studies began in April 1981 with the expansion of the Upper-Division of the Bachelor of Science Nursing program by Dr. Marilyn Lauria. The inaugural class began with 72 students. The successes of this program led to the launch of the Masters of Science in Nursing program. The curriculum met the demands for students seeking advanced degrees in specializations including Adult Nurse and Family Nurse Practitioners, Adult Psychiatric & Mental Health Advanced Practice Nursing, Nursing Administration, Nursing Education as well as School Nursing and Forensic Nursing. In 1998, Monmouth University and the Department of Nursing and Health Studies were proud to recognize its first class of graduates from the Masters of Science in Nursing. Later that year, the Department of Nursing and Health Studies was renamed the Marjorie K. Unterberg School of Nursing and Health Studies. Marjorie K. Unterberg was a long-time advocate for the field of nursing and was active in the nursing scholarship program at the University. She also served as former President of the School of Nursing and Vice President of the Board of Governors at Monmouth Medical Center, where she established the Center for Nursing Excellence.

The Marjorie K. Unterberg School of Nursing proudly received its accreditation by the New Jersey State Board of Nursing and the Commission of College Nursing Education in February 2000 and in the Spring of 2000, respectively. Monmouth University is the first institution in New Jersey to offer the forensic nursing concentration. The success of the Nursing school led to the expansion of various programs, including the addition of the forensic nursing at the Masters level and the health studies major for students pursuing their Bachelor's degree. Most recently, the University was proud to announce the addition of their Doctor of Nursing Practice and began holding classes for matriculating students in June 2011. Today, over 600 students are enrolled in various nursing and health studies programs at the Marjorie K. Unterberg School of Nursing & Health Studies. They also proudly boast over 900 alumni.

Mr. Speaker, once again, please join me in recognizing Monmouth University's Marjorie K. Unterberg School of Nursing and Health Stud-

ies for their thirty years of service. Their continued efforts to provide a well-rounded education remains a valued and important entity to the students and the Monmouth University community.

HONORING ROBERT LANTHORN

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. STIVERS. Mr. Speaker, I rise today to honor the public service career of Robert Lanthorn. Robert is a teacher of American History, American Government, Economics, and Advanced Placement United States Government and Politics. Robert has served as an educator at Hamilton Township High School for the past five years.

Robert is being honored as the Educator of the Year by Kids Voting USA. The Educator of the Year award is a national award presented to a teacher who motivates their students to be civically active both through teaching and example.

Robert has used innovative teaching methods and gained the trust of his students keeping them engaged and interested in learning. His outstanding teaching methods have earned him many awards throughout his teaching career. Robert has been named Kids Voting Educator of the Month, Ohio Lottery's Teacher of the Month, and Ohio's Outstanding Teacher of American History by Ohio State Society Daughters of the American Revolution.

Robert's desire to motivate his students to not only learn but also engage in civics has had a positive effect on his students and the community alike. His students have participated in the political process and an amazing 83 percent of students participated in Hamilton Township High School's mock election.

Robert has inspired many students to become involved in their community and instilled life lessons of civic responsibility. I thank Robert for all that he has done to serve our community and educate our youth and congratulate him on being named Educator of the Year.

HONORING JEWELL FRANCES WELLS GOLDEN ON HER 100TH BIRTHDAY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. MILLER of Florida. Mr. Speaker, it is my great honor and pleasure to wish a very happy birthday to Mrs. Jewell Frances Wells Golden of Bagdad, Florida on the occasion of her 100th birthday and to congratulate her on her many achievements. Mrs. Golden reached the century mark, an incredible milestone, on April 16 of this year.

Jewell Golden is no stranger to the Northwest Florida community. Alongside her husband, the late Albert Golden, they shared many successes and business ventures,

which have made a lasting impact along the Gulf Coast. One factor that always remained constant was their love for each other, their family, and their strong faith in God. In fact, in 1977, Mr. and Mrs. Golden helped establish the Church of the Living God, now known as Heritage Chapel.

Mrs. Golden is beloved and cherished by all—her family, including her three children, eleven grandchildren, twenty great-grandchildren, and a grateful community. Her greatest joys, which she shares in her autobiography, are spending time with her family and “making memories.” Those who have the pleasure of knowing Mrs. Golden have been blessed by her charisma and presence. Her life serves as an inspiration to many and demonstrates that hard work and strong morals will lead to much success and happiness.

My wife Vicki joins me in wishing Mrs. Jewell Frances Wells Golden a joyous birthday. May God continue to bless her, her family and friends with wonderful memories for many years to come.

IN RECOGNITION OF RICK LAUBSCHER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Rick Laubscher who today is receiving the 2011 Silver Spur Award from San Francisco Planning and Urban Research (SPUR). This award recognizes a lifetime of civic achievement of a San Franciscan.

Cable cars and streetcars are quintessential symbols of San Francisco. If you have ridden in one of the historic cars of the famous F-Market & Wharves streetcar lines on Market Street and the Embarcadero, you owe a big thanks to Rick Laubscher, President of Market Street Railway, a volunteer, non-profit organization founded in 1976 by three transit preservationists who wanted to save a vintage Municipal Railway trolley bus that was about to be scrapped.

Today Market Street Railway has 1,200 members from San Francisco, the Bay Area, and throughout the world. The organization has helped Muni acquire 20 historic transit vehicles, including streetcars, cable cars, trolley coaches, and motor coaches and the volunteers have actively restored fifteen of them. Mr. Laubscher's passion for historic treasures and his advocacy have transformed the city's public transportation system.

Mr. Laubscher's roots run deep in San Francisco. His family has lived here for four generations. Mr. Laubscher fell in love with streetcars as a little boy when they were not historic. He was washing dishes and helping his father in the delicatessen on Market Street that his grandfather had opened. He calls Market Street a true urban main street.

When the streetcars were planned to be dismantled in the early 80's, he set out on a quest to preserve them. He was not the first to think of the idea, but he was the first to do it; he put history to work and preserved our urban fabric, as he likes to say. Today thou-

sands of people each day ride the historic cars.

Mr. Laubscher also served as founding board chair of The City Club of San Francisco, a landmark of world renowned art and architecture and a promoter of active engagement and influence in civic, social and business areas. He also served on SPUR's board and transportation committee. He is currently a board member of the San Francisco Chamber of Commerce.

Accompanying his love of San Francisco and history, Mr. Laubscher has a passion for communication. He runs Messagesmith, a strategic communications consulting company specializing in such areas as environmental sustainability and corporate social responsibility.

Mr. Laubscher holds an M.S. from the Columbia University Graduate School of Journalism and worked as a radio and television news reporter for many years.

He lives in Woodside with his wife of sixteen years, Nicole. They are the proud parents of three daughters. Mr. Speaker, I ask this body to rise with me to acknowledge the outstanding achievements and lasting contributions of Rick Laubscher to San Francisco and the rest of the world.

IN HONOR AND RECOGNITION OF RABBI ALAN B. LETTOFSKY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise to recognize and honor Rabbi Alan B. Lettovsky who is retiring from Beth Israel—The West Temple in Cleveland in Ohio's 10th Congressional District.

Affiliated with Judaism's Reform Movement, Beth Israel serves the Jewish Community of Cleveland's west side and western suburbs and is the only synagogue geographically located in the City of Cleveland. Beth Israel's roots go back to 1910 when the West Side Jewish Center was founded on Cleveland's Near West Side. It merged with Beth Israel in 1957 to form Beth Israel—The West Temple.

Born and bred in Cleveland, Alan Lettovsky was educated at Brandeis University, the Hebrew University in Jerusalem, the Jewish Theological Seminary of America, and Yale University. He serves Beth Israel—The West Temple as their part-time rabbi while also teaching Modern Hebrew and Jewish History at Kent State University. He was Associate Professor at the Siegal College of Judaic Studies and at Case Western Reserve University for several years. He has taught in the Religion Department at John Carroll University.

Rabbi Lettovsky started his career as Visiting Professor at the Seminario Rabinico Latinoamericano in Buenos Aires, Argentina, and then taught for three years in the Department of Religious Studies at the University of Virginia. Throughout most of his professional career, Rabbi Lettovsky worked for Hillel, the Jewish campus ministry—for ten years as the director of Hillel at the University of Wisconsin-

Madison and for 13 years as the Regional Director of Hillel in Northeastern Ohio. Dedicated to egalitarianism and self-empowerment in Jewish communal prayer and fellowship, Rabbi Lettovsky co-founded and actively participated in the Library Minyan which met in the library of Congregation Beth Am in Cleveland Heights in the 1980s and 90s.

In recent years, Rabbi Lettovsky has been a member of a small committee of the Rabbinical Assembly that is preparing a new High Holy Day prayerbook for Judaism's Conservative Movement. In the early 1990s, Rabbi Lettovsky was one of 12 rabbis who served on the Commission on Human Sexuality of the Rabbinical Assembly. That Commission issued a Rabbinic Letter on Intimate Relations, entitled “This Is My Beloved, This Is My Friend.”

I was pleased to know Rabbi Lettovsky in 2000 when other civic leaders and I worked to stop the shutdown of several hospitals in the greater Cleveland area. Rabbi Lettovsky spoke out with religious leaders of a wide diversity of faiths to stress the spiritual importance of healing the sick and making health care available to all. Rabbi Lettovsky continues to serve as part-time chaplain at Hillcrest Hospital in Mayfield Heights on behalf of the Jewish Federation of Cleveland.

Mr. Speaker and colleagues, I am pleased to honor Rabbi Lettovsky and thank him for his many years of dedication and service to the community. I wish him, his wife of more than 40 years, Jean Loeb Lettovsky, and their three children and five grandchildren, many happy and healthy years to enjoy his retirement and for continued service to the people.

A TRIBUTE TO THE LIFE OF PETER M. DOUGLAS

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. THOMPSON of California. Mr. Speaker, I rise today with my colleagues, Representatives BACA, BERMAN, CAPPS, CHU, COSTA, S. DAVIS, ESHOO, FARR, FILNER, GARAMENDI, HAHN, HONDA, LEE, LOFGREN, MATSUI, MCNERNEY, MILLER, NAPOLITANO, PELOSI, RICHARDSON, ROYBAL-ALLARD, LORETTA SANCHEZ, SCHIFF, SPEIER, STARK, WATERS, WAXMAN, and WOOLSEY to pay tribute to the life of Peter M. Douglas, who recently passed away at the age of 69. Peter was best known as the long-time director of the California Coastal Commission, serving more than 25 years to protect the incredible California coastline. Peter's devotion to the conservation of this finite and precious resource will benefit generations to come.

Peter was born in Berlin, Germany on Aug. 22, 1942. His family's home was destroyed by Allied bombers in 1944. He immigrated by sea to the United States in 1950, and it was on this trip that he began a lifelong love of the ocean. Peter grew up in Southern California, and in 1965 earned a bachelor's degree in psychology, and later a law degree from the University of California at Los Angeles.

Peter worked for former Democratic Assemblyman Alan Sieroty from Los Angeles, and he

was tasked with writing coastal protection legislation. In response to oil spills and heavy coastal development, the public passed Proposition 20 in 1972, which formed the California Coastal Commission. Peter also helped craft the bipartisan Coastal Act in 1976, and the next year joined the commission as deputy director. In 1985, Peter was appointed executive director and served in that role until his recent death.

Peter was instrumental in blocking offshore oil drilling and leasing, preventing unchecked development along California's 1,100-mile coast line, and ensuring public access to beaches. His efforts were often controversial, and members of both parties at times tried to remove him from his post. However, he never swayed from his commitment and passion to protect California coasts.

There is no doubt that California's incredible coastline bears Peter's mark. His influence on coastal issues has been profound, and has set standards for how such a valuable resource can be both used and protected.

Mr. Speaker, we ask our colleagues to join us in paying tribute to the life of Peter M. Douglas, a steadfast protector of the California coast and a true environmental steward.

HONORING RAFAEL CHRISTOPHER
TURNER FOR MORE THAN 10
YEARS OF PUBLIC SERVICE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. KILDEE. Mr. Speaker, I ask the House of Representatives to join me in honoring my Deputy District Director, Rafael Christopher Turner, for his 10 years of exemplary and dedicated service on behalf of my constituents in Michigan. Rafael is leaving this month to continue working on behalf of Michigan residents for U.S. Senator CARL LEVIN and it is fitting that we celebrate and recognize his continued service to the public.

I had the opportunity to recruit Rafael for an internship in my Washington, DC office in February 2002 and was immediately impressed with his commitment to public service and extraordinary talent and skills. I have known Rafael's family for years and Rafael was continuing their legacy of making a difference in people's lives as a public servant, community leader and a trusted and valued advisor to me and many others, especially our youth.

After accepting a full-time position as a legislative assistant in May 2002, Rafael worked on vitally important and complex public policy issues, applying his knowledge and dedication to a wide range of legislation important to my constituents. Rafael was eager to return to his hometown of Flint to make a difference in his community and in September 2005 he joined my District Office staff where he rose to become Deputy District Director. Rafael has used his vast experience and extraordinary skills to help make the federal government work for the people in my congressional district. Whether the issue is veterans' benefits, Social Security, education, consumer protection, health care or myriad other federal con-

cerns and responsibilities, Rafael has devoted himself to promoting, protecting and defending human dignity.

Rafael also serves his community on the Mott Community College Board of Trustees, as an executive board member of the Flint Branch of the NAACP and he was awarded the Distinguished Emerging Alumni honor at the University of Michigan-Flint where he earned a Masters of Public Administration. He was also selected to participate in the prestigious Rotary International Group Study Exchange Program and traveled to Brazil to advance the Rotary's mission.

Mr. Speaker please join me in honoring Rafael Christopher Turner, a dear friend and accomplished public servant as he moves on to continue making a difference in people's lives.

PERSONAL EXPLANATION

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. FINCHER. Mr. Speaker, I rise today to discuss how I would have voted on the amendments and final passage of H.R. 4089, the Sportsmen's Heritage Act of 2012.

If I had I been here to vote I would have voted in the following way:

Holt (NJ): I would have voted "no."

Grijalva (AZ): I would have voted "no."

Peters (MI): I would have voted "no."

Heinrich (NM): I would have voted "no."

Foxx (NC): I would have voted "yes."

Democrat Motion to Recommit: I would have voted "no."

Final Passage: I would have voted "yes."

As an avid hunter, a lifetime member of the National Rifle Association, and a member of the Congressional Sportsman's caucus I understand the value of sportsmen's rights and cherish the opportunity to pass on my love for hunting to my children.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. COHEN. Mr. Speaker, I was detained from voting on Monday, April 16, 2012 and the afternoon of Tuesday, April 17, 2012. If present, I would have voted "yea" on the following rollcall votes: rollcall Nos. 152, 153, and 157.

If present, I would have voted "nay" on the following rollcall votes: rollcall Nos. 154, 155, and 156.

HONORING THE 40TH ANNIVERSARY OF THE STUDENT ASSOCIATION VOLUNTEER AMBULANCE CORPS (SAVAC) OF OSWEGO

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. OWENS. Mr. Speaker, I rise today to honor the 40th anniversary of the Student Association Volunteer Ambulance Corps, SAVAC, of Oswego. The SAVAC is the first fully student funded, staffed, trained, and operated volunteer ambulance corps on a college campus in the nation, according to the American College Health Association.

Originally founded in 1971 by a small group of SUNY Oswego undergraduate students, the program had humble beginnings, initially receiving \$8500 in funding from the SUNY Oswego Student Association, which continues to fund the program today.

Today, the SAVAC is now the primary Emergency Medical Services, EMS, provider for SUNY Oswego. Additionally, the SAVAC is certified in Basic Life Support by the New York State Department of Health, providing mutual aid support to the Oswego City Fire Department and the Oswego Town Volunteer Fire Department.

The SAVAC has become a gateway to the EMS world, sending many of its members on to professional positions within Emergency Medical Services and Fire Departments across New York State and the country. I applaud the commendable and valuable work of the SAVAC and honor their rich history of community service.

EQUAL PAY DAY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mrs. MALONEY. Mr. Speaker, held every April, Equal Pay Day signifies the point in the year that a woman must work to earn what a man made in the previous year. Only in April will a woman finally earn what a man has made.

In my own state of New York, women make 83 cents for every dollar earned by their male counterparts. According to a report by the National Partnership for Women & Families, full-time working women in New York lose approximately \$24,257,741,976 each year due to the wage gap. The national average is even worse: on average, women in the United States earn 77 cents for every dollar earned by male coworkers.

Though the Equal Pay Act was signed into law in 1963, when women earned 59 cents for every dollar earned by men, it is nearly 50 years later and women STILL aren't being paid equally.

The work women do matters—women make up nearly half of the labor force and mothers are the primary earners or co-earners in two-thirds of all families. Equal pay isn't merely a

women's issue—when women don't earn fair pay, the families that rely on their wages struggle. Families increasingly rely on women's wages to make ends meet. In typical married households, women's incomes accounted for 36 percent of total family income in 2008, up from 29 percent in 1983.

This Equal Pay Day, I recognize the many achievements and contributions of women across the country to our economy and pledge to work towards economic equality for women, to a time when women can finally receive the wages they have worked for and rightfully earned.

HONORING DEPUTY ROBERT PARIS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. DENHAM. Mr. Speaker, I rise today to honor the service and memory of Deputy Robert Paris, who was slain in the line of duty this past week in Modesto. Deputy Paris is the third sworn officer to be killed while serving with the Stanislaus County Sheriff's Department, and on behalf of the community and this Congress, I want to offer condolences to his family, friends and colleagues.

Deputy Paris has a long career of service, first being certified as a Mobile Intensive Care Paramedic in 1980. In 1993, he graduated from the Ray Simon Regional Criminal Justice Training Center, and three years later started his 16-year career with the Stanislaus County Sheriff's Office. There, he served in many capacities before volunteering for the dangerous but necessary work of the civil division. In all assignments, Deputy Paris earned the confidence of his superiors and the respect of his fellow officers. His end of watch came on April 12, 2012, while serving an eviction notice, accompanied by local locksmith Glendon Engert.

Deputy Paris is survived by his parents, Robert Sr. and Jane, sister Krista, brother Eric, and two adult children, a son and daughter.

May the example of Deputy Paris renew in each of us the determination to live by the watchwords of honor and duty, values he defended at the price of his life. It is also my fervent prayer that those close to Robert Paris receive the only solace afforded in the face of such tragedy, the certain knowledge that whatever honors we express here, they pale before the peace awaiting him and all who lay down their life for others.

IN RECOGNITION OF VERA PETERSON

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Records Clerk II Vera Peterson for her 23 years of service at the Daly City Police Department.

Ms. Peterson served as assistant trainee for the department from 1980-1981. She started

her career in the records division in 1988. She excelled in all categories handled by that division: transcription, subpoenas, citations and impounds, classification, and restraining orders. Her extensive experience and wealth of knowledge put her in the perfect position to train new employees of the records division.

Ms. Peterson's meticulous attention to detail and hard work have earned her the respect and admiration of her co-workers. Her passion for baking also made her a very popular member of the department; she frequently shared broccoli quiche and cupcakes with her colleagues.

Vera Peterson graduated from Woodrow Wilson High School in San Francisco and received her Associate Degree in criminology from City College of San Francisco.

She and her husband of 28 years, John, live in Montara. They have one daughter, Tiffany.

Mr. Speaker, I ask this body to rise with me to honor the devoted service of Vera Peterson to the residents of Daly City. Her high standards and exemplary commitment to the community will be a difficult act to follow for any future records clerk.

TRIBUTE TO MARIESSA FLYNN

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, I rise to pay tribute to a dedicated employee of the House of Representatives, Mrs. Mariessa Flynn, upon her retirement from my Somerset district office following three decades of service.

"Resa" has been my right hand on many issues impacting constituents of Kentucky's Fifth Congressional District over the last 30 years. However, she found the greatest joy in serving thousands of veterans of our U.S. Armed Forces, assisting them with everything from financial struggles to replacing lost war medals. Countless veterans visit my Somerset District Office each year, because they know they have a friend in Resa Flynn, who will go to every length to help them in their time of need. Resa's loyalty, passion and persistence will be missed as she enters retirement.

Outside my Congressional office, Resa has served as a long-time leader for the Pulaski County Republican Party and the Pulaski County Lincoln Club. She has always led with a strong voice, stout convictions, and has been a tireless advocate for many worthy community projects across the region.

Resa is also a talented crafter and uses her spare time to crochet the most beautiful afghans for families and friends in the Somerset area. She is also a loving wife, mother and grandmother.

Mr. Speaker, I rise today to pay tribute to a dedicated employee of the U.S. House of Representatives, Mrs. Mariessa Flynn, upon her retirement from my Somerset district office following three decades of service.

Please join me in congratulating Mrs. Resa Flynn on her retirement, as we also commend her for 30 years of service to the people of southern and eastern Kentucky.

MARQUIS ALEXANDER, FUTURE COMMANDER OF TEXAS A&M UNIVERSITY'S CORPS OF CADETS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to acknowledge a milestone reached by Marquis Alexander. He is the first African American to become commander of Texas A&M's Corps of Cadets. Currently Marquis is a Corporal in the U.S. Marine Reserves and a rising senior majoring in International Studies.

HISTORY OF AFRICAN-AMERICANS AT TAMU

The history of African-Americans at Texas A&M University dates back to the founding of the institution. African-Americans in the Texas Legislature advocated for and supported the passage of the Morrill Land-Grant Act in 1866, which established the A&M College of Texas between 1876 and 1963. African-Americans worked at A&M as laborers, maids, custodians and various other support staff; however they were prohibited from attending as students and faculty.

The history of African-Americans at A&M has been shaped by decades of racial segregation, quiet desegregation, and attempts to redress historical wrongs. It has been filled with lifelong struggles and determination to fulfill a dream which was accomplished when A&M opened the doors in 1963 to African Americans. The past 37 years have been a continuing struggle by African-Americans and A&M to ensure that the dream is kept alive.

The first African-Americans joined the corps in 1964. The first female cadets came a decade later. In A&M's centennial year, Fred McClure won election as body president, making him the first to be equal to that of Corps Commander and Aggie Yell Leader.

CIVIL RIGHTS

Civil rights is a subject that cannot be ignored or taken lightly, even in this day of progressive movement toward tolerance. We must not lose sight of the continued need for civil rights. We must not relax our initiatives which build greater racial, ethnic, and religious tolerance. While I believe that there is still work to be done on the issue of civil rights and hurdles to overcome, we cannot ignore the progress that has been made as the result of decades of hard work, diligence, the sweat and tears of many of our country's civil rights trailblazers. This is evidenced by an increase in the numbers of minorities attaining leadership positions in the private and public sectors for example: Ken Chenault, an African American who currently serves as the CEO of American Express; Ursula Burns, who became the first African American woman to serve as Chairman and CEO of Xerox a Fortune 500 Company; and Antonio Perez, the first Latino American to serve as CEO of Eastman Kodak Corporation to name a few.

BACKGROUND ON MARQUIS ALEXANDER

He is the oldest of 10 children and the first in his family to go to college. He is said to be an admirable and mature young man. Mr. Alexander is currently a Corporal in the Marine

reserves. He has become the first person with military experience to head the Corps. Texas A&M University has the proud distinction of having the most graduates to enlist in our nation's armed forces when compared to other nonmilitary academies.

Marquis Alexander grew up in my home city of Houston! And our city is proud of his achievements. Marquis has always wanted to attend Texas A&M. He was so "gung-ho" military that he participated in Texas A&M's Junior Cadet Accessions Program while still in high school. A week after enlisting in the Marine Corps, he received his letter of acceptance to Texas A&M University.

Yet, true to his word and commitment, Alexander attended boot camp at the Marine Corps Recruit Depot in San Diego and spent a year and a half on active duty. He subsequently reverted from active duty status and is serving the remainder of his enlistment commitment in the Marine Corps Reserves. He reapplied for admission to Texas A&M in 2009 and was promptly accepted.

He was selected following a rigorous review process in which a host of cadets are considered when leadership selections are made each year. Soon he will assume duties as cadet colonel of the corps, the 2,100 member organization's top leadership position, also known as corps commander, and one of the three top positions on campus, along with that of student body President and Yell Leader.

Mr. Speaker, I commend Mr. Alexander for aiming high and continuing to strive above and beyond his primary goals of joining the military. He is a mentor and guiding light to those who know him. I congratulate Mr. Marquis Alexander on his achievement.

IN RECOGNITION OF NATIONAL
GOLF DAY

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize April 18 as National Golf Day. This is a day where the leaders of the golf industry are able to meet with members of Congress and discuss the continued growth and importance of the sport.

Of course golf is not just a sport. The golf industry generates over \$76 billion annually in economic activity, and sustains over 2 million jobs. The golf industry has a direct and substantial impact on the economy, jobs and tax revenues in communities across this country. Through this growth, golf is no longer the exclusive sport of the privileged, the wealthy, and the upper class. The industry has become more democratized, and people of all ethnicities and socioeconomic backgrounds are able to participate.

I applaud the golf industry for its commitment to environmental sustainability. As technology advances, golf course architects and landscape engineers are able to design and maintain courses that are economically viable and environmentally friendly. For example, technological advances have made it possible to employ more efficient irrigation techniques using recycled water.

In my home state of California there are over 900 golf courses, generating an average annual revenue of \$15.1 billion. California's gorgeous courses are huge tourist magnets and provide 160,000 jobs for Californians. I am also proud that my state of California is home to some of the most storied golf courses in the nation, including the legendary Pebble Beach and Torrey Pines.

Mr. Speaker, as an avid golfer myself, each year I look forward to participating in the Annual Mervyn L. Jones and Stephanie Tubbs Jones Memorial Golf & Tennis Classic. This worthy event raises funds to provide young people an opportunity to further their education and reach their potential. Golf has the ability to bring people together to support such a cause.

Mr. Speaker, I ask my colleagues to join me in recognizing National Golf Day and commending an industry that brings so much joy and pleasure to millions of Americans and contributes greatly to this nation's economy.

RECOGNIZING THE MISSISSIPPI
POULTRY ASSOCIATION IN OB-
SERVANCE OF THEIR 75TH ANNI-
VERSARY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to recognize the Mississippi Poultry Association as they celebrate their 75th Anniversary. Poultry is Mississippi's largest agricultural commodity. To date, the poultry industry has more than a \$6 billion impact on the state's economy. With 20 processing facilities and approximately 2,000 growers, the Mississippi poultry industry employs roughly, 56,000 people both directly and indirectly.

The Mississippi Poultry Association was formed in 1937 as the Mississippi Poultry Improvement Association to help battle poultry diseases and promote the development of the industry in the State of Mississippi. The Mississippi's poultry industry is comprised of growers, feed mills, hatcheries, processing plants, laboratories, and company headquarters.

Mississippi ranks fifth in the nation in poultry production. Mississippi companies process about 757 million birds per year, 250 times the human population of the state, and 400 million table eggs per year. The industry has grown from a few family-owned feed and seed stores who sold chickens and farmers who raised chickens, mostly into an integrated global industry with about 12 percent of broiler production exported around the globe.

Mississippi poultry companies support their communities. The Mississippi Poultry Association helped initiate the Emerging Crops Loan program passed by the legislature that has made it easier for many more farmers to enter the poultry industry and has worked closely with institutions of higher learning and government agencies such as Mississippi State University, the Mississippi Department of Agriculture and Commerce, the Board of Animal Health and the U.S. Department of Agriculture.

Mr. Speaker, Mississippi poultry companies donate thousands of pounds of their products annually to fight hunger and to aid and develop their communities. I ask that you and our colleagues join me in recognizing the Mississippi Poultry Association in observance of their 75th Anniversary.

HONORING UNIVERSITY OF HOUS-
TON ON BECOMING AN HISPANIC-
SERVING INSTITUTION

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. GENE GREEN of Texas. Mr. Speaker, today I rise to honor the University of Houston for being designated a Hispanic-Serving Institution by the U.S. Department of Education Office of Postsecondary Education. The University is now one of only three Tier One public research universities in the nation with this designation and the only institution in Texas.

UH has received the Tier One research university distinction from the Carnegie Foundation; making it one of only three Carnegie-designated Tier One public research universities in Texas.

Designation as an Hispanic-Serving Institution requires enrollment of full-time undergraduates at a university to be at least 25-percent Hispanic. The designation will allow UH to compete for grants that support or expand educational opportunities of Hispanic students.

UH is known as a 1st generation school, for many of the students are the first in their families to attend college. Undergraduates may choose from 120 majors and minors. The University also offers 139 master's degrees, 54 doctoral, and 3 professional degree programs. Many of the academic programs rank among the nation's best.

As the second most ethnically diverse major research university in the US, students come from more than 137 nations and from across the nation. UH consistently ranks among the top colleges and universities in the nation for conferring bachelor degrees and doctorates to Hispanic students, further affirming UH's commitment to prepare students for competition in the global marketplace.

As a proud Alumnus of UH, I salute the successes of the past and present administration, faculty, staff, and students of the University of Houston for all of their hard work and dedication to education.

IN SPECIAL RECOGNITION OF AN-
DREW MILLER ON HIS OFFER OF
APPOINTMENT TO ATTEND THE
UNITED STATES MILITARY
ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding student from Ohio's Fifth Congressional District. I am pleased to announce that

Andrew Miller of Perrysburg, Ohio has been offered an appointment to the United States Military Academy at West Point, New York.

Andrew's offer of appointment poises him to attend the United States Military Academy this fall with the incoming cadet Class of 2016. Attending one of our nation's military academies not only offers the opportunity to serve our country but also guarantees a world-class education, while placing demands on those who undertake one of the most challenging and rewarding experiences of their lives.

Andrew brings an enormous amount of leadership, service, and dedication to the incoming Class of 2016. While attending St.

John's Jesuit High School in Toledo, Ohio, Joseph was a SJJ School Ambassador, an Eagle Scout, a member of Gliding Stars, and of the SJJ chapter of Model United Nations. His senior year, Andrew was vice president of SJJ chapter of Model United Nations.

Throughout high school, Andrew was a member of his school's wrestling and lacrosse teams, earning varsity letters in both. His excellence in wrestling was noted by being awarded Rookie of the Year in 2011 and being named captain of his team his senior year. In addition, Andrew continues to practice his faith through Christian service opportunities at school as well as volunteering at his

church as an altar server. I am confident that Andrew will carry the lessons of his student and athletic leadership to the Military Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Andrew Miller on the acceptance of his appointment to the United States Military Academy. Our service academies offer the finest military training and education available. I am positive that Andrew will excel during his career at the Military Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the Nation.

HOUSE OF REPRESENTATIVES—Monday, April 23, 2012

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. CULBERSON).

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 19, 2012.

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

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the 362nd Judicial District Court in Denton, Texas, to testify in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

ERIC WITH,
District Director, Office of Congressman
Michael C. Burgess.

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 23, 2012.

I hereby appoint the Honorable JOHN ABNEY CULBERSON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and with thankful hearts we express our gratitude. You have created us with opportunities to serve other people in their need, to share together in respect and affection, and to be faithful in the responsibilities we have been given.

In this moment of prayer, please grant to the Members of this people's House the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 23, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 23, 2012 at 9:15 a.m.:

That the Senate passed with an amendment H.R. 1021.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 29, 2012, she presented to the President of the United States, for his approval, the following bill.

H.R. 4281. To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Accordingly (at 11 o'clock and 4 minutes a.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 24, 2012, at noon.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first quarter of 2012 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, KATHERINE HALEY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 17 AND FEB. 25, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Katherine Haley	2/18	2/24	Zambia		1,764.00		18,830.00				20,594.00
									(?)		- 132.00
Committee total											20,462.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

³ Amount returned to Treasury.

KATHERINE HALEY, Mar. 23, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JENNIFER STEWART, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 18 AND FEB. 26, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Jennifer Stewart	2/18	2/20	Egypt		648.00		9,056.00				9,704.00
	2/20	2/22	Lebanon		518.00						518.00
	2/22	2/26	Jordan		942.00						942.00
Committee total											11,164.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JENNIFER M. STEWART, Mar. 26, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ARMENIA, KYRGYZSTAN, PAKISTAN, AND SWEDEN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 18 AND FEB. 26, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. David Dreier	2/19	2/20	Armenia		235.00		(³)				235.00
Hon. James P. Moran	2/19	2/20	Armenia		235.00		(³)				235.00
Hon. Joe Wilson	2/19	2/20	Armenia		235.00		(³)				235.00
Hon. Adrian Smith	2/19	2/20	Armenia		235.00		(³)				235.00
Hon. Kenny Marchant	2/19	2/20	Armenia		235.00		(³)				235.00
Conroy	2/19	2/20	Armenia		235.00		(³)				235.00
Brad Smith	2/19	2/20	Armenia		235.00		(³)				235.00
Leman	2/19	2/20	Armenia		235.00		(³)				235.00
Hildebrand	2/19	2/20	Armenia		235.00		(³)				235.00
Lis	2/19	2/20	Armenia		235.00		(³)				235.00
Lawrence	2/19	2/20	Armenia		235.00		(³)				235.00
Hon. David Dreier	2/20	2/23	Kyrgyzstan		1,013.00		(³)				1,013.00
Hon. James P. Moran	2/20	2/23	Kyrgyzstan		1,013.00		(³)				1,013.00
Hon. Joe Wilson	2/20	2/23	Kyrgyzstan		1,013.00		(³)				1,013.00
Hon. Adrian Smith	2/20	2/23	Kyrgyzstan		1,013.00		(³)				1,013.00
Hon. Kenny Marchant	2/20	2/23	Kyrgyzstan		1,013.00		(³)				1,013.00
Conroy	2/20	2/23	Kyrgyzstan		1,013.00		(³)				1,013.00
Brad Smith	2/20	2/23	Kyrgyzstan		1,013.00		(³)				1,013.00
Leman	2/20	2/23	Kyrgyzstan		1,013.00		(³)				1,013.00
Hildebrand	2/20	2/23	Kyrgyzstan		1,013.00		(³)				1,013.00
Lis	2/20	2/23	Kyrgyzstan		1,013.00		(³)				1,013.00
Lawrence	2/20	2/23	Kyrgyzstan		1,013.00		(³)				1,013.00
Hon. David Dreier	2/23	2/25	Pakistan		579.00		(³)				579.00
Hon. James P. Moran	2/23	2/25	Pakistan		579.00		(³)				579.00
Hon. Joe Wilson	2/23	2/25	Pakistan		579.00		(³)				579.00
Hon. Adrian Smith	2/23	2/25	Pakistan		579.00		(³)				579.00
Hon. Kenny Marchant	2/23	2/25	Pakistan		579.00		(³)				579.00
Conroy	2/23	2/25	Pakistan		579.00		(³)				579.00
Brad Smith	2/23	2/25	Pakistan		579.00		(³)				579.00
Leman	2/23	2/25	Pakistan		579.00		(³)				579.00
Hildebrand	2/23	2/25	Pakistan		579.00		(³)				579.00
Lis	2/23	2/25	Pakistan		579.00		(³)				579.00
Lawrence	2/23	2/25	Pakistan		579.00		(³)				579.00
Hon. David Dreier	2/25	2/26	Sweden		438.00		(³)				438.00
Hon. James P. Moran	2/25	2/26	Sweden		438.00		(³)				438.00
Hon. Joe Wilson	2/25	2/26	Sweden		438.00		(³)				438.00
Hon. Adrian Smith	2/25	2/26	Sweden		438.00		(³)				438.00
Hon. Kenny Marchant	2/25	2/26	Sweden		438.00		(³)				438.00
Conroy	2/25	2/26	Sweden		438.00		(³)				438.00
Brad Smith	2/25	2/26	Sweden		438.00		(³)				438.00
Leman	2/25	2/26	Sweden		438.00		(³)				438.00
Hildebrand	2/25	2/26	Sweden		438.00		(³)				438.00
Lis	2/25	2/26	Sweden		438.00		(³)				438.00
Lawrence	2/25	2/26	Sweden		438.00		(³)				438.00
Committee total											24,915.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. DAVID DREIER, Mar. 20, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO IRELAND, EGYPT, TUNISIA, AND LIBYA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 11 AND MAR. 18, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Nancy Pelosi	3/11	3/14	Ireland		747.56		(³)				747.56
Hon. George Miller	3/11	3/14	Ireland		1,017.56		(³)				1,017.56
Hon. Ed Markey	3/11	3/14	Ireland		1,242.56		(³)				1,242.56
Hon. Nick Rahall	3/11	3/14	Ireland		1,242.56		(³)				1,242.56
Hon. Richard Neal	3/13	3/15	Ireland								
Hon. Carolyn Maloney	3/11	3/14	Ireland		1,242.56		(³)				1,242.56
Hon. Mike Doyle	3/11	3/15	Ireland		1,529.74		765.30				2,295.04
Hon. Keith Ellison	3/11	3/14	Ireland		1,242.56		(³)				1,242.56
Dr. Brian Monahan	3/11	3/14	Ireland		1,061.56		(³)				1,061.56
John Lawrence	3/11	3/14	Ireland		949.56		(³)				949.56
Wyndee Parker	3/11	3/14	Ireland		1,042.56		(³)				1,042.56
Nadeam Elshami	3/11	3/14	Ireland		1,201.56		(³)				1,201.56
Bridget Fallon	3/10	3/14	Ireland		1,656.74		2,337.70				3,994.44
Catlin O'Neill	3/11	3/14	Ireland		1,189.92		(³)				1,189.92

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO IRELAND, EGYPT, TUNISIA, AND LIBYA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 11 AND MAR. 18, 2012—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Kate Knudson	3/11	3/14	Ireland		1,242.56		(³)				1,242.56
Hon. Nancy Pelosi	3/14	3/16	Egypt		440.00		(³)				440.00
Hon. George Miller	3/14	3/16	Egypt		624.00		(³)				624.00
Hon. Ed Markey	3/14	3/16	Egypt		624.00		(³)				624.00
Hon. Nick Rahall	3/14	3/16	Egypt		534.00		(³)				534.00
Hon. Carolyn Maloney	3/14	3/16	Egypt		534.00		(³)				534.00
Hon. Keith Ellison	3/14	3/16	Egypt		534.00		(³)				534.00
Dr. Brian Monahan	3/14	3/16	Egypt		534.00		(³)				534.00
John Lawrence	3/14	3/16	Egypt		534.00		(³)				534.00
Nadeam Elshami	3/14	3/16	Egypt		534.00		(³)				534.00
Bridget Fallon	3/14	3/16	Egypt		534.00		(³)				534.00
Catlin O'Neill	3/14	3/16	Egypt		534.00		(³)				534.00
Kate Knudson	3/14	3/16	Egypt		534.00		(³)				534.00
Wyndee Parker	3/14	3/16	Egypt		534.00		(³)				534.00
Hon. Nancy Pelosi	3/16	3/17	Tunisia		184.03		(³)				184.03
Hon. George Miller	3/16	3/17	Tunisia		386.03		(³)				386.03
Hon. Ed Markey	3/16	3/17	Tunisia		386.03		(³)				386.03
Hon. Nick Rahall	3/16	3/17	Tunisia		386.03		(³)				386.03
Hon. Carolyn Maloney	3/16	3/17	Tunisia		386.03		(³)				386.03
Hon. Keith Ellison	3/16	3/17	Tunisia		386.03		(³)				386.03
Dr. Brian Monahan	3/16	3/17	Tunisia		386.03		(³)				386.03
John Lawrence	3/16	3/17	Tunisia		386.03		(³)				386.03
Nadeam Elshami	3/16	3/17	Tunisia		386.03		(³)				386.03
Bridget Fallon	3/16	3/17	Tunisia		386.03		(³)				386.03
Catlin O'Neill	3/16	3/17	Tunisia		386.03		(³)				386.03
Kate Knudson	3/16	3/17	Tunisia		386.03		(³)				386.03
Wyndee Parker	3/16	3/17	Tunisia		386.03		(³)				386.03
Hon. Nancy Pelosi	3/17	3/17	Libya				(³)				
Hon. George Miller	3/17	3/17	Libya				(³)				
Hon. Nick Rahall	3/17	3/17	Libya				(³)				
Hon. Carolyn Maloney	3/17	3/17	Libya				(³)				
Hon. Keith Ellison	3/17	3/17	Libya				(³)				
Dr. Brian Monahan	3/17	3/17	Libya				(³)				
John Lawrence	3/17	3/17	Libya				(³)				
Nadeam Elshami	3/17	3/17	Libya				(³)				
Wyndee Parker	3/17	3/17	Libya				(³)				
Committee total											154,570.49

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
³ Military air transportation.

HON. NANCY PELOSI, Apr. 10, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. <input checked="" type="checkbox"/>											

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. PAUL RYAN, Chairman, Apr. 13, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. <input checked="" type="checkbox"/>											

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN KLINE, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Louie Gohmert	12/31	12/31	Kuwait								
	12/31	1/1	Afghanistan								
	1/1	1/2	Dubai		35.00		13,218.90				13,253.90
	1/7	1/12	Germany		644.00		6,982.10				7,626.10
Hon. Mike Quigley	1/10	1/14	Poland		241.34		2,975.60				3,216.94
Committee total											24,096.94

¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LAMAR SMITH, Chairman, Apr. 10, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DOC HASTINGS, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. RALPH M. HALL, Chairman, Apr. 11, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEFF MILLER, Chairman, Apr. 4, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVE CAMP, Vice Chairman, Apr. 11, 2012.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5711. A communication from the President of the United States, transmitting FY 2013 Budget Amendments for the Departments of Defense, Health and Human Services, Homeland Security, Housing and Urban Development, State and Other International Programs, as well as the Corps of Engineers; (H. Doc. No. 112—99); to the Committee on Appropriations and ordered to be printed.

5712. A letter from the Secretary, Army, Department of Defense, transmitting notification that the Average Procurement Unit Cost (APUC) and Program Acquisition Unit Cost metrics for the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System Program have exceeded the critical cost growth threshold, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

5713. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Brazil and Canada pursuant to Section

2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5714. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Brazil, Japan, and Panama pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5715. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Australia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5716. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; Commonwealth of Puerto Rico; Administrative Changes [EPA-R02-OAR-2010-0032, FRL-9645-8] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5717. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware, Maryland, New Jersey, and Pennsylvania; Determinations of Attainment of the 1997 8-Hour Ozone Standard for the Philadelphia-Wilmington-Atlantic City Moderate Nonattainment Area [EPA-R03-OAR-2011-0713; FRL-9652-6] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5718. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Volatile Organic Compound Emissions Control Measures for Chicago and Metro-East St. Louis Ozone Nonattainment Areas [EPA-R05-OAR-2010-0671; FRL-9633-4] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5719. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Nevada; Regional Haze State Implementation Plan [EPA-R09-OAR-2011-0130; FRL-9612-

7] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5720. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Regional Haze State Implementation Plan [EPA-R03-OAR-2011-0092; FRL-9651-7] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5721. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; California Air Resources Board — In-Use Heavy-Duty Diesel-Fueled Truck and Bus Regulation, and Drayage Truck Regulation [EPA-R09-OAR-2011-0544; FRL-9633-3] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5722. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Emergency Planning and Notification; Emergency Planning and List of Extremely Hazardous Substances and Threshold Planning Quantities [EPA-HQ-SFUND-2010-0586; FRL-9651-1] (RIN: 2050-AF08) received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5723. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the March 2012 International Narcotics Control Strategy Report, pursuant to 22 U.S.C. 2291(b)(2); to the Committee on Foreign Affairs.

5724. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective March 11, 2012, the danger pay allowance for Nigeria was established based on civil insurrection and terrorism, pursuant to 5 U.S.C. 5928; to the Committee on Foreign Affairs.

5725. A letter from the Presiding Governor, Broadcasting Board of Governors, transmitting Report to Congress on U.S.-funded international broadcasting efforts in Iran; to the Committee on Foreign Affairs.

5726. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

5727. A communication from the President of the United States, transmitting notification of an Executive Order that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995 and the national emergency with respect to Syria, originally by Executive Order 13338 of May 11, 2004; (H. Doc. No. 112—100); to the Committee on Foreign Affairs and ordered to be printed.

5728. A letter from the Chair, Recovery Accountability and Transparency Board, transmitting the Board's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5729. A letter from the Acting Assistant Commissioner for Civil Rights and Equal Opportunity, Social Security Administration, transmitting the Administration's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Re-

taliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5730. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Group-er Fishery of the South Atlantic; Closure [Docket No.: 040205043-4043-01] (RIN: 0648-XA989) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5731. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XB010) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5732. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB014) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WHITFIELD (for himself and Mr. BARROW):

H.R. 4471. A bill to require analyses of the cumulative impacts of certain rules and actions of the Environmental Protection Agency that impact gasoline, diesel fuel, and natural gas prices, jobs, and the economy, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROSS of Florida:

H.R. 4472. A bill to reduce the travel expenses for certain Federal employees, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CASSIDY:

H.R. 4473. A bill to extend and modify the temporary reduction of duty on Mesotriolone; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4474. A bill to reduce temporarily the rate of duty on s-Metolachlor; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4475. A bill to extend and modify the temporary reduction of duty on DEMBB; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4476. A bill to extend and modify the temporary reduction of duty on Prodiamine; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4477. A bill to extend the temporary suspension of duty on Onitrophenol; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4478. A bill to extend and modify the temporary reduction of duty on Pinoxaden; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4479. A bill to suspend temporarily the duty on Clodinafop; to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WHITFIELD:

H.R. 4471.

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, clause 3

By Mr. ROSS of Florida:

H.R. 4472.

Congress has the power to enact this legislation pursuant to the following: Clause I of section 8 of article I of the Constitution.

By Mr. CASSIDY:

H.R. 4473.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. CASSIDY:

H.R. 4474.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. CASSIDY:

H.R. 4475.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. CASSIDY:

H.R. 4476.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. CASSIDY:

H.R. 4477.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. CASSIDY:

H.R. 4478.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. CASSIDY:

H.R. 4479.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 178: Mr. OWENS and Mr. THOMPSON of California.
- H.R. 605: Mr. GRAVES of Georgia.
- H.R. 1063: Mr. ROE of Tennessee.
- H.R. 1370: Mrs. EMERSON, Mr. LATOURETTE, and Mr. MEEHAN.
- H.R. 1416: Mr. BISHOP of Georgia, Ms. LEE of California, Mr. WILSON of South Carolina, Mr. TURNER of New York, and Mr. GIBBS.
- H.R. 2077: Mr. SCHOCK.
- H.R. 2134: Ms. SCHAKOWSKY, Ms. NORTON, Mr. BISHOP of Georgia, Mr. OWENS, Mr. HOLT, Mrs. MCCARTHY of New York, and Mr. MICHAUD.
- H.R. 2311: Mr. PETERS.
- H.R. 2337: Mrs. CHRISTENSEN.

- H.R. 2569: Mr. FLORES.
- H.R. 2730: Mr. HASTINGS of Florida, Mr. STARK, and Mr. POLIS.
- H.R. 3159: Mr. LAMBORN and Mr. ROE of Tennessee.
- H.R. 3352: Mr. RYAN of Ohio and Mr. DOGGETT.
- H.R. 3486: Mr. RANGEL.
- H.R. 3643: Mr. KING of Iowa.
- H.R. 3670: Mr. CARNAHAN.
- H.R. 3839: Mr. QUIGLEY.
- H.R. 4072: Mr. JOHNSON of Ohio and Mr. STEARNS.
- H.R. 4082: Mr. MCGOVERN, Mr. HOLDEN, and Mr. BISHOP of Georgia.
- H.R. 4133: Mr. HECK.
- H.R. 4372: Mr. WESTMORELAND.
- H. Res. 60: Mr. SIRES.
- H. Res. 394: Mr. BARTLETT.

SENATE—Monday, April 23, 2012

The Senate met at 12 noon and was called to order by the Honorable CARL LEVIN, a Senator from the State of Michigan.

PRAYER

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

Let us pray.

O God, who does wondrous things, blessed be Your glorious Name forever. Remake us in Your image and bring our wandering, wayward hearts under Your control.

Lord, infuse our Senators with a love for You that will make their obedience willing and joyful. Astound them with Your limitless resources and supply all their needs from Your bounty. Keep them humble with the conviction that they can't breathe a breath, think a thought, speak a word, or perform an action without Your mercy and grace. Grant our supplications. We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CARL LEVIN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 23, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CARL LEVIN, a Senator from the State of Michigan, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SENATE CHALLENGES

Mr. REID. Mr. President, America has the best, brightest, and most dedi-

cated workers in the world. All those workers need is a fair shot to succeed. But right now many workers in this country don't enjoy the same rights as the wealthy CEOs; that is, the right to negotiate the terms of their employment.

A new rule from the National Labor Relations Board will remove unnecessary obstacles to workers' rights to form a union. I solidly support this rule, and I urge my colleagues to vote tomorrow against the resolution of disapproval which strikes down this commonsense rule.

The new rule doesn't change or do anything to encourage unions, but it doesn't discourage them either. It just gives workers the ability to vote yes or no while minimizing the chance of intimidation and stalling.

Mr. President, tomorrow the Senate will vote on a number of amendments to a bipartisan postal reform bill. This important legislation will safeguard more than 8 million jobs of people who depend on a vibrant postal system. It will also protect postal customers—particularly elderly and disabled Americans and people who live in rural parts of this country.

I am pleased we reached an agreement to allow Senators to offer amendments to this bill. I hope once we work through the amendments to the bill tomorrow we will see a strong bipartisan vote to modernize the Postal Service and save this important institution from insolvency. This institution is so important it is contained in our Constitution.

Once we pass postal reform tomorrow, as I expect we will, the Senate will move on to the consideration of another very important piece of legislation, the reauthorization of the Violence Against Women Act. Since its passage in 1994, this legislation has reduced the annual incidence of domestic violence by more than 50 percent.

Despite that incredible progress, we still have work to do to keep women and their families safe. Three women die in this country every day at the hands of abusive partners—on weekends, all days, no days off. For every victim who is killed there are nine more who narrowly escape death and are beaten savagely. It would be unacceptable to step back from our national commitment to stop violence and abuse now.

This legislation was the brainchild of Vice President JOE BIDEN when he was a Member of the Senate. It does very important work. For example, it allows communities to get support in setting up shelters for these women and their families to go in secret.

The legislation was unanimously reauthorized by the Senate in 2000 and 2005. This effort should be—and traditionally has been—above partisanship. I hope that proves to be the case again this year. This year it has 60 cosponsors and the support of 47 State attorneys general. I cannot imagine why my Republican colleagues would oppose such a worthy piece of legislation. I am hopeful and I am confident they won't.

By joining Democrats to pass this legislation, Republicans can help us send a clear message that this country doesn't tolerate domestic violence. If the Senate doesn't complete the work on this critical issue before we recess for this work period, we will continue after we come back to try to work through any problems. I don't see any, Mr. President.

But the Violence Against Women Act isn't the only pressing matter the Senate has to complete the next work period. We must begin work on a number of appropriations bills, consider additional judicial nominations, and take up legislation to cut taxes for small businesses so that they can expand and hire.

Cybersecurity legislation, I have been told, the House will take up soon, and I appreciate that. We must address the looming crisis for millions of students in America: the July 1 deadline for interest rates to double on Federal student loans. That is fast approaching.

With middle-class families struggling and fewer families able to afford the rising cost of higher education, we cannot afford to put college out of reach for more promising young people. Doubling interest rates from 3.4 percent to 6.8 percent—effectively socking 7.4 million students with \$1,000 a year in student loan costs—would do irreparable harm to our ability to educate young men and women.

Today Americans have more student loan debt than credit card debt. Why would we want to double what they pay? The average graduate owes \$25,000 when they graduate. Getting a college education should not burden young people with unsustainable debt. Unfortunately, many of my Republican colleagues have signaled that they would rather cut taxes for the richest of the rich than invest in the next generation of American workers. But the business community agrees that making college affordable is the key to keeping America competitive in a global economy. An investment in education is an investment in our economy.

I hope we will all join together, hear the message, and work to stop 8 million students in this country from having an increase in the amount of money they are obligated to pay back for the loans they get for an education in America today.

RECOGNITION OF THE MINORITY LEADER

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

CHALLENGES REMAIN

Mr. McCONNELL. Mr. President, over the past several months, President Obama has kept a pretty busy schedule of campaign events. But as the President heads out for more campaign-style events this week, let's not forget that what he is actually doing here in Washington is far more important than what he is saying out on the campaign trail because when the speeches are over and all the chairs and posters are put away, great challenges remain.

Millions of Americans are still looking for work. The Federal debt continues to cast a shadow over the American dream. Despite assurances made last year, there is no budget in sight from the Democratic-controlled Senate. As the Associated Press reported today, about half of college graduates can't even find a decent job in this country. I understand why the President wouldn't want to talk about these things, but that doesn't change the fact that he should, and it doesn't change the fact that his policies are the problem.

The American people elected this President to change direction, not to change the subject. They elected the President to change direction, not change the subject. Yet, day after day, week after week, as our Nation's challenges deepen and another economic crisis draws nearer, this President wants to change the topic. He wants people to either focus on something else or to overlook the things he is actually doing to make the situation worse.

Let's take, for example, gas prices. Gas prices have more than doubled under this President. Yet, rather than doing something about it, he blames it on speculators and energy companies. Instead of increasing domestic production, he is focused on a plan to tax American energy manufacturers—a plan that would increase the cost of energy rather than lower the cost of gas.

The national debt has skyrocketed more than \$5 trillion under this President. Yet, rather than actually doing something about it, he pretends that we should erase it, that we could somehow erase it by just whacking millionaires.

Look, millions are looking for work. Yet, rather than doing something about it, he passes a health care bill that would impose massive new costs, he continues to threaten new taxes, and he empowers Federal bureaucrats to cook up new rules and regulations that make it even harder for businesses to grow and to hire. Unless Congress acts, one such rule goes into effect next week. Most people haven't heard about it because the President hasn't been talking about it. But I am happy to be because it says all you need to know about this President's approach to jobs and the economy.

As a favor to big labor, the President is right now rushing a plan that would restrict an employer's ability to educate workers about unionization efforts, as well as increase their legal bills and the already high cost of complying with Federal regulations. And get this: The administration hasn't even provided an analysis of the cost involved in moving forward with this proposal.

Tomorrow, Senators, led by Senator ENZI, will have an opportunity to vote on this effort to make it even harder to do business in this country. We will have a chance to stand up against what the President is doing to the economy, and in the process we will be reminding people to focus on what the President does rather than what he says.

Look, at a time when America's corporate income tax is now the highest in the world, we should be looking for ways to make it easier for businesses to hire, not harder. At a time when unemployment is above 13 percent for young people between the ages of 20 and 24 in this country, we should be finding ways to make it more likely they can find work, not less likely. But this is the Obama economy. This is the President's approach. This is the painful legacy of his failed economic policies. The President may not want to discuss it, but Republicans will.

RESERVATION OF LEADER TIME

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1925, which the clerk will report.

The legislative clerk read as follows: Motion to proceed to S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

SCHEDULE

Mr. LIEBERMAN. Mr. President, it has been announced by the clerk that

the Senate is now considering the motion to proceed to S. 1925, the Violence Against Women Reauthorization Act.

At 2 p.m. this afternoon, the Republican leader or his designee will move to proceed to S.J. Res. 36, a resolution of disapproval regarding the NLRB election rule. The time until 4 p.m. will be equally divided and controlled between the two leaders or their designees.

At 5 p.m., the Senate will proceed to executive session to consider the nomination of Brian Wimes to be a U.S. district judge in Missouri. There will be a rollcall vote on confirmation of the Wimes nomination at 5:30 p.m.

POSTAL REFORM

Mr. President, as you and our colleagues know, after a lot of work and good-faith negotiations, we reached a bipartisan agreement last week to complete action on the bipartisan postal reform bill tomorrow, with an agreement that includes almost 40 amendments—39, I believe, is the number—to be voted on tomorrow.

Although, we—and particularly our staffs—have been working with sponsors of the amendments, we expect that probably more than half of them will be negotiated to agreements, modified, and/or accepted. But there still will be a significant number of rollcall votes, which will begin tomorrow afternoon after the respective party caucuses.

There was a good amount of debate on the postal bill last week. Tomorrow, once we go from S.J. Res. 36, the resolution on the NLRB election rule, to the postal bill in the afternoon to begin voting on the amendments, there will not be much time for debate.

As announced last week, last Thursday after this agreement was achieved, Senator COLLINS will be here from now until 2 p.m. when we go to the NLRB rule. We will be here from 4 to 5, the next open block before we go to the judicial nomination, and we are prepared to stay this evening after the judicial nomination for as long as proponents or discussants of the various amendments want to come to the floor to engage in debate and discussion on them. I hope our colleagues will do that.

As Senator REID said, this is an important piece of legislation. Nobody denies that the U.S. Postal Service is an iconic American institution which millions of people depend on not just for the mail but for their jobs, both directly working for the Postal Service and indirectly—but not too indirectly because they work for related businesses that depend on the mail.

We simply can't turn aside, do nothing, and let the Postal Service continue a fiscal spiral downward. The Postal Service, as we said over and over last week, lost \$13 billion in the last 2 years. It is going to go over its debt limit later this year. The Postmaster has been very clear that if we don't give him some authority to find a

new business model, to economize, he will have to take very aggressive action, potentially closing—on one list he put out there were 3,700 post offices and approximately 250 mail processing facilities, which would be extremely disruptive both to the post office and to the personal life and commercial life of our country.

This bill Senator COLLINS and I, along with Senators CARPER and SCOTT BROWN, offered to our colleagues offers a sensible but tough way forward to preserve the U.S. Postal Service, but also to acknowledge that it has to change to stay alive forever, certainly through the 21st century. Because of the impact of e-mail, it has dropped the volume of mail in the last 5 years by more than 20 percent. When that kind of revenue is lost, we have to find ways to economize and a different kind of business model, including different ways to raise revenue, all of which is authorized in this bill.

I know some people think our bill doesn't do enough. They are ready to basically close down a lot of the Postal Service as we know it. Some people think our bill does too much. We naturally think we have struck a sweet spot or a point of common ground. In fact, the Postal Service told us they believe if our bill is enacted, it would save—after fully implemented over the next 2, 3 years—between \$15 billion and \$20 billion a year, to be conservative—probably closer to \$15 billion. That is a significant amount of money. It creates a series of incentives to alter the business model of the post office, including authorizing the post office to get into some businesses it has not been in before as a way to take advantage of its unique assets and raise more money.

So this is a moment of truth for the Senate. In some sense, it is a somewhat smaller version of the larger moment of truth we are going to have to face sometime about our Federal budget overall, but here is a great American institution that is in real fiscal trouble.

We have the ability with this legislation to get it back on a path of balance, stability, and even growth. Some post offices will be changed under this bill. Mail processing facilities—some of them will be closed. The Postmaster says he wants to have that happen.

We have authorized a significant amount of money to be spent to incentivize 100,000 postal employees to retire. They are eligible for retirement with an incentive. We think they will, and that itself would save the Postal Service approximately \$8 billion a year.

This is not one of those bills that people enjoy voting on, but it is our responsibility. It is necessary we face the crisis the Postal Service is in and help it stay alive and flourish throughout this century.

That is what is on the line in the bill. The amendments cover a range of topics. This was a very broad bipartisan agreement on the amendments. There are some that make the bill tougher, some make it softer. They all deserve a good debate, and that is what Senator COLLINS and I are here to do now.

MEASURE PLACED ON THE CALENDAR—S. 2327

Mr. LIEBERMAN. Mr. President, I understand that S. 2327 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2327) to prohibit direct foreign assistance to the Government of Egypt until the President makes certain certifications related to treatment of nongovernmental organization workers, and for other purposes.

Mr. LIEBERMAN. Mr. President, I object to any further proceedings with respect to the bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar under rule XIV.

Mr. LIEBERMAN. I yield for my distinguished ranking member, Senator COLLINS.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. I thank the chairman.

Mr. President, we are going to resume debate today on the postal reform legislation our committee, on which the Presiding Officer serves, has worked very hard to produce and to do so in a bipartisan way. As Chairman LIEBERMAN has indicated, last week, we labored very hard to produce a list of amendments that will allow Members to work their will on this legislation.

There are many different viewpoints on the path forward for the Postal Service, but there can be no doubt about one fact: The Postal Service has lost more than \$13 billion in the last 2 years. Despite being relieved from a payment that is required under law toward the health benefits of future retirees, it still lost billions of dollars. If we fail to act, if we turn down this bill, the Postal Service will not survive as we know it today, and that is a fact. The Postal Service, later this year, will have great difficulty even meeting its payroll if we do not act. The Postal Service will max out on its credit that it can borrow from the Treasury if we do not act. The Postal Service will be forced to resort to dramatic and draconian service cuts that will drive still more customers from the system if we do not act. So just closing our eyes and pretending somehow the Postal Service will find a way through this, without our legislation, is not a realistic option.

As I have indicated, there are a variety of views on both sides of the aisle on what the appropriate path forward should be, and we will have a vigorous debate today—we started it last week—

on what the best option is for the Postal Service. For me, the bottom line is this: The Postal Service will not survive if it pursues a course that risks alienating the remaining customers it does have. So resorting to widespread closures of postal processing plants, which would essentially do away with overnight delivery of mail, and raising prices so big mailers pursue alternatives to using the Postal Service for delivery are not the solutions to the Postal Service's woes.

On the other hand, the Postal Service clearly cannot continue to do business as usual. It has to innovate. It has to look for new sources of revenue, and we have given some very specific ideas in our bill by allowing, for example, the Postal Service to provide services and share space with Federal, State, and local governments and to also ship beer and wine with a signature from the customer, just as its competitors, FedEx and UPS—United Parcel Service—are able to do. We also do not prohibit the closure of all post offices, nor do we mandate a certain number be closed; instead, we set standards. We set service standards, and those service standards would govern the decisions the Postal Service would make. I think that is the appropriate way to approach the very difficult issue of how to reduce the infrastructure of the Postal Service.

But the fact remains—and it is a painful fact—that 80 percent of the Postal Service's budget is workforce related. It is always difficult to recognize when a workforce, particularly one as dedicated as the American Postal Service workforce, is simply too big for the volume of work the Postal Service now has. But there are compassionate ways to deal with this workforce problem, and our bill allows for a refund of an \$11 billion overpayment the Postal Service has made to the Federal Employees Retirement System—known as the FERS system. This is an overpayment that has been verified by an independent board of private actuaries the Office of Personnel Management relies upon. It has also been verified by the Government Accountability Office. This overpayment, in part, can be used and would be directed to be used by the Postmaster General to offer retirement incentives and buyouts up to and capped at \$25,000, the exact same number that is used in buyouts in Federal agencies to reduce the workforce.

More than one-third of the Postal Service's employees are eligible for retirement today. That is why the Postmaster General believes, if he provides a bit of an incentive, he can reduce the size of the Postal Service workforce by more than 100,000 workers. That is about 18 percent of the entire workforce. That approach of using retirement incentives, buyouts, and incentives such as that is very similar to the

approach the private sector uses, that large corporations use when they are faced with the painful task of having to downsize their workforce.

The rest of the overpayment refund would be used to pay down debt, something the Postal Service desperately needs to do as it approaches that \$15 billion line-of-credit cap.

I wish to stress—because there is going to be a lot of discussion about this, perhaps very shortly—these are not tax dollars being refunded to the Postal Service. I read from a letter from the inspector general on the floor last week that verifies the revenues for the FERS payment come from two sources: They come from the postal employees themselves who contribute to the FERS system, and the revenues come from the Postal Service's own revenues, which are from selling stamps, mailing packages, and the other services the Postal Service provides.

This is not a taxpayer bailout. It is not a refund of taxpayer dollars. This is a refund of a substantial overpayment of money from the Postal Service's employees and the Postal Service itself, from revenues it generated, to the FERS system that never should have occurred. That is another whole issue—of how it occurred. This overpayment has been confirmed by the GAO and by an independent board of actuaries hired by the Office of Personnel Management.

That is a very important part of this bill. If the Postmaster General is successful—as I believe he will be if he aggressively implements these provisions in compassionately reducing the size of the workforce—the estimates are that provision alone would save about \$8 billion a year, and it would allow the Postmaster General to right size many of the processing plants. Some of the processing plants are too big for the volume they now have.

But the answer is not to close them altogether because that has such a detrimental impact on the delivery of mail, and that leaves rural America behind. That would result in there no longer being overnight delivery for first-class mail.

Let me give an example from my State, where the Postmaster General has unwisely proposed closing one of only two processing plants we have in a State as large as the State of Maine. He would keep the one in the southernmost tip of the State but close the one in Hampden, ME, which serves northern, central and eastern and parts of western Maine. It serves about two-thirds of the geography of the State. If that postal processing plant were to close, mail from northern Maine—being sent from one community in northern Maine to another—would have to undergo a more than 600-mile round trip to the one remaining processing plant in Maine. I can't imagine

how many days that would take, but I am certain it would cause people to stop using the mail, and, thus, revenue would decline still further because there would be no possibility of overnight delivery of bill payments, for example, or bill delivery.

This is not the answer. So what is the answer? That plant could be downsized, not closed. We need to preserve the service.

If the plant is too large now for the volume of mail that goes through the plant, why doesn't the Postal Service rent out part of the plant? I am sure a mailer in the area—perhaps several mailers in the area—would welcome the opportunity to rent space in that building and be right next to the postal processing plant. That would work very well.

There are so many options, but the Postmaster General, in my view, has not pursued those options. When it comes to rural post offices, there are so many options. For example, a post office could be open in a rural community, say, from 7:00 to 9:00 in the morning and 5:00 to 7:00 at night so that individuals going to and from work could stop and do their business, but the Postal Service would still be able to save funds by not having the post office open the entire day. A small post office could be collocated in a retail facility—the local pharmacy, perhaps, or the local grocery store.

There are possibilities which need to be explored—and which our bill directs the Postmaster General to explore—in order to avoid the widespread closure of post offices in rural America that will have a detrimental impact on the individuals and the businesses located there. Our bill in essence forces more creativity on the Postal Service by again setting standards with the Postal Regulatory Commission, which is the regulator in this case, and then ensuring that the actions of the Postal Service with regard to infrastructure meet those standards.

This bill has many other provisions that we discussed at length last week, so I am not going to repeat them now, but let me reiterate the point I made at the beginning of my remarks.

We have been able to negotiate, with the cooperation of both the majority leader and the Republican leader and with a lot of hard work by the members of the committee and the floor staff and our staff, a very fair process that will allow many amendments to be offered, expressing a wide variety of philosophies and views on the proper road ahead. But what we cannot do is fail to act. If we do not act, that will be a death sentence for the Postal Service—an American institution enshrined in our Constitution that is the linchpin of a \$1 trillion mailing industry that employs 8.7 million Americans.

This debate is not just about rural post offices, important though they

are. It is about our economy and not delivering a death blow to an institution that is the center of much of our economy. I hope Members keep that in mind as they come to the floor with proposals, for example, to essentially privatize the Postal Service or to do away with most of its infrastructure because if those amendments prevail, they will deliver a crushing blow to our economy at a time when we can least afford it, and they will jeopardize that trillion-dollar mailing industry that includes everything from paper manufacturers, to magazine publishers, to newspapers, to financial services—all of these industries that are so dependent on the U.S. Postal Service—and that is an outcome we must avoid.

Mr. SESSIONS. Mr. President, I come to the floor to discuss S. 1789, the 21st Century Postal Service Act. I regret to say there is a fundamental problem with this bill that we have to address. I wish it weren't so, but I am afraid it is. The bill would increase the Federal deficit by \$34 billion. This violates the deficit neutrality provisions for spending that we adopted as part of the Budget Control Act just last summer. As a result, there are at least five budget points of order that lie against the bill, and I, the ranking Republican on the Budget Committee, will be raising points of order at the appropriate time. That means it would take 60 votes of our 100 Members in the Senate to say we don't want to agree and follow the law we passed last summer.

Under the Senate rules, no committee can bring a bill to the floor that spends even one penny more than already is going to be spent under the current law or increases the deficit more than it would increase under current law. Current law is the Budget Control Act of last summer, and it was passed, as we all recall, as part of a major debate over raising the debt ceiling, so we could continue to borrow money. Borrowing at the rate of—about 40 cents of every dollar we spend.

In August we agreed to modest, though insufficient savings. Although we talked about big cuts, we only managed to reduce the growth in spending, not the actual level. The debt deal established basic spending limits. Not one word in that law prevents us or any Member of Congress from saving more. The law set the maximum, not the minimum, that we can spend.

But this bill violates that legislation. It spends above the agreed-upon limits. Only in Washington does spending below a limit get one accused of breaking a deal while spending more than the agreement means people just look the other way.

The majority leader and the chairman of the Budget Committee are proud of the Budget Control Act. They say it has iron-clad restraints on spending. They say we do not even need a budget.

But where are they when it comes to making sure this agreement is actually followed? It is curious that we don't have leadership from the majority leader or the Budget Committee chairman to tell the committee: Look, we understand the Postal Service has serious problems. We understand that. Something probably needs to be done to fix that and improve that situation. It may even cost some money. But to do so, shouldn't we comply with the law of the United States and what we agreed to just last summer?

As this unfolds you will hear part of the reason that spending increases is because the bill requires the Treasury to repay the Postal Service \$11 billion that the Postal Service has overpaid to the U.S. Treasury for retirement contributions of current employees.

I am not debating that argument and whether it is an overpayment. I am not debating it. We have experts who have looked at it and said it is basically accurate, that the Treasury does owe the postal department \$11 billion. Maybe under some circumstances we are required to pay that back. I don't argue that at this point.

I say if we pay it back, is it not an expenditure of the United States? If you are behind on your car payment shouldn't you look to see where else you can cut spending? That is all we are talking about. You have to understand it costs money. The money comes from somewhere.

I think most people understand the U.S. Government borrows money through T-bill sales, and we pay interest on the money we are borrowing. The fastest growing item in our budget is interest on our debt, so we ought to be cutting spending to pay for this. Over 10 years that is \$11 billion. That is a lot. But \$11 billion is a little over \$1 billion a year, and this year alone we will spend, as I recall, approximately \$3,600 billion. So we couldn't pay this money back? We could not find \$1 billion a year to pay the money back? We have to just borrow it in addition to the money we have agreed to borrow, breaching the debt limit we have agreed not to breach?

I have to note, unfortunately, the \$11 billion is only one-third of the debt impact of the legislation. It is only one-third of the amount by which the bill breaks the agreement of last summer.

What else accounts for the total \$34 billion? Most of the deficit increase of the bill, about two-thirds, occurs because the bill would restructure the amount the Postal Service is supposed to pay to the Office of Personnel Management to fund the future retiree health benefits of the current Postal Service employees—coverage for them when they retire.

In 2006 the Congress enacted the Postal Accountability Act to set the Postal Service on a self-sustaining course. According to one of the man-

agers of the bill, that law included "a requirement that the Postal Service endorse at the time," that the Postal Service prefund the future retiree health benefits of the current postal employees on an accrual basis. That 2006 law set out a schedule of those required payments to the government.

Now, 6 years later, the Postal Service says they are unable to make those required payments. We already enacted a bill last year partially relieving the Postal Service of some of their required 2011 payment, so this bill would defer those payments and stretch out the amount of time to pay them.

How much is the Postal Service allowed to defer? The legislation allows the Postal Service to defer \$23 billion in payments for retiree health benefits. This legislation would transfer, in part, the burden of these restructured payments from the users of the Postal Service, the stamp buyers, to taxpayers.

This means the Treasury has to go out and borrow the money over the next 10 years because the Postal Service is relieved from making the health care payments. Again, a budget produced under regular order that I have truly felt we should have done—and remain disappointed, deeply, that has not occurred—should have planned for this by including policy changes somewhere else in the budget that would have offset the cost of this bill.

Because the bill does not do that, because it adds to the debt of the United States, and violates the Budget Control Act I will raise a point of order that will require 60 votes to waive it.

If this new spending is necessary, and I suspect some of it may be, then isn't it worth cutting spending somewhere else to pay for it? Do we really have to break our spending agreement when we are facing the fourth straight deficit in excess of \$1 trillion.

Washington is in a state of financial chaos. We are in denial. We are not owning up to the fact that there are limits on what we can do. You tell me how long we can borrow \$1 trillion a year, substantially more than we take in every year.

The Government Services Administration is throwing lavish parties in Las Vegas. The Government Accountability Office has identified \$400 billion—maybe we could pay the \$34 billion out of this \$400 billion—being spent every year, each year, on waste, inefficiency, and duplication. That is the official Government Accountability Office.

Far worse, the Senate's Democratic majority has failed to produce a budget plan in calendar year 2010, 2011, and now 2012. This Sunday, in fact, marks exactly 3 years since the last time the Senate passed a budget.

A budget means responsible behavior. It requires and forces Congress to make tough choices.

Now we say the Postal Service needs more money, and we will just borrow it. This is not responsible behavior.

The White House warns that Republicans want to cut too much spending. But the American people know the truth, and the truth is we have never spent more money than we are spending today and spent it more recklessly and with less accountability.

This is in many ways a decisive moment. I deeply respect my colleagues who have worked on this legislation. It is very complex; it is very important; it is a very difficult issue. But this country has to rationally confront the difficulties in the Postal Service. The world is changing. E-mail continues to erode the market for traditional mail. The Postal Service has to adapt to keep up with the times. We cannot just keep throwing money at it.

I deeply respect the people who worked on this, but I do believe it is a crucial vote. Even if one supports every dollar of spending in the bill, do you support violating the Budget Control Act? I ask my colleagues to vote to sustain the budget point of order. Let's stand up for fiscal responsibility.

In effect, we would send the bill back to our good committee, and say to them: Look at it. If they can spend less, please do so. But if they feel they have to spend more money to sustain the Postal Service, propose how it should be offset. It would meet the requirements and promises we made to the American people.

I thank the Chair for the opportunity to share these remarks. It is going to be difficult to fix, but certainly not impossible. If this bill is sent back—I know my colleagues will figure out a way to pay for it.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. LIEBERMAN). The Senator from Maine.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum, but I will be responding.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, let me start by responding to the ranking member of the Budget Committee by saying that I could not agree with him more that it is absolutely unacceptable that we have not had a budget passed in the Senate for more than 1,000 days. That is totally unacceptable. It is one of the reasons we are in such a financial crisis in this country. So I completely agree with Senator SESSIONS that we should be doing a budget resolution on the Senate floor, and I wholeheartedly agree with his comments that it is absolutely irresponsible for us to be proceeding without a budget resolution. And as a member of the Appropriations Committee, I would say to

my colleagues that it makes it very difficult for us to carry out our work. Due to the cooperation of the chairman and ranking member of that committee, we are operating under allocations for each subcommittee, but it would be far preferable if there were a budget resolution that passed, and it should have passed last year, the year before, and it should be passed this year. So we are in complete agreement on that point, and I know that has been a great source of frustration for the Senator from Alabama as the ranking member of the Budget Committee.

Having said that, let me explain a few facts. First of all, there are no tax dollars being authorized by this reform bill. There is no transfer of taxpayer money to the Postal Service. What we have here is a very strange and unusual budget situation. And the score CBO has is incredibly misleading because the Postal Service, oddly enough, is part of the unified budget of the United States even though most of its accounts are off-budget, but it participates in Federal employee retirement systems and the health benefits systems and the workers' compensation systems, where postal dollars that come from postal employees and from postal ratepayers are commingled, if you will, with tax dollars that come from other Federal agencies into the retirement system, the workers' comp system, and the health benefits system. And that creates this odd situation, which makes it very difficult for CBO to score this bill correctly.

The inspector general of the Postal Service puts it far more bluntly. In a February 22 report from this year called "Budget Enforcement Procedures and the Postal Service," the inspector general said:

... the Postal Service's off-budget status ... expose[s] the Postal Service to an inappropriate and illogical application of the scoring process that threatens its ability to reform and heal its financial condition. Scoring and budget enforcement were created for a good purpose, but they are undermined when the scoring process assumes that unlikely or inappropriate inflows to the Treasury must occur.

Let me give you a couple of examples because it is incredibly important that we walk through the score so that our colleagues can understand the unique on-budget/off-budget status of the Postal Service, particularly in the area of reducing payments to retiree health benefits or recovering overpayments to the FERS system and how the CBO scoring method obscures the true savings achieved by refunding the FERS payments.

Again, let me repeat that since 1971 the Postal Service has received no Federal subsidy to operate other than some very minor appropriated dollars for functions that the Postal Service is legislatively mandated to do, such as mail for the blind and overseas ballots for our troops. That is it. Prior to 1971

there was a taxpayer subsidy year after year to the Postal Service, but that ended with the Postal Reform Act in that year. So from the sale of stamps, the cost of shipping packages, and the rates mailers and magazine publishers and newspaper publishers pay to get the print versions delivered comes the revenue for the Postal Service. And even the money the Postal Service uses for retiree benefits comes from a combination of the contributions the postal workers make and the money the Postal Service invests.

As I mentioned earlier, there is a significant overpayment into the Federal Employees Retirement System, and we, along with the administration, the GAO, the independent actuaries, and the Postal Service inspector general, have all proposed that overpayment be returned to the Postal Service, and it would be used in part to finance these buyouts and retirement incentives to reduce the size of the postal workforce.

Let's look at how CBO scores this particular part of the bill.

First of all, CBO gives this bill no credit whatsoever for the buyouts, and here is why: CBO argues that the Postal Service already has buyout authority, but as the Presiding Officer knows better than anybody in this Chamber, our bill changes the status quo in two critical ways. First of all, the Postal Service has no cash right now to do these buyouts. That is one of the reasons we are so eager to get the money from the overpayment of FERS refunded to the Postal Service. Second, in our substitute bill, we specifically direct the Postmaster General to use a portion of this money to entice 18 percent of the current postal workers to accept this offer. That is a big difference. So there is a mandatory direction to the Postmaster General to reduce the workforce by about 18 percent and there is the cash that will allow him to offer buyouts to do that. Why CBO doesn't score that as a savings to the Postal Service is beyond me.

There is another way to reduce the workforce and, again, the funds for this would come from the FERS refund. Our bill provides new authority to the Postal Service to offer 1 or 2 years of credited service toward a pension annuity so that for a worker who is just lacking a year or two to reach the number of years necessary for retirement could be credited with that extra year or two of service, depending on which retirement system the worker is in. Unfortunately, the CBO makes an assumption that only several thousand employees would take advantage of that offer and credits the bill with savings of only \$643 million over 10 years. Since these kinds of service credits have never been offered before, it is not clear how the CBO came up with this assumption. There is no precedent for it. There is no data for the CBO to use. Again, our original bill did not include

the hard requirement for the 18-percent reduction, but our substitute does. Yet CBO does not recognize that change.

The Postal Service has told us, as the Presiding Officer would attest, these requirements and this new authority and the funds for the buyouts and the service credit would allow them to reduce their workforce in the neighborhood of 100,000 employees and save some \$8 billion a year. That is not reflected in the estimate. I use that example because it shows how strange the scoring is. This is a quirk of the budget-scoring rules because when there is a transfer of Postal Service money—not taxpayer money, Postal Service money—from one account in the Treasury, such as the retirement account, into an off-budget postal operations account, the CBO makes this assumption that savings are not going to occur. So when we transfer the \$11 billion overpayment—the refund—from the pension account, to which the Postal Service has been overcharged, into a postal operating account, it gets credited as \$5.5 billion instead of \$11 billion. That means an on-budget account loses \$11 billion, as CBO looks at it, and the off-budget account only gains \$5.5 billion. This is very complex because it is so obscure and because, frankly, it is so illogical. The result is the net score in the unified budget of \$5.5 billion as a cost to the Treasury, and that simply is not the reality. Again, these are not taxpayer dollars that went into the overpayment in the first place. So here we have a provision that is being scored as the \$5.5 billion cost to the Treasury when, in fact, they aren't tax dollars, and it is only because this is a unified budget, where some of the accounts are on-budget and some of the accounts are off-budget, that we have this anomalous result. It doesn't make sense.

Let me give my colleagues another example. The CBO acknowledges that our reforms of the Federal Workers' Compensation Program would save \$1.2 billion, but CBO doesn't count this reduction as a savings because of the way the Department of Labor charges agencies for participation in the workers' compensation program. Again, that doesn't make any sense, when the CBO itself acknowledges that these are real reforms that are going to save \$1.2 billion. Yet we only get credit for \$200 million of the reforms.

There is another issue. The CBO does not account for what would happen if the Postal Service allows service to continue to deteriorate because the CBO doesn't recognize the reality that all the big mailers and small mailers tell us, which is that revenue will be driven out of the system if the service cuts associated with plant closures and wholesale closures of post offices are allowed to proceed. The bottom line is that were it not for 50-percent discounts being applied over and over to

the savings we achieve for 5-day delivery, retiree health care, the pension refund, on the basis of these strange behavioral assumptions and reflecting the odd combination of off-budget and on-budget accounts being brought together in a unified budget, the bill would have scored approximately \$24.6 billion more in off-budget savings, making the bill a net saver of \$14.8 billion.

This is so frustrating because it is so complex, but I think if our colleagues look at the example of the FERS overpayment, it becomes very clear because there are no taxpayer dollars involved. Yet it is scored as a cost to the Treasury of \$5.5 billion. How can a refund of an overpayment that involves no tax dollars end up being scored as a cost to the Treasury of \$5.5 billion? That is how illogical and quirky this estimate is, and it is because of the unique status of the Postal Service and how its various accounts are reflected in the budget.

In addition to my absolute conviction that this score is very misleading, let me make another point. If we do not proceed with this bill—if this budget point of order brings down this bill—the Postal Service will not survive as we know it. Again, we are not providing a taxpayer subsidy in this bill. In fact, I would argue we are preventing a taxpayer bailout in this bill because later this year, if the Postal Service cannot meet its payroll and thus is unable to deliver mail, I think the pressure for the taxpayer bailout will increase substantially, and I do not want to see us return to the pre-1971 era, where the taxpayers were on the hook for the Postal Service. Our bill would avoid that outcome.

Thank you. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LIEBERMAN. Mr. President, I thank the Presiding Officer for liberating me from the chair so I may now speak in my capacity as a Senator from the State of Connecticut. First, I would like to thank my friend from Maine, Senator COLLINS, for what I thought was a very convincing, insightful description and really a critique of the CBO estimate of the financial impact of this bill.

This is tough to follow. The two of us, Senator COLLINS and I, and others on the committee have been deeply saturated in this for probably too long. But the fact is, when the CBO estimate of the bill came out saying it was going to cost more than we were saving, I was shocked. As I read over it, part of it is because they are not simply considering the Postal Service budget, which we are out to save; that is, to cut a lot of money from it so it can be saved, and as Senator COLLINS said, the Postal Service is off-budget. It does not spend taxpayers' money except for those two little matters of paying for ballots for military personnel and others overseas, and I think the other is for blind people in this country, but the rest of it is all paid by the ratepayers. So as you go over, one by one, as Senator COLLINS did, the elements of the "costs"—and I put quotations around them—they are just not real. This is form over substance. This is a kind of "Alice in Wonderland" accounting that does not relate to the reality of the Postal Service's budget or the Federal budget.

The so-called FERS repayment that is coming from the Federal Government, everyone agrees—including Senator SESSIONS, who stated his intention of making a budget point of order on our Postal Service bill—the Postal Service did overpay this amount of money, just as if a taxpayer overpaid taxes. Well, if I overpay my taxes, that is my money I am asking back from the government. In this case, the Postal Service has overpaid to the Federal retiree pension fund, and it is asking for its money back.

There is something else to be said here about the reality of accounting in

the real world. When the approximately \$11 billion—or maybe more—is paid back to the Postal Service, that only happens once, when that total is paid back. But what we have demanded in the bill be done with a part of that money, which is to get involved in this incentive for early retirement or retirement when members of the Postal Service are eligible, mandating that 18 percent—about 100,000 postal employees—retire, that saves \$8.1 billion on a recurring basis every year. So you have the one-time—it may come in two or three payments but only one-time—\$11 billion repayment to the Postal Service for the overpayment it made, and then every year it saves \$8.1 billion, forever. That is a pretty good deal both for the taxpayers and the Postal Service.

Secondly—and Senator COLLINS went on very effectively about this—the prefunding of health benefits. The fact is in the Postal Reform Act of 2006—you might call it an excess of caution—the Postal Service was required to make payments into the retiree health benefits fund that are greater than most any other business or government in the country. We have just spread this out to a 4-year payment schedule according to the normal discount rate other Federal programs pay for their retirees' benefits.

Senator COLLINS talked at length about the impact of the way in which the CBO, the Congressional Budget Office, refuses to score—as we say, count—dollar-for-dollar the amount of money saved by early retirements, which does not make any sense because that is what will be saved.

Now, I want to enter into the RECORD at this point—and speak to it—the estimate of the U.S. Postal Service about what our substitute amendment to S. 1789 will save, and it is quite dramatic. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE UNITED STATES POSTAL SERVICE—PLAN TO PROFITABILITY—DRAFT-4/17
S. 1789 AMENDED (APR 16)—MANAGERS SUBSTITUTE, AS OF 4-16-12

(in \$Billions)

	2011	2012	2013	2014	2015	2016	S-1789 Section
Base Case:							
Revenue	\$65.7	64.0	63.4	62.7	62.0	61.6	
Total Operating Expenses	67.9	69.5	69.9	72.0	74.5	77.1	
Operating Income/(Loss)	(2.2)	(5.4)	(6.5)	(9.4)	(12.5)	(15.5)	
RHB Pre-Funding	5.5	11.1	5.6	5.7	5.7	5.8	
Net Income (Loss)—Base Case	\$(7.7)	(16.5)	(12.1)	(15.1)	(18.2)	(21.3)	
Impact of Strategic Initiatives (savings are positive numbers, costs are negative):							
Legislative Changes:							
Resolve RHB Pre-Funding	5.5	11.1	5.6	5.7	5.7	5.8	
FERS Refund	—	11.4	—	—	—	—	
Reduce FERS contribution rate by 3% (note a)—Not Included	—	—	—	—	—	—	101
Price increases: Add'l 2% for products not covering costs, after 3.5 yrs.	—	—	—	—	—	0.1	402
5-Day Delivery—2 year delay	—	—	—	—	2.0	2.6	208
Total Legislative Changes	5.5	22.5	5.6	5.7	7.7	8.5	

THE UNITED STATES POSTAL SERVICE—PLAN TO PROFITABILITY—DRAFT-4/17
S. 1789 AMENDED (APR 16)—MANAGERS SUBSTITUTE, AS OF 4-16-12—Continued

(in \$Billions)

	2011	2012	2013	2014	2015	2016	S-1789 Section
Operations:							
Networks: Retain Overnight for 3 yrs. (\$1.5B savings + workload)	-	0.4	1.0	1.5	2.2	2.9	201-202
Retail ("Retail Svc Stds", Savings of 90% of Postal Plan)	-	0.6	0.9	1.3	1.7	1.9	203-205
Delivery (Same as Postal Plan)	-	1.2	1.6	2.1	2.5	3.0	
Total Operations Initiatives (incl wkload)		2.2	3.5	4.9	6.4	7.8	
Comp & Benefits and Non-Personnel Initiatives.							
Collective Bargaining (Same as Postal Plan)	-	0.4	1.2	1.6	1.9	2.2	
Postal Health Plan—Employees—no significant savings proposed	-	-	-	-	-	-	104-105
Postal Health Plan—Retirees—no significant savings proposed	-	-	-	-	-	-	104-105
Retiree Health Benefits Paid from RHES Fund	-	-	2.9	3.2	3.5	3.9	103
Less: Pay Normal Cost +40 yr Amort of Unfunded	-	-	(3.7)	(3.8)	(3.9)	(4.0)	103-105
Interest Savings	-	-	0.0	0.1	0.6	1.1	
Comp & Benefits and Non-Personnel Initiatives		0.4	0.5	1.1	2.2	3.2	
Separation Cost	-	(0.4)	(0.4)	(0.4)	-	-	
Total Contribution from Strategic Initiatives		5.5	24.7	9.1	11.3	16.3	19.5
Revised Operating Expenses	67.9	55.9	66.4	66.4	63.8	63.4	
Revised Net Income/(Loss)	\$(2.2)	8.1	(3.0)	(3.8)	(1.9)	(1.8)	
2015 Daily Net Income/(Loss)—\$ Millions					(\$5.1) M/Day		
Net Cash/(Debt)	(\$11.7)	(3.3)	(6.3)	(9.9)	(11.4)	(12.4)	

Notes:

(a) Reducing FERS employer contribution rate by 3%, to reflect Postal specific demographics and salary increase data, would avoid creating another future overfunding position.

Sections not included due to lesser near-term financial impacts:

- 211: Non-Postal Products
- 301 to 305: FECA Reform
- 403: Co-location of Federal Agencies
- 404: Cooperation with State & Local Governments
- 405: Distribution of Beer, Wine & Distilled Spirits

Does not include the following impacts:

No more than 2 consecutive non-delivery days (5 Monday holidays per year).

Mr. LIEBERMAN. All along, our goal has been to get to a point, over 3 or 4 years, where we would save as close to \$20 billion a year as we could. That is the number Postmaster General Donahoe gave to our committee as to what he needed, the Postal Service needed to get back in balance.

On the current course, in fiscal year 2016 the U.S. Postal Service—I am reading now from the statement I have entered into the RECORD that the Postal Service has given us—will have a deficit of \$21.3 billion. In 2016, under the passage of S. 1789 with our substitute amendment, the loss is reduced to \$1.8 billion. That is from \$21.3 billion to \$1.8 billion. Well, of course, we want to get it to total balance, but we are clearly going to hit balance after that on the course we are on. That means, according to the Postal Service, passage of S. 1789 with our substitute amendment will save the Postal Service over \$19 billion a year by 2016. That is exactly what the Postal Service needs to stay alive.

We do it without compelling layoffs. We do it with incentives for retirement. We do it without mandating—as some of the amendments would that we will vote on tomorrow—the mass closure of mail-processing facilities or our post offices around the country, which, as Senator COLLINS said, would be a kind of shock therapy. It would so jolt the system that people would turn away from the post offices in increasing numbers. In fact, it would accelerate the loss of revenue. We do it without an immediate move from 6 days of delivery to 5 days because that is a tough one for a lot of people. We have given the Postal Service 2 years

to essentially prove it can get back in balance without that move from 6 days to 5 days of delivery.

We have added new sources of revenue. We have created a process here, which is not scored by the Postal Service, that we think can add more money because it will develop a new business model, a new way to use the assets the Postal Service has to make more money.

The fact is—I want to emphasize this again—this saving of \$19 billion, which will result by 2016 if this substitute to S. 1789 is passed, does not take any taxpayer funds. In fact, it properly returns certain overpayments to the Postal Service.

The CBO score for S. 1789 is simply misleading—profoundly misleading—because of the kinds of accounting rules that do not relate to the reality of the budget for the Postal Service.

I am proud of what we have been able to accomplish. It took a lot of work. As Senator COLLINS has said, if this point of order Senator SESSIONS intends to make at some point in the debate—hopefully after the amendments are voted on—is sustained, it will end this bill. Instead of, therefore, having passed a bill which, if it goes all the way to enactment, would save \$19 billion for the Postal Service every year by 2016, the Postal Service's deficit and debt spiral would continue downward. I would predict there would be massive cutbacks in services and a loss of employment by people in the Postal Service but particularly among the 8 million people who are in jobs that depend on the Postal Service in the private sector for their livelihoods. So with all respect, I will vigorously oppose the

point of order my friend from Alabama, Senator SESSIONS, will make.

Mr. President, I note the presence on the floor of the distinguished Senator from Virginia. Does he wish to speak? I yield the floor.

The PRESIDING OFFICER. The junior Senator from Virginia.

Mr. WARNER. Mr. President, first of all, let me thank the chairman and Senator COLLINS for their work on this bill. I know it has caused a great deal of interest and consternation, but the numbers are overwhelming that without this kind of legislation, the fate of our Postal Service would be in great jeopardy. I commend both the chairman and ranking member for their very good work. I intend to support the legislation. I know they have had to make some hard choices, but I think they are putting the Postal Service back on the path to sustainability, and I commend their leadership.

I also thank them both for an amendment they have been kind enough to include in, I believe, a revised bill, a managers' package, that takes on a related issue that affects not only Postal Service employees but all Federal employees; that is, the absolutely dreadful performance—which is starting to be corrected, but the absolutely dreadful performance that OPM and agencies of the government, including the Postal Service, have done in terms of making sure our Federal employees receive their retirement benefits in a timely manner.

The Presiding Officer and I, both from the Commonwealth of Virginia, have 130,000 Federal employees in Virginia. There are 140,000 Federal employees across the river in Maryland. I

am happy Senator MIKULSKI has co-sponsored the amendment I am going to talk about in a few moments.

I want to explain the problem we are facing and why I am asking the Senate to adopt this amendment during the consideration of this bill to reform the postal system.

Over the past year, I and other Members in both parties have received hundreds of requests for assistance from Federal retirees who have experienced significant delays in obtaining their full retirement benefits—delays that oftentimes exceed 12 months, sometimes as much as 18 months and more. In the meantime, these Federal retirees—and no one questions that they deserve and should receive these benefits, but since there is slow processing and antiquated technology, they are not getting these earned retirement benefits. These retirees face inordinate hardships trying to pay their bills and survive on partial payments made while their retirement paperwork moves through the system.

Remarkably, in 2012, our whole retirement system is still a paper-based system. OPM also relies upon every other Federal agency, such as the post office and others where a Federal employee works, to assemble and submit the retiree's paperwork in a timely and efficient manner. But as we have seen with the occasional snapshots that have been taken, some agencies literally have a 30- to 50-percent error rate in submitting the background material for the retiree so OPM can appropriately process the paperwork.

Part of the goal of this postal reform, I know, is going to be to encourage some of the voluntary retirements in the postal system—again why this amendment is so timely. Meanwhile, the retirees wait and wait for benefits; benefits they have earned, and, unfortunately, benefits they cannot get access to. We continue to hear from recent Federal retirees who literally spend 8 or 10 hours a day trying to get through on the customer service line to find out where their benefits are.

I would like to share a few examples of what we are hearing. We recently heard from a retired colonel from Williamsburg, VA, who wrote, "I retired in March 2011 and at the time of this writing OPM has still not figured out my full retirement pay . . . my savings are getting low."

From here in Northern Virginia, in Dumfries, VA, we heard from a retiree who said:

I have been subjected to a severe financial hardship because of not getting my full benefits. I was recently told that the bank is repossessing my auto because I cannot afford to make the payments.

He cannot make the payments because this retiree was not getting her benefits. She was existing on partial benefits until OPM could deal with the processing.

From Warrenton:

I am seeking assistance with obtaining my husband's health insurance which was canceled unexpectedly. He worked for DOD. I notified OPM with the appropriate forms and a copy of his death certificate, all of which was apparently lost by OPM. I tried to obtain new forms but was told it would take up to 6 weeks. I am 80 years old and need my health insurance now. My husband and I were married for 60 years.

This is unacceptable. This is not the way we ought to be running this important part of our Federal Government. In January of 2012, OPM's retirement backlog exceeded 62,000 cases—62,000 Federal employees, retirees—who were waiting to get their benefits. Again, let me point out, many of these retirees were waiting for more than 1 year.

We saw huge backlogs in disability claims, death benefits, and quarterly benefits. By OPM's own account, it takes almost 700 days, nearly 2 years, to process some death benefits. Recently, after my meetings with OPM and other members of the delegation, OPM has made some limited progress in reversing the tide of retirement claims. The retirement backlog is now 52,000 claims. OPM has hired new staff and is starting to modernize its outdated processing, but it is clear more needs to be done.

I wish to also compliment Senator AKAKA, who was kind enough to let me join an oversight hearing on this matter back in February of this year. What I heard there worried me. So I sent my staff to OPM's retirement processing facility last month to see the problem up close. Unfortunately, my staff's reports confirmed my worst fears. The current process is largely manual, cumbersome, and contributes to significant delays and potential errors. We have been told the newest OPM technology is 12 years old. That is pretty remarkable. It is simply no longer feasible to expect that manual data entry for retirement and benefits claims make sense when we have technology that can dramatically lower processing time and increase accuracy.

OPM needs to modernize its technology in the long run. But in 2012, they need to at least start taking some short-term steps. It is unacceptable that they rely upon paper processing in 2012. OPM, as I mentioned, has made some progress. But ultimately they still want to remain committed to a paper processing system. That does not make any sense. The kicker in this problem is not new. As indicated by this press story, Federal agencies routinely point the finger of blame at OPM for causing these delays, while OPM points the finger back at the individual agencies for not getting the information to OPM in a timely manner.

One might think this story was written in the last few weeks. There have actually been stories written in the Post in the last few weeks about this subject. But the day I am quoting from

on this story is actually May 9, 1988. That was 24 years ago. Ronald Reagan was President when this was written, and we have had four Presidents since then. Yet OPM continues to offer the same excuses and the same kind of back-and-forth finger-pointing between agencies. We have seen this show before. It needs to be taken off the air.

What are we going to do with this amendment and how does this affect trying to move the ball forward? My amendment will do three things. First, it requires OPM to report to Congress, GAO, and the public about the timeliness and accuracy of Postal Service claims, requiring OPM to compare the Postal Service with the performance of all other Federal agencies. So we need to figure out, because we do not know at this point—we have a 52,000-claim backlog—whether the backlog is because the agency the employee worked for did not get the information to OPM in a timely manner or whether OPM has not processed this.

This amendment will require the Postal Service to assess how it is doing, getting this information to OPM, and compare that with the performance of other Federal agencies. This will allow us to see which Federal agencies have the best and worst track records in submitting paperwork to OPM. The snapshot we saw a little bit earlier this year at the hearing in February showed that a number of agencies had literally a 30- to 50-percent error rate in submitting their retirement paperwork to OPM.

With close to 100,000 potential new retirees—actually a much larger number, but the effect of this bill may urge the voluntary retirement of 100,000 postal workers to retirement—OPM is going to get hit by a tsunami.

Second, the report will also require OPM to provide a claims aging report. We need to know how long retirement applications have been pending at OPM. By the way, we do not have any of that information right now for the 52,000 cases that are currently pending—no basic aging report.

Third, the amendment will require OPM to at least move forward a little bit in modernizing one piece of their technology, so OPM can at least receive some electronic payroll data from the Postal Service system.

Now, 551,000 people work for the Postal Service right now. If this legislation passes, which I hope it will, and we see the voluntary retirement of 100,000 postal workers over the coming months and years, that is a new tsunami of retirement benefits claims that are going to need to be processed by OPM.

The bottom line is this: OPM, while they are trying to make some progress and I commend Director Berry for some of the actions he has taken, needs to be urged along and we need to get more data about how they do, not only with the Postal Service but with all

Federal agencies. My amendment will move forward in that direction.

The Warner-Mikulski amendment focuses on these key reporting requirements and mandates more transparency so we can untangle the chokepoints. I believe we need to honor the dedication and commitment of our Federal workforce, including our postal workers, in making sure that when they do retire, they get their Federal retiree benefits in a timely and efficient manner. Again, I wish to thank the chair and the ranking member for their hard work on this postal reform bill. I look forward to supporting it. I also hope my colleagues will join me in supporting this Warner-Mikulski amendment that while tangential to the overall reform of the Postal Service, making sure these retirees get their benefits in a timely manner is something on which we should all agree.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank my friend from Virginia most importantly for focusing our attention—I know Senator COLLINS and Senator AKAKA have also been involved in this—on this unacceptable situation, where Federal employees are retiring. Because of a lot of failures here, the failure to implement an effective—it is 2012—electronic system for this purpose, this paper processing, meaning that people have to wait these very long times after they retire, while they are waiting, they are getting a significantly reduced benefit which causes real hardship.

The Senator from Virginia is absolutely right. We mandate in this bill, the underlying bill, that the Postal Service accept the goal of 18 percent in reduction of workforce. The total number of career employees in the U.S. Postal Service is about 545,000, and 18 percent comes out to around 100,000, which is our goal for reduction. This has to happen if the Postal Service is going to get back in balance. Because as Senator COLLINS said earlier today, 80 percent of the operating budget of the Postal Service is personnel costs. Obviously, it is a labor-intensive operation. So we are going to have another 100,000 people. In fact, it keeps going. By 2017, we will have—from now, this year, we will have a total of 138,000 postal employees eligible to retire. The Postal Service is going to have to work to incentivize them to retire so the service overall can stay in balance.

I wish to thank Senator WARNER because we have worked very well together on a modification to his amendment, which I think most significantly will require the Office of Personnel Management to submit a report to Congress related to the completion of retirement claims for postal annuitants, to keep the pressure on them to

end this inhumane—in many cases, unacceptable—situation.

I know when the proper time comes, we intend to support this modified amendment. It strengthens the bill. It does the right thing. I thank the Senator from Virginia for expressing his intention to support the overall bill.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico.) The Senator from Maine.

Ms. COLLINS. Mr. President, I too wish to commend the Senator from Virginia for offering this amendment in conjunction with the Senator from Maryland. I wrote to OPM in July of last year about this very issue. I was very concerned about reports in my own State and from the Washington Post about the tremendous backlog at OPM in processing the retirement applications of Federal and postal workers, and this is just wrong.

As the Senator's statement shows, it has caused some real hardship to individuals. So I was pleased the chairman and I could work with the Senator to modify his amendment so it would be germane to this bill. I look forward, at the appropriate time, to working with the chairman to accept the amendment.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I want to thank the chair and the ranking member for working with me on this amendment to get it appropriately modified. This is an area that I think there is broad bipartisan consensus, that we need to make sure—whether postal workers or other workers in the Federal system—that when they choose to retire, they can expect those retirement benefits in a timely manner.

I wish to again commend the chair and the ranking member for the fact that putting in place this very reasonable plan that is going to encourage the voluntary retirements of that approximate 18 percent of the workforce—109,000 I believe it amounts to—is going to be a lot easier to make that sell if those postal workers can then expect to receive their retirement benefits in a timely manner. I think if they are hearing the current scuttlebutt that they may have to wait 12 to 18 months to get their retirement benefits, it becomes a much harder effort for the Postmaster and the management of the Postal System to make—even if they got the right incentives in place—to kind of get over that hump if they have to wait a long time.

So I very much thank again the chair and ranking member, Senator LIEBERMAN and Senator COLLINS, for their support, and I think trying to shine a light, not only on the Postal System but vis-a-vis how other Federal agencies are doing will be important. I look forward to working with them. I know they both focused on this issue in the

past. I hope to lend my assistance to make sure we get this fixed.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, thanks to the Senator from Virginia. He makes a very important point: Of the \$19 billion in savings that the Postal Service itself believes will result annually as of 2016, \$8.1 billion will come from the reduction in salaries paid because of retirements that are incentivized under this bill.

It is common sense that if a worker is thinking about retiring and hears there is such a backlog that they are only going to get half of what they deserve for their pension until the paperwork has cleared, they are probably not going to rush to retire, and, therefore, we are going to save less money.

We are approaching the hour of 2. According to the unanimous consent that governs our activities today in the Senate, we are going to go to another matter, the NLRB rule. I wish to thank particularly Senator SESSIONS and Senator WARNER who came to the floor to discuss their amendments. Senator COLLINS and I will return at 4. We will be here until 5, when we go to the discussion of a judicial nomination. Then, we will be here after the vote tonight as late as anybody is here to discuss and debate amendments before we go to the vote tomorrow.

I thank the Chair. I thank my friend from Maine.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY THE NLRB RELATING TO REPRESENTATION ELECTION PROCEDURES—MOTION TO PROCEED

Mr. ENZI. Mr. President, I make a motion to proceed to S.J. Res. 36.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The assistant legislative clerk read as follows:

Motion to proceed to S.J. Res. 36, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to representation election procedures.

The PRESIDING OFFICER. Under the previous order, there will be 2 hours of debate equally divided and controlled between the two leaders or their designees.

The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I rise today to ask for disapproval to stop the National Labor Relations Board's ambush election rule. This rule I have been objecting to was put into place by an NLRB that is bound and determined to stack the odds against American employees and to put employers and employees in an unfair situation. Despite the fact that unemployment has remained above 8 percent for the past 3 years, and small business growth is the most important factor in reversing the lackluster trend, the National Labor Relations Board has chosen to impose new rules to aid big labor at the expense of employers, and particularly small business employers and the jobs they would create.

If the Senate does not act now to stop this rule by passing my resolution, it will go into effect on Monday, April 30, 10 months after it was first proposed. The changes that are being made are going to be a big surprise for the employers and employees who get caught in this net, particularly, as I mentioned, the small employers who do not have the human resource departments or in-house counsel. I would expect that we elected representatives of the people are going to face a lot of questions about what we did to stop this blatant effort to stack the odds in big labor's favor—and we will be asked. This rule will shift the law significantly in favor of big labor.

Let me take a moment to explain. Under current practice, there is a 25-day waiting period between the setting of an election by a hearing officer and the actual secret ballot election. Employers could use this time to familiarize themselves with the requirements and restrictions of the law. This is very important because there are many ways that an unknowledgeable employer with the best intentions could make a misstep that would be heavily penalized by the NLRB. Employers also use the time to communicate with their employees about the decision they are making and correct misstatements and falsehoods that they may be hearing from union organizers.

Parties also use this time to seek review of a decision made by a hearing officer or an NLRB regional director. Under the new regulation, the 25-day waiting period is abolished and employers may face an election in as few as 10 days.

Is it fair to the employees to only have 10 days to learn how this will affect his or her life, and how much of his or her money this will cost?

Under current law, both parties are able to raise issues about the election at a preelection hearing, covering such issues as which employees should be included in the bargaining unit and whether particular employees are actually supervisors. Under the new regulation, parties will be barred from raising

these questions until after the election. Employees will be forced to vote without knowing which other employees will actually be in the bargaining unit with them. This is important information that weighs heavily in most employees' vote.

Additionally, because of the NLRB's decision to allow micro-unions, such as specialty health care, unions will essentially be granted any bargaining unit they design and employers will have a very limited time to weigh in.

Under current law, when either party raises preelection issues, they are allowed to submit evidence and testimony and file posthearing briefs for the hearing officer to consider, and have 14 days in which to appeal decisions made with respect to that election.

Under the new regulation, the hearing officer is given the broad discretion to bar all evidence and testimony unrelated to the question of representation and all postelection briefs, and no appeals or requests for stays are allowed. This can be quite a disadvantage for employees as well.

What this all adds up to is an extremely small window of time from filing a petition to the actual election, little opportunity for employers to learn their rights or communicate with employees their rights, and less opportunity for employees to research the union and the ramifications of forming a union. The NLRB is ensuring that the odds are stacked against employees and businesses. This vote is an opportunity to tell the NLRB to reverse course.

If we pass this resolution, as I hope we will, the Senate will not be the only branch of government telling the NLRB it is off track. Last month, a District of Columbia Federal court told the NLRB that several provisions of its notice-posting regulation were well exceeding their authority and struck them down. This was a judge appointed by President Obama. Two weeks ago, another Federal court—this time in South Carolina—also ruled against the NLRB. It found that the entire notice-posting regulation violated congressional intent. Following up on these two rulings, the DC Court of Appeals stayed the entire rule until appeals are completed. The court in that case was frustrated that the NLRB did not postpone the rule itself, given the multiple negative treatments in the courts.

Unfortunately, that reckless sense of blind mission is consistent with this administration's NLRB. It is kind of like "Thelma and Louise" driving off a cliff. I, for one, don't want to see the NLRB drive our economy off a cliff. I hope this resolution will pull them back and encourage them to focus on their statutory mission.

The NLRB enforces the National Labor Relations Act, which is the carefully balanced law that protects the

rights of employees to join or not join a union, and also protects the rights of employers to free speech and unrestricted flow of commerce. Since it was enacted in 1935, changes to this statute have been rare. When they have occurred, it has been the result of careful negotiations with stakeholders. This change is one-sided and super quick—an ambush to set up ambush elections.

The National Labor Relations Board is not an agency that typically issues regulations. Listen to this: In fact, in over 75 years the National Labor Relations Board has finalized only three regulations through formal rulemaking, two of which occurred last year. Let me repeat that. In over 75 years, the National Labor Relations Board has finalized three regulations through informal rulemaking, and two of them occurred just last year—under this current National Labor Relations Board. As I mentioned, one of those was already struck down by one court and stayed by another.

Most of the questions that come up under the law are handled through decisions of the board. Board decisions often do change the enforcement of the law significantly, but they are issued in response to an actual dispute and question of law. In contrast, the ambush election is not a response to a real problem because the current election process for certifying whether employees want to form a union is not broken. This rule was not carefully negotiated by stakeholders. Instead, it was finalized in just over 6 months despite the fact it drew over 65,000 comments in the 2-month period after it was first proposed.

Labor law history provides an interesting contrast to this rushed regulatory approach. In the late 1950s, Congress became concerned about undemocratic practices, labor racketeering, and mob influence in certain labor unions. To address this the Senate created a special committee—the Select Committee on Improper Activities in the Labor or Management Field. That operated for 3 years and heard more than 1,500 witnesses over 270 days of hearings.

Based upon their investigations, the Senate negotiated and passed legislation to protect the rights of rank-and-file union members and employers. The legislation is known as the Landrum Griffin Act.

The issue of how long a period of time there should be between the request for an election and the actual election came up during those negotiations. My colleagues may be surprised to learn it was Senator John F. Kennedy who argued vigorously for a 30-day waiting period prior to the election. As he said:

There should be at least a 30 day interval between the request for an election and the holding of an election . . . in which both parties can present their viewpoints. . . . The

30 day waiting period is an additional safeguard against rushing employees into an election where they are unfamiliar with the issues.

Again, that was a quote by Senator John F. Kennedy. Fairness to the employees—that is what Senator John F. Kennedy was talking about. The 30-day waiting period provision he supported did not ultimately become part of the law, and, obviously, it is not a law today. Instead, the NLRB adopted a practice of a 25-day waiting period in almost every case. But this caution about the need for employees to have a chance to become familiar with the issues is just as true today.

Employees who are not aware of the organizing activity at their worksite, and even those who are, need to have an opportunity to learn about the union they may join. They will want to research the union to ensure it has no signs of corruption. They will want to know how other work sites have fared with this union and whether they can believe the promises the union organizers may be extending. Employees should have every chance to understand the impact of unionization.

For example, they will no longer be able to negotiate a raise individually with their employer. Doing their jobs better than a fellow employee may no longer bring any benefit whatsoever. Union rules may even hinder sales.

I once had an opportunity to visit a shoe factory. I was in the retail shoe business, and we visited a shoe factory. As we went through it, I saw some boxes of some of the shoes we normally carry and was kind of interested in what the new fashion looked like. So I went over and opened a box, and the roof caved in. Not actually, but it seemed as if the roof caved in because it had to be somebody who had union authority to open that box. It couldn't be the supervisor. So I actually shut down the factory for about 30 minutes just by picking up a box to look at the shoes that were probably going to be coming to my store at one point in time.

Grievances cannot be brought straight to the employer but will, instead, have to go through the filter of union management. Once the union is certified, the National Labor Relations Board has instituted significant restrictions for when it may be decertified; in other words, when the employees can fire a union as their representative. Employees are barred from petitioning for decertification for a full year after the election and barred as well throughout the term of the collective bargaining agreement. So there is a very small window in which employees have any opportunity to get rid of a union they do not support. They are going to be rushed into judgment, and then they are stuck with it.

Four decades ago Senators recognized employees deserved the oppor-

tunity to gather this and all other relevant information before casting their votes. Unfortunately, the NLRB is choosing to ignore this caution, and rank-and-file employees will suffer. Fairness to the employee?

This situation is exactly what the Congressional Review Act was intended for. When an agency takes regulatory action that is not supported by the people and their representatives, the Congressional Review Act gives Congress the chance to repeal that regulation.

In this case those advocating for the rule are doing so because they cannot pass the bill they really want, which is card check. Card check is where you have people go in and stand over employees' shoulders while they check a box that says they want to be in a union. Then, with enough signatures or enough boxes checked, there is no secret ballot election. So many have referred to this as "back-door card check"—this particular NLRB regulation—and for good reason. Both proposals seek to restrict all communication with employees prior to a union election for union organizers only. Under both scenarios, employees are likely to hear only one side of the story, and employers can be cut out of the process altogether.

But the other side could not pass card check because once the American public found out about what they were trying to do, they objected. It took a little while because the card check legislation was deceptively named "The Employee Free Choice Act." In reality it would have forced employees into the exact opposite of free choice. Any Senator who opposed this card check legislation should also be voting for this resolution to stop ambush elections.

Another reason the Congressional Review Act was designed for just this situation is there is simply no other way we would be allowed to have a vote on this issue in this Senate. Back in December, the House of Representatives passed Chairman KLINE's legislation that would have effectively killed the ambush election regulation and codified a 35-day waiting period before an election. The Workforce Democracy and Fairness Act was passed with bipartisan support, but it has no chance of being called up for a vote in the Senate. So this vote is the one chance Senators will have to stand up for employees and small businesses that want fairness.

By any measure, the current law and certification system provides that fairness. The National Labor Relations Board keeps data on elections timing and sets up annual targets to process elections and decide complaints swiftly. Last year, they exceeded two of those targets and came within three-tenths of a percentage point of meeting the third. There is simply no justification for this regulation.

Last year, initial elections and union representation elections were conducted in a median of 38 days after the filing of the petition. Almost 92 percent of all initial elections were conducted within 56 days of the filing of the petition. Not only are the vast majority of elections occurring in a timely fashion, but unions are winning more than ever. Unions win more than 71 percent of elections—their highest win rate on record. The current system does not disadvantage labor unions at all, but it does ensure employees—whose right it is to make the decision of whether or not to form a union—have a full opportunity to hear from both sides about the ramifications of that decision.

This resolution will preserve the fairness and swift resolution of claims which occur under current law. It will not disadvantage unions or roll back any rights. Let me repeat that: This resolution will not disadvantage unions or roll back any rights. What it will do is prevent the small business employers in America from being ambushed and employees from being misled with insufficient information into union contracts they cannot get out of.

Under a successful Congressional Review Act disapproval, the agency in question is prohibited from issuing any substantially similar regulation. That means the National Labor Relations Board could not just reissue this regulation and could not finalize many of the other bad ideas they initially proposed. I will be speaking about some of those later on in this debate.

Let's not wait for the courts to strike down this rule, as they have the NLRB's other regulatory effort—which would make two out of three in the last 75 years. With the President's appointment of the National Labor Relations Board members when we were not in a Senate recess period, the Senate did not confirm the people pushing this effort—though, mostly, this was done by previous board members. But with the President's recess appointments in place, the National Labor Relations Board is poised to push forward other bad ideas aimed at helping union bosses, not employees, and not job creators. It is time to stop this agency and level the odds.

I am pleased to have 44 fellow Senators cosponsoring this resolution. I will now yield time to other Members who would like to speak in favor of it, first allowing the Senator from Iowa, the chairman of the committee, an opportunity to speak, probably, against it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I yield myself whatever time I may consume.

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

Mr. HARKIN. Mr. President, I also want to clear up one parliamentary

question. The occupant of the chair stated we had 2 hours evenly divided. I believe that is today. But on the agreement for the entire debate on the Congressional Review Act, if I am not mistaken, it is 4 hours evenly divided.

The PRESIDING OFFICER. The Senator is correct.

Mr. HARKIN. I thank the Chair.

Mr. President, this Congressional Review Act challenge is the latest chapter in an unprecedented Republican assault on unions. The amount of time this Congress has wasted scrutinizing and bullying the National Labor Relations Board over the last 2 years is simply astonishing. This time the debate is about whether the NLRB acted appropriately when it streamlined its procedures for setting up a union election and eliminated unnecessary bureaucracy to make the agency more efficient.

This seems like a commonsense and logical step that if taken by any other agency my colleagues on both sides of the aisle would be applauding as a step forward for good government and efficiency. But because these reforms were put forward by the NLRB—an agency my Republican colleagues seem to do anything to undermine—we are all standing here today debating the merits of this eminently sensible action. It is a real shame.

At a time when we should be working together to rebuild our economy and addressing the real challenges facing working families across this Nation, instead Republicans are distracting this body with partisan attacks on the National Labor Relations Board and on unions.

I would welcome the opportunity to spend this time on the Senate floor debating how to make life better for middle-class families. I would even welcome the opportunity to have a real debate about unions and the important role they play in our country. What I deeply regret is that we are instead going to spend time discussing the wild misinformation that has been spread about National Labor Relations Board rules that were properly undertaken, well within the agency's authority and completely sensible. So let me take a moment to try to set the record straight.

In December, after receiving public input, the NLRB announced that some internal agency procedures governing union elections would be changed. These are modest changes that not only make the procedures more rational and efficient but also ensure that workers and employers alike will have an opportunity to make their voices heard in an environment free of intimidation. These changes, while modest, are desperately needed. They will address the rare but deeply troubling situation where an unscrupulous employer uses delay and frivolous litigation to try to keep workers from get-

ting a fair election. Let me briefly explain how the process works and how the new rules will help.

Ever since the passage of the National Labor Relations Act in 1935, workers have had a Federally protected right to choose whether to form a union, and our national policy, as stated in that act, has been to encourage collective bargaining. Workers who are interested in forming a union can request an election if at least 30 percent of the workers in that workplace sign a petition and present that to the National Labor Relations Board. About 90 percent of the time, the employer and the union reach an agreement covering when the election will be held, the timing of it, and who is in the bargaining unit.

That is the ideal situation. That is what happens the majority of the time. Although we would never know it from the rhetoric surrounding these rules, the new procedures address only the roughly 10 percent of situations where these preelection issues are in dispute and the rules say nothing about 90 percent of the elections, where the two parties reach a voluntary agreement on election terms.

This chart shows us only a tiny fraction of election petitions will be affected by these rules. As I said, 90 percent of the time the proposed union and the employers reach an agreement when the election is going to be held, how it is going to be held and other procedures. They voluntarily agree on that. Only 10 percent of the time do we have employers, some that are highly unscrupulous that will do anything to prevent their workers from having any kind of a voice in the running of the facility, that go to extreme lengths to frustrate the will of those who want to form a union. Again, the rules we are talking about don't even affect 90 percent of the businesses.

This 10 percent of the time when the parties can't reach an agreement, the NLRB then holds a hearing to decide who should be in the bargaining unit. The NLRB's proposed rules deal with the mechanics of that hearing and they attempt to cut back on the frivolous litigation that has plagued the hearing process. That is the proposed rule. They deal with the mechanics of that and cut back on this frivolous litigation. Under the old rules, management could litigate every single issue they could imagine at the preelection hearing. They could file posthearing briefs over any issue no matter how minor, and they could appeal any decision to the NLRB here in Washington. In many cases, the election would be put on hold while the Board reviewed the case. The workers then had to wait for the resolution of this litigation before they could even vote.

When the management side took advantage of every opportunity for delay, the average time before workers could

vote was 198 days. Again, we are talking about this 10 percent. When management took advantage of every opportunity, the average time before workers could even vote was 198 days. We have some cases where it has been as long as 13 years before employees were able to vote in a union election. While the election process drags on, workers are often subjected to harassment, threats, and, yes, firing.

A study by the Center for Economic and Policy Research found that, among workers who openly advocate for a union during an election campaign, one in five is fired. We know what kind of signal that sends to the rest of the workers. A Cornell University study found that workers were required to attend an average of ten anti-union meetings during worktime before the election. By law, workers have the right to organize. As I said, our official policy, as stated in the National Labor Relations Act, is to encourage collective bargaining, but in practice we allow delay and intimidation to make that right meaningless.

The current NLRB election reforms do not solve this problem entirely, but nevertheless they are an important step forward. They help clear the bureaucratic redtape that has wasted government resources and denied workers the right to a free choice. Under the new rules, employers and unions can still raise their concerns about the petition at a preelection hearing, but they can't play games to stall the election. For example, under the new rules, employers can't waste time before the election arguing over whether an individual worker is eligible to vote. That worker then can vote a provisional ballot, and the two sides can debate the issue after the election if it matters to the outcome. What we have had in the past is, let's say we had a proposed bargaining unit that was 200 people. Let's say they got 100 of them to sign a petition. They usually try to get about 50 percent. They present it to the NLRB. Management then says: Person A shouldn't be in that bargaining unit because they are a supervisor, and person B over here shouldn't be in here because that person is a clerk and not a handler—or whatever it might be that wouldn't correspond to the bargaining unit.

Let's say they raise that issue on five people. Under the present situation, they could then take this to the NLRB, have hearings on each one of those. If they didn't like the outcome, they could then take it to Washington, DC and drag it out.

Under the new rules, what they would say is: OK. If management is challenging those five people, we will set their ballots aside, and we will have an election. If the election was 150 to 20 that they form a union, then those 5 wouldn't make any difference one way or the other. But if the election were

close and those five would, then the NLRB would step in and say: Wait a minute. The certification would be put on hold until they decided whether those people were rightfully in the bargaining unit to vote. Again, these are some of the games that have been going on.

Another example is appeals. All parties still have the right to appeal any decision they disagree with. But now, all appeals would be consolidated after the election, which allows the Board to conserve its resources and keep the election process moving forward.

These commonsense changes remove unnecessary delays from the process, they cut down on frivolous legal challenges, and give workers the right to a fair up-or-down vote in a reasonable period of time. The new rules don't encourage unionization and they don't discourage it. They just give workers the ability to say yes or no, without having to wait several months or even years to do so.

There is rampant misinformation about this rule. To be clear, the rule does not allow a so-called ambush election, where an employer is taken by surprise and has no ability or opportunity to communicate with workers about the pros and cons of a union. As anyone who has ever been around a workplace that is part of an organizing drive would know, employers always know what is going on, and they have ample opportunity to express their views. They can require their workers to listen to an anti-union message all day long every day, and that is perfectly legal, while the union isn't even allowed into the facility to talk to other workers.

This rule also does not change the content of what an employer can or cannot say to its workers. It doesn't restrict an employer's free speech rights in any way.

Finally—I wish to make this clear—the rule does not mandate that elections be held within any particular timeframe. For anyone who has actually read the new rules, it is clear it does nothing of the sort.

What these rules do accomplish is to help ensure that employers and employees have a level playing field, where corporate executives and rank-and-file workers alike have an equal chance to make their case for or against a union. Some workplaces will choose a union, some will not. But protecting the right of workers to make that choice brings some balance and fairness to the system. Indeed, many employers have recognized that the new rules are fair and balanced. Catholic Health Care West, a health care company with 31,000 employees, filed comments stating:

Reforms proposed by the NLRB are not pro-union or pro-business. They are pro-modernization.

Further, Catholic Health Care West said they will:

Modernize the representation election process by improving the Board's current representation election procedures that result in unnecessary delays, allow unnecessary litigation, and fail to take advantage of modern communication technologies.

Mr. Willie West, founder and owner of West Sheet Metal Company in Sterling, VA, wrote an article in the Hill newspaper stating that:

[t]hese seemingly minor changes certainly do not create uncertainty for me and they will not affect my ability to create jobs. In fact, if the NLRB standardizes the election process, it seems to me this will reduce uncertainty and turmoil in the workplace—especially for small businesses.

Mr. West is exactly right. The rules are an improvement for small businesses and for those who want a cooperative relationship with their employees. Again, keep in mind, 90 percent of the time they have no problems. We are only talking about this 10 percent of the time. That is what these rules are aimed at.

The new rules promote consistency among NLRB field offices. They simplify procedures for all parties, making it easier for businesses to plan. The old rules gave an advantage to the businesses with the most money and those most willing to manipulate the system to frustrate their employees' right to vote. Some of these businesses in that 10 percent could afford expensive lawyers to exploit the system and delay elections. The old rules worked well for anti-union law firms—I will grant you that—but not for small businesses on a budget.

By creating a fair, more transparent process, the NLRB is leveling the playing field for small businesses.

Most important, the rules also take a small step to level the playing field for ordinary Americans. The people who do the work in this country deserve a voice in the decisions that affect their families and their futures. Polls show that 53 percent of workers want representation in the workplace, but fewer than 7 percent of private sector workers are represented and one of the reasons is the broken NLRB election system. Even though more workers than ever are expressing an interest in having a voice on the job, the number of union representation elections conducted by the NLRB declined by an astounding 60 percent between 1997 and 2009.

When workers do file for NLRB elections, 35 percent give up in the face of extreme employer intimidation and withdraw from the election before a vote is even held. Let me repeat that. Workers have gone around, they have gotten signatures, they have gotten the requisite 30 percent. They usually get a lot more than that, 40 to 50 percent. They file with the NLRB. One out of every three of those give up in the face of extreme employer intimidation. Why? Because one out of every five is being fired because there is no real pen-

alty against the employer for firing someone for union organizing. It is against the law to fire an employee because they were exercising their right to form a union, to be in union organizing. But it happens all the time. Why do employers not worry about it? Because there are no penalties. The penalty is backpay minus any offsets.

I had a young man in Iowa I remember very well up in Mason City. He had been involved in organizing a union at his workplace. He got fired. He filed with the NLRB saying he was wrongly dismissed because of his union-organizing activities.

They had a hearing. It dragged on for 3 years before the NLRB could reach a decision, and the decision was, yes, he was fired because of his union-organizing activities.

What was the penalty on the employer? They had to pay him 3 years' backpay minus whatever he earned in the meantime as a worker.

How many people can go through years without working? Of course, he had to work. He had to go to work, and he had to show how much money he made in the meantime that had to be deducted from what his employer had to pay him. Therefore, they had to pay practically nothing. Yet using that as an example, they were able to frustrate the organizing of a union. One-third give up in the face of extreme employer intimidation. These are the problems that need to be addressed.

It is not just a problem for unions either, but for our entire middle class and for the future of our economy. If we take a look at what is happening to the middle class in America, it is being decimated. The American people are insisting—even though we are not doing much of it in Washington, I can assure you the American people are insisting that we have a national dialog about the growing division between the haves and have-nots in this country, about the detrimental impact this is having on the standard of living of American middle-class families. This has led to important discussions about tax loopholes for corporations and millionaires. But as we learned from battles from Wisconsin to Ohio and beyond, it is very much a conversation about workers' rights.

Unions have always been the backbone of the American middle class since we started having a middle class. Since 1973, private sector unionization rates have declined from 34 percent of the labor force to 7 percent; from 1 out of every 3 workers in America belonging to a union to now only 7 percent, 1 in about 15. While unionization rates declined, so did the middle-class share of national income.

During some hearings we had last year—we had a number of hearings in our committee about this. When we track union membership—this, the blue line, from 1973 to today—and

track the percent of workers covered by collective bargaining agreements, and then track the middle-class share of national income, look how they all go down the same. As unionization declined the number of workers in collective bargaining declined, and so did their share of the national income. That is what has happened to the middle class in America. Simply, the fate of America's unions parallels the fate of America's middle class.

Unions are not a relic of a bygone era, they are a vital element of a fair and successful 21st-century economy. If we want to strengthen our economy and rebuild the middle class, we should try to figure out how to make unions stronger, how to get more people in collective bargaining, not attack collective bargaining rights across the country. We should be fighting to ensure that every hard-working American has a right to be treated with dignity and respect on the job—and, yes, to have a voice on that job. The current NLRB election reforms may fall short of that lofty goal, but, as I said, they are an important step forward, and they deserve support.

I urge my colleagues to vote no on this Congressional Review Act challenge to NLRB's rules. Now that these rules are to go into effect—and I am confident they will go into effect—it is time for this body to stop wasting time, using the NLRB as an election year political football.

I think these attacks on this modest rule go right after the intelligence of working Americans. These attacks urge this body to help prevent unions from being organized. But ordinary Americans and the middle class want us to stop this political posturing and move forward on building economic opportunity for the middle class—and, yes, to support the right of people who want to form a union, to get rid of all these delays, and to make sure we have rules in place which basically reflect 90 percent of the employers in this country.

Ninety percent of the employers reach agreements with their employees on having an election. It is that 10 percent that gets to be frustrating. This is the purpose of this rule, to make everybody sort of falls in the 90 percent, so we have a fair and expeditious election process, one that is understandable, one that does not lead to all this frivolous litigation and delay.

We have another couple or 3 hours of debate on this matter. After this is over, I hope we can start focusing on ways to genuinely help the middle class in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, most of the small businesspeople I know consider themselves to be part of the middle class. I appreciate the statistics the

chairman provided about 90 percent of the elections arriving at agreement prior to the election. What this rule is going to do is change it so that only 10 percent make agreements beforehand because there is no incentive for the union to participate at all. They have the right to just take it over.

There are some statistics about unions and the middle class, and kind of a myth, that the current election procedures discourage unionization and are the main cause of private sector union decline. In the 1950s private sector union membership reached its height of 35 percent of the unionized workforce. Today it is less than 7 percent of the private sector workforce that is unionized, and the decline of unionization in the private sector can be attributed to several social, political, and economic factors, including present-day workplace laws at both the State and Federal level that have greatly improved working conditions; a decline in the manufacturing base; the new nature of employment, where people are more transient in their careers; and the desire for contemporary employees to have a more cooperative relationship with their employers, and vice versa. It is kind of a teamwork factor that most businesses operate on today.

I think it was also said that employers have unfair access to employees and regularly bombard employees with anti-union propaganda. I think it was said it could happen 24 hours a day. The fact is employers' speech regarding unionization is closely monitored and regulated. For example, employers are restricted from visiting employees at their homes, inviting employees into certain areas of the workforce to discuss unionization, and making promises or statements that could be construed as threatening, intimidating, or coercive. That is the current law. Employers are required to provide unions with a list of employee names and home addresses for representation election purposes.

I think it was also said changes are needed because current procedures discourage employees from forming unions. The fact is all employees have the guaranteed right to discuss their support of unionization and to persuade coworkers to do likewise at work. The only restriction is that they not neglect their own work or interfere with the work of others when doing so. Employees as well as unions have the unlimited right to campaign in favor of unionization away from the workplace.

The National Labor Relations Board election rule will postpone these legitimate questions after the representation election is held and could result in more post-election litigation. So there are a lot of factors that were mentioned. I am not going to go into all of them.

As I have stated throughout the debate, the National Labor Relations

Board's ambush election rule is an attempt to stack the odds against American employers, particularly small businesses that do not have a specialist in that area or in-house counsel. Most small businesses today cannot afford either of those. They can be put into this situation of having to figure it all out in less than 10 days. That is just to figure out the rules so they do not get some heavy fines from the National Labor Relations Board.

Coupled with two other changes the administration is forcing, some employers will be caught in a perfect storm. Taken together, ambush elections, the National Labor Relations Board's micro-union decision, and the Department of Labor's proposed rule on persuader activity create a major shift in favor of organized labor.

The Supreme Court has expressly stated that an employer's free speech rights to communicate his views to his employees is firmly established and cannot be infringed by a union or the board under the National Labor Relations Act. Yet the overarching goal of the National Labor Relations Board and the Labor Department's efforts is to put up barriers that can have the effect of limiting employer free speech.

Under the specialty health care decision permitting micro-unions, unions can now gerrymander a bargaining unit so it is made up of a majority of employees who support the union. In this decision, the standard for whether a union's petition for a bargaining unit is appropriate was changed to make it very difficult for employers to prove it is not appropriate. The decision will lead to smaller units which will be easier to organize and cause fragmentation and discord in the workplace. Allowing micro-unions will increase the number of bargaining units in the workplace. The result means an employer could face multiple simultaneous organizing campaigns, all with shortened election periods, thanks to this ambush rule. Those two combined can be pretty dangerous.

Under the Department of Labor's proposed regulation to require increased reporting of persuader activity, an employer, especially a small employer, will rethink obtaining advice from lawyers or consultants on what to do when faced with a union organizing campaign. Taking away the ability to consult outside parties, combined with a shortened election period, makes it nearly impossible for an employer to not only educate his employees, but also to ensure his actions are within the law.

For over 50 years the Department of Labor has been exempted from reporting requirements advice provided to employers. The proposed rule will significantly affect that definition. The complexities of the National Labor Relations Act almost require an employer to seek advice on what he is permitted

to do or say to employees during a union election, especially if the election period is as short as 10 days.

The proposed rule on persuader activity will chill employer speech to the point that employers will not seek, and attorneys will not provide, advice on any labor-related issue. So unions have turned to these regulatory initiatives after losing the public and political battle over the Employee Free Choice Act, otherwise known as card check. Organized labor's end game remains the same, making it easier to organize by taking away the employer's free speech right and the employee's right to fair information.

Supporters of organized labor have acknowledged the winning strategy is to gain voluntary recognition of the union from employers instead of allowing employees to vote in a secret ballot election, despite a 71-percent win rate. Ambush elections, increased reporting on persuader activity, and the decision to allow micro-unions will set the bar for an employer winning elections impossibly high, essentially coercing them into voluntarily recognizing the union.

I do thank the Senator for mentioning that in 90 percent of the elections there is an agreement before the election done in a relatively short period of time that takes care of all the disputes. I don't know if the purpose of Congress is to make sure 100 percent of situations never occur or 90 percent or 99 percent, but everything cannot be solved by doing a new rush to action regulation, particularly by an organization that doesn't do those regulations normally.

In 75 years there have only been three regulations. Two of them were done by the Labor Relations Board in the last year, and one of those has already been set aside by the courts. So this is a rush-to-action situation, and I hope my colleagues will join me in this resolution of disapproval of the Congressional Review Act.

It is a very difficult bar to reach because the Senate will have to pass the resolution of disapproval twice with a majority of votes. That gives the other side the opportunity to see who might support it the first time and see if they can talk them out of it the second time. But after that, it has to go through the House, and then this is the surprising part to me—if it passes both bodies where both bodies have said they do not think the agency correctly interpreted what we put in law, meaning Congress, who are the only ones with the right to pass a law—what we put into law, they are trying to change, and that third step is that it requires the signature of the President in order for the Congressional Review Act to become effective. We are an equal branch of government to the administration. The administration writes the rule. We disapprove of the rule because we say it

doesn't follow the laws we have already passed, and then the administration which wrote the law gets to say whether the votes of the people in the House and in the Senate had any effect at all.

The Congressional Review Act has a definite place, but it should have been done using the authority of Congress itself, not the authority of the Congress and the administration combined. We are at a point where there is a heavy hand in the administration, and that will have a drastic effect on business in this country. And if business fails, there will be less employees, not more.

Mr. HARKIN. Mr. President, how much time do have I remaining?

The PRESIDING OFFICER. The majority has 36 minutes 25 seconds.

Mr. HARKIN. Mr. President, we are going to have a lot of time to flush out some of these arguments again tomorrow when the vote gets near, but I thought I might pick up on a couple of things here that my good friend from Wyoming said. We do a lot of work together, and he is a great Senator and a good friend of mine. He just happens to be wrong on this issue, but other than that, he is a good friend of mine. This is a good, healthy debate on policy.

There is a lot of talk about these ambush elections. Now we are going to have ambush elections. Well, that is not so. The current median time from when a petition is filed and when the election occurs is about 37 to 38 days. Again, I heard from my friend saying this could be ambush elections, and all that kind of stuff. Even one of the Nation's largest management-side law firm disagrees. One of the attorneys from Jackson Lewis told the Wall Street Journal that he thinks the time would be shaved between 19 and 23 days under the proposal.

Mr. Trauger, vice president of the National Association of Manufacturers, said the elections would be held in 20 to 25 days under the new rule. So that is not an ambush election at all. All this rule does is remove these extra legal hurdles that can cause excessive delays.

We keep hearing about rulemaking, and saying: Well, this board has only issued three of these rules in the past 75 years, two of these rules in the last couple of years. It makes it sound as though the NLRB has ridden off the range here in terms of reasonableness. But the fact is that when the board promulgated rules in the past, they did it through the adjudicative process, not through rulemaking.

The Supreme Court and the U.S. Courts of Appeal have criticized the board in the past for underutilizing its rulemaking authority. Courts have said the rulemaking process is more transparent and more inclusive. So through rulemaking this board has solicited broader public input in its decisions.

What the NLRB has done in the last couple of years is opened up the process for comment periods and rulemaking through the Administrative Procedures Act, something the courts have been asking and advising the NLRB that they should have been doing all along rather than relying on the adjudicative process.

So, yes, my friend may be right about two of the three last couple of years, but actually that is a move in the right direction. That is a move for transparency and openness and letting all different sides have their comments before they issue a final rule rather than doing it through adjudication.

There was this quote about John Kennedy about a 30-day waiting period. Well, I don't know, I have not looked at then-Senator Kennedy's entire record. I suppose there are some things I might agree with him on and some things I probably would not agree with him on. I don't know what his thought processes were. All I can tell you is that no matter what he said at that time as a Senator, the final bill did not have a waiting period. The Senate put it in, the House did not, and when it went to conference, they dropped it. So I think the rejection of that proposed amendment could be more reasonably understood as an indication that Congress did not believe a minimum time between petition and election is necessary.

Sure, you can quote Kennedy, and I guess I can quote President Dwight D. Eisenhower, and here is what he said:

Only a fool would try to deprive working men and women of the right to join a union of their choice.

Well, we better not try to prevent them from joining a union of their choice.

I have also heard this charge that somehow these rules tilt this more in favor of the unions than management. No, they don't. Again, we have mostly been talking here about the certification process. When union organizers get the signatures, they file with NLRB and we have an NLRB process. Basically that is what we are talking about here. But I would point out to my friend on the other side of the aisle that these procedures we are talking about also apply to decertification elections as well. So since the same rules will apply to decertification elections, the proposed rule will ensure that employees who have union representation will be able to have a timely up-or-down vote to also get rid of the union. So, to me, it is both. It is both on the certification and the decertification side. It makes for things to be much more expeditious, much clearer, and more understandable. That is why I think many management firms and businesses see this as a reasonable rule because when they would try to decertify, they don't have to go through all of this frivolous litigation

on the other side. It applies to both certification and decertification, so it doesn't tilt the playing field one way or the other.

Again, I applaud the National Labor Relations Board for moving in the direction of more rulemaking, making it more open, making it more transparent than what they have done in the past. But you know what it boils down to? As long as I have been here, since 1985 in this body, we have had ups and downs on the National Labor Relations Board. Let's face it, what happens is the National Labor Relations Board has three members from the President's political party and two from the other side. So when you have a Democratic President in, then NLRB gets attacked by Republicans. When a Republican President is in, it gets attacked by Democrats, and it becomes kind of a political football. I understand that, and we should all understand that is what this is too. That is what this is all about.

I was just notified that a Statement of Administration Policy, SAP, from the administration just came through. It said even if this vote were held and the other side won—if it was voted to overrule the NLRB—the President would veto it. And, surely, no one thinks there is a two-thirds vote here to override the President's veto on this issue. We are kind of wasting our time here. It is sort of another political shot when there are so many important things we should be talking about in terms of jobs, job creation, the economy, fair taxation, keeping our jobs from going overseas, education, job retraining, and yet we are spending our time talking about this. Well, be that as it may, the facts are on the side that this rule is eminently reasonable, fair, and I think will lead to a more predictable and less litigious and less conflicting process when people want to form a union in this country.

As I said, 90 percent of the time we don't have these problems. But for those 10 percent, it can be devastating, and it can thwart individual workers who want to form a union. So I am hopeful we can have a little bit more debate on this. I hope the vote tomorrow will be conclusive and that we will turn this down and move ahead with more important business confronting this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, we are having an interesting duel of statistics here, because to take care of the 10 percent that the Senator from Iowa says has a problem, we will turn the other 90 percent on their head. It also doesn't surprise me that the President has put out a Statement of Administration Policy, a SAP. I always thought those were pretty aptly named, but not surprised my resolution would be opposed.

As I explained, this is a regulation written by the administration so I would expect the administration would not like and would veto it. There has been only been one Congressional review action that has succeeded and that was regarding the rule on ergonomics. And what happened was the Department of Labor rushed through a 50-day regulation, and then we had a change of Presidents and the new President didn't like it, so he was willing to sign the Congressional Review Act resolution of disapproval.

This is not a waste of time. This is an important action. It is to warn agencies and boards that the ones that make the laws are Congress, and we delegate that rulemaking authority, and it was delegated to the administration of the National Labor Relations Board, and they are abusing their authority.

What has changed? Well, there is the pre-election hearing. In the new rule it says: "A pre-election hearing is solely to determine whether a question of representation exists." The important question, such as which employee should be included in the bargaining unit or the eligibility of an employee, won't be heard prior to an election.

A hearing officer may unilaterally bar testimony or evidence he or she deems not relevant to a question raised at a pre-election hearing—under this new regulation.

The effect?

A hearing officer will have wide latitude to prohibit certain evidence introduced at a pre-election hearing, even if such evidence is undisputed or stipulated, essentially leading to the conclusion that an election is proper.

Under the new rule:

Parties are prohibited from seeking a review of a regional director's decision and direction of an election by the Board. All issues to review would be heard after an election. Parties could seek a pre-election appeal if the issue would otherwise escape Board review.

The effect?

Parties with a legitimate legal bar to an election will be forced to run an unnecessary election. An unintended consequence is that an employer would have to commit an unfair labor practice in order to have their issues reviewed by the full Board.

If you ask me, that is a pretty high bar they are putting in there. The new rule says:

The 25-day waiting period between the direction of the election and election date is eliminated.

The impact?

The 25 days allowed parties to digest and understand the parameters of the regional director's decision to direct an election, and for the Board to rule on the parties' requests for the review of the decision.

Although not included in the Final Rule, the Board originally proposed that a pre-election hearing will occur 7 days after the filing of a petition absent special circumstances.

The effect? It forces employers to scramble to retain counsel. Again, we

are talking about small businessmen here. There is no limit on how small of a business you can organize in this. It forces employers to scramble to retain counsel, develop a strategy, prepare for a hearing, and develop evidence. Many employers, especially small ones, will be unable to provide a reasonable response so quickly, leading them to agree to a stipulated election. There is not anything in this provision that gives any protection for the person in the middle class running a small business and trying to keep his business afloat. There used to be some protections, but this new regulation—and, again, agencies do write a lot of rules, but they don't write ones of this significance—is only the third time it has been done by the National Labor Relations Board. It was done in a hurry-up situation. Two out of the three were done by this administration. One of those has already been set aside by the courts. That is not a very good record. Now we are trying to do this one on a hurry-up basis. I think there ought to be more consideration for it.

Part of the role of Congress is to take a look at what the administration is doing with their regulations, which we ultimately give them the authority to do, to see if they are being done properly. So this is just a major part of the need for oversight. Thankfully, there is a process whereby we can get the right to debate this oversight. That is what we are doing at this point.

I yield the floor to Senator BARRASSO for such time as he needs.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I rise in support of my colleague from Wyoming and the excellent work he is doing and continues to do, as well as the leadership he continues to provide for all the Senate and certainly for the people of Wyoming. He is the captain of our team. I agree with him and wish to associate myself with the remarks of the Senator from Wyoming and express my concerns about the new ambush election rule issued by the National Labor Relations Board.

The National Labor Relations Board is the Federal agency charged with conducting labor elections and investigating unfair labor practice charges. The appointed members of this board are meant to help facilitate a level playing field in the private sector workplace. Unfortunately, recent actions have demonstrated that the board is much more interested, in my opinion, in pursuing regulatory changes that favor unions. They should be focused on ensuring that workers are able to make informed decisions about their place of employment, not on showing favoritism.

Let's take a look at the ambush election rule. On December 22 of last year, the National Labor Relations Board issued a new rule. The new rule greatly

shortens the time period between the filing of a petition for union representation and when that election is held. Under the current rules, most union elections take place within about 38 days. Under the new rules, the time could be cut almost in half. The ambush election rule also narrows the scope of preelection hearings while limiting the rights of a party to preelection appeals.

I believe this misguided rule undermines the basic fairness in the representation election process. It limits the amount of information received by employees regarding the impact of unionization on their workplace. The rule also significantly restricts the ability of employers to educate their employees and to share their perspective.

I believe this causes harm to workers. The decision on whether to join or form a union is a very important decision for workers. Employment decisions directly affect an individual's ability to support their family, to pay their bills, and to sustain their livelihood. Workers deserve to have all the information needed to make a well-informed decision.

In order to seriously consider their options, employees must have the opportunity to hear from both sides on the implications of unionization. The ambush election rule, in my opinion, attempts to quickly rush employees through the union election process, without giving those employees the full picture and a clear understanding of the issues.

I have great concerns about what I believe is a disregarding of employer input. The ambush election rule disregards the rights of small businesses and employers across this country. The new rule is attempting to silence employers from discussing vital information with their employees about unionization and the impact on their lives and on their jobs. Under the new rule, employers would have a very limited amount of time to share their views, to provide counterarguments, and to explain what unionization would mean in the workplace. Employers should be allowed time to fully explain the information to their employees. Ultimately, I believe the purpose of the recently released rule is to leave employers unable to effectively communicate with workers about important workplace issues. The Board is infringing upon the free speech rights of the employers.

I believe this new rule prevents employers from getting counsel. In this tough economic environment, small business owners are facing an incredible amount of pressure and responsibility. Job creators are working hard to ensure their products and services are competitive. They are working to find available markets for their goods and services. They are trying to deal with the financial health of their businesses.

Many small business owners are unaware of the complicated Federal laws they must adhere to during the union election process. Due to the variety of competing priorities and limited resources, small businesses all across this country often don't employ inhouse legal counsel or human resource professionals familiar with unionization laws. Under the new rule, however, the time constraints will make it even more difficult for them to find appropriate counsel, to consult on the issues, and to prepare for the election process. Employers will be scrambling to find a labor attorney or a human resource professional to help explain their rights and to ensure that their actions are permissible under current law. As a result, many employers will be left at risk for unintentionally violating certain Federal labor laws or silenced.

The National Labor Relations Board should not be forcing employers to preemptively analyze Federal labor laws and figure out how best to communicate their views of unionization in case a union petition happens to pop up. Job creators should be focusing their scarce time and resources on managing and growing their businesses, on trying to put Americans back to work at a time of over 8 percent unemployment.

I view this whole new rule as unnecessary. There is no reason for the new rule. The median timeframe for union elections has been 38 days from the filing of the petition. About 91 percent of all the elections held in 2011 occurred within 56 days. These numbers indicate the petitions and elections are handled, and have been handled, in a timely manner. Furthermore, the current election procedures are not impeding the ability of unions to win the representation elections. According to the National Labor Relations Board's own statistics, unions won about 71 percent of elections held in 2011.

When I take a look at what is happening with the National Labor Relations Board, what comes to mind are the recent recess appointments made by the President. This new rule we are facing and discussing is not the first time the Obama administration has attempted to use the NLRB to pursue the union's agenda. The administration continues to take actions and push through policies that are unwise and even, in my opinion, unconstitutional, in order to do the bidding of unions.

In an action that was both unprecedented and unconstitutional, President Obama recess appointed three new members to the National Labor Relations Board during a pro forma session of this Senate. President Obama appointed three individuals. The nominations of two of them, Sharon Block and Richard Griffin, were sent to the Senate only a few days before the pro forma session began. As a result, the

Senate had no opportunity—none at all—to hold hearings or debate the nominees. President Obama completely disregarded the constitutional requirement of advice and consent for executive nominees. The appointments were a heavy-handed effort by this administration to curry favor, in my opinion, with the unions.

I come to the floor as someone who has talked at great length about the impact of regulations and how they make it harder and more expensive for our small businesses to hire people around the country. Businesses are already having trouble keeping track of all the changing rules and trying to abide by all the new requirements they face on almost a daily basis. The only certainty being offered to the job creators in the United States is that the Obama administration is going to continue to change the rules of the game on businesses to meet its own agenda. The ambush election rule is the exact type of regulatory change that makes employers nervous and reluctant to expand their businesses, to create new jobs, to hire and put people back to work. This Federal Government should be focused on giving employers stability, predictability, and opportunities for growth instead of stacking the deck, as we see it, in favor of labor unions.

I come to the floor, as I know my colleagues will as well, in a call to action to employ the Congressional Review Act. Under the Congressional Review Act, Congress is able to overturn the ambush election rule by passing a resolution of disapproval. I am proud to be an original cosponsor of S.J. Res. 36, introduced by Senator ENZI. The resolution of disapproval rescinds the new union election rule issued by the National Labor Relations Board. Unless Congress takes action, the new rule is scheduled to take effect on April 30 of this year—just the end of this month. I call upon the Senate to pass S.J. Res. 36 and prevent this dangerous rule from silencing employers and hindering the ability of American workers to make informed decisions.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent to have several letters of support printed in the RECORD, along with a list of 18 organizations that support the resolution.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL REVIEW ACT (S.J. RES. 36)
DISAPPROVAL OF NLRB AMBUSH ELECTION
RULE

SUPPORT LETTERS (17)

Associated Builders and Contractors, Associated General Contractors of America, Association of Equipment Manufacturers, Coalition for a Democratic Workplace, U.S.

Chamber of Commerce, Food Marketing Institute, H.R. Policy Association, National Association of Home Builders, National Association of Manufacturers, National Association of Wholesaler-Distributors, National Council of Chain Restaurants, National Federation of Independent Business, National Grocers Association, National Retail Federation, National Restaurant Association, National Roofing Contractors Association, Retail Industry Leaders Association.

Conservative and Free Market Groups: American Commitment, Americans for Tax Reform, Alliance for Worker Freedom, Competitive Enterprise Institute, WorkPlaceChoice.org, Taxpayers Protection Alliance, Frontiers of Freedom, The Heartland Institute, Ohioans for Workplace Freedom, 60 Plus Association, Eagle Forum, Institute for Liberty, Center for Freedom and Prosperity, Independent Women's Voice, Americans for Prosperity, Let Freedom Ring, Center for Individual Freedom, ConservativeHQ.com, Less Government, National Center for Public Policy Research, Citizens for the Republic, The James Madison Institute, Heritage Action for America, The Club for Growth, The American Conservative Union, National Taxpayers Union, The Committee for Justice.

ADDITIONAL SUPPORT (SIGNATORIES OF CDW LETTER)

National Organization (119): 60 Plus Association, Aeronautical Repair Station Association, Agricultural Retailers Association, AIADA, American International Automobile Dealers Association, Air Conditioning Contractors of America, American Apparel & Footwear Association, American Bakers Association, American Concrete Pressure Pipe Association, American Council of Engineering Companies, American Feed Industry Association, American Fire Sprinkler Association, American Foundry Society, American Frozen Food Institute, American Hospital Association, American Hotel and Lodging Association, American Meat Institute, American Nursery & Landscape Association, American Organization of Nurse Executives, American Pipeline Contractors Association, American Rental Association, American Seniors Housing Association, American Society for Healthcare Human Resources Administration, American Society of Employers, American Staffing Association, American Supply Association, American Trucking Associations, American Wholesale Marketers Association, AMT—The Association For Manufacturing Technology, Assisted Living Federation of America, Association of Millwork Distributors, Associated Builders and Contractors, Associated Equipment Distributors, Associated General Contractors of America, Association of Equipment Manufacturers, Automotive Aftermarket Industry Association, Brick Industry Association, Building Owners and Managers Association (BOMA) International, Center for Individual Freedom.

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, February 16, 2012.

TO THE MEMBERS OF THE UNITED STATES SENATE: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, urges you to support and co-sponsor S.J. Res. 36, a resolution of disapproval that would repeal recent revisions the National Labor Relations Board (NLRB or Board) made to regulations governing union representation elections.

These regulations replace a process that, in the vast majority of cases, worked fairly and efficiently. In fiscal year 2010, the average time for union representation elections was just 38 days, with more than 95 percent of all elections occurring within 56 days. However, rather than look at targeted solutions for the small percentage of cases that take too long, the Board made sweeping changes that will apply to all elections.

While the substantive regulations adopted by the NLRB are detailed and complex, the end result is that election time will likely decrease significantly at the expense of important due process and free speech rights. The simple fact is that employees deserve a fair campaign period to hear from all sides and employers deserve an opportunity to have critical election-related questions settled before an election occurs. Organized labor has long sought to radically reduce or even eliminate this campaign period, which was precisely the goal of the "card check" provisions of the deceptively named "Employee Free Choice Act" (EFCA). Congress was right to reject EFCA and it should likewise reject the NLRB's new election regulations.

Due to the critical importance of this issue to the business community, the Chamber strongly urges you to support and co-sponsor S.J. Res. 36.

Sincerely,

R. BRUCE JOSTEN,
Executive Vice President,
Government Affairs.

APRIL 16, 2012.

DEAR SENATOR: On behalf of millions of job creators concerned with mounting threats to the basic tenets of free enterprise, the Coalition for a Democratic Workplace urges you to support S. J. Res. 36, which provides for congressional disapproval and nullification of the National Labor Relations Board's (NLRB or Board) rule related to representation election procedures. This "ambush" election rule is nothing more than the Board's attempt to placate organized labor by effectively denying employees' access to critical information about unions and stripping employers of free speech and due process rights. The rule poses a threat to both employees and employers. Please vote in favor of S. J. Res. 36 when it comes to the Senate floor next week.

The Coalition for a Democratic Workplace, a group of more than 600 organizations, has been united in its opposition to the so-called "Employee Free Choice Act" (EFCA) and EFCA alternatives that pose a similar threat to workers, businesses and the U.S. economy. Thanks to the bipartisan group of elected officials who stood firm against this damaging legislation, the threat of EFCA is less immediate this Congress. Politically powerful labor unions, other EFCA supporters and their allies in government are not backing down, however. Having failed to achieve their goals through legislation, they are now coordinating with the Board and the Department of Labor (DOL) in what appears to be an all-out attack on job-creators and employees in an effort to enact EFCA through administrative rulings and regulations.

On June 21, 2011, the Board proposed its ambush election rule, which was designed to significantly speed up the existing union election process and limit employer participation in elections. At the time, Board Member Hayes warned that "the proposed rules will (1) shorten the time between filing of the petition and the election date, and (2)

substantially limit the opportunity for full evidentiary hearing or Board review on contested issues involving, among other things, appropriate unit, voter eligibility, and election misconduct." Hayes noted the effect would be to "stifle debate on matters that demand it." The Board published a final rule on December 22, 2011, with an April 30, 2012 effective date. While it somewhat modified the original proposal, the final rule is identical in purpose and similar in effect.

The NLRB's own statistics reveal the average time from petition to election was 31 days, with over 90% of elections occurring within 56 days. There is no indication that Congress intended a shorter election time frame, and indeed, based on the legislative history of the 1959 amendments to the National Labor Relations Act, it is clear Congress believed that an election period of at least 30 days was necessary to adequately assure employees the "fullest freedom" in exercising their right to choose whether they wish to be represented by a union. As then Senator John F. Kennedy Jr. explained, a 30-day period before any election was a necessary "safeguard against rushing employees into an election where they are unfamiliar with the issues." Senator Kennedy stated "there should be at least a 30-day interval between the request for an election and the holding of the election" and he opposed an amendment that failed to provide "at least 30 days in which both parties can present their viewpoints."

The current election time frames are not only reasonable, but permit employees time to hear from both the union and the employer and make an informed decision, which would not be possible under the ambush election rule. In fact, in other situations involving "group" employee issues, Congress requires that employees be given at least 45 days to review relevant information in order to make a "knowing and voluntary" decision (this is required under the Older Workers Benefit Protection Act when employees evaluate whether to sign an age discrimination release in the context of a program offered to a group or class of employees). Under the rule's time frames, employers, particularly small ones, will not have enough time to secure legal counsel, let alone an opportunity to speak with employees about union representation or respond to promises made by union organizers, even though many of those promises may be completely unrealistic. Given that union organizers typically lobby employees for months outside the workplace without an employer's knowledge, these "ambush" elections would often result in employees' receiving only half the story. They would hear promises of raises and benefits that unions have no way of guaranteeing, without an opportunity for the employer to explain its position and the possible inaccuracies put forward by the union.

For these reasons, we urge you to support S.J. Res. 36 and Congress to pass this much needed resolution. If left unchecked, the actions of the NLRB will fuel economic uncertainty and have serious negative ramifications for millions of employers, U.S. workers they have hired or would like to hire, and consumers.

The Coalition for a Democratic Workplace and National Organization (119): 60 Plus Association, Aeronautical Repair Station Association, Agricultural Retailers Association, AIADA, American International Automobile Dealers Association, Air Conditioning Contractors of America, American Apparel & Footwear Association, American Bakers Association, American Concrete Pressure Pipe

Association, American Council of Engineering Companies, American Feed Industry Association, American Fire Sprinkler Association, American Foundry Society, American Frozen Food Institute, American Hospital Association, American Hotel and Lodging Association, American Meat Institute, American Nursery & Landscape Association, American Organization of Nurse Executives, American Pipeline Contractors Association, American Rental Association, American Seniors Housing Association, American Society for Healthcare Human Resources Administration, American Society of Employers, American Staffing Association, American Supply Association.

American Trucking Associations, American Wholesale Marketers Association, AMT—The Association For Manufacturing Technology, Assisted Living Federation of America, Association of Millwork Distributors, Associated Builders and Contractors, Associated Equipment Distributors, Associated General Contractors of America, Association of Equipment Manufacturers, Automotive Aftermarket Industry Association, Brick Industry Association, Building Owners and Managers Association (BOMA) International, Center for Individual Freedom, Center for the Defense of Free Enterprise Action Fund, Coalition of Franchisee Associations, College and University Professional Association for Human Resources, Consumer Electronics Association, Council for Employment Law Equity, Custom Electronic Design & Installation Association, Environmental Industry Associations, Fashion Accessories Shippers Association, Federation of American Hospitals, Food Marketing Institute, Forging Industry Association, Franchise Management Advisory Council, Heating, Air-Conditioning and Refrigeration Distributors International, HR Policy Association, INDA, Association of the Nonwoven Fabrics Industry, Independent Electrical Contractors, Industrial Fasteners Institute, Institute for a Drug-Free Workplace.

Interlocking Concrete Pavement Institute, International Association of Refrigerated Warehouses, International Council of Shopping Centers, International Foodservice Distributors Association, International Franchise Association, International Warehouse Logistics Association, Kitchen Cabinet Manufacturers Association, Metals Service Center Institute, Modular Building Institute, Motor & Equipment Manufacturers Association, NAHAD—The Association for Hose & Accessories Distribution, National Apartment Association, National Armored Car Association, National Association of Chemical Distributors, National Association of Convenience Stores, National Association of Electrical Distributors, National Association of Manufacturers, National Association of Wholesaler-Distributors, National Automobile Dealers Association, National Club Association, National Council of Chain Restaurants, National Council of Farmer Cooperatives, National Council of Investigators and Security, National Council of Security and Security Services, National Council of Textile Organizations, National Federation of Independent Business, National Franchise Association, National Grocers Association, National Lumber and Building Material Dealers Association, National Marine Distributors Association, Inc., National Mining Association, National Multi Housing Council.

National Pest Management Association, National Ready Mixed Concrete Association, National Retail Federation, National Roofing Contractors Association, National

School Transportation Association, National Small Business Association, National Solid Wastes Management Association, National Stone, Sand & Gravel Association, National Systems Contractors Association, National Tank Truck Carriers, National Tooling and Machining Association, National Utility Contractors Association, North American Die Casting Association, North American Equipment Dealers Association, Northeastern Retail Lumber Association, Outdoor Power Equipment and Engine Service Association, Inc., Plastics Industry Trade Association, Precision Machined Products Association, Precision Metalforming Association, Printing Industries of America, Professional Beauty Association, Retail Industry Leaders Association, Snack Food Association, Society for Human Resource Management, SPI: The Plastics Industry Trade Association, Textile Care Allied Trades Association, Textile Rental Services Association, Truck Renting & Leasing Association, U.S. Chamber of Commerce, United Motorcoach Association, Western Growers Association.

State and Local Organizations (60): Arkansas State Chamber of Commerce, Associated Builders and Contractors, Inc. Central Florida Chapter, Associated Builders and Contractors, Inc. Central Pennsylvania Chapter, Associated Builders and Contractors, Inc. Chesapeake Shores Chapter, Associated Builders and Contractors, Inc. Connecticut Chapter, Associated Builders and Contractors, Inc. Cumberland Valley Chapter, Associated Builders and Contractors, Inc. Delaware Chapter, Associated Builders and Contractors, Inc. Eastern Pennsylvania Chapter, Associated Builders and Contractors, Inc. Florida East Coast Chapter, Associated Builders and Contractors, Inc. Florida Gulf Coast Chapter, Associated Builders and Contractors, Inc. Georgia Chapter, Associated Builders and Contractors, Inc. Greater Houston Chapter, Associated Builders and Contractors, Inc. Hawaii Chapter, Associated Builders and Contractors, Inc. Heart of America Chapter, Associated Builders and Contractors, Inc. Indiana Chapter, Associated Builders and Contractors, Inc. Inland Pacific Chapter, Associated Builders and Contractors, Inc. Iowa Chapter, Associated Builders and Contractors, Inc. Keystone Chapter, Associated Builders and Contractors, Inc. Massachusetts Chapter, Associated Builders and Contractors, Inc. Michigan Chapter, Associated Builders and Contractors, Inc. Mississippi Chapter, Associated Builders and Contractors, Inc. Nevada Chapter, Associated Builders and Contractors, Inc. New Orleans/Bayou Chapter, Associated Builders and Contractors, Inc. Ohio Valley Chapter, Associated Builders and Contractors, Inc. Oklahoma Chapter, Associated Builders and Contractors, Inc. Pacific Northwest Chapter, Associated Builders and Contractors, Inc. Pelican Chapter, Associated Builders and Contractors, Inc. Rhode Island Chapter, Associated Builders and Contractors, Inc. Rocky Mountain Chapter, Associated Builders and Contractors, Inc. South East Texas Chapter, Associated Builders and Contractors, Inc. Virginia Chapter, Associated Builders and Contractors, Inc. Western Michigan Chapter, Associated Builders and Contractors, Inc. Western Washington Chapter, Associated Builders and Contractors, Inc. North Alabama Chapter.

Associated Industries of Arkansas, Associated Industries of Massachusetts, CA/NV/AZ Automotive Wholesalers Association (CAWA), California Delivery Association, Capital Associated Industries (NC), Employers Coalition of North Carolina, First Pri-

ority Trailways (MD), Garden Grove Chamber of Commerce, Georgia Chamber of Commerce, GO Riteway Transportation Group (WI), Greater Columbia Chamber of Commerce (SC), Greater Reading Chamber of Commerce & Industry (PA), Kansas Chamber of Commerce, Little Rock Regional Chamber of Commerce (AR), London Road Rental Center (MN), Long Beach Area Chamber of Commerce, Minnesota Grocers Association, Montana Chamber of Commerce, Nebraska Chamber of Commerce & Industry, Nevada Manufacturers Association, New Jersey Food Council, New Jersey Motor Truck Association, North Carolina Chamber, Northern Liberty Alliance (MN), Ohio Chamber of Commerce, Texas Hospital Association.

NATIONAL FEDERATION OF
INDEPENDENT BUSINESS,

Washington, DC, February 27, 2012.

Hon. MICHAEL ENZI,

Ranking Member, U.S. Senate, Committee on Health, Education, Labor and Pensions (HELP), Washington, DC.

DEAR RANKING MEMBER ENZI: On behalf of the National Federation of Independent Business (NFIB), the nation's leading small business advocacy organization, I am writing in support of S.J. Res. 36, a resolution of disapproval in response to the National Labor Relation Board's (NLRB) rule related to "ambush" elections. The ambush election rule significantly alters the pre-election labor union process in ways that would particularly harm small businesses, and we appreciate your resolution of disapproval to nullify this rule.

Despite Congress refusing to pass card check legislation, it seems clear that the NLRB is intent on implementing card check by regulation. The Board's rule on "ambush" elections will significantly undermine an employer's opportunity to learn of and respond to union organization by reducing the so-called "critical period" from petition-filing to election, from the current average time of 31 days to as few as 10-21 days. NFIB believes that employee informed choice will be compromised because the shortened time frame will have business owners scrambling to obtain legal counsel, and they will have hardly any time to talk to their employees. This shortened time frame will hit small businesses particularly hard, since small employers usually lack labor relations expertise and in-house legal departments.

With the proposed "ambush" election rule, the NLRB has demonstrated that it has little understanding or concern for the unique demands that these actions would place on small business. It is always a challenge for small business owners to stay updated with new regulations and labor laws, especially in the current economic environment. NFIB's monthly economic surveys indicate that the small business economy is still at recession levels, and nearly 20 percent of small business owners surveyed indicate that economic and political uncertainty is their number one concern. Unfortunately, the pro-union actions of the NLRB will only create more uncertainty for small business owners at a time when the country needs them to be creating more jobs.

Thank you for introducing this legislation to help America's small businesses. I look forward to working with you to protect small business as the 112th Congress moves forward.

Sincerely,

SUSAN ECKERLY,

Senior Vice President, Public Policy.

Mr. ENZI. I also ask unanimous consent to have printed in the RECORD an

article by Phil Kerpen in the Daily Caller entitled “Will any Senate Democrat stand up to Obama’s NLRB?”

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Daily Caller, Apr. 19, 2012]

WILL ANY SENATE DEMOCRAT STAND UP TO
OBAMA’S NLRB?

(By Phil Kerpen)

With the spectacle of Senate Budget Chairman Kent Conrad being forced to back down on actually offering a budget, it’s clearer than ever that Senate Democrats are pursuing a deliberate strategy of doing nothing, blocking House-passed bills and giving President Obama a free hand to use regulators and bureaucrats to push his agenda forward. The Senate has already failed to stand up to the EPA’s back-door cap-and-trade energy taxes and the FCC’s self-created legally dubious power to regulate the Internet. Next week we’ll find out if there are any Senate Democrats willing to stand up to the NLRB bureaucrats who are imposing the failed card-check legislation in bite-size pieces via bureaucratic decree.

The NLRB is giving the EPA a run for our money in the race to see which agency can cause the most damage to our free-market economy. Not only did the NLRB infamously sue Boeing for opening a new plant in a right-to-work state, it is now suing the state of Arizona to overturn the state’s constitutional guarantee of secret ballot protections in union organizing elections. It has also pursued a dizzying array of regulations and decisions designed to force workers into unions against their will.

The NLRB suffered a setback this week when a district court struck down its rule forcing employers to display posters in the workplace touting the benefits of unionization. Next week it could be dealt an even bigger blow if just a handful of Senate Democrats stand up for the economic interests of their constituents and the basic constitutional principle that the people’s elected representatives should make the laws in this country.

The vote is on Senator Mike Enzi’s (R-WY) Congressional Review Act (CRA) resolution of disapproval, S.J. Res 36, which would simply overturn the NLRB’s ambush elections rule, which allows union organizers to spring elections on employers and workers. Because of the CRA’s special procedures, the resolution cannot be filibustered and therefore needs just 51 votes to pass. All but two Republicans—Lisa Murkowski (R-AK) and Scott Brown (R-MA)—are cosponsors, but not a single Democrat has signed onto the resolution.

The ambush rule at issue was forced through the NLRB on a 2-to-1 party-line vote late last year, just before infamous union lawyer Craig Becker’s recess appointment to the board expired. It could be the last action of the NLRB that will have legal force for some time, because after Becker expired at the end of the year, the board lacked the quorum necessary to make decisions and issue rules. (Obama tried to re-establish a quorum by non-recess-appointing another radical union lawyer, Richard Griffin, among others, but those appointments should be found invalid in court.)

The ambush rule is a prime example of the NLRB advancing an element of legislation already rejected by Congress and putting the interests of labor bosses above those of workers. After the first version of card check that eliminated private ballot elections entirely

crashed into a wall of public opposition, a revamped version of the legislation retained elections but allowed union organizers to catch workers and employers by surprise with ambush elections. That version also failed in Congress, but the NLRB is pretending it passed and moving forward just the same.

The current average period before an election after a union files a petition is 38 days. This gives both the union and management an opportunity to explain the facts and ensure workers understand the high stakes in a representation election. The new rule will shorten it to as little as 10 days and eliminate procedural safeguards employers currently have to make sure union elections are duly authorized and eligible workers are properly defined before an election takes place.

NLRB Chairman Mark Pearce has indicated that if the rule stands he intends to go much further. “We keep our eye on the prize,” Pearce said in January, promising to force employers to make confidential employee information, including phone numbers and email addresses, available to union organizers. That would potentially expose workers to harassment, intimidation or even violence.

The vote on S.J. Res 36 will give the Senate an opportunity to exercise its constitutional duty under Article I, Section 1 and stop the usurpation of legislative power by unaccountable federal bureaucrats at the NLRB. Unfortunately, it appears likely that once again Democratic senators will find it more convenient to obstruct and allow the Obama administration a free hand to govern by regulation.

Voters should watch next week’s vote with this question in mind: If my senator will not do the job of legislating, shouldn’t I elect someone who will?

Ms. COLLINS. Mr. President, I rise today to speak in favor of Senate Joint Resolution 36, which would reject the National Labor Relations Board’s, NLRB, rule on representation procedures, the so-called “ambush election” rule. I am pleased to be an original cosponsor of this important legislation, introduced by Senator ENZI with 44 cosponsors.

On December 22, 2011, the NLRB finalized new regulations, which will become effective on April 30, 2012, significantly limiting the time for holding union representation elections. This change would result in employees making the critical decision about whether or not to form a union in as little as 10 days.

Back in 1959, then-Senator John F. Kennedy explained that “the 30-day waiting period [before a union election] is an additional safeguard against rushing employees into an election where they are unfamiliar with the issues . . . there should be at least a 30-day interval between the request for an election and the holding of the election” to provide “at least 30 days in which both parties can present their viewpoints.” I agree with our former President and Senator. An expedited timeframe would limit the opportunity of employees to express their views, and leave employees with insufficient information to make an informed decision.

According to the NLRB, in 2011 union representation elections were held on average within 38 days. That is already below the NLRB’s stated target of 42 days. Therefore, this begs the question of why yet another regulation is even necessary.

Businesses, our nation’s job creators and the engine of any lasting economic growth, have been saying for some time that the lack of jobs is largely due to a climate of uncertainty, most notably the uncertainty and cost created by new federal regulations.

This ambush election rule will particularly negatively affect small businesses. Small business owners often lack the resources and legal expertise to navigate and understand complex labor processes within such a short time frame. In our current economy, it is critical that we do everything possible to advance policies that promote U.S. economic growth and jobs.

The Joint Resolution of Disapproval will not change current law. It simply will protect employers and employees by allowing them to conduct representation elections in the same manner that has been done for decades.

The NLRB’s goal should be to ensure fair elections and a level playing field for all.

Mr. ENZI. Unless there is further debate, I yield back the balance of our time for today.

Mr. HARKIN. Mr. President, this side yields back the balance of our time for today as well.

The PRESIDING OFFICER. All time has been yielded back.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1925.

Mr. BARRASSO. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business.

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

TRAGEDY AT L’AMBIANCE PLAZA

Mr. BLUMENTHAL. Mr. President, on this day, almost exactly at this hour, 25 years ago in Bridgeport, CT, the L’Ambiance Plaza became a scene of devastation and destruction and death. Almost every year in these 25 years we have commemorated that destruction and tragedy with a ceremony. We did the same this morning in

Bridgeport. We went first to the site and then to city hall and then to lay a wreath at the memorial for the 28 workers who were killed on this day 25 years ago. L'Ambiance is ground zero for worker safety.

I rise today to talk about all who have been injured or lost their lives because of unsafe work conditions.

L'Ambiance Plaza was a tragedy, but it was not the result of human error, it was the result of an employer cutting corners to put profits above safety. It was an avoidable and preventable catastrophe.

One of the tasks we have as public officials is to ensure basic safety for our citizens, particularly for workers who leave their homes in the morning hoping for nothing more than to come home at night to their families, put food on the table and a roof over the heads of their children. Those 28 workers who perished on this day 25 years ago wanted nothing more than those simple opportunities that should be guaranteed in the United States of America, the greatest Nation in the history of the world.

In protecting workplace safety, we have an agency called the Occupational Safety and Health Administration, known as OSHA. It is charged by this Congress and every Congress since its creation with setting standards and providing for enforcement of those standards so as to ensure basic safety for workers when they leave home every day and go to their jobs.

In Bridgeport, at L'Ambiance, a technique of construction known as lift slab was in use. It was under review by OSHA. It had been under review for 5 years before the L'Ambiance collapse. In 1994, years after L'Ambiance, it was prohibited unless certain conditions were met. If that standard had been in effect on this day 25 years ago, 28 lives would have been saved.

This morning I was in Bridgeport for that ceremony with many of the families who must live with the tragedies of their loved ones having perished needlessly and tragically on this date. There were speeches. There was a bell-ringing ceremony. There were tributes not only to the workers and their families but also to their brothers and sisters who searched with a ferocity and determination in the hours and days for their remains after it became clear they could not be rescued. But none of today's ceremonies or any of the other ceremonies in the past 25 years can bring back those workers who perished because lift-slab construction was used on that site. And when the upper story fell first, all of the bottom stories collapsed as well, meaning that those who worked under that top story could not be saved.

Eventually, when OSHA adopted the standard to be applied to lift-slab construction, it said no one could work under that top story when it was put in

place. OSHA, in short, recognized the hazards of lift-slab construction well before L'Ambiance collapsed, and its inaction over the process of adopting those regulations—the 8.7 years it took to adopt the standard—contributed significantly to the collapse that occurred 25 years ago to this day.

I wish I could say OSHA has learned from this horrific incident at L'Ambiance. I wish I could say the standard setting that is so necessary to be achieved promptly and effectively now is done routinely. Unfortunately, the contrary seems to be true.

I wish to thank Senator HARKIN, the chairman of the Senate Committee on Health, Education, Labor, and Pensions, for a hearing last week that illuminated so dramatically how much work there is still to be done.

The GAO has done a study showing that average length of time to complete these standards is more than 7 years. That figure takes into account the standards set since 1981 to the year 2000. The final number of regulations published by OSHA has declined every decade since the 1980s. While 24 final standards were published in the 1980s, only 10 final standards were published between 2000 and 2010.

Workers are still at risk because regulations are delayed for years. One example is that the dangerous health effects resulting from the inhalation of silica dust, found in common sand, have been widely known for many years. Silica dust has been classified as a carcinogen to humans by the U.S. National Toxicology Program. It is a known cause of lung cancer and silicosis, an often fatal disease. Yet, despite the scientific evidence and the hazards associated with silica dust, its use on worksites across the country is ineffectively regulated by inadequate OSHA standards, and those standards have been on the books since 1972.

Preventing the dangers of silica is simple and easy. Employers simply must ensure that when cutting materials, the blade must be wet to ensure the silica dust is not airborne—simple and easy solutions that can be achieved by standards OSHA has a responsibility to set.

According to OSHA agency officials, they began work on updating the effective silica standards back in 1997, more than 14 years ago. The most recent proposal for a new silica standard was submitted to OMB in February 2011. OMB has been processing that draft for over a year. In the meantime, workers are put in danger, workers contract disease, and workers are put at risk of fatal disease. These lengthy delays are simply unacceptable. As the L'Ambiance tragedy demonstrates, standards delayed is safety denied. Workers and their families suffer real-life consequences when the Federal Government fails to implement effective standards to protect people in

their workplaces. OSHA itself estimates that up to 60 worker deaths per year could be prevented by strengthening the silica regulation and other regulations from 1972. Yet the new rule continues to be delayed by procedural and political roadblocks.

There is still work to be done, and I hope we will make progress, under Senator HARKIN's leadership, on an OSHA rule making standards more effective and more easily adopted.

There are a number of simple and easy steps that can be adopted. Expediting approval of safety standards is one of them. Despite a general consensus within industries on permissible exposure limits—that is, PELs—to dangerous chemicals, OSHA rules for hundreds of those chemicals haven't been updated for nearly four decades. OSHA should direct and Congress should direct OSHA to update obsolete PELs to reflect consensus among industries, experts, and reputable national and international organizations.

Easier court approval also must be enabled. The current standards for judicial review are a major factor in effecting the timeline of OSHA's standard-setting process. The existing "substantial evidence" standard requiring that OSHA research all industrial processes associated with the issue being regulated is disproportionately burdensome when compared to the requirements placed upon other Federal agencies, and the standards should be re-evaluated.

Finally, deadlines for timelines for standard setting should be adopted, directed by the Congress, to minimize the time it takes OSHA to issue occupational safety and health standards. Experts and agency officials agree that statutory timelines for issuing standards should be imposed by Congress and enforced by the courts.

I look forward to working with my colleagues on these measures and others, and I hope the memory of those 28 workers who were killed 25 years ago on this day will inspire and move us to take action as quickly and effectively as possible. But each year others are added to that list in other sites in Connecticut—49 last year alone—and around the country, hundreds in the States of my colleagues in this body. Let their memories also inspire us to redouble our efforts to protect people in the workplaces around Connecticut and the country.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. UDALL of New Mexico. I ask unanimous consent to speak for 10 minutes as in morning business.

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

POSTAL REFORM

Mr. UDALL of New Mexico. Mr. President, I rise today in support of my amendment to strike section 208 from the postal reform bill. Section 208 would authorize the U.S. Postal Service to move to 5-day delivery service within 2 years.

The U.S. Postal Service faces significant financial problems. Changes must be made for the Postal Service to adjust to a digital world. The budgetary concerns are very real—we all know this—but an imminent reduction in service to 5 days a week is not the answer. No. 1, a shift to 5-day service could result in the loss of up to 80,000 jobs nationally. Is this the time to be proposing 80,000 layoffs? No. 2, 5-day service would undercut a market advantage the U.S. Postal Service currently has over its competitors. No. 3, especially in rural America, many of our businesses and most vulnerable citizens depend on 6-day postal delivery. Newspapers, advertisers, pharmacy delivery services, and senior citizens all could be hurt by the loss of Saturday service.

Last week I met with the community of Mule Creek in New Mexico. Mule Creek is small and rural. Folks there told me that they have no cell phone service, no high-speed Internet. They depend on their post office. It is the lifeline, the center of their community—and not just 5 days a week. For many working people, Saturday is the only day they can sign for packages, including for delivery of prescription drugs.

I know some of my colleagues believe moving to 5-day service is necessary because of the Postal Service's financial problems, but we need to give the changes we are making in the bill a chance to take effect. Two years simply isn't enough time before we make such a drastic and far-reaching change. We should not rush prematurely to 5-day service.

I urge support for my amendment to protect jobs, to strengthen the competitiveness of the Postal Service, and to protect the millions of Americans who depend on that service.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORKER. Mr. President, how much time do I have? I understand it might be 10, 15 minutes.

The PRESIDING OFFICER. The time is not controlled.

Mr. CORKER. Mr. President, I rise today to speak about amendment No.

2083, which I am offering to the bill that is before us.

I think all of us know the U.S. Postal Service is absolutely not sustainable in its current form. Mail volume has greatly declined over the past decade and will continue to do so over the next decade. The U.S. Postal Service has known this for a long time. They knew that mail volume was declining and that the market for their products was changing. But the economic crisis made things far worse than they could imagine.

Now the Postal Service is on the edge of financial ruin. But we didn't get here only because of the economic crisis; it is because the U.S. Postal Service's business model is fundamentally broken. The USPS lost \$5.1 billion in this last fiscal year and \$3.3 billion in the first quarter of the current year. I know some have tried to blame the requirement that the USPS prefund their retirement health benefits for the USPS's financial losses. But the fact is that these recent losses are not due to the prefunding requirement because Congress has allowed the USPS to delay this last year's payment. The U.S. Postal Service has also nearly reached its statutory borrowing limit.

Faced with this situation, it is abundantly clear that the USPS must make radical changes in its existing infrastructure and business model. Again, USPS should have, could have, and indeed has wanted to begin making these changes to its outdated, excessive infrastructure, but Congress—all of us here or at least some of us here have blocked these attempts. We should give the USPS the flexibility to meet these challenges and make business decisions on how to deal with the paradigm shift in their primary market rather than further limiting their ability to adapt.

My amendment to S. 1789 gives the U.S. Postal Service greater flexibility in three primary areas: facilities and service, pricing, and labor.

On facilities and service, it allows the U.S. Postal Service to continue closing post offices using the existing procedures for post office closures—they already exist—instead of creating further barriers to closure, which this bill does. These procedures are well thought out and give ample opportunities for public comment and appeal.

It also allows the Postal Service to proceed with its proposed change in delivery service standards—something it has proposed—which is a key component of its 5-year plan of profitability.

This amendment also allows the Postal Service to immediately implement 5-day delivery, if it chooses—a move the U.S. Postal Service believes may save nearly \$2 billion a year. The underlying bill, on the other hand, requires a 2-year delay and further study of this issue, which the Postal Service already knows needs to happen. Mr. President, we don't need a study to tell

us what we already know. The Postal Service needs flexibility in its delivery schedule.

A number of interested parties, including the Postal Service and the President of the United States—the President—support moving to a 5-day delivery. Furthermore, my amendment allows the Postal Service to close processing and distribution centers, something the Postal Service has identified as needed action for nearly a decade.

On pricing, my amendment removes the arbitrary CPI-based cap put in place by the 2006 Postal Accountability and Enhancement Act. Put simply, this gives the Postal Service more flexibility to adjust their prices as markets change.

Current law and S. 1789 actually mandate the Postal Service provide some services at a loss. It is unbelievable the calls we have been receiving in our office that basically point to the tremendous corporate welfare that is in existence—people calling me not wanting these changes because it affects their business. A congressional mandate that the U.S. Postal Service provide certain services without covering their costs makes very little sense.

Please note, this would not allow the Postal Service to arbitrarily raise rates at will. They would still be subject to Postal Regulatory Commission—the PRC—regulation.

Finally, on labor, my amendment gives the Postal Service greater flexibility to reduce its workforce as needed and negotiate contracts that make sense for its financial situation. Since labor costs make up approximately 80 percent of the Postal Service's cost structure, it is clear that any good-faith postal reform proposal must include labor reform.

First, it prohibits the inclusion of a no-layoff clause—and let me underline this—in future collective bargaining agreements. It does not alter CBAs currently in place that contain these clauses. This is only for future clauses. As mail volume continues to decline, the Postal Service must have the flexibility to change the size and makeup of its workforce as needed.

Second, this amendment eliminates a provision in existing law that requires fringe benefits for Postal Service employees be at least as good as those that existed in 1971. These benefits represent a huge portion of fixed labor costs which currently place a major burden on Postal Service operations. Eliminating this provision will give the Postal Service more options in contract negotiation rather than hamstringing them.

My amendment is a balanced approach that strives to give the U.S. Postal Service maximum flexibility in multiple areas as they work toward financial stability. Here is the best part.

According to CBO—which just contacted us today—this bill saves \$21 billion for the Postal Service over the next decade. Let me say that one more time. CBO has just contacted us. The Postal Service is now in tremendous financial straits, and we have a bill before us that hamstringing them and keeps them from doing the things we all know if this were a real business we would allow to happen. My amendment gives them the flexibility to do the things the Postal Service needs to do and that most every American understands they need to do and the amendment saves \$21 billion over the next 10 years.

It is my understanding, by the way, there is no attempt to offset the cost of this bill over the next 10 years.

In conclusion, it is clear the Postal Service must make drastic changes, and I applaud those portions of S. 1789 that allow the USPS greater flexibility. But there are far too many provisions in the underlying bill that would put more restrictions on the U.S. Postal Service, not fewer, and limit the organization's ability to adapt to changing times and so I urge support of my amendment.

I thank the Chair for his time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, it pains me greatly to disagree with my friend and colleague from Tennessee, with whom I have a great friendship and great respect, but what he is essentially offering comes pretty close to a complete substitute for the provisions in our bill, and I wish to go through the provisions to make sure our colleagues understand fully what the choices are that are presented by Senator CORKER's amendment.

First, let me say I do strongly oppose his amendment because of the impact I believe it would have on postal customers, whether they are in rural America, whether they are a big mailer, a small mailer, a residence or a business, and what the impact ultimately will be on postal revenue. Let us first discuss the issue of 6-day delivery.

There are a lot of different views on this issue. Senator CORKER has presented one, as has Senator MCCAIN, of moving immediately to 5-day delivery. On the other hand, there are Members who have filed amendments who want to prevent the Postal Service from ever moving to 5-day delivery. Here is what is in our bill.

Our bill recognizes the Postal Service should, if possible, avoid deep cuts in

its service. Certainly, eliminating 1 day a week of delivery is a deep cut in the service it is providing. It recognizes, however, that if the Postal Service cannot wring out the excessive cost that is in its current system, it may have no choice but to eliminate Saturday delivery in order to become solvent.

What we do is allow a 2-year period during which time the Postal Service would implement the many cost-saving provisions in our bill, including a workforce reduction of 18 percent—which is about 100,000 employees—through compassionate means, such as buyouts and retirement incentives, and then have the GAO and the PRC—the Postal Regulatory Commission—certify that despite undertaking all these cost-saving moves, it is not possible for the Postal Service to return to solvency without this deep service cut. But to move immediately to eliminating Saturday delivery would come at a real cost and it may not be necessary. It may not be necessary at all.

I would also point out the experts in this area are the members of the Postal Regulatory Commission. The experts are not at CBO. The experts are the regulators of the Postal Service—the PRC. When the PRC examined the issue of eliminating Saturday delivery, here is what it found. First of all, it found the potential savings were far less than the Postal Service estimated. In fact, they were half as much as the Postal Service estimated.

Second, they found that eliminating Saturday delivery put rural America, in particular, at a disadvantage because rural America often does not have access to broadband, to Internet services, and to alternative delivery systems. So the PRC, which looked at this issue very carefully and issued a report, found the savings were less by half and the consequences were far more severe for rural America.

Saturday delivery also gives the Postal Service itself a competitive advantage over nonpostal alternatives. If we are here trying to save the Postal Service, why would we jeopardize an asset the Postal Service has that its competitors do not? That is why we came up with this carefully crafted compromise on this issue.

I believe cutting Saturday delivery should be the last resort, not the first option, because it will inevitably drive away customers. That is one reason the American Newspaper Association is so opposed to doing away with Saturday delivery. It is one reason many of the mail order pharmaceutical companies are so opposed, because many seniors depend on receiving their vital medications through the mail.

Again, we have said if there are no other alternatives, this measure could proceed. But I can't imagine any large business operating this way—cutting service first. My colleagues often talk

about how important it is to let the Postal Service act like a "real business." But this is the last thing a real business would do. Real businesses know their most valuable asset is their customer base. Businesses do literally everything else before slashing service and raising prices or anything else that might alienate or drive away their remaining customers, and they do not do this out of the goodness of their hearts but because they understand what drives their bottom line.

The fact is, if more customers leave the Postal Service, the revenue will plummet. Again, reducing service—eliminating Saturday delivery—should be the last resort, not the first option. That is exactly what our bill does.

The Senator's amendment would also repeal the CPI link to postal rates. I am at a loss as to why the Senator would propose that. Eliminating that protection, that orderly system, would be devastating for many mailers. Again, mailers need predictable, steady, stable rates.

Think of a catalog company that prints its catalogs so many months in advance. It now can count on what the postal rates are going to be. Under the amendment of the Senator from Tennessee that stability, that predictability would be gone.

The reason in 2006 that we rewrote the rate-setting system was that it had been an extremely litigious, time-consuming system. Both the mailers and the Postal Service hated the system that we had prior to 2006. Both agreed at the time that it was important to have stability and predictability in rates and to have a system that didn't involve this very expensive, litigious rate-setting system. So we went to the CPI link system so we could have stable, predictable, and transparent pricing increases.

This amendment repeals the section of the current law on rate setting that mailers have repeatedly testified is the heart of the 2006 reforms and something they need if they are to continue to use the Postal Service. That is why the mailers, the largest customers of the Postal Service, are such strong supporters of the predictable system that we put in place in 2006.

Let me turn to another issue. There is so much I could say on all of these, but I can see a lot of Members have come to the floor.

The Senator's amendment would also eliminate the standards we put into the bill to protect overnight delivery within certain delivery areas. We have recently learned that the Postal Service's own preliminary analysis, submitted confidentially in secret to its regulators at the PRC, reveals that its service reduction plan to slow mail delivery and shut down postal plants will lead to more than a 9-percent decrease in first-class mail and a 7.7-percent reduction in all classes of mail.

In this preliminary estimate the Postal Service said the first-year losses alone would be \$5.2 billion; that the Postal Service would lose if we proceed with this plan. Now that those numbers have become public, the Postal Service is backpeddling and criticizing its own estimates. But those are the estimates that are in its own survey that was filed with the PRC.

They don't surprise me because they are consistent with what I am hearing from major postal customers, and once those customers turn to other communications options and leave the mail system they will not be coming back, revenue will plummet, and the Postal Service will be sucked further into a death spiral.

There are many other comments I could make about the amendment offered by the Senator from Tennessee. I think his amendment essentially constitutes a substitute to the bill that is before us in that it makes so many fundamental changes. I believe it would be devastating for the Postal Service; that it would cause large and small mailers to leave the Postal Service, setting off the death spiral from which the Postal Service might never recover.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, just 20 seconds, not to rebut anything that has been said.

I think the Senator from Maine and I have a very different view about the ways to solve the post office issues. But I just want to thank her for her tone. I want to thank the Senator from Connecticut, too, for the way they continue to work together to try to produce legislation in this body. So I thank them both for being the way they are. They are two of the Senators I admire most here. I thank them.

I have a very different point of view on this issue, but I thank them for the way they continually work together to try to solve problems. I look forward to continuing to work with them on this issue.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I just want to say briefly, thanks to my friend from Tennessee not just for his kind words, which mean a lot to me, but for coming to the floor to discuss his amendment.

There are different points of view about this issue. I think, as I said very simplistically at the beginning of the debate, some think our bipartisan committee bill does too little. Some think it does too much. I think we have hit the right common-ground spot. And I repeat what I said earlier in the day: There is some due process in this. We don't allow for what might be called shock therapy for the Postal Service because we don't think it will work, and we think it would have the net ef-

fect of diminishing the revenues of the Postal Service by cutting business.

But here is the report we received today from the U.S. Postal Service itself, just to indicate to my friend from Tennessee and others who may be following the debate.

This substitute bill of ours, S. 1789, is not just fluff. The Postal Service itself estimates that over the coming 3 years; that is, by 2016 fiscal year, our bill, if enacted, will enable the Postal Service to save \$19 billion annually. They were hoping for \$20 billion, but \$19 billion is pretty close. I think we have done it without the dislocation to the millions of people in our society who depend on the mail and depend on mailing industries for their jobs, as well as the hundreds of thousands of people who work for the Postal Service, 18 percent of whom we hope will receive incentives that will be adequate for them to think about retirement.

But this is a bill that creates a transition that will keep the Postal Service alive—and we think even healthier—without the kind of sudden jolts the amendment offered by my friend from Tennessee would impose.

So I would respectfully oppose the Corker amendment, and I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

HONORING OUR ARMED FORCES

Mr. AKAKA. Mr. President, before I discuss my pending amendment to the Postal Service reform bill, I would like to take a moment to honor four brave soldiers based out of Schofield Barracks from Hawaii who died in a helicopter crash in Afghanistan on Thursday. They made the ultimate sacrifice in service to our country, and we will never forget them.

My thoughts and prayers, and I know the thoughts and prayers of many others in Hawaii and others across the United States, are with their families tonight. We honor and thank them and are so sorry for their loss.

Mr. President, I rise to discuss my amendment No. 2034 regarding Federal workers' compensation, which is co-sponsored by nine Senators, including Senators INOUE, HARKIN, MURRAY, FRANKEN, LEAHY, SHAHEEN, KERRY, LAUTENBERG, and BROWN of Ohio.

I have serious concerns with the provisions of the postal reform bill that would make changes to the Federal workers' compensation program, known as FECA, not just within the Postal Service but across the entire government.

These provisions would cut benefits to elderly disabled employees and eliminate a supplement for dependents. Many who are already injured would have their benefits cut retroactively. This is particularly unfair because most employees affected by these far-reaching cuts are not even Postal Service employees. Many are Defense and

State Department employees injured supporting missions overseas, Federal law enforcement officers, and firefighters injured saving lives or prison guards attacked by inmates.

Sponsors of this bill argue that changes to workers compensation must be included in this legislation to place the Postal Service on a sound financial footing. However, the fact is that the changes would have very little effect on the Postal Service's deficit. According to the Congressional Budget Office, these changes would actually cost the Postal Service an additional \$21 million in the first 3 years.

Any changes to benefits for those injured in service to their country should be done in a careful, comprehensive manner. There are complex issues that deserve more analysis before we simply cut benefits people have planned for and depend on.

At a hearing I held last July witnesses raised serious concerns with reducing FECA benefits, especially at the retirement age. They testified that disabled employees may not be able to save enough in time for a reduction in income because they missed out on wage growth, Social Security, and the Thrift Savings Plan. Because of this disadvantage, the Federal Government, like most States, provides benefits that last as long as the injury, even if that is past the normal retirement age.

At the request of a bipartisan group of members from the House Committee on Education and Workforce, the Government Accountability Office is currently reviewing both pre- and post-retirement-age FECA benefits to determine fair benefit amounts. Acting on this proposal now without waiting for GAO's analysis is irresponsible. As a result, we may set benefit levels too low, seriously harming disabled employees, or too high, taking funding away from other priorities.

We must be extremely cautious not to make arbitrary cuts to benefits that could have serious detrimental effects on elderly disabled employees.

Last November, the House passed a Republican-led bipartisan FECA reform bill, H.R. 2465, by voice vote. The bipartisan sponsors of this bill chose not to make any changes to benefits without more information on appropriate benefit levels. I believe their actions were correct, and the Senate should enact similar legislation by passing my amendment.

My amendment would strike the government-wide FECA provisions in this bill and replace them with the House-passed FECA reform bill, which makes a number of commonsense reforms that will improve program efficiency and integrity without reducing benefits.

Among other things, my amendment contains program integrity measures recommended by the inspector general

at the Department of Labor, the Accountability Office, and the administration that will save taxpayers money.

My amendment would also update benefit levels for funeral costs and disfigurement that have not been increased since 1949, and it would protect civilian employees serving in dangerous areas, such as Iraq and Afghanistan, by giving them more time to file a claim and making sure injuries from terrorism are covered even if the employee is off duty.

Everyone understands the Postal Service is in the midst of a serious financial crisis that must be addressed. Chairman LIEBERMAN and Ranking Member COLLINS have done a great job in bringing this on. However, breaking our promises to injured Federal employees to save the Postal Service just a tiny fraction of its deficit I believe is wrong. I urge my colleagues to support my amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I have the greatest respect for the Senator from Hawaii. I know he cares deeply about this issue. But it is simply time for us to reform the Federal workers' compensation program for postal workers and for other Federal workers. For this reason, I oppose his amendment because it does not begin to solve the problems that have been repeatedly documented in the program by the inspectors general at the Postal Service, at the Department of Labor, by GAO, and by the Obama administration, which has called for many of the reforms we have incorporated into this bill. Senator AKAKA's amendment takes on only very minor reforms which are already included in the bill. It does not even attempt to constrain the rapidly growing costs of the program, and it truly does nothing to effectively combat the fraud in the program.

Let me start with some background to show the growing, the escalating cost of the Federal workers' compensation system. From 1997 to 2009, the program's costs grew by an astonishing \$1 billion, as this chart shows. That was a 52-percent increase in program expenditures. It is one of the reasons why President Obama's administration has submitted changes to this program over and over. Our bill, according to the CBO, would reduce the program's outlays for workers' comp by \$1.2 billion over the next 10 years.

I note the Obama administration supports across-the-board reforms, just as we have put in our bill. It makes no sense to have one system for postal workers and one system for Federal employees when they all participate in the same program now. The Postal Service, however, makes up more than 40 percent of all workers' comp cases for the Government, and the number of

postal employees on the long-term rolls has increased by 62 percent since 2009. Paying more than \$1 billion a year in workers' comp payments, the Postal Service is the largest program participant, providing over one-third of the program's budget. These changes are supported by the leaders at the Postal Service. The amendment would block desperately needed reforms to a program that has not been updated in over 35 years.

Let me talk a little bit about the structure of benefits in the program and why there is a problem. Under the current program, a worker who has dependents and is out on workers' comp receives a payment at the rate of 75 percent of his preinjury salary, and these benefits are tax free. Currently, more than 70 percent of beneficiaries are receiving compensation at that level.

In addition to that, it is important to understand that 75-percent tax-free benefit rate is higher than that paid by any comparable State workers' compensation system and, given our current Tax Code, 75 percent of salary tax free is equivalent, for most people, to a full salary after taxes.

We do want to make sure we have a workers' comp program that takes care of our injured workers that is compassionate, that helps them recover and return to work. But the current program of the Federal Government does not accomplish those roles.

First of all, it does not encourage injured workers to get the help they need to recover and to return to work, as these statistics will demonstrate. Right now, the program, across the board, Federal and postal workers, has 10,000 beneficiaries age 70 or older, 2,000 of whom are postal employees. They are receiving higher payments on workers' comp than they would under the standard retirement program. That is almost one-quarter of all beneficiaries in the program who are over age 70. Of the beneficiaries, 430 of them are over age 90, and 6 of the workers' comp beneficiaries are age 100 or older. These employees are not going back to work. If they were still working, it would be a miracle. They would be retired. It is not fair to postal and Federal employees who work their entire lives, retire at age 60 or 65, and receive a retirement benefit that is 26 percent lower than the median benefit received by workers' compensation recipients. That is unfair. That means people who remain on workers' comp make more money than if they had continued working and much more than they would make in the retirement systems for Federal and postal workers.

I wish to make sure that as we reform the system, we are fair. One of the major reforms is to move people at age 65 from workers' comp to the normal retirement system, but we have exempted from these reforms those

who are least able to prepare for it, those who are totally disabled and unable to return to work, and those who are age 65 and over. I think that is a very fair approach.

Another protection we have included for those current claimants who would be affected by the reforms in the bill is a 3-year waiting period. If a claimant is not already grandfathered and therefore is not disabled and unable to return to work, then that individual would experience no reduction in benefits for 3 years, regardless of that individual's age. Again, the reforms we have included in our bill closely track the reforms proposed by President Obama's administration.

Finally, let me just say this program has proven to be highly vulnerable to fraud. GAO reported as recently as November that the vulnerabilities in the program increase the risk of claimants receiving benefits they are not entitled to. There are many reasons for that. I will go into that further at another time. But the Department of Labor inspector general reported that the removal of a single fraudulent claim saves, on average, between \$300,000 and \$500,000. What is more, these vulnerabilities are not new and they are not rare. When the IG looked at 10,000 claimant files one decade ago, there were irregularities in almost 75 percent of them, and it resulted in benefits being reduced or ended for more than 50 claimants.

This is a troubled program. It needs to be reformed. It needs to be made more fair. It needs to be more fair to individual workers. There needs to be more of a focus on return to work, and it needs to be more fair to workers who spend their entire careers working for the Postal Service or the Federal Government and then retire and receive a far lower benefit than an elderly individual who remains on workers' comp.

I urge the defeat of the amendment.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I would like to address a number of statements my good friend Senator COLLINS has made about the FECA provisions in this bill.

First, it has been argued these changes are necessary to save the Postal Service money. However, since most employees affected by these cuts are not postal employees, the savings expected from these changes would have very little effect on the Postal Service's deficit. In fact, according to CBO, these changes would actually cost the Postal Service an additional \$21 million in the first 3 years.

In addition, it has been said on the floor that the FECA recipients over retirement age get 26 percent more income than similar employees who work their entire career and retire under the normal retirement systems. This statistic comes from a recent GAO report

that looked at only a small sample of nonpostal workers, eligible for CSCS retirement.

In fact, according to GAO, their recent report only examines 8 percent of the active Federal workforce and does not even look at the Postal Service workers. Cuts should not be made to FECA benefits until GAO completes a more comprehensive study, now underway, which examines the impact of benefit reductions on FERS participants. The Senate has not considered FECA legislation since 2006, and the only hearing was the one I held last year.

The Federal workers' comp program, similar to most State programs, allows injured workers to continue receiving compensation as long as the injury lasts, even if that is past normal retirement age. This is necessary because disabled workers on FECA do not earn Social Security credit and cannot participate in the Thrift Savings Plan, and they miss out on normal wage growth. We must make them whole for their injuries by making up for lost wages and their inability to save for retirement. It is simply not the case that workers of retirement age who still receive FECA benefits are somehow scamming the system.

The PRESIDING OFFICER. The Senator is notified the Senate is under a previous order to move to executive session at 5 p.m.

Does the Senator seek more time to conclude his remarks?

Mr. AKAKA. Mr. President, I will wrap up.

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

Mr. AKAKA. In fact, in 1974, Congress repealed an earlier statute to allow a reduction at age 70. Congress cited concerns about the hardship the reductions caused on senior citizens as well as concerns about age discrimination when repealing the past less severe version of this legislation. No matter a person's age, they have every right to that benefit.

I agree that we should be taking a closer look at ways to prevent fraud and abuse in this program, but reducing benefits for people at retirement age has nothing to do with reducing fraud. My amendment allows the Department of Labor to obtain wage data from the Social Security Administration—this will help prevent fraud.

It has been argued that these cuts bring the FECA program more in line with the state programs. However, most state programs have no benefit reductions for recipients at retirement age. In fact, 33 state programs do not reduce benefits at any age. At our subcommittee hearing last July, the minority requested witness stated that these states seem to have no interest in cutting benefits for senior citizens.

Finally, proponents of these cuts have emphasized repeatedly that these

provisions are very similar to an Obama administration proposal. This was actually a Bush administration proposal that the Obama administration simply kept in place. More importantly, this bill cuts benefits more deeply than that proposal, and most concerning—unlike the administration proposal—this bill would apply reductions retroactively to many employees who already have been injured.

Moreover, the Department of Labor has admitted that the changes to benefit amounts in their proposal were round numbers based on rough calculations—I believe that is hardly the basis to determine what elderly disabled people will have to live on for the rest of their lives.

We simply do not have the information we need to decide on fair benefit levels and should wait for the more extensive GAO study now underway. Breaking our promises to injured federal employees to save the Postal Service a tiny fraction of its deficit is not the solution. My amendment 2034 offers a reasonable alternative by replacing the FECA provisions in this bill with the bipartisan FECA reform bill that passed the House by voice vote last year. The House chose not to make benefit cuts without the additional information they sought from GAO, and we should follow their lead.

This amendment would make commonsense reforms that will improve program efficiency and integrity without reducing benefits and I urge my colleagues to support it.

I wish to say the chairman of our committee, JOE LIEBERMAN, and the ranking member have worked hard at this, and my whole effort is to deal with many of the workers of the Federal Government who are not in the Postal Service as well. I ask that my amendment be considered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent for just three moments to speak on this amendment.

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

Mr. LIEBERMAN. Mr. President, I wish to thank Senator AKAKA for coming to the floor and speaking on behalf of his amendment. He is one of the most hard-working, constructive members of our committee, the committee from which the underlying bill has come. He is one of the finest people I have ever met. I have the greatest admiration and affection for him.

So unlike Senator COLLINS, it is with some reluctance that I must say I oppose this amendment. I will speak very briefly since Senator COLLINS has spoken well on it.

I think the current system goes beyond taking care of those who need workers' compensation, and it has come to a point where it is unfair not

just to those who are paying for the system but to others who are working in the Postal Service today.

I thank Senator COLLINS. She has worked very hard and very thoughtfully. The proposal she made turned out to be so balanced and constructive that folks in the Obama administration who had been working on a similar proposal for all Federal employees asked that we extend the workers' compensation reforms in the Postal Service bill to all Federal employees. Dare I call this a Collins-Obama proposal? I don't know. I just raised that prospect.

In any case, I support the underlying bill in this regard and very respectfully and affectionately oppose the Akaka amendment.

I yield the floor, and I thank the Chair.

EXECUTIVE SESSION

NOMINATION OF BRIAN C. WIMES TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN AND WESTERN DISTRICTS OF MISSOURI

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read the nomination of Brian C. Wimes, of Missouri, to be United States District Judge for the Eastern and Western Districts of Missouri.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate, equally divided and controlled in the usual form.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I see the distinguished Senator from Missouri on the floor, Mr. BLUNT. I know he has a Republican leadership meeting he needs to get to. I yield such time as he needs on the Republican reserved time, with the understanding that when he finishes, it will go back to me.

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

The Senator from Missouri.

Mr. BLUNT. Mr. President, I thank my good friend for yielding and for taking consideration of my schedule.

I rise to support Judge Brian Wimes as the nominee for the Eastern and Western Districts of Missouri. He spent his entire career working in the public sector. He has been involved in many groups and organizations dedicated to serving disadvantaged individuals.

He was born in Kansas City, MO. He earned his bachelor's degree in political science from the University of Kansas. We don't hold that against him. He got his law degree from the Thurgood Marshall School of Law at Texas Southern University in 1994.

When he graduated, he became the attorney advisor for the litigation branch of the Federal Bureau of Prisons at the Department of Justice here in Washington. Judge Wimes represented the Bureau in civil actions by inmates throughout the country.

In 1995, he left the Bureau and became an assistant prosecuting attorney for the Jackson County prosecutor's office in Kansas City.

Beginning in 2001, Judge Wimes served as the Jackson County drug court commissioner for more than 5 years. The drug courts in our State, and in other places, have served a good and integral role in combating drug abuse. The drug court is a program that offers nonviolent first-time offenders a chance to participate in an outpatient-based treatment program rather than to face prosecution. More than 1,200 people have graduated from the Jackson County drug court. More than 96 percent of those people were conviction free 5 years after their graduation.

As a prosecutor, Judge Wimes received national honors, including being named Rookie Prosecutor of the Year during his first year in the Jackson County prosecutor's office.

In 2002, he was honored as a member of Ingram magazine's 40 under Forty. In 2009, the Call Newspaper recognized him as one of the 25 most influential African Americans in Kansas City.

He has been deeply involved in Big Brothers and Big Sisters and Hope House Domestic Violence Shelter. He is a member of St. Monica's Catholic Church.

In 2007, Judge Wimes was appointed by my son Governor Matt Blunt to serve on the 16th Judicial Circuit Court of Jackson County, MO. If Matt Blunt made any mistakes as Governor, this was not one of them. Judge Wimes has continued not only to serve on the court but to serve on boards in Kansas City for the Kansas City Youth Court, which is affiliated with the UMKC School of Law as well as the Criminal Justice Advisory Board of the Penn Valley Community College in Kansas City, the Mental Health Association of the Heartland.

I believe his experience makes him a highly qualified judicial nominee, and he will serve the American people well in this job. I am supportive of him.

Mr. President, I have a statement on another matter that I also mentioned to my friend from Vermont that I will make while I am here, and I ask that it appear separately in the RECORD.

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

(The remarks of Mr. BLUNT are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, regaining my time on this side, I appreciate the

Senator from Missouri speaking about Brian Wimes. Today, the Senate will finally vote on the nomination of Brian Wimes to fill a judicial vacancy in the U.S. District Court for the Western and Eastern Districts of Missouri. This nomination has had the support of both his home state Senators, Senator MCCASKILL and Senator BLUNT. The Judiciary Committee voted to report the nomination favorably over four months ago. There is no justification for this unnecessary delay.

The Senate is still so far this year only considering judicial nominations that could and should have been confirmed last year. We will conclude the first four months of this year having only considered judicial nominees who should have been confirmed before recessing last December. We have yet to get to any of the nominees we should be considering this year because of Republican objections to proceeding more promptly.

With nearly one in 10 judgeships across the Nation vacant, the judicial vacancy rate remains nearly twice what it was at this point in the first term of President George W. Bush when we lowered vacancy rates more than twice as quickly. The Senate is 33 confirmations of circuit and district court judges behind the number at this point in President Bush's fourth year in office. We are also 66 confirmations from the total of 205 that we reached by the end of President Bush's fourth year.

As I noted earlier this month, the Federal judiciary has been forced to operate with the heavy burden of 80 or more judicial vacancies for nearly three years now. There are 22 judicial nominees on the Senate Executive Calendar ready for final consideration and a vote, not just this one. Action on those 22 nominees would go a long way toward easing the burden on the Federal courts and ensuring that all Americans have Federal judges available so that they can have the quality of justice that they deserve.

Some Senate Republicans seek to divert attention by suggesting that these longstanding vacancies are the President's fault for not sending us nominees. The fact is that there are 22 outstanding judicial nominees that can be confirmed right now, but who are being stalled. Let us act on them. Let us vote them up or down. When my grandchildren say they want more food before they finish what is on their plate, my answer is to urge them to finish the food already on their plate before asking for seconds or dessert. To those Republicans that contend it is the White House's fault that they are not agreeing to proceed to consider the judicial nominees we do have more quickly, I say let us complete Senate action on these 22 judicial nominees ready for final action. There are more working their way through Committee, and the

Senate can act responsibly to help fill some of the most pressing vacancies plaguing some of our busiest courts if we proceed to these nominations now.

For instance, the Ninth Circuit is by far the busiest circuit in the country. The Senate has yet to vote on the long-delayed nomination of Judge Jacqueline Nguyen of California to fill one of the judicial emergency vacancies plaguing the Ninth Circuit. Hers was one of the nominations ready to be confirmed last year that will be delayed five months before her confirmation to fill that judicial emergency vacancy. Republicans have insisted that her vote be delayed until next month. There are two additional Ninth Circuit nominees to fill judicial emergency vacancies who are ready for final votes but for which Senate Republicans have not agreed to schedule votes. Paul Watford of California and Justice Andrew Hurwitz of Arizona were both voted favorably from the Senate Judiciary Committee earlier this year. There is no good reason for delay. The 61 million people served by the Ninth Circuit are not served by this delay. The Circuit is being forced to handle double the caseload of any other without its full complement of judges. The Senate should be expediting consideration of the nominations of Judge Jacqueline Nguyen, Paul Watford, and Justice Andrew Hurwitz, not delaying them.

The Chief Judge of the Ninth Circuit, Judge Alex Kozinski, a Reagan appointee, along with the members of the Judicial Council of the Ninth Circuit, have written to the Senate emphasizing the Ninth Circuit's "desperate need for judges," urging the Senate to "act on judicial nominees without delay," and concluding "we fear that the public will suffer unless our vacancies are filled very promptly." The judicial emergency vacancies on the Ninth Circuit are harming litigants by creating unnecessary and costly delays. The Administrative Office of U.S. Courts reports that it takes nearly five months longer for the Ninth Circuit to issue an opinion after an appeal is filed, compared to all other circuits. The Ninth Circuit's backlog of pending cases far exceeds other Federal courts. As of September 2011, the Ninth Circuit had 14,041 cases pending before it, more than three times that of the next busiest circuit.

If caseloads were really a concern of Republican Senators, as they contended last year when they filibustered the nomination of Caitlin Halligan to the D.C. Circuit, they would not be delaying the nominations to fill judicial emergency vacancies in the Ninth Circuit. If caseloads were really a concern, Senate Republicans would consent to move forward with all three of these Ninth Circuit nominees to allow for up or down votes by the Senate without these months of unnecessary delays.

Delay is harmful for everyone, but mostly to the American public. Right now, 150 million Americans live in districts and circuits with vacancies that could be filled if Senate Republicans would simply vote on the 22 judicial nominations ready for final Senate action.

I also note that of the current vacancies without a nomination, 28 involve Republican home state Senators. This is a President who has tried to work with home state Senators from both parties on his nominations. There are also an additional seven nominations on which the Senate Judiciary Committee cannot proceed because Republican Senators are withholding support.

I congratulate Senator MCCASKILL for her success in getting this vote on the nomination of Judge Wimes. He is currently a judge on the 16th Judicial Circuit Court of Missouri. He previously served as the Jackson County Drug Court Commissioner and as an assistant prosecuting attorney in the Jackson County Prosecutor's Office. Judge Wimes has the strong support of Senator CLAIRE MCCASKILL and is also supported by Senator BLUNT. He and his family have been waiting for this day since the Judiciary Committee in an overwhelming, bipartisan manner voted to send his name to the Senate on December 15th of last year.

Today's vote is pursuant to the agreement reached by the Majority Leader and the Republican leader last month. To make real progress, however, the Senate needs go beyond the nominations included in that limited agreement to include the other 16 judicial nominations currently before the Senate for a final vote and the three judicial nominees who should be reported by the Judiciary Committee this week. Let us work in a bipartisan fashion to confirm these qualified judicial nominees so that we can help alleviate the judicial vacancy crisis and so they can serve the American people.

Mr. GRASSLEY. Mr. President, this afternoon we are considering the nomination of Brian C. Wimes, of Missouri, to be United States District Judge for the Eastern and Western Districts of Missouri. Again, we are moving forward under the regular order and procedures of the Senate. With today's nomination we will have confirmed 78 judicial nominees during this Congress. With the confirmations today, the Senate will have confirmed more than 75 percent of President Obama's judicial nominations. I would note that in 3 years of President Obama's term, we will have confirmed four nominees as a District Judge in Missouri. This is the same number President Bush had confirmed in his 8 years.

Judge Wimes is a 1990 graduate of the University of Kansas. He received his law degree in 1994 from Thurgood Marshall School of Law, Texas Southern

University. Upon graduation from law school, Judge Wimes became an attorney advisor in the litigation branch of Federal Bureau of Prisons in Washington, DC. He represented the Bureau in civil actions by inmates throughout the country. In 1995, the nominee left the Bureau and became an assistant prosecuting attorney for the Jackson County Prosecutor's Office in Kansas City, MO until 2001. During his time there, he served as coordinator for the drug abatement response team; was the East Patrol community prosecutor, acting as office liaison to the community; and, in 1999, became the senior trial attorney for the drug unit. In this position he prosecuted cases involving major crimes with an emphasis on drug-related homicides.

In 2001, Judge Wimes became the drug court commissioner for the court for Jackson County, MO. He was appointed for two, 4-year terms. He presided over 400 assigned cases to drug court, with a caseload of 120 to 150 docketed cases per week.

After serving as the drug court commissioner for Jackson, Judge Wimes was appointed by then-Governor Matt Blunt to serve as the circuit court judge for the 16th Judicial District, Jackson County, MO. He was appointed in 2007, and retained in the 2008 election cycle.

As a circuit court judge, Judge Wimes has presided over approximately 29 criminal trials and 25 civil trials that have gone to judgment. From 2008 to 2009, Judge Wimes was assigned to the family court division and heard over 500 domestic cases to judgment as well.

A substantial majority of the ABA Standing Committee on the Federal Judiciary gave him a unanimous rating of qualified.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Brian C. Wimes, of Missouri, to be United States District Judge for the Eastern and Western Districts of Missouri?

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from Hawaii (Mr. INOUE) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted "nay."

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 1, as follows:

[Rollcall Vote No. 67 Ex.]

YEAS—92

Akaka	Franken	Moran
Alexander	Gillibrand	Murkowski
Ayotte	Graham	Murray
Barrasso	Grassley	Nelson (NE)
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Paul
Bennet	Hatch	Portman
Bingaman	Heller	Pryor
Blumenthal	Hoeben	Reed
Blunt	Hutchison	Reid
Boozman	Inhofe	Risch
Boxer	Isakson	Roberts
Brown (MA)	Johanns	Rockefeller
Brown (OH)	Johnson (SD)	Rubio
Burr	Johnson (WI)	Sanders
Cantwell	Kerry	Schumer
Cardin	Klobuchar	Sessions
Carper	Kohl	Shaheen
Chambliss	Kyl	Shelby
Coats	Landrieu	Snowe
Coburn	Lautenberg	Stabenow
Cochran	Leahy	Tester
Collins	Levin	Thune
Conrad	Lieberman	Udall (CO)
Coons	Lugar	Udall (NM)
Corker	Manchin	Warner
Cornyn	McCaskill	Webb
Crapo	McConnell	Whitehouse
Durbin	Menendez	Wicker
Enzi	Merkley	Wyden
Feinstein	Mikulski	

NAYS—1

Lee

NOT VOTING—7

Casey	Kirk	Vitter
DeMint	McCain	
Inouye	Toomey	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

The Senator from Minnesota.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED—Continued

POSTAL REFORM

Ms. KLOBUCHAR. Madam President, I rise to discuss the importance of addressing the financial challenges now facing the U.S. Postal Service and our critical need to ensure that it remains a strong and reliable resource for the people of our country.

The American Postal Service was created over two centuries ago as a function of the Federal Government, acknowledged in the U.S. Constitution. In those last 220 years, the way we send mail and exchange correspondence has changed dramatically. We no longer need a stamp or an envelope; we can just shoot an e-mail or sign onto Facebook.

But even with all these changes, the fact remains that no matter who you are or where you live, odds are that the post office plays a vital role in your daily life. Seniors rely on the Postal Service to receive their medications, businesses rely on it to ship and receive goods, and countless jobs hinge on its services, both directly and indirectly.

No matter how far we have come with technology in this digital age, there are some things that simply cannot be sent by e-mail. That is why reliable timely mail service is something all Americans should be able to count on.

I have heard from numerous people in my State about the negative impact the closure of certain post offices or mail processing facilities would have on their communities. I have heard from State and local leaders about the impact of closing the mail processing facilities in Duluth and Bemidji. I have heard from farmers who actually get their goods and ship their products through those mail processing centers.

That is why I have worked with Senator SANDERS and roughly 25 of my colleagues in the Senate, including Senator DURBIN—one-fourth of the entire Senate—to negotiate changes to this original bill. I thank Chairman LIEBERMAN and Senators COLLINS and CARPER for their great leadership. I am glad about some of the changes they have made.

The substitute amendment would, in fact, keep at a minimum 100 mail processing plants that are currently scheduled to close, and they would remain open for at least 3 years. Overnight delivery standards in regional areas will be protected. A large number of rural post offices that are being studied for closure will remain open.

I am a cosponsor of the amendment to the legislation that would provide important safeguards before closing mail processing facilities, and I have also cosponsored the McCaskill-Merkley amendment that would establish a 2-year moratorium on closing

rural post offices and recognize the concerns of rural residents.

There is no doubt that changes need to be made to the Postal Service to make it more competitive in the digital world. I think a lot of those changes are contained in the substitute amendment. We can even make it stronger. I strongly believe we can reach a balance that makes necessary reforms, while maintaining the quick service on which Americans have come to rely.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

NLRB RULES

Mrs. MURRAY. Madam President, I come to the Senate floor this evening to express my strong opposition to the resolution of disapproval filed by Senate Republicans that seeks to overturn critical new NLRB rules that will protect workers across America. I strongly urge my colleagues to oppose it. Some of our colleagues on the other side of the aisle frequently complain about how we spend our time on the Senate floor. Today, I have to say I am disappointed that we are being forced to spend valuable time on this issue.

Middle-class families across America are continuing to struggle in this very tough economy, and it is hard to understand why Senate Republicans want to spend time attacking an agency's mission to protect workers and employers and is critical to protecting access to the middle class for workers and families.

Thankfully, as we all know, our economy seems to be stepping back from the precipice. But for so many workers today paychecks still have not caught up, benefits continue to slip away, hours are getting cut, and job security is eroding. That is why I was very glad that at the end of last year, the NLRB voted to adopt modest commonsense rules that would make it easier for workers to fight for fair treatment in the workplace and help bring NLRB into the 21st century.

These new rules aren't going to solve every problem, but they are a step in the right direction and will help workers and families across the country. The new NLRB rules will strengthen and streamline the voting process by reducing unnecessary litigation and intentional delays. It will streamline pre- and postelection procedures, and it will facilitate the use of electronic communications and document filing. Those are all commonsense steps that should not be controversial.

I am extremely disappointed that Senate Republicans want to now eliminate these rules and roll back the clock on worker protections. The resolution we are going to vote on would eliminate steps to standardize and add transparency to the employee election process. It would eliminate steps that reduce frivolous litigation and create a

more cohesive and productive workplace for workers and businesses. It will fundamentally weaken NLRB processes and procedures that workers and businesses rely on when they are trying to settle disputes.

It is bad for business, bad for working families, and it should not pass. Workers across this country deserve a fair process in the workplace. The NLRB rule this resolution would eliminate removes some of the unfair and unnecessary roadblocks so many workers face every day. I have to say that while we are discussing this issue, I want to express my disappointment and anger at the recent report from the inspector general about improper and politicized activities by a current Republican member of the NLRB board, an individual who previously worked for another board member who is a former staffer for a Republican Member of the Senate. That report details multiple instances of ethics misconduct, including the sharing of confidential information with outside parties. I am hopeful that issue will be fully investigated. I am deeply worried about the actions some people will take to undermine an agency with a mission to protect the rights of workers and employers. And honestly, I find it to be a sad statement about the nature of our politics today, because the NLRB is doing a lot of good work for workers in America and it shouldn't be tarnished with this sort of ethics issue.

This agency has borne the brunt of political attacks over the last year from special interest groups and elected officials trying to score political points at the expense of workers and families. Many of these attacks have been inaccurate; many have been unfair. Some have used the case involving Boeing and workers in my home State of Washington to weaken the agency, even while the NLRB work is what allowed the two sides to come together and find a solution to that challenge. So I think this is wrong and these attacks should end.

The NLRB election rules are modest, they are commonsense steps toward a fairer system for workers and businesses and will help us move toward a system that works for everyone, and they will help make sure our workers can simply exercise their rights to bargain for fair wages, for benefits and equitable treatment under the law. That is what our workers expect, it is what they deserve, and it is what the NLRB is working to deliver.

Once again, I urge our colleagues to vote against that resolution of disapproval. It is the wrong way to go for workers. It is the wrong way to go for businesses and for the middle class.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, let me join in the remarks by the Senator

from Washington. This National Labor Relations Board rule which will be voted on by the Senate tomorrow is one that was needed. The rule change was needed and the attempt on the floor, of course, is to undo this decision by the National Labor Relations Board.

If they say justice is denied, look at the current situation when it comes to a vote by workers on collective bargaining. If delayed at every potential opportunity, and sometimes it happens, workers have to wait, on average—average—198 days—that is 6½ months—to have a simple vote deciding if they would be represented by the union. In some extreme cases they have been forced to wait 13 years for the right to vote on collective bargaining.

One in five workers who openly advocate for unions during an election campaign is fired. As a result of these tactics, 35 percent of workers give up and withdraw from the election before a vote is held. The proposed NLRB rule changes will remove unnecessary delays to the process, cut down on unnecessary litigation, and provide workers a meaningful vote in a reasonable period of time. The proposed rules will apply the same way to workers attempting to decertify a union as they do to workers trying to form a union. So from the business side, if they think workers no longer wish to belong to a union, there will be a timely vote on that as well. It applies the same way to unions and employers.

This rule is fundamentally fair, and that is why I encourage my colleagues to join with me and Senator MURRAY and many others in voting against this effort by Senator ENZI to overturn the proposed National Labor Relations Board rule.

As I said earlier, Madam President, the rule applies the same way to unions and employers. But it does not require that elections be held within a specific time period and it does not deny companies the opportunity to express their opinion about union representation. The only real impact of the rule changes will be to better protect workers' right to make a determination for themselves through a reasonable fair timely election.

The NLRB rules create a uniform process for resolving pre- and post-election disputes to provide consistency and remove unnecessary obstacles to workers' right to vote.

NLRB hearing officers will be empowered to dismiss claims that would not impact the election. At the pre-election hearing, employers and unions can raise their concerns about the petition, but they can't play games to stall the election.

The rules consolidates the pre-election and post-election appeals into a single postelection procedure, which saves the parties from having to file and brief appeals that may be costly

and useless based on the outcome of the election.

The new rules make Board review of the regional directors' decisions discretionary. This change will require parties to identify compelling reason for Board review, allowing the Board to devote its limited time to cases where its review is warranted.

The new rules apply to both elections seeking to certify a union and elections seeking to decertify a union. Further, the new rules do not alter in any way an employer's ability to communicate with workers during the election period and do not require that elections be held within a certain period of time.

In the view of organized labor, these rules, even in their scaled back form, are one of few positive actions taken by Congress or the administration in the last year. Unions argue that the old rules are subject to manipulation, causing significant pre-election delay and leading to petitions being withdrawn prior to an election or avoidance of Board processes altogether. If an employer takes advantage of every opportunity for delay, the average time before workers vote is 198 days.

Business groups are opposed to the new NLRB rules arguing it will limit their ability to present their side in an election. Most of their points against the rule relate to provisions of the proposed rule that were not included in the final rule. Their position also stems from general opposition to the NLRB for the now settled Boeing issue, new worker rights posting requirements, the President's NLRB recess appointments, and other NLRB decisions.

IMMIGRATION

Mr. DURBIN. Madam President, this Wednesday the Supreme Court will hear a challenge to Arizona's controversial immigration law. I thought about this law over the weekend in Springfield, IL. There is an annual event where a special award is given to those sons and daughters of Illinois who have given great service to our State and Nation. Admiral Ron Thunman, one of my neighbors in Springfield, was a graduate of Springfield High School and enlisted in the Navy. He worked his way up to the rank of vice admiral in the U.S. Navy and at one point commanded our submarine fleet. To think of this young man from the middle of the Midwest ending up in charge of our submarine fleet is a great testament to his ability and to the opportunity the Navy gave him to serve his country.

When Admiral Thunman got up to receive his award—this Lincoln Award—he said: I stand here humbled by the memory of my father who was an illegal immigrant to this country from Norway, who came here jumping off a ship as a sailor and lived in the United States illegally until the time he was prepared to volunteer to serve our Nation in World War II.

Admiral Thunman tells that story over and over. What a reminder it is that the sons and daughters of immigrants to this country, as well as those immigrants themselves, literally made America what it is today.

One hundred one years ago, my mother arrived on a boat from Lithuania. Her boat came to Baltimore, MD, and my grandmother took herself, her sister, and brother, to East St. Louis, IL, where I grew up many years later. That is my story. It is an American story that is repeated over and over. Immigrants are part of America. It is the diversity of America that gives us our strength.

Those who hate and loathe immigrants have always been here. Probably as soon as the Mayflower landed, they looked over their shoulder and said, We hope nobody else is coming. But the fact is people have been coming from all over the world, and they still would rather come to this country than leave it, which is quite a testament to this Nation. Senator LIEBERMAN made that point on the floor the other day.

This week, the Supreme Court is going to take up an important question on immigration—the Arizona law. Under the Arizona law, any undocumented immigrant can be arrested and charged with a State crime—an Arizona crime—solely on the basis of their immigration status. It is a crime for an illegal immigrant in Arizona to fail to carry documents proving their legal status under this law. Under our Constitution, States don't have the right to pass their own laws preempting Federal laws on immigration. That is why the Justice Department filed the case the Supreme Court will hear this week.

Let us be clear. It is wrong to criminalize people because of their immigration status. That is not the way we treat immigrants in America. It is not right to make criminals of people who go to work every day, cook our food, clean our hotel rooms, care for our aging parents in nursing homes, and care for our children as well. It is not right to make criminals of those who worship with us in our churches, synagogues, and mosques, and people who send their children to the same schools as our children.

Here is the reality. This approach that Arizona law suggests will not help combat illegal immigration. Law enforcement doesn't have the time or resources to prosecute and incarcerate millions of people. Making undocumented immigrants into criminals will simply drive them farther into the shadows. The Arizona Association of Chiefs of Police took a look at the new Arizona law and came out in opposition to it. They said it makes it more difficult for them to maintain order and enforce law in Arizona. Immigrants, because of this law, the chiefs of police have said, will be much less likely to cooperate, and they need their cooperation to continue to fight crime.

There is another troubling aspect of the Arizona immigration law. According to experts, the law encourages racial profiling. I chair the Senate Judiciary Committee's Subcommittee on Constitution, Civil Rights, and Human Rights. Last week, at a hearing on racial profiling, we had the first hearing on the subject since 9/11/2001. One of the subjects we examined at the hearing is the state of Federal, State, and local measures in recent years under the guise of combating illegal immigration that have subjected Hispanic Americans to an increase in racial profiling. The Arizona immigration law is a prime example, and let me explain why.

Arizona's law requires police officers to check the immigration status of any individual if they have "reasonable suspicion" the person is undocumented. What is the basis for reasonable suspicion? Arizona's guidance on the law tells police officers to consider factors such as how someone is dressed and their ability to communicate in English.

Two former Arizona attorneys general, joined by 42 other former State attorneys general, filed a brief in the Arizona case and they said "application of the law requires racial profiling."

One of the witnesses in our hearing was Ron Davis, chief of police at East Palo Alto, CA. Chief Davis, along with 16 other current and former chief law enforcement officers, the Major Cities Chiefs of Police Association, and the Police Executive Research Forum, filed a brief in the Arizona case. Here is what the brief filed by the chiefs of police in the Arizona case before the Supreme Court said:

The statutory standard of "reasonable suspicion" of unlawful presence in the United States will as a practical matter produce a focus on minorities, and specifically Latinos.

Let me be clear: I believe—and I think most Americans share this belief—the vast majority of law enforcement officers in America perform their jobs admirably and courageously. When they wake up in the morning and put that badge on, they literally put their lives on the line for you, for me, and for all of us in America. Unfortunately, the inappropriate actions of a few, who engage in racial profiling, create mistrust and suspicion, and that hurts all police officers. The evidence clearly demonstrates that racial profiling doesn't solve crimes, it doesn't work, and that is what Chief of Police Ron Davis told us as well. That is why so many law enforcement leaders strongly oppose racial profiling and the Arizona immigration law.

Instead of measures that harm law enforcement and promote racial profiling, such as the Arizona immigration law, we need to support practical solutions to fix America's broken immigration system. And if I could say

one word in defense of Arizona, it is the fact that our failure—Congress's failure, Washington's failure—to deal with immigration has brought on this effort by many States and localities. We have our own responsibility.

Let me tell you where I think we should start. We should start our reform on immigration with the DREAM Act. Eleven years ago, I introduced this bill, legislation that allows a select group of immigrant students with great potential to contribute to America. The DREAM Act would give these students a chance to earn legal status, and ultimately citizenship, if they came to the United States as children or have been long-term U.S. residents with good moral character, have graduated from high school and have completed 2 years of college or military service in good standing.

Russell Pearce, the author of the Arizona immigration law, had this to say about the DREAM Act, and I quote:

The DREAM Act is one of the greatest legislative threats to America's sovereignty, national security and economic future.

Well, I see it differently, and so do people such as GEN Colin Powell and former Defense Secretary Robert Gates. They support the DREAM Act because it would make America a stronger Nation, giving these talented immigrants a chance to serve our military and to improve and contribute to our economy. Tens of thousands of highly qualified, well-educated young people would enlist in the armed services if the DREAM Act becomes law. Studies have found DREAM Act participants would contribute literally trillions of dollars to the U.S. economy during their working lives.

The best way to understand the need for the DREAM Act is to meet the Dreamers. Today I want to introduce you to a Dreamer from Arizona. Here she is. Her name is Dulce Matuz. She was brought to the United States by her parents from Mexico as a young child. At Carl Hayden High School in Phoenix, AZ, Dulce became a dedicated member of the school's robotics club where she found her true love—engineering.

She went on to graduate from Arizona State University, and we see her standing here with the mascot. She earned a bachelor's degree in electrical engineering. As a senior, Dulce received an internship to work on the NASA space station. But after she graduated, reality set in. Because Dulce is undocumented—one of the Dreamers—she can't work as an engineer in America. She can't become licensed in any State. She has no country.

In 2008, Dulce cofounded the Arizona DREAM Act Coalition, an organization of more than 200 DREAM Act students in predicaments like hers. She continues to volunteer at the high school she attended. Today, Dulce is 27 years

old. Last week, this amazing young woman was named one of the hundred most influential people in the world by Time magazine.

Time published a profile of Dulce written by the actress Eva Longoria. Here is what the profile said:

Dulce represents the finest of her generation, an undocumented Latina confronted with legal barriers to pursuing her engineering dream. She chose to fight for the right to contribute to the country she has called home since she was very young. Dulce takes on powerful opponents with grace and conviction, saying, "We are Americans, and Americans don't give up."

Dulce is right. Americans don't give up. We have been fighting for the DREAM Act now for 11 years. We are not going to give up until it is signed into law by a President of the United States. I am honored that this President, President Barack Obama, when he was a Senator was a cosponsor of my legislation. I know where his heart is when it comes to the DREAM Act.

Unlike the Arizona immigration law, the DREAM Act is a practical solution to a serious problem with our broken immigration system. I hope the Supreme Court will strike down the Arizona immigration law, and I again beg my colleagues to support the DREAM Act. It is the right thing to do, and it will make America a stronger nation.

Madam President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent to speak as if in morning business for up to 10 minutes.

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

GI BILL CONSUMER AWARENESS

Mr. BROWN of Ohio. Madam President, late last month I brought to Washington 55 or so college presidents from Ohio—presidents of 2-year and 4-year private and public colleges and universities—to discuss a whole host of issues. One subject that always comes up when you talk about young people, when you talk about college, when you talk about universities, is access to higher education, that far too many of our young people simply can't afford to go to college.

My wife, a graduate of Kent State some 30 years ago, was privileged in those days even though nobody in her family had ever gone to college. Her dad carried a union card, was a utility worker in Ashtabula, OH, working as a maintenance worker in a local powerplant. She was able to go to school because in those days college was more accessible—Pell grants, some loans, tuition was significantly lower—and she was able to be the first in her family to go to college, and she went to Kent State University. Today it is much harder. Tuition is far too high. Pell grants haven't kept up with the cost of education the way they might have 30 years ago.

One of the options we have, the subsidized Stafford loan, which is available to students based on need and is often the main pathway to college for a number of them, is under stress, if you will. If we do nothing, if Congress doesn't do anything, the interest on these critical loans will double for borrowers beginning July 1, 2012. So the interest rates will actually double on those students if Congress does nothing. The interest rate right now is 3.4 percent. That is why they are called subsidized Stafford loans.

We know that investing in our young people this way, giving them an opportunity to go to college, which they couldn't otherwise, could make such a difference in their lives. A number of people don't want to go to college. That is fine. Those who want to go should have that opportunity.

Student debt in this country has reached about \$870 billion, exceeding credit cards and auto loans. As more and more students continue to enroll in higher education, balances are expected to continue climbing. This means fewer of our young adults will be able to buy a home, start a business, or continue on to graduate school. Already, students graduate from 4-year colleges and universities in Ohio with, on average, about \$27,000 in student loan debt. If the interest rates double, it will add another \$2,000 in debt for the average borrower and as much as an additional \$5,000 for the neediest borrower on subsidized Stafford student loans. A number in this institution in the Senate on the Democratic side are trying to convince our colleagues how important it is that we stop this interest rate from doubling. We must act before July 1.

Just as we have an obligation to keep college affordable for middle-class Americans and working-class Americans, we have as great an obligation to keep college accessible to American veterans. This year more than 500,000 servicemembers and veterans are expected to take advantage of the post-9/11 GI bill, a bill we passed out of the Veterans' Affairs Committee to ensure that all veterans could afford the rising cost of college. The VA is expected to spend some \$11 billion in education benefits and other GI bill benefits this year alone.

We know in the 1940s and 1950s what the first GI bill did—signed near the end of World War II—how it created a whole generation of prosperity and a strong middle class. We know that the GI Bill of Rights, which the House and Senate passed I believe 3 years ago, has begun to help large numbers of veterans again. Unfortunately, servicemembers and veterans are often aggressively recruited by some educational institutions that use misleading information. For instance, if you visit the Web site gibill.com, it directs a veteran to enter his or her per-

sonal and contact information to obtain information about the GI bill's educational benefits. It looks just like a government Web site, but it is not. It turns around and sells that veteran's information, often to for-profit colleges.

Earlier today, I was welcomed at a VFW post in Cleveland by Jason Plezko, the commander of that post. I met with Brad Sonenstein, a U.S. Air Force veteran now studying at Kent State, and Joshua Rider, the assistant director of the Center for Adult and Veteran Services at Kent State University. Brad explained how he was inundated with offers and letters when he was exploring how to utilize his well-earned GI benefits. Those offers overwhelmingly came from for-profit colleges. He said they were more interested in their own bottom line than helping those who served in the front lines. That is simply not right.

No one is in a better position to make a decision as to what is best for them as a veteran than the veteran herself or the veteran himself. We can play a role in assisting them. The GI Bill Consumer Awareness Act provides veterans with more and better information about their benefits, calls for improved education counseling, and gives colleges new resources to hire people such as Joshua Rider to help returning veterans. It requires all institutions of higher education to disclose critical information, such as the average student loan debt, the transferability of credits, and accurate job-placement data. We do that at our State universities. We do that at most of our not-for-profit private schools. We do that at our 2-year community colleges.

Those using the GI bill tend to be older than the average student population. They choose to serve our Nation, often right out of high school rather than going straight to college. Because of this many have families and careers and other challenges their classmates don't have. Giving our veterans the tools to make the best possible decisions benefits all of them. That is the importance of the GI Bill Consumer Awareness Act.

I particularly thank Senator MURRAY, chair of the Veterans' Committee, for her work on this legislation. This body should pass it immediately.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

SURFACE TRANSPORTATION ACT

Mr. WHITEHOUSE. Madam President, I would like to first express my appreciation to the Senator from Ohio for his work on these education issues, particularly the importance of the Stafford loan and avoiding the interest rate jump that is scheduled to take place. And I would point out that had we passed the so-called Buffett rule bill so that Americans who earn well over \$1 million a year would actually all pay

a fair share of taxes, that would have created somewhere between \$47 billion and \$163 billion in revenues, and that would readily pay for keeping the student loan rate down. So I hope we can find another way to do it, but that would have been one good way.

The reason I am on the floor this evening is because I was at Wickford Junction in Rhode Island earlier today, where a new commuter rail station has been built, largely through the energy and effort of my senior Senator, JACK REED, over many years. Secretary LaHood, the U.S. Secretary of Transportation, came to be present at that event, and that reminded me, of course, of the highway bill, which is probably the biggest jobs bill we could pass here in Congress.

We tend to talk a good game on jobs. Recently, we even referred to a bill as a JOBS bill. It had kind of a trick: It was actually called Jumpstart Our Business Startups, J-O-B-S. They made an acronym so that it sounded like a jobs bill when what it really did was to allow people to market stocks without the usual safeguards that protect investors and consumers.

So we do a lot to try to convince people we are working on jobs here in Congress, but the one bill that indisputably is really going to be helpful to the American economy to provide jobs would be the highway bill that the Senate passed—2.9 billion jobs protected or created. In my State of Rhode Island, it is 9,000 jobs, and I promise you we could use those 9,000 jobs in Rhode Island right now. The bill passed the Senate with flying colors, with every kind of credit you could associate with a piece of legislation. It passed 74 to 22. A 75th Senator indicated that he would have supported it but he was called out of town for a funeral. And obviously, with a 74-to-22 lopsided vote, his vote was not necessary. But, in effect, 75 Senators are on record supporting that bill, which in this Senate, as everybody knows, is a considerable landslide of a majority.

Now, 2.9 million jobs is a serious thing in this economy, with 9,000 in Rhode Island that we desperately need. And the bill left not only with the support of a unanimous Environment and Public Works committee, where it came from originally—and I commend both Senator BOXER and Senator INHOFE, the chair and the ranking member, for pulling that together. As people who watch the Senate know, Senator BOXER and Senator INHOFE come from rather different political persuasions, and yet they were able to agree on this and bring a bill out of committee unanimously.

It then came to the floor and went forward. We had 5 weeks of floor debate. We added 40 amendments either by vote or agreement. It was very bipartisan, it was very transparent, and

we ended up with that 75-to-22 expression of support by the Senate for that bill.

There was a rather different story on the House side. They knew the March 31 deadline was approaching—it had been a matter of law for a long time—and they blew the deadline. They had no bill going into it. They tried several times to come up with something, and they couldn't do a thing. They had no bill at all.

So without a bill, one would hope they could have passed the Senate bill. They certainly had the votes. All they had to do was call it up and pass it. Democrats and Republicans would have voted for it, and we would be getting those jobs out there right now. Instead, they had no bill, and they chose to pass an extension. The extension is actually pretty harmful. They actually passed two, and they are both harmful.

The first short-term extension—I spoke to my DOT director in Rhode Island. He was at Wickford Junction as well, and we have done a couple of other events in the past week or so to try to bring attention to this. He has a list of roughly 95 or 96 projects they want to get done in Rhode Island in the summer building season, the highway construction season. He estimates that probably 40 of those jobs are going to fall off the list because they don't know what their long-term funding is, and they can't commit to those jobs until this gets settled. So these short-term extensions are very harmful. They cost jobs. They are job killers. Yet the House has passed two of them.

To make it even more complicated, they threw on the last one—a requirement that the Keystone Pipeline be bulldozed through all the regulatory and environmental reviews that are necessary. Say what you want about the Keystone Pipeline, it is a completely contentious, controversial issue here in Congress. They did not make an effort to resolve it on the House side. This was not something where they brought people together, came to a resolution on the Keystone Pipeline, and then added it to the bill. No. They just took their Republican version of it without any effort to be bipartisan and stuffed it into the highway extension.

So they have missed the chance to pass really good bipartisan legislation out of the Senate, they have passed a job-killing extension that is very harmful to folks doing highway work around the country, and they have complicated it further by throwing a controversial issue on top.

If you are serious about jobs—and I know we talk a lot about it in the Senate—if you are serious about jobs, we should stop that nonsense and take up the Senate bill and pass it in the House and get everybody to work. In the absence of that, we need to make sure that we move to conference very quickly, that we appoint conferees, and that we get going.

This is important to Rhode Island. As I said, we desperately need these highway jobs. So I am going to continue, along with many of my colleagues, coming to the Senate floor to put the pressure on to do something that is very simple: pass a highway bill. This is not complicated. We have been doing it since Eisenhower was President, and the fact that we can't do it now says a lot about the capacity for governance of the House of Representatives under this Speaker.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

POSTAL SERVICE REFORM

Ms. KLOBUCHAR. Madam President, after our work on this important bill to reform the Postal Service is complete, we will be turning to another important bill, one that has a long history of bipartisan support. That bill, the Violence Against Women Act, is a law that has literally changed the way we think about violence against women in the United States.

The Violence Against Women Act is one of the great legislative success stories of this generation. Since it was first passed in 1994—and I will tell you that then-Senator BIDEN was involved in drafting that legislation and led that effort, he and someone we miss very dearly in Minnesota, Paul Wellstone. He and his wife Sheila were also involved in getting this important bill passed. Since that time, annual domestic violence rates have fallen by 50 percent as communities nationwide have stopped looking at these issues as family issues and started treating domestic violence and sexual assault as the serious crimes they are.

Before I came to the Senate I spent 8 years as chief prosecutor for Minnesota's largest county, Hennepin County. During that time, both prevention and the prosecution of domestic violence were one of my top priorities. We were very proud of the Domestic Violence Service Center, which was cutting edge in the Nation, a one-stop shop where people could go when they were victims of domestic violence, a place for their kids; shelters, prosecutors would be able to charge out complaints, police would be there for protective orders. It was a way to help people who were at the point where they thought no one was there for them, for women to be able to come in and find one place that was safe for them.

As we all know, there is still a lot of work to be done. According to a recent survey conducted by the Centers for Disease Control and Prevention, 24 people per minute are victims of rape, physical violence, or stalking. Approximately one in four women has experienced severe physical violence by an intimate partner at some point in their lifetime, and 45 percent of the women killed in the United States every year

are killed by an intimate partner. Every year close to 17,000 people lose their lives to domestic violence.

These statistics mean domestic violence and sexual assault and stalking are still problems in America. As far as we have come, we can still do better. That is why it is such a good thing that we passed the Violence Against Women Act reauthorization out of our Judiciary Committee and the bill now has the support of 61 Senators, including 8 Republicans. I am hopeful we will be able to pass this bill quickly after we take it up later this week. It has taken too long.

Combating domestic violence and sexual assault is an issue on which we should all be able to agree. Many of the provisions in the reauthorization bill make important changes to the current law. The bill consolidates duplicative programs and streamlines others. It provides greater flexibility in the use of grant money by adding more "purpose areas" to the list of allowable uses. It has new training requirements for people providing legal assistance to victims, and it takes important steps to address the disproportionately high domestic violence rates in the Native American communities.

The bill also fills some gaps in the system. I am pleased to say it includes legislation I introduced with Senator HUTCHISON to address high-tech stalking, cases where the stalker uses technology such as the Internet, video surveillance, and bugging to stalk their victims. Sadly, we are seeing more of this. This bill will give law enforcement better tools for cracking down on stalkers.

Just as with physical stalking, high-tech stalking may foreshadow more serious behavior down the road. It is an issue to take seriously, and we in law enforcement must be as sophisticated as those who are breaking the law. That is why we need to update this law.

We also should not lose sight of the fact that the VAWA reauthorization has strong support from law enforcement. The Fraternal Order of Police, the Federal Law Enforcement Officers Association, the National Sheriffs' Association, and the International Association of Chiefs of Police support this bill.

Recent events in my State have shown me and the entire population of Minnesota in the worst possible way just how closely domestic violence is linked with the safety of our law enforcement officers. I don't think people always think about that. They realize when police officers are out driving on the road, drunk drivers are out driving on the road—that it is risky. Because the police are constantly on the road. What they don't realize is one of the leading causes of death of officers is domestic violence-related incidents.

A couple of months ago I attended the funeral of Shawn Schneider, a

young police officer from Lake City, MN. Officer Schneider died responding to a domestic violence call—a 17-year-old girl who was being abused by her boyfriend. When Officer Schneider arrived at the scene, he was shot in the head. The girl survived, but Officer Schneider literally gave his life to save another. I attended that funeral, and I will never forget the heartbreaking scene of his two young sons walking down the church aisle with the little girl, his daughter, in a blue dress covered with stars. I think it reminds all of us that domestic violence just doesn't hurt the immediate victim, it hurts entire families, entire communities.

This has never been a partisan bill. It is crucial to pass this bill. We have made a lot of progress over the years, and we have been able to work across the aisle to build on VAWA's success. That is something that means a lot to me, and it certainly means a lot to the millions of people who are victims of domestic abuse and sexual assault every single year.

I urge my colleagues to support our efforts to bring this bill to the floor quickly. We can pass it this week. We can provide desperately needed help to victims of domestic assault, domestic violence, and other such crimes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that upon disposition of S. 1789 but no earlier than Wednesday, April 25, the Senate adopt the motion to proceed to Calendar No. 312, S. 1925.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

NATIONAL CRIME VICTIMS' RIGHTS WEEK

Mr. LEAHY. Mr. President, today marks the beginning of the 31st annual National Crime Victims' Rights Week. It is a time to recognize the losses faced by victims of crimes and their families and to acknowledge the efforts being made to help them recover and rebuild their lives in the wake of trag-

edy. It is a time to reflect on all we have accomplished and focus on what we have to yet do to help victims.

Of course, one of the best tools for delivering that help is the Crime Victims Fund. Unfortunately, in recent months, some have sought to violate the Victims of Crime Act. They want to take money out of the trust fund for purposes and programs not authorized by the Victims of Crime Act. I have worked with Senators from both sides of the aisle. We have been able to stop this raid on crime victims' funding. I wish to commend Senators MIKULSKI and HUTCHISON, the chair and ranking member of the Subcommittee on Commerce, Justice, Science of the Committee on Appropriations for their important efforts in this regard in the appropriations bill we reported to the Senate last week.

The Senate Appropriations Committee, on which I serve, has reported a bill that preserves the Crime Victims Fund, and we succeeded in increasing the funding next year for victims' compensation and assistance to \$775 million. To be able to increase Federal assistance by \$70 million from last year's cap is extraordinary in these economic times, and it is an indication here in the Senate of our commitment to crime victims. This is a matter on which I have worked with Senator CRAPO as well as Senator MIKULSKI over the years. I appreciate their leadership in this effort.

The Crime Victims Fund is not taxpayers' money. It comes from penalties and fines. It comes from wrongdoers. We designed it to help victims of crime. We created it as a trust fund for crime victims' needs and services. I have tried to respect the trust fund and to protect it, to ensure that it is used and available for crime victims and their families who depend on its support in times of need. We all know the States are being forced to tighten their belts, and when they do, victims' services are being cut all over the country. Without the Federal assistance from this trust fund, victims' compensation programs and victims' assistance programs and services will be unavailable to many.

Another important law that strengthens crime victims' rights and improves crime victims' services is currently pending before the Judiciary Committee. The Justice For All Reauthorization Act strengthens the rights guaranteed to crime victims in the criminal justice process and ensures that basic services, like the rapid testing of rape kits, help victims receive the justice, safety, and closure they deserve. I look forward to working with Senators from both sides of the aisle to move that legislation forward as well.

Currently pending before the Senate is the majority leader's motion to proceed against the Violence Against Women's Act, S. 1925. I introduced this

legislation with Senator CRAPO last year. We have 61 bipartisan cosponsors from both parties. When we enacted the Violence Against Women Act nearly 18 years ago, it sent a powerful message that we will not tolerate crime against women and forever altered the way our Nation combats domestic and sexual violence. Our legislation offers support to the victims of these terrible crimes and helps them find safety and rebuild their lives. The bill we will debate this week is based on the recommendations of victims and the tireless professionals who work with them every day.

April is also Sexual Assault Awareness Month and our bill takes the important step of focusing increased attention on sexual assaults, including those against the most vulnerable among us.

As I listened to Senator MURRAY, Senator FEINSTEIN, Senator SHAHEEN, and Senator GILLIBRAND—and, as a matter of fact, I spoke with Senator HAGAN last week about the pending motion to proceed to the VAWA reauthorization legislation—I thought how fortunate we all are to serve with them and with Senators MIKULSKI, BOXER, SNOWE, LANDRIEU, COLLINS, STABENOW, CANTWELL, MURKOWSKI, MCCASKILL, KLOBUCHAR, and AYOTTE. In fact, 16 women senators are cosponsors of our Violence Against Women Reauthorization Act, and their input has strengthened this critical legislation. I appreciate their strong bipartisan support for this measure and their willingness to speak out time and again on the need to pass this bill without delay.

We recently honored the senior Senator from Maryland for her services as the longest-serving woman Senator and as the woman who has also served the longest in Congress. I can remember back before 1993, when Senator Carol Mosely Braun became the first woman to serve as a member of the Senate Judiciary Committee. We are fortunate now to have both Senator FEINSTEIN and Senator KLOBUCHAR as active members of our Committee.

I remember when nine women Senators joined together to contribute to the book "Nine and Counting" about their paths to the U.S. Senate. These women have served as role models for many other young women and young girls. Even as Senator Clinton has gone on to become our Secretary of State, there have been other changes. Six of the nine Senators who were subjects of the book in 2001 still serve in this institution today. They have been joined by nine additional women Senators from around the country. This book, "Nine and Counting," was a title for looking to the future. Today, 17 women serve in the U.S. Senate. That is a great step forward. They have farther to go, of course, but it is a lot better than when I came to the Senate when we had no women serving. Sixteen of them have

joined from both sides of the aisle to bring their leadership and their strong support, but also their experience, to the Violence Against Women Reauthorization Act.

Our bill includes a number of provisions they have championed and suggested. To will give one example, our bill includes the provisions that Senator KLOBUCHAR and Senator HUTCHISON suggested and introduced as the Stalkers Act of 2011. That provision is new to VAWA. It would not have been included if we had simply introduced a one-sentence reauthorization of VAWA rather than a comprehensive bill. I thought it was a good provision, intended to update the Federal antistalking statute to capture the more modern forms of communication that perpetrators use to stalk their victims.

In the spirit of National Crime Victims' Rights Week, our reauthorization bill takes steps to recognize victims' needs that are not being served and find ways to help them. That approach is not radical or extreme. The fact that the bill reaches more victims should not be a basis for partisan division; it is something we ought to celebrate. I have said on the floor before, a victim is a victim is a victim.

In my earlier career I would go to a crime scene at 3 o'clock in the morning with the police, as the chief law enforcement officer of our county. We might have a badly battered woman—if she survived; sometimes the victim did not survive—but I never heard the police say, "Well, if we are going to do something on this, we have to figure out whether this victim is a Democrat or a Republican, or we have to figure out whether this victim is gay or straight, or we have to figure out"—no. They said, "For this victim, let us find out who did this and let's get them and let's see what we can do," or if the victim is still alive, what we could do to protect the victim. That is what the Violence Against Women Act has always done and what I have tried to do for crime victims for many years.

As we have done on every VAWA reauthorization bill, we have learned from past experience how to make it better and now we make it better by taking responsible and moderate steps, in this case to protect immigrant and native women, and ensuring services to victims regardless of sexual orientation or gender identity, again under the mantra "a victim is a victim is a victim."

At the same time, we recognize the difficult economic times and the need to ensure that taxpayer dollars are being spent responsibly. That is why the bill consolidates 13 programs into 4 in an effort to reduce duplication and bureaucratic barriers. It cuts the authorization level for VAWA by more than \$135 million a year, a decrease of nearly 20 percent from the last reau-

thorization. We will still provide sufficient authority to fund VAWA programs at over \$400 million a year, which is consistent with the funding level provided in the appropriations bill for the coming year. Our legislation also includes significant accountability provisions, including audit requirements, enforcement mechanisms, and restrictions on grantees and costs.

Since its introduction last November, more than 700 State and national organizations have written to endorse the Violence Against Women Reauthorization Act. They are 200 national organizations, including 500 State and local organizations—the National Task Force to End Sexual and Domestic Violence, the National Association of Attorneys General, the National District Attorneys' Association, the National Sheriffs' Association, the International Association of Chiefs of Police, the Federal Law Enforcement Officers Association, and 25 national religious organizations. Last week, the mayors of three of the Nation's largest cities—New York, Chicago, and Los Angeles—wrote to the Senate urging us to pass the VAWA reauthorization. We have heard from 47 State attorneys general, Republican and Democratic alike, urging Senate passage of this legislation. That is because they recognize this Federal law is meaningful and that this reauthorization addresses the ongoing, unmet needs of victims in their States.

I ask unanimous consent that at the conclusion of my remarks these letters be printed in the RECORD.

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

(See exhibit 1.)

Mr. LEAHY. In fact, today I was advised by Bruce Cohen in my office that we have received the statement of administrative position. It is a very strong statement from the White House, and it is a strong statement in support of the Violence Against Women Reauthorization Act. I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. LEAHY. I am glad we are finally moving to this.

The last two reauthorizations, each one an improvement on the one before, passed this body unanimously. We should do the same. It is not a partisan issue. I ask other Senators, if they haven't spoken with victims of abuse, to speak to those who are; talk to the police chiefs; talk to the people who have to deal with this; talk to the people who have survived some of these horrendous attacks. Ask them if they think this is needed. Ask those who have been protected from further abuse because of the steps we have taken in the Violence Against Women Act—ask them if we need it.

The Presiding Officer and the other 98 Senators come in this building and we are protected by one of the finest police forces that exists, the Capitol Hill Police force. We don't have to worry; nobody is going to attack us. In the Presiding Officer's State and my State and all of the other States, unfortunately, thousands of people cannot rest easily that way. They know their attacker and often they know their attacker is waiting to do it again. We can easily stand up and say here in the Senate: No, we won't stand for this violence against women. Let's take the steps that we can take, the men and women in this body. Let's take the steps we can take to stop the violence.

EXHIBIT 1

APRIL 19, 2012.

Hon. HARRY REID

Majority Leader, U.S. Senate, Hart Senate Office Building, Washington, DC.

Hon. MITCH MCCONNELL,

Minority Leader, U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL: As mayors who collectively represent over seven and a half million women, we believe it is imperative that the Senate pass S. 1925, the Violence Against Women Reauthorization Act of 2011. Despite considerable progress over the past two decades in addressing the epidemic of violence against women, we recognize that much more needs to be done and that this legislation will strengthen our national commitment to tackling the challenges that remain.

Since 1994, the Violence Against Women Act (VAWA) has provided a comprehensive, coordinated, and community-based approach toward reducing domestic violence, sexual assault, stalking, and other forms of violence. Over the past two decades, its programs and services have provided lifesaving assistance to hundreds of thousands of victims. Through victim support programs, local and state funding assistance, and the U Visa program, VAWA has strengthened the ability of the criminal justice system to investigate and prosecute crimes and hold violent perpetrators accountable. These efforts have contributed to dramatic reductions in the incidence and impact of violence against women, including an over 50 percent decline in the annual rate of domestic violence. As we seek to make further progress, we believe it is essential that we provide services to victims regardless of their gender, race, language, immigration status, or sexual orientation.

As mayors, we have seen the tremendous positive impact of the Violence Against Women Act in our communities. In New York, VAWA funding has helped open three Family Justice Centers, which are one-stop domestic violence centers with staff from government agencies and nonprofit organizations to assist victims of domestic violence. In Los Angeles, VAWA funding has also helped expand its Domestic Abuse Response Team—a collaborative effort between law enforcement officers and victim advocates to respond to domestic violence calls at the scene of the crime and provide crisis intervention. The Chicago Police Department uses its funding to train staff to assist victims of domestic abuse in an effort to provide the best resources to these victims. These are just a few examples of the vital services and assistance that this landmark law has enabled communities all over the

country to provide to combat this terrible problem.

Despite the progress that has been made, much more needs to be done. Still today, nearly one in five women have been sexually assaulted or raped in their lifetime, and 45 percent of the women killed in the United States die at the hands of an intimate partner. This level of violence is simply unacceptable. We believe that S. 1925—like the 2000 and 2005 reauthorizations that preceded it—will help us better address continuing problems and remaining unmet needs. This legislation will expand services to immigrant and lesbian, gay, and transgendered communities, who not only experience the highest rates of violence but often have the most difficulty in accessing services. In recognition of the persistent problem of sexual violence, S. 1925 also will strengthen the capacity of local, state, and federal law enforcement to investigate and prosecute these crimes. While these tools will be essential in achieving justice, they are also a reminder of the wide impact that domestic violence has on the community at large including law enforcement. In each of our cities, police officers have been injured or murdered while responding to domestic violence incidents.

For these reasons, we believe that it is critical that the Senate move quickly to take up and pass S. 1925 in order to strengthen our national commitment to all victims of domestic violence.

Sincerely,

RAHM EMANUEL,

Mayor, City of Chicago.

ANTONIO R. VILLARAIGOSA,

Mayor, City of Los Angeles.

MICHAEL R. BLOOMBERG,

Mayor, City of New York.

NATIONAL ASSOCIATION
OF ATTORNEYS GENERAL,

Washington, DC, January 11, 2012.

DEAR MEMBERS OF CONGRESS, Since its passage in 1994, the Violence Against Women Act (“VAWA”) has shined a bright light on domestic violence, bringing the issue out of the shadows and into the forefront of our efforts to protect women and families. VAWA transformed the response to domestic violence at the local, state and federal level. Its successes have been dramatic, with the annual incidence of domestic violence falling by more than 50 percent.

Even though the advancements made since in 1994 have been significant, a tremendous amount of work remains and we believe it is critical that the Congress reauthorize VAWA. Every day in this country, abusive husbands or partners kill three women, and for every victim killed, there are nine more who narrowly escape that fate. We see this realized in our home states every day. Earlier this year in Delaware, three children—ages 12, 2½ and 1½—watched their mother be beaten to death by her ex-boyfriend on a sidewalk. In Maine last summer, an abusive husband subject to a protective order murdered his wife and two young children before taking his own life.

Reauthorizing VAWA will send a clear message that this country does not tolerate violence against women and show Congress’ commitment to reducing domestic violence, protecting women from sexual assault and securing justice for victims.

VAWA reauthorization will continue critical support for victim services and target three key areas where data shows we must

focus our efforts in order to have the greatest impact:

Domestic violence, dating violence, and sexual assault are most prevalent among young women aged 16-24, with studies showing that youth attitudes are still largely tolerant of violence, and that women abused in adolescence are more likely to be abused again as adults. VAWA reauthorization will help us break that cycle by consolidating and strengthening programs aimed at both prevention and intervention, with a particular emphasis on more effectively engaging men and local community-based resources in the process.

A woman who has been sexually assaulted can be subjected to further distress when the healthcare, law enforcement, and legal response to her attack is not coordinated and productive. Whether it is a first responder without adequate training, a rape kit that goes unprocessed for lack of funding, or a phone call between a crisis counselor and a prosecutor that never takes place, sexual assault victims deserve better. We must develop and implement best practices, training, and communication tools across disciplines in order to effectively prosecute and punish perpetrators, as well as help victims heal and rebuild their lives.

There is a growing consensus among practitioners and researchers that domestic violence homicides are predictable and, therefore, often preventable. We can save the lives of untold numbers of potential homicide victims with better training for advocates, law enforcement, and others who interact with victims to recognize the warning signs and react meaningfully.

The fight to protect women from violence is one that never ends. It is not a year-to-year issue, which is why we think it is critical that Congress reauthorize the Violence Against Women Act. We know a great deal more about domestic violence, dating violence, sexual assault and stalking than we did 17 years ago. Reauthorizing VAWA will allow us to build on those lessons and continue to make progress and save lives.

VAWA was last reauthorized in 2006 and time is of the essence for reauthorization of this important law. We urge Congress to take on this critical mission and reauthorize VAWA.

Thank you.

Sincerely,

Joseph R. “Beau” Biden III, Delaware Attorney General; Arthur Ripley Jr., American Samoa Attorney General; Dustin McDaniel, Arkansas Attorney General; John W. Suthers, Colorado Attorney General; Irvin Nathan, Washington DC Attorney General; William J. Schneider, Maine Attorney General; Tom Horne, Arizona Attorney General; Kamala Harris, California Attorney General; George Jepsen, Connecticut Attorney General; Pam Bondi, Florida Attorney General; Sam Oles, Georgia Attorney General; David Louie, Hawaii Attorney General; Lisa Madigan, Illinois Attorney General; Tom Miller, Iowa Attorney General; Jack Conway, Kentucky Attorney General.

Douglas F. Gansler, Maryland Attorney General; Bill Schuette, Michigan Attorney General; Jim Hood, Mississippi Attorney General; Steve Bullock, Montana Attorney General; Catherine Cortez Masto, Nevada Attorney General; Jeffrey Chiesa, New Jersey Attorney General; Lenny Rapadas, Guam Attorney General; Lawrence Wasden, Idaho Attorney General; Greg Zoeller, Indiana Attorney General; Derek Schmidt, Kansas Attorney General; James “Buddy” Caldwell, Louisiana Attorney General; Martha Coakley,

Massachusetts Attorney General; Lori Swanson, Minnesota Attorney General; Chris Koster, Missouri Attorney General; Jon Bruning, Nebraska Attorney General; Michael Delaney, New Hampshire Attorney General; Gary King, New Mexico Attorney General.

Eric Schneiderman, New York Attorney General; Wayne Stenehjem, North Dakota Attorney General; Mike Dewine, Ohio Attorney General; John Kroger, Oregon Attorney General; Guillermo Somoza-Colombani, Puerto Rico Attorney General; Alan Wilson, South Carolina Attorney General; Robert E. Cooper, Jr., Tennessee Attorney General; Mark Shurtleff, Utah Attorney General; Vincent Frazer, Virgin Islands Attorney General; Darrell V. McGraw, Jr., West Virginia Attorney General; Greg Phillips, Wyoming Attorney General; Roy Cooper, North Carolina Attorney General; Edward T. Buckingham, Northern Mariana Islands Attorney General; Scott Pruitt, Oklahoma Attorney General; Linda L. Kelly, Pennsylvania Attorney General; Peter Kilmartin, Rhode Island Attorney General; Marty J. Jackley, South Dakota Attorney General; Greg Abbott, Texas Attorney General; William H. Sorrell, Vermont Attorney General; Rob McKenna, Washington Attorney General; J.B. Van Hollen, Wisconsin Attorney General.

EXHIBIT 2

STATEMENT OF ADMINISTRATION POLICY

S. 1925—VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011

(Sen. Leahy, D-VT, and 60 cosponsors, Apr. 23, 2012)

The Administration strongly supports Senate passage of S. 1925 to reauthorize the Violence Against Women Act, a landmark piece of bipartisan legislation that first passed the Congress in 1994 and has twice been reauthorized. That Act transformed the Nation’s response to violence against women and brought critically needed resources to States and local communities to address these crimes.

The Administration is pleased that S. 1925 continues that bipartisan progress and targets resources to address today’s most pressing issues. Sexual assault remains one of the most underreported violent crimes in the country. The bill provides funding through State grants to improve the criminal justice response to sexual assault and to better connect victims with services. The bill also seeks to reduce domestic violence homicides and address the high rates of violence experienced by teens and young adults. Reaching young people through early intervention can break the cycle of violence.

The Administration strongly supports measures in S. 1925 that will bring justice to Native American victims. Rates of domestic violence against Native American women are now among the highest in the United States. The bill builds on the Tribal Law and Order Act—which President Obama signed on July 29, 2010—to improve the effectiveness and efficiency of tribal justice systems and will provide additional tools to tribal and Federal prosecutors to address domestic violence in Indian country. The Administration also supports the important leadership role of the Office on Violence Against Women and believes that all victims should have access to critically needed services and protections.

TRIBUTE TO CHARLES COLSON

Mr. BLUNT. Mr. President, I wish to talk for a few minutes about Chuck

Colson, who was a friend of mine and the founder of Prison Fellowship Ministries. He died on Saturday at 80.

Before Chuck Colson was 40, he was counselor to the President of the United States, Richard Nixon. At about that same time, about the time he was 40, he pled guilty to offenses related to the Daniel Ellsberg break-in. When he did that, I am told, even though his lawyers advised him not to plead guilty at that moment, he said pleading guilty was “the price I had to pay to complete the shedding of my old life to be free to live the new life.” In June of 1974, he began to serve his prison sentence.

What was the new life? In August of 1973, Chuck Colson’s good friend Tom Phillips had counseled with him, and that was the moment Chuck Colson said he decided his life would be led as a Christian, that he would surrender his life to the Christian view and the Christian belief. He personally told me at one time that it was T.S. Eliot’s writing “Mere Christianity” that then later became the intellectual basis for his faith. But initially his faith was needed more than he clearly understood he had, and he found that in his faith. It was an active faith.

I am constantly amazed that an active God can take the bad decisions people make and, while God would not have wanted those to be the decisions people make, can turn them into incredible opportunities. In the life of Chuck Colson, that incredible opportunity became the founding of Prison Fellowship Ministries and the impact it had on so many other lives.

Twenty years ago, I became the first chair of the Missouri Prison Fellowship. As Chuck Colson was reaching out and trying to see how this idea could become an idea that would sustain itself and perhaps in the future within States. As a House Member, 10 years ago, I hosted a speakers series that was the Chuck Colson speakers series, and I was able to spend time with him virtually every week for 2 or 3 months as we had people come in and visit with House Members in a great speaker series.

I personally benefited from lots of advice and discussions with him. Just to sum up a couple things about him as I reach a conclusion that doesn’t begin to express the impact he had on people’s lives.

He founded Prison Fellowship Ministries in 1976. He founded Justice Fellowship in 1983. They have both grown to serve literally thousands of prisoners in this country and around the world. Prisons around the world saw Chuck Colson walk into them as well to try to help people.

In 1993, he won the Templeton Prize for Progress in Religion; in 1994, he was instrumental in drafting the publication and publishing a document called the “Evangelicals and Catholics To-

gether.” In 2008, he was awarded the Presidential Citizen Medal by President George W. Bush, and he is survived by a family who cared about him and lots of friends.

For almost 40 years, starting with the Mike Wallace interview—as I suppose only Mike Wallace could interview someone—there were doubters and skeptics who questioned his faith, who questioned the change in his life beginning in 1973, but of course, they questioned it less so every year. I would say, in 2012, that Chuck Colson passed any test about whom he had become. The test is both past, P-A-S-T, and passed, P-A-S-S-E-D. He won the race. Lives continue to be changed, and I would just say, I thank God for Chuck Colson, and I thank my good friend from Vermont for giving me a few moments on the floor.

TRIBUTE TO KENTUCKY STATE REPRESENTATIVE DANNY FORD

Mr. MCCONNELL. Mr. President, I stand before you today to call attention to the great service of my dear friend, State Representative Danny Ford of Mt. Vernon, KY.

Danny was elected to the Kentucky House of Representatives for the first time in 1982. He represents the 80th District, which for most of his tenure has included the counties of Pulaski, Lincoln, and Rockcastle, Danny’s native county. However, Representative Ford has decided his time in Frankfort, the State’s capital, will end with his current term. But based on the outstanding service to constituents he is known for, I say with confidence today that if Danny had decided to run again he would have most assuredly won.

There are few men finer than Danny, a hard-working, honest family man and a devoted student of the State government process. An auctioneer and real-estate agent by trade, Danny has worked alongside members of his family in their various Mt. Vernon businesses throughout his life. As the grandson of a former Rockcastle county judge, he is most at home when he is at home, amongst the citizens of the 80th District whom he cares about so deeply.

Danny has said that “the greatest part of my job has been helping my constituents find their way through the mazes of State government.” And that is exactly what Danny did. He believes in the philosophy of being attentive and accessible. No matter what, you could always count on Danny to be ready and willing to listen to any and all of his constituents’ concerns.

Danny is truly a one-of-a-kind elected official. He has his own style of politicking that sets him apart from all the rest. He was known for operating in a low-key style because he felt that if you drew attention to yourself, you would become a distraction. Danny

tried to stay out of the spotlight, but that is not to say it was because he wasn’t getting things done.

He was able to push legislation that fixed key issues for the people of southeastern Kentucky. He helped to build interstates, repair infrastructure, build the Kentucky Music Hall of Fame in Mt. Vernon, and pass legislation that would make police cruisers more safe for the officer by adding cages separating the front and back seat. It is safe to say that Danny Ford truly cared about the people of the 80th District.

During his time in the Kentucky House of Representatives, Danny held such titles as Republican floor leader from 1995 to 1998, Republican minority whip from 1993 to 1994, and now again in 2011. He also was the longest serving Republican in the statehouse since 1900. Danny was looked to as a leader by both sides of the aisle. His opinion was greatly respected by the right and the left. And you can bet that when Danny Ford stood up to give a speech, every ear tuned in so as not to miss a single word of his eloquent preacher-style delivery.

In one of Danny’s final interviews with Kentucky Educational Television, Danny said that after he retires he would like to return to work as an auctioneer, watch his grandson’s basketball games, and spend more time with his family. And it is my understanding that he will be celebrating his 60th birthday on April 25. Happy birthday, Danny; I truly wish you and your family all the best.

At this time I would like to ask my colleagues in the U.S. Senate to join me in commemorating Kentucky State Representative Danny Ford for his contributions to the citizens of the 80th District and the great Commonwealth of Kentucky.

Recently an article was printed in the Central Kentucky News highlighting the distinctive achievements and honorable service of Representative Danny Ford during his time in public office. I ask unanimous consent that article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Central Kentucky News,
Jan. 28, 2012]

REP. DANNY FORD CALLING IT QUILTS AFTER 30 YEARS IN FRANKFORT

(By Todd Kleffman)

Even before the House had voted to approve the redistricting plan that would reshape Danny Ford’s 80th District, the auctioneer from Mount Vernon grew wistful, foreshadowing the end of his 30-year legislative career before he announced his retirement.

As he was railing against the Democrats’ redistricting plan on the House floor, Ford took time to “thank the people of Lincoln County for allowing me to serve as their state representative for all these past many years.”

After the plan—which basically removed Lincoln from the 80th District and replaced it with Casey County and pieces of Madison—was approved, Ford let it be known that this would be his last term, ending his run as the longest-serving Republican in the statehouse since 1900.

“That new district covers 125, 150 miles instead of 50 or 60,” he said. “It’s going to be a lot more difficult to serve.”

“That has been the greatest part of this job, helping my constituents find their way through the mazes of state government,” he said last week while spending the day with a reporter at the Capitol.

Despite his lengthy time in office, Ford never became a household name to folks outside Frankfort. That’s due in part to his own low-key style and the fact he toiled for the minority party in the House, which is akin to being invisible, even if you are part of the Republican leadership. Ford currently serves as minority whip, a position he also held in 1993 to 1994, and was his party’s floor leader from 1995 to 1998. He is the senior member of the House Budget and Appropriations Committee.

“I try not to be out front too much. That’s not my style,” Ford said. “When you draw attention to yourself, you become a distraction. Sometimes it’s gentle persuasion that can make a difference.”

Al Cross, the long-time political writer for the Courier-Journal who now heads the Institute for Rural Journalism at the University of Kentucky, has observed Ford in action during all his time in Frankfort.

“He has been like a lot of Republican representatives: he’s not that interested in government doing much, so he didn’t push a lot of legislation, and, being in the minority, he wasn’t interested in jumping through a lot of Democratic hoops,” Cross said. “If you’re not in the majority, there’s not a lot you can do.”

“If you ask people around Frankfort, they’d probably remember Danny most for his speeches. He’s a pretty good orator. When he gets up to make a forceful speech, he reminds you of a revival preacher. He’s pretty eloquent in getting his points across.”

Ford’s political acumen and communication skills were evident at the beginning of his political career in 1981. He was already established in his native Rockcastle County, where his grandfather had been county judge and his family operated a variety of businesses, including Ford Brothers Inc., an auction and real-estate company that also has an office in Pulaski County, a part of which comprises the 80th District.

If he was going to win the seat in his first run for political office, Ford figured he needed to step outside of his comfort zone. He spent little time campaigning in Rockcastle and Pulaski, focusing his effort almost entirely on Lincoln County, where he was virtually unknown.

Daly Reed, a soil conservation agent who died in 1989, greased Ford’s path in Lincoln County. The two had only met briefly the year before at a Republican function but formed an alliance that Ford credits with launching his political career.

“We just hit it off. We went door-to-door, from 8 in the morning to 8 at night,” Ford recalled of that first campaign with Daly. “He knew everybody and their family tree. When he’d introduce me, he’d say, ‘This is Danny Ford, my adopted son.’”

Ford carried Lincoln County that year and has been nearly unchallenged ever since. Of 30 primary and general elections that have passed since he first took office, Ford has

only faced opposition four times and only once failed to win Lincoln. That was in 2002, when Stanford attorney Paul Long won the battle on his home turf but couldn’t overcome Ford in Rockcastle and Pulaski.

“I’ve been very fortunate,” he said.

During the ensuing years in Frankfort, Ford said he took most of his cues on bills to sponsor from people and events in his district. He recalled a devastating crash that claimed two lives in Rockcastle County when a man who had been arrested for a DUI climbed over the backseat and commandeered a state trooper’s cruiser and drove it the wrong way on Interstate 75. That led to legislation requiring all law-enforcement vehicles to be equipped with cages, he said.

In the current session, Ford is sponsoring a bill to outlaw the sale of so called “bath salts,” potent amphetamine powders that people inhale to get high and thus often end up in the hospital. Varieties of the product have been legally sold at D&M Market in Crab Orchard and other places around the state.

“I’ve got a number of calls from Lincoln County that a lot of kids are fooling with it,” he said.

Ford is also pushing a bill that will make products containing pseudoephedrine available by prescription only as a way to curtail the state’s epidemic methamphetamine abuse. He is dead-set against a ballot measure to amend the constitution to allow gambling.

“I would hate to see our state revenue based on something so volatile,” he said of the expanded gaming issue. “I’m very concerned about the kind of influences that will be trying to pass this thing.”

Taking a stance against gambling is right up Ford’s alley. He doesn’t shy away from the socially conservative hot-button battles against gambling, abortion, and gay marriage. His front-and-center role in creating a constitutional amendment to ban gay marriage and civil unions in Kentucky, which was approved overwhelmingly by voters in 2004, was the most intense experience in Frankfort, he said.

“I was at the forefront of that issue; I was really pushing for it. I was called a right-wing radical, a homophobe,” he recalled. “But I’m comfortable standing up for what I believe in.”

Representative Mike Harmon from the neighboring 54th District that covers Boyle County said Ford’s values, experience and ability to work both sides of the aisle will be missed.

“Danny’s a great guy, very conservative,” Harmon said. “He fought for whatever concerned his district, whether it was roads or water or whatever. He could probably have easily won his new district. He was very well liked. There’s always going to be some challenges when you’re in the minority, but I think that he was respected by both sides.”

Ford said patience and a willingness to compromise are necessary traits to be an effective legislator. It’s important not to commit to a position too soon, before understanding both sides, he said, and sometimes it’s a long road to seeing a project completed.

As an example, Ford said the improvements to U.S. 150 from Stanford to Mount Vernon began during Wallace Wilkinson’s administration in the late 1980s. “They said they were going to start it in Stanford, and I said I didn’t care where we started as long as we got it done. And we’ve just now gotten it finished.”

Of all the governors he served under, Ford said he had the most trouble with Wilkinson, the Casey County upstart who surprised a field of better known Democrats in 1987. It was Wilkinson’s political strategist, James Carville, who later went on to national fame as the architect behind Bill Clinton’s two runs for the presidency, who made Ford uneasy.

“I never established much of a relationship with Governor Wilkinson, but that was probably because I did not like James Carville one bit,” Ford said. “He was the most wicked man I’ve ever been around in my life.”

Ford arrived in Frankfort at the end of John Y. Brown’s term. Things have changed considerably since then, he said.

“It was much more of a partying institution back then, a lot of drinking and carousing and card playing. The legislature is more sober-minded now, more conscientious about doing its job.”

He credited Martha Layne Collins for Toyota, “an industry that changed this state forever.” Of Breerton Jones, Ford said, “He was a straight shooter.” He described Paul Patton as “very sincere. Nobody treated me more fair.” Ernie Fletcher, the only Republican, “tried to help and got some good things done,” but was handcuffed by his minority status. Beshear “has been good to work with,” Ford said.

After finishing this session and a possible special session, Ford, who will be 60 in April, said he is looking forward to working full-time with his son in the real estate and auction business. His 30 years in the legislature have earned him an annual pension of about \$40,700, slightly less than his highest salary as a representative—\$41,039—which he is being paid this year, according to the Kentucky Legislators Retirement Plan.

He has no plans on getting involved in choosing his successor in the 80th District, though he said he will support someone who shares his conservative ideals if such a candidate emerges.

When asked what advice for a long political career he might whisper in the ear of the person who takes his place, Ford kept it simple, in keeping with his style.

“Be attentive and be accessible. I came into this with the attitude of making sure I listened to what people had to say, and now that I’ve been up here and experienced the legislative process all these years, it’s made me more that way than ever. Just be accessible and available and listen.”

RECOGNIZING THE HIGHLANDS CENTER FOR AUTISM

Mr. McCONNELL. Mr. President, I rise today to pay tribute to an innovative, beneficial, and truly essential organization in a quest to better understand and serve fellow Kentuckians diagnosed with autism: the Highlands Center for Autism in Prestonsburg, Kentucky.

The Highlands Center for Autism is making great progress in an attempt to better comprehend the extent of a condition which many people are unfamiliar with. Autism is a term used to describe complex developmental brain disorders that young children are most likely to show symptoms of during their first few years of life. The Centers for Disease Control has released a statistic that predicts 1 out of every 90

children will be diagnosed with autism. Not even 10 years ago, fewer people had ever heard of autism, and if they had, they probably didn't understand the full extent of it. Now with new cases being diagnosed each day, understanding autism is becoming increasingly more important.

Therefore, now more than ever, there is a need for contributions from organizations like the Highlands Center for Autism. The professional team at the Highlands Center uses the breakthrough Applied Behavior Analysis—ABA—method, which has been proven to dramatically reduce symptoms and improve life quality. Dr. Shelli Deskins of Paintsville, KY, has experience working with the ABA method. She previously worked with victims of post-traumatic stress disorder in Hazard, KY. Since her tenure began at the Highlands Center in January 2009, she has worked fervently to transform it into the successful organization it is today.

The truly one-of-a-kind Highlands Center is a private, year-round day school that serves as a beacon of hope and respite for the students enrolled and their families. The Center operates on the ideal that all children deserve the opportunity to laugh and play to become healthy, happy, and productive adults. The staff and volunteers provide an optimistic outlook for those enrolled, and provides their families with home visits and frequent reports on each child's daily progress.

I am honored to be able to have the opportunity to stand before my colleagues of the United States Senate and honor the tremendous work being done by the Highlands Center for Autism. It is inspiring to know that an institution involved with making scientific strides such as this is located in the great Commonwealth of Kentucky. I would like to thank those involved with the Highlands Center for Autism and congratulate them for their unparalleled dedication and service to this cause.

There was recently an article published in an eastern Kentucky magazine, the Sentinel-Echo: Silver Edition, which gave the public a glimpse into the groundbreaking work being done by the Highlands Center for Autism. Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD as follows:

[From the Sentinel-Echo: Silver Edition, Nov. 2011]

HIGHLANDS CENTER FOR AUTISM

Kathy sits almost still at her desk as her teacher writes a word on an erasable pad, shows it to Kathy and says, "wagon." The 8-year-old little girl looks at the word and repeats, "wagon." "Good saying 'wagon!'" her teacher praises.

Five-year-old Jerry sways a bit back and forth, making noises his teacher doesn't un-

derstand. "Use your iPad to tell me what you want," she softly tells him. He points to icons on the device's screen and the words I WANT A DRINK OF WATER appear. "Good making a sentence!" she compliments.

Kathy and Jerry are students at the Highlands Center for Autism, and there is more than one amazing achievement going on here. It is amazing that Kathy is able to sit still and to read; it is amazing that Jerry is able to communicate his needs, and it is truly a miracle that the Center exists at all.

Autism is a term used to describe a group of complex developmental brain disorders that typically appear during the first three years of life. Very skilled professionals often can see autism signs as early as six months, but children are often not diagnosed until 12 to 18 months, and many times much later. Symptoms manifest a wide spectrum of behaviors impacting development of social interaction and communication skills. Every individual is affected differently. Many need to be taught what most people consider basic behaviors—nodding yes or no, making eye contact, eating with utensils, playing, potty training.

As recently as 10 years ago, the majority of people were completely unaware of the condition. Today, however, public awareness has risen as more children are being diagnosed, dramatically increasing the number of affected families. According to the Centers for Disease Control, one out of every 90 children will be diagnosed with autism. There is no known cause or cure, and children do not "outgrow" it, but research has shown that early intervention using Applied Behavior Analysis (ABA) has a dramatic impact on reducing symptoms and improving life quality.

A major problem with achieving that crucial early intervention is a lack of facilities providing help, especially in communities outside major metropolitan areas. Even getting into a diagnostic program can take a year or longer. Many families who can afford it move near a treatment center in order to get help for their children.

In early 2008, a group of local families approached Highlands Health System with the idea of forming a partnership to establish a local center for ABA treatment for their children who had been diagnosed with autism. They had been primarily on their own, searching first for a diagnosis of what was happening to their children and then, after diagnosis, seeking treatment. They knew that ABA is a proven, evidence-based treatment with decades of solid scientific research supporting its effectiveness.

After their meeting with the parents and additional research revealing that a research-based program specifically for children diagnosed with autism did not exist anywhere in or near Kentucky, Highlands was prompted to move toward fulfilling this need. Their research also indicated that the Cleveland (Ohio) Clinic Center for Autism offered one of the most prestigious treatment programs in the country. After a visit to the Clinic by a group of representatives, Highlands was ready to work towards establishing the first program of its kind in Kentucky.

A community meeting revealed an astonishing amount of support from local families, schools, health departments, social-service agencies and government officials, leading to Highlands entering into a consulting agreement in September of 2008 with the Cleveland Center for Autism to work toward the goal of "mirroring" Cleveland's program in Prestonsburg.

Highlands owned an apartment building near the hospital which became the Center's

facility. Next began the search for a director for the program. Another one of those "miracles" happened when they found Dr. Shelli Deskins, a Paintsville native who was working in Hazard treating children with post-traumatic stress disorder and who had an impressive educational background and experience in ABA.

Dr. Deskins was approached by the hospital in November of '08. She began at Highlands in January of '09 as the Center's only employee and with her office in a former elevator shaft in the main hospital building! Aided by Karen Sellers, assistant to Highlands's president, Dr. Deskins set about creating the Center for Autism. She did everything from helping with facility renovation, writing and establishing procedures, ordering supplies, interviewing and hiring staff, finding children anything necessary to create an outstanding and one-of-its-kind, facility-based treatment center. Even though she was already trained in ABA and had a doctoral degree, she also spent six weeks at Cleveland's Center to thoroughly absorb their program's procedures.

From the beginning, Dr. Deskins and Highlands have insisted that the Center be "The Best," with no shortcuts or cutting corners. The original staff went to the Cleveland Clinic for two weeks to train in the Clinic's methods and learn their procedures, and Cleveland staff members followed them back to Prestonsburg to help open the Center. The Highlands Center staff continues with follow-up training periodically. The children at Highlands receive one-on-one attention from the highly trained and dedicated instructors. Dr. Deskins says staff members know very quickly if working with children diagnosed with autism is something they want to do.

The Center for Autism is a private, year-round day school and has seven students enrolled at this time, but expects to be at their capacity of 10 by summer. Currently, the children range in age from 3 to 14, and include students whose families have moved here from Alabama, Virginia, and Texas.

The Highlands Center is not a place where you can drop off your child to be "fixed" it requires total commitment from the parents. Home visits are made by Dr. Deskins and each child has a data book recording daily progress. Home communication notes are sent home on a daily basis.

The Center is guided by the principle that all children deserve the opportunity to laugh and play and to become healthy, happy, and productive adults. The Highlands Center for Autism is well on its way to becoming a regional and national resource for the diagnosis and treatment of children with autism.

REMEMBERING STACEY SACHS

Mr. KERRY. Mr. President, at its best, the Senate is an extended family—we spend an unbelievable amount of time working here, Senator to Senator, staff to staff. And in the course of those efforts, we get to know each other not as members of a party or as ideological caricatures or cutouts but as people. In particular, we get to know and appreciate on a personal level not just our staff but the staffs of our State delegations. There are staffers from the Massachusetts delegation who have been here as long as I have. And certainly on my late colleague Ted Kennedy's staff there were professionals I knew as friends and turned to as easily as Teddy himself did for so many years.

That is why I know Ted himself would be here this morning doing what I am doing in his place, which is acknowledging with sadness the passing on Saturday, April 21 of Stacey Sachs—a longtime health care staffer for Ted—whom we lost to complications from a hard-fought battle with cancer. Stacey was just 50 years old.

For many of us, Stacey was a steady and unchanging sight in this ever-changing institution. She spent more than a decade on Capitol Hill as senior health counsel on the Senate Health, Education, Labor, and Pensions, HELP, Committee. She came to the Hill to play a role in making universal health care reform a reality; her life's work—as it was for Ted—is a legacy she leaves behind that should be a gift to last.

But it is not her only legacy. Over the years, I came to know Stacey, and I came to know firsthand so much of what impressed and inspired her friends and her colleagues: her health care expertise, her honesty, and her dedication. She devoted her career to making sure Americans had access to health care coverage. It was that simple. For her, that work was personal. It was not statistics or spreadsheets or the arcane minutiae of legislation. For Stacey, she cared first and foremost about the effect public policy has on everyday Americans, and she touched the lives of countless people who never met her. But every American, in part, can thank her for real changes that made their lives better.

I am not just talking about legislation, but I could be. Stacey's outsized role in the Medicare Modernization Act of 2003 and the recently enacted Affordable Care Act of 2010 were just two examples of the ways she focused and made a real difference on a wide range of issues during her time on the HELP Committee. She worked on Medicare prescription drugs, Medicare reimbursement, health insurance coverage and reimbursement, Medicaid, the Health Insurance Portability and Accountability Act, and the Employee Retirement Income Security Act. In each instance and every effort, Stacey brought to the task at hand not just her policy expertise but her compassion and professionalism. The same could be said about an effort that came to be associated with Ted Kennedy and then-Governor Romney but with which Stacey was unbelievably engaged: the development of the Massachusetts health reform law in 2006. That law provided the Commonwealth with the highest rates of health care coverage in the Nation and served as the blueprint for national health reform. While the rate of the uninsured grew by millions in our country, today in Massachusetts, 98.1 percent of our residents have health insurance, including 99.8 percent of our children. And if Ted Kennedy were here today, I know he would share with all of us that without Stacey, it

wouldn't have gotten across the finish line.

Still, there was more to Stacey than big legislation. She saw government and public service not just with a human face but on a human scale. Despite the breadth of her legislative portfolio, Stacey became most widely known among fellow staffers, constituents, and friends for her ability and willingness to help individual patients identify and secure the personal health care services they desperately needed in times of crisis. She was the person you turned to when someone could not find the right doctor, reach the right specialist, or make an insurance company do the right thing. And whether that person was from Massachusetts or Montana, Stacey fought for them with the same ferocity as she would have for Ted Kennedy or for the most landmark piece of legislation because for Stacey Sachs, it was pretty fundamental—if you were in government to solve big problems for the whole country, why wouldn't you work equally hard to solve those problems for the average person who came to you looking for help?

Mr. President, as so many know, after Senator Kennedy passed away, Stacey continued her Senate service working for Chairman HARKIN on the HELP Committee. She was determined to finish the job of health reform—and finish it she did, even as she went on to, in a tragic irony, fight her own battle for life itself against the same disease which took Ted Kennedy away from us all.

Today, we are all fortunate for Stacey's dedication to public service and the example of her commitment as we continue in the work of her life. Stacey was a member of our extended Senate family, but we should remember what she meant not just to us but to her own family. Our thoughts and prayers are with Stacey's mother, Sandy Sachs, and her two brothers, Bruce and Howard, during this unbelievably difficult time.

OBSERVING ALCOHOL AWARENESS MONTH

Mr. AKAKA. Mr. President, I wish to recognize the 26th Alcohol Awareness Month this April, sponsored by the National Council on Alcoholism and Drug Dependence, Inc., NCADD. Since 1987, NCADD has been working to raise public awareness and understanding of alcoholism, specifically to reduce the stigma associated with alcoholism, which too often prevents individuals and families from admitting abuse and finding resources to help.

According to NCADD, more than 18 million individuals, or 8.5 percent of Americans, suffer from alcohol-use disorders. In addition to those directly affected by alcohol, there are millions more who feel the effects of alcohol

abuse by a loved one in their everyday lives—spouses, children, other family members, and friends. The prevalence of alcohol abuse in this country is astounding, with one out of every four U.S. children having been exposed to alcohol-use disorders in their family.

One of the most troubling aspects of alcoholism is that it often has severe effects on those closest to the person addicted and their community. It takes an enormous emotional, physical, and financial toll on the family members of those addicted to alcohol. Statistics show that 75 percent of domestic abuse is committed while one or both members are intoxicated, and family members utilize health care twice as much as families without alcohol problems.

This year's theme, "Healthy Choices, Healthy Communities: Prevent Underage Drinking," is meant to draw particular attention to the severe impact that alcohol and alcohol-related problems have on young people, their friends, their families, and as a result, our communities. Underage drinking is quickly becoming a serious concern in my home State of Hawaii, and across the country.

Alcohol is currently the No. 1 drug of choice for America's young people, higher than tobacco, marijuana, or other illicit drugs. Teens who begin drinking before age 15 are four times more likely to develop alcoholism than their peers who wait until the age of 21. Unfortunately, underage drinking is getting worse with 7,000 kids in the United States under the age of 16 taking their first drink each day, which costs the Nation an estimated \$62 billion annually.

To combat this deepening problem and curb these disturbing trends, education, awareness, and prevention programs, like the events going on this month, are critically important. In addition, parents can help to reduce their children's risk of problem drinking by simply educating their kids and keeping a more watchful eye on them, especially as they enter middle school and high school.

As we continue to observe this year's Alcohol Awareness Month, I urge everyone to take an active role in reducing the incidence of underage drinking across the country: do not contribute to events where minors and alcohol are involved without supervision, be aware of your influence on the children close to you, and encourage minors to stay alcohol free. Together, we can all help to reverse recent trends in the United States and keep our children from the harmful, lasting effects of alcohol abuse.

TRIBUTE TO DR. RELLA P. CHRISTENSEN

Mr. HATCH. Mr. President, I am honored today to be able to pay tribute to a truly remarkable woman, and world-

renowned dental consultant—Dr. Rella P. Christensen. Appropriately, at its 35th Anniversary Celebration in Las Vegas, on May 18, 2012, the Board of Directors of the CR Foundation will honor the life's work of Dr. Christensen.

Born on September 27, 1938, Rella received a Bachelor of Science in Dental Hygiene from the University of Southern California in 1960, and practiced dental hygiene for more than 25 years. She established and became the Director of the Bachelor's Degree in Dental Hygiene at the University of Colorado in 1970. Later, in 1986, she earned a PhD in physiology, with an emphasis on microbiology, from Brigham Young University and completed a post-graduate course in anaerobic microbiology at Virginia Polytechnic State University.

Rella co-founded Clinical Research Associates, now known as the CR Foundation, in 1976 with her husband Gordon, a world renowned and respected dentist and educator. For 27 years Rella directed this influential dental products testing institute as a full time volunteer. Her additional responsibilities included being the lead researcher and Editor-in-Chief of the CRA Newsletter which was published in 10 languages under her leadership with a worldwide circulation in 92 countries.

She went on to serve as Chairman of CR's Board of Directors for 2 years. Currently she volunteers as the team leader of Technologies in Restoratives and Caries Research section of CR.

Rella has been a steady, humble, but significant influence in the profession of dentistry, worldwide, for over a third of a century. Helping others in dentistry to find tools and concepts that really work is a passion for Rella. She has presented over one thousand dental continuing education programs, totaling over 5,200 hours, at national and international locations. Guided by her research discoveries, lectures, and writings, dentists are better able to secure their own professional development and understanding of materials, methods, dental products, and their own dental missions.

Dr. Rella Christensen has received numerous honors for her commitment to her field. In 2001 she was selected as the Distinguished Alumnus of Brigham Young University's School of Life Sciences, and now serves on its National Advisory Board.

In 2002 Rella received an Honorary Doctorate from Utah Valley State University. In 2011, Rella was named one of the Dental Products Report "Top 25 Women in Dentistry" and one of the "30 Leaders in Dentistry" by Takacs Learning Center. In 2012, she was named "Most Influential Researcher" by Dr Bicuspid.com, an online professional publication.

As one of dentistry's great leaders, it is with great respect, gratitude, admi-

ration, and affection that I pay tribute to Dr. Rella P. Christensen.

TRIBUTE TO CAROLYN CROWLEY MEUB

Mr. LEAHY. Mr. President, I would like to take a moment to pay tribute to Carolyn Meub, Executive Director of Pure Water for the World, a Vermont-based nonprofit organization that brings clean water to thousands of families in Honduras and Haiti.

Last week, the White House honored Carolyn as one of 10 Rotary Club members from across the country who are improving the lives of others through volunteer work. Carolyn has transformed Pure Water for the World from a small Rotary club project into an effective international NGO. Under her leadership, the organization is implementing a sustainable model for clean water programs by building clean water filtration systems, providing hygiene education, and installing latrines to improve sanitation. Twenty-thousand Honduran families now have access to clean drinking water, and 1,200 schools in Haiti have clean water systems and hygiene education curriculums, because of Pure Water for the World. That is no small feat.

As Carolyn points out, clean water is a tap away for most Americans, but for most three-quarters of a billion of the world's people accessing safe water is a daily struggle. The United Nations reports that 3.5 million people die each year from diseases related to drinking contaminated water.

In February, my wife Marcelle visited Port-au-Prince as part of a delegation I led with five other Members of Congress, where she saw firsthand the simple, inexpensive household water filtration systems being built and donated by Pure Water for the World. Each unit, the size of an office water cooler and made of concrete or plastic, is filled with layers of sand and gravel that trap microorganisms as the water passes through. This process of slow sand filtration is inexpensive and produced from local materials, making it ideally suited for developing countries.

Pure Water for the World is doing important and inspiring work, providing sustainable sources of safe drinking water and promoting habits to improve health and sanitation in poor communities in Honduras and Haiti. I am very proud that Carolyn received this well-deserved recognition at the White House on behalf of her organization. We all appreciate the work they are doing.

I ask unanimous consent that the Rutland Herald article entitled "Hope flows: Vt. nonprofit pours 'Pure Water for the World'" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Rutland Herald, Mar. 18, 2012]
HOPE FLOWS: VT. NONPROFIT POURS "PURE WATER FOR THE WORLD"
(By Kevin O'Connor)

Rutland resident Carolyn Crowley Meub didn't fret when her hometown turned on its faucets two weeks ago to find, due to a water main break, the usually clean stream down to a dirty trickle. She was flying off to the Caribbean—specifically, to Haiti, where the situation is even worse.

Meub is one of several prominent Vermonters who've recently witnessed the problems of the earthquake ravaged island—and the solutions of the Green Mountains-based nonprofit Pure Water for the World, which is aiming to pour hope across hemispheres to mark United Nations World Water Day on Thursday.

For most Americans, clean water is a tap away. But 1 billion people worldwide drink from contaminated springs and streams, the United Nations reports, while 3.5 million people die each year from related diseases.

State Rep. Margaret Cheney, D Norwich, joined her husband, U.S. Rep. Peter Welch, D-Vt., in a February tour of the Haitian capital of Port-au-Prince, where, between a congressional delegation's visits with the country's president and actor Sean Penn's relief organization, she saw the water challenge firsthand.

"It's the poorest, most chaotic scene in the world," Cheney says of crowded slums equipped with little more than rain barrels. "The water can be the unknown bearer of terrible diseases. Catch them and you can't work, you can't go to school, you can't really function."

Organizations like the U.S. Agency for International Development are working to help densely populated areas of the globe that report 75 percent of the problem. But that leaves more than 250 million people without potable water in remote rural settings. Enter Vermont's Pure Water, which is installing simple, inexpensive household filters in developing countries in the Caribbean and Central America.

Dr. Noelle Thabault, a Burlington native, graduated from the University of Vermont College of Medicine before practicing in Rutland. After a magnitude 7.0 earthquake decimated Haiti in 2010, she flew to Port-au-Prince as a Pure Water volunteer and now serves as its deputy regional director.

"I recognized the role that lack of clean water plays in illness," Thabault recalls of her knowledge before arriving, "but I had no understanding of the scope of the problem."

Two years in the trenches, Thabault recently hosted Cheney and Marcelle Leahy, wife of U.S. Sen. Patrick Leahy, D-Vt. The doctor told them that more than 40 percent of Haitians live without clean water, leading to diseases that are the country's second leading cause of death and fill more than half of all hospital beds with patients suffering from bacteria or parasites.

"Clean water is so necessary," says Marcelle Leahy, herself a nurse. "But Haiti unfortunately was lacking a lot of the necessities of everyday life even prior to the earthquake."

Most U.S. municipalities filter water at central reservoirs and then distribute it through pipes. But that doesn't work in Caribbean and Central American villages with more poverty than plumbing. Cheney and Leahy visited a Pure Water plant that manufactures the kind of "slow sand" household filters used in New England for its first 150 years.

Pure Water taps the sand system because it costs as little as \$150 to produce, install

and monitor; requires no moving parts or electricity; and can be built with locally available materials. Each unit, shaped of concrete or plastic and sized like an office water cooler, is filled with several layers of sand and gravel. Pour in water, and the mixture traps microorganisms that, in turn, decompose other organic material.

Water that passes through the filter is clear in color, taste and smell. More importantly, it's rid of up to 90 percent of toxins, 97 percent of fecal coliform bacteria and 100 percent of worms and parasites.

"It's such a clever, simple concept, and it works," Leahy says. "You're employing people, they're earning a living and improving their health."

Cheney, for her part, was equally impressed by Pure Water posters written in Creole that explain the importance of proper hand-washing, hygiene and waste disposal.

"They're providing really simple tools and educational efforts—the common-sense Vermont way—to help make this sustainable," Cheney says. "They have a great banner that says, 'Clean water is medicine.' We take it so for granted, but that's the basic key to recovery."

Pure Water bubbled up two decades ago after Brattleboro dentist Peter Abell traveled to El Salvador and saw people drinking dirty water that caused diarrhea, cholera and dysentery. Abell's local Rotary club went on to raise money to provide clean water in El Salvador and later Honduras, then incorporated its volunteer efforts into the Pure Water nonprofit, which Meub has headed from Rutland for the past 10 years.

Pure Water so far has spent at least \$5 million on projects to provide safe drinking water—a comparatively small sum compared with the \$20 billion a year the United Nations estimates it would cost to provide clean water to everyone on the planet. But as Meub notes, helping one family, one school, one community at a time, "many drops of water eventually fill a bucket."

Americans, for their part, annually spend billions on store-bought bottled water. Consider what Rutlanders were willing to pay after the city's recent main break. As Meub was packing for her trip, husband William Meub fielded calls from fellow residents wondering how many hours they'd lack water. He recalled his own travels to Haiti after the earthquake.

"They let me take a shower with a yogurt container full of water," the lawyer says. "It's a whole different experience than anyone here has any familiarity with."

That's why Pure Water is streaming its message (the latest: Gov. Peter Shumlin will promote World Water Day this week with a proclamation) through Facebook, Twitter and the website purewaterfortheworld.org.

Says Carolyn Meub: "Safe drinking water should be a basic human right."

And Thabault: "All other interventions—the rebuilding of roads and schools and hospitals and communities—will not result in a long-term sustainable improvement if people don't have clean water. People need to support organizations that are bringing clean water, hygiene education and sanitation to homes and schools. That's how they can help."

ADDITIONAL STATEMENTS

WISCONSIN COMMUNITY SERVICES, INC.

• Mr. KOHL. Mr. President, today I wish to recognize the 100th anniversary

of Wisconsin Community Services, Inc., WCS. I am proud to honor its service and recognize that the many ways this organization has contributed to the State of Wisconsin.

WCS is the State's oldest and largest nonprofit criminal justice system organization. Founded in 1912 as the Wisconsin Society of the Friendless, WCS has never faltered in its mission to provide innovative opportunities for individuals to overcome adversity. For 100 years, this organization has provided individuals involved in or at risk of becoming involved in the criminal justice system with the tools they need to stay out of trouble and become productive members of their communities.

This organization provides more than 40 programs for Wisconsinites in need. Through its outpatient clinic, for example, WCS provides mental health treatment and ancillary support such as housing assistance to mentally ill individuals who are at risk of entering or have already been incarcerated. Through its policy and workforce development program, WCS provides vocational training to individuals with criminal records and helps them secure jobs. With mental health treatment, housing, and employment, these individuals can live crime-free lives and contribute to society.

With nearly 300 employees and serving more than 15,000 individuals in 2011 alone, WCS continues to change the lives of individuals in need. WCS's longstanding efforts have helped lower recidivism rates and saved taxpayer dollars, while giving Wisconsinites the tools and resources to overcome challenges such as mental illness and substance abuse. I am proud to honor the work of this outstanding organization and its continuing service to the State of Wisconsin.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 12:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 9. An act to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 9. An act to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses; to the Committee on Finance.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2327. A bill to prohibit direct foreign assistance to the Government of Egypt until the President makes certain certifications related to treatment of nongovernmental organization workers, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2338. A bill to reauthorize the Violence Against Women Act of 1994.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5758. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Re-integration of Security into the Reactor Oversight Process Assessment Program" (Regulatory Issue Summary 2012-XX) received in the Office of the President of the Senate on April 16, 2012; to the Committee on Environment and Public Works.

EC-5759. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species; Range Extension for Endangered Central California Coast Coho Salmon" (RIN0648-XV30) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Environment and Public Works.

EC-5760. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; North Carolina; Annual Emissions Reporting" (FRL No. 9662-3) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Environment and Public Works.

EC-5761. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Alabama; Removal of State Low-Reid Vapor Pressure Requirement

for the Birmingham Area" (FRL No. 9662-4) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Environment and Public Works.

EC-5762. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Toxics Release Inventory (TRI) Reporting for Facilities Located in Indian Country and Clarification of Additional Opportunities Available to Tribal Governments under the TRI Program" (FRL No. 9660-9) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Environment and Public Works.

EC-5763. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Change of Address for Region 4, State and Local Agencies; Technical Correction" (FRL No. 9660-3) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Environment and Public Works.

EC-5764. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia; Atlanta; Ozone 2002 Base Year Emissions Inventory" (FRL No. 9662-1) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Environment and Public Works.

EC-5765. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Tennessee; Regional Haze State Implementation Plan" (FRL No. 9663-6) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Environment and Public Works.

EC-5766. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision to the Hawaii State Implementation Plan, Minor New Source Review Program" (FRL No. 9661-6) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Environment and Public Works.

EC-5767. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-5768. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Millennium Challenge Corporations activities during fiscal year 2011; to the Committee on Foreign Relations.

EC-5769. A communication from the Solicitor of Labor, Office of the Solicitor, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Administrative Claims under the Federal Tort Claims Act and Related Statutes" (RIN1290-AA25) received in the Office of the President of the Senate on April 16, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5770. A communication from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the re-

port of a rule entitled "Hazard Communication" (RIN1218-AC20) received in the Office of the President of the Senate on April 17, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5771. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Justification and Approval of Sole-Source 8(a) Contracts" (RIN9000-AL55) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-5772. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Representation Regarding Export of Sensitive Technology to Iran" (RIN9000-AL91) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-5773. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendments" (FAC 2005-58) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-5774. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Small Entity Compliance Guide" (FAC 2005-58) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-5775. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Biobased Procurements" (RIN9000-AM03) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-5776. A communication from the Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-58, Introduction" (FAC 2005-58) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-5777. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, a report relative to mileage reimbursement rates for Federal employees who use privately owned vehicles while on official travel; to the Committee on Homeland Security and Governmental Affairs.

EC-5778. A communication from the Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Exemption of Privacy Act System of Records of the Department-wide notice: 'Debt Collection Enforcement System, (DCES), DOJ-016'" (CPCLD Order No. 009-2012) received in the Office of

the President of the Senate on April 18, 2012; to the Committee on the Judiciary.

EC-5779. A communication from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, proposed legislation to harmonize security threat assessment procedures applicable to transportation worker populations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EC-5780. A communication from the Secretary of Transportation, transmitting, pursuant to law, proposed legislation to amend and enhance certain maritime programs of the Department of Transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EC-5781. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "United States Department of Transportation 2012 Report to Congress on Intelligent Transportation Systems Program Advisory Committee Recommendations"; to the Committee on Commerce, Science, and Transportation.

EC-5782. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Locomotive Safety Standards Amendments" (RIN2130-AC16) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5783. A communication from the Associate Bureau Chief for Cybersecurity and Communications Reliability, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "The Proposed Extension of Part 4 of the Commission's Rules Regarding Outage Reporting To Interconnected Voice Over Internet Protocol Service Providers and Broadband Internet Service Providers" (PS Docket No. 11-82) received in the Office of the President of the Senate on April 17, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5784. A communication from the Acting Chief of the Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Inter-carrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; and Universal Service Reform—Mobility Fund" (WC Docket Nos. 10-90, 07-135, 05-337, 03-109; GN Docket No. 09-51; CC Docket Nos. 01-92, 96-45; WT Docket No. 10-208, DA 12-298) received in the Office of the President of the Senate on April 17, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5785. A communication from the Chief of the Border Securities Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Technical Amendment to Cuba Airport List: Addition of Recently Approved Airports" (CBP Dec. 12-08) received in the Office of the President of the Senate on April 16, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5786. A communication from the Assistant Chief Counsel for Hazardous Materials

Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Packages Intended for Transport by Aircraft" (RIN2137-AE32) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5787. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company (GE) Turbofan Engines" (RIN2120-AA64) (Docket No. FAA-2011-0982) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEVIN:

S. 2328. A bill to extend and modify the temporary reduction of duty on 4-methoxy-2-methyldiphenylamine; to the Committee on Finance.

By Mr. LEVIN:

S. 2329. A bill to reduce temporarily the duty on certain direct injection fuel injectors; to the Committee on Finance.

By Mr. LEVIN:

S. 2330. A bill to reduce temporarily the duty on certain hybrid electric vehicle inverters; to the Committee on Finance.

By Mr. LEVIN:

S. 2331. A bill to suspend temporarily the duty on stator/rotor parts; to the Committee on Finance.

By Mr. LEVIN:

S. 2332. A bill to suspend temporarily the duty on certain power electronic boxes and static converter composite units; to the Committee on Finance.

By Mr. LEVIN:

S. 2333. A bill to suspend temporarily the duty on certain motor generator units; to the Committee on Finance.

By Mr. LEVIN:

S. 2334. A bill to reduce temporarily the duty on lithium ion electrical storage batteries; to the Committee on Finance.

By Mr. LEVIN:

S. 2335. A bill to reduce temporarily the duty on certain high pressure fuel pumps; to the Committee on Finance.

By Mr. LEVIN:

S. 2336. A bill to extend the temporary suspension of duty on 4'-methoxy-2,2',4'-trimethyl diphenylamine; to the Committee on Finance.

By Mrs. McCASKILL (for herself, Ms. COLLINS, and Mr. COBURN):

S. 2337. A bill to require that Federal regulations use plain writing that is clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. HUTCHISON (for herself, Mr. GRASSLEY, Mr. CORNYN, and Mr. ALEXANDER):

S. 2338. A bill to reauthorize the Violence Against Women Act of 1994; read the first time.

ADDITIONAL COSPONSORS

S. 219

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 219, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 434

At the request of Ms. MIKULSKI, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 434, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 491

At the request of Mr. PRYOR, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 491, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 687

At the request of Mr. CORNYN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 687, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 738

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 881

At the request of Ms. LANDRIEU, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 881, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide substantive rights to consumers under such agreements, and for other purposes.

S. 975

At the request of Mr. TESTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 975, a bill to amend the Public Health Service Act to provide for the partici-

pation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 1069

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1069, a bill to suspend temporarily the duty on certain footwear, and for other purposes.

S. 1251

At the request of Mr. CARPER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1251, a bill to amend title XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1734

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1734, a bill to provide incentives for the development of qualified infectious disease products.

S. 1880

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1935

At the request of Mrs. HAGAN, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Michigan (Mr. LEVIN) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 1990

At the request of Mr. LIEBERMAN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 2046

At the request of Ms. MIKULSKI, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2046, a bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes.

S. 2051

At the request of Mr. REED, the names of the Senator from Connecticut

(Mr. BLUMENTHAL), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 2051, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 2103

At the request of Mr. LEE, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2121

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2121, a bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Ohio (Mr. BROWN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2248

At the request of Mr. INHOFE, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2248, a bill to clarify that a State has the sole authority to regulate hydraulic fracturing on Federal land within the boundaries of the State.

S. 2293

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2293, a bill to establish a national, toll-free telephone parent helpline to provide information and assistance to parents and caregivers of children to prevent child abuse and strengthen families.

S. 2296

At the request of Mrs. HAGAN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2296, a bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes.

S. 2325

At the request of Mr. NELSON of Florida, the names of the Senator from Ne-

vada (Mr. HELLER), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S.J. RES. 38

At the request of Mr. GRAHAM, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S.J. Res. 38, a joint resolution disapproving a rule submitted by the Department of Labor relating to the certification of nonimmigrant workers in temporary or seasonal nonagricultural employment.

S. RES. 401

At the request of Mr. LUGAR, his name was added as a cosponsor of S. Res. 401, a resolution expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

S. RES. 429

At the request of Mr. WICKER, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Washington (Mrs. MURRAY) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. Res. 429, a resolution supporting the goals and ideals of World Malaria Day.

S. RES. 431

At the request of Ms. CANTWELL, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. Res. 431, a resolution celebrating the 50th anniversary of the 1962 Seattle World's Fair.

AMENDMENT NO. 2020

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of amendment No. 2020 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2040

At the request of Mr. CARDIN, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of amendment No. 2040 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2043

At the request of Mr. UDALL of New Mexico, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 2043 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2060

At the request of Mr. COBURN, the names of the Senator from Utah (Mr. LEE), the Senator from Kansas (Mr. MORAN), the Senator from South Dakota (Mr. THUNE), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Pennsylvania (Mr. TOOMEY),

the Senator from Wyoming (Mr. BARASSO), the Senator from Arizona (Mr. KYL), the Senator from Iowa (Mr. GRASSLEY), the Senator from Kentucky (Mr. MCCONNELL), the Senator from North Carolina (Mr. BURR) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 2060 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2071

At the request of Mr. WARNER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 2071 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2072

At the request of Ms. LANDRIEU, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of amendment No. 2072 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, April 25, 2012, at 9:30 a.m., to hear testimony on S. 219, the "Senate Campaign Disclosure Parity Act."

For further information regarding this meeting, please contact Lynden Armstrong at the Rules and Administration Committee on (202) 224-6352.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, this is to advise you that the Committee on Energy and Natural Resources will hold a business meeting on Thursday, April 26, 2012, immediately preceding the full committee hearing beginning at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the Business Meeting is to consider the nominations of Adam Sieminski, to be administrator of the Energy Information Administration, Marcilynn Burke to be an Assistant Secretary of the Interior, Anthony Clark to be a Member of the Federal Energy Regulatory Commission, and John Norris to be a Member of the Federal Energy Regulatory Commission.

For further information, please contact Sam Fowler at (202) 224-7571 or Allison Seyferth at (202) 224-4905.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Paul Edenfield, a member of my staff, be granted the privilege of the floor for the duration of today's session.

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

MEASURE READ THE FIRST
TIME—S. 2338

Mr. REID. There is a bill at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 2338) to reauthorize the Violence Against Women Act of 1994.

Mr. REID. I now ask for the second reading in order to place the bill on the calendar, but I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, APRIL 24,
2012

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it recess until Tuesday, April 24, at 10 a.m.; that following the prayer and the pledge, the Journal of proceedings be approved to date and the time for the two leaders be reserved for their use later in the day; that the Senate resume consideration of the motion to proceed to S. 1925, the Violence Against Women Reauthorization Act; and that at 10:30 a.m., the Senate resume consideration of the motion to proceed to S.J. Res. 36, a resolution of disapproval regarding the National Labor Relations Board offered by Senator ENZI, under the previous order; and that at 12:30 p.m., the Senate resume consideration of the motion to proceed to S. 1925; further, that the Senate recess from 12:50 p.m. until 2:15 p.m. to allow for the weekly caucus meetings; finally, that at 2:15 p.m., the Senate resume consideration of the motion to proceed to S.J. Res. 36.

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

PROGRAM

Mr. REID. Mr. President, the first vote will be at 2:15 tomorrow on the motion to proceed to S.J. Res. 36. If that motion is defeated, there will be several votes in order to complete action on the postal reform bill at 2:15 p.m.

RECESS UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. If there is no further business to come before the Senate, I ask unanimous consent that it recess under the previous order.

There being no objection, the Senate, at 7:30 p.m., recessed until Tuesday, April 24, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. RUSS A. WALZ

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THEODORE C. NICHOLAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. FRANCISCO A. ESPAILLAT

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JON M. DAVIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT E. SCHMIDLE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. TERRY G. ROBLING

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. BURKE W. WHITMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JAMES M. LARIVIERE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. KURT W. TIDD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. DAVID H. BUSS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MICHELLE J. HOWARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. ALLEN G. MYERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. MARK I. FOX

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

TONYA R. EVERLETH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CRAIG W. HINKLEY
CHAD A. SPELLMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JOHANN S. WESTPHALL

To be major

ELIESA A. ING

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

MARK J. BATCHO
ANDREW T. COLE
GREGORY B. DEWOLF
MICHAEL W. GLASS
ERIC D. HUWEART
ERIC E. HYDE
LISA A. MOORE
MICHAEL G. PATRONIS
CURT B. PRICHARD
SHEILA R. ROBINSON
RICHARD B. ROESSLER
JOHN P. SAVAGE II
COLIN H. SMYTH
DANA G. VENENGA
FREDERICK C. WEAVER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOLENE A. AINSWORTH
ARTEMUS ARMAS
KARLA M. ATCHLEY
BRIAN B. BARNETT
BETH M. BAYKAN
MARED G. BELING
TINA A. BETANCOURT
DAWN M. BLACK
SADINA L. BRECHEISENBEACH
PAMELA L. BREWER
NERRIZA L. BROOKS
MELANIE J. BURJA
CASSANDRA E. CAMPBELL
JAMES E. CAMPION
THERESA D. CLARK
CHRISTINE L. COLELLA
STACEY L. COLEMAN
TARA N. CONSTANTINE
KRISTINA R. CREECH
KARIN E. CREVER
SUSAN M. DICKERSON
SUZIE C. DIETZ
DANIEL E. DONAHUE
PAUL DREATER, JR.
VICKI M. FAIR
THOMAS G. FEVURLY
COURTNEY D. FINKBEINER
MARY T. FLOYD
ALISON T. FORSYTHE
SHERRY L. FRANK
ALANE C. GARLISI
MATTIE D. GOODE
DAWN M. GRAHAM
LARHONDA M. GRAY
STACY GILMORE GREENE
CHERYL L. GROTSKY
JEANINE D. HATFIELD
JENNIFER J. HATZFELD
LEAH NICOLE HOLLAND
JACQUELINE F. JACKSON
KRISTEN R. JOHNSON
NANCY J. JOHNSON
TAMRA C. JOHNSON
LAURA K. JONES
RONALD L. JONES, JR.
LESLIE I. KARAS
STEPHANIE K. KENNEDY
JACQUELINE M. KILLIAN
MARK A. KNITZ
LEANN M. LAMB
KAREN V. LARRY
CHUNG MIN LEE
SUSAN J. LEE
TAMMY G. LUCAS
NAQUITA J. MANNING
JOHN L. MANSUY
JACQUELINE J. MCAULEY
KEVIN R. MCHAPPEY
SHERRY L. MCKEEVER
KRISTELL L. MICHAEL

KARI A. MILLER
 PAUL T. MILLER, JR.
 THERESA A. MURPHY
 CHRISTINE S. NOVAK
 CAMELLA D. NULTY
 JAMES G. OLANDA
 JEFFREY J. OLIVER
 HEATHER A. PEREZ
 JULIE A. PIERCE
 DONALD R. POTTER
 AMY S. QUIRKE
 LORRI M. REED
 ANDREW L. REIMUND
 KIM G. ROBINSON
 KATHY S. SAVELL
 KIMBERLY A. SCHMIDT
 VICKIE L. SKUPSKI
 MELISSA C. SMITH
 KARI M. STONE
 SEAN A. STRAIT
 JENNIFER E. THOMAS
 CHRISTINE M. THRASHER
 SCOTT R. TONKO
 VALERIE A. TRUMP
 ANITA S. UPP
 JOHN D. VANDEVELDE
 CINDI L. WILLIS
 WILLIAM T. WILSON
 DAVID C. ZIMMERMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ADAM D. AASEN
 JASON ROGER ACKISS
 WILLIAM JOHN ACKMAN
 ALEX D. ADAMS
 ANDREW JAMES ADAMS
 CANDICE M. ADAMS
 CHRISTOPHER B. ADAMS
 ANDY RICH ADUDDLELL
 ROLANDO AGUIRRE
 OUAÏL ALBAIRAT
 MICHAEL J. ALBLINGER
 PAUL S. ALBUQUERQUE
 JEREMIAH J. ALDER
 JOSH R. ALDRED
 ERICKA L. ALDRICH
 TAMMARA L. ALEXANDER
 NATHANIEL V. ALFANO
 BRANDON P. ALFORD
 JENNIFER ANNETTE ALICKSON
 MARK E. ALLARD
 ANDY G. ALLEN
 ARTHUR A. ALLEN
 GERALD D. ALLEN, JR.
 LUCAS J. ALLEN
 ROBERT W. ALLEN
 SAMUEL J. ALLEN
 STEPHEN F. ALLEN
 CHRISTOPHER A. ALLIE
 JOSEPH N. ALLISON
 DAVID C. ALVAREZ
 MANUEL ALVAREZ
 PHILLIP N. ALVAREZ
 SALOMON ALVAREZ III
 JUAN C. AMAYA
 RUBEN R. AMEZAGA
 NATHANIEL S. AMIDON
 SUNIL LALITKUMAR AMIN
 BARAK N. AMUNDSON
 JOHN W. ANACKER
 CHRISTOPHER S. ANDERSON
 CLIFFORD WALDO ANDERSON
 JAMES W. ANDERSON
 JOEL RICKS ANDERSON
 JOHN P. ANDERSON
 HARVEY K. ANDREW
 PAUL R. ANDREWS, JR.
 FRANK J. ANGELONE
 ROCCO J. ANGIOLELLI
 CRAIG RYAN ANSEL
 JOHN D. ANTAL
 CHRISTOPHER LEE ANTENEN
 JASON L. ANTKOVIK
 JAMES E. APHOLZ
 DANIEL R. APPEL
 JORDAN N. APPEL
 LAURA J. APPLEWHITE
 JARROD A. ARANDA
 RYAN R. ARCHAMBAULT MILINER
 MARCEL T. AREL
 RYAN W. ARGENTA
 MICHAEL A. ARGUELLO
 DAVID REXFORD ARMBRUSTER
 RYAN W. ARMSTRONG
 DANIEL J. ARNESON
 ROBERT C. ARNETT
 KREG T. ARNOLD
 TIFFANY L. ARNOLD
 JOHN PAUL CABIGAS ARRE
 GABRIEL S. ARRINGTON
 JOSHUA A. ARROWOOD
 DAVID ALFREDO ARROYO
 MICHAEL A. ARTIFON
 MICHAEL D. ASKEGREN
 SCOTT ANDREW ASKEY
 ADAM R. ASLESON
 DANIEL V. ATIENZA
 JAMES PAUL ATKINSON
 PHILIP Z. ATKINSON

DAWN M. ATTERBURY RAMIREZ
 DEREK J. AUFDERHEIDE
 DAVID J. AUSTON
 MICHAEL T. AVALOS
 ERIC C. BABSON
 CHAD A. BACKES
 NICOLE R. BAIN
 JOSEPH LEE BAINBRIDGE
 CHARLES JAMES BAIRD
 MICHAEL H. BAIRD
 BRADLEY CHARLES BAKER
 DAVID L. BAKER
 HEIDI ANNETTE BAKER
 JASON R. BAKER
 MICHAEL B. BAKER
 BRADFORD B. BALAZS
 BRIAN E. BALCER
 MATTHEW T. BALLANCO
 JEFFREY E. BALLENSKI
 BRADLEY L. BALLING
 JUSTIN D. BALLINGER
 CECIL BANUELOS, JR.
 KEVIN H. BARBER
 STEPHEN L. BARBOUR
 OLIVER E. BARFIELD
 LUKE ADAM BARGER
 ROBERT A. BARKER
 JOSEPH E. BARKLEY
 NEIL BRYAN BARNAS
 CAMERON JEAN BARNES
 RICHARD C. BARNES
 CHRISTOPHER LEE BARNETT
 WILLIAM KARL BARNHART
 AARON R. BARRETT
 JOHN M. BARRY
 DWAIN JASON BARTELS II
 DONALD F. BARTHOLOMEW III
 BRIAN L. BARTRAM
 JOSE L. BASABE, JR.
 AARON E. BASHAM
 DOUGLAS M. BAUER
 ANDREW W. BAUMGART
 DAVE SHERWIN BAUTISTA
 BRIAN K. BEAUTER
 BAILYN R. BECK
 ROBERT O. BECKENHAUER
 NICHOLAS S. BEDELL
 CHRISTOPHER S. BEERY
 DAVID A. BEFORT, JR.
 JONATHAN MICHAEL BEHA
 KEVIN D. BEHYMER
 NICKLOS W. BEIHL
 ERIC EDWARD BEIN
 JOSHUA M. BEKKEDAHL
 ROBERT M. BELARDO
 LACHLAN T. BELCHER
 NIKITA S. BELIKOV
 CLIFTON M. BELL
 DYLAN A. BELL
 WOODROW M. BELL
 THOMAS N. BELLAIRS
 MATTHEW B. BELOTE
 DAVID M. BENNETT
 SHANNON L. BENSON
 BRIAN D. BEN'TON
 CORY D. BERG
 TYLER A. BERGE
 JOHN W. BERGER
 KARL E. BERGER
 TROY D. BERGHUIS
 BENJAMIN C. BERGREN
 TANNER BERGRUD
 JOEL C. BERNAZZANI
 RYAN A. BERNIER
 NATHAN T. BERTINO
 JONATHAN P. BESS
 TYRONE P. BESS
 CHRISTOPHER W. BEST
 DAWN E. BETHELMIY
 ADAM BETLEY
 DUANE E. BEVILLE
 RAYMOND C. BEVIVINO III
 MANAN N. BHATT
 MARK J. BIEDA
 KENNY J. BIERMAN
 JARETT J. BIGGERS
 CHRISTOPHER J. BILLAU
 IAN M. BILLINGTON
 JOSEPH BINCAROUSKY
 OWEN D. BIRCKETT
 JOHN A. BIXBY
 GREGORY A. BLACK
 MICHAEL JOSEPH BLACK
 COLBY J. BLACKWOOD
 JOSHUA P. BLAKEMAN
 BRENT R. BLANDINO
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 EDWIN RUSSELL ROTAN II
 EVAN P. ROTH
 JASON D. ROTH
 ROBERT R. ROTH
 BILLIE K. ROTHWELL
 RAYMOND K. ROUNDS
 BRAD P. ROUNDTREE
 BRANDI ROUNDTREE
 JAMES M. ROWLAND
 SAMUEL J. ROYAL
 EDWARD J. ROZAK
 JAMES T. RUBY
 JULIE ANNE RUDY
 MICHELLE C. RUEHL
 KENYATTA HENT'S RUFFIN
 CHRISTOPHER C. RUMPF
 SCOTT T. RUPPEL
 MARION M. RUSSELL
 NEIL D. RUTAN
 CHRISTOPHER P. RYAN
 JOHN D. RYAN
 THOMAS M. RYAN, JR.
 TIMOTHY C. RYAN
 YOHEI M. SAEGUSA
 BRETT E. SAILSBERY
 MARK SAKAI
 NAILAH SHABAZZ SAKIN
 BENJAMIN E. SAKRISSON
 ERICK L. SAKS
 CARLOS SALAS, JR.
 ROSELINE F. SALAZAR
 ANDREW L. SANCIDO
 ANDREW CHRISTOPHER SALLOUM
 REID A. SANBORN
 AARON R. SANDERS
 JASON A. SANDERS
 MARIETTA ELIZABETH SANDERS
 MICHAEL FRED SANDERS
 WILLIAM D. SANDERS
 WILLIAM F. SANDERS IV
 KELLY S. SANDUSKY
 RICHARD PAUL SANDWICK
 MATTHEW J. SARKISSIAN
 MATTHEW A. SARTORI
 AARON PATRICK SAUER
 OMELIA A. SAUNDERS GANTS
 JAMIE HOUSTON SAUNDERS
 MATTHEW MACDONALD SAVAGE
 KEVIN J. SAVIDGE
 JONATHAN SAWTELLE
 TIMOTHY R. SAXTON
 GREGORY JOSEPH SCHAEFFER
 WILLIAM K. SCHAEFFER
 COLLEEN SUE SCHAELLING
 ZACHARY T. SCHAFFER
 DANIEL C. SCHILLER
 CHRISTOPHER C. SCHLAGHECK
 SCOTT P. SCHLEGELMILCH
 KIRK M. SCHLUETER
 KEVIN WALTER SCHMAEMAN
 ERIC J. SCHMID
 RYAN T. SCHMID
 KURT A. SCHMIDBAUER
 DENNIS M. SCHMIDT
 MICHAEL B. SCHMIDT
 TIMOTHY R. SCHMIDT
 DAREK MICHAEL SCHMIEDEBUSCH
 MATTHEW M. SCHMUNK
 ERIC MATTHEW SCHNARR
 BENJAMIN J. SCHNEIDER
 ROBERT N. SCHOENEBERG
 SCOTT D. SCHOFIELD
 RAYMOND W. SCHOLZ
 DANIEL B. SCHRECK
 MARIKA B. T. SCHRECK
 MATTHEW KENNETH SCHROEDER
 TYLER B. L. SCHROEDER
 RICK G. SCHUESSLER
 JEREMY D. SCHULD
 DAVID C. SCHUSTER
 JOHN M. SCIUTO
 JOHN R. SCOGGINS III
 JOHN REBER SCOTT
 ROBERT W. SCOTT IV
 DONALD A. SEABLOM
 ETHEL N. SEABROOKHENNESSY
 CHRISTOPHER E. SEAMANS
 EVAN TYLER SEARLES
 DANIEL CHARLES SEBECK
 MICHAEL A. SECHLER
 SANDRA SEIDEL
 TRENTON A. SELAH
 CAMERON N. SELLERS
 DANIEL MARK SELLERS
 DONALD C. SELLERS
 WILEY W. SEMRAU
 NEIL R. SENKOWSKI
 ELLEN M. SERRA
 JUSTIN D. SETTLES
 JOHN C. SEVERNS
 KRISTEN D. SHADDEN
 MICHAEL AYOUB SHAHEN
 STEVEN C. SHALLENBERGER
 JOSEPH R. SHAMESS
 CHARLES R. SHANK
 TYLER P. SHARRETT
 CHARLES C. SHAW
 DALBERT R. SHAW
 MARK A. SHELDON
 KELLY L. G. SHELLEY
 PAUL J. SHELNUTT
 JEREMY W. SHEPPARD
 SAMUEL R. SHERERTZ
 KERRY M. SHERIDAN
 PHILLIP P. SHERIDAN
 JOSEPH W. SHETTERLY
 KENNETH FRANCIS SHEYKA
 BRETT A. SHILLING
 JASON WILLIAM SHIRLEY
 MICHAEL J. SHIRLEY
 ADAM JOSEPH SHOCKLEY
 ANTHONY J. SHOCKLEY
 EVAN M. SHOLLY
 ETAI SHPAK
 JEFFREY D. SHULMAN
 AARON W. SICK
 NICHOLAS J. SIESSER
 NICHOLAS D. SIGLER
 JUSTIN M. SIME
 CARLY M. SIMS
 TRENTON W. SIMSHAUSER
 JOHN S. SISLER
 STEVEN B. SISSON
 COLTON WILLIAM SKORUPAN
 CHRISTOPHER J. SKOUTAS
 JOHN D. SLACK
 BRIAN L. SLADE
 CHRISTOPHER J. SLATTERY
 MELANIE RAE SLATTERY
 IAN M. SLAZINK
 JONATHAN M. SLINKARD
 MATTHEW N. SLUSHER
 GAIL M. SMICKLAS
 AMBER LYNN SMITH
 ARCHIE SMITH, JR.
 BENJAMIN HEROLD SMITH
 DAVID J. SMITH
 JARED J. SMITH
 JOCELYN M. SMITH
 JONATHAN PEYTON SMITH
 JONNI LANE SMITH
 KATRINA E. SMITH
 LEAH G. SMITH
 MARK H. SMITH
 MELISSA R. SMITH
 MISHAUN D. SMITH
 NICHOLAS R. SMITH
 PEYTON S. SMITH
 STEVEN A. SMITH
 WILLIAM CHARLES SMITH
 CHRIS EUGENE SMYDER
 KEVIN R. SNOW
 STEVEN M. SOBRILSKY
 BARRY M. SODINI
 MORLEH SOKARGBO
 DAVID M. SORRELS
 JACOB S. SOTIRIADIS
 SALVADOR ENRIQUE SOTOMAYOR
 SHERRY L. SOURIOLLE
 ANDREW P. SPADY
 CHERONDA V. SPANN
 BRYAN THOMAS SPARKMAN
 KEVIN W. SPARKS
 MELANIE C. SPAULDING
 JAMES IRA SPEAKES
 GRANT E. SPEAR
 DAVID J. SPELLMAN
 BRYAN P. SPENCE
 MARK E. SPENCER
 DANIEL P. SPENGLER
 BRETT E. SPETH
 SCOTT W. SPICER
 MATTHEW T. SPIDELL
 JAMES F. SPOO, JR.
 AARON JOSEPH SPRECHER
 JUSTIN B. SPRING
 DAVID J. SPROHNLE
 SCOTTY LYNN SPROLES
 ROBERT H. SPROUSE, JR.
 ANTHONY T. ST AUBYN
 RANDY ST JEAN
 KRISTA N. ST ROMAIN
 JAIMIE L. STAAB
 LEE A. STAAB II
 ADRIENNE L. STAHL
 JOSEPH H. STALLINGS
 RYAN L. STALLSWORTH
 DAVID M. STAMPER
 BRIAN J. STANISZEWSKI
 KAROL L. STANLEY
 CHRISTOPHER R. STAPENHORST
 AARON M. STARK
 DALE A. STARK
 MICHAEL ANTHONY STAYROOK
 MATTHEW J. STEELE
 MATTHEW B. STEENMAN

CORY ALAN STEGMEIER
 PAMELA TAN STEIN
 BRIAN K. STEINKE
 JAMES D. STEPHENS
 TRAVIS H. STEPHENS
 ADAM STERLING
 CHAUNCEY A. STERN
 JACOB T. STEVENS
 TERRY W. STEVENSON
 ANDREW J. STEWART
 CHAD R. STEWART
 CHRISTOPHER T. STEWART
 GRAHAM R. STEWART
 JAMES B. STEWART IV
 ROBERT LEE STINSON
 CHRISTOPHER L. STOB
 ERIK STEVEN STOCKHAM
 LUKE BALLMAN STOCKTON
 DANIEL P. STOKER
 TIMOTHY L. STOKES
 ZACHARY A. STOLP
 BRIAN BENEDICT STONE
 SAMUEL J. STONE
 JASON JAMES STOREVIK
 KEVIN G. STORM
 RYAN M. STORY
 SCOTT D. STOUT
 JEREMY L. STOVER
 CRAIG A. STRAIGHT
 WILLIAM SMILEY STRAIN
 DENNIS M. STRASSER
 MARK A. STRATTON
 ALLYSON P. STRICKLAND
 SOYNAE M. STRICKLAND
 MATTHEW STRICKLER
 KAELE RICHARD STRIEGEL
 JOHN ROBERT STRIPLING
 CHRISTOPHER C. STROLE
 THOMAS B. STROMBERG
 DOUGLAS R. STROUSE
 TIMOTHY M. STROUSE
 BRYAN J. STRUTHERS
 JESPER R. STUBBENDORFF
 JESSE D. STUBBS
 JOSHUA A. STULTS
 LUKE EDWARD STURGEON
 BRENT R. SUERDIECK
 BRIAN SUH
 JEFFREY EUGENE SUHR
 AARON RAY SUIRE
 JACOB P. SULLIVAN
 JOSHUA S. SULLIVAN
 MARGARET A. SULLIVAN
 MATTHEW W. SULLIVAN
 MICHAEL J. SULLIVAN
 RENEE M. SUMMERS
 JONATHAN G. SUMNER
 JOSEPH T. SUNDY
 REBECCA SUTHERLAND
 ANTHONY SUTTON
 LUKE N. SWANSON
 PERRY C. SWEAT
 CHRISTOPHER D. SWEENEY
 KEVIN P. SWEENEY
 PETER M. SWEENEY
 ERIK F. SWENSON
 SETH M. SWIFT
 EDWARD V. SZCZEPANIK
 BRENT A. TADYCH
 JAY M. TALBERT
 EDWARD W. TALLEY
 MICHAEL A. TALLEY
 ALAN C. TALLY, JR.
 JARED B. TANNER
 MICHAEL J. TARANTINO
 ROBERT GLENN TARANTINO
 JACOB T. TARRANT
 EVAN T. TATGE
 THOMAS M. TAUER
 RUDOLPH F. TAUTE
 BRIAN J. TAYLOR
 CHARLIE JAMES TAYLOR
 DANIEL GLYNN TAYLOR
 JASON J. TAYLOR
 NATHAN WILLIAM TAYLOR
 ROBERT L. TAYLOR, JR.
 THOMAS M. TAYLOR
 STEPHEN E. TEPELE
 CHRISTOPHER L. TEKE
 BRADLEY DAVID TEMPIA
 THOMAS B. TERRELL
 JOEL G. THESING
 PAUL P. THIENPRAYOON
 AARON HOUSTON THOMAS
 MICHAEL G. THOMAS
 SCOTT R. THOMAS
 BRIAN C. THOMASSON
 AMBER JUNE THOMPSON
 ANDREW PAUL THOMPSON
 ANTHONY J. THOMPSON
 CARMEN R. THOMPSON
 DAVID M. THOMPSON
 ERIC W. THOMPSON
 GRANT E. THOMPSON
 JARED D. THOMPSON
 JASON I. THOMPSON
 JOSHUA ABRAHAM THOMPSON
 SCOTT CHRISTOPHER THOMPSON
 ADAM F. THORNTON
 RYAN K. THORNTON
 GRANT D. THRELFALL
 ANDREA GAIL TILESTON

BRIAN A. TILESTON
 NICOLE K. TILLMAN
 BENJAMIN G. TIMSUREN
 PAUL W. TINKER
 MATTHEW E. TIPTON
 JOHN S. TIRRELL
 DOUGLAS J. TODD
 ERIK K. TODOROFF
 JOHN D. TOEPHER
 JOSHUA IAN TOLK
 JARED A. TOMLIN
 DANIEL F. TOMPKINS
 GARY J. TORONI
 DENITA JANETTE TORRES
 STEVEN C. TORRES
 CHAD C. TOSSELL
 CLINT MATHEW TOWNSEND
 JAMES D. TOWNSEND
 KEVIN JAMES TRACY
 TYLER M. TRACY
 ERIC M. TRAD
 JOSEF H. TRAINOR
 DAT Q. TRAN
 KEVIN K. TRAN
 PETER TRAN
 CARLO ROBERT TRANISI
 RUSTON C. TRAYNHAM
 JOSHUA J. TREBON
 MERIDEE J. TRIMBLE
 MATTHEW K. TROMANS
 JASON E. TROUTMAN
 STEPHANIE A. TRUSTY
 DENNIS TRUTWIN
 TRAVIS BRUCE TUBBS
 ARRON J. TULICK
 MATTHEW W. TULL
 KARLOS G. L. TUNGOL
 RENATA R. TURNER
 RICHARD J. TURNER
 MICHAEL J. TURPIANO
 ANTHONY P. TYDINGCO
 TODD V. TYLER
 SCOTT MATTHEW TYLEY
 RYAN T. TYPOLT
 CHRISTOPHER D. UHLAND
 KURT J. UMLAUF
 ROMAN TIMOTHY UNDERWOOD
 DANIEL A. URBAN
 ANGELA L. URIBE OLSON
 GABRIEL DAMIAN URIBE
 PETER J. USHER
 ADAM S. VACCAREZZA
 ORION Q. VAIL
 EDUARDO RENE VALLE
 MATTHEW J. VALLERO
 CRAIG J. VAN BEUSEKOM
 JACOB PATRICK VAN CAMP
 NATHANIEL JOEL VAN DE VEER
 HOLLY E. VAN LIERE
 DAVID R. VAN YPEREN
 STEVEN W. VANDEN BOS
 JEREMY A. VANDERHAL
 LAURENCE M. VANDERROOD
 BRETT J. VANDERPER
 MICAH B. VANDERVEEN
 DANIEL N. VANIMAN
 JOSEPH A. VANKUIKEN
 RAYMUNDO M. VANN, JR.
 DONALD E. VANSLYKE
 PHILLIP J. VARLEK
 ROGER P. VARNADORE
 DAVID VEGA, JR.
 THOMAS VEILLEUX
 RUBEN VELEZ
 THOMAS O. VERHEY
 RICK E. VERMILLION
 AUTUMN M. VERNON
 KATHRYN M. VESETH
 TASHA E. VICK
 JOSEPH ANDREW VIDEQ
 JESSE O. VIG
 MICHAEL JOSEPH VIGGIANO
 JULIO VILLAFUERTE
 ERIC L. VOLK
 PAUL D. VOORHEES
 DANIEL J. VORENKAMP
 LIM DINH VU
 MICHAEL J. VYN
 JOHN D. WADDELL
 NATASHA L. WAGGONER
 DAVID T. WALBECK
 TIMOTHY C. WALBERG
 KEVIN JACK WALCHKO
 RONNIE R. WALDEN
 ERIC J. WALDO
 JESSE GEORGE WALES
 DAVID ODIS WALKER
 MICHAEL M. WALKER
 NATHANIEL S. WALKER
 NICKLAUS M. WALKER
 WILLIAM M. WALKER II
 MATTHEW P. WALLAART
 LISHA T. WALLACE
 LOWELL C. WALLACE III
 RONALD S. WALLACE
 SCOTT T. WALLACE
 SUSAN NICHOLS WALLBERG
 KRISTI WALTERS
 KURT CARL WAMPOLE, JR.
 JASON P. WARD
 RICHARD J. WARD
 RYAN R. WARD

JASON W. WARE
 JUSTIN J. WARNAAR
 CHRISTOPHER L. WARNER
 CLINTON G. WARNER
 LINDSAY DIANE WARNER
 ABBE H. WARREN
 JENNIFER M. WARREN
 JERAD T. WARREN
 TREVOR W. WARREN
 ANGELA MARIE WATERS
 ELBERT M. WATERS IV
 JONATHAN R. WATERS
 KIMBERLY ANN KUHN WATSON
 LEE ISAIAH WATSON
 RYAN L. WATSON
 KEVIN J. WEAVER
 AARON M. WEBB
 MICHAEL B. WEBER
 PHILIP E. WEBER
 CHRISTOPHER K. WEE
 SCOTT ALLEN WEED
 MICHAEL PATRICK WEEKS
 ROBERT B. WEHMAYER
 JARRETT L. WEIBLEN
 ANDREW MARK WEIDNER
 HERON GRIMM WEIDNER
 CHRISTOPHER SCOTT WEIR
 MICHAEL ROY WELCH
 PHILIP L. WELCH
 SHERRY M. WELCH
 BRIAN M. WELDE
 DALE J. WELLER
 ANDREW A. WELLS
 MICHAEL E. WELSER
 DAVID T. WELT
 JONATHAN F. WENTZEL
 DANIEL C. WERNER
 JOSHUA TYE WERNER
 JUSTIN M. WEST
 TYLER THOMAS WESTERBERG
 BRAD A. WETHINGTON
 BRYAN L. WETZEL
 TYSON KRISTOPHER WETZEL
 DARIN E. WETZLER
 ROBERT PRINCE WHISENANT
 ALEX R. WHITE
 CHRISTOPHER J. WHITE
 ETHAN A. WHITE
 JARED P. WHITE
 JASON THOMAS WHITE
 RYAN J. WHITE
 THERESA M. WHITE
 WILLIAM F. WHITE
 TERRY L. WHITED
 STEVEN L. WHITSON
 JEFFREY NEAL WHITTAKER
 RYAN M. WICK
 JOHN C. WICKER
 STACEY D. WIGGINS
 JOSHUA D. WITALA
 DANIEL J. WILCOX
 NATHANIEL D. WILDS
 JONATHAN J. WILHELM
 BILLY J. WILLARD, JR.
 AARON WESLEY WILLIAMS
 DAVIDS WILLIAMS
 EDWARD WAYNE WILLIAMS
 JASON O. WILLIAMS
 JASON PAUL WILLIAMS
 MICHAEL C. WILLIAMS
 MICHAEL D. WILLIAMS
 MICHAEL L. WILLIAMS
 NATHAN ANDREW WILLIAMS
 RICHARD P. WILLIAMS
 ROBERT M. WILLIAMS II
 VICTORIA CAROLINE WILLIAMS
 SHERWOOD M. WILLIS
 MARK A. WILLOUGHBY
 ROSS S. WILLSON
 RYAN E. WILMES
 JUSTIN P. WILSON
 MATTHEW PERRY WILSON
 ROBERT D. WILSON
 TIMOTHY JOSEPH WILSON
 JESSE R. WINKELS
 JOHN D. WINKLE
 CHRISTOPHER S. WIREMAN
 DAVID R. WISNIEWSKI
 STEVEN RAY WITTER
 DERICK J. WOLF
 ALEX C. WOLFARD
 ANDREW R. WOOD
 BUTCH DAVID WOOD
 CRISTOPHER R. WOOD
 EMILY A. WOOD
 JASON G. WOOD
 SCOTT F. WOOD
 MATTHEW B. WOODFIELD
 DENNIS EDUARDO WOODLIEF
 CHAD A. WOODS
 DESHAWN L. WOODS
 FRANKIE L. WOODS, JR.
 BRIAN GREGORY WOOLLEY
 HEATHER M. WOOTEN
 KRISTIN A. WOZNIAK
 DAVID A. WRIGHT
 VINCENT L. WRIGHT
 MATTHEW C. WROTEN
 JODY L. WYNANS
 MING XU
 BRIAN H. YATES
 CHRISTOPHER L. YATES

ROBERT J. YATES III
 MARY C. YELNICKER
 NATHAN ROSS YERKES
 NATHAN P. YERRICK
 JAE H. YOON
 JOHN M. YORK
 SY W. YOST
 JENNIE A. YOUNG
 TIMOTHY E. YOUNG
 MICHAWN ANQUIN YUVIENCO
 DENNIS A. ZABKA
 RYAN W. ZACKRISSON
 SCOTT A. ZARBO
 THOMAS J. ZAREMBA, JR.
 SCOTT K. ZAVERL
 CHRISTOPHER J. ZAWORSKI, JR.
 RICHARD W. ZEIGLER
 PATRICIA S. ZEITLER
 TIMOTHY W. ZENS
 JONATHAN LAWRENCE ZENTNER
 SCOTT A. ZICARELLI
 ANDREAS ZIEGLER
 CHRISTOPHER JAMES ZIELESCH
 DALE EDWARD ZIMMERMAN
 SARAH J. ZIMMERMAN
 DAWN M. ZINK
 MICHAEL D. ZOLLARS
 BENITO M. ZUBIATE
 ALEC D. ZWIASKA
 AMY P. ZWIERS
 SCOTT N. ZWIERS
 MARK C. ZWYGHUIZEN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ISRAEL MERCADO, JR.

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

FRANCIS J. EVON, JR.
 RAPHAEL WARREN
 MARK S. WELLMAN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ANDREW J. STRICKLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ANDREW K. LEDFORD

THE FOLLOWING NAMED OFFICERS IN THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

JOHN L. GRIMWOOD

To be lieutenant commander

MASON B. ANDREWS
 REBECCA J. CHASON
 HELEN S. HAGAN
 JACK D. HAGAN
 THOMAS M. HEARTY
 PATRICK W. JOYNER
 JAIME H. KAPUR
 DAVID S. LAW
 JASON C. MAGGI
 RICHARD S. MONTGOMERY
 CHARLES J. OSIER
 GUS THEODOS
 ROBYN M. TREADWELL

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

DARIUS V. AHMADI
 TODD A. ARNOLD
 EDWARD J. BARRY
 JESSICA F. BETZ
 CHRISTOPHER A. BROWN
 JEFFREY K. BROWN, JR.

RUSSELL L. BRYANT
 KYLE F. CALTON
 JOHN R. CRUMPACKER
 DAVID A. DAIGLE
 EMIL D. DINNOCENZO
 DOUGLAS W. DURHAM
 WILLIAM T. DVORAK
 JESS B. FELDON
 SCOTT A. HARVEY
 DAVID C. HOLLON
 HENRY J. KENNEDY
 JOSEPH M. LAHER
 JIMMY L. LAWTON
 CHRISTOPHER R. LONG
 KRISTA R. MANN
 TRAVIS A. MONTPLAISIR
 CHRISTOPHER M. NORRIS
 CHARLES W. PHILLIPS
 JONATHAN P. PHILLIPS
 THOMAS D. RICHARDSON
 GRANT H. RIEDL
 ANDREW P. RIVAS
 CLAYTON V. ROBERTS
 HOUSSAIN T. SAREINI
 KEITH E. SCOTT
 JOHN C. SMITH
 STEPHEN M. SMITH
 ANDREW H. SPARKS
 SCOTT D. SULMAN
 CHRISTOPHER T. TERZIAN
 MARTY D. TIMMONS
 JOE M. TOWLES
 OMAR J. VIEIRA
 RYAN S. WILLETTTE
 SCOTT D. WOODS

CONFIRMATION

Executive nomination confirmed by the Senate April 23, 2012:

THE JUDICIARY

BRIAN C. WIMES, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN AND WESTERN DISTRICTS OF MISSOURI.

EXTENSIONS OF REMARKS

IN MEMORY OF DEPUTY ROBERT LEE PARIS, JR.

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. CARDOZA. Mr. Speaker, it is with great sadness that I rise today to honor the late Deputy Robert Paris who was killed in the line of duty on April 12, 2012. Deputy Paris paid the ultimate price, sacrificing his life, while protecting and serving the citizens of Stanislaus County.

Deputy Paris was born in Tracy, California on January 23, 1959 to parents Robert Paris, Sr. and Elizabeth Paris. He graduated from Tracy Joint Union High School in 1977. He attended Delta Community College before entering paramedic school in 1979. He was certified as a Mobile Intensive Care Paramedic in 1980 and worked for Tracy Ambulance and American Medical Response serving the Tracy community. Deputy Paris graduated from Ray Simon Regional Criminal Justice Training Center in 1993.

Deputy Paris began his career with the Stanislaus Sheriff's Department in 1996 as a Level 1 Reserve Officer. He was sworn in full time in 1999. He served in Patrol Operations, Court Services, Contact Cities, the Special Vehicle Off Road Unit/Water Enforcement Team and the Civil Division. Deputy Paris served his community with pride and admiration.

Deputy Paris was an avid outdoorsman who enjoyed spending spring and summer days camping and fishing in the Sierras with his friends and family. In the fall, he would travel to the Rockies to go hunting with his father and friends in Colorado before heading to Montana to serve as a hunting guide. He also enjoyed cycling and golfing in his spare time. He became a successful taxidermist for his own enjoyment as well as for others.

Deputy Paris is survived by his parents, Bob and Jane Paris; daughter, Jami Paris and her mother, Janelle Corso; son, Bobby Paris; brother, Eric Paris and his wife Kari; sister, Krista Torpey and her husband Richard; nephews Ryan and Colin Torpey and niece, Lauren Torpey.

Mr. Speaker, the recognition that I am offering today before the House of Representatives for Deputy Robert Paris is small compared to the contributions and impact he had on the lives of so many. He was truly an invaluable member of our community and an outstanding human being. My thoughts are with Deputy Paris' family, the community and the Stanislaus Sheriff's Department as they grieve the loss of this wonderful man.

HONORING ROBERT LEE SMITH

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, we are saddened by the death of Mr. Robert Lee Smith because our lives have been touched by the life of this one man; and

Whereas, Mr. Robert Lee Smith's work is present in our community and his church, Hillcrest Church of Christ; being a deacon, Bible School instructor, bus driver and singer; and

Whereas, this highly effective motivator utilized his skills to aid in the growth and development of his church; and

Whereas, he gave of himself, his time and talent as he served his family, friends and community; and

Whereas, Mr. Robert Lee Smith was a husband, a son, a father, a friend and a man of great integrity who remained true to the uplifting of our community; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a special recognition on Mr. Robert Lee Smith for his leadership, friendship and service to all as a citizen of great worth and so noted distinction;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby attest to the 112th Congress of the United States that Mr. Robert Lee Smith of Decatur, DeKalb County, Georgia is deemed worthy and deserving of this "Congressional Recognition" by declaring Mr. Robert Lee Smith U.S. Citizen of Distinction in the 4th Congressional District.

Proclaimed, this 15th day of April, 2012.

HONORING SERGEANT STEPHEN M. STEWART

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. DENHAM. Mr. Speaker, I rise today to honor Veterans of Foreign Wars Chowchilla Post 9896 Life Member Sergeant Stephen M. Stewart. Sergeant Stewart served the United States of America honorably with the U.S. Army 10th Mountain Division in Somalia.

Sergeant Stewart was born in Vancouver, British Columbia on May 28, 1954. He later relocated to the United States and enlisted in the U.S. Army. During his service, he served a 12-month tour in Korea and was part of the advance forces in Operation Desert Storm, which culminated in the repelling of the Iraqi forces and the liberation of Kuwait.

In 1992, while serving with the 10th Mountain Division, the division was deployed to So-

malia as part of Operation Restore Hope for the famished populace of Somalia. The division's mission was to secure major cities and roads in order to provide safe passage of relief supplies to Somali citizens suffering the effects of the Somali Civil War. When Task Force Ranger and the SAR team were pinned down during a raid in what would later become known as the Battle of Mogadishu, Sergeant Stewart and elements of the 10th Mountain Division provided infantry to the United Nations force sent to rescue them. The ensuing firefight was the longest sustained by the U.S. Army since the Vietnam War.

In September 1994, Stephen and 8,600 troopers of the 10th Mountain Division formed the nucleus of the Multinational Force Haiti and Joint Task Force 190 in Haiti during Operation Uphold Democracy. The division's mission was to create a secure and stable environment in which the government could reestablish and hold democratic elections.

During his service in the U.S. Army, Sergeant Stewart served in various roles. He was a troop leader in billets as a platoon sergeant, a drill sergeant, and held several administrative positions. He retired as a Sergeant First Class. For his service, Sergeant Stewart received the National Defense Service Medal, Good Conduct Medal, Armed Forces Medal, Armed Forces Expeditionary Medal, Kuwait Liberation Medal, Korean Defense Medal, Humanitarian Service Medal, Army Service Ribbon, United Nations Medal for Somalia, and the Army Sharpshooter Badge for the M-16 Rifle.

After his retirement from the U.S. Army, Sergeant Stewart earned a bachelor's degree and teaching credentials. He taught at Sierra Vista Elementary School and the former Mountain Vista Continuation School in Madera Unified School District. His hobbies included running and hiking, and he dreamt of someday climbing Pobeda Peak located near the border of China. He was an influential force in the Chowchilla area to honor WWII veterans through the "Honor Flight" program. He was also commemorated for his service to the California Troops to Teachers program.

Sergeant Stewart passed away in 2012. He is survived by his wife, Dr. Gwendolyn Stewart, daughters Stephanie Stewart, M.D., Sharon Stewart, and grandson Ernest "Jewell" Hall. Sergeant Stewart is a Life Member of Chowchilla VFW Post 9896, American Legion Post 148, Association of the U.S. Army, Young Men's Institute, and St. Columbia Catholic Church of Chowchilla.

Mr. Speaker, please join me in honoring Sergeant Stephen M. Stewart for his honorable service to our great country.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN RECOGNITION OF EARTH DAY

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to commemorate Earth Day, which has been celebrated on this day, April 22, for the past 42 years. Since the first Earth Day in 1970, Americans have worked to make cleaner the air we breathe and the water we drink. Four decades later, I am proud to be working with like-minded colleagues in the Congress and the Administration to continue this honored tradition of environmental leadership.

Earth Day was first organized in 1970 by one of the greatest environmentalists in the history of the Congress, Senator Gaylord Nelson of Wisconsin. Despite his tireless work to raise awareness of environmental conservation, for years the Congress and the administration consistently failed to enact his environmental legislation. Senator Nelson called upon student activists of the day who led a nationwide "teach-in." It is estimated that 20 million individuals participated, demonstrating to Congress the extent of the public's interest in, and concerns over threats to, the environment. The resulting change was dramatic and profound. With bipartisan support and majorities, Congress took the following actions: Created the Environmental Protection Agency (EPA) (1970); Passed the Clean Air Act (1970); Passed the Clean Water Act (1972); Passed the Endangered Species Act (1973).

Added to this impressive list of accomplishments are the actions taken by the Democratic-controlled 110th and 111th Congresses to preserve and protect the air we breathe, the water we drink, the food we eat, and the lands we inhabit, and the green spaces where we recreate. Let me briefly mention some of the highlights of this impressive record of environmental stewardship.

In the 110th Congress, the House passed, and I supported the following major legislative initiatives:

Energy Independence and Security Act in 2007, which will increase vehicle fuel efficiency standards for the first time in more than 3 decades, to 35 miles per gallon in 2020, projected to save \$1,000 per vehicle each year. The act will also expand the use of American-grown biofuels and combat oil market manipulation.

Food, Conservation, and Energy Act of 2008, also known as the Farm Bill, which made an historic commitment to American biofuels—which are keeping gas prices 15 percent lower than they otherwise would be due to fuel blending—and increased Commodity Futures Trading Commission oversight authority to detect and prevent manipulation of energy prices.

Energy Improvement and Extension Act of 2008, which extended and expanded tax incentives for renewable electricity, energy and fuel from America's heartland, as well as for plug-in hybrid cars, and energy efficient homes, buildings, and appliances. This legislation is critical to creating and preserving more than 500,000 good-paying clean energy American jobs in the wind and solar industries alone.

Green the Capitol—Under the leadership of newly-elected Speaker NANCY PELOSI in 2007, the House started this program to make its operations a model of sustainability. The House set aggressive targets, including reducing energy use by 50 percent over 10 years. Since the program's inception, the House has reduced its carbon footprint by 73 percent, it purchases wind energy to meet all electricity needs and burns only natural gas at the Capitol Power Plant, with total energy consumption down by 23 percent and water consumption down 32 percent. The project has already saved taxpayers at least \$3.3 million a year.

In the 111th Congress, the House passed, and I supported, the following major bills:

American Clean Energy and Security Act of 2009, historic legislation that launches a new clean energy economy—to create 1.7 million American jobs (with the Recovery Act); helps reduce our dangerous dependence on foreign oil by 5 million barrels per day; keeps energy costs low for Americans; protects consumers from price increases with lower income families seeing no cost and with no increase to the deficit. The legislation requires a reduction in the carbon pollution causing climate change from major U.S. sources of 17 percent by 2020 and 80 percent by 2050, compared to 2005 levels.

American Recovery and Reinvestment Act of 2009, which made historic investments of \$90 billion in tax cuts and investments in clean energy. These investments leveraged another \$100 billion in private investments in energy efficiency, renewable generation, research, and other areas and helped speed the transformation to a clean energy future. The included tax incentives spurred energy savings and created clean energy jobs, as will lead to breakthroughs in clean energy research. The Recovery Act also included incentives to produce new electric cars, develop advanced battery technology, and modernize the electricity grid to make it more efficient and reliable. It is estimated that this legislation created more than 2,700,000 jobs, nearly doubled renewable electricity over four years, and saved consumers up to \$98 a year in energy costs.

Today, it is no less urgent that we take great pains to keep environmental issues from receding into the background. Four out of five Americans live in areas hit by recent weather disasters, and emerging scientific data suggests that such disasters will continue occurring at higher and higher frequencies if we do not take steps to address our changing climate.

My home state of California has made great strides in developing a "green economy" and investing in renewable sources of energy. In 2011, California added more wind power than any other state. The state's wind industry now employs 4,000–5,000 people and is responsible for 3 percent of the California's electricity. Additionally, the solar energy industry in California alone is comprised of over 3,500 solar companies, which employ more than 25,000 people. These industries should be recognized for their contributions to job creation as well as their growing success in securing our energy independence.

Partisan politics threatens to turn back this progress, particularly through the recently pro-

posed Republican budget plans. These plans protect billions of dollars in tax breaks for big oil companies while slashing investments in clean solar and wind energy. We cannot afford to lavish subsidies on oil companies earning record profits, furthering our dependence on increasingly expensive, dirty and dangerous fossil fuel sources.

Since Senator Nelson sparked a widespread interest in our environment four decades ago, environmental legislation has enjoyed support from both sides of the aisle. I am committed to working with my colleagues in Congress and the Obama Administration to continue the bipartisan tradition of environmental protection.

Mr. Speaker, as we celebrate Earth Day this year, let it serve as a timely reminder of the immense opportunities the planet holds, both in terms of current economic growth and future prosperity. It is my hope that we may recapture the energy and enthusiasm behind Senator Nelson's original celebration in order to restore environmental stewardship as a core American value.

IN MEMORY OF JANE MARGARET JOHNSTON

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. CARDOZA. Mr. Speaker, it is with great sadness that I rise today to honor the late Jane Johnston who passed away unexpectedly on April 13, 2012.

Jane and her identical twin sister, Jean, were born on September 2, 1951 to parents Dennis and Maryellen Tally. The "Tally twins" along with their brothers Larry and Chris, were raised in Tracy, California.

Jane and her husband Tom grew up on the same street together in Tracy. They were married on September 10, 1972. Together for nearly 40 years, they raised two daughters, Jill and Laurie. Jane enjoyed being a stay-at-home mother when her daughters were young, and it was during this time that she finished her college education. Jane earned a degree in Communications from California State University, Stanislaus.

The biggest joy in Jane's life was her family, and she loved spending time with her husband, children and four grandchildren. She adored her young grandchildren—all born in the past three years—and eagerly shared pictures and stories about them with her many friends. She loved family traditions, and always made holidays special for her family. Jane loved being busy, and in addition to spending time with her family and working, she enjoyed golfing at Spring Creek Country Club, traveling, reading and writing.

For nearly 20 years, Jane worked at the Stanislaus County Office of Education, most recently as Assistant Superintendent of Administrative Services. Jane was an astute judge of character and was quick to recognize potential in others. She was a member of the Association of California School Administrators, the Modesto Rotary, the California and National School Public Relations Organizations, served on the Moccasin Supervisory Committee and co-chaired the Stanislaus Teacher of the Year Program.

Jane was an active member at Modesto Covenant Church in Modesto. She reached out to help homeless families through programs including Family Promise and the Salvation Army. Jane was a mentor to many colleagues and young children, who she enjoyed tutoring through the Stanislaus Mentoring Program. She was also instrumental in promoting and implementing the Stanislaus County "Choose Civility" initiative.

Jane is survived by her husband Tom; children Jill and her husband Peter Krimmel and Laurie and her husband Jonathan Hansen; grandchildren Cole Krimmel, Logan Hansen, Stella Jane Krimmel and Lucas Hansen; sister Jean Benner; brothers Larry Tally and Chris Tally; and many nieces and nephews.

Mr. Speaker, the recognition that I am offering today before the House of Representatives for Jane Margaret Johnston is small compared to the contributions and impact she had on the lives of so many. She was truly an invaluable member of our community and an outstanding human being.

RECOGNIZING ANTHONY H. "TONY" GRIFFIN ON THE OCCASION OF HIS RETIREMENT AS FAIRFAX COUNTY EXECUTIVE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize and commend Anthony H. "Tony" Griffin on the occasion of his retirement after a decorated career in public service, which culminated with his 12-year tenure as the County Executive in Fairfax County, VA, the largest local jurisdiction here in the National Capital Region.

Tony began his public service with the U.S. Marine Corps, where he served as an officer during the Vietnam War. He brought the collaborative, can-do spirit from his military experience to local government, where he served in managerial positions with Arlington County and the City of Falls Church before joining Fairfax County in 1989. I had the great pleasure of working with Tony throughout my 14 years on the Fairfax County Board of Supervisors, particularly during my 5 years as Chairman.

His accomplishments are many, but let me cite just a few to convey the magnitude of the profound benefit he has brought to our community and our region. One of the earlier initiatives on which we worked closely was a strategic plan to prevent and end homelessness. Thanks to Tony's support and the efforts of staff, we held a community summit and created a partnership consisting of the faith, non-profit, business and civic communities. The Board created a standalone position to coordinate prevention efforts and adopted a 10-year Plan to Prevent and End Homelessness. Today, Fairfax is one of the few jurisdictions in the nation that has seen its homeless population decline in the midst of the worst economic recession since the Great Depression.

Tony also has been instrumental in transforming our one-time bedroom community into

the economic engine of the Commonwealth of Virginia and the National Capital Region. Fairfax is now home to more than 1 million people and nearly 600,000 jobs. Under Tony's leadership, Fairfax County was named the "best managed jurisdiction in America" by Governing Magazine, and the county has consistently retained its AAA bond rating. Throughout his tenure in Fairfax, Tony has steadily worked to advance the Dulles Corridor Metrorail Project, which will finally link the Washington, DC, Metro system with the region's premier international gateway, Dulles International Airport. It is one of the largest public works projects in the nation, and Tony has collaborated with local, state and federal stakeholders to ensure its success. As an extension of that effort, Tony also oversaw the replanning of Tysons Corner, the region's premier retail and commercial center. After a multi-year, community-centered effort, the County Board adopted a new vision plan that will transform the collection of disparate office parks into a walkable, transit-oriented, mixed-use community. That effort won national recognition from the American Planning Association.

Perhaps Tony's most lasting achievement will be his effort to establish a model of regional cooperation for emergency management. As Chair of the Chief Administrative Officers Committee of the Metropolitan Washington Council of Governments, Tony coordinated local government decisions and responses to a myriad of incidents. His leadership was invaluable during the events of 9/11, in which his calm leadership helped assure the delivery of essential government services throughout that tragedy. Under his leadership, the CAO Committee established a new framework to foster better collaboration and cooperation among the 17 local governments, two states and the District of Columbia that comprise the National Capital Region. Those efforts proved particularly vital during the 2001 anthrax incidents, the 2002 regional sniper attacks, the 2009 presidential inauguration, and 2010's historic snowstorms.

Tony's leadership has been recognized nationally by his peers. The American Society of Public Administration honored him with its Stone Practitioner Award for his commitment to improve intergovernmental cooperation. He also was appointed by Homeland Security Secretary Janet Napolitano to the local, state, tribal and federal Preparedness Task Force, which is assessing the state of preparedness and recommending actions to build resiliency for communities across America.

Beyond those accomplishments, I want to recognize Tony's efforts to inspire the county's workforce and to recruit and train the next generation of public servants. During his tenure in Fairfax, he initiated partnerships with the Weldon Cooper Center for Public Service at the University of Virginia, the George Mason University Fellows Program, the Metropolitan Washington Council of Governments Regional Program of Excellence with George Washington University, and the Council's Project Manager Certification Program and Supervisory Development Training. So while we will surely miss having him here day-to-day in Fairfax County, his presence will continue to be felt here and in communities throughout our region and our nation.

Mr. Speaker, Tony Griffin's commitment to our community, the county workforce, our residents, and the mission of local government are unparalleled, and he leaves behind a legacy that will enrich our community for generations to come. His career in public service, beginning with his service in the Marine Corps, is truly commendable and deserving of our heartfelt gratitude. When I was Chairman of the County Board, I often used to joke with Tony at retirement announcements that we should not allow retirement for such talented and dedicated staff. I certainly wish that was the case here. I wish Tony, his wife and family the best of luck in his retirement, and I ask my colleagues in the House to join me in expressing our appreciation for his commitment and service to this community and our nation.

RECOGNIZING THE RETIREMENT OF DR. AND MRS. ARLIN HORTON

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Dr. Arlin Horton and his wonderful wife Beka, who have selflessly served the Pensacola, Florida community for more than 60 years. Dr. Horton, the current President of Pensacola Christian College, and Mrs. Horton, who spearheaded and guided the Christian school's curriculum, are the co-founders of Pensacola Christian. The Northwest Florida community owes a great deal of gratitude to this dynamic duo for their leadership and vision.

Dr. and Mrs. Horton's lives have been dedicated to bestowing upon students a "truly Christian foundation, character training, and excellence in academics." Pensacola Christian provides a first-class education to all levels from elementary school through college. Pensacola Christian Academy has grown from 35 enrolled students to over 2,000 annually, and Pensacola Christian College has graduated over 16,600 students. Additionally, Pensacola Christian has mentored over 37,000 children through the Camp o' Pines and since 1953, has hosted educational clinics for over 93,000 Christian school principals and teachers.

While located in Pensacola, the institution's impact is felt by those all around the world today, through their textbooks and modern-day technology. Dr. and Mrs. Horton's textbooks A Beka Book, named to commemorate Beka for her role in creating the school's curriculum, will reach the hands of approximately 730,000 students just in this year alone. An additional 40,000 students will be reached through the virtual A Beka Academy, and today, 10,288 Christian schools and daycares and more than 105,000 homeschoolers study from the books published under the Pensacola Christian name.

Outside of academia, Pensacola Christian runs a radio and television network that helps bring others to God's glory. In 1971, WPCS Christian radio began, and in 1996, the name changed to Rejoice Broadcasting Network. The station includes 39 satellite stations and through the Internet their message reaches a

worldwide audience. Likewise, their television program, *Rejoice in the Lord*, is shown on 11 stations and viewed across the nation and around the world.

Teaching the Christian way of life through love and faith in the Lord became its inspiration, and Dr. and Mrs. Horton brought this ministry to life. Through their selflessness and unwavering dedication, they built a strong foundation that has grown into a worldwide educational institution. Despite its vast success, Dr. and Mrs. Horton have always remained humble and attributed their successes to the Lord.

Mr. Speaker, I am privileged to recognize the life-long career of Pensacola's Arlin and Beka Horton. Their dedication to bettering the lives of others and bringing faith to the communities of Northwest Florida is commendable. Through their vision, a small school has been transformed into a beacon for Christian education. My wife Vicki joins me in wishing them all of the best in their retirement.

IN RECOGNITION OF MICHAEL W.
HUNKAPILLAR

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Michael W. Hunkapillar who today is receiving BayBio's prestigious Lifetime Achievement DiNA Award in San Francisco.

Mike is one of the brilliant minds in biotechnology. He has been instrumental in expanding the frontiers of genomics and proteomics. His extraordinary accomplishments include the invention of the first DNA sequencer and the realization of the Human Genome Mapping Project.

I had the great honor and pleasure to work with him while I was in the California Senate. I introduced legislation that established a missing person DNA database. Mike happened to hear me talk about it on the radio, called me and donated DNA testing equipment to make the program a reality. This important program helps solve thousands of rapes, homicides and missing person cases.

Mike has had a hugely successful and expansive career as a scientist, entrepreneur and life science industry executive. He is currently a general partner at AlloyVentures, a venture capital firm that invests in the next generation of information technology, life sciences and clean tech.

Before joining Alloy, he spent 21 years at Applied Biosystems which he co-founded. He turned it from a start-up into a \$2 billion a year company that supplies instruments and reagent systems to life science research. Mike also founded ABI's sister company Celera Genomics, now owned by Quest Diagnostics.

Prior to ABI, Mike was a senior research fellow in the Division of Biology at the California Institute of Technology. While at Caltech he authored over 100 scientific publications, served on the editorial boards of several scientific journals and received patents for more than two dozen inventions.

Among his most influential inventions was the automated Gene and Protein Sequencer

that was used to sequence the human genome in 2003. The project identified all 20,000–25,000 genes in the human DNA, determined the sequences of 3 billion chemical base pairs that make up human DNA, stored the information in a database, improved tools for data analysis and—for the first time in a large scientific project—addressed ethical, legal and social issues.

The National Academy of Engineering recently elected Mike for his life-long dedication to the human genome mapping project and the field of comparative genetics.

Mike was born in Paris, Texas in 1948. He received his B.S. in Chemistry from Oklahoma Baptist University in 1970 and his Ph.D. in Chemical Biology at Caltech in 1974.

Just last week he was appointed Executive Chairman of the board of directors of Pacific Biosciences, and he also serves on the boards of NuGEN, Verinata Health and RainDance Technologies.

Mike and his wife Beth have two children, Kathryn Keho and Nathan Hunkapillar, and two grandchildren, Christopher and Patrick Keho. In his spare time, Mike is an avid soccer player.

Mr. Speaker, I ask this body to rise with me to honor Mike Hunkapillar, for his historic contributions to science and humanity.

HONORING MUSIC CITY HONOR
FLIGHT WORLD WAR II VETERANS

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. COOPER. Mr. Speaker, I rise to honor the World War II veterans who are flying to Washington, DC today from Nashville, TN, with Music City Honor Flight. This Honor Flight is part of a nationwide effort to bring as many World War II veterans as possible to the memorial created here in honor of their service and in memorial of their fallen peers.

Through their selflessness, the brave men and women who served in World War II protected our country and changed the course of history. We can never adequately thank them for their great sacrifice. Whether Soldiers, Airmen, Sailors, Marines, or Coast Guardsmen, they heroically stood up for their Nation during a turbulent time of great need. It is my great privilege to welcome them the Nation's Capital and to honor them here today.

I am proud to present the names of these distinguished veterans so that they can be recognized for their brave service and so my colleagues and I can express our gratitude.

Orville Jerome Aasen; Lytleton C. Anderson, Jr.; Clarence Arand; James L. Bass, James B. Batey, Jr.; Douglas Beard; Dumpsie G. Binkley; Winston Bowling; Eugene W. Brock; Charles J. Brown; Edward L. Buquo; Roger L. Burgess; Hugh Lafayette Callens; Russell M. Campbell; Frank A. Cantwell; James W. Carroll; Francis A. Centimole; Robert E. Chadwell; James Robert Clower; Alfred Damon Corley;

James D. Craig; Fred M. Creasy; Rayford H. Danley; James L. Davis; Gerald Alvin Davis; Lloyd F. Driver; James W. Duke; Ed-

ward Eugene Durham; Lloyd C. Fisher; David Ray Fussell; Murray O. Fussell; Charles H. Gannon; Gerald Allen Gilman; Harry R. Guttridge; Herald D. Hackett; Thomas Hall, Jr.; Jones B. Hamlett; Wesley W. Harmon; Jackson Harris; Samuel A. Harris;

William J. Harvey; Eldon H. Hatcher, Jr.; Harley Walter Heilman; Irvan Hardeman Hendon; Wayne Hill; Vernard E. Hixson; Leonard Hollender; Edward L. Holton; Lawrence H. Horn; Edward W. Hudson; Robert W. Hull; Nathaniel B. Johnson, Jr.; Robert C. Jones; Clinton D. Keel; John W. King; James Fowler Lancaster; Earl Eugene Lerch; George Lukon; Nelson Lyne; Dock H. Lyons;

Joseph O. Maddux; Harry Eugene Margrave; Carl M. Martin; Henry C. McCall, Jr.; Carl E. Meeks; Ledlie J. Miller, Jr.; Charles A. Mitchell; Dr. John Myers; Robert M. Nabors, Jr.; James J. Panipinto; Andrew S. Parker; Baxter Lewis Perry; David M. Pettus; Carlos F. Plott; W.H. Reeves; Samuel Ralph Rehorn; Eugene R. Rhue; Clarence Richards; Robert McCulloch Rock; Elmer Julius Sager;

David Y. Sharpe; Milton Shearer; Robert Love Simpson; William Paul Sittin; Fred L. Stacey; John E. Stephens; Robert Merrill Stoops; Harry Richard Sturm; Glenn Swanson; James F. Tacker, Jr.; Denison Taylor; W. Glenn Tinsley; Jess Titus; Glenn Tompkins; Eddie G. Wall; James E. Waugaman; Robert Conway White; Ross Williams; William E. Wingo; Henry C. Winstead; Talmadge R. Woodall; Charles Richard Zartman.

HONORING SERGEANT LAFAYETTE
SPRADLEY

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. DENHAM. Mr. Speaker, I rise today to honor Veterans of Foreign Wars Chowchilla Post 9896 Life Member Sergeant Lafayette Spradley. Sergeant Spradley served the United States of America honorably with the U.S. Army 4th Infantry Division in the Vietnam War.

Sergeant Spradley was born in Madera, California on November 24, 1943. Sergeant Spradley attended local Madera schools and enlisted in the U.S. Army in August of 1961. He completed basic training at Fort Ord, and was selected for communications training. Upon completion of communications training, he was assigned to work as a wireman. After additional stateside duty, he served with the 3rd Infantry Division before joining the 76th Artillery of the 3rd Infantry Division in Kitzingen, Germany.

In 1965, he returned to the U.S. for duty with the 4th Infantry Division at Fort Lewis, Washington. In July 1966, Mr. Spradley deployed to Pleiku, Vietnam. His unit was responsible for laying communication wire to fixed installations and forwarding operating bases in the Central Highlands region. He later served with Company "C" of the 1st Battalion of the 12th Regiment as a Communications Sergeant.

Throughout his service in Vietnam, Sergeant Spradley served with the 4th Division in combat operations in the western Central Highlands along the border between Cambodia

and Vietnam. His unit was frequently assigned to missions to repair communications equipment damaged by enemy artillery and mortar fire.

In May 1967, Sergeant Spradley completed his tour in Vietnam and returned to the United States. He was discharged at the Oakland Army Base. For his service, Sergeant Spradley received the National Defense Service Medal, the Good Conduct Medal, the Vietnam Service Medal with a Bronze Star, the Vietnam Campaign Medal with Device, two awards of the Army Occupation Medal, and the Sharpshooter Badge for the M-14 Rifle.

Sergeant Spradley returned to the Chowchilla area where he attended Merced College. He was employed as a line operator by Certainteed Corporation for 27 years until his retirement. He and his wife, Marion, have three children, two grandchildren, and one great-grandchild. He is a Life Member of Chowchilla VFW Post 9896, and he enjoys traveling with his wife.

Mr. Speaker, please join me in honoring Sergeant Lafayette Spradley for his honorable service to our great country, and wishing him the best of luck and health in his future endeavors.

HONORING JAMES E. "JIM" YOUNG

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our lives have been touched by the life of this one man . . . who has given of himself in order for others to stand; and

Whereas, James E. "Jim" Young's work as President and C.E.O. of Citizen's Trust Bank is present not only in DeKalb County, Georgia, but across this great Nation; and

Whereas, this giant of a man was a husband, father, businessman and financial educator; and

Whereas, this remarkable man gave of himself, his time and his talent; never asking for fame or fortune, yet inspiring anybody to be involved in community activities, encouraging the everyday entrepreneur to build businesses which strengthen our communities and our Nation;

Whereas, James Young inspired citizens to be financially responsible, government officials to be just and small business persons to think and grow "Big"; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow special recognition on James E. "Jim" Young for his leadership, friendship and service to all of the citizens of Georgia and throughout the Nation; and

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby attest to the 112th Congress that James E. "Jim" Young of Stone Mountain, Georgia is deemed worthy and deserving of this "Congressional Recognition"—James E. "Jim" Young, U.S. Citizen of Distinction in the 4th Congressional District of Georgia.

Proclaimed, this 3rd day of March, 2012.

IN RECOGNITION OF LINDA KOELLING

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Foster City Councilmember Linda Koelling who is retiring after eight years of service on the council, including two terms as mayor. Linda's upbeat personality and limitless energy will be deeply missed by her colleagues.

Linda's accomplishments on the council were many and long-lasting. She created an Ad Hoc Transportation Committee to complete a transportation study plan for Foster City. She helped determine the fate of a property that will become the town center. She was a major advocate in the completion of the teen center at Leo Ryan Park. She was instrumental in building the partnership with the Chamber of Commerce. When she was chair of a League of the California Cities campaign committee to pass a local proposition, she rewrote the words to the song "Waterloo" that, with the help of council members from other communities, became a YouTube sensation.

On the council Linda represented Foster City on several San Mateo County boards such as CCAG, CMEQ, Peninsula Traffic Congestion Relief Alliance, Airport Round Table and the Airport Land Use Committee. She served on the Transportation, Public Works Policy Committee for two years and was the president of the Peninsula division of the League of California Cities.

Linda was born and raised in San Francisco. She graduated from Presentation High School in 1967, and she attended City College of San Francisco as a physical education major from 1967-69. She earned her BS in Parks and Recreation Management from California State University, Hayward, in 1971.

From 1972-77, Linda worked as a recreational supervisor for the city of Burlingame and was a member of the California Parks and Recreation Society. Among her responsibilities was the supervision of the recreational centers. One of the teachers who taught an upholstery class happened to be my mother, Nancy Speier, who later became a staunch supporter when Linda first ran for city council in 2003. I had the great pleasure of working with Linda when she was on the council and I was in the California State Senate.

Linda is passionate about education and sports. She founded the original Kids Connection private preschool and elementary school in Foster City. She was the president of pony/colt baseball for two years, created and co-ordinated a girls softball league, coached AYSO soccer teams and her children's softball team. Personally, she loves to play golf.

Linda and her husband Fred Koelling have been married for 40 years. They are the proud parents of Karen Koelling Gleason, Tommy Koelling and Bryan Koelling and have four grandchildren.

Though Linda is retiring from the city council, I have no doubt that she will continue to

serve our community and pursue an active role in public life.

Mr. Speaker, I ask this body to rise with me to honor the work of Linda Koelling, my friend, extraordinary human being and an outstanding public servant.

REMEMBERING DAVID WALTZ

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. HOLT. Mr. Speaker, I ask the House to consider the life of David L. Waltz, who died of brain cancer last month in Princeton, NJ, at age 68. David Waltz was one of the world's leading experts and creative forces in computer science, and a fine example of a researcher, a teacher and mentor, and a life well lived. He was what we talk about when we talk about America's creative spirit and educational excellence and path-breaking industry.

A pioneer in artificial intelligence, David produced early research that led to Internet search engines that we all use. He also invented techniques that allow designers to look at two dimensional data from three dimensional perspectives, and he showed how to extend those constraint-propagation techniques beyond visualization to optimization of scheduling, routing, or building. His ideas and computer techniques of neural networks and machine learning are eagerly applied by computer companies, power companies, medical researchers, and healthcare providers. David's advances made it possible for computers to move beyond laborious bit-by-bit checking and referencing to a fixed checklist and to begin to recognize patterns, whether applied to images or speech or music.

Taught by the renowned Marvin Minsky at Massachusetts Institute of Technology, where David received his Bachelor's and Ph.D. degrees, he went on to teach at the University of Illinois and Brandeis University. As head of the software division of the iconic company Thinking Machines he produced software innovations that have long outlasted that computer company. A decade ago David founded the Columbia University Center for Computational Learning Systems, where he worked until his death.

Surely more important than all the computer ideas, big and small, that he spawned are the many creative people he inspired, taught, and mentored. People who worked with him said everyone can remember a meeting, a conversation, or a simple thoughtful word when David changed one's research direction, career, or entire course of life for the better. In recent weeks his colleagues and students recorded their admiration for David and their sorrow at his death. Phrases like "amazing mentor", "mentor with unreserved support and encouragement", "amazing colleague and boss", and "wise and understanding" appear over and over in their remembrances.

David's colleagues called him a listener who inspired attention, someone who was as eager a listener as a talker, and someone who carried his great stature in the field gently and

with genuine humility. He imbued his research teams with optimism by always drawing out merit of the work of others. And he built teamwork by sharing his interests in art, literature, music, and culture well beyond the immediate concerns of the research team. He encouraged his students and colleagues not to narrow their thinking; as a result the group could contribute as much to the treatment of epilepsy as to power grid blackouts. Everything was food for thought and an opportunity for an amusing or inventive insight.

Probably the greatest praise for David's leadership came from women who have worked with him. Some credited him with providing the greatest opportunities for career advancement for women of anyone in the field. David recruited and promoted women not as a crusader for equal rights but because it was for him obviously the right and wise thing to do.

The lessons that teachers, researchers, supervisors—in fact any of us here in this House or elsewhere—can draw from David Waltz are not primarily about computer science and artificial intelligence. They are that the greatest creativity comes from inspiring others; the greatest technique of team-building is listening; the greatest innovation comes from devoting time to others' ideas; and the greatest wisdom is kindness.

I know all this to be true about David Waltz because he was a good friend of mine, and I personally also know he brought all of his wonderful qualities of uplifting and inspiring and nurturing others to his wonderful wife Bonnie and his two children, Jeremy and Vanessa.

HONORING ROBBIE DAVIS GUNN

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our lives have been touched by the life of this one woman who has given of herself to her family, church, community, and Nation; and

Whereas, Mrs. Robbie Davis Gunn's good works are present in Nashville, Tennessee as an exemplary mother, mother-in-law, grandmother, aunt, neighbor, community worker and friend; and

Whereas, this giant of a woman, who was raised up in the Providence Community, was born on August 20, 1928, to Rev. Robert Mitchell Davis and Mrs. Ada Edmondson Davis; and

Whereas, Robbie Davis Gunn was a virtuous woman, a woman of great integrity who remained true to the uplifting of her community and family which in turn uplifted others; and

Whereas, she was an exemplary mother and mother-in-law, serving as compass and wise counselor and bringing great joy to her own children and their spouses and friends; and

Whereas, Mrs. Robbie Davis Gunn loved her family, encouraging all of those around her

to make a difference, be it her children, her elected officials, her neighbors and her church members at Lake Providence Missionary Baptist Church where she was a faithful member for 72 years; and

Whereas, this remarkable woman gave of herself, never asking for fame or fortune as she became a quiet storm, a spark that starts a flame; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a Congressional Recognition on Mrs. Robbie Davis Gunn for her leadership, friendship and service to all of the citizens of Nashville and the Nation;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 112th Congress that Mrs. Robbie Davis Gunn of Nashville, Tennessee is deemed worthy and deserving of this "Congressional Recognition"—Mrs. Robbie Davis Gunn, U.S. Citizen of Distinction.

Proclaimed, this 25th day of March, 2012.

IN RECOGNITION OF JONI D. LEE

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Sergeant Joni D. Lee for her 31 years of service with the South San Francisco Police Department. Long before community policing was a popular concept, Sergeant Lee personified a law enforcement officer fully integrated into the community. She has worked closely with local businesses, educated our youth and supported our senior citizens.

Sergeant Lee was hired as the first female officer by the San Francisco Police Department in June 1980. In November 2000 she was promoted to sergeant, another first for a woman at the department. She was instrumental in developing county wide programs and protocols for the investigation of sexual assaults, exploitation of children on the internet and curbing school truancy.

During her three decades in law enforcement, Sergeant Lee has demonstrated her professionalism, outstanding skills in negotiations and handling of dangerous situations while keeping her humanity and an open mind.

She solved her very first murder case in 1988 within 48 hours, a benchmark in law enforcement. A man who lived with his divorced wife had taken in a transient man and his young girlfriend. Tragically, the transient shot the man. After the murder, Sergeant Lee befriended the girlfriend of the transient and feels that she made a difference in the young woman's life.

Sergeant Lee has worked on the Hostage Negotiation Team since 2000. In a high-profile hostage-suicide incident at the Travelodge in 2003, she was one of two primary negotiators and deserves credit for saving the life of the suspect's girlfriend. The suspect had barricaded himself and his girlfriend in a room at the motel after allegedly killing a prominent kick boxer. After about 14 hours of negotiations over the phone, Sergeant Lee convinced the girlfriend to leave the motel room.

Mr. Speaker, I have been at events with Sergeant Lee and have witnessed the air of safety and calm she radiates.

Sergeant Lee also worked as a Peer Support Advisor and Police Explorer Advisor. She was honored as the South San Francisco Police Association Officer of the Year in 1996 and 2003 and was awarded the Avoid the 23 Pin in 2002 and 2003.

Enthusiasm, optimism and generosity are in Sergeant Lee's DNA. Outside her work with the police department, she volunteers her time and expertise to Special Olympics and the Boy Scouts of America. She has also coached varsity softball at Menlo Atherton High School.

She was born in San Francisco in 1956 and attended South San Francisco High School. She earned her Associate in Arts, Administration of Justice from the College of San Mateo and her Bachelor of Science in Criminal Justice Administration from San Jose State University.

In her spare time—of which she now will have much more upon her well deserved retirement—Sergeant Lee enjoys reading, softball, racquetball, bicycling, traveling, outlet shopping and cooking.

Mr. Speaker, I ask this body to rise with me to honor Sergeant Joni Lee for her dedication to public service and safety. She will be deeply missed by her fellow officers and the law abiding residents of South San Francisco.

HONORING FRANCIS LEE CONTRACTING AS THE 2012 DISTRICT OF COLUMBIA SMALL BUSINESS OF THE YEAR

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in honoring Francis Lee Contracting as the 2012 District of Columbia Small Business of the Year, as well as its principals, Brian Smith, Geary Powell, and Terry Smith.

Francis Lee Contracting is a District of Columbia small business specializing in excavation, grading, site concrete, clearing, grubbing, and demolition. After doing work in the initial stages of the U.S. Department of Homeland Security, DHS, headquarters construction project at the St. Elizabeths West Campus, Francis Lee Contracting was selected as a subcontractor to perform earthwork for the perimeter security fence there, because of the high quality of its work. Francis Lee Contracting is located in Ward 8, where the DHS headquarters construction is taking place and which is the section of our city with the highest unemployment rate. Francis Lee Contracting has worked to improve the local community and has hired Ward 8 residents.

Francis Lee Contracting has over 50 years of experience in the construction field, on both public- and private-sector projects, and has several certifications, including Certified Business Enterprise and certifications to work with the District Department of Transportation, the Maryland Department of Transportation, and the Washington Metropolitan Area Transit Authority. Francis Lee Contracting continues to

share its experience and knowledge with other small businesses by sponsoring and participating in training sessions about bonding and other aspects of the construction industry.

The House of Representatives is gratified when a local small business competes and is selected to perform work on a federal construction project because of its quality of work, as exemplified by Francis Lee Contracting.

I ask the House to join me in honoring Francis Lee Contracting and its principal, Brian Smith, for its outstanding accomplishments and commitment to the residents of the District of Columbia, and in commending Francis Lee Contracting on becoming the 2012 District of Columbia Small Business of the Year.

IN RECOGNITION OF LUBIANA
BAGNESCHI CERNOBORI

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Lubiana Bagneschi Cernobori, one of the most generous, altruistic and loving women I have ever met. Lubiana is being honored by the Peninsula Italian American Social Club in San Mateo, California for her outstanding charitable and civic activities in San Mateo County.

Lubiana was born in Lucca, Italy as the youngest daughter of the late Gina and Nello Bagneschi. She came to the United States with her family in 1952, attended local schools and learned English. In 1962 she graduated from Burlingame High School.

Perseverance, hard work and creativity have been the constant theme of Lubiana's life. She worked as a secretary and word processor for many years while raising a family. She and her husband Renato Cernobori have three daughters and four grandchildren.

Since her retirement, Lubiana has dedicated her time and energy to two Italian-American organizations: The Peninsula Italian-American Social Club (PIASC) and the Italian-American Women's Guild (IAWG). As one of the founding members of IAWG, she started and still chairs Mani di Angeli, or Hands of Angels. Mani di Angeli helps fellow IAWG members in time of crisis by taking them to hospital or doctor visits, cooking meals or simply making cookies.

Mani di Angeli does hands-on work and makes the recipients feel like they have been touched by an angel. Under Lubiana's guidance, the committee members have donated clothing, food and toiletries to Samaritan House and Saint Francis Center, organized a knitting group and delivered thousands of items to nursing homes, hospitals and chemo infusion centers. They have sent care packages to soldiers in Iraq and donated cell phones and chargers to a domestic violence shelter. They have conducted fundraisers for Cooley's Anemia and the Alzheimer Aid Society and food and toy drives for charitable groups and food banks. They have sewed hundreds of surgical dolls and wheelchair backpacks for children in local hospitals.

As is apparent from the diversity of projects Lubiana initiated, she is incredibly creative and

resourceful and cares deeply about the good of our community. She also has extraordinarily good taste as one can see from her work decorating PIASC's beautiful hall.

Mr. Speaker, it is right to honor Lubiana Bagneschi Cernobori on Columbus Day for her invaluable service to the Italian American community and our community at large.

HONORING GEORGIA PIEDMONT
TECHNICAL COLLEGE

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, Fifty years ago, DeKalb County, Georgia was blessed with an educational institution that continues today to uplift and assist citizens in gaining knowledge to enhance their lives and the lives of others by investing in dreams; and

Whereas, In 1961, DeKalb Area Vocational School—now Georgia Piedmont Technical College was founded to promote a student-centered environment for lifelong learning and development, encompassing academic and technical education for employment in a global community here in DeKalb County, Georgia to service the citizens of DeKalb County and nearby communities; and

Whereas, Georgia Piedmont Technical College has grown from one campus to nine campuses in DeKalb, Newton, Rockdale and Morgan counties; and

Whereas, Georgia Piedmont Technical College continues to be a resource for citizens in DeKalb County and throughout the state of Georgia by providing excellent community service, educational opportunities and stellar leadership; and

Whereas, the U.S. Representative of the Fourth District of Georgia is officially honoring, recognizing and congratulating Georgia Piedmont Technical College on its 50th anniversary as an anchor in our District;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim April 14, 2012 as Georgia Piedmont Technical College Day in the 4th Congressional District of Georgia.

Proclaimed, this 14th day of April, 2012.

HONORING U.S. ARMY SPECIALIST-
4 HENRY L. WOODS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. DENHAM. Mr. Speaker, I rise today to honor Veterans of Foreign Wars Chowchilla Post 9896 Life Member U.S. Army Specialist-4 Henry L. Woods. Specialist Woods served the United States of America honorably with the 20th Combat Engineers and 101st Airborne in the Vietnam war siege of Phu Nhon.

Specialist Woods was born in Elgin, Oklahoma, in 1944. His family subsequently moved to California and settled in the Plainsburg

area, later settling in Dos Palos. Specialist Woods graduated from Dos Palos High School in 1963. He worked in the maintenance department of Chowchilla High School and in agriculture until he enlisted in the U.S. Army in 1969.

Specialist Woods, or "Woody" as he was called by his fellow soldiers, completed basic training at Fort Ord, where he qualified as a sharpshooter with the M-14 rifle. He was assigned to duty with the 984th Military Police Company at Fort Carson, Colorado. He was later transferred to Fort Lewis, Washington, for pre-deployment training for service in Vietnam. In December 1969, he arrived in Saigon and joined the 1st Cavalry in the Central Highlands and assigned to Company D of the 20th Combat Engineers near Qui Nhon. The unit provided security called QL 14-South that saw heavy enemy action and was often referred to as "Massacre Highway." During this assignment, the unit was part of a major assault at LZ Black Hawk in the Central Highlands in which Specialist Woods was injured in hand-to-hand combat. He was treated for facial and head injuries before returning to duty.

In early 1971, while serving temporary duty with the 101st Airborne, Specialist Woods was a door gunner on a helicopter gunship. During this time, North Vietnamese Army Troops began targeting the U.S. Army base at Phu Nhon, commonly known as "LZ Lonely." On March 15, 1971, a North Vietnamese force attacked the base, quickly overrunning South Vietnamese soldiers. Specialist Woods served as part of a reinforcement group to repel the attack. During the battle, he acted as a door gunner on a gunship, delivering M-60 machinegun fire to enemy forces. While making a pass over enemy positions, the co-pilot and second door gunner were killed. Back on the ground, Specialist Woods joined ground troops in delivering upon the enemy, twice transporting wounded soldiers to medical help under heavy fire. During the fight, Specialist Woods sustained a gunshot wound to his head and was med-evaced to an aid station.

During treatment for his second wound, Specialist Woods exhibited symptoms that later would be attributed to exposure to herbicide Agent Orange. He struggles with the symptoms of Agent Orange exposure to this day. After recuperating from his wounds, he was sent to Fort Ord where he completed active service before being discharged.

For his service in the U.S. Army, Specialist Woods received the National Defense Service Medal, Good Conduct Medal, Vietnam Service Medal with Bronze Star, Vietnam Campaign Medal with Device, two Purple Hearts, Combat Infantryman's Badge, Army Aircrew Badge, and Sharpshooter Badge with Auto Rifle BAR, and the Sharpshooter Pistol Badge. On Veteran's Day 2003, he was honored in a special ceremony by Congressman George Radanovich in which he received the medals for his service.

Specialist Woods returned to the Chowchilla area where he worked in agriculture for several years. He attended Merced College on the G.I. Bill where he earned an Associate of Arts and an Associate of Science Degree in Plant Science and Mechanized Agriculture. Specialist Woods has four children: Debbie,

Chuck, Erin, and Matt. He is the proud grandfather of seven. He now resides near Helena, Montana.

Specialist Woods is a Life Member of Chowchilla VFW Post 9896, the American Legion, the Military Order of the Purple Heart, and the Disabled American Veterans. He attends St. John's Lutheran Church in Helena.

Mr. Speaker, please join me in honoring Specialist Henry L. Woods for his honorable service to our great country, and wishing him the best of luck and health in his future endeavors.

HONORING EILEEN SAMUEL

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our lives have been touched by the life of this one woman . . . who has given of herself to her community and family; and

Whereas, Mrs. Eileen Samuel's spirit is present in Birmingham, Alabama for all to see, being a nurse, neighbor and friend; and

Whereas, this giant of a woman was born in Birmingham, Alabama to Mr. Dewey and Mrs. Dellie Barnes on February 6, 1943, she has been on the move ever since as a woman of God; and

Whereas, this remarkable woman gave of herself, her time, her talent and her life; she never asked for fame or fortune just fairness for the people, she was our quiet storm, a spark that starts a flame; and

Whereas, Mrs. Eileen Samuel led by doing behind the scenes, she encouraged all those around her who wanted to make a difference, be it her children, her elected officials, her neighbors and her church members at Oak Street Baptist Church; she was a virtuous woman, a woman of great integrity who remained true to the uplifting of her community which in turn uplifted my community in Georgia through her daughter DeKalb County Commissioner Sharon Barnes Sutton; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a Congressional Recognition on Mrs. Eileen Samuel for her leadership, friendship and service to all of the citizens throughout the Nation; a citizen of great worth and so noted distinction;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 112th Congress that Mrs. Eileen Samuel of Birmingham, Alabama is deemed worthy and deserving of this "Congressional Recognition"—Mrs. Eileen Samuel, U.S. Citizen of Distinction in the 4th Congressional District of Georgia.

Proclaimed, this 10th day of March, 2012.

IN RECOGNITION OF MATTHEW
PETER O'CONNOR

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Matthew Peter O'Connor who retired as the Chief of Police for the Hillsborough Police Department after more than 30 years of service.

Chief O'Connor has a stellar record of keeping the residents of Hillsborough safe. He maintained the lowest crime rate for a municipality with a population of over 10,000 for the entire decade of the 2000's. His leadership was instrumental in the department's radio and computer technological advances and in establishing lasting relationships with the Hillsborough school district. He has engaged our youths with bike rodeos, reading events and police officer lunches.

Mr. O'Connor followed in his father's footsteps in pursuing a career in law enforcement. The son of Matthew M. O'Connor, who was a special agent at the San Francisco office of the California State Bureau of Narcotics Enforcement, Matthew P. O'Connor began his career as a community service officer with the San Bruno Police Department at age 20. In 1981, he was hired as a deputy sheriff for the Alameda County Sheriff's Office. The following year he moved to the Hillsborough Police Department where he worked his way from police officer to field training officer to sergeant to commander and eventually chief of police in 2002.

Chief O'Connor has received numerous awards including the Life Saving Act of Heroism, the Notre Dame de Namur University Dean's Award for academic excellence and service to the University, the Notre Dame de Namur Alumni Award for achieving prominence in a profession and the Leadership in Action Award. Chief O'Connor's dedication and commitment to law enforcement are reflected in the many roles he has taken on over the years: he served as president of the San Mateo County Police Chiefs and Sheriff Association, Member of the California Police Chiefs Association and International Association of Chiefs of Police, chair of the County Communications & Technology Committee, member of the California State Police Chiefs Communications & Technology Committee, President of the 100 Club of San Mateo County, and graduate of the Leadership Program of San Mateo, Foster City, Burlingame and Hillsborough. He has also been a strong supporter of the annual Hillsborough Concours d'Elegance, the Centennial Celebration, the Memorial Day Parade and dignitary visits.

Matthew O'Connor was born in Glendale, California and raised in South San Francisco. He attended St. Veronica's Catholic School and South San Francisco High School. He earned his Associate in Science Degree from San Francisco City College. He received both his Bachelor of Science in Human Services and Counseling and his Master's Degree in Public Affairs Administration from Notre Dame de Namur University. In addition, he is a graduate of the FBI National Academy Class 191 and the Delinquency Control Institute at the University of Southern California.

Chief O'Connor and his wife of 28 years, Janie, have two children, Matthew and Tayler. Upon his well deserved retirement Mr. O'Connor will be spending more time with his family and friends, traveling and taking photos.

Mr. Speaker, I ask this body to rise with me to honor Matthew Peter O'Connor for his outstanding service to our community. He personifies what a law enforcement officer ought to be and has touched and improved the life of every resident in Hillsborough.

COMMENDING ARMISHA ROBERTS
FOR BEING A RECIPIENT OF THE
2012 BUICK ACHIEVERS SCHOLARSHIP
PROGRAM

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to commend Armisha Roberts of Boynton Beach, Florida, for being named one of the first four winners of the 2012 Buick Achievers Scholarship Program. The Buick Scholarship is bestowed upon students nationwide who have continually demonstrated an ability to excel in the classroom as well as have an interest in science, technology, engineering, and mathematics, STEM, education; along with a willingness to serve the community.

Armisha has displayed an extraordinary commitment to community activism, volunteering for a variety of important projects such as Toys for Tots, Relay for Life, and Education Rocks. Furthermore, through her community involvement Armisha has participated in efforts to clean debris from a local inlet in addition to planting a community vegetable garden. Due to her dedication to community service, Armisha was appointed to the Education and Youth Advisory Board for Boynton Beach as a student voting member.

Armisha will be attending Howard University where she plans to major in mathematics and then seek a career in electrical engineering. In this field, Armisha hopes to be involved in the development of electric vehicles. I am proud that Armisha and other students recognize the value and importance of STEM education as well as the importance of giving back to the community.

Mr. Speaker, I am truly honored to represent such a driven student and young leader who lives in my Congressional district. I wish her the best of luck in her future endeavors, where I know she will go on to do great things. Armisha Roberts is the definition of a role model, and she is truly deserving of this most prestigious award.

HONORING LORRAINE B. MYLES

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, reaching the age of 75 years is a remarkable milestone; and

Whereas, Ms. Lorraine B. Myles was born on March 4, 1937 and is celebrating that milestone; and

Whereas, Ms. Myles has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

Whereas, Ms. Myles is celebrating her 75th birthday with her family members, church members and friends here in DeKalb County, Georgia; and

Whereas, the Lord has been her Shepherd throughout her life and she prays daily and is leading by example a blessed life; and

Whereas, we are honored that she is celebrating the milestone of her 75th birthday in the 4th District of Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Lorraine B. Myles for an exemplary life which is an inspiration to all;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim March 4, 2012 as Ms. Lorraine B. Myles Day in the 4th Congressional District of Georgia.

Proclaimed, this 4th day of March, 2012.

RECOGNIZING TWO-YEAR ANNI-
VERSARY OF THE DEEPWATER
HORIZON OIL SPILL

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize the tragic two-year anniversary of the Deepwater Horizon Oil Spill on April 20, 2010. The explosion that day and subsequent fire claimed the lives 11 American workers and after the sinking of the oil rig two days later led to the largest oil spill in U.S. waters. The damaged well was estimated to have lost approximately 60,000–100,000 barrels of oil each day. The affects of the oil spill on the Gulf Coast were staggering and still today have lingering effects.

Hundreds of miles of delicate ecosystems were devastated along the tidal shorelines of Louisiana, Mississippi, Alabama, and Florida. Approximately 83,927 square miles of Gulf of Mexico federal waters were closed to fishing because of health concerns. Even after the eventual sealing of the well and the shutting off of crude oil flow, the work was not done. Extensive efforts were made to rid the water of oil and to restore the shorelines to their prior beauty. The untold economic impact on the fishing, tourism, and other industries of the Gulf cannot be overlooked.

I praise the valiant efforts of the men and women that spent countless hours dedicating themselves to containing and cleaning up of this disaster. The team included the U.S. Coast Guard (USCG), EPA, the Department of Homeland Security (DHS), Department of Commerce (DOC), Department of Interior (DOI), as well as state and local representatives. Workers diligently worked to get the necessary equipment to coastal waters but there were delays that can't be ignored.

I commend our efforts to immediately respond to the disaster by passing H.R. 5503, the SPILL Act, to reform the following maritime liability laws: Death on the High Seas Act, Jones Act, and Limitation on Liability Act. These bills are to ensure the families of those killed or injured in the BP Spill and other similar tragedies are justly compensated. We also passed H.R. 5481 that gave subpoena power to the National Commission on the BP Deepwater Oil Spill and Offshore Drilling tasked with providing recommendations on how to prevent future oil spills that result from offshore drilling. Our efforts should not stop there.

Strides have been made to establish a clear chain of command and developing a coordinated and efficient response to disasters. But, there is much more that has to be done to avoid another oil spill of this magnitude. We must stay vigilant in evaluating our nation's capacity to respond to oil spills. Develop standard national protocols for oil spill response and clean up assessments and develop guidance and tools for oil spill responders. Establish direct research and take action to improve the ability of the United States to conduct oil spill prevention, response, and recovery in Arctic waters. Our civic responsibility is to learn from our mistakes and apply those lessons to future oil spills and other such disasters that unfortunately may occur.

Mr. Speaker, I rise today to recognize the tragic two-year anniversary of the Deepwater Horizon Oil Spill. I urge this body to continue to introduce and support legislation that prevents and protects our environment, economy, and families from future unfortunate disasters that may occur.

HONORING MARCI MCCARTHY

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, the public safety of our citizens is the foremost priority of our government; and

Whereas, Ms. Marci McCarthy has given and continues to give exceptional and distinguished service by providing guidance, protection and leadership in protecting our public and private sectors in cyberspace; and

Whereas, Ms. McCarthy gives of herself to insure that our Nation can foster greater professionalism in the Information Security Industry; and

Whereas, the issue of cybercrimes is of historical importance, and the work of Ms. McCarthy enhances the efforts of our homeland security and local law enforcement agencies; and

Whereas, Ms. McCarthy gives of herself daily without any need for praise and fame, while serving valiantly and making us proud; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Marci McCarthy for her leadership and service to our District and the Nation;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim March 13, 2012 as Ms. Marci McCarthy Day in the 4th Congressional District of Georgia.

Proclaimed, this 13th day of March, 2012.

IN RECOGNITION OF ROBERT J.
PAYNE

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Officer Robert Payne for his 30 years of service at the Daly City Police Department.

Mr. Payne was appointed a police officer on June 1981 and attended the San Jose Criminal Justice Training Center Academy where he graduated in November of the same year.

Officer Payne served as a patrol officer and trained many new police recruits as field training officers. In the late 1980s he was assigned to the community division where he launched his career as a school resource officer and investigator. In that capacity he graduated from the prestigious Delinquency Control Institute at the University of Southern California. Officer Payne has taught an anti-gang and drug program throughout all the elementary schools in Daly City. He also was a liaison officer for both Westmoor and Jefferson High Schools where he developed a great rapport with the faculties.

Officer Payne coordinated several youth programs, including the "Every 15 Minutes" anti-drunk driving event and the "Kops and Kids" program. He helped design the "Just Say No to Gangs" program which was commended by the State of California Youth Authority.

He distinguished himself as a detective investigating crimes against children and was promoted to senior juvenile officer as a result. Officer Payne's dedication and commitment has not gone unnoticed. He received numerous awards, letters of appreciation, citizen letters and tributes from schools for his empathy and advocacy for our youth.

As a patrol officer he was awarded several commendations. For example in 2003, he received one for bravery and quick action for his assistance in the capture of an armed bank robbery suspect.

Robert is a Daly City boy through and through, having attended Holy Angels School and graduated from Westmoor High School in 1976. He earned his degree in criminal justice from San Jose State University.

He lives in Brentwood with his wife of 26 years, Debbie. They are the proud parents of two sons, Brian and Stephen who serve in the Marine Corps.

Mr. Speaker, I ask this body to rise with me to honor the distinguished service of Officer Robert Payne to the residents of Daly City. His familiar face will be missed by his fellow officers and citizens alike.

HONORING SHUNDRY Y. NEPHEW

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to contribute to the needs of our community through leadership and service; and

Whereas, Ms. Shundra Y. Nephew has answered that call by giving of herself as an educator at Edward L. Bouie, Sr., Elementary Traditional Theme School, and as a beloved daughter, granddaughter and friend; and

Whereas, Ms. Nephew has been chosen as the 2012 Teacher of the Year, representing Edward L. Bouie, Sr., Elementary Traditional Theme School; and

Whereas, this phenomenal woman has shared her time and talents for the betterment of our community and our nation through her tireless works, motivational speeches and words of wisdom; and

Whereas, Ms. Nephew is a virtuous woman, a courageous woman and a fearless leader who has shared her vision, talents and passion to help ensure that our children, receive an education that is relevant not only for today, but well into the future, as she truly understands that our children are the future; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Shundra Y. Nephew for her leadership and service for our District and in recognition of this singular honor as 2012 Teacher of the Year at Edward L. Bouie, Sr., Traditional Theme Elementary School;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim March 30, 2012 as Ms. Shundra Y. Nephew Day in the 4th Congressional District.

Proclaimed, this 30th day of March, 2012.

HONORING SERGEANT DONALD E. SCHNOOR

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. DENHAM. Mr. Speaker, I rise today to honor Veterans of Foreign Wars Chowchilla Post 9896 Life Member Sergeant Donald E. Schnoor. Mr. Schnoor served the United States of America honorably with the U.S. Army First Cavalry in the Korean War.

Sergeant Schnoor was born in Chowchilla, California, on December 19, 1934. After graduating from Chowchilla High School in 1952, he enlisted in the U.S. Army. He completed basic training at Fort Ord, and was selected to train as a musician with the Army Band Training Unit. Upon completion of band training, he was assigned to play the trombone with the 6th Army Band at Fort Mason in San Francisco. The band played for troops leaving and arriving by ship to and from the Far East, pri-

marily Korea. Numerous Hollywood and local professional celebrities performed with the band.

Wanting to see a bit of the world, Sergeant Schnoor subsequently volunteered for duty with Army occupation troops in Japan. Upon arrival in Japan, Sergeant Schnoor was informed that although he had been trained as a musician, the Army considered him an infantryman first and a trombone player second. His next stop would be Inchon, Korea, carrying an M1 rifle and a pack.

While deployed in Inchon, Sergeant Schnoor joined the 5th Regiment of the legendary First Cavalry Division stationed near the front lines southeast of Seoul near Yong Dong Po. He was assigned to a fire team for a 75 MM recoilless rifle mounted on a 3/4 ton 4 x 4 utility truck. He and his fellow soldiers were sent on missions to deliver fire with high explosive rounds and armor piercing rounds on North Korean troops along the front lines.

At a later point in his tour, Sergeant Schnoor and 20 other soldiers were assigned to escort 120 North Korean prisoners by train to the Pusan area. After reaching Pusan, the unit was assigned to guard more than 4,000 North Korean prisoners held on the island of Koje-do.

Sergeant Schnoor served in North Korea until the truce was signed in 1954. After the conclusion of the war, he joined the rest of the First Cavalry Division in Hokkaido, Japan. The mission of the division was to serve as a deterrent to Russia from attempting to invade the Japanese islands of Northern Hokkaido. At the end of 1954, the 5th Regiment relocated to Sendai, Japan, where he joined the First Cavalry Band and Orchestra. He was recommended to audition for the U.S.O. Orchestra. After a competitive audition process, he was accepted. Sergeant Schnoor spent the remainder of his overseas service as one of three trombonists traveling in Japan playing U.S.O. shows for American servicemen.

Sergeant Schnoor returned to the U.S. in the spring of 1955. He was discharged as a Sergeant. For his service, he was awarded the Presidential Unit Citation, the Korean Service Medal, the United Nations Medal, the National Service Defense Medal, and the Good Conduct Medal. After his military service, Sergeant Schnoor returned to Chowchilla and began a career in farming that has continued for 56 years. He and his wife, Peggy, have three daughters, six grandchildren, and two great-grandchildren. Sergeant Schnoor is a Life Member of the Chowchilla VFW Post 9896, the American Legion Post of Madera, the Madera Elks, and the First United Methodist Church of Madera.

Mr. Speaker, please join me in honoring Sergeant Donald E. Schnoor for his honorable service to our great country, and wishing him the best of luck and health in his future endeavors.

HONORING CAROL CRUMBY

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, Over fifteen years ago a virtuous woman of God accepted her calling to serve in the United Way of Metropolitan Atlanta; and

Whereas, Ms. Carol Crumby began her career with the United Way working in Resource Development, Area Development and Community Engagement. Today she retires as the Senior Director for Education; and

Whereas, this phenomenal woman has shared her time and talents, giving the citizens of our District a friend to help those in need, a fearless leader and a servant to all who wants to insure that the system works for everyone; and

Whereas, Ms. Carol Crumby is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Carol Crumby on her retirement from the United Way of Metropolitan Atlanta and to wish her well in her new endeavors;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim March 27, 2012 as Ms. Carol Crumby Day in the 4th Congressional District of Georgia.

Proclaimed, this 27th day of March, 2012.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 24, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 25

9 a.m.
Agriculture, Nutrition, and Forestry
Business meeting to consider the 2012 Farm Bill.

SR-328A

9:30 a.m.
Homeland Security and Governmental Affairs

Business meeting to consider S. 2218, to reauthorize the United States Fire Administration, and for other purposes, S. 241, to expand whistleblower protections to non-Federal employees whose disclosures involve misuse of Federal funds, S. 2061, to provide for an exchange of land between the Department of Homeland Security and the

South Carolina State Ports Authority, S. 1673, establish the Office of Agriculture Inspection within the Department of Homeland Security, which shall be headed by the Assistant Commissioner for Agriculture Inspection, and for other purposes, S. 2170, to amend the provisions of title 5, United States Code, which are commonly referred to as the "Hatch Act" to eliminate the provision preventing certain State and local employees from seeking elective office, clarify the application of certain provisions to the District of Columbia, and modify the penalties which may be imposed for certain violations under subchapter III of chapter 73 of that title, S. 1998, to obtain an unqualified audit opinion, and improve financial accountability and management at the Department of Homeland Security, H.R. 3902, to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia, H.R. 2668, to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the "Brian A. Terry Border Patrol Station", S. Res. 419, expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week, H.R. 298, to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building", H.R. 1423, to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office", H.R. 2079, to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office", H.R. 2213, to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office", H.R. 2244, to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office", H.R. 2660, to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office", H.R. 2767, to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trant Post Office Building", H.R. 3004, to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building", H.R. 3246, to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building", H.R. 3247, to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Build-

ing", H.R. 3248, to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building", and the nominations of Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission, Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board, and Roy Wallace McLeese III, to be an Associate Judge of the District of Columbia Court of Appeals.

SD-342

Judiciary

To hold an oversight hearing to examine the Department of Homeland Security.

SD-226

Rules and Administration

To hold hearings to examine S. 219, to require Senate candidates to file designations, statements, and reports in electronic form.

SR-301

Veterans' Affairs

To hold hearings to examine Veterans' Affairs mental health care, focusing on evaluating access and assessing care.

SD-138

10 a.m.

Finance

To hold hearings to examine tax reform, focusing on what it means for state and local tax and fiscal policy.

SD-215

Health, Education, Labor, and Pensions

Business meeting to consider an original bill entitled "Food and Drug Administration Safety and Innovation Act", and any pending nominations.

SD-106

Banking, Housing, and Urban Affairs

Housing, Transportation and Community Development Subcommittee
To hold hearings to examine helping homeowners save money through refinancing.

SD-538

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold closed hearings to examine proposed budget estimates for fiscal year 2013 for national and military intelligence programs.

SVC-217

2 p.m.

Armed Services

Personnel Subcommittee

To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.

SD-106

2:30 p.m.

Appropriations

Financial Service and General Government Subcommittee

To hold hearings to examine expanding broadband access, promoting innovation, and protecting consumers in a communications revolution, focusing on fiscal year 2013 resource needs for the Federal Communications Commission.

SD-138

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine current readiness of U.S. forces in review of the

Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.

SR-232A

Armed Services

Strategic Forces Subcommittee

To hold hearings to examine ballistic missile defense policies and programs in review of the Defense Authorization Request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SR-222

APRIL 26

9:30 a.m.

Armed Services

To hold hearings to examine the nominations of Kathleen H. Hicks, of Virginia, to be Principal Deputy Under Secretary for Policy, and Derek H. Chollet, of Nebraska, to be Assistant Secretary for International Security Affairs, both of the Department of Defense.

SD-G50

Energy and Natural Resources

Business meeting to consider Adam E. Sieminski, of Pennsylvania, to be Administrator of the Energy Information Administration, Department of Energy, Marcilynn A. Burke, of North Carolina, to be an Assistant Secretary of the Interior, and Anthony T. Clark, of North Dakota, and John Robert Norris, of Iowa, both to be a Member of the Federal Energy Regulatory Commission; to be immediately followed by a hearing to examine weather related electrical outages.

SD-366

Foreign Relations

Business meeting to consider S. 2224, to require the President to report to Congress on issues related to Syria, H.R. 1016, to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, S. Res. 401, expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe, an original resolution calling for democratic change in Syria, the nominations of Scott H. DeLisi, of Minnesota, to be Ambassador to the Republic of Uganda, Michael A. Raynor, of Maryland, to be Ambassador to the Republic of Benin, and Makila James, of the District of Columbia, to be Ambassador to the Kingdom of Swaziland, all of the Department of State, and lists in the Foreign Service.

S-116, Capitol

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine legislative proposals in the Department of Housing and Urban Development's fiscal year 2013 budget.

SD-538

Finance

To hold hearings to examine tax filing season, focusing on improving the taxpayer experience.

SD-215

Homeland Security and Governmental Affairs

To hold hearings to examine biological security, focusing on the risk of dual-use research.

SD-342

Judiciary		tial impact on the American consumer due to loss of refining capacity.			
Business meeting to consider the nominations of Michael P. Shea, to be United States District Judge for the District of Connecticut, Gonzalo P. Curiel, to be United States District Judge for the Southern District of California, and Robert J. Shelby, to be United States District Judge for the District of Utah, vice Tena Campbell.			SD-G50	10 a.m.	APRIL 27
	2:30 p.m.	Homeland Security and Governmental Affairs		Finance	
		Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee		To hold hearings to examine the nominations of Mark J. Mazur, of New Jersey, and Matthew S. Rutherford, of Illinois, both to be an Assistant Secretary of the Treasury, and Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission.	
		To hold hearings to examine financial literacy, focusing on empowering Americans to prevent the next financial crisis.			SD-215
Armed Services			SD-342		MAY 9
SeaPower Subcommittee				10 a.m.	
To hold hearings to examine Marine Corps acquisition programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.				Homeland Security and Governmental Affairs	
	3 p.m.	Foreign Relations		To hold hearings to examine the nomination of Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy, Executive Office of the President.	
		East Asian and Pacific Affairs Subcommittee			SD-342
		To hold hearings to examine United States policy on Burma.	United States		
2:15 p.m.			SD-419		
Joint Economic Committee					
To hold hearings to examine gas prices in the Northeast, focusing on the poten-					

SENATE—Tuesday, April 24, 2012

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

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

Let us pray.

O God, our Sustainer, silence everything in our Senators that would keep them from hearing Your wisdom. Control their minds this day that their focus may concentrate on You. Illuminate their path with the light of Your presence, providing them with the strength to walk with integrity.

Lord, give them a sense of duty that they will leave nothing that they ought to do undone. May they not be content to wait and see what will happen, but give them the wisdom and courage to make the right things happen.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 24, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, the Senate will soon be considering the motion to proceed to S. 1925, the Violence Against Women Reauthorization Act.

At 10:30 this morning, the Senate will resume consideration of the motion to proceed to S.J. Res. 36, which is a resolution of disapproval regarding the NLRB election rule. The time until 12:30 today will be equally divided and controlled between the two leaders, or their designees.

The Senate will recess from 12:50 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

At 2:15 p.m., there will be a rollcall vote on the motion to proceed to S.J. Res. 36. If that motion is defeated, there will be several votes following it in order to complete action on the postal reform bill.

We are going to do our utmost to finish the postal reform bill today. I recognize that there is an important event with the Supreme Court today with the legislative branch, the Senate. Therefore, we might have to come back after that to complete work on this bill, unless there is a way forward.

I suggest to everyone, if their amendments can be accepted by voice vote, take that. If something can be worked out with the managers, do that; otherwise, we might be here until very late tonight. I would like to avoid that, if possible, for everyone's benefit.

VIOLENCE AGAINST WOMEN ACT

Mr. REID. Mr. President, in 1994, the Violence Against Women Act passed both Houses of Congress on strong bipartisan votes. In the 18 years since then, incidents of domestic violence have fallen by 53 percent.

Despite that progress, staggering rates of abuse make it clear that we still have a long way to go. More than a third of women and more than a quarter of men in this country have been victims of violent sexual assault or stalking by a partner. Because of the unique nature of the crime, combating domestic violence and protecting those affected also requires unique tools.

Victims have been abused by the very people who are supposed to love and care for them, so Congress must make certain law enforcement has the means to stop these heinous crimes, and we must ensure communities have the resources to support victims and help them heal. That is why the Senate must move quickly to reauthorize this legislation, which expired last year.

Many of the programs under the act have been funded for the last year by

continuing resolutions, but a full reauthorization is necessary to ensure authorities have all the resources they need to fight domestic violence.

Women and families across the country are depending on us to act. Several from Nevada wrote to share their stories.

When I practiced law, this law was not in effect. The only good news during that period of time that developed as I began to do more work in the domestic relations field was as a result of some generous people establishing in Las Vegas a domestic crisis shelter. What is that? It is a place where women and children can go to stay away from husbands who were abusing them. It is so important. These are secret locations; you cannot find them in the phone book. It gives these women and their children—sometimes just a woman—a place to go.

I had a leadership meeting this morning and spent some time talking to them about some examples of things that took place before this law passed. It was very difficult to find ways of helping these women. With this law, it is much easier. We must continue this extremely important legislation. The women who wrote to me had some very sad stories. Without this legislation, it would be even worse.

Coincidentally, I talked to Vice President BIDEN this morning and reminded him of what he had done. He has been watching what we do here. He said thanks for continuing this legislation. It was his idea, and it has been extremely valuable for this country.

Every day in America, three less fortunate women die at the hands of their abusers—by being abused by their spouses. In addition to those three who die, there are nine more who are abused very much. They have serious injuries. Some have been made paralyzed as a result of the beatings. It is hard to believe these beatings take place, but they do. It is in our power—the 100 of us—to protect them and help them.

Reauthorizing the Violence Against Women Act would help law enforcement continue to develop effective strategies to prosecute cases involving violent crimes against women. But also, in addition to the criminal aspect of it, it allows these women a place to go.

It would provide funding for shelters and transitional housing programs for victims of domestic violence and sexual assault, and it would help victims get back on their feet. It would make legal assistance available to victims of

violence, and it would safeguard children victimized and affected by dating violence and stalking.

This reauthorization would also enact important improvements to the law, gleaned from 18 years of experience combating violence against women.

It would extend better protections for Native American women. The most significant spousal abuse and abuse to children takes place on Indian reservations. This legislation will enlarge the breadth of the bill to protect these people who are so badly in need of help.

This legislation also includes non-discrimination protection for all victims, regardless of what they look like or where they are from.

It reduces bureaucracy and implements new accountability measures to ensure Federal investments are properly spent.

It places great emphasis on training police to respond to reports of sexual assault, which has among the lowest conviction rates for any violent crime. For police officers, it is one of the most dangerous things they can do. Last year, we had a peace officer in Las Vegas—a sergeant who had been in law enforcement many years—who went with another officer to respond to a domestic violence phone call. He was shot and killed as he walked in the door. So we do need to understand that we need to continue to help train police and also make them better trained to convict the people doing these bad things.

Many years ago, when I was a freshman in the Senate, I held a hearing, under the auspices of the Appropriations Committee, on spousal abuse. Maybe things have changed over the years—and I hope they have. There are better counseling programs. But one thing we learned during those hearings many decades ago was that the main thing that helped a man stop abusing his wife was to put him in jail. Maybe things are better now. At least we need to have better tools to make it so these people can be convicted of these brutal crimes.

We know the tools and training this legislation provides are effective. Consider this legislation's successful record of reducing domestic violence by 53 percent and helping police punish these abusers. We need to do better, but what we have done has been a big step forward from the time I was holding those hearings, before this legislation became effective.

That is why the Senate reauthorized this law unanimously in 2005, on a 95-to-0 vote. That is pretty good. Again, in 2005, we did it unanimously. And in 2000, we did it by a 95-to-0 vote. Both times it was unanimous. I hope we can do it again.

I look forward to a similar bipartisan vote this year, as Democrats and Republicans join together to renew our national commitment to ending domestic violence.

RECOGNITION OF THE MINORITY LEADER

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

VIOLENCE AGAINST WOMEN ACT

Mr. MCCONNELL. Mr. President, before the majority leader leaves the floor, with regard to the Violence Against Women Act, we would be very happy to enter into a short time agreement. He is entirely correct; this law has passed in the Senate on an overwhelming bipartisan basis, and there is very strong bipartisan support for it again this year. We are happy to work with him to expeditiously approve that bill in short order. Those discussions over some kind of a very short time agreement could begin as soon as now. We are happy to work with him to facilitate passage of that.

Mr. REID. Mr. President, I think that is a positive statement, as long as there are not efforts made to weaken this legislation. But if this moves forward quickly with a short time agreement, but in an effort to weaken the bill, we want no part of that.

I look forward to conversations to begin with staff and to bring in Senator LEAHY and others, and Senator MCCONNELL and I can work on this.

Mr. MCCONNELL. Mr. President, there is no reason to fight over something that nobody wants to have a fight over. We are happy to work on a reasonable time agreement and pass that in short order.

BROKEN PROMISES

Mr. MCCONNELL. Mr. President, it is no secret that most Americans are tired of candidates for political office who make promises they don't keep. And who can blame them? For years, politicians have been going to Washington promising to make government more effective, more efficient, to balance the books, make life more secure, and restore Americans' confidence in their country again. And time and time again, they have either failed to get it done or didn't even make an effort in the first place.

Frankly, it is hard to think of any politician who has promised more and delivered less than our current President. He was the one who would erase old divisions and bring people together. He was the one who would rise above politics as usual and usher in a new era of bipartisan harmony. A lot of people believed him. Naturally, a lot of them are even more jaded now than ever. They are jaded because a candidate who said he was different turned out to be just another politician who seems more concerned with reelection than reform. Not only has he failed to step up to the challenges we face, he has ac-

tually aggravated them. Social Security, for example, is now expected to go broke 3 years sooner than we expected. The Tax Code is more complicated than ever. The national debt is bigger than any of us could have imagined. Health care costs are higher. Gas prices are up. Millions cannot find work. And even most college graduates—those best equipped to step into the modern economy—either cannot find work to match their skills or can't find any work at all.

Instead of fixing problems, he has made them worse.

What is he doing now? Well, the President who was supposed to change the direction of the country now wants to change the subject. He spends his days running around the country blaming whatever doesn't happen to poll well that day for the consequences of his own policies. He spent 2 years expanding government and constricting free enterprise, and now that the results are in he spends his time pointing the finger at others for problems that originated right in his White House. It is the millionaires; it is the banks; it is big oil; it is the weather; it is Fox News; it is anything but him. And it's absurd. I mean, if you believe that a President who got everything he wanted for 2 years—2 whole years—has nothing to do with the problems we face, then I have a solar panel company to sell you.

The President spent 2 years reshaping America in the image of Western Europe, and now he wants us to believe our economy is performing as if a Western European economy has nothing to do with it.

Nowhere is this more apparent than in the challenges facing the young people in America today. As we all know, one of the defining characteristics of Western European economies is the high unemployment rate, particularly among young people and recent college graduates. Sluggish growth and inflexible labor laws are two of the main reasons young people have been locked out of the labor market in those countries literally for years. Today unemployment is above 20 percent among young people in the European Union. In Spain the unemployment rate among people under the age of 25 is a staggering 50 percent.

Some of this is no doubt a result of the European debt crisis, but the more fundamental problem is decades of policies rooted in the same big government vision the President has been busy imposing right here in the United States. It is hardly a coincidence that as President Obama has tried to reshape the United States in the image of Western Europe, our own youth unemployment rate has been stubbornly high. That is what happens when you increase regulations on businesses that hire college graduates. That is what happens when you impose health care

mandates on them. That is what happens when you impose new labor rules, such as the one Senator ENZI is leading the charge against this week that makes it even costlier for businesses to hire. We see the long-term effects of these things in Europe, and unless this President changes course we will see the same lack of opportunity for young people right here.

So today the President will bring his latest poll-tested message to the students at the University of North Carolina, and I am sure he will give a very rousing speech full of straw men and villains who stand in the way of their dreams. I am sure he will also express his strong support for things on which all of us already agree. But what he will not talk about is the extent to which the decisions he has made are limiting their opportunities in the years ahead.

Some of them already see this. I mean, you have to think most of these students are sharp enough to put this President's rhetoric up against his record and to conclude that it simply doesn't add up. As the promises of this President's campaign collide with real life, I think young people across the country will realize they got sold a bill of goods. The next time they are promised change, they will know enough to kick the tires first.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, all after the enacting clause is stricken and the text of S. 1813, as passed by the Senate, is inserted in lieu thereof.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The ACTING PRESIDENT pro tempore. Under the previous order, the bill (H.R. 4348), as amended, is passed and the motion to reconsider is considered made and laid upon the table.

Under the previous order, the Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints the following conferees on the part of the Senate.

The Acting President pro tempore appointed Mrs. BOXER, Mr. BAUCUS, Mr. ROCKEFELLER, Mr. DURBIN, Mr. JOHNSON of South Dakota, Mr. SCHUMER, Mr. NELSON of Florida, Mr. MENENDEZ, Mr. INHOFE, Mr. VITTER, Mr. HATCH, Mr. SHELBY, Mrs. HUTCHISON, and Mr. HOEVEN conferees on the part of the Senate.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1925, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

The ACTING PRESIDENT pro tempore. The Senator from California.

SURFACE TRANSPORTATION ACT

Mrs. BOXER. Mr. President, I am very pleased with what just happened at the desk. For those who didn't follow it, the majority leader, Senator REID, and Senator MCCONNELL, just named the conferees so we can get moving with the House and settle our differences and move forward with a very important transportation bill.

We all know how hard it has been on the construction industry. We all know the housing crisis has made it very difficult for our construction workers to get work. We all know at the same moment we have had this real problem in the construction industry—where we have well over 1 million construction workers out of work and tens of thousands of businesses that want to do construction work—70,000 of our bridges are failing, half of our roads are in disrepair, and the American people expect an infrastructure that meets the needs of the strongest economy in the world, our economy.

So I am very pleased with what just happened. I am very pleased we see the continuation over here of bipartisan support for a transportation bill. We have Senator REID working together with Senator MCCONNELL to name the conferees, and we had a unanimous vote in our committee last year on this bill. It has been a very tortured path to get to where we are now because, for some inexplicable reason, the Republicans over in the House have insisted on just going to their own party to reach agreement rather than going to the Democrats so we can have bipartisanship over there. But I am very hopeful, with the naming of these conferees today, the House will now do its job and name conferees. I have been reading in the press that perhaps that will happen tomorrow. So I am very hopeful.

Mr. President, it is 10:20 in the morning on Tuesday, and I want to call at-

tention to the fact we are now on the path we need to be on, starting at this moment, to get to conference. There is no reason we can't do that very soon when so much is at stake.

The Senate bill is a reform bill. There are no earmarks in that bill. That bill is fully paid for. It doesn't add to the deficit. It protects 2 million jobs and creates another 1 million jobs. What good news will it be for this economy to have this bill pass.

I know there are those who predicted this could never happen; that, A, we would never get a bipartisan bill out of our committee, but we did it; that, B, we would never get it to pass on the floor, but we did it with 74 votes; and, C, that the House will never act, and the House actually did act to move to conference. It took them a long time, but we are there. So there is no reason we cannot work together to get this done.

If Senator INHOFE and I can agree, then I think we should be able to get a very strong bill through both Houses. On my committee—the Environment and Public Works Committee, which I am so privileged to chair—we have very conservative members, such as Senators INHOFE and SESSIONS, and very progressive members, such as myself. We have Senator VITTER on the other side and Senator SESSIONS, and on this side we have Senators SANDERS and CARDIN. So we have members who reach the entire ideological spectrum, and if we can all vote for a bill, then this can happen and it will send a great signal to this country.

I thank all the groups that have worked so hard to bring pressure on all of us to keep this moving forward. It starts with a coalition that includes the AFL-CIO and the chamber of commerce. Good for them. They do not always agree, but they agree on this one. Then we have all the business community that is behind us—the granite people and the cement people and the general contractors. The list goes on and on. There are many groups that have come together to push forward on this bill.

So I want to mark this moment. I am happy I was able to be on the Senate floor when the conferees were named. It is a great list of conferees.

We have in this bill the RESTORE Act, which will rebuild the gulf after the terrible BP spill, and we have people on this conference who were very instrumental in writing the RESTORE Act, including Senator BILL NELSON and Senator RICHARD SHELBY. Senator VITTER also was involved, and I want to take a moment to thank Senator LANDRIEU, who was a driving force on this bill. There is no question that without her insistence this wouldn't have happened. So what an opportunity we have.

Now, there are certain things I think we should keep out of this conference,

and that is things that tear us apart. There is no reason to have controversy built into this conference. We can save those battles for another day. I think, with this conference, we should just all rally around the consensus of what has to be done. If it is something outside the scope of the conference, if it is unanimous and everybody thinks it is a good idea—such as the RESTORE Act—then let's do it.

There is a provision in the bill that helps our rural counties use the proceeds from timber sales for their schools—this is so critical—and for their local governments. One could argue it is not part of the transportation program, but it is a consensus. It is a coming together, and where we can do that it is very important we stick with those consensus items and stay away from the highly charged controversies. We have plenty of time for that. We don't have to put that into this conference. So I look forward to the House naming their conferees so we can get this done.

I also want to say how important it is that we pass the Violence Against Women Act. This bill, which has 61 cosponsors—it is my understanding that is the case—is a strong bill, and it makes sure people who are the victims of violence are taken care of, and it continues a great program that was put together by then-Senator JOE BIDEN.

I remember it well because I was in the House at the time and then-Senator BIDEN, now Vice President BIDEN, doing such a great job, spoke to me and said: Congresswoman BOXER, would you be willing to carry the House version of the Violence Against Women Act? This was in the early 1990s. I looked at the bill, read the bill, and said I would be honored to do so. I was so proud to work with JOE BIDEN on this issue. We had worked together on coastal issues and now we worked together, at that time, on violence against women.

I was able to get a couple of the provisions passed—a couple of, I would say, smaller provisions passed: safety on campuses, campus lighting, and some other things. But the heart of the bill did not pass until I actually was over here in the Senate, when Senator BIDEN really picked up steam and drove that bill through. My understanding is that Senator SCHUMER—at that time in the House—picked up the bill and did the same in the House.

This has been the law of the land—the Violence Against Women Act—since the 1990s, so we don't need to have any arguments about it. I was very glad to hear Senator MCCONNELL say he didn't intend to have any arguments about it because in this bill we cover even more people: people who were brutalized, women who were brutalized, and it is very key.

I see my colleague, Senator HARKIN, has come to discuss a very important

matter, a labor matter, and I would tell him I will finish in about 3 minutes, if that is OK with him.

I want to conclude by saying that the Violence Against Women Act is what we call a no-brainer. It is a serious problem in our Nation. Senator REID said three women are killed every day because of violence against women.

The shelters in our States are doing incredible work. They take in women and children. They make sure there is protection and crack down on the violators and there is no reason to argue about that.

The last thing I wanted to talk about in the last couple minutes goes to the heart of what Senator MCCONNELL said in his leader time. I have noticed that almost every time Senator MCCONNELL has a chance on the Senate floor he comes and attacks President Obama and he goes after President Obama and blames him for everything under the sun. I have to say I support Senator MCCONNELL's right to say whatever he wants to say. He has every right to use his leadership powers to attack the President and do it as much as he wants. So I am not complaining about that. But I am just saying it is very unfortunate for this country that the Republican leader in the Senate said, and I quote—I am not quoting directly the words, but this is what he said—that his highest priority was making President Obama a one-term President, and he is carrying it out on the floor of this Senate.

The things he blames this President for are unbelievable. The way he attacks the President for being out around the country—he doesn't attack the Republican candidates for President for traveling around the country. Let's face it, it is a few months to the election. Does he expect the President to stay in the White House? I am glad the President is getting outside. I am glad the President is making speeches. I am glad the President is fighting for students. I am glad the President is fighting for senior citizens. I am glad the President is fighting for small business. I am glad he is fighting for fairness. Why should a billionaire pay a lower tax rate than a secretary? I am glad this President is doing all that. To hear him attacked day after day after day is absolutely discouraging when we have so much work we can do that we can talk about in our leader time. But I have decided I am going to follow this, and every time Senator MCCONNELL does this I am going to use my privileges as a Senator to come down.

Let's never forget, this President inherited the worst economy since the Great Depression from a Republican President who left us bleeding 800,000 jobs a month, who left us with an auto industry flat on its back, who left us with a credit system that was frozen. This President, through his leadership, stepped up and led us out of that mess.

The other voices, the naysayers, said: Let Detroit go bankrupt. Stay out of everything. This President didn't listen because he is a fighter for change.

If this floor is going to be used to attack this President, count me in to stand and make sure the record is set straight. I hope we can go back to the work we need to do instead of using the floor of this great body to attack our President, the President of the United States of America. Everyone has a right to do it. Believe me, I don't argue that. But I also have the right as a Senator—and so do others—to come to clear the record on that, and I intend to do that.

I yield the floor.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY THE NLRB RELATING TO REPRESENTATION ELECTION PROCEDURES—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S.J. Res. 36, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to S.J. Res. 36, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to representation election procedures.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 2 hours of debate, equally divided, between the leaders or their designees on the motion to proceed.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield such time to the Senator from South Carolina as he may need.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I would like to thank the Senator from Wyoming for yielding but, more importantly, for his leadership on the subject that brings us all to the floor.

The National Labor Relations Board has gotten a lot of attention lately and for reasons I don't think are too helpful to the cause. Obviously, being from South Carolina, their decision to entertain a complaint against the Boeing Company for moving to South Carolina, a complaint filed by the machinists union that sat on their desk for 1 year and then finally was brought forward by the NLRB to potentially close down the South Carolina site and move the facility back to Washington, thank God, is behind us now.

But at the end of the day, this organization, the National Labor Relations Board, seems to be hell bent on changing processes across the board more for political reason than a substantive reason.

What brings us here today is the rulemaking proposal to change the time for union elections for employees to vote on whether they want to be part of a union. It does away with the preelection consultation, the idea of the employer and the people wanting to represent the employees sitting down and seeing if they can work out a proposal or a compromise; it shortens the election time to as little as 10 days. So if you are in the company in question, you have a 10-day period before the election. The current mean average is 38 days.

I would argue this is being done not to make things more efficient but to change outcomes. Quite frankly, the outcome being desired is to make the union position stronger, not to make the system more efficient. That is what happens.

I expect a Republican President to nominate people to a board such as the NLRB with a business background. I expect a Democratic President to nominate people to the NLRB and like boards with maybe a more union background. But I expect the Board not to take the agency and turn it into a political organization and try to create by rulemaking what we can't create by legislating. That is what brings us here today.

The whole complaint filed by the machinists union in Washington, taking that complaint up that the move to South Carolina was somehow in retaliation against the union in Washington when no one lost their job in the State of Washington and no one's pay was reduced I think was taking the NLRB into an area it has never gone before.

This is just a continuation of that pattern and this is not good because the unelected aspect of our government, the NLRB and similar agencies, has a lot of sway over our economy. At a time when we are trying to make sure we create jobs in America and make it easier for people to locate their companies here, proposals such as this are undercutting what we need to be doing.

This is an unprecedented move. This kind of breathtaking change in the rules has only happened, I think, two or three times, and this was proposed as Mr. Becker was on the way out. Congress, under the Administrative Review Act, has an opportunity to stop this before it is too late. What this is being called on our side is sort of an ambush election.

The point we are trying to make is that by changing this rule to a 10-day period and doing away with preelection negotiations basically creates an environment where people are having to cast votes and not understanding who is going to be representing them or the nature of their decision. Why do we want to shorten an election? Why do we want to do away with the ability to negotiate between the employer and

people who want to represent the employees?

I don't see this is addressing a problem that exists. I think this is more motivated by getting at an outcome rather than reforming a process. I hope some of our Democratic colleagues will say this is excessive and unnecessary.

If the Congress doesn't stand in the way between the American people and unelected bureaucrats, who will? This is your chance as a Member of Congress to do something about the unelected side of government that is growing more powerful by the day. We have a chance here to say no to a rule that makes no sense, that is going to skew the playing field and, quite frankly, I think represents the worst of special interest politics.

I hope Senators will take an opportunity to exercise their authority as a Member of Congress and say: Whoa. Time out. We don't need to go down this road. Let's let people understand who will be representing them, let the people who are going to vote in an election regarding unionization of the workplace to have a meaningful understanding of what they are about to vote on. There is no reason to shorten the process to 10 days. I doubt most of us would like our elections to be shortened to 10 days.

This is not about reforming an election process that is broken. It is about trying to change the outcome and skew it to the benefit of one side versus the other. Again, the rulemaking is not necessary. This is a chance for a Member of Congress to stand and say no to the unelected side of government at a time when somebody needs to say no to them.

I just hope and pray we can get some bipartisan support for this because Senator ENZI has done a very good job of trying to explain to the Senate and to our conference as a whole about what awaits the American workforce if this rule is changed, why it is unnecessary. It is not about reforming a broken process; it is trying to get an outcome where one side benefits versus the other.

I just hope my colleagues on the other side of the aisle will look at this as an opportunity for Congress to speak against the excessive rulemaking and what I think is an abuse of a process.

With that, I yield, and I appreciate very much the leadership of Senator ENZI.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the Senator from South Carolina, particularly for the insight on the way that this particular Board abused his State and found out they were wrong and got it all taken care of. But his comments are particularly valuable in dealing with this shortening of the time as well.

I thank him for speaking and I yield the floor.

Mr. HARKIN. Mr. President, I yield myself such time as I may consume.

For more than 1 year, I have been working on a series of hearings, both in Washington, DC, and in Iowa, focusing on the state of the American middle class.

We have learned that the American middle class is disappearing, falling into the widening gulf between the haves and the have-nots. The people who do the real work in this country are being squeezed to the breaking point. Their paychecks aren't rising. Their benefits are disappearing. Their pensions are disappearing. Their jobs are being shipped overseas.

When we looked into the causes of this crisis, we found that the middle class is not disappearing due to some inevitable effect of forces beyond our control such as globalization and technology. In fact, the decline of the middle class is primarily due to policy failures. We have failed to respond to our changing economy, while at the same time we have allowed many of the underpinnings of a strong middle class, such as a fair minimum wage, strong overtime laws, and defined benefit pensions to disappear.

One of the biggest factors in this downward spiral has been the decline of American unions. As former Secretary of Labor Robert Reich explained when he testified before the HELP Committee last year, when unions were strong, the middle class thrived and our country prospered. In the mid-1950s, more than one-third of all American workers in the private sector were unionized and the unions demanded and received a fair slice of the American pie. Nonunionized companies, fearing their workers would otherwise want a union, offered similar deals. As employers boosted wages, the higher wages kept the machinery of our economy going by giving average workers more money to buy what they produced. That is what the former Secretary of Labor Robert Reich said.

But now, unfortunately, that productive cycle has broken down. Workers have lost their unions, and they don't have money in their pockets to spend and help grow the economy. That is costing us the jobs and holding back our economy.

There are lots of reasons for the decline in unions, but I think again this chart which I showed yesterday is instructive. If we look at the chart, from 1973 to 2010, we will see, first of all, in the green line is the number of workers covered by collective bargaining agreements. Look how unionization has declined. Here is the union membership. These are the ones covered by collective bargaining agreements. Here is union membership going down the same way. The red line is the middle class share of national income. Look

how it tracks it. So as union membership and collective bargaining has decreased, the middle class share of national income has decreased also, almost parallel. Again, lots of reasons, but I think a big one is the broken union election process. It has become so riddled with abuses that people are giving up on it altogether. As I mentioned in my remarks yesterday, the number of union representation elections has declined by an astounding 60 percent between 1997 and 2009. When workers do file for an NLRB election, 35 percent give up in the face of extreme employer intimidation and withdraw from the election before a vote is even held, and that is after they have already signed the card to petition for the NLRB to have an election, one-third of them never get to an election.

The rule we are discussing today cannot solve all of these problems, but as I said yesterday, it is a step in the right direction. It addresses some of the most abusive situations where unscrupulous companies are manipulating the process and creating delays so they can buy more time to intimidate workers.

The primary way management can cause delay is to raise challenges at the preelection hearing. Some of these disputes, such as challenging the eligibility of an individual voter, can certainly wait until after the election to be decided. That is what we do in elections across the country. If a voter's eligibility cannot be confirmed, they vote a provisional ballot until their eligibility can be verified. We don't stop an election from happening until every voter's eligibility can be confirmed. We don't do that. If there is a challenge, they vote a provisional ballot and after the election they see whether they were qualified to vote. Some of these challenges are downright silly, but they have their intended effect, and that is to delay.

In 2002, one employer raised a preelection challenge arguing that the International Association of Machinists was not a "labor organization" within the meaning of the statute. The NLRB actually held a hearing on this question and, of course, found that the machinists who had been representing workers since 1888 are indeed a labor union. But the election was delayed by a month to address that one issue.

Some anti-union consultants bragged openly about their ability to abuse the process and create delays. One union-busting law boasted on its Web site how a 27-day hearing contributed to a 5-month delay between filing of a petition and the election at a Massachusetts hospital organizing drive.

Why is delay so important to management who do not want to bargain in good faith with workers? Well, by delaying an NLRB election, they give themselves more time to conduct an anti-union campaign and make it more likely they will win.

One former anti-union consultant wrote a book that is very instructive. Everyone should read it. It is called "Confessions of a Union Buster." He described his strategy as "[c]hallenge everything . . . then take every challenge to a full hearing . . . then prolong each hearing" as long as possible, then "appeal every unfavorable decision." The consultant explained that "if you make the union fight drag on long enough, workers . . . lose faith, lose interest, lose hope." Let me repeat that. This is from an anti-union consultant who wrote this book called "Confessions of a Union Buster," and he said, "if you make the union fight drag on long enough, workers . . . lose faith, lose interest, lose hope."

The impact on workers is clear. In 2000, workers at Dillard's distribution center in Little Rock, AR, began efforts to organize a union with the Union of Needletrades Industrial and Textile Employees, UNITE for short. The campaign involved a unit of between 500 and 600 workers employed as pickers, packers, forklift drivers, loaders, other warehouse workers, many making just over the minimum wage.

Dillard's management began talking with workers about the union almost immediately after workers began signing cards—before the petition was even filed. Aware that the company was likely to quickly escalate its campaign, UNITE, the union, filed an election petition in the spring of 2000, a couple of weeks after it began meeting with workers. At the time it filed for the election, UNITE had signed union authorization cards from 65 to 70 percent of the workers to join a union.

Well, what happened? Soon after the union filed the election petition, the company began holding mandatory captive audience meetings and one-on-one meetings with all workers. Basically threats were made that if the union were to succeed, the distribution center might lose its competitiveness and be forced to shut down.

The employer also launched legal challenges to the workers' petition. Get this. The management claimed that all professional and white collar workers should be in the election unit—even those at the corporate headquarters in a separate building adjacent to the distribution center.

Well, the company forced a dispute that took months to resolve. The company didn't want the white collar workers in the union, but by challenging it and saying they should be in it, forced the NLRB to have a hearing that took months to resolve.

The company took advantage of this delay to continue its anti-union campaigning. It isolated union supporters by excluding them from captive audience meetings and changing their shifts or job locations. It distributed and posted anti-union literature and continued one-on-one meetings.

Support for the union began to wane as workers' fears grew. Workers felt they were under surveillance at work and could not discuss the union at the work site or even outside the distribution center before or after their shifts. Workers grew too scared even to accept union materials that their fellow workers handed out outside of the plant gates. Attendance at general meetings and organizing committee meetings fell sharply over the months leading up to the election. After facing 2½ months of intense anti-union campaigning, workers voted against union representation by a margin of two to one. About 3 months before that, over 65 percent to 70 percent of the workers had signed a petition to form a union, but less than 3 months later, they voted two to one not to have a union.

The NLRB has put in place reasonable rules to limit the kind of game playing that the workers from Dillard's experienced. The NLRB hasn't tried to advantage or disadvantage workers or stop employers from spreading their message. All the board has done is send a clear message to employers. They cannot abuse the process to buy themselves more time to intimidate their workers. They get a fair period of time to convey the message, and then the workers deserve their day at the ballot box.

This is not the radical act of an out-of-control board. It won't even affect most employers, union or nonunion, one bit. As I pointed out yesterday, 90 percent of all of the petitions that are filed succeed without having NLRB input anyway. Management and workers get together and work things out. But it is in those 10 percent of companies that go on this massive campaign to intimidate and frighten workers, that is what this rule is aimed at.

Preventing abuses of our laws that keep workers from having a union is a small step in the right direction to help putting the middle class back on track.

When I talk about this, a lot of people say, well, isn't it against the law for management to fire workers for union activities? And I say, yes, it is. But what is the penalty? The penalty is basically nothing.

I pointed this out yesterday, and I will say it again. There was a young man in Iowa who had been organizing a union and was fired. He filed a petition with the NLRB and it took him about 3 years to settle the case. He found out that he had been fired because of union activities and the penalty for the company was to give him all of his back pay minus whatever he earned in between.

How many people can go for 2 or 3 years and not take care of their family and pay their mortgage and pay to put food on the table without having a job? So, of course, that intervening time this person had to work, all the wages

were subtracted from whatever the company had to pay him, and it turned out basically it was nothing. So there is no penalty. As I said, all the employer has to do is pay back wages minus an offset of whatever the worker made in between the time he was fired and the time the decision was made by the NLRB, so there is no penalty for the employers to do that.

So, again, allowing our labor laws to be abused is a policy choice. As I said in the beginning, a lot of the reason for the decline of the middle class in America is because of policy choices that are made here. We have tolerated these policy choices for far too long, these abuses. Working families have suffered as a result; union membership has declined. As I pointed out, the number of workers covered by collective bargaining agreements has declined, and the middle class has declined right along with it. There is much more we need to do to move these trends back in the right direction.

I recently introduced a comprehensive bill, the Rebuild America Act, that I think presents a bold agenda for restoring the American middle class. That agenda—everything from investing in the infrastructure to job retraining, better educational benefits, better pensions, raising the minimum wage—also has restoring the right to form a union to workers who have been unfairly denied this basic freedom. It would provide real penalties for employers who abuse and fire workers to bust unions and would try to restore real voice for the people who do the real work in this country.

I hope that once we vote today and uphold the NLRB's eminently sensible actions, we can move on and have a real debate about some of these important ideas about restoring the middle class in this country and building an economy that works for everyone.

I was listening to the comments made by my good friend from South Carolina, and he alluded to the recent situation with a complaint filed with the NLRB by the attorney for the NLRB. A year or so ago the general counsel's office filed a complaint with the NLRB that the Boeing company in Seattle had retaliated against its workers for union activity, that type of thing. The fact is the NLRB—the body my colleagues are attacking today—never acted on that. The company and the workers settled it. Isn't that what we want? But somehow to listen to my friend from South Carolina, he is saying he is even opposed to letting the general counsel file a complaint. Well, that takes away the basic right of anyone to have their grievances heard. So I hope that is not what my friend from South Carolina meant. I want to point out that I think there was a lot of abuse of the NLRB during that process even though the NLRB was doing ex-

actly what we told them to do: Take into account all of the factors, look at all the evidence before you make a decision. That is what they were doing when it erupted here on the floor and a lot of political pressure was put on the NLRB. There were a lot of threats on the NLRB. And as it turned out, it all worked out because the union and Boeing got together, settled their differences and we moved ahead. That is the way it ought to be in our country.

We should not cut off the right of people to actually file a complaint if they have a complaint. The duty of the NLRB is to investigate and to take into account all of the factors before they issue any findings. But that never happened in that Boeing case because Boeing is a good business. Boeing is one of our great businesses in this country and does a lot for America. So you get the good businesses, and the Machinist Union is a great union, and they worked it out. That is the way things ought to be done, and 9 times out of 10 that is the way it happens.

What we are talking about here is the rules for NLRB to take care of those bad actors who are out there, and to give people who want to form a union at least a level playing field without having all of these abuses and delays and intimidations and things like that.

That is what the issue is about, and hopefully this afternoon we will have a good, affirmative vote to uphold the ability of the National Labor Relations Board to issue this ruling.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield myself such time as I may consume.

I wish to continue the debate a little bit on the Boeing situation because the company was creating 2,000 additional jobs—reducing none but creating 2,000 additional jobs—in South Carolina at a new plant. The NLRB general counsel, who was not confirmed by this body, went ahead and decided to investigate and work on a complaint and created a lot of concern for 2,000 employees who didn't know whether they would be able to work. The case actually wasn't settled.

I think the National Labor Relations Board realized they had made a mistake and, because of the national controversy it created, actually withdrew the case even though it could have taken about 3 or 4 years through the courts to take care of it, and we covered that situation in one of the hearings Senator HARKIN asked for. I thought the company did an outstanding job.

What we are talking about today relates a little bit to that because the South Carolina folks decertified in the small window they had, which says they weren't pleased with what they had been handed.

So some of these discussions are extremely important, and the time to do those is extremely important. So today we are renewing this debate on S.J. Res. 36, the Congressional Review Act Resolution of Disapproval to stop the National Labor Relations Board's ambush elections rule. This rule is the second formal rulemaking the National Labor Relations Board has pushed through in the last year—their third in the past 75 years. There was only one before this Board decided they would take unusual action. As I mentioned, the first rule has been struck down already by Federal courts because it went far beyond the agency's authority. This ambush elections rule is also being challenged in the courts, but it is set to go into effect in less than a week—on Monday, April 30—and that is why the Senate must act today to stop the National Labor Relations Board from stacking the odds against America's employees and small businesses.

During yesterday's debate, both sides got to air their concerns. I wish to respond to some of what I heard.

There was much talk about the 90 percent of elections that go forward under mutual agreement. The argument was that because both sides were able to come to an agreement and because the wide majority of elections occur in a timely fashion, parties should not mind losing their rights to raise issues prior to the election. This argument is turning the concept of coming to agreement on its head. Yes, it is true that 90 percent of elections occur under mutual agreement and occur in 38 to 56 days, but that is precisely because both sides have the ability to raise issues of concern, such as which employees belong in the bargaining unit, and have them resolved. In other words, both sides have incentives to make fair requests because the other side has the leverage of exercising the right to contest. When all of these rights are taken away and an election is scheduled in as few as 10 days, the result will be that less mutual agreement occurs.

The National Labor Relations Board has taken a process that is working well and becoming swifter year after year and turning it into a contentious process where the small business employer side feels entirely ambushed. If the National Labor Relations Board were truly intending to address the small minority of cases where long delays do occur, they should have drafted a rule that addressed only those cases.

Yesterday both Chairman HARKIN and I quoted Presidents from each other's parties. I quoted John F. Kennedy's statement during labor law debates in 1959 when he was a Senator here saying:

There should be at least a 30 day interval between the request for an election and the holding of the election.

He went on to say:

The 30-day waiting period is an additional safeguard against rushing employees into an election where they are unfamiliar with the issues.

I agree that one of the most important reasons for a waiting period is for the employees to learn more about the union they may join. This is in fairness to the employee.

In many cases, the election petition is the first time some employees have ever heard about the union. They want to know what the union's reputation is for honesty, keeping their promises, treating members well, and working well with the employer to make sure the business stays in business. Once a union is certified, it is very difficult for employees to vote it out if they decide to. Employees are barred from petitioning for decertification for a full year after the election and barred as well throughout the term of the collective bargaining agreement.

Employees should have a chance to understand that once they unionize, they will no longer be able to negotiate a raise individually with their employer. Exceptional performance will not be rewarded, and grievances cannot be brought straight to the employer but will instead have to go through the filter of union officials.

Chairman HARKIN quoted former President Dwight Eisenhower. I haven't had a chance to look up the quote's context, but the gist of it was that only a fool would oppose the right of an employee to join a union. My comment on that is that a vote for this resolution does absolutely nothing to diminish the right of any employee to form a union. This resolution will not change the law one bit. If we are able to stop the ambush elections rule, union elections will still occur in a median of 38 days, with nearly 92 percent occurring in 56 days, just as it is now. And I would even venture to guess that the unions will continue to win the majority of elections. Last year they set a new record by winning 71 percent of elections. That is under the old rule. So a vote for this resolution may please both those former Presidents, whom we all admire, and forcing a fast election—an ambush election—may irritate employees into a negative vote.

Now, I know the President issued a policy on this that says that if it comes to his desk, he will veto it, and that is his right. I checked the Constitution. The Constitution says we are an equal branch of government with the President. We do not serve for the President, we serve with the President. That could be a quote from Senator Byrd, who used to sit at that desk and pull out his copy of the Constitution and point out that the President gets to do what he wants to do, but we have a responsibility to do what we need to do.

In this case, one of the administrative branches is overreacting—doing

something it should not do—and we need to say no. If it gets to the President's desk and he vetoes it, that is his part of the process, although I think that when the law was written, it should have been that if Congress, which passes the law and grants rule-making authority, disagrees in the Senate and the House, that ought to be the end of it. It ought to be the end of a rule or regulation. It shouldn't be the beginning of the process where the President can veto it, because he is in charge of the side that created the rule. But our job should be to take a look at these things, decide if they are right or wrong, and if they are wrong, to vote against them as part of the process.

So I think many will be joining me on this resolution of disapproval—at least I hope they will. That is our job and our right.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I yield whatever time he may consume to my good friend the Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I join the distinguished leader of the committee on Health, Education, Labor, and Pensions in opposing S.J. Res. 36 and supporting the National Labor Relations Board rule that would very simply modernize the process that workers use to decide whether they want to form a union.

Right from the start, let's be very clear about what is at stake. It is a rule that the National Labor Relations Board has formulated pursuant to the Administrative Procedure Act set by the Congress of the United States after comment that was solicited from all of the relevant stakeholders and people who would be affected by it, and they are rules that are long overdue because of the inconsistency and delays that are endemic to the current process.

As I travel around the State of Connecticut and I hear from people around the country, I consistently hear about problems that exist under the present process for choosing a union. This rule does not determine the outcome; rather, it simply modernizes and improves the process, and it does it by a rule-making process that is consistent with and pursuant to the Administrative Procedure Act, which is the way the Congress has said it should be done. In fact, it adopts the rulemaking procedure rather than doing it by individual cases, which is the way the U.S. Supreme Court and the courts of appeal have said to the Board it should do more often. So, far from raising constitutional questions or issues of procedural lack of process, the NLRB has acted in accordance with the will of the Congress and the Constitution in formulating this rule.

Why is it necessary? Well, for one thing, there are 34 regional offices of the National Labor Relations Board, and each of them has different policies and practices for processing election petitions. We are talking about petitions that are submitted by workers who want to form a union and can do so by election when at least 30 percent of those employees send the petition to the NLRB. The gap in time is an opportunity for intimidation by unscrupulous employers. Fortunately, they are a small minority of employers—but they exist—who wish to discourage or deter workers from forming a union. That intimidation is unacceptable. We should do everything we can to stop it.

Second, the delays themselves are intolerable. Some of those delays are years—as long as 13 years in some instances—and the gap in time discourages or deters the exercise of rights that are guaranteed under the law.

So this new rule is simply to modernize the process, end intimidation, and make sure that rights are made real, in real time, so that employees can exercise those rights without any discouragement from employers.

Are the employers free to communicate with workers? Of course they are. The rights of communication on the part of the employers are not eliminated by any means. Are they still part of the process? Yes, indeed, employers remain a part of the process if they wish to be. The effort here—in fact, as one of the employers who submitted comments to the NLRB said quite pointedly—from Catholic Healthcare West, a health care company with 31,000 employees, in its comments: “Reforms proposed by the NLRB are not pro union or pro business, they are pro modernization” and will “modernize the representation election process by improving the board's current representation election procedures that result in unnecessary delays, allow unnecessary litigation, and fail to take advantage of modern communication technologies.”

That quote from an employer really says it all.

Some of the litigation is not only against the interests of employees, it also is costly to the employers, especially when it fails to succeed. It creates uncertainties for other employers, and it can block representation and lead again to unnecessary delays.

This rule has an impact on real people in Connecticut and around the country. To give you a couple of examples, registered nurses who are at a number of the hospitals in Connecticut have come to me about the need to reform this process. Members of the employee workforce at T-Mobile, for example—Chris Cozza, a technician at T-Mobile USA in Connecticut, joined with 14 colleagues, came to me to recount his experience. He filed for union representation with the support of the

Communications Workers of America, the CWA. He experienced problems of exactly this kind because his rights were delayed and thereby almost denied. When T-Mobile USA filed a claim that officially challenged the status of the CWA as a labor organization, he could see—Chris Cozza and all of us could see—that clearly CWA is a labor organization. This tactic was simply a delaying one, and the NLRB rule would prevent the kind of frivolous challenges and frivolous litigation that occurred there.

Let me conclude by saying, as has been said already, this rule is neither prouion or proemployer. It is simply profairness. It is antidelay, antifrivolous litigation, and it is profairness in the workplace.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield myself such time as I might consume.

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

Mr. ENZI. Mr. President, one of the things I have been checking on here is the statement that was made earlier that one in five people get fired for working on organizing. That statement is based on a phone survey of union activists for their estimate if an employee is terminated during an organizing drive. It is not based on fact. The fact is, unions only filed objections in approximately 1.5 percent of the elections, and that number includes objections based on many issues other than employee terminations.

Under the current law, it is illegal to terminate or discriminate in any way against an employee for their union activities. If this occurs during an organizing campaign, the National Labor Relations Board is required to rerun the election since it created an unfair election. This occurs in about 1 percent of all elections and has been decreasing in recent years. I would expect that to increase in succeeding years if this rule passes because this is an attack on small businesses and the small businesses will not have the necessary information to know what is legal and illegal, especially if they only have 10 days to get their act together.

The National Labor Relations Board can go even further if they believe a fair election is not possible. They can certify the union, regardless of the vote, and order the employer to bargain.

I have information on some of the studies that have been done on this, and the number does not come out nearly that high. Of course it is terrible if there is even one person who is fired for organizing activities but there is recourse that can be done.

I want to raise an important privacy issue that has come up as part of the National Labor Relations Board's am-

bush elections rule. One section of the initial proposed regulation concerned the private information of employees. It raised so much concern that it was dropped from the final rule. However, the National Labor Relations Board Chairman has publicly stated that he plans to push this and other dropped provisions into law later this year, now that President Obama's so-called recess appointments have created a full board.

Under the current law, employers are required to provide employees' names and addresses within 7 days once an election is set. The proposed rule would not only expand the type of personal information that an employer must turn over, but would require that information to be turned over within 2 days of an election being set. Of course, if we are moving it from 38 days down to 10 days, I can see where they would want it in 2 days instead of the 7 that has been normal. The expanded information that the National Labor Relations Board wants employers to give to unions includes all personal home phone numbers, cell phone numbers, e-mail addresses that the employer has for each employee. It also would demand work location, shift information, and employment classification.

Let's consider this for a moment. The National Labor Relations Board wants to give employers 48 hours to turn over information of employees who are eligible to vote, despite the fact that the employee's eligibility may not even be determined at that point because of the ambush elections rule, the elimination of this preelection hearing so those sorts of things can be worked out as to who is exactly going to be covered. In essence, an employer will be forced to turn over personal information of employees who may not even be in the bargaining unit. The rule even would have required that the employer alphabetize the lists.

The threat of this new invasion of privacy is very alarming to most people. The purpose of the information is so the union organizers can come to your home, call you, e-mail you, find you outside your work location and catch you before and after shifts. There is no prohibition on how many times the organizers can contact you or at what times. There is no "opt out" for those employees who simply do not want to be contacted. And there are no protections in place to ensure that the information does not go astray.

While a large part of this debate circles around the shortened election time and what that means for employers, with good reason, I do not want us to forget what this new rule could mean to the privacy of employees. Supporters of expanding the information provided to the unions claim the National Labor Relations Board is merely modernizing this standard. In this time of Internet scams, identity theft, on-

line security breaches, and cyber bullying, protecting personal information is not something to be taken lightly. Union elections can be a very intense and emotional experience for employees and employers alike. The last thing we want is for an individual's personal information, such as an e-mail address, to be used as a harassment or bullying tool by an angered party.

I want my colleagues to know what is at stake in this debate. A successful Congressional Review Act petition also prohibits an agency from proposing any "substantially similar" regulation unless authorized by Congress. Therefore, by supporting my joint resolution, we could put a stop to the Board's future attempt to force employers to hand over more personal employee information.

I urge all my colleagues to support this resolution of disapproval. This is one of the most important votes we will have on labor issues this Congress. We need to let the National Labor Relations Board know that their duty as a Federal agency is to be the referee and decide what is fair for the parties involved based on the clear facts of the case. Their job is not to tip the scale in favor of one party or another. Tipping the scale is exactly what the National Labor Relations Board is doing with the ambush elections rule. Congress needs to step up and say "no" to the overbearing and burdensome nature of these regulations coming out of so-called independent agencies. You can do that by voting for my joint resolution, S.J. Res. 36.

Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, a couple things.

I keep hearing it stated that: ambush elections. I want to point out, there is no timetable set in these rules—none whatsoever. I keep hearing: 10 days and 7 days and all that. That is not set. There are no timetables at all. As I pointed out, 90 percent of NLRB elections are conducted under voluntary agreements between the parties, and those procedures are unchanged.

The current median time right now between when a petition is filed and when an election occurs is 37 to 38 days. Jackson Lewis, the Nation's biggest management-side law firm, said that—their attorney Michael Lotito told the Wall Street Journal he thinks the time under these rules would be shaved to between 19 and 23 days. Joe Trauger, vice president of the National Association of Manufacturers, says the elections would be held in 20 to 25 days under the new rules—hardly an ambush election.

The other issue I want to briefly mention has to do with the contacts—contacting and the right of privacy I heard here. Right now, the only way a

union can contact people is at their homes—at their homes. The only information the union is allowed to get after the petition is filed is the addresses of the workers, their home addresses. What the Board is considering—but has not implemented—is allowing unions to have access to e-mail addresses and/or phone numbers. Well, it seems to me that is a lot less intrusive than going to someone's home.

Now, again, it is much harder, obviously, for a union organizer to go to a home. People go to their homes. They are with their families. They have their children. They are busy. That is more intrusive than e-mailing them, it seems to me. So I would hope we would look upon the possibility that they might say that having their e-mail addresses and phone numbers is less intrusive than going to their homes.

But that is not part of these rules whatsoever. They would still have to contact them at their home, and the only information the employer would have to give would be their home addresses.

Again, keeping in mind what these rules are—they are very modest rules. I keep hearing that: Well, there have only been three rules since the Board was comprised in 1938. Quite frankly, the Supreme Court and appeals courts have said, time and time again, they should do rulemaking because it is open, it is transparent, parties get to be heard. So I think this Board is being more open and more transparent than any Board before it.

This is not anything overwhelming, but it is a step in the right direction to make sure we level the playing field and we do not have these undue delays where the management can intimidate—intimidate—and I gave some examples of it, and I have a whole ream of examples of where management has delayed and delayed and delayed in order to intimidate workers so they would eventually vote not to form a union.

Again, an employer has the right to communicate to their employees all day long—in captive audiences, one-on-one meetings with supervisors. The union can only contact the worker at that worker's house, in the evening or on a weekend. So already the employer has much more opportunity to converse with and to get its views known to its workers than the union has—much more, all day long, at the job, on the job, through supervisors, one-on-one contacts, group meetings, over the loudspeaker, whatever it might be. So already there is much more ability for the management to weigh in on this than it is for the union.

The one thing we are trying to do with these rules is to say: Fine, you can continue to do that. There will still be that disparity between the ability of management to communicate to the workers and the union to commu-

nicate, but what these rules are saying is, fine, you can do that, but you cannot continue to do it month after month after month and wear the workers down and intimidate them, make them afraid of losing their jobs. And if you fire one person for union organizing, that sends a chill across everybody else. You say: Well, but that is illegal. Well, it may be illegal, but as I have pointed out, time and time again, there are no penalties for that. It may be illegal, but there are not much penalties for that. Management can always find some excuse—that they may have fired someone for something other than union activity, but everyone would know that person was fired because that person was trying to organize a union.

We are saying you cannot just continue to drag these things out month after month after month. The proposed rules simply say we will have elections, and if there are challenges, if there are challenges by the management as to who can vote in that election, then those challenges would be held until after the election and then see whether those individuals so challenged were really part of that unit and could vote or whether they could not and whether that would even make a difference.

Again, if there were 100, let's say, who signed a petition to form a union, and that was 50 percent of the workers out of 200, and the employer was challenging 5 of those, well, as it is now they could challenge those 5, have a hearing, appeal the hearing, appeal that, and just keep appealing it.

Well, the rules would say, OK, they can say those 5 are not part of it, their ballots would be set aside, and they would have the election. If the election was, let's say, 150 to 20 that they wanted to form a union, those 5 would not make a difference one way or the other. If, however, the election was very close and those 5 would make a difference, then the results would be held in abeyance until such time as it is determined whether those 5 so challenged were part of that bargaining unit or not.

To me, this is a much more fair and decisive way of moving ahead rather than these constant delays and intimidations that go on right now in some of the places—not all, not all, but in some of the places. It is like a lot of times we pass laws not because there are, let's say, broad-based incursions on a person's freedoms or certain things we want to address, but a lot of times we pass laws because there are a few bad actors out there one way or the other and we want to make sure those bad actors are not able to act unreasonably, kind of in violation of what was intended by the National Labor Relations Act.

So that is what they are all about. They are very modest and, I think, lend themselves to a much more rea-

sonable path forward in union organizing and voting.

I ask unanimous consent if there is a quorum call that both sides be charged equally on the time.

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

The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield myself such time as I may use.

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

Mr. ENZI. Mr. President, I do want to talk about this open and fair, transparent process that was just referred to. Much has been said about the flawed policy behind ambush elections we are discussing on the Senate floor. But I want to spend a few minutes discussing the rulemaking process that was followed or not followed for that matter by the National Labor Relations Board.

While the other side portrays the changes as moderate, make no mistake about it, this new rule greatly alters the election system, especially should Chairman Pearce be able to finalize the more controversial provisions that were previously proposed. This entire rule took under 1 year to complete. The National Labor Relations Board introduced the proposed rule on June 22, 2011, and published the final rule only 6 months later on December 22, 2011.

Considering the scope of the rule and how much attention it garnered from stakeholders, it is absurd to think that a Federal agency could promulgate a rule that would have such a major effect on all employers, in only 6 months. As evidence of how critical this rule's impact will be on stakeholders, the Board received 65,957 comments. Let me repeat that. The Board received 65,957 comments during the 60-day comment period. That is an astounding number.

To compare, the Board's previous rulemaking on its notice posting requirements garnered a little more than 6,000 comments. On November 30, 2011, the Board voted to move toward finalizing a new amended proposed rule. The reason for this new amended rule was clear: The Board was going to lose its quorum at the end of the congressional session in late December 2011.

What continues to astonish me is that the Chairman claimed his staff read each of the 65,957 comments, twice, in such a short period of time. In rushing to finalize the ambush elections rule, the Board discarded several well-established internal procedural precedents as well. For example, until the ambush election rule, the Board did not advance a major policy change without three affirmative votes. This was a major policy change.

They never did it without three affirmative votes, whether through rulemaking or a case decision. This was

not the case in the ambush elections rule where only two members voted in favor of finalizing the rule. Further, the Board rejected the tradition of providing any dissenting member at least 90 days to produce an opinion. Instead, Chairman Pearce offered to publish a dissent after the final rule was published. The process the Board used to promulgate the ambush elections rule was rushed through for no good reason. Yet in the process it decided to discard years of Board precedent.

I should also mention one of these people, one of the two who voted for it, not three—one of the two who voted for the rule, and there were two who voted for it—was a recess appointment because they knew this body would not stand for that person with the radical views he held, actually claiming before his appointment that he would cause this sort of a thing to happen; that he would even be able to institute, through Board procedures, card check.

Now, that is a pretty radical statement, and that alone was keeping him opposed by both sides of the aisle. There were people on both sides of the aisle who opposed card check.

So two people voted for it; one person voted against it. That person was not allowed the right to put in a dissent opinion. That is wrong. That is not open and transparent.

Now I would like to talk a little bit about the targeting of small business this regulation does as well. All of our States have a lot of small business. Small business is the backbone of job creation in this country. We need to make sure that process can still follow. Once a petition for representation is submitted, the current median timeframe for a union election to be held is 38 days. That is the median time. The ambush election rule would shorten that timeframe to as few as 10 days.

For small business owners, with the range of company responsibilities and limited resources, this puts them at a severe disadvantage. Most small business owners are not familiar with complex labor laws they have to adhere to during the representation election process. For example, they may not be aware that certain statements and actions could result in the National Labor Relations Board imposing a bargaining obligation without a secret ballot election. They can declare the election over. Furthermore, most small businesses do not have the resources to employ in-house counsel or human resource professionals familiar with these laws.

So holding an ambush election in as few as 10 days does not provide small business owners with enough time to retain a competent labor attorney, consult with them, and then adequately prepare for an election. I have given the reasons before why it is unfair to the employees. But it is also very unfair to a small business owner

because their day-to-day responsibilities range from sustaining a competitive product, to managing personnel, to balancing the books at the end of the day. I know. I have been there. I had a shoe store. They have to do all of those things.

The definition by the Federal Government for a small business is 500 or less employees. In Wyoming that would be a big business. My definition of a small business is where the owner of the business has to sweep the sidewalks, clean the toilets, do the accounting, and wait on customers—and definitely not in that order. So those day-to-day responsibilities to keep the business competitive take a lot of time, and given such a demanding schedule, it takes time for a small business owner to fully understand the pros and cons of unionization. It takes even longer for a small business owner to communicate these points to their employees.

Ambush elections make it logistically impossible for small business owners to fully discuss the effects of unionization with their employees, partly because they will not even know what those effects are, and neither will their employees.

A union organizing campaign does not begin on the day an employer receives a petition for representation. It typically starts months or even years before, when professional union organizers start conveying their side of the story to targeted small business employees. They work on it for months. By unjustly curtailing an employer's ability to convey their point of view, ambush elections deny employees the opportunity to hear both sides of the argument on unionization.

The small business employer is also at a disadvantage because the union organizer will be in a position to set up the election to his best advantage, essentially cherry-picking union supporters before the election process begins. The organizers will have had limitless amounts of time to analyze which employees could be argued to belong in the bargaining unit, which may qualify as supervisors, and who is most likely to support a union.

With ambush elections, the National Labor Relations Board will impose the election before the employer has an opportunity to even question those assumptions, especially since we have significantly restricted the one tool—the preelection hearing—that the small businessman would have to question who is in and who is out.

According to a recent Bloomberg study, unions win 87 percent of secret ballot elections held 11 to 15 days, compared to a 58-percent rate when elections are held 36 to 40 days. By shortening the election timeframe, labor unions will undoubtedly win more representation elections—perhaps. The perhaps is that they may really irri-

tate the employees and win less of them. The way that it is held in 11 to 15 days is when the employer and the employees agree on all of the issues and get the election to move forward. So it can happen in a short period of time right now. Otherwise, the median time would not be 38 days.

But I think this rule will alienate those people who have been getting together and arriving at these agreements. So for small business owners, the surge of union bargaining obligations means a less flexible workforce, increased labor costs, and fewer opportunities for job creation. And they are the job creators.

The National Labor Relations Board is only creating more uncertainty for small business at a time when the country needs them to focus on creating jobs. Small businesses account for over half of the jobs in the private sector and produce roughly one-half of the privately generated GDP in the country. In 2010, small businesses outpaced gross job gains of large businesses by 3 to 1.

As the National Labor Relations Board has publicly indicated, ambush elections are only the beginning of a round of regulations aimed at making it easier for unions to win representation elections in American workplaces. Proposed regulations, such as requiring small businesses to compile a list of employee phone numbers and e-mails and then handing them over to union organizers before an election are time consuming. They are costly. They are extremely invasive. Furthermore, they are indicative of how this administration is more concerned about boosting labor union membership than creating jobs.

We have to create jobs. We cannot continue to pick on the small businessman and put him at a disadvantage. This is a rule that is looking for a place to act. It is not one that was needed or requested other than by labor organizers. I think it will have repercussions. So I would ask everyone to vote for the resolution of disapproval so this does not go into effect, although we have been promised, of course, a Presidential veto if it makes it to his desk.

But that is Congress. We have the right to say we do not think the rule is right. The President has the right to say his administration is right and veto the law. But we have to make that statement, and we have to make it on behalf of small businesses and employees.

A lot of this has to do with employee fairness and giving them the time to figure out what the union will do with them and for them and to them.

I yield 3 minutes to the Senator from Alabama for morning business, as I understand it.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

POSTAL REFORM

Mr. SESSIONS. Mr. President, I thank the Senator from Wyoming for his thoughtful remarks on this important subject. I hope our colleagues are listening.

Later today, I will offer a budget point of order on the postal bill. It adds \$34 billion to the debt. It violates the agreement we reached last August, in which we said there would be limits to how much debt we would increase and how much spending we would increase.

The first big bill coming down the pike adds \$34 billion. Every penny of the new spending is added to the debt. There is no offset to it. Those of us who supported the concept of a limitation on spending—and I didn't think it limited it enough last summer, but many thought it did, but agreed to that limit—have to know this. When I raise that budget point of order, somebody will probably rise and ask for a vote to waive the budget, waive the limitations on spending and debt that we just passed last August.

We need not kill reform of the Postal Service. We need to send this bill back to the committee and let them produce legislation that either spends not so much or doesn't spend money or, if they do spend money, pay for it through cuts in spending that are perfectly available.

GAO has said there is over \$400 billion spent each year in duplicative and wasteful programs. We have GSA off in Las Vegas in hot tubs on taxpayers' money. We could pay for this bill if it is so important that we have to do it; if we don't, that is what the vote would be.

I urge my colleagues to understand the importance of it. Our Members who believed it was important to have a limit on spending in order to gain a debt increase last summer, increase the debt ceiling, should vote against the motion to waive because to do so—to vote for waiving the budget would undermine, in the first real opportunity, the agreement we reached.

I thank the Chair and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent to have printed in the RECORD three additional letters of support from the Motor and Equipment Manufacturers Association and National Council of Textile Organizers and the Building Owners and Managers Association International.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The Motor & Equipment Manufacturers Association (MEMA) represents over 700 companies that manufacture motor vehicle parts for use in the light vehicle and heavy-duty original equipment and aftermarket industries. Motor vehicle parts suppliers are the nation's largest manufacturing sector, directly employing over 685,000 U.S. workers

and contributing to over 3.2 million jobs across the country.

MEMA urges your boss to support S.J. Res. 36 and help overturn the "ambush election" rule, which is part of the NLRB's aggressive and unchecked regulatory agenda. Parts manufacturers are very concerned by recent unnecessary and unwarranted actions by the NLRB that threaten employer-employee relations as well as job growth and productivity. MEMA members strongly oppose the NLRB's ambush election rule which would shorten the time frame during which union elections may be held, limiting an employer's ability to prepare for an election and an employee's opportunity to make an informed decision about joining a union.

Please contact Ann McCulloch at amcculloch@mema.org or 202-312-9241 with any questions. Thank you for your consideration.

Sincerely,

ANN WILSON,
Senior Vice President,
Government Affairs,
Motor & Equipment
Manufacturers Association.

BUILDING OWNERS AND MANAGERS
ASSOCIATION INTERNATIONAL,
Washington, DC, April 24, 2012.

Hon. MIKE ENZI,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR RANKING MEMBER ENZI: The Building Owners and Managers Association (BOMA) International urges you to support S.J. Res. 36, which will prevent the National Labor Relations Board (NLRB) from moving forward with its "ambush" election rule. The rule is an attempt by the NLRB to enact the Employee Free Choice Act through regulation. The NLRB's actions are detrimental to workers, businesses and our economy and must be stopped.

Under the rule, building owners and managers and the companies they do business with could face an election held to determine whether or not the employees want union representation in as few as 14 days after the union files a petition. This would leave little or no opportunity to talk to employees about union representation or respond to any promises by union organizers—no matter how unrealistic. Union organizers lobby employees for months outside the workplace without an employer's knowledge, so these "ambush" elections would result in employees receiving only half the story. In an effort to rush the election, the rule also robs employers of free speech and due process rights. In fact, under the rule, the NLRB could even conduct elections before it settles which employees would be in the union. How is a worker supposed to make an informed choice about unions in these circumstances?

The median time from petition to election without this rule is a far more reasonable 31 days. The legislative record shows Congress intended an election period of at least 30 days in order to "safeguard against rushing employees into an election where they are unfamiliar with the issues."

The Building Owners and Managers Association (BOMA) International is an international federation of more than 100 local associations and affiliated organizations. Founded in 1907, its 16,500-plus members own or manage more than nine billion square feet of commercial properties. BOMA International's mission is to enhance the human, intellectual and physical assets of the commercial real estate industry through advo-

cacy, education, research, standards and information. On the Web at www.boma.org.

Again, on behalf of building owners and managers across the country, I urge you to support S.J. Res. 36 and help rein in this out-of-control agency.

Regards,

KAREN W. PENAFIEL,
Vice President, Advocacy.

NATIONAL COUNCIL
OF TEXTILE ORGANIZATIONS,
Washington, DC, April 24, 2012.

DEAR SENATOR: I am writing on behalf of the U.S. textile industry and the nearly 400,000 workers the industry employs. I am the president of the National Council of Textile Organizations and I urge you to support S.J. Res. 36 when it comes to a vote today. S.J. Res. 36 provides for congressional disapproval and nullification of the National Labor Relations Board's (NLRB or Board) rule related to representation election procedures. This "ambush" election rule is nothing more than the Board's attempt to enact the Employee Free Choice Act through the regulatory process and to deny employees and workers access to critical information about unions. In addition, the "ambush" election rule strips employers of their rights to free speech and due process. The rule poses a threat to employers and workers alike and needlessly interrupts an employer's day to day business operation.

The National Council of Textile Organizations (NCTO) is a unique association representing the entire spectrum of the textile industry. From fibers to finished products, machinery manufacturers to power suppliers, NCTO is the voice of the U.S. textile industry. There are four separate councils that comprise the NCTO leadership structure, and each council represents a segment of the textile industry and elects its own officers who make up NCTO's Board of Directors.

NLRB statistics note that the average time from petition to election is 31 days, noting that over 90 percent of elections take place within 56 days. NCTO strongly believes that the current election time frames are reasonable, and permit workers time to hear from the union and the employer. The ability to take into account the perspectives of management and the unions allows workers to make informed decisions, which would not be possible under the new ambush election rule if allowed to go into effect. NCTO is particularly concerned about how our small and medium manufacturers would be affected by the rule's time frames; employers will not have the appropriate time to retain legal counsel, or to speak with workers about union representation. The reality is that union organizers are persuading workers for months outside the workplace without an employer's knowledge; these "ambush" elections would often result in workers' hearing only one perspective on union membership. Workers would be made unrealistic promises that can't be kept and be offered guarantees of benefits that unions have no way of attaining. If the employer does not have an opportunity to explain their position and any possible inaccuracies that could be levied by the union, how can a worker make an informed and objective decision regarding representation?

For these reasons, NCTO urges you to vote yes on S.J. Res. 36 when the Senate votes today. If left unchecked, the actions of the NLRB will fuel economic uncertainty and

have serious negative ramifications for millions of employers, U.S. workers, and consumers.

Sincerely,

CASS JOHNSON,
President.

Mr. ENZI. Also, there will be key vote alerts from the Associated Builders and Contractors, Associated General Contractors, Brick Industry Association, Competitive Enterprise Institute, Heritage Action for America, International Franchise Association, International Warehouse Logistics Association, National Grocers Association, National Association of Manufacturers, National Federation of Independent Business, National Restaurant Association, National Roofing Contractors Association, National Taxpayers Union, the Retail Industry Leaders Association, and the U.S. Chamber of Commerce.

I yield the floor and reserve the remainder of my time. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ENZI. Mr. President, I yield up to 10 minutes to the Senator from Georgia, Mr. ISAKSON.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I haven't been able to hear all the speeches, but I commend Senator ENZI on his detailed and eloquent explanation on how we arrived where we are today.

I wish to add a history lesson of my own to tell you my journey in terms of where we are. As a student in college in the 1960s, in business management, I learned a lot about the Industrial Revolution, the labor revolution, the development of labor unions and labor/management practices as they developed from the 1920s until the 1960s and now up until today.

It is absolutely correct that the playing field was unlevel in the 1920s and 1930s. It is absolutely true that we had poor working conditions, safety risks were high, and wage-an-hour issues were debated. There was a place and an appropriate nature for us to level the playing field so management and labor could go together, head-to-head, and negotiate and arbitrate and have binding agreements upon themselves to protect the safety of workers and also improve the environment of the workers in the United States.

For 75 years those laws served us well. All of a sudden, it seems there is a perfect storm. From every corner, the NLRB seems to be making proposals to try to tilt the playing field away from fairness and equity and it is not right.

Last year, 70 percent of the elections for unionization in the United States of America were successful. There is not a problem in terms of people being able to organize and negotiate collectively. The problem is that the regulatory bodies are attempting to circumvent the legislative branch of government and to rule and regulate what they cannot pass on the floor of the Senate.

When Mr. Becker was appointed to the NLRB last year by the President, over the objection of the Senate and during the recess—it was an example of where the President used a recess appointment to go around the lack of approval, and advice and consent of the Senate.

This particular legislation we are talking about is similar to the specialty health care decision. The specialty health care decision allowed unions to create micro unions within the same working body, where there could be a plethora of unions in one store, all to fracture and fragment the ability of a business to cross-train and compete effectively. It is an attack on the free enterprise system and circumvents what our Founding Fathers intended us to do.

We have a legislative branch with the House and Senate; an executive branch with the President, the Vice President, the Cabinet and his appointees; and we have a court system. The President makes initiatives that go through the legislature. The legislative body takes initiatives and passes laws. Ultimately, the courts are the arbiters if either one or both ever challenges the ruling of one or the executive order of another. That is the way it should be. But right now we have a two-legged stool in America. Instead of legislative, executive, and judicial branches, we have a judicial and executive branch trying to run the country. We all know what happens to a two-legged stool. It falls over.

I talked with some businesspeople this morning who talked about the uncertainty of doing business in America. It didn't all have to do with ambush elections or specialty health care movements or special posters to promote unionization in the workplace, but they were part of it. The regulations that come from the administration through the Department of Labor, the National Labor Relations Board, the National Mediation Board, and a plethora of other organizations, are making it difficult for America to do business in a time where it is essential that we do business.

When the stimulus passed 18 to 24 months ago—maybe 30 now—it was designed to bring unemployment down to 6 percent. Unemployment remains above 8 percent, and one of the reasons it does is that the deployment of capital by businesses is not taking place because of the uncertainty of the workplace and what lies ahead, whether it is

health care, whether it is ambush elections, card check, or whatever it might be.

So I come to the floor to commend the Senator from Wyoming for taking an initiative that is available to the Senate to bring a resolution of disapproval forward for a resolution of an executive branch body that circumvents the legislature itself. I hope he is successful in sending the message that it is time for us to take American politics and American justice and American legislation back to what our Founding Fathers intended.

Let's stop trying to take a playing field—one that has been level for 75 years, where we have had the greatest labor-management relations in the history of any country in the world—and tear it up or put us into a situation where we are adversaries, as we were 75 years ago. Let's stop the ambush election. Let's stop the arbitrary posting. Let's stop the specialized unionization. Let's stop all of this and return to the laws that have worked for three-quarters of a century. Three-quarters of a century is a great test of time. There is no reason now, through appointments to a regulatory body, to change the history of the Senate and the history of the court system.

I will end by quoting a President of the United States—a Democratic President of the United States—who, on April 21, 1959, was U.S. Senator John Fitzgerald Kennedy. In his campaign for the Presidency, he declared that elections should have at least 30 days between their call and the vote so employees can be fully informed on their choices from both sides of the issue. If it was right for John F. Kennedy on April 21, 1959, it is right for the Senate today, on April 24, 2012.

I commend the Senator from Wyoming on his presentation, his intensity, and his ability to bring this issue before the American people and to the floor of the Senate.

I yield the floor.

Mr. HARKIN. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator from Iowa has 20 minutes, and the Senator from Wyoming has 12 minutes.

Mr. HARKIN. Mr. President, there are just a couple of things I wish to bring up in response to some of the statements that have been made on the floor.

First of all, I wish to make it very clear that the NLRB has scrupulously followed all legal and procedural requirements for rulemaking under the Administrative Procedure Act, and by increasing the use of rulemaking, it has been the most inclusive and transparent Board in history—in history. This process has given all sides abundant opportunity to provide input to the NLRB. There was opportunity for written comments, written responses to other comments, and even a public hearing.

I would like to point out again that there is no requirement in the Administrative Procedure Act to facilitate a dissent. Even though there isn't, the NLRB's traditional practice has given Member Hayes an opportunity to dissent. He was given that chance. But these practices do not allow him to filibuster or run out the clock to thwart the actions of his colleagues.

The Board filed a notice of proposed rulemaking on June 22, 2011, provided 60 days for filing public comments, and received over 65,000 comments, of which, I might note, all but around 200 were form letters. There were 65,000 comments, and all but around 200 were form letters. But still there were 200 comments, ensuring a wide range of views and stakeholder input. The Board arranged an opportunity for staff from Member Hayes's office to brief congressional staff on his dissent from the notice of proposed rulemaking, and, although not required to do so, the Board also provided an opportunity for oral public comments at a hearing conducted on July 18 and 19, 2011, in which over 60 labor and management lawyers, public interest groups, employer and labor organizations, workers, and other related constituents participated. The Board provided an additional 14 days following the 60-day comment period in which to file written reply comments. Again, this is not required by the APA—the Administrative Procedure Act—or any other law. Then the NLRB held a public vote on a final rule on November 30 and published the final rule in late December. So quite frankly, under the Administrative Procedure Act, which all other agencies follow, the NLRB bent over backward to be transparent and to allow dissent.

I have heard it said that Member Hayes was not allowed enough time. Well, he had his first dissent. But from June 22 until November, Mr. Hayes had all that time to file a dissent if he wanted to—to write a dissent. I mean, is that not enough time to write a dissent? It seems to me that is more than enough time. But that was not done. So I just want to make it clear that I think Mr. Hayes was given more than enough time to write his dissent if he wanted to. He did write one dissent over the proposed rules, but he had the additional opportunity from June 22 until November. Again, the APA, under rulemaking, doesn't entitle him to dissent, but the Board allowed him to have a dissent if he wanted to. They had access to public comments on the proposed rules. They were given summaries and copies of specific comments the other members found informative. His office had months to incorporate those comments and write a second dissent but chose not to. That was his own choice. That was his own choice. He was not prevented from doing so. That was his own choice.

There are a lot of little items like that which I think are kind of being misinterpreted, but here is the essence of it, right here. Here is the essence of what this is all about. Stripped of all the faldral and all of this and all of that and which Board member was for card check and who wasn't and on and on and on, this is what it is about, right here, this statement. This is Martin Jay Levitt, who was an anti-union consultant who wrote a book called "Confessions of a Union Buster," published in 1993. "Confessions of a Union Buster." Here is what he said:

Challenge everything . . . then take every challenge to a full hearing . . . then prolong each hearing . . . appeal every unfavorable decision . . . if you make the union fight drag on long enough, workers lose faith, lose interest, lose hope.

That is what it is about. It is about denying people their right under the National Labor Relations Act to fairly and expeditiously have a vote on whether to form a union. This is not new. This has been going on since the 1940s and 1950s, since Taft-Hartley. There have been forces at work in this country since the adoption of the National Labor Relations Act in 1935 to break unions. They do not want to give workers a right to have a voice in collective bargaining. They will go to extreme limits to deny union members their rights. They will do everything they can to try to break up unions. Taft-Hartley was the first of that, and we have had several things since that time.

Our job is to try to make it a level playing field—as level as possible, anyway—and to give workers a right that is not just a right in name only or in words but a real, factual right to form a union and have the election without challenging everything, taking every challenge to a full hearing, prolonging each hearing, appealing every unfavorable decision. As I quoted earlier, if you make the union fight drag on long enough, workers lose faith, lose interest, and lose hope. And I might add, if you drag it on long enough, it gives the employer every opportunity to intimidate workers so they won't join a union or maybe fire people who were active in the union organization drive—to find some reason why they should be fired, anyway. That is what this is about.

What the NLRB has finally done, through an open process, through a rulemaking process, through perhaps one of the most open and transparent processes in the history of the NLRB, is to say: Let's have a system whereby certification votes can be held within a reasonable amount of time. There was no time limit put in there. There is no 7 or 10 days. That is what Mr. Hayes said in his dissent. He just plucked that out of thin air. But that is not in the ruling. That is not in the ruling at all. Most people who have looked at it have said: Well, it may shorten it to 20

to 30 days, somewhere in there. It seems to me that is fair enough. That is fair enough.

But that is really what this is all about, and I hope Senators, when they vote, will recognize that what the Board has done is to take the unfair process we have had for so long and made it more fair for everyone.

I will point out one last time that the procedures the NLRB has come up with, which are under fire right now from the other side, apply to certification votes as well as to decertification votes. If a company wants to decertify a union, then the union can't drag that out days and months at a time. They can't drag that out for decertification either. So it seems to me that on both sides—certification and decertification—we have a level playing field, and neither side can drag it out interminably to try to frustrate the real desires and wishes of the workers.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield 8 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I wish to commend the Senator from Wyoming for his great work on the subject.

As Americans know firsthand, we continue to struggle with an economy that is not performing well or meeting the needs of workers. The unemployment rate remains at about 8 percent, as has been the case for the last 28 months. Much of this can be attributed to a lack of certainty on the part of employers.

One need look no further than the regulatory policies being pushed by this administration to understand why job creators are not creating jobs. Back on December 22 of 2011, the technically independent National Labor Relations Board published the final rule on representation-case procedures, better known as the "ambush elections" rule. This new rule could allow a union to organize an election in as little as 10 days. This new rule is the most drastic and sweeping modification to the union election process in more than 60 years.

According to the National Labor Relations Board, the median time in which an election is held is 38 days, and 92 percent of all elections occur within 56 days. In fiscal year 2011 the NLRB reports that 71.4 percent of unions won their elections, which is up 3½ percent from fiscal year 2010. It is hard for one to claim that union elections are being held up unnecessarily with these sorts of track records.

The changes put forth by the NLRB will radically change the process of union organizations and will limit an employer's ability to respond to union claims before an election, thereby stifling debate and ambushing an employer and employees. Employers use

the time after an election petition has been received to ensure compliance with the National Labor Relations Act, to consult with human resource professionals, and to inform—to inform—their employees about the benefits and shortcomings of unionizing. It is nearly impossible for a small business owner to navigate the regulations of the National Labor Relations Act without the assistance of outside counsel, which will be hard to find in 10 days or less.

On April 21, 1959, then-Senator John F. Kennedy stated, and I quote:

The 30-day waiting period is an additional safeguard against rushing employees into an election where they are unfamiliar with the issues.

It appears that rushing elections is exactly what the NLRB and big labor are hoping for. After all, unions win 87 percent of elections held 11 to 15 days after an election request is made. The rate falls to 58 percent when the vote take place after 36 to 40 days.

On a decision as important as whether to form a union, workers should have the opportunity to hear from both sides, free from any pressure one way or the other, an opportunity that the NLRB's recent decision would take away.

In addition to ambushing employers with union elections, the NLRB has now decided to recognize micro-unions. The NLRB ruled that so long as a union's petitioned-for unit consists of an identifiable group of employees, the NLRB will presume it is appropriate.

What does this mean for America's small businesses? This means that at your local grocery store there could be a cashiers union, a produce union, a bakers union, the list goes on and on. Micro-unions, coupled with ambush elections, can cause one small business to deal with several bargaining units in the workplace and little time to no time to raise concerns against such actions.

The Supreme Court has expressly stated:

An employer's free speech rights to communicate his views to his employees is firmly established and cannot be infringed by a union or the NLRB.

The recent actions of the NLRB have all but silenced any freedom of speech once enjoyed by employers. For the State of South Dakota, increased unionization will mean higher costs for the health care industry, driving up health costs for hospitals and consumers. It will also mean higher costs for hotels, tourism, small businesses, and other service industries. The Federal Government should not be acting to slow or hinder job growth in our current economy but should instead be looking for ways to foster job growth.

In addition to radically changing the way in which union elections are organized, the NLRB promulgated a rule requiring most private sector employers to post a notice informing employees

of their rights under the National Labor Relations Act. I believe this is yet another example of Federal overreach by this administration that benefits their special interest allies at the expense of American businesses that are currently struggling to create jobs, which is why I introduced the Employer Free Speech Act last year.

If enacted, this legislation would prohibit the NLRB from requiring employers to post a notice about how to establish a union. I am happy to report that on April 17, 2012, the DC Circuit Court of Appeals agreed with me and has stopped the NLRB from enforcing this unnecessary and burdensome rule.

This administration is making a habit of using regulatory policies to strengthen unions and harm the economy. In these difficult times, the last thing government should be doing is putting roadblocks in front of American businesses as they attempt to do their part to turn our economy around and to create jobs.

In the 74 years of the NLRB's existence prior to 2009, the Board had promulgated just one substantive rule. It is time that the NLRB return to its main function, which is to act as a quasi-judicial agency. These actions by the NLRB further push our government down a dangerous path, one in which decisions no longer lie in the hands of those elected by the people but by unaccountable bureaucrats sitting in Washington disconnected from people.

For these reasons and many others, I am supporting S.J. Res. 36, and I want to encourage my colleagues on both sides of the aisle to stand with American employees and employers and to vote to stop the NLRB from moving forward with what is a misguided and deeply flawed ambush election rule.

I congratulate the Senator from Wyoming for getting this matter on the Senate floor and giving us an opportunity to debate it. This is yet another example of an administration that seems to be bent upon creating more excessive overreaching regulations, making it more difficult and more expensive for American small businesses to create jobs and to get the economy growing again. I hope my colleagues will join me in voting to stop this from happening.

NLRB RESOLUTION OF DISAPPROVAL

• Mr. KIRK. Mr. President, I am in support of S.J. Res. 36 and thank the Senator from Wyoming for introducing it.

I worry that the recent direction of the National Labor Relations Board is killing American jobs, not creating them. This resolution concerns a new rule regarding ambush or quickie union elections. But this action is just the latest in a number of other anti-job creation activities at the NLRB.

The case last year against the Boeing Corporation is a perfect example of where the NLRB actions threatened to kill thousands of new U.S. jobs. By threatening to shut down a new plant producing the new 787 Dreamliner in South Carolina, the NLRB's actions would have cost Boeing billions of dollars. This case has made U.S. companies reconsider building new plants at home, costing high-quality American jobs.

I am particularly worried about a proposed rule by the NLRB that would require employers to turn over employee personal contact information to unions, including personal e-mail addresses and cell phone numbers. This is a blatant violation of an individual's privacy. No one should have access to that type of information, unless you want to provide it. As a Congressman, I fought for easy access to opt into the Do Not Call List, so that you will not be disturbed by unwanted telephone calls. This rule would allow unions to have access to that very same information that the overwhelming majority of Americans do not want to be public. The NLRB is completely out of touch with what is important to Americans.

The resolution on the floor of the Senate specifically addresses the new NLRB rule that would shorten the time frame for a union election to as little as 10 days. The new rule is set to go into effect on April 30. These ambush elections rush workers into making quick decisions, which are often uninformed ones, on an issue that directly affects their every day life in the workplace. Forcing workers to make this quick decision runs against the heart of our democratic system, based on the principles of fairness and justice.

Quickie elections will be particularly harmful to small businesses. Small businesses are the engine of our economy and our greatest job creators. Small business owners have a range of responsibilities and fewer resources than larger corporations. They will struggle to respond to the new, accelerated timeframe for elections. Their compliance costs will almost certainly rise; taking money that could have been put into enhancing their business, growing the economy, and creating jobs.

The NLRB continues to find ways to prevent job growth and inhibit our economy instead of enhancing it. This new rule on ambush elections is no different. I thank the Senator from Wyoming, my ranking member on the HELP Committee, for this resolution and I urge its passage.●

Mr. FRANKEN. Mr. President, today I would like to discuss my strong opposition to the resolution before us, the resolution disapproving of the National Labor Relations Board's final rule governing election procedures. This rule seeks to modernize and streamline a process that is currently costly, inefficient, and promotes unnecessary delay.

Let's be clear about what the rule does and does not actually do. This rule does not fundamentally change how workers are permitted to organize. This rule does not prevent employers from talking to their workers about unionization. This rule is not the Employee Free Choice Act by fiat. This rule does not require that an election take place in a set number of days. These are all of the claims that have been levied against this rule, and, factually, none of them are true.

The rule's modifications are purely procedural. Here is one example. Under the current rules, companies often spend weeks litigating the eligibility of a handful of workers even though the election is ultimately decided by 50 or 100 votes. Those disputed votes couldn't have determined the outcome of the election—the only consequence was delay. So under the new rules, disputes about small numbers of voter eligibility can be decided after the election. The workers in question can cast provisional ballots, just as they do in political elections.

These exact circumstances played out in Minnesota. On April 8, 2008, office clerical workers in Virginia, MN, filed a petition for a union election. But because the parties litigated the status of a single employee, the unit was not certified until June 10th of that year—64 days after the petition was filed. Under the new rule, the issue concerning that single employee could have been resolved after the election, and the election would have been conducted with less delay and uncertainty.

These rules don't favor either unions or companies. They favor efficiency and modernization. They are narrowly tailored—targeting only those elections that face the longest delays. A vast majority of election schedules are agreed to by the parties—90 percent. This rule would only affect the other 10 percent. These rules favor better use of resources. These are the types of government reforms that we should be promoting—cutting down on bureaucracy and red tape.

Unnecessary delays hurt workers seeking to exercise their rights in the workplace—whether they are seeking to certify or decertify a union. These rules simply give workers a chance to vote yes or no.

Working families in Minnesota and across this country are still struggling. The middle class—has been ailing for decades. Without a strong middle class folks who can afford to buy a home and a car and send their kids to college—our country's economic future is tenuous. Protecting the ability of working people to have a voice—to vote yes or no—will bring more middle-class jobs with good wages and benefits that can drive our recovery forward.

The NLRB's rules are modest and reasonable. They uphold the principles of democracy and fairness that have

shaped our Nation's workplace laws. I urge my colleagues to vote against this resolution.

Mrs. BOXER. Mr. President, I rise in opposition to the Enzi resolution. If enacted, this resolution would prohibit the National Labor Relations Board, NLRB, from implementing common-sense, straightforward changes to the union representation process that will ensure union elections are conducted in a more fair and efficient manner.

The new rules, which will go into effect on April 30, will make it easier and less burdensome for workers and employers to navigate the union election process.

Workers and employers will now be able to electronically file election petitions and other documents. Timely information essential to both sides being able to fully engage in the election process will be shared more quickly. Time frames for parties to resolve issues before and after elections will be standardized. Duplicative appeals processes that cause unnecessary delays will be eliminated. Both sides will be required to identify points of disagreement and provide evidence at the outset of the election process, helping to eliminate unnecessary litigation.

The modest reforms proposed by the NLRB do not mandate timetables for elections to occur, as some of my colleagues will allege; rather, the new rules simply eliminate existing barriers that get in the way of providing employees and employers with access to an open and fair election process. As Catholic Healthcare West, which employs most of its 31,000 workers in my State of California, wrote during the public comment period: “[the] reforms proposed by the NLRB are not pro-union or pro-business, they are pro-modernization.”

I urge my colleagues to support modernization and oppose the Enzi resolution.

NLRB ELECTION RULES

Mr. LEVIN. Mr. President, we find ourselves debating yet another effort in the campaign against working men and women in this country. Over and over again in this body, and in State legislatures across the country, some have sought to undermine the ability of their constituents—dedicated teachers, electricians, assembly-line workers, and civil servants, just to name a few—to come together to bargain for fair wages and benefits. The resolution of disapproval before us is just another attempt to weaken unionized labor in this country, and I will not support it.

The representation process we are debating, which is overseen and administered by the National Labor Relations Board—NLRB—is used when a group of workers want to hold a union representation vote or when an employer wants to hold a similar vote to decertify a union.

Now let me be clear. What we are considering is a resolution that would effectively nullify a number of worthwhile rule changes intended to streamline and modernize the process for administering a union representation election. And, if adopted, it would essentially bar the NLRB from promulgating any similar rules in the future.

These changes will help cut down on needless delays that can occur at pre-election hearings, eliminate the arbitrary minimum 25 day waiting period following a decision to hold an election, and will clarify the election appeals process. And, the new rules will allow for the use of modern technologies, including email and other forms of digital communication.

The NLRB proposed these amendments last summer, allowed for ample time to consider public comments, and finalized the changes this past December. These are reasonable updates meant to accommodate modern forms of communication and discourage delay tactics that can unfairly stall a representation vote for months on end. The finalized rules will help ensure that the unionization process is fair and timely for employees, employers, and unions. And despite what some of my colleagues have stated, the rules are not encouraging an “ambush.” They are encouraging an election. I urge my colleagues to join me in voting against this disapproval resolution.

I yield the floor.

Mr. HARKIN. Mr. President, over the past 2 days my Republican colleagues have raised several arguments about what the NLRB rule will do. I now want to respond to their points and to clarify once again: this is a modest rule that simplifies pre-election litigation in the small number of cases where the parties don't reach agreement and must resort to litigation.

First, my colleagues across the aisle have pointed out that unions have recently won about 71 percent of elections, and so, they argue, the current system is completely fair to unions. This is an incredibly deceptive statistic. Unions have filed far fewer petitions in recent years—down from over 4,100 in 2001 to just over 2,000 in 2011. And in almost a third of cases where petitions are filed, the petition is withdrawn before an election. In other words, the process of getting to an election can be so slow, and employer anti-union attacks so potent, that unions are discouraged from going through the entire election process. For the most part, only in the rare cases where support is truly overwhelming or the employer does not oppose the union do unions win.

In a related vein, Republicans have argued that elections are currently held promptly—on average, between 30 and 40 days after a petition is filed—and therefore no change in the rule is needed. But this argument misses the

point of the rule. Currently, in the 10 percent of cases that are litigated, it takes around 124 days to get to an election. It takes around 198 days when parties exhaust their appeal rights. This rule addresses those situations where employers engage in excessive—and often frivolous—litigation to slow down the process. Without question, in those cases, it takes far too long and these new NLRB procedures are a desperately needed fix to shorten that time period for the 10 percent of cases that are litigated.

I have also heard the argument that if employers engage in misconduct that interferes with workers' choice during a long election campaign, the NLRB can rerun the election. But the time it takes to get to a second election only compounds the frustration and loss of hope workers suffer when their opportunity to make a choice is delayed for too long. Many unions won't bother to seek a second election, even if there was employer misconduct, if workers are too discouraged.

One of the major improvements in this bill—deferring challenges to voter eligibility until after the election when they are small in number—has also been mischaracterized. Opponents of the rule claim that workers will be confused about who is in the bargaining unit with them. The reality is, challenged voters will be deferred only when they are small in number relative to the size of the bargaining unit. So there will be little or no confusion about the exact individuals in the unit. Moreover, workers will know full well the essential identity of the group they are a part of; individual employees may come and go over time as workers retire or find new jobs, but the identity of the unit is what remains constant. The unit identity is what workers need to know to be able to make an informed choice about whether to vote for a union.

I hear a lot from the other side how this rule will dramatically shorten the time to an election and how it will lead to so-called ambush elections. There is no basis for this prediction. Opponents of the rule can't even agree among themselves how much time the rule will shave off an election. Senator ENZI suggested that this rule will lead to an election in 10 days; Senator BARRASSO suggested it will almost halve the current median time of 38 days. An attorney from the management-side labor law firm Jackson Lewis told the Wall Street Journal that he thinks the time would be between 19 and 23 days. The vice president of the National Association of Manufacturers predicted a hearing 20 to 25 days after the petition is filed.

The reason there are so many different numbers floating around is because the rule simply does not say anything about a timeframe for elections. Certainly it is true that in the 10 per-

cent of cases that are litigated—where the process is abused and delays are rampant—the rule likely will shorten the time period by instituting more efficient procedures. But as to the 90 percent of cases where there is voluntary agreement, the NLRB will continue to work with parties as it always has to arrive at a reasonable election date.

In connection with their undue speculation about timing of elections, supporters of this resolution have also argued that employers will not have enough time to communicate with workers under the rule. Because the rule does not actually address timing of an election in the great majority of cases, this is pure speculation as well. Moreover, it is well-known that election campaigns begin long before a petition is filed. If employers wish to mount an anti-union campaign, they will almost certainly do so when they learn a drive is happening. They will not wait until a petition is filed.

Similarly, my colleagues have argued that workers will only hear the union's side of the story under this rule. I must point out that it is employers who continue to have the right to hold "captive audience" meetings. They can hold meetings on work time where they can require workers' attendance, and they can browbeat workers about why they think unions are bad. Unions have no such access to a workplace. The playing field for communicating with workers is currently dramatically skewed in favor of employers. It will remain skewed in favor of employers after this rule goes into effect. All this rule does is to put some limits on those employers who would drag out elections to better exploit their communications advantage.

My colleagues on the other side argue that small businesses will have to confront election issues and familiarize themselves with the law in a very short timeframe. As I have said repeatedly, there is no reason to expect an election will occur any more quickly in the great majority of cases. Employers would have ample time to review the law. What the new rules do is to put small businesses on the same footing with large employers that can afford excessive, all-out litigation of preelection issues. The process is simplified so that all employers have to deal with straightforward and presumably cheaper procedures that give them all a fair and equal chance to address preelection issues.

My colleagues have argued that this rule creates an uncertain business climate. In fact, the rule does just the opposite. It creates a very predictable process because it applies uniform procedures designed to cut down on pointless litigation.

My Republican colleagues also suggest that this rule will cause more litigation because unions will have less incentive to reach voluntary agreements.

But, in fact, unions will continue to have every incentive to have an agreement on election issues. Hearings still take time and resources even though they are now more streamlined than before. Unions would not want to undergo the expense, uncertainty, and delay of a hearing even though the process will be much improved under this rule. I am confident the great majority of cases will continue to be resolved by voluntary agreement.

Let me stress that this rule treats both sides the same way—the rule applies to elections to decertify a union as well as elections to certify one. Although it has been pointed out that there are certain times, such as the first year after a certification vote, when workers are not permitted to petition to decertify a union, the NLRB does provide adequate, defined time periods when workers are permitted to file a decertification petition. Workers' right to file such a petition during those time periods is well-established, and workers who don't want a union have a clear method to vote the union out.

Finally, it has been pointed out that the NLRB recently lost a court battle over its rule requiring a notice posting. But the reality is, the NLRB won this court battle in one district court and lost in another. One court upheld the core of the rule—that the NLRB can require a posting of workers' right to form a union. The DC Circuit Court of Appeals has now blocked the rule to avoid confusion over who has to implement the rule and who doesn't. That court likely won't issue a decision resolving this matter until the fall, but it has absolutely no bearing on the legality or legitimacy of the rule we are debating today. Indeed, the furor over notifying employees of their rights is a perfect example of the extremity of Republican opposition to worker rights. My colleagues have all spoken about the importance of workers being informed about the pros and cons of unionization, but they object to a simple poster that explains workers' rights under the law.

To conclude, this rule will cause no real change for the vast majority of businesses that approach the NLRB election process in good faith. It imposes no new requirements at all for parties who come to the process in good faith and negotiate an agreement. The rule simply addresses the small number of employers that abuse the NLRB election process and deliberately cause delay to buy themselves more time to bombard workers with an anti-union message. The rule also makes NLRB preelection litigation more efficient, saving government resources. It is a commonsense reform that deserves our full support. I strongly urge my colleagues to vote down the resolution disapproving of this NLRB rule.

The PRESIDING OFFICER. Who yields time?

Mr. HARKIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. HARKIN. Mr. President, how much time is remaining?

The PRESIDING OFFICER. There is 5 minutes for the majority and 3 minutes for the minority.

Mr. HARKIN. Mr. President, I will, obviously, yield to my good friend, Senator ENZI, for his closing remarks, but I again just want to point out that this ruling by the NLRB is imminently reasonable.

They went through rulemaking, as I have said before, one of the most transparent boards we have ever had in history. Rather than going through the adjudicative process, they went through rulemaking and a comment period. People were allowed to come in, and they even had an oral hearing which is not even required by the Administrative Procedure Act. Mr. Hayes was allowed due time for filing dissents. He chose not to do so for whatever reason. So everything was complied with. In fact, they bent over backwards to even do more than what the Administrative Procedure Act requires under rulemaking. So that is No. 1.

No. 2, the essence of the rule is eminently fair. It applies both to certification and decertification. There is no 10 days. I keep hearing about this 10 days. Mr. Hayes put that in his dissent, but there is nothing in the rule that requires a 10-day election. Nothing.

Lastly, again, what is this all about? I will say it one more time. This is what it is about, this is it: This is Mr. Martin Jay Levitt who wrote a book, "Confessions of a Union Buster." He was a consultant to businesses that didn't want to have unions formed, and here is what he said in his book. Here is the way they should do things if they don't want to have a union:

[C]hallenge everything . . . then take everything challenged to a full hearing . . . then prolong each hearing . . . appeal every unfavorable decision. If you make the union fight drag on long enough, workers . . . lose faith, lose interest, lose hope.

That is what it is about. It is about establishing a level playing field now so workers do indeed have their full rights—not a paper right but a full viable right to form a union and to have an election within a reasonable period of time.

Mr. President, I yield the floor. If my friend needs some more time, I yield him whatever time I have remaining.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the chairman for the gift of time. There is nothing that is a greater gift than that.

Of course, I would like everyone to vote for my resolution of disapproval. This did not go through a process that was open and transparent. In fact, there was only one person who voted for this who was confirmed by the Senate. There were two people who voted for it. The other one lost, in a bipartisan way, the ability to be on that committee, so he was recess-appointed. So one person confirmed by the Senate is making this rule, and there was also one person confirmed by the Senate who was against it. So it was a 1-to-1 tie. That would normally defeat anything.

The biggest thing that is being taken away in this, the biggest thing that collapsed the time down to a potential 10 days, the biggest thing is eliminating the preelection hearing. That is when the employees—the employees—get their fairness of finding out exactly who is going to be represented, who is going to be part of their unit, and get any of their questions answered about this organization that is about to receive their dues. It seems like the employees, for fairness, ought to have that right. It also ought to be for the employers to have that right, especially small businesspeople to have the time to get it together so they are not violating any of the National Labor Relations Board's rules that they can easily step into and be in big trouble during one of these elections.

I urge all of my colleagues to support this resolution of disapproval and stop the National Labor Relations Board's ambush election rule. This vote will send a message to the National Labor Relations Board that their job is not to stack the odds in favor of one party or another—under this administration or another—but to fairly resolve disputes and conduct secret ballot elections.

We have heard from several speakers on the other side of the aisle that this debate and vote are a waste of time. Debating the merits of this regulation is not a waste of time for the millions of small businesspeople and millions of employees who are going to be negatively impacted by it. In fact, once it goes into effect next week, I believe all of us will be hearing from unhappy constituents and asked what we did to stop this legislation, and we will be asked. The contention that we should not be able to raise concerns about the National Labor Relations Board's ambush election regulation before it goes into effect sounds a lot like what the National Labor Relations Board is trying to do to small businesses and employees who have questions about a certification election.

This regulation will take away the right to question whether the appropriate employees are in the bargaining

unit or whether it includes supervisors and managers who should not be in the union or whether it leaves out a group of employees who should be in the union because they have similar jobs, and if they are excluded, they will lose ground against the newly unionized employees. This regulation takes away the right to present evidence and testimony at a preelection hearing and to file briefs supporting a position.

Because of the Congressional Review Act, we Senators have had the opportunity to present evidence and have debate. That is a privilege the NLRB is taking away from many small employers and employees, and that will lead to some suffering of the employees.

I urge my colleagues to vote for the motion to proceed to S.J. Res. 36. Again, it is a congressional privilege and we should take advantage of it. It is a chance to send a message that we want all of our boards to be fair and equal.

I yield back any remaining time.
The PRESIDING OFFICER. Time was yielded back.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1925.

The Senator from Arizona.

POSTAL REFORM

Mr. MCCAIN. Mr. President, I want to discuss one of the amendments that I believe we will be voting on later, and basically what it does is it establishes a BRAC-like process in order to consolidate redundant, underutilized, and costly post offices and mail processing facilities.

We found over the years that Congress was politically unable to close a base or a facility that had to do with the military, so we adopted a process where a commission was appointed, those recommendations to consolidate excess and underutilized military bases were developed, and Congress was given an up-or-down vote. This is sort of based on that precedent.

The bill before us clearly doesn't offer any solutions. According to the Washington Post editorial:

The 21st Century Postal Service Act of 2011, proposed by Senators Joseph Lieberman and Susan Collins and passed last week by the Senate Committee on Homeland Security Government Affairs, is not a bill to save the U.S. Postal Service. It is a bill to postpone saving the Postal Service.

I agree with the Washington Post. I usually do. The Service's announcement that they lost \$5.1 billion in the most recent fiscal year was billed as good news. That is how dire the situation is, the fact that they only lost \$5.1 billion.

The Collins-Lieberman bill, which transfers \$7 billion from the Federal Employee

Retirement System to the USPS—to be used to offer buyouts to its workers and paying down debts—can stave off collapse for a short time at best.

Nor do the other measures in the bill offer much hope. The bill extends the payment schedule for the Postal Service to prefund its employee retirement benefits from 10 to 40 years. Yes, the funding requirement is onerous, but if the USPS cannot afford to pay for these benefits now, what makes it likely that it will be able to pay later, when mail volume has most likely plummeted further?

The bill also requires two more years of studies to determine whether a switch to five-day delivery would be viable. These studies would be performed by a regulatory body that has already completed a laborious inquiry into the subject, a process that required almost a year.

The Washington Post goes on to say:

This seems a pointless delay, especially given a majority of Americans support the switch to five-day delivery.

And finally they go on and say:

There is an alternative—a bill proposed by Rep. Darrell Issa that would create a supervisory body to oversee the Postal Service's finances and, if necessary, negotiate new labor contracts. The bill . . . is not perfect, but offers a serious solution that does not leave taxpayers on the hook.

So we now have legislation before us that makes it harder, if not impossible, for the Postal Service to close post offices and mail processing plants by placing new regulations and limitations on processes for closing or consolidating mail processing facilities, a move in the wrong direction. It puts in place significant and absolutely unprecedented new process steps and procedural hurdles designed to restrict USPS's ability to manage its mail processing network.

Additionally, the requirement to redo completed but not implemented mail processing consolidation studies will ultimately prevent any consolidations from occurring this calendar year.

What we have to realize in the context of this legislation is that we now have a dramatic shift, technologically speaking, as to how Americans communicate with each other. That is what this is all about. We now have the ability to communicate with each other without sitting down with pen and paper, just as we had the ability to transfer information and knowledge by means of the railroad rather than the Pony Express.

We now have facilities that are way oversized and unnecessary, and we are facing a fiscal crisis. According to the Postal Service:

The current mail processing network has a capacity of over 250 billion pieces of mail per year when mail volume is now 160 billion pieces of mail.

So now we have overcapacity that is nearly double what is actually going to be the work the Postal Service does, and all trends indicate down. More and more Americans now acquire the ability to communicate by text message,

Twitter, and many other means of communications. So to somehow get mired into while we cannot close this post office, we have to keep this one open, we have to do this—we have to realize it in the context that a large portion of the U.S. Postal Service's business is conducted by sending what we call “junk mail” rather than the vital ways of communicating that it was able to carry out for so many years.

In addition, the Postal Service has a massive retail network of more than 32,000 post offices, branches, and stations that has remained largely unchanged despite declining mail volume and population shifts. The Postal Service has more full-time retail facilities in the United States of America than Starbucks, McDonald's, UPS, and FedEx combined. And according to the Government Accountability Office, approximately 80 percent of these retail facilities do not generate sufficient revenue to cover their costs. That is what this debate is all about. I hope my colleagues understand that we are looking at basically a dying part of America's economy because of technological advances, and in this legislation we are basically not recognizing that problem.

When 80 percent of their facilities don't generate sufficient revenue to cover their costs, then any business in the world—in the United States of America—would right-size that business to accommodate for changed situations. This bill does not do that. It continues to put up political roadblocks that prevent tough but essential closings and consolidations.

I grieve for the individuals who took care of the horses when the Pony Express went out of business. I grieve for the bridle and saddle and buggy makers when the automobile came in. But this is a technological change which is good for America in the long run because we can communicate with each other instantaneously. So we have a Postal Service—and thank God for all they did all those years, in fact, to the point where they were even mentioned in our Constitution. But it is now time to accommodate to the realities of the 21st century, and the taxpayers cannot continue to pick up the tab of billions and billions of dollars. Again, last year it lost only \$5.1 billion, which they suggested was good news.

All this bill does is place significant and absolutely unprecedented and new process steps and procedural hurdles designed to restrict USPS's ability manage its mail processing network. Additionally, the requirement to redo completed but not implemented mail consolidation studies will ultimately prevent any consolidations from occurring this year.

So what do we need to do? We obviously need a BRAC. We need a group to come together to look at this whole

situation, find out where efficiencies need to be made—as any business in America does—and come up with proposals, because Congress does have a special obligation, and have the Congress vote up or down. This bill will continue the failing business model of the Postal Service by locking in mail service standards for 3 years which are nearly identical to those that have been in place for a number of years.

The clear intent of this provision is to prevent many of the mail processing plant closures that the Postal Service itself has proposed as part of its restructuring plan. It also prohibits the Postal Service from moving to 5-day mail delivery for at least 2 years with significant hurdles that must be cleared before approval, even though the Postmaster General has been coming to Congress since 2009 and asking for this flexibility.

One of the largest single steps available to restore USPS's financial solvency would save the Postal Service at least \$2 billion annually. If you told Americans that we would save the taxpayers' money—because they are on the hook for \$2 billion a year—if you went from 6-day to 5-day mail delivery, I guarantee you that the overwhelming majority of Americans do support a 5-day delivery schedule rather than 6-day delivery schedule.

This, of course, kicks the can down the road. The bill also has at least five budget points of order against it about which the ranking member of the Budget Committee came to the floor yesterday and spoke.

So the BRAC-like amendment is essential, in my view, to moving this process forward. I don't know how many more billions of dollars of taxpayers' money is going to have to be spent to adjust to the 21st century. There is no business, no company, no private business in America that when faced with these kinds of losses wouldn't restructure. And they would restructure quickly because they would have an obligation to the owners and the stockholders. We are the stockholders. We are the ones who should be acting as quickly as possible to bring this fiscal calamity under control.

The GAO, the Government Accountability Office, states:

The proposed Commission on Postal Reorganization could broaden the current focus on individual facility closures—which are often contentious, time consuming, and inefficient—to a broader network-wide restructuring, similar to the BRAC approach. In other restructuring efforts where this approach has been used, expert panels successfully informed and permitted difficult restructuring decisions, helping to provide consensus on intractable decisions. As previously noted, the 2003 Report of the President's Commission on the USPS also recommended such an approach relating to the consolidation and rationalization of USPS's mail processing and distribution infrastructure.

We pay a lot of attention to the Government Accountability Office around

here and this is something the Government Accountability Office recommends as well.

In addition:

[GAO] reviewed numerous comments from members of Congress, affected communities, and employee organizations that have expressed opposition to closing facilities. Such concerns are particularly heightened for postal facilities identified for closure that may consolidate functions to another state causing political leaders to oppose and potentially prevent such consolidations.

We should listen to the Government Accountability Office, take politics out of this delicate process, and move forward with their recommendations.

Our proposal would be composed of five members appointed by the President, with input from the House and Senate and the Comptroller General, with no more than three members being of the same political party.

The Postal Service, in consultation with the Postal Regulatory Commission, will be required to submit a plan to the BRAC-like Commission on closures and consolidations, which will include a list of closures and consolidations, a proposed schedule, estimated annual cost savings, criteria and process used to develop the plan, methodology and assumptions used to derive the estimates and any changes to processing, transportation, delivery or other postal operations anticipated as a result of the proposed closures and consolidations.

The Commission will be required to publish in the Federal Register the definition of "excess mail processing capacity" with a period of public comment.

After receiving the plans, the BRAC-like Commission will be required to hold at least five public hearings.

Finally, the Commission will be required to vote on the recommendations, with the concurrence of at least four of the members, and submit the recommendations to Congress. Any recommendation will be the subject of a congressional vote of approval or disapproval.

The amendment recognizes the fact that the current business model for the Postal Service is no longer viable. If we continue to act in an irresponsible way by putting up political roadblocks, the American taxpayer will be the one who ultimately suffers in the form of higher postage prices and bailouts. We should make hard choices now so future generations of Americans will have a viable Postal Service.

I ask unanimous consent the Washington Post editorial, "A Failure to Deliver Solutions to Postal Service's problems," be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 18, 2011]

A FAILURE TO DELIVER SOLUTIONS TO POSTAL SERVICE'S PROBLEMS

The 21st Century Postal Service Act of 2011, proposed by Sens. Joseph I. Lieberman

(I-Conn.) and Susan Collins (R-Maine) and passed last week by the Senate Committee on Homeland Security and Governmental Affairs, is not a bill to save the U.S. Postal Service (USPS).

It is a bill to postpone saving the Postal Service.

The service's announcement that it lost \$5.1 billion in the most recent fiscal year was billed as good news, which suggests how dire its situation is. The only reason the loss was not greater is that Congress postponed USPS's payment of \$5.5 billion to prefund retiree health benefits. According to the Government Accountability Office, even \$50 billion would not be enough to repay all of the Postal Service's debt and address current and future operating deficits that are caused by its inability to cut costs quickly enough to match declining mail volume and revenue.

The Collins-Lieberman bill, which transfers \$7 billion from the Federal Employee Retirement System to the USPS—to be used for offering buyouts to its workers and paying down debts—can stave off collapse for a short time at best.

Nor do the other measures in the bill offer much hope. The bill extends the payment schedule for the Postal Service to prefund its employee retirement benefits from 10 to 40 years. Yes, the funding requirement is onerous, but if the USPS cannot afford to pay for these benefits now, what makes it likely that it will be able to pay later, when mail volumes most likely will have plummeted further?

The bill also requires two more years of studies to determine whether a switch to five-day delivery would be viable. These studies would be performed by a regulatory body that has already completed a laborious inquiry into the subject, a process that required almost a year. This seems a pointless delay, especially given that a majority of Americans support the switch to five-day delivery.

We are sympathetic to Congress's wish to avoid killing jobs. And the bill does include provisions we have supported—such as requiring arbitrators to take the Postal Service's financial situation into account during collective bargaining and demanding a plan for providing mail services at retail outlets.

But this plan hits the snooze button on many of the postal service's underlying problems. Eighty percent of the USPS's budget goes toward its workforce; many of its workers are protected by no-layoff clauses. Seven billion dollars' worth of buyouts may help to shrink the workforce, but this so-called overpayment will come from taxpayers' pockets, and it is a hefty price to pay for further delay.

There is an alternative—a bill proposed by Rep. Darrell Issa (R-Calif.) that would create a supervisory body to oversee the Postal Service's finances and, if necessary, negotiate new labor contracts. The bill, which just emerged from committee, is not perfect, but it offers a serious solution that does not leave taxpayers on the hook.

Mr. McCAIN. I don't know what the ultimate result of the votes in the Senate will be. I do know that if it passes, it will be strongly opposed in the other body, the House of Representatives. If it is passed and signed into law, we will be back on the floor within 2 years addressing this issue again because this is not a solution. This isn't even a mandate. It is a proposal that will do business as usual and an abject failure to recognize there are technological

changes that make certain practices obsolete, and that is what this is all about. Is it painful? Yes. Is it difficult? Yes. But the overall taxpayer obviously wants us to act in a fiscally responsible manner.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, knowing we are scheduled to go out at 12:50, I ask unanimous consent to stay in session for no longer than 10 minutes more, so we will break at 1 p.m., for Senator COLLINS and I to respond to Senator McCAIN—hopefully, sooner than that.

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

Mr. LIEBERMAN. I thank the Chair, particularly since the Chair will be occupied by the distinguished Senator from Montana between now and then.

I wish to respond very briefly to the statement of my friend from Arizona, with a couple big points. The first is that Senator McCAIN has declared the Postal Service of the United States dead much too prematurely. He compares it to the Pony Express. Of course, electronic mail and other changes have occurred but, today, every day, the Postal Service delivers 563 million pieces of mail—every day. There are businesses and individuals all over our country who depend on the mail. The estimate is there are approximately 8 million jobs in our country, most of them, of course—almost all of them—in the private sector, that depend in one way or another on the functioning of the U.S. Postal Service.

It is not fair and it is not realistic to speak as if the Postal Service is dead and gone and it is time to essentially bury it with the McCain substitute. I cannot resist saying that Senator COLLINS and I come not to bury the U.S. Postal Service; we come to change it but to keep it alive and well forever because it is that important to our country.

Secondly, Senator McCAIN speaks as if the substitute legislation, S. 1789, that we are proposing—bipartisan legislation—does nothing; that it is a status quo piece of legislation; it is not even a bandaid on the problem. We all know, because we have talked about it incessantly since we went on this bill, that the Postal Service is in financial difficulty. Incidentally, I wish to say there is not a dime of taxpayer money in the Postal Service. Ever since the Postal Service reforms occurred, it has been totally supported by ratepayers, basically by people who buy the services of the Postal Service, with two small exceptions which are small—one to pay for overseas ballots for members of the military so they can vote and another special program to facilitate the use of the mail by blind Americans. But it has a problem: \$13 billion lost over the last 2 years.

This proposal of ours—Senator COLLINS and I, Senator CARPER and Senator SCOTT BROWN—is not a status quo proposal. It makes significant changes. There are going to be about 100,000 fewer people working for the Postal Service as a result of this bill being passed. There will be mail processing facilities that close. There will be post offices that will be closed and/or consolidated. There will be new sources of revenue for the Postal Service. The bottom line: The U.S. Postal Service itself estimates that our legislation, if enacted as it is now, as it is phased in over the next 3 to 4 years, by 2016, will save the Postal Service \$19 billion a year. This isn't a bandaid. This is a real reform, a real transformation of the Postal Service to keep it alive—\$19 billion.

Let me put it another way. This is a bipartisan proposal. We have worked on it very hard to keep it bipartisan. We think it can pass the Senate and it can ultimately be enacted. If Senator MCCAIN's substitute were to pass the Senate, nobody thinks it is going to get enacted into law. It would not. Certainly, the President of the United States would not sign it, and that will mean nothing will be done. What will be the effect of that? The effect will be that the post office will go further and further into debt and deficit. Also, the Postmaster General will be faced with a choice of either enormous debts and deficits or taking steps that will make the situation worse—which our bill, through a reasonable process, is trying to avoid—which is a kind of shock therapy whose effect will be, as the McCain substitute would be, to actually drop the revenues of the post office and accelerate its downward spiral.

I think the two numbers to think about—the ones that come from the Postal Service itself—are these: By 2016, if we do nothing, the Postal Service will run somewhere between a \$20 billion and \$21 billion annual deficit. If we pass this bill and it is enacted into law, that deficit will be down to around \$1 billion—a little more—and heading toward balance in the years that follow.

So I urge my colleagues to vote against the McCain substitute and the BRAC amendment. The BRAC-like Commission amendment I think is not necessary. It is not necessary for us in Congress to give up and give in. We have a good resolution to the problem. Incidentally, if we get this enacted, I think we will send a message to the American people that we can face a tough problem that exists in a public service, deal with it in a reasonable way, and ask people to sacrifice but keep a venerable and critically important American institution alive and well.

I thank the Chair and I yield the floor for my distinguished ranking member.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am only going to speak very briefly. I wish to shine a spotlight on a provision of Senator MCCAIN's substitute that has not yet been discussed that actually raises constitutional issues.

All of us believe the labor force of the Postal Service is too large and unfortunately will have to be reduced, and we do that through a system of buyouts and retirement incentives through a compassionate means very similar to the way a large corporation would handle the downsizing of its employees. But Senator MCCAIN's alternative takes a very different approach. It would have this new control board that would be created to impose on the Postal Service an obligation to renegotiate existing contracts to get rid of the no-layoff provision.

I will say I was very surprised when the Postmaster General signed the kinds of contracts he did this spring. The fact is Senator MCCAIN's amendment—section 304 of which amends section 1206 of existing law—requires existing contracts to be renegotiated. That creates constitutional questions. The potential constitutional issue derives from the contracts clause of article I, which prohibits States from passing laws impairing the obligation of contracts. Of course, this provision does not apply to the Federal Government. The Congressional Research Service has explained in a memorandum to me on this topic in July of 2011 that the due process clause of the fifth amendment has been held to provide some measure of protection against the Federal Government impairing its own contracts. I ask unanimous consent that the CRS memorandum I just referred to be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,
Washington, DC, July 7, 2011.

MEMORANDUM

To: Senate Committee on Homeland Security and Governmental Affairs Attention: Lisa Nieman.

From: Thomas J. Nicola, Legislative Attorney, 7-5004.

Subject: Congressional Authority to Alter Postal Service Employee-Management Relations, Including Collective Bargaining Agreements.

This memorandum responds to your inquiry regarding the authority of Congress to alter Postal Service employee-management relations, including collective bargaining agreements. The employee-management authority that Congress has granted to the United States Postal Service in the Postal Service Reorganization Act of 1970, P.L. 91-375, is broader than authority that it has granted to most federal entities. Congress enacted the 1970 Act, codified in title 39 of the United States Code, to enable the U.S. Postal Service to operate more like a business than a government agency. Before this

statute became law, postal services were operated by the Post Office Department, a cabinet level government agency.

The Act established the Postal Service as an independent establishment in the executive branch of the United States Government. While Congress applied to the Postal Service some statutes including those relating to veterans' preference and retirement that apply to federal agencies, it provided in 39 U.S.C. section 1209(a) that, "Employee-management relations shall, to the extent not inconsistent with the provisions of this title [title 39 of the U.S. Code], be subject to the provisions of subchapter II of chapter 7 of title 29[.]" i.e., the National Labor Relations Act, which governs private sector employee-management relations. By contrast, provisions relating to those relations for federal agencies are codified in chapter 71 of title 5 of the United States Code.

In section 1005 of title 39, Congress identified subjects of Postal Service collective bargaining—compensation, benefits, and other terms and conditions of employment. This scope of subjects differs from the scope for federal agencies identified in chapter 71 of title 5, which is limited to "conditions of employment."

Addressing the transition from the Post Office Department to the businesslike U.S. Postal Service, Congress in 39 U.S.C. section 1005(f), as amended, stated, in relevant part, that:

No variation, addition, or substitution with respect to fringe benefits shall result in a program of fringe benefits which on the whole is less favorable to the officers and employees in effect on the effective date of this section [enacted on August 12, 1970], and as to officers and employees/or whom there is a collective-bargaining representative, no such variation, addition, or substitution shall be made except by agreement between the collective bargaining representative and the Postal Service." (Emphasis supplied.)

In section 1207 of title 39, Congress provided procedures for terminating or modifying collective bargaining agreements. It stated that a party wishing to terminate or modify an agreement must serve timely written notice on the other party. If parties cannot agree on a resolution or adopt a procedure for a binding resolution of a dispute, the Director of the Federal Mediation and Conciliation Service must appoint a mediator. This section also provided authority to establish an arbitration board under certain circumstances and said that board decisions are conclusive and binding on the parties.

A collective bargaining agreement is a contract between the Postal Service and a recognized bargaining unit. Can Congress affect a collective bargaining agreement through legislative action? The power of Congress over employee-management relations at the Postal Service, including these agreements, may be divided into prospective authority versus authority over existing agreements. Congress has authority to modify the scope of bargaining prospectively. In the Postal Reorganization Act of 1970, Congress granted the Postal Service authority to bargain over compensation, benefits (such as health insurance and life insurance, for example), and other conditions of employment, but it could amend that statute to limit the scope of bargaining subjects in the future. It could, for example, provide that health insurance no longer will be the subject of collective bargaining after collective bargaining agreements that address that subject expire.

A more difficult question is whether Congress could modify agreement terms that the

Postal Service and recognized bargaining representatives have bargained collectively and included in collective bargaining agreements before they expire. Article I, section 10, clause 1 of the United States Constitution, the Contract Clause, provides that laws impairing the obligation of contracts shall not be passed, but this prohibition applies to the states, not to the federal government. Nevertheless, the jurisprudence under this clause may help inform an inquiry regarding the power of Congress to modify terms of collective bargaining agreements while they are in effect.

In *United States Trust Co. v. New Jersey*, the Supreme Court said that, "Although the Contract Clause appears literally to proscribe 'any' impairment, this Court has observed that 'the prohibition is not an absolute one and is not to be read with literal exactness like a mathematical formula.'" It added that:

The Contract Clause is not an absolute bar to subsequent modification of a state's own financial obligations. As with laws impairing the obligation of private contracts, an impairment [of those obligations] may be reasonable and necessary to serve an important public purpose. In applying this standard, however, complete [judicial] deference to a legislative assessment of reasonableness and necessity is not appropriate because the state's self interest is at stake. A governmental entity can always find a use for extra money, especially when taxes do not have to be raised. If a state could reduce its financial obligations whenever it wanted to spend the money for what it regarded as an important public purpose, the Contract Clause would provide no protection at all.

Based on the *United States Trust Co.* case, courts subsequently developed a three-part test when assessing the constitutionality of state action challenged as an impairment of contracts—(1) whether the state action in fact impairs a contractual obligation; (2) whether the impairment is substantial; and (3) whether the impairment nevertheless is reasonable and necessary to serve a public purpose.

Although the Contract Clause does not apply to the federal government, the Due Process Clause of the Fifth Amendment has been held to provide some measure of protection against the federal government impairing its own contracts, but the limitations imposed on federal economic legislation by the latter clause have been held to be "less searching" than those involving the state legislation under the Contract Clause. In two Depression-era cases, however, the Supreme Court held that some statutes which impaired obligations to pay purchasers of federally issued war risk insurance and bondholders that Congress had enacted as economy measures exceeded constitutional limits.

If a court should be influenced by the reasoning expressed in these cases, it may strike down as a Due Process Clause violation a statute it finds to impair a term of a Postal Service collective bargaining agreement before that agreement expires. If a court should wish to avoid deciding a case involving whether such a statute violates the Due Process Clause, a constitutional ground, it may uphold the statute, but require the United States to pay damages for breaching a term of the agreement. Alternatively, because the limitations on federal impairment of contracts have been held to be "less searching" than those that apply to state impairments under the Contract Clause of the Constitution, which are permitted if

found to be "reasonable and necessary," a court may uphold a statute that impairs a term of a current Postal Service collective bargaining agreement and not assess damages against the United States.

Ms. COLLINS. There is also a Supreme Court case, *Lynch v. The United States*, which makes clear that the due process clause prohibits the Federal Government from annulling its contracts and the United States is as much bound by its contracts as are private individuals.

In the landmark case of *U.S. v. Winstar* decided in 1996, the Supreme Court cited *Lynch* for the proposition that the Federal Government "has some capacity to make agreements binding future Congresses by creating vested rights," even though the Contract Clause does not directly apply.

Obviously, one Congress cannot bind another, and no Federal agency can bargain away the right of Congress to legislate in the name of the people. But no one would ever sign a contract with an instrumentality of the Federal Government if that contract could be rewritten by Congress at will.

Recognizing this, the courts have distinguished between acts which affect contracts in general, where the Federal Government is exercising its sovereign powers, and acts directly altering the obligations of contracts to which the Federal Government is itself a party.

The *Winstar* case I mentioned before illustrates this distinction. *Winstar* was brought by a financially healthy Savings & Loan institution that was asked by Federal regulators to take over failing thrifts during the S&L crisis of the 1980s. After *Winstar* entered into a contract with the Federal Savings & Loan Insurance Corporation stipulating that it could count the "goodwill" of the thrifts it took over to offset the liabilities it was assuming, Congress changed the underlying law. Based on that change, the regulators renege, declared *Winstar* "inadequately capitalized," and seized its assets.

In that case, the Supreme Court held that even though Congress had the right to change the law in general, the Federal Government could still be liable for breach of contract it had entered into with *Winstar*, and for damages.

I am concerned that if the Postal Service reopens and renegotiates its collective bargaining agreements to comply with the McCain amendment, courts could find the Postal Service in breach of those agreements, and force it to pay damages.

At a minimum, it strikes me that Senator MCCAIN'S language could tie up the Postal Service in litigation for years, which would defeat our efforts to reduce the workforce costs faced by the Postal Service.

Bottom line: I am very concerned that if the Postal Service is forced by

the McCain substitute to reopen and renegotiate current collective bargaining agreements, the courts would find the Postal Service in breach of those agreements and force it to pay damages and also that it would be found to be unconstitutional. The approach we have taken does not raise those constitutional concerns. It does not have Congress stepping in to abrogate contracts, which is a very serious and potentially unconstitutional step for us to take.

Finally, I would say I agree with everything my chairman has said. Senator MCCAIN'S amendment does not address the true problems of the Postal Service. Instead, it assumes that the Postal Service is obsolete, that they cannot be saved, and that we should just preside over its demise. I reject that approach.

Thank you, Mr. President.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:01 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. WEBB).

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY THE NLRB RELATING TO REPRESENTATION ELECTION PROCEDURES—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S.J. Res. 36.

The question is on agreeing to the motion.

The majority leader.

Mr. REID. Mr. President, we are going to have a bunch of votes today, and we are going to have to do them quickly. I say this to Democrats; I say it to Republicans: We are going to have—after this first vote, I ask unanimous consent that we have 10-minute votes.

The PRESIDING OFFICER. That is the order.

Mr. REID. And we are going to enforce that. So if people are not here, they are going to miss a vote. Unless there is a situation where we have a close vote, then we will extend it a little bit because that is what the tradition has been. So I repeat, everybody be here or you are going to miss a vote if you are not here at the end of the time.

Mr. President, I ask for the yeas and nays on this matter.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 68 Leg.]

YEAS—45

Alexander	DeMint	McCain
Ayotte	Enzi	McConnell
Barrasso	Graham	Moran
Blunt	Grassley	Paul
Boozman	Hatch	Portman
Brown (MA)	Heller	Risch
Burr	Hoeven	Roberts
Chambliss	Hutchison	Rubio
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Snowe
Collins	Johnson (WI)	Thune
Corker	Kyl	Toomey
Cornyn	Lee	Vitter
Crapo	Lugar	Wicker

NAYS—54

Akaka	Hagan	Murray
Baucus	Harkin	Nelson (NE)
Begich	Inouye	Nelson (FL)
Bennet	Johnson (SD)	Pryor
Bingaman	Kerry	Reed
Blumenthal	Klobuchar	Reid
Boxer	Kohl	Rockefeller
Brown (OH)	Landrieu	Sanders
Cantwell	Lautenberg	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Lieberman	Tester
Conrad	Manchin	Udall (CO)
Coons	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Webb
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden

NOT VOTING—1

Kirk

The motion was rejected.

21ST CENTURY POSTAL SERVICE ACT

The PRESIDING OFFICER. Under the previous order, the clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 1789) to improve, sustain, and transform the United States Postal Service.

Pending:

Reid (for Lieberman) modified amendment No. 2000, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate the good work of our colleagues on this legislation. Unfortunately, the legislation spends \$34 billion, all of which would be borrowed, all of which adds to the debt of the United States and is contrary to the Budget Control Act limitations that were passed just last August. It is really a grievous problem, not one that can be avoided lightly.

Just last August we agreed to certain debt limits—the amount of debt we would incur and add to the U.S. Treasury. It was a fought-over agreement, but we reached it and we stood by it. I believe we have a moral obligation to

not mislead the people who elected us when we said we intend to stand by the limits on increasing debt. This bill increases debt above that limit. The Congressional Budget Office scores it as adding \$34 billion in debt to the United States.

Chairman CONRAD has certified that a budget point of order is legitimately placed against it. I would expect we would have a motion to waive the budget point of order. I would expect there might be a motion to say, well, we do not agree with CBO or that somehow this is so important we need to add to the debt anyway. But, colleagues, if we mean what we say, if at this time in history we begin to at least stay within the limits we agreed and we don't do that, then I think we will lose further credibility with the American people.

I respect the work of my colleagues on the bill, but I think we are setting a great precedent. It is a matter of importance for our own integrity and the fiscal stability of America. I believe it is important that we adhere to that limit.

The spending measure, amendment No. 2000 to S. 1789, the 21st Century Postal Service Act, would violate Senate pay-go rules and increase the deficit; therefore, I raise a point of order against this measure pursuant to section 201(a) of S. Con. Res. 21, the concurrent resolution on the budget for fiscal year 2008.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of the act and budget resolutions for purposes of the pending amendment for reasons that we described in the debate we had here on the floor yesterday. The U.S. Postal Service says this bill will, in fact, save \$19 billion a year.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

Mr. LIEBERMAN. I ask unanimous consent that the vote on this motion to waive be placed at the end of the list of amendments that are in order to vote on now.

Mr. SESSIONS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LIEBERMAN. If I may, if we are going to vote now—and Senator COLLINS and I spoke to this at great length yesterday. The CBO score my friend from Alabama cites is a real misreading of the effect of this legislation. It is a kind of form of accounting over the reality of budgeting. The bottom line is that the U.S. Postal Service itself says that if this bill—the substitute to S. 1789—is adopted—and it

would be phased in over 3 years—the Postal Service will save \$19 billion annually. To me, that is what this is all about—no deficit, a saving.

I ask my colleagues to support the motion to waive the point of the order.

I would yield to my ranking member.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, the score for the substitute is incredibly misleading. As the Postal Service has told us, this bill would save the Postal Service \$19 billion, and that would return it to profitability. The problem is the unique status of the Postal Service in that it is off-budget for operations but on-budget for workers' benefits accounts. This is true despite the fact that these accounts the Postal Service pays into are not funded with tax dollars.

The postal employees are contributing. The Postal Service, from its revenue, is contributing.

For the retirement accounts, we are not talking about tax dollars from the Postal Service. These are contributions from the postal employees and by the Postal Service from its revenues. But because of the unified budget, it is considered to be an on-budget status for these benefit accounts—most likely because they are shared with other Federal agencies that are using tax dollars.

I urge my colleagues to vote for the motions to waive. If they do not and this bill falls, it will spell the end of the Postal Service.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, very briefly, I join my colleague in saying that if this point of order by our friend from Alabama is sustained and this bipartisan bill therefore is not able to be brought up, the effect will be that the Postal Service will continue to run ever-greater losses to a point where they, in fact, will have to turn to the Treasury, which they are not doing now, to bail them out. This is a responsible answer to a problem and a bipartisan one.

I urge my colleagues to vote to support the motion to waive the Senator's point of order.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I hope my colleagues listened to what Senator COLLINS said with respect to the way this has been scored. It is a very important point. As much as anybody in this Chamber, I am interested in reducing the budget deficit. I want Senators to keep in mind these three points: One, for a number of years, the Postal Service has overpaid its obligation into the Federal Employees Retirement System—\$12 billion to \$13 billion in overpayment. They are owed that money. They should be given that money. They are going to use it to help 100,000 postal

employees who are eligible to retire to retire. They will use that money to pay down their debt—\$13 billion—and almost wipe it out. They will use it for that purpose. CBO scores that as something that makes the budget deficit bigger. If they overpaid the money into the Federal Employees Retirement System, they ought to get it back. They should get people who are eligible to retire and want to retire to retire. They should use it to pay down a \$12 billion line of credit to the Federal Government.

The second point I wish to make is the one offered by Senator LIEBERMAN. If we do nothing and we get to May 15, the Postal Service is free to close post offices across the country—3,700 of them. They are free to close as many as 200 to 300 mail processing centers. There is a smarter way to do this, which is in this legislation.

Lastly, we are going to have the opportunity today and tomorrow for all of us to better understand the amendments that have been agreed to and offered by both sides, what has been agreed to and put into the managers' amendment, which we will, frankly, have a lot more confidence in.

The Postal Service tells us today they are going to lose \$23 million. They lost that much yesterday. They are going to lose that much again tomorrow, the next day, and the next day. They owe \$13 billion to the Treasury. What I think is more important to keep in mind is when we finish our work today and tomorrow, and we look to see what that means for the Postal Service, in terms of their operation on a daily basis and where will they be in terms of paying their obligation by 2016, we need to keep our eye on the ball. I urge Senators not to vote for this. Give us a day for the body to work its will and then make your decision. If we have not made any more progress, vote against it.

Lastly, several of our colleagues have well-intentioned amendments that will literally drive up the cost and make it harder for the Postal Service to move toward a balanced situation, to a sovereign situation. I urge Senators—and some of these amendments are offered by people we love and it is hard to say no to them. But in this case, maybe the greater devotion should be to the taxpayers of our country, to the people who work for the Postal Service, and to their customers.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate the Senators who have expressed their disagreement on the budget point of order. Even if one disagrees over the \$11 billion, there is \$23 billion in additional spending that will be borrowed over the decade, according to CBO. With regard to the \$11 billion, that money will be borrowed and given to the Postal Service. It increases the debt of the United States.

Therefore, CBO scores it as a violation of the debt limit in the pay-go provision. It clearly is. So we are not saying we should not have a postal bill. Let's vote, stand firm with the debt limit agreement we had in August. Let's ask our good committee to produce a bill that is paid for in some fashion. We spend \$3,700 billion in the United States. We need to find about \$3 billion a year to fund their proposal to solve this problem. That is what we should do. We are at a defining moment. There is no middle ground. I say vote to sustain the point of order.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, for a very long time, in a bipartisan way, a number of people have come together to save the U.S. Postal Service. Senator LIEBERMAN and Senator CARPER and Senator COLLINS and Senator BROWN have worked very hard, as have many others, because if the Postal Service goes under or is dismembered, we are talking about 8 million jobs in this country—small businesspeople who are dependent on a strong Postal Service.

The Postmaster General originally was talking about shutting down 3,700 rural post offices in every State in this country. I hope Members understand that a post office in a rural town is more than just a post office. If that post office disappears, in many cases that town disappears. The Postmaster General was talking about specifically slowing mail delivery standards, shutting down half the processing plants in this country—over a short period of time, eliminating 200,000 jobs in this country.

I hope we can proceed, have a serious debate on these issues, hear all the amendments, but at the end of the day, I hope we will go forward and save the U.S. Postal Service.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I too thank the chairman and ranking member of the committee and Senator CARPER for bringing something to the floor that is bipartisan. I applaud that and the fact that the committee process is working.

But the fact is we did set a top line number when the country almost shut down last August 2. On one of the very first pieces of legislation we passed, the highway bill, we violated that budget cap. It wasn't by much, but we violated it. Now we have a bill that violates it by \$11 billion.

What I say is that if the Postal Service is that important to this Nation, if it has bipartisan support, should we not figure out a way to deal with the Postal Service in such a way to stay within the budget constraints we have laid out? It seems to me things that are very popular in this Nation are the very things we ought to make choices

about and eliminate something else if we want to spend money in this way. I would like to see a bill that is far more reformed, and I think if we did that, the tab on this would not be \$11 billion above the budget.

What I say to everybody here is, please, our credibility is going out the window. Sixty-four of us signed a letter to the leader and to the President asking that we deal in a real way with deficit reduction. The country almost shut down. The world watched. We established a top line number, and here we are, for something we like, violating that. We are losing all credibility with our citizens—the citizens we represent. We are losing credibility in the world.

To me, if we are going to produce a bipartisan piece of legislation, it ought to be one that lives within the bipartisan agreement we had regarding what we are going to spend in this Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I add my strong voice to support the position of Senators LIEBERMAN, COLLINS, CARPER, and BROWN, who has also been a great leader in this bipartisan effort to save the Postal Service and put it on a more sound financial footing, not at the expense of taxpayers generally but the users of the Postal Service.

This is about rural towns in America. This is about small businesses everywhere that rely on the Postal Service to get basic business done. Don't vote wrong today. Give the Postal Service a chance to save itself. That is what we are doing. We are giving rural communities a chance to fight and to be part of a growing economy. We are giving small businesses the opportunity to stay in business. Don't cut them off today. Let this debate go forward because we are trying to do the right thing and go in the fiscally responsible direction.

I see my colleague from Massachusetts who has been a very able leader in our effort.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I thank the Senator for speaking on this important issue. This is something that is ratepayer costs, not taxpayer dollars. It is something we have worked on for a couple months. All of a sudden we are here at the end now and everybody is saying, by the way, we cannot do it.

Bottom line: If we don't do this and pass it, we will not have a Postal Service. This is something we recognize—there is a new business environment that the Postal Service operates under but one focused on sustainment. If we don't give them the tools to do that, we are going to be losing the Postal Service.

There is a misconception somehow out there that there is a bailout going

on. These are dollars that are ratepayer dollars, not taxpayer dollars. Our bill doesn't prevent the Postal Service from making changes or streamlining operations, but it ensures that it rolls out changes in a deliberate and responsible manner. It is fair to the employees and gives postal customers the ability to continue to use the service, provide short-term relief without taxpayer funding—that FERS overpayment of between \$7 billion and \$10 billion, part of which we can use to help reduce the workforce without even blinking. It is a no-brainer.

It provides long-term relief as well, curbside delivery, administrative efficiencies and other reforms, retiree health care restructuring. It focuses its primary attention on the primary costs, the controversial Postal Service closures, going from 5-day service to 6-day service. Listen, both sides are highly charged on these issues. Had they been involved in the conversations of upward of 400 hours between staff and Members working on these things, we could have worked through those, instead of waiting until, once again, the end hour to get on these issues.

Once again, I am with Senators LIEBERMAN, CARPER, and COLLINS, obviously, in my effort to continue to move this bill forward so we can have a good conversation about how to reestablish that trust between the American ratepayer, taxpayer, and the Postal Service. We need to do this.

It is very important for us to do it. We need to move on and focus on the things that matter. This matters. I want to make sure I can send my mom a card. I want to make sure we can continue to keep our people employed. I want to make sure we have an institution that will be viable into the next century. I hope we will move forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, very briefly, I thank Senator BROWN from Massachusetts for his statement and his work on the bill.

This point of order puts the whole bill in jeopardy. Right at the beginning of the debate and the vote, it forces Members to decide whether they want to deal with this crisis of the Postal Service. I think it tests Congress again—in this case the Senate. Are we going to face a real problem in one of the iconic areas of American public service, the Postal Service, which cannot continue to do business as it is now—and this bill will force it to change in ways that are significant but will still keep it alive—or are we going to turn away from the problem, which would be the effect of sustaining this point of order. It would also cut off the debate.

We have 39 amendments pending. This bill may change as the debate

goes on. The final vote on passage of the bill will require 60 votes. So don't cut it off now.

Let's have this debate and prove to the American people that we can take on a problem and, on a bipartisan basis, fix it. I urge my colleagues to vote for the motion to waive the point of order.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I think there is merit in the discussion about whether we vote now or vote later. The important thing is that we vote on this budget point of order. It is not as if the entire process of trying to fix the post office is going to collapse if we take this vote and it succeeds. All we are asking is that we find a way to pay for it. This Senate agreed last August to the Budget Control Act; that we were not going to exceed these limits, and that we would find, if there was something essential that needed to be done—if that is the case to be made here—we would at least find a way to stay within what we agreed to do. This is the second time now, I believe—maybe more—that we have violated that agreement. So what do we go home and tell our people? Well, this was so important—to save some post offices—that we had to violate an agreement which was agreed to by a strong majority here to save the country from default.

There are priorities. It is impossible for me to understand why we can't, in this government that spends over \$3.7 trillion, find a way to scare up \$34 billion over a 10-year period of time to cover the cost this bill is going to lay on us. So I would urge, whether we vote now or vote later on the point of order made by the Senator from Alabama, that we consider this. We have a recess week coming up. Staff can get together and dig out \$34 billion in cost savings we can apply to this so we don't have to worry about going home and telling people we didn't keep our word, that we lied to them last August.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I sit on this committee. I voted on the last postal reform bill. I am not unfamiliar with the issues. I think the question before us is why can't we do both? Why can't we fix the post office and pay for it at the same time, if in fact the CBO says that? Our answer, always, up here is that we want to fix the post office but we don't want to make the hard choices on how to do that.

My colleagues have done great work. There are parts of this bill I don't agree with. I am trying to amend parts of it. But I think we should try to move forward with it. The ultimate question is, will we do what is best for the post office and the American people. And doing what is best for the post office and the American people is any cost

where the CBO says we will violate the budget agreement we should pay for.

I will offer right now to come up with easy ways to pay for this bill just through the duplication reports we have gotten from the Government Accountability Office. We all know it is out there. We all know there is \$100 billion, at least, that we could come up with by consolidating programs or mandating they be consolidated. So it is not a matter of finding the money, it is a matter of whether we have the will.

We are on a collision course with history that says we are not going to succeed if we don't get our budgets in order. So I agree it is hard to stomach sometimes what the CBO tells us. It doesn't fit with common sense. When it works for us, we use it. When it works against us, we say it doesn't matter. This is a budget point of order, and I think we can do both, and I think we ought to do both.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, let me repeat for my colleagues one more time: There are no taxpayer dollars authorized by this bill or appropriated by this bill. The score is caused by the unique status the postal service accounts have within the unified budget. The operational accounts are off budget. The employee health benefits and retiree accounts are on budget because those accounts are also used by Federal agencies.

Let me again quote from the inspector general who explains the system very well. He says the source of the Federal employee retirement funding comes from two streams of revenue. First, the U.S. Postal Service contributes 11.9 percent of the employees' salaries to the fund and the employees contribute .8 percent. The postal service's contribution comes from revenue paid for postage, and this money comes from ratepayers. The employee contribution is made in exchange for a defined benefit.

There are no tax dollars authorized or appropriated by this bill. It is a quirk of the way the unified budget works. And that is why we should vote to waive this point of order. We are not talking about taxpayer dollars here.

I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the point of order raised by the Senator from Alabama.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. COONS). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 37, as follows:

[Rollcall Vote No. 69 Leg.]

YEAS—62

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Hoeven	Pryor
Bingaman	Inouye	Reed
Blumenthal	Johnson (SD)	Reid
Blunt	Kerry	Roberts
Boxer	Klobuchar	Rockefeller
Brown (MA)	Kohl	Sanders
Brown (OH)	Landrieu	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Snowe
Carper	Levin	Stabenow
Casey	Lieberman	Tester
Cochran	Manchin	Udall (CO)
Collins	McCaskill	Udall (NM)
Conrad	Menendez	Warner
Coons	Merkley	Webb
Durbin	Mikulski	Moran
Feinstein	Moran	Whitehouse
Franken	Murkowski	Wyden

NAYS—37

Alexander	Graham	McConnell
Ayotte	Grassley	Paul
Barraso	Hatch	Portman
Boozman	Heller	Risch
Burr	Hutchison	Rubio
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kyl	Vitter
Crapo	Lee	Wicker
DeMint	Lugar	
Enzi	McCain	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. On this vote the yeas are 62, the nays are 37. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. I thank my colleagues.

We had kind of an existential vote at the beginning which we didn't expect. It is always good to survive terminal action, and now we can proceed. We have 39 amendments pending. I hope we can proceed expeditiously. I hope some of our colleagues will agree to voice votes. On several of these, Senators COLLINS, CARPER, SCOTT BROWN, and I agreed on and we are prepared to accept them. So I hope our colleagues will allow us to do that by consent. But now we can proceed with the first amendment.

AMENDMENT NO. 2056, AS MODIFIED

Mr. TESTER. Mr. President, I call up my amendment No. 2056 and ask unanimous consent that it be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. TESTER] for himself and others, proposes an amendment numbered 2056, as modified.

Mr. TESTER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To modify the process for closing or consolidating post offices and postal facilities)

On page 27, strike lines 24 and 25 and insert the following:

(a) CLOSING OR CONSOLIDATING CERTAIN POSTAL FACILITIES.—Section 404 of title 39, United States Code, is amended by adding after subsection (e) the following:

On page 35, between lines 16 and 17 insert the following:

(b) COMPLAINTS RELATING TO CLOSING OR CONSOLIDATION OF POSTAL FACILITIES.—Section 3662 of title 39, United States Code, is amended—

(1) in subsection (b), by adding at the end the following:

“(3) SUSPENSION OF EFFECTIVENESS OF DETERMINATION TO CLOSE OR CONSOLIDATE POSTAL FACILITIES.—The Postal Regulatory Commission shall suspend the effectiveness of a determination by the Postal Service to close or consolidate a postal facility until the disposition of any complaint challenging the closing or consolidation on the basis that the closing or consolidation is—

“(A) not in conformance with service standards issued under section 3691, including the service standards required to be maintained under section 201 of the 21st Century Postal Service Act of 2012; or

“(B) unsupported by evidence on the record that substantial economic savings are likely to be achieved as a result of the closing or consolidation.”; and

(2) in subsection (c), by inserting “ordering the Postal Service to keep a postal facility open,” after “loss-making products.”

On page 39, strike line 21 and all that follows through page 45, line 2 and insert the following:

(a) CLOSING POST OFFICES.—Section 404(d) of title 39, United States Code, is amended to read as follows:

“(d)(1) The Postal Service, prior to making a determination under subsection (a)(3) of this section as to the necessity for the closing or consolidation of any post office, shall—

“(A) consider whether—

“(i) to close the post office or consolidate the post office and another post office located within a reasonable distance;

“(ii) instead of closing or consolidating the post office—

“(I) to reduce the number of hours a day that the post office operates; or

“(II) to continue operating the post office for the same number of hours a day;

“(iii) to procure a contract providing full, or less than full, retail services in the community served by the post office; or

“(iv) to provide postal services to the community served by the post office through a rural carrier;

“(B) provide postal customers served by the post office an opportunity to participate in a nonbinding survey conducted by mail on a preference for an option described in subparagraph (A); and

“(C) if the Postal Service determines to close or consolidate the post office, provide adequate notice of its intention to close or consolidate such post office at least 60 days prior to the proposed date of such closing or consolidation to persons served by such post

office to ensure that such persons will have an opportunity to present their views.

“(2) The Postal Service, in making a determination whether or not to close or consolidate a post office—

“(A) shall consider—

“(i) the effect of such closing or consolidation on the community served by such post office;

“(ii) the effect of such closing or consolidation on employees of the Postal Service employed at such office;

“(iii) whether such closing or consolidation is consistent with—

“(I) the policy of the Government, as stated in section 101(b) of this title, that the Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining; and

“(II) the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012;

“(iv) the extent to which the community served by the post office lacks access to Internet, broadband and cellular phone service;

“(v) whether substantial economic savings to the Postal Service would result from such closing or consolidation; and

“(vi) such other factors as the Postal Service determines are necessary; and

“(B) may not consider compliance with any provision of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

“(3) Any determination of the Postal Service to close or consolidate a post office shall be in writing and shall include the findings of the Postal Service with respect to the considerations required to be made under paragraph (2) of this subsection. Such determination and findings shall be made available to persons served by such post office.

“(4) The Postal Service shall take no action to close or consolidate a post office until 60 days after its written determination is made available to persons served by such post office.

“(5) A determination of the Postal Service to close or consolidate any post office, station, or branch may be appealed by any person served by such office, station, or branch to the Postal Regulatory Commission within 30 days after such determination is made available to such person. The Commission shall review such determination on the basis of the record before the Postal Service in the making of such determination. The Commission shall make a determination based upon such review no later than 120 days after receiving any appeal under this paragraph. The Commission shall set aside any determination, findings, and conclusions found to be—

“(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law;

“(B) without observance of procedure required by law;

“(C) inconsistent with the delivery service standards required to be maintained under section 201 of the 21st Century Postal Service Act of 2012 or not in conformance with the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012; or

“(D) unsupported by substantial evidence on the record, including that substantial economic savings are likely to be achieved as a result of the closing or consolidation.

The Commission may affirm or reverse the determination of the Postal Service or order that the entire matter be returned for further consideration, but the Commission may

not modify the determination of the Postal Service. The determination of the Postal Service shall be suspended until the final disposition of the appeal. The provisions of section 556, section 557, and chapter 7 of title 5 shall not apply to any review carried out by the Commission under this paragraph.

“(6) For purposes of paragraph (5), any appeal received by the Commission shall—

“(A) if sent to the Commission through the mails, be considered to have been received on the date of the Postal Service postmark on the envelope or other cover in which such appeal is mailed; or

“(B) if otherwise lawfully delivered to the Commission, be considered to have been received on the date determined based on any appropriate documentation or other indicia (as determined under regulations of the Commission).

“(7) Nothing in this subsection shall be construed to limit the right under section 3662—

“(A) of an interested person to lodge a complaint with the Postal Regulatory Commission under section 3662 concerning nonconformance with service standards, including the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012; or

“(B) of the Postal Regulatory Commission, if the Commission finds a complaint lodged by an interested person to be justified, to order the Postal Service to take appropriate action to achieve compliance with applicable requirements, including the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012, or to remedy the effects of any noncompliance.”

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote on amendment No. 2056, offered by the Senator from Montana.

Mr. TESTER. Mr. President, amendment No. 2056 requires the Postal Service to take into consideration some pretty commonsense things, such as economic savings, before they urge the shutdown of a post office or mail processing center.

It also requires the Postal Service to take into account retail service standards. That means the Postal Service would not be able to leave a community without access to basic postal services when it closes down a post office.

If the Postal Service does not meet these criteria, the Postal Regulatory Commission can review and reject the Postal Service's proposal. This amendment adds much needed teeth to the amendment that Senator MORAN and I offered when this bill was before the committee.

I am joined by a number of cosponsors, but in particular Senator FRANKEN and Senator LEVIN. This is a commonsense amendment that allows a lot of the post offices that are going to be closed to have another set of eyes and have the Postal Regulatory Commission take another look.

Mr. FRANKEN. Mr. President, I wish to echo the statement of my friend, Senator TESTER, and urge all my colleagues to support our amendment.

The Tester-Franken-Levin amendment gives individuals and communities impacted by closures a voice. It will give Minnesotans real recourse to challenge closure decisions and a fighting chance to keep their local post offices and processing facilities open.

Right now, individuals affected by post office closures can appeal the decision to the Postal Regulatory Commission, but the commission cannot stop closures. Our amendment will give the PRC the authority to reverse post office and processing facility closure decisions.

I urge a “yes” vote on amendment No. 2056.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I support Senator TESTER's amendment.

It simply creates safeguards to ensure that the Postal Service, when it closes a post office, does so as the result of a process that is transparent and takes into account the unique needs of communities, particularly small towns and rural areas.

This does not stop the decision making process at the Postal Service to change the Postal Service. It makes it transparent and fair.

If I may, at this time I ask unanimous consent that if a voice vote is requested and acceptable for any of the amendments relative to the postal reform bill, including this one, that the 60-vote affirmative vote requirement be waived for that amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I want to note for the benefit of our colleagues that on the list of 39 amendments, the first amendment was Senator MCCAIN's amendment No. 2001. He did not call it up, which is an expression of his intention not to go forward with it. I thank him for that, and I hope it sets a precedent that other of the sponsors of amendments will feel moved to follow.

The PRESIDING OFFICER. All time has expired.

The Senator from Maine.

Ms. COLLINS. Mr. President, I too support the amendment offered by Senator TESTER and Senator LEVIN.

It simply makes clear that the Postal Regulatory Commission may review an appeal of a post office closure if it violates either the overnight delivery service standard or the retail service standards that are created by our bill. So I urge support for the amendment.

Mr. LEVIN. Mr. President, the bill before us would make some important changes to existing law. There is little doubt that change is necessary; the Postal Service faces an extraordinary financial challenge, and it must make changes to take into account a new reality in which physical mail has in

many cases been replaced by electronic communication.

But in making these necessary reforms, we must ensure that all the American people can continue to rely on the United States Postal Service to provide universal service, as it has since our Nation's founding. And we must ensure that in making changes, any reduction in facilities and personnel yields real cost savings to the Postal Service that outweigh the loss in service. One of the things we can do to assure that is to require that there be a real, objective way to test and challenge Postal Service proposals to close facilities. In an effort to meet those goals, I have joined with Senators TESTER and FRANKEN and others to propose an amendment that would make some important changes to the substitute amendment before us.

Here are some of the provisions of our amendment. Under current law, any interested party can appeal a proposed closure of a community's main post office to the PRC, the Postal Regulatory Commission. The substitute before us extends that opportunity for appeal to branches of a post office. The substitute does not, however, extend that same appeal right to postal processing facilities. While the substitute acknowledges the need for some oversight over the closure of processing facilities, it is important to provide a meaningful chance to appeal a proposed closure of a mail processing facility. Our amendment does that.

The importance of providing a meaningful appeal process was reinforced by a recent experience of mine. In February, I wrote to Postmaster General Donahoe about the decision to close six processing facilities in Michigan. In my letter, I asked four questions: How many jobs would be affected at each facility? Of those, how many would be transferred to other facilities? How far would each transferred worker have to transfer? And what were the projected cost savings or additional costs at each affected facility? It seems to me that information is crucial to making informed decisions about whether to close a facility. But when the Postal Service responded to my letter nearly 8 weeks later, the response did not answer any of these questions satisfactorily. An inability to provide that kind of basic information indicates to me that a fair opportunity to appeal is crucial.

Our amendment also clarifies that during the appeal process for post offices, branches, and processing facilities, the proposed closure shall be suspended—not just that it “may be” suspended, as is the case under current law. If the Postal Service can close a post office, branch or processing facility while the closure is under appeal, the appeal would be a sham.

Also, under current law and the substitute before us, the PRC has the authority to affirm a proposed closing or

order that the matter be returned to the Postal Service for further consideration. Our amendment would grant the PRC the additional authority to reverse a closure decision.

Our amendment would also require that the Postal Service consider whether a proposed closing or consolidation is consistent with new retail service standards that the bill requires, and whether the proposed action achieves real and substantial cost savings. And our amendment provides that the PRC set aside Postal Service decisions to close post offices and branches that do not achieve substantial economic savings. If our goal is to help save the postal service money, surely it is important that we do not allow actions that degrade service to our communities without actually saving money.

Postal reform is among the most significant issues we will consider this year. It touches every town and village, every person and every business across our Nation. The Postal Service's universal service obligation—the obligation to ensure that all Americans have access to an affordable, efficient postal system in order to communicate with one another—is among the most important obligations any agency or department has. It sets the Postal Service apart from private-sector firms that are under no obligation to serve all markets. The Postal Service's first obligation is not profit. It is service.

Historically, the United States Postal Service has played a vital role in uniting Americans across the vast expanse of this continent, in connecting Americans far from home with their loved ones, in helping businesses reach customers across the Nation and the globe. Establishing a postal service was among the first acts of the Continental Congress, an act that predates even the Declaration of Independence. The need to establish an efficient postal system for the colonies was deemed so important that Benjamin Franklin, one of the most respected leaders not just in America, but the world, was named our first postmaster general.

I have heard from many of my constituents on this issue, as I am sure all of us have. They recognize the need to reform the Postal Service and find efficiencies so that it can continue to serve all Americans. But they also want us to do this the right way—to ensure that any changes we make, in fact, put the Postal Service on a sound financial footing, and that we carefully balance the need for savings with the need to maintain service for all people and in every community across the Nation. I believe our amendment will help us meet those goals, and I urge the bill's managers and all our colleagues to support its adoption.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2056, as modified.

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I urge adoption of the amendment and ask for a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Amendment (No. 2056), as modified, was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 2060

Mr. COBURN. Mr. President, I call up amendment No. 2060.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] for himself, Mr. JOHNSON of Wisconsin, and Mr. MCCAIN, proposes an amendment numbered 2060.

Mr. COBURN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide transparency, accountability, and limitations of Government sponsored conferences)

At the appropriate place, insert the following:

SEC. —. GOVERNMENT SPONSORED CONFERENCES.

(a) TRAVEL EXPENSES OF FEDERAL AGENCIES RELATING TO CONFERENCES.—

(1) LIMITATIONS AND REPORTS ON TRAVEL EXPENSES TO CONFERENCES.—Chapter 57 of title 5, United States Code, is amended by inserting after section 5711 the following:

“§ 5712. Limitations and reports on travel expenses to conferences

“(a) In this section, the term—

“(1) ‘conference’ means a meeting that—

“(A) is held for consultation, education, or discussion;

“(B) is not held entirely at an agency facility;

“(C) involves costs associated with travel and lodging for some participants; and

“(D) is sponsored by 1 or more agencies, 1 or more organizations that are not agencies, or a combination of such agencies or organizations; and

“(2) ‘international conference’ means a conference attended by representatives of —

“(A) the United States Government; and

“(B) any foreign government, international organization, or foreign nongovernmental organization.

“(b) No agency may pay the travel expenses for more than 50 employees of that agency who are stationed in the United States, for any international conference occurring outside the United States, unless the Secretary of State determines that attendance for such employees is in the national interest.

“(c) At the beginning of each quarter of each fiscal year, each agency shall post on the public Internet website of that agency a report on each conference for which the agency paid travel expenses during the preceding 3 months that includes—

“(1) the itemized expenses paid by the agency, including travel expenses, the cost of scouting for and selecting the location of the conference, and any agency expenditures to otherwise support the conference;

“(2) the primary sponsor of the conference;

“(3) the location of the conference;

“(4) in the case of a conference for which that agency was the primary sponsor, a statement that—

“(A) justifies the location selected;

“(B) demonstrates the cost efficiency of the location; and

“(C) provides a cost benefit analysis of holding a conference rather than conducting a teleconference;

“(5) the date of the conference;

“(6) a brief explanation how the conference advanced the mission of the agency;

“(7) the title of any Federal employee or any individual who is not a Federal employee whose travel expenses or other conference expenses were paid by the agency; and

“(8) the total number of individuals whose travel expenses or other conference expenses were paid by the agency.

“(d) Each report posted on the public Internet website under subsection (c) shall—

“(1) be in a searchable electronic format; and

“(2) remain on that website for at least 5 years after the date of posting.”

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5711 the following:

“5712. Limitations and reports on travel expenses to conferences.”

(b) LIMITATIONS ON ANNUAL TRAVEL EXPENSES.—

(1) IN GENERAL.—In the case of each of fiscal years 2012 through 2016, an agency (as defined under section 5701(1) of title 5, United States Code) may not make, or obligate to make, expenditures for travel expenses, in an aggregate amount greater than 80 percent of the aggregate amount of such expenses for fiscal year 2010.

(2) IDENTIFICATION OF TRAVEL EXPENSES.—Not later than September 1, 2012 and after consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts, the Director of the Office of Management and Budget shall establish guidelines for the determination of what expenses constitute travel expenses for purposes of this subsection. The guidelines shall identify specific expenses, and classes of expenses, that are to be treated as travel expenses.

(c) CONFERENCE TRANSPARENCY AND LIMITATIONS.—

(1) DEFINITIONS.—In this subsection—

(A) the term “agency” has the meaning given under section 5701(1) of title 5, United States Code; and

(B) the term “conference” has the meaning given under section 5712(a)(1) of that title (as added by subsection (a)).

(2) PUBLIC AVAILABILITY OF CONFERENCE MATERIALS.—Each agency shall post on the public Internet website of that agency a detailed information on any presentation made by any employee of that agency at a conference, including—

(A) any minutes relating to the presentation;

(B) any speech delivered;

(C) any visual exhibit, including photographs or slides;

(D) any video, digital, or audio recordings of the conference; and

(E) information regarding any financial support or other assistance from a foundation or other non-Federal source used to pay or defray the costs of the conference, which shall include a certification by the head of the agency that there is no conflict of interest resulting from the support received from each such source.

(3) LIMITATION ON AMOUNT EXPENDED ON A CONFERENCE.—

(A) IN GENERAL.—No agency may expend more than \$500,000 to support a single conference.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a foundation or other non-Federal source to pay or defray the costs of a conference the total cost of which exceeds \$500,000.

(4) LIMITATION ON THE ANNUAL NUMBER OF CONFERENCES AN AGENCY MAY SUPPORT.—No agency may expend funds on more than a single conference sponsored or organized by an organization during any fiscal year, unless the agency is the primary sponsor and organizer of the conference.

Mr. COBURN. This is a straightforward amendment on conferences. We all have seen what happened with the GSA conference. This is all about transparency and creating a system where we are actually getting to see what is spent on conferences. There is not one branch of the Federal Government that does not have teleconferencing available and videoconferencing available.

What we do know is from 2000 to 2006, the Federal Government—that is the last time we have records—spent over \$2.2 billion on conferences. We know the travel budget is \$15 billion a year and a minimum \$500 million a year is spent on conferences at a time when we need to spend less, and they have grown remarkably during the Bush administration as well as this administration.

This is just simple good government transparency, where we have put on a Web site what they are doing and why they are doing it. We limit foreign conference travel to 50. We limit the maximum amount to \$500,000, unless they can make an exception for that based on cause and reason.

So it is simply a good government program to get some visibility on what we are spending on conferences, and I would ask for a voice vote.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I strongly support this amendment. I wish to commend the Senator from Oklahoma for offering an amendment that would prohibit the kind of lavish spending on Federal conferences we have seen recently at GSA. So this is an excellent amendment. It will save money, provide more transparency, and put a cap on how much can be spent. I urge adoption of the amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I also support the amendment, and I

thank Senator COBURN for introducing it. This is disclosure and limitation of spending on conferences. Unfortunately, the excessive and outrageous spending by GSA on the conference in Las Vegas brought the whole area of Federal spending on conferences into the public Klieg lights, and I reached a conclusion that we are spending too much.

This amendment would require the posting online of all agency conference spending. It limits the amount that can be spent on conferences and limits the number of conferences agency employees can attend and it imposes a 20-percent across-the-board cut on agency budgets for this purpose. I hope the amendment passes. I hope the bill passes as amended.

There are a couple parts of that that we have begun to work with Senator COBURN and his staff on which I think will make this a better amendment. But bottom line, this responds to a need, and I support it.

The PRESIDING OFFICER. The Senator in Delaware.

Mr. CARPER. Mr. President, just briefly, I support this amendment. I am happy Senator COBURN has offered this amendment and it was debated. I hope it is accepted on a voice vote.

Let me say, we brought a bill to the floor that has been brought together by two Republicans and two Democrats. We just had a vote on whether to waive a budget point of order. Give us a chance to air the bill, offer amendments, and look to see what we can agree on in a bipartisan vote. We have an early opportunity to go back and forth on amendments not just for the Democratic amendments but Republican amendments as well.

My hope is at the end of the day we will approve both. Hopefully, we will be able to say we passed a bill with bipartisan support.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the Coburn amendment, amendment No. 2060.

The amendment was agreed to.

AMENDMENT NO. 2033

(Purpose: To establish the Commission on Postal Reorganization)

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I call up amendment No. 2033.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Arizona [Mr. MCCAIN], for himself and Mr. COBURN, proposes an amendment numbered 2033.

Mr. MCCAIN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

(The text of the amendment is printed in the RECORD of Wednesday, April 18, 2012 under "Text of Amendments.")

Mr. MCCAIN. Mr. President, this amendment would establish a commission on postal reorganization, basically a BRAC. It is the same thing we have done in the case of military bases. For many years we were unable to close a single one. This would establish a commission on postal reorganization. They would come out with their findings and recommendations and Congress would vote up or down.

Recently, the Government Accountability Office released a report just this month entitled "Challenges Related to Restructuring the Postal Service's Retail Network," which supports this BRAC-like policy process, and it goes on to say that this Commission could broaden the current focus on individual facility closures, which are often contentious, time consuming, and inefficient to a broader network with wide restructuring similar to the BRAC approach.

This is obviously an admission that we are unable to make these tough decisions ourselves, but it has proven successful in the BRAC process, and I think it will in this case.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to oppose the amendment. This amendment would create a commission similar to the base closure commission to oversee Postal Service decisions regarding which post offices, processing plants, and district offices are to close or consolidate.

In this bill we have constructed what I think is a clear and fair system for making exactly those decisions. The language in the bill is not status quo language. If this bill is enacted, there are post offices that will close or be consolidated as well as mail processing facilities that will close. That simply has to happen, but it will happen according to a system of due process that gives most heed to the fiscal crisis of the Postal Service.

In other words, I think we have a congressional answer to this problem. We don't have to yield it to another BRAC commission.

I urge opposition to the amendment.

The PRESIDING OFFICER. All time is expired. The question is on agreeing to the McCain amendment No. 2033.

The yeas and nays have been ordered.

The clerk will call the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 30, nays 69, as follows:

[Rollcall Vote No. 70 Leg.]

YEAS—30

Alexander	Hatch	McConnell
Blunt	Hutchison	Paul
Burr	Inhofe	Portman
Chambliss	Isakson	Risch
Coats	Johanns	Rubio
Coburn	Johnson (WI)	Sessions
Cornyn	Kyl	Shelby
Crapo	Lee	Toomey
DeMint	Lugar	Vitter
Graham	McCain	Wicker

NAYS—69

Akaka	Feinstein	Moran
Ayotte	Franken	Murkowski
Barrasso	Gillibrand	Murray
Baucus	Grassley	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Pryor
Bingaman	Heller	Reed
Blumenthal	Hoeven	Reid
Boozman	Inouye	Roberts
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Cochran	Levin	Thune
Collins	Lieberman	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCaskill	Warner
Corker	Menendez	Webb
Durbin	Merkley	Whitehouse
Enzi	Mikulski	Wyden

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Oregon.

AMENDMENT NO. 2020, AS MODIFIED

Mr. WYDEN. Mr. President, on behalf of Senator FEINSTEIN, Senator CANTWELL, other colleagues, and myself, I call up amendment No. 2020 and ask unanimous consent that it be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendment, as modified.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for himself and Mrs. FEINSTEIN, proposes an amendment numbered 2020.

The amendment is as follows:

(Purpose: To require the Postal Service to consider the effect of closing or consolidating a postal facility on the ability of the affected community to vote by mail and to provide for a moratorium on the closing or consolidation of post offices and postal facilities to protect the ability to vote by mail)

On page 28, strike lines 20 through 24 and insert the following:

“(i) conduct an area mail processing study relating to that postal facility that includes—

“(I) a plan to reduce the capacity of the postal facility, but not close the postal facility; and

“(II) consideration of the effect of the closure or consolidation of the postal facility on the ability of individuals served by the postal facility to vote by mail and the ability of the Postal Service to timely deliver ballots

by mail in accordance with the deadline to return ballots established under applicable State law;

On page 29, line 13, strike “and” and all that follows through “publish” on line 14 and insert the following:

“(II) consider the effect of the closure or consolidation of the postal facility on the ability of individuals served by the postal facility to vote by mail and the ability of the Postal Service to timely deliver ballots by mail in accordance with the deadline to return ballots established under applicable State law; and

“(III) publish

On page 30, line 1, after “the facility” insert the following: “or consideration of the effect of the closure or consolidation of the postal facility on the ability of individuals served by the postal facility to vote by mail and the ability of the Postal Service to timely deliver ballots by mail in accordance with the deadline to return ballots established under applicable State law”.

On page 42, line 16, insert “(A)” before “The Postal”.

On page 42, between lines 19 and 20, insert the following:

“(B) The Postal Service shall take no action to close or consolidate a post office until 60 days after the Postal Service provides written notice of the determination under paragraph (3) to—

“(i) the State board of elections for the State in which the post office is located; and

“(ii) each local board of elections (or equivalent local entity) having jurisdiction of an area served by the post office.

On page 45, strike line 11 and insert the following:

(c) MORATORIUM TO PROTECT THE ABILITY OF VOTERS TO VOTE ABSENTEE OR BY MAIL.—Notwithstanding subsection (b) of this subsection or subsection (d) or (f) of section 404 of title 39, United States Code, as amended by this Act, during the period beginning on the date of enactment of this Act and ending on November 13, 2012, the Postal Service may not close or consolidate a post office or postal facility located in a State that conducts all elections by mail or permits no-excuse absentee voting, except as required for the immediate protection of health and safety.

(d) HISTORIC POST OFFICES.—Section 404(d) of

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided on amendment No. 2020, as modified.

Mr. WYDEN. Mr. President and colleagues, this amendment is for the more than 25 million Americans—more than 800,000 of them serving in the military—who vote by mail in our system of government, the most open and free system of government in the world. Those millions of Americans may vote absentee, they may vote in what is called no-excuse absentee, or they may vote in an all-mail election, but they deserve this fall to have the assurance from the U.S. Senate that as we reform the Postal Service, the election will not be disrupted.

I hope my colleagues will support this. I think it has been discussed at length on both sides of the aisle. It has always been bipartisan to try to expand the franchise. I hope we can pass this on a voice vote.

I wish to thank both Chairman LIEBERMAN and Senator COLLINS, who had

a real challenge handling all of these amendments and who have been very gracious, both of them, as always.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to support the amendment. I thank Senator WYDEN and those who worked with him on this amendment for, frankly, calling our attention to this important matter and working to ensure that our efforts to salvage the U.S. Postal Service—to change it, to keep it alive—do not come at the expense of our critical efforts to ensure access to the voting booth by mail as well as no-excuse absentee programs that rely heavily on dependable mail service. I support the amendment.

If there is no further debate, I urge that we adopt the amendment by voice vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2020, as modified.

The amendment (No. 2020), as modified, was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 2058, AS MODIFIED

Mr. COBURN. I ask unanimous consent to call up my amendment No. 2058 and that it be modified with the changes at the desk.

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

The clerk will report the amendment, as modified.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 2058, as modified.

The amendment is as follows:

(Purpose: To improve access to postal services in communities potentially affected by a postal closing or consolidation)

On page 40, strike lines 16 through 18 and insert the following:

“(iv) to provide postal services to the community served by the post office—

“(I) through a rural carrier; or

“(II) by co-locating an employee of the Postal Service at a commercial or government entity;

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 2058, as modified, offered by the Senator from Oklahoma, Mr. COBURN.

The Senator from Oklahoma.

Mr. COBURN. This is a straightforward amendment. It modifies the new service requirement to encourage colocation in other businesses.

One of the things that is going to happen to the Postal Service where they can't—85 percent of our post offices are losing money. So what we can

do is keep service but have it at a different location for a much lower cost. All this amendment does is encourage the Postmaster General to consider that as part of the service standard in meeting that requirement.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, this amendment by the Senator from Oklahoma is right in line with the bill. We do encourage the Postal Service to look at colocations—for example, in a local pharmacy or a grocery store. In many small communities, that may well be a viable option, and it may well improve customer access. So I think this is a very good amendment that is in line with other language already in the bill. I urge its adoption by a voice vote.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I say to my colleagues that this is another good amendment offered by the Senator from Oklahoma. What the Postmaster General has in mind for our communities across America, where there are 33,000 post offices, is to give a number of them an option—a menu, if you will—to see whether it makes sense in those communities to shorten somewhat the length of time the post office is open in a day—maybe to 6 or 4 hours a day—whether to use a colocator in a supermarket maybe or in a convenience store or to in some cases, say, to State and local government operations in those communities: Why don't we put them under the same roof? Why doesn't that make sense?

Frankly, all those ideas may make sense. The idea is not to tell a community which of those options they have to choose but to say: This is the menu. And this is one of the great options that should be on the menu.

I commend the Senator for offering the amendment. I urge a "yes" vote on the amendment.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment, as modified.

The amendment (No. 2058), as modified, was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the next amendment on the list, the so-called McCaskill-Merkley amendment, be dropped a few places down because we are working on some compromise language that we hope will lead to a voice vote of acceptance.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2061, AS MODIFIED

Mr. LIEBERMAN. That would mean Senator COBURN's next amendment,

which is amendment No. 2061, is now the pending business.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Oklahoma.

Mr. COBURN. Madam President, I ask unanimous consent to modify amendment No. 2061 with the changes at the desk and ask that it be brought up.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendment, as modified.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 2061, as modified.

Mr. COBURN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To achieve long-term cost-savings by allowing the Postmaster General to reduce the postal workforce through mandatory retirements for eligible employees)

At the appropriate place, insert the following:

SEC. ____ AUTHORITY TO REQUIRE RETIREMENT-ELIGIBLE EMPLOYEES OF THE POSTAL SERVICE TO RETIRE.

(a) DEFINITION.—In this section, the term "retirement-eligible employee"—

(1) means an employee of the Postal Service who meets the age and service requirements to retire on an immediate annuity under section 8336 or 8412 of title 5, United States Code; and

(2) does not include an individual described in section 8336(d) or 8412(g) of title 5, United States Code.

(b) AUTHORITY.—Subject to subsection (c), not earlier than the date that is 2 years after the enactment of this Act, the Postmaster General may issue rules and regulations prohibiting a retirement-eligible employee from performing service as an employee of the Postal Service.

(c) LIMITATION.—The Postmaster General may only issue rules and regulations under subsection (b) if the Postmaster General determines that issuing the rules and regulations would achieve financial savings for the Postal Service.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 2061, as modified, offered by the Senator from Oklahoma.

The Senator from Oklahoma.

Mr. COBURN. Madam President, this is an amendment we have changed somewhat from the original version to address some of the concerns.

What this amendment does is 2 years from now it will give the authority to the Postmaster General to create a retirement requirement for postal employees. There are 175,000 postal employees eligible for retirement right now. Nothing happens for the next 2 years. It gives plenty of time for planning. It gives him the authority to create that principle, which says that

when you become retirement age—because they are going to have a continuing need to have fewer and fewer employees—there is the ability to make retirement mandatory. That is all it does. It is for those who are best capable of retiring with full pensions. They have to have complete and full pension capability. It will allow him to do that 2 years from now—not now but 2 years from now—and it only gives him the authority should he want to. So it does not mandate it, it does not require it, and it actually does not take effect for 2 years.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, while I think the changes the Senator has made in his amendment do improve it considerably, I am still very concerned about the idea of imposing a mandatory retirement system, and let me tell you why.

First, to me, it smacks of age discrimination in some cases. Second, we could be losing some of our most experienced and best personnel we need to implement the major changes that are authorized by this bill. Third and finally, I find it a little odd that we would want to tell people who are still in their working years and have had a good career and are contributing and are good employees that we do not want them to work anymore. I think the approach in our bill of offering incentives is a better way to go.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, the difference is you are going to pay \$25,000 to people to retire. The Postmaster General has already said he needs to have 120,000 fewer employees. That will grow over a period of time. We are setting a precedent with the buyout, one. We are setting a precedent that has never before been done in the Federal Government. No. 2, and probably more important, is the fact that—

The PRESIDING OFFICER. The Senator's time is expired.

Mr. COBURN. Thank you.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

Mr. COBURN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT) and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 33, nays 65, as follows:

[Rollcall Vote No. 71 Leg.]

YEAS—33

Alexander	Graham	Murkowski
Barrasso	Hatch	Paul
Blunt	Hutchison	Portman
Burr	Inhofe	Risch
Chambliss	Isakson	Roberts
Coats	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Kyl	Thune
Cornyn	Lee	Toomey
Crapo	McCain	Vitter
Enzi	Moran	Wicker

NAYS—65

Akaka	Gillibrand	Mikulski
Ayotte	Grassley	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Heller	Pryor
Bingaman	Hoeben	Reed
Blumenthal	Inouye	Reid
Boozman	Johnson (SD)	Rockefeller
Boxer	Kerry	Rubio
Brown (MA)	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Snowe
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Lieberman	Udall (CO)
Conrad	Lugar	Udall (NM)
Coons	Manchin	Warner
Corker	McCaskill	Webb
Durbin	McConnell	Whitehouse
Feinstein	Menendez	Wyden
Franken	Merkley	

NOT VOTING—2

DeMint Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Connecticut.

AMENDMENT NO. 2031, AS MODIFIED

Mr. LIEBERMAN. Madam President, a while back we skipped over the McCaskill-Merkley amendment. We were working on a modification. The modification is ready now. I ask unanimous consent that we proceed to the McCaskill-Merkley amendment No. 2031.

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

Mrs. MCCASKILL. Madam President, I call up my amendment No. 2031. I ask unanimous consent that it be modified with the changes at the desk.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mrs. MCCASKILL] proposes an amendment numbered 2031, as modified.

Mrs. MCCASKILL. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit the closing of a rural post office unless certain conditions are met and to establish a moratorium on the closing of rural post offices)

On page 40, line 1, after "post office" insert "and, with respect to a determination to close a post office in a rural area, as defined by the Census Bureau, prior to making the determinations required by paragraph (4)".

On page 42, line 13, after "subsection" insert "and, with respect to a determination to close a post office located in a rural area, as defined by the Census Bureau, a summary of the determinations required under paragraph (4)".

On page 42, between lines 15 and 16, insert the following:

"(4) The Postal Service may not make a determination under subsection (a)(3) to close a post office located in a rural area, as defined by the Census Bureau, unless the Postal Service—

"(A)(i) determines that postal customers served by the post office would continue after the closing to receive substantially similar access to essential items, such as prescription medications and time-sensitive communications, that are sent through the mail; or

"(ii) takes action to substantially ameliorate any projected reduction in access to essential items described in clause (i); and

"(B) determines that—

"(i) businesses located in the community served by the post office would not suffer substantial financial loss as a result of the closing;

"(ii) any economic loss to the community served by the post office as a result of the closing does not exceed the cost to the Postal Service of not closing the post office;

"(iii) the area served by the post office has adequate access to wired broadband Internet service, as identified on the National Broadband Map of the National Telecommunications and Information Administration; and

"(iv) there is a road connecting the community to another post office that is not more than 10 miles from the post office proposed to be closed (as measured on roads with year-round access).

On page 42, line 16, strike "(4)" and insert "(5)".

On page 42, line 20, strike "(5)" and insert "(6)".

On page 44, line 1, strike "(6)" and insert "(7)".

On page 44, line 1, strike "(5)" and insert "(6)".

On page 44, line 12, strike "(7)" and insert "(8)".

On page 45, strike lines 3 through 10 and insert the following:

(b) PROHIBITION ON CLOSING POST OFFICES.—

(1) MORATORIUM PENDING ESTABLISHMENT OF SERVICE STANDARDS.—Notwithstanding section 404(d) of title 39, United States Code, as amended by this section, during the period beginning on the date of enactment of this Act and ending on the date on which the Postal Service establishes the service standards under section 203 of this Act, the Postal Service may not close a post office, except as required for the immediate protection of health and safety.

(2) MORATORIUM ON CLOSING RURAL POST OFFICES.—

(A) IN GENERAL.—Notwithstanding paragraph (1) of this subsection or section 404(d) of title 39, United States Code, during the 12-month period beginning on the date of enactment of this Act, the Postal Service may not close a post office located in a rural area, as defined by the Census Bureau, except as required for the immediate protection of health and safety, or unless there is no significant community opposition to such closure.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit the authority of the Postal Service to imple-

ment, consistent with the procedures under section 404(d)(1)(B) of title 39, United States Code, as amended by this Act, cost-saving measures with respect to the post offices described in subparagraph (A), including, as appropriate, the measures required to be considered under clauses (ii), (iii), and (iv) of section 404(d)(1)(A) of title 39, United States Code, as amended by this Act.

On page 45, line 14, strike "(8)(A)" and insert "(9)(A)".

Mrs. MCCASKILL. This amendment reflects the efforts of a lot of people to deal with rural post office closings in a way that will be straightforward and fair to rural communities across this country. It is going to prevent any closings for 1 year while the reforms which are embedded in this bill have a chance to begin to work. It then sets some clear standards for potential closures.

I want to thank Senator MORAN who did some great work on this subject in committee. He deserves credit for beginning the process of taking a hard look at rural post offices and how we were dealing with them. I obviously want to thank Senator MERKLEY who has worked on this, Senator TESTER who has worked on it, and Senator SANDERS. But I really want to thank Senator COLLINS and Senator LIEBERMAN for continuing to model to this body what true bipartisanship looks like, and who continually strive for that very elusive and rare but valuable commodity in a democracy, that thing known as compromise. This amendment now represents one of those compromises. I am proud to be a part of it. I think it strikes the right note of protecting rural post offices but also with a realistic eye toward the future and how we are fair to rural communities in a way that is predictable and one that, frankly, shows some accountability for the Postal Service.

I ask that this be taken up by voice vote.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I appreciate the work that has been done on this amendment. I know there is a lot of interest on both sides of the aisle because of the concern about rural post offices. This establishes, again, some standards. It effectively asks the Postal Service before it considers closing a rural post office for 1 year after enactment of this legislation that it explore every other opportunity to continue to provide service other than closing the post office.

The one clear authority given in the modified amendment is to close a rural post office when there is no significant community opposition, which is to say, when the Postal Service has convinced the people of the community that they have a good alternative to the current post office. So I think we have reasoned together.

I hope this enables our colleagues who may have been thinking of more

absolute prohibitions to closing post offices to step back from that. This is a rational, fair approach. I support the modification and the amendment.

I urge that the amendment be adopted by voice vote.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2031), as modified, was agreed to.

Mr. LIEBERMAN. I move to reconsider the vote and ask unanimous consent that the motion be laid upon the table.

The motion to lay upon the table was agreed to.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 2080, AS MODIFIED

Ms. SNOWE. Madam President, I call up Snowe amendment No. 2080 with a modification at the desk.

The PRESIDING OFFICER. Is there objection to the modification?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. SNOWE] proposes an amendment numbered 2080, as modified.

Ms. SNOWE. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment, was modified, as follows:

(Purpose: To require the Postal Rate Commission to evaluate area mail processing studies)

On page 34, strike lines 16 and 17 and insert the following:

“Act of 2012;

“(B) if a complaint described in subparagraph (A) is lodged relating to the closure or consolidation of a postal facility, upon request by the person lodging the complaint, the Postal Regulatory Commission shall determine whether—

“(i) the area mail processing study relating to the postal facility used an appropriate methodology; and

“(ii) the cost savings identified in the area mail processing study relating to the postal facility are accurate;

“(C) the Postal Regulatory Commission may direct the Postal Service to conduct another area mail processing study or direct the Postal Service to take action as described under subparagraph (D) if the Postal Regulatory Commission determines that—

“(i) the area mail processing study relating to the postal facility used an inappropriate methodology; or

“(ii) the cost savings identified in the area mail processing study relating to the postal facility are inaccurate; and

“(D) if the Postal Regulatory Commission

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 2080 offered by the Senator from Maine.

Ms. SNOWE. Madam President, very briefly, first I want to thank the chair of the committee and my colleague

from Maine, Senator COLLINS, for working and assisting me in modifying this amendment.

I thought this amendment was important from the standpoint and based on our experience in Maine with the recent proposal by the Postal Service to close a distributional and processing facility. As my colleague Senator COLLINS will attest as well, we discovered that much of their methodology was indeed faulty in the savings that they had suggested would be achieved by closing this facility.

There were many questions raised with those numbers and reports. As we know, before the U.S. Postal Service can make any determination for closing a facility, they have to prepare and publish an area processing study.

Based on that study, I have recommended that we now have independent verification of the numbers and proposals by the U.S. Postal Service so that we can make sure those numbers are accurate and that we verify the methodology in addition to the savings.

One of the examples I can give from this proposal is one they made for a facility in the State of Maine to eliminate two management positions, for a savings of \$799,000. When we questioned the veracity of that number, they backtracked and said it was only \$120,000. Incredulously, they have now submitted their final area processing study this year and returned to the higher figure of \$800,000 for the two management positions. We know that cannot be accurate. Therefore, given the evidence of these proposals, we need to have independent verification by the Postal Regulatory Commission before any closure can go forward.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, first, I congratulate my colleague from Maine for an excellent amendment. As she indicated, the Postal Service made a major miscalculation, a mathematical error, in the study it did on the Hampden processing center in our State. So that Senators know, the amendment would say if a proposed consolidation of a mail processing center is appealed to the Postal Regulatory Commission, the Commission can be asked to review the underlying study's methodology and the estimated savings to make sure it is correct because right now there is no way to challenge a mistake that is made by the Postal Service in conducting these very important studies that are going to decide whether processing centers stay open.

I commend my colleague from Maine for a very well thought out amendment, and I urge its adoption by voice vote.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment, as modified.

The amendment (No. 2080) was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 2043, AS MODIFIED

Mr. UDALL of New Mexico. Madam President, I call up amendment No. 2043 and ask that it be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. UDALL] proposed an amendment numbered 2043, as modified.

The amendment is as follows:

(Purpose: To strike the limitations on changes to mail delivery schedule, with an offset)

Strike section 208 and insert the following:

SEC. 208. TRANSFER OF AMOUNTS FROM THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND.

Section 8348(h)(2) of title 5, United States Code, is amended by striking subparagraphs (B) and (C) and inserting the following:

“(B)(i) The Office shall—

“(I) redetermine the Postal surplus or supplemental liability as of the close of each of fiscal years 2007 through 2043; and

“(II) report the results of the redetermination for each such fiscal year, including appropriate supporting analyses and documentation, to the United States Postal Service on or before June 30 of the subsequent fiscal year.

“(ii) If the result of a redetermination under clause (i) is a supplemental liability, the Office shall establish an amortization schedule, including a series of annual installments commencing on September 30 of the subsequent fiscal year, that provides for the liquidation of such liability by September 30, 2043.

“(C)(i) Subject to clause (ii), if the result of a redetermination under subparagraph (B) for any of fiscal years 2013 through 2023 is a surplus, the amount of the surplus shall be transferred to the General Fund of the Treasury.

“(ii) Not more than a total of \$8,900,000,000 shall be transferred under clause (i).”

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 2043, offered by the Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, this amendment strikes a provision allowing the USPS to move to 5-day service in 2 years. Two years is simply not enough time to see the changes we are making in this bill take effect before we cut this essential service.

My amendment doesn't say we can never move to 5-day service, but it says that 2 years is not enough time for the Postal Service to implement the many cost-saving measures in the bill.

Why eliminate one of the key competitive advantages and hurt rural America before we know the effects of these reforms? It makes no sense.

Why would we make a change that would reduce mail volume by almost 7

percent? Isn't that why we are in this crisis in the first place?

I hope my colleagues will join me in protecting rural jobs and go on record to say clearly that moving to 5-day service should be a last resort.

I reserve my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I rise to oppose the amendment of my friend from New Mexico. I know there are a lot of people who don't want to lose 6-day delivery. But the greater imperative is not to lose the Postal Service as we know it.

The Postmaster asked for the immediate authority to go from 6 days of delivery to 5. In this bill we have given the Postmaster authority in many different areas to save money. We said, as a result, that we will not give him the authority to go from 6 days of delivery to 5 for 2 years, hoping that within the 2 years he can save enough money not to have to make this change. Frankly, I am skeptical that he can. We wanted to give him 6 days of delivery—that last opportunity.

To pull this procedure out of the bill, with a lot of due process before the move can be made from 6 to 5 days, removes the credibility from the bill and will jeopardize its ultimate adoption.

With a lot of respect and affection for my friend from New Mexico, I urge my colleagues to vote against this amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, this amendment would also take \$8.9 billion that is supposed to go to pay for retiree health benefits of postal workers and instead redirect those funds to maintain 6-days-a-week delivery of the mail. I hope we always have 6-days-a-week delivery. I think that is an asset. I think we should strive to preserve it. That is why our bill prohibits going to 5-day delivery for 2 years, to wring all the waste out of the system.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, Saturday service is absolutely essential in rural areas.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment, as modified.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 56, as follows:

[Rollcall Vote No. 72 Leg.]

YEAS—43

Baucus	Johnson (SD)	Reed
Begich	Kerry	Reid
Bennet	Klobuchar	Rockefeller
Blumenthal	Kohl	Sanders
Boxer	Lautenberg	Schumer
Brown (OH)	Leahy	Shaheen
Cantwell	Levin	Snowe
Cardin	Manchin	Stabenow
Casey	McCaskill	Tester
Coons	Menendez	Udall (CO)
Durbin	Merkley	Udall (NM)
Franken	Mikulski	Whitehouse
Gillibrand	Murray	Wyden
Harkin	Nelson (NE)	
Inouye	Nelson (FL)	

NAYS—56

Akaka	DeMint	McCain
Alexander	Enzi	McConnell
Ayotte	Feinstein	Moran
Barrasso	Graham	Murkowski
Bingaman	Grassley	Paul
Blunt	Hagan	Portman
Boozman	Hatch	Pryor
Brown (MA)	Heller	Risch
Burr	Hoeven	Roberts
Carper	Hutchison	Rubio
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Thune
Cochran	Johnson (WI)	Toomey
Collins	Kyl	Vitter
Conrad	Landrieu	Warner
Corker	Lee	Webb
Cornyn	Lieberman	Wicker
Crapo	Lugar	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 2082, AS MODIFIED

Mr. DURBIN. I call up my amendment No. 2082, and I ask unanimous consent that it be modified with the changes at the desk.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 2082, as modified.

The amendment, as modified, is as follows:

(Purpose: To prohibit the Postal Service from closing or consolidating, or reducing the workforce of certain postal facilities)

On page 33, strike line 24 and all that follows through page 34, line 6 and insert the following:

“(C) LIMITATIONS.—

“(i) IN GENERAL.—Except as provided in clause (ii), during the 3-year period beginning on the date of enactment of the 21st Century Postal Service Act of 2012, the Postal Service may not close or consolidate a postal facility if—

“(I) the closing or consolidation prevents the Postal Service from maintaining service standards as required under section 201 of the 21st Century Postal Service Act of 2012; or

“(II) the Postal Service—

“(aa) did not close or consolidate the postal facility before May 15, 2012; and

“(bb) conducted an area mail processing study with respect to the postal facility after January 1, 2006 that—

“(AA) was terminated; or

“(BB) concluded that no significant cost savings or efficiencies would result from closing or consolidating the postal facility.

“(ii) EXCEPTION.—Clause (i) shall not apply with respect to a postal facility described in clause (i)(II) for which—

“(I) an audit under clause (iii) concludes that the mail volume and operations of the facility have changed since the date of termination or completion of an area mail processing study described in clause (i)(II)(bb) to such an extent that the study is no longer valid; and

“(II) an area mail processing study completed under this subsection concludes that the closing or consolidation of the postal facility is justified, taking into consideration the savings to the Postal Service and the impact of the closing or consolidation on postal customers.

“(iii) AUDIT BY INSPECTOR GENERAL.—

“(I) IN GENERAL.—Upon the written request of the Postmaster General, the Inspector General shall conduct an audit of the mail volume and operations of a postal facility.

“(II) COMPLETION.—Not later than 90 days after the date on which the Inspector General receives a request under subclause (I), the Inspector General shall submit to the Postmaster General and the Postal Regulatory Commission a report containing the conclusions of the audit under subclause (I).

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 2082, as modified, offered by the Senator from Illinois.

Mr. DURBIN. Madam President, this was an amendment I originally offered relative to processing facilities that have been subject to efficiency reviews. At the suggestion of the chairman of the committee, Senator LIEBERMAN, as well as ranking members, we have modified the amendment. The sum total of its change would be for those limited facilities which have been found since the year 2006 to be efficient. Before they could be closed, the postal service would have to call on the U.S. Postal Service's inspector general to conduct an audit to find that the previous findings have been terminated and are no longer valid.

That is the only change that was recommended by the committee and the staff, and I have added that modification to the amendment.

Ms. MIKULSKI. Mr. President, I want to salute Senator DURBIN on his thoughtful amendment and thank him for his collegiality in negotiations. We think it helps us. But we have been misled, manipulated, and disregarded in our attempts to get information from the Postal Service. I don't know if the Easton AMP study has been concluded or suspended. I can't get an answer from the Postal Service. And if I can't get an answer, then the little guy on the Eastern Shore can't get an answer. I believe there are other Senators

in the same boat who have been disregarded by the Postal Service.

Does my colleague believe his amendment provides protections for mail processing centers where the Postal Service has postponed or suspended their study for a significant period of time—like at the facility in Easton, MD?

Mr. DURBIN. It is a pleasure working with Senator MIKULSKI and I think the Senate can appreciate how hard she works for her constituents. I am sympathetic to hear that the Senator's inquiries to the Postal Service on behalf of seniors, small businesses, and other constituents have gone unanswered.

It is my intent for, and the Postal Service has assured me that, the mail processing facility in Easton, MD, where the Postal Service has issued a formal notification that they are postponing their study for a significant period of time, is covered by my amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank my friend from Illinois. He has explained the amendment totally. It is a good amendment. I support its passage, and urge we adopt it by voice vote.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment, as modified.

The amendment (No. 2082), as modified, was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote, and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2034

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Madam President, I call up my amendment No. 2034.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. AKAKA], for himself, Mr. INOUE, Mr. HARKIN, Mrs. MURRAY, and Mr. FRANKEN, proposes an amendment numbered 2034.

Mr. AKAKA. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide appropriate workers compensation for Federal employees)

Strike title III and insert the following:

TITLE III—FEDERAL EMPLOYEES' COMPENSATION ACT

SEC. 301. SHORT TITLE.

This title may be cited as the "Federal Workers' Compensation Modernization and Improvement Act".

SEC. 302. PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE NURSES.

(a) DEFINITION OF MEDICAL SERVICES.—Section 8101(3) of title 5, United States Code, is amended—

(1) by striking "law. Reimbursable" and inserting "law (reimbursable)"; and

(2) by inserting before the semicolon, the following: "and medical services may include treatment by a physician assistant or advanced practice nurse, such as a nurse practitioner, within the scope of their practice as defined by State law, consistent with regulations prescribed by the Secretary of Labor".

(b) MEDICAL SERVICES AND OTHER BENEFITS.—Section 8103 of title 5, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a), the following:

"(b) Medical services furnished or prescribed pursuant to subsection (a) may include treatment by a physician assistant or advanced practice nurse, such as a nurse practitioner, within the scope of their practice as defined by State law, consistent with regulations prescribed by the Secretary of Labor."

(c) CERTIFICATION OF TRAUMATIC INJURY.—Section 8121(6) of title 5, United States Code, is amended by inserting before the period, the following: "(except that in a case of a traumatic injury, a physician assistant or advanced practice nurse, such as a nurse practitioner, within the scope of their practice as defined by State law, may also provide certification of such traumatic injury and related disability during the continuation of pay period covered by section 8118, in a manner consistent with regulations prescribed by the Secretary of Labor)".

SEC. 303. COVERING TERRORISM INJURIES.

Section 8102(b) of title 5, United States Code, is amended in the matter preceding paragraph (1)—

(1) by inserting "or from an attack by a terrorist or terrorist organization, either known or unknown," after "force or individual,"; and

(2) by striking "outside" and all that follows through "1979" and inserting "outside of the United States".

SEC. 304. DISFIGUREMENT.

Section 8107(c)(21) of title 5, United States Code—

(1) by striking "For" and inserting the following: "(A) Except as provided under subparagraph (B), for"; and

(2) by adding at the end the following:

"(B) Notwithstanding subparagraph (A), for an injury occurring during the 3-year period prior to the date of enactment of the Federal Workers' Compensation Modernization and Improvement Act for which the Secretary of Labor has not made a compensation determination on disfigurement under subparagraph (A), or for an injury occurring on or after the date of enactment of such Act resulting in a serious disfigurement of the face, head, or neck, proper and equitable compensation in proportion to the severity of the disfigurement, not to exceed \$50,000, as determined by the Secretary, shall be awarded in addition to any other compensation payable under this schedule. The applicable maximum compensation for disfigurement provided under this subparagraph shall be adjusted annually on March 1 in accordance with the percentage amount determined by the cost of living adjustment in section 8146a."

SEC. 305. SOCIAL SECURITY EARNINGS INFORMATION.

Section 8116 of title 5, United States Code, is amended by adding at the end the following:

"(e) Notwithstanding any other provision of law, the Secretary of Labor may require,

as a condition of receiving any benefits under this subchapter, that a claimant for such benefits consent to the release by the Social Security Administration of the Social Security earnings information of such claimant."

SEC. 306. CONTINUATION OF PAY IN A ZONE OF ARMED CONFLICT.

Section 8118 of title 5, United States Code, is amended—

(1) in subsection (b), by striking "Continuation" and inserting "Except as provided under subsection (e)(2), continuation";

(2) in subsection (c), by striking "subsections (a) and (b)" and inserting "subsections (a) and (b) or subsection (e)";

(3) in subsection (d), by striking "subsection (a)" and inserting "subsection (a) or (e)";

(4) by redesignating subsection (e) as subsection (f); and

(5) by inserting after subsection (d) the following:

"(e) CONTINUATION OF PAY IN A ZONE OF ARMED CONFLICT.—

"(1) IN GENERAL.—Notwithstanding subsection (a), the United States shall authorize the continuation of pay of an employee as defined in section 8101(1) of this title (other than those referred to in subparagraph (B) or (E)), who has filed a claim for a period of wage loss due to traumatic injury in performance of duty in a zone of armed conflict (as so determined by the Secretary of Labor under paragraph (3)), as long as the employee files a claim for such wage loss benefit with his immediate superior not later than 45 days following termination of assignment to the zone of armed conflict or return to the United States, whichever occurs later.

"(2) CONTINUATION OF PAY.—Notwithstanding subsection (b), continuation of pay under this subsection shall be furnished for a period not to exceed 135 days without any break in time or waiting period, unless controverted under regulations prescribed by the Secretary of Labor.

"(3) DETERMINATION OF ZONES OF ARMED CONFLICT.—For purposes of this subsection, the Secretary of Labor, in consultation with the Secretary of State and the Secretary of Defense, shall determine whether a foreign country or other foreign geographic area outside of the United States (as that term is defined in section 202(7) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4302(7))) is a zone of armed conflict based on whether—

"(A) the Armed Forces of the United States are involved in hostilities in the country or area;

"(B) the incidence of civil insurrection, civil war, terrorism, or wartime conditions threatens physical harm or imminent danger to the health or well-being of United States civilian employees in the country or area;

"(C) the country or area has been designated a combat zone by the President under section 112(c) of the Internal Revenue Code of 1986 (26 U.S.C. 112(c));

"(D) a contingency operation involving combat operations directly affects civilian employees in the country or area; or

"(E) there exist other relevant conditions and factors."

SEC. 307. SUBROGATION OF CONTINUATION OF PAY.

(a) SUBROGATION OF THE UNITED STATES.—Section 8131 of title 5, United States Code, is amended—

(1) in subsection (a), by inserting "continuation of pay or" before "compensation"; and

(2) in subsection (c), by inserting "continuation of pay or" before "compensation already paid".

(b) ADJUSTMENT AFTER RECOVERY FROM A THIRD PERSON.—Section 8132 of title 5, United States Code, is amended—

(1) by inserting “continuation of pay or” before “compensation” the first, second, fourth, and fifth place it appears;

(2) by striking “in his behalf” and inserting “on his behalf”; and

(3) by inserting “continuation of pay and” before “compensation” the third place it appears.

SEC. 308. FUNERAL EXPENSES.

Section 8134 of title 5, United States Code, is amended—

(1) in subsection (a), by striking “If” and inserting “Except as provided in subsection (b), if”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b) Notwithstanding subsection (a), for deaths occurring on or after the date of enactment of the Federal Workers’ Compensation Modernization and Improvement Act, if death results from an injury sustained in the performance of duty, the United States shall pay, to the personal representative of the deceased or otherwise, funeral and burial expenses not to exceed \$6,000, in the discretion of the Secretary of Labor. The applicable maximum compensation for burial expenses provided under this subsection shall be adjusted annually on March 1 in accordance with the percentage amount determined by the cost of living adjustment in section 8146a.”.

SEC. 309. EMPLOYEES’ COMPENSATION FUND.

Section 8147 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “except administrative expenses” and inserting “including administrative expenses”; and

(B) by striking the last 2 sentences; and

(2) in subsection (b)—

(A) in the first sentence, by inserting before the period “and an estimate of a pro rata share of the amount of funds necessary to administer this subchapter for the fiscal year beginning in the next calendar year”; and

(B) in the second sentence, by striking “costs” and inserting “amount set out in the statement of costs and administrative expenses furnished pursuant to this subsection”.

SEC. 310. CONFORMING AMENDMENT.

Section 8101(1)(D) of title 5, United States Code, is amended by inserting before the semicolon “who suffered an injury on or prior to March 3, 1979”.

SEC. 311. EFFECTIVE DATE.

Except as otherwise provided, this title and the amendments made by this title, shall take effect 60 days after the date of enactment of this Act.

SEC. 312. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 2034 offered by the Senator from Hawaii.

Mr. AKAKA. Madam President, I have serious concerns with the FECA provisions in this bill, especially since they would reduce benefits for many employees who were already injured while working in service to this country, such as Federal firefighters, FBI agents, prison guards, and civilians serving in Iraq and Afghanistan. In addition, unlike most State workers’ comp programs, this bill would reduce benefits for elderly disabled employees when they reach retirement age.

My amendment offers a reasonable alternative by replacing the FECA provisions in this bill with the Republican-led bipartisan FECA reform bill that passed the House by voice vote last year. The House chose not to make benefit changes without the additional information it sought from GAO, and we should follow their lead.

This amendment, supported by more than 20 organizations, would make commonsense reforms that will improve program efficiency and integrity without reducing benefits for disabled seniors, and I urge my colleagues to support it.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, this amendment would strike the Federal workers’ compensation title in the bill and replace it with very minor provisions that provide no significant cost savings.

The amendment would strike the reforms that bring parity between workers’ comp benefits and retirement benefits for Federal workers. It makes it much more comparable to the States’ workers’ comp plans. The Federal plan is more generous than any State plan. The amendment does nothing to combat the rampant fraud nor constrain costs which have increased by \$1 billion.

In the current workers’ comp program, we have 2,000 postal employees who are over age 70; we have 6 Federal workers who are age 100 or older. These individuals are not coming back to work. We are trying to focus this program, as it should be, on returning injured workers to work. It is very similar to the proposals that the Obama administration has made. It grandfathers in everyone for 3 years as well as those age 65 and older.

The PRESIDING OFFICER (Mr. BENNET). The Senator’s time has expired.

Mr. LIEBERMAN. Mr. President, I wish to join my friend from Maine in respectfully opposing Senator AKAKA’s amendment.

This workers’ compensation program has gotten out of control. Senator COLLINS has worked hard on this with others. Her reform proposal for the Postal Service struck the Obama administration as so sensible that they asked our committee to extend it to all the Federal Government employees.

I urge opposition, respectfully, to the Akaka amendment.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Cutting workers’ compensation benefits government wide is not fair and it is not necessary to save the Postal Service. We should follow the House’s example and enact bipartisan reforms contained in my amendment and wait until GAO finishes its analysis before making decisions on benefit levels.

I strongly urge my colleagues to adopt my amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2034.

Mr. AKAKA. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. SCHUMER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—46

Akaka	Harkin	Nelson (FL)
Baucus	Heller	Pryor
Begich	Inouye	Reed
Bingaman	Johnson (SD)	Reid
Blumenthal	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Stabenow
Casey	Levin	Tester
Conrad	Manchin	Udall (NM)
Coons	Menendez	Webb
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murray	
Gillibrand	Nelson (NE)	

NAYS—53

Alexander	Enzi	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Murkowski
Bennet	Hagan	Paul
Blunt	Hatch	Portman
Boozman	Hoeben	Risch
Brown (MA)	Hutchison	Roberts
Burr	Inhofe	Rubio
Carper	Isakson	Sessions
Chambliss	Johanns	Shelby
Coats	Johnson (WI)	Snowe
Coburn	Kyl	Thune
Cochran	Landrieu	Toomey
Collins	Lee	Udall (CO)
Corker	Lieberman	Vitter
Cornyn	Lugar	Warner
Crapo	McCain	Wicker
DeMint	McCaskill	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Colorado is recognized.

AMENDMENT NO. 2047, AS MODIFIED

Mr. BENNET. Mr. President, I call up my amendment No. 2047 and ask unanimous consent that it be modified with the changes that are at the desk.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report the amendment. The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BENNET], proposes an amendment numbered 2047, as modified.

The amendment is as follows:

(Purpose: To establish citizen's service protection advocates, to require the Strategic Advisory Commission on Postal Service Solvency and Innovation to study the advisability of the Postal Service entering into inter-agency agreements with respect to post offices, and to require the Postal Service to develop a strategic plan for entering into such inter-agency agreements)

On page 30, line 15, strike "and".

On page 30, lines 16 and 17, insert "and" after "Commission:".

On page 30, between lines 17 and 18, insert the following:

"(iii) the chief executive of each State whose residents are served by the postal facility, to allow the chief executive to appoint a citizen's service protection advocate under section 417;".

On page 34, line 16, insert ", or with the requirements of section 417 of this title" after "2012".

On page 34, line 24, insert "or with the requirements of section 417 of this title," after "2012".

On page 41, strike lines 2 through 4 and insert the following:

"such closing or consolidation to—

"(i) persons served by such post office to ensure that such persons will have an opportunity to present their views; and

"(ii) the chief executive of each State whose residents are served by such post office to allow the chief executive to appoint a citizen's service protection advocate under section 417.".

On page 84, strike line 8 and all that follows through line 11 and insert the following:

(g) STUDY AND STRATEGIC PLAN ON INTER-AGENCY AGREEMENTS FOR POST OFFICES.—

(1) DUTIES OF ADVISORY COMMISSION.—

(A) STUDY.—

(i) IN GENERAL.—The Advisory Commission shall conduct a study concerning the advisability of the Postal Service entering into inter-agency agreements with Federal, State, and local agencies, with respect to post offices, that—

(I) streamline and consolidate services provided by Federal, State, and local agencies;

(II) decrease the costs incurred by Federal agencies in providing services to the general public; and

(III) improve the efficiency and maintain the customer service standards of the Federal, State, and local agencies.

(ii) CLARIFICATION OF INTER-AGENCY AGREEMENTS.—The study under clause (i) shall include consideration of the advisability of the Postal Service entering into an inter-agency agreement with—

(I) the Bureau of the Census for the provision of personnel and resources for the 2020 decennial census;

(II) the department of motor vehicles, or an equivalent agency, of each State for the provision of driver licenses, vehicle registration, and voter registration;

(III) the division of wildlife, the department of natural resources, or an equivalent agency, of each State for the provision of hunting and fishing licenses; and

(IV) other Federal agencies responsible for providing services to the general public.

(B) FINDINGS.—The Advisory Commission shall—

(i) not later than 1 year after the date of enactment of this Act, submit to the Postal Service the findings of the study conducted under subparagraph (A); and

(ii) incorporate the findings described in clause (i) into the strategic blueprint required under subsection (f).

(2) POSTAL SERVICE STRATEGIC PLAN.—

(A) IN GENERAL.—Not later than 6 months after the date on which the Advisory Commission submits to the Postal Service the findings under paragraph (1)(B), the Postal Service shall submit a strategic plan for entering into inter-agency agreements concerning post offices to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Oversight and Government Reform of the House of Representatives.

(B) LIMITATIONS.—The strategic plan submitted under subparagraph (A)—

(i) shall be consistent with—

(I) the retail service standards established under section 203 of this Act;

(II) section 411 of title 39, United States Code, as amended by this Act; and

(III) public interest and demand; and

(ii) may not prevent the implementation of Postal Service initiatives with respect to retail access to postal services under sections 203 and 204 of this Act.

(C) COST SAVINGS PROJECTIONS.—The strategic plan submitted under subparagraph (A) shall include, for each proposed inter-agency agreement, a projection of cost savings to be realized by the Postal Service and by any other Federal agency that is a party to the agreement.

(h) TERMINATION OF THE COMMISSION.—The Advisory Commission shall terminate 90 days after the later of—

(1) the date on which the Advisory Commission submits the report on the strategic blueprint for long-term solvency under subsection (f); and

(2) the date on which the Advisory Commission submits the findings on inter-agency agreements for post offices under subsection (g).

(i) AUTHORIZATION OF APPROPRIATIONS.—There

On page 84, between lines 14 and 15, insert the following:

SEC. 214. CITIZEN'S SERVICE PROTECTION ADVOCATES.

(a) IN GENERAL.—Chapter 4 of title 39, United States Code, is amended by adding at the end the following:

"§ 417. Citizen's service protection advocates

"(a) DEFINITIONS.—In this section—

"(1) the term 'citizen's service protection advocate' means an individual appointed or designated under applicable State law, in the manner described in subsection (b), by the chief executive of a State affected by the closing or consolidation of a post office or postal facility to represent the interests of postal customers affected by the closing or consolidation; and

"(2) the term 'postal facility' has the meaning given the term in section 404(f).

"(b) APPOINTMENT OF ADVOCATE.—

"(1) IN GENERAL.—The chief executive of a State affected by the proposed closing or consolidation of a post office or postal facil-

ity may appoint or designate a citizen's service protection advocate to represent the interests of postal customers affected by the proposed closing or consolidation.

"(2) CONSULTATION.—To be considered a citizen's service protection advocate for purposes of this section, an individual must have been appointed or designated by the chief executive of a State in consultation with—

"(A) the mayor (or equivalent official) of any city affected by the closing or consolidation; and

"(B) the commissioner (or equivalent official) of any county or parish affected by the closing or consolidation.

"(c) ACCESS TO INFORMATION AND ASSISTANCE.—

"(1) IN GENERAL.—Subject to paragraph (2), upon the request of any citizen's service protection advocate appointed under this section, the Postal Service shall provide to the citizen's service protection advocate—

"(A) not later than 15 days after the request, access to any records, reports, audits, reviews, documents, papers, recommendations, or other materials of the Postal Service relating to the closing or consolidation of the relevant post office or postal facility; and

"(B) technical assistance in carrying out the duties of the citizen's service protection advocate.

"(2) LIMITATIONS.—Nothing in this section may be construed to require the Postal Service to provide to a citizen's service protection advocate any information that is exempt from disclosure under section 552(b) of title 5.

"(d) COMMUNICATION AND CONSULTATION.—The Postal Service shall—

"(1) provide for regular and efficient communication between a citizen's service protection advocate and the officer or employee of the Postal Service responsible for the closing or consolidation of the relevant post office or postal facility; and

"(2) consult with the citizen's service protection advocate in developing and implementing service changes that affect postal customers affected by the closing or consolidation of the relevant post office or postal facility.

"(e) TERMINATION OF SERVICE.—An individual may not serve as a citizen's service protection advocate with respect to the closing or consolidation of a post office or postal facility after the later of—

"(1) the date on which the Postal Service determines not to close or consolidate the post office or postal facility; and

"(2) the date on which the Postal Service determines to close or consolidate the post office or postal facility.".

(b) TABLE OF SECTIONS.—The table of sections for chapter 4 of title 39, United States Code, is amended by adding at the end the following:

"417. Citizen's service protection advocates.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date on which the Postal Service establishes retail service standards under section 203.

Mr. BENNET. Mr. President, I rise on behalf of amendment No. 2047, which I have cosponsored with Senator BLUNT. I deeply appreciate his leadership.

This bipartisan amendment would allow for a nonpaid advocate to represent communities facing a closure or a consolidation. Advocates would represent their communities' interests

throughout closure proceedings and would work with the Postal Service to identify alternative methods to maintain service standards. Advocates would have access to documents, data, and reports related to the proposed closure. Advocates would also have authority to appeal a final decision on closure to the Postal Regulatory Commission if there was a concern it would hurt service standards.

Finally, the amendment would allow the strategic commission already contained within this bill to develop inter-agency agreements so that post offices could provide additional government services, such as the issuance of Social Security cards and hunting and fishing licenses, similar to what it already does for passports.

In 2011, to take 1 year, the Postal Service accepted 5.6 million passport applications that generated \$182 million in revenue. This amendment has the potential to cut government costs, improve access, and help keep post offices open by supplementing revenue streams in a way that is particularly helpful to our rural communities. I hope the Senate could adopt this amendment.

I yield to my colleague Senator BLUNT and thank him for his work.

Mr. BLUNT. Mr. President, I worked with Senator BENNET on this amendment. I think it does ensure that communities are not notified a facility is closed without having any opportunity to have input. It provides for advocacy and also gives the post office system some flexibility that they do not have now to provide postal services in new and innovative ways.

I urge my colleagues to adopt this amendment.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. I also want to, as a cosponsor of this important piece of legislation, commend Senators BENNET and BLUNT for working together in a truly bipartisan way to make sure we get another good addition to this bill. I agree the communities affected by postal closings should have that strong advocacy to protect them against arbitrary and capricious closings. This bill also asks the Strategic Advisory Commission, established in our bill, to look into how other Federal and State agencies and the Postal Service might enter into interagency agreements in order to better utilize the services and improve efficiencies as referenced by the Senator from Colorado.

They are both fine improvements, and I and the prime sponsors of the amendment support this amendment.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 2047), as modified, was agreed to.

AMENDMENT NO. 2083

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. CORKER. Mr. President, I call up amendment No. 2083.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Tennessee [Mr. CORKER], proposes an amendment numbered 2083.

The amendment is as follows:

On page 39, strike line 20 and all that follows through page 45, line 17, and insert the following:

SEC. 205. OTHER PROVISIONS.

(a) FREQUENCY OF MAIL DELIVERY.—Section 101 of title 39, United States Code, is amended by adding at the end the following:

“(h) Subject to the requirements of section 3661, nothing in this title or any other provision of law shall be construed to prevent the Postal Service from taking any action necessary to provide for a 5-day-per-week delivery schedule for mail and a commensurate adjustment in the schedule for rural delivery of mail.”.

(b) OVERALL VALUE OF FRINGE BENEFITS.—Section 1005(f) of title 39, United States Code, is amended by striking the last sentence.

(c) MODERN RATE REGULATION.—Section 3622(d) of title 39, United States Code, is repealed.

(d) DELIVERY SERVICE STANDARDS, MAIL PROCESSING, AND COMMUNITY POST OFFICES.—Sections 201 and 202 of this Act, and the amendments made by those sections, shall have no force or effect.

(e) APPLICABILITY OF REDUCTION-IN-FORCE PROCEDURES.—Section 1206 of title 39, United States Code is amended by adding at the end the following:

“(d) Collective-bargaining agreements between the Postal Service and bargaining representatives recognized under section 1203, ratified after the date of enactment of this subsection, shall contain no provision restricting the applicability of reduction-in-force procedures under title 5 with respect to members of the applicable bargaining unit.”.

(f) HISTORIC POST OFFICES.—Section 404(d) of title 39, United States Code, is amended by adding at the end the following:

“(7)(A) In this paragraph, the term “historic post office building” means a post office building that is a certified historic structure, as that term is defined in section 47(c)(3) of the Internal Revenue Code of 1986.

The PRESIDING OFFICER. There will be 2 minutes of debate equally divided.

Mr. CORKER. Mr. President, this amendment is a balanced approach that strives to give the U.S. Postal Service maximum flexibility in multiple areas as they work toward financial stability. Here is the best part. According to the Congressional Budget Office, this amendment results in savings of \$21 billion over the next 10 years. I do not think we have seen amendments that do this, that save \$21 billion.

In conclusion, it is clear the Postal Service needs to make drastic changes. I applaud those portions of S. 1789 that allow the Postal Service greater flexibility. But too many provisions in S. 1789 would put more restrictions on the

Postal Service, not fewer, and limit the organization's ability to adapt to changing times.

I urge support of my amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to oppose this amendment. It deals with some issues that the committee and the bipartisan bill have dealt with in a fair and balanced way. It kind of breaks through that proposal we have made. It would permit the Postal Service to move to 5-day delivery service immediately. It would increase rates without a cap. It also removes some protections that are in the bill at this time.

I think this amendment, if adopted, would lead to the kind of curtailments in postal operations that would actually not help the Postal Service but diminish revenues and put it more dramatically into deficits.

With respect to my friend, the Senator from Tennessee, who sponsored it, I oppose this amendment.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. BENNET). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 29, nays 70, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—29

Alexander	Graham	McCain
Ayotte	Hatch	McConnell
Burr	Hutchison	Paul
Chambliss	Inhofe	Risch
Coats	Isakson	Rubio
Coburn	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kyl	Toomey
Crapo	Lee	Vitter
DeMint	Lugar	

NAYS—70

Akaka	Durbin	Manchin
Barrasso	Enzi	McCaskill
Baucus	Feinstein	Menendez
Begich	Franken	Merkley
Bennet	Gillibrand	Mikulski
Bingaman	Grassley	Moran
Blumenthal	Hagan	Murkowski
Blunt	Harkin	Murray
Boozman	Heller	Nelson (NE)
Boxer	Hoeben	Nelson (FL)
Brown (MA)	Inouye	Portman
Brown (OH)	Johnson (SD)	Pryor
Cantwell	Kerry	Reed
Cardin	Klobuchar	Reid
Carper	Kohl	Roberts
Casey	Landrieu	Rockefeller
Cochran	Lautenberg	Sanders
Collins	Leahy	Schumer
Conrad	Levin	Shaheen
Coons	Lieberman	Snowe

Stabenow Udall (NM) Wicker
 Tester Warner Wyden
 Thune Webb
 Udall (CO) Whitehouse

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I move to reconsider the last vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2049

Mr. LIEBERMAN. Mr. President, the next amendment on the list is Senator MIKULSKI's amendment. Senator MIKULSKI has decided not to introduce her amendment. I thank her for that, and we will go next to Senator AKAKA's amendment numbered 2049.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I call up my amendment No. 2049.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Hawaii [Mr. AKAKA] proposes an amendment numbered 2049.

Mr. AKAKA. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To allow supervisory and other managerial organizations to participate in the planning and development of changes in, or termination of, pay policies and schedules and fringe benefit programs)

At the end of title I, add the following:

SEC. 106. SUPERVISORY AND OTHER MANAGERIAL ORGANIZATIONS.

Section 1004 of title 39, United States Code, is amended—

(1) in subsection (b), in the second sentence, by inserting "as provided under subsection (d) and any changes in, or termination of, pay policies and schedules and fringe benefit programs for members of the supervisors' organization as provided under subsection (e)" before the period; and

(2) in subsection (e)(1), by inserting ", or termination of," after "any changes in".

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote on amendment No. 2049 offered by the Senator from Hawaii, Mr. AKAKA.

Mr. AKAKA. Mr. President, current law provides postmasters and post office supervisors with the opportunity to consult over pay and benefits. This is not collective bargaining and does not result in a contract.

Unfortunately, the Postal Service tries to modify, reduce or eliminate supervisors' benefits outside the normal consultation process, arguing that Congress intended this consultation for the creation but not elimination of benefit

programs. This amendment simply clarifies existing law that the consultation requirement applies to any changes to pay or benefits.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Who yields time? The Senator from Connecticut.

Mr. LIEBERMAN. I rise to support the amendment offered by my friend from Hawaii. The Postal Service is going to need the support of all its employees and managers to turn around its current decline.

Postmasters and postal supervisors are a real and important human asset for the Postal Service and we should do what we can to foster productive and constructive collaboration between the Postal Service and the senior employees. The Akaka amendment just clarifies and strengthens existing requirements for consultation, not collective bargaining, for the scheduling of changes and terminations of pay and benefit programs. I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, let me just reinforce that this is not giving collective bargaining rights to postmasters or to postal supervisors. I support Senator AKAKA's amendment. All it is trying to do is strengthen a provision that is in current law that asks for the Postmaster General to consult with the postmasters and the other supervisory organizations when there are changes made in work schedules or benefits. They should have the right to have their views heard. It does not give them a veto. It does not authorize collective bargaining or contract negotiations in any way. I wish to emphasize that because there has been misinformation about what this amendment, in fact, entails.

I support this amendment and I urge its adoption.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. I ask for a voice vote.

Mr. DEMINT. Mr. President, I object. I would like a rollcall vote. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 42, as follows:

[Rollcall Vote No. 75 Leg.]

YEAS—57

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Inouye	Pryor
Bingaman	Johnson (SD)	Reed
Blumenthal	Kerry	Reid
Boxer	Klobuchar	Rockefeller
Brown (MA)	Kohl	Sanders
Brown (OH)	Landrieu	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Snowe
Carper	Levin	Stabenow
Casey	Lieberman	Tester
Collins	Manchin	Udall (CO)
Conrad	McCaskill	Udall (NM)
Coons	Menendez	Warner
Durbin	Merkley	Webb
Feinstein	Mikulski	Whitehouse
Franken	Murkowski	Wyden

NAYS—42

Alexander	Enzi	McCain
Ayotte	Graham	McConnell
Barrasso	Grassley	Moran
Blunt	Hatch	Paul
Boozman	Heller	Portman
Burr	Hoeben	Risch
Chambliss	Hutchison	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kyl	Toomey
Crapo	Lee	Vitter
DeMint	Lugar	Wicker

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Connecticut.

AMENDMENT NO. 2025

Mr. LIEBERMAN. Mr. President, I believe the next amendment in order is amendment No. 2025 by the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I call up amendment No. 2025.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2025.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To end the mailbox use monopoly)

At the end of title II, add the following:

SEC. ____ ENDING THE MAILBOX USE MONOPOLY.

Section 1725 of title 18, United States Code, is amended by striking "established, approved, or accepted" and all that follows through "mail route" and inserting "or post office box owned by the Postal Service or located on Postal Service property".

Mr. PAUL. Mr. President, it is a Federal crime for anyone but the U.S. Postal Service to use a mailbox. The United States is the only country in the world that grants a mailbox monopoly. You can purchase your mailbox, you can install it, you can fix it, but you do not truly own it because

you do not control what goes in your mailbox. If someone vandalizes your mailbox, you are responsible for it. You repair it. But you cannot decide what goes in it. If you put something in a mailbox without the permission of the U.S. Postal Service, if your child puts a birthday invitation in a mailbox, it can be a \$5,000 fine. If an organization puts something in a mailbox other than through the Postal Service, it is a \$10,000 fine.

My amendment would grant individual owners of mailboxes the right to make decisions about their mailboxes. Adopting this amendment would restore individual mailbox choice. So I am for mailbox choice, and I hope the body is. It seems to me a fundamentally American concept to control access to your own mailbox. I urge adoption of this amendment.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I would like to inform the Senate that this will be the last vote tonight. I have spoken to Senator McCONNELL. I know there are a lot of important things that committees have to do tomorrow, so we are going to start voting on finishing the postal bill tomorrow at 2 o'clock. We appreciate everyone's cooperation today. We will need some more tomorrow.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, there are at least three problems with the amendment offered by the Senator from Kentucky.

The first is a practical problem. How is the Postal Service going to deal with a situation where at one house there is a monopoly on the use of the post office box and at the next house there is not a monopoly? How is that going to work?

Second, mail often contains highly sensitive pieces, such as medical records, bills, personal correspondence. Continuation of the mailbox monopoly is necessary to preserve the safety, the security, and the privacy of mail.

The third argument is that if you repeal the mailbox monopoly, you will leave rural America behind. There will be plenty of competition in large cities, but who will be left to serve rural America? Only the Postal Service. And that will further drive up its costs because it will be losing customers.

I strongly urge opposition to this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. PAUL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 35, nays 64, as follows:

[Rollcall Vote No. 76 Leg.]

YEAS—35

Alexander	Enzi	Moran
Ayotte	Graham	Paul
Barrasso	Grassley	Risch
Blunt	Hatch	Roberts
Boozman	Heller	Rubio
Chambliss	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Corker	Kyl	Toomey
Cornyn	Lee	Vitter
Crapo	McCain	Wicker
DeMint	McConnell	

NAYS—64

Akaka	Hagan	Murray
Baucus	Harkin	Nelson (NE)
Begich	Hoeven	Nelson (FL)
Bennet	Hutchison	Portman
Bingaman	Inhofe	Pryor
Blumenthal	Inouye	Reed
Boxer	Johnson (SD)	Reid
Brown (MA)	Kerry	Rockefeller
Brown (OH)	Klobuchar	Sanders
Burr	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Snowe
Carper	Leahy	Stabenow
Casey	Levin	Tester
Coats	Lieberman	Udall (CO)
Collins	Lugar	Udall (NM)
Conrad	Manchin	Warner
Coons	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Murkowski	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we proceed to a period of morning business, with Senators allowed to speak for 10 minutes each.

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

REMEMBERING JUDGE JAMES G. WEDDLE

Mr. McCONNELL. Mr. President, I rise today to pay tribute and bid farewell to a Kentuckian I knew well and considered a good friend. The Honorable Judge James G. Weddle of Casey County, KY, passed away recently, shortly after announcing he would be stepping down from the bench. He was 71.

Judge Weddle had a remarkable legal career that spanned over 45 years; much of it in public service. A graduate of the University of Kentucky School of Law, Judge Weddle served as Casey County Attorney for 16 years, and served as a circuit judge on the 29th Judicial Circuit of Kentucky from 1998 until his untimely passing; he planned to retire in May.

What strikes me the most about Judge Weddle, after having the benefit of his friendship, is how much he valued public service to the people of Casey County and Kentucky. Right up until the end of his career, he was always striving to be better. He felt he had not yet reached his peak. Being the best—and doing the best, for the benefit of all who came into his courtroom was important to him.

A scholarly man, Judge Weddle was sure to read all the latest law books and articles, and often knew more about recent legal events than lawyers in his courtroom who were half his age. He was well known for his ability to cite case after case without having to reference a computer or his law books. Simply put, he loved the law. And he loved the people of his community. You couldn't ask for a finer combination of passions in a Kentucky circuit court judge. The people of the Commonwealth were blessed to have him.

Elaine and I extend our deepest sympathies to the judge's family, especially his wife, Zona; his son, James; his daughters, Lucinda, Suzanne, Andrea, and Sarah; his grandchildren, Jack, Jeb, and Beau; his brother, R.C.; his sister, Delores; and many other friends and family members. The judge was preceded in death by his sister, Norma Jean.

At this time, Mr. President, I would like to ask my Senate colleagues to join me in honoring the memory of the Honorable Judge James G. Weddle. The people of Kentucky are the better for his many years of service.

A newspaper in my home State, the Casey County News, published an excellent article highlighting the Judge's life and career, as well as his obituary. I ask unanimous consent that said materials be printed in the RECORD.

There being no objection, the materials were ordered to appear as follows:

[From the Casey County News, Apr. 18, 2012]
**JUDGE WEDDLE REMEMBERED—CIRCUIT COURT
 JUDGE DIES DAYS AFTER ANNOUNCING RE-
 TIREMENT**

(By Larry Rowell)

A Casey County native who devoted his life to his family, the law, and to the people of Casey County has died after an extended illness.

Casey Circuit Court Judge James G. Weddle died in the early morning hours of April 11 at home surrounded by family members. He was 71.

Just a few days before, Weddle had announced that he was retiring May 1 from the 29th Judicial Circuit, which included Casey and Adair counties.

Weddle was serving his second eight-year term, having first been elected in 1998.

Prior to serving as a circuit judge, Weddle became an attorney in 1966 after graduating from the University of Kentucky School of Law. He served as Casey County Attorney for 16 years and also in private practice.

Fellow judges and attorneys had nothing but high praise for Weddle and a legal career that spanned more than 45 years.

"I have known Judge Weddle for many years and he was distinguished by his dedication to his work. No other judge I know anywhere worked harder with a completeness and constancy of his work," said Chief Justice John Minton of the Kentucky Supreme Court.

Casey and Adair County Commonwealth's Attorney Brian Wright prosecuted many cases before Weddle.

"I had a lot of respect for Judge Weddle, especially for his legal mind. He devoted his life to the legal profession," Wright said.

Also, Weddle was known for his vast knowledge of legal cases and his ability to cite cases without ever pulling a law book off the shelf.

"He read books, books, and books, and articles on the Internet. He didn't golf or hunt or fish. His life was the law," Wright said.

Still, Weddle was known for being a fair judge who had an open mind.

"It was never his way or the highway when it came to the law," said Janelle "Tootsie" Roberts, who served as Weddle's secretary for 22 years.

Wright said that in one particular case he was trying before Weddle, he was able to show the judge a prior case that changed the way he thought about it.

"He was always open to something new," Wright said.

Roberts said that in addition to loving the law, Weddle also was a history buff who had a knack for remembering dates and events.

"Judge Weddle loved history and sometimes in court he would ask, Today is December 7, can anyone tell me what happened on that date?" Roberts said.

And there was another belief that Minton, Wright, and Roberts shared about Weddle his love for the people of Casey County.

"In the last conversation that I had with Judge Weddle where he told me he was going to resign, he told me how important his work was to him and how reluctant he was to give it up. He kept thinking he was going to get better," Minton said.

"I hate to lose dedicated people like Judge Weddle. It's a loss to the state and to the counties he served. And, he loved Casey County," Minton said.

A memorial service for Weddle was held on Monday. A complete obituary can be found on page 4.

THE HONORABLE JAMES G. WEDDLE

Judge James G. Weddle passed away on Wednesday, April 11, 2012, at his residence.

He was born on March 21, 1941, in Liberty, Kentucky, and was 71. James was the son of the late Rupert Christopher Weddle and Laura Jane Price Weddle and a Circuit Judge of the 29th Judicial Circuit of Kentucky. He was preceded in death by one sister; Norma Jean Weddle Murphy.

Survivors include his spouse, Zona Ellis Weddle; one son, James Bryan Weddle of Lexington, Kentucky; four daughters, Lucinda Jane Weddle (and Rick Grodesky) of Seattle, Washington, Suzanne Weddle (and Richard Webster) of Kansas City, Missouri, Andrea Weddle of Oakland, California, and Sarah Jean Weddle South (and Alex South) of Spring Lake, North Carolina; three grandchildren, Jack, Jeb, and Beau South; one brother, R.C. (and Alma Vida) Weddle of Liberty, Kentucky; and one sister, Delores (and Gerald) Sasser of Louisville, Kentucky.

Visitation will be from 2:00 p.m. until 5:00 p.m. Sunday evening April 15, 2012, at the Bartle Funeral Home Chapel. Memorial Services officiated by the Reverend Jimmy Brown will begin at 2:00 p.m. Monday afternoon, April 16, 2012, at the Bartle Funeral Home Chapel.

The family requests in lieu of flowers please send memorials to the Duke Children's Hospital and Health Care, P.O. Box 2975 c/o Duke University Medical Center, Durham, North Carolina 27710, or make a gift to your favorite charity.

Online condolences may be expressed at www.Bartlefuneralhomes.com. Bartle Funeral Home is in charge of all arrangements.

OBSERVING ARMENIAN GENOCIDE REMEMBRANCE DAY

Mr. LEVIN. Mr. President, this is a week to bear witness. Today, April 24, we mark Armenian Genocide Remembrance Day—the day on which we remind one another of the organized campaign of deportation, expropriation, starvation—and atrocity perpetrated by the Ottoman Empire against its Armenian population, beginning with the detention and eventual execution of hundreds of Armenian community members on April 24, 1915, just as, a few days ago, we marked Holocaust Remembrance Day, bearing witness to the attempt by Nazi Germany to destroy Europe's Jewish population.

Why do we mark these days? Because in recognizing and condemning the horror of these acts, we affirm our own humanity, we ensure that the victims of these atrocities will not be forgotten, and we warn those who believe they can perpetrate similar crimes with impunity that they will not escape the world's notice. We remind ourselves that we must never again allow such mass assaults against human decency without acting to stop them. And we mark these atrocities because only by acknowledging the violence and inhumanity can we begin the process of reconciling populations who even today are haunted by the damage done decades ago.

The Ottoman campaign against the Armenians resulted in the deaths of over 1.5 million people. Large numbers of Armenians fled their homeland to

seek safety elsewhere, including in Michigan and other communities in the United States. Some have sought to deny that these events constituted genocide, but the historical record is clear and undeniable. I ask any who deny the historical reality of the Armenian genocide to read "Giants of the Earth," the moving memoir of native Detroitier Mitch Kehetian and his search for the fate of beloved family members during the tragedy.

It is important for us to remember that these atrocities were not committed by the Republic of Turkey. I hope that the governments of Turkey and Armenia, encouraged by the good will of the community of nations, can heal the divisions that remain from long-ago events that nonetheless remain painful. We should also remember that Turkey played a valuable role in supporting the international community's efforts to free Libya from dictatorship and value the role Turkey is playing today in helping to resolve the tragedy unfolding in neighboring Syria.

It is doubly tragic that the Armenian genocide is now seen as the beginning of a decades-long series of mass atrocities. The inability or unwillingness of the international community to come to the aid of the Armenians emboldened others—including Adolph Hitler, who told his commanders on the eve of the invasion of Poland, "Who, after all, speaks today of the annihilation of the Armenians?" And so, he launched the Holocaust, ending the lives of six million Jews simply because they were Jewish.

All people would like to believe that they live in a more enlightened age, one in which we have overcome the inhumanity of the past. And yet our own time is not immune from mass atrocity. Recent events in Libya and Syria, to name just two, remind us that violence, oppression, and disregard for human rights remain with us.

Just as mass atrocity is still with us, so are human courage and the determination to stand against atrocity. When the international community came together to support the people of Libya against the oppressive Libyan regime, we helped accomplish something important and powerful for Libyans, but beyond that, we sent a message to other dictators that they might not escape a response from the international community.

I say "might not" because we still have a long way to go as a world community in confronting murderous dictators. The current regime in Syria is engaged in a campaign of attack and intimidation against its own people. The examples of history make clear the international community's obligation to speak out and to take action. It is unfortunate that nations in a position to do so, such as China and Russia, have blocked the United Nations from

taking stronger steps. The United States and its allies must now seek to implement additional steps to protect innocent civilians and hold the Assad regime in Syria accountable, including the possibility of establishing safe havens along the border with Turkey.

While we mark these historic crimes, it is also important to recognize signs of progress. It is significant that the United States is now taking what promises to be not just a stronger approach to mass atrocities, but a more effective one. A presidential directive signed by President Obama last August states clearly: "Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States of America." And yesterday, the President announced that he will implement the recommendations resulting from a comprehensive review of U.S. policy with regard to mass atrocity.

The creation of an Atrocity Prevention Board will ensure that prevention of these human tragedies is a focus of U.S. policy, a national security interest we will pursue, bringing all appropriate elements of American policy and power to bear. Importantly, U.S. policy recognizes that military action is not our only means to prevent mass atrocity, and that every aspect of our international involvement—intelligence, diplomacy, economic and development policy, as well as, when called for, military power—can be called upon.

We cannot prevent the madness that, even in our era, too often leads to unspeakable crimes. But we can remember. We can speak out. And we can act, with the range of instruments at our disposal, to prevent those in the forefront of such madness from acting on their inhuman schemes. May Americans never forget the genocide visited upon the Armenians we remember today. And may our collective memories always remind us of our responsibility to prevent atrocity in our own time.

TIBET

Mr. LEAHY. Mr. President, I want to draw the Senate's attention to the ongoing, intensifying and intolerable oppression occurring in Tibet.

Over the past year, at least 32 Tibetans, most of them young men and women, have set themselves on fire to protest Chinese policies that are infringing on Tibetan self-governance, cultural traditions and religious beliefs and practices. Of them, it is believed that at least 23 have died. Eleven have self-immolated in the past 2 months alone. These incidents do not represent a temporary deviation from a peaceful norm but are instead the latest response to a tragic, and unfortunately lengthy, history of religious and cultural controls, human rights violations and oppression of the Tibetan people.

Reports from Tibet indicate that the Chinese government is further restricting access to foreign journalists and tightening security throughout the region. Chinese police and other officials in Tibet are forcing some nuns and monks to publicly denounce the Dalai Lama. Schools in some provinces have been forced by the government to switch their official language of instruction from Tibetan to Mandarin Chinese. These policies, among others, have incited Tibetans to protest and fight for the survival of their cultural identity and basic freedoms.

In recent weeks, a state-run Chinese website and news agency accused the Dalai Lama of encouraging Tibetans to set themselves on fire and of advocating "Nazi" racial policies. Mr. President, many of us in the Senate have had the privilege of meeting the Dalai Lama and I am proud to consider him a friend. It is baseless, offensive, and deplorable to slander the Dalai Lama in this way or to suggest that he is inciting violence. He is a man whose entire life has been devoted to peace.

For decades, the Dalai Lama has sought to work with the Chinese government to reach a peaceful resolution over Tibet's political status. The Dalai Lama has, time and time again, extended a hand of friendship to Beijing, which has consistently responded by drastically misrepresenting his views and accusing him of inciting violence, perhaps to draw attention away from their own brutal actions. The Chinese government must know that violent crackdowns and cultural genocide will never be condoned.

We share many interests with China and the future can bring our two countries closer. China's tremendous economic transformation in the past few decades has brought great benefits to the Chinese people and has spurred economic development in other countries. That said, the economic emergence of China and its increased presence on the world stage must be accompanied by respect for human rights. China cannot be a global leader while crushing peaceful dissent in its own backyard, destroying the culture of the Tibetan people, and imprisoning Tibetan leaders.

I want to mention one of these imprisoned leaders, Tenzin Delek Rinpoche. Tenzin Delek was recognized by the Dalai Lama as a reincarnate lama in the 1980s. He was detained in April 2002 on charges of exploding bombs and spreading politically charged leaflets and, following a closed trial, sentenced to death on December 2, 2002. After appeal, Tenzin Delek's sentence was commuted to life imprisonment. No evidence of his involvement in any illegal activity has ever been made public. In fact, before being detained, Tenzin Delek was well known for educating children in rural areas and helping to build monasteries.

Tenzin Delek's imprisonment is just one of the many examples of persecution of Tibetan leaders that appear to be motivated by a desire to curb Tibetan religious and cultural expression.

Many Tibetan protestors, both imprisoned and free, are not seeking independence from China. Tibetan leaders, including the Dalai Lama and the Tibetan Prime Minister, Lobsang Sangay, who I was pleased to meet earlier this year, have explicitly stated that they support the 'Middle-Way' policy, which seeks autonomy for Tibet within the People's Republic of China. Tibetans are not fighting for separation from China; they are fighting for the freedom of religious belief guaranteed to them by the Chinese Constitution. They are fighting for the security of their monks and monasteries. They are fighting for freedom of expression, association, and assembly, for personal liberty, for unrestricted media access, and for the fundamental principles of democracy that we in the United States take for granted.

We cannot and will not abandon the Tibetan people, who have long been our unwavering friends. We will stand by them to protect the principles of democracy in the face of China's repressive policies. Together, the Tibetans and the Chinese can peacefully reach a solution that meets the needs and aspirations of both peoples. It is imperative that we support peaceful dialogue and discourage violent confrontation whenever it occurs, whether supported by the Chinese authorities or Tibetan protestors.

I am a cosponsor of Senator FEINSTEIN's resolution, S. Res. 356, A Resolution Expressing Support for the People of Tibet, and I urge other Senators to do so. We can foster closer, cooperative relations with China, but until China works with Tibetan leaders to pursue a new way forward, their reputation in the community of nations, and their ability to act as a global power, will remain tarnished. I hope that, in the years to come, the young Tibetans who sacrificed their lives in the past year will be remembered as the catalysts for a political dialogue that cemented a peaceful future for both Tibet and China.

97TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

Mrs. BOXER. Mr. President, I rise today to solemnly recognize the 97th anniversary of the Armenian genocide.

In 1948, the General Assembly of the United Nations passed the Convention on the Prevention and Punishment of the Crime of Genocide based in part on the horrific crimes perpetrated by the Ottoman Empire against the Armenian people between 1915–1923. Yet, in the 63 years that have passed since the Convention was adopted, successive U.S. administrations have refused to call

the deliberate massacre of the Armenians by what it was—a genocide.

For many years, I have urged these administrations to right this terrible wrong, and I do so again today, calling on President Obama to acknowledge unequivocally—as he did as a Senator—that the Armenian genocide is a widely documented fact supported by an overwhelming body of historical evidence.

The Armenian genocide—along with the Holocaust—is one the most studied cases of genocide in history. A number of sovereign nations, ranging from Argentina to France, as well as 43 U.S. States have recognized what happened as genocide. Yet, successive U.S. administrations continue only to refer to the Armenian genocide as annihilation, massacre or murder.

Every day that goes by without full acknowledgment by the United States of these undeniable facts prolongs the pain felt by descendants of the victims and the entire Armenian community.

There is no room for discretion when dealing with unspeakable crimes against humanity; genocide must be called genocide, murder must be called murder. And every day that goes by without the U.S. acknowledgment of what happened to the Armenian people in the early 20th century undermines the United States' role as a beacon for human rights around the world.

The United States' credibility is particularly important as we seek to compel international condemnation of and active response to those who are perpetrating extreme violence today—whether it be in individual cases of human rights abuses or in cases of government-driven attacks against citizens protesting for greater freedom and opportunity.

The United States cannot and does not turn a blind eye to atrocities around the globe. In fact, the United States is often the first to speak out in the face of violence and unspeakable suffering. But sadly, our Nation is on the wrong side of history when it comes to the Armenian genocide. It is long past time to do the right thing.

So this April 24, as we pause to remember the victims and to honor the countless contributions Armenian Americans have made to our great country, I hope that the U.S. will finally and firmly stand on the right side of history and officially condemn the crimes of 1915–1923 by their appropriate name—genocide.

ADDITIONAL STATEMENTS

REMEMBERING GEORGE COWAN

• Mr. BINGAMAN. Mr. President, today I wish to speak about the life of George Cowan who died last Friday in Los Alamos at the age of 92.

From 1949 through 1988, he distinguished himself at the Los Alamos Na-

tional Laboratory where he was a scientist—a nuclear chemist—and a senior administrator.

In 1984, he was instrumental in founding The Santa Fe Institute which has achieved great recognition for its work in complexity and self-organizing systems.

A Founding Director of the Los Alamos National Bank, he was one of the several leaders in that community who labored to bring banking to a town that was considered “temporary” and not deserving of its own bank. In 1963, LANB was chartered and has grown to be one of the leading financial institutions in New Mexico. At his death, George was still serving on the Board of Directors.

George's interests and contributions are too numerous to detail in these brief comments, but I will mention his passion to understand the keys to the early development of children. He believed there were great benefits society could reap by giving more attention to successful models of early childhood education.

George's life and work were invaluable to our Nation and to my home State of New Mexico. I was proud to count him as a friend, and prouder still that he considered me one. I join the many others who will miss him.●

RECOGNIZING VOLUNTEERS FROM YARDLEY, PENNSYLVANIA

• Mr. CASEY. Mr. President, today, I would like to acknowledge the great work of volunteers in Yardley, PA, especially the students at Pennsbury High School who have been selected as the 2012 Make a Difference Day winners. Make a Difference Day is a celebration of neighbors helping neighbors, and this annual day of service mobilizes more than 3 million volunteers to effect change in their communities.

This group of outstanding volunteers from Yardley, PA is led by Neha Gupta. Neha founded Empower Orphans, a non-profit organization that has leveraged \$325,000 in donations and grants to clothe and feed Indian children, create a sewing center and set up libraries at four schools. Near to her home in Bucks County, PA, Neha, now 15, identified children in need. In the months leading up to Make a Difference Day, Neha and a group of volunteers gathered 3,000 books and bought colorful furnishings for the neighboring Feltonville Intermediate School library. On Make a Difference Day, the team cleaned up, decorated and stocked the shelves of the library. Since October's project, Neha has also started an Empower Orphans club at her high school and plans to hold a Make a Difference Day Project every year.

I wish to congratulate Neha and her team and thank them for their service.●

TRIBUTE TO RICK MOSSMAN

• Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize and honor the public service of Rick Lee Mossman, who is retiring from the National Park Service after 35 years of dedicated service to protecting our nation's treasures and the people who visit them.

Rick was born on April 30, 1955, to Dick and Carolyn Mossman in Topeka, KS. By the time he was 7 years old, Rick knew he wanted to become a park ranger. His life's work began in May of 1975, when he started his first job with the National Park Service as a seasonal GS-3 general ranger at Buffalo National River in Arkansas. In a career spanning more than 3 decades, Rick Mossman served at nine National Park Service units from Washington, DC to Alaska. During this time, he was an interpreter, front country and back-country patrol ranger, a district ranger, and finally a Chief Ranger at his current location of Wind Cave National Park in South Dakota.

For the last 12 years, he has served on an All-Risk Incident Management Team tasked with responding to disasters such as Hurricanes Isabel and Rita or to managing the search effort for lost hikers. He has been the team's incident commander since September of 2009.

Rick earned a degree in Wildlife Biology at Kansas State University. He and his wife Julie of 21 years have two sons, Thomas 18 and Jackson 16.

Rick has passionately protected many of the special places that help define the United States of America. He has done this with a strong sense of dedication to duty and commitment to excellence. His work on the Intermountain Incident Management Team speaks to this. When a disaster befalls a National Park Service unit in the Intermountain Region or elsewhere in the Nation, the first call from the Regional Office is to Rick and his team to respond and help park service employees in peril. It is this dedication to helping others at a moment's notice that defines Rick's work ethic.

The focus of Rick's life work has been the protection of public lands and the resources contained therein. He has accomplished this duty with an intense love for the places he worked. It is because of the service of people like Rick Mossman that visitors, past and present and future, enjoy the scenic beauty and heritage that make up the National Park Service.

I am proud to recognize and honor Rick's service to the National Park Service and am delighted to join with his family and friends in congratulating him on his retirement. I wish Rick and Julie all the best as they begin a new chapter in their lives.●

MEASURES PLACED ON THE CALENDAR

The following bill was ordered read the second time, and placed on the calendar:

S. 2338. A bill to reauthorize the Violence Against Women Act of 1994.

The following bills were read the first and second times by unanimous consent, and ordered placed on the calendar.

S. 2343. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

S. 2344. A bill to extend the National Flood Insurance Program until December 31, 2012.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5788. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Federal Airways; Alaska" ((RIN2120-AA66) (Docket No. FAA-2011-0110)) received in the Office of the President of the Senate on March 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5789. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Multiple Domestic, Alaskan, and Hawaiian Compulsory Reporting Points" ((RIN2120-AA66) (Docket No. FAA-2012-0129)) received in the Office of the President of the Senate on March 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5790. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Area Navigation Route T-288; WY" ((RIN2120-AA66) (Docket No. FAA-2011-1193)) received in the Office of the President of the Senate on March 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5791. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Colorado Springs, CO" ((RIN2120-AA66) (Docket No. FAA-2011-1191)) received in the Office of the President of the Senate on March 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5792. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Jacksonville, NC" ((RIN2120-AA66) (Docket No. FAA-2011-0556)) received in the Office of the President of the Senate on March 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5793. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Air-

space; Springfield, TN" ((RIN2120-AA66) (Docket No. FAA-2011-0591)) received in the Office of the President of the Senate on March 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5794. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Bellefonte, PA" ((RIN2120-AA66) (Docket No. FAA-2011-1337)) received in the Office of the President of the Senate on March 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5795. A communication from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting, proposed legislation to authorize the Transportation Security Administration to hold itself out as a private shipper for purposes of testing air cargo security measures, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EC-5796. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order blocking the property and suspending the entry into the United States of certain persons with respect to grave human rights abuses by the Governments of Iran and Syria via information technology; to the Committee on Banking, Housing, and Urban Affairs.

EC-5797. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5798. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons to the Entity List; and Implementation of Entity List Annual Review Changes" (RIN0694-AF57) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5799. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-5800. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) Spearmint Oil for the 2011-2012 Marketing Year" (Docket No. AMS-FV-10-0094; FV11-985-1 BIR) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5801. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule

entitled "Pears Grown in Oregon and Washington; Assessment Rate Decrease for Fresh Pears" (Docket No. AMS-FV-11-0060; FV11-927-2 FIR) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5802. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pears Grown in Oregon and Washington; Assessment Rate Decrease for Processed Pears" (Docket No. AMS-FV-11-0070; FV11-927-FIR) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5803. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Mango Promotion, Research, and Information Order; Assessment Increase" (Docket No. AMS-FV-11-0021) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5804. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Dried Prunes Produced in California; Decreased Assessment Rate" (Docket No. AMS-FV-11-0068; FV11-993-1 FIR) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5805. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Revision of Cotton Classification Procedures for Determining Cotton Leaf Grade" (RIN0581-AD19; Docket No. AMS-CN-11-0066) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5806. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pistachios Grown in California, Arizona, and New Mexico; Decreased Assessment Rate" (Docket No. AMS-FV-11-0077; FV11-983-2 FIR) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 237. A bill to amend title 31, United States Code, to enhance the oversight authorities of the Comptroller General, and for other purposes (Rept. No. 112-159).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. LEVIN:

S. 2339. A bill to suspend temporarily the duty on certain clock movements; to the Committee on Finance.

By Mr. LEVIN:

S. 2340. A bill to suspend temporarily the duty on chime melody rod assemblies; to the Committee on Finance.

By Mr. BENNET (for himself and Mr. UDALL of Colorado):

S. 2341. A bill to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right-of-way within and adjacent to Pike National Forest in El Paso County, Colorado; to the Committee on Energy and Natural Resources.

By Mr. TESTER (for himself and Mr. JOHANNES):

S. 2342. A bill to reform the National Association of Registered Agents and Brokers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REID:

S. 2343. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes; placed on the calendar.

By Mr. VITTER:

S. 2344. A bill to extend the National Flood Insurance Program until December 31, 2012; placed on the calendar.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mr. AKAKA):

S. 2345. A bill to amend the District of Columbia Home Rule Act to permit the Government of the District of Columbia to determine the fiscal year period, to make local funds of the District of Columbia for a fiscal year available for use by the District upon enactment of the local budget act for the year subject to a period of Congressional review, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. REID, Mr. CRAPO, Mr. DURBIN, Mr. CASEY, and Mr. LAUTENBERG):

S. Res. 432. A resolution designating April 30, 2012, as "Día de los Niños: Celebrating Young Americans"; considered and agreed to.

By Ms. COLLINS (for herself and Mr. KERRY):

S. Res. 433. A resolution designating April 2012 as "National Child Abuse Prevention Month"; considered and agreed to.

By Mr. WARNER (for himself, Ms. COLLINS, Mr. SANDERS, Ms. STABENOW, Mr. MENENDEZ, Ms. MIKULSKI, Mr. CASEY, Mrs. GILLIBRAND, and Mr. CONRAD):

S. Res. 434. A resolution supporting the goal of preventing and effectively treating Alzheimer's disease by the year 2025, as articulated in the draft National Plan to Address Alzheimer's Disease from the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 118

At the request of Mr. VITTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 118, a bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totaling \$5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 687

At the request of Mr. CONRAD, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 687, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 1086

At the request of Mr. HARKIN, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1086, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 1576

At the request of Ms. LANDRIEU, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1576, a bill to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

S. 1622

At the request of Mr. HELLER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1622, a bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 1935

At the request of Ms. COLLINS, the name of the Senator from Georgia (Mr.

ISAKSON) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

At the request of Mr. ENZI, his name was added as a cosponsor of S. 1935, supra.

At the request of Mrs. HAGAN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1935, supra.

S. 2004

At the request of Mr. UDALL of New Mexico, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 2004, a bill to grant the Congressional Gold Medal to the troops who defended Bataan during World War II.

S. 2096

At the request of Mr. WYDEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2096, a bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency.

S. 2103

At the request of Mr. LEE, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 2103, a bill to amend title 18, United States Code, to protect paincapable unborn children in the District of Columbia, and for other purposes.

S. 2121

At the request of Ms. KLOBUCHAR, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 2121, a bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

S. 2122

At the request of Mr. PAUL, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2122, a bill to clarify the definition of navigable waters, and for other purposes.

S. 2134

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2134, a bill to amend title 10, United States Code, to provide for certain requirements relating to the retirement, adoption, care, and recognition of military working dogs, and for other purposes.

S. 2143

At the request of Ms. STABENOW, the name of the Senator from Arkansas

(Mr. PRYOR) was added as a cosponsor of S. 2143, a bill to amend the Internal Revenue Code of 1986 to clarify that paper which is commonly recycled does not constitute a qualified energy resource under the section 45 credit for renewable electricity production.

S. 2148

At the request of Mr. INHOFE, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2148, a bill to amend the Toxic Substance Control Act relating to lead-based paint renovation and remodeling activities.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Kansas (Mr. ROBERTS), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2172

At the request of Ms. SNOWE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2172, a bill to remove the limit on the anticipated award price for contracts awarded under the procurement program for women-owned small business concerns, and for other purposes.

S. 2205

At the request of Mr. MORAN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2205, a bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens.

S. 2242

At the request of Mr. THUNE, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 2242, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 2255

At the request of Mr. BURR, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2255, a bill to amend chapter 1 of title 36, United States Code, to add Welcome Home Vietnam Veterans Day as a patriotic and National observance.

S. 2280

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2280, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 2282

At the request of Mr. INHOFE, the names of the Senator from Mississippi

(Mr. WICKER), the Senator from Missouri (Mr. BLUNT), the Senator from Montana (Mr. TESTER), the Senator from Maryland (Mr. CARDIN) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 2282, a bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017.

S. RES. 412

At the request of Ms. LANDRIEU, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Res. 412, a resolution commending the African Union for committing to a coordinated military response, comprised of 5,000 troops from Uganda, the Central African Republic, the Democratic Republic of Congo, and South Sudan, in order to fortify ongoing efforts to arrest Joseph Kony and senior commanders of the Lord's Resistance Army and to stop the crimes against humanity and mass atrocities committed by them.

AMENDMENT NO. 2032

At the request of Mr. BAUCUS, his name was added as a cosponsor of amendment No. 2032 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2036

At the request of Mr. PRYOR, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 2036 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2042

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 2042 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2043

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 2043 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2047

At the request of Mr. BENNET, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 2047 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2050

At the request of Mr. SCHUMER, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from

New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 2050 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2056

At the request of Mr. TESTER, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 2056 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

At the request of Mr. BAUCUS, his name was added as a cosponsor of amendment No. 2056 proposed to S. 1789, supra.

AMENDMENT NO. 2060

At the request of Mr. COBURN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 2060 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2071

At the request of Mr. WARNER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 2071 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2072

At the request of Ms. LANDRIEU, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 2072 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID:

S. 2343. A bill to amend the Higher Education act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes; placed on the calendar.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 2343

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stop the Student Loan Interest Rate Hike Act of 2012".

SEC. 2. INTEREST RATE EXTENSION.

Section 455(b)(7)(D) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)(7)(D)) is amended—

(1) in the matter preceding clause (i), by striking "and before July 1, 2012," and inserting "and before July 1, 2013,"; and

(2) in clause (v), by striking "and before July 1, 2012," and inserting "and before July 1, 2013,".

SEC. 3. EMPLOYMENT TAX TREATMENT OF PROFESSIONAL SERVICE BUSINESSES.

(a) IN GENERAL.—Section 1402 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(m) SPECIAL RULES FOR PROFESSIONAL SERVICE BUSINESSES.—

“(1) SHAREHOLDERS PROVIDING SERVICES TO SPECIFIED S CORPORATIONS.—

“(A) IN GENERAL.—In the case of an applicable shareholder who provides substantial services with respect to a professional service business referred to in subparagraph (C) of a specified S corporation—

“(i) such shareholder shall be treated as engaged in the trade or business of such professional service business with respect to items of income or loss described in section 1366 which are attributable to such business, and

“(ii) such shareholder’s net earnings from self-employment shall include such shareholder’s pro rata share of such items of income or loss, except that in computing such pro rata share of such items the exceptions provided in subsection (a) shall apply.

“(B) TREATMENT OF FAMILY MEMBERS.—Except as otherwise provided by the Secretary, the applicable shareholder’s pro rata share of items referred to in subparagraph (A) shall be increased by the pro rata share of such items of each member of such applicable shareholder’s family (within the meaning of section 318(a)(1)) who does not provide substantial services with respect to such professional service business.

“(C) SPECIFIED S CORPORATION.—For purposes of this subsection, the term ‘specified S corporation’ means—

“(i) any S corporation which is a partner in a partnership which is engaged in a professional service business if substantially all of the activities of such S corporation are performed in connection with such partnership, and

“(ii) any other S corporation which is engaged in a professional service business if 75 percent or more of the gross income of such business is attributable to service of 3 or fewer shareholders of such corporation.

“(D) APPLICABLE SHAREHOLDER.—For purposes of this paragraph, the term ‘applicable shareholder’ means any shareholder whose modified adjusted gross income for the taxable year exceeds—

“(i) in the case of a shareholder making a joint return under section 6013 or a surviving spouse (as defined in section 2(a)), \$250,000,

“(ii) in the case of a married shareholder (as defined in section 7703) filing a separate return, half of the dollar amount determined under clause (i), and

“(iii) in any other case, \$200,000.

“(2) PARTNERS.—

“(A) IN GENERAL.—In the case of any partnership which is engaged in a professional service business, subsection (a)(13) shall not apply to any applicable partner who provides substantial services with respect to such professional service business.

“(B) APPLICABLE PARTNER.—For purposes of this paragraph, the term ‘applicable partner’ means any partner whose modified adjusted gross income for the taxable year exceeds—

“(i) in the case of a partner making a joint return under section 6013 or a surviving spouse (as defined in section 2(a)), \$250,000,

“(ii) in the case of a married partner (as defined in section 7703) filing a separate return, half of the dollar amount determined under clause (i), and

“(iii) in any other case, \$200,000.

“(3) PROFESSIONAL SERVICE BUSINESS.—For purposes of this subsection, the term ‘profes-

sional service business’ means any trade or business (or portion thereof) providing services in the fields of health, law, lobbying, engineering, architecture, accounting, actuarial science, performing arts, consulting, athletics, investment advice or management, or brokerage services.

“(4) MODIFIED ADJUSTED GROSS INCOME.—For purposes of this subsection, the term ‘modified adjusted gross income’ means adjusted gross income—

“(A) determined without regard to any deduction allowed under section 164(f), and

“(B) increased by the amount excluded from gross income under section 911(a)(1).

“(5) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this subsection, including regulations which prevent the avoidance of the purposes of this subsection through tiered entities or otherwise.

“(6) CROSS REFERENCE.—For employment tax treatment of wages paid to shareholders of S corporations, see subtitle C.”

(b) CONFORMING AMENDMENT.—Section 211 of the Social Security Act is amended by adding at the end the following new subsection:

“(1) SPECIAL RULES FOR PROFESSIONAL SERVICE BUSINESSES.—

“(1) SHAREHOLDERS PROVIDING SERVICES TO SPECIFIED S CORPORATIONS.—

“(A) IN GENERAL.—In the case of an applicable shareholder who provides substantial services with respect to a professional service business referred to in subparagraph (C) of a specified S corporation—

“(i) such shareholder shall be treated as engaged in the trade or business of such professional service business with respect to items of income or loss described in section 1366 of the Internal Revenue Code of 1986 which are attributable to such business, and

“(ii) such shareholder’s net earnings from self-employment shall include such shareholder’s pro rata share of such items of income or loss, except that in computing such pro rata share of such items the exceptions provided in subsection (a) shall apply.

“(B) TREATMENT OF FAMILY MEMBERS.—Except as otherwise provided by the Secretary of the Treasury, the applicable shareholder’s pro rata share of items referred to in subparagraph (A) shall be increased by the pro rata share of such items of each member of such applicable shareholder’s family (within the meaning of section 318(a)(1) of the Internal Revenue Code of 1986) who does not provide substantial services with respect to such professional service business.

“(C) SPECIFIED S CORPORATION.—For purposes of this subsection, the term ‘specified S corporation’ means—

“(i) any S corporation (as defined in section 1361(a) of the Internal Revenue Code of 1986) which is a partner in a partnership which is engaged in a professional service business if substantially all of the activities of such S corporation are performed in connection with such partnership, and

“(ii) any other S corporation (as so defined) which is engaged in a professional service business if 75 percent or more of the gross income of such business is attributable to service of 3 or fewer shareholders of such corporation.

“(D) APPLICABLE SHAREHOLDER.—For purposes of this paragraph, the term ‘applicable shareholder’ means any shareholder whose modified adjusted gross income for the taxable year exceeds—

“(i) in the case of a shareholder making a joint return under section 6013 of the Inter-

nal Revenue Code of 1986 or a surviving spouse (as defined in section 2(a) of such Code), \$250,000,

“(ii) in the case of a married shareholder (as defined in section 7703 of such Code) filing a separate return, half of the dollar amount determined under clause (i), and

“(iii) in any other case, \$200,000.

“(2) PARTNERS.—

“(A) IN GENERAL.—In the case of any partnership which is engaged in a professional service business, subsection (a)(12) shall not apply to any applicable partner who provides substantial services with respect to such professional service business.

“(B) APPLICABLE PARTNER.—For purposes of this paragraph, the term ‘applicable partner’ means any partner whose modified adjusted gross income for the taxable year exceeds—

“(i) in the case of a partner making a joint return under section 6013 of the Internal Revenue Code of 1986 or a surviving spouse (as defined in section 2(a) of such Code), \$250,000,

“(ii) in the case of a married partner (as defined in section 7703 of such Code) filing a separate return, half of the dollar amount determined under clause (i), and

“(iii) in any other case, \$200,000.

“(3) PROFESSIONAL SERVICE BUSINESS.—For purposes of this subsection, the term ‘professional service business’ means any trade or business (or portion thereof) providing services in the fields of health, law, lobbying, engineering, architecture, accounting, actuarial science, performing arts, consulting, athletics, investment advice or management, or brokerage services.

“(4) MODIFIED ADJUSTED GROSS INCOME.—For purposes of this subsection, the term ‘modified adjusted gross income’ means adjusted gross income as determined under section 62 of the Internal Revenue Code of 1986—

“(A) determined without regard to any deduction allowed under section 164(f) of such Code, and

“(B) increased by the amount excluded from gross income under section 911(a)(1) of such Code.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 4. COMPLIANCE PROVISION.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 432—DESIGNATING APRIL 30, 2012, AS “DIA DE LOS NIÑOS: CELEBRATING YOUNG AMERICANS”

Mr. MENENDEZ (for himself, Mr. REID, Mr. CRAPO, Mr. DURBIN, Mr. CASEY, and Mr. LAUTENBERG) submitted the following resolution; which was considered and agreed to:

S. RES. 432

Whereas many nations throughout the world, and especially within the Western hemisphere, celebrate “Dia de los Niños”, or “Day of the Children”, on the 30th of April,

in recognition and celebration of their country's future—their children;

Whereas children represent the hopes and dreams of the people of the United States and children are the center of families in the United States;

Whereas the people of the United States should nurture and invest in children to preserve and enhance economic prosperity, democracy, and the American spirit;

Whereas according to the 2010 Census report, there are more than 50,000,000 individuals of Hispanic descent living in the United States, more than 17,000,000 of those are children;

Whereas Hispanics in the United States, the youngest and fastest growing ethnic community in the Nation, continue the tradition of honoring their children on Día de los Niños, and wish to share this custom with the rest of the Nation;

Whereas the primary teachers of family values, morality, and culture are parents and family members, and we rely on children to pass on family values, morals, and culture to future generations;

Whereas the importance of literacy and education are most often communicated to children through family members;

Whereas families should be encouraged to engage in family and community activities that include extended and elderly family members, and that encourage children to explore and develop confidence;

Whereas the designation of a day to honor the children of the United States will help affirm for the people of the United States the significance of family, education, and community;

Whereas the designation of a day of special recognition for the children of the United States will provide an opportunity for children to reflect on their future, to articulate their aspirations, and to find comfort and security in the support of their family members and communities;

Whereas the National Latino Children's Institute, serving as a voice for children, has worked with cities throughout the Nation to declare April 30, 2012, to be "Día de los Niños: Celebrating Young Americans", a day to bring together Hispanics and other communities nationwide to celebrate and uplift children; and

Whereas the children of a nation are the responsibility of all of its people, and people should be encouraged to celebrate the gifts of children to society: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 30, 2012, as "Día de los Niños: Celebrating Young Americans"; and

(2) calls on the people of the United States to join with all children, families, organizations, communities, churches, cities, and States across the Nation to observe the day with appropriate ceremonies, including activities that—

(A) center around children, and are free or minimal in cost so as to encourage and facilitate the participation of all people;

(B) are positive and uplifting, and help children express their hopes and dreams;

(C) provide opportunities for children of all backgrounds to learn about one another's cultures and to share ideas;

(D) include all members of the family, especially extended and elderly family members, so as to promote greater communication among the generations within a family, enabling children to appreciate and benefit from the experiences and wisdom of their elderly family members;

(E) provide opportunities for families within a community to get acquainted; and

(F) provide children with the support they need to develop skills and confidence, and to find the inner strength and the will and fire of the human spirit to make their dreams come true.

SENATE RESOLUTION 433—DESIGNATING APRIL 2012 AS "NATIONAL CHILD ABUSE PREVENTION MONTH"

Ms. COLLINS (for herself and Mr. KERRY) submitted the following resolution; which was considered and agreed to:

S. RES. 433

Whereas in 2010, approximately 695,000 children were determined to be victims of abuse or neglect;

Whereas in 2010, more than 1,530 children died as a result of abuse or neglect;

Whereas in 2010, an estimated 79.4 percent of the children who died due to abuse or neglect were under the age of 4;

Whereas in 2010, of the children under the age of 4 who died due to abuse or neglect, 47.7 percent were under the age of 1;

Whereas abused or neglected children have a higher risk for developing health problems in adulthood, including alcoholism, depression, drug abuse, eating disorders, obesity, suicide, and certain chronic diseases;

Whereas a National Institute of Justice study indicated that abused or neglected children—

(1) are 11 times more likely to be arrested for criminal behavior as juveniles; and

(2) are 2.7 times more likely to be arrested for violent and criminal behavior as adults;

Whereas an estimated one-third of abused or neglected children grow up to abuse or neglect their own children;

Whereas providing community-based services to families impacted by child abuse or neglect may be far less costly than—

(1) the emotional and physical damage inflicted on children who have been abused or neglected;

(2) providing other services to abused or neglected children, including child protective, law enforcement, court, foster care, or health care services; or

(3) providing treatment to adults recovering from child abuse; and

Whereas child abuse and neglect have long-term economic and societal costs: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2012 as "National Child Abuse Prevention Month";

(2) recognizes and applauds the national and community organizations that work to promote awareness about child abuse and neglect, including by identifying risk factors and developing prevention strategies;

(3) supports the proclamation issued by President Obama declaring April 2012 to be "National Child Abuse Prevention Month"; and

(4) should increase public awareness of prevention programs relating to child abuse and neglect, and continue to work with States to reduce the incidence of child abuse and neglect in the United States.

SENATE RESOLUTION 434—SUPPORTING THE GOAL OF PREVENTING AND EFFECTIVELY TREATING ALZHEIMER'S DISEASE BY THE YEAR 2025, AS ARTICULATED IN THE DRAFT NATIONAL PLAN TO ADDRESS ALZHEIMER'S DISEASE FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

Mr. WARNER (for himself, Ms. COLLINS, Mr. SANDERS, Ms. STABENOW, Mr. MENENDEZ, Ms. MIKULSKI, Mr. CASEY, Mrs. GILLIBRAND, and Mr. CONRAD) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 434

Whereas Alzheimer's disease is the sixth leading cause of death in the United States;

Whereas Alzheimer's disease is the only disease among the 10 leading causes of death in the United States that lacks a means of prevention or a cure, and the progression of which cannot be slowed;

Whereas more than 5,000,000 people in the United States suffer from Alzheimer's disease;

Whereas, in 2011, 15,200,000 family members and friends provided 17,400,000,000 hours of unpaid care valued at \$210,500,000,000 to patients with Alzheimer's disease and other dementias;

Whereas, by the year 2050, as many as 15,000,000 people in the United States will have Alzheimer's disease if scientists do not make progress in the prevention or treatment of the disease;

Whereas the Federal Government spent an estimated \$140,000,000,000 under the Medicare and Medicaid programs to care for patients with Alzheimer's disease in 2011;

Whereas spending relating to the treatment of Alzheimer's disease under the Medicare and Medicaid programs is projected to be more than \$850,000,000,000 per year, in 2012 dollars, by the year 2050;

Whereas scientists working to find a cure for Alzheimer's disease have already identified—

(1) more than 100 genes linked to Alzheimer's disease;

(2) biomarkers to identify the people who are at risk for Alzheimer's disease; and

(3) other promising leads in gene, protein, and drug therapies to benefit people who have Alzheimer's disease or are at risk for developing the disease;

Whereas an emphasis on early diagnosis, workforce training, education, and support for patients and the families of patients, as well as other programs and initiatives spearheaded by State and local governments, advocacy organizations, doctors, hospitals, and long-term care facilities, are already making a difference in reducing the burden of Alzheimer's disease for patients, families, and communities;

Whereas the National Alzheimer's Project Act (Public Law 111-375; 124 Stat. 4100), which Congress passed unanimously on December 15, 2010 and President Barack Obama signed into law on January 4, 2011, required the Secretary of Health and Human Services to create the first National Plan to Address Alzheimer's Disease, and established the Advisory Council on Alzheimer's Research, Care, and Services to assist the Secretary of Health and Human Services in this task;

Whereas, shortly after the National Alzheimer's Project Act was enacted, the Department of Health and Human Services created the Interagency Group on Alzheimer's Disease and Related Dementias to inform the National Plan to Address Alzheimer's Disease;

Whereas, in formulating the draft National Plan to Address Alzheimer's Disease, the Department of Health and Human Services, the Interagency Group on Alzheimer's Disease and Related Dementias, and the Advisory Council on Alzheimer's Research, Care, and Services focused on 3 main topics, long-term services and support, clinical care, and research; and

Whereas the draft National Plan to Address Alzheimer's Disease includes—

(1) the bold and transformative goal of preventing and treating Alzheimer's disease by the year 2025; and

(2) specific performance metrics to optimize the quality and efficiency of care, expand support for patients and families, enhance public awareness and engagement, track progress, and drive improvement: Now, therefore, be it

Resolved by the Senate That the Senate—

(1) supports the groundbreaking national goal of preventing and treating Alzheimer's disease by the year 2025 and the other goals of the draft National Plan to Address Alzheimer's Disease;

(2) finds that basic science, medical research, and therapy development, through enhanced research programs and expanded public-private partnerships, are necessary for—

(A) reaching the goal of preventing and treating Alzheimer's disease by the year 2025; and

(B) identifying a definitive cure for Alzheimer's disease;

(3) calls for further public awareness and understanding of Alzheimer's disease;

(4) supports increased assistance for people with Alzheimer's disease and the caregivers and families of those people; and

(5) encourages early diagnosis and access to high-quality care for people with Alzheimer's disease.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 24, 2012, at 10 a.m. to conduct a committee hearing entitled "The Collapse of MF Global: Lessons Learned and Policy Implications."

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, April 24, 2012, at 10 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "The Emergence of Online Video: Is It the Future?"

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

COMMITTEE ON FINANCE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 24, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Anatomy of a Fraud Bust: From Investigation to Conviction."

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

AFRICAN AFFAIRS SUBCOMMITTEE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 24, 2012, at 10 a.m., to hold an African Affairs subcommittee hearing entitled, "U.S. Policy to Counter the Lord's Resistance Army."

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

SUBCOMMITTEE ON IMMIGRATION, REFUGEES, AND BORDER SECURITY

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration, Refugees, and Border Security, be authorized to meet during the session of the Senate on April 24, 2012, at 10 a.m., in room SD G-50 of the Dirksen Senate Office Building, to conduct a hearing entitled "Examining the Constitutionality and Prudence of State and Local Governments Enforcing Immigration Law."

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

SUBCOMMITTEE ON WATER AND WILDLIFE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Subcommittee on Water and Wildlife of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 24, 2012, at 10:15 a.m. in room SD-406 of the Dirksen Senate Office Building.

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

PRIVILEGE OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Paul Edenfield a member of my staff, be granted floor privileges for the duration of today's session.

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

DIA DE LOS NIÑOS: CELEBRATING YOUNG AMERICANS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 432.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 432) designating April 30, 2012, as "Día de los Niños: Celebrating Young Americans."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 432) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 432

Whereas many nations throughout the world, and especially within the Western hemisphere, celebrate "Día de los Niños", or "Day of the Children", on the 30th of April, in recognition and celebration of their country's future—their children;

Whereas children represent the hopes and dreams of the people of the United States and children are the center of families in the United States;

Whereas the people of the United States should nurture and invest in children to preserve and enhance economic prosperity, democracy, and the American spirit;

Whereas according to the 2010 Census report, there are more than 50,000,000 individuals of Hispanic descent living in the United States, more than 17,000,000 of those are children;

Whereas Hispanics in the United States, the youngest and fastest growing ethnic community in the Nation, continue the tradition of honoring their children on Día de los Niños, and wish to share this custom with the rest of the Nation;

Whereas the primary teachers of family values, morality, and culture are parents and family members, and we rely on children to pass on family values, morals, and culture to future generations;

Whereas the importance of literacy and education are most often communicated to children through family members;

Whereas families should be encouraged to engage in family and community activities that include extended and elderly family members, and that encourage children to explore and develop confidence;

Whereas the designation of a day to honor the children of the United States will help affirm for the people of the United States the significance of family, education, and community;

Whereas the designation of a day of special recognition for the children of the United States will provide an opportunity for children to reflect on their future, to articulate their aspirations, and to find comfort and security in the support of their family members and communities;

Whereas the National Latino Children's Institute, serving as a voice for children, has worked with cities throughout the Nation to declare April 30, 2012, to be "Día de los Niños: Celebrating Young Americans", a day to bring together Hispanics and other communities nationwide to celebrate and uplift children; and

Whereas the children of a nation are the responsibility of all of its people, and people

should be encouraged to celebrate the gifts of children to society: Now, therefore, be it Resolved, That the Senate—

(1) designates April 30, 2012, as “Día de los Niños: Celebrating Young Americans”; and
(2) calls on the people of the United States to join with all children, families, organizations, communities, churches, cities, and States across the Nation to observe the day with appropriate ceremonies, including activities that—

(A) center around children, and are free or minimal in cost so as to encourage and facilitate the participation of all people;

(B) are positive and uplifting, and help children express their hopes and dreams;

(C) provide opportunities for children of all backgrounds to learn about one another’s cultures and to share ideas;

(D) include all members of the family, especially extended and elderly family members, so as to promote greater communication among the generations within a family, enabling children to appreciate and benefit from the experiences and wisdom of their elderly family members;

(E) provide opportunities for families within a community to get acquainted; and

(F) provide children with the support they need to develop skills and confidence, and to find the inner strength and the will and fire of the human spirit to make their dreams come true.

NATIONAL CHILD ABUSE PREVENTION MONTH

Mr. REID. I ask unanimous consent that we now proceed to S. Res. 433.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 433) designating April 2012 as “National Child Abuse Prevention Month.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 433) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 433

Whereas in 2010, approximately 695,000 children were determined to be victims of abuse or neglect;

Whereas in 2010, more than 1,530 children died as a result of abuse or neglect;

Whereas in 2010, an estimated 79.4 percent of the children who died due to abuse or neglect were under the age of 4;

Whereas in 2010, of the children under the age of 4 who died due to abuse or neglect, 47.7 percent were under the age of 1;

Whereas abused or neglected children have a higher risk for developing health problems in adulthood, including alcoholism, depression, drug abuse, eating disorders, obesity, suicide, and certain chronic diseases;

Whereas a National Institute of Justice study indicated that abused or neglected children—

(1) are 11 times more likely to be arrested for criminal behavior as juveniles; and

(2) are 2.7 times more likely to be arrested for violent and criminal behavior as adults;

Whereas an estimated one-third of abused or neglected children grow up to abuse or neglect their own children;

Whereas providing community-based services to families impacted by child abuse or neglect may be far less costly than—

(1) the emotional and physical damage inflicted on children who have been abused or neglected;

(2) providing other services to abused or neglected children, including child protective, law enforcement, court, foster care, or health care services; or

(3) providing treatment to adults recovering from child abuse; and

Whereas child abuse and neglect have long-term economic and societal costs: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2012 as “National Child Abuse Prevention Month”;

(2) recognizes and applauds the national and community organizations that work to promote awareness about child abuse and neglect, including by identifying risk factors and developing prevention strategies;

(3) supports the proclamation issued by President Obama declaring April 2012 to be “National Child Abuse Prevention Month”; and

(4) should increase public awareness of prevention programs relating to child abuse and neglect, and continue to work with States to reduce the incidence of child abuse and neglect in the United States.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Section 5 of Title I of Division H of Public Law 110–161, appoints the following Senator as Vice Chairman of the U.S.-Japan Interparliamentary Group conference for the 112th Congress: The Honorable LISA MURKOWSKI of Alaska.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MEASURES PLACED ON THE CALENDAR—S. 2343, S. 2344 AND S. 2338

Mr. REID. Mr. President, I ask unanimous consent that S. 2343 and S. 2344, both of which were introduced earlier today, and S. 2338 be considered as having been read twice and placed on the calendar under the provisions of rule XIV.

The PRESIDING OFFICER. Without objection, it is so ordered. The bills will be placed on the calendar.

ORDERS

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Wednesday, April 25, at 9:30 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate resume consideration of the motion to proceed to S. 1925, the Violence Against Women Reauthorization Act; and that following the remarks of the two leaders, the time until 2 p.m. be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the final 30 minutes; further, that the Republicans control the time from 11:30 a.m. until 12:30 p.m. and the majority control time from 12:30 p.m. to 1:30 p.m., and that at 2 p.m. the Senate resume consideration of S. 1789, the postal reform bill.

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

PROGRAM

Mr. REID. Mr. President, beginning at 2 p.m. tomorrow there will be probably seven or eight, maybe nine roll-call votes in order to complete the postal reform bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Wednesday, April 25, 2012, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, April 24, 2012

The House met at noon and was called to order by the Speaker pro tempore (Mr. CULBERSON).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

April 24, 2012.

I hereby appoint the Honorable JOHN ABNEY CULBERSON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

MEL WORTMAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. DICKS) for 5 minutes.

Mr. DICKS. Mr. Speaker, I rise today to note the passing of a constituent and friend of mine who was a true friend and one of the great leaders of the city of Bremerton, Washington.

Mel Wortman died last month at the age of 91, and he was remembered this past weekend at a service in Bremerton by his family and friends for his wit and for his many enduring personal relationships he developed over decades of working at the Puget Sound Naval Shipyard in Bremerton, and during the years of service to many organizations in our community.

I knew Mel for most of my life. He was a graduate of my mother's high school, and he always joked that he never would have graduated if she hadn't helped him through math class. He was also a great friend of my father, and they were often enjoying their favorite past time, fishing for trout out on Kitsap Lake. In fact, they had a secret formula that I was hoping Mel would have passed on to me.

Mel served in the Navy in World War II before taking a job at the Puget

Sound Naval Shipyard, eventually rising to be superintendent of Shop 31, which was the machine shop.

Mel's personal advice to me ranged from pointers he gave me when I played sports with his sons, Dave and Gary, to the suggestions he offered when I was running for Congress, and later, as a member of the Defense Appropriation Subcommittee, on important things we could do to make the shipyard in Bremerton function better.

Mr. Speaker, Mel Wortman was one of the remaining members of this Greatest Generation of Americans who selflessly served in World War II and then returned home to raise families and pursue their careers without asking for thanks.

I think it is appropriate once again for us in the House of Representatives to express our thanks to those great Americans as we note the passing of one of their finest, Mel Wortman.

I submit for the RECORD Mel Wortman's obituary as it was published in the Kitsap Sun, noting his wife Jane and the many members of his family who have lost a great patriarch.

OBITUARY PUBLISHED IN THE KITSAP SUN,
BREMERTON, WASHINGTON

Melvin David Wortman
July 4, 1920 to March 19, 2012

Veteran

Mel Wortman died at his home on March 19, 2012 surrounded by his family. Mel did a stint in the Navy during World War II and was a longtime resident who retired from PSNS after working his way up to Superintendent of Shop 31. Well known in Kitsap County, Mel was said to be the go-to-guy in Democratic politics and he headed up numerous political campaigns. Mel had a passion for sports and we're just sure he and son Gary are shooting some hoops in heaven. Mel was a Washington State Park Commissioner for 12 years and prided himself on visiting all of the parks in his beloved state.

Mel loved to share details of his family with anyone who would listen. Jane, his patient and loving wife listened to his stories and jokes for the past 72 years and continues to make her home in Bremerton. The Wortman's oldest son, Dave lives in Coeur D'Alene, Idaho with his wife Chrissy. Son Gary, who was an NBA Scout, is deceased.

Their daughter, Janna and her husband Bob reside in Arizona, while their other son Steve and his wife Cindy live in Tacoma.

Mel was proud of his 11 Grandchildren and 16 'Greats' who filled his life with tremendous joy in his later years. A memorial service will be held for Mel at the Bremerton Elks Lodge on April 22 at 1:00 p.m.

Born on July 4, Mel lived a life dedicated to being a great American, he made a difference in the lives of all who knew him. In lieu of flowers, Jane requests that donations be made to Hospice of Kitsap County at 570 Lebo Blvd. Bremerton, WA 98310.

TAXMAGEDDON, JANUARY 1, 2013

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

Mr. STEARNS. Mr. Speaker, last week, April 17, was Tax Day, when all hardworking Americans must file their taxes with the Internal Revenue Service. Ironically enough, April 17 was also Tax Freedom Day, the day when Americans earn just about enough earned income to pay off the tax bill for all Federal, State, and local taxes. The first 111 days of the year, everything you and I, and all Americans earn went to fund the United States Federal Government, the same government that wasted \$800,000 on a GSA conference with mind readers, commemorative coins, and bike building exercises, and the same government that thought giving half a billion dollars to Solyndra was a good idea.

In 1900, Americans paid about 5.9 percent of their income in taxes, and Tax Freedom Day came about 22 days into the year. It is a far cry, my colleagues, from what we have to endure in taxes today.

If you think 111 days to reach Tax Freedom Day is excessive, just wait till next year. We are on the cusp of a tax Armageddon. I like to call it a Taxmageddon. It's scheduled to hit on January 1, 2013. It will be the largest tax increase in memory, possibly ever, a \$494 billion tax increase in 1 year.

When we talk about taxes, we usually project the increase or decrease in revenue over a 10-year budget horizon. But this \$494 billion tax increase isn't over a 10-year budget window; it is an immediate massive tax increase in 1 year.

Where do these tax increases come from? There are a number of tax provisions that are set to expire at the end of this year. Unless action is taken to extend these provisions or make them permanent, it will lead to an unheard of tax increase in January.

About one-third of the tax increases will come from the expiration of the Bush tax cuts from 2001 and 2003. These tax cuts reduced the marginal rates for all Americans and expanded the child tax credit, reduced the marriage penalty, and increased the tax breaks for education costs. The majority of the tax benefits in these tax cuts were targeted towards the middle and lower income tax folks.

About a quarter of the tax increases will come from the expiration of temporary payroll tax cuts that were created just 2 years ago.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Another quarter of the tax increases will come from the expiration of the alternative minimum tax. With all of this talk about creating the Buffett rule, the President seems to forget that we already have the Buffett rule in the AMT. The AMT was created in 1969 to ensure that 155 high-income households paying zero Federal income taxes would pay income taxes. Unfortunately, it was never indexed to inflation. So more and more Americans become entangled in the AMT, and today the AMT threatens to hit most Americans in the middle class and is regularly patched to protect taxpayers, but never repealed. Unless it is dealt with, it will impact millions of middle class taxpayers.

In 2013, we get a brand new tax, courtesy of ObamaCare. There will be a 3.8 percent tax on wages and salaries over \$250,000 and investment income over that same amount. While this seems like it won't affect most people, this tax can apply to unearned income, like capital gains from selling your home, which will affect middle class families when they sell property. Like the AMT tax penalty, this tax is not indexed to inflation, which means that more and more Americans will be affected by this tax over time.

We'll also see the return of the Death Tax to its pre-Bush levels, when the maximum rate can be 55 percent of your estate. I believe there should be no taxation without respiration; that is, you have to be breathing. It is wrong to tax a business or a family farm when it's transferred from parent to child. This tax has hurt family farms and family businesses where children have been forced to sell the business or farm because they could not afford to pay the Death Tax.

Federal Reserve Chairman Ben Bernanke has referred to all these expiring tax provisions as a "massive fiscal cliff."

When we talk about taxes, we usually project the increases over 10 years, but this is going to be immediate in the year 2013, January 1.

There has been a failure of leadership from the White House. The President's budget is full of election-year gimmicks and unwillingness to try to address the upcoming Taxmageddon. Instead, the President doubles-down on his election year rhetoric, he doesn't address expiring taxes, and instead proposes a slew of new taxes on American companies.

You do not raise taxes during a recession. Raising taxes will halt what little economic growth we had over the last 3 years and return us to the days of double-digit unemployment.

SAN JACINTO DAY

The SPEAKER pro tempore (Mr. WOMACK). The Chair recognizes the gentleman from Texas (Mr. GENE GREEN) for 5 minutes.

Mr. GENE GREEN of Texas. Mr. Speaker, today I rise to commemorate the 176th anniversary of the Battle of San Jacinto. Last Saturday, the State of Texas celebrated April 21, 1836, when Texas forces led by General Sam Houston dealt a decisive blow to General Antonio Lopez de Santa Anna.

Several weeks after the signing of the Texas Declaration of Independence in March 1836, roughly 900 members of the Texas Army overpowered a much larger Mexican Army in a surprise attack.

Texas soldiers ran and shouted, "Remember the Alamo" and "Remember Goliad." Some 700 Mexican soldiers were killed and 730 captured, while only 9 Texans died. General Santa Anna was captured the following day. He signed the peace treaties that ordered the Mexican Army to leave Texas, paving the way for the Republic of Texas to become an independent country and later a State in our great country.

The battle was memorialized along Buffalo Bayou and San Jacinto River with the San Jacinto Monument in east Harris County. It is in our congressional district.

God bless Texas and God bless the United States of America.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CULBERSON) at 2 p.m.

PRAYER

Reverend Joel Osteen, Lakewood Church, Houston, Texas, offered the following prayer:

Father, we thank You that You show Your goodness and Your favor to the United States of America and to those who govern it. We ask that You bless this House of Representatives and each Member who serves in it. Help these lawmakers to search their hearts so that they may serve with dignity and honor and that through them our Nation will achieve the destiny that You have set before us. Give them wisdom as they make good decisions, courage that they will hold fast to Your truth, and compassion that all should prosper from their laws.

We receive Your presence here today. Father, we pray that these lawmakers will remain mindful of You and that

they will honor You in everything they do here.

In Jesus' name we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from the Northern Mariana Islands (Mr. SABLAN) come forward and lead the House in the Pledge of Allegiance.

Mr. SABLAN led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND JOEL OSTEEEN

The SPEAKER pro tempore. Without objection, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 1 minute.

There was no objection.

Ms. JACKSON LEE of Texas. Mr. Speaker, it gives me a great amount of privilege today to welcome two humble spirits in Pastor Joel Osteen and Co-Pastor Victoria Osteen, and to recognize their entire family and their delightful children, Alexandra and Jonathan. Two humble spirits.

As was reflected in his prayer, Joel Osteen has taught us to embrace God's grace and mercy, and for those who will listen, to stand in the sunlight of joy as one looks toward the hopefulness of the future.

I am delighted that Lakewood started in a feedstock store in the 18th Congressional District. The story is told that there were spiders and a lot of dust, organized by his wonderful father, John Osteen, and his mother, Dodie Osteen, two who loved each other dearly but really loved the Lord.

Out of that wonderful union came five children. And out of that wonderment, as John Osteen preached for over 40 years, as the love of his wife, Dodie Osteen, provided a comfort at his side, they built a wonderful church called the Oasis of Love.

But John was taken from us suddenly in 1999. A young man by the name of Joel was at school. But, knowing how much he loved his family, he came home, just happening, a month or so ago or a few years before, working with his father's ministry, and gave a sermon for the first time one week before his father died. Maybe it was the father telling the son that now it is your time.

As we look to the future, Pastor Joel Osteen, who has published many books, continues to be a humble spirit, is known to have the largest and most growing church in American history and, as well, continues with a humble spirit. His phrase that “Our God is a good God who desires to bless those who are obedient and faithful to him” is one that we’re reminded of. He continues to ensure that those who are in need have a sense of inspiration and hope, and he continues to preach this word around the world.

He asks for all of us, and he asks for America and the world, to become all that God created you to be, and continues to emphasize that we are better than we think. As he was the product of John and Dodie Osteen, he is now, along with his wife and along with his mother, continuing to shine a light.

We’re delighted to have him today because we need a light in America. As he reaches those who are seeking light, we ask Pastor Joel Osteen, in his books, in his message, to continue to bless us. He is, in fact, someone who warmly says: America is a great country, but we’re better when we work together.

Thank you, Pastor Osteen, for keeping the dream alive, that of your father and mother, of a church that was started in 1959. Thank you as well for opening the doors of your church to everyone that would come. But more importantly, every background, race, color, or creed is welcome in those pews, now some 16,000. And that was a former basketball stadium, or arena, but yet now people come and worship.

I’m delighted to host Pastor Joel Osteen and his co-pastor, his wife, Victoria Osteen, for what they are doing not only for their church and their members, but really what they’re doing for harmony and the spirit of America.

Mr. Speaker, I rise today to acknowledge the achievements of a native Houstonian Joel Osteen, his wife of 21 years Victoria Osteen, as well as, Joel’s parents John and Dodie Osteen. Their Church Lakewood was established in 1959 in my district the 18th Congressional District in Houston, Texas.

Joel was born in Houston on March 5, 1965 and has become an internationally known televangelist, theologian, speaker and writer.

He was born into a family dedicated to serving their community. In 1959, six years before his birth, Joel’s parents, John and Dodie Osteen, founded the Lakewood Church in Houston, Texas. Joel bore witness to his parents’ commitment to the church and the community that they served.

Joel has married a woman who shares his level of commitment. His wife Victoria is also his co-pastor and together they have two children Alexandra and Jonathan.

John Osteen was not only a founder but also the Pastor of Lakewood Church and as the years progressed he along with Dodie was able to develop a loyal local following. John was a prolific writer and authored 45 books and his wife, Dodie joined him in his passion

for writing. She also published a book which described her battle with metastatic cancer of the liver. Dodie’s survival was a miracle and a blessing for all who heard her story.

Joel, who has always been strongly committed to his family, left for university; however, he returned home early and continued to help his family with the church. Joel had found his calling in life, and gave his first sermon one week before his father’s death. That moment set his future destiny—he was called to pastor Lakewood Church.

Before that, Joel believed the next step for the church was television and he worked without ceasing behind cameras and as a producer of the church’s broadcasts. Young Joel had a vision and the Osteens, as a family, worked towards that vision to bring their church into the homes of millions of people around the world as a conduit to deliver the word of the Lord.

In 1999, Joel reached his 34th birthday and in that year he along with his family had already celebrated many successes. Sadly, they also had to come together that year to mourn the loss of their patriarch, John Osteen, who died of a heart attack.

At the time of his father’s death, Joel had to decide what to do next. He had spent his life dedicated to supporting the mission of the Lakewood Church. He could have chosen a different path in life but had remained steadfast in working with the congregation for so long.

Instead of leaving the church upon his father’s death, Joel decided to pick up the torch lit by his parents and stepped into his father’s shoes as Pastor of Lakewood Church. The rest is history.

Within the space of 9 years, Joel has transformed the Church and left his mark on history. According to reports, Lakewood Church under Joel Osteen’s leadership has become America’s largest and fastest growing church. The Osteen family has lived their vision; they are indeed being seen in millions of homes around the world.

Currently Joel’s services can be seen in nearly 100 countries. Lakewood Church is nondenominational—there are no crosses or other visual representations of Jesus—instead, the focus is on the message as delivered by Joel and his co-pastors. He wants to teach people on the redemption of Jesus Christ.

Joel has been preaching to millions of people around the world. He has a strong message of unity and encourages diversity and acceptance. Joel is arguably the most popular preacher in the country. Lakewood Church is the largest congregation in the United States, averaging more than 43,500 in attendance per week. The congregation in Houston meets in a 16,000-seat former sports arena.

On any given Sunday over 7 million people watch his services. And his ability to embrace technology has allowed even more viewers to witness his services. Currently the church has 48 million podcasts with over 1 million people downloading their podcasts every week.

I commend Joel Osteen, his wife Victoria, his family and his Lakewood Church team ministry who have worked together to put forward a message that has engaged the hearts and minds of millions.

JOEL’S STORY

Joel Osteen is currently in negotiations with a major network to anchor a primetime reality series based on the inspirational themes of his Sunday sermons. The show will originate from Lakewood Church and tell the stories of ordinary people meeting extraordinary challenges.

Joel Osteen is a native Houstonian and the Pastor of Lakewood Church, which according to Church Growth Today is America’s largest and fastest growing church.

On July 16, 2005 after completing \$95 million in renovations, Joel moved Lakewood Church into its new 16,000-seat home—the former Compaq Center. It is the largest regularly-used worship center in the United States.

Each week Joel delivers God’s message of hope and encouragement to more than 38,000 attendees.

According to Nielsen Media Research, Joel is the most watched inspirational figure in America.

His weekly sermon is broadcast into every U.S. television market where it is viewed by 7 million Americans each week and more than 20 million each month. His weekly broadcast is also seen in almost 100 nations around the world.

In 2004, his first book, *Your Best Life Now*, was released by Time Warner debuting at the top of the New York Times Bestsellers List and quickly rising to #1. It remained on the New York Times Bestsellers List for more than 2 years and has sold more than 4 million copies.

Joel was named as one of Barbara Walters’ “10 Most Fascinating People of 2006” and he was selected as the “Most Influential Christian in 2006” by the readers of *Church Report Magazine*.

PREPARED FOR GOD’S CALLING

Joel, the son of John Osteen, a highly respected minister of the Gospel and the founder of Lakewood Church, attended Oral Roberts University in Tulsa, Oklahoma, where he studied radio and television communications.

In 1982, Joel returned to Houston and founded Lakewood’s television ministry where he produced John Osteen’s televised sermons for 17 years until January 1999 when his father passed away suddenly from a heart attack.

For many years, John Osteen encouraged Joel to preach, but he always declined preferring to work behind the scenes. But, in early 1999 Joel felt compelled to accept his father’s invitation and he preached his first sermon on January 17th of that year. Little did anyone know that would be the last Sunday of John Osteen’s life. Two weeks later, Joel began preaching and later that year was installed as the new Senior Pastor of Lakewood Church.

A NEW VISION FOR THE NEW MILLENNIUM

Almost immediately, weekly attendance began to grow at an extraordinary rate and in 2005, Joel moved Lakewood Church into its present location, the former Compaq Center, a 16,000-seat arena that was once home to the Houston Rockets professional basketball team. Now, with his wife Victoria, and the leadership staff at Lakewood, the innovative church is poised for the new millennium.

Joel’s extraordinary success can be found in his core message: “That our God is a good

God who desires to bless those who are obedient and faithful to Him through Jesus Christ.”

It is Joel's deepest desire that his own life be an example of that principle and that everyone who hears this message of hope and encouragement would choose to accept God's goodness and mercy and to become all that God wants them to be.

JOEL'S BACKGROUND

Born in Houston, Texas, Osteen married Victoria L. Iloff on April 4, 1987. They have two children, Jonathan and Alexandra.

Joel, son of John and Dolores (Dodie) Pilgrim, is one of five children. His older siblings, Paul, Lisa, and Tamara, and his younger sister, April, are also involved in full-time ministry.

Joel's half-brother Justin does missionary work out of New York.

Joel's father, John Osteen, a former Southern Baptist pastor who became Charismatic in the late 1950s, founded Lakewood Church on Mother's Day, 1959.

Osteen's father developed Lakewood into a body of approximately 6,000 members with an active television ministry, conferences, missionary support and food distribution.

Currently, Osteen and several Lakewood Church personnel travel across the nation, presenting programs in large arenas. The event, titled "A Night of Hope," includes worship music led by the church's music ministry, a testimony by Joel's mother Dodie and a sermon from Osteen. In 2007, the tour expanded to include stops in several other countries, including Canada, England, Northern Ireland and Israel.

MISSION/VISION OF LAKEWOOD

LAKEWOOD CHURCH

Vision Paragraph: Lakewood seeks to become a vibrant community for God growing deeper in faith, knowledge, love and relationship with Him. We desire to express the spirit of Jesus through the individual members of the body; through uplifting public worship and intimate small group fellowship; and through committed prayer and dedication to God's will. We strive to offer a welcoming environment for truth-seekers irrespective of knowledge, experience, and background. We want to follow God wherever He leads to make a difference in others' lives by identifying individual talents and preparing people for kingdom service locally, nationally and globally. We desire to do this with humility and love giving God the glory!

Community: God wants me to be a MEMBER of His family—This is the purpose of fellowship. Following Christ is not just a matter of believing; it also includes belonging. The Christian life is not a solo act. God has given us the church as a spiritual family for our own benefit. You are members of God's very own family . . . and you belong in God's household with every other Christian (Ephesians 2:19).

Loving God: God wants me to be a MAGNIFIER of His name—We are called to worship God. O Magnify the Lord with me, and let us exalt His name together (Psalm 34:3). There is an inborn urge to worship in every human being. If we don't worship God, we will find a replacement. We may worship our job, family, money, a sport, or even ourselves. That is why the very first commandment says, "Thou shalt have no other god's before Me." (Exodus 20:3)

Loving Others: God wants me to be a MESSENGER of His love—Once we have been

born again, we become messengers of the Good News to others. It is part of the job description for every believer. For God was in Christ, restoring the world to himself, no longer counting men's sins against them but blotting them out. This is the wonderful message He has given us to tell others. We are Christ's ambassadors. God is using us to speak to you: we beg you, as though Christ himself were here pleading with you, receive the love He offers you—be reconciled to God (2 Corinthians 5:19–20).

Loving Others: God wants me to be a MINISTER of His grace—A responsibility of every Christian is service. God expects us to use the gifts, talents, and opportunities He gives us to benefit others. Each one should use whatever gift he has received to serve others, faithfully administering God's grace in its various forms (1 Peter 4:10).

Imitating Christ: God wants me to be a MODEL of his character—The goal of discipleship is becoming just like Christ. For God knew His people in advance, and He chose them to become like His Son (Romans 8:29). In 1 Timothy 4:12, Paul describes specific areas where we are to model the character of Christ . . . set an example for the believers in speech, in life, in love, in faith, and in purity. Notice that maturity is not measured by one's learning but by one's lifestyle.

USC HONORS COLLEGE NAMED TOP HONORS COLLEGE IN NATION

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

Mr. WILSON of South Carolina. Mr. Speaker, based upon their rigorous curriculum, retention and graduation rates, honors housing, study abroad programs, and enrichment opportunities for students, the University of South Carolina Honors College was recently named the number one honors program by the Public University Honors organization. This achievement will be published in "A Review of 50 Public University Honors Programs" later this month.

The University of South Carolina Honors College was established in 1978 and has more than 8,000 alumni spread across the world. Since its founding, USC Honors College students have won over 363 national awards, including the Rhodes, Marshall, Goldwater, and others.

The 2011 incoming Honors College class had an average SAT score of 1427 and an average weighted GPA of 4.61. Congratulations, Dr. Steve Lynn, dean of the Honors College, and university president, Harris Pastides, on their leadership and accomplishments.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

□ 1410

CELEBRATING THE 25TH ANNIVERSARY OF WE THE PEOPLE

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

Mr. SABLAN. Mr. Speaker, this year we celebrate the 25th anniversary of We the People: The Citizen and the Constitution. Since We the People began in 1987, more than 30 million high school students and 90,000 teachers have participated in this valuable program that promotes the understanding of the constitutional principles that shape and guide our Nation and instills a sense of civic responsibility in young people.

This year, more than 1,000 students from every part of our country will take part in the National Finals here in Washington. The competition will test students' knowledge of the U.S. Constitution and the Bill of Rights, showcasing their intelligence, determination, and teamwork.

I want to recognize 24 exceptionally talented and hardworking students from Saipan Southern High School in the Northern Mariana Islands who return to the Finals as repeat regional champions. Working together and striving for excellence are defining traits of this time. I congratulate them and their teachers and coaches, and wish them all success in this year's We the People competition.

HONORING THE LIFE OF CHUCK COLSON

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

Mr. PITTS. Mr. Speaker, this past weekend, Chuck Colson, a former Nixon administration lawyer, founder of Prison Fellowship, and a good friend, passed away.

I first got to know Colson through his incredible ministry. I knew of his time serving in Maxwell prison in Alabama, and after he was released, I invited him, as a young State legislator in Pennsylvania, to come and speak to a dinner in my district. I had 535 people show up. He spoke and shared the concept that he had gotten as he served in prison of this idea of Prison Fellowship.

He asked me and another fellow to go up to a couple of Federal prisons in Pennsylvania and select four prisoners to bring to Washington for the first time of this group, and I did. I went to Lewisburg and Allenwood, met over six weekends with the little Christian fellowship in those prisons, and they selected two from each prison. One was a bank robber, a hijacker, a labor union racketeer, and a drug dealer.

And without guards, the prison officials permitted me to drive them to Washington. We dropped them off here, left them for a week, and then I came and picked them up and took them back. But this idea of Prison Fellowship started back then. Chuck, when he would speak to me many times, would call me his first prison volunteer.

It was a wonderful ministry. Chuck is going to be greatly missed. Chuck Colson's story is really one of grace, grace that was given to him, that he worked tirelessly to spread across the Nation and across the world. He will be sorely missed.

FISCAL RESPONSIBILITY IN FEDERAL CONTRACTING ACT

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

Mr. GOSAR. Mr. Speaker, this House has a critical opportunity to reform the Federal contracting process, save the taxpayers billions of dollars, and spur job creation. Last Thursday, I introduced the Fiscal Responsibility in Federal Contracting Act to suspend the Davis-Bacon Act for 10 years.

The Davis-Bacon Act requires the Department of Labor to, essentially, set wage rates for workers on Federal construction projects. The metrics used to come up with these wages are deeply flawed and inflate the labor costs of Federal construction projects by 22 percent.

Suspending this act, as Presidents of both parties have done in the past, would save the taxpayers billions per year and empower Federal contractors to employ more people on their projects. Imagine getting five Federal projects for the price of four. That's a win/win for the U.S. taxpayer and construction workers.

I urge my colleagues to join me in this important reform bill by cosponsoring H.R. 4403.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 24, 2012.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 24, 2012 at 12:45 p.m.:

That the Senate passed with an amendment H.R. 4348.

Senate requests a conference with the House and appoints conferees.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 4 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

CONVEYANCE OF LAND TO CORRECT ERRONEOUS SURVEY, COCONINO NATIONAL FOREST, ARIZONA

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1038) to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1038

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF LAND TO CORRECT ERRONEOUS SURVEY, COCONINO NATIONAL FOREST, ARIZONA.

(a) **CONVEYANCE AUTHORIZED.**—*The Secretary of Agriculture may convey by quitclaim deed all right, title, and interest of the United States in and to the two parcels of land described in subsection (b) to a person or legal entity that represents (by power of attorney) the majority of landowners with private property adjacent to the two parcels. These parcels are within the boundaries of the Coconino National Forest and contain private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.*

(b) **DESCRIPTION OF LAND.**—*The two parcels of land authorized for conveyance under subsection (a) consist of approximately 2.67 acres described in the Bureau of Land Management's Survey Plat titled Subdivision and Metes and Bounds Surveys in secs. 28 and 29, T. 20 N., R. 7 E., Gila and Salt River Meridian approved February 2, 2010, as follows:*

- (1) Lot 2, sec. 28, T. 20 N., R. 7 E., Gila and Salt River Meridian, Coconino County, Arizona.
- (2) Lot 1, sec. 29, T. 20 N., R. 7 E., Gila and Salt River Meridian, Coconino County, Arizona.

(c) **CONSIDERATION.**—

(1) **AMOUNT OF CONSIDERATION.**—*As consideration for the conveyance of the two parcels under subsection (a), the person or legal entity that represents (by power of attorney) the majority of landowners with private property adjacent to the parcels shall pay to the Secretary consideration in the amount of \$20,000.*

(2) **DEPOSIT.**—*The Secretary shall deposit the consideration received under this subsection in*

a special account in the fund established under Public Law 90 171 (commonly known as the Sisk Act; 16 U.S.C. 484a).

(3) **USE.**—*The deposited funds shall be available to the Secretary, without further appropriation and until expended, for acquisition of land in the National Forest System.*

(d) **REVOCATION OF ORDERS.**—*Any public orders withdrawing any of the Federal land from appropriation or disposal under the public land laws are revoked to the extent necessary to permit conveyance of the Federal land under subsection (a).*

(e) **WITHDRAWAL OF FEDERAL LAND.**—*Subject to valid existing rights, the Federal land authorized for conveyance under subsection (a) is withdrawn from all forms of entry and appropriation under the public land laws, location, entry, and patent under the mining laws, and operation of the mineral leasing and geothermal leasing laws until the date which the conveyance is completed.*

(f) **OTHER TERMS AND CONDITIONS.**—*The conveyance authorized by subsection (a) shall be subject only to those surveys and clearances as needed to protect the interests of the United States.*

(g) **DURATION OF AUTHORITY.**—*The authority provided under this section shall terminate three years after the date of the enactment of this Act.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentlewoman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. And for some obvious reasons, I yield such time as he may consume to the gentleman from Arizona (Mr. GOSAR), the sponsor of this bill that solves some real problems, for the introduction of this particular bill.

Mr. GOSAR. Mr. Speaker, I rise today in support of my legislation, H.R. 1038, legislation that settles a Federal land boundary dispute in the Mountaineer subdivision in Coconino County, Arizona. This legislation is a commonsense solution to an incomprehensible Federal land situation.

In 1961, the Federal Government conducted a survey in which several acres of the United States Forest Service land were misidentified as private property. It was not until 2007, when the Federal Government contracted another private survey, that the mistakes were realized, and the residents of the Mountaineer neighborhood were informed of these errors.

Until the 2007 survey, many of these residents had maintained these parcels and had developed them as their own for years and, in some cases, decades.

In essence, the Federal Government seized lands that residents had maintained, developed, and paid taxes on for years.

So what does this mean?

On some of these parcels, the revised boundary goes right through the portions of the residents' homes, literally right through people's homes. Can you imagine the Forest Service, if they told you we own half of your living room?

Questions associated with the land ownership have plummeted property values in the neighborhood and prevented a number of owners from selling their homes.

For years, the residents of this neighborhood have tried to work individually with the Forest Service to settle the situation administratively. It did not work. So I put forth this legislation to solve the problem immediately.

H.R. 1038 authorizes the Forest Service to convey all rights, titles, and interests in approximately 2.67 acres of the Coconino National Forest to the homeowners. It will provide much-needed relief to my constituents in the Mountaineer subdivision in Coconino County.

In exchange for the land, the homeowners pay a fee. The \$20,000, required in the bill, which was agreed to by all parties, including representatives from the local national forest, is based on precedence, the Northern Arizona Land Exchange legislation. This legislation pertained to a small piece of property within the same county.

Frankly, I do not believe these constituents should have to pay anything to retain property rights on land they have developed and paid taxes on as property owners for decades. However, I have agreed to this compromise, a compromise agreed upon by all parties, because my constituents need this situation fixed now.

The Forest Service does not want to own these people's living rooms, and the property owners certainly don't want to share their homes or yards with the Forest Service. This bill is a no-brainer. Everyone supports it, including the administration.

Before I conclude, I want to thank the residents of the Mountaineer neighborhood and Coconino County. They worked with my office to put together a video, to call members of the committee, and to advocate on behalf of this bill. Without this teamwork, we would not have garnered unanimous support at the committee level and would not be voting on this bill today.

I would also like to thank Chairmen HASTINGS and BISHOP and their staffs for pushing this bill forward. While this bill affects a small amount of land, it is vital to the livelihoods of my constituents that are affected.

It is not often that Congress gets the opportunity to take up noncontroversial legislation like H.R. 1038. I encourage my colleagues to vote in favor of

this legislation and relieve my constituents of this financially burdensome situation.

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

Mr. Speaker, this bill corrects a survey error made in the 1960s. The landowners will be required to pay \$20,000 for these two parcels. We have no objections to Congressman GOSAR's legislation.

I reserve the balance of my time.

Mr. BISHOP of Utah. We have no other speakers. I'd ask if there are other speakers on your side.

Ms. TSONGAS. We have no other speakers.

Mr. BISHOP of Utah. I am ready to close if you're ready to yield back.

Ms. TSONGAS. I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, as has been said, this is a problem. It's sad that it has to come all the way to the Congress to actually solve this problem, but it is being solved; and I appreciate the gentleman from Arizona's hard work in trying to help his constituents out.

I would encourage our Members to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 1038, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

SPECIAL RULES FOR INYO NATIONAL FOREST LAND EXCHANGE

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2157) to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 2157

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPECIAL RULES FOR INYO NATIONAL FOREST LAND EXCHANGE.

(a) AUTHORITY TO ACCEPT LANDS OUTSIDE BOUNDARIES OF INYO NATIONAL FOREST.—In any land exchange involving the conveyance of certain National Forest System land located within the boundaries of Inyo National Forest in California, as shown on the map titled "Federal Parcel" and dated June 2011, the Secretary of Agriculture may accept for acquisition in the exchange certain non-Fed-

eral lands in California lying outside the boundaries of Inyo National Forest, as shown on the maps titled "DWP Parcel - Interagency Visitor Center Parcel" and "DWP Parcel - Town of Bishop Parcel" and dated June 2011, if the Secretary determines that acquisition of the non-Federal lands is desirable for National Forest System purposes.

(b) CASH EQUALIZATION PAYMENT; USE.—In an exchange described in subsection (a), the Secretary of Agriculture may accept a cash equalization payment in excess of 25 percent. Any such cash equalization payment shall be deposited into the account in the Treasury of the United States established by Public Law 90 171 (commonly known as the Sisk Act; 16 U.S.C. 484a) and shall be made available to the Secretary for the acquisition of land for addition to the National Forest System.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to grant the Secretary of Agriculture new land exchange authority. This section modifies the use of land exchange authorities already available to the Secretary as of the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I, again, ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on this bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. This is another good bill that solves a problem that should have been solved at another level, and to introduce it I would yield such time as he may consume to the sponsor, the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Mr. Speaker, I thank the gentleman for yielding, and I rise today in support of my legislation, H.R. 2157.

I want to thank Chairman HASTINGS and Ranking Member MARKEY, as well as Subcommittee Chairman BISHOP and Ranking Member GRJALVA, for giving my legislation a fair hearing and moving the bill through the committee.

Mr. Speaker, the Mammoth Mountain Ski Area is located in the northern half of my district in the eastern Sierra Mountains. Mammoth provides between 10 and 30 percent of the total employment in Mono County, and it's a primary recreation destination for tourists all throughout California and the United States. Each winter, Mammoth sees an average of 1.3 million visitors.

□ 1640

These visitors pump vital money into the local economy by populating hotels, motels, restaurants, and stores throughout the region.

Tourism is the lifeblood of the eastern Sierra. Mammoth has operated on a special use permit from the U.S. Forest Service since 1953. The base area of the mountain is aging rapidly and is in need of renovation and redevelopment in order to provide a safer, more enjoyable experience for visitors to Mammoth Mountain; however, these renovations are difficult to achieve under the terms of the special use permit.

Since 1998, Mammoth Mountain has been working with the Forest Service to complete a land exchange between their main base parcel and other desired Forest Service acquisitions. These acquisitions include high-resource value lands in the Inyo, El Dorado, Stanislaus, and Plumas National Forests. The exchange would allow the main base to undergo significant and needed renovations.

My legislation is meant to supplement and codify this agreement. It is needed for two reasons:

Number one, the two parcels that the Forest Service wants are outside Inyo National Forest boundaries. Both parcels are currently leased by the Inyo National Forest from the Los Angeles Department of Water and Power;

Number two, there's more value in the Mammoth Mountain parcel than in all the land parcels exchanged in total. So Mammoth needs legislation for permission to pay a cash equalization to the Federal Government that will be used for future forest acquisition.

The agreement is widely supported by the local community because residents, business owners, local governments understand the great value of having Mammoth Mountain in their community. Besides jobs and recreation, Mammoth supports a significant portion of the tax base providing needed revenue throughout the region.

We've received numerous letters of support from community members, including those from Duane Hazard, chair of the Mono County Board of Supervisors; Vikki Bauer, member of the Mono County Board of Supervisors; the Mono Lake Committee; the Eastern Sierra Land Trust; and the Mammoth Lakes Town Council.

Mr. Speaker, thank you for giving my bill time on the floor. Mammoth Mountain has been a good steward of the environment, a solid partner in economic vitality for the region, and an honest party in negotiations with the Forest Service. This land exchange will be mutually beneficial for all parties involved, and I urge my colleagues to support H.R. 2157.

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

H.R. 2157 provides for a land exchange between the United States Forest Service and the Mammoth Mountain Ski Area. We applaud Congressman McKEON for this legislation and support the passage of this bill.

I yield back the balance of my time.

Mr. BISHOP of Utah. This is another great bill. I urge its adoption.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2157.

The question was taken. The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

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

IDAHO WILDERNESS WATER RESOURCES PROTECTION ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2050) to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 2050

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Idaho Wilderness Water Resources Protection Act".

SEC. 2. TREATMENT OF EXISTING WATER DIVERSIONS IN FRANK CHURCH-RIVER OF NO RETURN WILDERNESS AND SELWAY-BITTERROOT WILDERNESS, IDAHO.

(a) AUTHORIZATION FOR CONTINUED USE.—The Secretary of Agriculture shall issue a special use authorization to the owners of a water storage, transport, or diversion facility (in this section referred to as a "facility") located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness for the continued operation, maintenance, and reconstruction of the facility if the Secretary determines that—

(1) the facility was in existence on the date on which the land upon which the facility is located was designated as part of the National Wilderness Preservation System (in this section referred to as "the date of designation");

(2) the facility has been in substantially continuous use to deliver water for the beneficial use on the owner's non-Federal land since the date of designation;

(3) the owner of the facility holds a valid water right for use of the water on the owner's non-Federal land under Idaho State law, with a priority date that predates the date of designation; and

(4) it is not practicable or feasible to relocate the facility to land outside of the wilderness and continue the beneficial use of water on the non-Federal land recognized under State law.

(b) TERMS AND CONDITIONS.—

(1) REQUIRED TERMS AND CONDITIONS.—In a special use authorization issued under subsection (a), the Secretary shall—

(A) allow use of motorized equipment and mechanized transport for operation, maintenance, or reconstruction of a facility, if the Secretary determines that—

(i) the use is necessary to allow the facility to continue delivery of water to the non-Federal land for the beneficial uses recognized by the water right held under Idaho State law; and

(ii) the use of nonmotorized equipment and nonmechanized transport is impracticable or infeasible; and

(B) preclude use of the facility for the storage, diversion, or transport of water in excess of the water right recognized by the State of Idaho on the date of designation.

(2) DISCRETIONARY TERMS AND CONDITIONS.—In a special use authorization issued under subsection (a), the Secretary may—

(A) require or allow modification or relocation of the facility in the wilderness, as the Secretary determines necessary, to reduce impacts to wilderness values set forth in section 2 of the Wilderness Act (16 U.S.C. 1131) if the beneficial use of water on the non-Federal land is not diminished; and

(B) require that the owner provide a reciprocal right of access across the non-Federal property, in which case, the owner shall receive market value for any right-of-way or other interest in real property conveyed to the United States, and market value may be paid by the Secretary, in whole or in part, by the grant of a reciprocal right-of-way, or by reduction of fees or other costs that may accrue to the owner to obtain the authorization for water facilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, again we have a bill that does a great job in solving a problem that should have been solved a long time ago, especially if the Senate would ever listen to us.

To introduce his bill, I would like to yield such time as he may consume to the sponsor of the bill, the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I thank the gentleman from Utah for yielding.

Mr. Speaker, I rise today in support of H.R. 2050, the Idaho Wilderness Water Resources Protection Act.

This bipartisan, noncontroversial legislation is a technical fix intended to enable the Forest Service to authorize and permit existing historical water diversions within Idaho wilderness.

Last Congress, one of my constituents came to me for help with a problem. The Middle Fork Lodge has a water diversion within the Frank

Church-River of No Return Wilderness Area that existed before the wilderness area was established and is protected under statute. The diversion was beginning to leak and was in desperate need of repairs to ensure that it did not threaten the environment and watershed, but it turned out the Forest Service did not have the authority to issue the lodge a permit to make the necessary repairs.

As we looked at this issue, we discovered that the Forest Service lacked the authority throughout both the Frank Church Wilderness area, of which there are 22 known water developments, and the Selway-Bitterroot Wilderness, where there are three. These diversions are primarily used to support irrigation and minor hydropower generation for use on non-Federal lands. While the critical situation at the Middle Fork Lodge brought this issue to my attention, it is obvious that this problem is larger than just one diversion. At some point in the future, all 25 of these existing diversions will need maintenance or repair work done to ensure their integrity.

H.R. 2050 authorizes the Forest Service to issue special use permits for all qualifying historic water systems in these wilderness areas. I believe this is important that we get ahead of this problem and ensure the Forest Service has the tools necessary to manage these lands.

For these reasons, I've introduced H.R. 2050. The legislation, which was passed by the House last Congress, allows the Forest Service to issue the required special use permits to owners of historic water systems and sets out specific criteria for doing so. Providing this authority will ensure that existing water diversions can be properly maintained and repaired when necessary and preserves beneficial use for private property owners who hold water rights under State law.

I have deeply appreciated the cooperation of the Forest Service in addressing this problem. Not only have they communicated with me the need to find a system wide solution to this issue, but at my request, they drafted this legislation to ensure that it only impacts specific targeted historical diversions—those with valid water rights that cannot feasibly be relocated outside of the wilderness area.

H.R. 2050 is bipartisan and non-controversial. I know of no opposition to this bill. It is intended as a simple, reasonable solution to a problem that I think we can all agree should be solved as quickly as possible. I'm encouraged that the committee held hearings on this bill, and I am hopeful that we can move it through the legislative process without delay so that the necessary maintenance to these diversions may be completed before the damage is beyond repair.

I thank the gentleman from Utah for yielding this time to me.

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

This legislation provides common-sense access to maintain water facilities within the Frank Church-River of No Return Wilderness area. These water features were present prior to the congressional designation of Wilderness and are necessary to protect individual water rights in the State. We applaud Chairman SIMPSON for his legislation and support the passage of this bill.

I yield back the balance of my time.

Mr. BISHOP of Utah. Again, this is an issue that has been recognized and is a solution that Mr. SIMPSON has presented, and I urge its adoption.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2050.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

□ 1650

RELEASE OF REVERSIONARY INTEREST AND USE CONDITIONS, COOK COUNTY AIRPORT, COOK COUNTY, MINNESOTA

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2947) to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2947

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RELEASE OF REVERSIONARY INTEREST AND USE CONDITIONS, COOK COUNTY AIRPORT, COOK COUNTY, MINNESOTA.

(a) **RELEASE OF REVERSIONARY INTEREST REQUIRED.**—The Secretary of Agriculture, acting on behalf of the United States, shall release, without consideration—

(1) the conditions imposed on the use of the parcel of land originally conveyed by the Secretary pursuant to section 16 of the Federal Airport Act (Act of May 13, 1946, ch. 251, 60 Stat. 170) to the State of Minnesota by deed executed May 31, 1950, for the establishment of an airport in Cook County, Minnesota; and

(2) the reversionary interest retained by the United States in connection with such conditions.

(b) **INSTRUMENT OF RELEASE.**—The Secretary of Agriculture shall execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument reflecting the release of the reversionary interest and conditions under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Once again, we have a problem that should easily be corrected and a bill that does that.

Mr. Speaker, I wish to yield as much time as he may consume to the gentleman from Minnesota (Mr. CRAVAACK) to explain his particular piece of legislation.

Mr. CRAVAACK. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 2947.

This straightforward, commonsense bill will remedy an unintentional consequence of the restrictive language of the original deed set in Cook County, Minnesota.

In the 1950s, the Secretary of Agriculture granted a deed to the State of Minnesota to build an airport in Cook County. The deed only allowed the land to be used for airport purposes. That made sense at the time, but it now precludes the county from building a connector road on a sliver of the land. The connector project enjoys broad support throughout the community. H.R. 2947 does not seek any appropriation of Federal funds, nor does it authorize the project. It merely only proposes to remove a clause placed in the deed when the land was originally granted. This bill allows Cook County, Minnesota, to manage their own land as they see fit. The bill enjoys bipartisan support of Minnesota Senators and Minnesota State representatives.

I've reached out to the United States Forest Service, and they have responded by saying they have no objections and support this legislation moving forward. I look forward to quickly remedying this problem so that Cook County can create jobs and improve the lives of its residents and businesses.

I ask for my colleagues to please join me in supporting this bill.

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

Mr. Speaker, H.R. 2947 releases a reversionary interest held by the United States to a parcel of land in Cook County, Minnesota. The release of this interest will allow Cook County to use this land for a local highway.

We have no objections to this legislation, and I yield back the balance of my time.

Mr. BISHOP of Utah. This is another great solution to a problem that should have been solved at some other level. I appreciate the gentleman for bringing it back.

I urge its adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2947.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BOUNDARY MODIFICATION AND TRANSFER OF ADMINISTRATIVE JURISDICTION, CIBOLA NATIONAL FOREST, NEW MEXICO

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 491) to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 491

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BOUNDARY MODIFICATION AND TRANSFER OF ADMINISTRATIVE JURISDICTION, CIBOLA NATIONAL FOREST, NEW MEXICO.

(a) BOUNDARY MODIFICATION.—

(1) MODIFICATION.—The boundaries of Cibola National Forest in the State of New Mexico, are modified to include the land depicted for such inclusion on the Forest Service map titled “Crest of Montezuma Proposed Land Transfer” and dated October 26, 2009.

(2) AVAILABILITY AND CORRECTION OF MAP.—The map referred to in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service. The Chief of the Forest Service may make technical and clerical corrections to the map.

(b) TRANSFER OF BUREAU OF LAND MANAGEMENT LAND.—

(1) TRANSFER.—The Secretary of the Interior shall transfer to the administrative jurisdiction of the Secretary of the Agriculture, for inclusion in, and administration as part of, Cibola National Forest, the public land administered by the Bureau of Land Management and identified as the “Crest of Montezuma” on the map referred to in subsection (a).

(2) EFFECT OF TRANSFER ON EXISTING PERMITS.—In the case of any permit or other land use authorization for public land transferred under paragraph (1) that is still in effect as of the transfer date, the Secretary of Agriculture shall administer the permit or other land use authorization according to the terms of the permit or other land use authorization. Upon expiration of such a permit or authorization, the Secretary of Agriculture may reauthorize the use covered by the permit or authorization under authorities available to the Secretary on such terms and conditions as the Secretary considers in the public interest.

(c) LAND ACQUISITION AUTHORITY.—Subject to the appropriation of funds to carry out this subsection and the consent of the owner of private land included within the boundaries of Cibola National Forest by subsection (a), the Secretary of Agriculture may acquire the private land.

(d) MANAGEMENT OF ACQUIRED LAND.—

(1) MANAGEMENT.—Any federally owned lands that have been or hereafter may be acquired for National Forest System purposes within the boundaries of Cibola National Forest, as modified by subsection (a), shall be managed as lands acquired under the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 515 et seq.), and in accordance with the other laws and regulations pertaining to the National Forest System.

(2) WITHDRAWAL FROM MINING AND CERTAIN OTHER USES.—The land depicted on the map referred to in subsection (a) and acquired by the Secretary of Agriculture is hereby withdrawn from—

(A) all forms of entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the public land mining laws; and

(C) operation of the mineral leasing and geothermal leasing laws and the mineral materials laws.

(e) RELATION TO LAND AND WATER CONSERVATION FUND ACT.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of Cibola National Forest, as modified by subsection (a), shall be considered to be boundaries of the Cibola National Forest as of January 1, 1965.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

This legislation would authorize the transfer of a parcel of land known as the Crest of Montezuma from the Bureau of Land Management to the Forest Service.

The Crest of Montezuma is remote from the current BLM-managed areas.

It can be better managed by the Forest Service as part of the Cibola National Forest. Both agencies agree and support this legislation.

I urge the adoption of this measure, and I reserve the balance of my time.

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

I rise in support of this legislation, and applaud Congressman HEINRICH for his hard work. It is hard to reach consensus on these issues, and he has achieved that with this legislation.

With that, I yield such time as he may consume to Congressman HEINRICH of New Mexico, this bill's sponsor.

Mr. HEINRICH. I want to thank my friend from Massachusetts for the time today and for her leadership on these issues.

Mr. Speaker, the Cibola National Forest provides a stunning backdrop to the city of Albuquerque and much of central New Mexico. Stretching north to south through the Sandia and Manzano Mountains, this national forest demonstrates the value of preserving wild places near urban areas.

H.R. 491 would expand the boundaries of the forest to streamline management and improve recreational access for local residents. It would transfer a 917-acre parcel, known as the Crest of Montezuma, from the Bureau of Land Management to the Forest Service.

The Crest of Montezuma is an isolated BLM parcel adjacent to Cibola National Forest. The bill would also extend the forest boundary around three small parcels of private land adjacent to the Crest of Montezuma to allow the future purchase of these parcels subject to available funds.

The owners of these parcels are willing sellers and eager to see their land permanently protected for the public good.

H.R. 491 has strong local support from local residents, including from the Las Placitas Association, a 300-member citizen group that represents residents near the Crest of Montezuma. Local sportsmen also support the bill because of the importance of these lands as wildlife habitat.

Over the last 3 years, I've received many letters from constituents asking me to make sure that the Crest of Montezuma is managed in a way that preserves its role as a wildlife corridor and opens it up for recreation for local residents.

I am pleased to sponsor this bill to add these critical lands to the Cibola National Forest, and I ask my colleagues for their support.

Mr. BISHOP of Utah. I have no other speakers. Do you have anyone else on this issue?

Ms. TSONGAS. We do not. I yield back the balance of my time.

Mr. BISHOP of Utah. I also yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 491.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LOWELL NATIONAL HISTORICAL PARK LAND EXCHANGE ACT OF 2012

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2240) to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2240

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Lowell National Historical Park Land Exchange Act of 2012".

SEC. 2. AMENDMENTS.

The Act entitled "An act to provide for the establishment of the Lowell National Historical Park in the Commonwealth of Massachusetts, and for other purposes" approved June 5, 1978 (Public Law 95-290; 16 U.S.C. 410cc et seq.), is amended in section 202, by adding at the end the following:

"(d)(1) The Secretary may exchange any land or interest in land within the boundaries of the park for any land or interest in land owned by the Commonwealth of Massachusetts, the city of Lowell, or the University of Massachusetts Building Authority.

"(2) Except as provided in paragraph (3), an exchange under this subsection shall be subject to the laws, regulations, and policies applicable to exchanges of land administered by the National Park Service and any other terms and conditions that the Secretary determines to be necessary to protect the interests of the United States.

"(3) Where facilities or infrastructure required for the management and operation of the Lowell National Historical Park exists on the Federal land to be exchanged, and the non-Federal land or interest in land to be exchanged is not of equal value, the values shall be equalized by the payment of cash to the Secretary. The Secretary shall not be required to equalize the values of any exchange conducted under this subsection if the land or interest in land received by the Federal Government exceeds the value of the Federal land or interest in land exchanged."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

H.R. 2240, introduced by the gentleman from Massachusetts (Ms. TSONGAS), will authorize a land exchange between the Lowell National Historical Park and the city of Lowell, the Commonwealth of Massachusetts or the University of Massachusetts Building Authority.

This will allow the transfer of the visitor center parking lot in exchange for an equal number of parking spaces in a new garage to be built by the city. The Park Service property, where the current lot is located, is needed for the community development, and the stakeholders have concluded that this is a more beneficial use to the community and the park visitors.

I urge the adoption of H.R. 2240, and I reserve the balance of my time.

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

It is with great pleasure that I rise today in support of H.R. 2240, the Lowell National Historical Park Land Exchange Act.

This legislation will facilitate the exchange of land or interest in land between the city of Lowell and the Lowell National Historical Park.

In 1978, legislation was passed establishing this park. It was championed by my late husband as well as by two Republican Members of Congress who previously represented this district. We should take bipartisan pride in its great success.

This national park was given a unique mandate to not only preserve and interpret the resources representing Lowell's central role in our 19th century industrial revolution, but also to serve as a catalyst in revitalizing the city's physical, economic, and cultural environment, all outgrowths of the city's industrial heritage.

In working together with the city of Lowell, the Commonwealth of Massachusetts and many other public and private partners, the Lowell National Historical Park has played a vital role in rehabilitating over 400 structures and has since 1978 helped spur an estimated \$1 billion in private investment in the city. All of this has been done while the park has developed a compelling array of programs, exhibits, guided tours, and other interpretive programs.

□ 1700

H.R. 2240 would allow the park and its partners to continue working to advance the park's mission to preserve the city's historic industrial architecture while creating jobs and continuing to partner with the city of Lowell to advance a critical economic development project, the Hamilton Canal District.

This legislation would most immediately allow the park to exchange a current surface parking lot for an equivalent number of spaces in a new garage that will be built by the city of Lowell adjacent to the present parking lot, guaranteeing necessary parking spaces for park visitors while freeing the surface parking lot for the incorporation into the Hamilton Canal District redevelopment.

On the space of the current parking lot and adjacent vacant property, the city, in working with private partners, plans to construct over 400,000 square feet of commercial and R&D space, generating as many as 1,600 jobs. As such, it is a critical piece in the master redevelopment plan for the area. This land exchange is supported by the Lowell National Historical Park, the city of Lowell, and all local stakeholders, and has received all major State permits and local zoning allowances.

Because the enabling law for the Lowell National Historical Park only provides for the park to receive additional land, it is not allowed to exchange land. This legislation would allow this mutually agreed-upon exchange. I want to stress that this legislation will cost the taxpayers absolutely nothing.

I thank Chairman HASTINGS and Ranking Member MARKEY, as well as Chairman BISHOP and Ranking Member GRUJALVA and the committee staff for working with me to advance this bill to the floor. It is my hope that my colleagues today will appreciate the importance of passing this legislation to create jobs, continue revitalizing this historic mill city, and protect a key part of our industrial heritage and economic history.

I yield back the balance of my time. Mr. BISHOP of Utah. It's another great bill.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2240, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 2 minutes p.m.), the House stood in recess.

□ 1845

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CHAFFETZ) at 6 o'clock and 45 minutes p.m.

SPECIAL RULES FOR INYO NATIONAL FOREST LAND EXCHANGE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2157) to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 376, nays 2, not voting 53, as follows:

[Roll No. 178]

YEAS—376

Adams Capps Dreier
 Aderholt Capuano Duffy
 Alexander Carnahan Duncan (SC)
 Altmire Carney Duncan (TN)
 Amodei Carson (IN) Edwards
 Andrews Carter Ellison
 Austria Cassidy Ellmers
 Baca Castor (FL) Emerson
 Bachmann Chabot Engel
 Bachus Chaffetz Eshoo
 Baldwin Chandler Farenthold
 Barletta Chu Farr
 Barrow Cicilline Fattah
 Bartlett Clarke (MI) Fincher
 Bass (CA) Clarke (NY) Fitzpatrick
 Bass (NH) Clay Flake
 Becerra Cleaver Fleischmann
 Benishkek Clyburn Fleming
 Berg Coble Flores
 Berkley Coffman (CO) Forbes
 Berman Cohen Fortenberry
 Biggert Cole Foad
 Bilbray Conaway Frank (MA)
 Bilirakis Connolly (VA) Franks (AZ)
 Bishop (GA) Conyers Frelinghuysen
 Bishop (NY) Cooper Fudge
 Bishop (UT) Costa Gallegly
 Black Costello Gardner
 Blackburn Courtney Garrett
 Blumenauer Cravaack Gibbs
 Bonamici Crawford Gibson
 Bonner Crenshaw Gingrey (GA)
 Boren Crowley Gonzalez
 Boswell Cuellar Goodlatte
 Boustany Culberson Gosar
 Brady (TX) Cummings Gowdy
 Braley (IA) Davis (IL) Granger
 Brooks Davis (KY) Graves (GA)
 Broun (GA) DeFazio Graves (MO)
 Brown (FL) DeLauro Green, Al
 Buchanan Denham Green, Gene
 Buerkle Dent Griffith (VA)
 Burgess DesJarlais Grijalva
 Burton (IN) Deutch Grimm
 Calvert Diaz-Balart Guinta
 Camp Dicks Guthrie
 Canseco Dingell Hahn
 Cantor Doggett Hall
 Capito Dold Hanabusa

Hanna McCollum
 Harper McCotter
 Harris McDermott
 Hartzler McGovern
 Hastings (FL) McHenry
 Hastings (WA) McIntyre
 Hayworth McKeon
 Heck McKinley
 Heinrich McMorris
 Herger Rodgers
 Herrera Beutler McNehey
 Higgins Meehan
 Himes Meeks
 Hinchey Mica
 Hinojosa Michaud
 Hochul Miller (FL)
 Holt Miller (MI)
 Honda Miller, Gary
 Hoyer Miller, George
 Huelskamp Moore
 Huizenga (MI) Murphy (CT)
 Hultgren Myrick
 Hunter Nadler
 Hurt Napolitano
 Issa Neal
 Jackson (IL) Neugebauer
 Jackson Lee Noem
 (TX) Nugent
 Jenkins Nunes
 Johnson (GA) Nunnelee
 Johnson (OH) Olson
 Johnson, E. B. Oliver
 Jones Owens
 Jordan Palazzo
 Keating Pallone
 Kelly Pastor (AZ)
 Kildee Paulsen
 Kind Pearce
 King (IA) Pelosi
 King (NY) Perlmutter
 Kingston Kingston
 Kinzinger (IL) Peterson
 Kissell Petri
 Kline Pingree (ME)
 Kucinich Pitts
 Labrador Poe (TX)
 Lamborn Polis
 Lance Pompeo
 Langevin Posey
 Lankford Price (GA)
 Larney Price (NC)
 Larson (CT) Quayle
 Latham Quigley
 LaTourette Rahall
 Latta Reed
 Lee (CA) Rehberg
 Levin Reichert
 Lewis (CA) Renacci
 Lewis (GA) Ribble
 Lipinski Richardson
 LoBiondo Richmond
 Long Rigell
 Lucas Rivera
 Luetkemeyer Roby
 Lujan Roe (TN)
 Lummis Rogers (AL)
 Lungren, Daniel Rogers (KY)
 E. Rogers (MI)
 Lynch Rohrabacher
 Mack Rokita
 Maloney Rooney
 Manzullo Ros-Lehtinen
 Markey Roskam
 Matheson Ross (AR)
 Matsui Ross (FL)
 McCarthy (CA) Rothman (NJ)
 McCarthy (NY) Royce
 McCaul Runyan

NAYS—2

NOT VOTING—53

Amash Mulvaney
 Ackerman DeGette
 Akin Donnelly (IN)
 Barton (TX) Doyle
 Bono Mack Filner
 Brady (PA) Garamendi
 Bucshon Gerlach
 Butterfield Gohmert
 Campbell Griffin (AR)
 Cardoza Gutierrez
 Critz Hensarling
 Davis (CA) Hirono

Ruppersberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sanchez, Linda T.
 Sanchez, Loretta Sarbanes
 Scalise
 Schakowsky
 Schilling
 Schmidt
 Schock
 Schweikert
 Scott (SC)
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sewell
 Myrick
 Nadler
 Napolitano
 Neal
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Oliver
 Owens
 Palazzo
 Pallone
 Pastor (AZ)
 Paulsen
 Pearce
 Pelosi
 Perlmutter
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Poe (TX)
 Polis
 Pompeo
 Posey
 Price (GA)
 Price (NC)
 Quayle
 Quigley
 Rahall
 Reed
 Rehberg
 Reichert
 Renacci
 Ribble
 Richardson
 Richmond
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Rothman (NJ)
 Royce
 Runyan

McClintock
 Miller (NC)
 Moran
 Murphy (PA)
 Pascrell
 Paul
 Pence

Platts
 Rangel
 Reyes
 Roybal-Allard
 Schiff
 Schrader
 Schwartz

Sessions
 Simpson
 Slaughter
 Wasserman
 Schultz
 Yarmuth
 Young (FL)

□ 1913

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote No. 178. Had I been present, I would have voted "yea" on rollcall vote No. 178.

Mr. FILNER. Mr. Speaker, on rollcall vote No. 178, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Mr. SESSIONS. Mr. Speaker, on rollcall vote No. 178, had I been present, I would have voted "yea."

Mr. PASCHELL. Mr. Speaker, I want to state for the record that on April 24, 2012, I missed the one rollcall vote of the day.

Had I been present, I would have voted "yea" on rollcall vote No. 178, the motion to suspend the rules and pass H.R. 2157—To facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes.

Mr. GRIFFIN of Arkansas. Mr. Speaker, on rollcall No. 178 on H.R. 2157 I am not recorded because I was absent due to illness.

Had I been present, I would have voted "yea."

HOOR OF MEETING ON TOMORROW

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow for morning-hour debate and 1 p.m. for legislative business.

The SPEAKER pro tempore (Mr. AUSTIN SCOTT of Georgia). Is there objection to the request of the gentleman from Oregon?

There was no objection.

GENERAL LEAVE

Ms. JACKSON LEE of Texas. Mr. Speaker, I ask unanimous consent that all Members have 1 legislative day to revise and extend their remarks and insert extraneous materials on the subject of my 1-minute regarding Pastor Joel Osteen and Co-Pastor Victoria Osteen of the Lakewood Church in Houston, Texas.

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

There was no objection.

ARKANSAS COUNTY BANK

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

Mr. CRAWFORD. Mr. Speaker, I rise today to honor the 100th anniversary of Arkansas County Bank. The bank is a fourth-generation family-owned business. It serves Arkansas County and the Grand Prairie as a national- and State-chartered institution.

Arkansas County Bank began with humble origins. At the end of their first year of business in 1912, the bank had just \$64,000 in total deposits. By 1919, Arkansas County Bank had its first million dollars in deposits and has seen steady growth ever since.

By 1985, Arkansas County Bank had expanded into Sevier County after purchasing the Bank of Lockesburg. Today, they also have a branch that serves the Stuttgart community.

Giving back is important to Arkansas County Bank. Bank employees regularly volunteer over 1,000 hours annually to charities and service organizations throughout the Grand Prairie of Arkansas.

As Arkansas County Bank celebrates 100 years of business, they are building on the past by looking to the future. With a record of service, Arkansas County Bank is dedicated to beginning a second century of community investment.

Congratulations again to the leadership, employees, and the family of Arkansas County Bank on 100 years of business.

PEACE OFFICERS VS. THE ANARCHY OF THE LAWLESS

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

Mr. POE of Texas. Mr. Speaker, when lawless drug dealers, child molesters, wife beaters, robbers, bandits, and other street terrorists threaten our communities, peace officers are always the first ones to track them down.

Peace officers are the last strand of wire in the fence against good and evil.

These men and women put themselves in danger every day in order to protect us and our families. Some put on the uniform and badge and do not return home after their shifts.

There has been an alarming 75 percent increase in police officer deaths since 2008. The year 2011 was the first time more officers died at the hands of street thugs than in car crashes. In many instances, the killers were repeat offenders who shouldn't have been roaming the streets in the first place.

As we approach Peace Officers Memorial Day in May, we have to support those that protect the home front. They are what separate us from the outlaws and the anarchy of the lawless.

And that's just the way it is.

PRESERVING HEALTH CARE CHOICES FOR AMERICANS

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

Mr. PAULSEN. Mr. Speaker, more and more American consumers are discovering a provision in the President's new health care law that prevents them from buying simple, over-the-counter medications using their health care savings accounts or their flexible spending accounts unless they first get a doctor's prescription.

Instead of walking into their local drugstores to use their HSAs or their FSAs, Americans are now forced to visit a doctor and pay a standard copay before finally receiving a prescription to buy medicines like Advil or Claritin. Does this sound burdensome? That's because it absolutely is.

Mr. Speaker, millions of Americans use HSAs and FSAs for their flexibility and portability, yet this new health care law is taking that away and is wreaking havoc on patients and also increasing burdens on physicians.

We need to repeal this onerous provision, and that's why I've introduced legislation that does exactly that, with bipartisan support.

Mr. Speaker, this week, the House Ways and Means Committee will hold a hearing on the use of HSAs and FSAs on over-the-counter medicine practices, and I hope we'll all agree that individuals, families, patients, and doctors make the best decisions for their health care needs, not the government. It's time to do away with this onerous prescription requirement.

□ 1920

HELP RECENT COLLEGE GRADUATES WHO CAN'T FIND JOBS

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

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to express my support for the extension of the current student loan interest rates.

Every young American who works hard and studies hard deserves a shot at the American Dream. Unfortunately, the economy, led by President Barack Obama, is denying them the opportunities that they need. Actually, according to an Associated Press analysis, over 53 percent of young college graduates aged 25 or under, which is 1.5 million young Americans, are unemployed or they hold low-wage jobs that don't require them to use the degrees that they just obtained.

Our approach to help young people is about more than just the interest rate that they pay on their loans; it's about creating an economy that gives them a chance to apply the knowledge that

they worked so hard to learn. That means not raising taxes or imposing new regulations on the very job creators that will offer opportunities to our young people. It means opening up energy reserves to lower prices at the pump because, guess what, Mr. Speaker, young people also are paying these high gas prices as well.

Let's stop the rise in student loan interest rates, but at the same time let's get this economy moving so that America's young people can achieve their dreams.

STAFFORD STUDENT LOAN PROGRAM

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

Mr. COURTNEY. Mr. Speaker, we are here today, Tuesday, April 24, to talk about an issue which, again, middle class families all across America are watching very closely. As the chart next to me indicates, in 67 days, the interest rates on the Stafford student loan program, a loan program which serves over 7 million college students all across America, is slated to increase its interest rate from 3.4 percent to 6.8 percent.

This program, which over time today has served roughly about 35 to 40 million Americans, is a critical component for middle class families to provide affordable higher education, which today, in the 21st century, is almost as important as having a high school education.

The Stafford student loan program's interest rate was cut in 2007 as a result of the passage of the College Cost Reduction Act, a measure which cut the rate from 6.8 percent down to 3.4 percent. Unlike this Congress, it was a bipartisan effort—77 House Republicans voted for that measure; 35 Republican Senators voted for that measure. George W. Bush signed it into law, President Bush, to his credit, and it provided, again, great relief for students all across America for an issue which we now know from the Federal Reserve Bank threatens, really, the financial solvency of America's middle class.

College student loan debt today now exceeds credit card debt. It exceeds car loan debt. One of the few safe harbors that exists in the system for students is, in fact, the Stafford student loan program. It has great bipartisan genealogy and sources.

Stafford was actually a Senator, Robert Stafford, from Vermont, a Republican, who, again, believed in education and was somebody who understood that the cost of college and university education is not what it used to be and that we had to give, again, middle class families better tools to pay for it.

Anyone who has dealt with the private student loan market knows that the rates today are roughly about 9 to 10 percent. Interest accumulates from the day the loan is taken out. If you're a freshman at a 4-year university, you accumulate interest for the entire time that you are in college using those loans. There is no forbearance. There is no timeframe in terms of repayment. Again, it is nondischargeable in bankruptcy if a person gets into great financial difficulty.

The Stafford student loan program, in contrast, has affordable rates—3.4 percent. There is a forbearance period, after a student graduates, of 6 months before payments commence, and no interest accumulates during the time that the student is actually in college. If there are financial problems that occur, again, there are systems for deferring payments. In fact, there is an income-based repayment formula so that no more than 10 percent of your income can be devoted to the repayment of Stafford student loans.

So this is really, again, a measure which affects a broad swath of America in terms of millions of students, millions of families. It is really about the only avenue that young people facing the formidable challenge—almost like buying a house when you go to college. Yet we stand here today, 67 days away from having these rates increase.

Now, for those who have been watching this issue, President Obama, right from that podium at the State of the Union address, challenged this Congress back in January to address this issue to avoid a doubling of interest rates. To date, the majority party in this House, the Republican majority, has not taken up a single bill. Even though we hear some nice words on the other side, there is no measure with which they have come forward.

The chairman of the Education Committee last week was quoted in *The New York Times* as saying that protecting this rate at 3.4 percent was bad policy. We have the words of the chairwoman of the House Education Subcommittee, from North Carolina, who stated on a radio program a couple of weeks ago:

I have very little tolerance for people who tell me that they graduate with \$200,000 of debt or even \$80,000 of debt, because there's no reason for that.

I would challenge that Member to talk to a new dentist or a new dental student graduating, or a nurse anesthesiologist who was in my office the other day who was carrying over \$80,000 in debt. The fact of the matter is, in terms of trying to get, again, skills for this, the modern American workforce, that is a reality that students and families confront day in and day out.

Yet the leadership of the majority of this Congress is basically turning its back on the bipartisan tradition of the Stafford student loan program with its

really pioneering Member of the Senate, Robert Stafford, with the bipartisan support for the College Cost Reduction Act passed with strong bipartisan votes and signed into law by a Republican President, George Bush, and basically saying it's bad policy and we're not going to do it.

Since last week—and again we did one of these Special Order 1-hour sessions with a countdown clock—some things are starting to change.

Yesterday, the Republican frontrunner, effective nominee for President, Mitt Romney, during the middle of a press conference, finished up, turned around, was walking away and turned on his heel and said, Oh, by the way, I want to say that I support President Obama's proposal to block the increase in interest rates of 3.4 percent. This is the leader of the Republican Party, nationally.

There does seem to be some hope. Now, it may be connected to the fact that the President, yesterday, was at the University of North Carolina, talking to young people in this country who know exactly what he is talking about in terms of higher education costs and the need to protect affordable loan programs to pay for college. Later tonight, he is going to be at the University of Colorado, talking to students at Colorado about exactly the same issue. Tomorrow, he is going to be at Iowa State University.

There is clearly a bit of politics swirling around here, because if you look at Mr. Romney's comments on this issue over the last few months or so, he has, in fact, said exactly the opposite. Indeed, he has come out in support of the Ryan budget, the Republican budget resolution, which was passed in this Chamber a few weeks ago. In that budget resolution, that 6.8 rate increase is locked in under the Ryan budget plan. Not only does it lock in the higher cost of the Stafford student loan program, it cuts the Pell Grant program.

□ 1930

That's the other workhorse of economic affordability in this country, named after Senator Claiborne Pell of Rhode Island. Again, it is a grant program that helps the most needy students pay for college. It's up to \$6,000—hardly enough to fully pay for most colleges in the country, but nonetheless is essential for college students across this country.

The Ryan budget cuts the grant level for the Pell program down to \$5,000—unbelievable—at a time when we're seeing college student loan debt skyrocket in this country and, sadly, at a time when America's graduation rate, which was number one in the 1980s, has now fallen to number 12. For the folks who are listening here today, that is a trend of mediocrity for this country. That is not a trend of growth. That is

not a trend of innovation for the future. That is a trend which basically says we are basically going to surrender to the forces of mediocrity in this country. And that is not acceptable to this country, and it's certainly not acceptable to all of us as Americans, and it resonates all across America. Again, I come from the Northeast, up in Connecticut.

We're joined here today by a great Congresswoman from the State of Texas, SHEILA JACKSON LEE, and I'd like to yield to Congresswoman LEE to talk about her perspective from the great State of Texas.

Ms. JACKSON LEE of Texas. I want to thank the gentleman from Connecticut for his untiring and unceasing work and for the reach that he has made to this issue to really touch the hearts and minds of those who believe that education is opportunity and it is something for which we need to plant the seeds for those who are now following forward with their destinies. I'm delighted to be on the floor as well with another leader in education, the Honorable DANNY DAVIS.

I would just say to you that I took the oath. And the whole 4 days when I was in my district, everywhere I went I touched the hearts of young and old when I reported to them that while their children are struggling, working hard trying to get good grades in higher education, and when they in good faith took out loans of about 2.8 percent just a few years back—somewhere between that and 3.4—now within days this is going to double. And we are here fighting in Washington to ensure that the doors of opportunity are not closed.

So I think it is very important. You are absolutely right to take note that the potential, or soon-to-be Republican nominee, for President has recognized the foolishness, unfortunately, of stalling in this House; that we have not simply passed a bipartisan effort, your legislation that I am a cosponsor of, that simply indicates that we will not see the doubling of those interest rates.

I have universities—if I don't call them all—from the University of Houston to Texas Southern University, Rice University, Houston Community College, Lone Star College, Houston Baptist, and St. Thomas in and around the 18th Congressional District, the University of Texas, Texas A&M, and others around the State; and young people who are attempting to achieve the American Dream and individuals who are going back to school. Even though our GIs have the GI Bill, some are extending their degrees and have had to take out loans.

So I rise today to join you and my good friend from Chicago to indicate that I'm going to join the army, if you will, the band of members who truly believes that there is no divide amongst us, Republicans and Democrats, when it comes to educating our

children. Many of us are parents. Many of us have seen our children go through college, some having finished, some still in college, and some with young children coming into college. And although we are blessed, many will have to take out loans for higher education, and doctors and lawyers whom we wish for higher education will have to secure those loans. I don't want to be in the midst of a ticking time bomb. I don't want to be the barrier. I want to be the firewall that protects them and allows them to gain an opportunity in this world.

So let me just thank you for allowing me to be on the floor this evening to indicate to my colleagues we speak quietly and softly tonight because we're asking you to join us, my Republican friends. Take the lead and join us so that in a few days—not 67 days—we can finish this up. Let's give them a graduation present. Let's tell every student coming out of high school and every college student that's in college that we are going to be your firewall and give you an opportunity for success in this great country that has always been the country that people have either come to or people have been proud to be in because of the great opportunity to be what you are achieving or seeking to be.

Mr. COURTNEY. Thank you, Congresswoman JACKSON LEE.

Again, just to follow up on one quick point, which is that there is legislation that is now pending in the House, H.R. 3826. A few minutes ago, we got our 146th cosponsor. To this date, though, we are still waiting for any Members on the majority side to join us in this effort. Again, 77 of them voted in 2007 to support this measure to cut the interest rates. It's time. It's time for them to listen to what their presumptive nominee is saying. It's time to join the Members on this side of the aisle and prevent the damage that this would do to middle class families.

And no one knows that issue better than a member of the Education and Workforce Committee, who has, again, done great work in terms of education issues and higher education affordability. Congressman DAVIS, thank you for joining us here this evening.

Mr. DAVIS of Illinois. Thank you very much, Representative COURTNEY. I want to not only thank you, but I want to commend you for the tremendous leadership that you've displayed on so many issues as I've watched you since you've become a Member of this House. I also want to thank you for taking on this issue—the issue of trying to ensure that young people especially in our country, a country that has been dubbed the greatest Nation on the face of the Earth—and it got to be that way because of its emphasis on education and providing opportunity for individuals to begin in life anywhere in this country and move as a result of edu-

cation to the highest ranks, to the highest levels, to the ability to make valuable contributions not only to the development of their own lives, but to the lives of others.

I often think of things that people have said about education and something that I'm told that Abraham Lincoln once said: Education makes a man easy to lead, but difficult to drive; easy to govern, but impossible to enslave.

College access and success are fundamental stepping stones towards economic security and global competitiveness. As policymakers, it is imperative that we support students in making college affordable so that our citizens can prosper. We face an immediate crisis in college costs. Without congressional action, interest rates will get out of the box.

I'm very fortunate to represent a congressional district that has what we call an education mecca in terms of the numbers of institutions that we have in what we call the South Loop area of Chicago, which is only a few blocks long and a few blocks wide. We have more than a hundred thousand students just in that area at colleges and universities like Loyola, DePaul, Spertus College, East-West University. As a matter of fact, I was at the board meeting of East-West last evening, where we were reviewing our accreditation standards and making sure that everything was in order so that the thousands of students who attend that university could get the very best.

But unless we make sure that students can acquire the money, I have organized a little scholarship fund in honor of my parents, because they believed so much in education—two of the smartest people I've ever known. My father finished fourth grade when he was 19 years old. We saw his report card. But he was a great reader and he read everything that he could get his hands on. My mother was a little more fortunate than that. She finished eighth grade and was considered to be one of the more educated people in our community. But they pushed for education. They knew that if their children were going to have opportunities that they did not have that they had to get as much education as they possibly could.

□ 1940

So, when interest rates bar and prevent people, I just know so many students and so many families who are wondering if they're going to be able to make it. Last year, I had one family who called to ask if we could help them find the money just to get to school. They had done all of the other things that their daughter needed to do, but they came up short with transportation resources, and they were trying to keep from borrowing any additional money. And then once they get out of school, if your debt is so high when you

go to try and find a job that it staggers you and pushes you back and works against your will, then it becomes even more difficult. So we're trying to make education affordable, just trying to give people the chance, the opportunity.

Something I remember that the fellow named Wolfe said:

To every man his chance, his golden opportunity to become whatever his manhood, talent, ambitions, and hard work combine to make him, that is the promise of America.

Of course, if he were saying that today, he wouldn't have just said "every man." He would have said, every person, every woman, everybody, every citizen, everybody who wants to should have that opportunity.

So, again, I commend you for your leadership, I commend you for your tenacity, and I just like the way you work. I like what you do. I like the issues that you raise. And you mentioned the Pell grants. Senator Pell, from the same area of the country that you come from, his daughter was in my office not very long ago, saying that she and a group of her friends were going to get very active on the whole issue of trying to make sure that individuals who were incarcerated had an opportunity to pursue the Pell grant in honor of her father and remembering the great work that he did. So I remember you for the great work that you're doing. I thank you, and I'm pleased to join with you this evening.

Mr. COURTNEY. That is high praise from you, Congressman DAVIS. When I was a freshman, brand new to the Capitol, the Education and Labor Committee, which you've been serving on for a number of years, it was a great honor to really observe you and to see that the College Cost Reduction Act was one of the first things that came out of the chute in January of 2007. And, again, your words tonight show that this has been a lifelong priority and mission for you to make sure that that happens.

You mentioned Abraham Lincoln from your great State of Illinois. It is interesting to note that the College Land Grant system, the Morrill Act, was actually passed in 1862 in the middle of the Civil War, the most catastrophic threat to our country's existence ever. And yet we had a President from your great State who had the vision to understand that every State should have a land grant college, which is what that bill did, and created a national commitment to higher education. Again, it was committed to agricultural sciences and mechanical engineering.

What an amazing story about somebody who, gosh knows, could have been distracted with whatever was happening in that terrible conflict, and yet he still understood that we can never, ever, ever lose sight of the importance of investing in our people. That's what

has made our country great, and you know that better than anyone.

Mr. DAVIS of Illinois. You are absolutely right, and I thank you again because I went to one of those land grant colleges—I, along with seven of my brothers and sisters—and I can tell you that, had they not existed, none of us ever probably would have gone to a college or university. So, thank you, again, as I take my leave.

Mr. COURTNEY. I look forward to working with you over the next few weeks on this issue.

Now we're joined by a gentleman from the great State of Michigan, Congressman HANSEN CLARKE, who is a relatively new Member but who has, again, jumped right in on this issue. Thank you for joining me here this evening.

Mr. CLARKE of Michigan. You're very welcome, Representative COURTNEY. I thank the gentleman from Connecticut for raising this important issue and for introducing this important bill, which I'm very honored to support.

We've got to keep interest rates low on student loans. 3.4 percent is reasonable. The Federal Government shouldn't be in the business of trying to make money or extract more money from student loan borrowers. The real problem with these interest rates, if we allow them to go up, is that if a borrower, for some reason, can't make a payment because they're sick, because they get laid off, maybe they get a divorce, that the interest rate would then compound. The interest would apply on top of interest, and the loan principal will actually start growing as the student loan borrower's income drops. So it puts student loan borrowers in a position where it could take them decades, if ever, to pay off their loans if they're in financial hardship. And that's not right.

As the gentleman from Illinois said, these loans are to provide people with educational opportunities, to give them a chance to get a degree where otherwise they wouldn't have the money to be able to do so. But instead, Representative COURTNEY, of these loans providing borrowers with a chance of experiencing the American Dream, the debt burden is so high on many of our graduates right now that the student loan debt has actually turned into a national nightmare. As you mentioned, over \$1 trillion of debt is owed by student loan borrowers. These aren't just the graduates. There are parents that also borrow money and take out student loans that help fund the education of their kids so their kids can have a better life.

I've introduced a bill, H.R. 4170, to complement your efforts. It's the Student Loan Forgiveness Act of 2012. In that bill, I adopt your position on keeping the interest rates on student loans, Federal student loans, at 3.4 per-

cent. Then I also want to make student loan repayment fairer and simpler by allowing every student loan borrower to get a second chance. Yes, you may have fallen behind on your payments—you may even be in default—but I want you to have a second chance to pay off your loans and to continue your education.

So, under my bill, every student loan borrower who is currently in repayment right now or has already taken out a loan will be able to repay that loan based on their income, 10 percent of their discretionary income. They make those payments for 10 years, and they'll be eligible to have the balance of their student loans, if there is anything outstanding, to be forgiven. But if you pay 10 percent of your discretionary income for 10 years, more than likely, you'll pay off a substantial amount of your loans if not the entire loan balance.

But for those who have had to borrow a lot of money because you decided to get a graduate education or maybe you came from a family that didn't have much money so that your only chance to get an education was to borrow student loans, you won't be saddled with those loans for decades. You'll be able to pay them off over 10 years, which is the standard term for student loan repayment.

One thing I'd like to add, though, about the bill is this: that forgiving the balance of these student loans is not just to help the borrower. It's also to help our country. Cutting student loan debt, keeping the interest rates down, and forgiving student loans that pose an excessive burden on Americans, that's the most effective, one of the most effective, ways to stimulate our economy to create jobs.

Think about it. A student loan borrower, instead of having to pay hundreds of dollars a month, maybe even \$1,000 a month, that after they've paid it according to their income, according to their means, for 10 years, to have the balance of that forgiven so now they have this money available to use as they choose it, to invest, to start their own business. And think about it: our graduates, those are the ones that were disciplined enough to go to school. They were ambitious enough to set their sights on a goal and achieve it. Those are precisely the folks that we want to encourage to go into business because it's through private business, free enterprise, that we really create jobs in a sustainable way in this country. Let's free up people's money so they can start their own businesses and realize the American Dream, not just for themselves, but for everyone else.

I'm from the city of Detroit. We've always been a tough place, but we've had great entrepreneurs who risked everything, like Henry Ford, to create and expand the automobile industry in

this country, which created jobs for millions of Americans for generations. We have so many young people right now who are ready to work and ready to start their own businesses, but they're not going to take any risk like that because they're too much in debt. They won't even buy a house because they can't afford it. Many student loan borrowers even postpone probably the most precious thing that anyone could get involved in—our great institution of marriage—and they put that off.

□ 1950

So, the student loan debt, it's not only a burden on the borrowers, on the parents, it's costing our society jobs and economic growth; and we're costing the global market the opportunity to be benefited by the great products that our country could produce, the great services that we could provide, the great technology that we could develop and create and sell globally. We are depriving the world of that because many of our budding entrepreneurs can't take the risk of starting their own businesses because they're in the hock of student loan debt, which is outrageous.

So, I want to thank you again for your leadership, for your persistent leadership on keeping student loan interest rates down at a reasonable level. As you can see, everyone around the country, including Members of the other party, they understand the commonsense notion of that.

See, these loans, again—essentially I'm talking to the American people because they understand this. These loans that the government provides you, it's not just for your benefit, it's to make our country stronger. There's a reason why we had the GI Bill after World War II. The more educated, the more trained, the more that we're able to develop our skills to our fullest potential, we're able to do more for ourselves and our community and for our country. See, that's what America is all about.

The reason this is such a big deal for me is that my dad immigrated to this country during the midst of the Great Depression, the midst of the Great Depression, the roughest time economically for this country, because he saw America as a land of opportunity. My mother, who was African American, had to struggle for years under discrimination and segregation in Detroit in the thirties and the forties and fifties. She was a school crossing guard and a cleaning lady who saved up all of her money so I could get a chance to get an education. But after I dropped out of school and after my parents died, the only way I could return to college is I had to borrow student loans. I thank this country for having those loans available as an opportunity for me to get an education, to come here and to be able to effectively represent the people of this country.

But you know what the problem is now, Representative, is that students who want to get the same education that I did decades ago, they may not be able to afford to do it. Even if they could borrow the money, they can't afford the costs that they'll have to endure in trying to pay off that debt year after year, decade after decade. That's not right. The Federal Government shouldn't have that kind of power to press people, robbing them of their money—because it's our money that we're using to pay off these loans—and robbing us of our job and economic potential.

So thank you again for your leadership. I'm very honored to join you in your endeavor to make student loan financing fairer for our country, but also, too, to let you know my bill, H.R. 4170, the Student Loan Forgiveness Act, I offer to complement your efforts to provide equal opportunity for education for all of us here in this country.

Mr. COURTNEY. Thank you, Congressman CLARKE, and thank you for sharing your personal story.

What has been sort of extraordinary to me is that over the last few months, as we've been working on H.R. 3826, our office has received communications from all over the country from folks talking about the importance of the Stafford program in terms of really transforming their lives. I'll be at Chamber of Commerce meetings; I'll be at Rotary Club meetings; I will have people who are not on my side of the aisle politically but coming up to me afterwards and saying this is something that the Congress absolutely has to pay attention to, that it has to protect that lower rate, and thank God this person had the Stafford loan program available to him just like you did.

To see that rate go up to 6.8 percent at a time when our economy—Treasury bonds are being sold at a 2 percent yield. You can get a 30-year fixed mortgage for, really, under 4 percent right now, variabilities at much lower. When you tell people that this rate is going to double to 6.8 percent for this one segment of the population, young Americans who really are doing it for the purpose of improving their own situations, it's greeted by just absolute utter disbelief.

At a time when, as you point out, debt levels—and I've got a little chart here from the Federal Reserve which shows where we're headed right now in this country. We have got to, number one, not make the condition worse by increasing the interest rate—and again, we've run the numbers.

Over a 5-year period of time, somebody who has got a Stafford loan portfolio is looking at an additional \$5,000 in interest payments. It's \$11,000 for over a 10-year period, which is quite normal, as you said, for people paying

back their student loans. We are compounding the trend lines for which the Federal Reserve Bank has, again, put up the warning flags to tell us that we're just creating crushing debt.

The Wall Street Journal had a story, which I was thinking of it as you were speaking earlier, about a young couple with student loan debts who basically were putting off starting a family and buying a house because of the debt levels, that they were basically just working to pay for every month in terms of their burdens there.

We need to be, frankly, A, dealing with the issue of the rate increase obviously in the next 67 days; but, secondly, we need to have a much bigger national conversation to talk about measures like your bill to create, again, a system that rewards people who are current with their payments, who are making progress in their lives but that are not going to have a ball and chain around their necks in terms of debt levels that, again, as you point out, at the end of the day really inhibit creativity and investment and innovation for people at a time in life when they really should be just spreading their wings, not dragging these huge burdens of debt that really hold them back and hold our country back.

So, again, I really appreciate your contributions here this evening. The clock is ticking, 67 days and counting.

Mr. Romney yesterday basically put up a strong signal to the congressional majority in the House here, the Republican congressional majority, that this is something that we must do. And we're still waiting. 146 cosponsors on H.R. 3826.

I'm not somebody who has a big ego. If somebody has a counterproposal to come up with a different way to do this, we're all ears. But what we don't need are the comments of the chairwoman of the Higher Education Subcommittee basically saying she has no tolerance for students with \$80,000 in student loan debt. That is a Congress which is out of touch with the reality that young people are confronting these days, who are really trying to improve themselves and fill the workforce needs of this country.

We cannot afford that type of leadership here in this Congress. We need to have people who are focused on the real condition of the middle class in this country, but also really focused, like Abraham Lincoln was back in 1862, about what's important in terms of the future of this country.

Mr. CLARKE of Michigan. Your request for us to keep interest rates at 3.4 percent is so reasonable that we need to act on that right now. The point that you mention, that we need to have these loans available for our students so they can get the training that they need to be hired into jobs that are going unfilled right now, in metropolitan Detroit, which is known

for having a high unemployment rate, where people really want to go to work, there are thousands of jobs that are available in metro Detroit that are not being filled because employers can't find the folks that have the training in the information technology area for software engineering.

So, we want to encourage people to go to school even if they don't have the money. We want them to be able to borrow loans without having to go into this type of debt.

My final point is this, too: that if we allow borrowers to be burdened by student loan debt to such a degree that they can't pay off their debt, we, as taxpayers, are on the hook for this debt. Probably one-half trillion of it is taxpayer backed. So we're on the hook for this one way or the other. We should give our borrowers a helping hand so they can manage their student loan repayments, pay this debt down, and then get on with their lives and help us create jobs throughout this country and throughout this world by selling the best products that metro Detroit knows how to do.

Mr. COURTNEY. Thank you, Mr. CLARKE.

In closing, I just want to end where we began, which is that it's 67 days and counting.

Today, all across America, there are high school seniors who are experiencing probably one of the most exciting moments in their lives, which is that they're going to the mailbox to find out whether or not they've been accepted to a 2-year school or a 4-year school. I remember those days. I have a son who just finished up college—and remember how exciting that was—and a daughter who's in high school and who's hopefully going to hear soon when her turn comes. But the fact of the matter is they need to have some horizon, some predictability at this critical moment to make sure that they can plan and budget to pay for college.

□ 2000

Financial Aid offices all across the country are putting up warning flags for students and their families that interest rates are going to double unless Congress acts. And the fact of the matter is that creates an instability about planning for what college to go to, what kind of budget a family can really accommodate in terms of paying for student loan debt. And that's wrong.

I mean, we can do better than that as a Congress. We can do better than that as a Nation.

Again, we're glad to see that Mr. Romney finally came around, even though he had sent out signals in opposition to this type of approach by supporting the Ryan budget which locks in the 6.8 percent interest rate.

But you know what, this issue is too important to get sucked into sort of

partisanship here. It is time to move forward, just like we did in 2007, when 77 Republicans voted in favor of the College Cost Reduction Act; 35 Republican Senators supported it. President George Bush signed it into law, a program named after Republican Senator Robert Stafford from Vermont.

I mean, come on. You know, people are sick and tired of the fact that every single issue, whether it's a highway bill, a payroll tax cut extension, or education assistance for middle class families gets sucked into this partisan maelstrom in Washington, DC.

And the fact of the matter is there's 146 Members on our side that have co-sponsored H.R. 3826 that are looking for a signal from the Republican majority to say, you know what, it's time to look at our history. It's time to look at the genealogy of the Stafford student loan program and the great bipartisan support to cut those rates 5 years ago.

Let's come up with a solution. Let's move. Let's help those families whose students are being accepted into college and those financial aid offices that are trying to help families budget and plan for the next academic school year.

Sixty-seven days is really not enough time, even today, but we should at least not compound it by delay and, hopefully, not compound it by letting just a totally unacceptable increase in interest rates for Stafford student loans to go into effect.

And I look forward to working with you, again, in the next hours and minutes and days to make sure that that doesn't happen. Thank you for joining me here, Congressman CLARKE.

I yield back the balance of my time.

WESTERN CAUCUS ON JOBS

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

Mr. PEARCE. Mr. Speaker, I'm proud to be on the floor tonight speaking on behalf of the Western Caucus. We, in the West have been working for 2 years now—for a year and a half—to help the Obama administration out with their tasks.

In September of last year, September 11, President Obama said that he would keep trying every new idea that works and listen to every good proposal, no matter which party comes up with it. And so 4 days later, on the 12th of September, last year, we in the Western Caucus, Senator BARRASSO and myself, sent a letter to President Obama outlining the "Jobs Frontier Report"; but, to date, we have not yet heard from the administration.

In that jobs report we have, basically, 40 different pieces of legislation that create American jobs, utilize American energy, and also stop regula-

tions that are in the process of killing, during this year, 3 million more jobs.

So at a time when the Nation is faced with 8.2 percent unemployment, continuing over 8 percent, month after month, for one of the longest periods of time in our history, the administration seems pretty flat-footed on ideas, and so we in the Western Caucus felt like we could assist in that. That's our business. Many of us are familiar with the industries, we're familiar with the job creation that can go on in the Western States. And so we felt that we were offering help to the administration but, to this point, they've been completely unresponsive.

If you go on our Web site, you would be able to see the "Jobs Frontier Report." We've got the cover of it depicted here, and it simply describes in that report the 40 exact pieces of legislation that have already been written and submitted in order to create these jobs.

Now, it would be important to understand that all of these jobs, not one of them requires Federal input, no Federal expenditure, no Federal stimulus, no tax to the American people. And, instead, we're simply trying to solve the problem with the free market that has caused this country to be so great in the past.

We are faced with unemployment in the West that is actually much higher. It's 10.1 in percent in the West, which tells us that the accusations that there is a war on the West, a war on jobs in the West by the administration are verifiable in the unemployment figures.

We have other documentation. Gas prices have doubled since 2009. The public lands are facing increasing restrictions.

The President has recently stated that the oil production is up in the U.S. Well, he stated a correct thing; but what he should have been, from his perspective, talking about is it is all produced on public lands. And when we analyze that, we find out, in 2011, that oil based on public lands, produced on public lands, actually decreased by 14 percent, and that the gas production, natural gas production, decreased by 11 percent.

And so when Secretary Salazar levies his charge that the facts don't speak for what our position is, maybe we could redirect the Secretary to go to the Web pages for the government that would describe exactly what we're showing here, that the oil production that is occurring to increase our total production is occurring on private lands. It is not occurring and is, in fact, decreasing on public lands.

That's because the government is slowing down the permitting process. They're finding new and restrictive ways to implement requirements on people who would be creating jobs, who would be drilling for oil; and each of

these processes simply strings out our investment.

We had testimony earlier today, the House and Senate Western Caucus came together, had testimony from two different panels; and one of the panelists explained that they had bought—they had paid for these leases on public land, but they, in fact, then turned them back because the requirements turned it into a proposition that they had not bid on at all.

So we continue to find these case examples of too much interference, too much regulation, causing the energy sector to slow down in certain areas on public lands therefore creating more unemployment and creating a bigger gap.

I'll finish one thought, and then I'm going to yield time to my friend, Congresswoman LUMMIS from Wyoming, who is a member of the Western Caucus and is the vice chairman of that. We were in the hearing together earlier today.

But at this time in our Nation's history, almost everyone agrees that the greatest threat that we face is the continuing debt and the year-after-year deficits.

There are only three ways that you can solve deficit. If you're spending more money than you're bringing in, as a family, well, you've got a couple of choices. Number one, you can go out and get a second job or retraining to where you make more income so you can increase your income.

Number two, you can cut your expenses down; or, number three, you can borrow money to make up the differences.

The Federal Government is faced with the same conclusions. It either needs to increase revenue, that's by raising taxes; or you can increase revenue by growing the economy, that's creating more jobs.

Secondly, you can cut spending. Thirdly, you can borrow.

Unfortunately, the Federal Government goes one extra step that most families, some families actually resort to, but it's against the law for families. It's perfectly legal for the government. But the fourth thing is to print money. And it's that printing of money, that debt which is not being able to be repaid that is the great threat to the country.

If we were to look across the West and see where we've choked off jobs and put those people back to work in the hundreds of thousands of jobs, then each job would do two things. First, they would cut the cost of the government because those people come off unemployment, welfare, food stamps; but then, secondly, they go to work and start paying taxes. So you have a squeeze from both the cost end, because the government is spending less money; but you also have an increase in revenue so your costs and revenue move together when we create jobs.

□ 2010

That's the reason that the Western Caucus is concentrated on jobs rather than a taxation policy or a borrowing policy and especially not on the printing-of-money policy.

So at this moment, I will yield time to my good friend, CYNTHIA LUMMIS, from Wyoming. We welcome you tonight and thank you for being willing to speak on behalf of the Western Caucus.

Mrs. LUMMIS. Thank you, Mr. Chairman. I appreciate your work as chairman of the Western Caucus.

The western States are roughly the 17 western States and three island governments, but they also include Members from States who have very similar problems, but who happen to be east of the Mississippi, such as some of the southern States along the Gulf of Mexico that have enormous energy reserves and face some of the same regulatory burdens. Also, people from coal-producing States that are east of the Mississippi, such as West Virginia, where a heavy attack on coal has jeopardized jobs and the future of coal in this country as a contributor to our energy future.

As we see from the chart next to me and from what Congressman PEARCE has previously told us, even though energy production is up, oil and gas production is up on private land. This is the bar to my far right. Over closer to me to the left, it shows that energy production, oil and gas production from Federal lands has declined—11 percent in the case of oil and 6 percent in the case of natural gas.

Now, why is this affecting gas prices? Why does President Obama say that drilling more now on Federal land will not affect oil prices now or the price of gas at the pump?

Well, there's two ways to look at that. One is he's correct that it's not going to affect the price of gasoline today or tomorrow. But the fact that we're not drilling now and that permits are not being issued now—we know of about 22 projects for the proposed 44,000 new oil and gas wells on private land that are being held up. That's going to be gas production and oil production that will be available in the future, anywhere from 3 to 7 years, that because of these regulatory burdens is not going to be produced.

That not only drives up the price of gasoline and power of all kinds, energy of all kinds, in those future years long after President Obama is out of office, but it does affect today's futures market because the people who are looking at the price of gasoline are looking at whether production is continuing to go up in this country. That is a factor that is considered when futures pricing occurs, and because it's very obvious that the government policy in the United States for the last 4 years has been away from oil and gas and coal

and in favor only of solar and wind energy because we subsidize it so heavily and promote it so heavily at the United States Department of Energy, it does affect the price of oil, gasoline, and eventually gasoline at the pump.

Now, another factor related to the coal issue that I mentioned is, are we going to hurt our environment if we don't quit using coal? The answer is to look at our regulatory work that was done prior to President Obama taking office, and it's represented on this chart.

Let's look from 1970. The population in the United States is up 48 percent since then; coal-fueled electricity up 184 percent since then. The gross domestic product of the United States up 200 percent since the 1970s in part because we have had affordable, reliable, and abundant electricity. So much of what we've done in this country in producing job growth is based on the fact that we have been able to rely on affordable, abundant electricity. Half of that has come from coal.

Now, in that same time period, emissions from power plants had declined 60 percent. Look at all of this growth. Look at even the growth in coal-fueled electricity and the decline in emissions down 60 percent. And that's due to the Clean Air Act and compliance with the Clean Air Act.

The point here being regulations can be valuable when done properly, and the Clean Air Act was a regulation that had the desired impact. It dropped emissions 60 percent by 2008. The problem has been since 2008, the efforts to over regulate have stifled our ability to create more energy from coal. It has reduced the number of jobs from coal. It has reduced revenue from coal, and it has reduced the affordability of electricity going into the future.

Mr. Chairman, I have some other points that I want to make about this. But for now, I'd like to just point out that the people who are bearing the brunt of our policies on energy in this country for the last 4 years have been people of very modest income. Because when gasoline prices go up at the pump, when your electric bill goes up, it is the people who are in the lower- and middle class population or in a category of workers who make very little money and struggle to make ends meet, especially single mothers, who are really bearing the brunt of these policies.

These policies are choices of this administration. They are conscious decisions that they are willing to see prices go up for coal, oil, gas generated power in order to make them more competitive with higher-cost, higher-priced wind and solar energy.

These are bad policies for the average, everyday American. These are bad policies for America's working mothers.

Mr. Chairman, thank you for this opportunity.

Mr. PEARCE. I thank the gentle lady from Wyoming for her presentation and the facts that she presents.

One of the things that people constantly say who are opposed to oil and gas, to energy coming from America, is that it's impossible to drill and remain environmentally sensitive and safe. I think that those people are simply not looking at current technology.

It is possible with today's technology to drill up to 7 miles horizontally. That would be like drilling from here in this room here across the Potomac River somewhere out into Crystal City and putting a drill bit through a window that's maybe this large.

So what we're able to do is drill down 3,000 or 4,000 or maybe 5,000 feet, turn horizontally and drill and hit the zones of production. It is possible in today's technology to preserve almost the entire footprint of whether we're wanting grass lands or forest lands or whatever. We almost don't have to disturb those because the drill bit actually will be so far beneath the surface, we don't have to go in and clear locations like we did 15, 20, and 30 years ago.

You can also take one well, drill it straight down and then come off that and put multiple well bores so that what used to be spread on a quarter-acre or quarter-mile spacing or half-mile spacing might now today be one well for any number of the distributed wells.

So the environmental impacts of drilling today are probably less than in any other technology.

Wind energy, for instance. Wind is very large in New Mexico. They've got these miles and miles of wind generators standing in the air. Very large footprint. New Mexico is very capable of producing a lot of wind, but one of the problems is that the wind doesn't always blow and the sun doesn't shine all the time.

We had in Arizona recently—one of the operators of a wind farm said that they get about 12½ percent reliability, that is about 12½ percent of the time they're getting generated power out of the wind, and it's somewhat higher in Arizona for solar, about 25 percent of the time.

So when people are talking about converting from oil and gas to wind and solar, and I think every one of us believes that we ought to be using all of those forms of energy, but we have to understand that if we go to 12½ percent reliability, that's the amount of time that when you flip the switch that you're going to have power.

□ 2020

I think most of us are living lives that we demand and need power immediately for use of home appliances, for use of our computers. In manufacturing, you don't want power that is just available part-time. Generally, manufacturing is expensive and competitive. We're trying to keep our manufacturing jobs here, and the last thing

we want to do is tell manufacturers you've got to shut down for 10 hours today because the wind is not blowing. The modern economies absolutely demand the predictability of good power when you flip the switch to turn on equipment or to turn on things in your home.

It is possible to provide those energy resources at the same time that we protect the environment. In my father's generation, there were lots of problems. In my generation, I watched as major companies began to clean up things that had originated back in the twenties and the thirties. So it's necessary for us to say that every single one of us wants to see the environment clean. They want clean water. They want the soil to be clean and clean air. And it is possible to achieve both because of the technologies that we have today.

I would draw our attention next to the fact that this administration has been saying that they want an all-of-the-above energy policy. At the same time, then, they're increasing restrictions on public lands and access to public lands. They're making it more difficult for the producers of both coal and electricity generation. They're making it so much more difficult that everyone in the West is struggling under the load.

The reason that the West has to deal with the problem more than the East is that the Western lands are so much more owned by the government. State government and Federal Government own such a large proportion of the land in the West that it's incomprehensible to States back East exactly about the problems that we face. But whether it's endangered species, whether it is restrictions, whether it is EPA, all of the agencies play a part in slowing down the process.

Recently, our administration—through Mr. Abbey at the BLM—said that we really want the BLM across the Nation to lower the time required to give permits. In fact, that time is still abysmally high at over 200 days.

I see my friend from Utah (Mr. BISHOP) standing ready to speak. At this time, if he is ready, we'll yield time to Mr. BISHOP, and we appreciate your presence on the Western Caucus.

Mr. BISHOP is the past chairman and still a respected person on the House Western Caucus. Thank you for being here tonight, and we appreciate your participation on the caucus.

Mr. BISHOP of Utah. I appreciate the gentleman from New Mexico's introduction, which is far more fluent than my presentation will be.

I share what the gentleman from New Mexico, as well as the gentlelady from Wyoming, have said on this particular issue, that we in the West seem to have a unique situation in which there is an effort to try and stifle—hopefully by simple incompetence and not out of

planning—but stifle the economic growth that we need so desperately in the West for our kids and for our future.

There are two things that were said today that I read in the paper that come from this administration, which tells us that we're obviously in a campaign season and that the words are simply being used in a unique and different way.

The President once said that the party to which I belong is currently engaged in a war on the poor, which I find unique because, to be honest, when you have overriding and ever-increasing energy costs, that—as the gentlelady from Wyoming said—is the real war on the poor.

Somebody who is in the bottom portion of our economic sphere, our economic stratus, will pay three times as high a percentage of their income for increased energy prices as those who are in the top will. If you have a nice urban job, you may have an inconvenience as energy prices go up. But if you're one of those struggling working families trying to make ends meet, this becomes a unique situation.

When gas prices go up to \$4 or more, climbing towards \$5, they may dip down again, but they will certainly rise one more time. It hurts the poor far worse than it does any other sector of our country. They are the ones who have the least likely chance of actually having some kind of fuel efficient automobile, and yet they probably have the greatest chance of needing desperately that car simply to go to work, and have no other options whatsoever. They are the ones who will have the most difficult time trying to heat their homes in the middle of winter with the increased cost of fuel. They are the ones who will recognize, first of all, that whenever the cost of gasoline goes up, the cost of food will also go up, simply because it takes money to send that food to market so that you can buy it. All of that hits those who are in the lowest sector of our economy harder than those who are in the upper sector of our economy.

One of the estimates we used a couple of years ago said that for every \$420 a family has to pay in increased energy costs, it will equate to 6,000 jobs that will be lost in the economy. That's one of the problems that we simply find ourselves in. The sad part about that is we don't have to do it. This is not an energy-poor country. In fact, it is an energy-rich country.

We should be using the resources that we have here in the country to enrich ourselves and to help each other to have a better lifestyle, not getting worse. And the competition for energy is going to increase as time goes on. There are 6½ billion people in the world; 2 billion of those 6½ billion have no electricity today. They're going to want that in the future, which means

our energy needs will be increasing, not diminishing. It doesn't matter what kind of efforts you put in there, our energy needs worldwide will be increasing. We have to be able to plan for that.

I have a good friend who is one of the CEOs of an energy company today who said when he was in college back in 1973, the word went out there that we were in an energy crisis, we were running out of oil, and we had to come up with a way of solving that problem. That was still the Shah's era, and so we did.

In 1977, we came up with a national energy plan. It was a colossal failure. It was an effort to do centralized planning here in Washington to come up with a way of solving our problem in the future, and it failed miserably. Thirty years later, we have people in the bureaucracies of this administration who want to try and reinvent a very bad wheel that didn't work back in the 1970s.

Someone has to tell this administration and this city that back in 1988, the Berlin Wall fell down and the idea of centralized planning was discredited throughout the entire world, not only in government, but also in industry. Everyone learned that lesson except the bureaucracies here in Washington, where a solution of this administration and far too much that takes place in this city is still the same idea: let's get a Big Government plan and let the government control everything. We want energy security, but we don't want to drill anywhere. We don't like \$4 a gallon gasoline prices, but we're not ready to increase any refineries anywhere. We don't necessarily want more coal or hydro or nuclear, but we're not ready to come up with any kind of alternative. We actually do want to have more gas coming in here, but we're not ready to put any pipelines in place to try and make sure that actually happens.

The end result is we lose. The Western Energy Alliance made the prediction that because of our lack of energy development on public lands in the West, we have lost 16,000 jobs and almost \$4 billion of infrastructure investment that comes in there.

The Secretary of the Interior made a speech today where he called a lot of things we talk about here in Congress the "imagined energy world." I think this administration believes in that imagined energy world.

It's very easy for this administration to list all of their alternative energy projects by name, because they have very few of them. They're not moving ahead with solar power. They're not moving ahead with wind power. They're not moving ahead with anything else, and they're not moving ahead with alternative forms either. And this hits us in the West specifically.

Mr. PEARCE, I don't want to consume too much time. You may want to go in another direction. But I'm an old school teacher, and this is one of the areas that is of concern to me.

This map is obviously the United States. Everything in red is what is controlled by the Federal Government.

□ 2030

You notice that we in the West have the unique opportunity of having one half of everything in the West controlled by the Federal Government. The Federal Government controls one out of every 3 acres in the Nation, and in some of our States it's like 90 percent, 70 percent, 60 percent of all the land is still controlled by the Nation.

Now, one of the things that you may say is, Well, is that bad? I want to contend to some of my good friends who live in other parts of the Nation that they have an interest in all of this red stuff over there because my good friends who live in the East are shelling out \$8 billion to \$9 billion a year in order to control the West, to pay for all this land. Every year, in their efforts to make sure this map stays the same, that's \$8 billion to \$9 billion that comes out of their pockets.

What do they get for that investment? They get this map. The States that are in red are the States that have the hardest time funding their education systems over the last several decades.

Now, notice once again the States in red. The area in red is the Federal Government's own land. The States in red are the ones that have a hard time funding. You notice there is kind of a correlation simply between the two? This is what the United States is getting for its \$9 billion investment to control the West. We are harming our schools.

Now, even in this land that's in the West, we have a huge backlog in maintenance issues. Our National Park Service is hundreds of millions behind in their maintenance system.

There are some States like mine that simply said, you know, this is ridiculous. Our kids are being harmed in their education funding. We can't generate the money we need for our own infrastructure. Why don't you just let us take control of the land, and we will save those pristine areas that need to be saved. We will ensure there is access for recreation and multiple use, and we will develop those resources.

The Secretary of the Interior today said, simply, that concept defies common sense. The idea that only the Federal Government has the ability and the intelligence to control this kind of land and that people who live in the States obviously can't do it defies common sense.

What this means is the Federal Government that wants to spend more money for land acquisition, that can-

not maintain its own land right now, that harms kids in the West with their education funding, that under funds all the projects that are there right now and simply wants more and more, that's the common sense. If that, indeed, is the future, then we have a long, long way to go.

We in the West simply have a simple situation. We can do it just as well, if not better, and my argument to you is we can actually do it better. That's what should be common sense. Our kids are being harmed by this system. We are not producing jobs for our kids because of this system. What I think we need to do in the West is realize this is a country that has energy potential, energy ability, job potential, job ability, and we have kids that definitely need that.

We in the West pay more taxes than they do in the East when you add everything up. We put a higher percentage of our State budgets into education than they do in the East. We actually have higher class sizes than those in the East. We have more kids than those in the East.

We need to have the ability of actually meeting our particular needs. Part of that is for this administration to simply realize you've got to help develop the resources that we can. We can control it. We can fund it. We can do it if you give us the opportunity just to move forward.

This administration says that we are producing more oil now than ever before because it's all being produced on private property where they can't control it, try as they might to. If they simply unleash the potential in all this red area, this country would move forward in a growth spurt that is almost impossible to imagine. That's the commonsense plan.

I am very happy to be a part of this issue because I'm excited about what my colleagues are saying in a much more refined way than I have been able to do that, and I'm excited about hearing some more of my westerners who realize, hey, listen, there is a war on western jobs and it needs to stop. We need to have help in creating western jobs, not hindrance in stopping western jobs.

Mr. PEARCE. I thank the gentleman for his comments and would, again, accentuate both his points and the gentletlady from Wyoming's about the administration's current war on the poor. We have heard repeated comments from the administration and their representatives that we need to get the price of gasoline up so that people will consume less, that, yes, the price of electricity by our policies will necessarily increase dramatically. The price of electricity increasing, the price of gas increasing, punish the poor terribly. Why would we have policies that are so unfair to the poor? It defies imagination.

Also, following up on my friend's comments about the Secretary saying that it is impossible, just not feasible, even unimaginable that people in the States would take better care of the property than the Federal Government has, I would simply direct the Secretary's attention to those massive forest fires in the West. They are managing our forests in order that they would burn down. They and the Federal Government have choked the bureaucracy full of people in order to manage these resources, but, instead, they manage them in a process that ultimately sees that they will burn down. It's not a question of if but when.

The final comment I'm going to make, and then I'm going to yield to my friend from Colorado, but the President recently asked for \$52 million to crack down on speculators, which he claims are the cause of high gas prices. \$52 million to crack down on speculators.

Now, speculators, you have to understand that they make their money by guessing which way the market is going to go. Right now they see a government that is choking down access to supplies, so they scratch their head and say, We think maybe the price is going to go up and so they speculate and buy on the assumption that the price of gas is going up, the price of oil is going up, and lo and behold, they're making money.

But if the President were to announce today that he was going to open—and people sincerely believed him, that he was going to open access to Federal lands, those same speculators who today think the price is going to go up would begin to say, Oh, I better buy down, because if I bid up and the price falls, I'm going to lose money. So those speculators would begin to drive the price down.

But he doesn't need \$52 million. All he needs to do is give one sentence from the White House that the war on the West is ending and we're going to open the West oil production up again. That would do the trick; no \$52 million putting us deeper into debt. It simply makes sense to us from the West because we see it day in and day out.

We're joined tonight by our good friend, DOUG LAMBORN, from Colorado, and welcome here. It's nice to see you, and we appreciate your participation in the Western Caucus. We appreciate you being here tonight.

Mr. LAMBORN. Thank you, Representative. You do such a great job representing New Mexico, and you know so much about energy issues and financial institutions, issues like that as well. But this is a great forum. I thank you for organizing this and your leadership on energy issues.

I want to quickly address an issue that is of great concern to many people, myself included, and that is: Who should be regulating things like hydrologic fracking, fracturing—or fracking,

for short—here in the United States? We have about 10 different Federal agencies that have their hand involved one way or another in regulating fracking, or at least trying to do so, from the EPA all the way to the Securities and Exchange Commission, if you can believe that.

I'm concerned because in my work on the Natural Resources Committee, along with ROB BISHOP that you heard from earlier, we have been hearing that the Bureau of Land Management, one of the agencies that our agency oversees, is proposing rules regulating fracking on public lands. The concern about that is that right now, in a State like Colorado, my own State, those State regulators are already doing a great job regulating fracking. They know the local geology. They know the water, the water aquifers. They know the things that someone in Washington is not really going to know.

If you add a second layer of bureaucracy onto what the States are already doing, you have the potential—in fact, the certainty—of crippling job production, crippling energy production, because you'll have twice as many regulations to have to deal with if you're an energy producer. Why in the world do we need to, when the States are already doing a good job, add another layer of red tape and bureaucracy? I'm really concerned about that.

The subcommittee that I'm the chairman of on Natural Resources, Energy and Mineral Resources, is having a hearing in Denver next week on Wednesday, the 2nd of May, at the State Capitol in Denver. We're going to get right into this very issue.

□ 2040

Should the States be regulating fracking, or do we also want to have the Federal Government regulating as well? I hope that the evidence shows—and I believe it will—that the States are already doing a great job. We can only lose by having another layer of regulation.

This is an issue that affects energy in the West on public lands, and I'm really concerned that we have Federal agencies getting involved when the States are already doing a fine job and it's only going to hurt the production of energy and the creation of jobs.

Mr. PEARCE. That is absolutely true. One point that is often omitted by the opponents of fracking is that the people who most want fracking not to communicate with the fresh water are the oil companies themselves. They drill this million-dollar well bore, then they run casing in the well bore. They put cement outside that casing in order that they can have a nice tight well bore in order to produce the oil that allows them to pump the oil out expeditiously. And when they frack, they frack thousands of feet below the water zones. They're usually right up at the

surface. And for contamination to occur, that pressure that is pumped down in the thousands of feet lower in the well would have to come outside the well bore, outside the cement around the casing, all the way to the surface, and then contaminate the water up there. In doing that, they have ruined the entire well bore.

So the companies themselves are watching to see if there's any drop in pressure. That's when you know that you've got something bleeding off. They shut everything down. They patiently look at it. The oil companies, again, are the best custodians of the water because they don't want to ruin the well that they have spent drilling and a lot of money in completing.

I notice that my good friend, Mrs. LUMMIS, is back at the podium, and would yield more time to her at this point.

Mrs. LUMMIS. Thank you, Mr. Chairman.

I would like to point out what States are experiencing in relation to our Federal budget. So let's start with the Federal budget. Here we have all our revenue for 2011 in this column. Here we have just our entitlement programs that we spend money on in this column. So we're spending all of the tax revenue we take in in this country just on our entitlement programs. That is Social Security, Medicare, Medicaid, other mandatory programs such as food stamps and school lunches. And then, of course, interest on the debt. Which means every other discretionary program and the global war on terror and our national defense is all borrowed money—borrowed from China, from Saudi Arabia, from Japan, and from American companies and the American people. That would never happen in the State.

On the front page of my State's statewide newspaper today was an article that our Governor, Wyoming Governor Matt Mead, is asking all State agencies to budget for an 8 percent cut in spending, and the health department, a 4 percent cut in spending. This is because natural gas prices in the United States have dropped below \$2 in MCF, which is extremely low, and my State is the second largest producer of natural gas in the Nation, and we're heavily reliant on natural gas for revenues.

So what do we do when our revenues decline? We cut spending. We budget differently. We don't hire people to sit in vacant positions. We leave those positions vacant or, better yet, make them completely go away. That's what States do to manage their problems. But an interesting source of revenue for the State is income off State lands. And it's a very important source of revenue.

Now, Mr. BISHOP from Utah pointed out earlier this evening that the American taxpayers are paying \$8 billion,

Mr. BISHOP, to pay for administering public lands in the West. In my State of Wyoming, we could be managing those lands. And if you went and looked at the quality of our State lands, you would be thoroughly impressed. They are beautifully managed. The stewardship is well done. We are producing oil and gas. We're producing livestock, cattle, and sheep. We're producing timber. We're producing recreational opportunities, open space. We're creating, because of all that open space, places where clean air, clean water, and clean living can really work together. It is a wonderful system with much smaller administrative costs than the American people are paying for the Federal lands in the West. We've proven that as States who received land when we became States, we can manage all of the land in our State that's not private land.

Consequently, I agree with what Mr. BISHOP said earlier. The fact that we have NEPA, FLPMA, SMCRA, CERCLA, and lots of other laws that are managed from the Federal Government's level that could be managed at the State level would make it much less expensive, would make the land stewardship closer to home where the people who really love and thrive on these important lands live handwork and want to recreate and want to participate in the management of these lands.

They would also produce more revenue for the States, making States like Utah, like my own State of Wyoming, where we prioritize public education above all other expenditures of government, we would make more money available. Because as you know, in most States, the property taxes go largely to the education system. Well, when the land belongs to the Federal Government, the Federal Government doesn't pay taxes. Consequently, that money is not available to us.

Now, States do get something called PILT payments—payment in lieu of taxes—but they're not the same as if that land were on the tax rolls of the States in which those lands reside. Consequently, look at what we've summed up. We're producing less jobs off Federal lands with more regulations, more cost to the American taxpayer, less revenue to the States, less revenue to the Federal Government, and less potential for job creation. The job seekers end up being on unemployment instead of paying taxes because of the salaries that are paid. And when you have great-paying jobs like in the oil and gas industry, where the average job pays \$72,000 a year—a much higher wage than the average wage in our States—we really are hurting ourselves terribly by not prioritizing jobs, not using Federal lands to their fullest capabilities in a way that provides great stewardship that those in the West value and seek and yearn for and want

and would never compromise in order to have a robust State and a robust economy.

I want to thank Mr. PEARCE once again for his leadership.

Mr. PEARCE. I thank the gentlelady.

Before I yield time to my good friend Mr. BISHOP again, I'm reading in today's quotes that Interior Secretary Salazar said that House Republicans live in an imagined energy world. I appreciate his concern and his criticism. I consider it as constructive. But think about this imagination.

The President in March of 2012 said: We can't just drill our way to lower gas prices. We can't drill our way to lower gas prices. That's a viewpoint that could be considered legitimate, except that about the same time he's calling for Brazil and Saudi Arabia to increase their drilling in order to get the prices down so that people in America don't have to pay as much at the pump.

□ 2050

Now, I'm not sure what imagined energy world says that it will cause the price of gas to go down if they drill in Saudi Arabia and Brazil, but it won't cause the price of gas to go down if they drill over here. That, to me, argues that it is that that is instead an imagined energy world.

The Secretary goes on to talk about that these members of the Republican Party are members of the Flat Earth Society in a demeaning term. Now, in my county, you can see from one end to the other, miles and miles; and if you turn and look east, you can see all the way to Dallas 300 or 400 miles away. I do live in a flat part of New Mexico and can see across the line into Texas. And so he speaks in demeaning terms about flat Earth, and yet he's very happy to have all the production of oil and gas that comes from there.

So the flat-broke administration is criticizing the Flat Earth Society. And of the two, I would rather live on flat ground than be flat broke. And so I would yield to my good friend, and then I will close out.

Mr. BISHOP of Utah. I thank the gentleman from New Mexico, and, once again, I do agree with you. I enjoy your image of the world much better than this particular administration. It reminds me of "Back to the Future" when they had the two movies, what happened if Biff got the sports sheets and what happened if he didn't? It's almost what we're doing here. There are two actual visions of what the future of this America will be; and, I'm sorry, this administration keeps taking us down the road in which Biff actually does have the sports sheets and he is able to win all those bets and get control of everything.

I just want to add one other thing to what the gentlelady from Wyoming also said here. When we talk about the Federal Government and what the Fed-

eral Government does on public lands, I just want you to realize it is not only related to public lands itself.

We find that this administration is not satisfied with just living within the boundaries of public lands, but is coming up with policies that impact private property that is next to those public lands. When this administration took over, in the State of Utah there were 77 oil leases that had gone through a 7-year review. They had all the public hearings, they did everything, they were ready to be let for sale to try and develop those resources in the eastern part of my State.

The very first thing this administration did was recall those 77 leases. It didn't matter that the process had gone through, they had done the work. They recalled them for the purpose of special interest groups for their satisfaction. What happened in the eastern part of my State is the unemployment rate simply skyrocketed not only for these 77 leases that were on public land; but the private sector that was there ready to invest saw the handwriting on the wall, and they pulled out of that particular area. They were not ready to go through the kind of harassment as well as the regulation that they could see taking place. And the unemployment skyrocketed; the investment in that area went. Only now is it starting gradually and gradually to come back in.

Here is the problem that we have with this administration's policies: Not only do they inhibit energy production and jobs that can be generated on public lands; their efforts of increased regulation and efforts to inhibit that kind of development take away jobs on private property where they see that there is not a future there and they don't want to go through the regulatory hassle. So what could have been developed in my State basically went to North Dakota on private lands, and there they found their ability to make lots of money and to increase the energy production here because they simply did not have to deal with this administration.

Unfortunately, it's not just about energy jobs. This administration on public lands is doing the same thing for recreation jobs. With the number of roads that have been closed on the forest and BLM lands, stopping the ability of people to hunt and fish and do other forms of regulation, even the kinds of regulation on outfitters that tells them what kind of coffee they have to serve when they're on Park Service property, that is an impediment to the development of our recreation community and recreation jobs at the same time.

One of the things we have to realize is that this administration's effort to try and control everything is producing nothing that is helping us create jobs for our kids to keep them at home. I appreciate Mr. PEARCE for actually

starting this process and talking about this issue because it needs desperately to be addressed.

Mr. PEARCE. I thank the gentleman.

Senator HATCH is going to introduce this week the West Act, which is a combined 10 bills that we have previously sent from the House of Representatives that are sitting dormant drawing dust in the Senate, and so he is going to lump them together and push them out. Those are a part of our "Jobs Frontier Report." And those acts do things like H.R. 1229, Putting the Gulf Back to Work Act, that's by Representative HASTINGS; H.R. 1230, Restarting American Offshore Leasing Now Act by, again, Mr. HASTINGS; H.R. 1231, Reversing President Obama's Offshore Moratorium Act; H.R. 2021, the Jobs and Energy Permitting Act, and that's by Mr. GARDNER from Colorado; H.R. 1837, the San Joaquin Valley Water Reliability Act by Mr. NUNES of California; H.R. 872, Reducing Regulatory Burdens Act by Mr. GIBBS; H.R. 1633, the Farm Dust Prevention Act by Ms. NOEM; and, finally, H.R. 910, the Energy Tax Prevention Act by Mr. UPTON.

Now, just talking among friends, I would feel that the Secretary of the Interior exposes a little bit of thin skin. These are credible debates that we're having in America right now, whether we should use foreign oil or oil produced in this country, whether we should export our jobs overseas to produce energy or whether we should get them here.

I read where Mr. Salazar says that the fact is most of the Outer Continental Shelf resources are open for business, he says. Well, then, give us the nod, and we'll simply pass those first three bills: Putting the Gulf Back to Work Act; Restarting American Offshore Leasing Now; and Reversing President Obama's Offshore Moratorium. If it's already the case, then just humor us, nod your head, and nothing will be changed since it's already open for business, and if the President would tell the Senate to go ahead and pass just those three bills, we could send them up to the President, and we could have plenty of jobs starting out and plenty of American production.

Again, I would look back at the price of natural gas. When the administration says that you can't drill and come up with lower prices, the price of natural gas a couple of years ago was in the \$12 range. Today, the price is about \$2.50. Now what caused the price to go from 12 to 2? When the price is going up, the President says, I need \$52 million to control the speculators that are driving the price up. But when the price goes down, somehow he's not saying we need to give you \$52 million back because now those speculators are driving the price down.

This view of energy in the White House, originating with the Secretary

of the Interior, somehow doesn't get the fact that the reason the price of natural gas has fallen from 12 to 2—and that's a very steep decline—is because we have drilled our way into lower prices. We've increased the supply enough through more jobs and more production that world demand is kind of swamped with the supply. It's, again, an economic equation of supply and demand.

I think that's the greater impact in the price of gasoline today. The supply and demand of oil and the supply and demand of natural gas controls that. We have drilled our way to success in natural gas because companies went everywhere drilling on private lands.

But now, then, the administration is saying we need to curtail all that production here because it's not going to lower the price; we need to control the speculators. These are simply inconsistencies that are punishing the American public. They're punishing the American public and especially the poor in the American public by higher gasoline prices and by higher electricity costs. It's making it to where families just can't get by, to where they can't make the payments for the month. And poor families everywhere are having to make choices to buy energy or to live in cold, live without air conditioning, and to not be able to drive and see their grand kids.

What kind of choices are those? Those are not the choices that I think most Americans want. I think most Americans like our lifestyle. Our lifestyle is based on two dominant things—the cost of food and the cost of energy. And when we drive both of those costs up through over regulation and through government limitations, then we're doing a disservice to the American public.

Every single person in America wants to see our land protected, they want to see the workers protected, they want to see soil, water, and air protected; but they also are desperate to see jobs created. It's within the power of this body, it's within the power of the Senate, and it's within the power of the President to create those jobs, to create the answers for an America that is tired, for an America that is scared, and for an America that is worried about its future and the future for her children.

□ 2100

It's within our power in this town to reverse those things, to stop the war on the West, to start making sense in public policy, to start making decisions that create solutions—real solutions for not just jobs, but for careers where people can plan their lives, they can set aside to buy a house, or to send their kids to school. That's the America that all Americans want across party lines, across racial lines. People for generations have come to this coun-

try for that promise, for that hope, and that opportunity. It starts with us in this town. It is time for us to put aside the differences.

We ask the Senate to pass the West Act; and, Mr. President, we respectfully ask for you to sign that act to bring jobs to the West and bring prosperity to the Nation.

God bless this country, and God bless each one of the taxpayers.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCKINLEY). All Members are reminded to address their remarks to the Chair.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SCHIFF (at the request of Ms. PELOSI) for today on account of business in the district.

Mr. GRIFFIN of Arkansas (at the request of Mr. CANTOR) for today on account of illness.

Mr. MARINO (at the request of Mr. CANTOR) for today and the balance of the week on account of medical reasons.

ADJOURNMENT

Mr. PEARCE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 25, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5733. A letter from the Secretary, Air Force, Department of Defense, transmitting notification that the Average Procurement Unit Cost (APUC) and Program Acquisition Unit Cost metrics for the C-130 AMP Program have exceeded the critical cost growth threshold, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

5734. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Paul S. Stanley, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

5735. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Richard Y. Newton III, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

5736. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Marc E. Rogers, United States Air Force, and his advancement on

the retired list in the grade of lieutenant general; to the Committee on Armed Services.

5737. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter authorizing Brigadier Generals Darryl W. Burke and John F. Newell III, United States Air Force, to wear the insignia of the grade of major general; to the Committee on Armed Services.

5738. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Inflation Adjustment of Threshold for Acquisition of Right-Hand Drive Passenger Sedans (DFARS Case 2012-D016) (RIN: 0750-AH65) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5739. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Repeal of Case-by-Case Reporting (DFARS Case 2012-D020) (RIN: 0750-AH67) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5740. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Separation of Combined Provisions and Clauses (DFARS Case 2011-D048) (RIN: 0750-AH38) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5741. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to various foreign buyers pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5742. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Russia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5743. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the Council's Annual Report for 2011; to the Committee on Financial Services.

5744. A letter from the Acting Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's semi-annual Implementation Report on Energy Conservation Standards Activities, pursuant to Section 141 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

5745. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Neurological Devices; Classification of the Near Infrared Brain Hematoma Detector [Docket No.: FDA-2012-M-0206] received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5746. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Agreements and Memoranda of Understanding Between the Food and Drug Administration and Other Departments, Agencies, and Organizations [Docket No.: FDA-2012-N-0205] received April 2, 2012, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5747. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's Cooperative Threat Reduction (CTR) Annual Report to Congress for Fiscal Year 2013, pursuant to Public Law 106-398, section 1308 (114 Stat. 1654A-341); to the Committee on Foreign Affairs.

5748. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the text of ILO Recommendation No. 200 concerning HIV and AIDS and the World of Work, Adopted by the Conference at its Ninety-Ninth Session, Geneva, 17 June 2010, pursuant to Art. 19 of the Constitution of the International Labor Organization; to the Committee on Foreign Affairs.

5749. A letter from the Director, Bureau of Economic Affairs, Department of Commerce, transmitting the Department's final rule — International Services Surveys: BE-150, Quarterly Survey of Cross-Border Credit, Debit, and Charge Card Transactions [110817508-2069-2] (RIN: 0691-AA79) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5750. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates [Public Notice 7835] (RIN: 1400-AD06) received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5751. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-001, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5752. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report entitled, "Report on Denial of Visas to Confiscators of American Property", pursuant to 8 U.S.C. 1182d Public Law 105-277, section 2225(c); to the Committee on Foreign Affairs.

5753. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-105, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5754. A letter from the Diversity and Inclusion Programs Director, Federal Reserve System, transmitting the eighth annual report pursuant to Section 203(a) of the No Fear Act, Pub. L. 107-174, for fiscal year 2011; to the Committee on Oversight and Government Reform.

5755. A letter from the Commissioner, International Boundary and Water Commission United States and Mexico, transmitting the Commission's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5756. A letter from the HR Specialist, Office of Navajo and Hopi Indian Relocation, transmitting the Office's annual report for Fiscal Year 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5757. A letter from the Acting Deputy Assistant Administrator For Regulatory Pro-

grams, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Adjustment to 2012 Annual Catch Limits [Docket No.: 111207734-2119-02] (RIN: 0648-BB50) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5758. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub-Annual Catch Limit (ACL) Harvested for Management Area 1B [Docket No.: 0907301205-0289-02] (RIN: 0648-XA971) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5759. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub-ACL (Annual Catch Limit) Harvested for Management Area 2 [Docket No.: 0907301205-0289-02] (RIN: 0648-XB001) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5760. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod for American Fisheries Act Catcher/Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XB028) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5761. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report detailing activities under the Civil Rights of Institutionalized Persons Act during Fiscal Year 2011, pursuant to 42 U.S.C. 1997f; to the Committee on the Judiciary.

5762. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1230; Directorate Identifier 2011-NM-141-AD; Amendment 39-16964; AD 2012-04-08] (RIN: 2120-AA64) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5763. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2008-0107; Directorate Identifier 2007-NM-087-AD; Amendment 39-16965; AD 2012-04-09] (RIN: 2120-AA64) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5764. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Division Turbofan Engines [Docket No.: FAA-2011-0944; Directorate Identifier 2011-NE-11-AD; Amendment 39-16960; AD 2012-04-04] (RIN: 2120-AA64) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5765. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Air-

worthiness Directives; Airplanes Originally Manufactured by Lockheed for the Military as P2V Airplanes [Docket No.: FAA-2012-0107; Directorate Identifier 2012-NM-018-AD; Amendment 39-16955; AD 2012-03-51] (RIN: 2120-AA64) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GARDNER (for himself, Mr. CANSECO, Mr. OLSON, Mr. COFFMAN of Colorado, Mrs. BLACKBURN, Mr. JOHNSON of Ohio, Mr. LANDRY, Mrs. MCMORRIS RODGERS, Mr. TERRY, and Mr. BERG):

H.R. 4480. A bill to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a draw down of petroleum reserves from the Strategic Petroleum Reserve; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Agriculture, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee:

H.R. 4481. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to ensure that Department of Veterans Affairs employees who violate certain civil laws do not receive bonuses; to the Committee on Veterans' Affairs.

By Mr. MILLER of Florida:

H.R. 4482. A bill to amend title 38, United States Code, to make permanent home loan guaranty programs for veterans regarding adjustable rate mortgages and hybrid adjustable rate mortgages; to the Committee on Veterans' Affairs.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. WILSON of Florida, Mr. CLEAVER, Mr. JACKSON of Illinois, Mr. REYES, Mr. RUSH, Mr. CONYERS, Mr. LUJÁN, Mr. HINOJOSA, and Ms. FUDGE):

H.R. 4483. A bill to authorize the Director of the National Science Foundation to provide grants to institutions of higher education for implementing or expanding reforms in undergraduate science, technology, engineering, and mathematics (STEM) education in order to increase the number of students from underrepresented minority groups receiving degrees in these fields, and to recruit, retain, and advance STEM faculty members from underrepresented minority groups at institutions of higher education; to the Committee on Science, Space, and Technology.

By Mr. CHAFFETZ (for himself, Mr. FALBOMAVAEGA, Mr. FLAKE, and Mr. MCKEON):

H.R. 4484. A bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; to the Committee on Natural Resources.

By Mr. CONAWAY:

H.R. 4485. A bill to further the preparedness of the United States Armed Forces, in

cooperation with regional allies, to prevent the Government of Iran from obtaining a nuclear weapon, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MANZULLO:

H.R. 4486. A bill to suspend temporarily the duty on polypropylene fiber with tow bundles comprised of 300,000 to 400,000 individual filaments; to the Committee on Ways and Means.

By Mr. MANZULLO:

H.R. 4487. A bill to suspend temporarily the duty on polyester fiber with tow bundles comprised of 300,000 to 400,000 individual filaments; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4488. A bill to extend the temporary suspension of duty on 2-ethylhexyl (4-chloro-2-methylphenoxy) acetate; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4489. A bill to suspend temporarily the rate of duty on 2-Methyl-2-(methylthio)propanal O-(N-methylcarbamoyl)oxime; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4490. A bill to extend the temporary suspension of duty on 2-Methyl-4-chlorophenoxy-acetic acid, dimethylamine salt; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4491. A bill to extend the temporary suspension of duty on 4-(2,4-dichlorophenoxy) butyric acid and 4-(2,4-dichlorophenoxy) butyric acid, dimethylamine salt; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4492. A bill to extend the temporary suspension of duty on MCPB Acid and MCPB Sodium Salt; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4493. A bill to extend the temporary suspension of duty on Bromoxynil Octanoate; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4494. A bill to extend the temporary suspension of duty on triphenyltin hydroxide; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4495. A bill to extend the temporary suspension of duty on dichloroprop-p acid, dichloroprop-p dimethylamine salt, and dichloroprop-p 2-ethylhexyl ester; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4496. A bill to extend the temporary suspension of duty on 2-methyl-4-chlorophenoxyacetic acid; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4497. A bill to extend the temporary suspension of duty on formulations containing Bromacil and Diuron and application adjuvants; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4498. A bill to extend the temporary suspension of duty on formulations containing Diuron and application adjuvants; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4499. A bill to extend the temporary suspension of duty on Dimethyl carbonate; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4500. A bill to extend the temporary suspension of duty on 5-Chloro-1-indanone; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4501. A bill to extend the temporary suspension of duty on Esfenvalerate; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4502. A bill to extend and modify the temporary suspension of duty on certain men's footwear; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4503. A bill to extend and modify the temporary suspension of duty on certain men's footwear; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4504. A bill to extend and modify the temporary suspension of duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4505. A bill to extend and modify the temporary suspension of duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4506. A bill to extend and modify the temporary reduction of duty on Metalaxyl-M and LMetalaxyfenoxam; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4507. A bill to extend the temporary suspension of duty on Cloquintocet-mexyl; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4508. A bill to extend and modify the temporary suspension of duty on Difenoconazole; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4509. A bill to extend the temporary suspension of duty on Benzene, 2,4-dichloro-1,3-dinitro-5-(trifluoromethyl); to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4510. A bill to extend the temporary suspension of duty on Cyprodinil; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4511. A bill to extend the temporary suspension of duty on Trinexapac-ethyl; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4512. A bill to extend the temporary suspension of duty on certain mixtures of cyhalothrin; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4513. A bill to extend the temporary suspension of duty on certain formulations of Thiamethoxam, Difenoconazole, Fludioxinil and Mefenoxam; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4514. A bill to extend the temporary suspension of duty on certain mixtures of Difenoconazole and Mefenoxam; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4515. A bill to extend the temporary suspension of duty on Mucochloric acid; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4516. A bill to extend the temporary suspension of duty on Methidathion; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4517. A bill to extend the temporary suspension of duty on 4-Chloro-3,5-dinitro- α,α -trifluorotoluene; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4518. A bill to suspend temporarily the duty on certain mixtures of Azoxystrobin; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4519. A bill to extend and modify the temporary reduction of duty on Azoxystrobin; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4520. A bill to extend the temporary suspension of duty on 2-Chloro-6-Fluorobenzyl Chloride; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4521. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4522. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4523. A bill to extend the temporary reduction of duty on yarn of combed cashmere or yarn of camel hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4524. A bill to extend the temporary reduction of duty on yarn of carded cashmere 19.35 metric yarn count or higher; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4525. A bill to extend the temporary reduction of duty on camel hair, processed beyond the degreased or carbonized condition; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4526. A bill to extend the temporary reduction of duty on waste of camel hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4527. A bill to extend the temporary reduction of duty on camel hair, carded or combed; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4528. A bill to extend the temporary reduction of duty on woven fabrics containing 85 percent or more by weight of vicuna hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4529. A bill to extend the temporary reduction of duty on camel hair, not processed in any manner beyond the degreased or carbonized condition; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4530. A bill to extend the temporary reduction of duty on noils of camel hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4531. A bill to extend the temporary reduction of duty on fine animal hair of Kashmir (cashmere) goats, processed beyond the degreased or carbonized condition; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4532. A bill to extend the temporary reduction of duty on yarn of carded hair of Kashmir (cashmere) goats, of yarn count less than 19.35 metric, not put up for retail sale; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4533. A bill to extend the temporary reduction of duty on yarn of carded camel hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4534. A bill to extend the temporary suspension of duty on biaxially oriented polypropylene film; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4535. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4536. A bill to extend the temporary suspension of duty on 2-Chlorobenzyl chloride; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4537. A bill to suspend temporarily the duty on Methyl 2-[(4-methyl-5-oxo-3-propoxy-4,5-dihydro-[1,2,4]triazole-1-carbonyl)sulfamoyl]benzoate, sodium salt; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4538. A bill to extend the temporary suspension of duty on Permethrin; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4539. A bill to suspend temporarily the duty on Tungsten carbide; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4540. A bill to suspend temporarily the duty on Tungsten concentrate; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4541. A bill to suspend temporarily the duty on Tungsten oxide; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4542. A bill to extend the temporary suspension of duty on certain modacrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4543. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4544. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4545. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4546. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4547. A bill to extend the temporary suspension of duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4548. A bill to extend the temporary suspension of duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4549. A bill to extend the temporary suspension of duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4550. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4551. A bill to extend the temporary suspension of duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4552. A bill to extend the temporary suspension of duty on certain acrylic or modacrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4553. A bill to suspend temporarily the duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4554. A bill to extend the temporary suspension of duty on certain modacrylic staple fibers; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4555. A bill to suspend temporarily the duty on Penthioopyrad technical; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4556. A bill to suspend temporarily the duty on 4,6-dimethyl-2-pyrimidinamine; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4557. A bill to extend the temporary suspension of duty on carbamic acid; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4558. A bill to extend and modify the temporarily suspension of duty on Bifenthrin; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4559. A bill to suspend temporarily the duty on Carbofuran technical; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4560. A bill to suspend temporarily the duty on Carbosulfan technical; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4561. A bill to reduce temporarily the duty on 5-Methylpyridine-2,3-dicarboxylic acid; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4562. A bill to extend the suspension of duty on 2-Acetyl nicotinic acid; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4563. A bill to extend the suspension of duty on mixtures of 2-amino-2,3-dimethylbutanenitrile and toluene; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4564. A bill to extend the suspension of duty on 3,5-Difluoroaniline; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4565. A bill to extend the suspension of duty on Methyl methoxyacetate; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4566. A bill to modify and extend the reduction of duty on Diethyl ketone; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4567. A bill to suspend temporarily the duty on Oxalic acid, dimethyl ester (DMO); to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4568. A bill to suspend temporarily the duty on Oxalic acid, diethyl ester (DEO); to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4569. A bill to reduce temporarily the duty on Carbamic acid, [4-chloro-2-fluoro-5-[[[methyl(1-methylethyl amino)sulfonyl]amino]carbonyl]phenyl]-, ethyl ester (PCM); to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4570. A bill to suspend temporarily the duty on Ethyl 3-amino-4,4,4-trifluorocrotonate; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4571. A bill to reduce temporarily the duty on 5-Ethylpyridine-2,3-dicarboxylic acid; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4572. A bill to suspend temporarily the duty on Dinotefuran; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4573. A bill to extend and modify the reduction of duty on Bentazon, sodium salt; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4574. A bill to modify and extend the temporary reduction of duty on AE 012747

Ether; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4575. A bill to modify and extend the temporary reduction of duty on Isoxaflutole; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4576. A bill to modify and extend the temporary reduction of duty on Clothianidin; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4577. A bill to extend and modify the temporary reduction of duty on mixtures containing Isoxaflutole and Cyprosulphamide; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4578. A bill to suspend temporarily the duty on Triadimefon; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4579. A bill to suspend temporarily the duty on mixtures containing Thiencarbazone-methyl, Isoxadifen-ethyl, and Tembotrione; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4580. A bill to suspend temporarily the duty on mixtures containing Trifloxystrobin, Clothianidin, Carboxin, and Metalaxyl; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4581. A bill to reduce temporarily the duty on 5-Methylpyridine-2,3-dicarboxylic acid dimethyl ester; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4582. A bill to extend the suspension of duty on staple fibers of viscose rayon, not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4583. A bill to extend the suspension of duty on staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4584. A bill to extend the suspension of duty on staple fibers of rayon, carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4585. A bill to suspend temporarily the duty on artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4586. A bill to suspend temporarily the duty on artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4587. A bill to extend the suspension of duty on Reactive Red 266; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4588. A bill to extend the suspension of duty on Reactive Black 005; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4589. A bill to suspend temporarily the duty on Reactive Orange 131; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4590. A bill to suspend temporarily the duty on certain window shade material; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4591. A bill to suspend temporarily the duty on certain window shade material; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4592. A bill to extend the suspension of duty on Chloroacetic acid, sodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4593. A bill to extend the suspension of duty on acetyl chloride; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4594. A bill to suspend temporarily the duty on Octanoyl chloride; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4595. A bill to extend the suspension of duty on Glyoxylic Acid; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4596. A bill to extend the suspension of duty on sodium petroleum sulfonic acids, sodium salts; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4597. A bill to suspend temporarily the duty on Mixtures of tetraacetylenediamine with extenders and additives; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4598. A bill to suspend temporarily the duty on 1-Propanonesulfonic acid, 2-methyl-2-[(1-oxo-2-propenyl)amino]-, monoammonium salt, polymer with 1-ethenyl-2-pyrrolidinone; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4599. A bill to extend the suspension of duty on esters and sodium esters of parahydroxybenzoic acid; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4600. A bill to suspend temporarily the duty on Ammonium polyacryloyldimethyl taurate; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4601. A bill to extend the suspension of duty on Isobutyl 4-hydroxybenzoate and its sodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4602. A bill to extend the suspension of duty on filament tow of rayon; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4603. A bill to extend the suspension of duty on staple fibers of viscose rayon, not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 4604. A bill to amend the Public Health Service Act to provide for a national program to conduct and support activities toward the goal of significantly reducing the number of cases of overweight and obesity among individuals in the United States; to the Committee on Energy and Commerce.

By Mr. PIERLUISI:

H.R. 4605. A bill to amend the Internal Revenue Code of 1986 to extend the eligibility of activities in Puerto Rico for the deduction for income attributable to domestic production activities; to the Committee on Ways and Means.

By Mr. REHBERG:

H.R. 4606. A bill to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park, and for other purpose; to the Committee on Natural Resources.

By Mr. RIBBLE (for himself, Mr. ISSA, Mr. JORDAN, Mr. CARTER, Mr. CONAWAY, Mr. PAUL, and Mr. JONES):

H.R. 4607. A bill to ensure economy and efficiency of Federal Government operations

by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIGELL (for himself and Mr. SCOTT of Virginia):

H.R. 4608. A bill to amend title 10, United States Code, to improve oversight and accountability for military housing projects carried out using the alternative authority provided by subchapter IV of chapter 169 of such title; to the Committee on Armed Services.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. ACKERMAN,

Mr. BACA, Ms. BALDWIN, Ms. BASS of California, Ms. BERKLEY, Mr. BERMAN, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mrs. CAPPAS, Mr. CAPUANO, Mr. CARNAHAN, Ms. CASTOR of Florida, Ms. CHU, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLAY, Mr. COURTNEY, Mr. CROWLEY, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTCH, Mr. DOYLE, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Ms. HANABUSA, Mr. HIGGINS, Mr. HIMES, Mr. HINCHEY, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. KEATING, Mr. KUCINICH, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE of California, Mr. LEWIS of Georgia, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Mrs. MALONEY, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MICHAUD, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Connecticut, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. PALLONE, Mr. PASCRELL, Mr. PETERS, Ms. PINGREE of Maine, Mr. POLIS, Mr. QUIGLEY, Mr. RANGEL, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SERRANO, Mr. SMITH of Washington, Ms. SPEIER, Mr. STARK, Mr. TONKO, Mr. TOWNS, Mr. WALZ of Minnesota, Mr. WAXMAN, Mr. WELCH, Ms. WOOLSEY, Mr. YARMUTH, Mr. HASTINGS of Florida, Ms. TSONGAS, Mr. HEINRICH, Ms. BONAMICI, and Ms. HIRONO):

H.R. 4609. A bill to amend title II of the Social Security Act to provide for treatment of permanent partnerships between individuals of the same gender as marriage for purposes of determining entitlement to benefits under such title; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4610. A bill to extend the temporary suspension of duty on 2-methyl-4-methoxy-6-methylamino-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4611. A bill to extend the temporary suspension of duty on 2-amino-4-methoxy-6-methyl-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4612. A bill to extend the temporary suspension of duty on 3-(ethylsulfonyl)-2-

pyridinesulfonamide; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4613. A bill to suspend temporarily the duty on Fluthiacet-methyl technical; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4614. A bill to extend the suspension of duty on Carfentrazone-ethyl and formulations thereof; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4615. A bill to extend and modify the reduction of the duty on Sulfentazone; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4616. A bill to reduce temporarily the duty on Pyroxasulfone; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4617. A bill to extend the temporary suspension of duty on certain used fuel, lubricating, or cooling medium pumps; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4618. A bill to extend the temporary suspension of duty on certain used compression-ignition internal combustion piston engines; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4619. A bill to extend the temporary suspension of duty on certain used gear boxes; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi:

H.R. 4620. A bill to amend title 40, United States Code, to add certain counties in the State of Mississippi to the region represented by the Appalachian Regional Commission; to the Committee on Transportation and Infrastructure.

By Ms. NORTON (for herself and Mr. DENHAM):

H. Con. Res. 118. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; to the Committee on Transportation and Infrastructure.

By Mr. CONYERS (for himself and Ms. LEE of California):

H. Con. Res. 119. Concurrent resolution expressing the sense of the Congress that involuntary homelessness for families, women, and children in America should be eliminated; to the Committee on Financial Services.

By Mr. MARKEY (for himself, Mr. SMITH of New Jersey, Mr. BURGESS,

Mr. TOWNS, Mr. GRIJALVA, Ms. SPEIER, Mr. RANGEL, Mrs. MALONEY, Mr. LEWIS of Georgia, Mr. LEVIN, Mr. RAHALL, and Mr. LOBIONDO):

H. Con. Res. 120. Concurrent resolution supporting the goal of preventing and effectively treating Alzheimer's disease by the year 2025, as articulated in the draft National Plan to Address Alzheimer's Disease from the Department of Health and Human Services; to the Committee on Energy and Commerce.

By Mr. GOSAR:

H. Res. 630. A resolution expressing support for Israel and its right to self-defense against the illegal nuclear program by the Islamic Republic of Iran; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers

“The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.’

By Mrs. MYRICK:

H.R. 4600.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads:

“The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.’

By Mrs. MYRICK:

H.R. 4601.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads:

“The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.’

By Mrs. MYRICK:

H.R. 4602.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads:

“The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.’

By Mrs. MYRICK:

H.R. 4603.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads:

“The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.’

By Ms. NORTON:

H.R. 4604.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution.

By Mr. PIERLUISI:

H.R. 4605.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to lay and collect taxes and to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such powers as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

By Mr. REHBERG:

H.R. 4606.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RIBBLE:

H.R. 4607.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. RIGELL:

H.R. 4608.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces;

Article 1, Section 8, Clause 17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings;

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 4609.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1
Article I, Section 8, Clause 3

By Mr. SCHOCK:

H.R. 4610.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. SCHOCK:

H.R. 4611.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. SCHOCK:

H.R. 4612.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. SCHOCK:

H.R. 4613.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. SCHOCK:

H.R. 4614.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. SCHOCK:

H.R. 4615.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. SCHOCK:

H.R. 4616.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. SCHOCK:

H.R. 4617.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. SCHOCK:

H.R. 4618.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. SCHOCK:

H.R. 4619.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 4620.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 and Article I, Section 8, Clause 14.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 85: Ms. JACKSON LEE of Texas and Ms. RICHARDSON.

H.R. 104: Mr. COSTA.

H.R. 139: Mr. DEUTCH.

H.R. 187: Mr. AUSTIN SCOTT of Georgia.

H.R. 329: Mr. CARSON of Indiana.

H.R. 360: Mr. GOSAR.

H.R. 365: Mr. CONYERS.

H.R. 466: Mr. GOSAR.

H.R. 587: Mr. CONNOLLY of Virginia and Mr. RANGEL.

H.R. 733: Ms. WASSERMAN SCHULTZ, Mr. AUSTIN SCOTT of Georgia, and Mrs. NOEM.

H.R. 757: Mr. BASS of New Hampshire.

H.R. 805: Mr. BRALEY of Iowa.

H.R. 812: Mr. THOMPSON of California.

H.R. 816: Mr. GOSAR.

H.R. 889: Mr. HEINRICH.

H.R. 941: Mr. MEEHAN.

H.R. 942: Mr. DAVIS of Kentucky.

H.R. 1006: Mr. BARTLETT.

H.R. 1066: Mr. BLUMENAUER and Mr. SCOTT of Virginia.

H.R. 1161: Ms. ROS-LEHTINEN.

H.R. 1167: Mr. OLSON.

H.R. 1182: Mr. OLSON.

- H.R. 1236: Mr. GIBSON.
H.R. 1244: Mr. HOLT.
H.R. 1265: Mr. CUELLAR, Mr. WESTMORELAND, and Mr. GRAVES of Georgia.
H.R. 1296: Mr. GENE GREEN of Texas.
H.R. 1327: Mr. BARTLETT, Mr. ALEXANDER, Mr. BISHOP of Utah, Ms. WILSON of Florida, Mr. DOYLE, Mrs. CAPITO, and Mr. KINZINGER of Illinois.
H.R. 1331: Mr. MICHAUD.
H.R. 1448: Mr. RANGEL and Mrs. MCCARTHY of New York.
H.R. 1463: Mr. POLIS.
H.R. 1513: Mr. FRELINGHUYSEN.
H.R. 1519: Mr. CRITZ.
H.R. 1546: Mr. WALDEN, Mr. LANCE, Mr. LARSON of Connecticut, and Mr. GOSAR.
H.R. 1579: Ms. FUDGE.
H.R. 1588: Mr. KELLY.
H.R. 1612: Mr. ROTHMAN of New Jersey.
H.R. 1666: Mr. BOREN.
H.R. 1738: Ms. MCCOLLUM.
H.R. 1842: Mr. SERRANO and Mrs. LOWEY.
H.R. 1897: Mr. HEINRICH, Mr. MEEHAN, and Mr. MCNERNEY.
H.R. 1951: Mr. HEINRICH.
H.R. 1960: Mr. LATTA.
H.R. 1964: Mr. GIBBS, Mr. CASSIDY, and Mr. ROGERS of Kentucky.
H.R. 2020: Mr. GOSAR.
H.R. 2082: Mr. PETERS.
H.R. 2182: Mr. KINZINGER of Illinois.
H.R. 2206: Mr. THOMPSON of Pennsylvania.
H.R. 2212: Mr. TOWNS.
H.R. 2226: Mr. CICILLINE, Ms. LINDA T. SANCHEZ of California, Mr. GENE GREEN of Texas, Mr. SMITH of Washington, Mr. PERLMUTTER, and Mr. THOMPSON of California, Mr. CROWLEY, and Mr. HOLT.
H.R. 2269: Mr. ROTHMAN of New Jersey.
H.R. 2479: Mr. KEATING.
H.R. 2541: Mr. HURT.
H.R. 2568: Mr. LONG.
H.R. 2569: Mrs. BLACKBURN and Mr. CRAWFORD.
H.R. 2592: Mr. PAUL.
H.R. 2597: Mr. LOBIONDO.
H.R. 2617: Ms. DELAURO.
H.R. 2656: Mr. MEEHAN, Ms. SUTTON, Mr. FATTAH, Mr. CICILLINE, and Mr. COSTA.
H.R. 2680: Mr. STEARNS.
H.R. 2705: Mr. GRIJALVA and Mr. GEORGE MILLER of California.
H.R. 2721: Mr. GUTIERREZ, Mr. JOHNSON of Georgia, and Mr. FALDOMAEGA.
H.R. 2746: Mr. TOWNS, Mr. HASTINGS of Florida, and Mr. GRIJALVA.
H.R. 2827: Mr. WOMACK, Mr. MCCOTTER, and Mr. LUCAS.
H.R. 2950: Mr. ANDREWS.
H.R. 2951: Mr. KING of Iowa, and Mr. ROSS of Florida.
H.R. 2966: Mr. ALTMIRE and Mr. RIVERA.
H.R. 2978: Mr. COFFMAN of Colorado.
H.R. 2989: Mr. REICHERT.
H.R. 3032: Ms. RICHARDSON.
H.R. 3044: Mr. WESTMORELAND.
H.R. 3059: Mr. CARNEY and Mr. KINZINGER of Illinois.
H.R. 3068: Mr. SCOTT of South Carolina.
H.R. 3096: Mr. PLATTS.
H.R. 3173: Ms. MCCOLLUM, Mr. RAHALL, Mr. HANNA, Ms. RICHARDSON, Mr. HARRIS, Mr. GRAVES of Missouri, and Mr. LARSEN of Washington.
H.R. 3179: Mr. BACHUS, Mr. CONAWAY, Mr. HANABUSA, Mr. ELLISON, and Ms. SCHAKOWSKY.
H.R. 3187: Mr. CARDOZA, Mr. HINOJOSA, Mr. BACA, Mr. BOREN, Mr. TURNER of New York, Mr. GUTIERREZ, Mr. DANIEL E. LUNGREN of California, Mrs. CAPPS, Ms. HAHN, Mr. DEUTCH, and Mr. HANABUSA.
H.R. 3200: Mr. GIBSON.
H.R. 3203: Mr. GOSAR.
H.R. 3208: Mr. GOSAR.
H.R. 3423: Mr. HASTINGS of Florida and Mr. ROSS of Florida.
H.R. 3485: Ms. SCHWARTZ.
H.R. 3506: Mr. SOUTHERLAND, Mr. GRIJALVA, and Mr. MEEHAN.
H.R. 3591: Mr. GIBSON and Mr. OWENS.
H.R. 3596: Ms. MOORE, Ms. WILSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CHU, and Mr. VISCLOSKEY.
H.R. 3612: Mr. FORTENBERRY, Mr. WEST, and Mr. HASTINGS of Florida.
H.R. 3618: Ms. ESHOO, Mr. CLARKE of Michigan, Ms. DeGETTE, Mr. KUCINICH, Mr. OLVER, Mrs. NAPOLITANO, Ms. LORETTA SANCHEZ of California, Ms. CLARKE of New York, Mr. AL GREEN of Texas, Ms. MOORE, and Mr. HINCHEY.
H.R. 3627: Mr. DOYLE and Mr. OLSON.
H.R. 3665: Mr. MARKEY, Ms. SCHAKOWSKY, Ms. MOORE, and Mr. BLUMENAUER.
H.R. 3721: Mr. GRIMM.
H.R. 3729: Mr. NEAL, Mr. DOGGETT, and Mr. ROSS of Florida.
H.R. 3797: Mr. PALLONE.
H.R. 3798: Ms. SPEIER, Mr. WAXMAN, Mr. RUSH, and Mr. ELLISON.
H.R. 3809: Mr. LOBIONDO.
H.R. 3826: Mr. SCHRADER, Mr. HANABUSA, Mr. KIND, Mrs. LOWEY, Mr. ANDREWS, Mr. KISSELL, Ms. ROYBAL-ALLARD, Mr. BACA, Mr. MCINTYRE, Mr. SCOTT of Virginia, Mr. LEVIN, Mr. SERRANO, Mrs. MCCARTHY of New York, Ms. TSONGAS, Mr. PIERLUISI, Ms. WASSERMAN SCHULTZ, Mr. BRADY of Pennsylvania, Mr. SMITH of Washington, and Ms. KAPTUR.
H.R. 3848: Mr. GRAVES of Georgia, Mr. LONG, Mr. PRICE of Georgia, Mr. GIBBS, Mr. LUETKEMEYER, Mr. BISHOP of Georgia, and Mr. FLEISCHMANN.
H.R. 3881: Ms. ROYBAL-ALLARD.
H.R. 3895: Ms. BUERKLE.
H.R. 3903: Mr. SMITH of Washington, Ms. RICHARDSON, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. KILDEE, and Mr. YARMUTH.
H.R. 3905: Mr. CARNAHAN.
H.R. 3974: Ms. BONAMICI.
H.R. 3991: Mr. PALAZZO.
H.R. 4004: Ms. BONAMICI and Mr. GARDNER.
H.R. 4029: Mr. GIBBS.
H.R. 4045: Ms. PINGREE of Maine.
H.R. 4057: Mr. OWENS.
H.R. 4060: Mr. AUSTIN SCOTT of Georgia.
H.R. 4063: Mr. PRICE of North Carolina.
H.R. 4070: Mr. AUSTRIA and Mr. BARROW.
H.R. 4077: Mr. YODER.
H.R. 4124: Mr. QUIGLEY and Mr. MICHAUD.
H.R. 4134: Mr. CLEAVER, Mr. MEEKS, Mr. GRIFFIN of Arkansas, Ms. LORETTA SANCHEZ of California, Mr. BUTTERFIELD, Mr. DAVID SCOTT of Georgia, Mrs. BLACKBURN, Mr. THORNBERRY, Mr. WOMACK, and Mr. SCHOCK.
H.R. 4142: Mr. JONES.
H.R. 4144: Ms. RICHARDSON.
H.R. 4160: Mrs. BLACK.
H.R. 4164: Mr. WITTMAN and Mr. FORTENBERRY.
H.R. 4169: Mr. SHERMAN and Mr. CALVERT.
H.R. 4170: Mr. BOREN and Ms. SPEIER.
H.R. 4199: Mr. DEUTCH.
H.R. 4209: Mr. CRENSHAW, Mr. BONNER, and Mr. JACKSON of Illinois.
H.R. 4222: Mr. GOSAR.
H.R. 4228: Mr. AUSTIN SCOTT of Georgia, Mr. SCHOCK, and Mr. COFFMAN of Colorado.
H.R. 4232: Ms. KAPTUR.
H.R. 4243: Mr. MARINO and Mr. SHIMKUS.
H.R. 4256: Mr. PETERSON, Mr. BENISHEK, Mr. GRIFFIN of Arkansas, and Mr. MANZULLO.
H.R. 4271: Mr. BERMAN, Mr. COURTNEY, Mr. SCHRADER, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BOSWELL.
H.R. 4277: Mr. ANDREWS, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. CARSON of Indiana, Mr. CLARKE of Michigan, Mr. CLEAVER, Mr. COHEN, Mr. COSTELLO, Mr. CUMMINGS, Mr. ELLISON, Mr. FATTAH, Mr. FILNER, Ms. FUDGE, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HINCHEY, Mr. HOLT, Ms. JACKSON LEE of Texas, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KILDEE, Mr. KUCINICH, Ms. LEE of California, Mr. McDERMOTT, Mr. MEEKS, Ms. MOORE, Mr. MORAN, Mr. NADLER, Ms. NORTON, Mr. OLVER, Mr. PASCRELL, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Mr. RUSH, Ms. SCHAKOWSKY, Ms. SEWELL, Mr. SIREN, Ms. SLAUGHTER, Mr. STARK, Mr. TOWNS, Ms. WATERS, Ms. WOOLSEY, Mr. YARMUTH, and Mr. NEAL.
H.R. 4278: Mr. LONG, Mr. WESTMORELAND, Mr. ROE of Tennessee, Mr. MCINTYRE, and Mr. JOHNSON of Ohio.
H.R. 4332: Mr. BURGESS.
H.R. 4345: Mr. LATHAM.
H.R. 4351: Mr. RYAN of Ohio.
H.R. 4367: Mr. RENACCI, Mr. SHERMAN, Mr. JONES, and Mr. NEUGEBAUER.
H.R. 4385: Mr. CAMPBELL, Mr. SCOTT of South Carolina, Mr. MARCHANT, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. ROSS of Florida, Mrs. BLACK, Ms. JENKINS, and Mr. GOODLATTE.
H.R. 4388: Mr. LAMBORN, Mr. ROTHMAN of New Jersey, Mr. GRAVES of Georgia, and Mr. FARENTHOLD.
H.R. 4390: Mr. GENE GREEN of Texas.
H.R. 4454: Mr. BARLETTA and Mrs. BLACK.
H.R. 4470: Mr. McDERMOTT, Ms. ROYBAL-ALLARD, Mr. FRANK of Massachusetts, Mr. JACKSON of Illinois, Ms. NORTON, and Ms. RICHARDSON.
H.J. Res. 13: Mr. RIGELL and Mr. GOSAR.
H.J. Res. 88: Mr. NEAL.
H.J. Res. 103: Mr. BONNER, Mr. PRICE of Georgia, and Mr. FRANKS of Arizona.
H.J. Res. 104: Mr. FORBES.
H. Con. Res. 63: Mr. RANGEL, Mr. LATOURETTE, and Mr. FILNER.
H. Con. Res. 101: Mr. AMODEI and Mr. BACHUS.
H. Con. Res. 114: Mr. BUTTERFIELD.
H. Res. 57: Mr. STEARNS.
H. Res. 130: Mr. CARDOZA.
H. Res. 134: Mr. FORBES and Mr. HASTINGS of Florida.
H. Res. 282: Mr. REICHERT.
H. Res. 298: Mr. FORBES.
H. Res. 304: Mr. HINCHEY and Mr. DEFazio.
H. Res. 507: Mr. FLORES.
H. Res. 583: Mr. YARMUTH, Mr. YODER, and Mr. CLAY.
H. Res. 601: Mr. SMITH of New Jersey.
H. Res. 604: Mr. TIBERI and Mr. BROUN of Georgia.
H. Res. 608: Mr. CARSON of Indiana.
H. Res. 618: Mr. FALDOMAEGA and Mr. DINGELL.
H. Res. 623: Mrs. BLACKBURN, Mr. HUIZENGA of Michigan, Mr. MULVANEY, Mr. GOHMERT, Mr. CUELLAR, Ms. BUERKLE, Mr. FLORES, Mr. HARRIS, Mr. YODER, Mr. WESTMORELAND, Mr. PAUL, Ms. JENKINS, Mr. ROSS of Arkansas, and Mr. BOSWELL.

EXTENSIONS OF REMARKS

COASTAL KIDS PRESCHOOL

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. PINGREE of Maine. Mr. Speaker, I want to recognize an incredible community effort in Maine at the Coastal Kids Preschool in Damariscotta.

The program at Coastal Kids began in 1995, and has since become a community staple, welcoming any child regardless of income or special needs.

Their hard work and dedication to quality and equitable education has given them a place of honor within the community. Which is why when they had to expand in order to better meet the needs of the community, stakeholders from all over the mid-coast came together.

On April 23, 2012, the Coastal Kids Preschool will formally unveil their new facility. With the help of many businesses and USDA Rural Development, an opportunity for a head start in life has been afforded to more children. I applaud this effort and wish the teachers, students, and parents all the best in their new home.

HONORING KAYLA COX

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great Nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Kayla Cox is a senior at Clear Springs High School in Galveston County, Texas. Her essay topic is: In your opinion, why is it important to be involved in the political process?

The definition of democracy is a government by the people with the component of majority rules. The United States of America has an altered version of democracy known as a representative democracy. The model according to which our government functions allows the opportunity to be as close to a democratic government as possible with such a large population. Many question what the importance is in being involved in the political process. Being an active partici-

part in politics is necessary to protect the interests of this diverse nation and is a demonstration of respect for our country.

America is composed of people from all backgrounds; including ethnicity, economic level, religious, and moral. Each person forms their opinions based on their previous experiences. This diversity and privilege to form our own opinions is a core value of our nation. If people were to choose not to express their opinions, whether it be through voting or various other means, then policies would not be as diverse. The government would start to represent the minority of the population, and would be run by the people for which that minority voted.

The United States was built upon the belief that people should have certain freedoms that cannot be taken away. Many individuals and groups have worked vigorously to mold our country into the desirable place it is today, and to extend those rights to more of the American population. In addition, they have worked to influence the extension of those rights to foreign countries. Americans have sacrificed their lives to give us the life of freedom we enjoy today. Participation in politics has shaped policies that, in turn, have improved the lives of fellow Americans. This participation can take many forms ranging from something as simple as making an issue known to coordinating with other people to directly influence elected representatives.

Although some people may believe that they cannot make a difference by voting or raising awareness on an issue, the proof that they can lies in the stories of the one's who did. Political Participation is vital to the policymaking process because the voices of the American people matter, and they are the key to maintaining this country's standards that have been set by those before us.

OBSERVING WORKERS MEMORIAL DAY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with immense respect that I rise today in remembrance of the many men and women who have lost their lives in the workplace and to honor those who have fought tirelessly to improve conditions for workers throughout the United States. On April 28, 2012, the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and union members nationwide will once again gather in various locations in observance of Workers Memorial Day. The great men and women of America's unions will pause to pay tribute to the many workers whose lives have been lost, and the millions who have become ill, due to accidents and unsafe conditions in the workplace. They will also reinforce their commitment to improving conditions for future generations to come.

In the United States today, an average of twelve men and women per day go to work and never make it home to their families, having lost their lives due to an accident in the workplace. Unfortunately, many of these accidents could have been prevented. Under outstanding leaders such as AFL-CIO President Richard Trumka, Indiana AFL-CIO President Nancy Guyott, and Northwest Indiana Federation of Labor President Dan Murchek, AFL-CIO union members have continued the flight of their predecessors to ensure that the lives lost were not in vain.

Since the passage of the landmark Occupational Safety and Health Act (OSHA), the unions of the AFL-CIO have been instrumental in a movement toward the Act's goal that all American workers would have the right to a safe workplace. The AFL-CIO and its unions are to be commended for their contributions to the passage of OSHA and many of the subsequent laws and regulations involving workplace safety. It is because of the organization and demands of labor unions that employers and the government have acted to improve the quality of life of the American workforce.

In Northwest Indiana, the steel industry has played a vital role in supporting our local communities and stimulating the economy. On April 26, 2012, in accordance with Workers Memorial Day, United Steelworkers members will pay a special tribute to their fallen comrades whose lives have been cut short in the workplace. These fine men and women will forever be remembered by their devoted colleagues and a grateful community.

Mr. Speaker, I ask that you and my distinguished colleagues join me in observance of Workers Memorial Day, and in remembering the many workers who have lost their lives on the job, while honoring the hardworking, loyal men and women of America's unions who have taken up the struggle to improve safety conditions in the workplace. The great men and women of our unions are the finest representation of America's workforce, and I am proud to represent the many dedicated men and women of labor unions throughout Northwest Indiana. Their unwavering commitment to their fellow workers is to be admired.

CONGRATULATING MARK DAHLBERG FROM THE VILLAGE OF GRANTSBURG ON HIS RETIREMENT AFTER 43 YEARS OF PUBLIC SERVICE

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. DUFFY. Mr. Speaker, I rise today to recognize the honorable contributions made by Mr. Mark Dahlberg, a retired Trustee for the Village of Grantsburg, Wisconsin.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. Dahlberg has served the public at the local government level for a total of 43 years—as Village President (1995–2009), and twice as a Trustee (1969–1995, 2009–2012).

During his time in office, the small northwestern Wisconsin Village of Grantsburg has seen unprecedented economic growth. Today, this town is considered to be the main manufacturing hub in Burnett County. With Mr. Dahlberg's facilitation, tax increment financing and the expansion of water services became effective instruments allowing local industries to grow and expand. Mr. Dahlberg's top priority had always been increasing economic development and job creation in Grantsburg.

These accomplishments made by Mr. Dahlberg in Grantsburg illustrate an ideal relationship between the public and private sector. He has shown that government can work with business to create the environment necessary for sustained economic growth and development, even during difficult economic times.

I commend and thank Mr. Dahlberg for all of the years he has served the public, and I ask my colleagues to join me in extending best wishes to him on the occasion of his retirement.

COMMEMORATING THE ARMENIAN
GENOCIDE

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to pay tribute to the victims and survivors of one of the darkest chapters in human history, the Armenian Genocide. Today, April 24, marks the 97th commemoration of the first genocide of the 20th Century where Ottoman Turkish authorities ordered the systematic annihilation of more than 1.5 million Armenians. The Armenian Genocide was carried out from 1915 to 1923 through massacres, deportations, and death marches where hundreds of thousands were herded into the Syrian Desert to die of thirst and starvation. Sadly, to this day this chapter of history has yet to be admitted by the Government of Turkey.

Many international observers, including then Ambassador and later U.S. Treasury Secretary Henry Morgenthau, witnessed the nightmare firsthand and reported detailed accounts of the atrocities to their governments. Respected organizations and eminent scholars and historians agree and recognize the Armenian Genocide, including the Elie Wiesel Foundation for Humanity and the renowned International Association of Genocide Scholars. Their judgments are supported by 53 Nobel laureates who signed an open letter to the Government of Turkey on April 9, 2007. I ask unanimous consent to include in the RECORD a listing of those Nobel laureates.

Mr. Speaker, the historical record is clear and the Armenian Genocide is a tragic fact. It must be acknowledged and remembered so that it will never be repeated.

As a member of the Congressional Caucus on Armenian Issues, I know that the refusal of modern-day Turkey to acknowledge one of the worst examples of man's inhumanity in the

20th Century haunts survivors of the Armenian Genocide, as well as their families. As a Member of Congress from California, which is home to more Armenian-Americans than any other state, I believe this is not only an affront to the memory of the victims and to their descendants, but it does a disservice to the United States as it seeks to stand up for the victims of violence today.

The issue of recognizing the Armenian genocide and helping the Armenian people is neither a partisan nor geopolitical issue. Rather, it is a question of giving the Armenian people the justice they deserve. In doing so, we affirm the dignity of humankind everywhere.

It has been said that "all it takes for evil to triumph, is for good men to do nothing." This is one of the reasons I am proud to have joined with so many of my colleagues in co-sponsoring the resolution affirming the occurrence of the Armenian genocide throughout my career in Congress. I will continue to do for as long as it takes.

In recognizing the Armenian Genocide we do not seek to persecute any person or state; we seek to build a path that will lead to reconciliation between Armenians and Turks. And in doing so, we will remain true to our nation's highest aspirations for justice and peace. It was President Lincoln who called upon the "better angels of our nature" when he said in his Second Inaugural Address that all Americans should "do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

Mr. Speaker, the Armenian Genocide has been officially recognized by 42 states. These States have gone on public record rejecting any claim or assertion that denies the occurrence of one of history's worst crimes against humanity. I believe it is time for us to join these nations in that endeavor by passing H. Res. 304, the "Affirmation of the United States Record on the Armenian Genocide Resolution."

Mr. Speaker, I ask for a moment of silence in memory of the millions of silenced voices and interrupted lives of those Armenians who perished between 1915 and 1923 in the genocide committed by the Ottoman Empire.

LIST OF 53 NOBEL LAUREATES URGING THE
TURKISH GOVERNMENT TO ACKNOWLEDGE
ARMENIAN GENOCIDE

Peter Agre, Nobel Prize, Chemistry (2003); Sidney Altman, Nobel Prize, Chemistry (1989); Philip W. Anderson, Nobel Prize, Physics (1977); Kenneth J. Arrow, Nobel Prize, Economics (1972); Richard Axel, Nobel Prize, Medicine (2004); Baruj Benacerraf, Nobel Prize, Medicine (1980); Gunter Blobel, Nobel Prize, Medicine (1999); Georges Charpak, Nobel Prize, Physics (1992); Steven Chu, Nobel Prize, Physics (1997); J.M. Coetzee, Nobel Prize, Literature (2003); Claude Cohen-Tannoudji, Nobel Prize, Physics (1997); Mairead Corrigan Maguire, Nobel Prize, Peace (1976); Robert F. Curl, Jr., Nobel Prize, Chemistry (1996); Paul J. Crutzen, Nobel Prize, Chemistry (1995).

Frederik W. de Klerk, Nobel Prize, Peace (1993); Johann Deisenhofer, Nobel Prize, Chemistry (1998); John B. Fenn, Nobel Prize, Chemistry (2002); Val Fitch, Nobel Prize, Physics (1980); Jerome I. Friedman, Nobel Prize, Physics (1990); Donald A. Glaser, Nobel Prize, Physics (1960); Sheldon Glashow, Nobel Prize, Physics (1979); Roy J. Glauber, Nobel Prize, Physics (2005); Clive W.J. Granger,

Nobel Prize, Economics (2003); Paul Greengard, Nobel Prize, Medicine (2000); David J. Gross, Nobel Prize, Physics (2004); Roger Guillemin, Nobel Prize, Medicine (1977); Dudley R. Herschbach, Nobel Prize, Chemistry (1986).

Avram Hershko, Nobel Prize, Chemistry (2004); Roald Hoffman, Nobel Prize, Chemistry (1981); Daniel Kahneman, Nobel Prize, Economics (2002); Eric R. Kandel, Nobel Prize, Medicine (2000); Aaron Klug, Nobel Prize, Chemistry (1982); Edwin G. Krebs, Nobel Prize, Medicine (1992); Sir Harold W. Kroto, Nobel Prize, Chemistry (1996); Finn E. Kydland, Nobel Prize, Economics (2004); Leon M. Lederman, Nobel Prize, Physics (1988); Anthony J. Leggett, Nobel Prize, Physics (2003); Rudolph A. Marcus, Nobel Prize, Chemistry (1992); Daniel L. McFadden, Nobel Prize, Economics (2000); Craig C. Mello, Nobel Prize, Medicine (2006).

Robert C. Merton, Nobel Prize, Economics (1997); Marshall W. Nirenberg, Nobel Prize, Medicine (1968); Sir Paul Nurse, Nobel Prize, Medicine (2001); Douglas D. Osheroff, Nobel Prize, Physics (1996); Martin L. Perl, Nobel Prize, Physics (1995); John C. Polanyi, Nobel Prize, Chemistry (1986); Stanley Prusiner, Nobel Prize, Medicine (1997); José Ramos-Horta, Nobel Prize, Peace (1996); Richard J. Roberts, Nobel Prize, Medicine (1993); Wole Soyinka, Nobel Prize, Literature (1986); Elie Wiesel, Nobel Prize, Peace (1986); Betty Williams, Nobel Prize, Peace (1976); Kurt Wüthrich, Nobel Prize, Chemistry (2002).

TRIBUTE TO MS. MARCI
McCARTHY

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, Whereas, the public safety of our citizens is the foremost priority of our government; and

Whereas, Ms. Marci McCarthy has given and continues to give exceptional and distinguished service by providing guidance, protection and leadership in protecting our public and private sectors in cyberspace; and

Whereas, Ms. McCarthy gives of herself to insure that our Nation can foster greater professionalism in the Information Security Industry; and

Whereas, the issue of cyber crimes is of historical importance, and the work of Ms. McCarthy enhances the efforts of our homeland security and local law enforcement agencies; and

Whereas, Ms. McCarthy gives of herself daily without any need for praise and fame, while serving valiantly and making us proud; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Marci McCarthy for her leadership and service to our District and the Nation;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim March 13, 2012 as Ms. Marci McCarthy Day in the 4th Congressional District of Georgia.

Proclaimed, this 13th day of March, 2012.

COMMEMORATING THE ARMENIAN
GENOCIDE

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. WAXMAN. Mr. Speaker, today, we gather to remember the genocide against the Armenian people. Although the generation that experienced these atrocities has passed, their suffering has been prolonged by the continued efforts to silence their cries and deny that a genocide occurred.

When words can help bring comfort to those who suffer, silence isolates and inflicts pain. When time marches forward and history becomes more distant, silence erodes the memory of those who were lost. When affirmation and recognition could prevent such a tragedy from being repeated, silence allows the perpetrators of genocide to assume their actions will meet neither obstacle nor objection. Thus, the ongoing efforts of the Turkish leadership to silence discussion of the Armenian genocide inflict yet another cruelty.

We owe it to the victims of the Armenian genocide, the survivors and their descendants to resist such censorship. That is why I am an original cosponsor of H. Res. 304, a resolution to reaffirm the United States historical record on the Armenian genocide and our own government's bold role protesting the atrocities as they unfolded.

Genocide is not a unique feature of the 20th century, a momentary aberration of human morality. Genocides have continued to occur in the 21st century, and today, we are reminded of our moral obligation to speak out and take action to stop such atrocities and the immense repercussions of our choices.

Today, we will not be silent.

HONORING THE LIFE OF JANIE
BELL WILSON STEWART

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to remember the life of Mrs. Janie Bell Wilson Stewart, who passed away recently at the age of 76. As an educator, loving mother and wife, and faithful member of her church, Mrs. Stewart was an exemplary member of her community. I would like to take this time to express my deepest condolences to everyone who knew Mrs. Stewart, especially her family and friends.

Mrs. Stewart was born on April 15, 1935 in Waynesboro, Georgia. Six years later, she moved to Fort Lauderdale, Florida, attending Walker Elementary School of Broward County Public Schools. A vivacious student, Mrs. Stewart was the first to receive a scholarship from the Zeta Rho Omega Chapter of Alpha Kappa Alpha Sorority, Inc. This scholarship paved the way for her to attend Florida Memorial University, then called Florida Normal College, where she graduated in 1958 with a degree in Education and later became a teacher.

While in college, Mrs. Stewart gave back to her community through her work with the Zeta Rho Omega chapter of Alpha Kappa Alpha Sorority, Inc., and continued her alliance with her sorority well after she graduated, becoming a golden soror for her service of over 50 years to the organization. This dedication to her sorority and alma mater earned her the Fountain of Excellence Award from Florida Memorial College (University) decades after she graduated.

It was also during college that Janie met her future husband, Milton Stewart, to whom she was married for 48 years. Together, they raised a son and one of their nieces, whom they treated as their own daughter. As a teacher, Mrs. Stewart helped countless children. Her devotion for both her students and career was evident in her long workdays, recognitions for her exceptional teaching, and friendships with other educators.

Always passionate about knowledge, Mrs. Stewart received her Master's in Administration and Supervision from Nova Southeastern University while holding a job as a teacher. With her graduate degree, Mrs. Stewart went on to become a principal. She served dutifully in this role at three different Broward County elementary schools. Mrs. Stewart continued to serve as a mentor for other teachers and maintained a presence in her former students' lives even after her retirement. Her thirty three-year career as a teacher and principal touched the lives of innumerable children and colleagues in South Florida.

Aside from her family, career, and sorority, Mrs. Stewart was also devoted to her faith. She was a member of First Baptist Church Piney Grove for 69 years, having joined in 1943. There, she served as the Director of the Red Circle of the Society of Missions. Even with her numerous activities, Mrs. Stewart still found time for fun. She enjoyed golfing and received the Palmview Women's Golfing award in 1979.

Mr. Speaker, it is my distinct honor to pay tribute to Mrs. Janie Bell Wilson Stewart whose commitment to education, her students, family, and the community will be truly missed. My thoughts and prayers are with Mrs. Stewart's family during this most difficult time.

IN RECOGNITION OF LINDA S.
LANGE FOR HER OUTSTANDING
CIVILIAN SERVICE AWARD NOMINATION

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. AUSTRIA. Mr. Speaker, I rise today in honor of Linda S. Lange. I am honored to recognize Ms. Lange for her Outstanding Civilian Career Service Award nomination. Ms. Lange was nominated for her service as a civil service employee with the United States Air Force, Business Operations Division, 711th Human Performance Wing, Air Force Research Laboratory (AFRL), Air Force Materiel Command (AFMC), Wright-Patterson AFB, Ohio, from 15 December 1975 to 30 April 2012.

During her 37 years of federal service, Ms. Lange displayed superior performance with

her loyalty and commitment to the mission at hand. During her tenure in the AFRL, Ms. Lange was given high visibility jobs such as leading Inspector General Unit Compliant Inspections, directing all logistical and protocol functions for the Scientific Advisory Board reviews, and coordinating and managing all activities for the \$293M BRAC MILCON ribbon cutting. Her involvement in this level of activities demonstrates the confidence her leadership had in her ability to perform independently and to meet all expectations.

Ms. Lange's expertise and experience are truly noteworthy and will be greatly missed. Her outstanding performance culminates a long and distinguished career that reflects her commitment and service to our community and nation.

Thus, with great pride, I recognize Linda S. Lange for her long-term commitment to the United States Air Force and I would like to extend best wishes for the future.

MARKING TWENTY YEARS SINCE
THE START OF THE BOSNIAN
CONFLICT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. SMITH of New Jersey. Mr. Speaker, this month marks 20 years since the start of the tragic conflict in Bosnia-Herzegovina. In remembrance, 11,541 red chairs lined the main street of Sarajevo during the first week of April, one for every man, woman and child killed in the beautiful Bosnian capital of Sarajevo when it was a city under siege by militant Serb forces in the surrounding suburbs and hillsides.

Like the memorial in Srebrenica commemorating the genocide three years later in which 8,000 people, mostly men and boys, were slaughtered by forces under the same overall command, the chairs were a sober reminder of how horrific and senseless the violence in Bosnia truly was. They are also a reminder of the international community's complicity in these crimes by its own inaction, when it had the means to intervene and save lives.

The result of the delayed response to aggression against Bosnia plagues the people of that country today. The realities of the conflict, including the ethnic cleansing, were accommodated by compromises in the Dayton Agreement needed to restore peace. While necessary then, today these compromises have allowed political leaders like Milorad Dodik in the entity of Republika Srpska to block at will progress on reforms needed for the country's stability, prosperity and integration. While I welcome positive developments which have taken place in Bosnia in recent months, above all the formation of a new government, it remains disappointing that movement forward is so painfully slow. The people of Bosnia, regardless of their ethnicity, certainly deserve better.

Today those responsible for war crimes, crimes against humanity and genocide continue to be prosecuted at the International Criminal Tribunal for the former Yugoslavia, located in The Hague, or in the war crimes

courts of the countries concerned. This effort is important and warrants international support until the last crime is prosecuted.

Justice alone, however, cannot bring closure to Bosnia's war victims. That is why I introduced a few weeks ago H.R. 4344, which among other actions supports the work of the International Commission for Missing Persons in locating and identifying persons missing as a result of conflicts and supporting the investigation of genocide and mass atrocities. It is also why I now repeat my call made last year for a permanent memorial to be established at the site of the Omarska concentration camp in northeastern Bosnia, so that the survivors of the crimes associated with the ethnic cleansing of that region of the country may also have a place to remember those lost. Such memorials also serve as bulwarks against forces which try to excuse, minimize and even deny the crimes that took place.

As Chairman or Co-Chairman of the Helsinki Commission for most of the 20 years since the Bosnian conflict erupted, I have chaired dozens of hearings and introduced numerous pieces of legislation which have helped to document the atrocities, shape policy responses, and assist in post-conflict recovery. I have also visited the country on numerous occasions. I can assure the people of Bosnia that I and my colleagues on the Helsinki Commission will continue to work for their human rights and the democratic, prosperous future they deserve.

CROSS WALK COMMUNITY
OUTREACH FOOD PANTRY

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. PINGREE of Maine. Mr. Speaker, I want to recognize an incredible effort in Maine, the Cross Walk Community Outreach Food Pantry in Naples.

In a time of such need the Cross Walk Community Outreach Food Pantry has been tireless in its efforts to help its neighbors in Western Cumberland County. Twice a month they gather to help residents in the towns of Naples, Sebago, Casco, Bridgton and Harrison with free meals and food boxes. They do this not with a large budget, but with a very dedicated set of volunteers.

Maine is a state that has struggled with food insecurity and the Cross Walk Community Outreach Food Pantry is making a small step in eradicating hunger in Maine. Neighborhood efforts like this demonstrate Maine's unbreakable community bond in our fight against hunger in Maine today.

CONGRATULATING JEAN RONNING
OF ASHLAND, WISCONSIN, ON
BEING NAMED THE 2012 PERSON
OF THE YEAR BY THE ASHLAND
AREA CHAMBER OF COMMERCE

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. DUFFY. Mr. Speaker, I rise today to recognize the community accomplishments of Jean Ronning of Ashland, Wisconsin, who has been named the 2012 Person of the Year, by the Ashland Area Chamber of Commerce. Jean and her husband, Eugene, have owned and operated the Neighborly Bar for over 28 years.

Mrs. Jean Ronning is well known throughout Ashland as an active member in the community and served in many different roles including: President of the Ashland Softball League, and the Ashland Volleyball League; coordinator for events in Ashland such as the King of the Bay Snowmobile Drag Races, the Green Bay Packer Parade, the Ice Fishing Contest; and hostess for benefits at the New Day Shelter, the BRICK Food Shelf, the Ashland Snowmobile Club, and the Relay For Life Cancer Fundraiser. Additionally, Jean is the recipient of the 2010 New Day Shelter's Pasageways to Peace Award.

Overall, Jean is well known for her honorable service to aid those in need by genuinely providing emotional and financial support within the Ashland Community. Her savvy business skills, outgoing personality, and sense for leadership have allowed her to develop a volunteer support network that helps spearhead community initiatives.

Thanks to the community contributions of outstanding citizens like Jean Ronning, Ashland is rightfully known by many as "Lake Superior's hometown". I ask that my colleagues join me today to express our appreciation for Jean's community leadership and congratulations for receiving Ashland Area Chamber of Commerce's 2012 Person of the Year award.

IN RECOGNITION OF DR. AMELITO
ENRIQUEZ

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Dr. Amelito Enriquez who has received the Presidential Award for Excellence in Science, Mathematics and Engineering Mentoring. Dr. Enriquez, a Professor of Engineering and Mathematics at Cañada College in Redwood City, California, is one of nine individuals to receive this prestigious award and he will serve as a resource for federal efforts to develop the national Science, Technology, Engineering, and Mathematics (STEM) education and research sector.

During his 17 years at Cañada College, Dr. Enriquez—or Dr. E as his students like to call him—has demonstrated his commitment to increased participation and success of minorities

and women in science, mathematics and engineering.

He has secured over \$10 million in federal and state grants to develop programs such as COMETS, Creating Opportunities for Minorities in Engineering, Technology and Science. COMETS allows students from two-year colleges in San Mateo County to intern at the NASA Ames Research Center for a year and prepares them to be competitive once they transfer to a four-year college.

The Summer Engineering Institute is a two-week program at San Francisco State University for high school students interested in engineering and for community college students already studying engineering who hope to transfer to a four-year college to finish their degrees. The Bridge to Engineering for Veterans program helps veterans to transition from military to engineering careers.

The students of Dr. Enriquez adore him because he is making a difference in their lives. They wrote the letters of support that led to his nomination for the presidential honor. Dr. E understands the importance of encouragement and mentorship. He grew up in the Philippines with what he calls a "me-too complex." As the youngest son, he wanted to be whatever his older siblings or cousins wanted to be, but they told him he couldn't. He recalls thinking that the more people were saying that he couldn't do something, the more he wanted to do it.

Dr. Enriquez wanted to be a priest, a basketball player, but eventually found his calling when he studied Engineering at the University of the Philippines, Diliman, Quezon City. He earned his B.S. in Geodetic Engineering in 1984. After a six-month stint with a large company, he started his own business with friends, taught at his alma mater and then moved to the United States. He received his M.S. in Geodetic Science from Ohio State University, Columbus in 1989 and his Ph.D. in Mechanical Engineering from the University of California, Irvine in 1994.

While looking for teaching positions, Dr. Enriquez discovered the community college system which, he says, appealed to him because the larger universities wanted professors to focus on research while he wanted to focus on teaching. He started teaching at Cañada College in 1994 and almost immediately started securing grants. In his view, bringing in money is just another way to help students succeed.

Dr. Enriquez is the chair elect of the American Society of Engineering Education, Pacific Southwest Section; the vice chair of the American Society of Engineering Education, Two-Year College Division; and a member of both the California Engineering Liaison Council and the California Mathematics Council Community Colleges.

He has received numerous best paper awards from the American Society of Engineering Education, the Hewlett-Packard Excellence in Technology for Teaching Award and the League of California Community Colleges Out-Of-The-Box Thinkers Award, among others.

When Dr. E is not mentoring students and inventing programs, he enjoys music, weight lifting, hiking, and reading.

He and his spouse David Childers live in San Francisco.

Mr. Speaker, I ask this body to rise with me to honor Dr. Amelito Enriquez, an exceptional teacher, mentor, and engineer who has opened the hearts and minds of thousands of students to the world of science, math, and engineering.

HONORING IRENE COFIE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Irene Cofie is a senior at Dawson High School in Brazoria County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

A JUST OVERSEER

Every man needs a leader: a mentor who will regulate that person's decisions while also serving as an overseer by making sure every decision formulated by the individual is civil and doesn't hold the potential to cause mayhem. In this sense, we as men, have the government as our leader to verify that the decisions we take are astute and will not result in culpable consequences for the majority. Thus, a government's ideal role can best be described as an equitable overseer of men.

As an overseer, a government should remain open-minded to its citizens' desires and rights. Many governments follow a precept, in hopes of maintaining consistency in laws and regulations within their nation. This precept also limits a government's susceptibility to popular demands that are irrational. For example, in America, our government acts on the precept of securing freedom and civil liberties to its citizens, as established by the United States Constitution. Yet, even though the government of America vigilantly manages citizens' affairs through laws, the American government doesn't aggrandize its power over Americans through cruel tactics. However, in many communist countries, the government enjoins its citizens to do exactly as they command and as a result, many citizens of such nations lack the natural rights they deserve. Therefore, even though the role of a government is to serve as an overseer to its people through laws and rules, it is highly important for a government to not be straitlaced in its governing style. A government should instead regulate the masses to make sure that chaos doesn't erupt, while still granting citizens their natural liberties.

Governments' main concern should be providing a safe environment for citizens while assuring that citizens' freedoms are protected and mandated appropriately; thus, freedoms given to one will not counter the

civil rights of another. Even though it is up to government to oversee the protection of the masses, citizens primarily have a higher influence in governing their own actions. As a result, citizens should act to control their behavior in society, instead of receiving condemnation by government in order to enable them to live virtuously. In other words, citizens do not need a "big brother" government to certify that they do not abuse drugs or alcohol. Rather, the axiomatic truth stands that citizens of any government are entitled to behave maturely and govern themselves as individuals.

It is common for citizens to complain that the role of government is too big and extensive. Ultimately though, the fault of this conflict belongs to citizens because it is the responsibility of all citizens to take care of themselves through moral reasoning and laudable ethics; we as citizens, should be caretakers of our own distinct lives. In turn, the government can maintain an efficacious nationhood, through enforcement of logical precepts as an overseer of the masses, not necessarily the individual. In conclusion, the government serves as a protectorate of everyone within its country, making sure that peace and order are maintained through laws and regulations, in benefit of the majority.

ASIAN PACIFIC AMERICAN
HERITAGE MONTH

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize May as Asian Pacific American Heritage Month. In 2010, my colleague, Congressman HONDA, introduced H. Res. 1316 to designate this month as a time to recognize the contributions of Asian Americans and Pacific Islanders to the United States. As an original co-sponsor, I reaffirm my commitment to address the concerns and needs of the Asian American and Pacific Islander community.

The 37th Congressional District of California, which I am honored to represent, is home to one of the largest Asian constituencies in the nation, including large communities of Filipinos, Samoans and Cambodians. In fact, my district is home to the largest Cambodian population in the United States and the second largest Cambodian population in the world outside Cambodia. I am proud to be a member of the Congressional Asian Pacific American Caucus and represent my constituents' interests. The month of May was chosen to celebrate Asian Pacific American Heritage for two significant reasons. On May 7, 1843, the first Japanese immigrants arrived in the United States, and on May 10, 1860, the first transcontinental railroad was completed. The transcontinental railroad transformed our nation and could not have been completed without the inclusion of Chinese immigrants.

Despite the challenges and adversity that Asian Pacific Americans have experienced, many have forged ahead and made significant contributions to this great nation. History was made with the election of President Obama, the first president to have such significant personal ties to the Asian Pacific community.

President Obama spent his childhood in Hawaii and Indonesia. Also, one of President Obama's first guests to the Oval Office was the prime minister of Japan, Taro Aso.

This year, the U.S. Census Bureau has released data revealing that the Asian population now represents 6 percent of the total American population. This community has grown faster than any other racial group in the United States at four times the national average. Asian Americans are making significant contributions to the economy and own over 1.5 million businesses, employing 3 million people. The buying power of Asian American communities has also grown dramatically, increasing by 89 percent between 2000 and 2009 from \$269 billion to \$509 billion.

This month, however, also causes us to reflect on some challenges that remain for Asian Pacific Americans. For instance, immigration and language policies continue to disproportionately affect Asian Americans since they are more likely than any other racial group to be foreign-born. Harsh immigration policies and language barriers, therefore, limit many individuals' ability to integrate into American society and access important services. Along similar lines, Asian Americans are twice as likely as non-Hispanic Whites and African Americans to have not seen a doctor in the past five years, and Asian Americans are also more likely to be uninsured.

Mr. Speaker, this month, it is important to recognize the achievements of this incredibly diverse community while also addressing their policy concerns. Nevertheless, I have much hope for the future because Americans are working together, hand-in-hand, to ensure the equality and advancement not only of their community, but of all communities.

Mr. Speaker, I look forward to celebrating the accomplishments of Asian Pacific Americans this year and for years to come.

HONORING THE TENTH ANNIVERSARY OF THE ISLAMIC CULTURAL CENTER OF FRESNO

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. COSTA. Mr. Speaker, I rise today to recognize the Islamic Cultural Center of Fresno, ICCF, its board of trustees, and members as they celebrate their 10th anniversary. ICCF is a non-profit religious institution in the heart of California's San Joaquin Valley which is dedicated to providing spiritual empowerment and support to Muslims and non-Muslims alike. Through their work and educational endeavors, ICCF has been an asset to our community and a true reflection of the rich diversity in our nation.

Since its inception, ICCF has promoted instruction and dialogue in hopes of establishing understanding and harmony among persons of all faiths. An active participant and leader in interfaith collaboration, activities, and discussion, ICCF hosts a number of activities and programs designed to fulfill its goals. ICCF has developed diversity training seminars to provide insight into Islam and the local Muslim

community. For example, in 2005, after consultation with Fresno Police Chief Jerry Dyer, ICCF began providing diversity training to police officers in an effort to increase awareness and knowledge of cultural differences. In 2007, ICCF, the California Health Department, and the Marin Abused Women's Services Center led two training seminars to discuss and advocate the prevention of domestic violence.

In addition to its cultural diversity training efforts, ICCF has also served our community by providing family support services. In partnership with Child Protective Services, CPS, ICCF has ensured that children who are removed from their homes because of safety concerns are able to maintain their cultural norms and traditional practices.

ICCF has worked tirelessly to improve the well-being of our entire community. They have worked with Fresno's Poverello House, an organization that serves the hungry, homeless, and destitute, to collect food and distribute it at schools and homeless areas. Additionally, they have joined efforts with the Marjaree Mason Center, a widely recognized non-profit center for victims of domestic violence, to educate and empower some of our Valley's most vulnerable residents.

As one of the premier faith and culture centers in Central California, ICCF has welcomed students and faculty from a number of educational institutions, including Fresno State, University of Phoenix, Fresno City College, as well as local school districts. Often, visitors learn about the teachings of Islam, women in Islam, as well as Islamic perspectives in areas related to anthropology, sociology, and economics.

Mr. Speaker, I ask my colleagues to join me in celebrating and recognizing ten years of worship, leadership, and community involvement. The Islamic Cultural Center of Fresno accurately reflects the best of what America has to offer—diversity, understanding, and service.

25TH ANNIVERSARY OF WE THE PEOPLE: THE CITIZEN AND THE CONSTITUTION

**HON. GREGORIO KILILI CAMACHO
SABLAN**

OF THE NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. SABLAN. Mr. Speaker, this year, we celebrate the 25th anniversary of We the People: The Citizen and the Constitution. Since We the People began in 1987, more than thirty million high school students and ninety thousand teachers have participated in this valuable program that promotes a deeper understanding of the constitutional principles that shape and guide our nation, and instills a sense of civic responsibility in young people.

We the People is an instructional program that enhances students' understanding of the institutions of American constitutional democracy. Through the program, students discover the relevance of the Constitution and Bill of Rights in present day terms. The We the People program is directed by the Center for Civic Education and funded by Congress through

the Education for Democracy Act. This is a program Congress should continue to support.

Teams qualify for the National Finals by prevailing in their regional or state competitions. The national competition is held through a series of simulated congressional hearings, during which students testify as constitutional experts before panels of judges acting as congressional committees. The program enjoys the active participation of members of Congress, as well as support from educational, professional, business, and community organizations across the nation.

This year, more than fourteen hundred students from every part of our country will take part in the National Finals here in Washington. The competition will test students' knowledge of the U.S. Constitution and the Bill of Rights, showcasing their intelligence, determination, and teamwork.

I want to recognize the 24 exceptionally talented and hard working students from Saipan Southern High School in the Northern Mariana Islands, who return to the Finals as repeat regional champions. They have spent many long hours studying and preparing for the competition. Working together and striving for excellence are defining traits of this team. I congratulate them and their teachers and coaches, and wish them all success in this year's We the People competition.

Let me acknowledge each student by name: Ms. Maria Louise Gabriela Atrero; Mr. Rufino Aquino, Jr.; Ms. Angelica Awa-Ao; Ms. Akioni Nadine Babauta; Ms. Chelsea Marie Bartolo; Ms. Vanessa Rome Bartolo; Ms. Yunika Mae Biado; Ms. Rachel Nadine Borja; Mr. Don Marshall Davis Cabrera; Ms. Yoon Jae Chung; Ms. Teri-Sue Corpuz; Mr. Derick Dela Cruz; Ms. Jinky Marie Kintaro; Ms. Ji Won Lee; Ms. Allysha Hillary Lloren; Mr. Edward John Manibusan; Ms. Momoko Belle Nishikido; Mr. David Kido Paek; Ms. Rina Park; Mr. Seong Jin Park; Ms. Christine Maebelle Roque; Ms. Christina Marie Sablan; Mr. Mike Aries Vargas; Mr. Keisuke Yoshida.

I would also like to acknowledge the remarkable work and guidance by the team's coordinator Mr. Andrew Golden, coaches Justice John A. Manglona, Deanna Manibusan Manglona, and Charlotte Sanders, student coach Carmen Borja, and Public School System representative Stephen Smith.

HONORING THE GAY AND LESBIAN ACTIVISTS ALLIANCE OF WASHINGTON, DC (GLAA)

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. NORTON. Mr. Speaker, I rise today to recognize a Washington, DC institution, which I have the distinct honor and pleasure representing in this body, that has been a local leader in the struggle for equal rights for lesbian, gay, bisexual, and transgender, LGBT, people: the Gay and Lesbian Activists Alliance of Washington, DC, GLAA.

GLAA has, since its founding in April 1971, remained a respected and tireless advocate for political freedom for the District of Columbia and for equal rights for its residents.

GLAA continues in the vanguard of efforts to strengthen enforcement of DC's landmark Human Rights Act of 1977.

GLAA, by working with coalition partners, DC officials and the wider public, implemented a well-crafted plan of grass-roots action and education that helped achieve marriage equality in the District.

GLAA fights to ensure that LGBT residents are treated fairly and respectfully by DC agencies, from the police and fire departments to the Department of Consumer and Regulatory Affairs to the DC public schools.

GLAA pushes for effective public health strategies and accountability in the fight against HIV/AIDS.

GLAA has rated all DC Mayoral and Council candidates in every election since the establishment of home rule, and uses a system noted for its fairness and nonpartisanship.

GLAA provides leadership in coalition efforts on a wide range of civil rights issues, from family rights to condom availability in prisons and public schools to police accountability.

GLAA activity opposes federal restrictions on the District's budget that adversely affect LGBT people.

GLAA enhances its outreach by maintaining a comprehensive website of LGBT advocacy materials, the GLAA Forum blog, and the DCGayEtc.com news aggregator.

On April 26, GLAA will hold its 41st Anniversary Reception honoring this year's recipients of its Distinguished Service Awards: Burgundy Crescent Volunteers, The Sexual Minority Youth Assistance League, Ruby Corado, Jeri Hughes, Will O'Bryan, and Jeffrey D. Richardson.

Burgundy Crescent Volunteers was founded in 2001 as a source of LGBT volunteers for gay and gay-friendly non-profit organizations in the District, Maryland, and Virginia, and brings LGBT singles and couples together for volunteer activities that are social in nature. The group, a non-profit, has over 5,000 members, who have provided over 100,000 volunteer hours to the community. Their good efforts have ranged from doing yard work for GLAA's founder, Frank Kamenny, to pruning the cherry trees at the Tidal Basin.

The Sexual Minority Youth Assistance League, SMYAL, was founded in 1984 to promote and support self-confident, healthy, and productive lives for LGBT and questioning youth ages 13-21, as they transition from adolescence into adulthood. SMYAL is the only Washington metro area service organization dedicated solely to supporting LGBTQ and questioning youth. The staff and volunteers concentrate on five activities: Life Skills and Leadership Development; Counseling and Support; Health and Wellness Education; Safe Social Activities; and Community Outreach and Education.

Ruby Corado has been a transgender rights activist in DC for over 15 years, focusing on the Latino community in the areas of health care, HIV, human rights, and immigration. She has been tireless and outspoken in defending and assisting transgender people, demanding justice for brutalized and murdered sex workers. She has been at victims' hospital bedsides, at meetings with police officials, and at crime scenes, and has organized vigils, bringing her own experience as a Latina

transwoman to bear in promoting the interests of this at-risk community in our city. Ruby has worked as a program manager for Whitman Walker Health, Transgender Health Empowerment, and Latinas En Acción, a group she has led for many years.

Jeri Hughes has persistently and doggedly pressed the District government to increase its employment of transgender people. Her efforts led Mayor Vincent Gray to direct the Department of Employment Services to conduct Project Empowerment job training for transgender citizens. Her efforts to highlight violations of the DC Human Rights Act by the Department of Corrections have led to ongoing efforts by the city and activists to improve the treatment of the city's transgender inmates and detainees. Jeri Hughes helps transgender people every day in her job at Transgender Health Empowerment.

Will O'Bryan is Managing Editor of Metro Weekly, which he joined in 2005 as a community reporter. He previously served as a news reporter and arts editor for the Washington Blade, and as a media liaison for a nonprofit health organization. Prior to that, he was arts and entertainment editor for Just Out, the Pacific Northwest's premier LGBT publication. Will is an unwavering advocate for coverage of the entire breadth of the LGBT community, especially those who are often neglected. In his biweekly column, "Stonewall Baby," he personally engages issues affecting our entire community. He exemplifies the quiet, unheralded commitment of the many people who do the vital work of building community.

Jeffrey D. Richardson is Director of the Mayor's Office of Gay, Lesbian, Bisexual and Transgender Affairs, where he has taken the initiative to connect activists with key agency staff and get results. His tireless efforts have ranged from advocacy within the government to supervising young LGBT interns. He brings to his job the empathy and service-oriented approach that he developed in his career as a social worker. In his prior post as president of the Gertrude Stein Democratic Club, he was a steady leader who worked amicably and productively with GLAA and other advocacy groups and this year's recipients of its Distinguished Service Award.

I ask the House to join me in congratulating the Gay and Lesbian Activists Alliance.

HONORING MAYOR JOE AFFRONTI

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor Temple Terrace Mayor Joe Affronti. In addition to representing the City of Temple Terrace, Florida, Mr. Affronti has also been a strong advocate for Project Gratitude.

Project Gratitude was founded in 2006 by David Lefavor, a retired military chaplain and has been championed by Mayor Affronti. Its mission was to provide military chaplains returning from deployments to Iraq and Afghanistan with a three-day complimentary visit to Tampa, Florida. During their stay, the chaplains and their families would visit area attrac-

tions including Busch Gardens, the Museum of Science and Industry, the Kennedy Space Center, and local restaurants.

In addition to his loyal support of Project Gratitude, Mayor Affronti enjoys community support in this endeavor from individuals, businesses, and Veterans' Service Organizations including: American Legion Post 152, Suncoast Chapter of the Military Officers Association of America (MOAA), Tampa Navy League, Busch Gardens, Kennedy Space Center, Lupton's Catering, Chamber of Commerce of Temple Terrace Florida, Museum of Science and Industry (MOSI), Marriott Towne Place, Hilton Garden Inn—North Tampa, the Marine Corps League of Florida, as well as the Major Samuel Woodfill Chapter of the Association of the United States Army (AUSA) in Dayton, Ohio.

Due to the drawdown of U.S. military forces from Iraq and Afghanistan, Project Gratitude's mission will conclude with its last reception on April 25th in Temple Terrace, Florida having provided a total of 75 Chaplains and their families with a 3-day "R & R" in appreciation for their service and sacrifice for God and Country.

As Vice Chairman of the House Veterans' Affairs Committee, it is truly my honor to recognize Mayor Affronti for his dedication to this program and the cause of improving the lives of those who so selflessly gave to our Nation.

IN RECOGNITION OF CAROL
STAFFORD

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Carol Stafford, a dear friend and an indefatigable health professional who for 39 years has dedicated her life to nursing and caring for the poor and those in need in San Mateo County. She retired as a triage nurse at Willow Clinic in Menlo Park on March 17, 2012 after a remarkable career that has touched the lives of thousands of county residents.

For almost four decades Carol brought life saving care to patients in the emergency room at San Mateo County General and she spearheaded comprehensive procedures for treating victims of sexual assault at a time when most hospitals had few protocols. She chose to work in facilities (Chope Hospital and Willow Clinic) that treated the neediest and most vulnerable members of society because she believed that all patients deserve the highest level of medical care, regardless of economic circumstances. One of her patients described her as the nicest person he had ever met, but Carol treated all people the same way—with the utmost kindness, compassion and respect.

On June 10, 1973 Carol graduated from the College of San Mateo with an associate degree in nursing. The next day she started her career working nights on the medical surgical floor at Chope Hospital, which is now San Mateo Medical Center. Two years later she moved to the emergency room and by 1981 she was promoted to Nurse Manager of the Emergency Department. While she was work-

ing full time she returned to college and earned her Bachelor of Science Degree in Nursing at California State University at Long Beach.

Back then police had limited protocols for dealing with victims of sexual assault. Often times, assault victims were taken to emergency rooms for a rape kit, but no counseling would be offered. Carol decided she wanted to change that and worked with the emergency room physician manager, the police department and the board of supervisors to develop comprehensive treatments for survivors of sexual assault.

At the time, I was on the San Mateo County Board of Supervisors and worked with Carol to develop these new standards. Policies and procedures were implemented to train staff. There was always someone on call who knew exactly how to treat victims of sexual assault with both counseling and support and Chope Hospital emerged as a model and a leader in handling rape cases. Over time, the program evolved into the Keller Center for Family Violence Intervention, a nationally recognized program that provides victims of child abuse, elder abuse, sexual assault and domestic violence with comprehensive medical, emotional, social and legal support.

Carol has strong ties to the Bay Area. She was born in San Francisco and grew up in San Carlos. At age 15 Carol's father passed away. Her mother went to work to support the family, demonstrating qualities of strength and independence. All three sisters graduated from college and went on to have successful careers. Carol's younger sister, Denise Raabe, is the Santa Clara County Deputy District Attorney and her middle sister, Gail Raabe, served as San Mateo County Agricultural Commissioner.

Carol is a life-long Giants fan and a baseball fanatic. Growing up, she posted 8-by-10-inch photographs of the entire San Francisco Giants team in her bedroom. To this day, she has season tickets. Carol's devoted husband of 41 years, George Stafford, her sons Paul and Joseph and her daughter-in-law, Courtney Stafford, will now enjoy more quality time with Carol. It's important to note that even as demanding as Carol's nursing career has been, she has always put family first and was home most days when her boys came home from school.

Though Carol has retired from a wonderful career, she will continue to play a vital role in our community and she will certainly have a friend in me for life.

Mr. Speaker, Carol Stafford has dedicated her life to assisting people in need. I ask that the House of Representatives to join me in commending her for her extraordinary selflessness and service.

CONGRATULATING THE MISSION
SHARYLAND RATTLERS VARSITY
SOCCER TEAM

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. CUELLAR. Mr. Speaker, I rise today to congratulate the Mission Sharyland Rattlers

varsity soccer team of Sharyland High School in Sharyland, Texas on winning the UIL Class 5A state boys soccer championship. The Sharyland Rattlers boys' soccer team victoriously ended a long season on Saturday, April 21, 2012, at Birkelbach Field in Georgetown, Texas.

A crowd of more than 750 fans watched the Sharyland Rattlers team win 3–2 in a shootout to defeat Katy Morton Ranch. In their long 31 3 3 winning season, this outstanding boys' soccer team proved that hard work, dedication, and skill are the perfect recipe for champions. These high school soccer players were led to the championship title through the tireless leadership of their Head Coach Reveriano Hernandez. I congratulate the educators and leaders of this superb team. Key players in the team include Most Valuable Player during the Championship game Jesus Olivarez and Jorge Medina, Most Valuable Player Defensive during the Championship game. Parents, faculty, family, friends and former students traveled to the championship game to support and encourage the boys' soccer team. This championship marks an accomplishment and proud occasion for the team, school and those who attended the game to show their support.

Sharyland High School is part of the Sharyland Independent School District. It was Sharyland's first time playing at the UIL state tournament and has now set a pace for winning tradition as the school's first state soccer championship for Sharyland High School. The Sharyland Rattlers have been recognized for setting the area record for 31 (wins) 3 (ties) 3 (loses). With the motivation to bring home the state championship the team devoted 18 hours a week in training and practiced diligently during Christmas and Spring Break.

I am honored to praise the accomplishments of Sharyland, Texas' home team, the Sharyland Rattlers boys' soccer team as the Class 5A boys' soccer state title champions. Congratulations.

GOVERNOR'S AWARD FOR
VOLUNTEERISM

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. PINGREE of Maine. Mr. Speaker, I would like to congratulate those in my State being honored with Governor's Award for Volunteerism. The following Maine people and organizations have showed exemplary commitment to donating their time and energy to help others:

Volunteer of the Year Julia Brown, Service-Learning Practitioner Donna Vigue, Outstanding National Service Volunteer Elisabeth Lohmueller, Youth Volunteer Julia Brown, Corporate Volunteerism honoree Pratt & Whitney Aircraft, Outstanding School District Sanford, and Outstanding Nonprofit Volunteer Program Trekkers.

In a cynical world that calls us to believe no one does something for nothing, these volunteers and thousands more like them continue to give us hope and belief in each other's goodness.

HONORING KATELYN MOODY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great Nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Katelyn Moody is a sophomore at Deer Park High School in Harris County, Texas. Her essay topic is: In your opinion, why is it important to be involved in the political process?

IMPORTANCE OF PARTICIPATION IN THE
POLITICAL PROCESS

In life each person is responsible for finding his or her own happy ending. This also suggests that we walk a path in our life with our happiness. The pursuit of happiness as we have come to phrase it in our own government. Within our pursuit of happiness, we are not only one, we are a unified nation, who has withstood the best of times and the worst of times, who has come to the rescue when no one else will take a stand. A unified nation who is not made of one, but made of many. For our country depends on those who are in pursuit of America's happiness and therefore citizens must stand for what is right and what is just. Our first step to pursue our country, the United States of America's happiness is to step forward and become involved in the political process.

It is of vital importance that each and every person is involved in making decisions for our country. If we are a nation who will stand for nothing, we will fall for anything. The citizens must be the strong hold of our country and hold our ground. For instance being involved in the political process is a citizen's duty and responsibility. Citizens must be aware of current events in the world and how that one situation could impact us locally, nationally, and globally. It is imperative for one to know what is going on in your country for you to be able to form decisions about what is right and what is just. Knowledge is valuable and can reveal to us what is best for our country. If a person isn't involved in our country's political process it shows a lack of interest in what is best for America and its people. If we lose sight of how our country was based on the ability to make choices that benefit our government and its inhabitants, we have lost our patriotism. Our country is only as good as it's citizens collective efforts.

They say character is what you do when no one is watching. From my standpoint, I interpret this as we can't only take part in the political process when it is important to us, but we must take part in the political process at all times because it is important to every American. Americans' beliefs, ethics, morals and values are illuminated through our choices and our political standpoints. Our voices should not be silent echoes ringing through our nation, but should envelop the nation with our prevalent concern. Our

voices will be heard, but the choice is ours to speak up. Speaking up shows our character and who we each are and what we believe in. It unveils how we should be constant participants in America's political process. If we all stand together for what we believe in and what are values are, how could our country go wrong? We can't prevail with only some participators, everyone must participate to guarantee our freedoms and our pursuit of happiness.

You see, our founding fathers put forth an insurmountable effort to guarantee our freedom and our pursuit of prosperity. We must ask ourselves, to what extent will our generation rise to protect those same rights for another strong hold, another upcoming generation. We must speak up, show what we stand for, and let the character of America be unveiled. We must not sit like ducks thinking to ourselves, "Oh well, they can handle it, they will surely speak up" because if they don't, our strong hold is no longer and we will show our lack of interest in our political processes which protect freedom and the pursuit of a full and prosperous life. And, without those things we would be left in an abyss of nothingness. It is shown here how important taking part in political processes proves to be and the consequences of not doing so. Remember, the choice is ours to speak up. American's are responsible for finding our own happiness and to continue pursuing this, no matter the cost.

IN MEMORY OF DELORES A.
PARKS

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. RICHARDSON. Mr. Speaker, it is with a heavy heart that I rise today to pay tribute to the late Delores A. Parks, a woman who spent her entire life tirelessly caring for her community. Mrs. Parks passed away in her sleep on Sunday, April 15, 2012. She was 77.

The Rev. Dr. Martin Luther King, Jr. once said, "Everybody can be great, because everybody can serve." Mrs. Parks was blessed with many gifts and talents, but her greatness came from her dedication to the community. She is truly a hero of mine. Mrs. Parks was a generous, warmhearted and loving woman who always went the extra mile to support her neighbors.

I know the difference one person can make because I am a witness to the impact of Mrs. Parks' extraordinary career of service to others on the lives of ordinary boys and girls and men and women. There is much wisdom in the ancient proverb that says if you catch a person a fish, you feed him for a day; if you teach a person to fish, you will feed her for a lifetime. Mrs. Parks was a great lady but what makes her truly special is her commitment to serving others altered for the good the trajectory of thousands of lives.

Mrs. Parks first answered the call to serve as a daycare provider, a field she worked in for 53 years. She later founded the Compton Family Day Care Association, which provided instruction to others on how to become daycare providers. She took pride and much joy in her work, offering meals to the children and their families and planning sporting

events, field trips, and church activities. Her hard work and joyfulness undoubtedly transformed the lives of these young children and her community as a whole.

Faith and love for the Lord played a large and constant role in Mrs. Parks' life. She was raised as a devout Catholic, and she later became a licensed missionary for the First Church of Deliverance under the late Elder O.D. Russell. In 1997, she became a member of King's Dominion Life Center under the leadership of her son-in-law, Bishop T.A. Moore.

When remembering the life of Mrs. Parks, I cannot help but call to mind this scripture: "Blessed are the pure in heart, for they shall see God. Blessed are the peacemakers, for they shall be called the children of God" (Matthew 5:8-9). Truer words were never spoken. Mrs. Parks reflected these words in her manner and deeds, and she served as an example of the selflessness and kindness we should all strive to display in our own lives.

Mrs. Parks was preceded in death by her loving husband of 38 years, Willie M. Parks, and by her daughter, Katrina E. White. Left to cherish her memory are her children Emerson Mims, Parris Parks, and Donna Moore (Bishop T.A.); grandchildren Huber White, Eboni Gallo-way, Ferrante Manning, and Breana Moore; great grandchildren Kameron White, Huber White, Kutura White, Akhella White, and Taylor Bibbs; brothers Carl McDonald and Rickey McDonald; and a multitude of relatives, neighbors, and friends.

Mr. Speaker, I wish to express my sympathies to Mrs. Parks' family. My thoughts and prayers are with them during this difficult time. They have lost a beloved mother, sister, aunt, grandmother, great grandmother. The community Mrs. Parks served for more than a half century mourns the loss of a hero. I mourn the loss of a dear friend and role model.

On this sad occasion, I would like to ask my colleagues to join me in a moment of silence to honor the memory of Mrs. Delores A. Parks.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. ESHOO. Mr. Speaker, I inadvertently voted "yes" on rollcall vote No. 170 (to provide an extension of Federal-aid high, highway safety, motor carrier safety, transit and other programs funded out of the Highway Trust Fund) when I meant to vote "no."

I would like to correct for the RECORD that I wanted to vote "no" on rollcall vote 170.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. ANDREWS. Mr. Speaker, I was not present for votes in the House of Representatives between April 16th and 18th. Had I been

present, I would have voted in the following manner: Rollcall No. 152 for H.R. 3001, had I been present, I would have voted "aye"; rollcall No. 153 for H.R. 4040, had I been present, I would have voted "aye"; rollcall No. 154 for H. Res. 614, had I been present, I would have voted "nay"; rollcall No. 155 for H. Res. 614, had I been present, I would have voted "nay"; rollcall No. 156 for H. Res. 614, had I been present, I would have voted "nay"; rollcall No. 157 for H.R. 1815, had I been present, I would have voted "aye"; rollcall No. 158 for H.R. 4089, had I been present, I would have voted "aye"; rollcall No. 159 for H.R. 4089, had I been present, I would have voted "aye"; rollcall No. 160 for H.R. 4089, had I been present, I would have voted "aye"; rollcall No. 161 for H.R. 4089, had I been present, I would have voted "aye"; rollcall No. 162 for H.R. 4089, had I been present, I would have voted "nay"; rollcall No. 163 for H.R. 4089, had I been present, I would have voted "aye"; rollcall No. 164 for H.R. 4089, had I been present, I would have voted "nay"; rollcall No. 165 for H. Res. 619, had I been present, I would have voted "nay"; rollcall No. 166 for H. Res. 619, had I been present, I would have voted "nay"; rollcall No. 167 approving the Journal, had I been present, I would have voted "nay"; rollcall No. 168 for H.R. 4348, had I been present, I would have voted "nay"; rollcall No. 169 for H.R. 4348, had I been present, I would have voted "aye"; rollcall No. 170 for H.R. 4348, had I been present, I would have voted "nay"; rollcall No. 171 for H.R. 2453, had I been present, I would have voted "nay."

CELEBRATING MURIEL "MANNY" TUTEUR

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to celebrate my friend and role model, Manny Tuteur and to wish her a very, very happy 90th birthday.

There are some people who seem bigger than life—whose accomplishments make you pause to wonder how one person could achieve so much. Manny is one of those people.

It's almost impossible to catalogue all the accomplishments in her life.

She's a veteran. During WWII, Manny served in the Women's Army Corps and received training at the Parachute Training School.

She's a problem solver and a teacher. She worked as a caseworker for the Cook County Bureau of Public Welfare and taught preschool at Jewish Community Centers.

And she has been a fighter for working men and women for over 70 years, starting as a milling machine operator at the U.S. Steel South Works plant in Chicago and going on to work at the Amalgamated Clothing and Textile Workers Union where she started the Amalgamated Day Care and Health Center. She directed that Center from 1969 through 1983.

Manny is a natural leader—who has served on the Chicago and Central States Joint Board

of ACTWU, co-chair of the Coalition of Labor Union Women's National Child Care Task Force and a member of CLUW's National Executive Board.

I have relied on Manny for sound advice and inspiration for years—and I'm not the only one. Manny has advised the National Implementation Task Force of the White House Conference on Families, the Illinois Women's Agenda, and Women for Economic Justice. Manny's extraordinary work has been recognized by many—induction into the Chicago Women's Hall of Fame, the National Council of Jewish Women's Hannah G. Solomon Award, and the Coalition of Labor Union Women's Florence Criley Award are just some of her awards.

Manny's life is not just committed to social and economic justice, but to her family. The love of her life was Charles, her husband of 63 years. She adores her children, Peter and Judy, and her 13-year-old granddaughter Rebecca. Manny's legacy includes not just her record of improving workers' rights, women's rights and human rights, it also includes her family and her many friends whose lives she has touched and made so much better.

Manny turns 90 on May 17th—and, now living in Laguna Hills, California, she continues working to make the world a better place. Whether it's registering voters, fighting against the wars in Iraq and Afghanistan, demonstrating with striking grocery store workers, or speaking out in support of Roe v. Wade, Manny continues to lead a life of activism. At a die-in protest recently to fight cuts to Adult Day Health Care. Manny said at the protest, "I'm fighting to the very end. I'm fighting for the rights of people to have a decent quality of life."

Manny, I love you and thank you for your friendship, and hope you will continue to organize for justice for many years to come.

HONORING THE VETERANS OF THE APRIL 24, 2012 EASTERN IOWA HONOR FLIGHT

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. LOEBSACK. Mr. Speaker, today, eighty-six Iowa veterans of the Greatest Generation have travelled to our Nation's capital. Accompanied by twenty-seven volunteer guardians who have also served our country in uniform, they have travelled to Washington, DC to visit the monument that was built in their honor.

For many if not all of the Iowans who will be here today, this will be the first time they have seen the National World War II Memorial. I can think of no greater honor than to be there when they see their memorial for the first time and to personally thank each of them for their service to our Nation. They truly are Iowa's, and our Nation's, heroes.

I proudly have in my office a piece of marble from the quarry that supplied the stone that built the World War II Memorial. That piece of marble, just like the memorial that it built, reminds me of the sacrifices of a generation that, when our country was threatened,

rose to defend not just our Nation but the freedoms, democracy, and values that are the foundation of our great country. They did so as one people and one Nation. Their bravery and resilience still inspire us today.

The sheer magnitude of what they accomplished, not just in war but in the peace that followed has stood as an inspiration to every generation since. The Greatest Generation did not seek to be tested both abroad by a war that fundamentally challenged our way of life and at home by the Great Depression and the rebuilding of our economy that followed. But, when called upon to do so, they defended and then rebuilt our Nation. Their patriotism, service, and great sacrifice not only defined their generation—they stand as a testament to the fortitude of our Nation.

I am tremendously proud to welcome Eastern Iowa's veterans to our Nation's capital today. On behalf of every Iowan I represent, I thank them for their service to our country.

HONORING MARIN COUNTY FIRE CHIEF KEN MASSUCCO

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today to honor the legacy of a passionate and dedicated public servant. Marin County Fire Chief Ken Massucco retired at the end of March 2012 after a career of nearly four decades protecting our communities.

After a year volunteering with the Kentfield Fire Protection District, Chief Massucco joined Marin County Fire Department in 1974. He rose through the ranks as Fire Lieutenant, Senior Captain, and Battalion Chief before being appointed Fire Chief in December 2001 by the Marin County Board of Supervisors.

Throughout his tenure, Chief Massucco maintained a special connection with the residents he served in unincorporated Marin County, and with the firefighters and office staff responsible for keeping our communities safe. In a Department that includes more than 80 full-time and 60 seasonal workers covering a broad and geographically diverse region, it was the care and leadership of Chief Massucco that ensured strong partnerships with the public.

I was especially impressed to see Chief Massucco's work as a lead member of the team that battled the Angel Island fire in October 2008. Marin County firefighters spearheaded a difficult effort to save invaluable cultural and historical treasures, including the Angel Island Immigration Station, which is recognized as a National Historic Landmark and a part of the California State Parks. All Americans owe a debt of gratitude to Chief Massucco and the Marin County Fire Department for their efforts to ensure the survival of this unique site.

Chief Massucco also brought his leadership to other public safety initiatives, and his work was recognized beyond our County. He assisted firefighters in emergencies across California as an Operations Section Chief within the Incident Command System, and in 2009

he was recognized by the California Fire Chiefs Association as Fire Chief of the Year. Chief Massucco also led our County Urban Search and Rescue Task Force, which offers emergency services not only in Marin County, but also to partners across the country in need of additional responders.

Mr. Speaker, I ask you to join me in thanking Chief Massucco for his contributions to Marin County. He has set an admirable standard for compassionate and responsive public service, and we wish him the best in his retirement.

HONORING PASTOR JOHNNIE ROLAND, SR., WORLD WAR II VETERAN AND CIVIL RIGHTS ACTIVIST

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to recognize the outstanding service of World War II Veteran and Civil Rights Activist, Pastor Johnnie Roland Sr., as he celebrates his 90th birthday. Born the son of sharecroppers, Pastor Roland was drafted into the United States Army on November 28, 1942.

Johnnie Roland Sr. was born and remains a lifelong resident of Coffeeville, Mississippi. He married the late Leida Rounsaville Roland and from this union, 14 children were born. His oldest and only son, Johnnie Roland Jr., served in the Vietnam War.

Johnnie Roland served in World War II from 1943 to 1945. Roland and three others from Yalobusha County, Mississippi, Tommy Dudley, Walter Lee Martin, and Ulysses Kee were inducted into the Army at Camp Shelby, Mississippi.

After about eleven months of ammunition training at Ft. Knox, Kentucky, he and the 619th Ordnance Ammunition Company, shipped out of New York City and arrived in Liverpool, England. On June 6, 1944, Roland boarded a landing craft late in the day and remained anchored in the English Channel surrounded by danger on all sides. There he waited to land on the Normandy Beach, about 3 days after D-Day.

For the next several months he advanced through France, Belgium, and Germany loading and unloading ammunition on and near the front lines of battle. On November 29, 1945, he was honorably discharged from Camp Shelby in Hattiesburg, Mississippi. Roland was awarded the Nameto Medal, Good Conduct Medal, and World War II Victory Medal for his superior performance and dedication in the United States Army.

After his honorable discharge from the United States Army, Roland returned to Mississippi. Pastor Roland answered his call to ministry in 1960, and served as pastor of the Pine Grove Baptist Church from 1962 until August 2009. Pastor Roland was very active in the Civil Rights Movement working with other local advocates to integrate the local segregated school systems, marching front line in sometimes very hostile situations.

During the boycott of the local school system, Pastor Roland was one of a very few who stood strong by keeping his children out of school for one whole year. Eventually, the school systems were integrated and he was able to see his children receive a quality education within an integrated public school system. Pastor Roland's most recent accomplishment is his eight year service on the Coffeeville Board of Aldermen.

According to Pastor Roland, though he has accomplished many things within his lifetime, his greatest has been the honor to vote for and see America's first African American President, Barack Obama elected into office.

Mr. Speaker, I ask my colleagues to join me in recognizing Pastor Johnnie Roland Sr., a decorated World War II Veteran and Civil Rights Activist for his dedication and service to this country and the state of Mississippi.

HONORING KOMAL LUTHRA

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Komal Luthra is a sophomore at Clear Springs High School in Galveston County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

IMPORTANCE OF INVOLVEMENT

The government plays a major role in our lives. It governs us and tries to keep the country running in a smooth manner even though there may be conflicts taking place with other countries. The government is there to serve the people. For example, currently, our country is facing some financial challenges, still the government is making efforts to help those without jobs and find ways to cut spending. Not only does the government play a major role in our lives, but we also have the opportunity to be involved. We must realize that we do not have to be politicians or government officials to be involved.

There are so many ways one can get involved in the political process. One can vote, voice his or her opinions, and inform others about issues that our country is facing. It is important to stay updated with the issues we are facing as a country and how we can slowly deliver the message and work together to make a difference. It is like a chain reaction. For example, in recycling programs, an individual cannot enforce recycling because it is a group effort to spread the word in the society to save our environment. We can also get involved by contacting an elected official or candidate via phone or email, visiting or attending political meetings. We can take part

in demonstrations, protests, boycotts, or marches to have our voice heard. This presents the fact that as citizens we have a lot of freedom and many opportunities. The issues being faced in the economy, education systems, technology, and environment cannot be solved unless we get involved.

When we vote, we take our country's future in our own hands by voting for the best candidate. It is important that we elect the person who represents our country with good moral, values and care for the common people of this country. Every vote counts when it comes to choosing the best candidate to be our president because he or she will be deciding and leading our country's future for the next four years or more.

We have a democracy which gives us the right to speak our mind in political words. This right is given to us in the Bill of Rights of the Constitution. For example, if an individual faces a challenge where his or her rights are being violated, he or she should come forward and bring the issue up to a government official. Elected official should help one find a way to solve it through creation of new laws, establishment of new programs or explore other options to preserve the individual's rights. A democracy includes all the people and it is incomplete if only a fraction of the people is representing the whole population. Men, women, elderly and even young adults should actively participate. Even though children may not be able to vote they should still be aware of government so as they grow up, they are prepared to represent the country.

In conclusion, by being politically active, we learn to become motivated, hopeful, and optimistic. It is our right as citizens to practice "freedom of speech" and stand up and speak for our country. It shows confidence, determination, and passion.

IN RECOGNITION OF TOM HUENING

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Tom Huening for his three decades of service to San Mateo County. As controller, county supervisor and community college district trustee, Tom has advocated for taxpayers throughout his career in public service.

Tom has had successful careers in the military, the airline industry, real estate and public service. The common threads running through all of them are hard work and his hunger to learn.

Tom was born in Chicago and grew up in Mount Prospect, Illinois as the son of an oil-burner servicemen and one of 12 children. He learned early on that the best way to overcome weakness is to confront it directly. Tom admits to having a fear of public speaking, yet he earned his Bachelor of Arts in speech from De Paul University in 1965. Right after he graduated, he joined the Navy for five years and was trained as a jet fighter pilot. His service in Vietnam made him experience the harsh realities of war, but he also credits that time for developing leadership skills, self confidence and skills as a team player.

After his military service, Tom became a pilot for TWA and moved his family to San Jose which is when he first involved himself in

politics. The city of San Jose and Caltrans were planning on turning a part of the Guadalupe River into a concrete channel to make room for the Almaden Expressway crossing. Tom and his neighbors formed a neighborhood association—with Tom as president—fought the idea and won. Caltrans and the city shored up the sides of the river and even built a bike path underneath the expressway. Reflecting on the success, Tom told a reporter from San Jose Magazine that it was his first taste of politics and what it can do for the common good.

While he was still a TWA pilot, Tom started the transition into his next career, real estate. He worked for Coldwell Banker and then in 1977 started his own business, Huening Investment Company, where he fixed up dilapidated commercial buildings. Along the way, he returned to school and earned an MBA from Pepperdine University and a bachelor of law degree from La Salle University. He is an inactive member of the California Bar Association and served as an arbitrator and mediator with the American Arbitration Association.

In the late 70's, Tom transitioned from the private sector to public service. He was a Trustee on the San Mateo County Community College District from 1981 until 1986 and a member of the San Mateo Board of Supervisors from 1987 until 1998. Tom authored the original San Mateo Countywide Transportation Expenditure Plan which provided the county with 20 years of dedicated transportation funding for infrastructure and public transit improvements. He also is part of a leadership team who was responsible for bringing BART to Millbrae and SFO.

Tom has led many initiatives to improve the well being and quality of life of residents, for example the county's smoke-free workplace ordinance, the requirement to label alcoholic beverages with warnings about fetal alcohol syndrome, the extension of popular trails, and the launching of charter schools to improve the performance of academically struggling schools.

In 1998, Tom was elected San Mateo County Controller and re-elected for four consecutive terms. As a fiscal conservative, he believes that his office "should be lean and responsive and add value to the County at the lowest taxpayer cost."

In addition to the contributions to San Mateo County, Tom served as President of the Bay Area Auditor-Controllers Association and on the Executive Committee of the State Auditor-Controllers Association. He has served the national Government Finance Officers Association on their Committee for Accounting, Auditing and Financial Reporting, their Economic Development and Capital Planning Committee and the Committee on Governmental Budgeting and Fiscal Policy.

Tom is a member of the San Mateo Rotary, the Commonwealth Club and the Bay Trail Steering Committee.

He is the proud father of four daughters and grandfather of nine grandchildren. In his well deserved retirement Tom will enjoy spending more time with them and his friends.

Mr. Speaker, I ask this body to rise with me to honor my friend Tom Huening for his tireless dedication to our community on this day of his retirement as the San Mateo County

Controller. He is an extraordinary person who possesses the qualities of a businessman, a humanist and a visionary. San Mateo County is a more efficient and better place because of his outstanding work.

COMMEMORATING THE 97TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. ESHOO. Mr. Speaker, I rise today to acknowledge and commemorate a solemn occasion of deep personal significance. Today marks 97 years since the infamous episode in which the Ottoman Empire began rounding up and murdering Armenian intellectuals and community leaders in Constantinople. By 1923, some 1.5 million Armenian women, children and men were dead from a systematic campaign we now know as the Armenian Genocide, or Great Crime. Their lives ended in the most brutal ways imaginable, subjected to death marches, burnings, rape and forced starvation. Some 500,000 Armenians who did survive—my own grandparents among them—were forced into exile.

Like others whose families experienced this tragedy first-hand, I did not first learn of the Armenian Genocide in history books. I learned about it from my own Grandmother as she recounted the murders of priests and her flight from the only home she knew.

We must be clear: There is no doubt to the fact that the Armenian Genocide took place. There is no credible historian who can dispute it, and there is no evidence that detracts from its horror and magnitude. What's missing is a moral clarity as penetrating as the facts themselves, and a willingness in this House and in our government to acknowledge the Genocide.

The consequences of surrendering the moral high ground on Genocide denial are manifest and tragic. Since 1915, we have witnessed the same tragedy again and again. In 1939, Adolf Hitler is said to have asked, in justifying his awful crimes, "Who, after all, speaks today of the annihilation of the Armenians?" In the Holodomor in Ukraine, the killing fields of Cambodia, the ethnic cleansing in Bosnia, the red clay hills of Rwanda, and now, today in Darfur—genocidal crimes continue. We must acknowledge the Armenian genocide for our collective future, for those who suffer around the world today, and to honor the memories of those who died.

Each time this question arises, there are those who demand we once again sweep history under the rug for political convenience, calling what began 97 years ago anything but Genocide. My response is simple. The systematic extermination of an ethnic group is Genocide, and we insult ourselves and degrade our values when we claim otherwise.

I hope we use this solemn occasion to redouble our support for a more honest appraisal of the facts. So much of who I am is informed by my Armenian heritage, including the moral grounding to demand the truth. As we pray today for those who died, let us also

work toward an open and just acknowledgment of the Armenian Genocide, the truth, and a strengthened commitment to prevent such atrocities from ever happening again.

TWITCHELL'S 90TH ANNIVERSARY

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mrs. ROBY. Mr. Speaker, I stand today to recognize the 90th anniversary of Twitchell Technical Products—a thriving business in Southeast Alabama.

Mr. E.W. Twitchell founded E.W. Twitchell, Inc. nine decades ago. First established in Unionville, Connecticut, the company later relocated in 1930 to Philadelphia, Pennsylvania. In 1945, the company settled in Dothan, Alabama, where its headquarters remain today. To date, Twitchell provides jobs that support nearly 300 families around Dothan. In our area, this company is a staple in the local economy and a cornerstone of the local community.

Mr. Speaker, without question, the number one issue that affects our nation and my home state of Alabama is the health of our economy and the ability to create new American jobs. I am especially aware of this fact from the many discussions I have had with small business owners and employers throughout the district. I was privileged to recently have such a discussion with representatives from Twitchell last month.

During a time when too many employers have been forced to shrink their workforce or even close their doors, I was encouraged to hear about Twitchell's achievements. Through innovation, Twitchell achieved success by changing and adapting to the needs of the market. Mr. Speaker, that is what the free market is all about. Free from government interference or unnecessary regulation, private companies adjust to the demands of the market and remain competitive. When that happens, both employees and consumers benefit.

For example, four decades ago the company acquired a local yarn extrusion venture that specialized in PVC coated yarns. The yarn weaves into a fabric used for everyday products, such as screens, athletic goods, and outdoor furniture. The fabric continues to be Twitchell's best selling product, keeping the company in high-demand as it is one of only two manufacturers of PVC coated yarn and woven products in the U.S.

Here in Congress, we regularly discuss the many barriers that prevent job creation, such as costly federal regulations that stand in the way of private sector growth. We are working to repeal these burdensome federal rules. We want to encourage small business owners who work hard to invest in their employees and their products, not discourage them. The House of Representatives has passed nearly 30 pro-growth jobs-bills to reduce the mountain of federal regulations that limit an employer's ability to create jobs. We should never forget: government does not create jobs; the private sector does.

An economy built to succeed is an economy that is built on a foundation of small business

entrepreneurship. Operating on the principles of persistence, innovation, and hard work, Twitchell is a model of American enterprise. It is a privilege for me to stand here today to honor the legacy of Twitchell and to recognize the many dedicated employees who have made the company a success through the years. I congratulate them for reaching this milestone, and I look forward to the centennial celebration.

Mr. Speaker, please join me in congratulating Twitchell on its 90th anniversary and in wishing the company many more decades of success.

CONGRATULATORY REMARKS FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Kyle Holysz for achieving the rank of Eagle Scout.

For his Eagle Scout project, Kyle led the construction and installation of reusable garden boxes for local nursing homes. Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Kyle has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

IN RECOGNITION OF THE SPECIAL OLYMPICS' SOUTH BAY AREA GAMES

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize an exciting event that took place in the 37th Congressional District this past weekend: The Southern California Special Olympics' South Bay Area Games. The games took place on Saturday, April 21 at the Veterans Park and Sport Complex in Carson, California.

As a once aspiring Olympic athlete myself, I have always supported the Special Olympics and their goals. The Special Olympics of Southern California provides year-round sports training and competitions for children and adults with intellectual disabilities, all at no cost to the athletes or their families.

The Special Olympics, however, serves a deeper purpose than simply recreation and competition. Special Olympic athletes gain the opportunity to develop physical fitness and athletic skills, create relationships with other athletes and community members, and demonstrate the courage to achieve their dreams. Within the Southern California chapter alone, there are nearly 11,600 athletes and 15,000

coaches and volunteers. These numbers illustrate the popularity and far-reaching impact of the games.

The Special Olympics were first started in 1963 by Eunice Kennedy Shriver as a camp to provide people with intellectual disabilities with physical fitness and sports. Five years later, she organized the first International Special Olympics games, and athletes around the world have competed ever since. I am proud to be a co-sponsor of the Eunice Kennedy Shriver Act, which will authorize funding for sports, health, education and employment programs for people with intellectual and developmental disabilities.

Mr. Speaker, I am proud to recognize the hard work of the athletes and volunteers of the Southern California Special Olympics. I know the people of California will continue to support the games and be inspired by the dedication of those involved.

REGARDING THE 97TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise today to commemorate the anniversary of the Armenian Genocide.

It was 97 years ago today that over 1.5 million men, women, and children, almost 75 percent of the pre-war Armenian population, were brutally exterminated by the Ottoman Empire. The Ottoman authorities arrested and later murdered over 250 Armenian political, intellectual, and religious leaders in Istanbul, beginning a horrific and systematic campaign to wipe a 3,000 year-old community from the face of the earth.

Armenian members of the Turkish armed forces were separated from their units and placed into labor battalions, where they were either worked to death or murdered. In Armenian villages throughout Turkey, adult males were singled out for execution, while the remaining women, children, and elderly inhabitants were then forced to march without food or water to the Syrian Desert. En route they were set upon by the Ottoman Security Service's "Special Organization," which consisted of released convicts and was created specifically for the purpose of carrying out ethnic cleansing. In the end, of the 2.1 million Armenians residing in Turkey at the start of World War I, only 100,000 would survive to see the end of hostilities.

And yet, despite clear evidence that genocide occurred, many officials today refuse to even use the word genocide when referring to this incident. By equivocating, they not only dishonor the victims of this atrocity and their descendants, they increase the chance that other crimes against humanity are met with similar equivocation.

Indeed, before sending the "Death's Head" SS units into Poland with orders to "kill without pity or mercy all men, women and children," Adolph Hitler is reported to have commented to his generals, "who still talks nowadays of the extermination of the Armenians?"

When we fail to fully acknowledge that genocide was perpetrated against the Armenian people in 1915, it becomes a little easier to do the same today when we see similar atrocities unfold in Bosnia, or Rwanda or Iraq or Sudan.

Last week the world commemorated International Holocaust Remembrance Day as people everywhere gathered to renew our collective pledge to "Never Forget." Today we gather for a similar purpose as we remember the first genocide of the 20th century. We recall the suffering of the Armenian people 97 years ago and endeavor to ease the pain of their descendants not only out of sympathy for what they have experienced, but to remind ourselves that we must never allow it to happen again.

IN RECOGNITION OF MRS. IRENE
DUPLESSIS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. McGOVERN. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing Mrs. Irene Duplessis of Worcester, Massachusetts who turns 100 years old on May 1, 2012. Irene is an active woman who enjoys spending time with her family, playing bingo, and participating in Elder Summit Care. Today, I ask the House of Representatives to join me in wishing Mrs. Irene Duplessis a Happy 100th Birthday!

APRIL 23 INTERNATIONAL
CHILDREN'S DAY

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. FOXX. Mr. Speaker, Turkish-Americans and Turkish people throughout the world are commemorating April 23 as National Sovereignty and Children's Day and I happily join them.

On April 23, 1920, during the War of Independence, the Grand National Assembly met in Ankara to lay the foundation of a new, independent, and secular Republic, born from the ashes of the Ottoman Empire. President Mustafa Kemal Atatürk openly declared that it was absolutely necessary to form a government that would be the "destiny of the country" governed "by the determination and will of the Turkish nation as expressed in the Grand National Assembly."

President Atatürk dedicated April 23 to the children of the country to emphasize that they are the future of the new nation.

Following the victory over invading forces and the signing of the Treaty of Lausanne on July 24, 1923, Atatürk began to create the first predominantly Muslim secular, pluralistic, and westward-looking democracy. Over the next eight years, Atatürk embarked on ambitious and sweeping reforms in education, women's rights, and the judicial system. Today, Turkey

stands as a model for other countries looking to shed their past and join the international community of democratic countries.

Every year, the children in Turkey celebrate this National Sovereignty and Children's Day as a national holiday. Schools participate in week-long ceremonies marked by performances in all fields in large stadiums watched by the entire nation. Among the activities included on this day is one in which the children send their peer representatives to work with state officials and high ranking bureaucrats in their offices. The President, the Prime Minister, the Cabinet Ministers, and provincial governors all work with children in their offices. These children, in turn, sign executive orders relating to educational and environmental policies. On this day, the children also replace the parliamentarians in the Grand National Assembly and hold a special session to discuss matters concerning children's issues.

The importance of April 23 as a special day for children has spread to the international community. The United Nations Children's Fund (UNICEF) decided to recognize this important day as International Children's Day.

Congratulations to the country of Turkey on the occasion of National Sovereignty and Children's Day.

COMMEMORATING THE 97TH ANNI-
VERSARY OF THE ARMENIAN
GENOCIDE

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. LEVIN. Mr. Speaker, I rise today to join my colleagues in commemorating the 97th anniversary of the Armenian Genocide.

Ninety-seven years ago, the government of the Ottoman Empire started a ruthless and systematic campaign of genocide against the Armenian people. Beginning with the targeted execution of 300 Armenian leaders, this intentional attempt at extermination ultimately claimed the lives of over 1.5 million people and forcibly exiled another 500,000.

And despite these chilling numbers and a clear historical record of fact, there remains a failure to acknowledge this vast human tragedy for what it truly is: genocide. That is why it is essential that we continue to speak out and solemnly commemorate the Armenian Genocide. Accordingly, I am proud to support a resolution this session of Congress that affirms the U.S. record on the Armenian Genocide and honors its victims and survivors.

By acknowledging this dark chapter of human history, we help protect against the possible creation of a violent culture of impunity. We cannot allow past acts of evil to be erased from our collective consciousness if we are to prevent similar tragedies from occurring in the future.

In closing, I encourage all my colleagues to take time today to remember and honor the victims and survivors of the Armenian Genocide.

IN RECOGNITION OF STEVEN DANA
CHAN, D.D.S

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Dr. Steven Chan. Dr. Chan was recently installed, on March 30, 2012, as the 38th President of the California Society of Pediatric Dentistry. Dr. Chan is a Pediatric Dental Specialist and has practiced in Fremont, California for over twenty-eight years. With a patient base of thousands, he has helped two generations of patients grow up with healthy, beautiful smiles.

The mission of the California Society of Pediatric Dentistry is to serve the membership and the public by advocating for the optimal oral health of infants, children, and adolescents. Dr. Chan is well suited to lead the California Society of Pediatric Dentistry. His education, professional expertise, experience, academic positions, hospital appointments, professional honors, professional association memberships, leadership skills, and community service are outstanding.

Dr. Chan's professional honors include Fellowships in the American College of Dentists, Academy of Dentistry International, American Academy of Pediatric Dentists, Pierre Fauchard Academy, and the International College of Dentists.

He received the Citizen of the Year Award from Citizens for a Better Community and the Southern Alameda County Dental Society's Douglas R. Franklin Distinguished Service Award. Dr. Chan has served in numerous leadership positions within the California Dental Association and the American Dental Association. He holds significant professional association memberships related to dentistry and is also a member of the American Society of Association Executives.

Dr. Chan has not only distinguished himself in his profession but also continues to be a prominent force in community service. He has served in leadership positions in the South Bay Chinese Club Scholarship Foundation, Citizens for a Better Community, Fremont Chamber of Commerce Scholarship Foundation, Fremont Library Commission, Washington Hospital Foundation, Ohlone Community College and has engaged in numerous civic activities to support the City of Fremont.

Dr. Chan has truly been a leader of Organized Dentistry—having served as President of the California Dental Association and now as President of his specialty, Pediatric Dentistry. He has worked to improve the quality and access to oral health for all individuals as well as advocating for the dental profession.

I am confident Dr. Chan will be a dynamic leader of the California Society of Pediatric Dentistry and I offer my congratulations and best wishes to him.

TRIBUTE TO TELACU FOR ITS COMMITMENT TO THE ADVANCEMENT AND EMPOWERMENT OF LATINOS

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. BACA. Mr. Speaker, it is with great honor that I rise today and ask Congress to recognize June 8th as TELACU Scholars Day.

The TELACU Education Foundation was established by TELACU in 1983 to respond to crisis-level dropout rates for Latino Students. As the largest community and economic development corporation in the United States, TELACU is a pioneering institution committed to service, empowerment, advancement and the creation of self-sufficiency within the Latino community.

Realizing the high dropout rates for Latino students, the TELACU Education Foundation responded by investing in our youth through education to create a strong future for our country. TELACU began its efforts to reverse high dropout rates among Latino students by providing monetary support and counseling for first generation and low income students. The TELACU Scholarship Program is an exemplary program that helps students realize their dream of a college education by providing scholarships and supplemental support.

Although TELACU understands that financial assistance is a vital component for college students to achieve academic success, it also recognizes the underlying challenges many young adults face including socioeconomic factors, family responsibilities, cultural identity, and financial solvency. Students who are the first member of their families to pursue a college degree often must make their own academic support system in order to achieve their dreams. TELACU understands these challenges.

For nearly three decades, the Education Foundation has worked to remove the formidable barriers that often prevent Latino youth from achieving academic success and providing them with professional role models and academic support. The TELACU Scholarship Program provides its youth not only with monetary assistance, but with the counseling, leadership training, and time management training necessary to help students achieve their dreams.

I am proud of the way the TELACU Education Foundation has contributed to the development of our future Latino leaders. Each year, TELACU supports 500 Latino college students and 1,500 middle and high school students. In each program, 100% of the students graduate.

Mr. Speaker, I ask my colleagues to join me today to honor TELACU, the TELACU Education Foundation and scholarship programs like this one, for believing in the dream of higher education for all of America's next generation of leaders. I extend my congratulations to the TELACU scholars and the people who make their dreams a reality as they celebrate the 29th Annual TELACU Education Foundation Scholarship Awards Dinner, Building the Dream, on Friday, June 8th, 2012.

HONORING DAVID GRABILL

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today to honor David Grabill, a lawyer in Santa Rosa, CA, who is receiving the Jack Green Civil Liberties Award from the Sonoma County Chapter of the Northern California American Civil Liberties Union (ACLU). This award is presented annually to a leader who has advanced the cause of social justice in the community.

During his 45 years of practice, David Grabill has represented individuals and groups in civil rights cases not only in our community, but in places like Gary, Indiana; Pine Ridge Indian Reservation in South Dakota; Charleston, West Virginia; and Delano and Escondido, California. He assisted in Robert Kennedy's presidential campaign, represented members of the Black Panther Party in Los Angeles, and worked with the United Farm Workers on union rights. He has also extended his practice to welfare and reproductive rights, Native American legal services, black lung, labor matters, and others, giving his time and expertise to those in need of legal services.

Mr. Grabill grew up in Washington, DC, and attended Yale University and the University of Pennsylvania law school. He met his wife, Dorothy Battenfeld in West Virginia, and, in 1981, settled with his family in Santa Rosa. He served for 14 years as directing attorney for California Rural Legal Assistance (CRLA), working on behalf of California's rural poor.

He soon joined with other attorneys during the Reagan administration to obtain an injunction prohibiting the federal government from detaining any individual merely to investigate her/his immigration status unless they had reasonable grounds to believe the person was not legally in the Country. He also served for many years on the Board of the Sonoma County ACLU Chapter where he provided significant pro bono legal support on various issues.

Today David Grabill specializes locally in cases involving affordable housing and housing discrimination. With the Housing Advocacy Group (HAG) that he started with friends in 1998, he focuses his efforts on creating more affordable housing and combating discrimination against lower income, mostly Latino and African American, residents.

Mr. Speaker, David Grabill has dedicated his life to the advancement of social justice and human rights. Please join me in congratulating him on the Sonoma ACLU's Jack Green Civil Liberties Award.

HONORING THE VETERANS OF THE APRIL 24, 2012, QUAD CITIES HONOR FLIGHT

HON. DAVID LOESACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. LOESACK. Mr. Speaker, today I have the great honor of welcoming veterans of the

Greatest Generation to our Nation's capital. Accompanied by volunteer guardians, these veterans from the Quad Cities have travelled to Washington, DC from Iowa and Illinois to visit the monument that was built in their honor.

For many of these veterans, today will be the first time they have seen the National World War II Memorial. I am deeply honored to have been invited to join them when they see their memorial for the first time and to have the opportunity to personally thank these heroes.

I am proud to have a piece of marble from the quarry that supplied the stone that built the World War II Memorial in my office. Like the memorial that it built, that piece of marble reminds me of the sacrifices of a generation of Americans. When our country was threatened, they rose to defend not just our nation but the freedoms, democracy, and values that make our country the greatest nation on earth. They did so as one people and one country. Their sacrifices and determination in the face of great threats to our way of life are still humbling and inspiring today.

The sheer magnitude of what the Greatest Generation accomplished, not just in war but in the peace that followed, continues to inspire us today. They did not seek to be tested both abroad by a war that fundamentally challenged our way of life and at home by the Great Depression and the rebuilding of our economy that followed. But, when called upon to do so, they defended and then rebuilt our country. Their patriotism, service, and great sacrifice not only defined their generation—they stand as a testament to the fortitude of our Nation.

I am tremendously proud to welcome the veterans on the Quad City Honor Flight to our Nation's capital today. On behalf of every Iowan I represent, I thank them for their service to our country.

RECOGNIZING REVEREND OLDERSHAW'S 50 YEARS OF SERVICE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize a man who has spent 50 years serving our local community with great distinction: Reverend Robert H. Oldershaw. Father Oldershaw is a native of Evanston, Illinois, and that is where he continues to make his mark even today.

After being ordained a Catholic priest in 1962, Father Oldershaw worked hard in parishes across Chicago—serving communities in Hyde Park, downtown Chicago, and Lincoln Park before landing back at St. Nicholas Parish in his hometown in 1988. Evanston has benefited from his outreach ever since. Father Oldershaw retired in 2006, after almost 20 years in our city. He continues to serve as pastor emeritus at St. Nicholas, and I am happy to say he is a constant and welcome figure in our neighborhood.

Father Oldershaw has made significant contributions to the Catholic Church. For a number of years while working in Chicago he

served as the Associate Director for Music of the Archdiocesan Office for Divine Worship. In this role he worked to help parishes across the Chicago area adapt to the then-recent changes stemming from the Second Vatican Council. He has also written a number of articles and pieces of music over the years, and serves as the liturgical editor of *Worship—Third Edition* (GIA Publications)—a hymnal used in Catholic churches across the country.

In 1999 Father Oldershaw was featured in a documentary entitled "A Justice That Heals." This documentary tells the story of how he brought together and fostered forgiveness between the family of a murder victim and the individual who killed their son. Activities such as these were commonplace for a man who has devoted his life to serving his parish and the community as a whole.

In addition to his parish duties, Father Oldershaw was (and remains) extremely active in the Evanston community. He is involved in a large number of organizations furthering the public good. He served as co-president of the Evanston Ecumenical Action Council (now known as Interfaith Action of Evanston), as a member of the board of directors of St. Francis Hospital, and has spent over a decade as a chaplain with the Evanston Police Department. Each of these roles has left an indelible impact on our local community and we are lucky to have had him working among us for so long.

Father Oldershaw also deserves praise for his social justice work. He is an active member of Priests for Justice for Immigrants, and he regularly visits detainees at McHenry County Jail. He is also a board member of Solidarity Bridge, whose mission is to heal and empower poor people living in Bolivia through providing critical medical care and support for Fair Trade cooperatives.

On behalf of myself, our community, and a grateful nation, I want to say thank you, Father Oldershaw, for all you have done and continue to do for us.

THE INTRODUCTION OF THE LIFE-
LONG IMPROVEMENTS IN FOOD
AND EXERCISE ACT (LIFE)

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. NORTON. Mr. Speaker, now that the cherry blossoms have signaled that spring has come, I introduce the Lifelong Improvements in Food and Exercise Act (LIFE), authorizing a national initiative to attack a major health problem in the United States that cannot be remedied through the health care system alone. Growing problems of overweight and obesity are now found in Americans of every age, race, and major demographic group, and threatens the health of Americans like no other single disease or condition does. In fact, the key to eliminating many of the most serious health conditions is reducing overweight and obesity, not even the much needed Affordable Care Act. The LIFE bill would provide \$25 million in funding to the Centers for Disease Control and Prevention (CDC) for a co-

ordinated national effort to reverse increasingly sedentary lifestyles and diets that are high in fat and sugar.

Despite rising concern about this epidemic, from NBC's "The Biggest Loser" to a steady stream of diet books, startling rates of obesity among adults and children continue in the United States. In 2007, estimates from the CDC National Center for Health Statistics showed that the percentage of children who are overweight has more than doubled, and among adolescents, the rates have tripled since 1980. Today, 13 million overweight children have an 80 percent chance of being overweight adults, with the health conditions that follow, such as high blood pressure, heart disease, and cancer. The CDC reports that Type 2 diabetes, considered an adult disease, is now widespread in children. The healthcare system and the insurance premium of average Americans are paying the price for this generation. The consequences for kids will follow them throughout their lives if we do not act quickly and decisively. If we are serious about healthcare, we must start where the most serious health conditions begin: in the epidemic of overweight and obesity.

The LIFE bill seeks to provide the first national strategy by directing the CDC to pursue obesity and sedentary lifestyles in three ways: train health professionals to recognize the signs of obesity early and educate people concerning healthy lifestyles, such as proper nutrition and regular exercise; conduct education campaigns to teach the public about how to recognize and address overweight and obesity; and develop intervention strategies to be used in everyday life at work sites and in community settings. This legislation is the minimum necessary to address our most important healthcare crisis. Already, chronic diseases, many of which are caused or exacerbated by overweight or obesity, account for 70 percent of all deaths in the U.S., and 60 percent of U.S. medical care expenses annually. According to the Surgeon General's Call to Action to Prevent and Decrease Overweight and Obesity, the cost of obesity in the United States was more than \$117 billion in 2000. The CDC highlights a study that estimates the annual cost to be \$147 billion. Currently, it is estimated that between 300,000 and 400,000 deaths per year are related to obesity.

A focused national health initiative is necessary because unhealthy lifestyles have become a normal part of everyday life. Participation in high school physical education classes has dropped from 42 percent in 1991 to 33 percent in 2005. National data show an increase in unhealthy eating habits for adults and no change in physical activity. Changes in nutrition are equally critical because 60 percent of young people consume too much fat, a factor doubling the percentage of overweight youth.

I urge my colleagues to join me in support of this important legislation to mobilize the country now, before entirely preventable health conditions, that often begin in children, overwhelm the Nation's health care system.

RECOGNIZING CAMBODIAN NEW
YEAR

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to ask the House to join me in acknowledging the New Year, the year of the dragon.

The Cambodian New Year is one of the major celebrations in the Cambodian culture. This time of year also represents the end of the harvest season and allows farmers to enjoy the fruits of their harvest. The celebration lasts for three days which during this time they spend time visiting family and friends. Each day has a name and activities that honor the elder's for their sacrifice for the younger generation.

I am proud that more Cambodians reside in Long Beach, which is located in my Congressional District, than anywhere outside of the nation of Cambodia. This past Saturday, April 21, 2012, nearly 20,000 people celebrated the Cambodian New Year in El Dorado Regional Park in the city of Long Beach. Long Beach certainly was the place to celebrate Cambodian New Year! I consider the opportunity to celebrate the Cambodian New Year every year as one of the great privileges associated with being a Member of Congress from the 37th Congressional District.

I congratulate the Cambodian-Coordinating Council (CCC) for organizing this especially unique and uplifting event, which is one of the highlights of the spring season every year in the 37th Congressional District. This is especially gratifying to me since as a Long Beach City Councilperson I worked closely with the members of the Cambodian community to ensure the festival continues to be held in Long Beach and know firsthand how the CCC has assisted the Cambodian-American population to be self-sufficient, productive members of society and to bridge the gaps that exist between cultures, languages, and generations.

I thank the many community organizations and volunteers for their efforts to ensure the success of the Cambodian New Year Festival. Most importantly, I thank the CCC for providing this opportunity to experience and appreciate the people and culture of Cambodia. I congratulate the CCC on another successful Cambodian New Year Festival and I look forward to next year's festivities.

Happy Cambodian New Year!

U.S. CITIZEN OF DISTINCTION

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, Whereas, our lives have been touched by the life of this one woman . . . who has given of herself to her community and family; and

Whereas, Mrs. Eileen Samuel's spirit is present in Birmingham, Alabama for all to see, being a nurse, neighbor and friend; and

Whereas, this giant of a woman was born in Birmingham, Alabama to Mr. Dewey and Mrs.

Dellie Barnes on February 6, 1943, she has been on the move ever since as a woman of God; and

Whereas, this remarkable woman gave of herself, her time, her talent and her life; she never asked for fame or fortune just fairness for the people, she was our quiet storm, a spark that starts a flame; and

Whereas, Mrs. Eileen Samuel led by doing behind the scenes, she encouraged all those around her who wanted to make a difference, be it her children, her elected officials, her neighbors and her church members at Oak Street Baptist Church; she was a virtuous woman, a woman of great integrity who remained true to the uplifting of her community which in turn uplifted my community in Georgia through her daughter DeKalb County Commissioner Sharon Barnes Sutton; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a Congressional Recognition on Mrs. Eileen Samuel for her leadership, friendship and service to all of the citizens throughout the Nation; a citizen of great worth and so noted distinction;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 112th Congress that Mrs. Eileen Samuel of Birmingham, Alabama is deemed worthy and deserving of this "Congressional Recognition"—Mrs. Eileen Samuel, U.S. Citizen of Distinction in the 4th Congressional District of Georgia.

Proclaimed, this 10th day of March, 2012.

RECOGNITION OF DAVID HINDERLITER FOR HIS SERVICE AS PRESIDENT AND CEO OF THE KANKAKEE REGIONAL CHAMBER OF COMMERCE

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. KINZINGER of Illinois. Mr. Speaker, it is my honor to rise today to recognize David Hinderliter for his outstanding service as the President and CEO of the Kankakee Regional Chamber of Commerce. During his impressive 20 years as the head of the Association, Dave oversaw the creation of many successful programs and organizations, leading to recognition and four star accreditation of the Association by the U.S. Chamber of Commerce.

Dave began his service at the Association as the Ambassador to the Chamber and served multiple terms as the Chairman of the Government Affairs Committee of the Illinois Association of Chamber of Commerce Executives. In this position, he led the effort to create a very successful Illinois Chamber Executive education program.

While Dave's accomplishments as Executive have been many, his service to the Association represents only a portion of his service to the profession and the community. Often deflecting credit for success to those with whom he serves, Dave represents the epitome of leadership, enabling others around him to excel and succeed. In addition to his commitment to the Kankakee business community, Dave also finds time to coach his children's

soccer teams and lead his son's Scout troop. He is a devoted husband to Diane Hinderliter, and father to Andrew, Amanda, and Cameron Hinderliter.

Once again, I am humbled to honor Dave for his distinguished service to the Association, the Chamber community, and the people and business owners of the Kankakee Region and wish him all the best in his future endeavors.

TRIBUTE TO TEREZIA WILSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Ms. Terecia Wilson on the occasion of her retirement from the South Carolina Department of Transportation. Since 1984, Ms. Wilson has worked to improve highway safety in South Carolina, and as a result of her extraordinary service, all South Carolinians are safer on our state's roads. She has been an invaluable resource to me and my staff over the years, and we will miss working with her.

Most recently, Ms. Wilson has served as Training, Safety and Security Program Manager for the Office of Public Transit in the Division of Intermodal and Freight Programs for the South Carolina Department of Transportation, SCDOT, managing the statewide Rural Transit Assistance Program. From 1999 to 2007, Ms. Wilson served as Director of Safety at SCDOT. In this capacity, she developed, implemented, and administered roadway and occupational safety programs to improve safety for highway workers and drivers alike, as well as administering management, claims, and toll operations for the agency. Before joining SCDOT, she served at the South Carolina Department of Public Safety, where she, among other responsibilities, coordinated the 402 State and Community Highway Safety Program, managed numerous successful highway safety public information and education programs, and sought and secured millions of dollars in needed funding.

Ms. Wilson's many years of service have produced impressive results. South Carolina's mileage death rate plummeted from 3.7 per 100 million miles of travel in 1986 to its lowest recorded level of 1.65 in 2010. In 2005, Ms. Wilson worked closely with state legislators when they passed primary seat belt legislation; in 2008, South Carolina's safety belt usage rate climbed to 79 percent, the highest rate ever recorded. SCDOT's High Visibility Work Zone Safety Program had dramatic results during its three-year duration from 2002 to 2005, with a 39.2 percent reduction in work zone crashes, a 44.1 percent reduction in work zone injuries, and a 50 percent reduction in work zone fatalities. It is no exaggeration to say that Ms. Wilson's work has saved lives.

Throughout her career, Ms. Wilson has garnered national recognition for her able service. In 1991, she received a Special Recognition Award from the National Traffic Safety Administration, NTSA, for promoting and implementing a statewide education and enforce-

ment campaign. In 1992 and 1999, she received the NTSA's National Award for Public Service. She received the Award of Merit from the National Sheriffs' Association in 1993 for promoting and implementing the Rural Sheriffs' Traffic Safety Initiative. In 2004, she was named the winner of the President's Transportation Award by the American Association of State Highway and Transportation Officials. Three years later, the "Let'em Work, Let'em Live" campaign, which Ms. Wilson directed, was awarded the National Roadway Safety Award by the Federal Highway Administration and National Roadway Safety Foundation. South Carolinians are proud to see one of our own, so well regarded by her colleagues around the country, and we are fortunate that her exemplary service has been to our benefit.

Ms. Wilson is a proud wife and mother, and I know that she is looking forward to being able to spend more time with her family in retirement. Mr. Speaker, I ask that the House join me in congratulating Ms. Terecia Wilson on this well-deserved retirement. I wish her good health and godspeed.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176. Had I been present, I would have voted "aye" on rollcall vote Nos. 152, 153, 158, 159, 160, 161, 163, 169, 171, 175, 176. I would have voted "no" on rollcall vote Nos. 154, 155, 156, 162, 164, 165, 166, 167, 168, 170, 172, 173, 177.

PERSONAL EXPLANATION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. PERLMUTTER. Mr. Speaker, on rollcall No. 177 I inadvertently missed the vote on rollcall No. 177. I intended to vote "no."

Had I been present, I would have voted "no."

IN RECOGNITION OF THE ASIAN PACIFIC STATE EMPLOYEES ASSOCIATION

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the California Asian Pacific State Employees Association, and their members, as they gather to raise scholarship funds for local high school students. I ask my colleagues to join me in honoring this generous organization.

The Asian Pacific State Employees Association was founded in 1975 with the goal of assisting its members while they work for the State of California, and to encourage state employees to give back through a variety of community projects. Located in all of the major urban centers in the state, APSEA's members work for a wide variety of California government agencies.

APSEA's annual scholarship dinner raises funds and recognizes numerous young men and women who are involved in rigorous academic studies, dedicate their time to Asian and Pacific Islander causes, or are involved with the Ronald McDonald House Charity. This dinner has provided additional scholarship funds for many local students who are committed to making their community better.

Mr. Speaker, I am honored to celebrate this fantastic organization, their members, and their annual dinner. They are a shining example of community service and community pride. I am confident that APSEA will continue the tradition of giving selflessly and helping others with their organization and events, and I ask all my colleagues to join me in honoring their outstanding commitment to their community and their continued work to help students succeed.

**STOP DENYING THE ARMENIAN
GENOCIDE**

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. McGOVERN. Mr. Speaker, today marks the 97th Anniversary of the terrible period of atrocities committed against the Armenian people by the leaders of the Ottoman Empire and immediate subsequent Turkish government that is known as the Armenian Genocide.

Every year I have been in Congress, I have marked this solemn anniversary remembering

the victims of this genocide and the expulsion of tens of thousands of Armenians from their homes and homeland, and honoring the survivors of one of the greatest tragedies of the 20th Century. These survivors and their descendants have helped awaken and teach the world to the horrors of genocide and the necessity of standing up to the forces of denial.

This year, however, Mr. Speaker, I come before this House angry and frustrated by the refusal of my own government to recognize and identify the events from 1915 to 1923 as the Armenian Genocide. It doesn't seem to make a difference if the White House is occupied by a Republican or a Democrat, no one has the political courage to call the Armenian Genocide by name. I am always told that now is not the right time to take such an action.

When will be the right time, Mr. Speaker? When the last survivor, the last eye-witness to the genocide has passed away? Every year, when I join the commemoration of the Armenian Genocide in Worcester, Massachusetts, there are fewer and fewer survivors.

I understand the need for careful political consideration of these matters, but we have waited too long as it is.

It is past time to recognize the Armenian Genocide, by name, Mr. Speaker. I call on the President to do so, now, this year, for the sake of the last survivors of this atrocity and in honor of all of those who perished.

**RECOGNIZING THE CHURCH OF ST.
MARY**

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 24, 2012

Mr. BISHOP of New York. Mr. Speaker, I rise to recognize the Church of St. Mary in Hampton Bays, New York as it celebrates one hundred years of ministry and worship. I offer my congratulations to the rector, wardens, vestry and congregation of St. Mary's Epis-

copal Church, a beautiful and historic church that stands as a testament to the devotion of its members.

From its modest beginnings in the home of Earl B. Squires in 1912 to its present-day position as the first and most active partner in an outreach program to the East End's homeless, St. Mary's has been a vital part of the community. On March 26, 1912, the Reverend Samuel Centennial Fish conducted the first service in the home of Earl Squires opposite the present location of the church at 165 Ponquogue Avenue.

In 1917, Virginia Taylor Hardy donated the property and present church, nestled amid a grove of oak trees, to serve the population of Good Ground, a portion of present day Hampton Bays. Its Norman architecture is accentuated by slate and tile floors, varying peaked tile roofs and English oak pews and paneling. The stained glass windows in the baptistery and above the altar are the work of Otto W. Heinigke, one of the foremost stained glass artists in the country. The church building, recognized as one of the most beautiful small churches in America, was consecrated on September 4, 1920 by the Right Rev. Frederick Burgess, Bishop of Long Island. In 1966, the church was granted parish status after 52 years as a mission.

The current rector, the Rev. Bernadette M. Sullivan, is the first woman to serve as the church's spiritual leader. In 2001, the rector volunteered St. Mary's as the first church to commit to participate in the Maureen's Haven Ministry to the homeless. Many members of the congregation have been inspired to become involved. After ten years, more than 30 other churches are participating in the program providing beds, hot food and counseling for more than 252 guests.

Mr. Speaker, I am proud to have such a strong and long-standing congregation in the First Congressional District of New York, and I offer best wishes for the future.

SENATE—Wednesday, April 25, 2012

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by His Eminence Archbishop Oshagan Cholyan from the Eastern Prelacy of the Armenian Apostolic Church of America in New York City.

The guest Chaplain offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Almighty God, eternal guide of humankind, we seek the grace of Your wisdom in our lives and in the lives of our leaders. We thank You in the name of the Armenian people for Your divine mercy in providing them a safe refuge in this blessed country, the United States of America, where they were delivered from the depths of despair of genocide and welcomed with new life. We beseech You to spare all of Your children from tyranny and persecution.

Reveal Your infinite Spirit to the Members of this Senate, that they may be inspired toward a greatness of purpose and ennobled in their request for good governance. We offer to You our sacrifices upon the altar of freedom in an act of redemption for all of humankind with hope of harmony, compassion, and tolerance. We stand before You today and ask this in Your Name and for Your glory. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 25, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Madam President, the Senate is now considering the motion to proceed to S. 1925, the Violence Against Women Reauthorization Act.

The Republicans will control the first half hour, and the majority will control the second half hour this morning. The Republicans will also control the time from 11:30 to 12:30 today. The majority will control the time from 12:30 to 1:30 p.m.

At 2 p.m. the Senate will resume consideration of the postal reform bill. There will be several rollcall votes—six to eight votes—at that time in order to complete action on the bill.

POSTAL REFORM

I am very gratified about the work that has been done over the last many months, which will culminate today in the passing of this postal bill. It has been extremely difficult. Lots of people have worked on this bill, and it has been a bipartisan effort. It is going to send a message to the House that we can do big things.

It is an important piece of legislation—one of the biggest and most complicated we have dealt with in a long time. As I said, I am gratified, and I congratulate and applaud Senators LIEBERMAN, COLLINS, and others on our side—especially Senator TOM CARPER, who worked hard with the chairman and ranking member and many others who were stalwarts. We saw that yesterday when there was an effort to bring the bill down. That was the first vote we took. Senators stood at their desks in the Chamber on a bipartisan basis and indicated how important this legislation is. It was a very important day for the American people.

VIOLENCE AGAINST WOMEN ACT

We will be on this legislation I announced dealing with violence against women. Each year about 5 million Americans are victims of violence by their spouses or partners. Every single day 3 women are killed at the hands of their abusers, and every day 9 or 10 are beaten very badly. They are hospitalized, and some have permanent injuries from their abusers. We authorize and

ensure in this law that the police have the tools to more effectively stop this and prosecute those people who are the abusers.

As I said yesterday, I held hearings many years ago on this subject, and the one issue that was pronounced so clearly is that in many instances the only thing that helps these abusers is to send them to jail. It works better than counseling, better than threats, and people should realize we need law enforcement to have better ways of approaching these calls they get all the time.

I also mentioned yesterday that in Las Vegas one of our prized police officers, a sergeant on the police force for many years, was called to a scene along with one of the junior police officers, and he was killed as soon as he walked in the door. This is an important piece of legislation. It has 61 cosponsors, and we should pass it.

STUDENT LOANS

Madam President, the Senate has a long list of things to do. One of the things we have to do is stop the raising of interest rates on students who borrow money to go to school. We were fortunate to reduce this rate from 6.8 percent to 3.4 percent. We cut it in half. We did this in 2007. We had just obtained a majority in the Senate, and we worked on this very hard. It went to President Bush, he signed the law, and rightfully so.

Everyone should understand this is a bill that was signed by President Bush. We need to go back to what he signed. We cannot have these rates go up. If we don't act by July 1, more than 7 million students will be forced to pay an average of \$1,000 more each year for these student loans. College is already unaffordable for too many people. I hope we can get this done.

I am going to stop my comments because I was, of course, impressed by the remarks of the guest Chaplain. Many years ago I went to the Armenian Church, and it was a wonderful experience. I say to my friend from Rhode Island, to whom I will yield in a second, we went to Armenia after that very brutal winter when the Turks had cut off the oil to Armenia. The Armenians cut down a lot of trees, and they survived. Most said they could not. It was a brutal winter. Peace Corps volunteers were there and not one left Armenia, even though they suffered along with the Armenian people.

So I have fond memories of my visit to Armenia. I understand the resiliency of the people of Armenia, and I remember visiting that church.

I yield to my friend, the Senator from Rhode Island.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. I thank the leader for yielding.

WELCOMING THE GUEST CHAPLAIN

Mr. REED. Madam President, I am honored to be here today to welcome His Eminence Archbishop Oshagan Choloyan. Archbishop Choloyan serves as the Prelate of the Eastern Prelacy of the Armenian Apostolic Church of America. He has led the Eastern Prelacy since 1998, and he plays a significant role as the spiritual shepherd for several thousand Armenian Americans from Maine to Florida and west to Texas.

In Rhode Island, we are extremely blessed to have the Archbishop as such a strong spiritual and community leader. We continue to benefit from his wisdom, his compassion, and his generous spirit. It is an honor to have him here today as we not only listen to his moving and thoughtful words, but also as we commemorate the 97th anniversary of the Armenian genocide.

Ninety-seven years ago, on April 24, 1915, the Young Turk leaders of the Ottoman Empire summoned and executed over 200 Armenian community leaders and intellectuals, beginning an 8-year campaign of oppression and massacre. By 1923, nearly 1½ million Armenians were killed, and over a half million survivors were exiled. These atrocities affected the lives of every Armenian living in Asia Minor and, indeed, throughout the world.

The survivors of the Armenian genocide, however, persevered due to their unbreakable spirit, their steadfast resolve, and their deep commitment to their faith and their families. They went on to enrich their countries of emigration, including the United States, with their centuries-old customs, their culture, and their innate decency.

In fact, not only were the Ottomans unable to destroy the Armenian Empire, they strengthened it. And the participation of Armenians worldwide has made this world a much better place. Indeed, my home State is a much better place. That is why today we not only commemorate this grave tragedy but celebrate the traditions, the contributions, and the extraordinary hard work and decency of the Armenian Americans and Armenians throughout the world.

This year I once again join my colleagues in encouraging the United States to officially recognize the Armenian genocide. Denial of this history is not consistent with our country's sensitivity to human rights and our dedication to the highest and noblest principles that should govern the world. We must continue to educate our young people against this type of

hatred and oppression so we can seek to prevent such crimes against humanity in the future. It was indeed an honor to be here to listen to the wise words of the Archbishop, to hear his prayer, his reflection, and to go forth knowing that he is a powerful force in our country for tolerance and decency. I thank him for being here today.

With that, I yield the floor.

RESERVATION OF LEADER TIME

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1925, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 2 p.m. will be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

The Senator from Nevada is recognized.

Mr. HELLER. Madam President, I rise today in support of the Violence Against Women Reauthorization Act.

I am glad the Senate is finally considering this important legislation, and I am proud to be the crucial 60th cosponsor of the bill. I commend Chairman LEAHY for producing a bill that enjoys broad bipartisan support, and I look forward to swift passage of the VAWA reauthorization.

Violence in all its forms is unacceptable, but it is particularly horrifying when it takes place in the home, which should be a sanctuary for all who live there. Yet a recent CDC report found that nearly half of all women living in my home State of Nevada at the time of the survey experienced domestic violence at some point in their lifetime. This statistic is sickening and unacceptable. Women and children often feel powerless to escape abusive or dangerous situations, which too often end in tragedy.

My home State knows this sad reality all too well. Nevada is ranked first in the Nation for women murdered by men in domestic violence. Sadly, our State has appeared in the top three States in this horrific category in the last 7 years. Thankfully, organizations throughout the State of Nevada work tirelessly to help those jeopardized by

domestic violence. While these groups have faced significant challenges due to funding cuts in recent years, they are doing their best with what they have to provide assistance to families who need it most.

According to last year's Nevada Census of Domestic Violence Services, nearly 500 Nevadans received crisis assistance through Nevada's domestic violence programs on a single day; 272 found refuge in emergency shelters or temporary housing; 204 received non-residential assistance. Staff and volunteers fielded an average of six hotline calls every hour. Despite the best efforts of our State's domestic violence programs, 25 cases of unmet requests for services were reported on a single day due to shortage of funds and staff. That means thousands of Nevadans could not access the services they needed last year.

Nevada's struggling economy has limited State resources to help those who are affected by domestic violence. Reauthorization of VAWA will provide greater certainty for organizations that work hard every day to prevent and address domestic violence. I trust this bill will ensure and enable domestic violence programs to plan for the future and serve even more Americans in need. Importantly, this bill will also further prevention efforts that, hopefully, will result in reducing domestic violence and help our Nation's most vulnerable.

I am also pleased this legislation reauthorizes programs vital to the National Council of Family and Juvenile Court Judges. The National Council has made a strong impact in courts throughout the Nation by teaching judges innovative strategies that equip them to appropriately assist families and young people who face significant hardships. I cannot be more proud of the positive changes the National Council is effecting in courtrooms and communities in Nevada and nationwide, and I am glad this bill will further their efforts.

As a fiscal conservative, I am also glad this bill was written with full awareness of the fiscal crisis our Nation is facing. This legislation repeals duplicative provisions and programs, creating a more efficient system. I encourage my colleagues to use this bill as a model when considering additional reauthorizations this year. We must not forget the need to implement commonsense budgetary practices across the board in order to put our Nation on a path to long-term fiscal responsibility.

While not perfect, I am pleased the Senate is proceeding with this bill and trust it will further the important goal of reducing violence in all its forms. This bipartisan effort is an example of how Members of Congress should be working together to solve the problems facing our Nation and protecting those

who have no voice. I look forward to the passage of the VAWA reauthorization measure and believe it will truly make a difference in the lives of countless women in Nevada and throughout the United States.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

NATIONAL ENERGY POLICY

Mr. MORAN. Madam President, as certainly every Kansan and all Americans know, our gas prices are on the rise and the U.S. economy continues to struggle. I believe one of the most important things Congress can do now is to facilitate the production of affordable energy in this country. In Kansas, we have the third highest number of highway miles in any State in the country, so higher fuel prices are particularly difficult for Kansans who drive long distances each day for work and school. When business owners pay more for fuel, they have less to invest in their businesses and fewer resources to use to hire new employees.

In our State, higher fuel prices increase operating costs for farmers and ranchers who produce much of our Nation's food supply. One Kansas farmer feeds 155 people. The global food supply is threatened when food producers have to pay high costs to plant, harvest, and transport their production.

Higher gas prices don't just affect the farmer or rancher filling their equipment; they also affect every American as they shop at their grocery store. While producers have to pay higher fuel costs, so do the folks who transport the goods to market. So that increased cost gets passed on to the consumer. We all are paying more.

For the United States to remain competitive in this global economy, Congress must develop a comprehensive national energy policy. No single form of energy can provide all the answers. High fuel prices and an uncertain energy supply will continue until we take serious steps toward increasing the development of our own natural resources.

Our country has some of the most plentiful, affordable, and reliable energy sources available. Our own Congressional Research Service has reported the United States has greater energy resources than China, Saudi Arabia, and Canada combined. Unfortunately, access to those resources continues to be restricted.

Technological advances have made the exploration, extraction, and transportation of oil and gas safer and more efficient. Yet the Obama administration has repeatedly blocked efforts to expand energy production. In the President's State of the Union Address, he claimed oil and gas production has increased under his leadership. While private lands are being further developed, and energy production is being increased on those private lands, energy

production on Federal lands has actually decreased. According to the Department of the Interior, oil production on Federal property fell by 14 percent and natural gas production fell by 11 percent last year.

The failure to explore and develop our vast natural resources on Federal lands hit an unfortunate milestone last week. Ten years ago, the Senate failed to open a fractional portion of the Arctic National Wildlife Reserve for responsible resource development. Those opposed to developing that small portion of that vast area claimed the resources available in ANWR would not reach the market for 10 years. Well, here we are, 10 years later, no closer than we were in 2002 to gaining our energy independence.

American businesses involved in the oil and gas industry can bring these resources to market and send a strong signal to the world that the United States is serious about energy security. Yet rather than allowing these companies to deploy their expertise and increase production, there are those who say oil and gas companies deserve even more taxes—a tax increase. Raising taxes on the very businesses tasked with locating, extracting, and distributing the fuel to power our economy would do nothing to lower costs and reduce our dependence on foreign oil. In fact, it would do exactly the opposite.

When the Congressional Research Service analyzed President Obama's fiscal year 2012 budget proposal last year to raise taxes on the oil and gas companies, they concluded those efforts would have the effect of "decreasing exploration, development and production while increasing prices and increasing the nation's foreign oil dependence." The nonpartisan Congressional Research Service says these taxes would reduce domestic supply and hurt consumers.

To increase domestic production, I have sponsored the 3-D Act, which would require the administration to reverse their cancellation of dozens of oil and gas leases, open areas previously restricted to responsible oil and gas development, such as the Arctic National Wildlife Reserve, and streamline the environmental review process that continually ties up worthy projects in costly bureaucracy and litigation.

The administration is also delaying projects that will improve our energy's infrastructure. The President's denial of TransCanada's Keystone XL Pipeline permit delayed an important project that would create thousands of jobs and bring billions to the U.S. economy. This private investment in energy infrastructure is exactly the type of investment the President should be encouraging. Construction projects create jobs and boost local economies.

For example, back home in Kansas, Clay County is a small, lowly populated county. Their utility sales to

TransCanada could quadruple their overall sales and add more than \$½ million to the local economy every year. This would be a significant boost to the county's economic development.

President Obama's own Jobs Council cited the pipeline construction as a way to boost the economy in their year-end report released January of this year, stating:

Policies that facilitate safe, thoughtful and timely development of pipeline, transmission and distribution projects are necessary to facilitate the delivery of America's fuel and electricity and maintain the reliability of our nation's energy system.

But TransCanada's project has been stalled as the company works to seek a new route through the State of Nebraska, to our north. But instead of putting the entire project on hold, we would be much better off if we would allow construction to begin in areas not subject to this rerouting so jobs could be created and our Nation could have greater access to more reliable energy. S. 2041, which I have sponsored, would do that.

Renewable energy must also play a role in supplying our energy needs as new technologies allow for the increased commercialization of renewable fuels. Kansas is a leader in wind production and second only to Texas in wind resource potential. Innovation in biofuel production has also increased our ability to develop additional energy from renewable sources available in my home State of Kansas.

Nuclear energy is a necessary component that will help us supply our country's future energy needs and allow our country to be less reliant on energy from other nations. I will continue to support initiatives to spur growth in the nuclear energy industry, including initiatives to streamline regulatory compliance.

Energy exploration must be accompanied by energy conservation. When Americans drive more efficient vehicles and occupy energy-conserving buildings, they not only consume less energy, they save money. At a time when gas prices continue to climb, we need to be looking for more innovative ways to help consumers save money on energy bills.

Congress must develop a comprehensive national energy policy—a policy based upon the free market principles that say we can find the resources necessary to meet our country's needs. We must develop our domestic sources of oil, natural gas, and coal, encourage the development of renewable energy sources, and promote conservation.

Not only would the development of our Nation's resources reduce our dependence on foreign energy, it would also provide our economy can with a reliable, affordable fuel supply. If future generations of Americans are to experience the quality of life we enjoy today, the time to address our energy needs is now.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Madam President, I know we have not yet concluded the postal reform bill, but I come to the floor to speak on an amendment I intend to offer on the reauthorization of the Violence Against Women Act. The amendment I intend to offer is one that enjoys bipartisan support, and I hope as more Senators learn about the content of this amendment and how it will strengthen the Violence Against Women Act, they will join me and Senator MARK KIRK of Illinois, Senator BENNET of Colorado, as well as Senator VITTER from Louisiana. I believe it will strengthen the Violence Against Women Act we will vote on, presumably later today, but probably tomorrow.

I am also happy to have the support of the Rape Abuse and Incest National Network—RAINN—PROTECT, and the Texas Association Against Sexual Assault, as well as Bexar County District Attorney Susan Reed, whose office is in San Antonio, TX. She has worked with us on this amendment, and we have benefited from her counsel and that of her staff. We have the support as well of San Antonio Police Chief William McManus.

At its core, this amendment would help end the nationwide rape kit backlog while improving law enforcement tools to crack down on violent criminals who target women and children for sexual assault.

To give a little context, in the course of an investigation, law enforcement officials will collect DNA evidence in something called a rape kit. These are generally bodily fluids that can be tested, because of their DNA signature, against a bank of DNA evidence for a match. In fact, this is a very powerful tool for law enforcement because it will literally identify someone from this DNA match in a way nothing else can. This DNA evidence can also, for those who care, as we all do, about making sure the innocent are not held in suspicion or convicted for crimes they didn't commit, be so powerful as to literally exclude, in some instances, suspects of criminal conduct.

The nationwide rape kit backlog is a national scandal—one that many people don't know very much about—and it has serious consequences for sexual assault victims. The truth is we don't know about the full scope of the problem, but one estimate is there are as many as 400,000 untested rape kits currently sitting in labs and on police station shelves across the Nation, each one of them holding within itself the potential to help solve a serious crime and, in the process, take a rapist off the streets and provide a victim with the justice they deserve.

Take, for example, the case of Carol Bart. Carol is from Dallas, TX. In 1984,

Ms. Bart was kidnapped and raped at knife point outside her Dallas apartment. Although she submitted herself for rape kit testing immediately following the crime, her kit was not tested until 2008—24 years later. When it was tested 24 years after the rape kit specimens were collected, it yielded a match for a serial sex offender who had attempted to rape another woman only 4 months later after he raped Ms. Bart.

This is one of the most important reasons why this evidence is important, because the fact is people who commit sexual assaults are not one-time offenders. They do it many times, and often they do it until they are caught. But because the rape kit in Ms. Bart's case was not tested for 24 years after the crime, the statute of limitations had run, meaning that her attacker could not be brought to justice for that particular crime.

Statutes of limitations serve a worthwhile purpose under ordinary circumstances. They are designed to make sure charges are brought on a timely basis, while witnesses' memories are fresh and they can identify the perpetrator and the like. But in this instance, what it concealed was an injustice because, in fact, this late testing—24 years after the fact—meant her attacker could not be brought to justice for that particular crime.

Take also the case of Helena Lazaro, who was raped outside of Los Angeles in 1996 when she was just a teenager. Ms. Lazaro's rape kit sat untested for more than 13 years after her assault. When it was finally tested in 2009, it yielded a match to a repeat offender who had raped several women at knifepoint in Indiana and Ohio.

There are countless, I am sorry to say, examples of similar tragedies across the country, only a handful of which are actually reported on the front pages of our major newspapers. And some of these victims, of course, have merely suffered in silence in towns and communities across our country.

One thing is clear: While DNA evidence is powerful evidence, we have not yet adapted our administration of testing nor the capacity to inventory these kits in a way to make sure they are tested on a timely basis, and we have not kept up with that. But that is what this amendment hopes to do.

According to a 2011 report by the National Institute of Justice:

[c]urrent Federal programs to reduce backlogs in crime laboratories are not designed to address untested evidence stored in law enforcement agencies.

As a matter of fact, one of the problems in requiring an inventory of these untested rape kits is often the National Institute of Justice and law enforcement personnel don't even categorize a rape kit as untested until it actually is in the hands of the laboratory. So many of them sit in evidence lockers,

never making their way to the labs, and are not identified as backlogged. So there are two distinct types of rape kit backlogs: the well-known backlog of untested rape kits that have already been submitted for testing and the hidden backlog of kits in law enforcement storage that have not been submitted for testing, as you can see, sometimes over a span of 13 years in one case and 24 years in the next. This amendment would help us learn more about this hidden backlog and ultimately help State and local law enforcement officials to end it.

One of my experiences during the 4 years I was attorney general of Texas was that many local jurisdictions simply did not have the expertise or experience or the knowledge to deal with new technology, whether it is Internet crimes or whether it is this new, powerful DNA tool. It is not so new now, and in urban areas it is not as big of a problem. In New York City, for example, I am sure they are quite sophisticated when dealing with this sort of evidence but less so in smaller towns and communities across the country.

The justice for victims amendment would reserve 7 percent of existing Debbie Smith Act grant funding for the purpose of helping State and local governments to conduct audits of their rape kit backlogs. In my hometown of San Antonio, the police department recently conducted such an audit of their evidence storage facilities using similar grant funding from the State of Texas. They identified more than 5,000—and that is just in San Antonio alone—untested sexual assault kits, of which 2,000 they determined should be submitted promptly for testing. My amendment would use existing appropriations to encourage more audits like this.

The amendment would also add accountability to the audit process by requiring grantees of these funds to upload critical information about the size, scope, and status of their backlog into a new sexual assault evidence forensic registry. This valuable information would also help the National Institute of Justice better target the approximately \$100 million of existing appropriations already available for this type of testing. In the spirit of open government, the amendment would also require the Department of Justice to publish aggregate, non-personally identifying information about the rape kit backlog on an appropriate Internet Web site.

To ensure that these audit grants do not take resources away from actual testing, my amendment would increase the amount of Debbie Smith Act appropriations required to be spent directly on laboratory testing from the 40 percent currently in the underlying Leahy bill, which will be the base bill, to 75 percent. So what it will do is it will actually take more of the funding that

Congress intended be used to process rape kits and do actual testing and return it to that core function.

A comprehensive approach to crime prevention and victims' rights also requires updated tools for Federal law enforcement officials to target fugitives and repeat offenders. My amendment addresses this need by including bipartisan language authored by Senator JEFF SESSIONS that would authorize the U.S. Marshals Service to issue administrative subpoenas for the purpose of investigating unregistered sex offenders and would actually be limited to that narrow purpose. This provision would allow the Marshals Service to swiftly obtain time-sensitive tracking information, such as rent records and credit card statements, without having to go through the grand jury process, which may or may not be necessary depending on the circumstances. Such authority is urgently needed given the long and complicated paper trail that fugitive sex offender investigations often entail.

My amendment would also guarantee that we hand down tough punishments—appropriately so—to some of the worst crimes against women and children. For example, it includes enhanced sentencing provisions for aggravated domestic violence resulting in death or life-threatening bodily injury to the victim, aggravated sexual abuse, and child sex trafficking. I think preventing these horrible crimes is at the heart of the purpose of the Violence Against Women Act, and we should take the opportunity to improve the underlying bill by adopting this amendment and send a message to would-be perpetrators and child sex traffickers. If you commit some of the worst crimes imaginable in the United States, you should have the certain knowledge that you will be tracked down and that you will receive tough and appropriate punishment.

Finally, thanks to the great work of Senator MARK KIRK of Illinois, my amendment would further shed light on one of the greatest scourges of our time; that is, child prostitution and the trafficking that goes along with it.

The so-called adult entertainment section of the popular online classified Web site backpage.com is nothing more than a front for pimps and child sex traffickers. A lot has been written in the New York Times on this topic. On this Web site, young children and coerced women are openly advertised for sale in the sex trade. In fact, this Web site has been affirmatively linked to dozens of cases of child sex trafficking. Let me give a few recent examples.

Last month, Ronnie Leon Tramble was sentenced to 15 years in prison for interstate sex trafficking through force, fraud, and coercion. Tramble forced more than five young women and minors into prostitution over a period of at least 5 years throughout the

State of Washington. He repeatedly subjected his victims to brutal physical and emotional abuse during this time, while using backpage.com to facilitate their prostitution.

In February of this year, Leighton Martin Curtis was sentenced to 30 years in prison for sex trafficking of a minor and production of child pornography. Curtis pimped a 15-year-old girl throughout Florida, Georgia, and North Carolina. He prostituted the girl to approximately 20 to 35 customers per week for more than a year and used backpage.com to facilitate these crimes.

According to human trafficking experts, a casual review of the backpage.com adult entertainment Web site reveals literally hundreds of children being sold for sex every day. This is absolutely sickening and should be stopped with all the tools available to us. We should no longer stand idle while thousands of children and trafficked women are raped, abused, and sold like chattel in modern-day slavery on the Internet. My amendment would therefore join all 50 State attorneys general in calling on backpage.com to remove the adult entertainment section of its Web site. Again, I would like to thank Senator KIRK for his leadership on this issue. Every case of sex trafficking or forced prostitution is modern-day slavery—nothing more, nothing less—and we should do everything in our power to ensure this practice is eradicated in the United States of America.

I believe the justice for victims amendment would reduce the rape kit backlog, take serial perpetrators off the street, and ultimately reduce the number of victims of sex violence. I ask my colleagues to join me in considering this amendment, which already enjoys bipartisan support, and I hope it will get much broader bipartisan support. I hope my colleagues will join with me in strengthening the reauthorization of the Violence Against Women Act by cosponsoring and supporting this amendment. Our constituents and victims of these heinous crimes deserve nothing less.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Madam President, before the Senator from Texas leaves the floor, I was going to ask that I be added as a cosponsor to his very worthwhile amendment.

STUDENT LOAN DEBT

Mr. McCONNELL. Madam President, one of the most heartbreaking yet underreported consequences of the Obama economy is the extent to which college graduates today are stepping out into a world where the possibilities no longer seem endless. Unlike generations past, today's college graduates are more likely to end up either unemployed or back at home with mom and

dad, saddled with student loan debt that they are to end up with for the rest of their lives. And they don't tend to have the opportunity to get that job of their dreams.

For a great many of them, the excitement and the promise of President Obama's campaign 4 years ago have long since faded as their hopes collided with an economy that he has done so much to reshape. So it is understandable that the President is so busy these days trying to persuade these students that the struggles they face or will soon face have more to do with a piece of legislation we expect to fix than with his own failed promises. It is understandable that he would want to make them believe the fairy tale that there are villains in Washington who would rather help millionaires and billionaires than struggling college students. But that doesn't make this kind of deception any more acceptable.

Today the President will hold another rally at which he will tell students that unless Congress acts, their interest rates will go up in July. What he won't tell them is that he cared so little about this legislation that created this problem 5 years ago that he didn't even show up to vote for it and that once he became President, he didn't even bother to include a fix for this problem in his own budget.

Look, if the President was more interested in solving this problem than in hearing the sound of his own voice or the applause of college students, all he would have to do is pick up the phone and work it out with Congress. We don't want the interest rates on these loans to double in this economy. We don't want today's graduates to have to suffer any more than they already are as a result of this President's failure to turn the economy around after more than 3 years in office. Really, the only question is how to pay for it. Democrats want to pay for it by raiding Social Security and Medicare and by making it even harder for small businesses to hire. We happen to think that at a time when millions of Americans and countless college students can't even find a decent job, it makes no sense whatsoever to punish the very businesses we are counting on to hire them. It is counterproductive and clearly the wrong direction to take.

So let's be honest. The only reason Democrats have proposed this particular solution to the problem is to get Republicans to oppose it and to make us cast a vote they think will make us look bad to voters they need to win in the next election. Earlier this week they admitted to using the Senate floor as an extension of the Obama campaign. So no one should be surprised that they opted for a political show vote over a solution.

What Republicans are saying is let's end the political games and solve the problem like adults. This is an easy

one. The only real challenge in this debate is coaxing the President off the campaign trail and up to the negotiating table to get him to choose results over rallies. We can solve the problems we face if only he will let us do it.

HONORING OUR ARMED FORCES

STAFF SERGEANT GARY L. WOODS, JR.

Mr. MCCONNELL. Madam President, with great sadness I wish to report to my colleagues today that our Nation and my home State of Kentucky have lost a brave and valiant soldier who pledged his life to protecting others. SSG Gary L. Woods, Jr., of Shepherdsville, KY, was killed on April 10, 2009, in Mosul, Iraq, in a terrorist suicide bomber attack. He was 24 years old.

For his service to America, Staff Sergeant Woods received several medals, awards, and decorations, including the Bronze Star Medal, the Purple Heart, two Army Commendation Medals, three Army Achievement Medals, two Army Good Conduct Medals, the National Defense Service Medal, three Iraq Campaign Medals with Bronze Service Stars, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, two Noncommissioned Officers Professional Development Ribbons, the Army Service Ribbon, and three Overseas Service Ribbons.

Staff Sergeant Woods, who went by Lee, was born on June 24, 1984, on a Sunday. "He had very light brown hair and beautiful blue eyes," remembers Lee's mother, Becky Johnson. "He was my first-born child and my only son."

Lee grew up in Shepherdsville, where he attended Roby Elementary School, Bullitt Lick Middle School, and Bullitt Central High School, from which he graduated in 2002. In school he participated in Bullitt County's Gifted and Talented Program, and was a member of the academic team in both middle school and high school.

Lee also loved music. He played the trumpet, baritone, and trombone in school and sang in the concert choir. He taught himself how to play piano at age 6. He played the guitar, too, and took a guitar with him on two tours in Iraq to entertain his friends. Lee also played the drums.

"Before returning from his second tour he ordered a set of drums and had them delivered to my house," Becky remembers. "When he came home on family leave, he had to set them up the minute he got there, and played them in my basement for a full week. I would give anything to hear him beat on those drums again!"

Lee also enjoyed drawing pictures, fishing, camping, and woodworking. He was obviously a talented young man. But his mother will always remember music as one of his greatest loves.

During his sophomore year at high school, Lee joined Junior ROTC. It was then that he first had the idea to one

day join the service. In January 2003, Lee told his mother that he had joined the Army.

Becky was surprised at first, but when Lee laid out his argument, she could see that he had given the opportunity serious thought and was excited about the future. "I knew at that instant that my son had become one heck of a man," she says. "He had listened to me all those years after all. I couldn't say anything except, 'I love you and I will always support you 110 percent.'"

Lee entered active service in February 2003, and did his basic training at Fort Knox, in my home State of Kentucky. He graduated as a tank armor crewman and deployed on his first of three missions to Iraq from August 2003 to March 2004. Lee's second Iraq deployment lasted from March 2005 to February 2006.

After his second deployment, Lee got a reassignment to the First Battalion, 67th Armor Regiment, 4th Infantry Division, based in Fort Carson, CO. He deployed for the third and final time to Iraq in September 2008, and received a promotion to staff sergeant soon afterwards in December.

In January 2009, one of Lee's fellow soldiers and close friends, Darrell Hernandez, was killed, and Lee escorted his friend back home in February. "Soon after returning from this, he volunteered for a mission that would take his own life and the lives of four other U.S. soldiers," Becky remembers.

That mission put Lee in a convoy of five vehicles that on April 10, 2009, exited the gates of Forward Operating Base Marez in Mosul, Iraq. Shortly after leaving the base, a dump truck sped towards the convoy. Lee was driving the fifth and last vehicle.

Lee drove to put his gunner in position to fire on the dump truck. But tragically, that dump truck detonated with 10,000 pounds of explosives, killing Staff Sergeant Gary L. Woods, Jr., and four other American soldiers.

"The FBI says [that the dump truck's] destination was [the forward operating base at] Marez," says Lee's mother Becky. "If in fact the FOB was the target, these five men saved the lives of thousands of soldiers on the FOB."

On the same day that Lee acted heroically to save his fellow soldiers at the cost of his own life, half a world away Becky Johnson heard the knock at the door that all military families dread.

"Those men in the dress-green uniforms with the highly polished black shoes came to my house," she remembers. "Yes, I noticed their shoes, because that was all I could look at while they asked me if I was Becky Johnson. I told them no as my husband stood behind me shaking his head yes."

We are thinking of Staff Sergeant Woods's loved ones as I recount his story for my colleagues today, Mr.

President, including his mother and stepfather, Becky and Pat Johnson; his father and stepmother, Gary and Debbie Woods; his sister, Britteny Lynn Woods; his two half-brothers, Courtney and Troy Woods; his half-sister, Heather Woods; his step-sister, Mandy Maraman; his two step-brothers, Newman and Corey Johnson; his grandmother, Nancy Ratliff; and many other beloved family members and friends.

Staff Sergeant Woods's loss in the line of duty is tragic. However, as small a comfort as it may be, I am pleased to report that his family may take some solace in the fact that a terrorist connected to the suicide bombing that caused Lee's death was arrested in Edmonton, Canada, and Lee's family can look forward to the prosecution of this terrorist and justice for Lee.

Becky Johnson intends to attend the trial and speak in the sentencing phase. May she and her family have the strength they will surely need to endure this process, and may they find peace in its final outcome.

I ask my Senate colleagues to join me in saying to the family of Staff Sergeant Woods that our Nation is forever grateful to them and recognizes the great cost they have paid. This Nation will never forget the heroism of SSG Gary L. Woods, Jr., or his great service and sacrifice.

Madam President, I yield the floor.

HONORING MEADOW BRIDGE HIGH SCHOOL

Mr. MANCHIN. Madam President, I rise to speak about the importance of teaching our young people to embrace their right—and responsibility—to participate in our democratic election process and to highlight a West Virginia high school that has an outstanding record for going the extra mile to encourage their students to register and vote.

As Americans, there is no greater freedom or responsibility than our right to vote. Our country was born because brave men and women fought tirelessly and endured countless hardships to win their voting rights. In fact, even young people had to fight for this right. It was West Virginia's own Senator Jennings Randolph, who was elected to serve with our beloved Robert C. Byrd, who relentlessly advocated for the 26th amendment to the Constitution so Americans could vote starting at age 18. In 1971, the measure finally passed. What few people know is he worked on that for over 20 years.

Senator Randolph believed, as I do, that every vote counts, and as important, I believe every voter has the right and responsibility to take an active role in our electoral process. I tell young people all the time they cannot just sit on the sidelines and watch life happen; they have to get in the game and get active. Voting not only gives us the opportunity to have our voices

heard but also to have a real impact on setting the priorities for America's future.

As secretary of state from 2000 to 2004, in which position I was proud to serve in my great State of West Virginia, I made it a priority to educate young people all over West Virginia on the electoral process and to encourage them to get involved. At that time very few people knew that if someone was 17 years of age and would turn 18 years of age before the general election, they could still vote in a primary at 17. So we educated them and we went around to every school. To make the goal a reality, we established a program called Sharing History and Reaching Every Student, or the acronym SHARES, a program which was tremendously successful. I am proud to say, during my tenure, we registered 42,000 high school students to vote. Eleven years after the SHARES Program began, it is my privilege to stand on the Senate floor and recognize a school that is truly committed to carrying on this tradition and passing it down to each senior class and generation that has come after them. I am so pleased they have joined me in the gallery today.

Every year for the past 11 years, the staff members at Fayette County's Meadow Bridge High School have registered 100 percent of their senior class. Think about that, 100 percent. It is truly an incredible accomplishment. I am unaware of any other school in our great State or in the entire Nation that has registered every student in their senior class for 11 years. This school and this year the class gathered together in the school's cafeteria so they could register at the same time. This is not only a testament to the tradition established at Meadow Bridge High School but also to the students and their commitment to their community and their civic responsibility.

I congratulate the Meadow Bridge High School students, their faculty and staff, under the leadership of their principal Al Martine, for their commitment to our democracy. I also challenge every high school, not just in West Virginia but in New York and every other State, to follow their example—an unbelievable example. We must work together to engage our young people in national issues and encourage them to participate in the democratic process by getting our young adults involved. They are not children anymore. The world is growing up so fast around them, and we are preparing them to be active and passionate leaders for the future. They cannot stand on the sidelines and we as Americans cannot afford to let them stand on the sidelines. We need them in the game now. They can forge the future.

This is not a Democratic or Republican or Independent issue but one all

Americans can and should embrace for the future of our great Nation. We see so many divides in this great Capitol of ours with so many of our colleagues. Everyone comes here for the right reason. The right reason truly is sitting in the gallery today and back home, the children and young adults who are going to make the difference and lead the next generation.

I, for one, do not intend to turn over to this generation the keys to a country in worse shape than when we received them. I do not want to be the first person in our country's history to say we did not do a better job than the previous generation. We are going to work hard. But the unbelievable commitment they made, the knowledge they have about the importance of voting, shows me this next generation will take us to a new level. I am proud that West Virginians all over our State, but most importantly Meadow Bridge High School, are leading that example. I thank them and appreciate the effort they made in setting the example for all.

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

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

The legislative clerk called the roll.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. BEGICH. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BEGICH. I rise to support S. 1925, the Violence Against Women Act. It is not every day that we vote on a law that actually saves lives, but this one does. The Senate needs to send the simple and important message that America will not tolerate violence against its women, children, and families. We must do our part to reduce domestic violence and sexual assault. It is time for us to step up and make sure this happens now.

I look forward to casting my vote for the reauthorization, hopefully very soon. Truly this legislation, as we continue to move forward, is headed in the right direction. There is bipartisan support with 61 Members in this Chamber signed on as cosponsors, and lots of good work on this bill has been done in the Judiciary Committee. All of us have heard from prosecutors, victim service providers, judges, health care professionals, and victims themselves.

Unfortunately, the fight to protect women and families from violence is far from over. The Violence Against Women Act was first passed just 18 years ago. It has not been reauthorized since 2006. The law has made a difference. We are making progress, and we know a great deal more about domestic violence than when the law was first written. Services for victims has

improved. More communities provide safe shelters. Local, State, and Federal laws are stronger.

Listen to the national statistics: Since the law was first passed in 1994, the number of women killed by an intimate partner has dropped 30 percent, and annual rates of domestic violence against women have decreased by two-thirds. The VAWA law saves lives and works. Yet there are too many awful stories and inexcusable numbers, especially in my home State.

Alaska continues to have some of the worst statistics in the country. Three out of every four Alaskans have or know someone who has experienced domestic or sexual violence. Child sexual assault in Alaska is almost six times the national average. Out of every 100 adult women in Alaska, nearly 60 have experienced intimate partner violence, sexual violence, or both. The rape rate in Alaska is nearly 2½ times the national average, and it is even worse for Alaska Native women.

In Alaska's rural and native communities, domestic violence and sexual assault is far too common. Our numbers are often far worse than the rest of the country, and clearly we have to continue to do more work in this area. We are insisting that Alaskan tribes retain their current authority to issue civil protective orders, and I am working on a separate bill to expand resources for Alaskan tribes in their fight against violence. So one can see why I am standing here today. We need to do something about this—not someday, not next year, but truly today.

I have been around for 3 years now, and I am not shy about having my say in a good political fight. But in this case, on this issue, truly, I have no patience. It is hard to believe we even have to debate the law that protects people from abuse and sexual violence. It is truly a piece of legislation we should move forward on and vote. We need fewer victims, whoever they are—women, kids, White, Black, American Indian, Alaska Natives, immigrants, lesbian and gay people, even men.

As a former mayor in a city and State with a higher rate of abuse than the rest of the country, I know this issue. I was responsible for the municipal department that prosecuted domestic violence cases. I was also responsible for the police investigating these cases and the agencies providing health services to victims and funding to shelters. With the support of the entire community, we pooled our efforts. Using resources from the State and local government and businesses and nonprofits alike, we improved services for victims of child sexual abuse.

But intervention and better treatment is not enough—far from it. Domestic and sexual violence is a public health epidemic. So what we need is prevention, and this reauthorization effort is just that, the right step in eventually stopping this epidemic.

In Alaska the Violence Against Women Act dollars are used in our biggest cities and our smallest villages. Funding goes to every corner of the State, including the Emmonak Women's Shelter in remote southwest Alaska, the Aleut community of St. Paul in the North Pacific Ocean, the AWARE Shelter in urban Juneau, and many others throughout Alaska.

We asked the Alaska Network on Domestic Violence and Sexual Assault for their stories and examples of how VAWA is helping real families. Here is just one. It is uncomfortable to hear, but it is why we need to act now.

A shelter in rural Alaska helped a young woman after she suffered a domestic assault by the father of their 3-year-old child. When she had asked the father for money for food, he choked her and threw her to the ground in front of the child. She reported this was the third such instance of violence, and she could not live there anymore. She spent time in a shelter recovering from her injuries and working to find safe housing in her home village. She also attended DV education groups and received a referral for legal services to assist her with her custody order.

Months later the shelter program received a call from this quiet young woman. She and her child were safe and doing well. She read all the books recommended to her by the shelter to understand the cycle of domestic violence. She was looking for suggestions on more reading material to continue her education on the topic. Now it is hoped that the young woman will become a leader in her community so she can help educate others and work to end domestic violence in Alaska.

There are stories of rape and murder from all over the country. Need we hear more? It is time to reauthorize VAWA.

Before I yield the floor, I have one more bit of business. I want to thank the shelter staff, the police, the court system employees, the advocates and everyone else, who work so hard to protect women, children, and families across this country.

To the victims of domestic violence, there is truly hope. We will work with them to break the cycle of violence and to bring an end and a change in this area.

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

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

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

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

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

Mr. TESTER. Madam President, I rise to speak about an issue that af-

fects everybody in my community. Although it is hard to imagine right now, some of the people we serve fear for their own lives, not because of a terrorist attack or a natural disaster; they are afraid that somebody who is supposed to love them or support them will hurt or even kill them. This is an upsetting issue, but one we need to face head on, and I am glad we are addressing it today.

Domestic violence and sexual assault are harsh realities. They know no class, race, or economic limitations. Although we have made good progress curbing domestic and sexual violence over the past decade, we still have a lot of work to do.

The legislation before us takes another step toward our goal of ending domestic and sexual violence. It might not go far enough for some, but it is progress, and I am proud to support it.

Over the years, the Violence Against Women Act has helped reduce the rates of domestic and dating violence, sexual assault, and stalking, but the numbers are still stunning. This bill gives us an opportunity to help victims get out of a dangerous situation. We have an obligation to pass this reauthorization of the Violence Against Women Act.

Unfortunately, Montana is no different from the rest of the Nation. There were almost 5,000 cases of domestic violence or sexual assault in 2011, and 10 percent of them involve Montana's kids.

Federal funding is crucial for Montana shelters, crisis lines, mental health services, and victim advocates. The domestic and sexual violence programs in Montana rely heavily on Violence Against Women Act funding to keep women and children safe and to administer the important programs we have operating in Montana. It will also promote changes in the culture of law enforcement, pushing governments and courts to treat violence against women and children as a serious violation of criminal law and to hold the offenders accountable.

The Violence Against Women Act helped a constituent of mine in Billings rebuild her life after she was the victim of domestic violence. Maria Martin was beaten by her boyfriend. He threatened to kill her and her three daughters. Her cries for help were answered by the police who rescued her from a violent attack, but it is the programs supported by the Violence Against Women Act that helped Maria rebuild her life.

The Violence Against Women Act provides funding to strengthen law enforcement, prosecution, and victim services. Each community has flexibility to use these funds in ways that respond to folks most in need and take into account unique cultural and geographic factors. This is especially important for a rural State such as Montana.

I am proud of my work with the Judiciary Committee to ensure that the set-aside of funding for sexual assault services does not disadvantage service providers in Montana who often offer many services in one place. I wish to thank Chairman LEAHY for his efforts to address this important issue.

For States and cities with specialized programs, this wasn't a big concern. In Montana and other rural States, we have county and regional service coalitions. That means funds must be flexible enough so that we can serve everyone who walks in. If rural areas had to carve out funds for each type of service, people wouldn't get what they need to regain their footing. The next closest facility might be 90 miles away. That is not a referral; it is not help; it is another obstacle for folks who are already facing a life-threatening situation.

Domestic violence crimes also take a heavy toll on those who survive the violence. The vast majority of survivors report lingering effects such as posttraumatic stress disorder, a serious injury directly from the abuse, missing school or work, higher frequencies of headaches, chronic pain, and poor physical and mental health.

And while domestic violence affects every community, every race, and every rung of the economic ladder, the problem is even more severe in Montana's Indian country. In fact, violence against Native women and children is at an epidemic level. As Montana's only member of the Senate Indian Affairs Committee, I have had several hearings on domestic and sexual violence. American Indian women suffer from violent crime at a rate 3½ times greater than the national average. Nearly 40 percent of all Native American women will experience domestic violence. One in three will be sexually assaulted in her lifetime. Murder is the third leading cause of death among Indian women.

In response to our hearing, I was proud to join Chairman AKAKA and many others on the committee in introducing the Stand Against Violence and Empower Native Women Act, or SAVE Native Women Act, which is now included in the bill before us today.

We owe it to the women and children of Montana to intervene—to provide resources to those programs which are on the ground, and to providers who are in the trenches. They offer safe havens, including support and educational services to help survivors of sexual or domestic violence break free of the cycle of violence. They help children who have lived with violence understand and make sense of what has happened so that they are less likely to get entangled in future abusive relationships. They help survivors gain the strength and the know-how to advocate for themselves in the legal system and in their relationships.

By passing this bill now, we will continue to make progress toward empowering communities to protect all citizens, particularly the most vulnerable—women and children. As I stated before, this is not just an opportunity; this is an obligation that we have to improve our communities, and I urge my colleagues to support it.

I thank the Chair, I yield the floor, and I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

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

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

STUDENT LOAN INTEREST RATES

Mr. DURBIN. Madam President, next month students all over the United States will begin graduating from college. There is a lot of pride in that experience. Family and friends will gather and celebrate. These young graduates are going to be filled with hope and expectation, and gratitude to those who helped them reach this milestone in their lives. But they are also going to be graduating with debt—in some cases massive amounts of debt.

Ninety-six percent of for-profit college students will graduate with a debt of \$33,000. Fifteen percent of them—one out of six—will default on their loans within 2 years. There is now more than \$1 trillion in outstanding student loan debt. As I have mentioned on the Senate floor several times, a little over a year ago, for the first time in history, student loan debt in America surpassed credit card debt.

One of the reasons there has been such a huge influx is that college costs continue to rise at unsustainable rates. Tuition fees at 4-year schools have rocketed up 300 percent from 1990 through 2011. Over the same period, broad inflation was just 75 percent. Even health care costs rose at half the rate of the cost of higher education.

The average for-profit college costs \$30,900 a year in tuition and fees. Private nonprofit institutions are not too far behind. The average tuition and fees run about \$26,600. Schools with larger endowments charge even more—upwards of \$50,000 to \$57,000 in total fees. They use their endowment to give students large financial aid packages, which is admirable, but it has consequences. The elevated sticker price for these schools provides for-profit colleges the cover to raise their prices to similar levels.

Let me remind you, for-profit schools, for-profit colleges in America

get up to and more than 90 percent of their revenue directly from the Federal Government. They are 10 percent away from being Federal agencies.

Students graduating this year have one advantage: If they took out Federal subsidized loans, their interest rate is low. In 2007, Congress set interest rates on subsidized Federal student loans for the last several years. Current graduates have low, affordable interest rates on their Federal loans, ranging from 6.8 percent to 3.4 percent, depending on the year they took out the loan.

Graduates next year may not be so lucky. The interest rate goes up to 6.8 percent for all unless Congress acts. That is because these interest rates are set to double for 740 million students across the country on July 1 and will only be changed if Congress acts. That is going to affect 365,000-plus borrowers in my State of Illinois. Each borrower in Illinois will save \$1,000-plus over the lifetime of their loan if current interest rates of 3.4 percent continue. Across the State, borrowers will save a total of \$387,000.

Every week in my office we hear from students who would be directly affected by interest rate increases. One of them is George Jacobs, a constituent of mine and a graduate of the International Academy of Design and Technology in Chicago, a for-profit college owned by the Career Education Corporation.

Every day of his life, George Jacobs regrets that he ever attended this school. He is 29 years old. His current private student loan balance has ballooned to \$107,000. The original loan was \$60,000. But with a variable interest rate, George has been paying anywhere from 7 percent to 13.9 percent. Combine that with his Federal loan balance, and his total outstanding student loan debt is \$142,000. George is not even 30 years old, and he already has the debt the size of some people's mortgages on their homes. Unlike a lot of his peers who attend for-profit colleges, George has a job in his field of study. His annual salary is \$45,000, but since his lender will not let him consolidate his loans, his monthly payment is \$1,364. Half of his income goes to pay his loan.

Unfortunately, because of high interest rates, very little of his payment reduces the principal. He does not know when he will possibly pay off this loan. When asked if he has tried to work out a plan with his lender, he says: They won't talk to me. They just don't care.

George was the first in his immediate family to attend college. He did not ask people for advice on financial matters. He trusted the school. George was subjected to high-pressure sales that some for-profit colleges use.

Reflecting on that experience now, George believes the school took advantage of him. He believes the school's

primary focus is to identify people they can make money off of. George owes about \$29,000 in Federal loans. With low interest rates, his monthly payment is \$230 a month on the Federal loans—an amount he says is not a real problem.

He is married, and although he and his wife own a car, he does not think they will ever qualify for a mortgage. He is 29 years old.

George is not the only one affected by the private student loans. His parents are in their fifties. To help George, they cosigned his private student loans. They cannot refinance the mortgage on their home because of George's outstanding debt.

There was a story in the Washington Post about 2 weeks ago of a woman—a grandmother—who now has her Social Security check garnished because she was kind enough to cosign her granddaughter's college loan. Her granddaughter has defaulted. Her grandmother is watching her Social Security check reduced.

Making college affordable should not be partisan. It affects everybody. Just this week, during a news conference in Pennsylvania, Gov. Mitt Romney acknowledged the tough job market new graduates face and expressed support for keeping interest rates low. He said:

I fully support the effort to extend the low interest rate on student loans . . . temporary relief on interest rates for students . . . in part because of the extraordinarily poor conditions in the job market.

Higher education is not a luxury anymore. It is part of the American dream that many of us bought into and invested in. An educated workforce will make us a stronger nation. By 2018, 63 percent of jobs will require postsecondary education. Keeping debt levels low and manageable for college graduates is essential.

George Jacobs, like so many other students I have spoken about on this floor, is going to spend the rest of his young adult life paying for student loans. There has always been a lot of talk around here about mortgage crises—and rightly so—but think about the 17- and 18- and 19-year-old students signing away their income for the next 30 years before they can even dream of owning a home.

When we get back from the break in about 10 days, we are going to consider legislation on making sure student loan interest rates are manageable. There is more to this issue. We have to deal with the reality the President raised in his State of the Union Address. This spiraling cost of higher education is unsustainable and unfair—fundamentally unfair.

We say to the young people: Get educated for your future.

They follow our advice and walk into the student loan trap. Unfortunately, many for-profit schools are the worst offenders. These schools have enrollment that has grown 225 percent over

the past 10 years. According to the Chronicle of Higher Education, the enrollment of for-profit colleges in my State has grown 556 percent over the last 10 years. They enrolled 1.2 million students in 2009. In the 2008–2009 academic year, the GAO found for-profit colleges took in \$24 billion in title IV aid; 4-year for-profit schools an average of \$27,900 a year before aid, as compared to \$16,900 for public 4-year universities.

The chief executives at most of the for-profit schools—parent companies—make many times more than their counterparts in nonprofit schools. Remember, 90 percent-plus of their revenue comes directly from the Federal Government. These are not great entrepreneurs; these are folks who have managed to tap into one of the most generous Federal subsidies in the law.

Five years ago, we gave them a break. In the bankruptcy bill, we said private for-profit schools will be the only private loans in America that are not dischargeable in bankruptcy, which means you carry them to the grave. So the for-profit schools give these private loans to students, and their parents sign up for them. When it is all said and done, they end up saddled with this impossible debt for a lifetime. That is not even to go to the question about whether they are receiving any kind of valuable education in the process.

For-profits, incidentally, spent 21 percent-plus of their expenses on instruction—21 percent on instruction. It was 29.5 percent at public institutions, 32.7 percent at private nonprofit institutions.

USA Today reported that for-profits educate fewer than 10 percent of students, take in 25 percent of all Federal aid to education, and account for 44 percent of defaults among borrowers. Remember those numbers: 10, 25, and 44. They are taking in 10 percent of the students, taking in 25 percent of all the Federal aid to education, and 44 percent of the defaults on student loans are attributable to these for-profit schools.

According to the Project on Student Debt, 96 percent of for-profit college students graduate with some debt, compared to 72 percent of private nonprofit grads, 62 percent of public school grads. The Project on Student Debt also reported that borrowers who graduated from for-profit 4-year programs have an average debt of \$33,000, compared to \$27,600 at private nonprofits, \$20,000 at public schools.

Last year, the Department of Education released a report showing that for-profit schools have a student loan default rate overall of 15 percent, compared with 7.2 percent at public schools, 4.6 percent at private nonprofit schools. If I were to stand before you and talk about any other business in America, heavily subsidized by the Federal Government—beyond 90 per-

cent of all the revenues they take in—that is luring students and their families into unmanageable debt, I would hope both sides of the aisle would stand and say that is unacceptable. How can we subsidize an operation that is causing such hardship on students and their families—a hardship they are going to carry for a lifetime.

George Jacobs, at age 29, is writing off the possibility of ever owning a home because he signed up at one of those for-profit schools in my State.

The Senate HELP Committee also discovered that out of \$640 million in post-9/11 GI benefits, a bill we were all proud to vote for, out of the \$640 million that flowed to for-profit schools in the last academic year, \$439 million went to the largest 15 publicly traded companies. For-profit colleges are receiving \$1 out of every \$2 in military tuition assistance, according to the Department of Defense, and more than 60 percent of education benefits available to military spouses go to for-profit schools.

This is significant. We capped Federal aid to for-profit schools at 90 percent of their revenue, but we created an exception for the GI bill. So some of them are up to 95 percent Federal subsidy and still we have these terrible results and terrible indebtedness.

Students at for-profit colleges have lower success rates than similar students in public and nonprofit colleges, including graduation rates, employment outcomes, debt levels, and loan default rates. Yet the Department of Defense is paying more to for-profit schools for the GI bill than public and nonprofit institutions.

I wish to have printed in the RECORD, along with my remarks, an article that appeared in the Wall Street Journal on Wednesday, April 18. It tells the story of Jodi Romine, who between the ages of 18 and 22 took out \$74,000 in student loans. She attended Kent State University, a public university in Ohio. It seemed like a good investment at the time. But now it is going to delay her career, her marriage, and her decision to have children.

Ms. Romine's \$900-a-month loan payments eats up 60 percent of the paycheck she earns as a bank teller in South Carolina, the best job she could get after graduating from college.

Her fiancé spends 40 percent of his paycheck on student loans. They each work more than 60 hours a week and volunteer where they can to help the local high school's football and basketball teams. Ms. Romine works a second job as a waitress, making all her loan payments on time. She cannot buy a house. They cannot visit their families in Ohio as often as they would like or spend money to even go out.

Plans to marry or have children are on hold, says Ms. Romine, "I am just looking for some way to manage my finances." This is an indication of a debt

crisis that is coming. It is different, I would agree, than the mortgage debt crisis we faced. Smaller in magnitude, perhaps, but no less insidious and no less of a problem for us when it comes to the growth of our economy.

I have a couple bills pending. One of them goes to a very basic question: Should any college, public, private, profit, nonprofit, be allowed to lure a student into a private student loan when they are still eligible for government loans? In other words, should that not be one of the causes for a discharge in bankruptcy? It is fraud. It is fraud to say to that student: You have to take out this private student loan, even though the school knows that student is still eligible for low-interest rate accommodating Federal loans. They are luring them into a debt that is unnecessary and a debt which is crushing, in some circumstances.

At the very minimum, that should be considered fraud in a bankruptcy court, and that debt should be dischargeable in bankruptcy because of the failure of the school to disclose that the student still has eligibility for a Federal loan.

Secondly, I know I am probably crying in the wilderness, but I still find it inconceivable that the only private sector business loan in America that is not dischargeable in bankruptcy goes to these heavily subsidized for-profit schools. First, we lured them with Federal money—90 percent-plus—and then we turn around and say: And we will protect you. When the student who is likely to default ends up defaulting, we will make sure they still have the debt, carrying it to the grave. What were we thinking to give this one business this kind of fantastic Federal subsidy and this kind of amazing support in the Bankruptcy Code?

I ask unanimous consent to have printed in the RECORD, along with that article from the Wall Street Journal, a recent article from Barron's of April 16.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 17, 2012]

TO PAY OFF LOANS, GRADS PUT OFF
MARRIAGE, CHILDREN
(By Sue Shellenbarger)

Between the ages of 18 and 22, Jodi Romine took out \$74,000 in student loans to help finance her business-management degree at Kent State University in Ohio. What seemed like a good investment will delay her career, her marriage and decision to have children.

Ms. Romine's \$900-a-month loan payments eat up 60% of the paycheck she earns as a bank teller in Beaufort, S.C., the best job she could get after graduating in 2008. Her fiancé Dean Hawkins, 31, spends 40% of his paycheck on student loans. They each work more than 60 hours a week. He teaches as well as coaches high-school baseball and football teams, studies in a full-time master's degree program, and moonlights weekends as a server at a restaurant. Ms. Romine, now 26, also works a second job, as a waitress. She is making all her loan payments on time.

They can't buy a house, visit their families in Ohio as often as they would like or spend money on dates. Plans to marry or have children are on hold, says Ms. Romine. "I'm just looking for some way to manage my finances."

High school's Class of 2012 is getting ready for college, with students in their late teens and early 20s facing one of the biggest financial decisions they will ever make.

Total U.S. student-loan debt outstanding topped \$1 trillion last year, according to the federal Consumer Financial Protection Bureau, and it continues to rise as current students borrow more and past students fall behind on payments. Moody's Investors Service says borrowers with private student loans are defaulting or falling behind on payments at twice prerecession rates.

Most students get little help from colleges in choosing loans or calculating payments. Most pre-loan counseling for government loans is done online, and many students pay only fleeting attention to documents from private lenders. Many borrowers "are very confused, and don't have a good sense of what they've taken on," says Deanne Loonin, an attorney for the National Consumer Law Center in Boston and head of its Student Loan Borrower Assistance Project.

More than half of student borrowers fail to max out government loans before taking out riskier private loans, according to research by the nonprofit Project on Student Debt. In 2006, Barnard College, in New York, started one-on-one counseling for students applying for private loans. Students borrowing from private lenders dropped 74% the next year, says Nanette DiLauro, director of financial aid. In 2007, Mount Holyoke College started a similar program, and half the students who received counseling changed their borrowing plans, says Gail W. Holt, a financial-services official at the Massachusetts school. San Diego State University started counseling and tracking student borrowers in 2010 and has seen private loans decline.

The implications last a lifetime. A recent survey by the National Association of Consumer Bankruptcy Attorneys says members are seeing a big increase in people whose student loans are forcing them to delay major purchases or starting families.

Looking back, Ms. Romine wishes she had taken only "a bare minimum" of student loans. She paid some of her costs during college by working part time as a waitress. Now, she wishes she had worked even more. Given a second chance, "I would never have touched a private loan—ever," she says.

Ms. Romine hopes to solve the problem by advancing her career. At the bank where she works, a former supervisor says she is a hard working, highly capable employee. "Jodi is doing the best she can," says Michael Matthews, a Beaufort, S.C., bankruptcy attorney who is familiar with Ms. Romine's situation. "But she will be behind the eight-ball for years."

Private student loans often carry uncapped, variable interest rates and aren't required to include flexible repayment options. In contrast, government loans offer fixed interest rates and flexible options, such as income-based repayment and deferral for hardship or public service.

Steep increases in college costs are to blame for the student-loan debt burden, and most student loans are now made by the government, says Richard Hunt, president of the Consumer Bankers Association, a private lenders' industry group.

Many private lenders encourage students to plan ahead on how to finance college, so

"your eyes are open on what it's going to cost you and how you will manage that," says a spokeswoman for Sallie Mae, a Reston, Va., student-loan concern. Federal rules implemented in 2009 require lenders to make a series of disclosures to borrowers, so that "you are made aware multiple times before the loan is disbursed" of various lending options, the spokeswoman says.

Both private and government loans, however, lack "the most fundamental protections we take for granted with every other type of loan," says Alan Collinge, founder of StudentLoanJustice.org, an advocacy group. When borrowers default, collection agencies can hound them for life, because unlike other kinds of debt, there is no statute of limitations on collections. And while other kinds of debt can be discharged in bankruptcy, student loans must still be paid barring "undue hardship," a legal test that most courts have interpreted very narrowly.

Deferring payments to avoid default is costly, too. Danielle Jokela of Chicago earned a two-year degree and worked for a while to build savings before deciding to pursue a dream by enrolling at age 25 at a private, for-profit college in Chicago to study interior design. The college's staff helped her fill out applications for \$79,000 in government and private loans. "I had no clue" about likely future earnings or the size of future payments, which ballooned by her 2008 graduation to more than \$100,000 after interest and fees.

She couldn't find a job as an interior designer and twice had to ask lenders to defer payments for a few months. After interest plus forbearance fees that were added to the loans, she still owes \$98,000, even after making payments for most of five years, says Ms. Jokela, 32, who is working as an independent contractor doing administrative tasks for a construction company.

By the time she pays off the loans 25 years from now, she will have paid \$211,000. In an attempt to build savings, she and her husband, Mike, 32, a customer-service specialist, are selling their condo. Renting an apartment will save \$600 a month. Ms. Jokela has given up on her hopes of getting an M.B.A., starting her own interior-design firm or having children. "How could I consider having children if I can barely support myself?" she says.

[From Barron's, Apr. 16, 2012]

WHAT A DRAG!

(By Jonathan R. Laing)

AT \$1 TRILLION AND CLIMBING, THE GROWING STUDENT-LOAN DEBT COULD BE A BURDEN ON ECONOMIC GROWTH FOR DECADES TO COME.

You don't need a Ph.D. in math to know that student-loan debt is compounding at an alarming rate. In the last six weeks alone, two new government reports have detailed the growing student debt burden, which has no doubt contributed to the weak economic recovery and could remain a drag on growth for decades to come. First came a report early last month from the Federal Reserve Bank of New York stating that the \$870 billion in loans carried by some 37 million present and former students exceeded the money owed by all Americans for auto loans, as of the Sept. 30 end of the government's 2011 fiscal year. It's also greater than credit-card debt. The report went on to note that delinquencies, officially reported at about 10% of outstanding loans, were actually more than twice that number when things like loan-payment deferrals for current full-time students were properly accounted for.

But that was just prelude for a speech in late March, when an official of the new federal watchdog agency, the Consumer Financial Protection Bureau, asserted that total student debt outstanding actually topped \$1 trillion. The Fed, it seems, failed to account for much of the interest that had been capitalized, or added to outstanding loan balances on delinquent and defaulted loans.

The cause of the binge is the unfortunate concatenation of steeply rising tuitions in the face of stagnating family incomes, a precipitous decline in states' funding of public universities and two-year colleges, and the burgeoning of avaricious for-profit colleges and universities—which rely on federally guaranteed student loans for practically all of their revenue, in exchange for dubious course offerings.

Ever-rising tuitions are the biggest part of the problem. As the chart nearby shows, tuition and fees at four-year schools rocketed up by 300% from 1990 through 2011. Over the same period, broad inflation was just 75% and health-care costs rose 150%.

However you apportion blame, it boils down to this: Two-thirds of the college seniors who graduated in 2010 had student loans averaging \$25,250, according to estimates in a survey by the Institute for College Access & Success, an independent watchdog group. For students at for-profit schools, average per-student debt is even greater for training in such fields as cosmetology, massage therapy, and criminal justice, as well as more traditional academic subjects.

Whether you have kids in school or they've long since graduated, this is a big deal. Graduates lugging huge debt loads with few job opportunities to pay them off are reluctant to buy cars, purchase homes, or start families. Family formations, a key bulwark to home prices, have been in a seemingly inexplicable funk over the past five years or so.

Prospects are even more harrowing for defaulters on student debt. They are virtually excluded from the credit economy, unable to get mortgages, take out auto loans, or even obtain credit cards. "We are creating a zombie generation of young people, larded with debt, and, in many cases dropouts without any diploma," says Mark Zandi, the chief economist at Moody's Analytics.

Debt taken on by students pursuing professional degrees in graduate schools is even more daunting. Federal Reserve Chairman Ben Bernanke turned some heads in an aside during congressional testimony last month when he said that his son, who is in medical school, would probably accumulate total debt of \$400,000 before completing his studies. Law students, even at non-elite law schools, often run up debt of as much as \$150,000 over the course of earning their degrees. This even though top-paying law jobs at major corporate law firms are shrinking, consigning many graduates to lives of relative penury. Many are resorting to lawsuits against their schools, charging, with some justification, that the schools gilded the employment opportunities that awaited graduates.

It's not just students who are being crushed by student-debt loads. Kenneth Lin, of the credit-rating Website Credit Karma, found something astounding when he examined credit reports on literally millions of households nationwide. Student debt borrowing by the 34-to-49 age cohort has soared by more than 40% over the past three years, faster than for any other age group. He attributes this in large part to bad economic times that prompted many to seek more training to enhance their career prospects.

This is also the age group that the for-profit schools mercifully mine with late-night television ads, online advertising, and aggressive cold-calling to entice with their wares.

Also, some folks in their 30s are obviously having trouble paying off student loans taken out earlier in their lives because of high unemployment rates and disappointing career outcomes. According to the aforementioned Fed report, the 30-to-39 age group owes more than any other age decile, with a per-borrower debt load of \$28,500. They're followed by borrowers between the ages of 40 and 49, who had outstanding balances of \$26,000. This is what happens to folks when loans go delinquent or fall into default (nine missed payments in a row), as back interest is added to principal and collection costs mount.

Parents, too, are getting caught up in the student-loan debt explosion. Loans to parents to help finance their kids' post-secondary education have jumped 75% since the 2005-06 school year, to an estimated \$100 billion in federally backed loans; this according to data compiled by Mark Kantrowitz, the publisher of the authoritative student-aid Website FinAid.org. That's certainly a painful burden to bear for baby boomers, who are fast approaching retirement bereft of much of the home equity they'd been counting on to finance their golden years.

To be sure, student loans aren't the debt bomb that many doomsayers claim, poised to destroy the U.S. financial system as the residential-mortgage-market collapse nearly did. Moody's Mark Zandi ticks off a number of reasons why:

Student loans are just one-tenth the size of the home-mortgage market. Subprime mortgages, including alt-A, option ARMs (adjustable-rate mortgages), and other funky constructs, were bundled into \$2.5 trillion worth of securitizations at their peak, ensuring that the damage wrought by their collapse spread far and wide, destroying the value of U.S. families' biggest asset. The impact of these mortgage securitizations was only amplified by huge bets made by financial institutions like insurer American International Group (ticker: AIG) on the home-mortgage market in the form of credit-default swaps and the like.

Finally, and most important, the bulk of the student debt outstanding, some \$870 billion of the total, is guaranteed by the federal government—and ultimately taxpayers. "Thus, the damage can be contained, at least until the next recession," Zandi asserts. "We should worry more about more subtle things like how indebtedness is causing the U.S. to fall behind some . . . emerging nations in the proportion of our population with college degrees than about any direct financial system fallout."

The eventual bill to taxpayers on defaulted student loans won't be overwhelming. That's because Uncle Sam has enough collection powers to make a juice-loan collector envious and most debtors cry, well, "Uncle!" Among other things, the government can garnish the wages and glom onto income-tax refunds or Social Security payments of defaulters. And student debts are treated like criminal judgments, alimony and the like when it comes to bankruptcy. They can be discharged only under the rarest of circumstances, no matter how fraught the deadbeats' financial circumstances have become.

A recent story by Bloomberg's John Hechinger describes the hard-nosed tactics used by collection agencies hired by the Department of Education to go after the defaulters

on \$67 billion in loans. The collectors, operating out of boiler rooms, badger their marks with all manner of threats in return for bonuses, gift cards, and trips to foreign resorts if they pry at least nine months of payments above a certain minimum out of the defaulters. No mention is made of more lenient payment plans.

Such strategies apparently work, tawdry though they may be. The government claims it collects around 85 cents on the dollar of loan defaults. By contrast, credit-card companies are lucky to collect 10 cents on the dollar from borrowers in default.

Changes in repayment plans instituted in 2009 allow some student-loan borrowers in extreme hardship to pay monthly on the basis of what they can afford rather than what they owe. Under this "income-based repayment plan," after 25 years of payments based on the borrower's discretionary income, the remainder of the loan will be forgiven. Thanks to the Obama administration, that number will soon be just 20 years.

Students going into public-service jobs like teaching can receive a get-out-of-debtors-prison card after 10 years of income-based payments.

But these programs aren't likely to add much to the taxpayer tab on student-loan defaults, since the participation in the programs has been light (550,000 out of 37 million student borrowers), and the money collected is better than nothing.

Nor are the major players in the private, nongovernment-backed student-loan market, such as SLM, formerly known as Sallie Mae (SLM), Discover Financial Services (DFS), Wells Fargo (WFC) and PNC Financial Services (PNC), likely to suffer much from delinquencies or defaults. Their student-loan balances, at around \$130 billion, are relatively manageable. They also were able to slip into 2005 legislation a provision prohibiting student-loan borrowers from discharging that debt in bankruptcy, mimicking the government's leverage over defaulters.

The private student-loan industry has also tightened up its underwriting standards since the financial crisis, demanding higher FICO, or credit, scores from borrowers and parents to co-sign most education loans. However, Fitch recently warned that private student-loan asset-backed securities, especially bundled before the recent recession with less stringent standards, are expected to continue to suffer from "high defaults and ratings pressure." Little surprise then that JPMorgan Chase (JPM) announced last week that it would stop underwriting student loans as of July 1, except to customers of the bank.

Despite all this, some observers blame the government for the debt spiral—by making subsidized loans overly available to students. Without easy federal Pell grants (up to \$5,550 a year for full-time students at four-year colleges) and federal undergraduate loans, now capped at an aggregate of \$57,500, there would have been no spiral in college costs.

But this smacks of blaming the victims—students encumbered by debt and taxpayers ultimately subsidizing and guaranteeing the loans.

The perps clearly seem to be the so-called nonprofit universities and colleges that have been gunning tuition and fees ever higher since 1980, vastly in excess of consumer inflation, health care, and nearly any other cost index one can imagine.

Just take a look at the chart nearby, helpfully provided by the College Board in its latest 2011 "Trends in College Pricing." Inflation-adjusted, private four-year college

tuition and fees have jumped 181% on a smooth but relentlessly higher glide path. Public four-year college tuitions have risen by an even larger 268%, although it's clearly a case of catch-up. In-state tuition this year averages only \$8,244, compared with the privates' \$28,500 average tab. Student-debt outstanding, meanwhile, is growing far faster, climbing ninefold since 1997.

The College Board and private colleges and universities obdurately defend themselves, saying the "sticker price" in no way represents the actual price paid by families after taking into account federal and state grant aid, federal-tax breaks to families paying for college, and, of course, scholarship money provided by the schools themselves. In fact on a "net-price" basis, private four-year tuition costs, at \$12,970, were slightly lower than in the academic year five years ago, the report brags.

That assertion is true as far as it goes. But the lower net price is not the result of the munificence of schools' scholarship programs, but is almost solely due to large increases made under President Obama in the size of Pell grants and educational tax credits. Throw in room and board—"not really part of the cost of attending college," the report says dismissively—and college costs are indeed higher this year. Room and board—\$8,887 on average for in-state students at public schools in the current school year and \$10,089 at private colleges—have long been a means for colleges to make stealth price increases.

Ivy League schools with total sticker prices including room and board of \$50,000 to \$57,000 in the current academic year use their large endowments to give out large dollops of student aid. In fact, Yale and Harvard are said to offer scholarship money or assistance to families with incomes up to \$180,000. As a result, students graduating from elite schools like Princeton, Yale, and Williams College are able to graduate with total debt under \$10,000, making them among the lowest-debt college and universities in the country.

But the Ivies can't be absolved of all blame in the current debt mess. They began the sticker-price arms race in the early 1980s, reasoning correctly, it turns out, that they could boost prices with impunity because of the scarcity value, social cachet and quality of the education they offer. They've led the charge ever since, even getting caught by the U.S. Justice Department for colluding on tuition increases and grant offers to applicants in the early '90s. They signed a consent decree neither admitting to nor denying the charges.

Don't think that state governments—which have been methodically cutting appropriations to higher public education for the last decade—aren't aware of the still-yawning gap between the sticker prices of state and private schools, which means that tuitions are likely to continue to rise at breakneck speed.

Too, elevated sticker prices by the privates have given cover to for-profit schools, including University of Phoenix, owned by Apollo Group (APOL), Bridgepoint Education (BPI), ITT Educational Services (ESI), Washington Post's (WPO) Kaplan University, and Career Education (CECO), a capacious umbrella under which to nestle. The schools live off of Pell grants, federally backed student loans, and, increasingly, the GI bill for veterans. Thus, they derive as much as 90% or more of their revenue from such government money, so they concentrate their recruiting efforts on the less affluent in order to qualify

for such government largess. (For a look at ITT Educational's practices, see "Clever Is as Clever Does.")

The industry's course content is often risible, and graduation rates horrible. Students naively hoping for a big jump in earnings power end up saddled with debt averaging about \$33,000, with little to show for their efforts. Students at for-profits make up about 10% of the post-secondary-school population. Yet according to congressional researchers on the Senate Health, Education, Labor, and Pensions Committee, which has been investigating the for-profit industry, they account for between 40% and 50% of all student-loan defaults.

The student-debt crisis is emblematic of issues bedeviling the U.S. as a whole, such as income inequality and declining social mobility. For as scholarship money is increasingly diverted from the needy to achievers with high grade-point averages and test scores, boosting institutional rankings, the perhaps less-privileged applicant is thrust into the position of having to take on gobs of debt, indirectly subsidizing the education of more affluent classmates. The race to the career top is likely over long before graduation.

Student debt also helps sustain many school hierarchies that are virtually bereft of cost controls—the high-salaried tenured professorates, million-dollar-a-year presidents and provosts, huge administrative bureaucracies, and lavish physical plants.

The debt game will continue until students and their families revolt or run out of additional borrowing capacity. Don't expect the educational establishment to rein in its spending. Things have been too cushy for too long.

Mr. DURBIN. They identified those who were offering these private student loans. The major players in the private nongovernment-backed student loan market: SLM let me translate—formerly known as Sallie Mae, Discover Financial Services, Wells Fargo, and PNC Financial Services. Even with the defaults, if there are defaults on these loans, these loans are protected because they continue forever.

I do not know if my colleagues will join me in this, but all I ask them to do is go home and please talk to some of the families in their States, and they will find this student loan crisis is not just something manufactured by politicians; it is real, and we are complicit in it. When we allow low-performing and worthless schools to receive Federal aid to education, students and their families are lured into believing these are real schools.

Go to the Internet and put in the words "college" or "university," click the mouse and watch what happens. You will be inundated with ads from for-profit schools. Some of them will tell you: Go to school online. One of them ran a television ad here in Washington—I think they have taken it off the air now—that showed this lovely young girl who was in her bedroom in her pajamas with her laptop computer on the bed. The purpose of the ad was: You can graduate from college at home in your pajamas. It is a ruse. It is a farce. It is a fraud.

Many times these schools offer nothing but debt for these students. The students who drop out get the worst of the circumstances. They do not even get the worthless diploma from the for-profit schools; all they get is the debt. That is not fair. If we have a responsibility—and I think we do—to families across America, for goodness' sake, on a bipartisan basis, we should step up and deal with the student debt crisis and the for-profit schools that are exploiting it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

Mr. ALEXANDER. Would the Chair please let me know when there is 2 minutes left.

The ACTING PRESIDENT pro tempore. I will.

Mr. ALEXANDER. Madam President, I am glad I had a chance to hear my distinguished friend from Illinois speak about student loans and college costs. All of us would like to make it easier for Americans to be able to afford college. At another time, I will speak about some of the other options available. The average tuition at 4-year public colleges in America is \$8,200. The average tuition for a community college is \$3,000.

I know at the University of Tennessee, where tuition is about \$7,400, at a very good campus in Knoxville, virtually all the freshmen show up with a \$4,000 Hope Scholarship, which is a State scholarship. Of course, if they are lower income students, they are also eligible for Pell grants and other federal aid.

So we will continue to work, on a bipartisan basis, to make college an opportunity available to students. If there are abuses in the for-profit sector or other sectors of higher education, we should work on those together.

Mr. INHOFE. Would the Senator yield for a unanimous consent request?

Mr. ALEXANDER. Of course.

Mr. INHOFE. I do not want to change the Senator's line of thought. It was beautiful and I want to hear every word. Madam President, I ask unanimous consent that after the conclusion of the remarks of the Senator from Tennessee, that there will be 10 minutes given to the Senator from Wyoming, Mr. BARRASSO, and that I have the remainder of the Republican time.

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

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 2366 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

A SECOND OPINION

Mr. BARRASSO. Madam President, week after week, I have come to the floor to give a doctor's second opinion about the health care law. I tell my colleague from Tennessee that I should have him join me on a weekly basis in these second opinions, because he has clearly stated a number of things in this health care law that are hurting people. He talked about his experience as a Governor and the impact of Medicaid mandates and how that impacted his ability to provide for education within a State.

Just now, with the bill he will introduce, I associate myself with his remarks, because he showed that one of the tricks that was used in passing the health care law is overcharging. This is the Obama health care law overcharging young people on student loans. The Democrats all voted for it and the Republicans all voted against it. It is overcharging students for student loans to pay for the President's health care law.

Again, I appreciate the comments by my colleague, the Senator from Tennessee, and his incredible leadership on this, which he continues to provide every day in the Senate.

I come to the floor today to again give a second opinion about another component of the health care law and one of the tricks that the administration has tried to use in terms of making the health care law, in their opinion, more appealing, which essentially the Government Accountability Office this week called foul.

The President was caught and called out by the GAO, when they uncovered another gimmick in the President's health care law. It is a gimmick that tries to cover up how the President's law devastates seniors' ability to get the care they need from the doctor they want at a cost they can afford.

The Obama administration's latest trick targets seniors on a program called Medicare Advantage. It is a program that one out of four seniors—people on Medicare—relies on for their health care coverage. As someone who has taken care of lots of Medicare patients over the years, I can tell you that one in four—about 12 million seniors—is on this Medicare Advantage Program. The reason it is an advantage for them is that it helps with preventive medicine, with coordinating their care. They like it because of eyeglasses and eye care and because of hearing aids.

Each one of those 12 million seniors knows they are on Medicare Advantage because it is a choice they make to go onto the program. Well, as people all around the country remember, the White House and Democrats, in the effort to pass the health care law, cut \$500 billion from Medicare—not to

strengthen Medicare or save Medicare for our seniors, no—to start a whole new government program for other people. Out of that \$500 billion that the President and his administration and Democrats in Congress cut from Medicare, about \$145 billion of that money came from this Medicare Advantage Program—a program people like. These cuts would have gone into place this year—actually, October of this year. That is the time of year when seniors are supposed to register for their Medicare Advantage plans for the next year. So we are talking about October of 2012, the month before the Presidential election, and cuts coming then would make those millions of American seniors who have chosen Medicare Advantage very unhappy with this administration and the Democrats in Congress who shoved this down the throats of the American people.

In spite of the American people saying, no, don't pass this health care law, according to the President and the Democrats, too bad, we know what is better for you. Democrats believe that a one-size-fits-all is best, that a government-centered program is better than a patient-centered program.

The President and his folks saw this political problem developing. It is a real political problem for the President. And what did the administration do? Well, they put in place a massive \$8.3 billion—that is billion with a “b”—so-called pilot program. What that will do is temporarily reverse most of these Medicare Advantage cuts—not for too long, just to get the President and the Democrats past the election of 2012.

According to the GAO, 90 percent of the Medicare Advantage enrollees will be covered by these contracts eligible for this so-called bonus in 2012 and 2013. But this is a sham program. It is seven times larger than any similar demonstration program Medicare has ever attempted, and Medicare has been in place now for 50 years. Take a look at this. This is the largest ever—seven times larger than any demonstration program they have ever attempted. Even the GAO, which is supposed to be—and is—nonpartisan, called out the President and the Secretary of Health and Human Services.

This program wasn't actually designed to improve the Medicare Advantage Program. That is why this is a sham. The reality is this so-called bonus program is a political stunt aimed at the 2012 Presidential election. The administration simply did not want to face America's seniors with the truth—the truth that his health care law gutted the popular Medicare Advantage Program, reducing choices and raising premiums.

The Wall Street Journal editorial board reported yesterday that “the demonstration program turns into a pumpkin in 2013.”

They go on to say:

The real game here is purely political—to give a program that is popular with seniors a temporary reprieve past Election Day. Then if Mr. Obama is reelected, he will go ahead and gut Medicare Advantage.

That has been his intention all along—to gut Medicare Advantage.

Investor's Business Daily yesterday described it as “playing politics with Medicare.” They go on to report:

The entire project is so transparently political that the normally reserved GAO urged the Health and Human Services Department to cancel it altogether.

Isn't this the administration that claimed that accountability was their goal, that this was going to be the most accountable administration in history? Then why is the government's own accountability office calling the President and the Democrats on the carpet and saying: Cancel this program altogether.

An op-ed that appeared in Forbes Magazine called it the “Obama Campaign's \$8 Billion Taxpayer-Funded Medicare Slush Fund.” The author notes:

This development opens up a new expansion of executive-branch power: the ability to spend billions of dollars on politically-favored constituents, without the consent of Congress.

Madam President, we wouldn't have known about the Obama administration's \$8 billion coverup if it weren't for my colleague, Senator ORRIN HATCH, who insisted on the GAO investigation. I believe the American people owe a debt of thanks to Senator HATCH. Thanks to his leadership, we now know what the administration is doing to try to trick American seniors and make it harder for them to get the care they need after the Presidential election.

Once again, this administration claims to be for transparency, claims to pride itself on accountability, but is not leveling with the American people. So today I am calling on the President to direct his Secretary of Health and Human Services to cancel this waste of taxpayer dollars that are being used to cover up the damage his health care law is doing to the seniors of this country who are on Medicare Advantage. It is time they cancel the program and come clean about their plan for seniors on Medicare Advantage. This latest gimmick is just another reason we must repeal the President's health care law and replace it with patient-centered reform.

So I will continue to come to the floor every week because we can never forget NANCY PELOSI's quote that “first you have to pass it before you get to find out what's in it.” Week after week, we are finding out more things in this health care law. And now, under the direction and suspicion of Senator HATCH, we have the Government Accountability Office coming out and saying they found something new again this week—an effort by this administration to hide from the American peo-

ple the real impact of the health care law and hide it before the election so the American people will not—the President hopes—go to the polls and vote the way, in my mind, they would have voted had they seen the clear reality of all of the impacts of this health care law.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

DOMESTIC ENERGY PRODUCTION

Mr. INHOFE. First of all, Madam President, let me say we are very fortunate to have the Senator from Wyoming, with his background, come and give us his second opinion. The ratings are very high on his second opinion, and I am very glad of that.

I am also very pleased we had the Senator from Tennessee talking about the big issue of today. There is no one—having been the Secretary of Education in a previous administration—who is more qualified to talk about student loans than the Senator from Tennessee. So I am very appreciative.

Ironically, we have talked about two subjects, and I am here to talk about one totally unrelated that I think is equally critical—and I have to be critical—of this administration. I am going to state something that hasn't been stated before. I am going to release something that hasn't been released before, and I think it is very significant that people really listen.

You know, this President has had a war on fossil fuels—and when we talk about fossil fuels, we are talking about oil, gas, and coal—ever since before he was in office. He is very clever because what he has attempted to do is to kill oil, gas, and coal when we had the huge supply of it here and yet do it in a way that the American people won't be aware over it. How many people in America, I ask the Chair, know what hydraulic fracturing is? I daresay more people know about it today than knew about it a short while ago.

So today I wish to address for the first time ever the questionable actions recently taken by the Obama administration's Environmental Protection Agency to stop domestic energy production, particularly doing so by using hydraulic fracturing.

Today I wish to draw attention to a little-known video from 2010 which shows a top EPA official, region 6 Administrator Al Armendairiz, using the vivid metaphor of crucifixion to explain EPA's enforcement tactics over oil and gas producers.

This is a long quote, and I am going to ask everyone to bear with me because it is all a quote by Armendairiz. He is, as I said, the Administrator of region 6, and he is instructing at this time people who are working for them in what their behavior should be. So this is an actual quote I am going to use. It is a long quote. Bear with me.

I was in a meeting once and I gave an analogy to my staff about my philosophy of enforcement, and I think it was probably a little crude and maybe not appropriate for the meeting but I'll go ahead and tell you what I said. It was kind of like how the Romans used to conquer little villages in the Mediterranean. They would go into a little Turkish town somewhere, they'd find the first five guys they saw and they would crucify them. And then you know that town was really easy to manage for the next few years. And so you make examples out of people who are in this case not compliant with the law. Find people who are not compliant with the law, and you hit them as hard as you can and you make examples out of them, and there is a great deterrent effect there. And, companies that are smart see that, they don't want to play that game, and they decide at that point that it's time to clean up. And, that won't happen unless you have somebody out there making examples of people. So you go out, you look at the industry, you find the people violating the law, you go aggressively after them. And we do have some pretty effective enforcement tools. Compliance can get very high, very, very quickly. That's what these companies respond to, is both their public image but also financial pressure. So you put some financial pressure on a company, you get other people in that industry to clean up very quickly. So, that's our general philosophy.

Again, that is a quote from the EPA Administrator of region 6. He actually said: You know, it is kind of like the Romans, when they used to conquer little villages in the Mediterranean. They would go into a little Turkish town and find the first five guys they saw and crucify them. That is how you get their attention.

I remember a few years ago a lumber company in my State of Oklahoma called me up and said: I am not sure what to do. The EPA is putting us out of business.

I said: What do you mean, putting you out of business?

This was a lumber company in Tulsa, OK—Mill Creek Lumber. The man who was calling me was the president.

He said: We have been disposing of our used crankcase oil in the same legal, licensed depository for 10 years now, and they have traced some of this oil to a Superfund site, and they say they are now going to fine me \$5,000 a day for that violation. Now, that is what the letter said.

I said: Send the letter to me. That is a typical threat by the EPA to try to make you voluntarily go out of business.

So he sent it to me, and sure enough that is what it said. Any concerned reader would look at that and say: They are going to put us out of business. He said they could stay in business maybe another 30 days and that would be the end.

Well, that was a threat. That is what they do to intimidate people. It is not quite to the level of a crucifixion, but nonetheless times have changed and things have gotten worse over the past few years. So, yes, they have the enforcement tools, and they are able to

scare people, intimidate people. And these are the very people who are working and hiring people and doing what is necessary to run this machine we call America.

So according to Administrator Armendariz, EPA's general philosophy is to crucify and make examples of domestic energy producers so that other companies will fall in line with EPA's regulatory whims. His comments give us a rare glimpse into the Obama administration's true agenda. No matter how much President Obama may pretend to be a friend of oil, gas, and coal, his green team constantly betrays the truth that the Obama administration is fully engaged in an all-out war on hydraulic fracturing, thinking people won't know that if you kill hydraulic fracturing, you kill oil and gas production in America.

Not long after Armendariz made his stunning admission, the EPA, apparently, began to zero in on the first crucifixion victims. The Agency targeted U.S. natural gas producers in Pennsylvania, in Texas, and in Wyoming, and in all three of these cases, before these investigations were complete, EPA made headline-grabbing statements either insinuating or proclaiming that hydraulic fracturing was the cause of water contamination. But in each of these three cases, the EPA's comments were contrived, and despite their best efforts they have been unable to find any science to back up their accusations.

Of course, this administration has a propensity for making embarrassing announcements on days when they hope no one will notice. During the past 2-week recess, while Congress was out of town, the EPA released several late-Friday-night statements reversing their earlier assertions in these cases. Still, the problem is people are walking around believing these things are true.

The Agency hopes they can admit they were wrong quietly, but we are not going to let that happen. We are not going to let them get away with it. The American people deserve to know exactly why the EPA is pushing ahead with such intensity to capture alarmist headlines, and then, when no one is looking and when their investigation shows they were wrong, quietly backing away from it.

The EPA, in Texas, Wyoming, and Pennsylvania, not only reversed their assertions but did so with a stunning lack of transparency, strategically attempting to make these announcements as quietly as possible, at times they know Congress won't be looking. Let me quickly highlight a few of these examples. In Parker County, TX, the Agency's major announcement—the withdrawal of their administrative order—was announced at a time they knew Congress was adjourning for Easter recess. In Dimock, PA, the EPA made two announcements, and the

same thing happened there. In Pavillion, WY, the EPA announced their reversal as Congress was wrapping up that week.

So the same thing was happening. The EPA's general philosophy is to crucify domestic energy producers. Let's look at the three of their crucifixions.

Parker County, TX. I think this could be the most outrageous of all the examples we will be talking about today. I will not have time to hit them all, but I will go back and make the complete statement I was going to make. Unfortunately, there isn't time to finish it now.

But what happened in Parker County, TX, took place in region 6, where my State of Oklahoma is located. Despite Texas State regulators actively investigating the issue, EPA region 6 issued a December 7, 2010, Emergency Administration Order, which determined—I use the word “determined” because that is the word they used—determined that State and local authorities had not taken sufficient action and ordered a company called Range Resources to provide clean drinking water to affected residents and begin taking steps to resolve the problem.

Along with this order, the EPA went on a publicity barrage in an attempt to publicize its premature and unjustified conclusions. The day of the order, EPA issued a press release in which it mentioned hydraulic fracturing—not once, not twice but four times—in trying to tie that to problems with groundwater contamination.

The Agency claimed they also had “determined”—again, they used that word—that natural gas drilling near the homes by Range Resources in Parker County, TX, had caused the contamination of at least two residential drinking water wells.

Regional administrator Al Armendariz was quoted in a press story posted online, prior to him even notifying the State of Texas, that EPA was making their order—and the e-mails have been obtained from the day the order was released—showing him gleefully sharing information with rabid antifracking advocates—and this is a quote by this EPA regional administrator: “We're about to make a lot of news . . . time to Tivo channel 8.” He was rejoicing.

In subsequent interviews, Armendariz made comments specifically intending to incite fear and sway public opinion against hydraulic fracturing, citing multiple times a danger of fire or explosion. When State regulators were made aware of EPA's action, they made it clear they felt the Agency was proceeding prematurely, to which Armendariz forwarded their reply calling it “stunning.”

What was “stunning,” to quote Armendariz, were revelations about the way in which the EPA acted in this

particular case, which led me to send a letter, at that time, to the EPA inspector general requesting him to preserve all records of communication in connection with the emergency order issued by the EPA region 6 administrator.

Subsequent to the EPA's December 7, 2010, administrative order, on January 18, 2011, EPA followed through on Regional Administrator Armendariz's promise to "make examples of people" and filed a complaint in Federal district court, requesting penalties against Range Resources of \$16,500 a day for each violation they alleged took place—for each violation. I don't know how many violations there are. I think there are three or four.

Again, this goes back to the same thing that happened in my State of Oklahoma with the EPA trying to put a lumber company out of business by EPA, except this is a larger company so there are larger fines.

So \$16,500 a day in order to align with Armendariz's pursuit of fines which "can get very high very, very quickly."

If these actions alone didn't create an appearance of impropriety and call into serious question the ability of Regional Administrator Armendariz to conduct unbiased investigations and fairly enforce the law, just 7 months prior to the region's actions in Parker County, Regional Administrator Armendariz laid the groundwork of how he planned to reign over his region.

In a townhall meeting in Dish, TX, he "gave an analogy" of his "philosophy of enforcement." Again, we have already talked about that analogy.

This is a quote I highlighted at the beginning of my speech:

It was kind of like the Romans used to conquer little villages in the Mediterranean. They'd go into a little Turkish town somewhere, they'd find the first five guys they saw and they would crucify them. And then you know that town was really easy to manage.

Let me go back and be clear about this. This is President Obama's appointed regional administrator for the States of Arkansas, Louisiana, New Mexico, Texas, and Oklahoma comparing his philosophy of enforcement over the oil and gas industries to Roman crucifixions, where they would "just grab the first five guys they saw" in order to set the policy and to scare everybody else and crucify them.

Fast forward to late Friday afternoon, March 30 of this year, just a few hours after Congress left town for the Easter recess. The Wall Street Journal reported that:

EPA told a federal judge it withdrew an administrative order that alleged Range Resources had polluted water wells in a rural Texas county west of Fort Worth. Under an agreement filed by U.S. district court in Dallas, the EPA will also drop the lawsuit it filed in January 2011 against Range, and Range will end its appeal of the administrative order.

Listen to this. A few weeks prior to EPA's withdrawal, a judge also concluded that one of the residents involved in the investigation worked with environmental activists to create a "deceptive video" that was "calculated to alarm the public into believing the water was burning"—water that was the result of the hydraulic fracturing—when it appears the resident attached a hose to the water well's gas vent, not the water, and of course lit it on fire.

I was on a TV show the other night by someone whom I will not mention their name—she happens to be one of my three favorite liberals—and she mentioned: "This water is so bad it is burning." That judge showed what it was and of course made them cease from doing that.

Remember, this is only one of the three recent high-profile instances of backtracking on behalf of the Agency, after they have already scared everybody into thinking it is a serious problem.

Next we go into Wyoming—Pavillion, WY. Last December, EPA publicized and released nonpeer-reviewed draft findings which pointed to hydraulic fracturing as the cause of groundwater contamination. Again, the culprit is always hydraulic fracturing because we all know we can't get any large oil and gas out of tight formations without hydraulic fracturing.

Here again, the EPA stepped in over the actions of the State and made a press announcement designed to capture headlines where definitive evidence linking the act of hydraulic fracturing to water contamination simply didn't exist.

The announcement came in December, despite as late as November of 2011 EPA regional administrator James Martin saying the results of the last round of testing in Pavillion were not significantly different from the first two rounds of testing which showed no link between the hydraulic fracturing and contamination. That is three rounds of testing which showed no contamination from hydraulic fracturing. Yet only a few weeks later EPA announced the opposite.

In another reversal by the EPA in the past few weeks, the EPA stepped back and quietly agreed to take more water samples and postpone a peer review of the findings, something the State of Wyoming had been requesting for quite some time.

Again, the damage was done. They didn't do anything wrong. There was no water groundwater contamination at all. This is hydraulic fracturing.

As I have mentioned so many times before, I know a little bit about this because the first hydraulic fracturing took place in my State of Oklahoma in 1949. There has never been a documented case of groundwater contamination as a result of it. Yet this admin-

istration is doing everything they can to destroy hydraulic fracturing.

Dimock, PA, is the third site of the EPA's recent backtracking of its publicized attempts to link hydraulic fracturing to groundwater contamination. In this instance, the Pennsylvania Department of Environmental Protection had taken substantial action to and including working out an agreement with an oil and gas company ensuring residents clean drinking water.

In line with the State's Department of Environmental Protection, on December 2, 2011, the EPA declared that water in Dimock was safe to drink. Just over a month later, EPA reversed that position.

So they go back and forth. What do people remember? They remember this process of hydraulic fracturing is the culprit and is creating serious environmental problems.

What is maybe more egregious was—to quote Pennsylvania DEP secretary Michael Krancer—EPA's "rudimentary" understanding of the facts and history of the region's water: Independent geologists and water consultants such as Brian Oram have been puzzled by the Agency's rationale for their involvement in Dimock because the substances of greatest concern by EPA are naturally occurring and commonly found in this area of Pennsylvania. Yet EPA has chosen this area to attack because of the presence of hydraulic fracturing.

In other words, this has been going on for years, long before hydraulic fracturing.

By the way, I have to say they used to attack oil and gas, but it was always out West in the Western States. The chair knows something about that. This is different now because we have these huge reserves that are in places such as New York and Pennsylvania. All that time there has not been hydraulic fracturing, but as soon as hydraulic fracturing came in, they said this is the result of hydraulic fracturing when it has been there all the time.

Of course, this is part of the strategy to try to convince Americans we don't have the vast supply of natural resources we clearly have.

I was redeemed by this. I have seen saying all along that of all the untruths this President has been saying, the one he says more than any other is that we only have 2 percent of the reserves of gas and oil and we use 25 percent. It is not true. I don't want to use the "L" word. I don't want to get everybody mad, but it is just not true.

The U.S. Geological Survey revealed just a few days ago that President Obama's favorite talking point, that we only have 2 percent of the world's proven oil, is less than honest. The 2 percent the President quotes is proven reserves, but he ignores our recoverable reserves. This is coming from the

USGS. Our recoverable reserves are some of the largest in the world.

According to information gleaned from the USGS report, America has 26 percent of the world's recoverable conventional oil reserves. That doesn't begin to include our enormous oil shale, tight oil and heavy oil deposits. That is just a fraction of it. But that is 26 percent of the world's recoverable oil.

Our problem is our politicians will not allow us—and particularly the Obama administration—to drill on public lands and to be able to capture that.

We also hold almost 30 percent of the world's technically recoverable conventional natural gas.

In other words, to put it in a way that I think is more understandable: Just from our own resources and at our own consumption level, we could run this country for 90 years on natural gas at our current level of consumption and for 60 years on oil. That is what we have. That is the answer to the problem. It is called supply and demand. There is not a person listening now who would not remember back in the elementary school days that the supply and demand is real.

But we all know he remains fully committed to his cap-and-trade, global warming, green energy agenda—a plan that is to severely restrict domestic development of natural gas, oil, and coal, to drive up the price of fossil fuels so their favorite forms of green energy can compete. It is, quite simply, a war on affordable energy—and, at that time, they weren't afraid to admit it.

Now they are backtracking a little bit—such as using hydraulic fracturing and not saying they are opposed to oil and gas.

Do you remember Steven Chu, the Secretary of Energy, President Obama's man? He told the Wall Street Journal that “[s]omehow we have to figure out a way to boost the price of gasoline to levels in Europe.”

We all know the infamous quote from President Obama. He said that, under his cap-and-trade plan, “electricity prices would necessarily skyrocket.”

The President himself has been on record supporting an increase in gas prices. Although, according to him, he would “have preferred a gradual adjustment” increasing the average family's pain at the pump. But this isn't a plan that gets you reelected. So the gas prices have skyrocketed, and with the utter failure of Solyndra, President Obama's dream of green energy economy is in shambles. We can be sure we won't be talking about this plan to raise energy costs until after the election.

I would have to say the President's own Deputy Energy Secretary Dan Poneman last month made a statement, and I appreciate it, because he said we have a very strong belief that the laws of supply and demand are real.

They have been saying that the laws of supply and demand are not real. Gary Becker—I quoted this the other day. He is a Nobel Prize-winning economist, professor at the University of Chicago. He has said “supply and demand are the cause of the vast majority of large fluctuations in oil prices, and it is hard to believe that speculation has played a major role in causing a large swing in oil prices.”

The President tried to say it is not supply and demand. We do not need to develop our own resources to bring down the price of gas at the pumps. It is speculation. Here is a Nobel Prize winner saying that just flat is not true.

The President's budget proposal this year alone—I want to get back to how he has made this attempt to tax oil and gas out of business. The President's budget proposal this year alone amounts to a \$38.6 billion tax increase on oil and gas companies, which would hit my own State of Oklahoma where 70,000 people are employed in oil and gas development especially hard. His proposal specifically would either modify or outright cancel section 199—that is the manufacturers' tax deduction that is something all other manufacturers would be able to enjoy—for the intangible drilling costs, IDCs: percentage depreciation, tertiary injections. All of these were in his budget—not just this year, not just last year, but every year since his budget 4 years ago—to try to tax the oil and gas companies out of business.

His actions have not slowed his rhetoric. In fact, President Obama has become so desperate to run from his antifossil fuel record that he ran all the way to Cushing, OK. That is my State. We have a major intersection of the pipeline down there. This President, in his attack on fossil fuels, stopped the XL Pipeline that goes from Canada down through my State of Oklahoma. He came all the way to Oklahoma to say: I am in support of the pipeline that goes south out of Oklahoma into Texas.

Wait a minute, that is because he cannot stop it. He could only stop the other one because it crossed the line from Canada to the United States. So he came all the way to Oklahoma to say he was not going to stop something that he could not stop anyway.

President Obama is trying to take credit for the increase in oil and gas. I have to get this out because I think so many people do not understand this. The increase that is taking place in production is all on private lands. It is not increasing on public lands. It is decreasing on public lands, but on private lands he has no control. In the report by the nonpartisan Congressional Research Service, since 2007, quoting now from the CRS:

About 96 percent of the [oil production] increase took place on non-federal lands.

According to the Obama Energy Information Administration, total fossil

fuel sales of production from Federal lands are down since 2008—they are down, not up—and during a time of a natural gas boom throughout the country. In other words we have gone through the biggest boom on private land, but he will not allow us to do it on public land, and that is where these tremendous reserves are. Gas sales from production on Federal lands are down 17 percent since 2008.

Finally, according to PFC Energy, which is a global consulting firm specializing in the oil and gas industry, 93 percent of shale oil and gas wells in the United States are located on private and State lands, hardly the Federal Government triumph that the President falsely attempts to take credit for when you put all the pieces together.

President Obama's election strategy is clear: Say great things about oil and gas, say great things about coal and the virtues of domestic energy production, but under the surface try hard to manufacture something wrong with hydraulic fracturing. Remember, not 1 cubic foot of natural gas can be retrieved in tight shale formations without using hydraulic fracturing.

As I said before, that was started in my State of Oklahoma. We are going to make sure we are the truth squad that tells the truth about how we can bring down the price of gas at the pump. It gets right back to supply and demand.

I am going to come back at a later date and give the long version of what I have just given in the last 45 minutes, but I see my friend from Tennessee is here. So I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Tennessee is recognized.

DEFICIT SPENDING

Mr. CORKER. Mr. President, I thank the Senator from Oklahoma. I actually learned a lot sitting here listening. I know energy production is very important to his State and, obviously, to our Nation. I know he has a wealth of knowledge regarding this issue. I candidly enjoyed hearing his remarks, and I look forward to hearing the balance of them at another time.

I am going to be very brief. I came down here because I am distressed about where we find ourselves. I want to thank the ranking member and the chair of the Homeland Security Subcommittee who is dealing with postal reform. I thank them for working through the committee process and actually bringing a bill to the floor in that manner, something we do not do enough of around here. I thank them for allowing us to have amendments, free-for-all, as it relates to matters pertinent to this bill. I thank them for their work. Personally, I would like to see a lot more reforms take place in the postal bill.

There is no question we are kicking the can down the road, and we are going to revisit this in another couple

of years. Because of the way the bill is designed, I don't think there is any question that is going to happen.

But I want to speak to the fact that the world, our Nation, and all of our citizens watched us last August as this country almost came to a halt as we voted on a proposal to reduce the amount of deficit spending that is taking place in our Nation at a time when the debt ceiling was being increased. There was a lot of drama around that. Both sides of the aisle came together and established a discretionary cap on the amount of money that we would spend in 2012 and 2013.

Again, the whole world and certainly most citizens in our Nation were glued to the television or reading newspaper accounts about what was happening. In a bipartisan way, at a time when our Nation has tremendous deficits, we basically committed to pare down spending.

What is happening with this bill, and the same thing happened with the highway bill that was just passed, is that people on both sides of the aisle are saying: You know, the Postal Service is very popular. Therefore, what we are going to do is not worry about the budget caps we have put in place.

It is hard for me to believe. I know there is a lot of accounting around the postal reform bill that is difficult for people to comprehend. But what is happening with this bill, both the ranking and chair continue to talk about the fact that some money came from the Postal Service into the general fund and now is just being repaid. By the way, I agree with that. But the problem is it still increases our deficit by \$11 billion, and it absolutely violates the agreement we put in place last August 2.

The responsible way for us to deal with this is say we understand this is money that should go back to the Postal Service, but to live within the agreement we put in place we need to take \$11 billion from someplace else.

What I fear is getting ready to happen today—and I know there was a budget point of order placed against this bill. I supported that budget point of order. The ranking and chair—whom, again, I respect tremendously—said let's go through this process and see if there are some amendments that actually pare down the cost. That is not happening. So what I fear is going to happen this afternoon is that in an overwhelmingly bipartisan way, Congress is going to say one more time to the American people: You absolutely cannot trust us to deal with your money because we are Western politicians—Western democracies are having the same problems in Europe—and basically the way we get reelected is we spend your money on things that you like without asking for any repayment of any kind.

That is what has happened in this Nation for decades. That is what we are

seeing play out right now in Europe. We are able to watch the movie of what is going to happen to this great Nation. We have politicians in this Chamber who have agreed to what we are going to spend this year and already, because we have two popular bills, in a bipartisan way people are saying: It doesn't matter what we agreed to. We do not care that the biggest generational theft that has ever occurred in this Nation is continuing. We are basically taking money from our children to keep us in elective office by not making tough choices.

I am afraid that is what is going to happen this afternoon on this bill. I am just coming down one more time to appeal to people on both sides of the aisle who are participating in this to say: Look, we made an agreement. We made this agreement just last August 2, where we said how much money we would spend, and we are violating it again on this bill. What I would say is, if the Postal Service is so popular, let's take money from some other place that we do not consider to be the priority this is.

We do not do that. Instead, what we are doing is exactly what has happened in Europe, what has happened here for a long time where we have this deal, this arrangement between politicians of this body and citizens where we continue to give them what they want, but we will not set priorities. We will not ask them to pay for it. And what is happening is our country is on a downward spiral.

These young pages who are sitting in front of me are going to be paying for it. It is absolute generational theft. This afternoon we are going to take another step in that direction. I appeal to everyone: Look, if we want to pass this postal reform bill, let's cut \$11 billion some other place. That is what the States that we represent have to do. That is what the cities that we come from have to do.

But we will not do that here. I am not talking about one side of the aisle or the other. What I think is going to happen this afternoon is that people on both sides of the aisle are going to break trust with the American people, violate an agreement that we just put in place, and basically send a signal to the world that they absolutely cannot trust the Senate to live within its means. We would rather do things to get ourselves reelected now than save this Nation for the longer term.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from New Mexico is recognized.

Mr. UDALL of New Mexico. Mr. President, I rise today to express my support for the Violence Against Women Reauthorization Act. Specifically, I want to talk about how crucial the tribal provisions in this bill are for Native American women. For the past

18 years, this historic legislation has helped protect women from domestic violence, from sexual assault, from stalking. It has strengthened the prosecution of these crimes and has provided critical support to the victims of these crimes.

It has been a bipartisan effort. Democrats, Republicans, and law enforcement officers, prosecutors, judges, health professionals—all have supported this Federal effort to protect women. Why? Because it has worked.

Since its passage in 1994, domestic violence has decreased by over 50 percent. The victims of these crimes have been more willing to come forward knowing that they are not alone, knowing that they will get the support they need, knowing that crimes against women will not be tolerated.

Unfortunately, not all women have seen the benefits of the Violence Against Women Act. That is why the tribal provisions in the reauthorization are so important. Native women are 2½ times more likely than other U.S. women to be raped. One in three will be sexually assaulted in their lifetimes. It is estimated three out of five Native women will experience domestic violence in their lifetimes. Those numbers are tragic. Those numbers tell a story of great human suffering, of women in desperate situations, desperate for support, and too often we have failed to provide that support.

But the frequency of violence against Native women is only part of the tragedy. To make matters worse, many of these crimes go unprosecuted and unpunished. Here is the problem: The tribes have no authority to prosecute non-Indians for domestic violence crimes against their Native American spouses or partners within the boundaries of their own tribal lands. And yet over 50 percent of Native women are married to non-Indians; 76 percent of the overall population living on tribal lands is non-Indian. Instead, under existing law, these crimes fall exclusively under Federal jurisdiction. But Federal prosecutors have limited resources. They may be located hours away from tribal communities. As a result, non-Indian perpetrators often go unpunished. The cycle of violence continues and often escalates at the expense of Native American victims.

On some tribal lands the homicide rate for Native women is up to 10 times the national average. But this starts with small crimes, small acts of violence that may not rise to the attention of the Federal prosecutor. In 2006 and 2007, U.S. attorneys prosecuted only 45 misdemeanor crimes on tribal lands.

For perspective, the Salt River Reservation in Arizona—which is a relatively small reservation—reported more than 450 domestic violence cases in 2006 alone. Those numbers are appalling. Native women should not be

abandoned to a jurisdictional loophole. In effect, we have a prosecution-free zone.

The tribal provisions in the Violence Against Women Reauthorization Act provide a remedy. The bill allows tribal courts to prosecute non-Indians in a narrow set of cases that meet the following specific conditions: The crime must have occurred in Indian Country; it must be a domestic violence or dating violence offense or a violation of a protection order; and the non-Indian defendant must reside in Indian Country, be employed in Indian Country, or be the spouse or intimate partner of a member of the prosecuting tribe.

This bill does not—and I emphasize does not—extend tribal jurisdiction to include general crimes of violence by non-Indians or crimes between two non-Indians or crimes between persons with no ties to the tribe. Nothing in this provision diminishes or alters the jurisdiction of any Federal or State court.

I know some of my colleagues question if a tribal court can provide the same protections to defendants that are guaranteed in a Federal or State court. The bill addresses this concern. It provides comprehensive protections to all criminal defendants who are prosecuted in tribal courts whether or not the defendant is a Native American. Defendants would essentially have the same rights in tribal court as in State court. These include, among many others, right to counsel, to a speedy trial, to due process, the right against unreasonable search and seizure, double jeopardy, and self-incrimination. In fact, a tribe that does not provide these protections cannot prosecute non-Indians under this provision.

Some have also questioned whether Congress has the authority to expand tribal criminal jurisdiction to cover non-Indians. This issue was carefully considered in drafting the tribal jurisdiction provision. The Indian Affairs and Judiciary Committees worked closely with the Department of Justice to ensure that the legislation is constitutional.

In fact, last week 50 prominent law professors sent a letter to the Senate and House Judiciary Committees expressing their “full confidence in the constitutionality of the legislation, and its necessity to protect the safety of Native women.”

Their letter provides a detailed analysis of the jurisdictional provision. It concludes that “the expansion of tribal jurisdiction by Congress, as proposed in Section 904 of S. 1925, is constitutional.”

Mr. President, I ask unanimous consent to have printed in the RECORD the letter to which I have referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONSTITUTIONALITY OF TRIBAL GOVERNMENT
PROVISIONS IN VAWA REAUTHORIZATION
APRIL 21, 2012.

Sen. PATRICK LEAHY,
*Chairman, Senate Judiciary Committee, Russell
Senate Office Building, Washington, DC.*

Sen. CHARLES GRASSLEY,
*Ranking Member, Senate Judiciary Committee,
Hart Senate Office Building, Washington,
DC.*

Rep. LAMAR SMITH,
*Chairman, House Judiciary Committee, Rayburn
House Office Building, Washington, DC.*

Rep. JOHN CONYERS, JR.,
*Ranking Member, House Judiciary Committee,
Rayburn House Office Building, Wash-
ington, DC.*

DEAR CHAIRMEN AND RANKING MEMBERS: The signers of this letter are all law professors, and we have reviewed Title IX of S. 1925, the Violence Against Women Reauthorization Act of 2012. We write in support of this legislation generally and of Section 904, which deals with tribal criminal jurisdiction over perpetrators of domestic violence, specifically. Our understanding is that some opponents of these provisions have raised questions regarding their constitutionality. We write to express our full confidence in the constitutionality of the legislation, and in its necessity to protect the safety of Native women.

Violence against Native women has reached epidemic proportions, and federal laws force tribes to rely exclusively on far away federal—and in some cases, state—government officials to investigate and prosecute misdemeanor crimes of domestic violence committed by non-Indians against Native women. As a result, many cases go uninvestigated and criminals walk free to continue their violence with no repercussions. Section 904 of S. 1925 provides a constitutionally sound mechanism for addressing this problem.

CONSTITUTIONAL CONCERNS

Congress has the power to recognize the inherent sovereignty of Indian tribal governments to prosecute non-Indian perpetrators of domestic violence on reservations. While it is true that the Supreme Court held in *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191 (1978), that tribal governments did not have criminal jurisdiction over non-Indians, that decision was rooted in common law, not the Constitution, as the later Supreme Court decision in *United States v. Lara*, 541 U.S. 193 (2004), clearly indicates.

Since the Court's decision in *Oliphant* was not based on an interpretation of the Constitution, Congress maintains the authority to overrule the decision through legislation. The Court in *Oliphant* said as much when it stated that tribal governments do not have the authority to prosecute non-Indian criminals “except in a manner acceptable to Congress.” 435 U.S. at 204. More proof of Congress's authority to expand tribal government jurisdiction lies in the more recent 2004 Supreme Court decision in *United States v. Lara*, where the Supreme Court upheld a Congressional recognition of the inherent authority of tribal governments to prosecute nonmember Indians.

In *Lara*, the Court analyzed the constitutionality of the so-called “Duro fix” legislation. Congress passed the Duro fix in 1991 after the Supreme Court decided *Duro v. Reina*, 495 U.S. 676 (1990), which held that a tribal court does not have criminal jurisdiction over a nonmember Indian, under the same reasoning as *Oliphant*. In response to this decision, Congress passed an amendment to the Indian Civil Rights Act recognizing

the power of tribes to exercise criminal jurisdiction within their reservations over all Indians, including nonmembers. The “Duro fix” was upheld by the Supreme Court in *Lara*. The first part of the Court's analysis determined that in passing the Duro fix, Congress had recognized the inherent powers of tribal governments, not delegated federal powers. 541 U.S. at 193. The Court then held that Congress did indeed have the authority to expand tribal criminal jurisdiction. *Id.* at 200.

In *Lara*, the Court plainly held, based on several considerations, that “Congress does possess the constitutional power to lift the restrictions on the tribes' criminal jurisdiction.” *Id.* The Court relied on Congress's plenary power and a discussion of the pre-constitutional (historical) relationship with tribes, focusing on foreign policy and military relations. The Court in *Lara* held that “the Constitution's ‘plenary’ grants of power” authorize Congress “to enact legislation that both restricts and, in turn, relaxes those restrictions on tribal sovereign authority.” *Id.* at 202. The Court noted that Congress has consistently possessed the authority to determine the status and powers of tribal governments and that this authority was rooted in the Constitution. So the decision in *Lara* shows clearly that the expansion of tribal jurisdiction by Congress, as proposed in Section 904 of S. 1925, is constitutional.

The *Lara* majority also recognized that the Duro fix was limited legislation allowing for an impact only on tribes' ability to control crimes on their own lands, and would not undermine or alter the power of the states. The same is true of Section 904, which does nothing to diminish state or federal powers to prosecute.

DUE PROCESS CONCERNS

It is important to note that Section 904 of S. 1925 does not constitute a full restoration of all tribal criminal jurisdiction—only that which qualifies as “special domestic violence criminal jurisdiction.” So there must be an established intimate-partner relationship to trigger the jurisdiction. Moreover, no defendant in tribal court will be denied Constitutional rights that would be afforded in state or federal courts. Section 904 provides ample safeguards to ensure that non-Indian defendants in domestic violence cases receive all rights guaranteed by the United States Constitution.

A. NARROW RESTORATION

The scope of the restored jurisdiction is quite narrow. First, the legislation only applies to crimes of domestic violence and dating violence when the victim is an Indian and the crime occurs in Indian country. Thus, it applies to a narrow category of persons who have established a marriage or intimate relationship of significant duration with a tribal member. Second, for a non-Indian to be subject to tribal court jurisdiction, the prosecuting tribe must be able to prove that a defendant:

- (1) Resides in the Indian country of the participating tribe;
- (2) Is employed in the Indian country of the participating tribe; or
- (3) Is a spouse or intimate partner of a member of the participating tribe.

In other words, a defendant who has no ties to the tribal community would not be subject to criminal prosecution in tribal court. Federal courts have jurisdiction to review such tribal jurisdiction determinations after exhaustion of tribal remedies. Section 904 is specifically tailored to address the victimization of Indian women by persons who have

either married a citizen of the tribe or are dating a citizen of the tribe. This section is designed to ensure that persons who live or work with tribal members are not “above the law” when it comes to violent crime against their domestic partners.

B. CIVIL RIGHTS

The Indian Civil Rights Act (ICRA) already requires tribal governments to provide all rights accorded to defendants in state and federal court, including core rights such as the Fourth Amendment right to be secure from unreasonable searches and seizures, and the Fifth Amendment privilege against self-incrimination. 25 U.S.C. 1301 1303. There is no question that federal courts have authority to review tribal court decisions which result in incarceration, and they have the authority to review whether a defendant has been accorded the rights required by ICRA. See *Santa Clara Pueblo v. Martinez*, 436 U.S. 49 (1978).

Section 904 of the Violence Against Women Reauthorization Act re-emphasizes and reinforces the protections afforded under ICRA. It requires that tribal courts provide “all other rights” that Congress finds necessary in order to affirm the inherent power of a participating tribe. Tribal governments are already providing the due-process provisions in cases involving non-Indians in civil cases. Empirical studies have demonstrated that tribal courts have been even-handed and fair in dispensing justice when non-Indian defendants appear in court in civil matters. Section 904 provides ample protection for any non-Indian subject to the special domestic violence prosecution. The special domestic violence jurisdiction is conditioned on a requirement that tribes maintain certain minimal guarantees of fairness.

The Violence Against Women Reauthorization Act affirms the right of habeas corpus to challenge detention by an Indian tribe, and goes even further by requiring a federal court to grant a stay preventing further detention by the tribe if there is a substantial likelihood that the habeas petition will be granted. The legislation does not raise the maximum sentence that can be imposed by a tribal court, which is one year (unless the tribal government has qualified to issue sentences of up to three years per offense under the Tribal Law and Order Act).

Thus, the legislation provides ample safeguards. Nothing in the legislation suggests that a defendant in tribal court will be subject to proceedings which are not consistent with the United States Constitution. Indeed, the legislation creates an even playing field for all perpetrators of domestic violence in Indian country. No person who commits an act of violence against an intimate partner will be above the law.

C. POLITICAL PARTICIPATION

While some have criticized tribal jurisdiction over nonmembers based on the inability of nonmembers to participate in tribal political processes through the ballot box, we note that such political participation has never been considered a necessary precondition to the exercise of criminal jurisdiction under the concept of due process of law. A few examples illustrate that point. First, Indians were subjected to federal jurisdiction under the Federal Major Crimes Act of 1885, now codified as amended at 18 U.S.C. 1153, almost 40 years before most of them were made citizens or given the vote by the Citizenship Act of 1924. Second, due process certainly does not prevent either the federal government or the states from prosecuting either documented or undocumented aliens

for crimes committed within the United States, despite the fact that neither can vote on the laws to which they are subjected. Third, likewise, due process of law does not preclude criminal prosecution of corporations despite the fact that corporate or other business organizations, which are considered separate legal persons from their shareholders or other owners, also cannot vote on the laws to which such business organizations are subjected. In short, there simply is no widely applicable due-process doctrine that makes political participation a necessary precondition for the exercise of criminal jurisdiction.

CONCLUSION

In conclusion, the signers of this letter urge Congress to enact the VAWA Reauthorization and fully include the tribal jurisdictional provisions necessary for protecting the safety of Native women. Public safety in Indian country is a primary responsibility of Congress, the solution is narrowly tailored to address significant concerns relating to domestic violence in Indian country, and the legislation is unquestionably constitutional and within the power of Congress.

Sincerely,

Kevin Washburn, Dean and Professor of Law, University of New Mexico School of Law; Erwin Chemerinsky, Dean and Distinguished Professor of Law, University of California Irvine School of Law; Stacy Leeds, Dean and Professor of Law, University of Arkansas School of Law; Carole E. Goldberg, Vice Chancellor, Jonathan D. Varat Distinguished Professor of Law, UCLA School of Law; Robert N. Clinton, Foundation Professor of Law, Sandra Day O'Connor College of Law, Arizona State University; Matthew L.M. Fletcher, Professor of Law, Michigan State University College of Law; Frank Pommersheim, Professor of Law, University of South Dakota School of Law; Rebecca Tsosie, Professor of Law, Sandra Day O'Connor College of Law, Arizona State University; Richard Monette, Associate Professor of Law, University of Wisconsin School of Law; John LaVelle, Professor of Law, University of New Mexico School of Law.

G. William Rice, Associate Professor of Law, University of Tulsa College of Law; Judith Royster, Professor of Law, University of Tulsa College of Law; Angeliqwe Townsend EagleWoman, (Wambdi A. WasteWin), Associate Professor of Law, University of Idaho College of Law; Gloria Valencia-Weber, Professor of Law, University of New Mexico School of Law; Robert T. Anderson, Professor of Law, University of Washington School of Law; Bethany Berger, Professor of Law, University of Connecticut School of Law; Michael C. Blumm, Professor of Law, Lewis and Clark Law School; Debra L. Donahue, Professor of Law, University of Wyoming College of Law; Allison M. Dussias, Professor of Law, New England Law School; Ann Laquer Estin, Aliber Family Chair in Law, University of Iowa College of Law.

Marie A. Fallinger, Professor of Law, Hamline University School of Law; Placido Gomez, Professor of Law, Phoenix School of Law; Lorie Graham, Professor of Law, Suffolk University Law School; James M. Grijalva, Friedman Professor of Law, University of North Dakota School of Law; Douglas R. Heidenreich, Professor of Law, William Mitchell College of Law; Taiawagi Helton, Professor of Law, The University of Oklahoma College of Law; Ann Juliano, Professor of Law, Villanova University School of Law; Vicki J. Limas, Professor of Law, The University of Tulsa College of Law; Aliza Organick, Professor of Law & Co-Director,

Clinical Law Program, Washburn University School of Law; Ezra Rosser, Associate Professor of Law, American University Washington College of Law.

Melissa L. Tatum, Professor of Law, University of Arizona James E. Rogers College of Law; Gerald Torres, Bryant Smith Chair, University of Texas at Austin Visiting Professor of Law Yale Law School; Bryan H. Wildenthal, Professor of Law, Thomas Jefferson School of Law; Sarah Deer, Associate Professor, William Mitchell College of Law; Patty Ferguson-Bohnee, Associate Clinical Professor of Law, ASU Sandra Day O'Connor College of Law; Julia L. Ernst, Assistant Professor of Law, University of North Dakota School of Law; Mary Jo B. Hunter, Clinical Professor, Hamline University School of Law; Kristen Matoy Carlson, Assistant Professor, Wayne State University Law School; Tonya Kowalski, Associate Professor of Law, Washburn University School of Law.

Suzianne D. Painter-Thorne, Associate Professor of Law, Mercer University School of Law; Tim W. Pleasant, Professor of Law, Concord Law School of Kaplan University; Justin B. Richland, JD, PhD, Associate Professor of Anthropology, University of Chicago; Keith Richotte, Assistant Professor of Law, University of North Dakota School of Law; Colette Routel, Associate Professor, William Mitchell College of Law; Steve Russell, Associate Professor Emeritus, Indiana University, Bloomington; Marren Sanders, Assistant Professor of Law, Phoenix School of Law; Maylinn Smith, Associate Professor, University of Montana School of Law; Ann E. Tweedy, Assistant Professor, Hamline University School of Law; Cristina M. Finch, Adjunct Professor, George Mason University School of Law; John E. Jacobson, Adjunct Professor, William Mitchell College of Law.

Mr. UDALL of New Mexico. Mr. President, I respect my colleagues' concerns about the tribal provisions of this bill, and I am willing to work with any Senator who may have concerns about these provisions. Native American law can be daunting, but I want to stress how much effort, research, and consultation went into drafting the tribal provisions in the Violence Against Women Act. Title 9 is taken almost entirely from S. 1763, the Stand Against Violence and Empower Native Women Act, the SAVE Native Women Act. This bill was passed on a Department of Justice proposal submitted to Congress last July. That proposal was the product of extensive multiyear consultations with tribal leaders about public safety generally and violence against women specifically. It builds on the foundation laid by the Tribal Law and Order Act of 2010.

The SAVE Native Women Act was cleared by the Indian Affairs Committee in a unanimous voice vote. The Presiding Officer serves on that committee and knows that this is a committee—the Senate Indian Affairs Committee—that works in a bipartisan way. This passed by a unanimous voice vote through the Senate Indian Affairs Committee.

Shortly thereafter, its core provisions were again vetted and incorporated in the Judiciary Committee's Violence Against Women Act Reauthorization as title 9. In short, the

Safety for Indian Women title has been vetted extensively and enjoys wide and bipartisan support. The tribal provisions in this bill are fundamentally about fairness and clarity and affording Native women the protections they deserve.

As a former Federal prosecutor and attorney general of a State with a large Native American population, I know firsthand how difficult the jurisdictional maze can be for tribal communities. One result of this maze is unchecked crime. Personnel and funding run thin, distance is a major prohibitive factor, and the violence goes unpunished. Title 9 will create a local solution for a local problem by allowing tribes to prosecute the crime occurring in their own communities. They will be equipped to stop the escalation of domestic violence. Tribes have already proven to be effective in combating crimes of domestic violence committed by Native Americans.

Let me reiterate this very important point: Without an act of Congress, tribes cannot prosecute a non-Indian even if he lives on the reservation, even if he is married to a tribal member. Without this act of Congress, tribes will continue to lack authority to protect the women who are members of their own tribes. With this bill, we can close a dark and desperate loophole in criminal jurisdiction.

Beyond extending the jurisdiction of tribes within specific constraints, the bill will also promote other efforts to protect Native women from an epidemic of domestic violence by increasing grants for tribal programs to address violence and for research on violence against Native women and also by allowing Federal prosecutors to seek tougher sentences for perpetrators who strangle or suffocate their spouses or partners.

All of these provisions are about justice. Right now Native women don't get the justice they deserve, but these are strong women. They rightly demand to be heard. They have identified a desperate need and support logical and effective solutions. That is why Native women and tribal leaders across the Nation support the Violence Against Women Reauthorization Act and the proposed tribal provisions. Let us work with these women to create as many tools as possible for confronting domestic violence.

There are far too many stories of desperation that illustrate why the provisions protecting Native women are in this bill, and I want to share one story now. This is the story of a young Native American woman married to a non-Indian. He began abusing her 2 days after their wedding. They lived on her reservation. In great danger, she filed for an order of protection as well as a divorce within the first year of marriage. The brutality only increased. It ended with the woman's abuser

going to her place of work—which was located on the reservation—and attempting to kill her with a gun. A co-worker, trying to protect her, took the bullet. Before that awful day, this young woman had nowhere to turn for help. She said:

After a year of abuse and more than 100 incidents of being slapped, kicked, punched and living in horrific terror, I left for good. During the year of marriage I lived in constant fear of attack. I called many times for help, but no one could help me.

The tribal police did not have jurisdiction over the daily abuse because the abuser was a non-Indian. The Federal Government had jurisdiction but chose not to exercise it because the abuse was only misdemeanor level prior to the attempted murder. The State did not have jurisdiction because the abuse was on tribal land and the victim was Native American.

Her abuser, at one point after an incident of abuse, actually called the county sheriff himself to prove that he was untouchable. The deputy sheriff came to the home on tribal land but left saying he did not have jurisdiction. This is just one of the daily, even hourly, stories of abuse, stories that should outrage us all. These stories could end through local intervention and local authority that will only be made possible through an act of Congress. We have the opportunity to support such an act in the tribal provisions of VAWA.

I encourage my colleagues to fully support the tribal provisions in this very important bill.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

SURFACE TRANSPORTATION ACT

Mrs. SHAHEEN. Mr. President, 42 days ago—that is more than 1,000 hours—42 days ago, 74 Senators from this Chamber voted to pass a badly needed, long-term transportation bill. At that time, I joined many of my colleagues from both sides of the aisle to call on the House to consider the Senate's bill or a similar bipartisan bill that would provide highway and transit programs with level funding for at least 2 years.

While the House has not yet passed a long-term bill, I am pleased that they voted to go to conference with the Senate. That means we are one step closer to finally having legislation in place that would support nearly 2 million jobs—about 6,600 of those in New Hampshire—and a bill that would maintain current funding levels, which would avoid an increase in both the

deficit and gas taxes. I urge the House and the Speaker to immediately appoint conferees so we can continue moving forward and finally pass a long-term transportation bill. We cannot wait any longer. Mr. President, 937 days have passed since our last Federal Transportation bill expired. If you are counting, that is 2 years, 6 months, and 27 days.

If the House does not join the Senate and support a reasonable bipartisan transportation bill that is paid for, States and towns will not have the certainty they need from Washington to plan their projects and improve their transportation infrastructure.

According to numerous studies, deteriorating infrastructure—the highways, the railroads, the transit systems, the bridges that knit our economy together—cost businesses more than \$100 billion a year in lost productivity. That is because we are not making the investments we need to make. And this is no time to further stall programs that encourage economic growth and create the climate for businesses to succeed.

In New Hampshire, we very directly experience the consequences of this uncertainty. The main artery that runs north and south in New Hampshire, Interstate 93, is congested. Currently, we have a project underway that would reduce that congestion on our State's most important highway. It would create jobs. It would spur economic development.

Although this project has been underway for several years, the pace of the project has slowed dramatically because we do not have a transportation bill in place. Businesses and developers along the I-93 corridor cannot hire workers or invest for the future while the project remains uncertain.

We need to act now to unleash the economic growth this project and transportation investments across the country will make possible. We know that projects such as Interstate 93 produce good jobs. New Hampshire's Department of Transportation said that work on just one section of the highway—just one section, between exits 2 and 3—created 369 construction jobs. And all around the country we have projects like Interstate 93 that are waiting on Congress to complete this effort.

For every billion dollars we spend in infrastructure investment, it creates 27,000 jobs. It should not be so hard to get this done. If BARBARA BOXER and JIM INHOFE can agree on legislation, then the House ought to be able to agree on legislation. Cities and businesses need the certainty as we get to the new construction season. And the longer the House waits to appoint conferees, the harder it will be for Congress to pass a long-term bill.

I urge the House to swiftly appoint representatives to negotiate with the

Senate so that we can come together and make the Federal investments necessary to get transportation projects moving and get people back to work.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

21ST CENTURY POSTAL SERVICE ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1789, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1789) to improve, sustain, and transform the United States Postal Service.

Pending:

Reid (for Lieberman) modified amendment No. 2000, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 2071, AS MODIFIED

Mr. LIEBERMAN. Mr. President, on behalf of Senator WARNER, I ask unanimous consent to call up the Warner amendment No. 2071, with a modification that is at the desk, and I ask that it be considered in the original order of the previous agreement.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendment, as modified.

The bill clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for Senator WARNER, proposes an amendment numbered 2071, as modified.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. CARDIN. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require reporting regarding retirement processing and modernization)

At the appropriate place, insert the following:

SEC. . RETIREMENT REPORTING.

(a) TIMELINESS AND PENDING APPLICATIONS.—Not later than 60 days after the date of enactment of this Act, and every month thereafter, the Director of the Office of Personnel Management shall submit to Congress, the Comptroller General of the United States, and issue publicly (including on the website of the Office of Personnel Management) a report that—

(1) evaluates the timeliness, completeness, and accuracy of information submitted by the Postal Service relating to employees of the Postal Service who are retiring, as compared with such information submitted by agencies (as defined under section 551 of title 5, United States Code); and

(2) includes—

(A) the total number of applications for retirement benefits for employees of the Postal Service that are pending action by the Office of Personnel Management; and

(B) the number of months each such application has been pending.

(b) ELECTRONIC DATA TIMETABLE.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Office of Personnel Management shall submit to Congress and the Comptroller General of the United States a timetable for completion of each component of a retirement systems modernization project of the Office of Personnel Management, including all data elements required for accurate completion of adjudication and the date by which electronic transmission of all personnel data to the Office of Personnel Management by the Postal Service shall commence.

(2) TIMETABLE CONSIDERATIONS.—In providing a timetable for the commencing of the electronic transmission of all personnel data by the Postal Service under paragraph (1), the Office of Personnel Management shall consider the milestones established by other payroll processors participating in the retirement systems modernization project of the Office of Personnel Management.

Mr. LIEBERMAN. Mr. President, I thank all our colleagues. We have made good bipartisan progress on a bipartisan bill that I think will go a long way toward solving the current crisis situation in our U.S. Postal Service.

We have several amendments remaining, approximately nine rollcall votes—hopefully fewer as this goes on—and a number of other amendments that we hope will be considered by a voice vote and perhaps even, in the wisdom of the sponsor, withdrawn. At least I look at the occupant of the chair, and I know he is a man who is very wise, and I thank him.

Mr. President, in the normal order, Senator MANCHIN of West Virginia is next up.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

AMENDMENT NO. 2079

Mr. MANCHIN. Mr. President, on behalf of my cosponsors, Senator ROCKEFELLER, Senator MIKULSKI, and Senator MERKLEY, I call up amendment No. 2079.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from West Virginia [Mr. MANCHIN], for himself, Mr. ROCKEFELLER, Ms. MIKULSKI, and Mr. MERKLEY, proposes an amendment numbered 2079.

Mr. MANCHIN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To extend the moratorium on the closing and consolidation of postal facilities or post offices, station, or branches)

At the appropriate place, insert the following:

SEC. . MORATORIUM ON CLOSING AND CONSOLIDATING POSTAL FACILITIES OR POST OFFICES, STATIONS, OR BRANCHES.

(a) DEFINITION.—In this section, the term “postal facility” has the same meaning as in section 404(f) of title 39, United States Code, as added by this Act.

(b) MORATORIUM.—Notwithstanding section 404 of title 39, United States Code, as amended by this Act, or any other provision of law, the Postal Service may not close or consolidate a postal facility or post office, station, or branch, except as required for the immediate protection of health and safety, before the later of—

(1) the date on which the Postal Service establishes the retail service standards under section 203 of this Act; and

(2) the date that is 2 years after the date of enactment of this Act.

(c) CONFORMING PROVISION.—Section 205(b) of this Act shall have no force or effect.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 minute.

Mr. MANCHIN. Mr. President and all of my colleagues here, this amendment is the only one that will give us a chance to save, truly, the American Postal Service. It is the only one. It is a 2-year prohibition against closing any of our post offices and postal services.

A lot of good things have been done and a lot of amendments have been made already that nibble around the edges. This is the only amendment that basically says: For a 2-year period, you have to sit down and restructure this. Now, \$200 million is what they are talking about. I can go in many different directions with this, but that is 1 day in Afghanistan.

This is what the little State of West Virginia will lose: 150 post offices.

They are saying: Well, we have a 1-year moratorium. We can restructure this and show where the savings should be.

I have a lot of different ideas on where the savings can be, but I can tell you right now that we can start with former Postmaster General Potter, who earned \$501,000. That is more than the President of the United States. There are a lot of savings at the top end of this. But we could save these.

If you take these lifelines away—and this is all that people have. They get their medicine and they get everything they do and depend on their lifelines with these post offices. They have nothing else. Their towns have just about gone away except for that connection. And I am asking basically for my colleagues to consider keeping these lifelines. Let us work and give us the 2-year period we need.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, respectfully to my dear friend from West Virginia, I am going to oppose this amendment, and let me put it in this context. The U.S. Postal Service is in trouble. It is losing about \$23 million or \$24 million on the average every

day, more than \$13 billion in the last 2 years. It is not going to survive if the status quo prevails. It needs to change. This bill provides for change but in a way that we think is balanced and reasonable. My friend from West Virginia has introduced an amendment that would prohibit all change for the next 2 years and therefore I think open the way for a kind of death spiral for the U.S. Postal Service.

There are many protections in our bill before a post office could be closed, even more or just as many before a mail-processing facility could be closed. We added more protections yesterday with the McCaskill-Merkley and the Tester-Levin amendments, but they allow change because without change this Postal Service of ours will die.

The PRESIDING OFFICER. All time has expired.

Mr. MANCHIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Utah (Mr. HATCH), and the Senator from Illinois (Mr. KIRK).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 53, as follows:

[Rollcall Vote No. 77 Leg.]

YEAS—43

Akaka	Inouye	Pryor
Barrasso	Johnson (SD)	Reed
Baucus	Kerry	Reid
Begich	Kohl	Rockefeller
Blumenthal	Landrieu	Sanders
Boxer	Lautenberg	Schumer
Brown (OH)	Leahy	Shaheen
Cardin	Levin	Stabenow
Casey	Manchin	Tester
Durbin	McCaskill	Udall (NM)
Enzi	Menendez	Whitehouse
Gillibrand	Merkley	Wicker
Hagan	Mikulski	Wyden
Harkin	Nelson (NE)	
Heller	Nelson (FL)	

NAYS—53

Alexander	Cooms	Kyl
Ayotte	Corker	Lee
Bennet	Cornyn	Lieberman
Bingaman	Crapo	Lugar
Blunt	DeMint	McCain
Boozman	Franken	McConnell
Brown (MA)	Graham	Moran
Burr	Grassley	Murkowski
Cantwell	Hoehn	Murray
Carper	Hutchison	Paul
Coats	Inhofe	Portman
Coburn	Isakson	Risch
Cochran	Johanns	Roberts
Collins	Johnson (WI)	Rubio
Conrad	Klobuchar	Sessions

Shelby	Toomey	Warner
Snowe	Udall (CO)	Webb
Thune	Vitter	

NOT VOTING—4

Chambliss	Hatch
Feinstein	Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, next on the list is Senator PAUL's amendment No. 2026.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, at a time when America's infrastructure is crumbling, at a time when the Postal Service is losing \$4 billion a year, does it make sense to send \$2 billion to Egypt? Does it make sense to borrow money from China to send it to Egypt? At a time when American citizens are being prosecuted in Egypt, at a time when American citizens are having international warrants sworn out on their arrests by Egypt, does it make sense to send \$2 billion to Egypt?

Last week I met with a young prodemocracy worker from Egypt. She is afraid to return home. She is afraid she will never see her children again. She is afraid of the cage they will put her in to prosecute her for political crimes. She fears that the Egyptian freedom movement will die in its infancy.

So I ask—for as long as prodemocracy workers are being prosecuted, American and Egyptian—I ask unanimous consent to call up amendment No. 2023 and that it be voted on.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. LIEBERMAN. I object on the same grounds we discussed earlier in this debate. It is irrelevant to the subject matter of the Postal Service.

Mr. PAUL. Mr. President, I ask unanimous consent to not offer my amendment No. 2026, and I yield back.

The PRESIDING OFFICER. The Senator has that right.

Mr. LIEBERMAN. I thank my friend from Kentucky.

AMENDMENT NO. 2076

Mr. BINGAMAN. Mr. President, I call up amendment No. 2076.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 2076.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require that State liaisons for States without a district office are located within their respective States)

On page 48, line 2, after "State." insert the following: "An employee designated under this subsection to represent the needs of Postal Service customers in a State shall be located in that State."

Mr. BINGAMAN. Mr. President, this amendment is cosponsored by my colleague, Senator UDALL, and would require State liaisons for States that do not have district offices in them to be located within the States they represent. This is a commonsense amendment. There are 10 States that will not have district offices in them. As currently contemplated, they are operated out of district offices in adjacent States.

The substitute amendment would require the Postal Service to designate at least one employee to be a State liaison, and this amendment I am offering says that person must be located within the State they represent.

I ask all my colleagues to support this. I don't see any basis for objection to it.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, this is an excellent and thoughtful amendment introduced by the Senator from New Mexico, and I am glad to support it. I urge that it be accepted by voice vote.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment.

The amendment (No. 2076) was agreed to.

AMENDMENT NO. 2027

Mr. LIEBERMAN. Mr. President, next is the amendment offered by Senator PAUL, amendment No. 2027.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I ask unanimous consent to call up amendment No. 2027.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2027.

Mr. PAUL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the closing of post offices in the Capitol Complex)

At the end of title II, insert the following: **SEC. . . . CAPITOL COMPLEX POST OFFICES.**

(a) HOUSE OF REPRESENTATIVES.—

(1) IN GENERAL.—The Postal Service shall not maintain or operate more than 1 post office in the United States Capitol Complex, as defined in section 310(a)(3)(B) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e(a)(3)(B)), which shall be located in a House Office Building.

(2) CLOSING OF CAPITOL POST OFFICES.—The Postal Service shall close any post office in

the United States Capitol Complex, as defined in section 310(a)(3)(B) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e(a)(3)(B)), not permitted under this subsection, without regard to the requirements under section 404(d) of title 39, United States Code.

(b) SENATE.—

(1) IN GENERAL.—The Sergeant at Arms and Doorkeeper of the Senate may not enter into, modify, or renew a contract with the Postal Service to maintain or operate more than 1 post office in a Senate Office Building.

(2) EXISTING CONTRACTS.—Nothing in paragraph (1) may be construed to affect a contract entered into by the Sergeant at Arms and Doorkeeper of the Senate and the Postal Service before the date of enactment of this Act.

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. PAUL. Mr. President, at a time when we are asking post offices and people around our country to suffer the loss of their local post office, I think the very least we can do is show we are willing to give up some of the post offices around here. We have seven post offices in the Capitol. We have a post office in almost every building. I am asking that we have one on the House side and one on the Senate side. If we are asking people to suffer the loss of their post offices in their States, I think the very least we can do is do without a few post offices here, and I hope my colleagues will support this amendment.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Maine.

Ms. COLLINS. Mr. President, this is a commonsense amendment. It would limit the number of post offices in the Capitol Complex to one on each side—one in the House and one in the Senate. It does not affect the processing of mail out of the Capitol, and I believe we should accept the amendment.

I urge that we accept the amendment by a voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2027) was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, next on the list is Senator CARDIN's amendment No. 2040, which I understand he will withdraw.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I am going to withdraw the amendment. Let me point out that this amendment was offered in an effort to make sure we can continue overnight delivery in most of our country by keeping open processing centers that are necessary. The underlying substitute that Senator LIEBERMAN, Senator COLLINS, Senator

CARPER, and Senator BROWN brought forward accomplishes that goal. I don't believe this amendment is necessary. For that reason, I will not offer the amendment.

Mr. LIEBERMAN. Mr. President, I thank my friend from Maryland for moving expeditiously. I hope it will continue.

Next is Senator PAUL's amendment No. 2028.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 2028

Mr. PAUL. Mr. President, I ask unanimous consent to call up amendment No. 2028.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2028.

Mr. PAUL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To establish a pilot program to test alternative methods for the delivery of postal services)

At the appropriate place, insert the following:

SEC. —. PILOT PROGRAM TO TEST ALTERNATIVE METHODS FOR THE DELIVERY OF POSTAL SERVICES.

(a) DEFINITION.—In this section, the term "review board" means a postal performance review board established under subsection (c)(2).

(b) PILOT PROGRAM.—

(1) IN GENERAL.—The United States Postal Service may conduct a pilot program to test the feasibility and desirability of alternative methods for the delivery of postal services. Subject to the provisions of this section, the pilot program shall not be limited by any lack of specific authority under title 39, United States Code, to take any action contemplated under the pilot program.

(2) WAIVERS.—

(A) IN GENERAL.—The Postal Service may waive any provision of law, rule, or regulation inconsistent with any action contemplated under the pilot program.

(B) CONTENT.—A waiver granted by the Postal Service under subparagraph (A) may include a waiver of requirements relating to—

- (i) days of mail delivery;
- (ii) the use of cluster-boxes;
- (iii) alternative uses of mailboxes; and
- (iv) potential customer charges for daily at-home delivery.

(C) REGULATIONS AND CONSULTATION.—The Postal Service shall issue any waiver under subparagraph (A)—

- (i) in accordance with regulations under subsection (h); and
- (ii) with respect to a waiver involving a provision of title 18, United States Code, in consultation with the Attorney General.

(c) REQUIREMENTS.—

(1) IN GENERAL.—

(A) APPLICATION.—Under the pilot program, alternative methods for the delivery of postal services may be tested only in a community that submits an appropriate application (together with a written plan)—

- (i) in such time, form, and manner as the Postal Service by regulation requires; and

- (ii) that is approved by the Postal Service.

(B) CONTENTS.—Any application under this paragraph shall include—

- (i) a description of the postal services that would be affected;
- (ii) the alternative providers selected and the postal services each would furnish (or the manner in which those decisions would be made);
- (iii) the anticipated costs and benefits to the Postal Service and users of the mail;
- (iv) the anticipated duration of the participation of the community in the pilot program;

(v) a specific description of any actions contemplated for which there is a lack of specific authority or for which a waiver under subsection (b)(2) would be necessary; and

(vi) any other information as the Postal Service may require.

(2) REVIEW BOARDS.—

(A) IN GENERAL.—Under the pilot program, a postmaster within a community may, in accordance with regulations prescribed by the Postal Service, establish a postal performance review board.

(B) FUNCTIONS.—A review board shall—

(i) submit any application under paragraph (1) on behalf of the community that the review board represents; and

(ii) carry out the plan on the basis of which any application with respect to that community is approved.

(C) MEMBERSHIP.—A review board shall consist of—

(i) the postmaster for the community (or, if there is more than 1, the postmaster designated in accordance with regulations under subsection (h));

(ii) at least 1 individual who shall represent the interests of business concerns; and

(iii) at least 1 individual who shall represent the interests of users of the class of mail for which the most expeditious handling and transportation is afforded by the Postal Service.

(iv) CHAIRPERSON.—The postmaster for the community (or postmaster so designated) shall serve as chairperson of the review board.

(3) ALTERNATIVE PROVIDERS.—To be eligible to be selected as an alternative provider of postal services, a provider shall be a commercial enterprise, nonprofit organization, labor organization, or other person that—

(A) possesses the personnel, equipment, and other capabilities necessary to furnish the postal services concerned;

(B) satisfies any security and other requirements as may be necessary to safeguard the mail, users of the mail, and the general public;

(C) submits a bid to the appropriate review board in such time, form, and manner (together with such accompanying information) as the review board may require; and

(D) meets such other requirements as the review board may require, consistent with any applicable regulations under subsection (h).

(4) USE OF POSTAL FACILITIES AND EQUIPMENT.—A postmaster may, at the discretion of the postmaster, allow alternative providers to use facilities and equipment of the Postal Service. Any such use proposed by a person in a bid submitted under paragraph (3)(C) shall, for purposes of the competitive bidding process, be taken into account using the fair market value of such use.

(5) APPLICATIONS FROM COMMUNITIES WITH POTENTIAL CLOSURES.—When reviewing and granting applications, the Postal Service

shall give priority to applications from communities identified for potential post office closures.

(d) LIMITATION ON APPLICATIONS.—

(1) IN GENERAL.—Except as provided under paragraph (2), no more than 250 applications may be approved for participation in the pilot program under this section at any 1 time.

(2) INCREASED LIMITATION.—If more than 250 applications for participation in the pilot program are filed during the 90-day period beginning on the date of enactment of this Act, no more than 500 applications may be approved for participation in the pilot program under this section at any 1 time.

(e) TERMINATION OF COMMUNITY PARTICIPATION.—Subject to such conditions as the Postal Service may by regulation prescribe and the terms of any written agreement or contract entered into in conformance with such regulations, the participation of a community in the pilot program may be terminated by the Postal Service or by the review board for that community if the Postal Service or the review board determines that the continued participation of the community is not in the best interests of the public or the Government of the United States.

(f) EVALUATIONS.—

(1) IN GENERAL.—The Postal Service shall evaluate the operation of the pilot program within each community that participates in the pilot program.

(2) CONTENTS.—An evaluation under this subsection shall include an examination, as applicable, of—

(A) the reliability of mail delivery (including the rate of misdeliveries) in the community;

(B) the timeliness of mail delivery (including the time of day that mail is delivered and the time elapsing from the postmarking to delivery of mail) in the community;

(C) the volume of mail delivered in the community; and

(D) any cost savings or additional costs to the Postal Service attributable to the use of alternative providers.

(3) ANALYSIS OF DATA.—Data included in any evaluation under this subsection shall be analyzed—

(A) by community characteristics, time of year, and type of postal service;

(B) by residential, business, and any other type of mail user; and

(C) on any other basis as the Postal Service may determine.

(4) SUBMISSION OF EVALUATIONS.—Not later than 90 days after the date on which the pilot program terminates, the Postal Service shall submit each evaluation under this subsection and an overall evaluation of the pilot program to the President and Congress.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the obligation of the Postal Service to continue providing universal service, in accordance with otherwise applicable provisions of law, in all aspects not otherwise provided for under this section.

(h) REGULATIONS.—The Postal Service may prescribe any regulations necessary to carry out this section.

(i) TERMINATION.—

(1) TERMINATION BY THE POSTAL SERVICE.—The Postmaster General may terminate the pilot program under this section before the date described in paragraph (2)(A), if—

(A) the Postmaster General determines that continuation of the pilot program is not in the best interests of the public or the Government of the United States; and

(B) the Postal Regulatory Commission approves the termination.

(2) TERMINATION AFTER 5 YEARS.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the authority to conduct the pilot program under this section shall terminate 5 years after the date of enactment of this Act.

(B) EXTENSIONS.—

(i) IN GENERAL.—The Postmaster General may extend the authority to conduct the pilot program under this section, if before the date that the authority to conduct the pilot program would otherwise terminate, the Postmaster General submits a notice of extension to Congress that includes—

(I) the term of the extension; and

(II) the reasons that the extension is in the best interests of the public or the Government of the United States.

(ii) MULTIPLE EXTENSIONS.—The Postmaster General may provide for more than 1 extension under this subparagraph.

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. PAUL. Mr. President, this amendment would allow a pilot program for local postal autonomy. One of the complaints I heard from postmasters when they came to talk to me about this bill is that they think there is a lot of middle management in the Postal Service making unwise decisions, and if they were given more autonomy at the local level to make decisions about their post offices, they would have the ability to have cost-saving measures to try to save the post office for their local community. I think this makes sense. I think we would have more innovation and get some useful ideas from our local postmasters.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I respectfully oppose this amendment. This would actually fracture the U.S. Postal Service as we have known it, as a national institution that maintains national standards, including the promise of universal service wherever one lives or does business, by authorizing localities to break away. I think that in doing so, it would jeopardize the foundation promise our Postal Service made since the beginning of universal service. So I would oppose the amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, this amendment establishes what is essentially a privatization pilot program for the alternative delivery of mail outside of the universal service mandate of the Postal Service. I believe it would create chaos by allowing for inconsistent delivery standards across the country. It would cause cream skimming of profitable delivery areas, and that would harm rural America.

I urge rejection of the amendment.

Mr. PAUL. Mr. President, this amendment doesn't change any of the postal mandates and, to tell my colleagues the truth, the system we have

now is not working very well. I think we do need some innovation, so I think it would be a good idea to vote for this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. CARDIN). Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 2028.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 35, nays 64, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—35

Alexander	Grassley	Moran
Ayotte	Hatch	Paul
Barrasso	Heller	Risch
Burr	Hutchison	Roberts
Chambliss	Inhofe	Rubio
Coats	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kyl	Thune
Crapo	Lee	Toomey
DeMint	Lugar	Vitter
Enzi	McCain	Wicker
Graham	McConnell	

NAYS—64

Akaka	Franken	Murray
Baucus	Gillibrand	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Portman
Bingaman	Hoeben	Pryor
Blumenthal	Inouye	Reed
Blunt	Isakson	Reid
Boozman	Johnson (SD)	Rockefeller
Boxer	Kerry	Sanders
Brown (MA)	Klobuchar	Schumer
Brown (OH)	Kohl	Shaheen
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Coburn	Lieberman	Udall (NM)
Cochran	Manchin	Warner
Collins	McCaskill	Webb
Conrad	Menendez	Whitehouse
Coons	Merkley	Wyden
Durbin	Mikulski	
Feinstein	Murkowski	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, the next amendment is Senator CARPER's amendment No. 2065.

Mr. CARPER. Mr. President, I ask unanimous consent to withdraw amendment No. 2065.

The PRESIDING OFFICER. The Senator has that right. The amendment has not been proposed.

Mr. LIEBERMAN. I thank my friend from Delaware.

AMENDMENT NO. 2029, AS MODIFIED

Mr. President, we go now to Senator PAUL's amendment No. 2029.

Mr. PAUL. Mr. President, I ask unanimous consent that amendment No. 2029 with the modifications at the desk be reported.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report the amendment, as modified.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2029, as modified.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Postal Service to take into consideration the impact of regulations when developing a profitability plan)

On page 136, between lines 14 and 15, insert the following:

(5) the impact of—

(A) regulations the Postmaster General was required by Congress to promulgate; and
(B) congressional action required to facilitate the profitability of the Postal Service;

On page 136, line 15, strike "(5)" and insert "(6)".

On page 136, line 18, strike "(6)" and insert "(7)".

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. PAUL. Mr. President, this amendment would add a technical change to the profitability plan that is already required under the bill, and it would simply ask that when they do the profitability plan, they report on whether Congress is helping or hurting. A lot of times we do things that are well intentioned that may not work out. I think they need to let us know more about whether Congress is helping or hurting the process.

I urge adoption of this amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I support the amendment. The underlying bill requires the Postal Service to send us a detailed plan for attaining long-term financial solvency. This amendment would add several factors to the list of items that should be considered in the report. I think it strengthens the bill, and I urge its adoption by voice vote.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I too support the amendment and urge its adoption.

The PRESIDING OFFICER. If there is no further debate, the question is on the adoption of the amendment.

The amendment (No. 2029), as modified, was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2066

Mr. LIEBERMAN. Mr. President, next is Senator CARPER's amendment No. 2066.

Mr. CARPER. Mr. President, I call up amendment No. 2066.

The PRESIDING OFFICER (Mr. MERKLEY). The clerk will report.

The legislative clerk read as follows: The Senator from Delaware [Mr. CARPER] proposes an amendment numbered 2066.

Mr. CARPER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To appropriately limit the compensation of executives of the Postal Service)

At the appropriate place, insert the following:

SEC. _____ EXECUTIVE COMPENSATION.

(a) LIMIT ON MAXIMUM COMPENSATION.—

(1) NUMBER OF EXECUTIVES.—Section 3686(c) of title 39, United States Code, is amended in the first sentence by striking "12 officers" and inserting "6 officers".

(2) INTERIM LIMITATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), and notwithstanding section 3686(c) of title 39, United States Code, as amended by this Act, for 2012, 2013, 2014, and 2015, the total compensation of an officer or employee of the Postal Service may not exceed the annual amount of basic pay payable for level I of the Executive Schedule under section 5312 of title 5.

(B) PERFORMANCE BASED COMPENSATION RELATING TO SOLVENCY PLAN.—

(i) IN GENERAL.—Any compensation relating to achieving the goals established under the plan under section 401 shall not apply toward the limit on compensation under subparagraph (A).

(ii) OTHER LIMITATIONS APPLY.—Nothing in this subparagraph shall be construed to modify the limitation on compensation under subsections (b) and (c) of section 3686 of title 39, United States Code, as amended by this Act.

(b) CARRY OVER COMPENSATION.—The Postal Service may not pay compensation for service performed during a year (in this subsection referred to as the "base year") in any subsequent year if the total amount of compensation provided relating to service during the base year would exceed the amount specified under section 3686(c) of title 39, United States Code, as amended by this Act, or subsection (a)(2), as applicable.

(c) BENEFITS.—Section 1003 of title 39, United States Code, is amended by adding at the end the following:

"(e) LIMITATIONS ON BENEFITS.—For any fiscal year, an officer or employee of the Postal Service who is in a critical senior executive or equivalent position, as designated under section 3686(c), may not receive fringe benefits (within the meaning given that term under section 1005(f)) that are greater than the fringe benefits received by supervisory and other managerial personnel who are not subject to collective-bargaining agreements under chapter 12."

(d) EFFECTIVE DATE; APPLICABILITY.—This section and the amendments made by this section shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any contract entered or modified by the Postal Service on or after the date of enactment of this Act.

Mr. CARPER. Mr. President, some of our colleagues have raised justifiable concerns about the level of compensation that has gone to some of the most senior officials at the U.S. Postal Service. The compensation package for one previous leader of the Postal Service was in excess of \$1 million. In a day and age when rank-and-file postal employees are going to be asked to make some sacrifices as labor negotiations go forward, I think it is important for us to remember the concept of leadership by example.

This amendment makes sure that, frankly, deferred compensation packages of the kind I just described do not occur. We cut in half—from 12 to 6—the number of postal executives who are able to receive compensation in excess of a Cabinet-level salary, but to give the Board of Governors the ability to pay a fee for good progress toward reducing the budget deficit at the Postal Service through pay above that up to about \$270,000.

The last thing we say is, the idea that senior executives at the Postal Service do not have to pay anything for health care or do not have to pay anything for their life insurance is wrong and that should end. We do that with this amendment.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I support the amendment on executive compensation. I believe it addresses this matter in a manner that President Bush 41 might have called prudent. I urge it be adopted by a voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2066) was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2039

Mr. LIEBERMAN. Mr. President, the next amendment is Senator PAUL's amendment No. 2039.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I call up amendment No. 2039.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2039.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit employees of the United States Postal Service from engaging in collective bargaining)

At the end of title I, add the following:

SEC. 107. PROHIBITION ON COLLECTIVE BARGAINING.

(a) IN GENERAL.—Section 1206 of title 39 is amended to read as follows:

“§ 1206. Prohibition on collective-bargaining agreements

“The Postal Service may not enter into a collective-bargaining agreement with any labor organization.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 12 of title 39, United States Code, is amended—

(1) in section 1202—

(A) in the section heading, by striking “Bargaining units” and inserting “Employee organizations”;

(B) by striking the first sentence; and

(C) by striking “The National Labor Relations Board shall not include in any bargaining unit—” and inserting “An organization of employees of the United States Postal Service shall not include—”;

(2) in section 1203, by striking subsections (c), (d), and (e);

(3) in section 1204(a), by striking “shall be conducted under the supervision of the National Labor Relations Board, or persons designated by it, and”;

(4) in section 1205(a), by striking “not subject to collective-bargaining agreements”;

(5) by striking sections 1207, 1208, and 1209; and

(6) in the table of sections—

(A) by striking the item relating to section 1202 and inserting the following:

“1203. Employee organizations.”; and

(B) by striking the items relating to sections 1206, 1207, 1208, and 1209 and inserting the following:

“1206. Prohibition on collective-bargaining agreements.”.

Mr. PAUL. Mr. President, let’s be frank. The Postal Service is bankrupt and only dramatic action will fix the Postal Service. The problem is labor costs. Eighty percent of the Postal Service’s costs are labor. If we look at UPS, it is about 50 percent. If we look at FedEx, it is about 38 percent. Before we close one post office, before we end Saturday mail, before we ask citizens to get poorer services for higher prices, maybe we ought to look at the root of the problem.

Even FDR—the biggest of the big government advocates—said this about collective bargaining:

All Government employees should realize that the process of collective bargaining, as usually understood, cannot be transplanted into the public service.

So agreeing with FDR, I hope my colleagues from across the aisle will agree with their patron saint FDR and will support this amendment that would end collective bargaining.

In the interest of time, I will be happy to have a voice vote.

The PRESIDING OFFICER. The Senator’s time has expired.

The Senator from Maine.

Ms. COLLINS. Mr. President, this amendment would strip from the postal workers the right to collectively bar-

gain. This is an enormous change in labor law. Postal workers have had the right to engage in collective bargaining for more than 30 years. We did make changes in this bill in the arbitration process. We made sure if a contract dispute goes to arbitration, the arbitrator has to consider the financial condition of the Postal Service. That will help bring balance into the system. But there is no justification for completely removing the right of workers to collectively bargain.

I urge we reject the amendment. The PRESIDING OFFICER. All time has expired.

The question is on agreeing to amendment No. 2039.

Mr. PAUL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 23, nays 76, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—23

Barrasso	Graham	Paul
Burr	Hatch	Risch
Chambliss	Heller	Sessions
Corker	Inhofe	Shelby
Cornyn	Kyl	Thune
Crapo	Lee	Toomey
DeMint	McCain	Vitter
Enzi	McConnell	

NAYS—76

Akaka	Gillibrand	Murkowski
Alexander	Grassley	Murray
Ayotte	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Hoeven	Portman
Bennet	Hutchison	Pryor
Bingaman	Inouye	Reed
Blumenthal	Isakson	Reid
Blunt	Johanns	Roberts
Boozman	Johnson (SD)	Rockefeller
Boxer	Johnson (WI)	Rubio
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Coats	Levin	Udall (CO)
Coburn	Lieberman	Udall (NM)
Cochran	Lugar	Warner
Collins	Manchin	Webb
Conrad	McCaskill	Whitehouse
Coons	Menendez	Wicker
Durbin	Merkley	Wyden
Feinstein	Mikulski	
Franken	Moran	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote and lay that motion upon the table.

The motion to lay upon the table was agreed to.

Mr. LIEBERMAN. Mr. President, next on our list—we are moving well; I thank my colleagues—is Senator CASEY’s amendment No. 2042.

AMENDMENT NO. 2042

Mr. CASEY. Mr. President, I rise to speak on amendment No. 2042. This is really an amendment that maintains standards that we have had a right to expect and have expected for many generations; that is, the standard of service that the Postal Service has come to be known for.

I call up amendment No. 2042.

The PRESIDING OFFICER. The clerk will report the amendment.

The Senator from Pennsylvania [Mr. CASEY] proposes an amendment numbered 2042.

The amendment is as follows:

(Purpose: To maintain current delivery time for market-dominant products)

At the appropriate place, insert the following:

SEC. ____ . MAINTENANCE OF DELIVERY SERVICE STANDARDS.

(a) IN GENERAL.—

(1) DEFINITION.—In this subsection, the term “2011 market-dominant product service standards” means the expected delivery time for market-dominant products entered into the network of sectional center facilities that existed on September 15, 2011, under part 121 of title 39, Code of Federal Regulations (as in effect on March 14, 2010).

(2) MAINTENANCE OF DELIVERY TIME.—Notwithstanding subsections (a), (b), and (c) of section 3691 of title 39, United States Code, the Postal Service may not increase the expected delivery time for market-dominant products, relative to the 2011 market-dominant product service standards, earlier than the date that is 4 years after the date of enactment of this Act.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) POSTAL FACILITIES.—Section 404(f) of title 39, United States Code, as added by this Act, is amended—

(A) in paragraph (6)(C)—

(i) by striking “3-year period” and inserting “4-year period”; and

(ii) by striking “section 201 of”; and

(B) in paragraph (7)—

(i) in subparagraph (A), by striking “, including the service standards established under section 201 of the 21st Century Postal Service Act of 2012”; and

(ii) in subparagraph (B), by striking “, including the service standards established under section 201 of the 21st Century Postal Service Act of 2012.”.

(2) DEFINITION.—For purposes of section 206(a)(2), the term “continental United States” means the 48 contiguous States and the District of Columbia.

(3) SECTION 201.—Section 201 of this Act shall have no force or effect.

Mr. CASEY. Mr. President, this is about the standard of service that we have come to expect from the Postal Service for many generations. I realize a lot of work has gone into this consensus that has developed. We know we need to make changes to the Postal Service. But one thing we should not change or downgrade or compromise or degrade in any way is the standard of service.

I think what we should do is have a 4-year moratorium on the implementation that would lead to changes because there will be a lot of changes made in the next couple of years upon enactment. What we should not do, though, is move too quickly to change the standard of service that people have had a right to rely upon.

I would ask for a “yes” vote on this amendment. I should note for the record the cosponsors: Senator BROWN of Ohio, Senator SANDERS, Senator BAUCUS, Senator LEAHY, Senator MCCASKILL, Senator SHAHEEN, Senator MERKLEY, and Senator MENENDEZ.

I would ask for a “yes” vote.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to oppose the amendment by my friend from Pennsylvania. Everybody acknowledges that the Postal Service is in crisis, losing \$23 million a day. Mail volume has dropped 21 percent in the last 5 years. That means everybody—we simply cannot afford every mail processing facility that exists because there is not that much mail anymore.

The Postal Service will only survive if we change it. Our bill allows for orderly change. This amendment would basically maintain the status quo for 4 years. I think doing so is a kind of invitation to the Postal Service to go into bankruptcy. Our country cannot afford that. So, respectfully, I would oppose the amendment.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to Casey amendment No. 2042.

Mr. DURBIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—44

Akaka	Harkin	Merkley
Baucus	Heller	Mikulski
Begich	Inouye	Murray
Bennet	Johnson (SD)	Nelson (NE)
Blumenthal	Kerry	Pryor
Boxer	Klobuchar	Reed
Brown (OH)	Kohl	Rockefeller
Cantwell	Lautenberg	Sanders
Cardin	Leahy	Schumer
Casey	Levin	Shaheen
Durbin	Manchin	Snowe
Franken	McCaskill	Stabenow
Gillibrand	Menendez	

Tester
Udall (CO)

Udall (NM)
Webb

Whitehouse
Wyden

NAYS—54

Alexander
Ayotte
Barrasso
Bingaman
Blunt
Boozman
Brown (MA)
Burr
Carper
Chambliss
Coats
Coburn
Cochran
Collins
Coons
Corker
Cornyn
Crapo

DeMint
Enzi
Feinstein
Graham
Grassley
Hagan
Hatch
Hoeven
Hutchison
Inhofe
Isakson
Johanns
Johnson (WI)
Kyl
Landrieu
Lee
Lieberman
Lugar

McCain
McConnell
Moran
Murkowski
Nelson (FL)
Paul
Portman
Reid
Risch
Roberts
Rubio
Sessions
Shelby
Thune
Toomey
Vitter
Warner
Wicker

NOT VOTING—2

Conrad
Kirk

The PRESIDING OFFICER. Under the previous order, requiring 60 votes for the adoption of the amendment, the amendment is rejected.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. The next amendment is Senator PAUL’s amendment No. 2038. He has asked that I withdraw from the list that amendment on his behalf.

The PRESIDING OFFICER. The amendment is withdrawn.

AMENDMENT NO. 2072

Mr. LIEBERMAN. Next is Senator LANDRIEU’s amendment No. 2072.

Ms. LANDRIEU. Mr. President, I call up amendment No. 2072.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes an amendment numbered 2072.

Ms. LANDRIEU. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To determine the impact of certain postal facility closures or consolidations on small businesses)

On page 32, line 15, insert “(F) the effect of the closing or consolidation on small businesses in the area, including shipping and communications with customers and suppliers and the corresponding impact on revenues, operations, and growth; and”, and strike “(F)” and insert “(G)” before the clause that follows.

On page 41, line 11, insert “(ii) the effect of the closing or consolidation on small businesses in the area, including shipping and communications with customers and suppliers and the corresponding impact on revenues, operations, and growth; and”, and strike “(ii)” and insert “(iii)” before the clause that follows.

On page 57, line 3, strike “customers and communities” and insert “customers, communities, and small businesses”.

The PRESIDING OFFICER. There will be 2 minutes of debate, equally divided.

Ms. LANDRIEU. I thank the Chair.

I rise in support of this amendment, offered on behalf of myself and my colleagues, Senators SNOWE, STABENOW, and SHAHEEN.

We are very concerned that the Postal Service has not looked carefully enough at the impact some of its decisions might have on small businesses that rely on their operations. So all this amendment says—and I understand there is no opposition, so we might be able to take it by voice vote—is that included in the studies the Postal Service is going to do to analyze their way forward, they must consider the impact on small businesses they serve. As you know, in some areas, particularly rural areas, this is an arm of the small business, and we can’t have that arm chopped off.

So that is the amendment. I don’t believe there is any opposition, and if the managers would accept this by voice vote, we could save some time.

Mr. LIEBERMAN. Mr. President, I thank Senator LANDRIEU for proposing this amendment. I support it enthusiastically. It will strengthen the protections regarding the closing of processing facilities, and it requires the Postal Service to take into account the impact of any potential closing or consolidation on small businesses.

This amendment reminds us how many people and how many businesses, including particularly small businesses, across America depend on the U.S. Postal Service and why it is so important for us to change it to save it. So I thank my friend from Louisiana for proposing this amendment.

I urge adoption of this amendment by voice vote.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment.

The amendment (No. 2072) was agreed to.

Mr. LIEBERMAN. I move to reconsider the vote and to lay that motion on the table.

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

Mr. LIEBERMAN. Next is Senator DEMINT’s amendment No. 2046.

AMENDMENT NO. 2046

Mr. DEMINT. Mr. President, I call up amendment No. 2046.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 2046.

Mr. DEMINT. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide protections for postal workers with respect to their right not to subsidize union nonrepresentational activities)

At the appropriate place, insert the following:

SEC. . PAYCHECK PROTECTION.

(a) SHORT TITLE.—The section may be cited as the ‘‘Paycheck Protection Act’’.

(b) RIGHT NOT TO SUBSIDIZE UNION NON-REPRESENTATIONAL ACTIVITIES.—Chapter 12 of title 39, United States Code, is amended by adding at the end the following:

‘‘SEC. 1210. RIGHT NOT TO SUBSIDIZE UNION NONREPRESENTATIONAL ACTIVITIES.

‘‘No Postal Service employee’s labor organization dues, fees, or assessments or other contributions shall be used or contributed to any person, organization, or entity for any purpose not directly germane to the labor organization’s collective bargaining or contract administration functions unless the member, or nonmember required to make such payments as a condition of employment, authorizes such expenditure in writing, after a notice period of not less than 35 days. An initial authorization provided by an employee under the preceding sentence shall expire not later than 1 year after the date on which such authorization is signed by the employee. There shall be no automatic renewal of an authorization under this section.’’.

The PRESIDING OFFICER. There will now be 2 minutes of debate.

Mr. DEMINT. Mr. President, this amendment is the Paycheck Protection Act, and it protects the first amendment rights of postal workers by requiring postal labor unions to obtain prior approval from their workers before they spend their dues money on behalf of political parties, political candidates or other political advocacy.

Unions are the only organizations in many States that cannot only force people to join but forcibly use their dues for political purposes without the permission of the members. Sixty percent of union members object to their dues being spent for political purposes without their permission.

This amendment protects their right to have their dues used in the way they intend them to be used. So I encourage my colleagues to support this freedom, this protection of constitutional rights. It is consistent with the Supreme Court ruling in Communications Workers v. Beck.

I reserve the remainder of my time.

Mr. LIEBERMAN. Mr. President, I oppose this amendment. It is taking a bill that has the urgent purpose of saving the U.S. Postal Service—changing it to save it—and bringing in a matter of internal labor union business.

The fact is no postal employee is forced to join a union, but once one does, the union leadership can guide the policy positions the union supports through the democratic processes within the union. No postal employee himself or herself is forced to involuntarily support the advocacy or political activities of a union. That is their choice—whether to join it. But once

they do, their leadership has the right to participate in a political process.

I urge my colleagues to vote against this amendment.

The PRESIDING OFFICER. All time has expired.

Mr. DEMINT. Mr. President, I yield the remainder of my time to Senator COLLINS.

The PRESIDING OFFICER. All time has expired.

Mr. DEMINT. I ask unanimous consent that Senator COLLINS be given 30 seconds to explain her position.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. COLLINS. I thank the Chair.

Mr. President, I urge support of Senator DEMINT’s amendment. It protects the first amendment rights of postal workers by requiring that unions obtain prior approval from workers before spending their dues on political purposes.

I think this is probably the one and only amendment where I will diverge with my chairman, but I do urge support of Senator DEMINT’s amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. LIEBERMAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Ms. KLOBUCHAR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—46

Alexander	Enzi	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Heller	Risch
Brown (MA)	Hoeven	Roberts
Burr	Hutchison	Rubio
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Snowe
Cochran	Johnson (WI)	Thune
Collins	Kyl	Toomey
Corker	Lee	Vitter
Cornyn	Lugar	Wicker
Crapo	McCain	
DeMint	McConnell	

NAYS—53

Akaka	Durbin	Levin
Baucus	Feinstein	Lieberman
Begich	Franken	Manchin
Bennet	Gillibrand	McCaskill
Bingaman	Hagan	Menendez
Blumenthal	Harkin	Merkley
Boxer	Inouye	Mikulski
Brown (OH)	Johnson (SD)	Murray
Cantwell	Kerry	Nelson (NE)
Cardin	Klobuchar	Nelson (FL)
Carper	Kohl	Pryor
Casey	Landrieu	Reed
Conrad	Lautenberg	Reid
Coons	Leahy	Rockefeller

Sanders	Tester	Webb
Schumer	Udall (CO)	Whitehouse
Shaheen	Udall (NM)	Wyden
Stabenow	Warner	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

Mr. LIEBERMAN. Madam President, next we have Senator MCCASKILL’s amendment No. 2030.

AMENDMENT NO. 2030

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, I call up my amendment No. 2030.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mrs. MCCASKILL] proposes an amendment numbered 2030.

Mrs. MCCASKILL. I ask unanimous consent that further reading be dispensed with.

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

(The amendment is printed in the RECORD of Tuesday, April 17, 2012, under ‘‘Text of Amendments.’’)

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on amendment No. 2030, offered by the Senator from Missouri.

Mrs. MCCASKILL. Madam President, S. 89 makes significant changes to the Federal Employees Compensation Act, FECA, which I support. The changes seek to reduce overspending in the program. But this is an amendment that will allow a couple of considerations that I think are important to include.

The amendment, along with other things, would improve upon the current program by providing those injured while deployed in armed conflict additional time to file a claim for FECA benefits and to ensure that deployed employees injured in a terrorist attack overseas while off-duty would receive the FECA benefits. It also creates an exemption for hardship if someone would be eligible for food stamps if their benefits are decreased even further.

These provisions are similar to the FECA reform legislation, H. Res. 2465, that has already passed the House of Representatives, and I ask for the consideration of the body of this amendment.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, first let me commend the Senator from Missouri for this amendment.

It does make a great deal of sense to have the hardship exemption and to

give more time for individuals who are injured in war zones and longer deadlines for the paperwork for those individuals who might have trouble submitting the paperwork from a war zone. We are talking about civilian employees who are deployed there. This amendment makes a great deal of sense, and I urge that it be accepted by a voice vote.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment.

The amendment (No. 2039) was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

AMENDMENT NO. 2036

Mr. LIEBERMAN. Madam President, we will go to Senator PRYOR's amendment No. 2036.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Madam President, I ask that we go to amendment No. 2036.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. PRYOR], for himself and Mr. BEGICH, proposes an amendment numbered 2036.

The amendment is as follows:

(Purpose: To express the sense of the Senate with respect to the closing and consolidation of postal facilities and post offices)

At the appropriate place, insert the following:

SEC. ____ . SENSE OF THE SENATE.

It is the sense of the Senate that the Postal Service should not close or consolidate any postal facility (as defined in section 404(f) of title 39, United States Code, as added by this Act) or post office before the date of enactment of this Act.

Mr. PRYOR. Madam President, this, hopefully, will be a noncontroversial amendment.

Basically, it is a sense of the Senate that the Postal Service should not close any postal facilities or post offices until enactment of this postal reform bill.

So this is a sense of the Senate. The idea is we don't know exactly when the House is going to pass their bill, if they ever do. But we will have a sense of the Senate on the record.

The Postal Service's self-imposed moratorium expires May 15. Hopefully, this will give them time to extend this until a bill is passed. If this bill does pass—and I hope it does—this is a major reset for the Postal Service, and I hope much of the rationale for closing these offices goes away with the passage of this bill.

Madam President, I would love to have a voice vote on this, if that is possible.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank my friend from Arkansas. This is a good amendment, and I support it wholeheartedly and move its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2036) was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

AMENDMENT NO. 2073, AS MODIFIED

Mr. LIEBERMAN. We will now go to Senator ROCKEFELLER's amendment No. 2073.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. ROCKEFELLER. I call up my amendment No. 2073, and ask unanimous consent that it be modified with the changes that are at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. ROCKEFELLER] proposes an amendment numbered 2073, as modified.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that further reading be dispensed with.

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

The amendment is as follows:

Beginning on page 16, strike line 8 and all that follows through page 23, line 6, and insert the following:

SEC. 105. MEDICARE EDUCATIONAL PROGRAM FOR POSTAL SERVICE EMPLOYEES AND RETIREES.

(a) EDUCATIONAL PROGRAM.—The Postmaster General, in consultation with the Director of the Office of Personnel Management and the Administrator of the Centers for Medicare & Medicaid Services, shall develop an educational program for Postal Service employees and annuitants who may be eligible to enroll in the Medicare program for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.) (commonly known as "Medicare Part A") and the Medicare program for supplementary medical insurance benefits under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) (commonly known as "Medicare Part B"), the objective of which shall be to educate employees and annuitants on how Medicare benefits interact with and can supplement the benefits of the employee or annuitant under the Federal Employees Health Benefit Program.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize the Postal Service to require a Postal Service employee or annuitant (as defined in subsection (c)) to enroll in Medicare.

(c) DEFINITION OF POSTAL SERVICE EMPLOYEE OR ANNUITANT.—In this section, the term "Postal Service employee or annuitant" means an individual who is—

- (1) an employee of the Postal Service; or
- (2) an annuitant covered under chapter 89 of title 5, United States Code, whose Govern-

ment contribution is paid by the Postal Service under section 8906(g)(2) of such title.

Mr. ROCKEFELLER. Madam President, as modified, this amendment would simply eliminate a very problematic provision in the underlying bill, provision section 105, but it has a very bad effect, and this would clear that up. It would shift onto Medicare and raise premiums for current postal workers and retirees in some cases by as much as 35 percent. There is more to it, but that is the bulk of it. So I would hope that it would be passed.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank the Senator from West Virginia.

Some questions were raised about parts of the bill relating to accessibility to Medicare by postal employees. I think there has been a good meeting of the minds with this modification. I support the amendment as modified and urge its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2073, as modified.

Amendment (No. 2073), as modified, was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

Mr. LIEBERMAN. Before we get to Senator ROCKEFELLER's second amendment, Senator COBURN has asked me to withdraw amendment No. 2059 on his behalf. I thank him for that.

AMENDMENT NO. 2074

We will now go to Senator ROCKEFELLER's amendment No. 2074.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

AMENDMENT NO. 2074, AS MODIFIED

Mr. ROCKEFELLER. Madam President, I call up my amendment No. 2074 and ask unanimous consent that it be modified with the changes that are at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. ROCKEFELLER] proposes amendment numbered 2074, as modified.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that further reading be dispensed with.

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

The amendment is as follows:

(Purpose: To improve the Postal Service Health Benefits Program).

On page 12, strike line 18 and all that follows through page 16, line 7, and insert the following:

SEC. 104. POSTAL SERVICE HEALTH BENEFITS PROGRAM.

(a) DEFINITIONS.—In this section—

- (1) the term "covered employee" means an officer or employee of the Postal Service who is—

(A) represented by a bargaining representative recognized under section 1203 of title 39, United States Code; or

(B) a member of the Postal Career Executive Service;

(2) the term "Federal Employee Health Benefits Program" means the health benefits program under chapter 89 of title 5, United States Code;

(3) the term "participants" means—

(A) covered employees; and

(B) officers and employees of the Postal Service who are not covered employees and who elect to participate in the Postal Service Health Benefits Program; and

(4) the term "Postal Service Health Benefits Program" means the health benefits program that may be agreed to under subsection (b)(1).

(b) COLLECTIVE BARGAINING.—

(1) IN GENERAL.—Consistent with section 1005(f) of title 39, United States Code, the Postal Service may negotiate jointly with all bargaining representatives recognized under section 1203 of title 39, United States Code, and enter into a joint collective bargaining agreement with those bargaining representatives to establish the Postal Service Health Benefits Program that satisfies the conditions under subsection (c). The Postal Service and the bargaining representatives shall negotiate in consultation with the Director of the Office of Personnel Management.

(2) CONSULTATION WITH SUPERVISORY AND MANAGERIAL PERSONNEL.—In the course of negotiations under paragraph (1), the Postal Service shall consult with each of the organizations of supervisory and other managerial personnel that are recognized under section 1004 of title 39, United States Code, concerning the views of the personnel represented by each of those organizations.

(3) ARBITRATION LIMITATION.—Notwithstanding chapter 12 of title 39, United States Code, there shall not be arbitration of any dispute in the negotiations under this subsection.

(4) TIME LIMITATION.—The authority under this subsection shall extend until September 30, 2012.

(c) POSTAL SERVICE HEALTH BENEFITS PROGRAM.—The Postal Service Health Benefits Program—

(1) shall—

(A) be available for participation by all covered employees;

(B) be available for participation by any officer or employee of the Postal Service who is not a covered employee, at the option solely of that officer or employee;

(C) provide coverage that is actuarially equivalent to the types of plans available under the Federal Employee Health Benefits Program, as determined by the Director of the Office of Personnel Management;

(D) be administered in a manner determined in a joint agreement reached under subsection (b); and

(E) provide for transition of coverage under the Federal Employee Health Benefits Program of all participants to coverage under the Postal Service Health Benefits Program on January 1, 2013;

(2) may provide dental benefits; and

(3) may provide vision benefits.

(d) AGREEMENT AND IMPLEMENTATION.—If a joint agreement is reached under subsection (b)—

(1) the Postal Service shall implement the Postal Service Health Benefits Program;

(2) the Postal Service Health Benefits Program shall constitute an agreement between the collective bargaining representatives and

the Postal Service for purposes of section 1005(f) of title 39, United States Code; and

(3) participants may not participate as employees in the Federal Employees Health Benefits Program.

(e) GOVERNMENT PLAN.—The Postal Service Health Benefits Program shall be a government plan as that term is defined under section 3(32) of Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(32)).

(f) REPORT.—Not later than June 30, 2013, the Postal Service shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives that—

(1) reports on the implementation of this section; and

(2) requests any additional statutory authority that the Postal Service determines is necessary to carry out the purposes of this section.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as an endorsement by Congress for withdrawing officers and employees of the Postal Service from the Federal Employee Health Benefits Program.

Mr. LIEBERMAN. Madam President, I support the amendment, as modified, and urge its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

Amendment (No. 2074), as modified, was agreed to.

AMENDMENT NO. 2050

Mr. LIEBERMAN. Madam President, next on the list is Senator SCHUMER's amendment No. 2050.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. I call up my amendment No. 2050.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 2050.

Mr. SCHUMER. I ask unanimous consent further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To maintain all current door delivery point services)

On page 48, strike line 3 and all that follows through the end of the matter between lines 5 and 6 on page 52.

Mr. SCHUMER. Madam President, there are more than 35 million households and businesses that receive door delivery in every State across the country. As originally written, the postal reform bill would have pushed the Postal Service to stop delivering mail to individual doors and mailboxes. Instead, the Postal Service would install apartment complex style group boxes, where all the mail for a given street or neighborhood would be delivered to the boxes that were grouped together in one place. Rather than have mail delivered to their mailbox or door, homeowners could have been

forced to travel further from their home simply to pick up the mail. My amendment simply preserves the same door delivery only for customers who already receive it. In other words, not for new complexes. But for existing houses, they should keep the delivery the way it is.

What some people may not know is the Postal Service already has the authority to eliminate door delivery, but the Postal Service has not mandated such a change because they know how unpopular it would be. By removing the door delivery provisions from this bill we can ensure the Postal Service will continue to provide the door delivery service our constituents expect and rely upon.

I urge my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I urge the adoption of the amendment by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2050) was agreed to.

Mr. LIEBERMAN. Madam President, I move reconsideration and ask the motion be laid on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2071, AS MODIFIED

Mr. LIEBERMAN. Next will be Senator TESTER, amendment No. 2032. Senator TESTER is not on the floor right now. I know we were building up to Senator WARNER's amendment as the last amendment, but this may now be the second-to-last amendment. Next we will have Senator WARNER No. 2071.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Madam President, I ask to call up amendment No. 2071. There is an agreed-upon substitute text at the desk.

The PRESIDING OFFICER. The amendment is pending.

Mr. WARNER. I thank Chairman LIEBERMAN and Senator COLLINS for their help on this amendment. It is a simple amendment. One of the goals of this process is to encourage retirement expected for 100,000 members of the Postal Service. Unfortunately, now OPM has an over 50,000-person backlog of retirement claims. This is unacceptable. We still have a paper processing process. This amendment would require the Postal Service to report on a regular basis, as well as OPM, on the status of these retirement processing claims and hopefully speed up this process and also compare it to the forms of other agencies. This is completely unacceptable to folks who are retiring, waiting sometimes up to a full year to get their retirement benefits. I thank the chairman and the ranking member and ask for acceptance of the amendment.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, I support this amendment. There is an inexcusable backlog at OPM in processing the application for retirement benefits. It has caused real hardships for some retired Federal employees and postal employees. This bill will obviously increase the number of postal employees who will be seeking retirement benefits so I think it is important we have the kind of reporting the Senator from Virginia has proposed.

I urge acceptance of the amendment. I urge it be accepted by the voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

The amendment (No. 2071), as modified, was agreed to.

Mr. LIEBERMAN. Madam President, I move for reconsideration and ask the motion be placed on the table.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2032

Mr. LIEBERMAN. The excitement builds now as we move to the last amendment. Senator TESTER has amendment No. 2032.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. TESTER. Madam President, I call up amendment No. 2032.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. TESTER], for himself and Mr. PRYOR, proposes an amendment numbered 2032.

Mr. TESTER. Madam President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To appropriately limit the pay of Postal Service executives)

At the appropriate place, insert the following:

SEC. ____ . EXECUTIVE COMPENSATION.

(a) LIMITATIONS ON COMPENSATION.—Section 1003 of title 39, United States Code, is amended—

(1) in subsection (a), by striking the last sentence; and

(2) by adding at the end the following:

“(e) LIMITATIONS ON COMPENSATION.—

“(1) RATES OF BASIC PAY.—

“(A) IN GENERAL.—Subject to subparagraph (B), an officer or employee of the Postal Service may not be paid at a rate of basic pay that exceeds the rate of basic pay for level II of the Executive Schedule under section 5313 of title 5.

“(B) VERY SENIOR EXECUTIVES.—Not more than 6 officers or employees of the Postal Service that are in very senior executive positions, as determined by the Board of Governors, may be paid at a rate of basic pay that does not exceed the rate of basic pay for level I of the Executive Schedule under section 5312 of title 5.

“(2) BENEFITS.—For any fiscal year, an officer or employee of the Postal Service who is in a critical senior executive or equivalent position, as designated under section 3686(c), may not receive fringe benefits (within the meaning given that term under section 1005(f)) that are greater than the fringe benefits received by supervisory and other managerial personnel who are not subject to collective-bargaining agreements under chapter 12.”

(b) LIMITATION ON BONUS AUTHORITY.—Section 3686 of title 39, United States Code, is amended—

(1) in subsection (a), by striking “The Postal Service” and inserting “Subject to subsection (f), the Postal Service”; and

(2) by adding at the end the following:

“(f) LIMITATION ON BONUS AUTHORITY.—

“(1) DEFINITION.—In this subsection, the term ‘covered year’ means the fiscal year following a fiscal year relating to which the Office of Management and Budget determines the Postal Service has not implemented the measures needed to achieve long-term solvency, as defined in section 208(e) of the 21st Century Postal Service Act of 2012.

“(2) LIMITATION.—The Postal Service may not provide a bonus or other reward under this section to an officer or employee of the Postal service in a critical senior executive or equivalent position, as designated under subsection (c), during a covered year.”

(c) EFFECTIVE DATE; APPLICABILITY.—The amendments made by subsections (a) and (b) shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any contract entered or modified by the Postal Service on or after the date of enactment of this Act.

(d) SUNSET.—Effective 2 years after the date of enactment of this Act—

(1) section 1003 of title 39, United States Code, is amended—

(A) in subsection (a), by adding at the end the following: “No officer or employee shall be paid compensation at a rate in excess of the rate for level I of the Executive Schedule under section 5312 of title 5.”; and

(B) by striking subsection (e); and

(2) section 3686 of title 39, United States Code, is amended—

(A) in subsection (a), by striking “Subject to subsection (f), the Postal Service” and inserting “The Postal Service”; and

(B) by striking subsection (f).

Mr. TESTER. Madam President, this amendment is pretty simple. I thank Senator PRYOR for joining me on it. It basically is an amendment that reduces compensation for the senior executives at the Postal Service. It limits the six most senior Postal Service employees to a base salary no more than we pay our Cabinet Secretary, which is just a skosh under \$200,000. There are going to be some changes in the Postal Service. Some of these cuts are going to take place at the lower end, some in the middle management, some at the upper end.

To be fair, everybody needs to feel the pain and besides that, to be right fair, the Postmaster is an important job but so is the Secretary of Defense, Secretary of State, and others. I don't think we should be paying him more than what we do our Cabinet Secretaries. After all, the Postal Service is public service. I ask Senators' concurrence on the amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank my friend from Montana for his amendment. He explained it well and I urge its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2032) was agreed to.

Mr. LIEBERMAN. Madam President, I move for reconsideration and ask that motion be laid on the table.

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

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Madam President, colleagues, we have completed all the amendments on the bill and we are ready to vote on final passage.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, the power of Congress to establish post offices is enshrined in our Constitution, and the U.S. Postal Service has been a valued institution since the earliest days of our Republic. Today, the Postal Service accounts for millions of jobs nationwide. It is essential that we have a viable and effective Postal Service in the long term. Unfortunately, the Postal Service is currently facing critical financial challenges that have been brought on by a number of factors, including the movement to electronic forms of communication. This situation requires immediate attention of Congress.

The bill we are voting on today, the 21st Century Postal Service Act, is not perfect. I am particularly disappointed that the Senate did not agree to an amendment that I supported that would have preserved 6-day delivery, and I am concerned that a permanent switch to 5-day delivery could lead to the further erosion of jobs and the undermining of the Postal Service. However, it is clear that we cannot afford to do nothing. Congressional inaction, coupled with the extreme measures being pushed by the Postal Service's leadership, will result in drastic changes that would seriously undermine our Nation's mail system, beginning with the closure of a number of post offices and mail processing facilities across the country. I am concerned that the changes sought by the Postal Service's leadership will severely undermine the Postal Service's long-term viability and threaten thousands of good jobs. We cannot allow that to happen.

The 21st Century Postal Service Act includes a number of important provisions designed to put the Postal Service back on solid footing. It will allow for the refunding of overpayments by the Postal Service to the Federal Employees Retirement System and ease the prefunding requirement for the

Postal Service's retiree health benefits. It also strengthens the review process for closing post offices and facilities and encourages innovation by the Postal Service to improve its business model with the goal of returning to profitability.

I am also concerned that the version of postal reform legislation that is eventually passed by the House of Representatives could prove to be very damaging. When the Senate considers the final version of postal reform legislation that is negotiated by the two Chambers, I will carefully consider the changes that have been made before lending my support to its passage.

Ms. SNOWE. Madam President, I rise in support of my amendment, which has been modified in consultation with the managers of the Postal Reform bill, S. 1789. I am very pleased that both Chairman LIEBERMAN and Ranking Minority Member COLLINS have agreed to accept my amendment to further strengthen the segment of the bill governing proposed consolidations for the Postal Service's processing and distribution facilities.

With my amendment as part of the underlying bill, the Postal Regulatory Commission, PRC, will now independently verify the Postal Service's methodology and estimated costs savings from proposed plant consolidations. In other words, starting with those facilities currently under review, the Postal Service will no longer have unchecked authority to close or consolidate these important facilities.

The Postal Service has unfortunately proven itself unable to make these decisions, many of which have far-reaching implications for the quality of service of postal customers, without proper oversight, fact-checking and third-party verification.

As part of a major restructuring of the Postal Service's mail delivery infrastructure, Postmaster General Donahue proposed closing and consolidating 232 mail processing and distribution facilities across the United States. Unfortunately for the people of Maine, his proposal included the consolidation of the Eastern Maine Processing and Distribution Facility in Hampden into the Southern Maine Processing and Distribution Facility located in Scarborough.

This was a fundamentally flawed proposal from its inception. The Eastern Maine Processing and Distribution Facility, located approximately 144 miles away from Maine's other mail processing facility in Scarborough, ME, currently processes mail destined for eastern, western, and northern Maine. Without this facility, mail service to communities, families, the elderly, and businesses throughout most of Maine would be severely delayed.

I strongly opposed this proposed consolidation from the beginning. In December, I visited the facility and met

with the plant's manager and employees. During the visit, I conveyed my strenuous opposition to the plan and questioned the ability of the Postal Service to save money by shifting jobs from Hampden to Scarborough.

As part of its consolidation process, the Postal Service holds public meetings in communities facing the loss of a Processing and Distribution facility. For Hampden, the Postal Service held a public meeting on January 11 2012, which I attended, along with approximately 300 other Mainers, all of whom opposed the Postal Service's recommendation.

In advance of the public meeting, my staff carefully reviewed the Postal Service's Area Mail Processing—AMP—report, which contained the estimated cost savings for consolidating the Hampden facility. In reviewing the AMP report, we discovered a very large mathematical error.

The Postal Service originally claimed that eliminating two white collar management positions at the plant would save almost \$800,000. When my office started asking questions about this, the Postal Service backtracked to claiming that eliminating these jobs would save only \$120,000 in advance of its public meeting.

Shockingly enough, the Postal Service's final AMP report which was released in February retained the obviously mistaken claim that eliminating these two positions saved almost \$800,000. In all, the Postal Service has resumed mistakenly claiming almost 400 percent more in savings than would be accurate.

Under my amendment, if a local community is opposing a proposed consolidation, it can appear that recommendation to the Postal Regulatory Commission—PRC—which will be able to independently review the Postal Service's methodology and estimated cost savings to guard against facilities being closed due to faulty calculations by the Postal Service. If the PRC concludes that the AMP report was mistaken or inaccurate, the PRC has the authority to prevent closure or consolidation from moving forward until the facts are corrected.

With my amendment being added to the underlying bill, local communities will now be assured of an even playing field and a thorough and accurate assessment of the impact of any closure or consolidation.

In closing, I wish to thank the managers of the bill for accepting my amendment and I urge the Senate to adopt it by voice vote.

Mr. LEVIN. Madam President, while the amended bill before us is far from perfect, I will vote in support. Failure to pass a bill could result in the Postal Service pursuing a misguided course of post office and facility closures. Such a dramatic course would irreparably harm the ability of the Postal Service

to provide postal services and would in fact, threaten the viability of the US Postal System. While, as a whole, the USPS needs to be a rate-payer supported organization, not every post office needs to post a profit. In fact, while some post offices are too small to turn a profit, they are still an important part of the Postal System and a vital part of their community. And, based on the estimates I have seen, the projected cost-savings from the proposed closing of the 3,700 post office locations would offset but a tiny part of the USPS's current financial problems. These closures would deliver a painful blow to the communities they serve, but would reduce the Postal Service's deficit by less than 1 percent.

The bill includes an amendment that I offered with Senators TESTER and FRANKEN that requires that substantial economic savings be shown before a post office or processing facility is closed and clarifies that a proposed closure shall be suspended during appeal to the Postal Regulatory Commission, PRC. This amendment will help ensure that any post office and facility closures do not unduly impact a community's access to postal services and that any such closure is economically justified.

There is no doubt that the Postal Service has faced a decline in first class mail volume over the past few years and will need to make significant adjustments in the future. I am hopeful that the Postal Service will work with Congress as the mail system continues to transform so that postal services can be continued and to ensure that the Postal Service is able to offer new and innovative services so it can remain viable in the 21st Century.

Mr. GRASSLEY. Madam President, I will vote for S. 1789, the 21st Century Postal Service Act, because it is undeniable that the Postal Service is facing a crisis and something must be done very soon. There are those who say that this bill goes too far in reforming the Postal Service and implementing uncomfortable changes, and then there are those who say that this bill does not go far enough in transforming the Postal Service to be viable in the long term. I agree that this bill is not perfect. It is a compromise so just about everyone can find something in it to dislike. However, unless we do something to help the Postal Service cut costs, the borrowing authority of the Postal Service will run out in the fall and it will be unable to make payroll. I will support this bill, imperfect though it is, because we need to make progress in addressing this looming crisis now. Otherwise, if we wait much longer, we will be faced with a choice between a shut-down of mail service across our country or a massive taxpayer bailout, both of which would hurt the economy and take money out of the pockets of hardworking Americans.

Mr. LIEBERMAN. Madam President, I urge my colleagues to vote "yes" on S. 1789 and give the Postal Service both the financial footing and the business tools it needs to compete in this new communications age.

Let's start by facing facts. USPS is losing business and losing money. If we do nothing, on May 15th the Postmaster will be allowed to implement his own downsizing plan, which is far more severe than this bill allows and will lead to a loss of jobs and services that could be painful in this fragile economy, especially to our small towns and rural communities.

We have another choice.

To all my colleagues who say they are worried about the burdens the Postmaster's proposal to close 3,700 post offices will impose on families and businesses of their states, I say: "Vote for this bill."

It requires the Postal Service issue service standards that ensure communities throughout the country have access to retail postal services, and requires offering alternatives to closures, such as reduced hours at existing facilities, or permitting private contractors or rural carriers to provide services.

To all my colleagues who worry about the loss of postal processing facilities in their states, and the jobs and services that will go with them, I say: "Vote for this bill."

While it permits the Postal Service to eliminate excess capacity, it also requires it to maintain an overnight delivery standard—although for somewhat smaller geographic areas. And the maximum standard delivery time—3 days for a letter mailed anywhere in the continental United States—would remain unchanged.

That means fewer plant closings.

To all my colleagues who worry about the loss of Saturday delivery, I say: "Vote for this bill," which takes a responsible, balanced approach to this difficult issue.

The bill prohibits implementation of 5-day delivery for 2 years and requires the Postal Service to determine if the other cost-saving measures in this bill have made cancelling Saturday service unnecessary—and to tell us how it plans to cushion the impacts on the businesses and communities it serves if it decides to go to five days.

Only if the Comptroller General and the Postal Regulatory Commission review the evidence and conclude that the change is necessary, will the switch to 5-day service be allowed.

To all my colleagues who worry about the Postal Service's bleak financial outlook, I say: "Vote for this bill," which provides crucial financial breathing room to help ward off some of the drastic cuts I just spoke of.

First, not one dollar of taxpayer money is being used. This is not a post-al "bailout."

Roughly \$11 billion in USPS overpayments to the Federal Employee Retirement System will be refunded and used to encourage its 100,000 workers at or near retirement age to take voluntary buyouts that could save \$8 billion a year.

Money left over can also be used to retire debt.

The bill also reduces the amount the Postal Service has to pay each year to prefund its Retiree Health Benefits, by amortizing its liability over the next 40 years.

This will significantly cut the \$5.5 billion annual payment USPS has been making, while still assuring there will be sufficient funds to meet the commitments for future retirees' health benefits.

To all my colleagues who worry that the Postal Service just isn't relevant in the 21st Century, I say: "Vote for this bill," which gives the Postal Service tools to bring in fresh revenues by offering new products and services, such as contracting with state and local governments to issue state licenses, shipping beer, wine and distilled spirits, and creating specialized Internet services.

It also sets up a blue ribbon panel to develop a new strategic blueprint for the Postal Service for this new age.

Finally, in many ways the debate over postal reform is a mirror of the overall budget debate—but writ small.

We confront a financial crisis that could wreak havoc on our economy were the Postal Service to run out of money and be forced to severely slash services. Yet no one wants to cut any services or raise any rates on anybody.

This bill will not solve all the problems that confront the Postal Service, but it is a beginning. This bill represents a clear-eyed and pragmatic way forward for the Postal Service—one that avoids panic or complacency.

It is the kind of balanced and bipartisan approach we will need to deal with the even bigger problems with fast-approaching deadlines racing towards us—like the expiration of the Bush tax cuts and the sequestration of military funding.

So to my colleagues who worry about our ability to get big things done and who want to prove to the American people—and ourselves—that Congress can rise above partisan and parochial interests and work for the good of all Americans, I urge you to pass this bill.

I do want to thank the three colleagues on our committee—Senator COLLINS, Senator CARPER, Senator BROWN—for the work everyone did to bring about a bipartisan bill that will bring necessary change to the Postal Service in order to save it. Make no mistake about it, this bill will bring the change that the post office needs to stay alive, serving the people and businesses of our country.

Here is the bottom line. The Postal Service itself says that within 3 years,

as sections of this bill are phased in, they will reduce their cost of operating by \$19 billion and probably in the year after that they will go into balance. That is what this bill will accomplish.

I again thank my colleagues on the committee and the staffs of both sides and the floor staffs on both sides for the extraordinary work over a long period that was done to get us to this point.

We still need 60 votes to pass this bill. I appeal to my colleagues to do so, with a feeling of confidence that we have met a problem here together and have offered a solution that will fix the problem for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, I believe the odds of our getting the 60 votes for final passage are increased if I make my statement later, rather than delivering it right now. I will deliver my statement after the vote, but I do wish to thank Senator LIEBERMAN, Senator SCOTT BROWN, Senator CARPER, all the staffs who have worked so hard.

Today, assuming we get those 60 votes, we have proven the Senate can tackle an enormous problem in a bipartisan way and make real progress on an issue that matters to our economy and to the American people.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. I thank the leaders for their excellent work and the people who joined them. I think the policy has been debated well. I do wish to say, at the beginning there was discussion that there be a 60-vote threshold at the end and that some of the amendments might improve the funding aspect. I still want to say one more time that a vote for this bill is a vote to increase our deficit this year by \$11 billion and a vote to violate the Budget Control Act that we just passed last year.

I appreciate the work. I do wish we had worked to pay for this. We have not done that. I would like to remind everyone voting for this that we are, in fact, adding \$11 billion to our deficit, more so than was laid out by the Budget Control Act.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Madam President, I wish to take a moment to congratulate both the chairman, Senator LIEBERMAN, and the ranking member, Senator COLLINS, for handling a very difficult bill. It is, in my view, the way we ought to legislate. We had a number of amendments that were important to our Members. We are glad they had an opportunity to offer them. I wanted to just take a moment to congratulate Senator COLLINS and Senator LIEBERMAN for a very skillful job handling this very difficult piece of legislation.

Mr. LIEBERMAN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the substitute amendment, as modified and amended, is agreed to.

The question is on the engrossment and third reading of the bill.

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the question occurs on S. 1789, as amended. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—62

Alexander	Franken	Murray
Baucus	Gillibrand	Nelson (NE)
Begich	Grassley	Nelson (FL)
Bennet	Hagan	Pryor
Bingaman	Harkin	Reed
Blumenthal	Hoeven	Reid
Blunt	Inouye	Roberts
Boozman	Johnson (SD)	Sanders
Boxer	Kerry	Schumer
Brown (MA)	Klobuchar	Shaheen
Brown (OH)	Kohl	Snowe
Cantwell	Landrieu	Stabenow
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Cochran	Lieberman	Warner
Collins	McCaskill	Webb
Conrad	Merkley	Whitehouse
Coons	Mikulski	Wicker
Durbin	Moran	Wyden
Feinstein	Murkowski	

NAYS—37

Akaka	Hatch	Menendez
Ayotte	Heller	Paul
Barrasso	Hutchison	Portman
Burr	Inhofe	Risch
Chambliss	Isakson	Rockefeller
Coats	Johanns	Rubio
Coburn	Johnson (WI)	Sessions
Corker	Kyl	Shelby
Cornyn	Lee	Thune
Crapo	Lugar	Toomey
DeMint	Manchin	Vitter
Enzi	McCain	
Graham	McConnell	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for passage of the bill, the bill, as amended, is passed.

The bill (S. 1789), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. LIEBERMAN. Madam President, with the passage today of S. 1789, we have given the United States Postal Service—created more than two centuries ago in the age of inkwells and

quill pens—the tools to thrive in the age of e-mail and the Internet.

Overall, about 8 million jobs hung in the balance, as well as the needs of every household and business in America that depends on the Postal Service to deliver everything from medicines to spare parts.

Passage of this bill is a bipartisan victory that reflects well on the Senate and I want to take this moment to thank the many dedicated staff, from the majority and minority who helped make it possible.

From my staff on the Homeland Security and Governmental I would like to thank Beth Grossman, Deputy Staff Director and Chief Counsel; Larry Novey, Chief Counsel for Governmental Affairs; Kenya Wiley, Staff Counsel; Mike Alexander, Staff Director; Holly Idelson, Senior Counsel; Jason Yanussi, Senior Professional Staff Member; Leslie Phillips, Communications Director; Sara Lonardo, Press Secretary; Scott Campbell, Communications Advisor; Rob Bradley, Legislative Aide, and Staff Assistant Nick Trager.

From Senator COLLINS' staff, I would like to thank Katy French, Deputy Staff Director; John Kane, Professional Staff Member; Katie Adams, Professional Staff Member; Cassie D'Souza, detailee from the Postal Regulatory Commission; Nick Rossi, Staff Director and E.R. Anderson, Press Secretary.

From our Federal Financial Management Subcommittee, which is chaired by Senator CARPER and Ranking Member SCOTT BROWN, I also want to thank John Kilvington, Staff Director for the majority and Justin Stevens, Professional Staff Member, from the minority.

And I would also like to thank all of the staff for the majority and minority leaders, especially Gary Myrick and Tim Mitchell and Dave Schiappa who of course make everything happen on the floor of the Senate.

Thomas Jefferson once asked the question: "What duty does a citizen owe to the government that secures the society in which he lives?"

Answering his own question, Jefferson said: "A nation that rests on the will of the people must also depend on individuals to support its institutions if it is to flourish. Persons qualified for public service should feel an obligation to make that contribution."

These dedicated staff members answered Jefferson's call to duty and I am proud to be able to work with such people.

Negotiations on the contours of the bill that would become S. 1789 began last October with members of Ranking Member COLLINS' and Senator CARPER's staffs.

The goal was to create a bipartisan bill that would gain support first in the Committee and then on the floor of the Senate.

Today's vote to pass S. 1789 shows the long nights and weekends that went into this bill were worth it.

So again, my thanks to our staffs and for all the work you do for the American people.

Ms. COLLINS. Madam President, this is an important victory for the U.S. Postal Service and the American economy.

The Postal Service is the linchpin of a \$1.1 trillion mailing and mail-related industry that employs nearly 8.7 million Americans in fields as diverse as mail, printing, catalog companies and paper manufacturing. Those industries and the jobs they sustain are in jeopardy.

The Postal Service lost \$13.6 billion over the past two years and has seen a 26 percent drop in first class mail since 2006.

But today we have begun to right the ship.

There is still much work to be done, including working with our colleagues in the House to present the President with a bill he can sign.

Nevertheless, I appreciate the solid bipartisan support that this bill received. It's gratifying that so many of my colleagues understand that the Postal Service should not choose the destructive path of cutting service and raising prices.

This vote sends the message that we can't allow the Postal Service to drive customers away to other communication options. Once they leave the mail system, they won't be coming back, and the Postal Service will be sucked further into a death spiral.

As we move toward a conference with the House, we must continue to resist ill-conceived policy changes. We must avoid short term "fixes" that undermine service and thus jeopardize the long-term sustainability of this American institution.

Today's vote is also a win for bipartisanship.

Americans are rightly frustrated about what many feel is a dysfunctional Congress. With enormous problems facing our country and Congress having little to show by way of accomplishments, the process we've just completed on this bill demonstrates that it is sometimes possible for Congress to do more and bicker less.

Today we see what can happen when Republicans and Democrats work together; when Senators from big states and small find common ground. We can achieve important policy for those who sent us here.

I want to thank Senator MCCONNELL for working with us so well to preserve an amendment process that fostered healthy debate and allowed our colleagues to get votes on their priorities. Of course, I must also thank Majority Leader REID for pushing hard to resolve differences in order to create a successful process once the bill was brought to the floor. I know that we would not have had the support that we had for final passage of this bill without the

Leaders working together to ensure an amendment process that was fair and reasonable.

As always, Chairman LIEBERMAN's commitment to bipartisanship is unmatched, and it's making him extremely busy and productive in his last year in the Senate. This marks the third bill we have shepherded through to Senate passage in this Congress. I hope to work with him successfully on at least one more bill—cybersecurity.

Senator SCOTT BROWN has already built an impressive record as a key voice for both postal reform and the STOCK Act. I appreciate his partnership on both of these important measures. He has become an independent leader for common sense and I thank him.

I appreciate Senator CARPER's leadership on this bill. We have been working together on postal issues for many years, and I am grateful for his expertise and dedication.

My bipartisan cosponsors and I consulted extensively with postal customers, both business and residential, postal workers, and local communities deeply committed to preserving their postal facilities. We could not have gotten this bill passed through the Senate without their important contributions, cooperation, creativity and support.

This bill would not have been possible without the hard work and dedication of our staff, and I'd like to recognize some of them personally.

Katy French, John Kane, Katie Adams, and Cassie D'Souza on my staff, have been working for four months as if this bill were coming to the floor the next day. My Committee staff director, Nick Rossi, press secretary, E.R. Anderson, and other members of our team have ably supported them. Justin Stevens on Senator SCOTT BROWN's staff has been an incredible partner as well.

Their colleagues across the aisle were models of hard work and collegiality, and I want to thank them, especially the Chairman's staff, Mike Alexander, Beth Grossman, Kenya Wiley, and Larry Novey, and John Kilvington of Senator CARPER's staff. I know it's been hard work, but the staff have the highest level of professionalism, collegiality, patience with each other and the process and it's made the challenge of bringing this bill to the floor a rewarding one.

Finally, I can't thank enough the long-suffering floor staff, who have been incredibly patient, helpful and have gone out of their way to serve many competing agendas with grace. Thank you especially to David Schiappa with Senator MCCONNELL's staff and his team in the Republican cloakroom, and Gary Myrick and his team, with the Majority Leader.

Our work isn't done. Today is just the first step on a long road ahead. We

must move a bill to the President's desk. The House has a bill that awaits floor consideration. We will come together for a conference process. More compromises will have to be made along the way. But we can't forget the urgency of our task—saving the Postal Service for the next generation of Americans.

Mr. BROWN of Massachusetts. Madam President, I thank my colleagues for their support on final passage of this critical piece of legislation.

This is an important first step forward towards putting the Postal Service on a path for solvency and success in the future.

The long-term survival of the Postal Service is an issue that touches every single home, community, and business in this country, including in my home State of Massachusetts. Its poor financial health is a real problem.

There is an envelope company in Worcester that has had to recently lay off almost a third of its workforce because incoming orders have dropped by a quarter from last year. The owner says his customers have told him that they have stopped mailing because of the unknown future of the Postal Service. This is but one example of the impact that a failing Postal Service has on businesses large and small across the country.

So, that is why I am so pleased that we can show the American people that, yes, once again the U.S. Senate can come together in a bipartisan manner and solve real problems.

In a Congress infamous for gridlock and division, the passage of this bill is proof positive of the results when we work together in good faith.

Reforming the Postal Service is no easy task and there are no easy answers. Millions of jobs, a trillion-dollar mailing industry, and an institution as old as this Nation are all at stake.

But this shows that a majority of Members here knew that resolving the crisis at the Postal Service would require a balanced approach, some difficult decisions, and a lot of compromise to see a bill passed.

We all recognize the new business environment that the Postal Service operates in, but we also know that the focus had to be on helping the Postal Service sustain their customer base in that environment, not surrender to it.

I am proud of this bill and the example this sets for the power of bipartisanship for the rest of this session.

The other cosponsors—Senators LIEBERMAN, COLLINS, and CARPER have been setting this example for some time. I have been proud to be in their company on this bill and thank them for their leadership on this important issue.

With the recent passage of the STOCK Act and the crowdfunding bill, I feel like we have all been on kind of a streak lately. I hope that it con-

tinues and that our colleagues in the House can now take our lead and pass a balanced postal reform bill as well. The Postal Service is running out of time and they cannot afford any further delay.

Mr. MCCAIN. Mr. President, I voted against S. 1789 because short-term financial relief for the Postal Service that will ultimately lead to a taxpayer bailout is no longer acceptable. According to the Postal Service, S. 1789 "does not provide the Postal Service with the speed and flexibility it needs to achieve the \$20 billion in cost reductions" and they will need additional legislative action in 2 to 3 years.

The bill is designed to keep the current failing Postal Service business model in place by halting the structural changes the Postal Service says it needs to ensure its long-term viability. Instead of the Senate dealing with the real problems, such as 80 percent labor costs and consolidating the excess retail network of the Postal Service, the bill continues to allow no-lay-off clauses in union contracts, will lock in unsustainable mail service standards, and place new litigious processes, restrictions, regulations, and appeals that will make it impossible for the Postal Service to close and consolidate underutilized post offices and mail-processing facilities. These roadblocks fly in the face of the hard reality that the Postal Service lost \$13 billion in the past 2 years due to its failing business model and the changes in the way the American public communicates.

S. 1789 also prevents the Postal Service from moving to 5-day delivery, at a savings of anywhere from \$1.7 to \$3 billion annually and is one of the largest single steps available to restore their financial solvency. The Postmaster General has been coming to Congress since 2009 asking for this flexibility, and the American people overwhelmingly support this move. The Senate, however, chose to protect the 6-day delivery of junk mail even with first-class mail, which makes up more than half of postal revenues, on a downward spiral with no sign of recovery.

Finally, this bill continues the harmful practice of passing bills that are not paid for. S. 1789 has at least five budget points of order against it, and instead of being fiscally responsible and pay for this bill as promised, the Senate agreed to move forward and stick the American taxpayer with the tab. If we are not willing to keep our promise and abide by the spending limits we put in place, we are not really serious about fixing our countries financial problems.

Congress can no longer enact temporary fixes that avert financial crisis for only a brief period. If we continue to act in this irresponsible way, the American taxpayer will be the one that ultimately suffers in the form of higher postage prices and taxpayer bailouts.

We must make hard choices now so future generations of Americans will have a viable Postal Service.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. REID. Madam President, there are a number of issues we are trying to resolve and we are going to try to do that as quickly as possible and notify the Senate as to what is going to happen next. At this stage, I don't know, but we are working on it. So I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—S. 1925

Mr. LEAHY. Mr. President, I ask unanimous consent that following the adoption of the motion to proceed to S. 1925, the Senate be in a period of debate only on the bill for the remainder of today's session; that when the Senate resumes consideration of the bill on Thursday, April 26, it be for debate only until 11:30 a.m.

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate adopts the motion to proceed to S. 1925, which the clerk will state by title.

The legislative clerk read as follows:

A bill (S. 1925) to reauthorize the Violence Against Women Act of 1994.

The Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Violence Against Women Reauthorization Act of 2011".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Universal definitions and grant conditions.
- Sec. 4. Effective date.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

- Sec. 101. Stop grants.
- Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.

- Sec. 103. Legal assistance for victims.
- Sec. 104. Consolidation of grants to support families in the justice system.
- Sec. 105. Sex offender management.
- Sec. 106. Court-appointed special advocate program.
- Sec. 107. Criminal provision relating to stalking, including cyberstalking.
- Sec. 108. Outreach and services to underserved populations grant.
- Sec. 109. Culturally specific services grant.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 201. Sexual assault services program.
- Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
- Sec. 203. Training and services to end violence against women with disabilities grants.
- Sec. 204. Enhanced training and services to end abuse in later life.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

- Sec. 301. Rape prevention and education grant.
- Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
- Sec. 303. Grants to combat violent crimes on campuses.
- Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLENCE REDUCTION PRACTICES

- Sec. 401. Study conducted by the centers for disease control and prevention.
- Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 501. Consolidation of grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
- Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
- Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

- Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

- Sec. 801. U nonimmigrant definition.
- Sec. 802. Annual report on immigration applications made by victims of abuse.
- Sec. 803. Protection for children of VAWA self-petitioners.
- Sec. 804. Public charge.

- Sec. 805. Requirements applicable to U visas.
- Sec. 806. Hardship waivers.
- Sec. 807. Protections for a fiancée or fiancé of a citizen.
- Sec. 808. Regulation of international marriage brokers.
- Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.

TITLE IX—SAFETY FOR INDIAN WOMEN

- Sec. 901. Grants to Indian tribal governments.
- Sec. 902. Grants to Indian tribal coalitions.
- Sec. 903. Consultation.
- Sec. 904. Tribal jurisdiction over crimes of domestic violence.
- Sec. 905. Tribal protection orders.
- Sec. 906. Amendments to the Federal assault statute.
- Sec. 907. Analysis and research on violence against Indian women.
- Sec. 908. Effective dates; pilot project.
- Sec. 909. Indian law and order commission.

TITLE X—OTHER MATTERS

- Sec. 1001. Criminal provisions relating to sexual abuse.
- Sec. 1002. Sexual abuse in custodial settings.
- Sec. 1003. Anonymous online harassment.
- Sec. 1004. Stalker database.
- Sec. 1005. Federal victim assistants reauthorization.
- Sec. 1006. Child abuse training programs for judicial personnel and practitioners reauthorization.
- Sec. 1007. Mandatory minimum sentence.
- Sec. 1008. Removal of drunk drivers.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

- (1) by redesignating—
 - (A) paragraph (1) as paragraph (2);
 - (B) paragraph (2) as paragraph (3);
 - (C) paragraphs (3) and (4) as paragraphs (4) and (5), respectively;
 - (D) paragraphs (6) through (9) as paragraphs (8) through (11), respectively;
 - (E) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;
 - (F) paragraph (18) as paragraph (20);
 - (G) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;
 - (H) paragraphs (21) through (23) as paragraphs (26) through (28), respectively;
 - (I) paragraphs (24) through (33) as paragraphs (30) through (39), respectively;
 - (J) paragraphs (34) and (35) as paragraphs (43) and (44); and
 - (K) paragraph (37) as paragraph (45);
- (2) by inserting before paragraph (2), as redesignated, the following:

“(1) ALASKA NATIVE VILLAGE.—The term ‘Alaska Native village’ has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)”;

- (3) in paragraph (3), as redesignated, by striking “serious harm.” and inserting “serious harm to an unemancipated minor.”;
- (4) in paragraph (4), as redesignated, by striking “The term” through “that—” and inserting “The term ‘community-based organization’ means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—”;
- (5) by striking paragraph (5), as in effect before the amendments made by this subsection;
- (6) by inserting after paragraph (7), as redesignated, the following:

“(6) CULTURALLY SPECIFIC SERVICES.—The term ‘culturally specific services’ means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.”

“(7) **CULTURALLY SPECIFIC.**—The term ‘culturally specific’ means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g)).”;

(7) in paragraph (8), as redesignated, by inserting “or intimate partner” after “former spouse” and “as a spouse”;

(8) by inserting after paragraph (11), as redesignated, the following:

“(12) **HOMELESS.**—The term ‘homeless’ has the meaning provided in 42 U.S.C. 14043e-2(6).”;

(9) in paragraph (18), as redesignated, by inserting “or Village Public Safety Officers” after “government victim service programs”;

(10) in paragraph (21), as redesignated, by inserting at the end the following:

“Intake or referral, by itself, does not constitute legal assistance.”;

(11) by striking paragraph (17), as in effect before the amendments made by this subsection;

(12) by amending paragraph (20), as redesignated, to read as follows:

“(20) **PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.**—The term ‘personally identifying information’ or ‘personal information’ means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number, driver license number, passport number, or student identification number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.”;

(13) by inserting after paragraph (20), as redesignated, the following:

“(21) **POPULATION SPECIFIC ORGANIZATION.**—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(22) **POPULATION SPECIFIC SERVICES.**—The term ‘population specific services’ means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.”;

(14) in paragraph (23), as redesignated, by striking “services” and inserting “assistance”;

(15) by inserting after paragraph (24), as redesignated, the following:

“(25) **RAPE CRISIS CENTER.**—The term ‘rape crisis center’ means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.”;

(16) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking “or” after the semicolon;

(B) in subparagraph (B), by striking the period and inserting “; or”; and

(C) by inserting at the end the following:

“(C) any federally recognized Indian tribe.”;

(17) in paragraph (27), as redesignated—

(A) by striking “52” and inserting “57”; and

(B) by striking “150,000” and inserting “250,000”;

(18) by striking paragraph (28), as redesignated, and inserting the following:

“(28) **SEXUAL ASSAULT.**—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.”;

(19) by inserting after paragraph (28), as redesignated, the following:

“(29) **SEX TRAFFICKING.**—The term ‘sex trafficking’ means any conduct proscribed by 18 U.S.C. 1591, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.”;

(20) by striking paragraph (35), as redesignated, and inserting the following:

“(35) **TRIBAL COALITION.**—The term ‘tribal coalition’ means an established nonprofit, nongovernmental Indian organization or a Native Hawaiian organization that—

“(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

“(B) is comprised of board and general members that are representative of—

“(i) the member service providers described in subparagraph (A); and

“(ii) the tribal communities in which the services are being provided.”;

(21) by amending paragraph (39), as redesignated, to read as follows:

“(39) **UNDERSERVED POPULATIONS.**—The term ‘underserved populations’ means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.”;

(22) by inserting after paragraph (39), as redesignated, the following:

“(40) **UNIT OF LOCAL GOVERNMENT.**—The term ‘unit of local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.”;

(23) by striking paragraph (36), as in effect before the amendments made by this subsection, and inserting the following:

“(41) **VICTIM SERVICES OR SERVICES.**—The terms ‘victim services’ and ‘services’ means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

“(42) **VICTIM SERVICE PROVIDER.**—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape cri-

sis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.”;

(24) by striking paragraph (43), as redesignated, and inserting the following:

“(43) **YOUTH.**—The term ‘youth’ means a person who is 11 to 24 years old.”;

(b) **GRANTS CONDITIONS.**—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent’s or guardian’s consent, the minor or person with a guardian may release information without additional consent.”;

(B) by amending subparagraph (D), to read as follows:

“(D) **INFORMATION SHARING.**—

“(i) Grantees and subgrantees may share—

“(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

“(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

“(ii) In no circumstances may—

“(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

“(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.”;

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

“(E) **STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.**—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.”; and

(E) by inserting after subparagraph (F), as redesignated, the following:

“(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.”;

(2) by striking paragraph (3) and inserting the following:

“(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.”;

(3) in paragraph (7), by inserting at the end the following:

“Final reports of such evaluations shall be made available to the public via the agency’s website.”; and

(4) by inserting after paragraph (11) the following:

“(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg 6(d)).

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2011, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual’s sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

“(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

“(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

“(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(15) CONFERRAL.—

“(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

“(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

“(i) the administration of grants;

“(ii) unmet needs;

“(iii) promising practices in the field; and

“(iv) emerging trends.

“(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011.

“(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

“(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

“(ii) is made available to the public on the Office on Violence Against Women’s website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

“(A) AUDIT REQUIREMENT.—

“(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(ii) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

“(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

“(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

“(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

“(C) CONFERENCE EXPENDITURES.—

“(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorneys General, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

“(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

“(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

“(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

“(iii) all reimbursements required under subparagraph (A)(v) have been made; and

“(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.”.

SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 602, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking “\$225,000,000 for each of

fiscal years 2007 through 2011” and inserting “\$222,000,000 for each of fiscal years 2012 through 2016”;

(2) in section 2001(b) (42 U.S.C. 3796gg(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking “equipment” and inserting “resources”; and

(ii) by inserting “for the protection and safety of victims,” after “women,”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))”;

(C) in paragraph (2), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(D) in paragraph (3), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims”;

(E) in paragraph (4)—

(i) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(ii) by inserting “, classifying,” after “identifying”;

(F) in paragraph (5)—

(i) by inserting “and legal assistance” after “victim services”;

(ii) by striking “domestic violence and dating violence” and inserting “domestic violence, dating violence, and stalking”; and

(iii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(I) in paragraph (7), as redesignated by subparagraph (G), by striking “and dating violence” and inserting “dating violence, and stalking”;

(J) in paragraph (9), as redesignated by subparagraph (G), by striking “domestic violence or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”;

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking “triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”; and

(ii) by striking “and” at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking “to provide” and inserting “providing”;

(ii) by striking “nonprofit nongovernmental”;

(iii) by striking the comma after “local governments”;

(iv) in the matter following subparagraph (C), by striking “paragraph (14)” and inserting “paragraph (13)”;

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

“(14) developing and promoting State, local, or tribal legislation and policies that enhance

best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

“(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

“(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

“(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

“(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.”;

(3) in section 2007 (42 U.S.C. 3796gg-1)—

(A) in subsection (a), by striking “nonprofit nongovernmental victim service programs” and inserting “victim service providers”;

(B) in subsection (b)(6), by striking “(not including populations of Indian tribes)”;

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

“(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

“(C) the law enforcement entities within the State;

“(D) prosecution offices;

“(E) State and local courts;

“(F) Tribal governments in those States with State or federally recognized Indian tribes;

“(G) representatives from underserved populations, including culturally specific populations;

“(H) victim service providers;

“(I) population specific organizations; and

“(J) other entities that the State or the Attorney General identifies as needed for the planning process.”;

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b-1b).”;

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking “and not less than 25 percent shall be allocated for prosecutors”;

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

“(B) not less than 25 percent shall be allocated for prosecutors;”;

(IV) in subparagraph (D) as redesignated by subclause (II) by striking “for” and inserting “to”; and

(v) by adding at the end the following:

“(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

“(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

“(1) the certifications of qualification required under subsection (c);

“(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

“(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

“(5) an implementation plan required under subsection (i); and

“(6) any other documentation that the Attorney General may require.”;

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking “domestic violence and sexual assault” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(II) in subparagraph (D), by striking “linguistically and”; and

(ii) by adding at the end the following:

“(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.”;

(F) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.”; and

(G) by adding at the end the following:

“(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

“(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

“(2) submit to the Attorney General—

“(A) the implementation plan developed under paragraph (1);

“(B) documentation from each member of the planning committee as to their participation in the planning process;

“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

“(ii) the intended use of the grant funds;

“(iii) the expected result of the grant funds; and

“(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

“(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

“(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

“(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

“(G) goals and objectives for reducing domestic violence-related homicides within the State; and

“(H) any other information requested by the Attorney General.

“(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

“(1) funds from a subgrant awarded under this part are returned to the State; or

“(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4)”;

(4) in section 2010 (42 U.S.C. 3796gg-4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

“(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

“(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting “or” after the semicolon;

(ii) in paragraph (2), by striking “; or” and inserting a period; and

(iii) by striking paragraph (3); and

(C) by amending subsection (d) to read as follows:

“(d) NONCOOPERATION.—

“(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

“(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section.”; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg-5(a)(1))—

(A) by inserting “modification, enforcement, dismissal, withdrawal” after “registration,” each place it appears;

(B) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”; and

(C) by striking “victim of domestic violence” and all that follows through “sexual assault” and inserting “victim of domestic violence, dating violence, sexual assault, or stalking”.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “States,” and all that follows through “units of local government” and inserting “grantees”;

(ii) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines” before the period;

(iii) in paragraph (2), by striking “and training in police departments to improve tracking of cases” and inserting “data collection systems, and training in police departments to improve tracking of cases and classification of complaints”;

(iv) in paragraph (4), by inserting “and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking” after “computer tracking systems”;

(v) in paragraph (5), by inserting “and other victim services” after “legal advocacy service programs”;

(vi) in paragraph (6), by striking “judges” and inserting “Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel”;

(vii) in paragraph (8), by striking “and sexual assault” and inserting “dating violence, sexual assault, and stalking”;

(viii) in paragraph (10), by striking “non-profit, non-governmental victim services organizations,” and inserting “victim service providers, staff from population specific organizations,”;

(ix) by adding at the end the following:

“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

“(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for non-immigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

“(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

“(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

“(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

“(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

“(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.”;

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “except for a court,” before “certify”; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (3)—

(I) by striking “spouses” each place it appears and inserting “parties”; and

(II) by striking “spouse” and inserting “party”;

(iv) in paragraph (4)—

(I) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”;

(II) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears;

(III) by inserting “dating violence,” after “victim of domestic violence,”; and

(IV) by striking “and” at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “, not later than 3 years after January 5, 2006”;

(II) by inserting “, trial of, or sentencing for” after “investigation of” each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subclause (III) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”;

(V) by striking the period at the end and inserting “; and”;

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking “grantees are States” and inserting the following: “grantees are—

“(1) States”; and

(viii) by adding at the end the following:

“(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “, policy,” after “law”; and

(II) in subparagraph (A), by inserting “and the defendant is in custody or has been served with the information or indictment” before the semicolon; and

(ii) in paragraph (2), by striking “it” and inserting “its”; and

(D) by adding at the end the following:

“(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent

shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg).

“(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”; and

(2) in section 2102(a) (42 U.S.C. 3796hh-1(a))—

(A) in paragraph (1), by inserting “court,” after “tribal government,”; and

(B) in paragraph (4), by striking “nonprofit, private sexual assault and domestic violence programs” and inserting “victim service providers and, as appropriate, population specific organizations”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking “\$75,000,000” and all that follows through “2011.” and inserting “\$73,000,000 for each of fiscal years 2012 through 2016.”; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “arising as a consequence of” and inserting “relating to or arising out of”; and

(B) in the second sentence, by inserting “or arising out of” after “relating to”;

(2) in subsection (b)—

(A) in the heading, by inserting “AND GRANT CONDITIONS” after “DEFINITIONS”; and

(B) by inserting “and grant conditions” after “definitions”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “victim services organizations” and inserting “victim service providers”; and

(B) by striking paragraph (3) and inserting the following:

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “this section has completed” and all that follows and inserting the following: “this section—”

“(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

“(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

“(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide.”; and

(B) in paragraph (2), by striking “stalking organization” and inserting “stalking victim service provider”; and

(5) in subsection (f) in paragraph (1), by striking “this section” and all that follows and inserting the following: “this section \$57,000,000 for each of fiscal years 2012 through 2016.”.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection

Act of 2000 (Public Law 106-386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 316), and inserting the following:

“SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

“(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

“(b) USE OF FUNDS.—A grant under this section may be used to—

“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

“(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

“(3) educate court-based and court-related personnel and court-appointed personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

“(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

“(5) enable courts or court-based or court-related programs to develop or enhance—

“(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

“(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

“(C) offender management, monitoring, and accountability programs;

“(D) safe and confidential information-storage and information-sharing databases within and between court systems;

“(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

“(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

“(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

“(A) victims of domestic violence; and

“(B) nonoffending parents in matters—

“(i) that involve allegations of child sexual abuse;

“(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

“(iii) in which the other parent is represented by counsel;

“(7) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

“(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

“(c) CONSIDERATIONS.—

“(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

“(A) the number of families to be served by the proposed programs and services;

“(B) the extent to which the proposed programs and services serve underserved populations;

“(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

“(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

“(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

“(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

“(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

“(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

“(5) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

“(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

“(7) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$22,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated pursuant to this subsection shall remain available until expended.

“(f) ALLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg 10 of this title.

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking “\$5,000,000” and all that follows and inserting “\$5,000,000 for each of fiscal years 2012 through 2016.”

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2010” and inserting “January 1, 2015”;

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking “Code of Ethics” in section (c)(2) and inserting “Standards for Programs”; and

(B) by adding at the end the following:

“(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting “is present” after “Indian Country or”; and

(2) by inserting “or presence” after “as a result of such travel”;

(b) STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

“§ 2261A. Stalking

“Whoever—

“(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

“(A) places that person in reasonable fear of the death of, or serious bodily injury to—

“(i) that person;

“(ii) an immediate family member (as defined in section 115) of that person; or

“(iii) a spouse or intimate partner of that person; or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

“(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

“(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A), shall be punished as provided in section 2261(b) of this title.”

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262(a)(2) of title 18, United States Code, is amended by inserting “is present” after “Indian Country or”.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

“(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

“(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

“(1) population specific organizations that have demonstrated experience and expertise in

providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

“(2) victim service providers offering population specific services for a specific underserved population; or

“(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

“(c) PLANNING GRANTS.—The Attorney General may use up to 25 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

“(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

“(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

“(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

“(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

“(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

“(2) strengthening the capacity of underserved populations to provide population specific services;

“(3) strengthening the capacity of traditional victim service providers to provide population specific services;

“(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

“(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

“(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

“(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2012 through 2016.

“(h) **DEFINITIONS AND GRANT CONDITIONS.**—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.”

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking “**and linguistically**”;

(2) by striking “and linguistically” each place it appears;

(3) by striking “and linguistic” each place it appears;

(4) by striking subsection (a)(2) and inserting: “(2) **PROGRAMS COVERED.**—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

“(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal Assistance for Victims).

“(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

“(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).”; and

(5) in subsection (g), by striking “linguistic and”.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) **GRANTS TO STATES AND TERRITORIES.**—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking “other programs” and all that follows and inserting “other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.”;

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting “or tribal programs and activities” after “nongovernmental organizations”; and

(B) in subparagraph (C)(v), by striking “linguistically and”; and

(3) in paragraph (4)—

(A) by inserting “(including the District of Columbia and Puerto Rico)” after “The Attorney General shall allocate to each State”; and

(B) by striking “the District of Columbia, Puerto Rico,” after “Guam”;

(C) by striking “0.125 percent” and inserting “0.25 percent”; and

(D) by striking “The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000 to remain available until

expended for each of the fiscal years 2007 through 2011” and inserting “\$40,000,000 to remain available until expended for each of fiscal years 2012 through 2016”.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting “, including sexual assault forensic examiners” before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “victim advocacy groups” and inserting “victim service providers”; and

(ii) by inserting “, including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides” before the semicolon;

(B) in paragraph (2)—

(i) by striking “and other long- and short-term assistance” and inserting “legal assistance, and other long-term and short-term victim and population specific services”; and

(ii) by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

“(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.”; and

(3) in subsection (e)(1), by striking “\$55,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2012 through 2016”.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)” after “risk reduction”;

(B) in paragraph (4), by striking “victim service organizations” and inserting “victim service providers”; and

(C) in paragraph (5), by striking “victim services organizations” and inserting “victim service providers”;

(2) in subsection (c)(1)(D), by striking “non-profit and nongovernmental victim services organization, such as a State” and inserting “victim service provider, such as a State or tribal”; and

(3) in subsection (e), by striking “\$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$9,000,000 for each of fiscal years 2012 through 2016”.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

(a) **IN GENERAL.**—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

“Subtitle H—Enhanced Training and Services to End Abuse Later in Life

“SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘exploitation’ has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397i);

“(2) the term ‘later life’, relating to an individual, means the individual is 50 years of age or older; and

“(3) the term ‘neglect’ means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

“(b) **GRANT PROGRAM.**—

“(1) **GRANTS AUTHORIZED.**—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

“(2) **MANDATORY AND PERMISSIBLE ACTIVITIES.**—

“(A) **MANDATORY ACTIVITIES.**—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

“(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

“(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

“(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

“(B) **PERMISSIBLE ACTIVITIES.**—An eligible entity receiving a grant under this section may use the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

“(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

“(C) **WAIVER.**—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

“(D) **LIMITATION.**—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

“(3) **ELIGIBLE ENTITIES.**—An entity shall be eligible to receive a grant under this section if—

“(A) the entity is—

“(i) a State;

“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

“(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

“(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

“(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

“(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

“(i) a law enforcement agency;

“(ii) a prosecutor’s office;

“(iii) a victim service provider; and

“(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

“(4) **UNDERSERVED POPULATIONS.**—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

“(5) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$9,000,000 for each of fiscal years 2012 through 2016.”.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b 1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, territorial or tribal” after “crisis centers, State”; and

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “\$80,000,000 for each of fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2012 through 2016”; and

(B) by adding at the end the following:

“(3) **BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.**—A minimum allocation of \$150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of \$35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.”.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c-3) and inserting the following:

“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH (‘CHOOSE CHILDREN & YOUTH’).

“(a) **GRANTS AUTHORIZED.**—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and prevent future violence.

“(b) **PROGRAM PURPOSES.**—Funds provided under this section may be used for the following program purpose areas:

“(1) **SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.**—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services

to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

“(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

“(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, and stalking, and to properly refer such children, youth, and their families to appropriate services.

“(2) **SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.**—To enable middle schools, high schools, and institutions of higher education to—

“(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

“(C) provide support services for student victims of domestic violence, dating violence, sexual assault or stalking, such as a resource person who is either on-site or on-call;

“(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking and the impact of such violence on youth; or

“(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

“(c) **ELIGIBLE APPLICANTS.**—

“(1) **IN GENERAL.**—To be eligible to receive a grant under this section, an entity shall be—

“(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, or stalking;

“(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

“(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(2) **PARTNERSHIPS.**—

“(A) **EDUCATION.**—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(B) **OTHER PARTNERSHIPS.**—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

“(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) **GRANTEE REQUIREMENTS.**—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

“(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault and stalking.

“(e) **DEFINITIONS AND GRANT CONDITIONS.**—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2012 through 2016.

“(g) **ALLOTMENT.**—

“(1) **IN GENERAL.**—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

“(2) **INDIAN TRIBES.**—Not less than 10 percent of the total amount appropriated under this section for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

“(h) **PRIORITY.**—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “stalking on campuses, and” and inserting “stalking on campuses,”;

(ii) by striking “crimes against women on” and inserting “crimes on”; and

(iii) by inserting “, and to develop and strengthen prevention education and awareness programs” before the period; and

(B) in paragraph (2), by striking “\$500,000” and inserting “\$300,000”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting “, strengthen,” after “To develop”; and

(ii) by inserting “including the use of technology to commit these crimes,” after “sexual assault and stalking,”;

(B) in paragraph (4)—

(i) by inserting “and population specific services” after “strengthen victim services programs”;

(ii) by striking “entities carrying out” and all that follows through “stalking victim services programs” and inserting “victim service providers”;

(iii) by inserting “, regardless of whether the services are provided by the institution or in coordination with community victim service providers” before the period at the end; and

(C) by adding at the end the following:

“(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

“(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “any non-profit” and all that follows through “victim services programs” and inserting “victim service providers”;

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

“(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services.”;

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2012 through 2016”;

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

“(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”;

(5) in subsection (e), by striking “there are” and all that follows through the period and inserting “there is authorized to be appropriated \$12,000,000 for each of fiscal years 2012 through 2016.”.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting “, when the victim of such crime elects or is unable to make such a report.”; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking “and” after the semicolon;

(ii) in clause (ii)—

(I) by striking “sexual orientation” and inserting “ national origin, sexual orientation, gender identity,”; and

(II) by striking the period and inserting “; and”;

(iii) by adding at the end the following:

“(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.”;

(2) in paragraph (3), by inserting “, that withholds the names of victims as confidential,” after “that is timely”;

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

“(i) The terms ‘dating violence’, ‘domestic violence’, and ‘stalking’ have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

“(v) The term ‘sexual assault’ means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”;

(4) in paragraph (7)—

(A) by striking “paragraph (1)(F)” and inserting “clauses (i) and (ii) of paragraph (1)(F)”;

(B) by inserting after “Hate Crime Statistics Act.” the following: “For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(5) by striking paragraph (8) and inserting the following:

“(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

“(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

“(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported.

“(B) The policy described in subparagraph (A) shall address the following areas:

“(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

“(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

“(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

“(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

“(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

“(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

“(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

“(ff) the information described in clauses (ii) through (vii); and

“(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

“(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

“(iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

“(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

“(II) to whom the alleged offense should be reported;

“(III) options regarding law enforcement and campus authorities, including notification of the victim’s option to—

“(aa) notify proper law enforcement authorities, including on-campus and local police;

“(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

“(cc) decline to notify such authorities; and

“(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

“(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

“(I) such proceedings shall—

“(aa) provide a prompt and equitable investigation and resolution; and

“(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

“(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

“(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

“(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

“(bb) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

“(cc) of any change to the results that occurs prior to the time that such results become final; and

“(dd) when such results become final.

“(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping

will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

“(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

“(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

“(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee’s rights and options, as described in clauses (ii) through (vii) of subparagraph (B).”;

(6) in paragraph (9), by striking “The Secretary” and inserting “The Secretary, in consultation with the Attorney General of the United States.”;

(7) by striking paragraph (16) and inserting the following:

“(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

“(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.”; and

(8) by striking paragraph (17) and inserting the following:

“(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4(c)) is amended by striking “\$2,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$1,000,000 for each of the fiscal years 2012 through 2016”.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-2) is amended to read as follows:

“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

“(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of

Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

“(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

“(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

“(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

“(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

“(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

“(D) policy development targeted to prevention, including school-based policies and protocols.

“(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children’s exposure to violence in the home. Such programs may include—

“(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

“(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

“(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

“(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

“(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence,

dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

“(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, or a school district.

“(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

“(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

“(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

“(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(d) GRANTEE REQUIREMENTS.—

“(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

“(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

“(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

“(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

“(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

“(D) document how prevention programs are coordinated with service programs in the community.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

“(A) include outcome-based evaluation; and

“(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated under this section may only be used for programs and activities described under this section.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.”.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–3 and 14043d–4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) IN GENERAL.—The Secretary shall award grants for—

“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

“(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

“(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

“(b) USE OF FUNDS.—

“(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

“(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

“(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

“(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

“(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

“(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

“(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

“(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

“(2) PERMISSIBLE USES.—

“(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

“(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

“(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

“(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as

childhood exposure to domestic and sexual violence;

“(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

“(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

“(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

“(c) REQUIREMENTS FOR GRANTEES.—

“(1) CONFIDENTIALITY AND SAFETY.—

“(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 4002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentiality and security procedures, and provide documentation of such consultation.

“(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

“(3) APPLICATION.—

“(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

“(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

“(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

“(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

“(II) a health care facility or system; or

“(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

“(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

“(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

“(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

“(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

“(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

“(d) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

“(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

“(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

“(C) a health care provider membership or professional organization, or a health care system; or

“(D) a State, tribal, territorial, or local entity.

“(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

“(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

“(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year,

the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

“(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

“(3) REPORTING.—The Secretary shall publish a biennial report on—

“(A) the distribution of funds under this section; and

“(B) the programs and activities supported by such funds.

“(f) RESEARCH AND EVALUATION.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

“(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

“(2) RESEARCH.—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

“(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

“(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

“(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$10,000,000 for each of fiscal years 2012 through 2016.

“(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.”

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

“CHAPTER 1—GRANT PROGRAMS”;

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(4) by adding at the end the following:

“CHAPTER 2—HOUSING RIGHTS

“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) DEFINITIONS.—In this chapter:

“(1) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an individual—

“(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

“(B) any individual, tenant, or lawful occupant living in the household of that individual.

“(2) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

“(3) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—

“(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701g);

“(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

“(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

“(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

“(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

“(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 17151(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

“(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715e–1);

“(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

“(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

“(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

“(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

“(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

“(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

“(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

“(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

“(3) **TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.**—

“(A) **DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.**—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

“(B) **BIFURCATION.**—

“(i) **IN GENERAL.**—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

“(ii) **EFFECT OF EVICTION ON OTHER TENANTS.**—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

“(C) **RULES OF CONSTRUCTION.**—Nothing in subparagraph (A) shall be construed—

“(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

“(II) the distribution or possession of property among members of a household in a case;

“(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

“(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

“(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

“(c) **DOCUMENTATION.**—

“(1) **REQUEST FOR DOCUMENTATION.**—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

“(2) **FAILURE TO PROVIDE CERTIFICATION.**—

“(A) **IN GENERAL.**—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

“(i) deny admission by the applicant or tenant to the covered program;

“(ii) deny assistance under the covered program to the applicant or tenant;

“(iii) terminate the participation of the applicant or tenant in the covered program; or

“(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

“(B) **EXTENSION.**—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

“(3) **FORM OF DOCUMENTATION.**—A form of documentation described in this paragraph is—

“(A) a certification form approved by the appropriate agency that—

“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

“(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

“(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

“(B) a document that—

“(i) is signed by—

“(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

“(II) the applicant or tenant; and

“(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

“(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

“(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(4) **CONFIDENTIALITY.**—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic

violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) **DOCUMENTATION NOT REQUIRED.**—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) **COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.**—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) **RESPONSE TO CONFLICTING CERTIFICATION.**—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

“(8) **PREEMPTION.**—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) **NOTIFICATION.**—

“(1) **DEVELOPMENT.**—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

“(2) **PROVISION.**—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

“(C) with any notification of eviction or notification of termination of assistance; and

“(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d-1 note; relating to access to services for persons with limited English proficiency).

“(e) **EMERGENCY TRANSFERS.**—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or

stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

“(A) the tenant expressly requests the transfer; and

“(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

“(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

“(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

“(f) **POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.**—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

“(g) **IMPLEMENTATION.**—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.”.

(b) **CONFORMING AMENDMENTS.**—

(1) **SECTION 6.**—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(i) in paragraph (5), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(ii) in paragraph (6), by striking “; except that” and all that follows through “stalking.”; and

(C) by striking subsection (u).

(2) **SECTION 8.**—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking “and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission”; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in clause (iii), by striking “, except that:” and all that follows through “stalking.”;

(C) in subsection (f)—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking “and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) **RULE OF CONSTRUCTION.**—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking “**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**” and inserting “**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**”; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “**child victims of domestic violence, stalking, or sexual assault**” and inserting “**victims of domestic violence, dating violence, sexual assault, or stalking**”; and

(B) in subsection (a)(1), by striking “fleeing”; and

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking “and” at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following:

“(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry into the workforce; and”; and

(iv) in subparagraph (C), as redesignated by clause (ii), by striking “employment counseling,”; and

(D) in subsection (g)—

(i) in paragraph (1), by striking “\$40,000,000 for each of fiscal years 2007 through 2011” and inserting “\$35,000,000 for each of fiscal years 2012 through 2016”; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking “eligible” and inserting “qualified”; and

(II) by adding at the end the following:

“(D) **QUALIFIED APPLICATION DEFINED.**—In this paragraph, the term ‘qualified application’ means an application that—

“(i) has been submitted by an eligible applicant;

“(ii) does not propose any activities that may compromise victim safety, including—

“(I) background checks of victims; or

“(II) clinical evaluations to determine eligibility for services;

“(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

“(iv) does not propose prohibited activities, including mandatory services for victims.”.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 1403e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e-3(i)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2012 through 2016”; and

(2) in section 41405(g) (42 U.S.C. 14043e-4(g)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2012 through 2016”.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “stalking;” after “sexual exploitation;”.

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2012, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time,

while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking “or” at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

“(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or”

SEC. 804. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

“(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

“(i) is a VAWA self-petitioner;

“(ii) is an applicant for, or is granted, non-immigrant status under section 101(a)(15)(U); or

“(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).”

SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) RECAPTURE OF UNUSED U VISAS.—Section 214(p)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(2)) is amended by—

(1) in subparagraph (A), by striking “The number” and inserting “Except as provided in subparagraph (C), the number”; and

(2) by adding at the end the following:

“(C) Beginning in fiscal year 2012, if the numerical limitation set forth in subparagraph (A) is reached before the end of the fiscal year, up to 5,000 additional visas, of the aggregate number of visas that were available and not issued to nonimmigrants described in section 101(a)(15)(U) in fiscal years 2006 through 2011, may be issued until the end of the fiscal year.”

(3) SUNSET DATE.—The amendments made by paragraphs (1) and (2) are repealed on the date on which the aggregate number of visas that were available and not issued in fiscal years 2006 through 2011 have been issued pursuant to section 214(p)(2)(C) of the Immigration and Nationality Act.

(b) AGE DETERMINATIONS.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

“(7) AGE DETERMINATIONS.—

“(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent’s petition was filed but while it was pending.

“(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(1) of such section if the alien attains 21 years of age after the alien’s application for status under such clause (i) is filed but while it is pending.”

SEC. 806. HARDSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking “(1), or” and inserting “(1); or”;

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and “or”; and

(4) by inserting after subparagraph (C) the following:

“(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien’s intended spouse and was not at fault in failing to meet the requirements of paragraph (1).”

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking “The Attorney General, in the Attorney General’s” and inserting “The Secretary of Homeland Security, in the Secretary’s”; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking “Attorney General” and inserting “Secretary of Homeland Security”;

(B) in the second sentence, by striking “Attorney General” and inserting “Secretary”;

(C) in the third sentence, by striking “Attorney General.” and inserting “Secretary.”; and

(D) in the fourth sentence, by striking “Attorney General” and inserting “Secretary”.

SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).”; and

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking “a consular officer” and inserting “the Secretary of Homeland Security”; and

(ii) by striking “the officer” and inserting “the Secretary”; and

(C) in paragraph (3)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”; and

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).”; and

(B) by amending paragraph (4)(B)(ii) to read as follows:

“(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).”; and

(3) in paragraph (5)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”

(b) PROVISION OF INFORMATION TO K NON-IMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking “State any” and inserting “State, for inclusion in the mailing described in clause (i), any”; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

“(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center’s Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

“(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

“(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

“(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant’s attention—

“(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

“(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

“(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.”; and

(2) in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—

(1) FINDINGS.—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) TECHNICAL CORRECTION.—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking “Federal and State sex offender public registries” and inserting “the National Sex Offender Public Website”.

(c) **REGULATION OF INTERNATIONAL MARRIAGE BROKERS.**—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) **PROHIBITION ON MARKETING OF OR TO CHILDREN.**—

“(A) **IN GENERAL.**—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

“(B) **COMPLIANCE.**—To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client’s birth certificate or other proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.”;

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking “REGISTRIES—” and inserting “WEBSITE.—”; and

(ii) by striking “Registry or State sex offender public registry,” and inserting “Website.”; and

(B) in subparagraph (B)(ii), by striking “or stalking.” and inserting “stalking, or an attempt to commit any such crime.”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking “Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,” and inserting “Website”; and

(ii) in clause (iii)(II), by striking “background information collected by the international marriage broker under paragraph (2)(B);” and inserting “signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);”; and

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking “A penalty may be imposed under clause (i) by the Attorney General only” and inserting “At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General”;

(B) by amending subparagraph (B) to read as follows:

“(B) **FEDERAL CRIMINAL PENALTIES.**—

“(i) **FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.**—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

“(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

“(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

“(ii) **MISUSE OF INFORMATION.**—A person who knowingly discloses, uses, or causes to be used

any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

“(iii) **FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.**—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

“(iv) **RELATIONSHIP TO OTHER PENALTIES.**—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

“(v) **CONSTRUCTION.**—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.”; and

(C) in subparagraph (C), by striking the period at the end and inserting “including equitable remedies.”;

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

“(6) **ENFORCEMENT.**—

“(A) **AUTHORITY.**—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

“(B) **CONSULTATION.**—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.”.

(d) **GAO STUDY AND REPORT.**—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking “STUDY AND REPORT.—” and inserting “STUDIES AND REPORTS.—”; and

(2) by adding at the end the following:

“(4) **CONTINUING IMPACT STUDY AND REPORT.**—

“(A) **STUDY.**—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section of 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K non-immigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

“(B) **REPORT.**—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2011, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

“(C) **DATA COLLECTION.**—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).”.

SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110-229; 48

U.S.C. 1806 note), is amended by striking “except that,” and all that follows through the end, and inserting the following: “except that—

“(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) has abandoned or lost such status by reason of absence from the United States, such alien’s presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

“(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien’s physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.”.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg 10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault,”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking;”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—

(A) by inserting “sex trafficking,” after “stalking,”; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

“(9) provide services to address the needs of youth and children who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the youth or child; and

“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

“(d) **TRIBAL COALITION GRANTS.**—

“(1) **PURPOSE.**—The Attorney General shall award a grant to tribal coalitions for purposes of—

“(A) increasing awareness of domestic violence and sexual assault against Indian women;

“(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

“(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

“(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation

and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

“(2) GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

“(A) each tribal coalition that—

“(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

“(ii) is recognized by the Office on Violence Against Women; and

“(iii) provides services to Indian tribes; and

“(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

“(3) USE OF AMOUNTS.—For each of fiscal years 2012 through 2016, of the amounts appropriated to carry out this subsection—

“(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

“(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year

“(4) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

“(5) MULTIPLE PURPOSE APPLICATIONS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.”.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking “and the Violence Against Women Act of 2000” and inserting “, the Violence Against Women Act of 2000”; and

(B) by inserting “, and the Violence Against Women Reauthorization Act of 2011” before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “Secretary of the Department of Health and Human Services” and inserting “Secretary of Health and Human Services, the Secretary of the Interior;”; and

(B) in paragraph (2), by striking “and stalking” and inserting “stalking, and sex trafficking”; and

(3) by adding at the end the following:

“(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

“(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

“(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

“(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

“(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a),

the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”.

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the “Indian Civil Rights Act of 1968”) is amended by adding at the end the following:

“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

“(a) DEFINITIONS.—In this section:

“(1) DATING VIOLENCE.—The term ‘dating violence’ means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

“(2) DOMESTIC VIOLENCE.—The term ‘domestic violence’ means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

“(3) INDIAN COUNTRY.—The term ‘Indian country’ has the meaning given the term in section 1151 of title 18, United States Code.

“(4) PARTICIPATING TRIBE.—The term ‘participating tribe’ means an Indian tribe that elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

“(5) PROTECTION ORDER.—The term ‘protection order’—

“(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

“(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

“(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term ‘special domestic violence criminal jurisdiction’ means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

“(7) SPOUSE OR INTIMATE PARTNER.—The term ‘spouse or intimate partner’ has the meaning given the term in section 2266 of title 18, United States Code.

“(b) NATURE OF THE CRIMINAL JURISDICTION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

“(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

“(3) APPLICABILITY.—Nothing in this section—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country;

“(B) affects the authority of the United States or any State government that has been dele-

gated authority by the United States to investigate and prosecute a criminal violation in Indian country;

“(C) shall apply to an Indian tribe in the State of Alaska, except with respect to the Metlakatla Indian Community, Annette Islands Reserve; or

“(D) shall limit, alter, expand, or diminish the civil or criminal jurisdiction of the State of Alaska or any subdivision of the State of Alaska.

“(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

“(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

“(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

“(A) occurs in the Indian country of the participating tribe; and

“(B) violates the portion of a protection order that—

“(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(ii) was issued against the defendant;

“(iii) is enforceable by the participating tribe; and

“(iv) is consistent with section 2265(b) of title 18, United States Code.

“(d) DISMISSAL OF CERTAIN CASES.—

“(1) DEFINITION OF VICTIM.—In this subsection and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a criminal violation of a protection order, the term ‘victim’ means a person specifically protected by a protection order that the defendant allegedly violated.

“(2) NON-INDIAN VICTIMS AND DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

“(A) the defendant files a pretrial motion to dismiss on the grounds that the alleged offense did not involve an Indian; and

“(B) the participating tribe fails to prove that the defendant or an alleged victim is an Indian.

“(3) TIES TO INDIAN TRIBE.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

“(A) the defendant files a pretrial motion to dismiss on the grounds that the defendant and the alleged victim lack sufficient ties to the Indian tribe; and

“(B) the prosecuting tribe fails to prove that the defendant or an alleged victim—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse or intimate partner of a member of the participating tribe.

“(4) WAIVER.—A knowing and voluntary failure of a defendant to file a pretrial motion described in paragraph (2) or (3) shall be considered a waiver of the right to seek a dismissal under this subsection.

“(e) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

“(1) all applicable rights under this Act;

“(2) if a term of imprisonment of any length is imposed, all rights described in section 202(c); and

“(3) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

“(f) PETITIONS TO STAY DETENTION.—

“(1) IN GENERAL.—A person has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

“(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

“(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(g) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(B) prosecution;

“(C) trial and appellate courts;

“(D) probation systems;

“(E) detention and correctional facilities;

“(F) alternative rehabilitation centers;

“(G) culturally appropriate services and assistance for victims and their families; and

“(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(h) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (g) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes..”.

SEC. 905. TRIBAL PROTECTION ORDERS.

Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving

any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.

“(2) APPLICABILITY.—Paragraph (1)—

“(A) shall not apply to an Indian tribe in the State of Alaska, except with respect to the Metlakatla Indian Community, Annette Islands Reserve; and

“(B) shall not limit, alter, expand, or diminish the civil or criminal jurisdiction of the State of Alaska or any subdivision of the State of Alaska..”.

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both..”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse..”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”;

(ii) by striking “fine” and inserting “a fine”;

and

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both..”;

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim..”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking..”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2011”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2012 and 2013”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (e) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants’ rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (e) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking “2 years” and inserting “3 years”.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this

Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

TITLE X—OTHER MATTERS

SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) SEXUAL ABUSE OF A MINOR OR WARD.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

“(b) OF A WARD.—

“(1) OFFENSES.—

“(A) IN GENERAL.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

“(i) in official detention or under official supervision or other official control of, the United States—

“(I) during or after arrest;

“(II) after release pretrial;

“(III) while on bail, probation, supervised release, or parole;

“(IV) after release following a finding of juvenile delinquency; or

“(V) after release pending any further judicial proceedings;

“(ii) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

“(iii) at the time of the sexual act—

“(I) in the special maritime and territorial jurisdiction of the United States;

“(II) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

“(III) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

“(B) SEXUAL CONTACT.—It shall be unlawful for any person to knowingly engage in sexual contact with, or cause sexual contact by, another person, if to do so would violate subparagraph (A) had the sexual contact been a sexual act.

“(2) PENALTIES.—

“(A) IN GENERAL.—A person that violates paragraph (1)(A) shall—

“(i) be fined under this title, imprisoned for not more than 15 years, or both; and

“(ii) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.

“(B) SEXUAL CONTACT.—A person that violates paragraph (1)(B) shall be fined under this title, imprisoned for not more than 2 years, or both.”

(b) PENALTIES FOR SEXUAL ABUSE.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“§ 250. Penalties for sexual abuse

“(a) OFFENSE.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

“(b) PENALTIES.—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.”

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“250. Penalties for sexual abuse.”

SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(5) DEFINITION.—As used in this section, the term ‘detention facilities operated under contract with the Department’ includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

“(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).”

SEC. 1003. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Telecommunications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking “annoy,”;

(2) in subparagraph (C)—

(A) by striking “annoy,”; and

(B) by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”; and

(3) in subparagraph (E), by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”.

SEC. 1004. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking “\$3,000,000” and all that follows and inserting “\$3,000,000 for fiscal years 2012 through 2016.”

SEC. 1005. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103-322; 108 Stat. 1910) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

SEC. 1006. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking “\$2,300,000” and all that follows and inserting “\$2,300,000 for each of fiscal years 2012 through 2016.”

SEC. 1007. MANDATORY MINIMUM SENTENCE.

Section 2241(a) of title 18, United States Code, is amended in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 5 years or imprisoned for life”.

SEC. 1008. REMOVAL OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)) is amended by striking “for which the term of imprisonment” and inserting “, including a third drunk driving conviction, regardless of the States in which the convictions occurred or whether the offenses are classified as misdemeanors or felonies under State or Federal law, for which the term of imprisonment is”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I am pleased that we are able to move directly to the legislation without a cloture vote.

The Violence Against Women Reauthorization Act is a bipartisan bill. It has 61 cosponsors. I was encouraged yesterday morning to hear the majority leader and the Republican leader discussing moving forward quickly to pass this legislation.

I agree with the majority leader. I don't want to see the bill weakened. I agree with the Republican leader that there is strong bipartisan support for the Leahy-Crapo bill. I look forward to working out an agreement. I have spoken to both of them and told them I will support an agreement that will allow us to consider, and expeditiously approve, the bill in short order. Of course, I will be happy to help in any way I can to facilitate that.

The bipartisan Violence Against Women Act has been the centerpiece of the Federal Government's commitment to combat domestic violence, dating violence, sexual assault, and stalking. The impact of the landmark law has been remarkable. It is one law I can point to and say that it has provided life-saving assistance to hundreds of thousands of women, children, and men.

At a time when we can sometimes be polarized around here, I appreciate the bipartisan support of this bill.

Senator CRAPO and I introduced the reauthorization of the Violence Against Women Act last year. We come from different parts of the country. We come from different parties. We, I think it is safe to say, come from different political philosophies. But we agreed that we all have to work to stop violence against women. In fact, we didn't move forward to do so at all until it had a lot of discussion both with the staff of the ranking member and other Republicans on the Judiciary Committee. We did our best to try to accommodate all points of view.

We continued our outreach after the introduction of the bill, in the hearings and in the committee process. The amendment the Judiciary Committee adopted on February 2 included several additional changes requested by Republican Senators. I made sure they were in there. They are outlined in the committee report.

We eliminated several provisions that would have offered significant assistance to immigrant victims of domestic and sexual violence. It was difficult to remove these provisions, but we earnestly sought compromise, and I was encouraged when in our committee meetings Senator GRASSLEY acknowledged our efforts to reach agreement where we could.

I said then and I now say that we were willing to go as far as we could to accommodate Senators on either side of the aisle. But as chairman of the Judiciary Committee, I cannot abandon core principles of fairness, and I will not. I continue to urge all Senators to join to protect the most vulnerable vic-

tims of violence, including battered immigrant women, assisting law enforcement, Native American women who suffer in record numbers, and those who have had trouble accessing services.

I have said so many times on this floor that a victim is a victim is a victim. They all need to be helped. They deserve our attention. They deserve the protection and access to the services our bill provides.

We now have 61 cosponsors, including 8 Republicans; 16 of the 17 women in the Senate, from both parties, have joined as cosponsors. They have been strong supporters from the start, and the bill is better because of their efforts.

There is one purpose, and one purpose alone, for the bill that Senator CRAPO and I have introduced: to help protect victims of domestic and sexual violence. That purpose is reinforced as we turn to this bill during Crime Victims' Rights Week and Sexual Assault Awareness Month.

Our bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country—and I must say from all political persuasions, from the right to the left. The bipartisan bill was developed in an open and democratic process, and it is responsive to the unmet needs of victims.

The New York Times had a column by Dorothy Samuels last Sunday that got it right. She wrote:

[T]he provisions respond to real humanitarian and law enforcement needs.

When Senator CRAPO and I worked to put this legislation together, we purposely avoided proposals that were extreme or divisive on either the right or the left. We selected only those proposals that law enforcement and survivors and the professionals who work with crime victims every day told us were essential. We did not go for somebody who didn't have firsthand experience. We asked the people who actually have to make the law work. That is actually why every one of these provisions has such widespread support.

In fact, our reauthorization bill is supported by more than 1,000 Federal, State, and local organizations, and they include service providers, law enforcement, religious organizations, and many more.

We have done a good job on the domestic violence front, so sexual assault is where we need to increase our focus. That is what the bill does. The administration is fully onboard, and I welcome their statement of support.

We have to pass this legislation. We have to pass this provision to focus on sexual assault. I think of the advocates in my State of Vermont who work not only in the cities but especially in the rural areas. Mr. President, it is not just those of us from small States; every single State has rural areas. The

distinguished Presiding Officer does, the distinguished majority leader does, the distinguished Republican leader does. We all have rural areas.

I think of Karen Tronsgard-Scott of the Vermont Network to End Domestic and Sexual Violence and Jane Van Buren with Women Helping Battered Women. They have helped us put this together. I appreciate the guidance from all across the Nation from such organizations as the National Network to End Domestic Violence, the National Alliance to End Sexual Violence, the National Task Force to End Sexual and Domestic Violence Against Women. The coalition has been maintained and has been valuable in these efforts. It is working with them that we were able to adjust the allocation of funds to increase needed funding for sexual assault efforts, and do it without harming the other coordinated efforts.

We reached our understanding in working with them, not by picking a number out of a hat or trying to outbid some proposal. It wasn't there. Everybody worked together. We only have so many dollars. We tried to do it and use the money where it works the best.

The provision ensuring that services will be available to all victims regardless of sexual orientation and gender identity is supported by the Leadership Conference of Civil Rights and numerous civil rights and crime victim advocates. I was pleased to see a letter from Cindy Dyer, President Bush's Director of the Office of Violence Against Women, in which she writes:

As criminal justice professionals, our job is to protect the community, but we are not able to do that unless all the tools necessary . . . are available to all victims of crime.

Of course, she is right. A victim is a victim is a victim.

Mr. President, when I was the State's attorney, I went to crime scenes at 3 o'clock in the morning and there was a battered and bloody victim—we hoped alive, but sometimes not. The police never said: Is this victim a Democrat or a Republican? Is this victim gay or straight? Is this victim an immigrant? Is this victim native born?

They said: This is a victim. How do we find the person who did this and stop them from doing it again? A victim is a victim is a victim. Everybody in law enforcement will tell you that.

Because of that, we added a limited number of new visas for immigrant victims of serious crimes who help law enforcement, which is backed not only by the immigrants' rights organizations, as one might expect, but it is backed by the Fraternal Order of Police which writes that "the expansion of the U visa program will provide incalculable benefits to our citizens and our communities at a negligible cost." My friends in law enforcement are right, as they so often are.

On Tuesday, in an editorial in our local paper, the Washington Post urged passage of our bipartisan bill, noting:

A comprehensive committee report convincingly details gaps in current programs as identified by law enforcement officers, victim-service providers, judges and health-care professions. No one—gay or straight, man or woman, legal or undocumented—should be denied protections against domestic abuse or sexual violence.

Mr. President, I agree with that editorial because what it says is what we have said over and over on this floor—a victim is a victim is a victim. If you are a victim, you should have somebody ready to help.

They are improvements that are not only reasonable but necessary if we are to fulfill our commitment to victims of domestic and sexual violence. If we say you are a victim of domestic or sexual violence, we can't pick and choose to say this victim will be helped but this one is going to be left on their own. We say we are going to help all of them. A victim is a victim is a victim.

I believe that if Senators of both parties take an honest look at all the provisions in our bipartisan VAWA reauthorization bill, they will find it to be a commonsense measure we can all support. This isn't a Democratic or a Republican measure, this is a good-government measure. This protects the people in our society who sadly need protection. Sixty-one Senators have already reached this conclusion from both parties, so I hope more will join us. I hope the Senate will promptly pass the Leahy-Crapo Violence Against Women Reauthorization Act.

Mr. President, I was going to suggest the absence of a quorum, but I see the distinguished Senator from Texas in the Chamber, so I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise to talk about the Violence Against Women Act. Senator LEAHY, the distinguished chairman of the Judiciary Committee, has a bill that has many good parts, and I was listening to the things he said about it and agree with many of them. Because there are some areas of disagreement, I have worked with many of my colleagues to create a substitute that has the same coverage but is better in other ways also. So I hope we will have the ability to look at both and that from that we would be able to pass a bill out of the Senate to address the violence against women we see in our country.

Our bill, as Senator LEAHY's bill does, actually covers men, who we know now are also subject to this kind of violence. So our bill covers men who have suffered the same kinds of victimization as women and whom we covered 16 years ago.

I would like to point out that I have been championing this issue for a very long time. When I was in the Texas Legislature, I learned there were seri-

ous problems in the reporting and prosecution of rape in our country. The State statute in Texas in the early 1970s discouraged reporting because of embarrassment to the victim and the difficulty of obtaining convictions because victims were not willing to come forward and report rapes because they felt they were treated like a criminal sometimes. If they actually did report it and agree to help the prosecution, their treatment on the witness stand was so humiliating they often gave up. So the reports of rape were often not made. This was true in Texas, but it was true throughout our country.

I worked with Democratic members in our legislature and led the effort to strengthen victim protection in this area, and it included limiting irrelevant questions asked by law enforcement officials and attorneys and redefining the meaning of consent, all of which enhanced the privacy rights of our victims. We created a statute of limitations that was more in line with other crimes of assault and battery.

Our bill was so good when it passed in 1975 that it became a model for other States that were passing legislation. So this was the beginning of the effort to do just that. It was the model bill many States looked at to adapt and adopt in their States to protect the victims of violent crimes in our country.

In the Senate, it was my bill that created the Amber Alert system that would go across State lines. I worked with Senator FEINSTEIN on that bill, and our bill has saved 550 abducted children. That has been documented. So we have been able to do some things on a bipartisan basis. I have also strongly supported the National Domestic Violence Hotline, and stalking across State lines was also in my bill. So I have been in this effort for a long time.

Of course, 16 years ago when the Violence Against Women Act first passed, we did so unanimously, on a voice vote. Everyone supported it. We now have to renew this bill yet again, and I hope we are going to come together tomorrow to pass it.

I am going to support Senator LEAHY's bill. I like many parts of it. I also think we can improve it in the areas I have included in my substitute, and I hope we will be able to pass that as well. Our bill keeps much of the committee-reported bill intact. For instance, I am cosponsoring Senator KLOBUCHAR's bill to take the stalking bill I passed originally into cyber stalking because that was not a problem when we first passed the Violence Against Women Act but is a problem today.

The current legislation I am going to introduce will update and strengthen current law and fix some weaknesses that I think are in Senator LEAHY's bill. Our bill updates current law by mandating tougher sentences for vio-

lent crimes, increasing support for sexual assault investigations and rape kit testing, and requiring more effective Justice Department oversight of grant programs to ensure scarce funds aren't wasted. This was done as a result of the IG in the Justice Department saying there was not enough oversight and not enough auditing of the grants to ensure they go to the victims and victims' rights organizations for which they are intended. Our bill is one I certainly hope we will be able to pass.

One of the trends—and not a good trend—in this country right now is the downward curve of sentences handed out in Federal courts for child pornography. The most recent report to Congress from the U.S. Sentencing Commission notes that child pornography defendants are being sentenced to terms below Federal sentencing guidelines in 45 percent of the cases. Almost half of these defendants are receiving less than the recommended sentences. In one particularly egregious instance, a man was convicted of knowingly possessing hundreds of child pornography pictures and videos of 8- to-10-year-old girls being abused. I can hardly even talk about that, but even worse, the sentencing guidelines called for this man to receive 63 to 78 months of imprisonment, yet he was sentenced to 1 day in prison. That is ridiculous. It is obscene in and of itself.

Our bill would impose a mandatory minimum sentence of 1 year in these cases. If I could have written this bill by myself, it would have been more. So a minimum of 1 year for child pornography showing 8- to-10-year-old girls being violated. That is hard to talk about, and we need to do something about it. Our substitute does create a minimum sentence for this type of violation.

We have many other provisions in our bill that are very strong. My substitute is one I think we can put together with Senator LEAHY's bill when we go to conference. I know the House is going to pass a bill. They are introducing their own. We will go to conference on this bill, and we will come out with a good bill if everyone will cooperate because we are on the same path.

I think our bill is a good and solid one. I am looking forward to talking about it tomorrow, having a vote, and I hope we will be able to go forward with the sincerity I think everyone has on this issue.

I think Senator CORNYN has a wonderful amendment that will also increase getting rid of the backlog in the rape testing kits so that people who are guilty of these crimes can be found through the testing and stopped from committing future crimes on victims. That is the purpose. So Senator CORNYN and I hope to be able to have our

amendments brought forward tomorrow—two amendments—and with Senator LEAHY's bill, we can pass this and send it to the House.

Something is going to pass the Senate, and I hope we will just have a minimum ability to move on our very respectable alternatives or amendments and then go to conference, where we can come out with a bill that extends this very important act in our country.

Mr. President, I have four letters of support for our bill. One letter is from a rape prevention and victim protection group. The PROTECT group says their support is for strengthening Federal sentencing of child sexual exploitation. The Shared Hope International organization is very supportive of the parts of our bill that have gotten into the international realm of trafficking. The Rape Abuse & Incest National Network, which is the largest rape victim organization in America, has written a very strong letter of support, as has the Criminal Justice Legal Foundation.

I hope we will be able to talk again tomorrow about these pieces of legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD the four letters to which I referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PROTECT,
Knoxville, TN, April 23, 2012.

Hon. CHUCK GRASSLEY,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR GRASSLEY: We are writing to enthusiastically endorse your legislation to strengthen federal sentencing of child sexual exploitation.

Your proposed amendments to 18 U.S.C. 2252 and 2252A would create a mandatory minimum sentence of incarceration for any offender who possesses child abuse images of "a prepubescent minor or a minor who had not attained 12 years of age."

The Grassley bill stands squarely in the way of a growing movement by federal judges to weaken sentences for child pornography crimes. This judicial movement, given credence and momentum by the U.S. Sentencing Commission, would treat so-called "simple possession" as a victimless crime.

This outrageous judicial campaign leaves Congress no choice. With its aggressive criticism of child pornography penalties, the U.S. Sentencing Commission has shot across your bow. We cheer you for returning fire! The federal judiciary must hear loudly and clearly that the values of Americans demand that sexual exploitation be treated as a serious crime.

For the record, we hope to see even more Congressional action, strengthening protections for older children and meaningful restitution and asset forfeiture as well. Your bill is a reasonable but tough step to shore up and strengthen sentencing of child predators.

Never let the apologists for child pornography traffickers deny the pain and harm done by possessors of these images. These are human rights crimes, and should be treated as such. So-called "simple possessors" fuel the market for more and more

crime scene recordings of children being raped, tortured and degraded. Even those who don't pay for the images they acquire create a crushing market demand for barter and production. Thank you for standing up for these victims.

Sincerely,

GRIER WEEKS,
Executive Director.

SHARED HOPE INTERNATIONAL,
April 24, 2012.

Sen. KAY BAILEY HUTCHISON,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR HUTCHISON: Shared Hope International supports your proposed VAWA Reauthorization bill. On October 21, 2009, the House Foreign Affairs Subcommittee on International Organizations, Human Rights and Oversight held a hearing on international violence against women at which I testified to the connections between sexual violence against children and women, and the need to view the sex trafficking occurring in the U.S. as part of the widespread crime of international violence against women. We view the inclusion of provisions related to mandatory minimum sentences for possession of pornography when the victim is under 12 and the expansion of the administrative subpoena power for the U.S. Marshals to track unregistered sex offenders as efforts to protect children who are subject to violence through sex trafficking. These provisions bring greater criminal enforcement and deterrence to child sex trafficking crimes. Child pornography is one form of child sex trafficking and is too often intertwined with the other forms of sexual exploitation, which include prostitution and sexual performance. Stiffer penalties will bring greater deterrence and justice for the victims. Prevention of child sex trafficking includes empowering families and communities with the knowledge of the location of sex offenders. Those offenders who fail to register circumvent the purpose of this law. Tools to increase the ability of the U.S. Marshals to track these unregistered sex offenders is important to enforcement of this law.

We commend your leadership in combating child sex trafficking by viewing it as part of the overall violence against women issue and fully support your efforts. Please contact me with any questions and thank you for considering our views on this bill.

Sincerely,

LINDA SMITH,
(U.S. Congress 1995-99,
Washington State
Senate/House 1983-
94), Founder and
President.

RAPE, ABUSE & INCEST
NATIONAL NETWORK,
Washington, DC, April 24, 2012.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: I am writing to thank you for including the Sexual Assault Forensic Evidence Registry (SAFER) Act in S. 2338, to reauthorize the Violence Against Women Act. The SAFER Act is bipartisan and cost-free, and will help bring more rapists to justice by reducing the rape kit backlog. It is our hope that it will be included as part of the final VAWA reauthorization package.

One out of every six women and one in 33 men are victims of sexual assault—20 million Americans in all, according to the Depart-

ment of Justice. Rapists tend to be serial criminals, often committing many crimes before they are finally caught; and only about 3% of rapists will ever spend a single day in prison.

We believe it is in the best interests of victims, the criminal justice system, and all Americans to enact the SAFER Act. The SAFER Act will help get an accurate count of the rape kit backlog on a national level, increasing transparency and efficiency and allowing lawmakers to target funding to the areas of greatest need. An accurate count of the backlog will lead to more successful prosecutions, and to more violent criminals behind bars.

RAINN (Rape, Abuse & Incest National Network) is the nation's largest anti-sexual assault organization. RAINN created and operates the National Sexual Assault Hotline (800.656.HOPE and rainn.org), which has helped more than 1.7 million people since 1994. RAINN also carries out programs to prevent sexual assault, help victims, and ensure that rapists are brought to justice. For more information about RAINN, please visit www.rainn.org.

Thank you again for including the SAFER Act in S. 2338. We believe SAFER will greatly enhance VAWA and result in a stronger, more effective bill. We are grateful for your leadership in the battle to prevent sexual violence and prosecute its perpetrators, and we look forward to working with you to encourage passage of this important act and to reauthorize VAWA.

Sincerely,

SCOTT BERKOWITZ,
President and Founder.

CRIMINAL JUSTICE
LEGAL FOUNDATION,
Sacramento, CA, April 19, 2012.

Re: S. 1925, Violence Against Women Reauthorization

Hon. CHARLES GRASSLEY,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR GRASSLEY: The Criminal Justice Legal Foundation, an organization supporting the rights of victims of crime in the criminal justice system, supports your efforts to establish a minimum sentence for the crime of aggravated sexual abuse when committed within federal jurisdiction.

The present statute provides that a person who commits this crime, more commonly described as forcible rape, "shall be fined . . . , imprisoned for any term of years or life, or both." (18 U.S.C. § 2241(a).) Sentencing laws with such an enormous range of punishments are relics of a bygone era. At one time, it was thought proper to give the trial judge such wide latitude, but the disparate sentences under this system were eventually understood to outweigh the advantages.

In the Sentencing Reform Act of 1984, a bipartisan reform sponsored by Senators Kennedy and Thurmond, the wide-ranging sentences in the statutes were overlaid, and largely replaced, by a set of binding sentencing guidelines. From 1984 to 2005, a good argument against adding statutory mandatory minimums was that they were unnecessary in a properly functioning system of binding guidelines.

Unfortunately, Congress's chosen mechanism for reducing sentencing disparity was declared unconstitutional by the Supreme Court in *Booker v. United States*, 543 U.S. 220 (2005). In its place, we have a confusing, one might even say chaotic, system of discretion in the trial court and review in the courts of appeals.

Mr. HATCH. Mr. President, this body has a long tradition of bipartisan support for the Violence Against Women Act. One of the bills before us will continue that tradition. The other will destroy it. The bill introduced by the Senator from Texas, Mrs. HUTCHISON, stays true to the purpose and scope of the legislation that in the past received wide bipartisan support. The other bill introduced by the Senator from Vermont, Mr. LEAHY, deliberately departs from that purpose and scope and introduces divisive and controversial new provisions that, I believe, are designed to shatter that bipartisan support.

The purpose of the Violence Against Women Act is to combat violence against women. The description of the Office on Violence Against Women, currently on the Department of Justice Web site, states the same thing a half dozen times: that this legislation is designed to end violence against women. The steadily growing bipartisan consensus behind this legislation has made it more important and more effective.

Senator LEAHY's bill, S. 1925, undermines the consensus that has been growing for two decades by introducing controversial and divisive proposals that fundamentally change the focus and scope of this legislation. If those proposals have merit, they should receive their own separate consideration with appropriate legislation introduced and hearings held. But it is inappropriate to use the Violence Against Women Act and the good will that it has attracted as cover for those new and divisive projects.

I support Senator HUTCHISON's bill both for what it contains and what it does not contain. First, it provides stronger penalties for crimes such as forcible rape, aggravated sexual assault, child pornography, and interstate domestic violence resulting in death. The Leahy bill is weaker than Senator HUTCHISON's when it comes to addressing these crimes, and in some instances it does not address them at all. Second, it targets more grant funding to address sexual assault and requires far more funding be used to reduce the backlog in testing rape kits. Third, it requires an audit of the Office for Victims of Crime to ensure that funds from the Crime Victims Fund are reaching those it exists to help. Fourth, it addresses problems with inadequate oversight and administration by requiring that 10 percent of grantees be audited each year and by capping the percentage of appropriated funds that may be used for administrative costs.

Senator HUTCHISON's bill does not contain the controversial and divisive provisions that the majority insisted on including. It does not, for example, authorize unused U visas from previous years to be used in the future. This provision in the majority's bill led the

Congressional Budget Office to conclude that it will add more than \$100 million to the deficit. The Hutchison bill does not extend Indian tribal court criminal jurisdiction to non-Indians. A Congressional Research Service memo outlines a number of constitutional concerns regarding this provision in the majority bill.

Let me conclude by expressing both my disappointment and my thanks. I am truly disappointed that the majority has deliberately politicized the reauthorization of VAWA in a way that they knew would render impossible the kind of bipartisan consensus this legislation has had in the past. It seems that the majority was more interested in having a campaign issue for President Obama than in actually doing the hard work of creating a consensus bill that would protect women from violent crime.

However, I want to thank my colleagues, Senator HUTCHISON and the ranking member of the Judiciary Committee, Senator GRASSLEY, for stepping up and offering this legislation to reauthorize the Violence Against Women Act in a way that can attract that consensus and continue the effort to end violence against women.

Mrs. HUTCHISON. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

HONORING OUR ARMED FORCES

LANCE CORPORAL ABRAHAM TARWOE

Mr. REED. Mr. President, I rise today, along with my colleague, the Presiding Officer, to pay tribute to Lance Corporal Abraham Tarwoe, a Rhode Islander who served in the U.S. Marine Corps.

On April 12, Lance Corporal Tarwoe was killed while conducting combat operations in Helmand Province, Afghanistan. A memorial service will be held on Saturday in Rhode Island to honor his selfless sacrifice, and he will then be laid to rest in his native home of Liberia.

When he was about 7 years old, Lance Corporal Tarwoe left Liberia and started a new life in the United States. He was one among thousands of Liberians who came to the United States seeking safety from a civil war. We are proud that so many of these brave individuals and their families now call Rhode Island their home, and our State continues to be enriched by this strong community.

Lance Corporal Tarwoe enlisted in the U.S. Marine Corps in June 2009. He

was on his second deployment to Afghanistan, assigned to the 2nd Battalion, 9th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, where he was serving as a mortarman and had additional duties as a military dog handler.

Each generation of Americans is called upon to protect and sustain our democracy, and among our greatest heroes are the men and women who have worn the uniform of our Nation and have sacrificed for our country to keep it safe and to keep it free.

It is our duty to protect the freedom they sacrificed their lives for through our service, our citizenship. We must continue to keep their memories alive and honor their heroism, not simply by our words but by our deeds as citizens of this great country.

Today, our thoughts are with Lance Corporal Tarwoe's loving family in Liberia, Famatta and Abraham Kar, his brother Randall, his wife Juah, and his son Avant, and all his family, friends, and his comrades-in-arms. We join them in commemorating his sacrifice and honoring his example of selfless service, love, courage, and devotion to the Marines with whom he served and the people of Afghanistan he was trying to help.

Lance Corporal Tarwoe is one among many Rhode Islanders who have proven their loyalty, their integrity, and their personal courage by giving the last full measure of their lives in service to our country in Afghanistan, in Iraq, and elsewhere around the globe.

Today, we honor his memory and the memory of all those who have served and sacrificed as he did. He has joined a distinguished roll of honor, including many Rhode Islanders who have served and sacrificed since September 11, 2001.

All of these men and women who have given their lives in the last decade in Afghanistan and Iraq have done a great service to the Nation. It is a roll of honor. It is a roll that Lance Corporal Tarwoe joins, and it should be for us a roll not just to recognize and remember but to recommit, to try in some small way to match their great sacrifice for this great Nation.

In Lance Corporal Tarwoe's situation, it also should remind us that this young man, born in Liberia, who came as a child and to Rhode Island, demonstrates to us all that being an American is about what is in your heart, not necessarily where you were born or what language you may have spoken as a child. It is about believing in America—believing so much that you would give your life to defend the values that we so much cherish.

TRIBUTE TO SERGEANT MAXWELL R. DORLEY

Mr. REED. Mr. President, I rise today, along with the Presiding Officer, my colleague, Senator WHITEHOUSE, to

pay my respect and honor the life of Sergeant Maxwell R. Dorley, a distinguished and beloved member of the Providence Police Department, who passed away tragically in the line of duty.

Sergeant Dorley's personal story, which began in Liberia is another example of the extraordinary contribution of the Liberian community to the State of Rhode Island, along with recently deceased Lance Corporal Tarwoe of the U.S. Marines. Sergeant Dorley's story is also another example of inspiration and hope for all of us.

At the young age of 7, Sergeant Dorley followed his aunt, Hawa Vincent, to Providence, beginning his own chapter of the American dream, and he wrote a remarkable chapter in that great story of America. Sergeant Dorley attended Mount Pleasant High School, and not only graduated at the top of his class earning admission to Brown University, but he also befriended Kou, who would become his wife and partner for 27 years. His love and devotion to his family was so deep and genuine that when their first child, Amanda, was on her way, Sergeant Dorley declined admission to Brown University and began working four jobs so he could support his new family.

At this early stage in his life, Sergeant Dorley chose to prioritize his new family over himself. And as he did so many times throughout his life, Sergeant Dorley thought about others before he thought of himself. His example of hard work—four jobs to support the family—is the story of America, coming here from someplace else, working as hard as you can to build a strong family and contribute to a strong community.

From helping his family pay off the notes on their cars to gathering old and used police uniforms for his fellow police officers in Liberia, Sergeant Dorley exemplified the best of what we expect from our public servants—a deep commitment to serving others for the greater good.

While terribly tragic, Sergeant Dorley passed away last Thursday doing what he knew best, helping others by trying to come to the aid of his Providence Police Officers, Edwin Kemble and Tony Hampton, who were trying to break up a fight.

Today, we offer our deepest condolences, and our thoughts are with all of Sergeant Dorley's family, friends, and colleagues, but especially with his mother, Miatta, who is traveling from Liberia, his wife Kou, and daughter Amanda, his son Robert, and all of his beloved family. We join them in celebrating Sergeant Dorley's many contributions.

Despite his short time with us, he gave us much, and we honor his memory and his service to the people of Providence as a Providence Police Officer.

The loss of Sergeant Dorley is also a reminder of the great sacrifice and incredible courage of all of our Police Officers who voluntarily put themselves in harm's way to preserve the peace and stability that allows us to enjoy our own lives. Today, we especially salute the service and sacrifice of Sergeant Dorley, and we honor the legacy he leaves of serving others and prioritizing the greater good over his own personal interest. We have indeed lost a remarkable individual and a great example of selfless service. Again, we offer our deepest condolences to his family.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. REED). The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, it is an honor to follow my senior Senator, JACK REED, who has been kind enough to preside now for me so that we may deliver these remarks together.

The State of Rhode Island has lost two men in recent days, two men who came from far away to our State to dedicate themselves to its service and to the service of our country, one serving our country with honor and distinction in Afghanistan and the other serving our Ocean State's great capital city of Providence.

U.S. Marine LCpl Abraham Tarwoe, of Providence, was a mortarman with Weapons Company, 2nd Battalion, 9th Marine Regiment of the 2nd Marine Division out of Camp Lejeune, NC. He deployed with the Second Marine Expeditionary Force Forward, where he served as a dog handler in addition to his duties as a mortarman.

Abraham was born in Liberia during a time of civil war. His mother and father sent him to America when he was only 7 years old to find a better life. He joined our Liberian community in Rhode Island, which is an important and valued part of our Rhode Island civic life.

Abraham grew of age and joined the Marines in June of 2009 and was promoted to Lance Corporal in August of 2010. In December he deployed for a second tour of duty to Afghanistan. He had earned the Combat Action Ribbon, the Sea Service Deployment Ribbon, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the National Defense Service Medal, and the NATO Medal.

He died Thursday, April 12, from wounds sustained from an improvised explosive device during a dismounted patrol in support of combat operations in the Marjah district of Helmand Province. He was 25 years old.

His commanding officer, Captain Charles E. Anklam III, said Abraham had an understanding of suffering and sacrifice from his childhood and family ties to Liberia. "He also knew about disproportionate service," Captain

Anklam said. "He held no birth obligation to America; in fact his citizenship was still being processed when he gave his life for his newly adopted country and his brothers-in-arms."

Abraham leaves behind his wife, Juah Kelly, and their 18-month-old baby boy, Avant Kar, who Abraham would talk to by webcam almost every night. My prayers for comfort and solace go out to them, and to Abraham's mother Famatta Kar, his brother Randall Kar, and to his network of extended family and friends in the United States and Liberia.

A memorial service will be held by Abraham's family and friends in Rhode Island this weekend. And then Abraham will be transported to Liberia, where a funeral will be held and he will be laid to rest.

On Monday, in Afghanistan, the Marines and sailors of Weapons Company gathered around a makeshift battlefield cross for their own memorial service in Abraham's honor. As Abraham's comrades stepped forward one by one to pay their silent respect, Yeager, the black lab who had been Abraham's partner since July 2011, walked to the front and lay down before his handler's cross.

The Marine's Prayer says, in part: "Protect my family. Give me the will to do the work of a Marine."

Abraham's wife Juah said that the Marine Corps was Abraham's other love, his second family. Abraham died doing the work of a Marine. And we pray in Abraham's memory for the protection of his brothers and sisters so bravely serving our country in the Marine Corps, and of his beloved family here at home.

Like Lance Corporal Tarwoe, Providence Police Sergeant Maxwell Dorley was also born in Liberia, and came to America as a child. He and his mother settled in Providence and Max attended Mount Pleasant High School where he met his high school sweetheart and wife, Kou. Max worked four jobs to support their young family, and eventually became a Providence police officer, where he would serve the people of Rhode Island's capital city for 15 years.

Max practiced community policing in the truest sense. He went by his first name when he was on patrol. His life experiences growing up in Providence public housing allowed him to relate to the kids in the neighborhoods on his beat.

Max was dedicated to the Police Department, and to the men and women of the force. When a call for back-up came across the radio this past Thursday morning from two officers trying to break up a fight on River Avenue, Max leapt into his cruiser. As he rushed to the aid of his fellow officers, lights and sirens blaring, he swerved to avoid a collision with a car that crossed his path. He lost control and struck a utility pole. He was rushed to

Rhode Island Hospital, but his injuries were too great. Maxwell Dorley died at age 41.

He now joins a list of other Providence, Police Officers who have given their lives: Steven Shaw, Cornel Young, and James Allen.

Max is remembered as a devoted husband and loving father, always seeking the best for his children, Amanda and Robert, and encouraging them to follow their dreams. "Life has no limits," he would tell them.

Today, on behalf of the people of Rhode Island and the U.S. Senate, I send my wholehearted condolences to Kou, Amanda, and Robert, to Max's mother, Miatta Dorley, and to the brave men and women of the Providence Police Force who have lost another colleague and friend.

Max gave his life protecting the citizens of our community. And for that, we owe him a gratitude that we cannot repay.

We mourn the loss of two good men. Two men with similar beginnings, and a common calling to serve and protect others. Abraham and Max helped make our neighborhoods, our country, our world a better and safer place to live. They gave their lives, making a real difference in the lives of so many others. We honor them today in the U.S. Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REED. Mr. President, I ask unanimous consent that on Thursday, April 26, 2012, at 11:30 a.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 509 and 510; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; and that any related statements be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

MORNING BUSINESS

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT

Mr. REED. Mr. President, on July 1, approximately 7.4 million college students will see the interest rate double on their student loans unless Congress takes action. For every year we fail to act, borrowers will pay \$1,000 more in interest on their loans. In January, I introduced S. 2051, the Student Loan Affordability Act, to maintain the subsidized student loan interest rate at the current 3.4 percent. Today, I am proud to join my colleagues Senator BROWN of Ohio and Senator HARKIN, the chairman of the Health, Education, Labor, and Pensions Committee, in sponsoring the Stop Student Loan Interest Rate Hike Act. This legislation is a fully paid for, 1-year extension of the 3.4-percent interest rate for subsidized student loans.

There is bipartisan support for keeping interest rates low. Governor Romney has endorsed a temporary extension of the current 3.4 percent rate. Two-thirds of Republican Senators voted to cut the interest rate to 3.4 percent under the College Cost Reduction and Access Act of 2007.

The Stop the Student Loan Interest Rate Hike Act will maintain the interest rate at 3.4 percent for another year. The 1-year extension is fully paid for by eliminating a tax loophole that has allowed some shareholder-employees of so-called S corporations to avoid paying their fair share of Social Security and Medicare payroll taxes. This offset will apply only to a subset of S corporations that are professional service businesses—those that derive 75 percent of their gross income from the services of three or fewer shareholders or where the S corporation is a partner in a partnership whose primary activity is professional services. Additionally, the offset only impacts filers with income over \$250,000, filing jointly, or \$200,000, single filer.

The nonpartisan Government Accountability Office, GAO, found that in the 2003 and 2004 tax years, individuals used S corporations to underreport over \$23 billion in wage income. The median misreported amount was \$20,127.

Closing this loophole will fully offset the \$6 billion cost of a 1-year extension of the interest rate and would make the Tax Code more fair. It is a win-win proposition.

Some may say that the Federal Government cannot afford to forgo the higher interest payments because of

the budget deficit. However, this legislation is fully paid for and should garner support from both sides of the aisle.

It is a matter of priorities. We need to put the interests of middle-class Americans ahead of those who would avoid paying their fair share in taxes.

Student loan debt affects millions of Americans. Two-thirds of the class of 2010 graduated owing student loans, with an average debt of over \$25,000. Student loan debt has passed the \$1 trillion mark—exceeding credit card debt. Moreover, the students and families we are trying to help with the Stop the Student Loan Interest Rate Hike have demonstrated economic need. Indeed, nearly 60 percent of the dependent students who qualify for subsidized loans come from families with incomes of less than \$60,000.

The question before us is, Will we make the student loan debt burden worse by allowing interest rates to double or will we take action to protect low and moderate income students?

We need to act fast. July 1 is only 66 days away. I urge all my colleagues to join with Senator SHERROD BROWN, Chairman HARKIN, and me in supporting the Stop the Student Loan Interest Rate Hike Act.

REMEMBERING ROBERT SATTER

Mr. BLUMENTHAL. Mr. President, today I wish to pay tribute to the extraordinary life and immeasurable legacy of long-time Connecticut legislator and Superior Court judge, the Honorable Robert Satter, who passed away on January 16, 2012, Martin Luther King, Jr. Day. The symbolic meaning of this coincidence resonated with many who admired Judge Satter for his crusading work on behalf of civil rights and equal opportunity.

After serving in the Navy during World War II, Bob dedicated himself wholeheartedly to the law, first as a well-known attorney in Hartford where he took on controversial death penalty cases. In 1959, Bob won a seat in the Connecticut Legislature, attributing his successful campaign to the path previously blazed by Democratic Governor Abraham Rubicoff. He served in the Connecticut Legislature until 1961 and then again from 1963 to 1966 where he is known for fighting for society's most marginalized. As a State legislator, he penned Connecticut's first civil rights bill that targeted discrimination in housing sales. Starting in 1966, Bob served as general counsel to the Democratic legislative majority, and was nominated to the bench in 1975 as a Connecticut State judge. Although officially retiring at the age of 70, Bob served as a senior judge and trial referee—only vacating this role when he was too ill to continue serving.

As an attorney, legislator, Superior Court Judge and then as a senior judge,

Bob continually challenged himself, presiding in many difficult and controversial cases and always working to make laws to serve the people of Connecticut.

He constantly made the time to give back to future generations of lawyers, teaching courses such as Constitutional Law at Trinity College, Liberties of an American at the University of Hartford, Administrative Law at the University of Connecticut's Graduate School of Political Science, and the Development of Social Policy at Yale University. Bob is a legend at the University of Connecticut Law School, where he taught a Legislative Process course for 27 years.

Bob achieved national renown, but was also well known personally throughout his local community, participating in informal groups, including book, poker, and writing clubs. In his last column for the Connecticut Law Tribune, "The Last Word on a Long, Rich Life," Bob wrote of his appreciation for practicing law in Hartford as opposed to New York City where he started out his legal career. In the greater Hartford area, Bob wrote, "I found time to participate in the community." He created the Hartford Community Renewal Team, which was Hartford's first agency dedicated exclusively to combatting poverty, and in his last published newspaper column, he wrote that he "would drop any legal matter to come to its assistance."

This humanity is clearly evident in Bob's essays and books—true gifts to future generations. When he turned 90, he wrote in the Hartford Courant: "Internally, I am a bunch of memories of people I've known, events I've experienced, books I've read and poems I can still recite. More and more I live in that interior space, recalling the past. When I die, that presence and circuitry will vanish." Respectfully, my own view is that his memories will endure through the family and friends that adore him, his legal accomplishments will withstand time, and his "presence and circuitry" will be ever vibrant.

Although he served Connecticut for more than 5 decades, Bob's contributions were immeasurable. Connecticut has lost a great mind, teacher, and integral part of its political and progressive infrastructure. Connecticut and the Nation will never forget this great man. He lives on through his words and his tremendous acts of vision and courage as well as his passion for life, the law, and the State of Connecticut.

2012 INTEL SCIENCE TALENT SEARCH

Mr. BLUMENTHAL. Mr. President, today I wish to acknowledge the seven Connecticut students who have been named 2012 Intel Science Talent Search semifinalists. This elite, national com-

petition seeks to honor high school students who excel in a science or math research project in order to "highlight the need for improved math and science education in the United States." Beginning in 1942, the Society for Science and the Public, SSP, has partnered with Westinghouse and then in 1998 with the Intel Corporation to offer this opportunity for young scientists and mathematicians. These 7 students from Connecticut have been selected from over 1,500 applications from around the country, and I am proud that they represent Greenwich, Guilford, Hamden, Lakeville, Wallingford, and Woodbridge Counties. Their hard work, motivation, and curiosity gives me great pride and hope in their ability to change the world. Using their intelligence, ideas, and passion, they can help solve some of our Nation's most pressing issues.

Student Zizi Yu from Amity Regional High School observed the severe food allergies experienced by some of her peers. Through a survey and a case controlled study, she took a closer look at what has been commonly called the hygiene hypothesis, finding a correlation between the age of exposure to certain foods and substances and the prevalence of allergies later in life. After being named a semifinalist on January 25, 2012, Zizi was selected as one of 40 finalists and traveled to Washington, DC, in March to meet with national leaders to present her findings.

William Bennett Hallisey and Ryota Ishizuka took a unique, independent science research class at Greenwich High School, where they were inspired to experiment with the intersection of biology and environmental studies. After learning about research conducted at Stanford University, William adjusted the materials previously used in experimentation and examined how silver nanoparticles and felt substrates could serve as an easily transportable, low-cost, and user-friendly filtration system, removing about 95 percent of a system's bacteria. Ryota Ishizuka looked at ways to harness the potential of microbial fuel cells to generate electricity through hydrogen output. He found that he could create a fully autonomous water treatment system, powering a wastewater treatment reactor, by the reactions of bacteria found in the wastewater itself.

Guilford High School's Yuning Zhang used this competition, in conjunction with work at Yale University's School of Medicine, to express his interest in biomedical research. According to his advanced placement biology teacher, Ruth Heckman, Yuning is "so excited about doing research and wants to make it his future." After isolating kidney cells, growing them in enriched cultures, and staining and characterizing them, he compared these samples to non-selectively grown cells. He

found that there was an over 70 percent increase in the amount of stem cells that would grow from selectively grown cells, which has incredible future applications for injury repairing and wound healing.

Aaron Shim of Choate Rosemary Hall used computer models and an opportunity to work alongside Yale chemistry professors to study organometallic complexes and their possible applications for renewable energy. His goal was to further refine the modeling methods of these complexes in order to expedite our understanding and utilization of the way hydrogen is stored in fuel cells. Over the course of his research, Aaron was motivated by and hopes to explore in the future how computers can help "us understand a little bit more about the natural world around us, helping solve real-world problems through their rather abstract power of mathematics and computation."

Hailing from Hamden High School, Yiyuan Hu examined MyD88—a protein involved in the body's immune system—and its role in DNA damage response. Through novel research of infectious diseases as part of Dr. Albert Shaw's laboratory at Yale University's School of Medicine, Yiyuan helped discover unexpected new applications for MyD88 to counter diseases tied to chemicals that help kill bacteria but can also damage DNA. Yiyuan has even inspired other students at Hamden High School to become excited about research and involved in the school's science club.

Student Seung Hyun Lee contemplated the Steiner ratio problem as part of an independent study project in conjunction with his math instructor at his high school, the Hotchkiss School, and Hofstra University's Professor Dan Ismailescu. Seung experimented with the field of combination optimization, a study that combines math and theoretical computer science, with the aim to advance our understanding of the Steiner ratio problem.

The success of these talented young adults is a testament to the care and dedication of the teachers, mentors, and administrators who nurtured them and their projects, giving the time and space for creativity, problem-solving, and experimentation. Even though the Intel Science Competition has strict rules about independent student work, these brilliant mentors inspire their students to spend their free time researching new ideas and thinking big thoughts.

Greenwich High School's independent science research class is taught by Andy Bramante, who left a 15-year career as a chemical engineer and chemist to inspire high school students to love research. An advanced placement biology teacher at Guilford High School and educator for 36 years, Ruth

Heckman was excited to report that she gets to learn from students like Yuning Zhang. Zizi's research was guided by Deborah Day, science research teacher at Amity Regional High School. Kevin Rogers, the head of the science department and chemistry teacher at Choate Rosemary Hall, helped Aaron Shim work with an outside group at Yale University in furtherance of his research. Similarly, the instructor of mathematics at the Hotchkiss School, Marta Eso, worked with Seung Hyun Lee to complete an independent study research project at his high school and also at Hofstra University. And Sonia Beloin, teacher and adviser to the Science Bowl and Science Olympiad clubs at Hamden High School, mentored Yiyuan Hu, helping to facilitate his successful work at the Section of Infectious Diseases at Yale School of Medicine and supporting him to improve his presentation over time.

Several of these students were invited to join high-level study on their chosen topics at several select universities. Yuning Zhang, Aaron Shim, and Yiyuan Hu were invited into cutting-edge laboratories at Yale University. Yuning worked with Dr. Gilbert Moeckel, the director of the Renal Pathology and Electron Microscopy Laboratory at Yale University's School of Medicine. After reading some of their papers, Aaron was invited to join Professor Victor S. Batista's research team at Yale University's Department of Chemistry. Yiyuan Hu assisted Dr. Albert Shaw's laboratory in the Section of Infectious Diseases at the Yale School of Medicine, and Seung Hyun Lee worked in conjunction with Professor Dan Ismailescu from Hofstra University. I applaud this fruitful and nurturing relationship between high school students and universities.

I wish the best of luck to the seven Connecticut 2012 Intel Science Talent Search semifinalists as they continue to inspire others to dedicate their brilliance to STEM fields. I know my colleagues will join me in honoring these impressive accomplishments of our Nation's young people.

TRIBUTE TO SALVATORE PRINCIOTTI

Mr. BLUMENTHAL. Mr. President, today I rise to recognize the Stamford Young Artists Philharmonic, SYAP, and most especially, Salvatore Princiotti, SYAP's beloved founder and conductor, who is retiring after 52 years.

Currently, SYAP runs eight different ensembles for a wide range of ages, including the advanced Young Artists Philharmonic, an intermediate level orchestra, a string ensemble, flute choirs, jazz groups, and a Summer Jazz Workshop that draws student musicians from around the country.

SYAP has become closely connected to the Stamford area community. Its members are artistic ambassadors, sharing their love of music as a common language and source of connection with all of Connecticut. Through both classical and jazz programming, the SYAP shares different styles of music in venues around Stamford—outreach through plush melodies and moving rhythms—holding performances, for example, at Stamford Town Center, such as the popular outdoor concert series, Jazz on the Plaza.

Committed to a strong tradition of giving back to the less fortunate, the SYAP has partnered with the Union Baptist Church in Stamford where, in exchange for rehearsal space, it held an annual holiday concert whose proceeds benefited the church's senior members. In addition, the Philharmonic partners with the Waterside School in their Outreach String Program, offering lessons to students who cannot afford instruments.

SYAP's level of musicianship is first-rate as demonstrated by its relationship with the Stamford Symphony, which mentors the young musicians, sharing performances and giving workshops. However, the surest indicator of the high level of musicianship is the leadership and 52 dedicated years of the enormously talented violinist and conductor, Maestro Princiotti.

Sal Princiotti, or "the Prince," as he is called by the orchestra members, has dedicated a half a century to enhancing the lives of young musicians, inspiring a passion for melody with specific performances as temporary goals, but with overall experience as his motivating principle. Mr. Princiotti brings enormous talent to the SYAP as a graduate of the Juilliard School and past soloist at Tanglewood Music Festival under world-renown conductors Leonard Bernstein and Charles Munch. In addition to founding and leading the SYAP, and conducting the Ridgefield Symphony and Stamford Symphony, Mr. Princiotti maintains a busy, private teaching practice and has directed the string programs for the Greenwich and Darien school systems.

Under Mr. Princiotti's baton, the SYAP has performed for many significant commemorations, including the New York World's Fair in 1964, the rededication of the Statue of Liberty, and a program for President George H.W. Bush. In addition to enriching our Nation's history, Mr. Princiotti has ensured that his groups of musicians give back to their country through annual holiday concerts at Grand Central Station for AmeriCares. He has also expanded the horizons of the SYAP, bringing them to Italy in 2001 and 2006 on an international tour. He is the author of a book—*The Heart of Music*—which explores the art of music education.

I am in the company of many others who have demonstrated their apprecia-

tion of Mr. Princiotti. He was the 2000 recipient of the Film and Arts Bravo Network Award, the 1987 Stamford Community Arts Council Arts Award, and has been inducted into the Stamford High School Wall of Fame. Mr. Princiotti holds the keys to the City of Stamford, and is a most treasured member of the Stamford area and the State of Connecticut.

"The Prince's" final concert will be held on May 6, 2012, at the Palace Theater in Stamford, CT, where friends, family, alumni of the orchestra, and current young artists of this esteemed group will spend hours wrapped in melodic memory in celebration of more than 50 years of artistry, education, and true connection. At this event, a scholarship fund and chair will be dedicated in Mr. Princiotti's honor. I can say with certainty that there is no need for a chair for the Maestro to be remembered for decades to come.

ADDITIONAL STATEMENTS

TRIBUTE TO JEROME D. SCHNYDMAN

● Mr. CARDIN. Mr. President, today I wish to recognize Jerome D. Schnydmann who will be retiring on June 30 from Johns Hopkins University. Jerome has spent his adult years at Johns Hopkins, first as a student and All-American lacrosse player, graduating in 1967, then as an assistant lacrosse coach from 1968 until 1978, when he rose from assistant director to become the director of undergraduate admissions for the schools of Arts and Sciences and Engineering. He went on to serve as executive director of the Office of Alumni Relations and, most recently, as the secretary to the board of trustees and executive assistant to the president of Johns Hopkins.

If you count Jerome's stint as captain of the 1967 National Championship Lacrosse Team, he has served Johns Hopkins University for 4½ decades and he has done so with grace, intelligence, compassion, and distinction. He received the Alexander K. Barton Cup for "strong character, high ideals, and effective moral leadership" upon graduating. In 1998, he was inducted into the Johns Hopkins Athletic Hall of Fame. In 2003, he was inducted into the National Lacrosse Hall of Fame.

There will be 10 different disciplines at the University honoring Jerome Schnydmann for his distinguished service. That is no surprise: he has been the "go-to" guy for everyone and everything. Generations of Hopkins students, faculty, and staff on any of the University's campuses—from Homewood to East Baltimore; from Bayview to SAIS in Washington, D.C.; from Bologna to Shanghai—all know of Jerome and the fine work he has done on their behalf and on behalf of the

University. Whether someone works in the Homewood garage or is a Nobel Laureate exploring the cure for cancer, he or she counts Jerome as a friend. He has great respect for the institution, and especially for those who work each day to create and sustain the “Hopkins family.”

I am proud to say that Jerome and his wife Tammy, a special education teacher, are personal friends. Their children—Becky and her husband Larry, and Andy and his wife Nancy—and their grandchildren—Sophie, Jason, Tucker, and Cassidy—are an integral part of Baltimore. When Jerome retires from Johns Hopkins University, he is excited about serving as the president of his synagogue, Beth El, and spending more time with his family and friends in Baltimore and Bethany Beach.

I ask my colleagues to recognize the enormous contributions that Jerome has made to the Johns Hopkins University and Baltimore communities and to wish him well in his well-deserved retirement. ●

RECOGNIZING THE GELATO FIASCO

● Ms. SNOWE. Mr. President, in anticipation of the warm spring weather upon us and the long summer days ahead in my home State of Maine, our thoughts quickly turn towards fun in the sun and cool refreshing treats. Today, I rise to commend and recognize The Gelato Fiasco, located in Brunswick, ME, for developing and growing a niche market serving delectable frozen gelato treats while expanding and creating economic opportunities across the State.

In 2002, the founders of The Gelato Fiasco, Josh Davis and Bruno Tropeano, were students at Bentley University in Waltham, MA, and dreamed of starting their own company and becoming successful entrepreneurs. As the two students spent their time exploring various ventures, this team decided to open a homemade gelato store as a result of being dissatisfied with the gelato options available to them throughout the Northeast.

Made mostly from milk and sugar, gelato has less fat than standard ice cream and also contains less air, making the final product denser. Taking advantage of the small gelato market that existed with an estimated 1,500 gelaterias total in the United States Bruno and Josh saw an opportunity to market a superior version of the delicious Italian treat. Determined to serve a top quality gelato, The Gelato Fiasco features only the best local ingredients available.

In these uncertain economic times, as young entrepreneurs, Josh and Bruno faced unique challenges while attempting to accomplish their dream and receive funding for their first

store. Initially, they pursued loans from about 20 banks but were turned down by all of them. However, with persistence and determination, they were able to acquire a \$225,000 SBA-backed loan which covered the majority of their startup costs.

Their premier store, The Gelato Fiasco, opened in 2007, and has served more than 450 flavors since its start. Even with the complex challenges of trying to grow during these tough economic times, Bruno and Josh’s initial success allowed them to garner additional support from Coastal Enterprises Inc., CEI, a local community development financial institution. CEI granted this small business a \$140,000 loan through a new crowdfunding initiative established by Starbucks CEO Howard Schultz called “Create Jobs for USA.” The Gelato Fiasco utilized these critical funds to expand to a second location in Portland, ME, buy equipment, and hire at least 10 new employees to help staff it.

As this small firm continues to grow, introducing more customers to their gelato treat, the shop diligently produces 25 to 35 different flavors each morning in their store. Despite the tumultuous economy, Josh and Bruno remain focused on ensuring the fun-loving experience and quality of their gelato are consistent. Their remarkable vision has become a reality as their Italian style ice cream has continued to find its way throughout Maine and New England in various coffeehouses, restaurants, and grocery freezer cases.

Despite difficult economic times and the obstacles faced by young entrepreneurs, the dynamic duo of Bruno Tropeano and Josh Davis has clearly fostered a winning strategy. I am proud to extend my praise to Josh and Bruno and everyone at The Gelato Fiasco for their entrepreneurial spirit and successful company. I offer my best wishes for their future endeavors. ●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:58 a.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 491. An act to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes.

H.R. 2157. An act to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes.

H.R. 2947. An act to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and ordered placed on the calendar:

S. 2366. A bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 491. An act to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2157. An act to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2947. An act to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5807. A communication from the Acting Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, Selected Acquisition Reports (SARs) for the quarter ending December 31, 2011 (DCN OSS 2012-0567); to the Committee on Armed Services.

EC-5808. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Marc E. Rogers, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5809. A communication from the Acting Under Secretary of Defense (Personnel and

Readiness), transmitting a report on the approved retirement of Lieutenant General Richard Y. Newton III, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5810. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General William T. Lord, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5811. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Donald J. Hoffman, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5812. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5813. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2013; to the Committee on Armed Services.

EC-5814. A communication from the Acting Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, the 2011 annual report relative to the STARBASE Program; to the Committee on Armed Services.

EC-5815. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-5816. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 12978 of October 21, 1995, with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC-5817. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons to the Entity List" (RIN0694-AF61) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5818. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Condition-Monitoring Techniques for Electric Cables Used in Nuclear Plants" (Regulatory Guide 1.218) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Environment and Public Works.

EC-5819. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Interpretations; Removal of Part 8" (RIN3150-

AJ02) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Environment and Public Works.

EC-5820. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Notice of Availability of Revision 4 to the Standard Technical Specifications" (NUREG -1430, -1431, -1432, -1433, and -1434) received in the Office of the President of the Senate on April 23, 2012; to the Committee on Environment and Public Works.

EC-5821. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Hawaii State Implementation Plan" (FRL No. 9634-1) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5822. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Removal of the 1980 Consent Order for the Maryland Slag Company" (FRL No. 9664-2) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5823. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Unregulated Contaminant Monitoring Regulation (UCMR 3) for Public Water Systems" (FRL No. 9660-4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5824. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Arizona; Update to Stage II Gasoline Vapor Recovery Program; Change in the Definition of 'Gasoline' to Exclude 'E85'" (FRL No. 9661-3) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5825. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Underground Storage Tank Program: Approved State Program for the State of Oregon" (FRL No. 9615-4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5826. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia; Approval of Substitution for Transportation Control Measures" (FRL No. 9662-8) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5827. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Direct Final Approval of Hospital/Medical/Infectious Waste Incinerators State Plan for Designated Facilities and Pollut-

ants; Illinois" (FRL No. 9663-4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5828. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Direct Final Approval of Hospital/Medical/Infectious Waste Incinerators State Plan for Designated Facilities and Pollutants: Indiana" (FRL No. 9663-2) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5829. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modification of Significant New Uses of Tris Carbamoyl Triazine; Technical Amendment" (FRL No. 9344-7) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5830. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" (FRL No. 9345-4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5831. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" (FRL No. 9343-4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5832. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interim Final Determination to Stay and Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9665-5) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5833. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and Eastern Kern and Santa Barbara County Air Pollution Control Districts" (FRL No. 9652-4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5834. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Missouri and Illinois; St. Louis; Determination of Attainment by Applicable Attainment Date for the 1997 Ozone National Ambient Air Quality Standard (NAAQS)" (FRL No. 9666-2) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5835. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air

Quality Implementation Plans; Massachusetts; Determination of Attainment of the One-hour Ozone Standard for the Springfield Area" (FRL No. 9664-8) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5836. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; Analysis and Sampling Procedures" (FRL No. 9664-6) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5837. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance on Reporting Interest Paid to Nonresident Aliens" (RIN1545-BJ01) (TD 9584) received in the Office of the President of the Senate on April 23, 2012; to the Committee on Finance.

EC-5838. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application of the Normal Retirement Age Requirements to Governmental Plans" (Notice 2012-29) received in the Office of the President of the Senate on April 23, 2012; to the Committee on Finance.

EC-5839. A communication from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, transmitting, pursuant to law, a report relative to the Federal Disability Insurance (DI) Trust Fund becoming inadequate within the next 10 years; to the Committee on Finance.

EC-5840. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-019, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-5841. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-023, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-5842. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-007, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-5843. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to

law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period December 1, 2011 through January 31, 2012; to the Committee on Foreign Relations.

EC-5844. A communication from the Presiding Governor of the Broadcasting Board of Governors, transmitting, pursuant to law, the Board's Annual Report for 2011; to the Committee on Foreign Relations.

EC-5845. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Fourth Biennial Report to Congress on Evaluation, Research, and Technical Assistance Activities Supported by the Promoting Safe and Stable Families Program"; to the Committee on Health, Education, Labor, and Pensions.

EC-5846. A communication from the Secretary of Health and Human Services, transmitting, a report relative to the Administration's proposal for the reauthorization of the Medical Device User Fee Act (MDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC-5847. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, reports entitled "The National Healthcare Quality Report 2011" and "The National Healthcare Disparities Report 2011"; to the Committee on Health, Education, Labor, and Pensions.

EC-5848. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Information for Certain Intellectual Property Rights Enforced at the Border" (RIN1515-AD87) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-5849. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "Executive Summary" of the "2011 Annual Report of the Director of the Administrative Office of the U.S. Courts" and "Judicial Business of the United States Courts" and the Uniform Resource Locators (URL) for the complete copies of those reports; to the Committee on the Judiciary.

EC-5850. A communication from the Chairman, Dwight D. Eisenhower Memorial Commission, transmitting, pursuant to law, a report relative to the memorial construction; to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-76. A joint resolution adopted by the Legislature of the State of Maine urging the President of the United States and the United States Congress to review portions of the National Defense Authorization Act; to the Committee on Armed Services.

HOUSE PAPER NO. 1397

We, your Memorialists, the Members of the One Hundred and Twenty-fifth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

Whereas, the United States Congress passed the National Defense Authorization

Act for fiscal year 2012 on December 15, 2011, and the President of the United States signed the Act into law on December 31, 2011; and

Whereas, the Act directs the Armed Forces of the United States to detain any person who is captured in the course of hostilities authorized by the federal Authorization for Use of Military Force Against Terrorists and who is determined to be a member of or part of al-Qaeda or an associated force that acts in coordination with or pursuant to the direction of al-Qaeda and to have participated in the course of planning or carrying out an attack against the United States or its coalition partners; and

Whereas, the disagreements and uncertainty in interpretation of the law has raised significant concerns about due process for United States citizens; and

Whereas, the prospect of the indefinite detention of United States citizens violates, without due process of law, basic rights enshrined in the United States Constitution, such as the right to seek a writ of habeas corpus, the right to petition for a redress of grievances, the right to be free from unreasonable searches and seizures and the right to counsel; and

Whereas, it is crucial to national security that funding contained in the National Defense Authorization Act for the Department of Defense and members of the military and their dependents remain intact; and

Whereas, the members of this Legislature have taken an oath to uphold the United States Constitution and the Constitution of Maine: Now, therefore, be it

Resolved, That We, your Memorialists, most respectfully urge and request that the President of the United States and the United States Congress amend the National Defense Authorization Act to clarify that any provisions contained within will not deprive United States citizens of the rights of due process; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM-77. A resolution adopted by the House of Representatives of the State of Michigan memorializing Congress to reject the recommendations of the United States Department of Defense to remove the A-10 Thunderbolt II force from the 127th Wing of the Air National Guard at Selfridge Air National Guard Base; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 211

Whereas, The federal mission of the Air National Guard is to maintain well-trained, well-equipped units available for prompt mobilization during war and to provide assistance during national emergencies; and

Whereas, The Michigan Air National Guard exemplifies this federal mission and provides well-trained citizen-airmen to the United States Air Force; and

Whereas, Utilizing the highly-trained and experienced citizen-airmen of the Michigan Air National Guard is significantly more economical for the United States Department of Defense than utilizing active military units; and

Whereas, The Michigan Air National Guard provides protection of life and property, and preserves peace, order, and public safety in the state of Michigan, by providing emergency relief support during natural disasters;

conducting search and rescue operations; providing support to civil defense authorities; and maintaining vital public services and counterdrug operations in the state; and

Whereas, The Michigan Air National Guard, being the air force militia of the state, has a long and proud history with the state of Michigan; and

Whereas, The Selfridge Air National Guard Base dates back to 1917, and currently hosts 20 units from all branches of the United States military, as well as the United States Coast Guard and the United States Customs and Border Patrol; and

Whereas, The 127th Wing flies KC-135 Stratotankers, which provide aerial refueling capabilities around the globe in support of Air Mobility Command, and A-10 Thunderbolt II, which provide support to Air Combat Command. Additionally, the 127th Wing supports the Air Force Special Operations Command with its 107th Weather Flight; and

Whereas, The A-10 Thunderbolt II mission was transferred to Selfridge Air National Guard Base from the Battle Creek Air National Guard Base following the 2005 Base Realignment and Closure Commission recommendations; and

Whereas, The Department of Defense has proposed the removal of all 24 of the A-10 Thunderbolt II aircraft from the 127th Wing and replacing them with four additional KC 135 Stratotankers; and

Whereas, Approximately 650 personnel are attached to the A-10 Thunderbolt II mission; and

Whereas, It is unknown how many support personnel will be necessary to service the additional KC-35 Stratotankers; and

Whereas, Removing the A-10 Thunderbolt II mission could affect more than 600 families in and around Macomb County; and

Whereas, The removal of the A-10 Thunderbolt II mission could make the Selfridge Air National Guard Base vulnerable to closure in future Base Realignment and Closure Commission recommendations; and

Whereas, The Selfridge Air National Guard Base is one of the busiest, most diverse military installations in the United States, encompassing approximately 680 buildings, runways measuring 9,000 and 4,870 feet, over a million square yards of taxiway and paved aircraft parking ramps, 39 miles of paved roads, and seven miles of railroad track; and

Whereas, Recent military construction improvements to Selfridge include \$5.2 million to replace the Control Tower/Radar Approach Control Center and \$9.8 million for an infrastructure upgrade; and

Whereas, The Selfridge Air National Guard Base is essential to the local economy, as nearly 3,000 full-time civilian and military personnel work at the base, in addition to approximately 3,000 members of the Air and Army National Guard and the reserve components of the United States military who are stationed at the base; and

Whereas, Portions of the Selfridge Air National Guard Base have previously been targeted for closure in 1995 and 2005; and

Whereas, The defense industry is vital to the economy of Macomb County; and

Whereas, The loss of the Selfridge Air National Guard Base will have a significant impact on the local community, with the loss of employment positions, local revenue, and a significant source of community pride; and

Whereas, The military presence in Michigan has already been significantly reduced by the United States Department of Defense with the 1977 decision to close Kincheloe Air Force Base in Chippewa County, the 1991 decision to close the Wurtsmith Air Force Base

in Iosco County, the 1993 decision to close the K.I. Sawyer Air Force Base in Marquette County, and the 2005 decision to close the United States Army Garrison at Selfridge Air National Guard Base; and

Whereas, Losses to the 127th Wing of the Air National Guard at Selfridge Air National Guard Base will have immeasurable consequences for the state of Michigan, both in terms of economic ramifications, as well as in terms of community pride and disaster readiness: Now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to reject the United States Department of Defense recommendations to remove the A-10 Thunderbolt II aircraft from the 127th Wing of the Air National Guard at Selfridge Air National Guard Base; and be it further

Resolved, That copies of this resolution be transmitted to the United States Secretary of Defense, President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-78. A memorial adopted by the Legislature of the State of Florida, memorializing Congress to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010; to the Committee on Banking, Housing, and Urban Affairs.

SENATE MEMORIAL NO. 1778

Whereas, Congress enacted the Dodd-Frank Wall Street Reform and Consumer Protection Act in 2010, and

Whereas, the stated purposes of the act are "To promote the financial stability of the United States by improving accountability and transparency in the financial system, to end 'too big to fail,' to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial Services practices . . ." and

Whereas, the act's almost 2,400 pages of federal legislation increases the size of the Federal Government by creating 13 new regulatory agencies requiring 2,600 new positions while abolishing only one agency, and

Whereas, the Congressional Budget Office predicts that the cost for companies to implement the act over the next 5 years will be approximately \$2.9 billion, and other groups estimate that the broader economic costs of the act could approach \$1 trillion, and

Whereas, the extensive regulations imposed by the Dodd-Frank Wall Street Reform and Consumer Protection Act will severely damage the ability of American companies to compete internationally with foreign companies or even create American jobs, and

Whereas, the Dodd-Frank Wall Street Reform and Consumer Protection Act is an inadequate response to the financial devastation that began in 2008, in part because it has given unfair advantages to the Federal Home Loan Mortgage Corporation ("Freddie Mac") and the Federal National Mortgage Association ("Fannie Mae"), institutions that were substantial contributors to the financial crisis, and,

Whereas, the Dodd-Frank Wall Street Reform and Consumer Protection Act was championed as creating the most significant financial regulatory reform since the Great Depression, but, in contrast, it has become a radical expansion of federal regulation, vests unprecedented power in the hands of unelected bureaucrats, increases the likelihood that there will be more taxpayer bailouts, has not strengthened the economy or brought stability to the troubled housing market, and does nothing to address the

most elemental causes that created the financial crisis of 2008: Now, therefore, be it *Resolved, by the Legislature of the State of Florida:* That the Congress of the United States is urged to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010; be it further

Resolved, that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

POM-79. A concurrent memorial adopted by the Legislature of the State of Arizona memorializing the United States Congress enact legislation exempting United States military bases and training facilities from the regulations and restrictions of the Endangered Species Act; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL NO. 1008

Whereas, the mission of the United States Department of Defense is "to provide the military forces needed to deter war and to protect the security of our country"; and

Whereas, according to the Department of Defense and the Government Accountability Office (GAO), a fundamental principle of military readiness is that the military must train as it intends to fight; and

Whereas, the Department of Defense has established military training facilities in Arizona, including Luke Air Force Base, Fort Huachuca and the Barry M. Goldwater range, among others, to accomplish this goal; and

Whereas, Department of Defense officials indicate that heightened focus on the application of environmental statutes has affected the use of its training areas; and

Whereas, compliance with environmental regulations, especially the Endangered Species Act (ESA), has caused some training activities to be canceled, postponed or modified; and

Whereas, compliance with environmental regulations, particularly the ESA, has forced military officials to make adjustments to training regimens, including requiring units in training to avoid areas with ESA restrictions; and

Whereas, since 2003, the Department of Defense has obtained exemptions from three environmental laws and sought exemptions from three others; and

Whereas, these exemptions allow the military to maintain its high state of readiness and help to ensure its ability to meet unexpected threats; and

Whereas, these exemptions are under increased scrutiny by environmental groups and federal officials who would rather protect wildlife than allow the military to maintain its readiness; and

Whereas, a GAO report found no instances in which the Department of Defense's use of exemptions from the ESA or the Migratory Bird Treaty Act has adversely affected the environment; and

Whereas, the United States military has proven itself to be a responsible and effective steward of the land and environment.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress enact legislation exempting United States military bases and training facilities from the regulations and restrictions of the Endangered Species Act.

2. That the Secretary of State of the State of Arizona transmit a copy of this Memorial

to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-80. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 57

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit for any person who also receives a public pension benefit; and

Whereas, the intent of Congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, or local government employment might receive a public pension in addition to the same Social Security benefit as a person who had worked only in employment covered by Social Security throughout his career; and

Whereas, the purpose of Congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit; and

Whereas, nine out of ten public employees affected by the GPO lose their entire spousal benefits, even though their spouses paid Social Security taxes for many years; and

Whereas, the GPO often reduces spousal benefits so significantly it makes the difference between self-sufficiency and poverty; and

Whereas, the GPO has a harsh effect on thousands of citizens and undermines the original purpose of the Social Security dependent/survivor benefit; and

Whereas, the GPO negatively impacts approximately 28,825 Louisianians; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

Whereas, the WEP causes hardworking individuals to lose a significant portion of the Social Security benefits that they earn themselves; and

Whereas, the WEP negatively impacts approximately 27,755 Louisianians; and

Whereas, because of these calculation characteristics, the GPO and the WEP have a disproportionately negative effect on em-

ployees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

Whereas, these provisions also have a greater adverse effect on women than on men because of the gender differences in salary that continue to plague our nation and because of the longer life expectancy of women; and

Whereas, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong, yet the current GPO and WEP provisions compromise that quality of life; and

Whereas, retired individuals negatively affected by GPO and WEP have significantly less money to support their basic needs and sometimes have to turn to government assistance programs; and

Whereas, the GPO and the WEP penalize individuals who have dedicated their lives to public service by taking away benefits they have earned; and

Whereas, our nation should respect, not penalize, public servants; and

Whereas, the number of people affected by GPO and WEP is growing every day as more and more people reach retirement age;

Whereas, the GPO and WEP are established in federal law, and repeal of the GPO and the WEP can only be enacted by the United States Congress: Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2011 (H.R. 1332), the Public Servant Retirement Protection Act of 2011 (S. 113), or a similar instrument; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-81. A memorial adopted by the Legislature of the State of Florida memorializing Congress to initiate and support nationwide efforts to commemorate the 40th anniversary of the end of the United States' involvement in the Vietnam War and demonstrate the nation's appreciation for the honorable service and sacrifice of Vietnam veterans; to the Committee on Foreign Relations.

SENATE MEMORIAL NO. 1080

Whereas, the Vietnam War was a Cold War military conflict that occurred in Vietnam, Laos, and Cambodia from November 1, 1955, until the United States Congress passed the Case-Church amendment in 1973 which prohibited the further use of American military forces in the conflict, and

Whereas, 2013 marks the 40th anniversary of the end of the United States' involvement in the Vietnam War, and

Whereas, there are an estimated 650,000 Vietnam veterans in the State of Florida, and

Whereas, because of the intense public opposition to the war that existed at the time, members of the United States Armed Services returned home to an unprecedented lack of formal positive recognition of the honorable service they had provided on behalf of their country and the tremendous sacrifices they had made, and

Whereas, the lack of formal "Welcome Home" parades and other traditional celebrations for returning soldiers that were

common in previous military conflicts in which the United States was engaged, coupled with verbal and sometimes physical abuse, resulted in great disillusionment, undeserved indignity, and often great suffering and anguish among returning Vietnam veterans, and

Whereas, many of these brave men and women are now reaching an advanced age, and

Whereas, March 30, 2013, will mark the official date of the 40th anniversary of the end of the United States' involvement in the Vietnam War, and

Whereas, on that date this nation will be presented with a unique and historic opportunity to hold appropriate observances and long-overdue recognition ceremonies that will honor our nation's aging Vietnam War veterans and that may finally provide these brave men and women a fitting expression of gratitude and a measure of healing and official closure that has been denied them for decades and that they so greatly deserve, and

Whereas, the importance of the commemoration of the 40th anniversary of the end of the United States' involvement in the Vietnam War and the opportunity that such an historical anniversary presents to attempt to rectify past injustices and ingratitude cannot be stressed strongly enough, and

Whereas, it is fitting and appropriate that the United States Congress initiate and support efforts at the national level to mark this historic anniversary and to attempt to redress the lack of appropriate recognition and undeserved ingratitude that so many of these brave servicemen and servicewomen received upon returning home, and

Whereas, as part of a national effort, it is also requested that the United States Congress authorize the minting of a 40th anniversary commemorative medal expressing the nation's appreciation for the honorable service of Vietnam veterans, and

Whereas, for this historic opportunity to be fully realized, the United States Congress should act promptly and decisively: Now, therefore, be it

Resolved by the Legislature of the State of Florida: That the Congress of the United States is urged to initiate and support nationwide efforts to commemorate the 40th anniversary of the end of the United States' involvement in the Vietnam War and demonstrate the nation's appreciation for the honorable service and sacrifice of Vietnam veterans; and be it further

Resolved, That, as part of such national effort, the United States Congress is requested to authorize the minting of a 40th anniversary commemorative medal expressing the nation's appreciation for the honorable service of Vietnam veterans; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the legislative governing body of each of the other 49 states of the United States.

POM-82. A joint resolution adopted by the Legislature of the State of Wyoming memorializing the United States Congress, the United States Department of Health and Human Services, and the President of the United States reverse the mandate that virtually all private health care plans must cover sterilization, abortifacients and contraception; to the Committee on Health, Education, Labor, and Pensions.

HOUSE JOINT RESOLUTION NO. 5

Whereas, on January 20, 2012 the U.S. Department of Health and Human Services reaffirmed a rule that virtually all private health care plans must cover sterilization, abortifacients and contraception; and

Whereas, there are religious faiths in the United States that view sterilization, abortifacients and contraception as immoral and view paying for them as against their religion; and

Whereas, the administration is attempting to force those religious faiths and their institutions, including schools and hospitals to violate the commandments of their faith by paying for this mandate; and

Whereas, this mandate violates the First Amendment to the Constitution of the United States by denying these faiths the free exercise of their religion; and

Whereas, this mandate sets a precedent that would allow for an opposite law forbidding the coverage of these items thus denying faiths with opposing views the free exercise of their religion; and

Whereas, the mandate threatens the religious freedoms of all Americans; and

Whereas, it is an injustice to force Americans to choose between violating their consciences and forgoing their healthcare; and

Whereas, longstanding federal laws expressing the decided opinion of Congress and the American people have protected Constitutional conscience rights: Now therefore, be it

Resolved by the Members of the Legislature of the State of Wyoming:

Section 1. That the Wyoming Legislature call on all Americans to defend our freedom of religion by opposing this mandate.

Section 2. That the Wyoming Legislature calls upon The President to reverse the mandate of the U.S. Department Human Services.

Section 3. That the Wyoming Legislature calls upon Congress to act in defense of First Amendment rights, states' rights, rights of conscience and freedom of religion.

Section 4. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation.

POM-83. A concurrent resolution adopted by the Legislature of the State of Arizona memorializing its support of increasing Border Patrol personnel; to the Committee on Homeland Security and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 1014

Whereas, the United States Customs and Border Protection service (CBP) of the United States Department of Homeland Security is vested with a priority mission of enforcing immigration and drug laws and the responsibility for securing and facilitating trade; and

Whereas, the CBP includes both Border Patrol and Customs Field Office personnel; and

Whereas, the need to increase CBP personnel in the Tucson sector along the border between the United States and Mexico is critical to increasing border security as well as economic stability in our border communities; and

Whereas, the need to increase the number of Customs Field Office personnel who work at the port of entry in Nogales, Douglas and Yuma, Arizona is a vital component of the economic stability in our border communities and will increase border security between the United States and Mexico; and

Whereas, an integrated approach to securing the border and increasing economic stability along the border and in our border communities is important to residents living along the border and in our border communities, and

Whereas, increasing the number of Customs Field Office personnel at the port of entry in Nogales, Douglas and Yuma, Arizona will allow increased commercial traffic and will result in increased economic growth and stability for Arizona; and

Whereas, all of the benefits of increased economic stability in Arizona can be realized if the port of entry's workload capacity is increased and less congestion and delay result; and

Whereas, increasing the number of Customs Field Office personnel at the port of entry in Nogales, Douglas and Yuma, Arizona should be part of the infrastructure improvements that are occurring at the port of entry: Therefore be it

Resolved by the Senate of the State of Arizona, the House of Representatives concurring:

A. That, in order to secure the border between the United States and Mexico, to enhance the security of people and their property in the currently unsecure regions of the border and to increase economic growth and stability for the residents of Arizona, the Legislature:

1. Supports the increase of Border Patrol personnel as called for in the Restore Our Border (ROB) Security Plan in the Tucson sector along the border between the United States and Mexico.

2. Supports the increase of Customs Field Office personnel at the ports of entry in Nogales, Douglas and Yuma, Arizona.

B. That the Secretary of State of the State of Arizona transmit a copy of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-84. A concurrent memorial adopted by the Legislature of the State of Arizona urging Congress to adopt a Veterans Remembered Flag; to the Committee on Rules and Administration.

SENATE CONCURRENT MEMORIAL NO. 1007

Whereas, there are flags for all branches of the armed services and there is a flag for POWs and MIAs, but there is no flag to honor the millions of former military personnel who have served our nation; and

Whereas, a flag is a symbol of recognition for a group or an ideal. Veterans comprise a group and certainly represent an ideal, and surely they deserve their own symbol; and

Whereas, it is estimated that 20,400,000 veterans, affiliated and unaffiliated with veterans' organizations, who have served in our nation's military comprise a significant portion of our country's population; and

Whereas, a Veterans Remembered Flag would memorialize and honor all past, present and future veterans and provide an enduring symbol to support tomorrow's veterans today; and

Whereas, displaying and flying this flag would validate the lives of millions of individuals who have served our country in times of war, peace and national crisis; and

Whereas, the Veterans Remembered Flag would fill the void of a flag to honor all veterans who have served in our country's armed forces; and

Whereas, the symbolism of this unique flag's design would be all-inclusive and would pay respect to the history of our nation and to all branches of the military, and

would honor those who have served or died in the service of our nation; and

Whereas, the design of the Veterans Remembered Flag does all of the following:

1. Depicts the founding of our nation through the 13 stars that emanate from the hoist of the flag and march to the large red star that represents our nation and the five branches of our country's military that defend her: the Army, Navy, Air Force, Marines and Coast Guard.

2. The white star indicates a veteran's dedication to service.

3. The blue star honors all men and women who have ever served in our country's military.

4. The gold star memorializes those who have fallen while defending our nation.

5. The blue stripe that bears the title of the flag honors the loyalty of veterans to our nation, flag and government.

6. The green field represents the hallowed ground where all rest eternally.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress adopt a Veterans Remembered Flag as described in this Memorial.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-85. A resolution adopted by the California State Lands Commission memorializing its opposition to enactment of any bill that reverses President Obama's Offshore Moratorium Act; to the Committee on Energy and Natural Resources.

POM-86. A resolution adopted by the Lauderdale Lakes City Commission, Lauderdale Lakes, Florida memorializing condolences to the family of Trayvon Martin and calling upon all authorities to see that justice is served; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUE, from the Committee on Appropriations:

Special Report entitled "Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2013." (Rept. No. 112-160).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1119. A bill to reauthorize and improve the Marine Debris Research, Prevention, and Reduction Act, and for other purposes (Rept. No. 112-161).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1952. A bill to improve hazardous materials transportation safety and for other purposes (Rept. No. 112-162).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 298. A bill to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building".

H.R. 1423. A bill to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office".

H.R. 2079. A bill to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office".

H.R. 2213. A bill to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office".

H.R. 2244. A bill to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office".

H.R. 2660. A bill to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office".

H.R. 2767. A bill to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trant Post Office Building".

H.R. 3004. A bill to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building".

H.R. 3246. A bill to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building".

H.R. 3247. A bill to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

H.R. 3248. A bill to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building".

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment and with a preamble:

S. Res. 419. A resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*Adam Gamoran, of Wisconsin, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

*Judith D. Singer, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2014.

*Hirokazu Yoshikawa, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

*David James Chard, of Texas, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

*Bonnie L. Bassler, of New Jersey, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2016.

*Deborah S. Delisle, of South Carolina, to be Assistant Secretary for Elementary and

Secondary Education, Department of Education.

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

*Roy Wallace McLeese III, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

*Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission for the remainder of the term expiring October 14, 2012.

*Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2018.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PRYOR (for himself and Mr. BLUNT):

S. 2346. A bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product"; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARDIN (for himself and Mr. VITTER):

S. 2347. A bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services; to the Committee on Finance.

By Mr. LEVIN:

S. 2348. A bill to suspend temporarily the duty on cyclopentylpropionyl chloride; to the Committee on Finance.

By Mr. LEVIN:

S. 2349. A bill to suspend temporarily the duty on cyanamide; to the Committee on Finance.

By Mr. LEVIN:

S. 2350. A bill to suspend temporarily the duty on diethylaminoethyl-dextran; to the Committee on Finance.

By Mr. LEVIN:

S. 2351. A bill to suspend temporarily the duty on 3-Phthalimidopropionaldehyde; to the Committee on Finance.

By Mr. LEVIN:

S. 2352. A bill to suspend temporarily the duty on cinnamic acid; to the Committee on Finance.

By Mr. LEVIN:

S. 2353. A bill to suspend temporarily the duty on benzylimidazole phenyl ethanol; to the Committee on Finance.

By Mr. LEVIN:

S. 2354. A bill to extend and modify the temporary reduction of duty on Oxadiazon; to the Committee on Finance.

By Mr. LEVIN:

S. 2355. A bill to extend and modify the temporary reduction of duty on (3-acetoxy-3-cyanopropyl)methylphosphinic acid, butyl ester; to the Committee on Finance.

By Mr. LEVIN:

S. 2356. A bill to reduce temporarily the duty of Glufosinate-ammonium; to the Committee on Finance.

By Mr. LEVIN:

S. 2357. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the tariff rates for carpet cleaners and parts thereof imported into the United States; to the Committee on Finance.

By Mr. LEVIN:

S. 2358. A bill to reduce temporarily the duty on certain pasta tools; to the Committee on Finance.

By Mr. LEVIN:

S. 2359. A bill to reduce temporarily the duty on certain food processors; to the Committee on Finance.

By Mr. LEVIN:

S. 2360. A bill to suspend temporarily the duty on certain food choppers; to the Committee on Finance.

By Mr. LEVIN:

S. 2361. A bill to reduce temporarily the duty on certain coffee makers; to the Committee on Finance.

By Mr. LEVIN:

S. 2362. A bill to suspend temporarily the duty on certain toasters; to the Committee on Finance.

By Mr. LEVIN:

S. 2363. A bill to suspend temporarily the duty on certain handheld food blenders; to the Committee on Finance.

By Ms. SNOWE (for herself, Ms. LANDRIEU, and Mrs. SHAHEEN):

S. 2364. A bill to extend the availability of low-interest refinancing under the local development business loan program of the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

By Mr. HATCH (for himself, Mr. BARRASSO, Mr. MORAN, Mr. CRAPO, and Mr. RISCH):

S. 2365. A bill to promote the economic and energy security of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. ENZI, Mr. KYL, Mr. CORNYN, Mr. WICKER, Mr. INHOFE, Mr. BARRASSO, Mrs. HUTCHISON, Mr. BLUNT, Mr. HOEVEN, Mr. JOHANNIS, Mr. COATS, and Mr. ISAKSON):

S. 2366. A bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; placed on the calendar.

By Mr. CONRAD (for himself and Mr. CRAPO):

S. 2367. A bill to strike the word "lunatic" from Federal law, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. JOHNSON of Wisconsin (for himself, Mrs. HUTCHISON, Mr. KYL, Mr. SHELBY, Mr. THUNE, Mr. DEMINT, Mr. PAUL, Ms. AYOTTE, Mr. RISCH, Mr. JOHANNIS, Mr. COATS, Mr. CHAMBLISS, Mr. RUBIO, Mr. BOOZMAN, Mr. BARRASSO, Mr. VITTER, Mr. MCCONNELL, Mr. BLUNT, Mr. SESSIONS, Mr. ROBERTS, Mr. INHOFE, Mr. GRAHAM, Mr. TOOMEY, Mr. BURR, Mr. HELLER, Mr. MORAN, Mr. ISAKSON, Mr. CORNYN, Mr. LEE, Ms. COLLINS, Mr. COCHRAN, Mr. HOEVEN, Mr. MCCAIN, Mr. COBURN, and Mr. WICKER):

S. 2368. A bill to ensure economy and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LAUTENBERG (for himself and Mr. BROWN of Ohio):

S. 2369. A bill to establish the American Innovation Bank, to improve science and technology job training, to authorize grants for

curriculum development, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself and Mr. RUBIO):

S. Res. 435. A resolution calling for democratic change in Syria, and for other purposes; to the Committee on Foreign Relations.

By Mr. BEGICH:

S. Res. 436. A resolution designating the week of April 22 through 28, 2012, as the "Week of the Young Child"; to the Committee on the Judiciary.

By Mr. KERRY (for himself and Mr. BROWN of Massachusetts):

S. Res. 437. A resolution congratulating the Boston College men's ice hockey team on winning its fifth National Collegiate Athletic Association Division I Men's Hockey Championship; considered and agreed to.

By Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mr. THUNE, and Mr. WICKER):

S. Res. 438. A resolution to support the goals and ideals of National Safe Digging Month; considered and agreed to.

By Mr. BLUMENTHAL (for himself, Mr. KIRK, Mr. WHITEHOUSE, Mr. CORNYN, Mr. LIEBERMAN, Mr. RUBIO, and Mrs. GILLIBRAND):

S. Res. 439. A resolution expressing the sense of the Senate that Village Voice Media Holdings, LLC should eliminate the "adult entertainment" section of the classified advertising website Backpage.com; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 57

At the request of Mr. INOUE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 57, a bill to amend the Internal Revenue Code of 1986 to modify the application of the tonnage tax on certain vessels.

S. 219

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 219, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 705

At the request of Mr. CARPER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 705, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 829

At the request of Mr. CARDIN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 829, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 1244

At the request of Mr. INOUE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1244, a bill to provide for preferential duty treatment to certain apparel articles of the Philippines.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1454, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1935

At the request of Mrs. HAGAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 2103

At the request of Mr. LEE, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from Texas (Mr. CORNYN), the Senator from Utah (Mr. HATCH), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Indiana (Mr. COATS) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2159

At the request of Mr. LEAHY, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 2159, a bill to extend the authorization of the Drug-Free Communities Support Program through fiscal year 2017.

S. 2207

At the request of Mr. SCHUMER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2207, a bill to require the Office of the Ombudsman of the Transportation Security Administration to appoint pas-

senger advocates at Category X airports to assist elderly and disabled passengers who believe they have been mistreated by TSA personnel and for other purposes.

S. 2219

At the request of Mr. WHITEHOUSE, the names of the Senator from Wisconsin (Mr. KOHL) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. 2219, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 2237

At the request of Mr. REID, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

S. 2280

At the request of Mr. DURBIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2280, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 2288

At the request of Ms. LANDRIEU, the names of the Senator from Maine (Ms. COLLINS), the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 2288, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 2319

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2319, a bill to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes.

S. 2320

At the request of Ms. AYOTTE, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2320, a bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes.

At the request of Mr. BEGICH, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2320, *supra*.

S. 2325

At the request of Mr. NELSON of Florida, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2338

At the request of Mrs. HUTCHISON, the names of the Senator from Kansas (Mr. MORAN), the Senator from Arizona (Mr. KYL) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S. 2338, a bill to reauthorize the Violence Against Women Act of 1994.

S. 2342

At the request of Mr. TESTER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2342, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 2343

At the request of Mr. REID, the names of the Senator from Rhode Island (Mr. REED), the Senator from Iowa (Mr. HARKIN), the Senator from Ohio (Mr. BROWN), the Senator from Illinois (Mr. DURBIN), the Senator from Michigan (Ms. STABENOW) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

S. RES. 419

At the request of Mr. AKAKA, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. Res. 419, a resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week.

S. RES. 430

At the request of Mr. WICKER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 430, a resolution recognizing the 75th anniversary of the founding of Ducks Unlimited, Incorporated, the achievements of the organization in habitat conservation, and the support of the organization for the waterfowling heritage of the United States.

AMENDMENT NO. 2032

At the request of Mr. TESTER, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 2032 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2073

At the request of Mr. CARDIN, his name was added as a cosponsor of amendment No. 2073 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself, Ms. LANDRIEU, and Mrs. SHAHEEN):

S. 2364. A bill to extend the availability of low-interest refinancing under the local development business loan program of the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, I rise today to urge my colleagues to support a one-year extension of the Small Business Administration, SBA, 504 loan refinancing program that was originally authorized in the Small Business Jobs Act of 2010. This bill would allow small business owners to use 504 loans to refinance up to 90 percent of existing commercial mortgages.

The 504 loan program provides approved small businesses with long-term, fixed-rate financing used to acquire fixed assets for expansion or modernization. According to the SBA, as of February 15, 2012, the \$50 billion in 504 loans has created over 2 million jobs. The refinancing option in the Small Business Jobs Act authorized \$7.5 billion in refinancing until September 27, 2012. Unfortunately, because of a delay in promulgating regulations to enable refinancing, the program did not become operational until a few months ago, significantly shortening the period of time that business could refinance existing 504 loans. The 504 loan program also comes at no cost to taxpayers, has created jobs and will provide much needed relief to businesses for one additional year.

America's small business owners face a daunting business life cycle that is volatile at best: according to the SBA, while seven out of 10 new employer firms survive for at least 2 years, only 1/3 of these firms exist after 10 years. These failure rates are quite constant for different industries. Yet one factor that is a bell-weather for success is access to capital. The SBA identifies the major factors in a firm's survivability as including: an ample supply of capital, being large enough to have employees, the owner's education level, and the owner's reason for starting the firm.

Clearly, the drive of an entrepreneur is a major factor in start-ups where statistics from the 2008 "Report to the President on the Small Business Economy" delivered by SBA's Office of Advocacy, show that in 2005, more than 12 million individuals were involved in starting 7 million ventures. After six years, only one third of entrepreneurs

have a working business despite the fact that they put in 9.9 billion hours of uncompensated time in 2005 launching their businesses. These uncompensated hours represented 2.7 percent of total paid work in the United States that year and almost one half of the hours for all American self-employed workers. That is an incredible effort of time and talent and a show of great risk taking.

A number of small businesses utilize 504 loans as long-term, fixed-rate financing used to acquire fixed assets for expansion or modernization. These 504 loans are made available through Certified Development Companies, CDCs, SBA's community based partners for providing 504 loans. The 504 loan program offers small businesses both immediate and long-term benefits, so business owners can focus on growing their business. These benefits include 90 percent financing, longer loan amortizations, no balloon payments, fixed-rate interest rates, and savings that result in improved cash flow for small businesses.

Generally, a business must create or retain one job for every \$65,000 guaranteed by the SBA under this program. Small manufacturers must create or retain a ratio of one job for every \$100,000 guaranteed. In addition, the 504 program serves to revitalize a business district, expand exports, promote small businesses owned and controlled by women, minorities and veterans, especially service-disabled veterans, aid rural development, and increase productivity and competitiveness.

As I mentioned at the outset of my remarks, the 504 program is a job creator that does not receive any appropriated funds. The 1-year extension of the refinancing for the 504 loan program will allow businesses to retain employees and it also comes at zero cost to taxpayers. These are solid measures that will help small businesses at a time when many small enterprises are struggling to keep their employees and run basic operations. I ask my colleagues to support this legislation as swiftly as possible, as our Nation's capital-starved small businesses deserve no less.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. ENZI, Mr. KYL, Mr. CORNYN, Mr. WICKER, Mr. INHOFE, Mr. BARRASSO, Mrs. HUTCHISON Mr. BLUNT, Mr. HOEVEN, Mr. JOHANNIS, Mr. COATS, and Mr. ISAKSON):

S. 2366. A bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; placed on the calendar.

Mr. ALEXANDER. Mr. President, I would like to talk a little bit more specifically this morning about the issue of interest rates on student loans. President Obama is busy this week

traveling to campuses across America to talk about student loans. It is a noble goal to talk about making it easier for students to afford college. It is a goal we all share.

But I am afraid the President is not telling the whole story. Because if he were to tell the whole story, what he would have to tell the students is that the principal reason for the rise in tuition at public colleges and universities and community colleges across America and the principal reason for the increase in student loans is President Obama himself and his own health care policies.

To be fair, he did not start many of these policies. They have been going on for a good while. But he has made them worse over the last several years. When the new health care law goes into effect in 2014, with its new mandates on States, we will find an exaggeration of what has already been happening, which is that Federal health care mandates on States are soaking up the money States otherwise would spend on the University of Oklahoma, and Tennessee, and the State University of New York.

When States do not support their public colleges and universities, which is where approximately three-quarters of our college students attend, then their only choice is either to become more efficient, to decrease their quality or to raise tuition. Most of them are trying to do all three.

So Federal health care policies are the main reason tuition is up, and the reason tuition is up is the main reason debt is up. Specifically, what we are talking about, and what the President has been talking about, is a 3.4-percent interest rate for some student loans.

Here are some facts about that. The President has proposed that for 1 year, for new Stafford subsidized loans, rates would remain at 3.4 percent. Governor Romney agrees with him. I agree with him. So there is substantial support from both the President and his probable Republican opponent in the Presidential race for this next year. New loans, after July 1, which are now at 3.4 percent, would stay at 3.4 percent. The benefit to students who get the advantage of that lower rate—most other loans are at 6.8 percent by law—is about \$7 a month, according to the Congressional Research Service.

All this talk is about offering students the benefit of about \$7 a month for new loans. It is important to notice that no student who has a 3.4-percent loan today will see his or her interest rate go up. I will say that again. If you have a loan and you are going to the University of North Carolina and are paying 3.4 percent today, your rate will not go up on July 1. The law only affects new loans, and it doesn't affect 60 percent of loans. For 60 percent of those getting new loans after July 1, they will continue to pay the 6.8 percent set by Congress a long time ago.

I am glad the President is bringing this issue up, because the real driver of higher tuition and higher interest rates is the President's own policies—in two ways: The government and congressional Democrats who passed the health care law are actually overcharging students—all students—on student loans and using some of the money to pay for the health care law. These aren't just my figures. The CBO said when the new health care law passed, Congress took \$61 billion of so-called savings—I call them profits on student loans—and it spent \$10 billion to reduce the debt, \$8.7 billion on the health care law, and the rest on Pell grants.

How does that work? How could Congress be overcharging students? Well, under the health care law, the government borrows money at 2.8 percent. The government then loans to students at 6.8 percent. That produces a profit. The Congressional Budget Office has said that the Congress could have lowered the interest rate from 6.8 to 5.3 percent and save all students \$2,200 over the life of their average 10-year loan. I am introducing legislation today on my behalf and on behalf of others called the Student Interest Rate Reduction Act. This law proposes to keep the interest rate at 3.4 percent for subsidized Stafford loans beginning July 1 of this year, just as the President and Governor Romney proposed. We will pay for that by taking back the money that the Congress overcharged students on their student loans under the health care law.

This 1-year solution, as I said, will save students about \$7 a month on interest payments on their new loans, or about \$83 a year. It will cost the taxpayers about \$6 billion, which will be paid for by reductions in savings from the new health care law.

Let's talk a moment about the real cost of tuition and student debt going up—that is, Federal health care policies. When I was Governor of Tennessee in the 1980s, the same thing would happen every year as I made up my State budget, and it is happening today in every State capital in America. I would work through all the things we had to fund with State tax dollars—the roads, the schools, the prisons, and the various State agencies. Then I would get down to the end of the budgeting process and have some money left. The choice would always be between Medicaid and higher education—our public colleges and universities. I spent my whole 8 years as Governor trying to keep the amount we gave to Medicaid down so that I could increase the amount for colleges and universities, because I thought that was the future of our State.

In fact, we had a formula then that said if you went to a public college or university, the taxpayer would pay for 70 percent of it and the student would

pay for 30 percent. If we raised your tuition, we would raise the State's share. We kept that 70/30. That is now turned completely around in Tennessee, where it is closer to 30/70 now; the student pays 30 percent and the taxpayers pay nearly 70 percent. This shift is because Medicaid mandates from Washington on every State have forced Governors and legislatures to take the money they would otherwise spend for public colleges and universities and spend it instead for Medicaid. As a result, State colleges and universities have less money, and to get more money, they must raise tuition.

When tuition goes up at the University of California, and you see students protesting, the reason is because of Washington. As I said, President Obama didn't invent this problem—this is a 30-year old problem—but he has made it worse. He made it worse with laws that say when States have less money, they have to spend more on Medicaid. If they are told from Washington to spend more on Medicaid, even though they have less revenues, they are going to spend less on something else. So they spend less on the University of California, or the State University of New York, or the University of Tennessee.

Last year in Tennessee, State funding for Medicaid went up 16 percent in actual dollars; as a result, State funding for community colleges and the University of Tennessee went down 15 percent in real cuts. That was not a cut in growth. That was a real cut. What did the state colleges and universities do? They raised tuition 8 percent. What did students do? They borrowed more money.

I have been trying to get this point across ever since I became a Senator. I said during the health care debate that everybody who voted for it ought to be sentenced to serve as Governor for 8 years in his or her State so they would understand this problem.

We cannot continue to order the States to spend more for Medicaid and expect our great colleges and universities to be affordable and continue to be the best in the world. That is the real reason why tuition is going up and loans are going up.

Here are the facts. There are still good options for students. I mentioned earlier that the average cost of tuition at a 4-year public university in America is about \$8,200. For a community college, it is around \$3,000. There are many scholarships to help them go there. It is true that loans are going up to very high levels. It is true that there are some abuses here and there—within the for-profit and other parts of the higher education system. But it is also true that in the United States we not only have some of the best colleges and universities in the world, we have almost all of them. Many of them are

public colleges and universities. They are at risk today. Why? Because of Federal health care policies that are hamstringing States and soaking up the money that States should be using to fund the universities of this country and the community colleges of this country.

Mr. President, again, I am introducing today the Student Loan Interest Rate Reduction Act. It addresses exactly the subject President Obama is talking about on the campaign trail these days. How do we keep the interest rate on subsidized Stafford loans, the new loans that began July 1—how do we keep that at 3.4 percent for 1 year? Governor Romney supports that. President Obama supports that. I support that. The only difference is how we pay for it. It will cost \$6 billion.

Our friends on the Democratic side have come up with their usual methods of paying for it: They are going to raise taxes on small business and people who create jobs.

We have a little better idea on this side, which is, let's take the \$8.7 billion back that the Federal Government overcharges students on student loans today to help pay for the health care law and give it back to the students, and let's extend this for 1 year. That will leave nearly \$3 billion extra, which we can use to shore up the Pell grant funding gap that is expected over the next couple of years.

Respectfully, I say to President Obama, when you visit the next college campus, tell the whole story. It is hard to attend and pay for college. There are many good options. Debt is up. But in fairness, the principal reason tuition is rising, and therefore debt is rising, is because of President Obama's own health care policy. He didn't start it, but he made it worse. What he has done is put into place a set of policies that are soaking up the money States would use to fund public colleges and universities and community colleges across this country, forcing them to use that money for Medicaid. As a result, the universities and community colleges have less money, they raise tuition, and that is the principal reason why we have higher tuition and higher interest rates.

The way to stop that would be to either repeal the health care law or repeal the Medicaid mandates. That would improve the quality of American public higher education, and it would improve access to higher education. It would slow down the rising of tuition and slow down the rising of student debt.

By Mr. CONRAD (for himself and Mr. CRAPO):

S. 2367. A bill to strike the word "lunatic" from Federal law, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CONRAD. Mr. President, today I am pleased to be joined by Senator

CRAPO in introducing the 21st Century Language Act of 2012. This bipartisan legislation updates federal law by eliminating references that contribute to the stigmatization of mental health conditions. Specifically, this legislation removes the word "lunatic" from several sections of the United States Code to reflect our nation's modern understanding of mental health conditions.

Recently, a North Dakota constituent contacted my office to express support for legislative efforts to remove this outdated and inappropriate language from federal law. Senator CRAPO and I agree that federal law should reflect the 21st century understanding of mental illness and disease, and that the continued use of this pejorative term has no place in the U.S. Code.

Senator CRAPO and I have worked with the Senate Banking Committee to confirm that "lunatic" is an unnecessary term and that its removal will have no impact on the broader federal law. This legislation enjoys strong support from a number of mental health advocates across the nation, including the National Alliance on Mental Illness, Mental Health America, National Council on Community Behavioral Healthcare, and the Clinical Social Work Association. I hope my colleagues will join me in working to pass this overdue update to the U.S. Code.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 435—CALLING FOR DEMOCRATIC CHANGE IN SYRIA, AND FOR OTHER PURPOSES

Mr. CASEY (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 435

Whereas the Republic of Syria is a party to the International Covenant on Civil and Political Rights (ICCPR), adopted at New York December 16, 1966, and the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, and voted in favor of the Universal Declaration of Human Rights, adopted at Paris December 10, 1948;

Whereas, since March 2011, the Government of Syria has engaged in a sustained campaign of violence and gross human rights violations against civilians in Syria, including the use of weapons of war, torture, extrajudicial killings, arbitrary executions, sexual violence, and interference with access to medical treatment;

Whereas the United Nations estimated that, as of April 16, 2012, at least 10,000 people had been killed in Syria since the violence began in March 2011;

Whereas, on August, 18, 2011, President Barack Obama called upon President Bashar al Assad to step aside;

Whereas, in November 2011 and February 2012, the United Nations Commission of In-

quiry released reports documenting gross human rights violations committed in Syria; Whereas the League of Arab States deployed a team of international monitors to Syria on December 26, 2011;

Whereas, on January 28, 2012, the League of Arab States suspended its monitoring mission in Syria in response to an escalation in violence;

Whereas, on March 16, 2012, United Nations and League of Arab States Special Envoy Kofi Annan presented a six-point peace plan for Syria that called on the Government of Syria to, among other things: commit to stop the fighting and urgently achieve a United Nations-supervised cessation of violence; work with the Envoy in an inclusive Syrian-led political process; cease military activity in and around civilian population centers; ensure timely provision of humanitarian assistance; release arbitrarily detained persons; ensure freedom of movement for journalists; and respect the freedom of association and the right to demonstrate peacefully;

Whereas, on March 21, 2012, the United Nations Security Council unanimously adopted a Presidential Statement giving full support to the efforts of Joint Special Envoy Annan and calling on the Government of Syria and the opposition in Syria to work in good faith to fully and immediately implement Mr. Annan's six point proposal;

Whereas, on April 1, 2012, the group Friends of the Syrian People met in Istanbul and announced measures to increase the pressure on the Assad regime, provide greater humanitarian relief to people in need, and support the Syrian opposition as it works toward an inclusive democratic transition.

Whereas, as of April 1, 2012, the United States Government had pledged \$25,000,000 in humanitarian assistance, as well as non-lethal communications equipment, to activists inside Syria;

Whereas, on April 5, 2012, the United Nations Security Council adopted a Presidential Statement calling on the Government of Syria to implement urgently and visibly its commitments to Mr. Annan, including ceasing armed violence within 48 hours;

Whereas, on April 14, 2012, the United Nations Security Council adopted Resolution 2042, which authorized the deployment of an advance team of United Nations military observers to monitor adherence to a ceasefire in the country;

Whereas the Governments of Turkey, Jordan, Lebanon, and Iraq have provided refuge for tens of thousands of people displaced by the violence in Syria; and

Whereas the Governments of the Russian Federation and the Islamic Republic of Iran continue to supply military equipment to the Government of Syria notwithstanding that government's violent repression of demonstrators:

Now, therefore, be it
Resolved, That the Senate—

(1) condemns Syrian President Bashar al-Assad's ongoing slaughter of his own people;

(2) reaffirms that it is the policy of the United States that the legitimate aspirations of the Syrian people cannot be realized so long as Bashar al-Assad remains in power and that he must step aside;

(3) recognizes the efforts of the United Nations and the League of Arab States to establish a ceasefire in Syria and to deploy international personnel to observe adherence by the Government of Syria to Special Envoy Kofi Annan's six-point peace plan to bring an end to violence and human rights

violations and as a first step toward a full democratic transition in Syria;

(4) urges robust support for the United Nations-administered Emergency Response Fund to ensure the sustained provision of humanitarian and emergency medical support for the population of Syria affected by the conflict;

(5) urges the continued provision of adequate humanitarian assistance to displaced Syrians currently located in Turkey, Jordan, Lebanon, and Iraq;

(6) calls on the President to engage with the League of Arab States, the European Union, and the Government of the Republic of Turkey to explore options to protect civilians in Syria;

(7) demands that the Government of Syria allow additional United Nations personnel into the country, with complete freedom of movement, and take necessary measures to ensure their safety in Syria so that they may observe the ceasefire and the adherence by the Government of Syria to the United Nation six-point peace plan;

(8) urges the Syrian opposition to renew its commitment to a democratic and inclusive society in the post-Assad era based on the rule of law, commitment to universal human rights for all of its people, and protections for religious and ethnic minorities;

(9) calls upon the League of Arab States, the United Nations, the Friends of the Syrian People, and other interested international bodies to continue to exert maximum diplomatic pressure for Assad to step aside and for a political transition in Syria;

(10) urges the Friends of the Syrian People to renew efforts to incentivize the enhanced cohesion of democratically oriented organizations in Syria, and to encourage these groups to make clear their intention to represent and protect the interests of all Syrians;

(11) calls upon the President to continue to provide support, including communications equipment to organizations in Syria that are representative of the people of Syria, make demonstrable efforts to protect human rights and religious freedom, reject terrorism, cooperate with international counterterrorism and nonproliferation efforts, and abstain from destabilizing neighboring countries;

(12) urges the President to develop a plan to identify weapons stockpiles and prevent the proliferation of conventional, biological, chemical, and other types of weapons in Syria; and

(13) strongly condemns the Governments of the Russian Federation and the Islamic Republic of Iran for providing military and security equipment to the Government of Syria, which has been used to repress peaceful demonstrations and commit mass atrocities against unarmed civilian populations in Syria.

SENATE RESOLUTION 436—DESIGNATING THE WEEK OF APRIL 22 THROUGH 28, 2012, AS THE “WEEK OF THE YOUNG CHILD”

Mr. BEGICH submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 436

Whereas there are 20,000,000 children under the age of 5 in the United States;

Whereas numerous studies show that high-quality early childhood education programs improve the likelihood that children will have success in school and in life by improv-

ing their cognitive, social, emotional, and physical development;

Whereas many children eligible for, and in need of, high-quality child care, Early Head Start, Head Start, and other early childhood education programs are not served by such programs;

Whereas child care assistance and other early childhood education programs enable parents to work, go to school, and support their families;

Whereas the individuals who work with young children deserve the respect of the people of the United States, professional support, and fair compensation to reflect the important value of their work;

Whereas economist and Nobel Laureate James Heckman has stated that investment in childhood education reaps economic returns due to outcomes such as lower special education placements, lower juvenile delinquency rates, and greater school graduation rates; and

Whereas the National Association for the Education of Young Children established the “Week of the Young Child” to bring attention to the developmental and learning needs of young children: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of April 22 through 28, 2012, as the “Week of the Young Child”;

(2) encourages the people of the United States to celebrate—

(A) young children and families; and

(B) the individuals who provide high-quality care and early childhood education to the young children of the United States; and

(3) urges the people of the United States to recognize the importance of—

(A) high-quality, comprehensive early childhood education programs; and

(B) the value of those programs for preparing children to—

(i) experience positive development and education; and

(ii) enjoy lifelong success.

Mr. BEGICH. Mr. President, today I rise to submit a resolution to recognize the Week of the Young Child.

My resolution recognizes April 22 to 28 as the Week of the Young Child. This week in Alaska, and in States and communities across the Nation, we celebrate and bring greater awareness to the importance of the early years of children’s lives.

The Week of the Young Child officially began in 1971 as an annual observance and public education effort of the National Association for the Education of Young Children, the Nation’s oldest and recognized leader in early childhood education for children from birth through age 8, to reach out to families and communities and to emphasize the crucial role adults play in giving children the foundation they need to succeed in school and beyond.

This week focuses attention on the importance of children’s early years. Early childhood educators, librarians, United Ways, and other organizations provide a range of activities to highlight how each of us can help children and families thrive. This is a national issue as well as local issue. Federal policy and funding is a significant component of early childhood education in this country, from Early Head Start and Head Start to the Child Care and

Development Block Grant as well as Title I and even higher education financial aid and teacher support programs for the early childhood education workforce. Yet our investments remain inadequate, especially when you consider the work of noted economists such as James Heckman on the return on investment to our Nation’s economy. Today, not quite half of the poorest preschoolers in our country can enroll in Head Start and only 3 percent of the babies and toddlers who could benefit from Early Head Start can attend because of inadequate resources. Child care assistance reaches only one in seven eligible children, making it harder for families to have stable jobs and for children to have safe and nurturing places to grow and learn. The committed individuals who work in child care earn woefully inadequate salaries, often without health care or retirement support.

I hope all of my colleagues will find out more about the activities celebrating the Week of the Young Child in their States and can show their support for families and the professionals who work with young children every day.

SENATE RESOLUTION 437—CONGRATULATING THE BOSTON COLLEGE MEN’S ICE HOCKEY TEAM ON WINNING ITS FIFTH NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN’S HOCKEY CHAMPIONSHIP

Mr. KERRY (for himself and Mr. BROWN of Massachusetts) submitted the following resolution; which was considered and agreed to:

S. RES. 437

Whereas, on April 7, 2012, Boston College won the 2012 National Collegiate Athletic Association (referred to in this preamble as the “NCAA”) Division I Men’s Hockey Championship;

Whereas the 2012 NCAA Division I Men’s Hockey Championship is the fifth national championship for the Boston College Eagles men’s ice hockey team;

Whereas the 2012 NCAA Division I Men’s Hockey Championship is the third national championship in the last 5 years for Boston College and its head coach, Jerry York;

Whereas Jerry York has the most wins of any active coach in NCAA Division I Men’s Hockey;

Whereas Father William P. Leahy, S.J., the President of Boston College, and Gene DeFilippo, the Athletic Director of Boston College, have shown great leadership in bringing athletic success to Boston College;

Whereas the semifinal games and final game of the NCAA Division I Men’s Hockey Tournament are known as the “Frozen Four”;

Whereas junior goaltender Parker Milner was named the Most Outstanding Player of the Frozen Four after allowing only 2 goals during the entire NCAA Division I Men’s Hockey Tournament;

Whereas Boston College finished the 2011-2012 men’s hockey season on a 19-game winning streak, which is a single-season team record;

Whereas, on February 13, 2012, Boston College won its third consecutive Beanpot Championship, defeating Boston University in sudden death overtime by a score of 3 to 2;

Whereas, on March 17, 2012, Boston College won its third consecutive Hockey East Championship, defeating the University of Maine by a score of 4 to 1;

Whereas, on April 5, 2012, Boston College defeated the University of Minnesota in a Frozen Four semifinal game by a score of 6 to 1 to advance to the national championship game; and

Whereas Boston College won the Frozen Four championship game with a victory over Ferris State University by a score of 4 to 1: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped Boston College win the 2012 National Collegiate Athletic Association Division I Men's Hockey Championship; and

(2) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) Father William P. Leahy, S.J., the President of Boston College;

(B) Gene DeFilippo, the Athletic Director of Boston College; and

(C) Jerry York, the head coach of the Boston College men's ice hockey team.

SENATE RESOLUTION 438—TO SUPPORT THE GOALS AND IDEALS OF NATIONAL SAFE DIGGING MONTH

Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mr. THUNE, and Mr. WICKER) submitted the following resolution; which considered and agreed to:

S. RES. 438

Whereas each year, the underground utility infrastructure of the United States, including pipelines, electric, gas, telecommunications, water, sewer, and cable television lines, is jeopardized by unintentional damage caused by those who fail to have underground lines located prior to digging;

Whereas some utility lines are buried only a few inches underground, making the lines easy to strike, even during shallow digging projects;

Whereas digging prior to locating underground utility lines often results in unintended consequences, such as service interruption, environmental damage, personal injury, and even death;

Whereas the month of April marks the beginning of the peak period during which excavation projects are carried out around the United States;

Whereas in 2002, Congress required the Department of Transportation and the Federal Communications Commission to establish a 3-digit, nationwide, toll-free number to be used by State "One Call" systems to provide information on underground utility lines;

Whereas in 2005, the Federal Communications Commission designated "811" as the nationwide "One Call" number for homeowners and excavators to use to obtain information on underground utility lines before conducting excavation activities;

Whereas "One Call" has helped reduce the number of digging damages caused by failure to call before digging from 48 percent in 2004 to 32 percent in 2010;

Whereas the 1,400 members of the Common Ground Alliance, who are dedicated to ensur-

ing public safety, environmental protection, and the integrity of services, promote the national "Call Before You Dig" campaign to increase public awareness about the importance of homeowners and excavators calling 811 to find out the exact location of underground lines; and

Whereas the Common Ground Alliance has designated April as "National Safe Digging Month" to increase awareness of safe digging practices across the United States and to celebrate the anniversary of 811, the national "Call Before You Dig" number:

Now, therefore, be it
Resolved, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month; and

(2) encourages all homeowners and excavators throughout the United States to call 811 before digging.

SENATE RESOLUTION 439—EXPRESSING THE SENSE OF THE SENATE THAT VILLAGE VOICE MEDIA HOLDINGS, LLC SHOULD ELIMINATE THE "ADULT ENTERTAINMENT" SECTION OF THE CLASSIFIED ADVERTISING WEBSITE BACKPAGE.COM

Mr. BLUMENTHAL (for himself, Mr. KIRK, Mr. WHITEHOUSE, Mr. CORNYN, Mr. LIEBERMAN, Mr. RUBIO, and Mrs. GILLIBRAND) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 439

Whereas, according to the Department of Justice, there was a 59 percent increase in identified victims of human trafficking worldwide between 2009 and 2010;

Whereas, according to the Department of Health and Human Services, human trafficking is the fastest-growing criminal enterprise in the world;

Whereas experts estimate that up to 300,000 children are at risk of sexual exploitation each year in the United States;

Whereas experts estimate that the average female victim of sex trafficking is forced into prostitution for the first time between the ages of 12 and 14, and the average male victim of sex trafficking is forced into prostitution for the first time between the ages of 11 and 13;

Whereas the Bureau of Justice Statistics found that 40 percent of incidents investigated by federally-funded task forces on human trafficking between 2008 and 2010 involved prostitution of a child or the sexual exploitation of a child;

Whereas, according to the classified advertising consultant Advanced Interactive Media Group (referred to in this preamble as "AIM Group"), Backpage.com is the leading United States website for prostitution advertising;

Whereas Backpage.com is owned by Village Voice Media Holdings, LLC (referred to in this preamble as "Village Voice Media");

Whereas the National Association of Attorneys General tracked more than 50 cases in which charges were filed against persons who were trafficking or attempting to traffic minors on Backpage.com;

Whereas Myrelle and Tyrelle Locket—
(1) in February 2011 were each sentenced to 4 years in prison on charges of trafficking of persons for forced labor or services for operating an Illinois sex trafficking ring that included minors; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Arthur James Chappell—

(1) in March 2011 was sentenced to 28 years in prison on charges of sex trafficking of a minor for running a prostitution ring with at least 1 juvenile victim in Minnesota; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Brandon Quincy Thompson—

(1) in April 2011 was sentenced to life imprisonment on charges of sex trafficking a child by force for running a South Dakota prostitution ring that involved multiple underage girls; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Clint Eugene Wilson—

(1) in May 2011 was sentenced to 20 years in prison on charges of sex trafficking of a minor by force, fraud, or coercion for forcing a 16-year-old Dallas girl into prostitution, threatening to assault her, and forcing her to get a tattoo that branded her as his property; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Demetrius Darnell Homer—

(1) in August 2011 was sentenced to 20 years in prison on charges of sex trafficking of a minor for violently forcing a 14-year-old Atlanta girl into prostitution, controlling her through beatings, threatening her with a knife, shocking her with a taser in front of another underage girl whom he had placed in prostitution, and forcing her to engage in prostitution while she was pregnant with his child; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Leighton Martin Curtis—

(1) in February 2012 was sentenced to 30 years in prison on charges of sex trafficking of a minor and production of child pornography for pimping a 15-year-old girl throughout Florida, Georgia, and North Carolina to approximately 20 to 35 customers each week for more than a year; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Ronnie Leon Tramble—

(1) in March 2012 was sentenced to 15 years in prison on charges of sex trafficking through force, fraud, and coercion for forcing more than 5 young women and minors into prostitution over a period of at least 5 years throughout the State of Washington, during which time period he constantly subjected the victims to brutal physical and emotional abuse; and

(2) used Backpage.com to facilitate the prostitution;

Whereas, according to AIM Group, 80 percent of online prostitution advertising revenue for the month of February 2012 was attributed to Backpage.com;

Whereas, according to AIM Group, the number of Backpage.com advertisements for "escorts" and "body rubs", a thinly veiled code for prostitution, increased by nearly 5 percent between February 2011 and February 2012;

Whereas, according to AIM Group, Backpage.com earned an estimated \$26,000,000 from prostitution advertisements between February 2011 and February 2012;

Whereas Backpage.com vice president Carl Ferrer acknowledged to the National Association of Attorneys General that the company identifies more than 400 "adult entertainment" posts that may involve minors each month;

Whereas the actual number of "adult entertainment" posts on Backpage.com each month that involve minors may be far greater than 400;

Whereas, according to the National Association of Attorneys General, Missouri investigators found that the review procedures of Backpage.com are ineffective in policing illegal activity;

Whereas, in September 2010, Craigslist.com removed the "adult services" section of its website following calls for removal from law enforcement and advocacy organizations;

Whereas, by September 16, 2011, 51 attorneys general of States and territories of the United States had called on Backpage.com to shut down the "adult entertainment" section of its website;

Whereas, on September 16, 2011, the Tri-City Herald of the State of Washington published an editorial entitled "Attorneys general target sexual exploitation of kids", writing, ". . . we'd also encourage the owners of Backpage.com to give the attorneys general what they are asking for";

Whereas, on October 25, 2011, 36 clergy members from across the United States published an open letter to Village Voice Media in the New York Times, calling on the company to shut down the "adult entertainment" section of Backpage.com;

Whereas, on December 2, 2011, 55 anti-trafficking organizations called on Village Voice Media to shut down the "adult entertainment" section of Backpage.com;

Whereas, on December 29, 2011, the Seattle Times published an editorial entitled "Murders strengthen case against Backpage.com", writing, "Backpage.com cannot continue to dismiss the women and children exploited through the website, nor the 3 women in Detroit who are dead possibly because they were trafficked on the site. Revenue from the exploitation and physical harm of women and minors is despicable. Village Voice Media, which owns Backpage.com, must shut this site down. Until then, all the pressure that can be brought to bear must continue.";

Whereas, on March 18, 2012, Nicholas Kristof of the New York Times wrote in an opinion piece entitled "Where Pimps Peddle Their Goods" that "[t]here are no simple solutions to end sex trafficking, but it would help to have public pressure on Village Voice Media to stop carrying prostitution advertising.";

Whereas, on March 29, 2012, Change.org delivered a petition signed by more than 240,000 individuals to Village Voice Media, calling on the company to shut down the "adult entertainment" section of Backpage.com;

Whereas, on January 12, 2012, John Buffalo Mailer, son of Village Voice co-founder Norman Mailer, joined the Change.org petition to shut down the "adult entertainment" section of Backpage.com, stating, "For the sake of the Village Voice brand and for the sake of the legacy of a great publication, take down the adult section of Backpage.com, before the Village Voice must answer for yet another child who is abused and exploited because you did not do enough to prevent it.";

Whereas, on March 30, 2012, a private equity firm owned by Goldman Sachs Group, Inc. completed a deal to sell its 16 percent ownership stake in Village Voice Media back to management;

Whereas, in *M.A. ex rel. P.K. v. Village Voice Media Holdings, LLC* (809 F. Supp. 2d 1041 (E.D. Mo. 2011)), the United States District Court for the Eastern District of Missouri held that section 230 of the Communications Act of 1934 (47 U.S.C. 230) (as added by section 509 of the Communications Decency Act of 1996 (Public Law 104-104; 110 Stat. 1377)) protects Backpage.com from civil liability for the "horrific victimization" the teenage plaintiff suffered at the hands of the

criminal who posted on the website to perpetrate her vicious crimes; and

Whereas the Communications Decency Act of 1996 (Public Law 104-104; 110 Stat. 56) and the amendments made by that Act do not preclude a service provider from voluntarily removing a portion of a website known to facilitate the sexual exploitation of minors in order to protect children in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) supports the efforts of law enforcement agencies to provide training to law enforcement agents on how to identify victims of sex trafficking, investigate cases of sex trafficking, prosecute sex trafficking offenses, and rescue victims of sex trafficking;

(2) supports services for trafficking victims provided by the Federal Government, State and local governments, and non-profit and faith-based organizations, including medical, legal, mental health, housing, and other social services; and

(3) calls on Village Voice Media Holdings, LLC to act as a responsible global citizen and immediately eliminate the "adult entertainment" section of the classified advertising website Backpage.com to terminate the website's rampant facilitation of online sex trafficking.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2085. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table.

SA 2086. Mr. CORNYN (for himself, Mr. KIRK, Mr. BENNET, Mr. MCCONNELL, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2087. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2088. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2089. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2090. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2085. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. IDENTIFYING UNNECESSARY DUPLICATION WITHIN THE DEPARTMENT OF JUSTICE.

(a) REQUIREMENT TO IDENTIFY AND DESCRIBE PROGRAMS.—Each fiscal year, for purposes of the report required by subsection (c), the Attorney General shall—

(1) identify and describe every program administered by the Department of Justice;

(2) for each such program—

(A) determine the total administrative expenses of the program;

(B) determine the expenditures for services for the program;

(C) estimate the number of clients served by the program and beneficiaries who received assistance under the program (if applicable); and

(D) estimate—

(i) the number of full-time employees who administer the program; and

(ii) the number of full-time equivalents (whose salary is paid in part or full by the Federal Government through a grant or contract, a subaward of a grant or contract, a cooperative agreement, or another form of financial award or assistance) who assist in administering the program; and

(3) identify programs within the Federal Government (whether inside or outside the agency) with duplicative or overlapping missions, services, and allowable uses of funds.

(b) RELATIONSHIP TO CATALOG OF DOMESTIC ASSISTANCE.—With respect to the requirements of paragraphs (1) and (2)(B) of subsection (a), the Attorney General may use the same information provided in the catalog of domestic and international assistance programs in the case of any program that is a domestic or international assistance program.

(c) REPORT.—Not later than February 1 of each fiscal year, the Attorney General shall publish on the official public website of the agency a report containing the following:

(1) The information required under subsection (a) with respect to the preceding fiscal year.

(2) The latest performance reviews (including the program performance reports required under section 1116 of title 31, United States Code) of each program of the agency identified under subsection (a)(1), including performance indicators, performance goals, output measures, and other specific metrics used to review the program and how the program performed on each.

(3) For each program that makes payments, the latest improper payment rate of the program and the total estimated amount of improper payments, including fraudulent payments and overpayments.

(4) The total amount of unspent and unobligated program funds held by the Department and grant recipients (not including individuals) stated as an amount—

(A) held as of the beginning of the fiscal year in which the report is submitted; and

(B) held for five fiscal years or more.

(5) Such recommendations as the Attorney General considers appropriate—

(A) to consolidate programs that are duplicative or overlapping;

(B) to eliminate waste and inefficiency; and

(C) to terminate lower priority, outdated, and unnecessary programs and initiatives.

(d) CONSOLIDATING UNNECESSARY DUPLICATION WITHIN THE DEPARTMENT OF JUSTICE.—Notwithstanding any other provision of law and not later than 150 days after the date of enactment of this section, the Attorney General shall—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in—

(A) the February 2012 Government Accountability Office report to Congress entitled "2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue" (GAO 12 342SP); and

(B) subsection (a);

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in—

(A) the February 2012 Government Accountability Office report to Congress entitled “2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 12 342SP); and

(B) subsection (c); and

(3) develop a plan that would result in financial cost savings of no less than 20 percent of the nearly \$3,900,000,000 in duplicative grant programs identified by the Government Accountability Office as a result of the actions required by paragraph (1).

(e) **ELIMINATING THE BACKLOG OF UNANALYZED DNA FROM SEXUAL ASSAULT, RAPE, KIDNAPPING, AND OTHER CRIMINAL CASES.**—Notwithstanding any other provision of law and not later than 1 year after the enactment of this section, the Director of the Office of Management and Budget in consultation with Attorney General shall—

(1) rescind from the appropriate accounts the total amount of cost savings from the plan required in subsection (d)(3);

(2) apply as much as 75 percent of the savings towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual assault, homicide, kidnapping and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System; and

(3) return the remainder of the savings to the Treasury for the purpose of deficit reduction.

(f) **REPORTING THE SAVINGS RESULTING FROM CONSOLIDATING UNNECESSARY DUPLICATION.**—Notwithstanding any other provision of law, the Attorney General shall post a report on the public Internet website of the Department of Justice detailing—

(1) the programs consolidated as a result of this section, including any programs eliminated;

(2) the total amount saved from reducing such duplication;

(3) the total amount of such savings directed towards the analysis and placement of DNA samples into the Combined DNA Index System;

(4) the total amount of such savings returned to the Treasury for the purpose of deficit reduction; and

(5) additional recommendations for consolidating duplicative programs, offices, and initiatives within the Department of Justice.

(g) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATIVE EXPENSES.**—The term “administrative expenses” has the meaning as determined by the Director of the Office of Management and Budget under section 504(b)(2) of Public Law 111–85 (31 U.S.C. 1105 note), except the term shall also include, for purposes of that section and this section—

(A) costs incurred by the Department as well as costs incurred by grantees, subgrantees, and other recipients of funds from a grant program or other program administered by the Department; and

(B) expenses related to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication about, promotion of, and outreach for programs and program activities administered by the Department.

(2) **PERFORMANCE INDICATOR; PERFORMANCE GOAL; OUTPUT MEASURE; PROGRAM ACTIVITY.**—The terms “performance indicator”, “performance goal”, “output measure”, and

“program activity” have the meanings provided by section 1115 of title 31, United States Code.

(3) **PROGRAM.**—The term “program” has the meaning provided by the Director of the Office of Management and Budget in consultation with the Attorney General and shall include any organized set of activities directed toward a common purpose or goal undertaken by the Department of an agency that includes services, projects, processes, or financial or other forms of assistance, including grants, contracts, cooperative agreements, compacts, loans, leases, technical support, consultation, or other guidance.

(4) **SERVICES.**—The term “services” has the meaning provided by the Attorney General and shall be limited to only activities, assistance, and aid that provide a direct benefit to a recipient, such as the provision of medical care, assistance for housing or tuition, or financial support (including grants and loans).

SA 2086. Mr. CORNYN (for himself, Mr. KIRK, Mr. BENNET, Mr. MCCONNELL, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XI—THE SAFER ACT

SECTION 1101. SHORT TITLE.

This title may be cited as the “Sexual Assault Forensic Evidence Registry Act of 2012” or the “SAFER Act of 2012”.

SEC. 1102. DEBBIE SMITH GRANT'S FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.”;

(2) in subsection (c), by adding at the end the following new paragraph:

“(4) **ALLOCATION OF GRANT AWARDS FOR AUDITS.**—For each of fiscal years 2012 through 2016, not less than 7 percent of the grant amounts distributed under paragraph (1) shall be awarded for the purpose described in subsection (a)(6).”;

(3) by adding at the end the following new subsection:

“(n) **USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.**—

“(1) **ELIGIBILITY.**—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) **GRANT CONDITIONS.**—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall—

“(A) not later than 1 year after receiving such grant—

“(i) complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph; and

“(ii) for each sample of sexual assault evidence identified in such audit, subject to

paragraph (4), enter into the Sexual Assault Forensic Evidence Registry established under subsection (o) the information listed in subsection (o)(2);

“(B) not later than 21 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry the information listed in subsection (o)(2) with respect to the sample; and

“(C) not later than 30 days after a change in the status referred to in subsection (o)(2)(A)(v) of a sample with respect to which the State or unit of local government has entered information into such Registry, update such status.

“(3) **EXTENSION OF INITIAL DEADLINE.**—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) **SAMPLES EXEMPT FROM REGISTRY REQUIREMENT.**—A State or unit of local government is not required under paragraph (2) to enter into the Registry described in such paragraph information with respect to a sample of sexual assault evidence if—

“(A) the sample is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

“(B) the sample relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

“(5) **DEFINITIONS.**—In this subsection:

“(A) **AWAITING TESTING.**—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) **FINAL DISPOSITION.**—The term ‘final disposition’ means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

“(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

“(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

“(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

“(C) **POSSESSION.**—

“(i) **IN GENERAL.**—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) **RULE OF CONSTRUCTION.**—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).”.

SEC. 1103. SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.

(a) **IN GENERAL.**—Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135), as amended by section 1102 of this title, is further amended by adding at the end the following new subsection:

“(o) SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.—

“(1) IN GENERAL.—Subject to subsection (j), not later than 1 year after the date of enactment of the SAFER Act of 2012, the Attorney General shall establish a Sexual Assault Forensic Evidence Registry (in this subsection referred to as the ‘Registry’) that—

“(A) allows States and units of local government to enter information into the Registry about samples of sexual assault evidence that are in the possession of such States or units of local government and are awaiting testing; and

“(B) tracks the testing and processing of such samples.

“(2) INFORMATION IN REGISTRY.—

“(A) IN GENERAL.—A State or unit of local government that chooses to enter information into the Registry about a sample of sexual assault evidence shall include the following information:

“(i) The date of the sexual assault to which the sample relates.

“(ii) The city, county, or other appropriate locality in which the sexual assault occurred.

“(iii) The date on which the sample was collected.

“(iv) The date on which information relating to the sample was entered into the Registry.

“(v) The status of the progression of the sample through testing and other stages of the evidentiary handling process, including the identity of the entity in possession of the sample.

“(vi) The date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault for the sexual assault.

“(vii) Such other information as the Attorney General considers appropriate.

“(B) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that the Registry does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved, except for the information listed in subparagraph (A).

“(3) SAMPLE IDENTIFICATION NUMBER.—

“(A) IN GENERAL.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall assign to the sample a unique numeric or alphanumeric identifier.

“(B) UNIQUE IDENTIFIER REQUIRED.—In assigning the identifier under subparagraph (A), a State or unit of local government may use a case-numbering system used for other purposes, but the Attorney General shall ensure that the identifier assigned to each sample is unique with respect to all samples entered by all States and units of local government.

“(4) UPDATE OF INFORMATION.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall, not later than 30 days after a change in the status of the sample referred to in paragraph (2)(A)(v), update such status.

“(5) INTERNET ACCESS.—The Attorney General shall make publicly available aggregate non-individualized and non-personally identifying data gathered from the Registry, to allow for comparison of backlog data by State and unit of local government, on an appropriate Internet website.

“(6) TECHNICAL ASSISTANCE.—The Attorney General shall—

“(A) provide a means by which an entity that does not have access to the Internet may enter information into the Registry; and

“(B) provide the technical assistance necessary to allow States and units of local government to participate in the Registry.”

(b) FUNDING.—Section 2(j) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(j)) is amended—

(1) by inserting “and for carrying out subsection (o)” after “for grants under subsection (a)”; and

(2) by adding at the end the following new sentence: “For each of fiscal years 2012 through 2016, not less than 1 percent of the amount authorized to be appropriated under the previous sentence for such fiscal year shall be for carrying out subsection (o).”

SEC. 1104. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(6) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title; and

(3) summarizes the processing status of the samples of sexual assault evidence about which information has been entered into the Sexual Assault Forensic Evidence Registry established under section 2(o) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1103(a) of this title, including the number of samples that have not been tested.

TITLE XII—JUSTICE FOR VICTIMS

SEC. 1201. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended by adding at the end the following:

“(C) For each of fiscal years 2012 through 2014, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (2) and (3) of subsection (a).”

SEC. 1202. ENHANCED PENALTIES FOR AGGRAVATED INTERSTATE DOMESTIC VIOLENCE.

Section 2261(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting “not less than 15 years” after “any term of years”;

(2) in paragraph (2), by striking “20 years” and inserting “25 years”; and

(3) in paragraph (3), by striking “10 years” and inserting “15 years”.

SEC. 1203. ENHANCED PENALTIES FOR AGGRAVATED SEXUAL ABUSE.

Section 2241 of title 18, United States Code, is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 10 years or imprisoned for life”; and

(2) in subsection (b), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 5 years or imprisoned for life”.

SEC. 1204. ENHANCED PENALTIES FOR INTERSTATE TRANSPORTATION OF CHILD PROSTITUTES.

Section 2423(a) of title 18, United States Code, is amended by striking the period at the end and inserting the following: “, but if the individual who was transported in interstate or foreign commerce had not attained 12 years of age, imprisoned not less than 20 years or for life.”

SEC. 1205. FINDING FUGITIVE SEX OFFENDERS.

(a) SUBPOENA AUTHORITY FOR THE UNITED STATES MARSHALS SERVICE.—Section 566(e)(1) of title 28, United States Code, is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) issue administrative subpoenas in accordance with section 3486 of title 18 solely for the purpose of investigating unregistered sex offenders (as that term is defined in section 3486 of title 18).”

(b) CONFORMING AMENDMENT TO ADMINISTRATIVE SUBPOENA STATUTE.—

(1) IN GENERAL.—Section 3486(a)(1) of title 18, United States Code, is amended—

(A) in subparagraph (A)—

(i) in clause (i)(II), by striking “or” at the end;

(ii) by redesignating clause (ii) as clause (iii); and

(iii) by inserting after clause (i) the following:

“(ii) an unregistered sex offender conducted by the United States Marshals Service, the Director of the United States Marshals Service; or”; and

(B) by striking subparagraph (D) and inserting the following:

“(D) As used in this paragraph—

“(i) the term ‘Federal offense involving the sexual exploitation or abuse of children’ means an offense under section 1201, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423, in which the victim is an individual who has not attained the age of 18 years; and

“(ii) the term ‘sex offender’ means an individual required to register under the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.).”

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3486(a) of title 18, United States Code, is amended—

(A) in paragraph (6)(A), by striking “United State” and inserting “United States”;

(B) in paragraph (9), by striking “or (1)(A)(ii)” and inserting “or (1)(A)(iii)”; and

(C) in paragraph (10), by striking “paragraph (1)(A)(ii)” and inserting “paragraph (1)(A)(iii)”.

(c) REPORT.—Section 3486 of title 18, United States Code, is amended by adding at the end the following:

“(f) REPORTS.—The Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives an annual report containing—

“(1) the number of subpoenas issued by the United States Marshals pursuant to section 566(e)(1)(C) of title 28;

“(2) the crime being investigated pursuant to the issuance of each subpoena; and

“(3) the number of unregistered sex offenders arrested by the United States Marshals subsequent to the issuance of a subpoena pursuant to section 566(e)(1)(C) of title 28 and the information that led to each individual’s arrest.”

SEC. 1206. REPORT ON COMPLIANCE WITH THE DNA FINGERPRINT ACT OF 2005.

Not later than 180 days after date of the enactment of this Act, the Secretary of Homeland Security shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

(1) describes, in detail, the measures and procedures taken by the Secretary to comply with any regulation promulgated pursuant to section 3(e)(1) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a(e)(1)); and

(2) provides a detailed explanation of the circumstances and specific cases, if available, in which—

(A) the Secretary failed to comply with any regulation promulgated pursuant to such section 3(e)(1);

(B) the Secretary requested the Attorney General approve additional limitations to, or exceptions from, any regulation promulgated pursuant to such section 3(e)(1); or

(C) the Secretary consulted with the Attorney General to determine that the collection of DNA samples is not feasible because of operational exigencies or resource limitations.

SEC. 1207. SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) According to the Department of Justice, there was a 59 percent increase in identified victims of human trafficking worldwide between 2009 and 2010.

(2) According to the Department of Health and Human Services, human trafficking is the fastest growing criminal enterprise in the world.

(3) Experts estimate that up to 300,000 children are at risk of sexual exploitation each year in the United States.

(4) Experts estimate that the average female victim of sex trafficking is forced into prostitution for the first time between the ages of 12 and 14 and the average male victim is forced into prostitution for the first time between the ages of 11 and 13.

(5) The Bureau of Justice Statistics found that 40 percent of incidents investigated by federally funded task forces on human trafficking between 2008 and 2010 involved the sexual exploitation of a child.

(6) According to the classified advertising consultant Advanced Interactive Media Group (referred to in this subsection as “AIM Group”), Backpage.com is the leading United States website for prostitution advertising.

(7) Backpage.com is owned by Village Voice Media Holdings, LLC (referred to in this section as “Village Voice Media”).

(8) The National Association of Attorneys General has tracked more than 50 cases in which charges were filed against those trafficking or attempting to traffic minors on Backpage.com.

(9) In February 2011, Myrelle and Tyrelle Locket were each sentenced to 4 years in prison on charges of trafficking of persons for forced labor or services for operating an Illinois sex trafficking ring that included minors. The Lockets used Backpage.com to facilitate the prostitution.

(10) In March 2011, Arthur James Chappell was sentenced to 28 years in prison on charges of sex trafficking of a minor for running a prostitution ring with at least 1 juvenile victim in Minnesota. Arthur Chappell used Backpage.com to facilitate the prostitution.

(11) In April 2011, Brandon Quincy Thompson was sentenced to life imprisonment for

sex trafficking a child by force and an additional 120 months for soliciting the murder of a Federal witness. Brandon Thompson ran a South Dakota prostitution ring involving multiple underage girls. Brandon Thompson used Backpage.com to facilitate the prostitution.

(12) In May 2011, Clint Eugene Wilson was sentenced to 20 years in prison on charges of sex trafficking of a minor by force, fraud or coercion for forcing a 16-year old Dallas girl into prostitution. Clint Wilson threatened to assault the girl and forced her to get a tattoo that branded her as his property. Clint Wilson used Backpage.com to facilitate the prostitution.

(13) In August 2011, Demetrius Darnell Homer was sentenced to 20 years in prison on charges of sex trafficking of a minor for violently forcing a 14-year-old Atlanta girl into prostitution. Demetrius Homer controlled the girl through beatings, threatened her with a knife, shocked her with a taser in front of another underage girl he placed in prostitution, and forced the girl to engage in prostitution while she was pregnant with his child. Demetrius Homer used Backpage.com to facilitate the prostitution.

(14) In February 2012, Leighton Martin Curtis was sentenced to 30 years in prison on charges of sex trafficking of a minor and production of child pornography for pimping a 15-year-old girl throughout Florida, Georgia, and North Carolina for more than a year. Leighton Curtis prostituted the girl to approximately 20 to 35 customers per week through advertisements on Backpage.com. Leighton Curtis used Backpage.com to facilitate the prostitution.

(15) In March 2012, Ronnie Leon Tramble was sentenced to 15 years in prison on charges of sex trafficking through force, fraud and coercion for forcing more than 5 young women and minors into prostitution over a period of at least 5 years throughout the State of Washington. Ronnie Tramble constantly subjected the victims to brutal physical and emotional abuse during this time period. Ronnie Tramble used Backpage.com to facilitate the prostitution.

(16) According to AIM Group, 80 percent of online prostitution advertising revenue for the month of February 2012 was attributed to Backpage.com.

(17) According to AIM Group, the number of Backpage.com advertisements for “escorts” and “body rubs,” a thinly veiled code for prostitution, increased by nearly 5 percent from February 2011 to February 2012.

(18) According to AIM Group, Backpage.com earned an estimated \$26,000,000 between February 2011 and February 2012 from prostitution ads.

(19) Backpage.com vice president, Carl Ferrer acknowledged to the National Association of Attorneys General that the company identifies more than 400 “adult entertainment” posts every month that may involve minors. The actual figure could be far greater.

(20) According to the National Association of Attorneys General, Missouri investigators found that Backpage.com’s review procedures are ineffective in policing illegal activity.

(21) In September 2010, Craigslist.com removed the adult services section of its website following calls from law enforcement and advocacy organizations.

(22) As of September 16, 2011, 51 Attorneys General of States and territories had called on Backpage.com to shut down the “adult entertainment” section of its website.

(23) On September 16, 2011, the Tri-City Herald published an editorial, “Attorneys

general target sexual exploitation of kids,” writing, “...we’d also encourage the owners of Backpage.com to give the attorneys general what they are asking for”.

(24) On October 25, 2011, 36 clergy members from across the country published an open letter to Village Voice Media in the New York Times, calling on the company to shut down Backpage.com’s “adult entertainment” section.

(25) On December 2, 2011, 55 anti-trafficking organizations called on Village Voice Media to shut down Backpage.com’s “adult entertainment” section.

(26) On December 29, 2011, the Seattle Times published an editorial, “Murders strengthen case against Backpage.com,” writing, “Backpage.com cannot continue to dismiss the women and children exploited through the website, nor the three women in Detroit who are dead possibly because they were trafficked on the site. Revenue from the exploitation and physical harm of women and minors is despicable. Village Voice Media, which owns Backpage.com, must shut this site down. Until then, all the pressure that can be brought to bear must continue.”

(27) On March 18, 2012, Nicholas Kristof of the New York Times wrote in an opinion piece entitled “Where Pimps Peddle Their Goods,” that “[t]here are no simple solutions to end sex trafficking, but it would help to have public pressure on Village Voice Media to stop carrying prostitution advertising.”

(28) On March 29, 2012, Change.org delivered a petition signed by more than 240,000 individuals to Village Voice Media, calling on the company to shut down Backpage.com’s “adult entertainment” section.

(29) On January 12, 2012, John Buffalo Mailer, son of Village Voice co-founder Norman Mailer, joined the Change.org petition to shut down the adult services section of Backpage.com, stating, “For the sake of the Village Voice brand and for the sake of the legacy of a great publication, take down the adult section of Backpage.com, before the Village Voice must answer for yet another child who is abused and exploited because you did not do enough to prevent it.”

(30) On March 30, 2012, a private equity firm owned by Goldman Sachs Group, Inc. completed a deal to sell its 16 percent ownership stake in Village Voice Media Holdings, LLC back to management.

(31) In *M.A., ex rel. P.K. v. Village Voice Media Holdings* (809 F. Supp. 2d 1041 (2011)), the United States District Court for the Eastern District of Missouri held that section 230 of the Communications Act of 1934 (47 U.S.C. 230) (as added by the Communications Decency Act of 1996 (Public Law 104-104; 110 Stat. 56)) protects Backpage.com from civil liability for the “horrific victimization” the teenage plaintiff suffered at the hands of the criminal who posted on the website to perpetrate her vicious crimes.

(32) The Communications Decency Act of 1996 (Public Law 104-104; 110 Stat. 56) does not preclude a service provider from voluntarily removing a portion of a website, known to facilitate the sexual exploitation of minors, in order to protect our children.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress—

(1) supports the efforts of law enforcement agencies to provide training on how to identify victims of sex trafficking, investigate cases of sex trafficking, prosecute sex trafficking offenses, and rescue victims of sex trafficking;

(2) supports Federal Government, State and local government, non-profit, and faith-

based services for trafficking victims, including medical, legal, mental health, housing and other social services; and

(3) calls on Village Voice Media to act as a responsible global citizen and immediately eliminate the "adult entertainment" section of the classified advertising website Backpage.com to terminate the website's rampant facilitation of online sex trafficking.

SA 2087. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . LIMITATION ON DEFENSES.

(a) IN GENERAL.—Chapter 221 of title 18, United States Code, is amended by adding at the end the following:

"§ 3447. Limitation on defenses

"Foreign or religious law or custom shall not be a defense to any offense under this title."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 221 of title 18, United States Code, is amended by inserting after the item relating to section 3446 the following:

"3447. Limitation on defenses."

SA 2088. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CRIME VICTIMS FUND.

Notwithstanding any other provision of law, amounts deposited or available in the Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) in any fiscal year shall be available for obligation in that fiscal year.

SA 2089. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CRIME VICTIMS FUND.

Notwithstanding any other provision of law, amounts deposited or available in the Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) in any fiscal year in excess of \$1,000,000,000 shall not be available for obligation until the following fiscal year.

SA 2090. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CRIME VICTIMS FUND.

Notwithstanding any other provision of law, amounts deposited or available in the Fund established under section 1402 of the

Victims of Crime Act of 1984 (42 U.S.C. 10601) in any fiscal year in excess of 35 percent of the total funds in the Fund shall not be available for obligation until the following fiscal year.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on April 25, 2012, at 9 a.m. in room SR-328A of the Russell Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 25, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Tax Reform: What It Means for State and Local Tax and Fiscal Policy."

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on April 25, 2012, at 10 a.m. in SH-216.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 25, 2012, at 9:30 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 25, 2012, at 9:30 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the Department of Homeland Security."

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on April 25, 2012, at 9:30 a.m.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Com-

mittee on Veterans' Affairs be authorized to meet during the session on April 25, 2012 in room 138 of the Dirksen Senate Office Building, beginning at 9:30 a.m.

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

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs' Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on April 25, 2012, at 10 a.m., to conduct a hearing entitled "Helping Responsible Homeowners Save Money Through Refinancing."

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

SUBCOMMITTEE ON PERSONNEL

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on April 25, 2012, at 2 p.m.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 25, 2012 at 1 p.m.

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

CONGRATULATING THE BOSTON COLLEGE MEN'S ICE HOCKEY TEAM

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 437, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 437) congratulating the Boston College men's ice hockey team on winning its fifth National Collegiate Athletic Association Division I Men's Hockey Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REED. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 437) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 437

Whereas, on April 7, 2012, Boston College won the 2012 National Collegiate Athletic Association (referred to in this preamble as the "NCAA") Division I Men's Hockey Championship;

Whereas the 2012 NCAA Division I Men's Hockey Championship is the fifth national championship for the Boston College Eagles men's ice hockey team;

Whereas the 2012 NCAA Division I Men's Hockey Championship is the third national championship in the last 5 years for Boston College and its head coach, Jerry York;

Whereas Jerry York has the most wins of any active coach in NCAA Division I Men's Hockey;

Whereas Father William P. Leahy, S.J., the President of Boston College, and Gene DeFilippo, the Athletic Director of Boston College, have shown great leadership in bringing athletic success to Boston College;

Whereas the semifinal games and final game of the NCAA Division I Men's Hockey Tournament are known as the "Frozen Four";

Whereas junior goaltender Parker Milner was named the Most Outstanding Player of the Frozen Four after allowing only 2 goals during the entire NCAA Division I Men's Hockey Tournament;

Whereas Boston College finished the 2011 2012 men's hockey season on a 19-game winning streak, which is a single-season team record;

Whereas, on February 13, 2012, Boston College won its third consecutive Beanpot Championship, defeating Boston University in sudden death overtime by a score of 3 to 2;

Whereas, on March 17, 2012, Boston College won its third consecutive Hockey East Championship, defeating the University of Maine by a score of 4 to 1;

Whereas, on April 5, 2012, Boston College defeated the University of Minnesota in a Frozen Four semifinal game by a score of 6 to 1 to advance to the national championship game; and

Whereas Boston College won the Frozen Four championship game with a victory over Ferris State University by a score of 4 to 1: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped Boston College win the 2012 National Collegiate Athletic Association Division I Men's Hockey Championship; and

(2) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) Father William P. Leahy, S.J., the President of Boston College;

(B) Gene DeFilippo, the Athletic Director of Boston College; and

(C) Jerry York, the head coach of the Boston College men's ice hockey team.

NATIONAL SAFE DIGGING MONTH

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 438, which was submitted earlier today by Senator LAUTENBERG.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 438) to support the goals and ideals of National Safe Digging Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REED. Mr. President, I further ask that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD at the appropriate place.

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

The resolution (S. Res. 438) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 438

Whereas each year, the underground utility infrastructure of the United States, including pipelines, electric, gas, telecommunications, water, sewer, and cable television lines, is jeopardized by unintentional damage caused by those who fail to have underground lines located prior to digging;

Whereas some utility lines are buried only a few inches underground, making the lines easy to strike, even during shallow digging projects;

Whereas digging prior to locating underground utility lines often results in unintended consequences, such as service interruption, environmental damage, personal injury, and even death;

Whereas the month of April marks the beginning of the peak period during which excavation projects are carried out around the United States;

Whereas in 2002, Congress required the Department of Transportation and the Federal Communications Commission to establish a 3-digit, nationwide, toll-free number to be used by State "One Call" systems to provide information on underground utility lines;

Whereas in 2005, the Federal Communications Commission designated "811" as the nationwide "One Call" number for homeowners and excavators to use to obtain information on underground utility lines before conducting excavation activities;

Whereas "One Call" has helped reduce the number of digging damages caused by failure to call before digging from 48 percent in 2004 to 32 percent in 2010;

Whereas the 1,400 members of the Common Ground Alliance, who are dedicated to ensuring public safety, environmental protection, and the integrity of services, promote the national "Call Before You Dig" campaign to increase public awareness about the importance of homeowners and excavators calling 811 to find out the exact location of underground lines; and

Whereas the Common Ground Alliance has designated April as "National Safe Digging Month" to increase awareness of safe digging practices across the United States and to celebrate the anniversary of 811, the national "Call Before You Dig" number:

Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month; and

(2) encourages all homeowners and excavators throughout the United States to call 811 before digging.

MEASURE PLACED ON THE CALENDAR—S. 2366

Mr. REED. Mr. President, I ask unanimous consent that S. 2366, introduced earlier today by Senator ALEXANDER, be considered read twice and placed on the calendar.

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

ORDERS FOR THURSDAY, APRIL 26, 2012

Mr. REED. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Thursday, April 26, at 9:30 a.m.; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate resume consideration of S. 1925, the Violence Against Women Reauthorization Act, under the previous order; that after the remarks of the two leaders, the time until 11:30 a.m. be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 45 minutes and the majority controlling the second 45 minutes; and that at 11:30 a.m. the Senate proceed to executive session under the previous order; further, that when the Senate resumes legislative session, the majority leader will be recognized.

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

PROGRAM

Mr. REED. Mr. President, there will be two votes tomorrow at noon on confirmation of the Costa and Guaderrama nominations.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:33 p.m., adjourned until Thursday, April 26, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

TERRENCE G. BERG, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE ARTHUR J. TARNOW, RETIRED.

JESUS G. BERNAL, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE STEPHEN G. LARSON, RESIGNED.

SHELLY DECKERT DICK, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA, VICE RALPH E. TYSON, DECEASED.

LORNA G. SCHOFIELD, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE SHIRA A. SCHEINDLIN, RETIRED.

UNITED STATES SENTENCING COMMISSION

CHARLES R. BREYER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION

FOR A TERM EXPIRING OCTOBER 31, 2015, VICE RUBEN CASTILLO, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 1211:

To be major

CHADWICK B. FLETCHER

HOUSE OF REPRESENTATIVES—Wednesday, April 25, 2012

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PALAZZO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 25, 2012.

I hereby appoint the Honorable STEVEN M. PALAZZO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 12:50 p.m.

UNEMPLOYMENT RATE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. WALBERG) for 5 minutes.

Mr. WALBERG. Mr. Speaker, 3 years ago President Obama promised Congress that the American people would have 6 percent unemployment in exchange for trillions of taxpayer dollars to pump into the economy. Today we know that the stimulus program was mismanaged, ill-conceived, and failed to create the jobs promised by the President. For 38 straight months and counting, the unemployment rate has remained above 8 percent.

The American people realize something that my Democrat friends don't seem to understand: that government cannot create jobs and shouldn't be in the business of handing out jobs. In 2010, the American people sent me and many of my colleagues to Washington to cut government spending and offer real solutions to job creation. We have been aggressively fighting to achieve that challenge.

Our country needs commonsense, pro-growth policies that will help small business regain their confidence.

When business owners have faith that the government will not raise their taxes, impose new, unnecessary regulations, and pick winners and losers in the marketplace, they'll invest more. When they invest more, the company grows, and the opportunity for American jobs grows with it.

Just last week, we saw a very clear picture of the different visions for job creation held by folks in Washington. My friends in the Senate voted on but thankfully failed to pass the Buffett rule. The act would impose a tax hike on one class of Americans and would pay for approximately 11 hours of government functioning. Talk about a cynical ruse serving only to divide our country for political purposes.

But while my Democrat colleagues in the Senate are working to raise taxes on Americans and America's job creators, the House is trying to lower them. Last week we passed a small business tax cut, which will give businesses with fewer than 500 employees a 20 percent tax reduction off their active business income and encourage the creation of more jobs for our citizens.

Data shows that 7 out of every 10 jobs in this country are created by companies with fewer than 500 employees. My Republican colleagues and I truly believe that small businesses are the backbone of our country's economy and their success is vital to our economic recovery. We continue to act proactively and, as reflected in the 27 job-creating measures passed by the House this Congress alone, to ensure job providers are able to create, innovate, and lead.

We hope our friends in the Senate and White House will decide to join us as we say "yes" to American jobs for American people.

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, ladies and gentlemen, a shadowy collection of wealthy businesses and conservative Tea Party Republican State lawmakers is undermining our democracy.

Last week I discussed the connection between the American Legislative Exchange Council, known as ALEC, and the proliferation of shoot first and ask questions later legislation that supported the Trayvon Martin case that we all know about, and other draconian criminal justice laws.

According to the New York Times:

ALEC lawmakers typically introduced more than 1,000 bills based on model legislation each year and passed about 17 percent of them. A members-only newsletter from 1995, found in an online archive of tobacco company documents, bluntly characterized that success ratio as a "good investment."

I agree. ALEC's corporate members have gotten an outstanding return on their investments, but it's been at yours and my expense. Due to ALEC, the NRA, and the private for-profit prison industry, we are all less safe and more likely to be put in jail.

The for-profit prison industry, on the other hand, has reaped huge financial rewards from ALEC-sponsored efforts to incarcerate more Americans and put them, as well as illegal immigrants, into this private prison system. For the private prison industry, where some of the inmates are paid as low as 2 cents an hour to produce goods that are later sold for profit, business is booming.

But ALEC does not stop there. ALEC's corporate members are some of the world's biggest polluters and most profitable oil companies. ALEC's corporate bill factory has ghost-written legislation on their behalf to combat efforts to address climate change and oppose national renewable energy standards, among others.

In 1998, according to the Center for Media and Democracy, ALEC belched a resolution out of its smokestack calling on the U.S. to reject the Kyoto Protocol and banning States from regulating greenhouse gases. ALEC's Energy, Environment, and Agriculture Task Force has since turned out model bills criticizing the Environmental Protection Agency.

Recently, ALEC has focused on what it calls the "EPA's regulatory train wreck," seeking to frame the EPA's enforcement of the Clean Air Act as "higher prices, fewer jobs, and less energy." ALEC's dirty supporters, like the Koch brothers—named one of the United States' top 10 air polluters in a University of Massachusetts study—began attacking every effort to clean up the mess that they themselves have made. Why? Because they want to continue to make more money.

ALEC is dumping its waste right here in Congress. After the Tennessee coal ash disaster, ALEC began pushing a model resolution called Resolution to Retain State Authority over Coal Ash as Non-Hazardous Waste. Can you believe that? This resolution was approved by ALEC on June 3, 2010. Just over a year later, October 14, 2011, this

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

House passed a bill that authorizes States to adopt and implement coal combustion residuals permit programs.

Mr. Speaker, this is only the tip of the melting iceberg. Yes, global warming is at work, and it is melting this iceberg that ALEC represents.

I encourage the American people to visit the alecexposed.org Web site, where you can view leaked ALEC documents, including model bills, as well as a list of ALEC members. About 60 percent of the State legislators in this country are members of ALEC.

Mr. Speaker, I'll return tomorrow with more on how corporations are using ALEC to install their agenda in the States and in Congress, undermining our basic rights and freedoms.

□ 1010

ISRAEL AND AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. POMPEO) for 5 minutes.

Mr. POMPEO. I rise today in my role as Representative and with the perspective of both a Christian and a former soldier. I urge this body and our President to do all within our collective power to defeat Iran's efforts to build a nuclear weapon and delivery system, the combination of which presents a world-changing threat to every American, to every Israeli, and to citizens everywhere in our world.

I've had the privilege to travel twice to the Holy Land. One cannot walk the Golan Heights or travel the hills around Jerusalem and fail to appreciate the momentous nature of these places. Even a quick survey of history reveals that this is among the most geopolitically and strategically important patches of land on Earth, and it is also the focal point of the world's three Abrahamic religions.

Our Declaration of Independence speaks of a humanity endowed with rights by its Creator. The land we speak of here is the land where He walked, the land where He taught, and the land where my faith teaches me that He gave His life for each of us. And now this land is menaced by a dangerous and inimical enemy. One cannot stare long at a map without plotting the strategic course open to this enemy. In doing so, one is struck by the miniscule flight time for a missile departing from Iran for this land loaded with a weapon of mass destruction.

Mr. Speaker, it's election season and our President appears to be more interested in dissuading Israel from defending its people than deterring President Ahmadinejad from achieving nuclear weaponry. Unfortunately, danger—this danger, particularly—knows no timetable, and political calculation amid such peril is an abdication of a Commander in Chief's responsibility.

Mr. Speaker, we hear the President's team has said that an Israeli attack

would destabilize the region. It is hard to doubt that, to a degree at least, this is possible. But more destabilizing by an order of magnitude would be the permanent threat of a nuclear-armed Iran. It is a folly to trade temporary peace for a permanent menace to world security.

Mr. Speaker, our President's intelligence chief has said that the Iranians have not yet decided to build a bomb. To me, these words are reminiscent to those of Neville Chamberlain, who doubted that the Nazi command had finalized its decision to invade all of Europe, both east and west. The threat was either ignored or considered too irrational to be possible by a timorous and distracted world bent on avoiding conflict.

Mr. Speaker, this body must unambiguously oppose the weakness our President has spoken of on this issue. Our Commander in Chief has fought against every Iranian sanctions measure that we have presented to him; he has casually mused about returning to pre-1967 borders, as if road-testing an idea; and he has consistently sided with the Palestinians on key issues surrounding American national security. It should be no wonder then that President Ahmadinejad feels emboldened, for weakness always breeds and invites aggression. In such situations, perceptions will influence outcomes—and possibly determine them.

With this in mind, we must emphatically, and in no uncertain terms, display unwavering American commitment to the defense and support of Israel. The perception that we mean it, and that we mean it without reserve, will serve to inhibit Iran's nuclear ambitions as surely as a policy of American doubt, hesitation, and vacillation will serve to strengthen it.

We are mindful, too, that our President has said, when he believed himself to be out of the reach of microphones, that he was tired of President Netanyahu. He said, "I have to deal with him every day." This was an all-too-rare and certainly valuable glimpse into the heart of the President. It seems to confirm to me what many of us suspect and what gives President Ahmadinejad courage: that despite the careful language suggesting alignment between America and Israel, the President will crumble when Israel needs him most.

Mr. Speaker, I will say in front of this microphone and on the record this morning that I'm tired. I'm tired of creating risks for America's democratic foothold in the Middle East; I'm tired of a badly mistaken notion that Israel is some way or another the aggressor; and I'm tired of the President speaking of a moral equivalence between Iran and Israel.

There are but a few moments in history that have set the course for a rela-

tionship among nations, and I believe this is one of them. We must make a powerful and unequivocal commitment to the nation of Israel, and we must make an equally powerful and unequivocal commitment to prevent Iran from achieving nuclear weaponry. Iran must not be allowed for even one moment to doubt our will, and it must not be allowed to think twice about our willingness to act. The fate of the Jewish people and the American people—one and inseparable—depends on it.

HONORING DUNCAN CAMPBELL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Tonight, in Portland, Oregon, there's a special ceremony as Duncan Campbell is honored at the 84th Annual Portland First Citizen Award Banquet. I'm sorry that duties require me to be here in Washington, DC, instead of with hundreds of Duncan's friends and admirers back home in Portland.

This is a very special award for a unique human being. Duncan has a very compelling personal story, working his way through a childhood marred by neglect and alcoholism. He put himself through college at Portland State University and eventually did the same at law school, earning his degree at the University of Oregon. He founded the Campbell Group, a very successful firm, pioneering work establishing timber investment funds. He soon became recognized as an innovator and an industry leader, but his real story is his lifelong commitment to children.

Shaped by his own difficult early experiences, Duncan has focused on ways that he can use his success financially and intellectually to advance the cause of disadvantaged children. He's done this in numerous ways, but I think his greatest achievement is the establishment of an organization known as Friends of the Children. He put part of the proceeds of the sale of his company to establish the program in 1993. Starting small, it was built around the principle that troubled young people need a constant adult presence supporting, guiding, and not just mentoring but really becoming a part of their lives. Over the years, it has proven to be spectacularly successful.

Currently, there are 90 friends who are paid, full-time mentors, each serving as a caring adult—a constant presence for a handful of children. These friends are not just in Portland, Oregon, but in rural Oregon, in Sisters and Klamath Falls, and now in projects in Boston, New York, and Seattle.

Duncan's vision is to focus on the children with the very highest risk factors. These children statistically would undoubtedly fail to complete school.

Most would have problems with drugs or alcohol, early unplanned out-of-wedlock pregnancy, and almost all would fall into the criminal justice system.

The results of his handiwork are overwhelming and compelling:

Eighty-five percent of these children, who most experts agree would otherwise fall through the cracks or worse, graduate from high school;

Ninety percent avoid involvement with the criminal justice system, even though 60 percent of these at-risk children are part of a program that have a parent who's been incarcerated;

Despite the fact that 60 percent of these children were born to a teen parent, 95 percent avoid early parenting themselves;

According to a report by the Harvard Business School Association of Oregon, every dollar invested in the organization results in more than \$7 in reduced social costs for the community and untold richness for the children involved.

This is an amazing program with compelling results. It was willed into existence by my friend, Duncan Campbell. Portland honors him this evening, but all Americans should honor not just the example but the specifics.

Friends of the Children is a program that works and should be replicated. I will do all I can to help the Federal Government find a way for it to be a partner in this unparalleled success story. This is the best way to honor Duncan, his vision, and his commitment.

□ 1020

HONORING COACH PAT SUMMITT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, last night I had the privilege of sitting with University of Tennessee Coach Pat Head Summitt as she received the top award presented by the National Alzheimer's Association. This is the Sargent and Eunice Shriver Profiles in Dignity Award, and it was presented by their well-known daughter, Maria.

No one could have been more deserving of this award than Coach Summitt. As the Nation knows, she was diagnosed with early onset dementia, or Alzheimer's, almost a year ago. She made the decision to both go public with this diagnosis and continue coaching her beloved Lady Vols. Now she has decided to give up her coaching job after 38 years to help lead the fight against Alzheimer's. She and her son, Tyler, have established the Pat Head Summitt Foundation to carry on this battle that is and will be so very, very important to millions of people.

Pat Head Summitt is certainly the most admired and respected woman in Tennessee. She is my most famous con-

stituent and a longtime friend. I have been honored on two occasions to be her honorary assistant coach. The first time was on her 25th anniversary as a coach, and the second time was a few years later against Vanderbilt on the last home game of the season. Before that game, we were given a scouting report, and Tennessee had beaten Vanderbilt in Nashville by 30 points. So it was accurate to say that the team was fairly confident about this game. However, at halftime, the game was almost tied, and the Lady Vols came into the locker room with their heads hanging down.

That is when I saw Coach Summitt go into action. She got into each young woman's face like a baseball manager arguing with an umpire. She started with Lady Vol Teresa Geter, and told her in a drill sergeant's voice that she was going through a pity party out there and Coach Summitt was having no part of it and was giving her 2 minutes to make her presence known on that court or she was going to yank her out of there so fast it would make her head swim. When we went back out for the second half, the first thing that happened was that Teresa Geter stole the ball, took it down court, and scored her first 2 points of the game. The Lady Vols went on a 20-0 run, and Vanderbilt called a timeout.

A spectator in the stands, whom I had not seen because there were 20,000 people there, sent his card down to me on the bench, and it said, "Jimmy, great halftime coaching, come again." But it was not me; it was Coach Summitt. In fact, when she was staring each one of her players in the face at halftime in an intensely angry, very loud voice, I was just glad I was not one of those players.

Coach Summitt is the winningest coach in basketball history with 1,098 victories. Her teams have won 16 Southeastern Conference Championships and eight national championships. She has coached in 18 Final Fours. She has an 84 percent winning record as a head coach. But to me, her most impressive statistic is a 100 percent graduation rate, and she did not allow her players to take easy courses. Let me repeat that. Every player who has ever played for Coach Summitt in her 38 years has graduated. She made sure they were prepared for life after basketball, and almost all of her players have been successful after leaving the University of Tennessee. On top of all this, she has never had a question raised about her recruiting or any NCAA violation. She has shown through the years that you do not have to cheat in sports to win and be very successful.

She has succeeded at her most important job—being a mother and raising her fine son, Tyler, who is following in his mother's footsteps and will soon start his first job as an assistant coach

for the Marquette women's basketball team.

Coach Summitt is a member of the Women's Basketball Hall of Fame and was NCAA Coach of the Year an unprecedented seven times. In 2008 she was named the Naismith Coach of the Year. Pat Head Summitt is a woman of honor and integrity. She has been a great, great success because of her very hard work, dedication, determination, and discipline. Most of her success she credits to hardworking parents and lessons learned on her family's Tennessee farm. This Nation is a better place today because of her work with young people and the inspiring example that she has set for all of us.

Coach Pat Head Summitt is truly a great American, and I'm proud to call her one of my constituents and, as I said, one of my very, very close friends.

THE STUDENT LOAN AFFORDABILITY ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. RICHARDSON) for 5 minutes.

Ms. RICHARDSON. Mr. Speaker, the higher education system in the United States has for many years been the envy of the world. The universities here are a part of America's backbone, providing young people with the skills and knowledge necessary to succeed in today's changing global economy.

However, Mr. Speaker, right now, the cost of tuition at universities has risen so dramatically all across this country that attendance is tough to achieve. Nowhere is this truer than in public universities in the State of California that I represent, where budget cuts, furlough days, and tuition increases have become a new normal—at the expense of higher learning. Average in-State tuition and fees at public 4-year institutions have risen 8.3 percent in 2010 and now in the classes in 2011.

As a result of these increases, tuition at public and private universities now has caused student loan debt to exceed credit card debt, totaling \$870 billion, and it's expected to reach \$1 trillion this year. Students graduating from college between 2006 and 2010 had a median student loan debt of over \$20,000. Not only are young adults in debt, but recent graduates are also facing one of the toughest job markets in recent memory.

In 2007, when I started here in Congress, we worked to pass the College Cost Reduction and Access Act which, among many other things, lowered the interest rate of subsidized Stafford loans from 6.8 percent to 3.4 percent. As a result of these lower interest rates on federally subsidized student loans, more students were able to afford to go to college. In order to keep college affordable, Democrats in Congress and President Obama are urging the House

GOP leadership to bring forward the legislation that would prevent these interest rates on student loans from doubling this July.

I'm a proud cosponsor of H.R. 3826, the Student Loan Affordability Act, which will prevent the interest rate on subsidized Stafford loans from doubling in July. By extending the current interest rate, we are making an investment in our country's future. Our economy depends upon the educated workforce to out-compete and to out-innovate the rest of the world, which is something we've been known to do for quite some time.

Statistics tell us that it also makes a difference if you're able to go to college. According to the Bureau of Labor Statistics, the unemployment rate for those 25 years and older who've got their bachelor's degree is only 4.2 percent, but for those, unfortunately, who were not able to attend and graduate, the unemployment rate exceeds over 10 percent.

Unlike Pell grants, which provide a vital benefit to low-income families and students, Stafford student loans also benefit middle-income families who need financial assistance as well. Congress should not wait and allow this increase to take place. It would, for all intents and purposes, be a tax increase on middle- and low-income families and students during this very fragile economic recovery.

I urge the Republican majority and Speaker BOEHNER to take action now to prevent this increase. We are seeing right now the impact on the American economy when Congress waits too long to act on issues of national importance such as our Nation's debt. Students and families cannot wait any longer to know how much they will have to pay and owe coming out of college. Why? Because that might impact whether they can even go at all.

HONORING COACH PAT SUMMITT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. FINCHER) for 5 minutes.

Mr. FINCHER. Today, I rise in order to honor Coach Pat Summitt. Pat Summitt is most well known for her coaching career with the Lady Volunteers at the University of Tennessee at Knoxville, but her basketball legacy at UT began long before she won her first national championship as a coach.

I am proud to represent Weakly County, which is home to the University of Tennessee at Martin where Coach Summitt played on the women's basketball team from 1970 to 1974. While there, Coach Summitt was named an All-American player, led her team to the first women's national championship basketball tournament in 1972, and graduated as UT-Martin's all-time leading scorer with 1,045 points. Today, UT-Martin's basketball

court is named the "Pat Head Summitt Court," honoring Coach Summitt's leadership and achievements on the university's women's basketball team.

Her love of basketball, enthusiasm, and competitive spirit have defined her career and inspired young women across the State of Tennessee and throughout our Nation.

It's no secret that Coach Summitt has an incredible record as the head coach for the Lady Volunteers and has been a driving force behind the development of women's college basketball over the last 38 years. Her legacy as one of the greatest basketball coaches ever is solidified by her achievements, but more importantly, because she has been a friend and mentor to her players and staff. During her tenure as head coach, every Lady Vol that completed her eligibility at UT earned a college degree or is in the process of completing her degree requirements.

□ 1030

I saw a video recently about how former players and managers presented Coach Summitt with a book of personal letters, sharing their memories and putting down in writing what Coach Summitt has meant to them. This video mentions that the letters not only speak of her influence as a coach, but how she has helped players, past and present, through some of the most difficult times they faced in life. The effort to organize this book is incredible, and it speaks volumes about who Coach Summitt is to her players and her passion for helping student athletes discover what they want in life.

I am confident that Coach Summitt will continue to approach each of life's new opportunities and challenges with as much intensity, determination, and integrity as she did during her career as head coach of the Lady Vols. In fact, Coach Summitt is in D.C. this week to receive an award recognizing her efforts to promote greater understanding of Alzheimer's disease and its effects on diagnosed individuals, families, and caregivers. She is already proving she's a force to reckon with as she faces this disease head-on.

I'm proud to call her a fellow Tennessean and wish her the best as she transitions into a new role with the Lady Vols. God bless you, Coach Summitt. And thank you for all you've done and will continue to do for the great State of Tennessee, women's basketball, and for the fight to find a cure for Alzheimer's.

REMEMBERING LEVON HELM

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. HINCHEY) for 5 minutes.

Mr. HINCHEY. Mr. Speaker, I rise today to recognize the life and achievement of my dear friend, Levon Helm,

who passed away last week surrounded by close friends and family members.

Levon will be remembered by many as the acclaimed vocalist and drummer for the Levon Helm Sextet, which then became Levon and the Hawks, and later what we all know now simply as The Band, which gained international critical acclaim.

The Band was given its name by Bob Dylan in 1967 when he lived with the band members in a house known as "Big Pink" near where I grew up in West Saugerties. That's where the famed "Basement Tapes," which featured Dylan, were recorded. When the album was later released in 1975, it rose to be number seven on the Billboard 200 list.

We all remember Levon's unique drumming style and soulful country voice from songs like "The Weight" and "Up on Cripple Creek." These songs and others have stood the test of time and will be remembered for how they helped shape a generation of rock music and everything that came thereafter.

Without a doubt, Levon's contributions to American music cannot be overstated. But beyond the music, we cannot forget Levon, the man. I knew him well. He was a beacon of our Hudson Valley community. He was always willing to open his doors to help raise money for important local causes. He was a tremendous supporter of local agriculture. He worked to bring music into our schools and communities. He was a great person and a great friend.

After the release of his "Dirt Farmer" album, Levon put on free concerts for the community at Gill's Farm in Ulster County, New York. Once, he attracted so many fans that State Route 209 was effectively closed down.

He would host Midnight Rambles at his barn in Woodstock, inviting some of the world's premier musicians and artists to perform well into the night. Also, his amazing dog named Bear, everyone loved that dog. People traveled from hundreds of miles away to attend. I lived just a few miles down the road and had the privilege of attending many of those events, and they were really something else—wonderful and amazing.

Watching Levon perform over the years, you got the sense that despite all the fame, awards, and notoriety, at his core he was a man who felt music deeply in his bones. It's what made him one of the world's great performing artists.

His passing is a loss for all of us. But when I think of the sadness we all feel, I am reminded by some of his lyrics in a recent song, entitled, "When I Go Away":

Don't want no sorrow,
For this old orphan boy;
I don't want no crying,
Only tears of joy.

I'm gonna see my mother,

Gonna see my father;
 And I'll be bound for glory,
 In the morning,
 When I go away
 I'll be lifted up to the clouds,
 On the wings of angels;
 There's only flesh and bones,
 In the ground,
 Where my troubles will stay.
 All my kin who love me,
 All my friends who care,
 Look beyond the dark clouds;
 We're gonna meet up there.
 When they lay me in the cold ground,
 Bow your heads and pray;
 And I'll be bound for glory,
 In the morning,
 When I go away.

Levon will forever be remembered in our community and throughout the world and in our hearts. He was our neighbor and my good friend. I miss him dearly. Levon has gone home, but his music will live on for all of us forever.

HONORING COACH PAT SUMMITT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DESJARLAIS) for 5 minutes.

Mr. DESJARLAIS. Mr. Speaker, in today's society, we throw around terms like "legendary" or "iconic" to describe individuals or events that quite often are not worthy of such praise. But in talking about Pat Summitt, even lofty words like these fail to fully do justice to the extraordinary career that Coach Summitt has had at the University of Tennessee.

Throughout her 38 years of coaching the Lady Volunteers, she has built a list of achievements both on and off the court that would rival those of any other coach in the history of college basketball. These include 1,098 wins—more than anyone in NCAA basketball history—16 Southern Conference Championships, 16 SEC Tournament Championships, 18 Final Four appearances, eight national championships, and two Olympic medals.

Without a doubt, Coach Summitt is a monumental figure in the world of college sports. Her leadership and sportsmanship, along with her sheer talent as a coach, are universally admired by her competitors, colleagues, and fellow coaches.

She brought an unmatched level of pride and notoriety to both the sport of basketball and the University of Tennessee. But most importantly, she has been a guiding force in the lives of so many young people. Time and time again, she has led her players to victory both on the court and in the classroom. Under her guidance, every Lady Volunteer player who has finished her eligibility at Tennessee has graduated.

Coach Summitt's life should serve as a model for anyone to strive toward. She is a fierce competitor, a selfless mentor, and a dedicated advocate of

women's athletics. I was glad to hear that she will still remain an important part of the program, and I know that all Lady Vol fans will look forward to her continued presence. I think we would all agree that if a Mount Rushmore of college coaches existed, her image would be etched upon it. There will never be another Pat Summitt.

Now, as she moves towards a new chapter in her life, I wish her and her family all the best.

HONORING COACH PAT SUMMITT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. FLEISCHMANN) for 5 minutes.

Mr. FLEISCHMANN. Mr. Speaker, I rise today to honor a woman who is a living legend in my home State of Tennessee. A star basketball player, Pat Summitt played at the University of Tennessee at Martin and served as co-captain on the 1976 U.S. Olympic women's basketball team.

Pat Summitt began coaching Lady Vols basketball at the University of Tennessee just before the start of the 1974-1975 season. Starting as a graduate assistant, she was quickly promoted to head coach, where she earned \$250 a month and drove the team van. Thirty-eight years and 1,098 wins later, Pat Summitt is now the winningest coach in NCAA basketball history for either a men's or a women's team. She is the only NCAA coach with over 1,000 wins, and she still has never had a losing season as head coach.

□ 1040

This is a pretty impressive record in its own right, but the legacy of Pat Summitt does not end there. Indeed, I could speak about her accomplishments through the entire morning-hour. I could mention her eight NCAA championships, 16 Southeastern Conference seasons, 16 SEC tournament championship titles, or her unmatched career .840 winning percentage. It is clearly evident that Pat Summitt is an unmatched coach on the field.

Her off-the-field accomplishments are even more impressive. In an era rife with collegiate sports scandals, Pat Summitt has upheld the track record of uncompromised integrity, while encouraging and maintaining a 100 percent graduation rate for her team.

Coach Summitt produces more than just great athletes. She produces young women of character whose academic success prepares them to be good citizens in the world, as well as great basketball players. Eleven of her former players were on the WNBA roster last year, and she has coached two WNBA MVPs. Sixteen collegiate head coaches have either played or coached under her. The success of her players, both on and off the court, is a testament to the dedication she has given to the well-rounded development of her players.

When I return back to the University of Tennessee—my alma mater—the legacy of Coach Pat can be found everywhere, from the students in Lady Vols attire, to Pat Head Summitt Street in Knoxville, and the Summitt basketball court in the Thompson-Boling arena.

Throughout Tennessee, her legacy is strong as well. She has a gym named after her at UT-Martin and at her high school. Pat Summitt's true legacy, however, is the alumni who have succeeded due to her hard work and the thousands of young women who have pursued excellence in sports and have been successful due to her example.

Pat Summitt retired from coaching April 18 and will continue to serve the Lady Vols as head coach emeritus. She now faces a battle against early-onset Alzheimer's disease. Like her coaching career, I know she will face this battle with courage and determination. We will be praying and thinking of her throughout this battle, and I know we will miss her input on the landscape of Tennessee.

THE CYBER INTELLIGENCE SHARING AND PROTECTION ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, the Government Accountability Office says that cyberattacks have grown by 650 percent in 5 years and that the annual cost of these attacks is estimated to be \$388 billion. Allowing these trends to proliferate is bad for job creation, consumer protection, and the future of the Internet, whose future success will greatly depend on improving user trust and security online.

The U.S.-driven digital revolution has created countless opportunities, freedoms, and economies of scale. We're the envy of the world in that regard. This revolution is continuing to be driven by information and data. Data is really the natural resource that will power our Nation's future, but only if we safeguard it appropriately.

Your online presence and digital diaries are what I like to refer to as the "virtual you." It's consistently growing and expanding as individuals and businesses operate online. We need to have the certainty that we can freely continue our business online without virtual Peeping Toms and digital thieves enjoying total, uncontrolled access on the online ecosystem. That's why I was troubled to read an article in Politico yesterday titled "White House Avoids Specific Positions on Cybersecurity Bills."

We're being attacked by cybersnoopers and state sponsors of cyberespionage like China, Russia, and Iran. But the White House is throwing its hands up in the air, unwilling to

lead. The President refused to take a position because advisers in the White House wanted to go farther in ceding authority to the Department of Homeland Security, which can't even manage the dysfunctional Transportation Security Administration. Washington always wants more power and more control.

My colleagues, Congressmen ROGERS and RUPPERSBERGER, have worked together in a very diligent and bipartisan manner to educate and articulate the need for cyberintelligence sharing and protections. The Cyber Intelligence Sharing and Protection Act will help us defend against advanced cyberattackers and hackers that want to steal our private or our government information. It also maintains protections for individuals' privacy. The bill's language is specific. It doesn't allow the government to use shared information for non-cybersecurity purposes. It requires an independent inspector general to audit voluntary information shared with the government, and it legally enforces restrictions on government uses of this information.

The voluntary information-sharing framework is preferable because incentive-based security works better than heavy-handed mandates, but the White House and the Senate Democrats disagree with the technology experts. They think there's a cookie-cutter way to address evolving cybersecurity challenges. But we shouldn't pretend to have all of the answers, and we shouldn't let DHS play Whac-A-Mole. We should not and cannot allow the government's massive bureaucracy to expand. It's constantly suffocating innovation and entrepreneurship in this country.

This legislation presents a framework that is flexible and dynamic, not one that is static and top-down. This approach is narrow, not presumptive. The tech industry wants to focus its energy, resources and attention on real-time, dynamic threats, and responses.

Moreover, government shouldn't be telling anyone how to regulate critical infrastructure when it hasn't been able to get its own networks and systems secure. The Office of Budget and Management reported almost 42,000 attacks on Federal networks in 2010, an increase of almost 40 percent over the previous year. That's why I'm happy to see Congressman DARRELL ISSA's bill coming to the floor. Without a doubt, we need better oversight on our Federal information-technology systems.

Each day brings new challenges in the fight to protect our Nation's virtual space and technology innovation, but the cybersecurity bills before the floor this week are unlike the pro-regulatory frameworks that typically characterize Washington's policymaking. Let's move forward with the common-sense voluntary tools we need to

strengthen our cyberdefenses, the Internet economy, and the "virtual you." Let's show some leadership.

EARL SCRUGGS

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. MCHENRY) for 5 minutes.

Mr. MCHENRY. Mr. Speaker, the Master from Flint Hill, the Innovator of the Three-Finger Banjo Style—these are the names given to one of North Carolina's and my congressional district's favorite sons.

Mr. Speaker, the welcome sign for the city of Shelby in my district says: "Welcome to Shelby, city of pleasant living, home of Earl Scruggs."

Indeed, Shelby, Cleveland County, and all of North Carolina, and indeed the Nation, are mourning the loss of musical icon Earl Scruggs, who passed away last month at the age of 88. When you think of the word "bluegrass," a few names come to mind: Bill Monroe, Doc Watson, and, of course, Earl Scruggs.

Earl grew up on a farm in the Flint Hill community in Shelby and worked in the Lily cotton mill. That's until he was given the chance to play in Bill Monroe's band. That led him to quickly strike off on his legendary career with Lester Flatt. Together, Flatt and Scruggs defined bluegrass music in the 1950s and the 1960s, recording such classics as "The Ballad of Jed Clampett" and "Foggy Mountain Breakdown."

Earl received a star on the Hollywood Walk of Fame in 2003, was inducted into the Country Music Hall of Fame in 1985, and received numerous Grammys, including the Lifetime Achievement Award. He also recorded with musicians as diverse as Johnny Cash, Sting, and even Elton John.

Most importantly for his beloved hometown of Shelby, his legend will live on locally.

□ 1050

Thanks to an overwhelming community effort for the past several years, work is now under way to turn the historic 105-year-old Cleveland County Courthouse into the Earl Scruggs Center. This effort will focus on music and stories and preserve the legacy of Earl Scruggs.

Drawing on the region's rich history and music, the Scruggs Center will enlighten, educate, and celebrate the people, traditions, and values of Cleveland County and the region, for that matter, all the while honoring Earl Scruggs.

Legendary comedian and accomplished banjo player Steve Martin summed up Earl's legacy best when he said, "Before him, no one had ever played the banjo like he did. After him, everybody played the banjo like he did, or at least tried."

Imitation is the kindest form of flattery, and, indeed, Earl Scruggs has many folks that try to emulate what he created. He will be missed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 1 p.m. today.

Accordingly (at 10 o'clock and 51 minutes a.m.), the House stood in recess.

□ 1300

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 p.m.

PRAYER

Reverend Matthew Barnes, Capital Commission Indiana, Indianapolis, Indiana, offered the following prayer:

Heavenly Father, thank You for civil government and the power that You invest in each of the Members in the people's House. With that power comes tremendous responsibility and sacrifice.

We know that Your son Jesus had all power in Heaven and in Earth, yet He condescended to our low estate in a grand act of service to mankind.

Truly, "Greater love hath no man than this, that a man lay down his life for his friends."

We ask that such noble acts of courage, commitment, and compassion be evident in the men and women leading the United States.

Help them to remember that they serve their fellow citizens and are accountable to You, the Almighty God.

In the midst of this sacrificial service, may they make time to spend with their families and with You. For Thine is the kingdom, and the power and the glory forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Indiana (Mr. STUTZMAN) come forward and lead the House in the Pledge of Allegiance.

Mr. STUTZMAN led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND MATTHEW BARNES

The SPEAKER. Without objection, the gentleman from Indiana (Mr. STUTZMAN) is recognized for 1 minute.

There was no objection.

Mr. STUTZMAN. Mr. Speaker, today's opening prayer was given by my good friend and mentor, Matthew Barnes, who serves as chaplain at the Indiana State House and also serves as State director for Capital Commission in Indiana.

Mr. Speaker, I am only a freshman in this body, but it doesn't take a seasoned veteran to know that our government is made up of human beings who need wisdom, discernment, and grounding in the truth of God's word.

A true servant-leader, Matt has made it his mission to serve, teach, and pray for those who are in positions of authority. In 2004, he was called to serve Indiana's elected officials. Matt ministers in love, knowing that he serves a God whose will is good and gracious and whose law is truth.

In my time in the State legislature, I saw Matt give comfort and counsel to so many of my colleagues. His heart for the members of that body is inescapably clear.

Matt and his wife, Miriam, have three wonderful children: Sarah, Micah, and Emma. Their work and sacrifice have made Indiana a better place.

I'm honored that my friend has been able to join us today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

HONORING COACH PAT SUMMITT

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

Mrs. BLACK. Madam Speaker, I rise today to honor a woman of incredible strength and courage, one who has inspired and personally pushed numerous young ladies to achieve beyond their wildest dreams. I am of course talking about the record-setting leader of the Lady Vols basketball team, Pat Head Summitt.

Now, I could stand here and read off a list of her stats and accomplishments on the court—and they are many and quite impressive—but, Madam Speaker, I believe that would miss the true scope of Pat Summitt's impact not only on the sport, but on the lives of her players and so many who have watched her career.

While the world saw her impact on the sport, her focus was always on

teaching young women about life and using their shared passion of basketball as the tool. Her student athletes were always students first. They left the University of Tennessee equipped for a successful life.

She instilled in her players the work ethic she learned on a dairy farm in Henrietta, Tennessee. It was her father's values of determination and hard work and her years of holding her own among the boys in her family that inspired the toughness, the drive to achieve, and the winning attitude.

Now the legendary Pat Summitt will inspire countless Americans off the court as she raises awareness in her personal fight against Alzheimer's. One item from her well-known list of the definite dozen is to be a competitor. Those of us that have admired her for years know that she is a true competitor and is ready for the fight.

ARMENIAN GENOCIDE

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

Mr. CICILLINE. Madam Speaker, I rise today to remember the 1.5 million Armenian men, women, and children who were massacred under the Ottoman Empire at the beginning of the 20th century.

Each year, Armenians throughout the world mark April 24 as Genocide Remembrance Day by honoring those who perished from 1915 to 1923, and I join my friends and colleagues in remembering the victims today.

It's important to raise awareness about the Armenian genocide not only because it is an undeniable chapter in world history, but also because learning more about this horrific tragedy underscores the importance of eliminating intolerance and bigotry wherever it occurs.

Armenian Americans living in my home State of Rhode Island have made significant contributions through their leadership in business, law, academia, government, and the arts.

As a cosponsor of House Resolution 304, I strongly believe that the time has come for the United States Government to recognize this atrocity for what it was—genocide. I join my colleagues today in recognizing the victims of the Armenian genocide.

PRESIDENT'S POLICIES ENDANGERING SOCIAL SECURITY

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

Mr. WILSON of South Carolina. Madam Speaker, our Nation's Social Security system is sadly approaching bankruptcy. The Secretary of the Treasury spoke on Monday, revealing that Social Security benefits are ex-

pected to become insolvent in only 21 years—3 years sooner than was projected just last year.

In a recent article in the Washington Post, Emily Miller wrote:

Thanks in large part to Mr. Obama's insistence, the program's 2011 deficit of \$148 billion was the second largest single-year deterioration since 1983. If Washington doesn't do anything to address the program's imbalance, the trustees say it will take raising the payroll tax to 16.7 percent to cover the gap.

This administration continues to take money out of the Social Security fund, shifting it for programs we cannot afford. It is past the time for Congress to act and stop Washington's out-of-control spending, which will ultimately result in higher taxes and more debt, destroying jobs and putting senior citizens at risk.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Welcome, South Carolina Attorney General Alan Wilson, to Washington for Supreme Court oral arguments.

STUDENT LOAN INTEREST RATE

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

Ms. HOCHUL. Madam Speaker, you had to look at their faces and right into their eyes to see the worry that these young people had.

Just yesterday, I convened a roundtable of students at Daemen College in my district and we talked about the biggest concern on their mind. It wasn't their final exams; it was the knowledge that in 3 short months, if this body does not act, these young people will face a doubling of the interest rate on their student loans from 3.4 percent to 6.8 percent. These young people are afraid; they're concerned.

I asked them what it would mean to them. One man who already has \$120,000 in debt now said he would probably have to leave in order to start paying back his debt. One woman said she would probably have to take a fourth job on top of her third job. Another junior said he probably would not be back next year. Heartbreaking stories, ladies and gentlemen, but we can stop it from happening.

You've got to ask: What's wrong with this picture? Banks are lending to each other at about zero percent. You can get a home mortgage loan for 3.9 percent. Why are our young people, who are doing nothing other than having a shot at the American Dream that each one of us had by getting a good education, why are they going to be strapped with this debt?

I ask all of us to join in asking the House of Representatives leadership to allow us to vote on this bill.

□ 1310

MORE EPA REDTAPE MEANS FEWER ILLINOIS JOBS

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

Mr. HULTGREN. Madam Speaker, I rise today, once again, to express my concern about the EPA, their redtape, and its effect on jobs and the economy in my home State of Illinois.

In fact, a recent study found that the rules proposed by the EPA could destroy more jobs in Illinois than in any other State. According to this study, more than 38,000 Illinois jobs are at risk. These new layers of redtape would especially be harmful in their impact on the price of electricity, raising costs for small businesses and forcing them to lay off employees.

In Illinois we could see electricity prices rise as much as 18 percent, a huge burden on small businesses already struggling to keep their doors open. Time and again, I've heard from small businesses in my district who are concerned about this regulatory onslaught.

But House Republicans are not standing idly by. With bipartisan support, we've passed a half-dozen pieces of legislation that would rein in the EPA and help protect American jobs.

Unfortunately, as with so many of the bills that we've passed to create jobs and spur economic growth, the Senate has refused to act. Perhaps another reminder of what is at stake will finally spur them to action.

STUDENT LOAN INTEREST RATE

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

Ms. SPEIER. Madam Speaker, let me get this straight. My good friends on the Republican side are really interested in cutting taxes for the wealthy, but when it comes to maybe cutting the taxes that students would be paying on the student loans that they have by \$1,000 more a year, they're not nearly so interested.

Well, let me read to you a posting to my Facebook from a young woman that really hits home. She wrote:

Going to college was the worst decision of my life. I hate to say it, but it's true. I did everything right. I graduated high school early, at the top of my class. I got all my core courses out of the way at community college, then transferred to a 4-year college, but I couldn't afford it and had to stop just before my last year. It's the biggest regret of my life that I couldn't afford college. I'm not lazy, I'm not stupid, but I had the misfortune of being born poor.

Madam Speaker, it's time for us to make sure that the poor students in our country have the right to go to college and to see it as a good decision, not a wrong decision.

CONGRATULATING TWO PLANO HIGH SCHOOL TEAMS

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

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise today to congratulate the recent victories of two Plano high school teams: the 2012 Plano West girls soccer State champions and the 2012 Plano Senior High School WorldQuest National Champions.

Last weekend, the Plano West girls soccer team defeated Katy Seven Lakes, earning the school its fifth State title. Under first-year Coach Carley Phillips, who won the school a state title in 2002, the soccer program has excelled and continued in its success.

And last month, the Plano Senior High School's WorldQuest team successfully defended its national championship title. For the second year in a row, this team placed first in the national academic competition that tests high school students' knowledge of international affairs, geography, history, and culture.

Congratulations to these two stellar teams. That's the way to represent the great State of Texas. God bless you, and I salute you.

EDUCATION IS AN INVESTMENT IN OUR FUTURE

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

Mr. BACA. Madam Speaker, in these tough economic times, it's critical that Congress work to make quality higher education available to all Americans. We know that investing in education is an investment in our future, an investment in the strength of America.

By the year 2018, 63 percent of all American jobs will require some level of higher education. Sadly, if Congress does not act soon, the interest rate for student loans will double from 3.4 to 6.8, higher than home loans. This will cause thousands of dollars in new debt for more than 7.4 million American students.

Unfortunately, the Republicans in Congress have refused to go forward with legislation that would prevent this crisis. And some Republican leaders have openly criticized students who graduate with college debt.

It's time that Congress worked together to help middle class families, not just the wealthiest few. We must pass legislation that strengthens the Pell program and prevents an increase in student loan rates.

Thank you, President Obama, for taking the lead in helping our future generations and leaders of tomorrow.

ANNUAL AUDITS FOR THE GSA

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

Mr. DENHAM. Madam Speaker, I rise to talk about the corruption, the fraud, the waste within GSA, an agency that has nearly a \$10 billion slush fund that they hide from the American taxpayers every single year.

Today I'm going to be introducing a bill that will request transparency on an annual basis, show an annual audit so the American taxpayers can see exactly where this waste is going and hold this agency accountable.

We're going to hold another hearing on the issue to make sure that the waste stops, and that we actually start selling off some of the buildings that are sitting vacant right now today, an opportunity for Republicans and Democrats to actually come together, just getting rid of waste, and at the same time that we sell the properties and redevelop the things that we aren't using, put people back to work.

HOLOCAUST REMEMBRANCE DAY

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

Mr. SIREs. Madam Speaker, I rise today in honor of Holocaust Remembrance Day, which was observed last week on April 19. The theme of this year's Holocaust Remembrance Day was "Choosing to Act," offering an important reminder of the sacredness of human life and the need for all of us to stand against evil.

The Holocaust represents one of the darkest periods in human history and illustrates the worst of human behavior, yet some still deny the events of the Holocaust ever occurred. It is no wonder that Israel is extremely concerned with the development of nuclear weapons in Iran, putting these arms in the hands of radicals who have shown no respect for human life or basic human rights.

We must support and stand by Israel during these dangerous times. We must always keep in the back of our minds the history of the Jewish people. Understanding their history helps us understand their concerns and feelings about what is currently going on in the world.

On Holocaust Remembrance Day we are reminded that the Jewish people have had firsthand experience with true evil, and we must work to ensure that such atrocities do not happen again.

KEEP THEM ON THE FARM

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

Mr. POE of Texas. Madam Speaker, the regulators are going after America's farms. Now they are considering

prohibiting kids from working on farms. Growing up on a farm teaches kids valuable lessons and a strong work ethic.

Now the Federal Government is contemplating prohibiting kids from doing chores on their uncle's farm, including "the storing, marketing, and transporting of farm product raw materials."

According to the Department of Labor, "prohibited places of employment would include county grain elevators, grain bins, feedlots, stockyards, and livestock exchanges."

Anyone under 16 would not be allowed to drive any type of power equipment, including tractors. So if the farmer wants to hire a young boy to help him move some hay, it'd be a crime?

People who know nothing about farms are trying to stop educating our future farmers, because a lot of these farm kids grow up to be farmers. Now we're faced with the problem that the average farmer in the United States is over 50.

If the regulators have their way, and young people are shut out, there will be a lost generation of American farmers. This ought not to be, but that's just the way it is.

KEEPING OUR FLYING PUBLIC SAFE

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

Mr. HIGGINS. Madam Speaker, just over 3 years ago, Continental Connection Flight 3407 crashed in my western New York community and that of Congresswoman CATHY HOCHUL. Sadly, all aboard were killed.

In the wake of this tragic crash, the families of the passengers on board Flight 3407 joined together and successfully fought for the inclusion of strong airline safety provisions in the Federal Aviation Administration's reauthorization, which was signed into law in August of 2010.

Crewmember screening and qualifications, in addition to pilot certification requirements, were factors that, if properly monitored, could have prevented the crash. We must see to it that the FAA follows through on the implementation of the reforms passed by this Congress.

Madam Speaker, keeping our flying public safe should be a top priority. I am committed to continuing the fight on behalf of the memory of those we lost on that day, and I urge my colleagues to join our efforts to achieve safer skies for all Americans.

□ 1320

BRIAN TERRY

(Mr. ISSA asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. ISSA. Madam Speaker, I rise today to take note of something that occurred in this body, the other body, and on June 16 will occur in Arizona.

Brian Terry died more than a year ago as a border patrol agent serving his country on the Arizona border. He was shot and killed by smugglers with weapons that ultimately came from the United States and went across the border under the Operation Fast and Furious program. That's controversial.

But there is no controversy that Brian Terry lived and exemplified the American spirit in serving his country in the military and then as a border patrol agent.

On June 16, that border patrol station will open. On June 16, thanks to action here in the House weeks ago and in the Senate today, we will in fact name it after Brian Terry.

ARMENIAN GENOCIDE

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

Mr. COSTA. Madam Speaker, 97 years ago, the Ottoman Empire orchestrated a murderous campaign that resulted in the death of 1.5 million Armenian men, women, and children and forced hundreds of thousands into exile.

Growing up in Fresno, California, the place William Saroyan, a great American author of Armenian descent, called home, I heard the stories of this tragic time between 1915 and 1923. The sons and daughters of survivors, time and time again, told the stories of their families.

The facts are clear. What happened 97 years ago can only be called by one name: genocide—the first genocide of the 20th century. Yet after nearly a century, the House of Representatives and current and past American Presidents have refused to recognize the Armenian genocide as such.

We cannot wait for a convenient moment, for it's not a convenient truth. Man's inhumanity to mankind never is. Now is the time to pass House Resolution 304 that I am a cosponsor of and formally recognize the Armenian genocide.

STAFFORD LOANS

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

Ms. HAHN. This past Friday, I spoke to the graduates of Pepperdine University School of Public Policy. I gave the commencement address.

Like many other students who will be graduating this year, they are determined and eager to take on the difficult challenges of this world. Unfor-

tunately, many of them are leaving college with a mountain of student debt—debt that can keep them from pursuing opportunities which may not yield short-term financial rewards but could make our world a better place to live. You don't have to look far to find these amazing young people. Our offices are filled with them.

Others have said it today, but I'm going to say it again. We must pass legislation to prevent the interest rate on Stafford loans from doubling this July 1.

It's also why I've introduced H.R. 4286, which would allow students to begin paying back their Federal loans 12 months after they graduate instead of 6, and I hope I have support on that. This is commonsense legislation that will allow new grads the chance to start their careers without the burden of monthly student loan payments.

THE BLACKLISTING OF STATES

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

Ms. BERKLEY. Madam Speaker, despite the fact that President Obama took swift action to punish those responsible for the outrageous abuse at the GSA, some in Washington, like the junior Senator from Kentucky, are looking to score cheap political points by attacking Las Vegas and Nevada's tourism industry.

These Republicans are trying to bring back the last administration's so-called blacklist of resort cities like Las Vegas and Reno, prohibiting Federal agencies from traveling to Nevada to hold conferences and seminars. This policy has damaged the reputation of my State, hurt our economy, and killed jobs. Thanks to President Obama, this blacklist was lifted and discrimination against Las Vegas and Reno was ended.

It's time that we make this policy permanent. That's why I'm going to introduce legislation to prohibit the blacklisting of any city in America. This means discrimination against cities like Las Vegas and Reno will be illegal.

Las Vegas wasn't the problem; the irresponsible behavior of the GSA was.

I urge my colleagues to stand up for jobs and join me in cosponsoring this legislation.

STAFFORD LOANS

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

Ms. HANABUSA. Madam Speaker, I represent Hawaii, the youngest State in this Union. Many of our people immigrated to our wonderful State within the last hundred-plus years. When they immigrated, they came to work on

plantations for the most part, and they knew one thing: for their children to be better, to get ahead, they needed an education. And there has always been a very strong belief that education was the answer.

This July, we will see the most popular student loan increase in its interest rate from 3.4 to 6.8 percent. It will affect 7.4 million students and will mean \$1,000 a month more for each and every one of them.

Think about it, Madam Speaker. We say the students are our future. We need them to be in college so that we will be the great Nation that we once were. Then I ask you: Why is it that we haven't taken up the legislation to again freeze the loan rates?

Keep it at 3.4 percent so we can have our future, and we can show these students that we really believe in them and invest in them.

MARQUIS ALEXANDER

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE of Texas, Madam Speaker, I rise today to acknowledge a milestone reached by Marquis Alexander. He is the first African American to become commander of the Texas A&M Corps of Cadets.

Currently, Marquis is a corporal in the U.S. Marine Reserves and a rising senior majoring in international studies. Congratulations.

The history of African Americans at A&M University dates back to the founding of the institution. African Americans in the Texas Legislature advocated for and supported the passage of the Moral Land Grant Act in 1866, which established A&M College of Texas between 1876 and 1963. African Americans worked at Texas A&M as laborers, maids, custodians, and various other support staff; however, they were prohibited from attending as students and faculty until 1963.

It's been a long time, but here we are today to congratulate this young man, a graduate of Barbara Jordan High School in the 18th Congressional District, my district, in Houston, Texas. He is the oldest of 10 children, and the first in his family to go to college. He is said to be an admirable and mature young man. Alexander is currently a corporal in the Marine Reserves. He has become the first person with military experience to head the corps.

Texas A&M University has the proud distinction of having the most graduates to enlist in our Nation's Armed Forces when compared to other non-military academies.

Mr. Alexander grew up in my home city of Houston. Our city is proud of his achievements. He has always wanted to attend Texas A&M. He was so gung ho for the military that he par-

ticipated in the Texas A&M Junior Cadet Accessions Program while still in high school. A week after enlisting in the Marine Corps, he received a letter of acceptance from Texas A&M. Yet true to his word and commitment, Alexander attended boot camp at the Marine Corps Depot in San Diego.

He is the kind of young American that we can be proud of. I am so proud of him. Congratulations to you and your family. This is a glory hallelujah day, and congratulations to Texas A&M for opening it up to being a student body president and yell leader.

EXPORT-IMPORT BANK

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

Mr. CONNOLLY of Virginia, Madam Speaker, over the years, it's become harder to find the "Made in America" label even though we know that a robust manufacturing industry is essential for our economy and it creates jobs.

Thankfully, we've got a great opportunity to help manufacturing, the Export-Import Bank, the entity that helps American companies export American goods. The U.S. Chamber has urged the bank's reauthorization because it supports American job creation.

Since 2007, companies in my home State of Virginia have supported almost a billion dollars in export sales because of the bank, with those in my district alone supporting \$130 million in exports.

Last week, House Republicans brought up a bill to help small businesses, allegedly, that will cost taxpayers \$46 billion. Eighty-five percent of the Export-Import Bank's transactions aid those very same small businesses, and the bank provides a net benefit to taxpayers—more than \$4 billion over the last 6 years.

The Export-Import Bank is good business, Madam Speaker. It creates jobs. It supports American companies, and it returns a profit to the American taxpayer. I urge my colleagues to support its reauthorization.

□ 1330

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

DIGITAL ACCOUNTABILITY AND TRANSPARENCY ACT OF 2012

Mr. ISSA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2146) to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2146

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Digital Accountability and Transparency Act of 2012" or the "DATA Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

TITLE I—ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING

- Sec. 101. General requirements for accountability and transparency in Federal spending.
- Sec. 102. Data standardization for accountability and transparency in Federal spending.
- Sec. 103. Amendments to the Federal Funding Accountability and Transparency Act of 2006.
- Sec. 104. Effective date and deadlines for accountability and transparency in Federal spending.

TITLE II—FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY COMMISSION

- Sec. 201. Federal Accountability and Spending Transparency Commission.
- Sec. 202. Conforming amendment relating to compensation of Chairman.
- Sec. 203. Conforming amendments related to Recovery Accountability and Transparency Board.

TITLE III—ADDITIONAL PROVISIONS

- Sec. 301. Classified information.
- Sec. 302. Paperwork Reduction Act exemption.
- Sec. 303. Matching program exception for inspectors general.
- Sec. 304. Transfer of Consolidated Federal Funds Report.
- Sec. 305. Transfer of authority over Catalog of Federal Domestic Assistance to Commission.
- Sec. 306. Government Accountability Office Improvement.
- Sec. 307. Amendments to the Inspector General Act of 1978 and the Inspector General Reform Act of 2008.
- Sec. 308. Limits and transparency for travel and conference spending.
- Sec. 309. Effective date.

SEC. 3. DEFINITIONS.

In this Act:

(1) The term "Commission" means the Federal Accountability and Spending Transparency Commission established under subchapter III of chapter 36 of title 31, United States Code, as added by this Act.

(2) The term "Executive agency" has the meaning provided by section 105 of title 5, United States Code, except the term does not include the Government Accountability Office.

TITLE I—ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING
SEC. 101. GENERAL REQUIREMENTS FOR ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING.

(a) IN GENERAL.—Subtitle III of title 31, United States Code, is amended by inserting after chapter 35 the following new chapter:

“CHAPTER 36—ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING

“SUBCHAPTER I—REPORTING REQUIREMENTS

- “3601. Definitions.
- “3602. Recipient reporting requirement.
- “3603. Agency reporting requirement.
- “3604. Treasury reporting requirement.
- “3605. Exemptions from recipient reporting requirement.

“SUBCHAPTER II—DATA STANDARDIZATION

- “3611. Data standardization for reporting information.
- “3612. Full disclosure of information.
- “3613. Federal accountability portal.
- “3614. Agency responsibilities.
- “3615. Consolidated financial reporting.
- “3616. Office of Management and Budget responsibilities.
- “3617. Treasury responsibilities.
- “3618. General Services Administration responsibilities.

“SUBCHAPTER III—FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY COMMISSION

- “3621. Establishment.
- “3622. Composition of the Commission.
- “3623. Functions.
- “3624. Powers.
- “3625. Employment, personnel, and related authorities.
- “3626. Transfer of certain personnel.
- “3627. Advisory committee to Commission.
- “3628. Authorization and availability of appropriations.
- “3629. Sunset.

“SUBCHAPTER IV—GENERAL PROVISIONS

- “3641. Independence of inspectors general.
- “3642. Effective date.

“SUBCHAPTER I—REPORTING REQUIREMENTS

“§ 3601. Definitions

“In this chapter:
“(1) **RECIPIENT.**—The term ‘recipient’ means—

“(A) any person that receives Federal funds pursuant to a Federal award, either directly or through a subgrant or subcontract at any tier; and

“(B) any State, local, or tribal government, or any government corporation, that receives Federal funds pursuant to a Federal award, either directly or through a subgrant or subcontract at any tier.

“(2) **FEDERAL AWARD.**—The term ‘Federal award’ means Federal financial assistance and expenditures that—

“(A) include grants, subgrants, loans, awards, cooperative agreements, agreements entered into under other transactional authority, and other forms of financial assistance; and

“(B) include contracts, subcontracts, purchase orders, task orders, and delivery orders.

“(3) **COMMISSION.**—The term ‘Commission’ means the Federal Accountability and Spending Transparency Commission established under subchapter III of this chapter, or any successor entity to the Federal Accountability and Spending Transparency Commission.

“(4) **CHAIRMAN.**—The term ‘Chairman’ means the Chairman of the Federal Accountability and Spending Transparency Commission.

“(5) **EXECUTIVE AGENCY.**—The term ‘Executive agency’ has the meaning provided by section 105 of title 5, except the term does not include the Government Accountability Office.

“(6) **FOREIGN CORRUPT PRACTICES ACT OF 1977.**—The term ‘Foreign Corrupt Practices Act of 1977’ means—

“(A) section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd-1); and

“(B) sections 104 and 104A of the Foreign Corrupt Practices Act (15 U.S.C. 78dd-2).

“§ 3602. Recipient reporting requirement

“(a) **REQUIREMENT.**—Each recipient shall report to the Commission each receipt and use of Federal funds pursuant to a Federal award.

“(b) **CHARACTERISTICS OF REPORTS.**—

“(1) **FREQUENCY OF REPORTS.**—

“(A) **IN GENERAL.**—The Commission shall designate, by rule, the frequency of reports to be submitted by recipients under subsection (a), but the frequency shall not be less than once each quarter.

“(B) **DEADLINES.**—The Commission shall, by rule, specify deadlines by which a particular receipt or use of Federal funds must be reported by a recipient under subsection (a). In specifying deadlines under this subparagraph, the Commission shall take into account the capabilities of the management and accounting systems and processes of recipients. The Commission shall, by rule, provide for extensions of the deadlines specified under this subparagraph in cases of hardship or emergency.

“(C) **CONTINUOUS OR AUTOMATIC REPORTING.**—To the extent practicable, the Commission shall require continuous or automatic reporting for compliance with this section.

“(2) **CONTENT OF REPORTS.**—Each report submitted by a recipient under subsection (a) shall contain the following information:

“(A) An identification of the recipient, including the recipient’s name and location (including city, county, State, congressional district, and country), with location information provided in proper United States Postal Service standardized format, including ZIP+4, or proper international postal service standardized format where applicable.

“(B) An identification of the recipient and the parent entity of the recipient, if the recipient is owned by another entity.

“(C) An identification of the Executive agency.

“(D) An identification of the Federal award.

“(E) If applicable, an identification of the program pursuant to which the Federal award was awarded.

“(F) The total amount of Federal funds received from that Executive agency for the Federal award, during the period covered by the report.

“(G) The amount of Federal funds from the Federal award that were expended or obligated by the recipient to projects or activities during the period covered by the report.

“(H) A list of all projects or activities for which Federal funds were expended or obligated.

“(I) If the Federal award is a prime award, an identification of its immediate sub-awards.

“(J) If the Federal award is a subaward, an identification of its immediate prime award.

“(K) Such additional information reasonably related to the receipt and use of Federal funds as the Commission shall, by rule, require.

“(3) **USE OF DATA STANDARDS.**—The reports submitted under this section shall use the

common data elements and data reporting standards designated by the Commission under section 3611 of this title.

“(c) **FULFILLMENT OF REQUIREMENTS BY PRIME AWARDEES.**—The Commission shall, by rule, permit prime awardees to fulfill the requirements of this section on behalf of subawardees, so long as all subaward tiers are reported.

“(d) **GUIDANCE BY COMMISSION.**—The Commission shall issue guidance to recipients on compliance with this section.

“(e) **PREPOPULATION.**—To the extent practicable, the Commission shall prepopulate its electronic systems for the submission of reports required by this section with data submitted to it by agencies under section 3603 of this title, and shall permit recipients either to confirm that prepopulated data is correct or, if it is incorrect, to make corrections.

“(f) **REGISTRATION.**—Recipients required to report information under subsection (a) shall register with the Central Contractor Registration database or complete such other registration requirements as the Commission shall, by rule, require.

“§ 3603. Agency reporting requirement

“(a) **REQUIREMENT.**—Each Executive agency shall report to the Commission all obligations and expenditures of Federal funds.

“(b) **CHARACTERISTICS OF REPORTS.**—

“(1) **FREQUENCY OF REPORTS.**—

“(A) **IN GENERAL.**—The Commission shall designate, by rule, and after consultation with the Office of Management and Budget, the frequency of reports to be submitted by agencies under subsection (a), but the frequency shall not be less than once each quarter.

“(B) **DEADLINES.**—The Commission shall, by rule, and after consultation with the Office of Management and Budget, specify the deadline by which an obligation or expenditure must be reported by an agency under subsection (a).

“(C) **CONTINUOUS OR AUTOMATIC REPORTING.**—To the extent practicable, the Commission shall require continuous or automatic reporting for compliance with this section.

“(2) **CONTENT OF REPORT.**—

“(A) **INFORMATION RELATING TO FEDERAL AWARDS.**—Each report submitted by an Executive agency under subsection (a) that relates to a Federal award shall contain the following information for that Federal award:

“(i) An identification of the recipient, including the recipient’s name and location (including city, State, congressional district, and country), with location information provided in proper United States Postal Service standardized format, including ZIP+4, or proper international postal service standardized format where applicable.

“(ii) An identification of the recipient and the parent entity of the recipient, should the entity be owned by another entity.

“(iii) An identification of the Executive agency.

“(iv) An identification of the Federal award.

“(v) If applicable, an identification of the program pursuant to which the Federal award was awarded.

“(vi) If necessary, the total amount of the award.

“(vii) The total amount of Federal funds received by the recipient from the Executive agency for the Federal award, during the period covered by the report.

“(viii) Information on the award, including transaction type, funding agency, the North American Industry Classification System

code or Catalog of Federal Domestic Assistance number (if applicable), the program source, and an award title descriptive of the purpose of each funding action.

“(ix) Such additional information reasonably related to the Federal award as the Commission shall, by rule, require.

“(B) INFORMATION NOT RELATING TO FEDERAL AWARDS.—The content of each report submitted by an Executive agency under subsection (a) that does not relate to a Federal award shall be designated by the Commission, by rule, and after consultation with the Office of Management and Budget.

“(C) IDENTIFICATION INFORMATION.—To the extent practicable, reports submitted by agencies under subsection (a) shall identify the programs, budget functions, Treasury accounts, and appropriations categories pursuant to which Federal funds are obligated or expended.

“(D) USE OF OTHER REPORTING INFORMATION.—To the extent practicable, the Commission shall permit agencies to comply with subsection (a) by submitting the same information that they submit or contribute for other governmentwide reporting requirements, including the following:

“(i) For information about Federal awards—

“(I) the Federal assistance awards data system established pursuant to section 6102a of title 31, United States Code;

“(II) the Federal procurement data system established pursuant to section 1122(a)(4) of title 41, United States Code;

“(III) the common application and reporting system established pursuant to section 6 of the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note); or

“(IV) such systems as may be established to replace or supplement the systems identified in this clause.

“(ii) For information about internal expenditures and accounting, the Federal Agencies’ Centralized Trial-Balance Systems (FACTS I and FACTS II), the Governmentwide Financial Report System (GFRS), the Intragovernmental Fiduciary Confirmation System (IFCS), or such systems as may be established to replace or supplement such systems.

“(3) USE OF DATA STANDARDS.—The reports submitted under this section shall use the common data elements and data reporting standards designated by the Commission under section 3611 of this title.

“(4) INFORMATION ALSO SUBJECT TO RECIPIENT REPORTING REQUIREMENT.—In complying with this section, each Executive agency shall identify, to the extent practicable, Federal awards made by the agency that are subject to the recipient reporting requirement of section 3602 of this title so that information reported by recipients and information reported by the agency can be directly compared.

“(c) GUIDANCE BY COMMISSION.—The Commission shall issue guidance to Executive agencies on compliance with this section.

“(d) COMMISSION TO MONITOR COMPLIANCE.—The Commission shall regularly report to Congress on each Executive agency’s compliance with this section, including the timeliness, completeness, accuracy, and interoperability of the data submitted by each Executive agency. The Commission shall make these reports publicly available contemporaneously online.

“§ 3604. Treasury reporting requirement

“(a) REQUIREMENT.—The Department of the Treasury shall report to the Commission disbursements of Federal funds.

“(b) CHARACTERISTICS OF REPORTS.—

“(1) FREQUENCY OF REPORTS.—

“(A) IN GENERAL.—The Commission and the Secretary of the Treasury shall determine the frequency of reports submitted by the Department of the Treasury under subsection (a), but the frequency shall not be less than once each quarter.

“(B) CONTINUOUS OR AUTOMATIC REPORTING.—To the extent practicable, the Commission and the Department of the Treasury shall establish continuous or automatic reporting for compliance with this section.

“(2) CONTENT OF REPORT.—

“(A) The Commission and the Secretary of the Treasury shall determine the content of reports submitted by the Department of the Treasury under subsection (a).

“(B) To the extent practicable, reports submitted by the Department of the Treasury under subsection (a) shall identify the programs, budget functions, Treasury accounts, and appropriations categories pursuant to which Federal funds are disbursed.

“(3) USE OF DATA STANDARDS.—The reports submitted under this section shall use the common data elements and data reporting standards designated by the Commission under section 3611 of this title.

“(c) COMMISSION TO MONITOR COMPLIANCE.—The Commission shall regularly submit to Congress reports on compliance by the Department of the Treasury with this section, including the timeliness, completeness, accuracy, and interoperability of the data submitted. The Commission shall make all reports submitted under this subsection publicly available contemporaneously online.

“§ 3605. Exemptions from recipient reporting requirement

“(a) EXEMPTION.—A recipient is exempt from the reporting requirement of section 3602 of this title with respect to funds received pursuant to a Federal award if—

“(1) the recipient is an individual; and

“(2) either—

“(A) the total amount of Federal funds received by the recipient does not exceed \$100,000 in the current calendar year or fiscal year; or

“(B) no transaction in which the recipient has received Federal funds during the current calendar year or fiscal year has exceeded \$24,999.

“(b) AUTHORITY TO GRANT ADDITIONAL EXEMPTIONS.—The Commission may, by rule, grant additional exemptions under this section for classes or categories of recipients.

“(c) ADJUSTMENT FOR INFLATION.—The Commission shall, by rule, provide for an adjustment of the dollar thresholds specified in subsection (a)(2) to maintain the constant dollar value of the threshold.”

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle III of title 31, United States Code, is amended by inserting after the item relating to chapter 35 the following new item:

“36. Accountability and Transparency
in Federal Spending 3601”.
SEC. 102. DATA STANDARDIZATION FOR ACCOUNTABILITY AND TRANSPARENCY
IN FEDERAL SPENDING.

Chapter 36 of title 31, United States Code, as added by section 101, is amended by adding at the end the following new subchapter:

“SUBCHAPTER II—DATA STANDARDIZATION

“§ 3611. Data standardization for reporting information

“(a) COMMON DATA ELEMENTS.—

“(1) REQUIREMENT.—The Commission shall, by rule, designate common data elements,

such as codes, identifiers, and fields, for information required to be reported by recipients and agencies under this chapter, including identifiers for recipients, awards, and agencies.

“(2) CHARACTERISTICS OF COMMON DATA ELEMENTS.—The common data elements designated under this subsection shall, to the extent practicable, be nonproprietary.

“(3) EXISTING COMMON DATA ELEMENTS.—In designating common data elements under this subsection, the Commission shall, to the extent practicable, ensure interoperability and incorporate the following:

“(A) Common data elements developed and maintained by an international voluntary consensus standards body, as defined by the Office of Management and Budget, such as the International Organization for Standardization.

“(B) Common data elements developed and maintained by intragovernmental partnerships, such as the National Information Exchange Model.

“(C) Common data elements developed and maintained by Federal entities with authority over contracting and financial assistance, such as the Federal Acquisition Regulatory Council.

“(D) Common data elements developed and maintained by accounting standards organizations.

“(b) DATA REPORTING STANDARDS.—

“(1) REQUIREMENT.—The Commission shall, by rule, designate data reporting standards to govern the reporting required to be performed by recipients and agencies under this title.

“(2) CHARACTERISTICS OF DATA REPORTING STANDARDS.—The data reporting standards designated under this subsection shall, to the extent practicable—

“(A) incorporate a widely accepted, nonproprietary, searchable, platform-independent computer-readable format;

“(B) be consistent with and implement applicable accounting principles; and

“(C) be capable of being continually upgraded as necessary.

“(3) EXISTING DATA REPORTING STANDARDS.—In designating reporting standards under this subsection, the Commission shall, to the extent practicable, incorporate existing nonproprietary standards, such as the eXtensible Business Reporting Language (XBRL).

“§ 3612. Full disclosure of information

“The Commission shall publish online all information submitted by recipients and agencies pursuant to sections 3602, 3603, and 3604 of this title in accordance with the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).

“§ 3613. Federal accountability portal

“(a) REQUIREMENT.—The Commission shall establish and maintain a government-wide Internet-based data access system, to be known as a ‘Federal accountability portal’, to carry out the functions described in subsection (b).

“(b) FUNCTIONS.—

“(1) IN GENERAL.—The Federal accountability portal shall incorporate—

“(A) information submitted by recipients and agencies under sections 3602, 3603, and 3604 of this title;

“(B) other information maintained by Federal, State, local, and foreign government agencies; and

“(C) other commercially and publicly available information.

“(2) SPECIFIC FUNCTIONS.—The Federal accountability portal shall be designed and operated to carry out the following functions:

“(A) Combine information submitted by recipients and agencies under sections 3602, 3603, and 3604 of this title with other compilations of information, including those listed in paragraph (1).

“(B) Permit Executive agencies, in accordance with applicable law, to verify the eligibility and responsibility of recipients and potential recipients with respect to the receipt and use of Federal funds.

“(C) Permit Executive agencies, inspectors general, law enforcement agencies, and appropriate State authorities, in accordance with applicable law, to track Federal awards and recipients to detect and prevent waste, fraud, and abuse.

“(D) Serve as the primary accountability portal for the entire Federal Government.

“(c) GUIDANCE BY COMMISSION.—The Commission shall issue guidance on the use of and access to the Federal accountability portal.

“§ 3614. Agency responsibilities

“(a) REQUIREMENT.—As a condition of receipt of Federal funds of an Executive agency pursuant to any Federal award, the Executive agency shall require any recipient of such funds to provide the information required under section 3602 of this title.

“(b) PENALTIES FOR RECIPIENT NONCOMPLIANCE.—

“(1) IN GENERAL.—The head of an Executive agency may impose a civil penalty in an amount not more than \$250,000 on a recipient of Federal funds from that Executive agency that does not provide the information required under section 3602 of this title or provides information that contains a material omission or misstatement.

“(2) NONPRECLUSION.—The imposition of a civil penalty under this subsection does not preclude any other criminal or civil statutory, common law, or administrative remedy that is available by law to the United States or any other person. Any amounts received from a civil penalty under this subsection shall be deposited in the Treasury of the United States to the credit of the appropriation or appropriations from which the award is made.

“(3) NOTIFICATION.—The head of an Executive agency shall provide a written notification to a recipient that fails to provide the information required under section 3602 of this title or provides information that contains a material omission or misstatement. Such notification shall provide the recipient with information on how to comply with the requirements of such section 3602 and notice of the penalties for failing to do so. The head of the Executive agency may not impose a civil penalty under paragraph (1) until 60 days after the date of the notification.

“(c) COMPLIANCE WITH COMMISSION GUIDANCE.—Executive agencies shall comply with the instructions and guidance issued by the Commission under this Act.

“(d) INFORMATION AND ASSISTANCE.—

“(1) IN GENERAL.—Upon request of the Commission for information or assistance from any Executive agency or other entity of the Federal Government, the head of such entity shall, insofar as is practicable and not in contravention of any existing law, furnish such information or assistance to the Commission, or an authorized designee.

“(2) REPORT OF REFUSALS.—Whenever information or assistance requested by the Commission is, in the judgment of the Commission, unreasonably refused or not provided, the Commission shall report the circumstances to Congress.

“(e) REQUIREMENT TO USE COMMON DATA ELEMENTS AND DATA REPORTING STAND-

ARDS.—After the Commission designates any common data element or data reporting standard under section 3611 of this title, each Executive agency shall issue guidance that requires every recipient of Federal funds under any of its Federal awards to use that common data element or data reporting standard for any information reported to that Executive agency to which the common data element or data reporting standard is applicable.

“(f) PREPOPULATION.—To the extent practicable, each Executive agency shall use data from the website maintained by the Commission under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) to prepopulate any electronic systems maintained by that agency for the submission of reports on the receipt and use of Federal funds distributed by that agency.

“§ 3615. Consolidated financial reporting

“(a) REPORT IDENTIFYING RECIPIENT FINANCIAL REPORTING REQUIREMENTS TO BE CONSOLIDATED.—In consultation with the Office of Management and Budget, each Executive agency shall, not later than two years after the effective date of this chapter, submit to the President, Congress, and the Commission a report that—

“(1) describes any agency-specific financial reporting requirements for recipients of Federal funds pursuant to a Federal award from the agency;

“(2) identifies every element of information that such recipients must regularly submit to the agency pursuant to such requirements; and

“(3) for each element so identified, identifies whether that element or a similar element is already being reported to the Commission by such recipients under this title.

“(b) DATE CERTAIN THAT RECIPIENTS MAY USE CONSOLIDATED FINANCIAL REPORTING.—Beginning on the date that is three years after the effective date of this chapter, recipients of Federal funds are deemed to have satisfied the agency-specific financial reporting requirements identified in the reports required by subsection (a) by transmitting the same information to the Commission, in a manner prescribed by the Commission.

“(c) RECIPIENT NOTIFICATION.—After an Executive agency has submitted its report under subsection (a), the Executive agency shall issue guidance notifying recipients of Federal funds under its awards that they may, as of the date that is three years after the effective date of this chapter, satisfy those agency-specific financial reporting requirements identified by the agency in its report required under subsection (a) by reporting the same information to the Commission only.

“(d) COMMISSION RESPONSIBILITIES.—

“(1) After an Executive agency submits its report under subsection (a), the Commission shall promulgate rules describing the manner in which the agency-specific financial reporting requirements identified in the report may be met by recipients of Federal funds from that agency through reporting to the Commission only.

“(2) Upon receipt of agency-specific financial reporting information as described under this section, the Commission shall immediately make such information available to the Executive agency to which the information had previously been required to be submitted.

“§ 3616. Office of Management and Budget responsibilities

“After the Commission designates any common data element or data reporting

standard under section 3611 of this title, the Director of the Office of Management and Budget shall issue guidance that requires Executive agencies to use that common data element or data reporting standard for any information reported by Executive agencies to the Office of Management and Budget to which the common data element or data reporting standard is applicable.

“§ 3617. Treasury responsibilities

“After the Commission designates any common data element or data reporting standard under section 3611 of this title, the Secretary of the Treasury shall issue guidance that requires Executive agencies to use that common data element or data reporting standard for any information reported by Executive agencies to the Department of the Treasury to which the common data element or data reporting standard is applicable.

“§ 3618. General Services Administration responsibilities

“After the Commission designates any common data element or data reporting standard under section 3611 of this title, the Administrator of General Services shall apply that common data element or data reporting standard for any information contained in acquisition-related databases maintained by the General Services Administration to which the common data element or data reporting standard is applicable.”

SEC. 103. AMENDMENTS TO THE FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006.

(a) ADDITIONAL REQUIREMENTS FOR USASPENDING.GOV.—Section 2(c) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) is amended—

- (1) by striking paragraphs (1) and (2);
- (2) by redesignating paragraphs (3), (4), and (5) as paragraphs (1), (2), and (3), respectively; and
- (3) by adding at the end the following new paragraphs:

“(4) shall, to the extent practicable, publish data under this section in a manner that complies with applicable principles and best practices in the private sector for the publication of open government data;

“(5) shall serve as a public portal for Federal financial information, including information concerning all Federal awards and information concerning the expenditure of all Federal funds;

“(6) shall—

“(A) make available all information published under subsections (b), (c), and (d) in a reasonably timely manner;

“(B) make available all information published under subsections (b), (c), and (d), using the common data elements and data reporting standards designated by the Commission under section 3611 of title 31, United States Code;

“(C) make available all information published under subsections (b), (c), and (d) without charge, license, or registration requirement;

“(D) permit all information published under subsections (b), (c), and (d) to be searched and aggregated;

“(E) permit all information published under subsections (b), (c), and (d) to be downloaded, including downloaded in bulk;

“(F) to the extent practicable, disseminate information published under subsections (b), (c), and (d) via automatic electronic means;

“(G) to the extent practicable, permit information published under subsections (b), (c), and (d) to be freely shared by the public, such as by social media; and

“(H) to the extent practicable, use permanent uniform resource locators for information published under subsections (b), (c), and (d).”.

(b) REQUIREMENT TO REPORT ALL DATA SUBMITTED UNDER DATA ACT AND CHAPTER 61 OF TITLE 31 ON USASPENDING.GOV.—Section 2 of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note), as amended by subsection (a), is further amended—

(1) by striking subsections (d) and (e);

(2) by redesignating subsection (c) as subsection (e); and

(3) by inserting after subsection (b) the following new subsections (c) and (d):

“(c) FULL DISCLOSURE OF DATA SUBMITTED UNDER THE DIGITAL ACCOUNTABILITY AND TRANSPARENCY ACT OF 2012.—

“(1) REQUIREMENT.—The Commission shall publish on the website established under this section all information submitted by recipients and agencies pursuant to sections 3602, 3603, and 3604 of title 31, United States Code, as added by the Digital Accountability and Transparency Act of 2012.

“(2) AGGREGATION OF INFORMATION THAT IS EXEMPT FROM RECIPIENT REPORTING REQUIREMENT.—The Commission shall publish, online and in the aggregate, information that is exempt from recipient reporting under section 3605 of such title but that is reported by an Executive agency under section 3603 of such title in the aggregate.

“(d) FULL DISCLOSURE OF INFORMATION REQUIRED BY CHAPTER 61 OF TITLE 31.—The Commission shall publish on the website established under this section all information contained in the information system required under section 6103 of title 31, United States Code.”.

(c) ADDITIONAL DEFINITIONS.—Subsection 2(a) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) is amended by adding at the end the following:

“(4) RECIPIENT.—The term ‘recipient’ means—

“(A) any person that receives Federal funds pursuant to a Federal award, either directly or through a subgrant or subcontract at any tier; and

“(B) any State, local, or tribal government, or any government corporation, that receives Federal funds pursuant to a Federal award, either directly or through a subgrant or subcontract at any tier.

“(5) COMMISSION.—The term ‘Commission’ means the Federal Accountability and Spending Transparency Commission established under subchapter III of chapter 36 of title 31, United States Code, or any successor entity to the Federal Accountability and Spending Transparency Commission.”.

(d) NEW TECHNOLOGIES.—Section 2(f) of the Federal Funding Accountability and Transparency Act of 2006 is amended—

(1) by striking “Nothing” and inserting the following:

“(1) ACCESS TO OTHER DATA.—Nothing”; and

(2) by adding at the end the following new paragraph:

“(2) NEW TECHNOLOGIES.—Nothing in this Act shall prohibit the Commission from complying with the requirements of this section using such new technologies as may replace websites for data publication and dissemination.”.

(e) CONFORMING AMENDMENTS TO REPLACE OMB WITH COMMISSION FOR MANAGEMENT OF USASPENDING.GOV.—Section 2 of such Act (31 U.S.C. 6101 note) is further amended—

(1) in subsection (b), by striking “Office of Management and Budget” and inserting

“Commission” both places it appears in paragraph (1); and

(2) in subsection (g), by striking “Director of the Office of Management and Budget” and inserting “Commission” in paragraph (1) and in paragraph (3).

(f) REPEAL OF SUPERSEDED PROVISIONS.—Section 2(b) of such Act (31 U.S.C. 6101 note) is further amended by striking paragraphs (3) and (4).

(g) TECHNICAL AND CONFORMING AMENDMENTS.—Such Act (31 U.S.C. 6101 note) is further amended—

(1) in section 2(b), by striking “Not later than January 1, 2008, the” and inserting “The”; and

(2) in section 2(g)—

(A) by striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”; and

(B) in paragraph (2)—

(i) by inserting “and” at the end of subparagraph (A);

(ii) by striking “; and” at the end of subparagraph (B) and inserting a period; and

(iii) by striking subparagraph (C).

SEC. 104. EFFECTIVE DATE AND DEADLINES FOR ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING.

(a) EFFECTIVE DATE.—Chapter 36 of title 31, United States Code, as added by section 101, is further amended by adding at the end the following new subchapter:

“SUBCHAPTER IV—GENERAL PROVISIONS

“§ 3641. Independence of inspectors general

“Nothing in this chapter shall affect the independent authority or discretion of an inspector general to determine whether or how to conduct an audit, investigation, or any other function authorized by the Inspector General Act of 1978 (5 U.S.C. App.), or to disclose any information relating to an audit or investigation.

“§ 3642. Effective date

“This chapter takes effect on the date of the enactment of this chapter.”.

(b) DEADLINES FOR IMPLEMENTATION.—

(1) DEADLINE FOR APPOINTMENT OF COMMISSIONERS.—Within 60 days after the effective date of this Act, the President shall appoint Commissioners to the Commission under section 3622 of title 31, United States Code, as added by this Act.

(2) COMMISSION DEADLINES.—

(A) Within 60 days after the effective date of this Act, the Commission shall establish the committee required under section 3627 of title 31, United States Code, as added by this Act.

(B) Within 180 days after the effective date of this Act, the Commission shall—

(i) promulgate rules and issue guidance under sections 3602 and 3603 of title 31, United States Code, as added by this Act;

(ii) together with the Secretary of the Treasury, determine the frequency and content of reports to be submitted to the Commission by the Department of the Treasury under section 3604 of such title, as so added;

(iii) designate common data elements under section 3611(a) of such title and data reporting standards under section 3611(b) of such title, as so added; and

(iv) establish one or more websites under the Federal Funding Accountability and Transparency Act of 2006, as amended by this Act.

(3) AGENCY AND DEPARTMENT DEADLINES.—

(A) Within one year after the effective date of this Act, each Executive agency shall implement section 3614(a) of title 31, United States Code, as added by this Act.

(B) Within two years after the Commission designates any common data element or data reporting standard under section 3611 of such title, as so added—

(i) each Executive agency shall issue guidance under section 3614(e) of such title, as so added;

(ii) the Director of the Office of Management and Budget shall issue guidance under section 3615 of such title, as so added; and

(iii) the Administrator of General Services shall take the actions required under section 3617 of such title, as so added.

(4) TREASURY DEADLINES.—

(A) Within 180 days after the effective date of this Act, the Secretary of the Treasury, together with the Commission, shall determine the frequency and content of reports to be submitted to the Commission by the Department of the Treasury under section 3604 of title 31, United States Code, as added by this Act.

(B) Within 180 days after the Commission and the Secretary of the Treasury determine the frequency and content of reports to be submitted to the Commission by the Department of the Treasury under section 3604 of such title, as so added, the Department of the Treasury shall begin to submit such reports to the Commission.

(C) Within two years after the Commission designates any common data element or data reporting standard under section 3611 of such title, as so added, the Secretary of the Treasury shall issue guidance under section 3616 of such title, as so added.

(5) RECIPIENT DEADLINES.—Notwithstanding any other provision of this Act or the amendments made by this Act, no recipient shall be required to comply with this Act or such amendments until 180 days after the Commission has issued rules and guidance under section 3602 of title 31, United States Code, as added by this Act.

(6) TRANSFER OF USASPENDING.GOV.—Within 180 days after the effective date of this Act, the Commission and the Office of Management and Budget shall transfer the management and control of USASpending.gov from the Office of Management and Budget to the Commission, as required by the Federal Funding Accountability and Transparency Act of 2006, as amended by this Act.

TITLE II—FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY COMMISSION

SEC. 201. FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY COMMISSION.

Chapter 36 of title 31, United States Code, as added by section 101, is further amended by inserting after subchapter II the following new subchapter:

“SUBCHAPTER III—FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY COMMISSION

“§ 3621. Establishment

“(a) ESTABLISHMENT.—There is established the Federal Accountability and Spending Transparency Commission as an independent agency in the Executive Branch.

“(b) FUNCTIONS AND POWERS TRANSFERRED.—

“(1) FUNCTIONS TRANSFERRED.—Except as provided in this section, there are transferred to the Commission all functions of the Recovery Accountability and Transparency Board.

“(2) POWERS, AUTHORITIES, RIGHTS, AND DUTIES.—The Federal Accountability and Spending Transparency Commission shall succeed to all powers, authorities, rights, and duties that were vested in the Recovery

Accountability and Transparency Board on the day before the effective date of this chapter.

“§ 3622. Composition of the Commission

“(a) MEMBERS.—

“(1) IN GENERAL.—The Commission shall be composed of five Commissioners who shall be appointed by the President, by and with the consent of the Senate.

“(2) PARTY AFFILIATION.—Not more than three of the members of the Commission shall be members of the same political party.

“(3) TERM.—Each Commissioner shall hold office for a term of five years and until a successor is appointed and has qualified, except that—

“(A) a Commissioner shall not so continue to serve beyond the expiration of the next session of Congress subsequent to the expiration of such term of office;

“(B) any Commissioner appointed to fill a vacancy occurring prior to the expiration of the term for which that Commissioner's predecessor was appointed shall be appointed for the remainder of such term; and

“(C) the terms of office of the Commissioners first taking office after the enactment of this paragraph shall expire as designated by the President at the time of nomination, one at the end of one year, one at the end of two years, one at the end of three years, one at the end of four years, and one at the end of five years.

“(4) COMPENSATION.—An individual appointed to the Commission under this subsection shall be compensated at the rate of basic pay prescribed for level III of the Executive Schedule under section 5314 of title 5.

“(b) CHAIRMAN.—

“(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate, a member of the Commission as Chairman, who shall serve as Chairman at the pleasure of the President. An individual may be appointed as Chairman at the same time that person is appointed as a Commissioner. At any time, the President may appoint, by and with the advice and consent of the Senate, a different Chairman, and the Commissioner previously appointed as Chairman may complete that Commissioner's term as a Commissioner.

“(2) DUTIES.—The Chairman shall be the chief administrative officer of the Commission and shall preside at meetings of the Commission.

“(3) POWERS AND FUNCTIONS.—

“(A) Except as otherwise provided in this paragraph and in section 3625 of this chapter, the executive and administrative functions of the Commission, including functions of the Commission with respect to the appointment and supervision of personnel employed under the Commission, the distribution of business among such personnel and among administrative units of the Commission, and the use and expenditure of funds, according to budget categories, plans, programs, and priorities established and approved by the Commission, shall be exercised solely by the Chairman.

“(B) In carrying out any of his functions under the provisions of this paragraph, the Chairman shall be governed by the general policies, plans, priorities, and budgets approved by the Commission and by such regulatory decisions, findings, and determinations as the Commission may by law be authorized to make.

“(C) The appointment by the Chairman of the heads of major administrative units under the Commission shall be subject to the approval of the Commission.

“(D) Personnel employed regularly and full time in the immediate offices of Commissioners other than the Chairman shall not be affected by the provisions of this paragraph.

“(E) The Commission shall be responsible for the functions of revising budget estimates of the Commission and determining the distribution of appropriated funds according to major programs and purposes of the Commission.

“(F) The Chairman may authorize the performance by any officer, employee, or administrative unit under the Chairman's jurisdiction of any functions of the Chairman under this paragraph.

“(4) LIMITATION ON TERMS.—No person appointed as Chairman under this subsection shall serve as Chairman for more than 10 years, whether or not such service is consecutive.

“(5) INTERIM CHAIRMAN.—Upon the effective date of this chapter, the person serving as Chairperson of the Recovery Accountability and Transparency Board on the day before the effective date of this chapter shall serve as acting Chairman of the Commission until the President appoints a Chairman of the Commission pursuant to this subsection.

“(c) VACANCIES.—A vacancy in the Commission shall not impair the right of the remaining Commissioners to exercise all the powers of the Commission.

“§ 3623. Functions

“(a) IN GENERAL.—The Commission shall—

“(1) be responsible for the collection, storage, and public disclosure of information about Federal spending;

“(2) serve as the authoritative government source for the information about Federal spending that it collects; and

“(3) coordinate and conduct oversight of Federal funds in order to prevent waste, fraud, and abuse.

“(b) SPECIFIC FUNCTIONS.—The functions of the Commission shall include each of the following:

“(1) Receiving, storing, and publicly disseminating all of the information that is reported to it under sections 3602, 3603, and 3604 of this title.

“(2) Reviewing whether reporting under section 3602 of this title meets applicable standards and specifies the purpose of the Federal award and measures of performance.

“(3) Identifying possible criminal activity and referring such matters to appropriate Federal, State, and local law enforcement authorities.

“(4) Supporting ongoing criminal investigations, prosecutions, and related proceedings.

“(5) Furnishing research, analytical, and informational services to Executive agencies, inspectors general, law enforcement agencies, and appropriate State authorities in the interest of detection, prevention, and prosecution of waste, fraud, and abuse of Federal funds.

“(6) Regularly evaluating the quality of the data submitted to it under sections 3602, 3603, and 3604 of this title.

“(7) Standardizing common data elements and data reporting standards to foster transparency and accountability for Federal spending, as required by section 3611 of this title.

“(8) Reviewing whether there are appropriate mechanisms for interagency collaboration relating to Federal funds, including coordinating and collaborating to the extent practicable with the Council of the Inspectors General on Integrity and Efficiency established by section 11 of the Inspector General Act of 1978 (5 U.S.C. App.).

“(9) Issuing a report in accordance with subsection (e) on the feasibility of collecting and publishing online tax expenditures data.

“(c) PRIORITIES IN ANALYSES AND REVIEWS.—

“(1) IN GENERAL.—To the extent practicable, the Commission shall give high priority to analyses and reviews relating to Federal funds—

“(A) awarded without the use of competitive procedures; or

“(B) awarded to any contractor found to be in violation of the Foreign Corrupt Practices Act of 1977.

“(2) IDENTIFICATION.—The Commission shall identify any contractor found to be in violation of the Foreign Corrupt Practices Act of 1977 as a violator of such Act in any contract information related to such contractor published online under the Federal Funding Accountability and Transparency Act of 2006.

“(d) REPORT REQUIREMENTS.—

“(1) REPORTS.—

“(A) REGULAR REPORTS ON DATA QUALITY AUDITS.—The Commission shall regularly submit to the President and Congress reports on its audits of the quality of the data submitted to it under sections 3602, 3603, and 3604 of this title.

“(B) SEMI-ANNUAL REPORTS ON ACTIVITIES.—The Commission shall submit semi-annual reports to the President and Congress, summarizing the activities and findings of the Commission and, in the Commission's discretion, the findings of inspectors general of Executive agencies that relate to the Commission's activities during the reporting period.

“(C) REPORT ON SAVINGS.—Not later than five years after the effective date of this chapter, the Commission shall submit to the President, Congress, and the Comptroller General of the United States a report containing estimates of the direct and indirect cost savings to the Treasury achieved as a result of the Commission's activities.

“(D) OTHER REPORTS.—Section 2(f) of the Federal Funding Accountability and Transparency Act of 2006 requires another report by the Commission.

“(2) PUBLIC AVAILABILITY.—The Commission shall make all reports submitted under paragraph (1) publicly available contemporaneously online.

“(3) GAO EVALUATION.—Upon receipt of the report submitted by the Commission under paragraph (1)(C), the Comptroller General shall conduct an evaluation of the report and submit the evaluation to Congress within six months after receipt of the report, with such findings and recommendations as the Comptroller General considers appropriate.

“(e) TAX EXPENDITURES REPORT.—

“(1) IN GENERAL.—For purposes of subsection (b)(7), not later than one year after the effective date of this chapter, the Commission shall submit to the appropriate congressional committees a report on tax expenditures data that includes the following:

“(A) A description of processes that could be put in place to collect and disseminate tax expenditures data, and the potential effects of making such data publicly available on the Internal Revenue Service, taxpayers, and other relevant parties determined by the Commission.

“(B) Any changes in law that are needed to make such tax expenditures data publicly available.

“(2) TAX EXPENDITURES DEFINED.—In this section, the term ‘tax expenditures’ has the meaning given that term in section 3(3) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(3)).

“(3) PUBLIC AVAILABILITY.—The Commission shall make the report submitted under paragraph (1) publicly available.

“(f) RECOMMENDATIONS.—

“(1) IN GENERAL.—The Commission shall make recommendations to Executive agencies on measures to prevent waste, fraud, and abuse relating to Federal funds.

“(2) RESPONSIVE REPORTS.—Not later than 30 days after receipt of a recommendation under paragraph (1), an Executive agency shall submit a report to the President, the congressional committees of jurisdiction, and the Commission on whether the Executive agency agrees or disagrees with the recommendations and any actions the Executive agency will take to implement the recommendations. The Commission shall make all reports submitted to it under this paragraph publicly available contemporaneously online.

“§ 3624. Powers

“(a) IN GENERAL.—The Commission shall conduct independent analyses and reviews of spending of Federal funds, including analyses and reviews of information maintained in the Federal accountability portal established under section 3612 of this title, and provide investigative and audit support to the inspectors general of Executive agencies.

“(b) ANALYSES AND REVIEWS.—The Commission may—

“(1) conduct its own independent analyses and reviews of spending of Federal funds; and

“(2) collaborate with and provide support for any inspector general of any Executive agency or other law enforcement authority on any audit, investigation, or other review relating to Federal funds.

“(c) AUTHORITIES.—

“(1) ANALYSES, REVIEWS, AND INVESTIGATIVE AND AUDIT SUPPORT.—In conducting analyses and reviews, and in providing investigative and audit support to inspectors general and law enforcement authorities, the Commission shall have the authorities provided under paragraphs (1), (3), and (6) through (10) of section 6(a), and section 6(b), of the Inspector General Act of 1978 (5 U.S.C. App.).

“(2) MATCHING PROGRAM AUTHORITY WITH RESPECT TO EVALUATIONS AND REVIEWS.—The authorities provided under section 6(a)(9) of the Inspector General Act of 1978 (provided to the Commission pursuant to paragraph (1)) may be used by the Commission while conducting an evaluation or other review authorized under such Act.

“(d) CONTRACTS.—

“(1) IN GENERAL.—The Commission may enter into contracts to enable the Commission to discharge its duties under this chapter, including contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Commission.

“(2) CONTRACTING FOR MISSIONS OF OTHER AGENCIES.—The Commission may enter into contracts with any Federal agency (within or outside the executive branch) to enable such agency to identify waste, fraud, and abuse, including contracts and other arrangements for audits, studies, analyses, and other services.

“(3) CONTRACTING FOR PUBLICATION OF DATA.—The Commission may make contracts or agreements with any Federal agency (within or outside the executive branch) to publish data maintained by such agency on the website maintained under the Federal Funding Accountability and Transparency Act of 2006.

“(e) TRANSFER OF FUNDS.—The Commission may transfer funds appropriated to the Com-

mission for expenses to support administrative support services, investigations, audits, reviews, or other activities related to oversight by the Commission of Federal funds to any office of inspector general, the Office of Management and Budget, and the General Services Administration.

“§ 3625. Employment, personnel, and related authorities

“(a) EXECUTIVE DIRECTOR.—The Commission shall have an Executive Director, who shall be appointed by the Commission and serve at the pleasure of the Commission. The Executive Director shall report directly to the Commission and carry out the functions of the Commission subject to the supervision and direction of the Commission. The position of Executive Director shall be a career reserved position in the Senior Executive Service, as that position is defined under section 3132 of title 5.

“(b) OTHER EMPLOYEES.—The Commission may appoint and fix the compensation of such officers, attorneys, information technology professionals, and other employees as may be necessary for carrying out the functions of the Commission under this chapter.

“(c) ADMINISTRATIVE SUPPORT.—The General Services Administration shall provide the Commission with administrative support services, including the provision of office space and facilities.

“§ 3626. Transfer of certain personnel

“(a) RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD EMPLOYEES.—The Chairman or Executive Director, or both, shall identify employees of the Recovery Accountability and Transparency Board for transfer to the Commission, and such identified employees shall be transferred to the Commission for employment.

“(b) PAY.—

“(1) Except as provided in paragraph (2), each transferred employee shall, during the 2-year period beginning on the effective date of this chapter, receive pay at a rate equal to not less than the basic rate of pay (including any geographic differential) that the employee received during the pay period immediately preceding the date of transfer.

“(2) Paragraph (1) does not limit the right of the Commission to reduce the rate of basic pay of a transferred employee for cause, for unacceptable performance, or with the consent of the employee.

“(3) Paragraph (1) applies to a transferred employee only while that employee remains employed by the Commission.

“§ 3627. Advisory committee to Commission

“(a) ESTABLISHMENT AND PURPOSE.—

“(1) ESTABLISHMENT.—The Commission shall establish an advisory committee to be known as the Federal Accountability and Spending Transparency Advisory Committee (in this section referred to as the ‘Advisory Committee’).

“(2) PURPOSE.—The Advisory Committee shall submit to the Commission such findings and recommendations related to the Commission’s implementation of this chapter as it determines are appropriate.

“(b) MEMBERSHIP AND CHAIRPERSON.—

“(1) IN GENERAL.—The Commission shall appoint no fewer than 10, and no more than 20, members to the Advisory Committee, from among individuals who—

“(A) represent the interests of recipients of Federal contracts;

“(B) represent the interests of State, local, and tribal governments receiving Federal grants;

“(C) represent the interests of other recipients of Federal funds; and

“(D) represent nonprofit organizations that advocate transparency and accountability in government.

“(2) TERM.—Each member of the Advisory Committee appointed under this section shall serve for a term of three years, except that the Commission may appoint original members of the Committee to one-year and two-year terms in order to achieve staggered terms. No person shall serve more than one term.

“(3) CHAIRPERSON.—The members of the Advisory Committee shall elect a chairperson.

“(c) MEETINGS.—The Advisory Committee shall meet not less frequently than six times annually, at the call of the chairperson of the Advisory Committee.

“(d) COMPENSATION AND TRAVEL EXPENSES.—Each member of the Committee who is not a full-time employee of the United States shall—

“(1) be entitled to receive compensation at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5 for each day during which the member is engaged in the actual performance of the duties of the Committee; and

“(2) while away from the home or regular place of business of the member in the performance of services for the Committee, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5.

“(e) STAFF.—The Commission shall make available to the Advisory Committee such staff of the Commission as the chairperson of the Advisory Committee recommends is necessary to carry out this section.

“(f) REVIEW BY COMMISSION.—After receipt of any finding or recommendation from the Advisory Committee, the Commission shall—

“(1) review the finding or recommendation; and

“(2) promptly issue a public statement—

“(A) assessing the finding or recommendation of the Advisory Committee; and

“(B) disclosing the action, if any, the Commission intends to take with respect to the finding or recommendation.

“(g) ADVISORY COMMITTEE FINDINGS.—Nothing in this section shall be construed as requiring the Commission to agree to or act upon any finding or recommendation of the Advisory Committee.

“(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Advisory Committee.

“§ 3628. Authorization and availability of appropriations

“(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$51,000,000 for each of fiscal years 2012, 2013, 2014, 2015, 2016, 2017, 2018, and 2019 to carry out the functions of the Commission.

“(b) AVAILABILITY OF APPROPRIATIONS.—If the Recovery Accountability and Transparency Board has unobligated appropriations as of the effective date of this chapter, such appropriations are authorized to remain available to the Commission until September 30, 2015.

“§ 3629. Sunset

“‘This subchapter shall cease to be in effect after the date occurring seven years after the date of the enactment of this subchapter.’”

SEC. 202. CONFORMING AMENDMENT RELATING TO COMPENSATION OF CHAIRMAN.

Section 5314 of title 5, United States Code, is amended by adding at the end the following new item:

“Chairman of the Federal Accountability and Spending Transparency Commission.”.

SEC. 203. CONFORMING AMENDMENTS RELATED TO RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD.

(a) REPEAL OF SUPERSEDED PROVISIONS IN SUBTITLE B OF TITLE XV OF PUBLIC LAW 111-5.—Subtitle B of title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 287) is amended by striking sections 1521, 1522, 1525(a), 1529, and 1530.

(b) CONFORMING AMENDMENTS.—

(1) REFERENCES TO BOARD AND CHAIRPERSON.—

(A) Paragraph (2) of section 1501 of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 287) is amended to read as follows:

“(2) COMMISSION.—The term ‘Commission’ means the Federal Accountability and Spending Transparency Commission established in chapter 36 of title 31, United States Code.”.

(B) Such section is further amended by striking paragraph (3).

(C) The following provisions of such Act are amended by striking “Board” each place it appears and inserting “Commission” in the headings or text, as the case may be: the heading of subtitle B of title XV, and sections 1523, 1524, 1525(b), 1525(c), 1526, 1527, 1528, 1542, and 1553.

(D) Section 1513(b)(2) of such Act is amended by striking “the quarter in which the Board terminates under section 1530” and inserting “the quarter ending September 30, 2013”.

(c) REPEAL OF SUBTITLE B OF TITLE XV OF PUBLIC LAW 111-5.—Effective on October 1, 2013, subtitle B of title XV of division A of such Act is repealed.

(d) REFERENCES IN FEDERAL LAW TO BOARD.—On and after the effective date of this Act, any reference in Federal law to the Recovery Accountability and Transparency Board is deemed to be a reference to the Federal Accountability and Spending Transparency Commission.

TITLE III—ADDITIONAL PROVISIONS**SEC. 301. CLASSIFIED INFORMATION.**

Nothing in this Act or the amendments made by this Act shall be construed to require the public disclosure of classified information.

SEC. 302. PAPERWORK REDUCTION ACT EXEMPTION.

Section 3518(c) of title 44, United States Code, is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraph (3)”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

“(2) Notwithstanding paragraph (3), this subchapter shall not apply to the collection of information during the conduct of any evaluation, or other review conducted by the Federal Accountability and Spending Transparency Commission, or during the conduct of any audit, investigation, inspection, evaluation, or any other review conducted by the Council of Inspectors General on Integrity and Efficiency or any office of inspector general, including any office of special inspector general.”.

SEC. 303. MATCHING PROGRAM EXCEPTION FOR INSPECTORS GENERAL.

Section 6(a) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (8), by striking “and”;

(2) by redesignating paragraph (9) as paragraph (10); and

(3) by inserting after paragraph (8) the following new paragraph:

“(9) notwithstanding subsections (e)(12), (o), (p), (q), (r), and (u) of section 552a of title 5, United States Code, to compare, through a matching program (as defined in such section), any Federal records with other Federal or non-Federal records, while conducting an audit, investigation, or inspection authorized under this Act to identify weaknesses that may lead to waste, fraud, or abuse and to detect improper payments and fraud; and”.

SEC. 304. TRANSFER OF CONSOLIDATED FEDERAL FUNDS REPORT.

(a) TRANSFER OF FUNCTIONS.—The Commission and the Secretary of Commerce shall transfer the functions of the Consolidated Federal Funds Report to the website established under the Federal Funding Accountability and Transparency Act of 2006, as amended by this Act.

(b) INFORMATION.—Section 2(d) of the Federal Funding Accountability and Transparency Act of 2006, as amended by section 103 of this Act, is further amended—

(1) by striking the period at the end of paragraph (6) and inserting “; and”;

(2) by adding at the end the following new paragraph:

“(7) shall permit users to determine the following information:

“(A) For each fiscal year, the total amount of Federal funds that were obligated in each State, county or parish, congressional district, and municipality of the United States.

“(B) For each fiscal year, the total amount of Federal funds that were actually expended in each State, county or parish, congressional district, and municipality of the United States.”.

(c) CONFORMING REPEALS OF SUPERSEDED PROVISIONS.—Chapter 62 of subtitle V of title 31, United States Code, is repealed. The item relating to that chapter in the table of chapters at the beginning of subtitle V of such title is repealed.

SEC. 305. TRANSFER OF AUTHORITY OVER CATALOG OF FEDERAL DOMESTIC ASSISTANCE TO COMMISSION.

(a) TRANSFER OF AUTHORITY FROM ADMINISTRATOR OF GENERAL SERVICES AND DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET TO COMMISSION.—

(1) DEFINITION.—Paragraph (6) of section 6101 of title 31, United States Code, is amended to read as follows:

“(6) ‘Commission’ means the Federal Accountability and Spending Transparency Commission established in subchapter III of chapter 36 of this title.”.

(2) AMENDMENTS RELATING TO PROGRAM INFORMATION REQUIREMENTS.—Section 6102 of such title is amended—

(A) in subsections (a) and (b), by striking “Administrator” and inserting “Commission” both places it appears;

(B) in subsection (c)—

(i) by striking “Administrator” and inserting “Commission”;

(ii) in paragraph (3), by striking “and that the printed catalog” and all that follows through “printing”;

(iii) in paragraph (4)—

(I) by striking “transmit annually” and inserting “make”;

(II) by striking “to the Committee” and all that follows through the period and inserting

the following: “available to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.”.

(3) AMENDMENTS RELATING TO ASSISTANCE AWARDS INFORMATION SYSTEM.—Section 6102a of such title is amended—

(A) by striking subsection (b);

(B) by redesignating subsection (c) as subsection (b);

(C) by striking “Director” and inserting “Commission” each place it appears; and

(D) in subsection (b), as so redesignated—

(i) by striking “transmit promptly after the end of each calendar quarter, free of charge,” and insert “make available”;

(ii) by striking “Oversight” and inserting “Administration”.

(4) AMENDMENTS RELATING TO ACCESS TO COMPUTER INFORMATION SYSTEM.—Section 6103 of such title is amended—

(A) in subsections (a) and (c), by striking “Administrator” and inserting “Commission” each place it appears; and

(B) by striking the text of subsection (b) and inserting the following: “The Commission shall publish online all of the information contained in the information system under subsection (a) in accordance with the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).”.

(5) AMENDMENTS RELATING TO CATALOG OF FEDERAL DOMESTIC ASSISTANCE PROGRAMS.—Section 6104 of such title if amended by striking “Administrator” and inserting “Commission” each place it appears.

(6) REPEAL OF AUTHORIZATION.—Section 6106 of such title is repealed.

(b) DEADLINE FOR TRANSFER OF PROGRAM INFORMATION SYSTEM AND CATALOG OF FEDERAL DOMESTIC ASSISTANCE.—Within 180 days after the effective date of this Act, the Commission and the Administrator of General Services shall transfer the management and control of the following from the Administrator to the Commission, as required by chapter 61 of title 31, United States Code, as amended by subsection (a):

(1) The computer information system required under section 6103 of such title, as so amended.

(2) The catalog of Federal domestic assistance programs required under section 6104 of such title, as so amended.

(c) DEADLINE FOR TRANSFER OF ASSISTANCE AWARDS INFORMATION SYSTEM.—Within 180 days after the effective date of this Act, the Commission and the Director of the Office of Management and Budget shall transfer the management and control of the assistance awards information system from the Director to the Commission, as required by section 6102a of title 31, United States Code, as amended by subsection (a).

(1) The computer information system required under section 6103 of such title, as so amended.

(2) The catalog of Federal domestic assistance programs required under section 6104 of such title, as so amended.

(c) DEADLINE FOR TRANSFER OF ASSISTANCE AWARDS INFORMATION SYSTEM.—Within 180 days after the effective date of this Act, the Commission and the Director of the Office of Management and Budget shall transfer the management and control of the assistance awards information system from the Director to the Commission, as required by section 6102a of title 31, United States Code, as amended by subsection (a).

SEC. 306. GOVERNMENT ACCOUNTABILITY OFFICE IMPROVEMENT.

(a) AUTHORITY TO OBTAIN INFORMATION.—

(1) AUTHORITY TO OBTAIN RECORDS.—Section 716 of title 31, United States Code, is amended in subsection (a)—

(A) by striking “(a)” and inserting “(2)”;

and

(B) by inserting after the section heading the following:

“(a)(1) The Comptroller General is authorized to obtain such agency records as the Comptroller General requires to discharge his duties (including audit, evaluation, and investigative duties), including through the bringing of civil actions under this section. In reviewing a civil action under this section, the court shall recognize the continuing force and effect of the authorization

in the preceding sentence until such time as the authorization is repealed pursuant to law.”.

(2) COPIES.—Section 716(a) of title 31, United States Code, as amended by subsection (a), is further amended in the second sentence of paragraph (2) by striking “inspect an agency record” and inserting “inspect, and make and retain copies of, an agency record”.

(b) ADMINISTERING OATHS.—Section 711 of title 31, United States Code, is amended by striking paragraph (4) and inserting the following:

“(4) administer oaths to witnesses when auditing and settling accounts and, with the prior express approval of the Comptroller General, when investigating fraud or attempts to defraud the United States, or irregularity or misconduct of an employee or agent of the United States.”.

(c) ACCESS TO CERTAIN INFORMATION.—

(1) ACCESS TO CERTAIN INFORMATION.—Subchapter II of chapter 7 of title 31, United States Code, is amended by adding at the end the following:

“§ 721. Access to certain information

“(a) No provision of the Social Security Act, including section 453(1) of that Act (42 U.S.C. 653(1)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect or copy any record under section 716 of this title.

“(b) No provision of the Federal Food, Drug, and Cosmetic Act, including section 301(j) of that Act (21 U.S.C. 331(j)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect or copy any record under section 716 of this title.

“(c) No provision of the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (Public Law 94-435) and the amendments made by that Act shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect or copy any record under section 716 of this title, including with respect to any information disclosed to the Assistant Attorney General of the Antitrust Division of the Department of Justice or the Federal Trade Commission for purposes of pre-merger review under section 7A of the Clayton Act (15 U.S.C. 18a).

“(d)(1) The Comptroller General shall prescribe such policies and procedures as are necessary to protect from public disclosure proprietary or trade secret information obtained consistent with this section.

“(2) Nothing in this section shall be construed to—

“(A) alter or amend the prohibitions against the disclosure of trade secret or other sensitive information prohibited by section 1905 of title 18 and other applicable laws; or

“(B) affect the applicability of section 716(e) of this title, including the protections against unauthorized disclosure contained in that section, to information obtained consistent with this section.

“(e) Specific references to statutes in this section shall not be construed to affect access by the Government Accountability Office to information under statutes that are not so referenced.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 7 of title 31, United States Code, is amended by inserting after the item relating to section 720 the following:

“721. Access to certain information.”.

(d) AGENCY REPORTS.—Section 720(b) of title 31, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting “or planned” after “action taken”; and

(2) by striking paragraph (1) and inserting the following:

“(1) the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the congressional committees with jurisdiction over the agency program or activity that is the subject of the recommendation, and the Government Accountability Office before the 61st day after the date of the report; and”.

SEC. 307. AMENDMENTS TO THE INSPECTOR GENERAL ACT OF 1978 AND THE INSPECTOR GENERAL REFORM ACT OF 2008.

(a) INCORPORATION OF PROVISIONS FROM THE INSPECTOR GENERAL REFORM ACT OF 2008 INTO THE INSPECTOR GENERAL ACT OF 1978.—

(1) CLASSIFICATION AND PAY.—

(A) AMENDMENT.—Section 8G of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following new subsection:

“(i) CLASSIFICATION AND PAY.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the Inspector General of each designated Federal entity shall, for pay and all other purposes, be classified at a grade, level, or rank designation, as the case may be, at or above those of a majority of the senior level executives of that designated Federal entity (such as a General Counsel, Chief Information Officer, Chief Financial Officer, Chief Human Capital Officer, or Chief Acquisition Officer). The pay of an Inspector General of a designated Federal entity shall be not less than the average total compensation (including bonuses) of the senior level executives of that designated Federal entity calculated on an annual basis.

“(2) LIMITATION ON ADJUSTMENT.—

“(A) IN GENERAL.—In the case of an Inspector General of a designated Federal entity whose pay is adjusted under paragraph (1), the total increase in pay in any fiscal year resulting from that adjustment may not exceed 25 percent of the average total compensation (including bonuses) of the Inspector General of that entity for the preceding 3 fiscal years.

“(B) SUNSET OF LIMITATION.—The limitation under subparagraph (A) shall not apply to any adjustment made in fiscal year 2013 or each fiscal year thereafter.”.

(B) CONFORMING REPEAL.—Section 4(b) of the Inspector General Reform Act of 2008 (Public Law 110-409; 122 Stat. 4304; 5 U.S.C. App. 3 note) is repealed.

(2) PAY RETENTION.—

(A) AMENDMENT.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding after section 8L the following new section:

“SEC. 8M. PAY RETENTION.

“(a) IN GENERAL.—The provisions of section 3392 of title 5, United States Code, other than the terms ‘performance awards’ and ‘awarding of ranks’ in subsection (c)(1) of such section, shall apply to career appointees of the Senior Executive Service who are appointed to the position of Inspector General.

“(b) NONREDUCTION IN PAY.—Notwithstanding any other provision of law, career Federal employees serving on an appointment made pursuant to statutory authority found other than in section 3392 of title 5, United States Code, shall not suffer a reduction in pay, not including any bonus or performance award, as a result of being appointed to the position of Inspector General.”.

(B) CONFORMING REPEAL.—Section 4(c) of the Inspector General Reform Act of 2008 (Public Law 110-409; 122 Stat. 4304; 5 U.S.C. App. 3 note) is repealed.

(3) ALLEGATIONS OF WRONGDOING AGAINST SPECIAL COUNSEL OR DEPUTY SPECIAL COUNSEL.—

(A) AMENDMENT.—Section 11(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following new paragraph:

“(12) ALLEGATIONS OF WRONGDOING AGAINST SPECIAL COUNSEL OR DEPUTY SPECIAL COUNSEL.—

“(A) SPECIAL COUNSEL DEFINED.—In this paragraph, the term ‘Special Counsel’ means the Special Counsel appointed under section 1211(b) of title 5, United States Code.

“(B) AUTHORITY OF INTEGRITY COMMITTEE.—

“(i) IN GENERAL.—An allegation of wrongdoing against the Special Counsel or the Deputy Special Counsel may be received, reviewed, and referred for investigation by the Integrity Committee to the same extent and in the same manner as in the case of an allegation against an Inspector General (or a member of the staff of an Office of Inspector General), subject to the requirement that the Special Counsel recuse himself or herself from the consideration of any allegation brought under this paragraph.

“(ii) COORDINATION WITH EXISTING PROVISIONS OF LAW.—This paragraph does not eliminate access to the Merit Systems Protection Board for review under section 7701 of title 5, United States Code. To the extent that an allegation brought under this subsection involves section 2302(b)(8) of that title, a failure to obtain corrective action within 120 days after the date on which that allegation is received by the Integrity Committee shall, for purposes of section 1221 of such title, be considered to satisfy section 1214(a)(3)(B) of that title.

“(C) REGULATIONS.—The Integrity Committee may prescribe any rules or regulations necessary to carry out this paragraph, subject to such consultation or other requirements as might otherwise apply.”.

(B) CONFORMING AMENDMENT.—Section 7(b) of the Inspector General Reform Act of 2008 (Public Law 110-409; 122 Stat. 4312; 5 U.S.C. 1211 note) is repealed.

(b) AGENCY APPLICABILITY.—

(1) AMENDMENTS.—The Inspector General Act of 1978 (5 U.S.C. App.), as amended by subsection (a), is further amended—

(A) in section 8L—

(i) in subsection (a)(1)—

(I) by striking the first “agency” and inserting “Federal agency and designated Federal entity”; and

(II) by striking the second and third “agency” and inserting “Federal agency or designated Federal entity”; and

(ii) in subsection (b)—

(I) in paragraph (1), by striking “agency” and inserting “Federal agency and designated Federal entity”; and

(II) in paragraph (2)—

(aa) in subparagraph (A), by striking “agency” and inserting “Federal agency and designated Federal entity”; and

(bb) in subparagraph (B), by striking “agency” and inserting “Federal agency and designated Federal entity”; and

(B) in section 11(c)(3)(A)(ii), by striking “department, agency, or entity of the executive branch” and inserting “Federal agency or designated Federal entity”.

(2) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the head and the Inspector General of each Federal agency and each designated Federal

entity (as such terms are defined in sections 12 and 8G of the Inspector General Act of 1978 (5 U.S.C. App.), respectively) shall implement the amendments made by this subsection.

(c) REQUIREMENTS FOR INSPECTORS GENERAL WEBSITES.—Section 8L(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking “report or audit (or portion of any report or audit)” and inserting “audit report, inspection report, or evaluation report (or portion of any such report)”;

(2) by striking “report or audit (or portion of that report or audit)” and inserting “report (or portion of that report)” each place it appears.

(d) CORRECTIONS.—

(1) EXECUTIVE ORDER NUMBER.—Section 7(c)(2) of the Inspector General Reform Act of 2008 (Public Law 110-409; 122 Stat. 4313; 31 U.S.C. 501 note) is amended by striking “12933” and inserting “12993”.

(2) PUNCTUATION AND CROSS-REFERENCES.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in section 6(a)(4), by striking “information, as well as any tangible thing)” and inserting “information”, as well as any tangible thing”;

(B) in section 8G(g)(3), by striking “8C” and inserting “8D”.

(3) SPELLING.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in section 3(a), by striking “subpena” and inserting “subpoena”;

(B) in section 6(a)(4), by striking “subpena” and “subpenas” and inserting “subpoena” and “subpoenas”, respectively;

(C) in section 8D(a)—

(i) in paragraph (1), by striking “subpenas” and inserting “subpoenas”;

(ii) in paragraph (2), by striking “subpena” and inserting “subpoena”, each place it appears;

(D) in section 8E(a)—

(i) in paragraph (1), by striking “subpenas” and inserting “subpoenas”;

(ii) in paragraph (2), by striking “subpena” and inserting “subpoena” each place it appears; and

(E) in section 8G(d), by striking “subpena” and inserting “subpoena”.

(e) REPEAL.—Section 744 of the Financial Services and General Government Appropriations Act, 2009 (division D of Public Law 111-8; 123 Stat. 693; 5 U.S.C. App. 8L) is repealed.
SEC. 308. LIMITS AND TRANSPARENCY FOR TRAVEL AND CONFERENCE SPENDING.

(a) TRAVEL EXPENSES OF FEDERAL AGENCIES RELATING TO CONFERENCES.—

(1) LIMITATIONS AND REPORTS ON TRAVEL EXPENSES TO CONFERENCES.—Chapter 57 of title 5, United States Code, is amended by inserting after section 5711 the following:

“§ 5712. Limitations and reports on travel expenses to conferences

“(a) In this section, the term—

“(1) ‘conference’ means a meeting that—

“(A) is held for consultation, education, or discussion;

“(B) is not held entirely at an agency facility;

“(C) involves costs associated with travel and lodging for some participants; and

“(D) is sponsored by 1 or more agencies, 1 or more organizations that are not agencies, or a combination of such agencies or organizations; and

“(2) ‘international conference’ means a conference attended by representatives of—

“(A) the United States Government; and

“(B) any foreign government, international organization, or foreign nongovernmental organization.

“(b) No agency may pay the travel expenses for more than 50 employees of that agency who are stationed in the United States, for any international conference occurring outside the United States, unless the Secretary of State determines that attendance for such employees is in the national interest.

“(c) At the beginning of each quarter of each fiscal year, each agency shall post on the public Internet website of that agency a report on each conference for which the agency paid travel expenses during the preceding 3 months that includes—

“(1) the itemized expenses paid by the agency, including travel expenses, the cost of scouting for and selecting the location of the conference, and any agency expenditures to otherwise support the conference;

“(2) the primary sponsor of the conference;

“(3) the location of the conference;

“(4) in the case of a conference for which that agency was the primary sponsor, a statement that—

“(A) justifies the location selected;

“(B) demonstrates the cost efficiency of the location; and

“(C) provides a cost benefit analysis of holding a conference rather than conducting a teleconference;

“(5) the date of the conference;

“(6) a brief explanation how the conference advanced the mission of the agency;

“(7) the title of any Federal employee or any individual who is not a Federal employee whose travel expenses or other conference expenses were paid by the agency; and

“(8) the total number of individuals whose travel expenses or other conference expenses were paid by the agency.

“(d) Each report posted on the public Internet website under subsection (c) shall—

“(1) be in a searchable electronic format; and

“(2) remain on that website for at least 5 years after the date of posting.”

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5711 the following:

“5712. Limitations and reports on travel expenses to conferences.”

(b) LIMITATIONS ON ANNUAL TRAVEL EXPENSES.—

(1) IN GENERAL.—In the case of each of fiscal years 2012 through 2016, an agency (as defined under section 5701(1) of title 5, United States Code) may not make, or obligate to make, expenditures for travel expenses, in an aggregate amount greater than 80 percent of the aggregate amount of such expenses for fiscal year 2010.

(2) IDENTIFICATION OF TRAVEL EXPENSES.—

(A) RESPONSIBILITIES.—Not later than September 1, 2012 and after consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts, the Director of the Office of Management and Budget shall establish guidelines for the determination of what expenses constitute travel expenses for purposes of this subsection. The guidelines shall identify specific expenses, and classes of expenses, that are to be treated as travel expenses.

(B) EXEMPTION FOR MILITARY TRAVEL.—The guidelines required under subparagraph (A) shall exclude military travel expenses in determining what expenses constitute travel expenses. Military travel expenses shall include travel expenses involving military combat, the training or deployment of uni-

formed military personnel, and such other travel expenses as are determined under the guidelines.

(c) CONFERENCE TRANSPARENCY AND LIMITATIONS.—

(1) DEFINITIONS.—In this subsection—

(A) the term “agency” has the meaning given under section 5701(1) of title 5, United States Code; and

(B) the term “conference” has the meaning given under section 5712(a)(1) of that title (as added by subsection (a)).

(2) PUBLIC AVAILABILITY OF CONFERENCE MATERIALS.—Each agency shall post on the public Internet website of that agency detailed information on any presentation made by any employee of that agency at a conference, including—

(A) any minutes relating to the presentation;

(B) any speech delivered;

(C) any visual exhibit, including photographs or slides;

(D) any video, digital, or audio recordings of the conference; and

(E) information regarding any financial support or other assistance from a foundation or other non-Federal source used to pay or defray the costs of the conference, which shall include a certification by the head of the agency that there is no conflict of interest resulting from the support received from each such source.

(3) LIMITATION ON AMOUNT EXPENDED ON A CONFERENCE.—

(A) IN GENERAL.—No agency may expend more than \$500,000 to support a single conference.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a foundation or other non-Federal source to pay or defray the costs of a conference the total cost of which exceeds \$500,000.

(4) LIMITATION ON THE ANNUAL NUMBER OF CONFERENCES AN AGENCY MAY SUPPORT.—No agency may expend funds on more than a single conference sponsored or organized by an organization during any fiscal year, unless the agency is the primary sponsor and organizer of the conference.

SEC. 309. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

The American people have a right to know that taxpayer dollars are well spent. We have a responsibility to stay up with the times. As government has

grown, waste, fraud, abuse, and mismanagement have increased. Today, however, the technology is before us, if we simply embrace it, to do a far better job of accounting for every dollar spent on behalf of the American people. That's not just the American dollars that are spent by the Federal Government, but dollars passed on to the private sector, to the States, to public entities, and to nonprofits.

Today, as those trillions of dollars are put out, we find that we don't know where they're spent. At best, we know the first place they went to. Under the Recovery Act, often called the "stimulus," we can all disagree or agree on how the money was spent; but unlike previous appropriations, under that act, we found a way to do a better job of tracing the dollars, of tracing the dollars through recipient reporting—a system that, although costing a little bit to do, ultimately once set up saves money.

The DATA Act before us today will literally track those trillions of dollars in a way not done outside of the Recovery Act. Quite frankly, we owe a debt of gratitude to the Recovery Board for showing us an effective system on which we could build.

Just a few days ago, our committee, on a very bipartisan basis, evaluated the GSA's lavish spending. They explained to us that part of the way they spent \$830,000-plus was, in fact, to cobble together, as they put it, multiple baskets of money—meaning, if you didn't know or couldn't trace how they'd spent their money, you wouldn't know that it was spent on a mind reader and a clown. You wouldn't know that those 10 trips, essentially, were publicly funded trips so that key executives could have family vacations.

With the DATA Act, we expect that and many other wasteful practices to be brought to an end. Some of them will be brought to an end by the ranking member and our work on the committee, but a great many of them will be brought to bear by the American people being able to search online and learn what they currently cannot learn.

The DATA Act has been a bill that has been, unlike many, completely bipartisan. The minority and the majority have worked hand in hand. We come to you today with a bill that has been agreed to and that will save—I repeat, save—billions of dollars. Additionally, we do, in fact, amend some of the abuses under the GSA scandal and do so based on the good work of Representative DENNIS ROSS of Florida, who introduced strong language to do exactly what we're doing today.

Before we go on, let me just say that I want to thank the ranking member, because the work on this bill and the reason this bill is before us on suspension is that we've been able to work hand in hand with members of the ma-

majority and minority and with key staff on both sides to make sure that we have a bill that will pass the House, hopefully, on a unanimous basis, and clearly, we'll see the Senate send a message that it's time for accountability generated from bipartisan work in the House.

I reserve the balance of my time.

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

First, let me say that the chairman, Chairman ISSA, has worked very closely with us as we have cosponsored this bill and has worked hard to make sure that all of its provisions are satisfactory to this side. So he is absolutely right, Madam Speaker, it is truly a bipartisan bill. Again, I thank him.

Taxpayers deserve to know how their money is being spent, and we on our committee and all those in Congress believe we have a responsibility to ensure that those hard-earned tax dollars are spent effectively and efficiently. H.R. 2146, the Digital Accountability and Transparency Act, will make the Federal Government more accountable by making it easier for taxpayers to see where their money is going. By making government spending more transparent, we will, hopefully, reduce wasteful spending.

This bill aims to capitalize on the success of the Recovery Accountability and Transparency Board. The Democrats in Congress created the board as part of the Recovery Act in 2009. In addition to promoting job creation, economic activity and long-term growth, the Recovery Act fostered unprecedented accountability and transparency in government spending. Under the administration's implementation and the RAT Board's oversight, the Recovery Act has had historically low levels of waste, fraud, and abuse. The successful implementation of the Recovery Act should be a model for improving transparency and accountability in all Federal spending.

The DATA Act would do many of the same things the President directed by executive order on June 13, 2011. The DATA Act would establish a new, independent commission to lead the government's efforts on Federal spending transparency and accountability. The new commission would be authorized to set government-wide data standards and to coordinate the oversight of Federal funds to prevent waste, fraud, and abuse.

I supported this legislation when it was considered by the Oversight Committee in June, but I had several concerns which I asked Chairman ISSA to work with me on addressing. I commend the chairman for bringing an amendment to the floor today that addresses those concerns.

This bill also includes language requiring agencies to disclose their spending on conferences and to justify

their locations and cost efficiency. The bill, as amended, also requires agencies to reduce their travel spending by 20 percent from fiscal year 2010 levels. The President directed agencies to reduce travel spending in an executive order issued on November 9, 2011.

When he signed that executive order to cut waste and promote efficient spending, he said this:

We can't wait for Congress to act. We can't wait for them to get our fiscal house in order and make the investments necessary to keep America great. That's why, today, I'm signing an executive order that will build on our efforts to cut waste and promote more efficient spending across the government. We're cutting what we don't need so that we can invest in what we do need.

Let's show the President that Congress can and will act to reduce wasteful spending. I urge my colleagues to join me, our chairman, and our committee in supporting this legislation.

With that, Madam Speaker, I reserve the balance of my time.

Mr. ISSA. Madam Speaker, I would now like to yield 5 minutes to the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. If people call my office and ask a simple question, something as simple as, How much did this cost?, it is difficult for even a Member of Congress to be able to track down all the details. How much was allotted for that grant? How much was actually spent? How much was that contract? How much was actually spent? How much does this agency spend on X number of programs or on this specific program?

An individual hardworking taxpayer should be able to go research that out. Outside groups should be able to research that and should be able to develop some way to systematically research and compare. Right now, we can't do that.

□ 1340

We may do something as labor intensive as mail them something, or email them some things that we found, or maybe get a PDF document and be able to send it in, or send them to an agency Web site, but there is no systematic structured way to be able to compare last year to this year, one agency to another agency, how this contract was done, how this grant was done. This is a great moment to be able to bring all that information together so that every group, including Congress, can pull that data and can research it.

This gets to the essence of why transparency is such a big deal because we want every single taxpayer to be able to look in and be able to see how their money is spent. That's an appropriate way to be able to respond to this.

This also eliminates the duplication reporting from a contractor or an agency that is actually trying to file this information to not have to do it multiple times, to make it more efficient.

This deals with the inconsistent requirements of reporting across different platforms. This deals with the basics of grant and contract recipients being able to also report in that data, as was done by the Recovery Board, which has been very successful in getting accurate information in.

This also engages those outside individuals, grant writers, grant recipients, and contract recipients, to be able to come back in and process that data so we get real-time information. And it deals with one of the most basic things: efficient use of money. In this particular bill, it deals with all these conferences, reducing the cost of government conferences, finding some way to be able to put some parameters around them and structure, so that money is not pulled from one place or another to be able to function in conference, a conference that doesn't have a quarter of a million dollars budget spending \$850,000 for a single event.

I reiterate what we have said on both sides of the aisle: transparency is not a partisan issue. This is a bipartisan bill, and whoever is in the White House and whoever is running agencies, just like Congress, is accountable to all the American people.

This makes all of what we do publicly available, easy to be able to research, easy to be able to compare. It is a simple way to take this on. I'm strongly in support of this and grateful that it's a very bipartisan act.

Mr. CUMMINGS. Madam Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentleman for yielding and for his leadership, and I thank the chairman for his leadership.

This is truly a bipartisan effort, and one that is sorely needed, as we can see from the hearing that we held last week in the Oversight and Government Reform Committee on the General Services Administration. And it was just outrageous that they would spend over \$800,000 for some conference with mind readers and clowns when so many Americans are struggling and working hard.

This bill will help prevent this type of abuse from happening again, and I am rising in strong support of H.R. 2146, the Digital Accountability and Transparency Act.

It is good government, it is bipartisan, it is something that we can all agree on. It is common sense, and if it had been in place earlier we could have possibly prevented the type of abuse that we are both dedicated to cleaning up.

This bill will improve congressional oversight of how Federal dollars are being spent. This bill does this by creating a single online portal for information about where Federal spending can be tracked. The bill requires recipients of Federal grants, loans, and con-

tracts to disclose how much money they receive and how that money is spent, and reduces the compliance burden on recipients of Federal funds by streamlining reporting and establishing universal data standards.

The Congressional Budget Office has certified that:

H.R. 2146 contains no intergovernmental or private-sector mandates, as defined by the Unfunded Mandates Reform Act (UMRA), and would impose no additional costs on State, local or tribal governments.

This is designed to save money and to save the taxpayers, and to allow the public to have insight into how these dollars are being spent, too.

The DATA Act capitalizes on the reporting required under the American Recovery and Reinvestment Act and President Obama's executive order establishing the Government Accountability and Transparency Board, and it will give legislative teeth to increase transparency and accountability over Federal spending across the government.

The DATA Act also caps nonmilitary travel spending at 20 percent below FY10 levels and limits both the number of and amount spent on agency conferences, which will save taxpayers hundreds of millions of dollars per year.

So this is truly something we can all agree upon. The technology is there. This bill puts the political will behind having this accountability. We do know how to track this. This will be in one centralized place, it will be available to the public, and it's an improvement in all ways.

Currently available data on Federal spending is incomplete, confusing, and inconsistent. This act would centralize and simplify the convoluted reporting that is in place now, and everything would be reported in the same way. The bill also includes uniform reporting from the recipients of the Federal funds and, very importantly, all of this would be available to the public.

The independent commission that would be established by this would be responsible for publishing and monitoring Federal spending. A number of diverse groups have come out in favor of it. I have roughly 20 groups that have written in support of the bill, from the Citizens for Responsibility and Ethics in Washington, to the Taxpayers for Common Sense, to POGO, to OMB Watch.

I believe this is an important bill. I believe it will make the government perform better, save taxpayers money, and the time of those who are tracking where these dollars are going. It is well overdue, and it should pass today.

I urge all of my colleagues on both sides of the aisle to vote for this important piece of legislation.

POGO AND PARTNERS STRONGLY SUPPORT
PASSAGE OF THE DATA ACT

April 23, 2012.

MEMBERS OF THE HOUSE OF REPRESENTATIVES: We, the undersigned organizations,

are writing in strong support of the Digital Accountability and Transparency Act (DATA Act), H.R. 2146, which is planned for a floor vote this Wednesday. The DATA Act is an important step towards improving federal financial transparency and would empower the public to better understand how their federal dollars are being spent.

Currently available data on federal spending is incomplete and inconsistent. The DATA Act would centralize and simplify the convoluted spending reporting standards so that every government agency reports their spending in the same way. Importantly, the bill also includes uniform reporting from recipients of federal funds. All of this information will be readily available to the public.

The DATA Act establishes an independent commission responsible for publishing and monitoring federal spending, modeled after the Recovery Accountability and Transparency Board. It also sets consistent government-wide standards for financial data reporting. Its enactment will greatly improve the scope, granularity, timeliness, usefulness, and accuracy of public reports on federal spending beyond what is currently available.

Concerns many of us expressed with earlier versions of the legislation have been addressed. For example, the bill provides for continuity of the Federal Funding Accountability and Transparency Act and USAspending.gov. It ensures that reporting requirements will persist even if the Commission sunsets. It requires prime federal award recipients to identify all sub-awards, and expands Treasury Department reporting requirements. It also strengthens the Government Accountability Office's ability to obtain certain agency records.

This bill, introduced by Rep. Darrell Issa (R-CA), cosponsored by Rep. Elijah Cummings (D-MD) and 13 others, was passed unanimously by the House Oversight and Government Reform Committee, and enjoys strong bipartisan support.

We urge that you be present and vote "yes" on the DATA Act to shine a light on the spending of our tax dollars.

For more information, please contact Daniel Schuman of the Sunlight Foundation, Angela Canterbury of the Project on Government Oversight, or Sam Rosen-Amy of OMB Watch.

Sincerely,

Center for Responsive Politics, Citizens for Responsibility and Ethics in Washington, (CREW), Cost of Government Center, Data Transparency Coalition, Electronic Frontier Foundation, Fore See, Global Financial Integrity, iSolon.org, Jubilee USA Network, Liberty Coalition, Missionary Oblates US Province.

National Freedom of Information Coalition, National Priorities Project, OMB Watch, OpenTheGovernment.org, Progressive Librarians Guild, Project on Government Oversight (POGO), Tabulaw Inc., Taxpayers for Common Sense Action, Taxpayers Protection Alliance, The Sunlight Foundation, U.S. Transparency, Washington Coalition for Open Government, WashingtonWatch.com.

Mr. ISSA. Madam Speaker, I yield 3 minutes to the gentleman from Florida (Mr. ROSS), the author of many of the reforms in this bill.

Mr. ROSS of Florida. Thank you, chairman, for yielding.

Madam Speaker, I rise in strong support of the Digital Accountability and

Transparency Act of 2011, also known as the DATA Act.

The DATA Act finally does what America wants: opens up the books of government and lets the taxpayers see what is being spent. The bill also cuts agency travel spending by hundreds of millions of dollars per year, a great and necessary first step.

By requiring Federal agencies to report how their funds are spent and capping travel expenses, this common-sense bipartisan bill will bring much-needed accountability and transparency to Federal spending. The DATA Act should also send a clear message to bureaucrats here in Washington, D.C.

The American taxpayer is watching, and they're sick and tired of the blank-check mentality. Let's make sure that taxpayer dollars are no longer spent on lavish conferences. But with this bill we can also begin to crowdsource all Federal spending.

I thank the gentleman from California (Mr. ISSA) for introducing this bill and for his leadership on transparency and accountability in government. Let's make sure that common sense becomes something common in government.

Please join me in supporting the DATA Act.

Mr. CUMMINGS. I yield myself such time as I may consume.

As the Chairman stated and others have stated on this floor, we saw the abuses that took place at GSA, and we will certainly continue to follow them, because I believe that all of us were very upset about those abuses, Madam Speaker.

One of the things that we do believe is that the legislation like this is so important because it shines a light on how money is being spent. It won't solve all the problems, but it certainly will solve a lot of them.

□ 1350

One of the things that Mr. Devaney said, who was over the stimulus bill and the RAT Board there, is that he wanted to do certain things that not only would lay out a formula for accountability, but would prevent people from even abusing the system.

Again, I think what we're doing here puts us out front of, hopefully, some things that people may have been thinking about doing. We don't even want to think about it because there are so many people in our districts who work so hard to earn their money, and they don't mind paying their taxes, they don't mind sacrificing, as long as they know that that money is being spent effectively and efficiently.

One of the things that we have to do, Madam Speaker, is to make sure that we establish and maintain a trust with them so that when they write that check, they know it's going towards the roads that they want to see built,

going towards making sure the air is clean, and making sure that the park rangers are present. They want to see that money spent properly. They don't want to see it spent on some bureaucrats flying around the country using the money in an improper way.

So with this bipartisan bill, I think we send a message to the public that we're going to do everything in our power to make sure that they have as much information as possible about where that money goes when it leaves their checking account. And because of that and because this bill is so significant and because it is about a truly bipartisan effort, I'm hoping that we will have every Member of the House voting in favor of it.

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

Mr. ISSA. I yield myself such time as I may consume.

Madam Speaker, the expression we often hear about success and failure is that success has many fathers, while, in fact, failure is an orphan. This bill will not be an orphan. In fact, the work of Ranking Member CUMMINGS, along with Representative MALONEY, Representative SHERMAN, Representative COLLIN PETERSON, and the former chairman of the full committee, ED TOWNS, on just one side, have been critical in getting this done. The support of JASON CHAFFETZ, DAN BURTON, BLAKE FARENTHOLD, the gentleman who spoke a minute ago, JAMES LANKFORD, MIKE KELLY, TOM LATHAM, PATRICK MCHENRY, and DENNIS ROSS all have been critical in this process.

But perhaps less often heard, as the ranking member referred, former Inspector General and chairman of the Recovery Board, Earl Devaney, has been critical to shepherding the process that has gone over two Congresses, and I want to thank him personally while he's enjoying his well-earned retirement. Along with him was Vice President JOE BIDEN, who has been supportive and helped us in this process and held numerous meetings at the White House on behalf of it. In the Senate, MARK WARNER of Virginia has championed and introduced the companion product, making it bipartisan in both Houses.

Additionally, as I think the ranking member alluded to, the Sunlight Foundation, the Project on Government Oversight, the American Institute of Certified Public Accountants, the Americans for Tax Reform, the Data Transparency Coalition, and XPRL US have all been critical. The last one I mentioned is particularly critical because the need for standards that ultimately are set that allow for this transparency are going to come not from us in government but from organizations who have open and transparent capability that we will leverage. All of these and more are to be thanked today.

I want to close by saying the winners of this effort will be the American people. It will be the American people because when this is fully implemented, the American people, who are used to Googling for information outside of government, will find it possible to get meaningful information on where their hard-earned tax dollars are being spent just as quickly. And that's the goal of our committee: to recognize that the hundred-or-so staff and members on both sides of the aisle of the Oversight Committee cannot protect the American people alone. The 12,000-or-so members of the Inspector General's staff throughout government cannot protect the American people alone. But with data transparency and more access and sunlight available more broadly, we believe that these organizations can, in fact, have the kind of whistleblowers and information providers that will allow us to scrub the balance sheet to wrench out waste, fraud, and abuse in our government at any level.

So I join with the ranking member in urging its unanimous support and yield back the balance of my time.

Mr. CONNOLLY of Virginia. Madam Speaker, the Oversight and Reform Committee marked up the DATA Act without holding a single hearing about the advisability of creating additional, duplicative reporting requirements for grantees, subgrantees, contractors and subcontractors. The reporting requirements imposed by this bill would affect local and state governments, colleges and universities, and private sector federal contractors and subcontractors. I ask unanimous consent to include for the RECORD statements from the National Governors Association, National Association of Counties, National League of Cities, National Association of Chief Information Officers, International City/County Management Association, National Association of State Budget Officers, National Association of State Auditors, Comptrollers, and Treasurers, Government Finance Officers Association, and George Mason University opposing this legislation.

The authors of this bill believe that creating these additional regulations on the private sector and mandates on state and local governments will cost \$51 million per year, which is the new spending authorized by the DATA Act. That only represents the direct cost, not the indirect costs taxpayers will bear if local and state governments and colleges and universities must spend more money filing paperwork to comply with the requirements of this bill. That cost also does not account for the costs to private sector businesses to comply with new regulations imposed by this bill. University and contractor associations have not taken a public position opposing this legislation because of last-minute changes to the bill made by Mr. ISSA's staff.

These changes should have been made during Committee or Subcommittee markup, but our Committee engaged in no substantive deliberations about the content of the bill in that context. As a result, today we have a bill that probably is less costly to both public and private entities but nonetheless still creates

new private and public sector regulations and mandates at a significant cost. I remain concerned that the laudable goal of creating a single reporting system for federal spending could be lost in a maze of duplicative and conflicting reporting requirements as a result of this bill.

It is ironic that a bill whose stated purpose is transparency would be rammed through Committee and then brought to the floor with last-minute changes made in the least public manner possible. As a result of this convoluted legislative process, there may be problems with the current text of the DATA Act which have not been subjected to review by the committee of jurisdiction. I hope that the Senate reviews the current text of this bill carefully not only because of the bill's costs, new regulations, and new mandates, but also because the haphazard manner in which the bill was written increases the likelihood that there are drafting errors, duplicative regulations, or provisions that are inconsistent with current law.

It should be obvious that our committee could work in a bipartisan manner to promote transparency through legislation like the DATA Act, but certain provisions of this bill and the lack of deliberation in developing it expose stakeholders to potential negative unintended consequences. For these reasons I must oppose this legislation.

GOVERNMENT FINANCE OFFICERS ASSOCIATION; INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION; NATIONAL ASSOCIATION OF COUNTIES; NATIONAL ASSOCIATION OF STATE AUDITORS, COMPTROLLERS AND TREASURERS; NATIONAL ASSOCIATION OF STATE BUDGET OFFICERS; NATIONAL ASSOCIATION OF STATE CHIEF INFORMATION OFFICERS; NATIONAL LEAGUE OF CITIES,

April 24, 2012.

Hon. DARRELL ISSA,
Chairman, Oversight and Government Reform
Committee, House of Representatives, Wash-
ington, DC.

DEAR CHAIRMAN ISSA: On behalf of the above listed organizations, we are writing to commend you on your efforts to further transparency and accountability in federal spending and to express our sincere appreciation to your staff in working with many of our organizations to include recommended changes in the most recent draft amendment to H.R. 2146, the Digital Accountability and Transparency Act. We agree with the long term purpose of the Act to consolidate and streamline the reporting of federal funds. However, in addition to the overall goals of modernization, efficiency and accountability, the shift toward data reporting standardization should keep in mind the costs and burdens for fiscally strained state and local governments and other federal grant recipients.

While there are a number of positive changes contained in the most recent draft, we remain concerned about the magnitude of reporting and the stated timelines for implementation. The lack of funding for state and local governments to carry out the reporting and necessary oversight is disappointing given the enormous administrative challenges inherent in implementing Recovery Act-type reporting for all grants and contracts. Having adequate staff and sufficient equipment and data systems are essential to effective implementation and oversight.

The ultimate success of Recovery Act reporting and the resulting low level of fraud and abuse can be attributed not only to the work of the Recovery Accountability and Transparency Board but also to the commitment and dedication of accountability and oversight professionals at the state and local levels. It was recognized early on that the lack of funding for state and local governments was a major oversight and shortcoming of the original Recovery Act, and it appears that this shortcoming will be repeated in the DATA Act.

We believe that an efficient and streamlined reporting process, such as the one established in the DATA Act, hinges on identifying challenges and establishing well thought out and vetted business processes. Relying on the success of reporting for a small number of ARRA grants and contracts and expanding that universe to include all federal awards will require significant planning and resources.

We have recently become aware that the current Recovery Accountability and Transparency Board will conduct a grants information reporting pilot project this summer to identify cost efficiencies and the potential pitfalls of moving toward a centralized system for data collection and warehousing. Such a pilot would be an important step in identifying the plausibility of expanding ARRA-like reporting requirements to the entire universe of grants and contracts.

As we have suggested previously, we believe that developing a phased-in approach to implementing the DATA Act would allow for grant recipients to establish the appropriate processes for such an enormous endeavor. Such an approach would also give the Recovery Board an opportunity to undertake its planned information reporting pilots and would help to mitigate the reoccurring data quality problems that have plagued USASpending.gov.

While we support the intent of the DATA Act, trying to implement the requirements on all grants and contracts all at once will severely limit the chances of meeting the intended goals and objectives. We hope that you will reconsider the legislation in its current form to develop a reasonable phased-in approach for implementation and that you will consider adding a funding provision to support state and local governments, which will be essential partners for successful implementation.

We look forward to continuing the dialog on this important initiative. Please feel free to contact our representatives in Washington should you have any questions or desire further information.

MICHAEL BELARMINO,
NACO.
CORNELIA CHEBINOU,
NASACT.
LARS ETZKORN, NLC.
SUSAN GAFFNEY, GFOA.
ELIZABETH KELLAR, ICMA.
SCOTT PATTISON, NASBO.
PAM WALKER, NASCIO.

NGA OPPOSES DATA ACT LEGISLATION

WASHINGTON.—The National Governors Association (NGA) today issued the following statement regarding the establishment of an independent agency in the executive branch to improve transparency in federal spending and coordinate investigations to prevent fraud:

“While governors support the need for transparency in accountability and reporting, they have long opposed unfunded mandates.

“The DATA Act (H.R. 2146) builds upon lessons learned by states in tracking federal funds under the American Recovery and Reinvestment Act. Unfortunately, funding is not provided for the Act's numerous new requirements.

“Without funding for state compliance, governors cannot implement the bill and therefore do not support the passage of the DATA Act. Governors encourage Congress to work with them to develop a more workable solution that meets the needs of states.

GEORGE MASON UNIVERSITY, OFFICE
OF THE VICE PRESIDENT, RE-
SEARCH AND ECONOMIC DEVELOP-
MENT,

Fairfax, VA, April 24, 2012.

Hon. Gerry Connolly,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE CONNOLLY: I am writing to you regarding H.R. 2146, the Digital Accountability and Transparency Act (DATA Act), which is scheduled to be considered on the House Floor tomorrow. George Mason University very much appreciates all your efforts to make the necessary changes in the bill so it would accomplish the goal of more accountability and transparency in federal spending by enhancing the reporting requirements of Federal agencies and recipients of federal funds. We support this goal and also recognize the sincere efforts of all those involved to meet the concerns of the various stakeholders. Nevertheless, we continue to oppose the bill for the following reasons.

The bill requires recipients to report, not less than quarterly, any transaction, basic location information, individual Federal awards by agency, the total amount of funds received and the amount of funds expended or obligated for an individual award per quarter, subawardees (or prime awardee depending on status of recipient) and any additional information requested. Mason has approximately 650 active awards totaling over \$285 million. Mason already reports on each of these, and to do so on a quarterly basis would require an additional 2½-3 additional FTEs. This is just the administrative cost to our Office of Sponsored Programs, not counting the time PIs would have to spend. Since State funds are dwindling and administrative costs allowed in indirect costs are capped at 26% the Act will impact our budget.

It should be noted that the Federal Demonstration Partnership found that the Recovery Act quarterly reporting resulted in each award costing an additional \$7900 to administer, for little useful information. Research is about creating and advancing knowledge and is less prone to duplication and abuse because researchers generally know their peers and their published work. We have several other concerns such as the FAST Commission and the penalties for non-compliance, but the cost of quarterly reporting is the most direct.

Again, thank you for all you do on behalf of George Mason University. I look forward to continuing to work with you. Please let me know if you have any questions.

Sincerely,

KERRY D. BOLOGNESE,
Director of Federal Relations.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to speak on H.R. 2146, the DATA Act. I join all of my colleagues on both sides of the aisle in supporting greater transparency in Federal grants and contracts. But the details in how we reach

that goal are important. The bill as reported by the Committee on Oversight and Government Reform would have created an extra level of bureaucracy and duplicative reporting of financial data in addition to an administrative tax on scarce Federal research dollars and an unfunded mandate imposed on our already struggling universities.

Research universities, the economic engines of our Nation, typically receive research grants from 6–7 Federal agencies, each with its own financial reporting requirements and data standards. The bill as introduced would simply have added one more agency, in the form of the new Commission, to which universities would have to report. This would have increased the administrative costs on Federal research dollars without providing any new information about funding to those institutions.

The amendment being considered today is a big improvement on the original bill in ensuring that financial reporting of Federal grants and contracts is standardized and consolidated to reduce the overall administrative burden on grant recipients such as universities while providing the increased transparency that is the goal of this bill. I want to express my appreciation to Chairman ISSA and Ranking Member CUMMINGS for working closely with the university groups to address these issues.

However, I believe that more work still needs to be done on this bill to guarantee that financial reporting is fully streamlined and agencies are required to comply with a consolidated reporting system. I understand that the transition will be difficult for all involved, including both the granting agencies and the grant recipients, but I also believe that a consolidated financial reporting system is good for the government and good for the taxpayer.

I share with some of my colleagues other concerns that have been expressed about this bill, but today I speak only in my role as Ranking Member of the Committee on Science, Space, and Technology. I hope that Chairman ISSA and Ranking Member CUMMINGS will maintain their open dialogue with the universities and other Federal grant and contract recipients about the details of this bill as it moves forward. I believe we all share the goal of increased transparency while keeping U.S. research dollars directed to ground-breaking research that is the foundation of our economic growth, rather than to additional paperwork.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 2146, as amended.

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

A motion to reconsider was laid on the table.

SMALL BUSINESS CREDIT AVAILABILITY ACT

Mr. LUCAS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3336) to ensure the exclusion of

small lenders from certain regulations of the Dodd-Frank Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3336

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Business Credit Availability Act”.

SEC. 2. CLARIFICATION OF SWAP DEALER DEFINITION.

Section 1a(49) of the Commodity Exchange Act (7 U.S.C. 1a(49)) is amended by striking all that follows subparagraph (A)(iv) through subparagraph (C) and inserting the following: “provided however, in no event shall an insured depository institution, an institution chartered and operating under the Farm Credit Act of 1971, or a United States uninsured branch or agency of a foreign bank that has a prudential regulator be considered to be a swap dealer to the extent that it enters into a swap—

“(I) with a customer that is seeking to manage risk in connection with an extension of credit by the institution to, on behalf of, or for the benefit of, the customer; or

“(II) to offset the risks arising from a swap that meets the requirement of subclause (I).

“(B) INCLUSION.—A person may be designated as a swap dealer for a single type or single class or category of swap or activities and considered not to be a swap dealer for other types, classes, or categories of swaps or activities.

“(C) EXCEPTIONS.—

“(i) The term ‘swap dealer’ does not include a person that enters into swaps for such person’s own account, either individually or in a fiduciary capacity, but not as part of regular business activities as described in subparagraph (A).

“(ii) In determining whether a person is a ‘swap dealer’ within the meaning of subparagraph (A), the following shall not be considered as part of the determination:

“(I) any swap entered into for a person’s own account for the purpose of hedging or mitigating commercial risk; and

“(II) any swap entered into for a person’s own account for the purpose of meeting State or local governmental regulatory compliance purposes.

“(iii) In determining whether a person is a ‘swap dealer’ within the meaning of subparagraph (A)(iii), any swap which involves a capacity contract, a renewable energy credit, an emissions allowance, or an emissions offset shall not be considered as part of that determination, if—

“(I) the contract, credit, allowance, or offset is utilized to meet obligations under State or local law or regulation for that person; and

“(II) the swap is entered into for that person’s own account.”.

SEC. 3. EXCLUSIONS FROM FINANCIAL ENTITY DEFINITION.

Section 2(h)(7)(C)(ii) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(C)(ii)) is amended to read as follows:

“(ii) EXCLUSION.—Such definition shall not include an entity that is a small bank, savings association, farm credit system institution, non-profit cooperative lender controlled by electric cooperatives, or credit union if the aggregate uncollateralized outward exposure plus aggregate potential outward exposure of the entity with respect to its swaps does not exceed \$1,000,000,000.”.

SEC. 4. CLARIFICATION OF THE EXEMPTIONS FOR CAPTIVE FINANCE COMPANIES FROM THE DEFINITION OF MAJOR SWAP PARTICIPANT AND FROM THE SWAP CLEARING REQUIREMENT.

(a) EXCLUSION FROM DEFINITION OF MAJOR SWAP PARTICIPANT.—Section 1a(33)(D) of the Commodity Exchange Act (7 U.S.C. 1a(33)(D)) is amended to read as follows:

“(D) EXCLUSION OF CERTAIN CAPTIVE FINANCE ENTITIES.—

“(i) IN GENERAL.—The definition under this paragraph shall not include an entity whose primary business is providing financing that facilitates the sale or lease of products by or on behalf of the parent company or another subsidiary of the parent company, and uses derivatives only for the purpose of hedging underlying commercial risks in a consolidated financing and leasing portfolio, at least 90 percent of which, as of the end of its preceding fiscal year, is qualifying financing (including loans, notes, installment sales contracts, receivables, and operating and financing leases).

“(ii) DEFINITIONS.—In this subparagraph:

“(I) QUALIFYING FINANCING.—The term ‘qualifying financing’ means—

“(aa) any financing or lease of, or that includes, a product; or

“(bb) any financing to or for the benefit of an affiliate of the entity, a distribution entity, or any customer or affiliate of a distribution entity, except that the term does not include any financing that does not facilitate the sale of a product manufactured by the entity or its affiliates, as determined by the Commission.

“(II) PRODUCT.—The term ‘product’ means—

“(aa) any good that is manufactured or sold by an affiliate of the entity; and

“(bb) any service that is provided by an affiliate of the entity.

“(III) DISTRIBUTION ENTITY.—The term ‘distribution entity’ means a person whose primary business is the sale, lease or servicing of a product that is manufactured by the entity or its affiliates.

“(IV) AFFILIATE.—The term ‘affiliate’ means, with respect to an entity—

“(aa) a person that reports information or prepares financial statements on a consolidated basis with the entity, or for which a parent company reports information or prepares financial statements on a consolidated basis for the person and the entity; or

“(bb) a person of which the entity or the parent of the entity holds 50 percent or more of the equity interests.

“(V) PERSON.—The term ‘person’ means an individual, partnership, corporation (including a business trust), limited liability company, joint stock company, trust, unincorporated association, joint venture or other entity, or a government or any political subdivision or agency thereof.”.

(b) EXCLUSION FROM SWAP CLEARING REQUIREMENT.—Section 2(h)(7)(C)(iii) of such Act (42 U.S.C. 2(h)(7)(C)(iii)) is amended to read as follows:

“(iii) EXCLUSION OF CERTAIN CAPTIVE FINANCE ENTITIES.—Such term shall not include an entity excluded from the definition of major swap participant by reason of section 1a(33)(D).”.

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall take effect as if they had been included in subtitle A of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

SEC. 6. IMPLEMENTATION.

The amendments made by this Act to the Commodity Exchange Act shall be implemented—

- (1) without regard to—
 - (A) chapter 35 of title 44, United States Code; and
 - (B) the notice and comment provisions of section 553 of title 5, United States Code;
- (2) through the promulgation of an interim final rule, pursuant to which public comment will be sought before a final rule is issued, and
- (3) such that paragraph (1) shall apply solely to changes to rules and regulations, or proposed rules and regulations, that are limited to and directly a consequence of such amendments.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. LUCAS) and the gentleman from Minnesota (Mr. PETERSON) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. LUCAS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 3336.

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

There was no objection.

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

Madam Speaker, I rise to voice my support for this bill. First and foremost, I would like to thank my committee's ranking member, Mr. PETERSON, and his staff for their diligent work on this bill on behalf of end-users and small business lenders. We have a longstanding tradition of bipartisanship at the Agriculture Committee, and their work was invaluable. I'd like to thank Representative HARTZLER for her leadership on H.R. 3336 on behalf of the small business institutions and the businesses they serve.

I would like to acknowledge and thank Representative HULTGREN and Representative BOREN, whose legislation, H.R. 3527, will not be considered today. As a result of their leadership and Mr. PETERSON's support, many of the critical issues for end-users addressed in H.R. 3527 were resolved by the CFTC in its final "definitions rule."

I think we can reasonably feel assured that agricultural cooperatives and other end-users out in the countryside won't be unnecessarily deemed "swap dealers" and regulated like the largest financial institutions. As I said from the outset, if the CFTC on its own resolves concerns we have raised for months in our committee room, we would not proceed with legislation. And that's what we've done with H.R. 3527. However, concerns with the implementation of title VII remain, and so we are here today to proceed with H.R. 3336. This bill addresses issues that are important to community and farm

credit banks—organizations which are instrumental to the economic vitality of our towns and rural communities.

In the Dodd-Frank Act, Congress was careful to ensure that new regulations wouldn't impose unnecessary costs on small institutions that might deter them from extending credit to businesses across America. Small banks pose very little risk to our financial system. Within the banking system, 96 percent of the notional value of derivatives is held by the five largest banks. The very small remaining percentage of the derivatives exposure in our financial system is spread across hundreds of small institutions. That's why Congress never intended for these community lenders to be regulated the same as the largest global financial institutions.

□ 1400

This bill aims to restore Congressional intent by exempting small banks, credit unions, nonprofit cooperative lenders, and farm credit institutions from costly clearing requirements under Dodd-Frank. It also ensures that banks can continue to provide risk management tools to their borrowers.

In addition, thanks to the leadership of Representatives SCHILLING, OWENS, and MCINTYRE, provisions of H.R. 3336 will ensure captive finance affiliates of manufacturing companies like John Deere and Caterpillar are eligible for the same exemptions as their parent companies and other end-users. These affiliates are an important source of credit to consumers and businesses and promote our manufacturing sector.

Lastly, through the hard work of Representatives COSTA, CARDOZA, and BACA, H.R. 3336 clarifies that utilities will not be miscast as swap dealers because they enter into contracts that are required by State law. The legislation clarifies that complying with State laws alone won't also draw new and costly Federal regulations.

There are many Members on both sides of the aisle at the Ag Committee who have spent time getting this bill to where it is today. We have been careful not to create loopholes or to stray from congressional intent. The bill does not open the door for large financial players to evade regulations or engage in speculative or highly risky activities.

Madam Speaker, in this economy, it all comes back to jobs. To create new jobs, businesses need access to credit to make new investments. This bill ensures that businesses maintain access to credit from community lenders.

So I urge my colleagues to support H.R. 3336 and ensure that America's small businesses can continue to access the credit they need to build our economy.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, today, the House considers H.R. 3336, a bill which makes clarifying changes to the Dodd-Frank Act. Like two other Dodd-Frank bills that the House passed previously—H.R. 2779, the inter-affiliate bill, and H.R. 2682, the margin bill—this legislation was crafted in a bipartisan manner.

As the Ag Committee continues to oversee the implementation of Dodd-Frank, I firmly believe that the CFTC is ultimately going to get the rules and regulations right. If you look at the Dodd-Frank rules that have already been completed, by and large they have been bipartisan and responsive to the concerns that we have heard during our oversight hearings.

For example, during a legislative hearing last year, we heard concerns about business conduct standards and the potential impact it could have on pension plans' ability to use swaps to hedge risk. When the commission approved a bipartisan final rule establishing these business conduct standards, the general response from the pension community was satisfaction.

More recently, the CFTC approved last week—again with a bipartisan vote of 4-1—rules defining who will be subject of Dodd-Frank's new oversight. Again, the general view from the end-user community is that the rule addresses their concerns. In fact, I believe one of the bills the committee voted on earlier, H.R. 3527, which rewrote the swap dealer definition, now no longer seems necessary.

I talk frequently with CFTC Chairman Gensler, and from what he has told me, I am confident that the remaining concerns that H.R. 3336 seeks to address will ultimately be resolved satisfactorily by the CFTC. I think somebody used this bill to send a message to the CFTC, and since that message is consistent with the original intent of Dodd-Frank, I have no objection to it.

As originally considered by the committee, H.R. 3336 is meant to address concerns raised by farm credit institutions, credit unions, and small banks that worry about being forced to clear. Under current law, the CFTC is supposed to develop an asset-based exemption from clearing. When you look at the swap activity of some of the banks, questions were raised whether a fixed-asset test was appropriate. The risk-based test contained in the bill will, I think, prove more than adequate and certainly will provide incentives to banks to more robustly back up their swap positions, to the extent that they are not doing so now.

During the committee's markup of H.R. 3336, Representatives MCINTYRE and OWENS raised concerns they heard on behalf of captive finance companies which fear that the exemptions provided to them under the Dodd-Frank

law will not be implemented properly. This bill not only addresses those concerns, it closed a potential loophole in Dodd-Frank which could have allowed captive finance companies to use the original Dodd-Frank exemption to engage in speculation or swap activities unrelated to the commercial business without proper oversight.

Also, during the markup, Representative COSTA raised concerns on behalf of California utilities, which fear being classified as swap dealers for entering into transactions necessary to comply with State regulations. Working with members of the California delegation, we were able to adequately address these concerns as well.

Given that the legislation clarifies what Congress intended to do with the original Dodd-Frank law, I urge my colleagues to support its passage.

And with that, Madam Speaker, I reserve the balance of my time.

Mr. LUCAS. Madam Speaker, I would like to yield 4 minutes to the gentlewoman from Missouri (Mrs. HARTZLER), who is the primary sponsor of our important piece of legislation today.

Mrs. HARTZLER. Thank you, Mr. Chairman, for bringing this forth and for the bipartisan support for this bill.

I'm pleased to bring the Small Business Credit Availability Act forward today in order to help small businesses, American manufacturers, farmers, and consumers to access the credit they need in order to grow our economy.

Madam Speaker, we need jobs in our country. We need manufacturing to stay strong in America, and we need small businesses to be able to grow. They can't do that if Washington stands in their way.

The Small Business Credit Availability Act removes the onerous barriers to credit imposed by the 2009 Dodd-Frank bill governing a bank's ability to offer low-rate fixed loans to small businesses and manufacturers. This bill also removes the barriers to low-rate fixed loans for credit unions, farm credit banks, rural electric cooperative infrastructure lenders, and finance companies who offer credit to their customers.

Without this bill, the Farm Credit Council alone expects that substantial new costs between \$6 million and \$27.2 million a year will be added to their cost of doing business, all for new processes and red tape that are not needed.

It is important that local businesses, local manufacturers, and local farmers be able to access low-rate interest loans from local financial entities. This bill keeps the business in the local communities, where it belongs, by reducing the costly new regulations imposed by the 2009 bill. In addition, it clarifies a provision of Dodd-Frank to ensure that manufacturers will be able to continue to provide credit to customers who buy their products.

We need to do everything we can to keep manufacturing here in America, and H.R. 3336 helps do that.

Lastly, our bill clarifies that State utilities are unduly burdened by Dodd-Frank when complying with State law as they enter into contracts. It's time for Washington to cut the unnecessary red tape that hampers job creation. By passing the Small Business Credit Availability Act, Congress will remove the barriers and clear the way for local entities to do business at home and create jobs while doing it.

I urge all my colleagues to support this vital bill.

Mr. PETERSON. Madam Speaker, I now yield such time as he may consume to the distinguished gentleman from California (Mr. COSTA).

Mr. COSTA. Madam Speaker, I rise today in support of H.R. 3336, the Small Business Credit Availability Act.

This bipartisan measure received unanimous support in the House Committee on Agriculture and ensures, as the previous speakers have indicated, that small financial entities such as community banks, farm credit system institutions, and credit unions will not be burdened with costly regulations resulting from the reform of our financial system. That was never Congress' intent.

I appreciate very much the work of Chairman LUCAS and Ranking Member PETERSON and their staffs, as well as the bill's sponsor, Representative HARTZLER, to reach an agreement with not only myself, but my colleagues, Congressmen BACA and CARDOZA, who are also on the committee, as well as the California delegation on the underlying text of this bill. Without your support, obviously we could not address this issue pertaining to California.

While we work to maintain the viability of small businesses recognized in H.R. 3336, we also must look for ways to avoid unintended consequences resulting from the implementation of the Dodd-Frank Act on other entities, in this case, such as utilities.

□ 1410

It's always the difficult challenge we have in Congress, the law of unintended consequences, that we must respond to.

Because of California's regulatory environment, I expressed concerns in the committee that California's energy providers, our utility companies, might be or would be inadvertently, as we believe, swept up by the "swap dealer" definition, which is the efforts that the committee has addressed. Over several weeks, we worked together with the staff and the utilities to develop language that provides the clarity needed to ensure that companies within California that provide energy for all businesses and residences—which are ultimately California's ratepayers—are not penalized by the Federal regulators for simply complying with State law.

H.R. 3336 includes language clarifying that the actions undertaken to comply

with State or local laws or regulations are excluded in determining whether or not an entity is considered a swap dealer. Let me be specific. The language clarifies that resource adequacy contracts entered into to satisfy California's Public Utilities Commission procurement requirements, renewable energy credits used to satisfy the California Renewable Portfolio Standard, and emission allowances to satisfy California's greenhouse regulations should not—and this is the key line—should not be considered in determining whether or not an entity is a swap dealer.

My colleagues, we should understand that the situation we're dealing with in these examples, these transactions, are closely regulated by California's Public Utilities Commission or the California Air Resources Board, and they pose no systemic risk to our financial systems or to the ratepayers.

While California is currently affected, it is possible that these concerns could be shared by energy providers in other States. That's why the committee, in their wisdom, chose to address this issue to help not only California, but possibly to extend to other States that might be similarly affected. For these reasons, I encourage my colleagues to support this bill.

I once again want to thank the chairman, thank Ranking Member PETERSON, Chairman LUCAS, and the author of the bill, Representative HARTZLER.

Mr. LUCAS. Madam Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. SCHILLING).

Mr. SCHILLING. Thank you, Chairman LUCAS.

I rise in support of H.R. 3336, the Small Business Credit Availability Act.

Madam Speaker, I've only been in Congress for a little over a year, but I have found the House Committee on Agriculture to be very bipartisan, and I believe that it is in large part due to the leadership of Chairman LUCAS and Ranking Member PETERSON.

I come to the floor today to speak in support of a bipartisan provision in the bill that is important to the American manufacturing sector—and particularly to Illinois companies like John Deere and Caterpillar, which employ almost 150,000 men and women.

Many of the manufacturers here at home have what are called "captive finance affiliates" whose function is to provide loans and leases to customers to purchase the goods they make. The credit that captive finance companies provide is essential to agricultural producers, construction contractors, and manufacturers, and the jobs they support here at home.

Congress provided an exemption in the current law for captive finance affiliates so that when they hedge risks associated with providing loans to their customers, they receive the same

exemptions available to the parent company and other end-users. However, there is a lack of guidance in the CFTC's implementation of the exemption, leading to concern that these captive finance companies could be subject to mandatory clearing requirements or regulated as major swap participants. There is bipartisan agreement that this is not what Congress originally intended.

H.R. 3336 will provide the needed clarification for our manufacturers and their captive affiliates. It does so while also providing safeguards against abuse. First and foremost, this only applies to entities that use derivatives to manage their risks, meaning they cannot use derivatives to speculate. In addition, these entities cannot engage in financing that does not facilitate the sale of their manufactured products. The CFTC will have the authority to prevent affiliates from qualifying for this exemption.

Again, I appreciate the bipartisan nature of providing certainty on this issue. I want to thank Chairman LUCAS, Ranking Member PETERSON, Congressman BILL OWENS, Congressman MIKE MCINTYRE, and Congressman RANDY NEUGEBAUER for their efforts on this issue. I also really want to thank the majority and minority House Ag Committee and their staff for their work on this issue, especially Ryan McKee and Clarke Ogilvie. It is important to provide certainty for our folks back home.

Mr. PETERSON. I reserve the balance of my time.

Mr. LUCAS. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Thank you, Mr. Chairman.

Madam Speaker, I rise today in strong support of H.R. 3336, the Small Business Credit Availability Act.

Today's bill makes several narrow changes to the law which will further clarify exactly how Congress intended for the CFTC to implement the new swap dealer registration requirements under Dodd-Frank.

In the law, Congress authorized the CFTC to exclude small financial institutions that provide swaps in connection with loans from the heavy regulations as swap dealers. We did so because we understood the importance of allowing these institutions the ability to package together loans and hedging instruments.

Offering loans in this way allows small financial institutions to offset some of their underlying risk and offer lower loan rates to local farmers, ranchers, and small businesses. These lower loan rates mean the businesses that sustain our rural communities will have greater access to the capital they need to continue to invest in their growing businesses.

With the Entity Definitions recently released by the CTFC—although not

yet published in the Federal Reserve—the CFTC took steps towards resolving the issues addressed by H.R. 3336. However, it left some undone. Unfortunately, the current rule is silent on the commodity swaps for agricultural businesses, is unnecessarily restrictive of farm credit system institutions, and applies arbitrary time restrictions on excluded swaps.

H.R. 3336 would strengthen the rule passed by the CTFC by expanding the scope of the exemption to protect the way rural America has long done business. The farms, ranches, and small businesses in the district I represent have never been and never will be a part of the systemic failure of our financial system. Neither they nor the small institutions that serve them ought to be considered as a threat.

Today's legislation is carefully tailored to ensure that we do not shackle small businesses and family farms with rules that ought to apply and are meant to police the largest Wall Street banks.

I want to thank Ms. HARTZLER for the work that she's done on shepherding this bill through committee. She has been a staunch advocate for protecting small businesses from the overreach of Dodd-Frank. I would also like to thank Ranking Member BOSWELL, my counterpart on the General Farm Committees and Risk Management Subcommittee; our chairman, Mr. LUCAS; and our ranking member, Mr. PETERSON, for their continued efforts at comity and bipartisanship on the House Agriculture Committee.

Like many bills moved through our committee this year, H.R. 3336 passed with unanimous bipartisan support. This is a testament to the leadership on both sides of the aisle and to the carefully crafted bill that Ms. HARTZLER introduced.

With those remarks, Madam Speaker, I urge swift adoption of the Small Business Credit Availability Act.

Mr. LUCAS. Madam Speaker, I would note to my colleague, the ranking member, I have one additional speaker, and then myself for whatever close I may have.

Mr. PETERSON. I reserve the balance of my time.

Mr. LUCAS. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Chairman LUCAS, thank you so much for your support on this issue. It has been a pleasure working with you and your staff during my first term here in Congress and on the Ag Committee.

In the committee this year, we have worked hard to protect farms and small businesses from Dodd-Frank red tape. That's why I rise today in strong support of Representative VICKY HARTZLER's bill.

H.R. 3336 reduces unnecessary regulatory burdens on small financial insti-

tutions to ensure they can continue to provide capital to small businesses in their communities.

The bill ensures that small financial and farm credit institutions will continue to be able to provide swaps to their loan customers without being considered or registered as swap dealers.

I am pleased that the CTFC has come out with a ruling more favorable than the original legislation, but I think it's important still to note that this bill ensures that the CTFC provides an exemption from clearing for small financial institutions that are hedging their own risks.

I also want to thank my Illinois colleague, Congressman BOBBY SCHILLING, for his work on this bill. He added a provision particularly important for companies like John Deere and Caterpillar, which has facilities in my district.

□ 1420

Mr. PETERSON. Madam Speaker, again, this bill clarifies what was the original intent of the Dodd-Frank deliberations. Some of what's in this bill, I think, has already been resolved, but there are some clarifications here. If there is duplication, it doesn't do any harm, so we support this bill and encourage that it be adopted.

I yield back the balance of my time.

Mr. LUCAS. Madam Speaker, I yield myself the balance of my time.

I think, as we've heard here today, this piece of legislation is an effort, in a very bipartisan way, to address some of the issues in Dodd-Frank that need to be fixed. If you care about production agriculture, if you care about Main Street business, if you care about the people who work in the factories that produce the products and do the things that make this great economy move forward, then you'll support H.R. 3336.

It won't affect the five biggest financial institutions that do 96 percent of this kind of business, but it will help the people who really toil and struggle every day to make a living. It will help the small communities where those good folks live. It's a positive effort to address issues that have come to light in the course of the Ag Committee's exhaustive hearings.

I simply thank my colleague, Congresswoman HARTZLER, for working diligently on this bill. I thank the ranking member and my colleagues.

Let's vote for H.R. 3336. Let's try and help the folks back home.

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

Mr. VAN HOLLEN. Madam Speaker, while there is a legitimate role for swaps and other derivatives when it comes to managing risk, one of the inescapable lessons from the last economic crisis is the havoc those instruments can cause when they are insufficiently regulated.

In an effort to make sure the abuses that led to the Great Recession never happen again, the Dodd-Frank Wall Street Reform Act properly placed these kinds of transactions under far more meaningful prudential regulation. Just last week, the Commodity Futures Trading Commission finalized the “swap dealer” rule at issue in today’s legislation.

Unfortunately, that final rule—already the product of compromise at the CFTC—is further weakened by the misleadingly named “Small Business Credit Availability Act” to the point where its ability to protect the public from the systemic risk it was originally intended to prevent is undermined.

For example, we should not let big oil companies speculate in the oil futures markets without limit or oversight under the guise of hedging their commercial operations. Furthermore, we should not exempt vast swaths of our credit and debt markets from prudential regulation under the CFTC rule. Yet that’s precisely what this bill proposes to do.

Madam Speaker, we know where this road leads, and we simply can’t afford to go back there.

I support smart regulation that permits the legitimate uses of these instruments for the benefits they can provide while eliminating the speculative abuses that can cause the rest of us so much harm. And that is why I oppose today’s legislation.

Ms. MCCOLLUM. Madam Speaker, I rise in opposition to H.R. 3336. This misguided bill would remove crucial oversight of the trillion dollar derivatives market and strip away key reforms contained in the Dodd-Frank Wall Street Reform law.

Although the stated intent of H.R. 3336 is to increase credit availability to small businesses, it would do nothing more than provide a loophole for participants in the derivatives market to escape oversight and evade accountability. For the past two years, the CFTC and other government regulators of Wall Street have accepted public comments and participated in public hearings in an effort to implement sensible regulations that do not constrain credit lending to small businesses. Furthermore, the Dodd-Frank law already contains protections for small financial institutions, commercial businesses, and investors that use derivatives for legitimate hedging of risk.

H.R. 3336 would exempt large financial institutions with up to \$200 billion in credit derivatives exposure from CFTC oversight. In addition, the bill could also exempt major oil companies such as Shell Oil and Koch Trading from oversight for their swaps dealing activities in the energy market, allowing for more financial speculation that drives up the price of gasoline. Given the crucial role of derivatives in the 2008 financial crisis, eliminating these important CFTC protections would jeopardize investor confidence and threaten the stability of our financial sector.

I urge my colleagues to oppose H.R. 3336.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the bill, H.R. 3336, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. MALONEY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

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MOTION TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Mr. MICA. Madam Speaker, I ask unanimous consent to take from the Speaker’s table the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

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

There was no objection.

Mr. RAHALL. Madam Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. Rahall moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to recede from disagreement to the amendment of the Senate.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Florida (Mr. MICA) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

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

Madam Speaker, the long-term authorization of surface transportation programs expired on September 30, 2009. Since that time, Congress has enacted nine separate Surface Transportation Extension Acts, allowing us to continue limping along, patching together our Nation’s surface transportation system. These short-term, start-and-stop Surface Transportation Extension Acts are undermining our surface transportation system.

Running these programs through short-term extensions creates tremendous uncertainty among State departments of transportation, public transit agencies, and highway and transit contractors that delay critical highway and transit projects, costing good-paying jobs each step of the way.

With more than 2.5 million construction and manufacturing workers still

out of work, it is far past time for Congress to enact surface transportation legislation that will remove this uncertainty, create and sustain family-wage jobs, and restore our Nation’s economic growth.

That’s why I offer this motion today. We have an opportunity before us to move quickly to pass legislation that can remove this uncertainty and get America back to work.

Over a month ago, the Senate passed S. 1813, known as MAP-21, by an overwhelmingly bipartisan vote of 74-22. Now, each of us in this body knows how difficult it is for the other body to agree on just about anything. But, unlike the House, the Senate was able to come together to pass bipartisan legislation that will provide States with the certainty that they need to move forward with highway and transit projects and get Americans back to work. It is time for the House, believe it or not, to follow the other body’s lead and pass S. 1813.

Certainly, S. 1813 is not the exact bill that I would have written. However, the Senate bill is a dramatic improvement over what House Republicans proposed in their now-dead partisan reauthorization bill known as H.R. 7, which was reported by the Transportation and Infrastructure Committee, but never acted upon by the full House.

Last week, in an effort to facilitate a conference with the Senate on MAP-21, the House of Representatives passed H.R. 4348, another surface transportation extension bill. I supported the House passage of H.R. 4348 as a vehicle to go to conference on the Senate bill.

I said then—taking Republicans at their word that they are serious about moving this process forward—passage of that short-term extension bill would allow us to quickly convene a conference with the Senate on its bipartisan, multiyear surface transportation reauthorization bill, which passed with the support of three-quarters of the other body.

A long-term bill will provide the certainty that States need to invest and proceed with their plans long on the books. It will provide the certainty that highway and transit contractors desperately need to give them the confidence to hire that one more worker. That is what surface transportation is all about, putting Americans back to work and sustaining our economic competitiveness.

If there are issues that we must change, we can address those through a technical corrections bill that will make the necessary policy changes to improve the bill. That is not unprecedented. We’ve done it before.

There is nothing to prevent the Congress from enacting S. 1813 and then continuing to work to develop further bicameral, bipartisan changes to further improve surface transportation programs and policies. But American

workers should not have to wait any longer as Congress searches for agreement. The time for political games is over.

So my motion is simple, very simple. It instructs House conferees to agree to the Senate bill. Enactment of MAP-21 will put in place 18 months worth of funding, provide state DOTs and public transit agencies the certainty they need to advance projects, and provide contractors the certainty they need to hire that one more worker. Out-of-work Americans simply cannot wait any longer.

I reserve the balance of my time.

Mr. MICA. Madam Speaker, I rise in opposition to the motion to instruct and yield myself such time as I may consume.

Madam Speaker, I want to take a little bit of time to explain to you and my colleagues and others who may be listening to this debate about what's happening now. The other side of the aisle has just offered a motion to instruct, and we're going to conference on an important piece of legislation. That's the transportation bill that sets the transportation policy for the United States of America.

For all of our transportation projects, those projects that would be eligible, we identify the terms of participation for States and local governments and everyone who is going to receive Federal funds for transportation projects. So all of that is very important.

It is important that we put people to work. When I go back home, I talk to people who lost their house, lost their job, and they want an opportunity to work. And you heard that, in fact, there have been nine amendments since the bill expired, and six of those extensions were passed under the Democrats. I've had to do three.

They had complete control of the U.S. House of Representatives, the United States Senate, and the White House, and still had to pass six extensions. Then I learned from our staff that they did not pass a single freestanding extension.

□ 1430

Before we left for Easter, I passed a freestanding extension to get us so that we wouldn't close down jobs, that we wouldn't stop contracts, that we wouldn't stop people working. Now they're asking us to take the Senate carte blanche, a proposal which was adopted by the Senate—not a total vote, but it was a bipartisan vote—and just adopt it in their motion to instruct.

Now, Madam Speaker, I just got through explaining the Constitution to a wonderful group of young people from the Stetson Baptist Christian School in DeLand, Florida, on the steps just a few steps from here—right out that door and down those steps—and they

stood there. I explained to them that the Founding Fathers created two Houses. The first body that they created, most importantly, the Congress of the United States, a legislative branch with a House and, yes, young people and teachers and chaperones that were listening, and I said also with the Senate.

They did that because they wanted all of those opinions to come together and they wanted us to work, again, in a bipartisan fashion to come up with the best possible solution. Yes, they'd operated with Articles of Confederation with a unicameral government, but last time I checked down the hall, I think if we open those doors and look down there, there is the United States Senate, and this is the people's House of Representatives.

I also explained to the students, this is the only body in which the Members actually have to be elected. Everybody else can be appointed. The Senators can be appointed. The President, actually you could replace him by appointment, the Vice President. But the only Federal representative that they have is the House of Representatives.

But what they want to do is cast the participation of the House of Representatives aside and just adopt what the Senate has brought forward. I tell you that the House has worked hard.

Now, I didn't have the benefit of 6,300 earmarks, which my predecessor had, to pass a bill, so it's taken me a little bit longer, and a few days ago we did pass a bill. It wasn't a bill that we passed out of committee, H.R. 7, with all the Republican votes but one, and we tried to bring to the House. It wasn't the vote that we heard in committee for some 18 hours, most of the time consumed not with Republican amendments but with Democrat amendments, over a hundred Democrat amendments, and I said we're going to sit there as long as it takes and give everyone an opportunity to participate in this free and open process, which we are doing here. Today they propose closing down that free and open process. Let's just adopt what the Senate tossed over to us.

I say "no," and I say "no" for a whole host of reasons. The Senate proposal is a proposal that will bankrupt the trust fund. The Senate proposal is a path to just building paths, to resurfacing, to short-term jobs, not answering the call of the people who sent us here to make certain that their transportation money, when they go fill up their gas tank, pay for 1 gallon of gas, 18.4 cents comes to Washington in the trust fund, and we spend it. That's what this sets the policy for, what's eligible for receiving those Federal dollars.

But we'll just forget there's a House of Representatives and cast that body aside. I think not.

I think even an eighth-grader from one of my schools at home can figure

this out, Madam Speaker, and I just can't agree with this motion to recommit.

I reserve the balance of my time.

Mr. RAHALL. Madam Speaker, I yield myself 1 minute.

In order to respond to the distinguished chairman, that's funny, and I appreciate the history lesson he's just given us on legislation in this body. It's funny, while you were speaking to students from your district, I was just speaking to students from my district outside on the Capitol steps as well. They happened to have been from Webster Junior High School from Webster Springs, West Virginia.

I explained to them the process that we're in right now going to conference on the transportation bill, how the other body had passed in a bipartisan fashion, the other body who can rarely agree on anything, including a resolution saying "I love mother," but here they came together and passed a bill with 72 votes in a bipartisan fashion. I had explained to them briefly what the other body's bill did and what our bill did. That's funny. They were all nodding in agreement. They all said we ought to accept the Senate bill; go for the Senate bill.

So I guess the point I'm making is that we all know how this place works. We all know the difficulties in getting something through the other body where, like it or not, the Framers of our Constitution set it up so that the minority in that body has the power.

Madam Speaker, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. DEFAZIO), the ranking member on our Highways and Transit Subcommittee.

Mr. DEFAZIO. In a bitterly divided Congress along partisan lines, I think there is one thing we can all agree upon: America is falling apart.

Our Nation's infrastructure, according to two reports from commissions that met during the Bush administration when the Republicans controlled the House, the White House, and the Senate, came to the same conclusion: we are vastly underinvesting in our national transportation infrastructure.

We're not even spending enough to bring the Eisenhower-era investments up to a state of good repair: 150,000 bridges need repair or replacement; 40 percent of the pavement on the National Highway System needs to be substantially rebuilt, not just paved over; and a \$60 billion to \$70 billion backlog on critical capital investments for our legacy transit systems across America.

The good news is, if we make these investments, we'll put millions of people to work—and not just construction workers, not just engineers, manufacturing steel for the bridges, manufacturing for light railcars, for streetcars, first Made in America streetcars in 70 years being produced at Oregon Iron

Works, and the components sourced from 24 States in the United States of America.

We have the strongest buy America requirements in our transportation sector, and I hope that we can agree, as we move forward through this conference, to strengthen those even more so we don't leak these precious tax dollars and jobs overseas like we do in so many other ways.

Now, I understand the reluctance of the majority, and they will prevail here today, to say, Let's do the Senate bill now and move on. Let's put people back to work starting next week. But I've got to caution the majority. They will prevail today, but these temporary extensions are costing us jobs. They aren't status quo, let's just extend 90 days and 90 days.

We are getting substantiated reports from the 50 States that they are delaying or cancelling transportation investments and projects for this construction season because of the uncertainty about Federal funding. Time is of the essence here.

In the northern tier States, we've got to get this bill done before we take—well, we've got a break next week, then we're back, I think, for 7 legislative days, then we've got a break the next week, then we come back for another 7 legislative days, then we've got a 10-day break after that.

We've got to squeeze in a little legislative work between these breaks. I believe that if we're determined that we can begin the conference as soon as we are appointed, and we could have this done no later than May 15 before we begin, two breaks from now, another break. So we've got to stop taking breaks and give the American people a break and put them back to work. Make the investments they know we need in our Nation's infrastructure.

I urge support for the ranking member's position.

□ 1440

Mr. MICA. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Tennessee, who also chairs the Highways Subcommittee, Mr. DUNCAN.

Mr. DUNCAN of Tennessee. I thank Chairman MICA for yielding me this time, and I especially thank him for his long and hard work on this legislation. He has raised several points, Chairman MICA has, as to the problems that this motion to instruct would cause, so let me just mention a few things.

This motion to instruct conferees to accept the Senate bill in its entirety is contrary to the purpose of having a House and Senate conference. It is our responsibility to sit down with our Senate colleagues and address areas where we have differences of opinion. More importantly, the Senate bill includes provisions that many people have serious concerns about.

For example, the Senate bill requires that all new passenger vehicles, beginning in 2015, be equipped with an event data recorder. These recorders are similar to the black boxes required on airplanes. While the intent of this provision is to collect safety information, many people think this is a slippery slope that we really don't want to go down. Privacy is a big concern for many of my constituents and for many people across this country, and this provision, many people feel, would cross the line of Federal intrusion into citizens' personal, or private, lives.

There are also other areas where the Senate bill does not go far enough. We've talked about environmental streamlining for years, but everyone on both sides of the aisle knows we need to really do something about that now because other developed nations are doing projects in half the time or less than we are. In the last two Federal highway studies, one showed it took 13 years and another said it took 15 years from conception to completion. These are not transcontinental highways. These are just relatively short highway projects, and we could be doing those in 6 or 7 years.

The Senate bill does not set hard deadlines for Federal agencies to approve projects, so they can be delayed and delayed and delayed. It does not allow State environmental laws to be used in place of Federal environmental laws. There are some States in which the State laws are better. The Senate bill does not expand the list of projects that qualify for categorical exclusions. The Senate bill does not expedite projects that are being rebuilt due to a disaster, such as the bridge on Interstate 35 in Minnesota, which was done so quickly to everybody's great relief. These are issues not addressed in the Senate bill, issues which could be addressed in the conference. There are also many other issues that Chairman MICA has pointed out.

Let me just say that much of the highway bill that the House has produced came from the other side. I understand there were hundreds of letters from Democratic Members and that 60 percent of what was requested in those letters was done by the committee staff. Then there were over 100 amendments.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman an additional 30 seconds.

Mr. DUNCAN of Tennessee. We started our markup at, I think, 9 o'clock in the morning, and we went until about 3 o'clock the next morning. We addressed over 100 amendments that were submitted by Democratic Members, and I think over 20 of them were put into the bill. So many things were put in by the other side before the bill ever was marked up, and then during the markup. Now we're supposed to do away

with all of that and just go with the Senate bill, but I don't think that's the way we should do it. I urge my colleagues to oppose this motion.

Mr. RAHALL. Madam Speaker, I yield 2 minutes to our distinguished ranking member of the Subcommittee on Railroads, the gentlelady from Florida, Ms. CORRINE BROWN.

Ms. BROWN of Florida. I thank the Members of the House.

Madam Speaker, let me just say, in having served on the committee for 19 years, it is the House bill I am very disappointed with. Secretary LaHood stated it best: it's the worst bill he has seen in 35 years. Of course, it's the worst bill I've ever seen. I sat through that markup from 9 o'clock in the morning until 3 o'clock in the morning, and it was a nightmare, since many of the proposals dismantle transportation.

I can truly say that people come to this floor often raving against the Senate. I now say thank God for the United States Senate because they have come up with a commonsense bill that we can fund and pass—and go home. It's a bill that would fund transportation and really put about 2 million people to work. We have many projects in the Florida area that could benefit from our passing comprehensive transportation, but more than that, we have such a high unemployment rate in Florida—9 percent—that every \$1 billion we spend in transportation will generate 44,000 permanent jobs.

In talking about rules and regulations, visiting us today in the Capitol is the Hawk family, whose daughter was killed because of pollution. When we talk about regulations, surely we've got to strike a balance. We have regulations for a purpose. When we raise our hand to defend and protect the public, we're talking about the Constitution, but we also have a responsibility to make sure that we protect the public and have a balanced approach and not destroy all of the regulations pertaining to the environment, which is what the House bill did in the markup.

We can go on and on, but let me just tell you as I close that you can fool some of the people some of the time, but you can't fool all of the people all of the time. Pass the Senate bill.

Mr. MICA. Madam Speaker, I am pleased to yield 2½ minutes to a gentleman who has authored one of the major amendments to the legislation that passed, the gentleman from Wisconsin (Mr. RIBBLE).

Mr. RIBBLE. I am struck here this afternoon. I've heard my good friends on the other side of the aisle and their concerns. I think it's legitimate that they would like to see long-term certainty in our infrastructure system. Yet, when the highway bill ended in 2009, they controlled the White House, the House of Representatives and the

U.S. Senate. While in the majority of all three levels of government, they chose to extend the transportation authorization six times. So here we are, once again, with another delay tactic, letting the American people wait some more. They know that this motion to instruct is not going to go anywhere because there are important reforms that the American people have told us they want.

One of those reforms is my amendment, which is part of our bill that streamlines the redtape. Why in the world should we take 15 years to get a highway project finished? It's because we're waiting two-thirds of the time to get approvals done. It's nonsensical, yet we keep on promulgating the same problem over and over and over again. It's like Groundhog Day here. I have to tell you, Madam Speaker, it gets frustrating after a while.

We need to get on with this and move forward with something. Let's get this into conference so that we can go ahead and make our reforms. The American people have spoken. They spoke in the last election. They decided that they wanted a split government, that they wanted the majority over here in the House and a different majority in the Senate. That was their choice. The way a bill becomes law is that the Senate does its thing and then we do our thing, and then we come together and negotiate in between to find the best common ground for all Americans. That's what we plan on doing here.

I very strongly urge my colleagues to vote "no" on this motion to instruct. Let us get to conference with our reforms and with the House-passed legislation, the bipartisan House-passed legislation. Let's get on with it so that we can get some certainty put back into this.

Mr. RAHALL. Madam Speaker, I am honored to yield 2 minutes to the gentlelady from Texas, a valued member of our committee, Ms. EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank my ranking member and chair of the Transportation and Infrastructure Committee.

I rise in support of the provisions included in the Senate version of the reauthorization. It was my hope that we would have a longer-term bill, one that would reauthorize surface transportation, transit, and rail provisions for several years. I support the Senate version because it will provide certainty to the State departments of transportation, to transit agencies, and to contractors, which will help create and sustain jobs for out-of-work Americans.

□ 1450

Most of the roads and bridges in this country are in serious disrepair, and States and municipalities are unable to

address these needs with piecemeal extensions.

The Senate bill preserves transit funding and continues funding major transit programs from the highway trust fund. I was very concerned with the elimination of transit funding included in the House version. Transit funds are essential to both urban and rural areas by providing alternative transportation, easing congestion, and reducing emissions. In addition, I support the expansion of the TIFIA program to \$1 billion annually, and the modifications that make it easier for public transportation agencies with dedicated revenue sources to apply for TIFIA loans.

Madam Speaker, we are currently operating under the ninth extension of SAFETEA-LU. This really is unacceptable, and we owe it to the American people to address our crumbling infrastructure and to get them back to work.

I voted for the most recent extension of SAFETEA-LU, but for the purpose of getting to where we are now, so we could get to conference and consider the Senate amendment to H.R. 4348 in conference. I implore my colleagues to support the instructions to put the Senate transportation bill before us in conference so that we can bring it to the floor.

Mr. MICA. Madam Speaker, I yield 2 minutes to one of the outstanding new members of the Transportation and Infrastructure Committee, the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Thank you, Mr. Chairman.

Madam Speaker, I rise today in opposition to this motion to instruct. The House needs to conference with the Senate and craft a long-term highway bill.

In MAP-21, the Senate bill, there is a provision that was offered by Senator BINGAMAN that provided disincentive to States and cities to consider partnering with the private sector for fear of losing a percentage of its Federal funding. This is only one of the many problems I have with the Senate bill.

In my State of Indiana, Governor Daniels made the bold move to enter into a public-private partnership for the Indiana toll road. Indiana received over \$4 billion up front for the lease of this road. When the Governor announced this public-private partnership, Members of this body were critical of the decision, and some even claimed that it would never work.

Not only has it been successful for the Indiana toll road, but it has also resulted in over \$6.5 billion invested in infrastructure projects throughout Indiana. After 30 years of planning, Interstate 69 in my district is being built connecting Evansville, the third largest city in the State, to Annapolis.

The Indiana toll road is a perfect example of how business and government

can work together to address America's infrastructure needs. The Bingaman amendment ignores these types of successes, and rather than rewarding, States are putting the American taxpayer first and pursuing alternative funding for roads. It will punish a State and take away portions of their Federal funding. Under the Bingaman amendment, Indiana would lose \$72 million. Nevada, I should point out, will lose \$66 million.

In these challenging fiscal times, public-private partnerships represent an exciting option to many States to better leverage their Federal transportation dollars. Congress should take positive steps to encourage innovative financing strategies like public-private partnerships rather than penalizing them. The only way to fully address our Nation's infrastructure needs is to involve the private sector. The Federal Government can't do everything.

BUILDING AMERICA'S FUTURE,
APRIL 16, 2012.

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

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: In order to remain economically competitive, the United States must have a modern 21st century transportation system. Goods must move efficiently to market and people must reliably get from their homes to their jobs or schools.

However, as you are keenly aware, transportation-funding shortfalls are increasing at all levels of government, and traditional funding sources are no longer keeping pace with rapidly growing needs. As a result, states and cities have had to increasingly look to innovative solutions, such as partnering with the private sector (where appropriate) in an effort to modernize their transportation networks. Now is surely not the time to restrict the ability of states and cities to innovate.

Yet, that is precisely what happened with the inclusion of several harmful provisions in the Senate's transportation bill (MAP-21). We are particularly concerned about language that provides a disincentive to states and cities to consider partnering with the private sector for fear of losing a percentage of its federal funding; eliminates the option to use Private Activity Bonds (PABs) to finance leased highway projects; and changes the depreciation timetable for long-term highway leases from 15 years to 45. Taken together or individually, these provisions would have a chilling effect upon future private investment in infrastructure, perhaps even bringing it to a complete halt.

As the House continues to work on its multi-year transportation bill, we urge you not to include any provisions that would make it more difficult for states and cities to continue to innovate and partner with the private sector. In order to address our nation's enormous transportation needs, states must rely on a variety of options to fund and finance those needs. At a time when federal funds are increasingly limited but needs are growing exponentially, the last thing Congress should do is tie the hands of governors and mayors by limiting the options available to them.

Public private partnerships are not the solution to every state's transportation funding challenges, but they are certainly a piece of the solution.

Our own experience with public private partnerships in infrastructure investment convinces us that the private sector is looking for such long term stable investments and that these partnerships must be a viable option for helping to fund our transportation needs.

We urge you to protect the ability of states seeking creative solutions to transportation funding challenges, rather than creating roadblocks to leveraging state dollars with private investment.

Sincerely,

MICHAEL R. BLOOMBERG,
Mayor, City of New York.

ED RENDELL,
Former Governor, State of Pennsylvania.

MITCH DANIELS,
Governor, State of Indiana.

Mr. RAHALL. Madam Speaker, I yield 2 minutes to our distinguished ranking member on the Water Resources and Environment Subcommittee, the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank Mr. RAHALL for yielding.

Madam Speaker, I rise to speak in support of the motion to instruct conferees. This motion would direct conferees to adopt the Senate bill, MAP-21, which I introduced as H.R. 14 in March. This legislation can provide State DOTs, transit agencies, and contractors with the certainty they need to create and sustain jobs for the thousands of Americans who are still out of work as a result of the economic downturn.

MAP-21 not only passed overwhelmingly in the Senate with a bipartisan majority of 74-22, but the Senate bill is fully paid for and will save an estimated 1.8 million jobs and create up to 1 million additional jobs when implemented. During a weak economic recovery looking for a jump-start, this is precisely what we need to do.

Given that H.R. 4348 is merely a 90-day extension of highway programs at current levels with a few policy additions, we could put the construction industry back to work that much faster, given that the construction season is in full swing if this motion to instruct is adopted.

MAP-21 has the support of three-quarters of Congress, Senate Democrats, Senate Republicans, House Democrats; it has the support of the White House. It's time that the House Republicans got on board with job creation instead of fighting it. Americans want safe roads and bridges; but, above all, they want jobs.

The Senate passed the biggest job-creating bill in this Congress by an overwhelming bipartisan margin. The House has done nothing. Let's get this country moving again by passing the

Senate bill so the President can sign it. Let's create jobs. Let's Make It in America.

I urge my colleagues to support this motion to instruct conferees.

Mr. MICA. I yield 3½ minutes to the chair of the Rail Subcommittee, the distinguished member of our Transportation and Infrastructure Committee, the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I just want to remind my colleague from New York, as he is walking off the floor, that it was the Democratic-controlled Congress that was unable to pass a transportation bill when they had control of this body for the past couple of years.

Today, I come to the floor in opposition to the motion to instruct; and, quite frankly, I'm surprised, I'm shocked, I'm stunned that my colleagues on the other side are willing to take up a Senate bill which is a bad bill and, in fact, there's a couple of provisions in there that I would think the ranking member of the full committee and the ranking member of the Railroad Subcommittee would embrace. There is a coal ash provision in there which is going to be good for coal in West Virginia, so that is something I would hope that we would embrace going to conference, to come out and save those jobs in West Virginia, create more jobs.

Then, of course, the gentlelady from Florida, she embraces the Senate bill, which is going to be a disincentive for private money. It's my understanding that Florida is a leader when it comes to working with the private sector to build infrastructure. Why in the world would we want to have a disincentive out there for public-private partnerships when Florida will benefit mightily from it? Again, as I said, I'm stunned that we're standing here today with this motion to instruct.

The Senate bill fails to make real reforms, continues the transportation enhancement and safety routes, the school programs that mandate bike paths and roadside flowers and "walking school bus" programs. You would think that the people in Pennsylvania, Florida or West Virginia didn't love their kids enough that they wouldn't be able to instruct them on their own how to go to school safely.

Also, the people in Pennsylvania, we need to spend that money—not on bike paths, although I love bike paths, I have got a few of them in my district—but the time we face today should be focused on repairing those bridges when Pennsylvania has over 5,000 bridges that are in desperate need of repair. Again, the Senate bill continues to mandate that they hire a bike/pedestrian coordinator and a Safe Routes to School coordinator. Like I said, those are things I don't believe belong in this bill.

Further, the Senate bill fails, or it creates, actually, a national freight

program adding to bureaucracy at PennDOT. The new freight program allows States to use up to 10 percent of their appropriated funds for freight rail projects, which means less money for highways and bridges. I'm an advocate for rail in this country. I don't believe that Class I's would want anything to do with this because every time they have got involved with Federal money, it takes a lot longer and it's a lot more expensive. I don't even believe that the Class I's would embrace a program like this that the Senate is putting forward out there. The Federal regulatory provisions for passenger rail providers include rail authorities that are intended to stifle competition. Once again, there's private sector initiatives going on all over this country when it's coming to commuter rail.

Another thing, positive train controls, the Senate doesn't push that back. We found the technology is not there; it's not right. We don't have it. You can't use alternative forms of safety devices when it comes to positive train control.

In addition to that, in Pennsylvania, Pennsylvania, New Jersey and Delaware, SEPTA, they are going to have to spend half of their capital money, half of their capital dollars, to put positive train control in place. This is going to cause even the trains in New Jersey and the Philadelphia area to be less safe because they are not going to be spending on fixing their rolling stock and rehabilitating their rail lines.

□ 1500

So this bill, again, falls far short of any kind of reforms we need, as well as the Railroad Rehabilitation Improvement Financing fund, which is a loan program to tap into \$35 billion.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman 30 additional seconds.

Mr. SHUSTER. Now, that's the kind of reform we need to see, not forcing States to spend 10 percent in freight rail projects, but let's let them tap into this RRIF loan program and make it easier.

The way our bill and our reforms are, it would make it much easier for the Class I's, and especially the short lines, to be able to invest those dollars at low interest rates and improve the freight rail system in this country.

Again, I'm stunned that my colleagues wouldn't support these what I consider to be groundbreaking reforms that will allow us to spend more money on building roads and bridges.

With that, I urge a rejection of this motion to instruct.

Mr. RAHALL. May I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from West Virginia has 16 minutes remaining, and the gentleman

from Florida has 12½ minutes remaining.

Mr. RAHALL. I have the right to close debate?

The SPEAKER pro tempore. The gentleman is correct.

Mr. RAHALL. I reserve the balance of my time.

Mr. MICA. Madam Speaker, I am pleased to yield 2 minutes to one of our star new members of the committee, the gentleman from New York (Mr. HANNA).

Mr. HANNA. I thank the gentleman from Florida.

I rise in opposition to the motion to instruct.

The House has developed some of the strongest policy reforms in decades. I, for one, am not ready to give them up. I thank Chairman MICA in particular for his leadership to streamline project delivery. It shouldn't take 15 years to finish a project. Our bill streamlines the permitting process so that they can be done concurrently, instead of consecutively. This is good policy and something worth fighting for. We can cut this time in half—and we should.

I also worked on two other provisions that simply aren't addressed in the Senate bill:

One addressed the use of engineering services. Specifically, it calls for States to utilize private sector engineering firms to the maximum extent possibility. State DOTs should streamline their operations and reduce overhead so more money is going to put shovels in the ground, not to bureaucracy.

The second provision would create regional planning organizations to give small communities a seat at the table, which is something they don't have now. The rural areas I represent face stiff competition for limited Federal dollars, and they deserve their fair share. But this reform, too, is absent from the Senate bill.

Let's work with the Senate to get these and other good ideas from both sides included in a final bill. Madam Speaker, we should embrace this process to make a positive impact on the Senate bill.

I urge my colleagues to oppose the motion to instruct.

Mr. RAHALL. I continue to reserve the balance of my time.

Mr. MICA. Madam Speaker, I am pleased to yield 3 minutes to one of the senior members of the Transportation Committee, the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Thank you, Mr. Chairman.

What's interesting about the debate is, if the Senate bill is good, you're going to appoint conferees, argue for the Senate side—you don't have to introduce a bill here in the House—and expect us to accept it when we haven't read it, we haven't debated it. It came to the floor without any discussion on

our side. So when we go to conference, if you like the Senate provisions, if you like a 2-year bill when we're going to fight for a 5-year bill, you're welcome to ask for that.

But there are some things in the Senate bill that really bother me. You had the Senate side say and guarantee there were no earmarks in this bill. Well, if you look at what Senator REID has done, in the 2005 SAFETEA-LU, the House put out a \$45 million request for a project that was considered a legal earmark at that point in time. What Mr. REID has done is he has re-appropriated that project to a \$45 million project near the Las Vegas airport.

Now, it's nice that the Senate wants to make promises, but actions speak a lot louder than words. And when the actions of the bill state clearly that \$45 million of House money authorized in 2005 is being transferred to a project in Las Vegas in a bill—and it's 2012—something inappropriate about that promise seems to occur.

I really appreciate the chairman putting language in our original bill on environmental streamlining. I think he did a great job on this. But when I wrote the bill, the language was very clear on what we were trying to do.

In 2005, authored language in TEA-LU said if a State has an environmental process that meets or exceeds Federal environmental law, they don't have to go through a duplicative process, and it allowed five States the opportunity to participate in that. But one State took advantage of that: the State of California. To this date, it's saving 17 months on process time—just application—and it's saving 30 months on delivery time.

What we tried to do in the House bill was the same thing. We're saying: Allow environmental reciprocity. But we want to go beyond that. We want to say not only should States be allowed to do that, but allow local municipalities and counties to do the same thing. They can save 17 months on process, 30 months on delivery. Today, time equals dollars. Plus, if you can create the projects today, we're going to move the economy forward in a positive direction and create some jobs.

But there's other things we need to do.

Receiving grants: Current law says that if a State or municipality applies for a Federal grant, they can't start the project until the grant money is received by the municipality or the agency. What we've done is say that once you have been approved for the grant, if you want to start the project, now start the project and you can reimburse yourself when the grant funds come in. You might save 12 months alone waiting for a grant to come in from the Federal Government; whereby, you can start today using local agency funds or State funds and get your money back when this money comes in from the grant project.

We need to establish some certainty on when you can start a project. The problem we have is, when applications are made to the Federal Government for a process for approval, it goes through an uncertain time process where they can delay and delay and delay. We've said, thanks to the chairman, that there's a date certain. Now the Federal Government has to respond by a date and has to approve it by a date.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman an additional 30 seconds.

Mr. GARY G. MILLER of California. Thank you, Mr. Chairman.

I think Chairman MICA did a great job putting the language into the bill, because it says you have to know when you can do something based on the Federal process and it sets a deadline for the Federal bureaucrats to get their job done.

Now, it seems like local governments and State governments are rapidly wanting to do things and the Federal Government drags its heels, requiring them to delay until they get final approval. We're saying, no, let's set a date for the Federal bureaucracy to approve a project—and I know you agree with this issue on your side—to let the construction projects go forward and make sure bureaucrats do their job. I approve what Chairman MICA is willing to do and wants to do here.

Mr. RAHALL. I continue to reserve the balance of my time.

Mr. MICA. Madam Speaker, at this time I have no further requests for time, and I yield myself the balance of my time.

I started out talking about how it's important for the legislative process to properly be fulfilled under the terms of the Constitution and separation of responsibilities in the legislative body. This motion, of course, would close all of that down. We'd accept what the Senate has done without all of the work many Members have put into it. And I didn't go to Webster Springs, but I did go to Beckley, West Virginia, where we held the first meeting to allow the other side of the aisle to present at the very first of these deliberations their viewpoint and their recommendations for trying to pass a long-term transportation bill.

We took many of those—as you heard, 60 percent of the recommendations from the other side. We took 100 amendments, considered them, and passed 20 during 18 hours of marking up and considering the bill. So we've tried to make this a bipartisan process and a full process that everyone gets to participate in. But now they're here telling us that we don't want the House to participate any further, and just take the Senate bill and go along.

□ 1510

Now they, of course, passed six extensions, short term, keeping things in

turmoil during—I think we calculated about 14 months. I've had to do three in about the same period of time. The difference is, I didn't have 6,300 earmarks, I didn't control the other body or that house downtown, what do they call it? The White House. But they controlled them all, all the branches, and they couldn't git 'er done.

So, the Senate bill does not set a threshold on some of these environmental approvals that tie us up. And no one wants to step over any good environmental provisions. What we want to do is shorten a little bit the time that these things go under consideration. They go on and on. You heard Mr. RIBBLE talk: 15 years to approve some of the projects in his district, 7 years on average for simple processing if the Federal Government gets involved. And we keep repeating the same thing. You heard the speaker say it's like Groundhog Day around here, and we've got to stop the Groundhog Day, and we could do that by having the House provisions adopted.

There are a whole host of things wrong with the Senate bill, and I won't get into them. And I know it's been a bumpy road to get here. I've told folks that when I became chairman—and I think the ranking member, when he became ranking member, neither of us was handed an operating manual. So this has been a bumpy road to get here, and it is a difficult process, but we tried to include everyone in that process and come up with the best suggestions and recommendations.

Mr. RIBBLE's amendment, which is to streamline provisions of H.R. 7, is excellent. Well, we'll get more for less, and we can do it responsibly. Mr. BOSTANY from Louisiana's amendment getting the Highway Maintenance Trust Fund to get funds that are collected for improvement of the ports—actually they improve our ports that are so important to infrastructure. So there are many good provisions in our legislation. It's not what I would have exactly crafted or passed in the very beginning or brought out here, but it is a vehicle so that everybody can have consideration who has participated in this process.

So I submit to you, although it's been a bumpy road with some twists and turns—we didn't expect that the Senate bill is a path to fewer jobs; it's a path to fewer projects actually getting done. It's a path to build only paths, if you want to look at it that way. Unfortunately, it's also a path to a dead end for transportation.

So, I submit, Madam Speaker, that we take a different road, that we take a road to where we'll have more jobs. We could do more with less, and we can, I think, do a lot more for the American people in a very difficult time in our history in moving this great country forward and building our infrastructure.

With that, I'll yield back the balance of my time.

Mr. RAHALL. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, as I said in my opening comments, the Senate bill, MAP-21, is not the perfect bill. It's not the bill I would have written had I had my druthers. And yet I hear several of my colleagues on the other side saying how stunned they are that I am not for the House bill and that I would be here offering a motion to accept, *carte blanche*, the other body's bill.

I'm sure those Members know how this process works, and before I just give them a brief lesson on that, let me repeat my words again from my opening comments: that the other body's bill is not perfect. If there are issues that we must change, we can address those through a technical corrections bill that will make the necessary policy changes to improve the bill. This is not unprecedented. We have done it before, I would say to my stunned colleagues on the other side of the aisle.

So there is nothing to prevent Congress from enacting S. 1813 and then continuing to work to develop further bicameral, bipartisan changes to further improve our surface transportation programs and policies. But the bottom line here, the bottom line here is that our American workers should not have to wait any longer as Congress searches for an agreement. The time for political games, the time for adding stuff to score political points, is over.

I would say, in addition, to my distinguished chairman from Florida, he appears to blame part of his problems, headaches, and troubles on his side of the aisle on the fact that we no longer have what are known as earmarks. Now, it seems to me his suggestion is that we reinstate that process known as earmarks whereby we, in this body, if it's so concerned about Members of the House having a say and doing our constitutional jobs, where we would have a legitimate input into the making of transportation policy by deciding those local projects that are best for our people, rather than leaving them to bureaucracies or to Presidents of the United States, regardless of who occupies that office.

So, last week, I asked my colleague to join me in a bipartisan manner in writing a letter, which he kindly agreed, to the Speaker urging an expeditious naming of conferees, which we've now done. That was a bipartisan letter signed by the big four in our committee. I would now ask him, again, in the spirit of bipartisanship, and I will yield him time if he's prepared to answer my question yes or no—yes or no—if he will join me in a bipartisan letter to the Speaker asking for the reinstatement of earmarks. Yes or no?

Mr. MICA. Will the gentleman yield?

Mr. RAHALL. Yes, I'll yield.

Mr. MICA. I have to be a little bit more verbose. Would you allow me additional time?

Mr. RAHALL. I'll grant you 1 minute.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 minute.

Mr. MICA. When I took over as ranking member and we had sort of a rank way in which earmarks were done, I cleaned up the process. I think earmarks, there can be bad legislative earmarks and bad administrative earmarks. When they're done behind closed doors, they're not properly vetted, they're not transparent, and they haven't had the sunshine, the anti-septic sunshine to let people know what's going on and they're not a worthwhile project that has true support, they shouldn't be considered, whether by the administration or legislatively. I think that we have a moratorium now, and I'd like to see a different way to present those requests. I think fundamentally under Article I of the Constitution, I think it's section 2, we should, as the House of Representatives, and we do earmark, even if we just put one line in that says that we'll turn all this money and responsibility over to the administration—that is an earmark. But we can do, and we should do better.

Mr. RAHALL. I appreciate the gentleman's response. Perhaps we ought to start drafting such a letter and see how far we get.

But let me conclude my part of the debate here, Madam Speaker, by reiterating what my motion is. It's simple, it's pure, it's clean, and it's straightforward. It instructs our conferees that we are appointing today to agree to the Senate bill.

That bill, known as MAP-21, provides a total of \$109 billion in funding for fiscal years '12 and '13 for Federal highway, highway safety, and public transportation programs.

Among its other features, it continues current funding levels, it sustains approximately 1.9 million jobs on an annual basis, it provides continued dedicated financing for public transit from the highway trust fund—no more "go fish" with general appropriators on a yearly basis for our transit agencies. It continues and expands upon provisions developed during the last Surface Transportation Act to expedite project delivery without gutting environmental protections or limiting public participation.

I fear if you do either of the last two, you're only going to prolong the process through court battles because there will be court challenges that will go on beyond any approval process of the bureaucracy that may exist today.

The Senate bill also strengthens Buy America requirements that apply to Federal highway, transit, and rail capital projects by prohibiting the segmentation of such projects in order to

avoid Buy America requirements. It ensures that the Department of Transportation periodically review existing nationwide waivers applicable to highway and rail projects. It requires DOT to justify any proposed waiver of the Buy America requirements, and it ensures that the American public has notice of an opportunity to comment on any proposed waiver prior to taking effect.

Finally, MAP-21's bipartisan financing package fully pays for the bill—fully pays for the bill, fully pays for the bill—by providing approximately \$9.6 billion in new revenues into the highway trust fund.

□ 1520

This amount will fully pay for highway, transit, and highway safety programs authorized by the bill, and it will allow DOT to maintain a positive balance in both the highway and transit accounts of the highway trust fund at the end of the bill.

The bipartisan offsets do not add to the deficit because the general fund of the Treasury is also made whole for every dollar that's transferred into the highway trust fund.

So as I conclude, let me say that for these reasons I urge adoption of this motion.

Mr. MICA. Will the gentleman yield for one question?

Mr. RAHALL. I yield to the gentleman from Florida.

Mr. MICA. Last week, I think it was, you had come to the floor and asked me to sign a letter to the Speaker to appoint conferees and to go to conference. That's correct?

Mr. RAHALL. Correct.

Mr. MICA. And then we signed that and we sent it to the Speaker. It has gone to the Speaker. So now we're doing that, and now you're asking me to go to conference and roll over and play dead?

Mr. RAHALL. No, I'm not asking you to roll over and play dead. I'm saying that we ought to go to conference, accept the Senate bill. We can come back, as I've said now for the third or fourth time, and enact a technical corrections bill if there is something that we see in there that is drastically bad.

Mr. MICA. Will the gentleman yield?

Mr. RAHALL. I yield to the gentleman.

Mr. MICA. I thought this motion to recommit was to accept the Senate position. So we're getting it to conference. Didn't I pass a motion to go to conference? So now what? You're asking me to just, okay, surrender, it's all over?

Mr. RAHALL. Reclaiming my time, Madam Speaker, I've said many times during this debate that that's not the position of this gentleman that we roll over and play dead to the other body. I've said the other body is not the perfect bill. I've said that there are tech-

nical corrections we can change once we get a conference underway. Once we pass a conference committee bill, we can come back and make technical changes. That's not unprecedented in this body.

The important point here to remember is: no longer can we play these political games; no longer can we add extraneous stuff on a jobs bill such as this transportation bill to score political points for a certain wing of our party.

What we need to do, and the American people are demanding, this is the time that contracts are let for work—not 90 days from now, not 180 days from now. This is springtime. This is time when the highway projects are let, and the American worker is waiting to know whether he or she will have a job this summer.

That's why I think every move should be made to get to conference expeditiously, to have that conference conclude its work and bring a bill back for both Houses of Congress to enact in order to provide that certainty to the American small businesses, to the American economy, to the American worker that he or she will have a job this summer. And that certainty should not wait around for us to decide whether we're going to roll over and play dead or not. That bill can be corrected, as we've done numerous times in this body, through technical changes once we have given that certainty to the American worker and to the American people.

It's for that reason that I urge that the House today approve this motion to instruct conferees as we go to conference on the transportation bill.

I yield back the balance of my time.

Mr. COSTELLO. Madam Speaker, I rise in support of the Democratic motion to instruct conferees on the surface transportation reauthorization bill (H.R. 4348 and S. 1813).

While the Senate bill is not perfect, it does provide certainty to State DOTs, transit agencies, and contractors that will help create and sustain jobs for out-of-work Americans. Further, it creates or saves more than two million jobs and strengthens our economy. The legislation passed the Senate by a vote of 74 to 22, with strong Democratic and Republican support.

Adopting this motion to instruct will allow the conferees to make technical corrections to improve the legislation enabling Congress to move quickly to finalize a robust bill, as the construction season is already underway.

Investing in our roads, bridges, waterways and rail systems creates good-paying jobs now while making our transportation system more efficient for decades into the future. Our backlog of maintenance needs alone is staggering, and we need to address it or continue to jeopardize our economic future.

I urge my colleagues to support the motion to instruct conferees.

Ms. MCCOLLUM. Madam Speaker, I rise today in opposition to H.R. 4348, the Surface Transportation Extension Act, Part II. With this

legislation, House Republicans are making all the wrong choices for Minnesota, and for the country.

House Republicans are choosing to bring another short-term extension of transportation policies to the floor instead of the two-year measure that passed the Senate with an overwhelming bipartisan vote of 74–22. The Senate bill would save or create over two million jobs, including an estimated 28,100 jobs in Minnesota. This legislation has been introduced in the House, and I am an original co-sponsor.

The Senate bill is not perfect, and I encourage my Senate colleagues to continue working with stakeholders—including tribal leaders, small businesses, and local governments—to strengthen this bipartisan legislation. But this compromise solution will put people to work right away and provide the certainty that transportation agencies and businesses need. For over a month, House Republican leaders have refused to allow a vote. It is completely unacceptable that Tea Party Republicans in the House continue to stand in the way of two million American jobs at a time when construction workers across the country are sitting on the bench, desperate to work.

In this bill, my Republican colleagues also chose to include language that will increase gas prices for Minnesota families. H.R. 4348 grants approval for construction of the Keystone XL pipeline, which would divert Canadian oil away from Minnesota refineries to refineries in the Gulf of Mexico. In a March 2011 Star Tribune op-ed, respected oil economist Philip Verleger explained this diversion would reduce oil supply in the Upper Midwest, raising costs for Minnesotans at the gas station and grocery store. In fact, Verleger said the country as a whole would end up paying nearly \$5 billion more for oil than we do today if the pipeline is built.

This legislation also includes language offered by Congressman REID RIBBLE (R-WI) to limit the ability of local governments and citizens to participate in transportation projects in their communities. These changes to the National Environmental Policy Act would restrict local influence in transportation decisions that directly affect residents' health, safety, and quality of life.

I urge my colleagues to reject this broken bill, which guarantees more uncertainty for states, fewer jobs for workers, higher gas prices for drivers and less control for local governments. Instead, we should choose the bipartisan alternative and immediately pass the Senate legislation to put two million Americans back to work.

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

There was no objection.

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

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

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

The yeas and nays were ordered.

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

Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Clarke (MI)
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Conaway
Connolly (VA)
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Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Farr
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs

Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rogers
McNerney
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore

Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Conyers
Courtney
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schock
Schradler
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)

Walz (MN)
Webster
West
Westmoreland
Whitfield

Wilson (SC)
Wittman
Wolf
Womack
Woodall

Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—111

Ackerman
Baldwin
Becerra
Berman
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Capps
Capuano
Chu
Cicilline
Clarke (NY)
Kaptur
Cleaver
Cohen
Conyers
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lujan
Lynch
Maloney
Markey
Matsui
McCollum
McDemott
McGovern
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano

Green, Al
Grijalva
Gutierrez
Hastings (FL)
Heinrich
Hinchev
Hirono
Holt
Hoyer
Jackson (IL)
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kildee
Kucinich
Larson (CT)
Smith (WA)
Speier
Stark
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

Neal
Olver
Pallone
Pascrell
Pelosi
Perlmutter
Pingree (ME)
Price (NC)
Rothman (NJ)
Rush
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Scott (VA)
Serrano
Sherman
Smith (WA)
Speier
Stark
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—8

Filner
Holden
Loebstack

Lowey
Rangel
Marino
Paul

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1719

Messrs. MORAN, AL GREEN of Texas, and DICKS changed their vote from “yea” to “nay.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 180, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

CONVEYANCE OF LAND TO CORRECT ERRONEOUS SURVEY, COCONINO NATIONAL FOREST, ARIZONA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1038) to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based

upon the reliance of the landowners in an erroneous survey conducted in May 1960, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 1, not voting 9, as follows:

[Roll No. 181]

YEAS—421

Ackerman
Adams
Aderholt
Alexander
Cohen
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Clarke (MI)
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (KY)
Davis (IL)
Davis (NY)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Diaz-Balart
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte

Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte

Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford

Larsen (WA)	Palazzo	Scott (VA)
Larson (CT)	Pallone	Scott, Austin
Latham	Pascarell	Scott, David
LaTourette	Pastor (AZ)	Sensenbrenner
Latta	Paulsen	Serrano
Lee (CA)	Pearce	Sessions
Levin	Pelosi	Sewell
Lewis (CA)	Pence	Sherman
Lewis (GA)	Perlmutter	Shimkus
Lipinski	Peters	Shuler
LoBiondo	Peterson	Shuster
Lofgren, Zoe	Petri	Simpson
Long	Pingree (ME)	Sires
Lucas	Pitts	Smith (NE)
Luetkemeyer	Platts	Smith (NJ)
Luján	Poe (TX)	Smith (TX)
Lummis	Polis	Smith (WA)
Lungren, Daniel E.	Pompeo	Southerland
Lynch	Posey	Speier
Mack	Price (GA)	Stark
Maloney	Price (NC)	Stearns
Manzullo	Quayle	Stivers
Marchant	Quigley	Stutzman
Markey	Rahall	Sullivan
Matheson	Reed	Sutton
Matsui	Rehberg	Terry
McCarthy (CA)	Reichert	Thompson (CA)
McCarthy (NY)	Renacci	Thompson (MS)
McCaul	Reyes	Thompson (PA)
McClintock	Ribble	Thornberry
McCollum	Richardson	Tiberi
McCotter	Richmond	Tierney
McDermott	Rigell	Tipton
McGovern	Rivera	Tonko
McHenry	Roby	Towns
McIntyre	Roe (TN)	Tsongas
McKeon	Rogers (AL)	Turner (NY)
McKinley	Rogers (KY)	Turner (OH)
McMorris	Rogers (MI)	Upton
Rodgers	Rohrabacher	Van Hollen
McNerney	Rokita	Velázquez
Meehan	Rooney	Visclosky
Meeks	Ros-Lehtinen	Walberg
Mica	Roskam	Walden
Michaud	Ross (AR)	Walsh (IL)
Miller (FL)	Ross (FL)	Walz (MN)
Miller (MI)	Rothman (NJ)	Wasserman
Miller (NC)	Roybal-Allard	Schultz
Miller, Gary	Royce	Waters
Miller, George	Runyan	Watt
Moore	Ruppersberger	Waxman
Moran	Rush	Webster
Mulvaney	Ryan (OH)	Welch
Murphy (CT)	Ryan (WI)	West
Murphy (PA)	Sánchez, Linda T.	Westmoreland
Myrick	Sanchez, Loretta	Whitfield
Nadler	Sarbanes	Wilson (FL)
Napolitano	Scalise	Wilson (SC)
Neal	Schakowsky	Wittman
Neugebauer	Schiff	Wolf
Noem	Schilling	Womack
Nugent	Schmidt	Woodall
Nunes	Schock	Woolsey
Nunnelee	Schrader	Yarmuth
Olson	Schwartz	Yoder
Olver	Schweikert	Young (AK)
Owens	Scott (SC)	Young (FL)
		Young (IN)

NAYS—1

Amash

NOT VOTING—9

Akin	Loeb sack	Paul
Filner	Lowey	Rangel
Holden	Marino	Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1726

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 181, I was away from the Capitol due to prior com-

mitments to my constituents. Had I been present, I would have voted "yea."

Mr. AKIN. Mr. Speaker, on rollcall No. 181, I was unavoidably detained and would have voted "yea."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3674

Mr. LANGEVIN. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor to H.R. 3674.

The SPEAKER pro tempore (Mr. MEEHAN). Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

□ 1730

APPOINTMENT OF CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on Transportation and Infrastructure, for consideration of the House bill (except section 141) and the Senate amendment (except secs. 1801, 40102, 40201, 40202, 40204, 40205, 40305, 40307, 40309–40312, 100112–100114, and 100116), and modifications committed to conference: Messrs. MICA, YOUNG of Alaska, DUNCAN of Tennessee, SHUSTER, Mrs. CAPITO, Mr. CRAWFORD, Ms. HERRERA BEUTLER, Messrs. BUCSHON, HANNA, SOUTHERLAND, LANKFORD, RIBBLE, RAHALL, DEFAZIO, COSTELLO, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Messrs. CUMMINGS, BOSWELL, and BISHOP of New York.

From the Committee on Energy and Commerce, for consideration of sec. 142 and titles II and V of the House bill, and secs. 1113, 1201, 1202, subtitles B, C, D, and E of title I of Division C, secs. 32701 32705, 32710, 32713, 40101, and 40301 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, WHITFIELD, and WAXMAN.

From the Committee on Natural Resources, for consideration of secs. 123, 142, 204, and titles III and VI of the House bill, and sec. 1116, subtitles C, F, and G of title I of Division A, sec. 33009, titles VI and VII of Division C, sec. 40101, subtitles A and B of title I of Division F, and sec. 100301 of the Senate amendment, and modifications committed to conference: Messrs. HASTINGS of Washington, BISHOP of Utah, and MARKEY.

From the Committee on Science, Space, and Technology, for consideration of secs. 121, 123, 136, and 137 of the House bill, and sec. 1534, subtitle F of title I of Division A, secs. 20013, 20014, 20029, 31101, 31103, 31111, 31204, 31504, 32705, 33009, 34008, and Division E of the Senate amendment, and modifications

committed to conference: Messrs. HALL, CRAVAACK, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Ways and Means, for consideration of secs. 141 and 142 of the House bill, and secs. 1801, 40101, 40102, 40201, 40202, 40204, 40205, 40301–40307, 40309–40314, 100112 100114, and 100116 of the Senate amendment, and modifications committed to conference: Messrs. CAMP, TIBERI, and BLUMENAUER.

There was no objection.

THE SMALL BUSINESS TAX SIMPLIFICATION ACT

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

Mr. BERG. Mr. Speaker, in North Dakota, we know jobs come from small business, not from Big Government. Small business is the backbone of our economy, and it's the engine to get America back to work. Unfortunately, all too often, instead of helping small business, Washington serves as a roadblock to its growth by piling on excessive regulations and imposing burdensome complex Tax Code on the job creators.

The legislation I'm introducing today is known as the Small Business Tax Simplification Act. It will simplify our Tax Code for small businesses. Instead of being bogged down with complex tax-reporting requirements, this bipartisan legislation will allow businesses to use a simplified form of accounting that more closely matches the way small business owners run their businesses.

This bill represents commonsense change that would ease the burden of tax complexity for many small businesses, as they can spend more of their time and resources doing what they do best, and that's growing jobs and helping our economy.

GOP FRESHMAN CLASS ON COMPREHENSIVE TAX REFORM

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

Mr. REED. Mr. Speaker, I rise tonight to join here this evening with six or more of my colleagues from the freshman class to talk about a very important issue that we face in this Nation, and that is the need for our country to engage in an open and honest debate about comprehensive tax reform as we come to the end of the year with the expiration of our individual tax rates, our corporate tax rates, and the potential exposure of the estate tax being reintroduced at levels that would decimate family farmers and families across all of America.

I am pleased to be joined by so many of my colleagues who understand the importance and the critical nature of this issue to put us on a path to make America competitive when it comes to the world economy, and also to come up with a Tax Code that is simpler and easier for people to understand and that we don't have to spend thousands of dollars, hundreds of dollars, paying advisers to fill out forms just to meet the obligation of a tax burden that is out of control because of spending that is completely causing this Nation to create a national debt of \$15.6 trillion. As we go forward in this conversation, let us be open, honest and fair about the issues before us.

With that, I would like to yield, Mr. Speaker, to a good friend of mine from Georgia.

Mr. AUSTIN SCOTT of Georgia. Thank you. I will tell you the key to this is open and honest debate.

We hear a lot from the President and from Democrats today about America's millionaires not paying their fair share. And they, quite honestly, quote Warren Buffett and talk about the Buffett rule. And certainly I'm happy that Mr. Buffett lives in a country like I do where he's able to achieve what he has. But Warren Buffett is a billionaire, not a millionaire.

Now, let's talk about who America's millionaires are. In my part of the country, farmland sells for about \$3,500 an acre. So if you own 285 acres of land that you farm, you're a millionaire. In other parts of the country, it may sell for as much as \$15,000 an acre. And if you're a farm family with 66 acres, that's one of America's millionaires.

These are hardworking, middle-income Americans who have saved all their lives to pay for the farm. We need to work to protect these family farms so the next generation can carry on their legacy. We hear a lot about that—protecting the American farmer—from the other side of the aisle. Yet they propose tax policies that do the exact opposite and very much would destroy our agricultural industry and the safety net that it provides this country.

□ 1740

In fact, if you follow their tax policy, America's farmers will simply be another statistic. What statistic? As it stands today, approximately 30 percent of family businesses will be passed on to the family's second generation—only in America—12 percent will make it to the third generation, and only 3 percent of all family businesses make it to the fourth generation or beyond. For a family farmer, for a small business owner, that's very disheartening. However, if the President has his way, those percentages will be even lower.

On January 1, 2013, the death tax will rise from the dead again, re-ordained by President Obama, and return with a

rate of as much as 55 percent. Again, in my part of the country, a middle-income family farmer in my part of the country who owns more than 285 acres of land could be assessed a death tax of as much as 55 percent of what they try to leave to the next generation. That's what the President defines as the family farmer's "fair share."

Mr. Speaker, family farms are a significant and reliable food source for our country and the world, and they play a vital role in our Nation's national security. However, under the President's death tax proposal, family farmers will be forced to downsize their operations chunk by chunk, selling their assets to pay for what amounts to nothing other than the seizure of the family farm. Many may shut down and have to sell everything just to cover the cost.

I think of the song by Crosby, Stills & Nash that said: "Tax the rich, feed the poor, 'til there are no rich no more." This is certainly the attitude of the current administration.

The truth is you simply can't feed the hungry without the family farmer. They play a vital role in everything we are and do as Americans.

Mr. Speaker, you want more hungry people in America? You want a decline in family businesses and higher unemployment? Follow the President's proposal on the death tax, because that's exactly where it leads. It's the seizure of assets of the family farmers and the family businesses in America. I promise you, if that happens, there will be more hungry people in America.

Mr. REED. I so appreciate my colleague from Georgia, the president of the freshman class, for his comments on the family farm and standing up for family farmers all across America.

One thing that we're going to face at the end of the year with the expiration of these tax rates and a need for us to commit firmly to comprehensive tax reform, I hope we all adopt a policy, a policy that I have heard from folks throughout my district, across my great State of New York, and across this entire Nation, and that is a firm commitment that they're looking for from Washington, D.C., to adopt tax policy that is going to be certain, that we adopt tax policy that is going to be permanent. Because as we ask our local manufacturers, our job creators of the United States of America, they need to know that when they make these decisions on millions, if not billions, of dollars in local plants to put people back to work that the rules of the road are going to be clear and they are going to be certain and they are going to be permanent so that they can rely on that certainty, so that they can make the investment necessary to get this economy going forward again, and making sure that they can rely on those rules and that they won't change midstream as we see with tax policy that extends

on 10-year windows—or tax extenders, the 101 tax extender policies that either expired last year at the end of 2011 or will expire at the end of 2012, things as basic as the research and development tax credit for our manufacturers across America. Those types of policies need to be done on a permanent nature so that when these investment decisions are made, the people that are making those choices know that there will be a forum and a platform on the American market that is secure, certain, and will allow them to make sure that there is a good thought process put in place as they make those investment decisions.

At this point in time, I would love to yield to my good friend from the State of Pennsylvania, one of our leaders in the freshman class, MIKE KELLY.

Mr. KELLY. I would like to thank my friend from New York (Mr. REED).

Mr. Speaker, I rise today to talk about the things that are certain in life. People always say there's two things you can be certain of. One is death and the other is taxes. There's another one that we're going to be certain of after January 1, and that is you're going to continue to pay taxes after death.

In a government that borrows 42 cents of every dollar it spends, it comes as no surprise that we can't even let the dead relax. They're still going to be taxed beyond what they ever could have possibly imagined in real life.

So we look at a country that now has the highest corporate tax in the industrial world; we're going to have the highest or the second highest death tax in the world. And why? Because of a town that's never learned to do what it tells all of its citizens to do: live within your means, play fair, pay your fair share.

Well, I would just suggest to you that, in addition to that, what we're telling people is, look, you don't have the certainty anymore that you have planned your estate the right way, because after January 1 this government is going to come up with heavier taxes on its citizens—not the ones that are on the ground and living, but the ones that have already died, that have paid their fair share, that have played within the rules, that have done everything they're supposed to do as good citizens of this great country. They're going to be told at the end of their life that you cannot go to your final resting place in peace. No. Everything that you have accumulated in your life and already paid taxes on is going to be taxed again.

And who is it that's going to face that burden? All those people that we tried to work so hard for, that we tried to put things aside for. Our children and our grandchildren are facing a hockey stick of spending that goes up and off the charts. Again, a country that cannot live within its own means,

and yet an administration that tells its citizenry you have to pay your fair share, the rich are not paying their fair share.

Listen, farms are not only going to go away because those assets are going to have to be liquidated to pay death taxes, small businesses are also going to be harmed by this new tax. They're going to have to liquidate in order to pay the estate taxes that are left over after somebody has worked their whole life, paid their fair share, done what they're supposed to do, lived within their means. But that's not enough. That's not enough for this administration. They will continue to rip off from your pocket after death that which you have worked so hard to earn over your lifetime.

There is nothing more prickly; not even the sharpest cactus in the desert has more prickly pins on it than this law and this rule in the way it's coming.

So I would just say to all my friends, if it's really about being fair, if it's really about playing by the rules, if it's really about a stewardship where you take what is given to you and you pass it on to the next generation in better shape than you got it, my goodness, how have we strayed so far from a basic American principle as that? How have we strayed so far as to tell those who have worked so hard in their lifetime that even in their death they cannot rest, they cannot be assured of that which they have worked so hard in order to pass on to the next generation is going to be vulnerable? Fifty-five percent tax on your estate.

The liquidation of family farms, the liquidation of family businesses, the liquidation of the dreams of our children and grandchildren, all of them go up in smoke as this tsunami of tax increases that this administration will be forcing on the American people after January 1.

I thank my friend from New York for bringing this issue up.

Mr. REED. Well, I thank the gentleman from Pennsylvania for joining us here tonight.

In listening to your comments, I wholeheartedly agree that what we're seeing at the end of this year, if Washington, D.C., does not get its act together—and we as the freshman class, I think, are doing a great job in holding this city accountable and really changing the culture of Washington, D.C. The job has just started. We have a lot more work to do, and we'll continue to go forward on that mission.

But what we have to commit ourselves to is, if we do not act by the end of the year, the largest tax increase in the history of America will go into effect with the expiration of the individual tax rates, the reinstatement of the estate taxes at levels of 55 percent and beyond, and we need to act.

Mr. KELLY. Will the gentleman yield?

Mr. REED. I yield to the gentleman from Pennsylvania.

Mr. KELLY. I think the other thing that is very important to understand is that we talk about competing in the global economy. Now, our friends to the north in Canada do not have a death tax. Our friends to the south in Mexico do not have a death tax. This, again, is an example of an administration that is so out of touch with the real world, that has never had any skin in the game, never understood that in order to produce a profit you must first know how to create one and not just how to tax it. But we are, again, taking ourselves out of the global economy and we are telling our people, You know what? You may be better off living in Canada or in Mexico, especially if you've accumulated anything in your lifetime, because you're not going to be able to pass it on to the next generation.

Mr. REED. I so appreciate that comment.

With that, I would like to yield to another colleague of ours, a great Member of the freshman class from Florida, Colonel WEST.

□ 1750

Mr. WEST. I thank the kind colleague of mine from New York (Mr. REED).

Mr. Speaker, as a field artillery officer in the United States Army, I learned a thing or two about weaponry. Our success on the battlefields of Desert Storm and Desert Shield depended on choosing the correct artillery for each specific objective, whether it was halting the enemy's forward progress, diminishing the strength of its forces, or completely destroying its capabilities.

Although he has never served our country in uniform or risked his life to defend its freedoms and liberties on distant shores, it seems President Obama understands a thing or two about weaponry as well. But in the President's case, Mr. Speaker, the current weapon of choice is tax policy, and the enemies are small businesses, investors, entrepreneurs, and corporations, who seemingly are deemed undesirable. In short, these are the economic engines of our Nation.

The President's planned tax increases seemed designed solely to demonize the rich and use them as a propaganda tool to score political points. But the collateral damage of these policies will spread far and wide into the heartland of America. After all, the 160 percent increase in Federal cigarette taxes put in place in 2009 by President Obama and his administration, certainly affects those earning far less than \$250,000, despite his promise not to raise their taxes.

The fact is, Mr. Speaker, next year, unless changes are made in the Tax Code, Americans will be bombarded

with the heavy artillery of the largest tax increase in the Nation's history, causing massive economic injury and destruction.

To begin with, if the Bush-Obama tax rates are allowed to expire, the current tax brackets of 10 to 35 percent will rise to 15 to 39.6 percent. Other tax provisions scheduled to disappear that will hit ordinary Americans include the American Opportunity Tax Credit—up to \$2,500 per student for qualified college costs, a tax exclusion for forgiven mortgage debt, and a tax credit for employer-provided child care.

Children of farmers, as my colleague from Georgia talked about, and small business owners who wish to continue the legacy of their parents will find it increasingly difficult to do so, as the death tax exemption will shrink from \$5 million to \$1 million. Further, inherited assets exceeding that amount will be taxed at a maximum rate, Mr. Speaker, of 55 percent, up from 35 percent, and a 5 percent surcharge on estates over \$10 million.

Investors will be battered with a capital gains tax increase from 15 percent to a maximum of 25.8 percent. Seniors who rely on their dividend returns will also be hampered. Stock dividends, currently 15 percent, will be taxed as ordinary income with a top rate of 43.4 percent. That's 39.6 percent income tax plus a 3.8 percent tax on investment income proposed in the President's health care law.

In the last few months we've heard a lot about fairness from the President, Mr. Speaker, especially when it comes to wealthier people. In President Obama's own message about his proposed budget for fiscal year 2013, he says everyone must shoulder their fair share. But how, Mr. Speaker, does he define fair when 47 percent of wage-earning households pay zero Federal income taxes, while the top 25 percent of wage-earning households pay 87 percent?

Besides, the spending proposed in the President's fiscal year 2013 budget is far beyond what the revenue base can support. It would be mathematically impossible to increase taxes on the Nation's highest earners to close the future trillion dollar-plus deficits if spending continues as President Obama has planned.

And according to a report by the Joint Committee on Taxation, the highly touted Buffett rule would raise a paltry 30 to \$40 billion over the next 10 years.

Mr. Speaker, during that same timeframe, President Obama's budget would create nearly \$7 trillion in new debt, which means the Buffett tax would lower that debt by less than half a percent. This is clearly not sound fiscal policy. It's the misguided policy of economic fairness, and it is just as Frederic Bastiat stated in his essay, "The Law": It is legal plunder under the

guise of benevolence and misconceived philanthropy.

While the President has some understanding of the destructive capability of his tax policy, he demonstrates little understanding of battlefield strategy, because those who are on the receiving end of an artillery barrage seldom stay in place.

When businesses and individuals are being bombarded with higher tax rates, they will simply change their behavior. Investors will shift money from taxable to nontaxable investments. Total economic activity slows, as there is less incentive for employees to work extra hours, while smaller, potential returns mean investors and venture capitalists are less willing to shoulder risks. All taxpayers have a greater incentive to shield their income.

Obviously, President Obama is no student of history either, Mr. Speaker, for if he were, he would know revenues increased under Presidents Kennedy, Reagan and yes, George W. Bush, at least until the 2007 financial crisis, when tax rates were reduced.

But increasing tax revenue does not appear to be the President's strategic objective. If it were, he would be recommending policies to help increase the revenue base by optimizing the regulatory and tax environment to encourage businesses to invest, grow, and hire.

The House of Representatives, Mr. Speaker, has passed 26 bills to do just that, but they currently languish on the desk of Senate Majority Leader HARRY REID, who will not bring them up for vote in the Senate.

Instead, President Obama seems determined to punish and wipe out economic success in this country, leveling tax weapons of mass destruction on all taxpayers. This is a battle our Nation can ill afford to lose. We must reform our Tax Code, and we must restore the conditions for economic success for all our citizens because truly, they are taxed enough already.

Mr. Speaker, unleashing the individual industrialism and entrepreneurial spirit of Americans does not come from capital consolidation in Washington, D.C. The American people do not want more Solyndras and GSA boondoggles.

The American people want economic security, which comes from this body becoming responsible stewards of their tax resources, not taking more from them based upon divisive, socioeconomic rhetoric.

The American people, Mr. Speaker, want a constitutional republic, not a socialist, egalitarian, welfare nanny state. The American people want an economic future so bright that they will have to wear sunglasses.

Mr. REED. I thank my colleague for his sentiment and the words that you expressed. And I'm reminded that we here in Washington cannot be like my

children when they used to sit in the TV room and watch their cartoons, such as Teletubbies and the other ones that are there. We need to grow up. We need to deal with this issue once and for all.

And one thing that I'm repeatedly reminded of when I hear the President's proposal about the top 2 percent need to pay their fair share. I try to deal with this issue in an open and honest way. And if you do the math on that proposal, you raise \$70 billion over 10 years. We have a \$1.3 trillion deficit every year. The math just does not add up.

And so I always have to remind people as I engage in this debate about the need for comprehensive tax reform that the solution to our national debt problem is not going to be a revenue solution unless we grow this economy. Raising revenue through increasing taxes is not going to bridge—as my colleague said, mathematically, it is impossible to raise taxes enough to get to that \$1.3 trillion number.

That's why I'm always reminded that this is a spending problem at its root cause, and that's why we need to continue to focus on that arena.

And I would also like to echo my colleague from Florida in his words. Essentially, this is going to boil down, in this November 2012 election, to two strategies of moving forward. And if I heard your statements and your words correctly, we essentially have one strategy that is going to be deployed by my colleagues on the Democratic side, on the other side of the aisle, who say it needs to be a revenue-based solution.

But that is code word back in my living rooms in my district for, we're going to raise taxes to deal with this situation. And I think this freshman class and the people that have joined us here on this side of the aisle in the Republican Party have firmly committed that the solution is on downsizing government, cutting spending, adhering to what our Founding Fathers believed in and put forth in the Constitution, a limited Federal Government, not an all-encompassing Federal Government that has grown the debt to the level that we see today.

□ 1800

I am also firmly committed to not engaging in the debate as to who caused it be it which President from whatever party. That is not the solution moving forward, engaging in the blame game. It is about recognizing the problem is upon us, whoever caused it, Democrat or Republican, and let's solve it.

When we come to November of 2012, the American people will not be stupid. They are not stupid individuals. They will see that the math doesn't add up with a solution based on my colleagues on the other side of the aisle of increas-

ing taxes to bridge this national debt problem. It is about truly being fiscally responsible and getting our fiscal house in order.

Does my colleague have any additional comments?

Mr. WEST. I just want to say you are absolutely right, and I thank you for yielding an additional minute.

It is truly the choice between two futures: it is a future of economic freedom, or a future of economic dependency. It is a future that talks about the entrepreneurial will and spirit and the individual industrialism of the American people or collective subjugation. I think that the American people will make the right choice in November 2012.

Mr. REED. I so appreciate it, and I wholeheartedly agree with that sentiment.

At this point in time, I would like to yield to my good friend from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Thank you, Congressman REED. It is a very timely topic.

I come from western Kansas, and big skies and big dreams, and big visions; and I tell you, we can see an approaching storm brewing sometimes hundreds of miles away. You can see the dark clouds. You can feel the gusting winds. Though the skies are wide open, sometimes it's hard to predict which path the storm will take.

We've heard tonight, and I'll say it again, there is a storm brewing here in Washington that may seem like miles, perhaps hundreds of miles, away; but it's not. Unlike our Kansas storms, it's pretty evident this storm is going to hit America unless this Congress and this President act.

Every American will pay higher taxes next year. Let me rephrase that. Every tax-paying American—because you know half of Americans pay no Federal income taxes. So I'm talking about the half that actually pay. Income and the capital gains rates will go up; the death tax will go up as well. The child tax credit and the standard deduction will decrease. All of this is certain to happen unless we act.

It's been mentioned that this would be the biggest tax increase in American history. I think it actually might be the biggest tax increase in human history. It could be. We'll look forward to those figures. Our economy is just starting to show signs of life again, however weak. Can you imagine what it will mean for the economy if taxes go up at the end of the year? Can you imagine where the stock market is going to go in the final quarter if Congress goes home before the election without acting to extend the lower capital gains rate?

I know my colleague, Colonel WEST, noted the President might not be a great student of history. Actually, all he has to do is study his own comments

and go back less than 2 years ago. The President said, "You don't raise taxes in a recession." That's President Obama, the President of our country, if he could study his own history. I agree with him. I don't agree with him on a lot of things. But he said you don't raise taxes in a recession.

Sure, we might have emerged from a formal definition of a recession, but I don't think there is anyone out there who believes the economy is growing by leaps or bounds, and I don't think you can shoehorn a massive tax increase onto an already overburdened American economy. You just can't.

America needs and deserves a Tax Code that's not premised on pitting American versus American in a class warfare struggle. Unfortunately, that seems to be the only real solution this President has. The so-called Buffett rule is just a gimmick trying to distract the American people from the reality that he wants the biggest tax increase in American history, and he's going to get it unless we can change this before the end of the year.

I have proposed a bill called the American Opportunity and Freedom Act, which would make permanent the Bush-Obama tax cuts. Yes, the Bush-Obama tax cuts. Look back at history. This President extended the tax cuts. He signed them. They are the Bush-Obama tax cuts.

Remember, he called those tax cuts "a substantial victory for middle class families." This was President Obama out on the campaign trail, today I believe, saying we have to extend these tax cuts. I agree.

I also support comprehensive reform, including the Fair Tax. I think my colleague from Georgia is going to visit about that, I hope. I've cosponsored the Jobs Through Growth Act and numerous other proposals to make our Tax Code fairer, flatter, and more simple.

The bottom line is we need to do something now. Our Tax Code should not outpace the Bible in number of words. It certainly doesn't outpace the Bible in wisdom, and families shouldn't have to read 100-page booklets to fill out their tax return. I'm told if you call the IRS one hour, you call the next hour, you call another hour later, you will get a different answer every time you call in, because even the folks who are implementing the Tax Code, they don't know what the answer is.

Americans out there are just trying to do the right thing, trying to do their fair share, Mr. President. Your IRS agents can't even tell them the right or same answer.

The most fundamental purpose of the Tax Code is to raise enough revenue in order to fund essential functions that fall within the purview of government.

I just got off a Skype phone call with fourth and fifth graders in Peoria, Kansas. They had a lot of great questions. I thought the best question was from a

young man who said, Why are taxes so high? Of course, he probably doesn't pay much taxes. He probably heard that at home. The answer I gave him was this: because we spend too much money, and on top of that, we borrow another \$1.1 trillion under the Obama budget. So not only are taxes high; they're still borrowing money so they can spend it. It comes down to how much we spend.

I think we can agree that Washington's problem isn't not enough revenue, it's too much spending.

Washington has created this storm. But unlike the tornadoes that sweep across the plains, we have an opportunity to avoid the devastating consequences of the approaching storm that's coming at the end of this year.

I'm excited to be here to talk about that because I must tell you, I am optimistic. We can solve this problem. We can take advantage of the approaching storm, actually do comprehensive tax reform that can change the future for all Americans. We can pull this economy out of the doldrums, go back to the days when the economy actually grew, when jobs were being created.

But in today's environment, the uncertainty created by this administration and by a tax law that's not permanent, that is dragging down our economy. We can't avoid that, and we can do much better. I'm happy to be here tonight to talk about that.

Mr. REED. I thank you so much, my colleague from Kansas, for coming down this evening to talk about this issue. You are exactly right. When I listened to the comments you had to offer, and as we go into this debate about comprehensive tax reform, I think there is somewhat of an agreement on both sides of the aisle that tax reform needs to be done because our Tax Code is way too complicated—70,000 pages of tax regulation and statutory language, legislation on top of legislation.

We need to firmly attack that Tax Code in a way that focuses on the primary goal of what our Tax Code was originally enacted for, to raise revenue, not to engage in policy determination or picking winners or losers through the Tax Code and advancing social policy through the Tax Code, but focusing on a Tax Code that raises revenue to cover our lawful, legitimate government expense as put forth in the United States Constitution of a limited Federal Government.

If we adhere to that principle and that goal, I am confident that both sides of this aisle will come together and achieve what could be one of those historical moments in this Chamber again where we set the country on a path to a more competitive and prosperous future moving forward.

With that, does the gentleman from Kansas seek recognition?

Mr. HUELSKAMP. If I might ask you a question, Have you read the entire Tax Code?

Mr. REED. I've tried. I've read numerous parts of it especially when I'm up late at night and I can't sleep. It seems like a panacea for those sleepless nights because it immediately puts me back to bed.

Mr. HUELSKAMP. It would probably be my guess that there isn't a colleague of ours that has read this Tax Code. Now, there are probably some special attorneys in this town that claim to have read that whole Tax Code. As you mentioned, how many pages?

Mr. REED. Seventy thousand.

Mr. HUELSKAMP. Seventy thousand pages. It's my understanding it's 3½ times the size of the Bible perhaps, longer than all of Shakespeare's works, and it's all about to be centralizing power in Washington.

We have a grand opportunity, I agree. With challenges come opportunities. We have a tremendous opportunity, and it will have to be a bipartisan opportunity. I agree with you. We have to have the President propose a solution and his only solution right now is let's just raise taxes.

□ 1810

If he does nothing, if he refuses to help us make America more competitive, if he refuses to help us, we'll have, as you mentioned, the single largest tax increase in American history. We can't stop it if he's not willing to help out, but I think the American people are demanding comprehensive tax reform. They're demanding us to get this right because we cannot afford the massive tax increases in the current law. I am very fearful about that, but I am optimistic that we can and will do the right thing.

I've got a friend of mine in Junction City, Kansas. I met him at a town hall. His name is Tom, and he's a small business owner. He said, You know, I'm going to start a small business—or I would—but because of those tax increases at the end of the year, I'm not going to do that. He said, I would have hired seven people. Those seven people not hired in Junction City, Kansas, don't show up on any list, but they show up in Junction City as seven more people—seven families—that don't have the income they need, and they probably end up having to have some government assistance or having to get help from their churches and their neighbors. Those are the things that get lost.

We can't forget in this town that it's not about us, that it's not about special interests. It's about the American people and about getting this economy going again. I appreciate the opportunity to talk about that. The common goal of those of us sitting in the Chamber tonight is to get this economy

moving again and to actually be competitive internationally. I appreciate your leadership on that, CONGRESSMAN REED. You are doing a fantastic job here tonight.

Mr. REED. I appreciate the gentleman's comments, and I appreciate those kind words.

As we move forward, I'd like to bring a good friend of ours from Wisconsin into this conversation. He has been a stalwart down here on the House floor, and has joined us numerous times in these opportunities when we have a chance to debate the issues of the day.

With that, Mr. DUFFY, it is an honor to yield you time.

Mr. DUFFY. I appreciate the gentleman from New York for yielding.

As we talk about these issues—and I've been listening today as my colleagues have been discussing the tax policy—if you take a step back, if you look at all of the different rules and regulations and bills that have taken place over the course of the last 3½ years, it's a torrential rain. We have to take it almost raindrop by raindrop, looking at each policy, each rule, each law that has gone into effect. I want to take a moment to step back from the tax debate and first start with the conversation in regard to the budget because I think most Americans that I talk to, they are very nervous about what's happening with this ever-expanding government and ever-expanding debt. Many Americans know we owe now \$15.6 trillion. They know we've borrowed \$1 trillion every year for the last 3 years.

So they will step back and go, Well, what's the plan? How do we address this really difficult problem?

I know a lot of the moms in my district are concerned about who's lending us that money. Ask the Chinese. They're concerned about their kids that they're raising so well, are educating so well. What kind of an America are they going to grow up in?

So they say, Listen, what kind of budget are you going to have? How are you going to fix it?

If they were to look to the Senate, they would look and see that for the past 3 years the Senate wasn't willing to pass a budget, that they weren't willing to put out a plan on how they would deal with this daunting issue that this country faces. If they were to look over to the President and ask the President, How do you deal with this cancer that is growing in America, which is our debt? How do you deal with it? I think they'd say, Well, Mr. President, you've given us a budget, but it's a budget that never balances. It's a budget that includes all the tax increases you've ever discussed, but it doesn't balance. It's a budget that we've brought to this House floor, and it was such a political document that doesn't accomplish the goals that the moms and dads of America want ac-

complished that not one Republican or one Democrat voted for that budget.

We need real ideas to be put on the table, and we need bold leadership to address the large issues that we face in this country. For the last 2 years, the House Republicans have given that bold leadership. We've been willing to put ideas on the table on how we fix the great problems of our generation. I'm proud of our freshman class, and I'm proud of our House Republicans for willing to step out and lead. Part of that leadership has been the reform of our tax system, of our Tax Code, making it more competitive and more fair, and I want to talk about that a little bit, which is the conversation tonight.

I think many Americans may not know this, but as of April 1, April Fool's Day, we had the highest corporate tax rate in the industrialized world, and that's because the Japanese on April 1 were the last ones to lower their taxes, making us the highest tax country. That's a problem. We find ourselves in a situation in America where one party is asking for a more competitive Tax Code that will encourage investment and growth in America. We have the other side, which is the President's side, that encourages, under the auspices of fairness, that we increase taxes.

As I talk to people back at home, these conversations oftentimes come up, and I'll ask my friends at home. I'll say, Listen, if you look at businesses in America, can you name a few of them that don't pay taxes? Are there a few businesses here that you can identify that don't pay taxes?

Virtually everyone in the town hall will shake their heads and go, Yeah, yeah. I can name that business that doesn't pay taxes.

So I'll ask them, Well, if you want that business to pay taxes, if you were just willing to raise the tax rate from 35 percent up to 40 percent, which is what the President wants to do, will that business that's in your head that doesn't pay taxes now pay taxes if you just increase the rate by 5 percentage points?

No. The Tax Code is broken—for generations, long before I got here. I was riding my trike when people were carving out special interests in the Tax Code. There are 70,000 pages in the Tax Code that are for special interests, special loopholes. The people of my district don't take advantage of those 70,000 pages. It's for the special interests that come to this town day after day and ask to carve themselves out. What have we done? We in this House have said that's not fair; that's not right.

Let's carve them all back in. Let's reduce the complexity of the Tax Code, bring all these people back in and make them, yes, pay their fair share. What we've said that we can do is take the top rate from 35 percent and bring

it down to 25 percent, and then the other rates down to 10 percent. If you do that by eliminating all the loopholes in the code, you'll bring in more revenue, and it will be fair. Doesn't that make sense? Raise and raise doesn't accomplish it. Reforming the Tax Code is where we have to go. Let's get a bipartisan group together, carve out those special interests, reduce the rates, and make us more competitive.

We hear a lot about the Buffett tax, right? It's a tax on investment income. Listen, there are two different kinds of income. You have the income that you get from your salary. Your salaried income, that's taxed at a certain rate. You're guaranteed to get that every week or every 2 weeks because you put your 40 or 80 hours in, and that paycheck comes to you and you're guaranteed to get it. But there is also investment income. In America and around the world, investment income is taxed at a little bit of a lower rate.

You say, Well, why? Why would that be taxed at a lower rate? The reason is—let's say you invest \$100,000. You're not guaranteed to make anything on that \$100,000. Actually, you might lose the whole investment—you might lose that \$100,000—but if you're lucky enough or smart enough or savvy enough to make some money on that \$100,000 investment, we've said you should have a tax rate that's a little bit less than that which is guaranteed in the salary. So we have a little less of a tax rate on investment income.

But there is something else. We want to encourage investment in America because we know, if you're investing in our infrastructure, in our manufacturing facilities, in our businesses, if we have investment, what happens? We create jobs. There is job growth in America when you have investment in America, and we want to make sure this is a great home for investment. If you raise the taxes on investment, you will get less of it. Let's make sure we have a great investment tax rate so money around the world wants to pour into this country and wants to take advantage of one of the best workforces in the world, which is right here in America.

One other point I want to make before I yield back to the gentleman is that there are a lot of people who talk about raising taxes to bring in more revenue. I think it's important that we're very clear: that when people are talking about raising taxes to bring in more revenue in order to pay down the debt, that's not what's happening. People are asking to raise taxes to spend more money. There is no effort to reduce spending in this town. Those who want to increase taxes want to spend more—they don't want to spend less—but if you want to actually bring in more money to the Federal coffers, you should look at the tax history, because every time we're raising tax rates,

there is not a correlation in bringing more money into the Federal coffers.

□ 1820

Raising tax rates doesn't mean more money. What does mean more money into the Federal coffers is a growing economy. If you can grow your economy, if you can put your people back to work, more people pay taxes.

If more people pay taxes, more money comes into the Federal coffers, and we have more dollars to pay down our debt. Not only that, there's less people on food stamps and energy assistance because they have a job.

This is some commonsense reform that this group in the House is talking about. If we could just implement it, take the weight of a burdensome Tax Code off the shoulders of our entrepreneurs, our job creators, and our investors, we can see expansive growth, explosive growth.

I look forward to being part of a team who is willing to engage in a great debate to make sure we are again the most competitive and best placed in the country to invest.

Mr. REED. I thank the gentleman from Wisconsin for joining us and the sentiment and the words that you have expressed. As we go into the election and as we go into November 2012, I think what we are articulating on the House floor tonight as we are having this conversation about tax reform is that there are some differences that the American people are going to be able to choose between.

One of the fundamental differences, when it comes to tax policy, is I see a base philosophy differential between my colleagues on the other side of the aisle from the Democratic Party and those of us on this side of the aisle in the Republican Party, and that base differential and philosophy is what I hear from my Democratic colleagues on the other side of the aisle when they propose such things as let's increase taxes on the top 2 percent or this group or that group. It's a fundamental belief, I would submit, that they believe that that money is better given to them here in Washington, D.C., to then dole out as they in Washington, D.C., feel is appropriate.

The philosophy on this side of the aisle that I am firmly committed to, and I am sure many of my colleagues here tonight are firmly committed to, is that that money is the individuals' money, it is the American citizens' money. They are the ones who earned it. They are the ones who punched the clock around the hour—24/7 or 8 o'clock in the morning until 4 o'clock in the afternoon or midnight till 8 a.m. They are the ones earning that money, and that is their money. The more that we can keep that money that they earned as citizens and individuals in their pocket, they will do the right thing. We believe in the individual.

From the arguments that I have heard from my colleagues on the other side of the aisle, I would say that they differ in that opinion. They truly do believe that Washington should be the judge of where those resources go, because for some odd reason they sit here in Washington and try to come up with one-size-fits-all answers to the problems of the day. It fundamentally is a philosophy that that money is Washington, D.C.'s money and not the individual's.

My colleague from Georgia (Mr. WOODALL) is a strong advocate of the Fair Tax proposal that's been out there and that's being debated. That is one of the things that I have to say about this freshman class is that we have changed the culture of Washington, D.C., and that we are going to allow all alternatives to be on the table and have an open and honest conversation with all of America about reforms that are going forward and then going forward in a way that solves our Nation's problems, and everyone will be given a fair shake to express those ideas.

I'm sure my colleague from Georgia is rising today to offer his insight and his proposal as to an alternative to the income tax structure that we presently exist under, and that would be the Fair Tax. If I'm wrong on that, I apologize to the gentleman from Georgia; but knowing his reputation and his words around this town, I'm sure we are going to hear a little bit about that.

With that, I yield to the gentleman from Georgia.

Mr. WOODALL. I appreciate my friend from New York for yielding.

You are absolutely right. I have some Fair Tax passion. I believe that there is a better way to create a United States Tax Code, and I believe the Fair Tax is that. H.R. 25, for folks who haven't read it. But the truth is I came down here tonight because I knew that we were going to have that debate of ideas that you're talking about. I mean, whether it's your leadership on this Special Order, whether it's the enthusiasm my friend from Wisconsin brings to the floor, we're talking about the challenges that we face using a different language than we've used in this body before. This is a floor that has been taken over by freshmen here tonight. This is an institution that's been taken over by new ideas. I don't mean just new freshman ideas; I mean new ideas from all aspects of this institution.

I hear my friend from Wisconsin talking, and he comes from a competitive district. There is all this talk about these rabid freshmen, crazy Republicans. The people of Wisconsin, they can choose anybody they want. They don't have to choose Republican. They can choose a Democrat. They can choose an independent. They can choose anybody they want, and they choose him.

His message is not: Look what I am going to go to Washington and get for you. His message is: We don't need a subsidy here because we've got the hardest-working workforce in the world. His message is not: How can I give you an unfair advantage over your neighbors? His message is: How can we make the American economy the most competitive economy in the world, because if we do that, the American worker will succeed because we work harder, better, and longer than anybody else on the planet. That is a different take on what happens in Washington, D.C., and it's a different take on what happens in the Tax Code.

I know my friend from New York sits on the powerful Ways and Means Committee, as does my friend from Tennessee, and you have to have a Ways and Means Committee. For folks who don't sit on that committee, they're the ones who write all the Tax Code. The Tax Code is a complicated thing to do.

What this Ways and Means Committee is doing—and it's important to be said because this is an election year, and a lot of crazy things happen in an election year. There are crazy things like people supporting a Buffett rule to solve deficit problems, a rule that if it had been in place this year and collected that same amount of revenue for the next 250 years, it still would not have balanced the budget from last year. That's right.

This great savior of all that's good that ails us in this country, President Obama's Buffett rule, had it been in place this year, and not just this year but the next 250 years, it had raised that revenue, it still would not have balanced the budget from last year, just the budget gap from last year. We have all this nonsense in a political year.

But what we're getting out of the Ways and Means Committee—and I know my two friends from the Ways and Means Committee wouldn't brag on themselves, so I'm going to brag on you for you. We have had more serious hearings about fundamental tax reform in this Ways and Means Committee over the last 16 months than we've had in the last decade. This is a committee that, by virtue of simplifying the American Tax Code, is going to undo the work of the Ways and Means Committee for decades and decades and decades in the past. They're doing it not to exploit the power of their position; they're doing it to help grow the American economy.

As an alternative to the Buffett rule, I have brought down a chart to demonstrate what happens in today's Tax Code. My friends on the Ways and Means Committee know it all too well. But in today's Tax Code, the folks who have the money benefit from all the loopholes and exceptions and exemptions and carve-out. Of course they do.

It makes sense. I will tell you, the folks who have the money are the ones who are paying the taxes, so it certainly makes sense that they are the ones benefiting from the carve-outs.

We have a choice of two futures here. We can either implement the President's Buffett rule, which again, by simple mathematics, will have absolutely no effect either on growing the economy or paying down the deficit, or we can simplify today's Tax Code to make it flatter and fairer.

That's what my friends on the Ways and Means Committee have been working on, Chairman DAVE CAMP and the rest of the committee, in ways that I have never seen before, with a sincerity that I have never seen before. You're absolutely right, and I appreciate my friend from New York for saying it.

They've said, Bring all comers. Bring all comers. We're not the smartest people in the room. If the idea comes from Lawrenceville, Georgia, bring it. If it comes from Seneca, New York, bring it. If it comes from Chattanooga, Tennessee, bring it. We want all the ideas, and we'll just let the chips fall where they may. That's what's different in this town.

I say to my colleague, what is different in this town with this Republican class is we don't have to rig the game to get to the outcome. We just bring the debates to the floor. Bring the facts to the floor. Let the facts speak for themselves. And then guess what. Have a vote. If it's a good idea, it wins, and if it's a bad idea, it loses. We see both of those happen on this floor every day, and the Ways and Means Committee is leading in this tax process.

This would have been a great year for the Ways and Means Committee—putting my political hat on for a moment—a great year for you all to play some sort of game with the Tax Code. I have seen it happen in Congresses past.

□ 1830

Oh, this is going to be good for reelection. We're going to go do X, Y, or Z. It's not going to happen. It's not going to be real. But we're going to play the game. The folks on this committee this year, the freshmen in the body this year, would rather lose in November, having tried each and every day to do the right thing, than win in November, having played the game the way it's been played for so many years.

So serious is the effort in the Ways and Means Committee that it was included in the House-passed budget this year—flatter, fairer rates, eliminating exemptions, loopholes, carve-outs—all of those things that the American people look at and lose faith in this body. You've stood up to them all. You've stood up to them all in the Ways and Means Committee. We've stood up to them in the Budget Committee to say,

No more. There's a better way. And we're going to share with the American people.

I appreciate my colleague for taking on the time tonight. And I ask him to commit this chart to memory. I say to all my other colleagues who might be watching back in their offices that on budget.house.gov, you'll find myriad charts to talk about all the things that my friend from Wisconsin discussed and my friend from Kansas discussed and my friend from Florida discussed. It will lay them out in easy-to-see and visualized ways.

But if we want to get a handle on what's happening in America with the discrepancies—call it fairness, call it economic growth, you name your ill—a flatter and fairer tax code is the beginning of that solution, it's not the end. But the Tax Code was not designed to implement social policy. It was designed to collect revenue so that we can run the national defense of this country. And if we get back there, the American economy and the American taxpayer is going to be the beneficiary.

I thank my friend for his leadership tonight.

Mr. REED. I so appreciate the gentleman from Georgia and the expression and sentiments you bring to the floor and the passion that you bring to the floor on this issue and all the issues that you bring to our attention. And you are so right. We are committed to having an open and honest debate with all of America, because the American hardworking taxpayer deserves no less.

We are here to do what needs to be done. We are here to lead. And that's why I appreciate my colleague from Georgia on the Budget Committee, because I know there was some political heat put on that Budget Committee to back away from coming up with a budget that we could stand for in this Chamber. But we took the stand and you took the stand as part of that Budget Committee to say, You know what, we're not going to engage in the politics of old. We're not going to be afraid to lead. Because the problems that face us in America today are generational. They are the same level threats that generations before us faced.

And that most recent example, possibly, that jumps to the top of my mind is World War II, when the real fate of the American Government, the American symbol of freedom and democracy, was at risk with a threat from Europe with fascism and the expressions coming out of that area of the world. And what did America do? That's the history lesson that I bring to this Chamber tonight.

American leadership, our President, our leaders did not look to divide America on that issue. That leadership led by uniting America to come together to face the generational threat

and survive so that the America that they had could be passed on to our generation and this generation and grandchildren's generations to come so they have the opportunity to succeed and take care and live that American Dream. It is time for our Nation to come together, not be divided. And I am very confident because I have faith in the American individual that come November, 2012, the American people will make the right call. And between the choices that will be clearly articulated between both sides of this aisle we will see what needs to be done, and the right decisions will be made, and we will overcome this generational crisis that faces us in our national debt and this economy that has bogged down in stagnation, debt, doubt, and despair. And we will overcome it, because failure is not an alternative.

With that, I'd love to yield to a great lady on the Ways and Means Committee, a fellow freshman and a good friend, Mrs. BLACK from Tennessee.

Mrs. BLACK. Thank you for yielding to me. I want to thank you as a fellow member of Ways and Means and a freshman for bringing us together tonight for this Special Order. This is such an important issue, and the American people really need to hear that there is a choice. There's a choice between a system or a plan that is going to take more money out of the pockets of our hardworking taxpayers or one that's going to put more money in those pockets and make a system that is fairer, flatter, and simpler.

As I traveled throughout my district over the last 16 months now, I've continued to hear from my businesses in particular that there's so much uncertainty out there. And I ask them, What is the uncertainty? What is it that's keeping you awake at night that keeps you from growing your business, and as a result of that creating more jobs? Obviously, when people have jobs, they have money in their pocket. And what do they do when they have money in their pocket? They spend that money. And they spend that money to buy other products and services, which means that the economy grows.

And what they tell me is there are really three things. One, they feel like they don't know when a new mandate is going to come down, such as the health care. And that's going to cost them money. They also don't know when we're going to put another regulation on them. And many of the businesses are very burdened by regulations that, frankly, those are not the same regulations that you see when they do take their businesses offshore, which means we are just driving them offshore.

And the third is the one we're here tonight to talk about, and that is tax. We have heard in a number of our hearings in Ways and Means that all the way from the corporate tax down to

the individual tax and the pass-through tax that many of our small businesses use that they are willing to give up those deductions and loopholes that are currently in the Tax Code to get something that is fairer, flatter, and simpler.

This Tax Code has not been reformed in 25 years. What it has had is a lot of things that have been added to it. And with everything that's added to it, it only complicates it more. But it does something else. It picks winners and losers. And by having a tax reform that would make things fairer, flatter, and simpler, we wouldn't be picking winners and losers. It is far too complicated.

Most of the American people don't realize that the United States has the highest corporate tax in the world as of April 1, when Japan lowered their corporate tax. I don't know that we want to be very proud of this, but we became the country that has the highest corporate income tax. Talk about driving people offshore.

So in our tax reform we bring the corporate income tax down to a level that is an average for all of the countries that we do trade with and that we are in competition with, and we bring it down to 25 percent. We do something that makes sense. It's a commonsense reform. Likewise, when we take a look at our other businesses that are not the large businesses that are corporations, but the small businesses—and about 60 percent of the small businesses are pass-through. That means they're in the individual tax system.

Am I hearing that we're out of time?

Mr. REED. We are coming to our end of time.

Mrs. BLACK. If I may then just conclude with a couple of words.

Mr. REED. I would be honored to yield to my colleague from Tennessee for her closing.

The SPEAKER pro tempore (Mr. YOUNG of Indiana). The time of the gentleman from New York has expired.

MAKE IT IN AMERICA

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

Mr. GARAMENDI. Mr. Speaker, I want to thank the leader for the opportunity to take this hour to discuss some extremely important issues here in the United States. We've just listened to an hour discussion on taxes with actually very, very little specificity as to whose taxes are being cut and exactly what those tax cuts would mean to the American economy and to the people of America.

Normally, when we take the floor, as we do most every week on the issue of the American economy, we talk about

making it in America and rebuilding the great manufacturing industry. We've seen over the last 20 years that the American manufacturing industry has declined by some 40, 45 percent, from just under 20 million Americans in manufacturing to just over 11.5 million. In the recent months, we've seen a resurgence of the American manufacturing sector, but nonetheless it is still very, very small compared to what it once was.

□ 1840

If we're going to rebuild the American economy, we do have to rebuild the American manufacturing sector.

I'm going to come back to this tax debate here very, very quickly; but I think we ought to put it in the context of what taxes mean to the American economy, which taxes can be cut and which could be raised.

The key issues in building the American economy are here on this chart, taxes being one of the second pieces. But the rest of them are also important: international trade issues, for example, how do we deal with China and the China currency issue; how do we deal with the importation of extraordinary amounts of material, equipment and goods while at the same time exporting even less and less; how do we deal with that? The energy issues are exceedingly important if we're going to rebuild the American economy. Labor issues, how do we prepare the American labor market? That is the men and women that work in America.

Oh, by the way, I heard something here from my colleagues on the Republican side that just drives me crazy. When they say that half of Americans don't pay taxes, then they say, oh, we mean income taxes. Let's understand that every American worker up to those who earn \$106,000, pay 6-plus percent—almost 7 percent—excuse me, 8 percent—of their total income in taxes. That's the withholding tax. By the way, it was the Democrats who actually reduced the Social Security withholding tax to half of what it was in previous years. So let's understand that every American worker pays taxes.

Now, the income tax issue is another matter, and we'll come to that in a few moments. But Americans who work pay taxes. Let's not forget that in this discussion. In any case, labor is a major issue.

This issue of education is now very much being discussed in America, and I want to really focus on that during this 1-hour discussion. Research is critical to the future of America's economy and, finally, the infrastructure upon which all of this is built. These are the issues that the Democrats have taken up in building and restarting, reigniting the American Dream, reigniting the American Dream so that men and women in this country can get

a decent job, earn enough to be in the middle class and raise their families, own a home if they want to own a home, take a vacation when they want to have one, and be able to have health care so they needn't worry about bankruptcy which is, in this Nation, caused more than 60 percent of the time by health care and health care problems.

So trade, taxes, energy, labor, education, research and infrastructure are the key issues in reigniting the American Dream and rebuilding the American economy.

Tax is a major portion of this, and I don't want to forget about taxes. We just heard this 1-hour discussion about it. The question is, who is taxed and who gets the tax benefits? Less than a month ago, our Republican colleagues put on the floor of this House their blueprint for the American economy, their blueprint for how we are going to use government or reduce government, their blueprint on how we are going to raise the tax revenue necessary for the operations of the government.

Very, very interesting because, essentially, what they have done is to take money away from education and give money to the wealthiest of Americans. Those who earn more than \$1 million a year would, under the Republican blueprint on taxes, pay less and less. Actually, they would see a tax reduction. Remember, those whose adjusted gross income is over \$1 million a year would pay less taxes. They would get a tax break of \$394,000 a year, minimum.

Now, if you're a billionaire, the tax cut would be in the millions and millions of dollars. Is that fair? I think not. We just heard Fair Tax on the floor. I must tell you that the Republican proposal, in their blueprint, voted out of the House of Representatives, now the blueprint for the Republican action on this year's and future budgets and appropriations would reduce the taxes for millionaires by \$394,000; for billionaires, millions and millions of additional reductions in their taxes. That is not fair.

What we on the Democratic side have proposed is to make certain that the elements that lead to a growing economy and a just society are in place. Let's talk specifically about education. In the previous Congress, the Democrats took up education and said this is a fundamental element in economic growth and social justice. The opportunity to get to the middle class is largely dependent upon the education that a person is able to receive in the K-12 system and in higher education. Specific steps were taken for those in low-income communities whose schools are unacceptable. Specific money was put to those schools through the title I programs so that they could raise up the standards of education and provide those who do not have the family support and those that do not have the

economic support to be able to get a decent education in K-12.

Much, much more needs to be done. But that was put in place by the Democrats in the last Congress.

Take a look at the blueprint that passed this House not more than a month ago, the Republican blueprint for the future—cut title I, pull that money away from those low-income communities where the necessity of education must be available to every one of those students. Higher education, another example, in the previous Congress, controlled by the Democrats in this House, the Senate and the President, there was a significant improvement and expansion of the Pell Grants. This is money given to low-income and middle class families to assist them in going to higher education.

Expansion, yes. Community college and part-time students for the first time were given the opportunity to get a Pell Grant so that they can improve themselves in the community college or in higher education 4-year programs, from a little over \$4,000 to \$5,500 increase as well as an expansion of those who were eligible. This is very important in providing the educational opportunity that students must have if they're going to succeed in a highly competitive world economy.

Secondly, interest rates on student loans, almost every student now attending school, higher education, takes out a loan. The interest rates on those loans were over 6.5 percent.

Now, we did two things as Democrats. We took away from the banks, who were ripping the students off, the student loan program, and put it back into the government, saving billions upon billions of dollars every year; and then reinvested that money back into lowering the interest rates for the students. Not a bad thing, from a 6.5 or 6.8 percent interest rate down to a 3.4 percent interest rate. All of this is designed to make it easier for students who have to take out loans to be able to pay back those debts over time.

We also did a couple of other things for students who had taken out loans, low-income and middle-income families. We changed the way and the timing in which the loans needed to be repaid. We said, you're going to have to pay no more than 15 percent of that loan each year of your discretionary income, that is, the income over and above food, shelter and clothing, giving students a longer period of time and having to devote less of their money to pay back the student loans. My colleague who will be joining me in a few moments will discuss this in more detail.

In addition to that, we made it possible for the educational system to receive additional money for this fundamental economic development called research. We increased the research for

health care, for mental health, for agriculture, and for energy. All of those things are the essence of today's and tomorrow's economy, research being necessary.

Now, what did the Republicans do? In their blueprint, voted on by 100 percent of the Republicans, this was their budget, sometimes called the Ryan Republican budget, every one of those things that we put in place to assist students in getting an education was dramatically and drastically reduced, while at the same time taking money away from students and handing that money to the oil industry and to the millionaires, the multi-millionaires, the billionaires.

Remember, the minimum tax reduction for millionaires is \$392,000 a year, while at the same time taking money out of the pockets of students, increasing—not just increasing—but doubling the interest rate on student loans from 3.4 to 6.8 percent, costing every student more than \$1,000 a year in additional interest payments on their loans. That's the average.

□ 1850

Now, those that are above average, that number is going to go much higher.

Pell Grants. Reducing the Pell Grants, eliminating from the opportunity to get a Pell Grant more than 1 million students over the next 10 years. Nearly 400,000 students in the United States would immediately see a reduction in their Pell Grants in the year ahead, and 100,000 not being able to get a Pell Grant at all. This is economic fairness? I don't think so. This is wise economic policy? I don't think so.

Giving to the wealthiest 1 percent in this country an enormous tax break and taking it directly out of the pockets of students is bad economic policy, it's bad policy for education, and it will not reignite the American Dream. In fact, it will stifle that American Dream, and we will not stand for that. We Democrats are rising up and saying, no, no, we're not going to do this. We're not going to give to the super-wealthy—the billionaires and millionaires—while taking money away from the students of America.

This is an important issue. This is not only an issue about economic fairness; this is an issue about growing the American economy. We know where we stand. We stand for educating the workforce so that they can compete.

Now, joining me is a gentleman from the great State of Michigan who represents Detroit, who has been on this issue from his very first day here in Congress.

HANSEN CLARKE, I know you want to jump in, so have at it.

Mr. CLARKE of Michigan. I want to thank my colleague, the gentleman from California (Mr. GARAMENDI), for yielding me time.

My message to our colleagues in the House of Representatives is very clear and direct: we've got to continue to cap student loan interest rates at 3.4 percent.

Student-loan borrowers and their families should not have to pay more on their student-loan debt. The President has done all he can do right now to help bring relief to our student-loan borrowers. Now it's time for Congress to act, but Congress has to do more. We need to reform the system. We've got to change the system. That's why I wrote and introduced the Student Loan Forgiveness Act of 2012. It will help cut student-loan debt, free up borrowers' money so they can invest it on their own. That's a real economic stimulus that will create jobs here in this country.

So I want to thank you again, Mr. GARAMENDI, for yielding me time.

Mr. GARAMENDI. Well, thank you very much.

Let's stay on this student loan issue for a while here. This is the reality of student loans. The debt levels, according to the Federal Reserve Bank—and some of this has just been recently updated—student loans comprise a larger portion of the personal debt in America than credit cards and auto loans. Actually, the number recently, just in the last couple of days, has risen to about \$1 trillion of outstanding student loans in the United States. The auto is about \$700 billion, and then the auto and credit cards about \$700 billion. So we're talking about a huge amount of outstanding money. When you double that interest rate, you're hitting right at the gut of every student and those who have graduated. When you combine that with the Republican blueprint of immediately requiring a larger payment on graduation, you're really stifling the economy.

I know you've wanted to talk about this, Mr. CLARKE, about the way in which the Republican proposal would actually slow down the economy by denying—well, go ahead. You and I were discussing this earlier.

Mr. CLARKE of Michigan. Thank you again. And you're absolutely correct. If we keep the student loan burden low on our borrowers—I mean, it's not low; many student-loan borrowers are paying like \$1,000 a month on their loans. But the more that our borrowers can keep their money and invest it, start their own businesses—think about it, our students, our graduates are the ones that have the ambition and the discipline to be able to go through school, to graduate. They're likely the ones that would start their own businesses, be entrepreneurs. That's how you build jobs and create financial security for not only our families, but also economic security for our country.

But many of our borrowers right now, they can't take the risk of starting their own business, even starting a

family—let alone buying a home—because of student-loan debt. So if we can keep that debt as low as possible, that will help stimulate our economy. It's a great job-growth stimulus.

Mr. GARAMENDI. You're exactly right. I've had my kids graduate from college. Fortunately, they didn't have to take out student loans. We gave them 4 years, and the fifth and sixth year they were on their own.

But the student loans across this Nation, right at \$1 trillion now, the doubling of the interest rate, which was in the Republican budget blueprint, will stifle the economy. As those kids graduate, they have to pay off that loan immediately, not just, as we propose, 15 percent of their disposable income, but even a higher percentage. That's money that they cannot use to buy a car. They've got to pay the bank. That's money that cannot be used to start a home or buy a refrigerator or any other economic activity. Unnecessary.

Now, we can't allow that to happen. So what we need to do—and here it is, this is a ticking time bomb for the American economy. This is a ticking time bomb for the American economy. After today, there are just 66 days left before the student loan interest rate doubles to 6.8 percent. Is action being taken? Mr. CLARKE, you have a bill in. The Democrats have proposed a bill that would keep the student interest rates where they are now, 3.4 percent, and pay for that by reducing the subsidy that every American taxpayer gives to the oil industry. Over \$12 billion of our tax money—your tax money, the public tax money—now goes to subsidize the wealthiest, most successful, most profitable industry in the world, the oil and gas industry.

So we would propose that the Big 5 that get more than \$5 billion a year in your tax money to subsidize their fat profits, which over the last decade have been more than \$1 trillion—yes, that's right, more than \$1 trillion of profit, and you're adding \$5 billion a year of your tax money to their already-substantial profits. We would take back that \$5 billion and use it to reduce the interest rate on student loans.

Now, the Republican proposal: let's understand, this is a big issue across the United States. It's erupted on college campuses. There is outrage. There is concern. The Republican budget that came out of this House less than a month ago has hit the stone wall. The public doesn't like it. And so today, just late this afternoon, a proposal came from the Republican caucus to introduce a bill to not double the interest rate. Good. Well, how are you going to pay for it? Interestingly, you know how they're going to pay for it? They're going to take money away from seniors. In the Affordable Care Act there is a provision that allows seniors to get free check-ups, free preventative check-ups.

So the Republican proposal doesn't go to the millionaires, doesn't go to the billionaires, doesn't ask them for any sacrifice. Instead, it says, oh, yeah, we made a mistake on doubling the interest rates, and we're going to pay for it by taking the money away from seniors and their health care. What in the world are you doing? What are you doing? Why would you do that? Why would you take from the poor and seniors more money and give it—while keeping the millionaires, the billionaires and the oil industry whole? I don't get it, but that's their proposal.

Our proposal is to go to those that have extraordinary success, the oil industry, and say: after a century, after a century of subsidization by the American taxpayer, we're going to reduce that. We're going to take that tax money back and we're going to make sure that the students of America do not see a doubling of their interest payment on their student loans.

I yield to the gentleman from Michigan.

□ 1900

Mr. CLARKE of Michigan. Thank you, Mr. GARAMENDI. And the other point that you're making about student loans and capping these interest rates, how they'll create jobs, that's absolutely right. When our borrowers are freed up to not have to pay these high interest rates, that will create jobs.

Now, some people say, well, the student loan borrower signed the student loan agreement that had the high interest rate on there so they should pay that interest rate, but this is the main point: Those student loans that our government issues to students and to their parents to provide our students with a way to get their education when they can't afford to pay for that education, that's not just to help that student get a degree. Those loans are here to help our country become stronger. Here's why.

The more Americans that we have who are properly trained, who are able to be productive and contribute to our country to their fullest potential, they're able to create more jobs by building the best products, by providing the best services, by developing the best technology that can be sold worldwide. That helps our entire economy. So these loans are to strengthen our entire national economy. It's not just for the borrowers' benefit.

So that's why we don't want these interest rates to be so high. We want to put a cap on them. And in my bill, the Student Loan Forgiveness Act of 2012, I allow virtually every student loan borrower to have a second chance to pay lower rates on their student loan by allowing them to pay down their student loan according to their income. So if they're not making that much money, they don't have to pay much money.

Specifically, my bill would allow borrowers to pay 10 percent of their discretionary income each year, and once they do that for a 10-year period, the remainder of their Federal student loans will be eligible to be forgiven because we want to free up the borrowers' money so they can now invest it, invest it on starting a business, invest it on buying a home, starting a family. All of that will help create jobs.

You see, cutting student loans, keeping the student loan debt low, as low as possible, that's an economic stimulus for all of us. It makes our country stronger. It creates jobs.

Many of us told our kids, and we were also really taught by society, you know, if you work hard, if you study hard, if you go to school, if you even borrow money to get your degree and graduate, you'll live a better life. You'll likely make more money.

Well, because of student loan debt, because it's grown so much, because of the prospect also of interest rates going back up, the American Dream that was supposedly created by the availability of student loan debt has now become a nightmare to many borrowers. And we've got to cut this debt.

This is the real debt, my colleague from California, that we need to cut, because this is the debt that really costs us jobs. We need to cut student loan debt. We can take that initial step right now by keeping student loan interest rates on Stafford loans at 3.4 percent. That's the first step.

Now I'm asking the American people, demand that Congress reform the student loan system. Let's change the system. Let's make it affordable for everyone to be able to get a decent education and to repay that money back.

So again, I thank you for giving me this opportunity to share this time with you and the American people. This is so important.

You know, many times in this body we talk about we've got to cut taxes to stimulate the economy, that we've got to cut debt in order to provide people freedom. Well, what person in this country can be free when they have to personally pay student loan debt that will take them years or even decades, if ever they'll be able to pay that off.

And the reason why I say that is that I know senior citizens now who are still repaying their student loans. And at their age, there's no way they'll be able to pay those loans off. And it doesn't matter if they go bankrupt. Going bankrupt doesn't mean anything. The government will still come after you for all the student loan money because you can't discharge your student loan debt in bankruptcy.

It's a cruel, unfair burden that certain students' loans are imposed on Americans. We need to cut that burden. Cutting that burden is not only fair, but it will create jobs for our country. We want our graduates to be

able to have their money to invest, instead of starting their own businesses.

I'm from Detroit. Our city was built up. We built up this country's economy because of entrepreneurs who were able to pursue their dreams. Now the very people that we have trained to pursue their dreams can't do so because of student loan debt. That's outrageous.

Congress, keep student loan interest rates at 3.4 percent. Cap those rates. Do it now.

Mr. GARAMENDI. I thank you, Mr. CLARKE. The clock is ticking—not the Clarke clock, but the clock is ticking. Sixty-six days before the student loan interest rates double.

We had a long conversation here about tax policy from our colleagues on the Republican side. They didn't happen to mention the burden that's being placed on students if we fail, and they didn't talk about their proposal to take the money away from seniors and continue to provide support for the superwealthy and the oil companies.

Joining me on this conversation is a gentleman who was the chairman of the Labor Education Committee, now the ranking member, has been an advocate for students and education for more than 30 years here in the Halls of Congress, a gentleman that was largely responsible for those improvements that I talked about early in this discussion. Congressman GEORGE MILLER and I have the pleasure of representing Contra Costa County. We're neighbors. We've worked together these many, many years. I'm absolutely delighted that you came to join us here tonight. No one knows more about this than you do, Mr. MILLER, so let's discuss this with the American people.

Mr. GEORGE MILLER of California. Thank you very much, JOHN. Thank you for taking this floor time for this debate, and thank you for the effort and the fight that you have led on making it in America, so that, once again, America makes things, once again America has a robust manufacturing economy, whether it's this iteration of manufacturing or the next iteration of manufacturing, that America remains competitive around the world in making it in America for sale around the rest of the world.

Nothing could be more important to sustaining our manufacturing base in this country, to sustaining our ability at innovation and economic growth that takes place as a result of that innovation, than the education of our young men and women throughout this country. And nothing is more important to their well-being and their families—and this is proven out every year as we do studies, that years of college and college completion are very important to the economic security of that individual and that individual and the family that he or she may form later in life. It pays huge benefits for them to go to college, and that's why we've tried to make college affordable.

Many of us are very upset with the costs of college, how the costs have gone up, have doubled in many ways across the States. But the fact of the matter is, while we're struggling with the issues of cost of college and trying to get the States to do more on behalf of the their public institutions, the fact of the matter is we have to make sure that college remains affordable for young people.

And that's why, in 2007, we made a decision to lower the interest rates on student loans so that it would be more affordable for the students, not only to go to college, but also then in paying back the debt that they incurred because of the subsidized student loans. And we made that effort, and we did it on bipartisan basis at that time. And President Bush signed that legislation into law, and we put some of that money into deficit reduction and into reducing the interest rates.

In 2010, we followed on with legislation proposed by President Obama and our committee and others to make sure that we could increase the Pell Grant so those students most in need, those families most in need would have the Pell Grant as an underpinning of making college more affordable. We continued with the subsidized student loans to make college more affordable.

We went to an income-based repayment system so that a student that may be starting out in a good career but a bad entry-level pay scale as they begin that career will be able to pay back their student loan and also continue on with their life, and as they make more money, they pay more money. And it's very important so that they can choose a profession of their passion, not just the profession that yields the most money, because many of our students, the minute they heard about this program said, I can now be a nurse, I can be a public health assistant, I can be a prosecutor, I can be a public defender, what their passion was in life. They could be a teacher and now know that they could afford to pay back their student loans.

And the interest rate is very important at this time as families and young people try to figure out what their indebtedness is going to be and how they are going to pay for college, especially at this time of the year when young people are getting their acceptance notice from universities and colleges all across the country, and now they sit around the kitchen table with their families and say, How are we going to afford this? What's the debt we are going to end up with? And it's an important procedure for families to go through as they think about this.

But all of a sudden, now, we see that when the President submitted his budget looking forward to July of this year, he asked that we continue to keep the interest rate at 3.4 percent.

□ 1910

That's very important. That's the choice that President Obama made.

The choice that the Republicans made in the Ryan budget was to let it go to 6.8 percent. In fact, there was a unanimous vote on the Republican side for the Ryan budget to let it go to 6.8 percent.

We think that's wrong. We think that's unfortunate for families in the middle of this economic turmoil that we're coming out of in this country. They need these assurances. We think that interest rate should stay at 3.4 percent.

Of course, we want to pay for it. Just as we paid for it for the first 4 years, we want to pay for it again. We believe that that should come out of the unfair tax breaks that are extended to oil companies that cannot be justified when the price of oil is \$104 a barrel. They get the tax break when it's \$134 a barrel. They get it when it's \$150 a barrel. We think that time has come and gone, that the oil companies can continue to pursue the quest for oil and the recovery, and we appreciate that. The fact of the matter is price alone provides them the basis on which to go out and seek out the hydrocarbons necessary for our economy and for the world economy at this time.

So, this is about choices. Do you believe the interest rate should be 3.4 percent or do you believe it should be 6.8 percent? By a unanimous vote, the Republicans said it should be 6.8 percent.

But I have to tell you today, I'm quite excited, this dramatic turn of events where the Republicans today have said that they want to keep the interest rates at 3.4 percent, and we welcome that. We welcome the fact that when they saw the President out in the country talking to young people, talking to parents, knowing that these parents and young people are going through this process of figuring out how to finance their education, that he made a compelling argument that this interest rate should remain for the next year at 3.4 percent, that the Republicans have come and decided that they embrace that provision.

I was excited when I saw their Presidential candidate said he was for this. I was excited this morning when I read in the paper that the Republican leader in the Senate said nobody is against this. Oh, yes, my friends on the other side of the aisle were unanimously against this a week ago. But I think the President sold this idea to the Nation and apparently sold the Republican Party, and we should welcome that because that's in the interest and benefit and we should work together to make sure that this happens on behalf of families and on behalf of young people.

But, of course, there's always a kick-er when the Republicans do this:

Our choice is an unjustified tax cut to the largest oil companies in this

country and, in some cases, the world, that we should stop providing these tax subsidies to those oil companies. Their choice, unfortunately, is this: to wipe out and to repeal the preventative medicine account in the Affordable Care Act, in the health care reform act, to wipe that out.

So where do we find the Republicans paying for their desire now to join the President and lower the interest rates to 3.4 percent? They wipe out immunization programs for young children. So children now, we're going to send either less healthy children and children with fewer immunizations to school and in our community, or those parents are going to have to pay for it and they can't afford that. That's why we're doing that.

They also chose to knock out screening programs for breast cancer. Once again, just as the Affordable Care Act extends health care to women, stops making women a preexisting condition, that their gender denies them health care automatically under the current insurance systems or makes it so expensive that it's very difficult for them or their families, just as that's within the reach of women, the Republicans take away the preventative care that extends that screening to millions of women across the country.

Then, of course, the screening for birth defects for couples that are concerned or that have been told by their doctor that their child may have birth defects or that the pregnancy may be with birth defects and the choices and the difficulties that they have to make. But that screening is important in terms of early interventions, in terms of turning around the outcomes for these children.

So that's where the Republicans chose to get the pay-for, to go to those most in need, to go to those who have been denied health care for generations because of their gender, because they're women, and we all know in our family, in our friends, in our neighborhood, in the communities we represent, what women encounter with breast cancer and the importance of screening. Somehow they've decided that that's how they will pay for reducing the interest rate from 6.8 percent on July 1 to 3.4 percent.

I urge them to join us and to pay for this in essentially a painless way with respect to these unjustified subsidies for the largest oil companies in the country.

It's very important to the agenda, Mr. GARAMENDI, that you have put forth, that you worked on before you ever came to the Congress, and that is building up the jobs base, the manufacturing base, recognizing the contribution that this economy can make to future energy choices, to future transportation choices all across the board, and do it here in America.

But we're told even in a time of this tragic recession that we do not have

enough skilled people to carry that mission out. We've got to build that. We've got to educate these young people, and that's what student loans allow to happen for people who can't simply write a check for the education of their children, who simply can't say, well, I've got a deduction, that's enough, that will take care of it for this year.

Families struggle to try and accomplish what every generation has, that their children will live better, will contribute more to America than we did in our generation. My grandparents wished it for me. My parents wished it for me, and they worked hard to provide it.

But when you say now, oh, but, by the way, we're not going to allow for screening for poor women who might have breast cancer, we're not going to test for birth defects for young children, we're not going to provide immunization for young children, what are they going to do, turn America into a Third World?

We struggle to get the same immunizations into the hands of poor people all around the world because we recognize the public health benefits, but they've chosen this.

So, I'm excited that they've seen the wrong direction that they were headed with the Ryan budget, the Republican budget, to double the interest rates on student loans. But I'm very, very concerned that they decided that they would extract the price from women and children once again, as they have in the past in their budgets.

So I urge that we can get this student loan taken care of before the 66 days that you've put up there, before this time bomb goes off in the very middle-income and low-income families in America.

Thank you again for making this time available for us to discuss this. We hope we'll have good action on behalf of all Americans—women, children, students, and their families. It's quite possible to do. All we have to do is reach across the aisle and work together and make sure that we don't make victims out of part of our society so that others can go to school.

Going to school is important, women's health is important, childhood immunization is important, and so is dealing with birth defects in the best way we possibly can. We owe that to those families and those children.

Thank you very much.

Mr. GARAMENDI. Mr. MILLER, thank you for the dedication that you've made over many, many decades of education, to the well-being of children and the labor and workforce here in the United States. There are very few men and women that have spent the number of years and have been so successful as have you in making it possible for kids to get an education and for adults to get an additional education.

We didn't talk about all of the elements of the educational system. We've really focused tonight on the student loan, the Pell Grants, and the reductions that the Republican blueprint would impose upon the United States as well as the tax policy that has come from that blueprint, which essentially is a tax policy of continuing to reward the superwealthy while, at the same time, taking away from the struggling middle class, the men and women that are working every single day to keep their food on the table, their family in the house, and pay the mortgage. Now, it's one of the most unfair tax policies that I've ever seen in the many years that I've been involved in public policy. It goes well beyond that.

I want to also make just a couple of points, and if you would just stick around a second, I want to come back to the education of those men and women that are already in the workforce, but I want to make a point here.

Before we took up this 1-hour, our Republican colleagues spent the hour talking about tax policy. They overlooked their own tax policy, just went with some very easy rhetoric about we've got to cut taxes and we've got to make sure the job creators do not have an additional burden.

□ 1920

It was and is a fact that it is the Democrats in this House who actually put forward a very significant stimulus for business on tax policy. It was the Democrats who took and reduced the taxes on businesses that invested in America by allowing American businesses, big and small, to write off 100 percent of every capital investment that they made. That lasted for a year until our Republican colleagues took power here, when they reduced that writeoff to 50 percent. Still good. Still good. It's a better than the normal depreciation schedule, but that has stimulated enormous investment by businesses in improving their capital so they could be more productive and increase their output.

We also took very specific steps among the Democrats to reduce the burden on both businesses and employees when we reduced the payroll taxes. We were unable to continue the business side of that when the Republicans took power here, but we were able to continue the reduction in the payroll tax for employees. Very important: stimulus for the economy, allowing men and women who are working to have more that they could then spend and make ends meet. Those are all things that we did. We ended one other very onerous tax break. This was done by the Democrats in this House in the 2010 session. What we did was to eliminate a tax break that American corporations had for offshoring jobs.

That brings me back to the Make It in America model here. In making it in

America, you cannot give a tax break to American corporations for offshoring jobs. It was more than a \$12 billion-a-year tax reduction for American corporations that sent jobs overseas. You go, what in the world was that all about? Well, it was in the Tax Code. We eliminated that. I will say for the American public out there that we got precious little support—in fact, no support—from the Republican caucus on this floor when that bill came up for a vote. Wrong-headed and very, very destructive.

These are the policies that create a strong economy: education. A well-educated workforce is the most important element in any economic strategy. It was the American strategy in the fifties, sixties, seventies, and eighties. It has fallen off, but Members of Congress like Mr. MILLER have maintained education, not only in the K-12 and the higher education system but in reinvestment in the workforce: making sure that those men and women who are on the production line and those who have been laid off can go back to school, can get an upgraded education, can learn better skills, perhaps as a welder, or as a computer technician, or for all the other thousands of different types of jobs. It's being able to go back to school in the workforce investment programs, as well as in the Pell Grant programs, that Mr. MILLER put forward. It is to allow community college students, part-time community college students, to be able to take out a Pell Grant.

Let's run through them. I've got seven of them up here, but there are five that are critical in any economic development strategy. Mr. MILLER has done the education piece and has led that fight. It's education, research, manufacturing, infrastructure, and making sure that you're paying attention to the international world. So those are the five that are there.

Mr. MILLER, why don't you help me wrap up here, and then we'll be on our way, and we'll thank the American public for listening to this discourse on how education policy fits in to growing the American economy and building up the American middle class and re-igniting that dream.

Mr. GEORGE MILLER of California. Education, obviously, is one of the most important ingredients. It's the best investment we make in terms of a return to the Treasury because of the increased productivity and success of the people who complete their education. The important factor here is that, when we think about this, we really have to develop a system where our students are engaged in a modern learning environment, where they have access to the technology, where they have access to resources outside of the traditional classroom, where their instructors, their teachers, have that kind of access so they can integrate

their education into what's happening and into what these young people see as happening in the rest of the economy in the world around them.

So we create that learning environment, and we can create that teaching environment by changing the way we've traditionally done things in this country. We've looked at those that are high-performing. We look around the world and say, Where are those nations that are high performing? Where are those students who are doing the best? We look at what's taking place in those countries, and we see this partnership between communities and parents and students and teachers, working out recognizing that that school is a huge economic asset of that community. It may be the most important thing where parents and the community have that say. So that's what we're trying to develop.

Unfortunately, we haven't been able to get the reform in the rewrite of No Child Left Behind yet in this Congress. It has been a number of years. We weren't able to do it in the last Congress. But I want to thank the Obama administration and the Secretary of Education because, in recognizing the role that the ingredient of education plays in the economic recovery, they've gone with the Race to the Top program and with the waivers program for those States.

What they're really saying is, if you want to take your State and go to the future, if you want to take your district and go to the future, we want to partner with you. What does that mean? That means that those Governors and those local superintendents of schools and those State superintendents of instruction are making a decision that they want to join in an effort to have internationally benchmarked standards and internationally benchmarked curriculum and assessments. It's no longer just filling in a bubble on a multiple choice. But because of the sophistication that we've learned in assessment, that we learned from the workplace, what we learned from employers, these students will be able to demonstrate the depth of their knowledge, their understanding. They will be richer. They will be better able to adapt to the needs of employers. They can go on and get a master's degree, or they can go on and get a college degree, or they can go on and get a doctorate degree.

The fact of the matter is that the world of learning is changing dramatically, and I think that, while we're bogged down here in partisan fights, unfortunately, the administration has struck out on a bold path. I think there are now 40 States that either have applied or are hoping to apply for waivers. There are 47 Governors who have said we should have internationally benchmarked standards in this country so that we know that, when our stu-

dents are learning, they're learning at the same level the students in Shanghai are learning—or in Germany or in Finland or in Singapore or in Japan—and that's the change that's possible.

But the fact of the matter is that Congress has got to want to go along with that. The Governors are taking the lead. They're taking the lead. The big city mayors are taking the lead. They understand this in terms of your agenda, Congressman GARAMENDI, in making it in America—jobs in their communities. That educated workforce is the most important investment they can make, and for parents, it's that good school. People always talk about remodeling their bathrooms or adding on a bedroom or landscaping the yard to add value to their homes. If you turn that into a high-performing school, you'll add more value than anything else you could possibly do.

The National Real Estate Association will tell you that the first question people ask is, What school will my children go to? What district is this in?

We now have the ability and the capability, and in partnering up with the entire school staff, to dramatically improve the learning environment, the teaching environment, and the outcomes for all of our students. That's the excitement, because this comes along at a time when America now realizes, yes, we thought after 1980, 1990 that we couldn't make anything in America. We now recognize that, and we now see foreign investment coming back to America, and we've got to have the talent ready to absorb that.

So thank you again for this opportunity to integrate education into the Make It in America agenda. Obviously, I think it is the most important point. But as I talk to venture capitalists and to people in the high-tech fields and in the biotech fields in our State and around the country, they'll just tell you over and over again that the workforce they're looking for is a well-educated, adaptable, understanding workforce that can work with people all around the world now because you can sit in one room and work with people everywhere else in the world.

Mr. GARAMENDI. Mr. MILLER, your passion for education was on display in this last discussion. Thank you for that passion, and thank you for the years of service that you have provided to America in leading the fight for the improvement of our education system.

Just a couple of thoughts—not random but specifically on the subject.

Yesterday, I was in Dixon, California, for the opening of a new manufacturing facility. A company, Altech in Birmingham, Alabama, decided that they were going to stay in America for the production of these bucket trucks, which are the kind of trucks that utility companies use that take the worker up to work on the power line, way up on the top of that pole. They decided to

stay there, and they're going to hire an additional 100 people to manufacture these bucket trucks in Dixon, California.

In the discussion I had with the manufacturer and the president of the company, I asked him, How are you going to train these workers? And he said, We're going to do it at the community college.

□ 1930

We're going to do it at the community college. The programs that you have put together over the years, with the workforce investment program, meaning that we're investing in the workers, the retraining of the workers electricians, welders, line jobs, well-paying middle class jobs, that's what it's all about.

The most important investment that any society can make is the investment in the education of its people. We need to do more. That education of the workforce, the children, the seniors, the others that are in the field, that investment also entails the individual's participation. The loans that they take out, the Pell Grants that they receive are essential in giving them access, as you so well know. Then when we find a blueprint that passed this House, the Republican blueprint that basically takes away that opportunity, it stifles the American economy.

I share with you your enthusiasm for the newfound awareness of our Republican colleagues, and it only took a week, and it only took three speeches by the President, and they had the "oh my" moment. "We made a mistake, yes." But don't double down on that mistake by paying for the reduction in that interest rate by taking away from the vulnerable people of America.

I think not only of the children and their vaccinations, breast cancer and early detection, but also the seniors in their prevention and detection. That's not how to do it. We know better. Your proposal, the proposal of Mr. CLARKE of using the resources that we're now giving to the most wealthy industry in the world, our tax money, literally given to the oil industry, we need to recoup that and use that instead for the very future of this country.

We're finished for this evening. It's been a good night. Thank you so very much for joining us.

Mr. GEORGE MILLER of California. Thank you very much for the opportunity and thank you for your leadership on this.

Mr. GARAMENDI. Thank you for bringing your passion for education.

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3523, CYBER INTELLIGENCE SHARING AND PROTECTION ACT; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; PROVIDING FOR CONSIDERATION OF H.R. 4628, INTEREST RATE REDUCTION ACT; AND FOR OTHER PURPOSES

Mr. NUGENT, from the Committee on Rules, submitted a privileged report (Rept. No. 112-454) on the resolution (H. Res. 631) providing for consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; providing for consideration of motions to suspend the rules; providing for consideration of the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; and for other purposes, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT

Mr. NUGENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 34 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 26, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5766. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Silicic Acid, Sodium Salt etc.; Tolerance Exemption [EPA-HQ-OPP-2011-0934; FRL-9333-6] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5767. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-02; to the Committee on Appropriations.

5768. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-03; to the Committee on Appropriations.

5769. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-09; to the Committee on Appropriations.

5770. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Joint Improvised Explosive Device Defeat Organization (JIEDDO) case number 09-01; to the Committee on Appropriations.

5771. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Air Quality Implementation Plans; Kentucky; Attainment Plan for the Kentucky Portion of the Huntington-Ashland 1997 Annual PM_{2.5} Nonattainment Area [EPA-R04-OAR-2010-0255; FRL-9657-4] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5772. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Amendments to the Handling, Storage, and Disposal of Volatile Organic Compounds Emissions; Automobile and Light-Duty Truck Coating Operations; Paper Coating; Coating of Flat Wood Paneling; Graphic Art Systems; and Industrial Cleaning Solvents [EPA-R03-OAR-2011-0998; FRL-9657-1] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5773. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Small Container Exemption from VOC Coating Rules [EPA-R05-OAR-2012-0073; FRL-9651-5] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5774. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; South Dakota; Regional Haze State Implementation Plan [EPA-R08-OAR-2011-0870; FRL-9658-9] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5775. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Missouri: Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule; New Source Review Reform [EPA-R07-OAR-2011-0825; FRL-9657-8] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5776. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Technical Corrections and Clarifications Rule [EPA-R08-OAR-2011-0870; FRL-9658-9] (RIN: 2050-AG52) received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5777. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units; Correction [EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044; FRL-9654-8] (RIN: 2060-AP52 and 2060-AR31) received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5778. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Arizona State Implementation Plan Pinal County Air

Quality Control District [EPA-R09-OAR-2008-0359; FRL-9639-5] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5779. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Northern Sierra and Sacramento Metropolitan Air Quality Management District [EPA-R09-OAR-2012-0243; FRL-9659-8] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5780. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Yolo-Solano Air Quality Management District [EPA-R09-OAR-2012-0180; FRL-9652-2] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5781. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on U.S. support for Taiwan's participation as an observer at the 65th World Health Assembly and in the work of the World Health Organization, as mandated in the 2004 Participation of Taiwan in the World Health Organization Act, Pub. L. 108-235, Sec. 1(c); to the Committee on Foreign Affairs.

5782. A letter from the Staff Director, Federal Election Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5783. A letter from the General Counsel, Government Accountability Office, transmitting the Office's annual 2011 report of the Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

5784. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5785. A letter from the Director, Congressional Affairs and Public Relations, Trade and Development Agency, transmitting the Agency's Fiscal Year 2010 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5786. A letter from the Assistant Attorney General, Department of Justice, transmitting the Fourth Quarter 2011 report of Settlements by the United States with Nonmonetary Relief Exceeding Three Years and Settlements Against the United States Exceeding \$2 Million; to the Committee on the Judiciary.

5787. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's 50th annual report of activities for fiscal year 2011, pursuant to Section 103(e) of the Reorganization Plan No. 7 of 1961 and Section 208 of the Merchant Marine Act of 1936, as amended; to the Committee on Transportation and Infrastructure.

5788. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting

the Department's final rule — Interest on Untimely Paid Vessel Repair Duties [USCBP-2008-0085] (RIN: 1515-AD74) received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5789. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Nonconventional Source Fuel Credit, 2011 Section 45K Inflation Adjustment Factor and Section 45K Reference Price [Notice 2012-30] received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5790. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2012-28] received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5791. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Alan Baer Revocable Trust v. United States, 105 AFTR 2d 1544, 2010-1 USTC 60,590 (D. Neb. 2010) [AOD 2012-04] received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5792. A letter from the Acting Chair, Social Security Advisory Board, transmitting the Board's report of the 2011 Social Security Technical Panel on Assumptions and Methods; to the Committee on Ways and Means.

5793. A letter from the Board of Trustees, Federal Old-Age And Survivors Insurance And Disability Insurance Trust Funds, transmitting the 2012 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 112—102); to the Committee on Ways and Means and ordered to be printed.

5794. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting report to Congress on The Proliferation Security Initiative (PSI) Budget Plan and Review P.L. 110-53, Section 1821(b)(2); jointly to the Committees on Foreign Affairs and Armed Services.

5795. A letter from the Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Report on the Federal Work Force for Fiscal Year 2010, pursuant to 42 U.S.C. 2000e-4(e); jointly to the Committees on Oversight and Government Reform and Education and the Workforce.

5796. A letter from the Boards of Trustees, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting the 2012 Annual Report Of The Boards Of Trustees Of The Federal Hospital Insurance And Federal Supplementary Medical Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 112—101); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 2308. A bill to improve the

consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; with an amendment (Rept. 112-453). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUGENT: Committee on Rules. House Resolution 631. Resolution providing for consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; providing for consideration of motions to suspend the rules; providing for consideration of the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; and for other purposes (Rept. 112-454). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RANGEL:

H.R. 4621. A bill to authorize negotiations with Brazil to eliminate tariffs and trade barriers to United States ethanol exports; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCNERNEY:

H.R. 4622. A bill to provide for the establishment of a grant program to assist State and local governments to install solar energy systems; to the Committee on Energy and Commerce.

By Mr. PAULSEN (for himself and Mr. CAMPBELL):

H.R. 4623. A bill to amend the Internal Revenue Code of 1986 to expand and make permanent rules related to investment by non-resident aliens in domestic mutual funds; to the Committee on Ways and Means.

By Mr. BACHUS (for himself and Mrs. MCCARTHY of New York):

H.R. 4624. A bill to amend the Investment Advisers Act of 1940 to provide for the registration and oversight of national investment adviser associations; to the Committee on Financial Services.

By Mr. WILSON of South Carolina (for himself, Mr. PETRI, Mr. GOWDY, Mr. SCOTT of South Carolina, Mr. MULVANEY, Mr. BROWN of Georgia, Mr. DUNCAN of South Carolina, and Mr. MILLER of Florida):

H.R. 4625. A bill to amend the Nuclear Waste Policy Act of 1982 to require the President to certify that the Yucca Mountain site remains the designated site for the development of a repository for the disposal of high-level radioactive waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARLETTA:

H.R. 4626. A bill to extend the suspension of duty on certain air pressure distillation columns; to the Committee on Ways and Means.

By Mr. THOMPSON of Pennsylvania:

H.R. 4627. A bill to extend and make a technical correction to the temporary suspension of duty on certain cast stainless steel single-piece exhaust gas manifolds; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4628. A bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; to the Committee on

Education and the Workforce, and in addition to the Committees on Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENHAM:

H.R. 4629. A bill to require the Comptroller General to conduct an annual audit of the General Services Administration; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVID SCOTT of Georgia:

H.R. 4630. A bill to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of expanding the boundary of Chattahoochee River National Recreation Area; to the Committee on Natural Resources.

By Mr. WALSH of Illinois (for himself, Mr. LONG, Mr. MICHAUD, and Mr. PAUL):

H.R. 4631. A bill to require quarterly reports on agency conferences and meetings, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ALTMIRE:

H.R. 4632. A bill to extend the suspension of duty on 2-Chlorotoluene; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4633. A bill to extend the suspension of duty on Chloromethylbenzene; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4634. A bill to extend the suspension of duty on 2,3-Dichloronitrobenzene; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4635. A bill to extend the suspension of duty on Phenylisocyanate; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4636. A bill to extend the suspension of duty on certain ethylene-vinyl acetate copolymers; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4637. A bill to suspend temporarily the duty on p-Toluidine; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4638. A bill to suspend temporarily the duty on p-Nitrotoluene; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4639. A bill to extend the suspension of duty on Bayderm Bottom DLV-N; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4640. A bill to extend the suspension of duty on 2-Phenylphenol; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4641. A bill to extend the suspension of duty on Iminodisuccinate; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4642. A bill to reduce temporarily the duty on Mesamoll; to the Committee on Ways and Means.

By Mr. BERG (for himself and Mr. THOMPSON of California):

H.R. 4643. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the cash method of accounting for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4644. A bill to suspend temporarily the duty on certain portable electric grills; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4645. A bill to suspend temporarily the duty on combination smoker, roaster, and grills; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4646. A bill to suspend temporarily the duty on certain grill brushes; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4647. A bill to suspend temporarily the duty on certain decorative tabletop torch vessels; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4648. A bill to suspend temporarily the duty on certain decorative outdoor torches; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4649. A bill to suspend temporarily the duty on certain decorative dual wick torches; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4650. A bill to suspend temporarily the duty on certain fishing reels; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4651. A bill to suspend temporarily the duty on certain decorative outdoor bamboo garden torches; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4652. A bill to suspend temporarily the duty on certain portable infrared gas grill and cooler combinations; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4653. A bill to suspend temporarily the duty on certain portable gas grills; to the Committee on Ways and Means.

By Mr. BUTTERFIELD:

H.R. 4654. A bill to suspend temporarily the duty on manicure and pedicure sets; to the Committee on Ways and Means.

By Mr. BUTTERFIELD:

H.R. 4655. A bill to suspend temporarily the duty on nail clippers; to the Committee on Ways and Means.

By Mr. BUTTERFIELD:

H.R. 4656. A bill to suspend temporarily the duty on certain eyelash curlers; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4657. A bill to suspend temporarily the duty on mixtures containing β -cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4658. A bill to extend the temporary reduction of duty on Deltamethrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4659. A bill to suspend temporarily the duty on N-(4-Fluorophenyl)-2-hydroxy-N-(1-methylethyl)acetamide; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4660. A bill to reduce temporarily the duty on Thiencarbazone-methyl; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4661. A bill to extend the temporary suspension of duty on Spiromesifen; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4662. A bill to suspend temporarily the duty on Trifloxystrobin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4663. A bill to modify and extend the temporary reduction of duty on 2-Acetylbutyrolactone; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4664. A bill to suspend temporarily the duty on 1,3-Cyclohexanedione; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4665. A bill to suspend temporarily the duty on Flubendiamide; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4666. A bill to suspend temporarily the duty on Spirotetramat; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4667. A bill to extend the temporary suspension of duty on Isoxadifen-Ethyl; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4668. A bill to extend the temporary suspension of duty on Cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4669. A bill to modify and extend the temporary reduction of duty on β -cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4670. A bill to reduce temporarily the duty on mixtures containing Trifloxystrobin and Prothioconazole; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4671. A bill to suspend temporarily the rate of duty on certain mixtures containing Trifloxystrobin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4672. A bill to reduce temporarily the duty on mixtures containing Spirotetramat; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4673. A bill to suspend temporarily the duty on mixtures containing Trifloxystrobin and Propiconazole; to the Committee on Ways and Means.

By Mr. COHEN:

H.R. 4674. A bill to suspend temporarily the duty on Diuron Technical; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4675. A bill to reduce temporarily the duty on 1H-[1,2,4]Triazole; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4676. A bill to suspend temporarily the duty on mixtures of Indaziflam; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4677. A bill to suspend temporarily the duty on mixtures of Flubendiamide; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4678. A bill to suspend temporarily the duty on mixtures containing Fluopyram; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4679. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Prothioconazole; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4680. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Trifloxystrobin; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4681. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Pyrimethanil; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4682. A bill to suspend temporarily the duty on Fenhexamid; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4683. A bill to suspend temporarily the duty on Flupicolide; to the Committee on Ways and Means.

- By Mr. COSTA:
H.R. 4684. A bill to suspend temporarily the duty on Fluopyram; to the Committee on Ways and Means.
- By Mr. COSTA:
H.R. 4685. A bill to suspend temporarily the duty on Indaziflam; to the Committee on Ways and Means.
- By Mr. COSTA:
H.R. 4686. A bill to extend the temporary suspension of duty on 4-Chlorobenzaldehyde; to the Committee on Ways and Means.
- By Mr. COSTA:
H.R. 4687. A bill to extend the temporary suspension of duty on Phenmedipham; to the Committee on Ways and Means.
- By Mr. GERLACH:
H.R. 4688. A bill to extend the temporary suspension of duty on dry adhesive copolyamide pellets; to the Committee on Ways and Means.
- By Mr. GERLACH:
H.R. 4689. A bill to extend the temporary suspension of duty on Orgasol polyamide powders; to the Committee on Ways and Means.
- By Mr. GERLACH:
H.R. 4690. A bill to suspend temporarily the duty on dicumyl peroxide; to the Committee on Ways and Means.
- By Mr. GRAVES of Missouri:
H.R. 4691. A bill to suspend temporarily the duty on Frequency Herbicide; to the Committee on Ways and Means.
- By Mr. GRAVES of Missouri:
H.R. 4692. A bill to suspend temporarily the duty on Fastac; to the Committee on Ways and Means.
- By Mr. GRAVES of Missouri:
H.R. 4693. A bill to extend the temporary suspension of duty on 2,3-Quinolinedicarboxylic acid; to the Committee on Ways and Means.
- By Mr. GRAVES of Missouri:
H.R. 4694. A bill to reduce temporarily the duty on product mixtures containing Spiromesifen; to the Committee on Ways and Means.
- By Mr. GRAVES of Missouri:
H.R. 4695. A bill to reduce temporarily the duty on product mixtures containing Clothianidin and Bacillus Firmus strain I-1582; to the Committee on Ways and Means.
- By Mr. GRAVES of Missouri:
H.R. 4696. A bill to suspend temporarily the duty on product mixtures containing Clothianidin; to the Committee on Ways and Means.
- By Mr. GRAVES of Missouri:
H.R. 4697. A bill to reduce temporarily the duty on product mixtures containing Pyrasulfotole, Bromoxynil Octanoate, and Bromoxynil Heptanoate, including application adjuvants; to the Committee on Ways and Means.
- By Mr. GRAVES of Missouri:
H.R. 4698. A bill to extend the suspension of duty on product mixtures containing ethofumesate; to the Committee on Ways and Means.
- By Mr. GRAVES of Missouri:
H.R. 4699. A bill to suspend temporarily the duty on cyprosulphamide; to the Committee on Ways and Means.
- By Mr. GRAVES of Missouri:
H.R. 4700. A bill to extend the temporary suspension of duty on 1,2,4-Trichlorobenzene; to the Committee on Ways and Means.
- By Mr. GENE GREEN of Texas:
H.R. 4701. A bill to extend and modify the temporary suspension of duty on Propiconazole; to the Committee on Ways and Means.
- By Mr. GENE GREEN of Texas:
H.R. 4702. A bill to reduce temporarily the rate of duty on mixtures of Paraquat and Emetic; to the Committee on Ways and Means.
- By Mr. GENE GREEN of Texas:
H.R. 4703. A bill to extend the temporary suspension of duty on Paclobutrazol; to the Committee on Ways and Means.
- By Mr. GENE GREEN of Texas:
H.R. 4704. A bill to extend the temporary suspension of duty on Chloroacetone; to the Committee on Ways and Means.
- By Mr. GENE GREEN of Texas:
H.R. 4705. A bill to extend the temporary suspension of duty on Brodifacoum; to the Committee on Ways and Means.
- By Mr. GENE GREEN of Texas:
H.R. 4706. A bill to extend and modify the reduction of duty on Mandipropamid; to the Committee on Ways and Means.
- By Mr. GENE GREEN of Texas:
H.R. 4707. A bill to suspend temporarily the duty on 1,3-Benzenedicarbonitrile; to the Committee on Ways and Means.
- By Mr. GENE GREEN of Texas:
H.R. 4708. A bill to extend and modify the temporary reduction of duty on fludioxonil; to the Committee on Ways and Means.
- By Mr. GUTHRIE:
H.R. 4709. A bill to suspend temporarily the duty on Polymer, ϵ -Caprolactone-diethylene glycol; to the Committee on Ways and Means.
- By Mr. GUTHRIE:
H.R. 4710. A bill to suspend temporarily the duty on Carbonic Acid, Dimethyl Ester, Polymer with 1,6-Hexanediol; to the Committee on Ways and Means.
- By Mr. GUTHRIE:
H.R. 4711. A bill to extend the temporary suspension of duty on leather basketballs; to the Committee on Ways and Means.
- By Mr. GUTHRIE:
H.R. 4712. A bill to extend the temporary suspension of duty on volleyballs; to the Committee on Ways and Means.
- By Mr. GUTHRIE:
H.R. 4713. A bill to suspend temporarily the duty on rubber basketballs; to the Committee on Ways and Means.
- By Mr. GUTHRIE:
H.R. 4714. A bill to suspend temporarily the duty on basketballs, having an external surface other than leather or rubber; to the Committee on Ways and Means.
- By Mr. GUTHRIE:
H.R. 4715. A bill to extend the temporary suspension of duty on ϵ -Caprolactone-2-ethyl-2-(hydroxymethyl)-1,3-propanediol polymer; to the Committee on Ways and Means.
- By Mr. GUTHRIE:
H.R. 4716. A bill to extend the temporary suspension of duty on ϵ -Caprolactone-neopentylglycol copolymer; to the Committee on Ways and Means.
- By Mr. GUTHRIE:
H.R. 4717. A bill to suspend temporarily the duty on 2,2'-Bis(4-cyanatophenyl)propane homopolymer; to the Committee on Ways and Means.
- By Mr. HASTINGS of Washington:
H.R. 4718. A bill to extend the temporary suspension of duty on Linuron; to the Committee on Ways and Means.
- By Mr. HASTINGS of Washington:
H.R. 4719. A bill to suspend temporarily the duty on Terbacil; to the Committee on Ways and Means.
- By Mr. HOLT:
H.R. 4720. A bill to establish the American Innovation Bank, to improve science and technology job training, to authorize grants for curriculum development, and for other purposes; to the Committee on Science, Space, and Technology.
- By Mr. HOLT:
H.R. 4721. A bill to extend and modify the temporary reduction of duty on monocarboxylic fatty acids derived from palm oil; to the Committee on Ways and Means.
- By Mr. HOLT:
H.R. 4722. A bill to suspend temporarily the duty on mixtures of polyvinyl alcohol and polyvinyl pyrrolidone; to the Committee on Ways and Means.
- By Mr. HOLT:
H.R. 4723. A bill to suspend temporarily the duty on Tetrakis(hydroxymethyl) phosphonium sulfate (THPS); to the Committee on Ways and Means.
- By Mr. HOLT:
H.R. 4724. A bill to suspend temporarily the duty on (1S)-1,5-anhydro-1-[3-[[5-(4-fluorophenyl)-2-thienyl]methyl]-4-methylphenyl]-D-glucitol; to the Committee on Ways and Means.
- By Mr. HOLT:
H.R. 4725. A bill to extend the suspension of duty on Imazalil; to the Committee on Ways and Means.
- By Mr. HOLT:
H.R. 4726. A bill to suspend temporarily the duty on NORBLOC 7966; to the Committee on Ways and Means.
- By Mr. HOLT:
H.R. 4727. A bill to extend the suspension of duty on CetaloX; to the Committee on Ways and Means.
- By Mr. HOLT:
H.R. 4728. A bill to extend the suspension of duty on Dimethyl malonate; to the Committee on Ways and Means.
- By Mr. HOLT:
H.R. 4729. A bill to suspend temporarily the duty on mixtures of N-[2-(2-oxoimidazolidine-1-yl)ethyl]-2-methylacrylamide, methacrylic acid, aminoethyl ethylene urea and hydroquinone; to the Committee on Ways and Means.
- By Mr. HUIZENGA of Michigan (for himself and Mr. FRANK of Massachusetts):
H.R. 4730. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.
- By Mr. HUIZENGA of Michigan:
H.R. 4731. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the tariff rates for carpet cleaners and parts thereof imported into the United States; to the Committee on Ways and Means.
- By Mr. HUIZENGA of Michigan:
H.R. 4732. A bill to extend and modify the temporary reduction of duty on 4-methoxy-2-methyldiphenylamine; to the Committee on Ways and Means.
- By Mr. HUIZENGA of Michigan:
H.R. 4733. A bill to extend the temporary suspension of duty on 4'-methoxy-2,2',4-trimethyl diphenylamine; to the Committee on Ways and Means.
- By Mr. HUIZENGA of Michigan:
H.R. 4734. A bill to suspend temporarily the duty on Imazalil; to the Committee on Ways and Means.
- By Mr. HUIZENGA of Michigan:
H.R. 4735. A bill to extend and modify the temporary reduction of duty on ACM; to the Committee on Ways and Means.
- By Mr. HUIZENGA of Michigan:
H.R. 4736. A bill to reduce temporarily the duty on Glufosinate-Ammonium (GA); to the Committee on Ways and Means.
- By Mr. HUIZENGA of Michigan:
H.R. 4737. A bill to extend and modify the temporary reduction of duty on Oxadiazon; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4738. A bill to suspend temporarily the duty on the chime melody rod assembly used in the production of grandfather clocks, wall clocks, and mantel clocks; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4739. A bill to suspend temporarily the duty on certain clock movements; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. WEST, Mrs. DAVIS of California, Mr. RIGELL, Mr. LARSEN of Washington, Mr. RYAN of Ohio, Mr. WITTMAN, Mr. TURNER of Ohio, Mr. HEINRICH, and Mr. CARTER):

H.R. 4740. A bill to amend the Servicemembers Civil Relief Act to ensure that relocation of a servicemember to serve on active duty away from the servicemember's principal residence does not prevent the servicemember from refinancing a mortgage on that principal residence; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of Illinois:

H.R. 4741. A bill to extend and modify the temporary reduction of duty on Avermectin B; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4742. A bill to reduce temporarily the duty on Prosulfuron; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4743. A bill to extend the temporary suspension of duty on Pymetrozine; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4744. A bill to extend the temporary suspension of duty on Cyproconazole; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4745. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4746. A bill to extend the suspension of duty on 2-Mercaptoethanol; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4747. A bill to suspend temporarily the duty on Tetrahydrothiophene; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4748. A bill to suspend temporarily the duty on p-Dichlorobenzene; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4749. A bill to suspend temporarily the duty on Di-tert-butyl polysulfides; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4750. A bill to suspend temporarily the duty on Dimethyl 3,3'-thiodipropionate; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4751. A bill to suspend temporarily the duty on 2-Hydroxyethyl-n-octyl sulfide; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4752. A bill to suspend temporarily the rate of duty on Reactive Red 228; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4753. A bill to suspend temporarily the rate of duty on Acid Yellow 151; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4754. A bill to suspend temporarily the rate of duty on Reactive Blue 269; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4755. A bill to extend the temporary suspension of duty on Disperse Yellow 42; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4756. A bill to suspend temporarily the rate of duty on Reactive Blue 268; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4757. A bill to suspend temporarily the rate of duty on Acid Blue 171; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4758. A bill to suspend temporarily the rate of duty on Normal Paraffin M; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 4759. A bill to establish a comprehensive process to inform American consumers about food and product recalls, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LEWIS of Georgia:

H.R. 4760. A bill to suspend temporarily the duty on polyvinyl formal resin; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 4761. A bill to suspend temporarily the duty on tris 2-(Hydroxy ethyl)-isocyanurate (THEIC); to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4762. A bill to suspend temporarily the duty on aircraft grade polyvinyl butyral; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4763. A bill to extend the temporary reduction of duty on N-phenyl-p-phenylenediamine; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4764. A bill to suspend temporarily the duty on Potassium decafluoro(pentafluoroethyl) cyclohexanesulfonate; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4765. A bill to suspend temporarily the duty on Pigment Yellow 194; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4766. A bill to suspend temporarily the duty on Pigment Yellow 181; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4767. A bill to suspend temporarily the duty on Pigment Yellow 191; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4768. A bill to extend the temporary suspension of duty on Pigment Red 187; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4769. A bill to suspend temporarily the duty on Pigment Yellow 180; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4770. A bill to reduce temporarily the duty on Yttrium oxides having a purity of at least 99.9 percent; to the Committee on Ways and Means.

By Mr. NUNES:

H.R. 4771. A bill to suspend temporarily the duty on Fungaflor Technical (Imazalil); to the Committee on Ways and Means.

By Mr. NUNES:

H.R. 4772. A bill to suspend temporarily the duty on Penbotec 400SC; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4773. A bill to extend the suspension of duty on Bifenazate; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4774. A bill to extend the suspension of duty on Paraquat dichloride (1,1'-dimethyl-4,4'-bipyridinium dichloride); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4775. A bill to extend the suspension of duty on Propargite; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4776. A bill to extend the suspension of duty on Pentaerythritol tetrakis[3-(dodecylthio)propionate]; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4777. A bill to suspend temporarily the duty on 4,4'-Thiobis[2-(1,1-di-methylethyl)-5-methyl-phenol]; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4778. A bill to extend the suspension of duty on N,N-Hexane-1,6-diybis(3-(3,5-di-tert-butyl-4-hydroxy-phenyl) propionamide); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4779. A bill to suspend temporarily the duty on 2,5-Bis(1,1-dimethylpropyl)-1,4-benzenediol; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4780. A bill to suspend temporarily the duty on 2,2'-(2-Methylpropylidene) bis(4,6-dimethylphenol); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4781. A bill to suspend temporarily the duty on 4,4'-butylidenebis [3-methyl 6 tert butylphenol]; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4782. A bill to suspend temporarily the duty on 2,2'-Methylenebis (4 methyl 6 tert butylphenol); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4783. A bill to extend the suspension of duty on Ipcnazole; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4784. A bill to suspend temporarily the duty on Daminozide; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4785. A bill to suspend temporarily the duty on Paraquat Dichloride and Inerts; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4786. A bill to extend the suspension of duty on Butralin; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4787. A bill to suspend temporarily the duty on Bis(2,3-dibromopropyl ether) of Tetrabromobisphenol A; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4788. A bill to extend the suspension of duty on Phosphoric acid, tris (2-ethylhexyl) ester; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4789. A bill to extend the suspension of duty on Etridiazole; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4790. A bill to extend the suspension of duty on 2,2,6,6-Tetramethyl-4-piperidinone; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4791. A bill to suspend temporarily the duty on 4,4'-methylenebis(2-chloroaniline); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4792. A bill to suspend temporarily the duty on allyl bromide; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4793. A bill to suspend temporarily the duty on 1,3-Dibromo-5-Dimethylhydantoin; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4794. A bill to suspend temporarily the duty on magnesium hydroxide with a purity greater than or equal to 99.8 percent; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4795. A bill to suspend temporarily the duty on certain urea resins; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4796. A bill to extend the temporary suspension of duty on electromechanical ice shavers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4797. A bill to extend the temporary suspension of duty on combination single slot toaster and toaster ovens; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4798. A bill to extend the temporary suspension of duty on electric knives; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4799. A bill to extend the temporary suspension of duty on handheld electric can openers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4800. A bill to suspend temporarily the rate of duty on certain single serve and full pot coffee makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4801. A bill to suspend temporarily the rate of duty on certain portable slow cookers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4802. A bill to suspend temporarily the rate of duty on certain single serve coffee makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4803. A bill to suspend temporarily the rate of duty on certain single serve coffee makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4804. A bill to suspend temporarily the rate of duty on certain electric skillet; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4805. A bill to suspend temporarily the rate of duty on certain battery operated jar openers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4806. A bill to suspend temporarily the rate of duty on certain battery operated ice cream makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4807. A bill to suspend temporarily the rate of duty on certain frozen treat makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4808. A bill to suspend temporarily the rate of duty on certain programmable slow cookers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4809. A bill to suspend temporarily the duty on certain electric dispensing blenders; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4810. A bill to extend the temporary suspension of duty on self contained, carafeless automatic drip coffeemaker with electronic clock; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4811. A bill to extend the temporary suspension of duty on self-contained, carafeless automatic drip coffeemaker; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4812. A bill to extend the temporary suspension of duty on open top, electric indoor grills; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4813. A bill to extend the temporary suspension of duty on certain electric juice extractors rated at 800W or higher; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4814. A bill to extend the temporary suspension of duty on certain electric juice extractors; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4815. A bill to extend the temporary suspension of duty on sandwich toaster grills; to the Committee on Ways and Means.

By Mr. TIERNEY (for himself, Mr. BISHOP of New York, Mr. COURTNEY, Mr. GEORGE MILLER of California, Mr. HINOJOSA, Mr. LEVIN, Mr. STARK, Mr. KILDEE, Mr. PETERS, Ms. CHU, Ms. SEWELL, Mr. PASCRELL, Mr. HOLT, and Ms. SLAUGHTER):

H.R. 4816. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEKS (for himself, Mr. CONNOLLY of Virginia, Ms. FOXX, and Mr. COHEN):

H. Res. 632. A resolution commending the Government of Turkey for its efforts to facilitate, host, and care for refugees fleeing the Al-Assad regime's escalating violence in Syria; to the Committee on Foreign Affairs.

By Mr. MEEKS (for himself, Mr. HINOJOSA, and Mrs. BIGGERT):

H. Res. 633. A resolution supporting the goals and ideals of "Financial Literacy Month"; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. RANGEL:

H.R. 4621.

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8

By Mr. McNERNEY:

H.R. 4622.

Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the U.S. Constitution.

By Mr. PAULSEN:

H.R. 4623.

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8.

By Mr. BACHUS:

H.R. 4624.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. WILSON of South Carolina:

H.R. 4625.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. BARLETTA:

H.R. 4626.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. THOMPSON of Pennsylvania:

H.R. 4627.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1; and including, but not solely limited to Article I, Section 8, Clause 3.

By Mr. BIGGERT:

H.R. 4628.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. DENHAM:

H.R. 4629.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9 of the United States Constitution, specifically Clause 7 "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. DAVID SCOTT of Georgia:

H.R. 4630.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. WALSH of Illinois:

H.R. 4631.

Congress has the power to enact this legislation pursuant to the following:

Clause I of Section 8 of Article I of the Constitution "The Congress shall have the power to lay and collect taxes, duties, impost and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, impost and excises shall be uniform throughout the United States"

By Mr. ALTMIRE:

H.R. 4632.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4633.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4634.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4635.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4812.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4813.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4814.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4815.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. TIERNEY:

H.R. 4816.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, 3 and 18 of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 190: Mr. MORAN.
 H.R. 300: Ms. EDWARDS, Mr. KUCINICH, and Mr. RUSH.
 H.R. 303: Mr. WALSH of Illinois.
 H.R. 409: Mr. YODER.
 H.R. 615: Mr. NUGENT.
 H.R. 692: Mr. LABRADOR.
 H.R. 708: Mr. SCHRADER.
 H.R. 719: Mr. BARROW, Mr. POSEY, Mr. HIGGINS, Ms. SCHWARTZ, and Mr. KLINE.
 H.R. 733: Ms. GRANGER.
 H.R. 860: Ms. CLARKE of New York, Mr. FINCHER, and Mr. GOSAR.
 H.R. 885: Ms. SLAUGHTER, Mr. COLE, and Mr. RYAN of Ohio.
 H.R. 905: Mr. GRIJALVA.
 H.R. 1047: Mr. HENSARLING and Mr. SOUTHERLAND.
 H.R. 1112: Mr. SCHWEIKERT.
 H.R. 1145: Mr. COLE.
 H.R. 1262: Mr. DOYLE.
 H.R. 1265: Mrs. BLACK, Mr. THOMPSON of Pennsylvania, Mr. CLARKE of Michigan, and Mr. YODER.
 H.R. 1327: Mr. CARDOZA, Mr. GOODLATTE, and Mr. MCNERNEY.
 H.R. 1331: Mr. CASSIDY.
 H.R. 1332: Mr. CLAY.

H.R. 1416: Mr. BOSWELL, Mr. ROKITA, Mr. SCHOCK, and Mr. TERRY.
 H.R. 1493: Mrs. NAPOLITANO.
 H.R. 1543: Mr. CLAY.
 H.R. 1639: Mr. CAMPBELL, Mr. DUFFY, Mr. HASTINGS of Florida, and Mr. KINZINGER of Illinois.
 H.R. 1653: Mr. MCCLINTOCK.
 H.R. 1666: Mr. RAHALL.
 H.R. 1675: Mr. KLINE and Mr. GRIJALVA.
 H.R. 1704: Mr. KEATING and Mr. SCHIFF.
 H.R. 1738: Mr. SCHIFF.
 H.R. 1746: Mr. CAPUANO.
 H.R. 1802: Mr. REED and Mr. PASTOR of Arizona.
 H.R. 1860: Mr. CARSON of Indiana, Mr. TONKO, Mr. JOHNSON of Ohio, and Ms. CLARKE of New York.
 H.R. 1862: Mr. DEUTCH.
 H.R. 2052: Mr. WELCH.
 H.R. 2086: Mr. CARDOZA and Mr. SESSIONS.
 H.R. 2104: Mr. PETRI, Mr. WALDEN, Mr. SCHOCK, Mr. FORBES, Ms. SCHAKOWSKY, Mr. LATOURETTE, Mr. QUIGLEY Mr. MEEHAN, Mr. JOHNSON of Georgia, Mr. MCHENRY, Mr. LARSON of Connecticut, Mr. SHUSTER, and Mr. THOMPSON of Pennsylvania.
 H.R. 2151: Ms. LEE of California.
 H.R. 2221: Mr. LUETKEMEYER and Mr. CARTER.
 H.R. 2245: Mr. PETERSON.
 H.R. 2288: Mr. SCHOCK.
 H.R. 2307: Mr. THOMPSON of Pennsylvania.
 H.R. 2308: Mr. BISHOP of Utah.
 H.R. 2311: Mr. PETERSON and Mr. YOUNG of Alaska.
 H.R. 2376: Ms. CHU.
 H.R. 2493: Mr. MEEKS.
 H.R. 2499: Mr. CARNAHAN and Mr. MCNERNEY.
 H.R. 2502: Mr. PETERSON, Mr. PAUL, and Mr. SCHOCK.
 H.R. 2569: Mr. SESSIONS, Mr. MILLER of Florida, and Mr. MCHENRY.
 H.R. 2679: Mr. PRICE of North Carolina and Mr. LIPINSKI.
 H.R. 2741: Mr. BRALEY of Iowa, Mr. HINOJOSA, and Ms. SLAUGHTER.
 H.R. 2787: Mr. TURNER of New York.
 H.R. 2952: Mr. SCHOCK.
 H.R. 2960: Mr. GOSAR and Mr. BUTTERFIELD.
 H.R. 2962: Mrs. ELLMERS.
 H.R. 3015: Mr. RANGEL.
 H.R. 3032: Mr. ROE of Tennessee.
 H.R. 3035: Mr. BARTLETT.
 H.R. 3125: Mrs. BONO MACK and Mr. CARDOZA.
 H.R. 3148: Mr. AMODEI.
 H.R. 3151: Mr. CARNAHAN.
 H.R. 3173: Mr. KINZINGER of Illinois and Mr. JOHNSON of Ohio.
 H.R. 3187: Mr. MICA and Mr. NUNNELEE.
 H.R. 3269: Mr. PRICE of North Carolina, Mr. MCINTYRE, Mr. STUTZMAN, Ms. HANABUSA, Mr. GOSAR, Mr. CRENSHAW, and Ms. RICHARDSON.
 H.R. 3307: Mr. DEUTCH and Mr. PASCRELL.
 H.R. 3308: Mr. GRAVES of Georgia.
 H.R. 3435: Mr. MILLER of North Carolina.
 H.R. 3448: Mr. WEBSTER.
 H.R. 3511: Mr. BROOKS.
 H.R. 3553: Mr. NADLER, Mr. RANGEL, and Mr. HONDA.
 H.R. 3591: Mr. RANGEL.
 H.R. 3612: Mr. KING of Iowa and Mr. ROONEY.
 H.R. 3668: Mr. SCHOCK and Mr. GENE GREEN of Texas.
 H.R. 3721: Mr. WEST.
 H.R. 3729: Mr. SOUTHERLAND and Mr. BERG.
 H.R. 3767: Mr. AUSTIN SCOTT of Georgia.
 H.R. 3770: Mr. SCHOCK.
 H.R. 3790: Mr. BACA and Mr. LATHAM.
 H.R. 3792: Mr. ROE of Tennessee.

H.R. 3810: Mr. SIRES.
 H.R. 3816: Mr. PETERSON and Mr. PEARCE.
 H.R. 3819: Mr. SCHOCK.
 H.R. 3826: Mr. THOMPSON of California, Mr. SCHIFF, Mr. RICHMOND, Mr. ROTHMAN of New Jersey, and Mr. PLATTS.
 H.R. 3828: Mrs. NOEM and Mr. WITTMAN.
 H.R. 3839: Mrs. LOWEY.
 H.R. 3994: Mr. GRAVES of Georgia and Mr. BROUN of Georgia.
 H.R. 4030: Mr. SCHILLING.
 H.R. 4049: Ms. TSONGAS.
 H.R. 4055: Mr. GENE GREEN of Texas.
 H.R. 4057: Mr. GENE GREEN of Texas.
 H.R. 4077: Mr. OLVER, Mr. COHEN, and Ms. LEE of California.
 H.R. 4095: Mr. PETERSON, Mr. SHULER, Mr. MCINTYRE, Mr. BOSWELL, and Mr. THOMPSON of California.
 H.R. 4115: Mr. MICHAUD.
 H.R. 4122: Mr. BERMAN and Mr. RYAN of Wisconsin.
 H.R. 4124: Mr. YODER.
 H.R. 4133: Mr. BASS of New Hampshire, Mr. AMODEI, Mr. COBLE, Mr. GRAVES of Georgia, Mrs. EMERSON, Mr. GOSAR, Mr. FARENTHOLD, Mr. CULBERSON, Mrs. MILLER of Michigan, Mr. BENISHEK, Mr. MURPHY of Connecticut, Mr. THOMPSON of California, Mr. DOYLE, Mrs. NOEM, Mr. WEBSTER, and Mr. COFFMAN of Colorado.
 H.R. 4134: Mr. POE of Texas and Ms. HANABUSA.
 H.R. 4154: Mr. WELCH.
 H.R. 4157: Mr. POSEY, Mr. GRAVES of Georgia, Mr. THOMPSON of California, Mr. ROE of Tennessee, Mr. STEARNS, Mr. CHANDLER, Mr. CRAWFORD, Mr. GRIFFITH of Virginia, and Mr. LANDRY.
 H.R. 4158: Mr. NEUGEBAUER and Mr. CULBERSON.
 H.R. 4165: Mr. CLAY and Mr. BOSWELL.
 H.R. 4182: Mr. GRAVES of Georgia.
 H.R. 4188: Mr. FLEISCHMANN.
 H.R. 4200: Mr. THORNBERRY.
 H.R. 4229: Mr. SMITH of Texas, Mr. PIERLUISI, Mr. PASCRELL, Mr. VAN HOLLEN, Mr. BACA, Ms. BONAMICI, and Ms. FUDGE.
 H.R. 4232: Mr. SCHWEIKERT and Mr. BENISHEK.
 H.R. 4237: Mr. BENISHEK.
 H.R. 4256: Mr. OWENS.
 H.R. 4259: Mr. MARKEY, Mr. CAPUANO, and Mr. MORAN.
 H.R. 4269: Mr. FRANKS of Arizona.
 H.R. 4271: Mr. BACA.
 H.R. 4273: Mr. COSTELLO, Mr. OWENS, Mr. LATTA, Mr. LONG, Mr. SULLIVAN, and Mr. CANSECO.
 H.R. 4277: Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. DAVID SCOTT of Georgia, and Ms. WILSON of Florida.
 H.R. 4282: Mr. SCHOCK.
 H.R. 4294: Mr. KLINE.
 H.R. 4296: Mr. AUSTIN SCOTT of Georgia, Mr. KING of Iowa, Mr. THOMPSON of Pennsylvania, and Mr. ROSKAM.
 H.R. 4313: Mr. FINCHER.
 H.R. 4322: Mr. BISHOP of Utah.
 H.R. 4332: Mr. DINGELL.
 H.R. 4342: Mr. LIPINSKI, Mr. BOSWELL, and Mr. KINZINGER of Illinois.
 H.R. 4344: Mr. CARNAHAN.
 H.R. 4346: Mr. CONYERS and Ms. CLARKE of New York.
 H.R. 4372: Mrs. MYRICK.
 H.R. 4387: Mr. TERRY.
 H.R. 4388: Mr. AKIN and Mr. POE of Texas.
 H.R. 4402: Mr. GOSAR.
 H.R. 4454: Mr. FLEMING, Mr. CHABOT, Mr. HARRIS, Mr. WALBERG, Mr. MULVANEY, Mr. GOHMERT, Mr. DUNCAN of South Carolina, and Mr. SOUTHERLAND.

H.R. 4470: Mr. RANGEL, Mr. TOWNS, Ms. VELÁZQUEZ, Mr. JOHNSON of Georgia, and Mr. LEWIS of Georgia.

H.R. 4483: Mr. DAVIS of Illinois.

H.R. 4607: Ms. JENKINS, Mr. CANSECO, Mr. LANKFORD, and Mr. TERRY.

H.R. 4609: Ms. VELÁZQUEZ.

H.J. Res. 103: Mr. REHBERG and Mr. ROSKAM.

H.J. Res. 104: Mr. CANSECO.

H. Con. Res. 115: Mr. NUNNELEE, Mr. HALL, Mr. POMPEO, Mr. LUETKEMEYER, Mr. RIVERA, Mr. LANDRY, Mr. COFFMAN of Colorado, Mr. SOUTHERLAND, Mr. AKIN, Mr. ROSKAM, Mr. OLSON, Mr. CONAWAY, Mr. BRADY of Texas, Mr. WALBERG, Mr. ROHRABACHER, Mr. GARRETT, Mr. SCALISE, Mr. SCHWEIKERT, Mr. SMITH of Texas, and Mr. ISSA.

H. Con. Res. 116: Mrs. CAPPS, Mr. STIVERS, and Mr. RIBBLE.

H. Res. 25: Mr. KING of New York.

H. Res. 59: Mr. BERMAN.

H. Res. 111: Mr. KILDEE, Mrs. CHRISTENSEN, Mr. GRIFFIN of Arkansas, and Mr. COLE.

H. Res. 312: Mr. HINCHEY and Ms. RICHARDSON.

H. Res. 333: Ms. LEE of California, Mr. COLE, and Mr. RANGEL.

H. Res. 460: Mr. BARTON of Texas and Mrs. BIGGERT.

H. Res. 526: Mr. WEST, Mr. DOLD, and Mr. HUNTER.

H. Res. 568: Mr. ROGERS of Michigan, Mr. BENISHEK, Mr. WHITFIELD, Mr. GONZALEZ, Mr. GIBBS, Mr. PITTS, Mr. COOPER, Mr. POE of Texas, Mr. STIVERS, Mr. JACKSON of Illinois, Mr. SHIMKUS, and Mr. WEBSTER.

H. Res. 583: Mr. DIAZ-BALART.

H. Res. 612: Mrs. LOWEY.

H. Res. 616: Mrs. MYRICK, Mr. ROHRABACHER, and Ms. BORDALLO.

H. Res. 618: Ms. SCHWARTZ, Mr. HIGGINS, Mr. FRANKS of Arizona, Mr. JONES, Mr. ROHRABACHER, and Mr. MEEKS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3674: Mr. LANGEVIN.

EXTENSIONS OF REMARKS

HONORING UNIVERSITY OF TENNESSEE WOMEN'S BASKETBALL COACH PAT SUMMITT

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. ROE of Tennessee. Mr. Speaker, I rise today to honor University of Tennessee women's basketball coach Pat Summitt for her hard work, courage, and perseverance. Pat, like me, is from Clarksville, Tennessee. We share a love for basketball, and it has been an honor to watch her lead the Lady Vols for nearly forty years. Pat's commitment to excellence has resulted in almost 1,100 wins, making her the winningest basketball coach in NCAA history.

What is most impressive about Pat isn't her .840 winning percentage or her eight national championships. Nor is it her ability to run laps with, and sometimes around, her teams, or the intense stare that I am sure is still burned into the minds of some of the ladies on her 1974 inaugural team. What impresses me most about Pat is the way she does everything in her life with heart and to the best of her ability. When she announced her condition last August, I was impressed both by her courage to fight Alzheimer's in a very public way, as well as her leadership in founding the Pat Summitt Foundation Fund. According to the Alzheimer's Association, 5.4 million Americans are currently living with Alzheimer's. By sharing her story, Pat has undoubtedly helped to bring awareness to this disease. I'd be one sorry fan if I didn't also point out that, despite her condition, last season Pat still led the Lady Vols to the NCAA tournament.

Pat Summitt has left the UT community with an amazing legacy and I have no doubt she will continue to faithfully serve the University in her new role as head coach emeritus. I also look forward to seeing great things from her son, Tyler, as he follows in his mother's footsteps. My thoughts and prayers are with Pat and Tyler as they move forward on this journey together.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. GERLACH. Mr. Speaker, unfortunately, on April 24, 2012, I missed one recorded vote on the House floor. I ask that the RECORD reflect that had I been present, I would have voted "aye" on Rollcall 178.

CONGRATULATIONS TO COMBAT MEDICAL SYSTEMS

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mrs. ELLMERS. Mr. Speaker, I rise today to offer my congratulations to the Men and Women of Combat Medical Systems on the opening of their new office in Fayetteville, North Carolina.

One year ago this month, Fayetteville suffered from a sudden and devastating outbreak of tornadoes. These storms ripped through our region and caused horrendous damage to homes, businesses, and personal property. I was told of the bravery of their staff and President, Corey Russ, who, as a retired Delta Force medic, began treating casualties and handing out thousands of dollars of company equipment to strangers so that they could help others in the area and transport casualties to nearby hospitals.

One year later, our communities continue to rebuild and we can take pride in the new homes and buildings that have been erected. We must continue to remember the individuals that perished in this disaster and honor their legacy through the care and rebuilding of our community.

Combat Medical Systems and its employees show the dedication and determination we all aspire to as we rebuild and survive in the face of unforeseen obstacles. This courage embodies the spirit of our nation and fuels our economy. I commend them on their willingness to give back to the community and on the successes they have rightly earned.

Again, I congratulate them on the opening of their new office. May God bless them, their families, and our great nation.

AUJANAE VALDEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Aujanæ Valdez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Aujanæ Valdez is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Aujanæ Valdez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Aujanæ Valdez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING ROBERTA ROPER

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. HOYER. Mr. Speaker, today I rise to honor the work of a remarkable woman from Maryland, Roberta Roper, and to express to her the appreciation felt by so many across our state and throughout the country.

In 1982, Roberta and her family faced their darkest days when they learned that their daughter, Stephanie—a talented artist and college student—had been kidnapped, raped, and murdered. While struggling with her own personal pain and grief, Roberta learned that there were no supportive services for her and her family as they struggled with the loss of their daughter. Even more devastating was that the criminal justice system lacked the rights and support they needed as family members of a murder victim.

That same year, to honor the memory of their daughter and to address the inadequacies between the rights of a defendant and those of a victim of crime, Roberta and her husband, Vince, founded the Stephanie Roper Foundation. The Foundation's mission has been to provide supportive services to crime victims across Maryland for thirty years. They also established the Stephanie Roper Committee, the Foundation's legislative arm, which has resulted in over sixty laws enacted to create new or improved crime-victim rights and services.

With Roberta's active encouragement, the Maryland General Assembly created the State Board of Victim Services in 1988. This Board offers recommendations to the legislature and to the Governor on matters concerning state and local efforts to assist victims of crime. In 1994, Roberta was appointed as Chair of the Board, a position she held until her retirement last October.

In 2002, the Foundation merged with the Maryland Crime Victim Resource Center, a one-stop, statewide non-profit that provides victim services, crisis assistance, legal help, victim notification, financial help, social services, and links to national victim resources.

Roberta's activism since her daughter's tragic death in 1982 led her to so many important accomplishments benefitting my home state. These include the creation of the Maryland Victims of Crime Fund, legislation ensuring victims and their families a place in the courtroom and a voice during the sentencing

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

process, the creation of new support and services for victims and their loved ones, as well as the ratification of an amendment to the Maryland Constitution guaranteeing crime victims the right to be informed, present, and heard throughout the investigatory and judicial process.

In addition to her tireless efforts to improve victims' treatment, Roberta serves as Co-Chair of the National Victims Constitutional Amendment Network—a network of states working with Congress to enact a Constitutional amendment establishing meaningful and enforceable rights for every crime victim in this country.

Today, I join in honoring Roberta Roper for turning a deeply saddening and difficult tragedy into a thirty-year movement to provide crime victims and their families a greater voice.

Stephanie Roper once said: "One person can make a difference, and every person should try." Roberta Roper has built a lasting legacy in her daughter's name by doing just that—and we are all better off for it.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. JOHNSON of Illinois. Mr. Speaker, on Tuesday April 24, 2012 I had obligations that necessitated my attention in my district and missed a suspension vote on H.R. 2157, to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest. Had I been present for this vote, I would have cast an "aye" vote for this piece of legislation.

Again, had I been present, I would have voted "aye" on H.R. 2157.

AUDREY ARAGON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Audrey Aragon for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Audrey Aragon is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Audrey Aragon is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Audrey Aragon for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN HONOR OF MR. JIM SCHLECHT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Jim Schlecht, who is being recognized for his work serving the homeless.

Born and raised in Euclid, Ohio, Jim has been a lifelong Cleveland area resident. While attending Cleveland State University, he and a group of progressive Catholics joined together at Merton Community's Houses of Hospitality in Cleveland's Near West Side neighborhood to begin serving the community's less fortunate.

Throughout the years, Jim has become one of Ohio City's most well-known residents. He has worked to establish health centers, schools, book stores, social service agencies and community organizations, such as Near West Neighbors in Action, which cater to the homeless. He has also worked at the Rose Mary Center, West Side Community House, West Side Catholic Center and currently, Care Alliance.

Because of his relentless work to support those in need, today, at the Bishop Cosgrove Center, the Cleveland Tenants Organization and the Northeast Ohio Coalition for the Homeless are coming together to honor his lifetime of service.

Mr. Speaker and colleagues, please join me in congratulating Mr. Jim Schlecht. His faith has guided him into a life of service which is unparalleled.

HONORING JOHN "JAY"
DALICANDRO

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize the long and distinguished career of John "Jay" Dalicandro. Mr. Dalicandro, who honorably serves the Village of Elmwood Park as village manager, plans to retire this June after 23 years of service.

A native of Elmwood Park, Jay has remained a part of the community throughout his life. To date Mr. Dalicandro is the longest-serving Village Manager Elmwood Park has ever had and his retirement will leave some big shoes to fill. Jay is admired by those in his community for his enduring devotion to the Village of Elmwood Park and his service is to be commended.

During his tenure as Village Manager, Jay has done a tough job very well. He has been responsible for day-to-day operations of the Village of Elmwood Park. Most people in Jay's position remain as Village Manager for a short stint before moving on to another position, but Jay's commitment to the people of Elmwood Park for the past 23 years demonstrates his sincere devotion to the wellbeing of the community.

Mr. Dalicandro's vision for the Village of Elmwood Park has impressed his peers and

ensured a bright future for the Village. Jay's accomplishments as Village Manager include establishing the Village's first tax increment finance district, superb handling of the Villages finances, and a commitment to establishing new parkland for the Village. In addition to these accomplishments, Mr. Dalicandro has succeeded in ensuring the Village's fiscal stability by consistently staying under budget.

Jay is credited as being the man who brought the Village of Elmwood Park into the 21st century. His colleagues recognize the hard work he has invested into the community. Undoubtedly, the impact Jay has had on the Village of Elmwood Park will be seen for years and decades to come.

Mr. Speaker, I ask my colleagues to join me in recognizing Jay Dalicandro and his commitment to public service in his community. The devotion he has demonstrated to his work in the Village serves as an example to us all.

PERSONAL EXPLANATION

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. SCHIFF. Mr. Speaker, I was unavoidably absent from the House on April 24, 2012 due to important commitments in my district.

On rollcall 178, had I been present I would have voted "yea" on H.R. 2157, to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest.

IN RECOGNITION OF DAVE
CSINTYAN IN HONOR OF HIS
SERVICE TO THE COLORADO
SPRINGS CHAMBER OF COM-
MERCE

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. LAMBORN. Mr. Speaker, I rise today to pay tribute and say thank you to the outgoing President and CEO of the Greater Colorado Springs Chamber of Commerce, Dave Csintyan.

Dave has been a dedicated and devoted servant to our region and our Chamber since 2002. He has also loyally served our country for 28 years as an officer in the United States Air Force. The culmination of that career was in Colorado Springs serving as the Air Base Wing Commander at the Air Force Academy.

Dave accepted new challenges this year in guiding the merger of the Springs Chamber and the Economic Development Corporation. He is a passionate worker and advocate for the Pikes Peak Region and I offer him my sincerest thanks and wish he and his wife Margo the best of success in their future service.

BAILEY BATISTE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Bailey Batiste for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Bailey Batiste is a 7th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Bailey Batiste is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Bailey Batiste for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING BIRUTA STAKLE
McSHANE

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved mother and wife, Biruta Stakle McShane. She was born Biruta Isolda Stakle in Riga, Latvia April 21, 1940, and passed away surrounded by her family on April 14, 2012, in Cupertino, California.

Biruta immigrated to Oklahoma following the close of World War II after living for some time in Germany. Raised in Stillwater, she attended Oklahoma State University, where she graduated with honors in Mathematics. Shortly thereafter, she moved to Dallas, Texas, where she met and married Thomas McShane.

Biruta and Tom moved to Burlingame, California and started a family. During her career, Biruta worked in various marketing roles for several Silicon Valley Companies, before ultimately starting her own businesses, Meetings & Incentives Group and Bimark Incorporated. Meetings and Incentives Group is one of the leading event planning groups in Silicon Valley and Bimark Inc. specializes in advertising specialty items. Biruta served as president of the Northern California Chapter of the Business Marketing Association and was honored repeatedly as owner of one of Silicon Valley's top twenty women-owned businesses.

Biruta is remembered for her love of travel and cooking. She explored the globe and planned exotic events for some of Silicon Valley's most successful businesses. She was famous for her endless energy, creativity and zest for making other people's lives unforgettable through her event planning.

Biruta is survived by her husband, Tom McShane, her daughter Laura Powers of San

Ramon, daughter Alison Aarts of Millbrae and son Steve McShane of Salinas. Biruta is also survived by her four grandchildren, Jack Powers, Shane Powers, Cooper Powers and Aidan Aarts.

Mr. Speaker, please join me in honoring Biruta Stakle McShane for her accomplishments and contributions. The life of Biruta Stakle McShane serves as an example of excellence to those in her life, and her legacy will not be soon forgotten.

MARQUIS ALEXANDER, FUTURE
COMMANDER OF TEXAS A&M
UNIVERSITY'S CORPS OF CADETS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to acknowledge a milestone reached by Marquis Alexander. He is the first African-American to become commander of Texas A&M's Corps of Cadets. Currently Marquis is a Corporal in the U.S. Marine Reserves and a rising senior majoring in International Studies.

HISTORY OF AFRICAN-AMERICANS AT TAMU

The history of African-Americans at Texas A&M University dates back to the founding of the institution. African-Americans in the Texas Legislature advocated for and supported the passage of the Morrill Land-Grant Act in 1866, which established the A&M College of Texas between 1876 and 1963. African-Americans worked at A&M as laborers, maids, custodians and various other support staff; however they were prohibited from attending as students and faculty.

The history of African-Americans at A&M has been shaped by decades of racial segregation, quiet desegregation, and attempts to redress historical wrongs. It has been filled with lifelong struggles and determination to fulfill a dream which was accomplished when A&M opened the doors in 1963 to African Americans. The past 37 years have been a continuing struggle by African-Americans and A&M to ensure that the dream is kept alive.

The first African-Americans joined the corps in 1964. The first female cadets came a decade later. In A&M's centennial year, Fred McClure won election as body president, making him the first to be equal to that of Corps Commander and Aggie Yell Leader.

CIVIL RIGHTS

Civil rights is a subject that cannot be ignored or taken lightly, even in this day of progressive movement toward tolerance. We must not lose sight of the continued need for civil rights. We must not relax our initiatives which build greater racial, ethnic, and religious tolerance. While I believe that there is still work to be done on the issue of civil rights and hurdles to overcome, we cannot ignore the progress that has been made as the result of decades of hard work, diligence, the sweat and tears of many of our country's civil rights trailblazers.

This is evidenced by an increase in the numbers of minorities attaining leadership positions in the private and public sectors for ex-

ample: Ken Chenault, an African American who currently serves as the CEO of American Express; Ursula Burns, who became the first African American woman to serve as Chairman and CEO of Xerox, a Fortune 500 Company; and Antonio Perez, the first Latino American to serve as CEO of Eastman Kodak Corporation to name a few.

BACKGROUND ON MARQUIS ALEXANDER

He is the oldest of 10 children and the first in his family to go to college. He is said to be an admirable and mature young man. Mr. Alexander is currently a Corporal in the Marine Reserves. He has become the first person with military experience to head the Corps. Texas A&M University has the proud distinction of having the most graduates to enlist in our nation's armed forces when compared to other non-military academies.

Marquis Alexander grew up in my home city of Houston. And our city is proud of his achievements. Marquis has always wanted to attend Texas A&M. He was so "gung-ho" military that he participated in Texas A&M's Junior Cadet Accessions Program while still in high school. A week after enlisting in the Marine Corps, he received his letter of acceptance to Texas A&M University.

Yet, true to his word and commitment, Alexander attended boot camp at the Marine Corps Recruit Depot in San Diego and spent a year and a half on active duty. He subsequently reverted from active duty status and is serving the remainder of his enlistment commitment in the Marine Corps Reserves. He re-applied for admission to Texas A&M in 2009 and was promptly accepted.

He was selected following a rigorous review process in which a host of cadets are considered when leadership selections are made each year. Soon he will assume duties as Cadet Colonel of the Corps, the 2,100 member organization's top leadership position, also known as Corps Commander, and one of the three top positions on campus, along with that of student body President and Yell Leader.

Mr. Speaker, I commend Mr. Alexander for aiming high and continuing to strive above and beyond his primary goals of joining the military. He is a mentor and guiding light to those who know him. I congratulate Marquis on his achievement. He has indeed risen to the top and I hope he keeps on rising. In my office, I have an intern named Ashley Hawkes whose family has also dedicated their lives to the military. Marquis Alexander stands as a role to young people like Ashley. Ashley was honored to work on this statement, and was inspired by his story. That is why I stand here today to spread the word about his tremendous achievement to not only honor Marquis Alexander but to inspire young people like Ashley to realize that they must continue to advance.

BRUGETTE THOMPSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Brugette Thompson for receiving the Arvada Wheat

Ridge Service Ambassadors for Youth award. Brugette Thompson is a 12th grader at Pomona High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Brugette Thompson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Brugette Thompson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN RECOGNITION OF NANCY DOUTT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Nancy Douthett and to acknowledge her receipt of the 2012 Grindstone Award by the Berea Chamber of Commerce. Nancy has dedicated her life to her community through volunteerism.

A lifelong resident of Berea, Nancy was an active member of 4-H and graduated from Berea High School in 1976. Today, Nancy is married to Steve. She works at Medical Mutual and is a member of the New Century Beatniks.

As a young child, her parents ingrained a sense of selflessness in Nancy that has translated into a lifelong commitment to her community. She is an active member of the American Legion Post 91 Auxiliary and Auxiliary Color Guard. She is involved with St. Mary's Church, where she is a member of the choir and a Eucharistic Minister. Additionally, Nancy spends countless hours as a volunteer with Berea Arts Fest, Southwest General Health Center's Community Outreach Program and the Berea Children's Home. She is fundamental in the work done by Coats for Kids, Dress for Success, Pajama Walk and the Hand-to-Hand leaf raking projects. Nancy also personally participates in Relay for Life, Pedal to the Point, numerous walk-a-thons and has donated more than 18 gallons of blood to the Red Cross.

Because of her relentless work on behalf of her community, the City of Berea honored Nancy with the 2012 Spirit of Community Award.

Mr. Speaker and colleagues, please join me in congratulating Nancy Douthett as she is honored by the Berea Chamber of Commerce.

HONORING THE WORLD WAR II
VETERANS OF ILLINOIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. QUIGLEY. Mr. Speaker, I rise to honor the World War II veterans who traveled to

Washington, DC on April 25, 2012 with Honor Flight Chicago, a program that provides World War II veterans the opportunity to visit the World War II Memorial on the National Mall in Washington, DC. This memorial was built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen who traveled here on April 25 answered our Nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theatre to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorial. I am proud to submit the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

John Abraham, Jr.; Fred Alpern; Arthur L. Barron; Elizabeth H. Bartolich; Philip Bartolotta; John N. Basic; Robert R. Beazley; Jerry S. Benesh; Francis J. Bialas; Victor N. Bonneau; Robert D. Brakley; Stanley A. Branauskas; LeRoy Matthias Braun; Leo B. Braun, Jr.; Francis Brogan; Laverly Williams Brown; Roy V. Carlson; Gabriel A. Casalino; Josephine E. Chandler.

Melvin Chesler; Melvin A. Conviser; Ned L. Crandall; Wanda Ann Cukla; Anthony A. Czarnowski; Harry Dandelles; Carl William Davis; Jerome Dribin; George Druktenis, Sr.; Melvin A. Ehlers; Forrest J. Fischer; William Fisher; Edward Fox; Harvey Fritzi; Paul A. Genova; Charles C. Giovannini; Donald L. Glasgow; Joseph Goldenberg; Edward J. Gorcowski; Harvey Gossell.

Nikles K. Hagopian; LeRoy J. Hankins; Howard Roy Heckmann; Arthur P. Heminger; Joseph Hojdik; Donald Hoskinson; John S. Houston; Colin S. Howat; Charles G. Hunt; David Johnson; Thomas Jundanian; Irving K. Kannett; Lloyd L. Keiber; Joseph A. Marthaler; John H. McCollom; Donald T. McCollom; Kenneth Joseph McDonough; Thomas P. McKale; Mavis L. McNamara; Robert E. Morin; Irene L. Mostek; Clarence O. Norman; Stanley T. Oboy; Robert T. Olson; Joseph Leo O'Mara, Sr.; Elijah Ostrander, Jr.; Joseph J. Paladino; Robert Pankau; Donald B. Patterson, Jr.; James D. Patton; Emanuel T. Petrakis; Veronica S. Potter; William J. Prindiville; Ernest M. Reynolds; Ernest E. Rittenhouse; Walter C. Russell; Walter Jerome Sawkiw.

John F. Schmalig; William F. Schmidt; Melvin Schneider; Milton Schwartz; Harry Silver; Richard J. Small; Delmar J. Smith; Jarmila V. Stark; Cecil O. Swanson; Earl G. Thompson; Stanley A. Thompson, Jr.; Clyde A. Voigt; Bernard J. Warchol; William K. Watson; William J. Weldon; Fred Wolf; Myron Wolff; Donald R. Zirzow.

BOBBY ROBERTS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Bobby Roberts for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Bobby Roberts is an 8th grader at Wheat Ridge Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Bobby Roberts is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Bobby Roberts for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

H.R. 4483, THE "BROADENING PARTICIPATION IN STEM EDUCATION ACT"

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I am introducing H.R. 4483, the "Broadening Participation in STEM Education Act." This bill aims to increase the number of students from underrepresented minority groups who receive undergraduate degrees in science, technology, engineering, and mathematics, or STEM, disciplines. It also seeks to increase the number of STEM faculty members from underrepresented minority groups at institutions of higher education.

The U.S. faces a severe shortfall in students graduating with degrees in STEM fields. With approximately 20 percent of our undergraduate degrees awarded in science and engineering disciplines, we rank 27th among developed nations in producing graduates qualified for 21st Century STEM careers. Statistics become even more alarming when you look at the number of students from underrepresented minority groups who receive degrees in STEM disciplines. As of 2011, only about 8 percent of 24-year-olds from these groups had obtained a bachelor's degree in a science or engineering discipline.

This is more than just a question of equity. We have a vast, untapped pool of talent in America, and this pool is continuing to grow. It is estimated that, by 2050, 52 percent of the U.S. population will be from underrepresented minority groups. We have to drastically increase the number of students from these groups receiving degrees in STEM disciplines or we will undoubtedly relinquish our global leadership in innovation and job creation.

There are many reasons why the number of underrepresented minority students receiving

degrees in STEM fields is so appallingly low. It starts at the K-12 level, where too many of our teachers are not well prepared to teach math and science and too many of our schools lack even basic science laboratory equipment. But even those minority students who enter college intending to major in a STEM discipline abandon science and engineering for other fields at a much higher rate than their peers. These young people are smart and motivated and small steps such as improved mentorship and increased access to research experiences have proven to keep students from all backgrounds on track to complete their STEM degrees.

Statistics are equally troubling when it comes to underrepresented minorities and their pursuit of academic careers in STEM disciplines. Underrepresented minorities currently make up about 29 percent of the U.S. population, but only about 8 percent of tenure-track science and engineering faculty members at universities and four-year colleges. Less than one percent of tenure-track science and engineering faculty members at the nation's top 100 research universities are from underrepresented groups. One consequence of having such a low number of minority faculty, among other things, is that they are called on much more frequently than their peers to serve on commissions, committees, and the like as a way of showing that a college or university is committed to diversity in their administrative procedures. As a result, minority faculty have less time to conduct research, publish papers, mentor students, and do other work that is required for them to achieve tenure status and otherwise thrive in their research careers. More fundamentally, the low number of minority faculty is another indicator of the untapped potential that we have in the STEM disciplines.

Passing the "Broadening Participation in STEM Education Act" will help address both of these issues. By authorizing the Director of NSF to award grants to colleges and universities that want to implement or expand innovative, research-based approaches to recruit and retain students from underrepresented minority groups, we will take a necessary step toward increasing the number of students from these groups who successfully complete undergraduate degrees in STEM fields. Similarly, by making grants available to colleges and universities to allow them to make an effort to increase the number of faculty members from underrepresented minority groups, we will take a necessary step toward achieving equality at our institutions of higher education. These are admittedly small steps toward maintaining American leadership in innovation, but they are necessary and achievable steps and we need to act now. I hope my colleagues will join me in supporting H.R. 4483.

A LIFE WELL LIVED

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. WOLF. Mr. Speaker, I rise today to pay tribute to Chuck Colson who this past Satur-

day, "slipped the surly bonds of earth" to "touch the face of God." I also submit for the RECORD his official obituary.

Chuck's family has lost a husband, father and grandfather. Many of us have lost a dear friend and brother. And, the Nation has lost a compelling, often-times prophetic voice with a winsome ability to speak truth with grace about some of the most challenging issues of the day.

Chuck's political instincts gave him a keen ability to effectively communicate with policymakers and politicians alike about matters of utmost import that are rarely given their due in the halls of Congress or the White House.

Chuck's personal journey, marked by redemption and grace, gave him a heart beyond pale for the prisoner, the down-trodden, and the forgotten among us.

Chuck's faith defined him—and inspired countless others.

He possessed a passion for shaping the next generation of leaders, for equipping them with the tools to articulate and defend a Christian worldview in the public square. This is among his greatest legacies.

In short, we have lost a giant.

As we mourn his loss, we take comfort in knowing that the heavens rejoice and Chuck is most assuredly hearing the words, "well done, good and faithful servant."

CHUCK COLSON, FOUNDER OF PRISON FELLOWSHIP & COLSON CENTER FOR CHRISTIAN WORLDVIEW, DIES AT AGE 80

LANSDOWNE, VA., April 21, 2012.—Evangelical Christianity lost one of its most eloquent and influential voices today with the death of Charles W. "Chuck" Colson. The Prison Fellowship and Colson Center for Christian Worldview founder died at 3:12 p.m. ET today at the age of 80. After a brief illness, Colson passed away at a Northern Virginia hospital with his wife, Patty, and family at his bedside.

On March 30, Colson became ill while speaking at a Colson Center for Christian Worldview conference in Lansdowne. The following morning he had surgery to remove a pool of clotted blood on the surface of his brain, and doctors determined he had suffered an intracerebral hemorrhage. Though Colson remained in intensive care, doctors and family were optimistic for a recovery as he showed some signs of improvement. However, Tuesday (April 17) Colson became gravely ill when further complications developed.

A Watergate figure who emerged from the country's worst political scandal, a vocal Christian leader and a champion for prison ministry, Colson spent the last years of his life in the dual role of leading Prison Fellowship, the world's largest outreach to prisoners, ex-prisoners and their families, and the Colson Center, a research and training center focused on Christian worldview teaching.

Colson has been a central figure in the evangelical Christian community since he shocked the Washington establishment in 1973 by revealing his new Christian commitment in the midst of the Watergate inquiry. In later years Colson would say that because he was known primarily as Nixon's "Hatchet Man," the declaration that "I've been born again and given my life to Jesus Christ" kept the political cartoonists of America clothed and fed for a solid month." It also gave new visibility to the emerging movement of "born-again" Christians.

PUT PRISON MINISTRY ON THE CHURCH'S AGENDA

In 1974 Colson entered a plea of guilty to Watergate-related charges; although not implicated in the Watergate burglary, he voluntarily pleaded guilty to obstruction of justice in the Daniel Ellsberg Case, which was prosecuted in the acutely sensitive Watergate atmosphere. He entered Maxwell Federal Prison Camp in Alabama in 1974 as a new Christian and as the first member of the Nixon administration to be incarcerated for Watergate-related charges. He served seven months of a one- to three-year sentence.

Colson emerged from prison with a new mission: mobilizing the Christian Church to minister to prisoners. He founded Prison Fellowship in 1976; this would become perhaps his greatest contribution to the Church and the world. Although many local churches had ministered in nearby prisons for many years, most observers would affirm that Colson and Prison Fellowship truly put prison ministry on the agenda of the church in a substantial way.

Colson's personal prison experience and his frequent ministry visits to prisons also developed in him new concerns about the efficacy of the American criminal justice system. His founding of Justice Fellowship in 1983 helped make Colson one of the nation's most influential voices for criminal justice reform. His call for alternative punishments for non-violent offenders was often effective because Colson's conservative credentials enabled him to line up conservative legislators in support of what had traditionally been seen as a liberal set of reforms.

That passion and sense of obligation to God's calling and to his fellow inmates took Colson into prisons several times a year. He visited some 600 prisons in the U.S. and 40 other countries, and built a movement that at one time extended to more than 50,000 prison ministry volunteers. Often, particularly in the early days of Prison Fellowship, he was vocal in his disgust over the terrible conditions in the prisons and the need for more humane conditions and better access to religious programs.

Colson's advocacy for prisoners' religious rights took an additional form in the late 1990s when he and Justice Fellowship were at the forefront, lobbying legislators to support the Religious Freedom Restoration Act and the Religious Land Use and Institutionalized Persons Act (RLUIPA), both nationally and state by state. Colson's and Justice Fellowship's work to bring an end to the national scourge and shame of prison rape culminated with the passage of the Prison Rape Elimination Act in 2003.

His 1987 book, *Kingdoms in Conflict*, was a best-selling directive to the Christian community on the proper relationships of church and state, and it positioned Colson as centrist evangelical voice for balanced Christian political activism. Although not as visible as others in the frontline battles, Colson provided counsel to many of the most-evident activists and had a strong influence on Christian politicians who went to Washington in the 80s, 90s and into the new millennium.

RECIPIENT OF THE TEMPLETON PRIZE

In recognition of his work among prisoners, Colson received the prestigious Templeton Prize for Progress in Religion in 1993, donating the \$1 million prize to Prison Fellowship. In perhaps his most-eloquent and well-known speech, *The Enduring Revolution*, given at acceptance ceremonies at the University of Chicago, Colson encouraged the Church in the face of troubling times:

"For history's cadence is called with a confident voice. The God of Abraham, Isaac and Jacob reigns. His plan and purpose rob the future of its fears. By the cross He offers hope, by the resurrection He assures His triumph. This cannot be resisted or delayed. Mankind's only choice is to recognize Him now or in the moment of ultimate judgment. Our only decision is to welcome His rule or to fear it."

Colson's other awards included the Presidential Citizens Medal (2008, the second-highest U.S. civilian honor), Humanitarian Award from Domino's Pizza Corporation (1991), The Others Award from the Salvation Army (1990), several honorary doctorates from various colleges and universities (1982-1995), and Outstanding Young Man of Boston from the Chamber of Commerce (1960).

Recognized as a champion for historic orthodoxy, Colson ignited a controversy in the Protestant world in the mid-1990s with his initiative to declare common ground with conservative Roman Catholics in two documents called Evangelicals and Catholics Together.

PROVIDED INTELLECTUAL SUPPORT TO MODERN
EVANGELICALISM

The evangelical-Catholic issue was just one in which Colson brought intellectual vitality to popular Evangelicalism in the last three decades. Many considered him a prophetic voice for the evangelical community, and, perhaps, an intellectual successor to theologian/sociologist Francis Schaeffer. Perhaps in open recognition of that legacy, his magnum opus was titled *How Now Shall We Live?* after Schaeffer's *How Then Shall We Live?*

In all, Colson wrote more than 30 books, which have sold more than five million copies. His autobiographical book, *Born Again*, was one of the nation's best-selling books of all kinds in 1976 and was made into a feature-length film. His last book, *The Faith*, is a powerful appeal to the Church to re-embrace the foundational truths of Christianity.

Colson was one of the Christian community's most sought-after speakers, but he resolutely refused to establish a speaker's fee. Colson donated all speaking honoraria and book royalties to the ministry and accepted the salary of a mid-range ministry executive.

In 1991 Colson launched BreakPoint, a unique radio commentary that provides a Christian perspective on today's news and trends. BreakPoint was aired weekdays on some 1,400 outlets nationwide with an audience of 8 million listeners. But his heart was ever with the prisoner. He clearly never forgot the promise he'd made to his fellow inmates during his brief stay in prison that he would never forget those behind bars.

In his later years, Colson focused full time on developing other Christian leaders who could influence the culture and their communities through their faith. The capstone of this effort was The Chuck Colson Center for Christian Worldview, a research and training center launched in 2009 for the promotion of Christian worldview teaching. In addition to a vast library of worldview materials, the Colson Center provides online courses and serves as a catalyst for a growing movement of Christian organizations dedicated to impacting the culture.

In 2009, Colson was a principal writer of the Manhattan Declaration, which calls on Christians to defend the sanctity of human life, traditional marriage and religious freedom. More than half a million people have signed the Manhattan Declaration. Collaborating with other Christian leaders, Colson

aimed to launch other ecumenical grassroots movements around moral and ethical issues of great concern.

Colson was born in Boston in 1931 and received a scholarship to Brown University and went on to earn his law degree at George Washington University in Washington. He served in the Marine Corps from 1953-1955, becoming what was at the time its youngest captain. He began his political career in 1956, when he was the youngest administrative assistant in the Senate, working for Massachusetts Senator Leverett Saltonstall.

Although God worked through Colson to encourage Christians around the world and serve many whom society would often neglect, his greatest love and focus were his family. Colson is survived by his wife of 48 years, Patty; three children, Wendell, Christian and Emily; and five grandchildren.

AUSTIN CLARK

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Austin Clark for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Austin Clark is a 7th grader at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Austin Clark is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Austin Clark for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

HONORING THE VALENTINES FOR
TROOPS PROGRAM

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to honor the students and adults involved in the Valentines for Troops program in Connecticut and around the nation. The students involved in this program wrote over 4,000 letters for our servicemembers this year.

This program seeks to give thanks to the most deserving among us, the men and women of our Armed Forces. Donna Monteleone Randle, a former captain in the Army Signal Corps, serves as the chairperson of Valentines for Troops in Newtown, Connecticut and helps the organization send letters from the students to the servicemembers overseas.

The participants in the Valentines for Troops program are doing a fabulous job of showing

their support and admiration to those who need it the most.

This program was started by a second grade student at Sandy Hook Elementary School in Newtown, Connecticut, in 2006. That first year there were 50 letters written by students at the school, and since then the popularity of the program has increased tremendously. Schools and organizations from Trumbull, Monroe, Bethel, Fairfield, and Danbury have joined Newtown in this program. There has been a great deal of national interest in the program this year as well. There are clubs, groups, churches, senior centers, professional offices, and schools from such diverse locations as Colorado, Ohio, Illinois, Wisconsin, Texas, and New York City lending their support to the program.

I conducted a similar program called Holiday Cards for Heroes this holiday season. School children in northwestern Connecticut made hundreds of cards for veterans staying in the Department of Veterans Affairs Medical Center and the State of Connecticut Veterans' Home in Rocky Hill. So I know what these small tokens of appreciation can do to lift the spirits of a veteran.

Mr. Speaker, I believe that we can all agree that the Valentines for Troops program deserves recognition for their efforts to show the admiration that this nation has for its troops. I ask that my colleagues join me in celebrating the Valentines for Troops program for the service it provides to the men and women of our Armed Services.

CONGRATULATING LONGFELLOW
ELEMENTARY SCHOOL OF LONG
BEACH, CALIFORNIA, FOR BEING
RECOGNIZED AS ONE OF THE
FIRST "GREEN RIBBON
SCHOOLS" IN THE UNITED
STATES

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Ms. RICHARDSON. Mr. Speaker, I rise proudly to congratulate Longfellow Elementary School located in my hometown of Long Beach, California, and the 37th Congressional District which I am proud to represent, on its designation by the U.S. Department of Education as one of the first-ever Green Ribbon Schools.

According to Education Secretary Arne Duncan, Longfellow Elementary School was recognized for its outstanding achievements in the areas of environmental curriculum, energy reduction, campus recycling and water efficiency.

The Green Ribbon Schools program is a federal recognition program that began in September 2011 under the leadership of President Obama, Education Secretary Arne Duncan, and Environmental Protection Agency Administrator Lisa Jackson. Honored schools embrace and exercise a comprehensive approach to creating "green" environments, which includes taking remedial action to reducing adverse environmental impacts, promoting health, and providing high-quality environmental instruction that prepares students

with the skills and sustainability concepts needed to compete and win in the global economy of the 21st century.

Green Ribbon Schools promote environmental education and learning as well as protect our children's health.

Under the leadership of Principal Laurie Murrin, Longfellow Elementary School has successfully gone "green" by reducing energy use by 17 percent since 2004, has a 34 percent reduction in greenhouse gas emissions since 2003, and an increased recycling rate of 46 percent. Also, 100 percent of the landscaping at the school is water-efficient, and the District uses Compressed Natural Gas School Buses.

Additionally, Longfellow Elementary School actively promoted environmental learning by implementing environmental programs on campus like Energy Star Recycling program, Water Quality and Efficiency program, Green Cleaning program, Safe Routes to School, School Garden, School Integrated Pest Management Program, Indoor Air Quality Program, as well as Environmental Education.

This is a remarkable record and is all the more impressive given the economic background and demographic diversity of the Longfellow Elementary School student body. The student body is comprised of 1,080 students, 30 percent of whom are Hispanic, 17 percent are African American, 5 percent Asian and Pacific Islander, and 28 percent Caucasian. Four in ten students receive free or reduced lunches.

Despite their challenging backgrounds, the students at Longfellow Elementary School have shown that great things can happen if you are motivated, committed, and have the right leaders like Principal Murrin. As King Henry V exhorted his comrades in arms at the Battle of Agincourt, "all things are ready if our minds be so."

Mr. Speaker, I congratulate the Lions of Longfellow Elementary School, Principal Laurie Murrin, The Green Team, and the entire Longfellow Elementary community for being at the forefront of improving our environment and helping prepare our students to be competitive and succeed in an emerging green economy.

IN RECOGNITION OF THE
TAMBURITZANS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Tamburitzans, a group which has been promoting Eastern European arts and culture for 75 years.

Established by Dr. A. Lester Pierce in 1937, the Tamburitzans are a multicultural song and dance group. The group consists of students of Duquesne University in Pittsburgh, Pennsylvania. The Duquesne University Tamburitzans are dedicated to preserving and perpetuating the cultural heritage of Eastern Europe and its neighbors through performance, while awarding scholarships to talented and deserving student performers.

The Duquesne University Tamburitzans have grown from an original group of 12 men

to today's company of more than three dozen performers. Since 1988, the Tamburitzans have been under the direction of Mr. Paul Stafura, a former member of the Tamburitzans during the late 1960s. Each year, the Tamburitzans travel throughout the United States to put on an average of 80 concerts. They have also held concerts in numerous Latin American countries, Canada, Bulgaria, France, Italy, Poland, Romania, the former Czechoslovakia, Soviet Union and Yugoslavia.

Mr. Speaker and colleagues, please join me in recognition of the Duquesne University Tamburitzans, the longest-running live stage show of its kind in the United States.

ANJELICA HARRISON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Anjelica Harrison for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Anjelica Harrison is a 7th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Anjelica Harrison is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Anjelica Harrison for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING THE WORLD WAR II
VETERANS OF ILLINOIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. QUIGLEY. Mr. Speaker, I rise to honor the World War II veterans who traveled to Washington, DC, on April 4, 2012 with Honor Flight Chicago, a program that provides World War II veterans the opportunity to visit the World War H Memorial on The National Mall in Washington, DC. This memorial was built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen who traveled here on April 4 answered our nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theatre to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorial. I am proud to submit the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

Leonard David Adler; David S. Albert; Donald John Anderson; Richard J. Andrew; Theodore Arey; Harold L. Autrey; Asa Melville Bacon; Rudolf Balek; Stanley C. Bartecki, Jr.; Robert L. Barz; Victor J. Biasetti; Otto R. Bobysud; Raymond J. Brejcha; Joseph P. Brooks; Walter H. Burtan; Joseph S. Buttice; Jack R. Cerniglia; Ranson Coleman; John M. Conway; James J. Corolis; James M. Cribbs; Robert Chapman Dillion; John L. Dykstra; Harry A. Fandre, Jr.; Chester S. Faron; Willie Ferba, Jr.; Joe J. Fleck; George E. Fyock; Edwin D. Geisenheimer; Mark M. Greenburg; Joseph H. Gross; Don R. Gunderson; Maurice G. Guysenir; Hallie J. Hamilton; George J. Hazdra; Floyd J. Hoffman; Emmitt Ingram, Jr.; Edward Jage; Richard H. Johnson; George M. Kaiser; Frank William Karl; Chester J. Kijak; Richard R. Kinneman; Robert F. Kirby; John D. Kiser; Joseph Kujawa; Wallace Bruce Kurtz; Walter E. Lambert.

James T. Langan; LeRoy Larson; Stanley Marvin Levy; Edward V. Lisowski; Robert R. Luke; Charles E. Mahan; Anthony Marino; Wilbur J. Martin; Virgil E. Mathias, Jr.; William J. McCaffrey; James A. Moscato, Jr.; James M. Mulqueeny; Carl A. Nelson; Joseph A. Nemanich; David S. Newquist; Franklyn M. Nipper; Daniel N. Obriot; John Oldenburger; David E. Olson; Joseph V. Pacelli; Robert V. Peck; Betty M. Peterson; Harold Peterson; Richard L. Raddatz; Angelo S. Regopoulos; Robert Joseph Roelle; Marvin Rose; Arnold Marshall Rusten; Robert T. Sasman; Jean A. Scheve; Charles William Schoenherr; Richard S. Schofield; Frank A. Schroeder; M. Eldon Schultz; William Springer; Robert A. Thatcher; James H. Thoma; Preston G. Thorpe; Robert W. Tobiaski; Fred E. Turek, Jr.; Robert G. Wallace; Allan A. Walters; Donald Lutter Wood; Bill Zamzow; George Zeros; Norman H. Zumm.

RECOGNIZING THE 50TH WEDDING
ANNIVERSARY OF WAYNE AND
KATHY FOWLER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize and honor the 50th wedding anniversary of Wayne and Kathy Fowler.

Wayne and Kathy Fowler nee Pierce were married on March 17, 1962, at Kathy's parents' home in Kissee Mills, Missouri, where her father was postmaster and owned a grocery store and gas station.

Kathy graduated from Forsyth High School, where she was salutatorian of her class. She then attended Draughon's Business College and went to work for Charles A. Moon, attorney at law. She left the law office to work for Frisco Railroad, later Burlington Northern and then Burlington Northern Santa Fe Railroad, where she retired after 32½ years. She then

worked for Burrell Behavioral Health for over 6 years before retiring and starting a home transcription business. She always had a huge love for horses, with her dad buying her first Fox Trotting mare for her 12th birthday. The horses have always remained her passion.

Wayne was originally from Waterloo, Iowa, and had moved to Kissee Mills with his family in 1961. Wayne was a car enthusiast and drove stock cars for several years at the Fairgrounds Speedway, Bolivar Speedway, Odesa Speedway, and Fort Smith Arkansas. When he got out of racing, he took up bass fishing. Wayne is a welder and retired from the Paul Mueller Company several years ago. He now has a portable aluminum/stainless welding business and specializes in marine repairs. They have one son, Ken Fowler, and three grandchildren, Chase, Katie and Nick, who reside in Camdenton, Missouri.

Kathy and Wayne have resided in Springfield for the past 28 years, operating horse boarding and training stables in Republic for 13 years. Wayne and Kathy are both very busy pursuing their hobbies. Wayne still participates in bass fishing tournaments and Kathy trains and rides her Fox Trot horses. The couple celebrated their 50th wedding anniversary with a stay at Downstream Casino, one of their favorite things to do.

I am proud of Wayne and Kathy Fowler and am honored to call them my neighbors in the 7th Congressional District of Missouri. I wanted to take this opportunity to commemorate their 50th anniversary. May God bless them with many more happy and loving years together.

ARISAI GURROLA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Arisai Gurrola for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Arisai Gurrola is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Arisai Gurrola is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Arisai Gurrola for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,628,266,498,708.04. We've added \$5,001,389,449,794.96 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING CHIEF OF POLICE,
ROBERT "BOBBY" HYATT

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the retiring Chief of Police, Robert "Bobby" Hyatt of the City of La Vernia in Texas. He has dedicated his career to assisting and protecting the south Texas community through his work and efforts. Chief Hyatt retired from the City of La Vernia Police Department on November 30, 2011, after 17 years of faithful service, making him the longest sitting Chief in the State of Texas.

Mr. Hyatt grew up in San Antonio, Texas, and graduated from Burbank High School. He began his law enforcement career at the young age of 21. Mr. Hyatt joined the San Antonio Police Department in 1963. Chief Hyatt retired from the San Antonio Police Department after 31 years of faithful service on Friday, July 29, 1994, and began work as the Chief of Police for the City of La Vernia on Monday, August 1, 1994. Some of his notable career accomplishments include escorting many dignitaries while they visited the City of San Antonio, including Presidents of the United States and the Queen of England. Towards the end of his career in San Antonio he worked as an applicant processing officer, conducting background checks on new cadet candidates for the San Antonio Police Department.

When he began his tenure in the City of La Vernia, he was the only police officer in the City—making him a vital asset in the area for their law enforcement. When he retired, he had a department consisting of six full-time officers, including him and eight reserve officers. Chief Hyatt retired from the City of La Vernia Police Department on November 30, 2011, after 17 years of committed service. Mr. Hyatt has been married to his wife Pat for 54 years. The couple has three children and six grandchildren.

Mr. Speaker, I am honored and privileged to have the opportunity to recognize the extraordinary commitment to former Chief of Police Robert "Bobby" Hyatt for serving and protecting the communities in Texas.

A TRIBUTE TO HEARTSAPART.ORG

HON. MIKE MCINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. MCINTYRE. Mr. Speaker, it is my great pleasure to rise today to pay tribute to HeartsApart.org, a truly outstanding organization providing a creative and invaluable service to the men and women of our Armed Forces. As their name implies, HeartsApart.org serves the members of our military while they are apart from their hearts—their families and loved ones—as they serve our Nation across the seas and around the world. HeartsApart.org pairs soon-to-be deployed men and women with local photographers, who donate their time, resources, and skills to give soldiers a precious gift: a portrait of their children and spouses. These photographs, printed on waterproof and durable bi-folded cards, which fit securely in a uniform pocket, serve as reminders of home and encouragement for those who serve us so readily.

Mr. Speaker, I am pleased to say that HeartsApart.org began as a local organization in my own state of North Carolina. For Wilmington, NC photographer Brownie Harris, it was a way to show his support and appreciation for America's service members one photo shoot at a time. From humble beginnings and a simple mission, HeartsApart.org has grown to become a national organization, with volunteer photographers in states from Virginia to Nevada and California to Illinois. On April 11, HeartsApart.org was one of 20 organizations honored by First Lady Michelle Obama and Dr. Jill Biden as finalists for the Joining Forces Community Challenge, an initiative aimed at encouraging citizens to honor, support, and celebrate our military families. The vision and commitment of the staff of HeartsApart.org is to be commended and applauded. Today, I offer my heartfelt thanks to those who give of their time and talents to serve our brave men and women. May God continue to bless their efforts, and may God bless America.

BROOKE BALLANTYNE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Brooke Ballantyne for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Brooke Ballantyne is an 11th grader at Two Roads High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Brooke Ballantyne is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Brooke Ballantyne for winning the Arvada

Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

LAUNCH OF NORTH KOREAN
MISSILE

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. REED. Mr. Speaker, the recent launch of a three-stage rocket by North Korea was a clear provocation that cannot be ignored. Although the launch was a technical failure, it was an aggressive statement that shows the new regime in North Korea intends to continue down the dangerous path of saber rattling to intimidate other nations, particularly South Korea.

For years now, the United States, South Korea, and other countries have been trying to engage the North Korean regime diplomatically to end its program to develop nuclear weapons and the delivery devices that could threaten Northeast Asia and the Western Pacific.

Despite offering many positive incentives in the form of humanitarian aid, the Stalinist government of North Korea has persisted in its belligerence and has stubbornly refused to adhere to peaceful international protocols that engender stability and economic prosperity.

By contrast, South Korea is one of the world's most economically successful countries. Many of us have seen that dramatic satellite image of the Korean peninsula at night, which shows South Korea lit brightly while North Korea is in near total darkness. This image serves as a metaphor for the freedom and enlightenment that governs South Korea and the enslavement and barbarism in North Korea. Indeed, were it not for its dalliance with advanced technologies in rockets and nuclear bombs, North Korea could truly be said to be living in the Dark Ages.

My father served in the Korean War. He fought side by side with South Korean soldiers who were struggling to save their homeland from the onslaught of communism. For 60 years, the two Koreas have lived under a fragile armistice that masks a tinderbox threatened by a match held by the Kim family dynasty.

I visited South Korea just last year. I saw economic prosperity and political liberty that never could have been imagined when my father was there in the 1950's.

South Korea is one of the largest trading partners of the United States. The recently-implemented U.S.-Korea Free Trade Agreement will open up many more opportunities for American businesses to engage our Korean partners.

In the 29th congressional district of New York, which I am privileged to represent, farmers, small business owners, and larger firms are already benefiting from the Free Trade Agreement's Launch of North Korean Missile effects. That doesn't even take into account the substantial benefits to consumers who are able to buy high-quality products at lower prices.

Political stability and the security of the Korean Peninsula are vital to U.S. interests and to our allies. Beyond South Korea, nations such as Japan and the Philippines could be threatened by the existence of North Korean nuclear missiles. Further North Korean provocations could easily and seriously disrupt the trans-Pacific trade relations that have developed over the past six decades.

It is the obligation of Congress to speak out when U.S. security and our economic interests are under threat. Even though North Korea's ill-considered missile experiment failed last week, that does not mean that the next launch will fail.

Therefore, I urge my colleagues to join me in condemning the Pyongyang regime's belligerent behavior as a threat to regional and global security.

IN REMEMBRANCE OF MRS. IDA
COOK-CROWDER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mrs. Ida Cook-Crowder, a long-time member of the Greater Cleveland community.

Born on April 8, 1930, in Marshville, North Carolina, Ida was the daughter of Raymond and Annie Belle Hailey. She moved to Cleveland, Ohio, after graduating from high school. Upon moving to Cleveland, Ida met and married Army Master Sergeant James Cook. Together, the couple has two daughters, Patricia and Paula. Because of James' career, the family often traveled to places such as Germany, France, Japan and Korea. Twelve years after the tragic passing of Mr. Cook, Ida remarried the Reverend Dr. Roland Crowder of Cleveland's Second Calvary Missionary Baptist Church.

Ida was a skilled seamstress who attended the Clark School of Dressmaking and Cuyahoga Community College, from which she earned an associate degree in decorating. She was well known throughout the Greater Cleveland area for her ability to design draperies. She ran her business under the name of "Ida's Draperies."

I offer my condolences to her family and friends at the Second Calvary Missionary Baptist Church. Ida's spirit and kindness will be missed by all those who had the pleasure of meeting her.

Mr. Speaker and colleagues, please join me in honoring Mrs. Ida Cook-Crowder.

BRIAN SOUKUP

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Brian Soukup for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Brian Soukup

is a 12th grader at Arvada Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Brian Soukup is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Brian Soukup for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

CELEBRATING ISRAEL'S 64TH
ANNIVERSARY

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PENCE. Mr. Speaker, sixty-four years ago the state of Israel declared its independence. As Israelis celebrate their Independence Day on Thursday of this week, I offer my wholehearted congratulations to our most cherished ally.

For millennia, the state of Israel was merely a dream to the Jewish people. In 1948, under the leadership of Holocaust survivors who had resolved to overcome mid-Twentieth Century Europe's atrocities, the state of Israel declared independence in its ancient Holy Land and that dream became a reality.

The United States promptly recognized Israel, but she was met with open hostility from her Arab neighbors.

Sixty-four years later, in many respects it seems as though very little has changed. However, we know that Israel prevailed against overwhelming odds in 1948, in 1967 and in 1973 and countless other times. Undoubtedly, Israel is an overwhelming success in a region plagued by conflict.

In a neighborhood of sworn enemies, Israel is a beacon of hope. It boasts a vibrant economy and a well-educated populace whose values and interests are much the same as ours. Israel is the only functioning democracy in the Middle East, and I join my colleagues who, on a bipartisan basis, have time and again stood by her in times of trial.

Freedom-loving nations have a duty to stand with Israel much like Congress has over the years. With a growing threat from an increasingly hostile Iranian regime, a regime that has threatened on more than one occasion to 'wipe Israel off the map,' let us recommit ourselves to the defense of the state of Israel. As we celebrate the 64th anniversary of her founding, the United States must renew its commitment to preserve and protect Israel and stand firm as Israel's closest friend.

RECOGNIZING THE CONTRIBUTIONS OF FLORENCE JODZIES TO PROMOTE COMMUNITY LIBRARIES ACROSS VIRGINIA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the ongoing work of the Vale Club and the Oakton Women's Club to promote education and engagement on civic, cultural and social welfare issues in our community. I also join them in celebrating the contributions of Florence Jodzies, a leading voice in the effort to provide public library services across the Commonwealth of Virginia during the early 20th century, with the dedication of a highway marker in her honor near the Vale community. It is fitting to reflect on that legacy today, April 24, 2012, on the 212th anniversary of the founding of the Library of Congress and as we near the end of National School Library Month.

Mrs. Jodzies moved in 1934 to the Vale community of Fairfax County, where she promptly joined the local Home Demonstration Club, which was then an outreach program under the cooperative extension. Through her involvement with the club, she soon launched an impassioned campaign to stimulate interest in reading, to provide reading material and to help communities establish libraries. In a 1938 article in "The Southern Planter," Mrs. Jodzies wrote that reading of high class literature was necessary to humanity's progress and happiness. "Free libraries are essential instruments of education, information, research, culture and recreation—all necessary factors in any democracy which expects to remain a democracy," she wrote.

The fact that more than half of Virginia's residents at the time had no access to a library was a motivating factor. Within two years, every county in the Commonwealth with a Demonstration Club boasted an active library program. In addition, it was thanks to her efforts that Virginia's governor provided funding for construction of the first state library building with the assistance of a federal grant. In recognition of her efforts, Mrs. Jodzies was appointed by two successive governors to represent the Commonwealth at the Annual Conference of the American Library Association in 1937 and 1938. In addition to her work to promote community libraries, Mrs. Jodzies was active with the Fairfax County Chamber of Commerce, the Business and Professional Women's Club, Community Chest, and the County Advisory Council. She and her husband relocated to Winter Haven, Florida, before she died in 1969 at the age of 82.

She was an early pioneer for the Fairfax County Public Library system, which now boasts eight regional branches and 14 community libraries. It is one of the largest and busiest library systems in the nation with more than half a million library card holders, more than 13 million items loaned out each year, and more than 4.5 million visits to its online resources. The Fairfax system also hosts more than 8,000 events annually, attracting 150,000 attendees, and countless volunteers

donated more than 155,000 hours of work to their community branches last year.

Mr. Speaker, Mrs. Jodzies once wrote that she and other Demonstration Club members would "march on . . . until every man, woman and child in Virginia has public access to books." Thanks to her tireless efforts, we have realized that vision, and thanks to the ongoing work of the Vale Club and the Oakton Women's Club, future generations will continue to benefit from the legacy of Mrs. Jodzies and other community leaders who followed in her footsteps. I ask my colleagues to join me in saluting the tremendous service of these outstanding community volunteers and organizations.

COMMEMORATING THE 97TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. COSTELLO. Mr. Speaker, I stand to commemorate the Armenian Genocide on the 97th anniversary of its occurrence. It is unfortunate, however, that once again I do so without an official recognition on behalf of the American government.

As I have said in years past, the undeniable genocidal actions by the Ottoman Empire against its Armenian citizens deserve official recognition from the American government. 1.5 million Armenians were killed, the first genocide of the 20th century. As a member of the House Armenian Issues Caucus, I have cosponsored legislation to affirm the U.S. position on Armenian Genocide and will continue to urge my colleagues in Congress and the Obama administration to support this position.

As we mourn the lives of those lost, it is important to recognize the resilience and incredible strides the Armenian people have made in recovering from that unspeakable past. I stand in solidarity with the Armenian people and renew my commitment to pursuing a future of reconciliation and peace.

As a nation we must lead by honoring the memory of those that perished so the Armenian people and the international community can move forward toward a brighter tomorrow. The U.S. has officially recognized other such tragic events and 21 other countries have recognized the Armenian Genocide. I call on my colleagues in Congress and the Obama administration to join me in recognizing the 97th anniversary of the Armenian Genocide and urge enactment of H. Res. 304.

HONORING GERALD MICHAEL PACE, SR.

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. GRIFFITH of Virginia. Mr. Speaker, I submit these remarks in honor of Gerald Michael Pace, Sr., a devoted public servant to

the people of Salem and the Greater Roanoke Valley, who passed away suddenly on Wednesday, April 18, 2012.

Born and raised in Pulaski, Jerry attended Pulaski High School, and graduated from Hampden-Sydney College. A committed student himself, Jerry was truly passionate about education. He was instrumental in helping to establish the Community College Access Program—a partnership between the Virginia Western Community College (VWCC), Salem Public Schools, and Roanoke City Public Schools, which allows high school graduates to attend VWCC without paying tuition. He was a scholar of the writings of the Apostle Paul and the Dead Sea Scrolls. And, he taught Sunday school classes on these topics at First United Methodist Church in Salem, and to civic and other community groups.

Jerry served on the Salem School Board for 15 years and one term on the Salem City Council. He was a very proud, active member of the Board of Trustees of Virginia Intermont College in Bristol and of the Board of Directors of the Virginia Western Community College Foundation. A true go-getter, Jerry even spent time working as an adjunct professor at Virginia Western Community College, where he taught sales and marketing, industrial safety, algebra, and manufacturing processes.

I am honored to pay tribute to his many contributions to the community. A husband, father, grandfather, businessman, community servant, educator, cancer survivor, friend to me and so many others, and storyteller to all, Jerry will be greatly missed. My thoughts and prayers go out to Jerry's family and friends. His legacy and influence will be long remembered across the Roanoke Valley and throughout Southwest Virginia.

IN RECOGNITION OF THE RETIREMENT OF REV. EVERETT KELLEY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to honor a personal friend of mine, Reverend Everett Kelley, upon his retirement from the Anniston Army Depot and the Federal Government.

Mr. Kelley was born on February 24, 1957, in Goodwater, Alabama. In 1971, his family moved to Sylacauga, Alabama, where he graduated from Sylacauga High School in 1975. Later he enlisted in the United States Army and served three years at Fort Campbell in Kentucky.

In 1981, Everett began working at the Anniston Army Depot and on March 2, 2012, retired from Federal services with 34 years of service. While employed with the Anniston Army Depot, Everett was Program Specialist for the High School Co-Op Program and President of the AFGE Local 1945 for nine years. During his career he also held positions of Shop Steward, Chief Steward and Vice President of AFGE Local 1945.

During his career, Everett has served as Senior Pastor at St. Mary Missionary Baptist Church for the past 25 years.

Upon his retirement, Rev. Kelley will continue assisting Federal employees as National Vice President of AFGE District 5.

Mr. Speaker, I offer my congratulations to Reverend Everett Kelley and thank him for his outstanding service to our community and our nation.

RECOGNIZING THE SUSTAINABLE AND GREEN INITIATIVES OF GEORGE MASON UNIVERSITY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, it is my honor to recognize George Mason University in Fairfax, Virginia, on its recent commendation by the 2012 version of The Princeton Review Guide to 322 Green Colleges and to congratulate GMU on its strong and exemplary commitment to sustainability.

Over the past several years, George Mason has taken a multilateral approach to creating a climate neutral campus. The university has compiled annual greenhouse gas inventories since 2006, designing its first Climate Action Plan in January 2010. In an effort to transition to environmentally sound construction, Mason has committed all new buildings to seek a LEED Silver designation, with six registered projects currently seeking certification. Additionally, all equipment on campus must be Energy Star-rated.

A central component of the university's strategy to reduce campus-based greenhouse gas emissions has been the development of the scope, appeal, and accessibility of public and alternative transportation to accommodate the ever-increasing student population.

Mason students also have played an important role in developing the sustainability and environmental responsibility of the University. Student organizations like the Environmental Awareness Group, the Patriot Green Fund, and the student-run organic vegetable garden facilitate opportunities for discussions, student research, and exposure of University initiatives to the local community. Students also can focus their academic careers through the Environmental Science, Environmental and Sustainability Studies majors, the Sustainability and Renewable Energy minors, or one of the first Energy and Sustainability Master's degree concentrations in the nation.

Mr. Speaker, I ask my colleagues to join me in congratulating all members of the George Mason University community for their success in creating a responsible and sustainable academic community. By infusing sustainability principles into every aspect of higher education, George Mason University is training the next generation of leaders to put green ideas into practice today.

BALUCHISTAN

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. POE of Texas. Mr. Speaker, Baluchistan is one of four provinces in Pakistan. It is the largest of the four provinces in terms of area (44 percent of the country's land area), but the smallest in terms of population (5 percent of the country's total). Within Baluchistan is the Baluch people group. They have their own language, culture, and history.

This distinct group of people, who once held autonomous status, was deprived of their freedom without consideration when the British Empire invaded the area. When the British took control over the area they divided the Baluchistan land into three separate parts, giving part of the land to Persia in 1896 while retaining the largest portion for India. The third and final division of the land by the British occurred in 1894 that gave part of Baluchistan to Afghanistan.

Once the British relinquished control and India and Pakistan separated, the majority of Baluchistan was forcefully annexed to Pakistan in 1948. The Baluch people never had any say—they were never asked if they wanted to be part of Pakistan.

Since then, the government of Pakistan has neglected them. Look at almost any indicator and the Baluch people are worse off than other Pakistanis. Life expectancy, school enrollment, and adult literacy are all particularly low amongst the Baluch people. This is ironic when you look at all the large reserves of gas, oil, gold, copper, silver, platinum, aluminum, and uranium it has. The Baluch people have the resources to take care of themselves, but the government of Pakistan takes the resources and either puts tight constraints on the profit that goes back to the Baluchs or gives the profit away to its friends. For example, the government has historically required Baluchistan to sell gas at a lower rate than the other provinces. Baluchistan receives a mere \$0.29 per thousand cubic feet for its gas, while nearby Sindh gets \$1.65 and Punjab receives \$2.35. Pakistan gave the exploration rights to the Saindak copper mine to the Chinese, so the Chinese will get most of the profit and the Pakistan profit the rest.

It is not just neglect of the Baluch people but also outright persecution. Since 2005, Pakistani human rights organizations have recorded numerous serious human rights violations by security forces, including extrajudicial executions, torture, enforced disappearances, forced displacement, and excessive use of force. According to the Geneva-based Internal Displacement Monitoring Center, violence in 2005 around Dera Bugti district alone displaced around 6,000 people and killed scores. Over 2009 and 2010, Human Rights Watch detailed 45 cases of alleged forced disappearances.

Pakistan decided to respond to complaints over how they rule with brutal force. Instead, they should give the Baluch people a voice in how they will be governed. They should not only listen to their complaints, but answer them with positive steps. Should the govern-

ment of Pakistan continue to not only neglect but persecute the Baluch people, it is hard to argue with Baluchs who demand self-determination. In the end, a government is only legitimate as long as it has the support of its people. The government of Pakistan is dangerously close to that line.

Apparently, the Baluch people have been reading Thomas Jefferson's comments when he said in the Declaration in the Independence, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government." History recorded what happened to the British when they forgot these truths. And that's just the way it is.

APRIL IS MONTH OF THE MILITARY CHILD

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. STIVERS. Mr. Speaker, I rise today to recognize April as the "Month of the Military Child."

In 1986, Secretary of Defense Caspar Weinberger established April as the Month of the Military Child. Since then, the communities that surround our military families have had the month of April as a time to focus on recognizing the important roles that military children play.

There is no doubt that we owe a great debt and gratitude to our military for the unparalleled freedom and opportunity we enjoy in this country. But, we need to pause and remember that this is also made possible through the dedication and sacrifices made by their families and children as well. While I understand it is important to show our support for the military and their loved ones every day of the year, I welcome the emphasis placed on the children of service members in the month of April.

As a way to offer my continued support and gratitude, I recently introduced H.R. 4341, TRICARE for Kids, which would help the Department of Defense and its TRICARE program develop and encourage health care practices and policies that are designed to address the specific health care needs of military children and families. The Department of Defense estimates there are approximately 1.9 million military children, and I believe we all need to work to ensure they have access to the resources and support that best meets their needs—including health care.

Without the selfless contributions our military and their families have made throughout history, our great nation would not have the freedom that it does today. Military children are a special part of that aspect of our history, as they are the young, brave, and often unnoticed heroes who have stood strong alongside

their parents who have risked their lives and fought for our country and way of life. I thank every one of them for what they do, and I would like to ask every Member of Congress to join me in offering support throughout this Month of the Military Child.

HONORING DICK WYLIE

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. TIERNEY. Mr. Speaker, I rise today to recognize and honor Dick Wylie for his 25 years of service as President of Endicott College in Beverly, Massachusetts.

Receiving a bachelor's degree from Plymouth State College and a master's and doctorate from Boston University, Dr. Wylie has led by example as a professor and administrator at several notable institutions, including the University of Connecticut, Temple University, the University of Colorado, and Lesley University.

Thanks in part to Dr. Wylie's leadership and dedication to higher education, Endicott College grew from a small, two-year women's college into the esteemed four-year coeducational institution it is today. Specifically, when Dr. Wylie arrived in spring of 1987, Endicott College had an enrollment of fewer than 600 students. Its campus consisted of 28 buildings on 140 acres; the College's operating budget was \$7.7 million; and its endowment was \$3.9 million dollars. Today—25 years later—almost 5,000 students are enrolled at Endicott College, which now has 51 buildings on 235 acres of land. The College's operating budget is now over \$85 million, and its endowment is more than ten times what it was in 1987.

In 1996, Dr. Wylie helped found the Van Loan School of Graduate and Professional Studies, which currently offers Master of Business Administration, Master of Science in Technology and Nursing (M.S.), Master of Arts, Master of Fine Arts, and Master of Education degrees as well as accelerated bachelor's degrees for adult learners. In December 2011, the College received approval to offer its first doctoral program, a Doctor of Education in Educational Leadership, which is reportedly the first approved doctoral program on the North Shore of Massachusetts.

Throughout his tenure at Endicott College, Dr. Wylie has never lost sight of the school's philanthropic duty to give back to its community. Mr. Speaker, it is worth noting that, just this past year, Endicott College's study body put in 15,000 hours of community service, an achievement which earned them recognition from the White House.

Dr. Wylie also established Endicott Colleges "Keys to Degrees" program. This forward-thinking program seeks to provide young, single parents the opportunity to receive a college education. Providing an environment that supports not only their needs but their children's as well, the Keys to Degrees program allows our young parents to have a better life and in turn offer a better life to their children.

Dr. Wylie's vision for providing single parents the services they need and deserve did

not begin and end with the "Keys to Degrees" program, but it continues with a variety of educational services including internships and mentoring programs as well as weekend retreats on campus for both the students and their children. His stewardship in intergenerational education has recently earned him the distinct honor of being named a fellow at the Aspen Institute.

On May 5, Endicott College will be formally celebrating Dr. Wylie's remarkable 25 years as president. I look forward to being with him and his colleagues that night. In the meantime, I wanted to take this opportunity to recognize and congratulate Dr. Wylie as well as thank him for his efforts to educate and provide opportunities for students of all ages.

IN RECOGNITION OF EARTHFEST
2012

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the Earth Day Coalition of Cleveland, as they celebrate EarthFest 2012 on April 22, 2012—a date that also commemorates the 23rd annual celebration of EarthFest in Cleveland, Ohio.

Cleveland's Earth Day Coalition was formed in 1990 to celebrate the twentieth anniversary of Earth Day in Ohio. EarthFest is now Ohio's largest environmental educational event and the longest running Earth Day celebration in the nation. I stand in recognition of the staff and volunteers of the Earth Day Coalition for all their effort and dedication in creating such an innovative, exciting and educational event for the Greater Cleveland community to enjoy. This year, EarthFest's theme is "Year of Local and Sustainable Food." Over 175 environmental exhibits are expected from environmental and community organizations, government entities and businesses. EarthFest is just one of Earth Day Coalition's many nationally-recognized programs and promises once again to be a significant aspect of the world celebration of Earth Day.

Mr. Speaker and colleagues, please join me in honor and recognition of the staff, volunteers, and members of the Earth Day Coalition as we celebrate EarthFest 2012 on April 22, 2012 at the Cleveland Metroparks Zoo and The RainForest. EarthFest 2012 promises to educate, inspire and motivate all of us to join together as a community and work toward a more healthy Earth for future generations.

HONORING DR. ROBERT AGRELLA

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today with my colleague, Rep. MIKE THOMPSON, to honor the career of Dr. Robert Agrella, who formally retires from his position as president of Santa Rosa Junior College (SRJC) on May

5, 2012, after 22 years. Just the fourth president in the 94-year history of SRJC, Dr. Agrella has overseen a period of substantial change in an institution now recognized as a national leader in community college education. His management and foresight have benefitted us all by bringing higher learning closer to the people of the North Bay.

Serving over 36,000 students each semester, and drawing on the expertise of some 3500 faculty and staff, Santa Rosa Junior College is amongst the oldest and most widely recognized two-year colleges in California. It is also a large and growing institution, with two main campuses and a number of career-specific facilities dedicated to public safety, agriculture, technology, culinary arts, and more.

It is a proud part of Dr. Agrella's legacy that many of the SRJC facilities have been built, expanded, or refurbished during his tenure. In the 1990s, classes first began at the Petaluma campus, and SRJC moved into several new buildings in Santa Rosa. In the past decade, during a time of increasing budgetary difficulty, the new Frank P. Doyle Library, a new student services center, and vast new improvements at the Petaluma Campus and elsewhere have all been completed or undertaken. These are the products of Dr. Agrella's tireless work to unite SRJC staff and a Sonoma County community committed to the funding and planning necessary for continued growth. SRJC has also become a model for environmental consciousness, supporting green construction and a thoughtful, collaborative approach to development.

As the North Bay has grown and diversified, so too has the training and education SRJC offers to meet the needs of our community. While opening new facilities in agriculture and public safety—areas of historic strength in Sonoma County—Dr. Agrella has also overseen an expansion into new areas that will strengthen our economic base and serve the needs of a modern workforce. High technology, green energy and green building, tourism and hospitality, and performing arts offerings have all been upgraded. At the same time, scholarships have been greatly expanded to serve a diverse and inclusive College community.

Dr. Agrella's role in realizing these changes has been widely recognized in Sonoma County. He has been named Santa Rosa Citizen of the Year, and he is the recipient of the Spirit of Sonoma County Award. In appreciation of his longstanding service to SRJC and Sonoma County, Dr. Agrella has also been named the College's first president emeritus.

Mr. Speaker, we ask you to join us in thanking Dr. Agrella for his contributions to Santa Rosa Junior College, and in wishing him all the best in his retirement. Dr. Agrella leaves SRJC with a remarkable legacy of service, and with a firm footing for a strong, progressive future.

HONORING THE BRAVE FIRST RESPONDERS OF HACKLEBURG AND PHIL CAMPBELL

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. ADERHOLT. Mr. Speaker, I would like to recognize the courage and dedication of the first responders of Hackleburg and Phil Campbell in the wake of the deadly tornadoes of April 27, 2011. Furthermore I want to honor the heroic actions of these volunteer firefighters, law enforcement officers and paramedics for their selfless devotion to their communities.

On Wednesday, April 27, 2011, the State of Alabama experienced the worst tornado outbreak since 1974 and possibly the deadliest the State has ever seen. The small Northwest Alabama towns of Hackleburg and Phil Campbell were completely devastated by the storms. The storms left a path of destruction through the towns at least half a mile wide, destroying numerous houses and businesses as well as both high schools, the fire and police stations in Hackleburg and severely damaging the city hall in Phil Campbell. Worst of all, the tornadoes took the lives of 18 people in the Hackleburg area and 27 people in Phil Campbell.

During the difficult hours and days immediately following the tornadoes of April 27, 2011, the first responders of Hackleburg, Phil Campbell, Marion County and Franklin County acted with the utmost professionalism and bravery when called to duty. Despite the carnage, they performed their duties with valor and perseverance. Many of them were working to assist others while not knowing whether their own families were safe. During the first frantic hours—and even days—of the search and rescue effort, sleep was not an option. They had a mission to do: to coordinate emergency work and retain order even while the debris-littered streets were the same route used to carry out the wounded and deceased and to welcome in relief workers from neighboring communities. But through it all, they never lost sight of the people they had sworn to serve and the spirit that has held their communities together.

On behalf of the citizens of the Fourth Congressional District of Alabama, I commend the brave men and women of the volunteer fire departments, law enforcement agencies and paramedics for their courage, selflessness and commitment to their communities. They, along with the resilient folks they serve, have begun to pick up the pieces of their shattered towns. I have every confidence that the Towns of Hackleburg and Phil Campbell will fully rebuild and be better than ever.

TO RECOGNIZE BATTLEFIELD HIGH SCHOOL'S PARTICIPATION IN THE STOCK MARKET GAME'S "CAPITOL HILL CHALLENGE"

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Battlefield High School's Participation in the Stock Market Game "Capitol Hill Challenge."

The Stock Market Game (SMG) program is an extension of SIFMA and the SIFMA Foundation for Investor Education and has provided financial literacy, including personal financial skills and global economic education, to 13 million students and hundreds of thousands of teachers. Through this program, students further their performance and understanding of such financial and economic topics.

The "Capitol Hill Challenge" (CHC) poses a challenge to participating student teams by having them manage a hypothetical \$100,000 online portfolio and investing in bonds, real stocks, and mutual funds. CHC would also engage Members of Congress with the constituents participating in SMG. The top five teams will travel to Washington D.C. to meet with their Congressman or Congresswoman. Again, CHC is an investment in our students' financial literacy for their future.

Battlefield High School will participate under the guidance of Michele Adkins and is among the more than 3,000 teams participating in the Ninth Annual Stock Market Game "Capitol Hill Challenge."

Mr. Speaker, I ask that my colleagues join me in recognizing Battlefield High School on the occasion of its participation in the Stock Market Game's "Capitol Hill Challenge" and in congratulating the students, educators, administrators, and parents on working together as a team for the benefit of all.

A TRIBUTE TO DREW MINARD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize West Des Moines Crossroads Park Elementary student Drew Minard, for his brave efforts to combat bullying in his school, state, and country.

Bullying is a problem for millions of school children every day in every corner of America. As adults we are well aware of the damage and pain that bullying causes, but it is the children of our country that live through this grim reality every day. Eleven-year-old Drew Minard understands the state of bullying firsthand and is using his talents, perspective and his big heart to motivate students across Iowa to change this reality, rather than accept it.

The 2012 documentary "Bully" is being viewed by millions as a heartbreaking look into our nation's bullying problem, but to Drew the film was his call to action. Drew knows that the solution to bullying does not lie with a se-

lect few, but instead lies with each and every one of us. When it comes to bullying, as Drew says, "There is no such thing as an innocent bystander."

To get his fellow students actively involved in combating bullying, Drew launched a student-led bully prevention initiative called ABC, or Anti-Bullying Club, for sixth-graders at Crossroads Park. ABC currently boasts roughly 30 members that gather to write and perform anti-bullying lessons that are presented at school assemblies. ABC also creates and places posters around the school to encourage students to speak out against bullying and report acts of bullying to an authority figure immediately when witnessed. The members of ABC are also readying a "Declaration of Non-Bullying" that they hope every student will sign to affirm their commitment to putting a stop to bullying in their school. Drew readily acknowledges that bullying is not just specific to Crossroads Park, and he plans to expand ABC to other elementary schools in his area and beyond.

Mr. Speaker, the actions Drew has shown to a cause greater than himself speaks volumes of his selfless commitment to assisting others. Drew is a testament to the high quality character and unwavering work ethic instilled in Iowans both young and old. I know I speak for all of my colleagues in the United States Congress in congratulating Drew, thanking his supportive family, and thanking all the members of ABC, and the staff of Crossroads Park Elementary, for their life-changing efforts now and in the future.

TRIBUTE TO MARY SKEENS ON HER INDUCTION INTO THE WEST VIRGINIA AFFORDABLE HOUSING HALL OF FAME

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the accomplishments of Mary Skeens, as she is inducted into the West Virginia Affordable Housing Hall of Fame. Mary was raised in southeastern Kentucky, but has chosen West Virginia as her home to carry out her life's work in affordable housing.

Mary is currently the Executive Director of Community Works in West Virginia, a statewide housing network with a membership of 27 nonprofit housing providers serving the State's moderate to low-income home buyers. Since becoming its Executive Director, Mary has expanded the organization's lending capacity by becoming a qualified Seller/Service of loans to Neighborhood Housing Services of America. In addition, Mary has created a Campaign for Excellence, a leadership program designed to empower nonprofit housing managers; and developed an Affordable Housing Internship Program in partnership with West Virginia University, Marshall University and West Virginia Wesleyan University. As a matter of fact, I currently employ one of the first interns in this valuable program.

Prior to joining Community Works, Mary worked for the Federation of Appalachian

Housing Enterprises, known as FAHE, and held various positions at the West Virginia Housing Development Fund with the HOME Program and in the Commercial Business and Development Department.

Mary has remained active in many state and local organizations that serve affordable housing solutions such as the West Virginia Interagency Housing Council, NeighborWorks America Rural Initiative Advisory Committee, Board Member of Rea of Hope Fellowship Home for Women and as Board Member and past-Chair of the West Virginia Affordable Housing Trust Fund.

Mr. Speaker, the purpose of the West Virginia Affordable Housing Hall of Fame is to recognize and honor men and women who have made significant and lasting contributions to affordable housing in West Virginia. Mary Skeens is truly a leader in affordable housing and community investment, and deserving of this honor.

I thank Mary for her years of service to the improvement of housing for all West Virginians. West Virginia is fortunate to call Mary one of its own.

IN HONOR OF THE GABRIEL
ZIMMERMAN SCHOLARSHIP FUND

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. FARR. Mr. Speaker, I rise today to offer tribute to The Gabriel Zimmerman Scholarship Fund at University of California, Santa Cruz and the recipient of the inaugural award, Yethzell Diaz, a senior majoring in Latin American and Latino studies and sociology.

Gabriel Zimmerman graduated from UC Santa Cruz in 2002 with a degree in sociology. He served as community outreach director for Representative Gabrielle Giffords. Tragically, he was one of six people fatally wounded in the Tucson, Arizona shooting rampage that also critically injured Representative Giffords. He was the first congressional staffer to give his life in the line of duty. Gabe was a passionate public servant, committed to non-violent solutions and consensus and was motivated to help people.

Moved by his death, UCSC alumni Jonathan Klein and Alex Clemens established a scholarship fund in his honor and offered an initial gift. The scholarship is designed to support students committed to public service.

On Friday, April 27th Gabe's mother Emily Nottingham will present the first scholarship award to Yethzell Diaz. Yethzell has already demonstrated her commitment to public service and social issues. After high school, she lived in Paraguay for seven months doing human rights work with Amnesty International. At UCSC she has worked with other students to create and implement a program in Watsonville schools to increase computer literacy among Spanish-speaking parents. She has also worked to start "Strive for College", a program that will help prepare students from underserved and disadvantaged communities to successfully transition from high school to college.

Mr. Speaker, this scholarship not only honors the efforts to which Gabe Zimmerman devoted his life, it also will support the work of Yethzell Diaz and future students who are involved in helping average citizens improve their quality of life.

CONGRATULATING THE USAF JUNIOR RESERVE OFFICER TRAINING CORPS UNIT AT SOUTHERN NASH HIGH SCHOOL

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mrs. ELLMERS. Mr. Speaker, I rise today to recognize the United States Air Force Junior Reserve Officer Training Corps Unit at Southern Nash High School in Bailey, North Carolina.

Since 2006, Unit NC-935 has been selected by Headquarters, United States Air Force Air University as a Distinguished Unit, ranking in the top 25 percent of units worldwide.

For the 2010-2011 School-Years, Unit NC-935 was selected by Headquarters, United States Air Force Air University as a Distinguished Unit with Merit, the highest honor bestowed in the United States Air Force Junior Reserve Officer Training Corps.

In March, Cadets Trevon Davis, Lorell Dupree, Austin Fennell, Samantha Hill, Cristal Raya, and Trebor Walker flew on an Air Force mission with a KC-135 Tanker crew from the 77th Air Refueling Squadron to refuel a C-17 in flight.

And most recently, Unit NC-935 placed first overall at the annual Capital City Invitational Drill Meet in Raleigh, North Carolina. The Regulation Armed Flight placed third, commanded by Cadet John Setera. The Regulation Flight placed third, commanded by Cadet Lance Burnett. The First Year Cadet (AS-1) Element placed third, commanded by Cadet Eric Wall. The Regulation Color Guard placed third, commanded by Cadet Raya. The Relay Team placed third. The AS-1 Flight placed second, commanded by Cadet Davis. The Innovative Element Armed placed second, commanded by Cadet Trebor Walker. The Innovative Duo placed second, performed by Cadets Walker and Burnett. The Regulation Element Male placed first, commanded by Cadet Fennell. Cadet Burnett placed first in the Best Individual Drill with Rifle competition. Cadet Fennell placed first in the Best Individual Drill competition. Cadet Fennell also received an award for most sit ups performed in two minutes.

I would also like to congratulate Lt. Col. John Coulter, CMSgt John Wedding, Commander Luis Lewis Pimentel, and all the cadets at Southern Nash High School, on the accomplishments of this impressive unit. The 2nd district of North Carolina thrives on strong leaders like these, and I am proud to represent these fine young men and women.

KEYNOTE SPEECH FOR THE AFRICA AND INTERNATIONAL LAW CONFERENCE

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. COHEN. Mr. Speaker, I submit the following remarks given by Willy Mutunga, Chief Justice and President Supreme Court of Kenya on April 13, 2012.

Fellow Africans and our Friends: I thank the Albany Law School and Professor James Gathii for inviting me to this conference. I am delighted to be among so many practitioners and scholars of international law who share a commitment to Africa. There is a very special reason for me to be delivering this address today. April 13th was the late President—Mwalimu-Julius Nyerere's birthday. He would have been 88 today. Nyerere was a special and inspirational leader—he believed in the solidarity of the African people as well as in human dignity.

Nyerere was interested in both constitutional law and international law. There is a picture of him as a student at Edinburgh holding a copy of Dicey's Law of the Constitution. His interest was both scholarly and practical. It fell to him to develop a constitution suitable for his country—where his commitment to a one party state, although intended to increase democracy, must have come sorely in conflict with the Diceyan preference for the rule of law. As far as international law goes, he was greatly concerned to promote African unity, redefine the relationship between Africa (indeed the whole of the South) and the West—as well as deal with Tanzania's colonial legacy, including that relating to treaty succession. He ruled out automatic succession, so the newly independent country was not burdened with unfair and unequal obligations.

I also felt honored as I read the biographies of the other participants in this conference: they read like a "Who's Who?" of international law and Africa. One only has to look at the conference program to see the broad depth of international law work relating to Africa. The papers submitted are impressive. I am looking forward to the deliberations here and the opportunity to get to know you and to talk about our common commitments and concern about Africa. My challenge to you always is to continue making transformative contributions in your work on Africa and international law. This will at times require those of you who are based outside Africa to return home and help contribute to the growing use and practice of international law in Africa.

My focus this morning is the new Constitution of Kenya and the role of the judiciary within it. First I want to tell you about that constitution and the vision that it espouses. We are now engaged in the challenging but difficult task of implementation in which a key role has been assigned to the judiciary. The judiciary has already made a good start on a progressive, indeed in some respects, radical jurisprudence—and now enjoys great public support.

The Constitution is one of the most progressive in the world. It was overwhelmingly approved in a referendum as a result of the most consultative and participatory processes of Constitution making anywhere in the world. The long period before the Constitution was upheld in the referendum was

characterized not only by delays and deadlock, but by a series of governance challenges familiar in many countries of Africa:

An absence of a political culture of obedience to and respect for rules, and a cavalier treatment, even of constitutional texts;

Failed systems including the electoral system;

Failed institutions including a corrupt judiciary and police force;

A population tortured and inhibited from fulfilling its full potential;

Exclusion of women and many groups from full participation in society;

Gross manipulation of ethnic, racial, regional, religious, generational, clan, class, and occupational divisions by politicians for their personal ends;

Extreme inequality, great poverty and failure of even development;

An institutional culture of timidity, even where no threats existed;

A society and politics characterized by violence, fragility and instability; and

An international community that excelled in perfidy and double standards and that could not be relied upon to consistently support progressive constitutional reforms.

The result of the above has been a massive culture and practice of impunity and the marginalization of the constitution. The Constitution, which was, as my old teacher, and one of the leading constitutional scholars in Africa and the world, Yash Ghai is fond of saying, "forced upon the rulers by the ruled." Here Yash's reference to rulers means both internal and external rulers—for Ghai, the Constitution has to be written to address these ills.

The 2010 Constitution of Kenya seeks to incorporate such rules in a number of ways. For example, it constantly emphasizes the sovereignty of the people, and is full of people oriented values. So Article 10 enumerates the national values and principles of governance that bind all state organs as well as everyone who applies or interprets the Constitution or any law or performs any public duty:

Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;

Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized;

Good governance, integrity, transparency and accountability; and

Sustainable development.

I had argued before its promulgation that our constitution should establish a human rights state and society whose vision is radical social democracy. It is my view that this has now happened. It is, therefore, not surprising that there is considerable internal and external resistance to the constitution from people who have a vested interest in bad old habits—tribalism, nepotism and corruption. This increases the responsibility of the judiciary to ensure the enforcement of the constitution, as indeed is envisaged in Art. 20(3), which requires that a court develops the law where the Bill of Rights fails to give effect to a right or fundamental freedom.

The extent of my personal pride, sense of responsibility, and hope, as head of the judiciary, can perhaps be judged from the fact that I once wrote a book about efforts for a new Constitution, in the 1990s, in which I said "The process of making the new constitution, the credibility of the final document and whether the people would be convinced that they own the new constitution

are all issues at the root of the problem of constitution making. It is a fact that the judiciary has not fully implemented the Bill of Rights to protect the rights of the people against encroachment by the executive and state apparatuses. The overhauling of the judiciary and judicial system is also at the root of these issues."

I still believe in the key importance of the judiciary. And the Constitution does give it a central role. Article 259 requires that the Constitution be interpreted in a way that promotes its purposes, values and principles, an obligation placed specifically upon courts and tribunals by Article 159(2)(e). And it provides a practical basis for this central role of the courts by its provisions designed to make them truly accessible, including through the institutionalization of public interest litigation. It destroys old concepts of standing by providing that anyone may bring an action to protect rights or enforce the constitution, even if they have no interest other than that of concerned citizen. It prohibits the charging of court fees for actions to enforce the Bill of Rights. It endorses the practice that the Indian Courts call "epistolary jurisdiction"—the possibility of actions being commenced by informal documentation. And while requiring the rules of natural justice to be observed, it denies the possibility of "unnatural justice" in the form of procedural technicalities standing in the way of justice. Much of this comes ultimately from the jurisprudence of the Supreme Court of India, some by way of the South African Constitution.

The judiciary was one of the most criticized of the institutions of the old order. The legacy of the one party state was still discernible in judicial pandering to executive wishes. And I do not mean merely the sort of deference to the legislature that lawyers may legitimately argue about, but judges who would adjourn matters before them to take instructions from State House. The judiciary was one aspect of the machinery of impunity. Simple financial corruption was also rife. And, if you are auctioning your judgment to the highest bidder, it is probably counter-productive to exhibit much legal skill! For many years law reports were not up to date, and legal literature was all but non-existent.

Radical measures were needed. And they are found firstly in a process of subjecting all serving judges and magistrates to an examination of their suitability to remain in office. This process is under way, in the hands of an independent body, a process with which I have nothing to do, and on which it is of course improper for me to comment. Secondly, the appointment system was revamped. Now judges are interviewed and nominated by a Judicial Service Commission truly independent of government. The President is to have no discretion but must act on the Commission's recommendation. The Chief Justice and Deputy must be approved by Parliament. I was myself interviewed by the parliamentary committee, on live television, and questioned about, among other things, my finances, my attitudes to certain sensitive issues, my sexuality and my earring!

The judiciary has embarked upon many organizational changes intended to realize the Constitution's vision. These include the recruitment of judges and magistrates and professional administrative staff. Recently we appointed 26 judges to the High Court (that is the court of first instance of unlimited jurisdiction)—half of them women. The Court of Appeal now has 7 more judges, 5 of them

women. We will recruit 160 Magistrates before the end of May, 2012. We have delinked judicial functions from administrative functions, boldly set out to stamp out corruption in the judiciary while speeding up reforms in computerization and other electronic justice measures. We have achieved some significant progress in reducing the backlog of cases and changing backward judicial culture. The 12 clusters that reflect these reforms, including the creation of progressive, indigenous and patriotic jurisprudence that I touch on later are contained in a write-up named the Judicial Transformation Framework that I will launch in May, 2012.

The constitution also provides for the decentralization and democratization of the judiciary. Unlike previous years when the old constitution made the Chief Justice a judicial autocrat and monarch, under the new constitution I do not control everything from the top. I have already set up a management and leadership committee that is representative and participatory.

Organization is of course important, even essential, to make the courts accessible, to end the interminable delays, the strain on the pockets and the patience, and to end impunity and, as far as the courts can, injustice. But I want briefly to emphasize something else.

I preside over the Supreme Court. As I understand the reasoning of the Constitution makers when creating this new court, apart from the desire to reintroduce the possibility of a second appeal, was similar to that that motivated the drafters of the South African Constitution when they created the Constitutional Court: to have at the apex of the system a court that would be respected, was committed to the Constitution and could set a new standard, and a new tone. In my view, one of the most important tasks that court will perform will be as a source of a new, highly competent and indigenous jurisprudence.

I link this last adjective to the Constitution's value of patriotism. Patriotism (when not being abused as the "last refuge of the scoundrel" in Samuel Johnson's words) requires putting love of country above love of self. For a judge it does not mean putting country above justice. I conceive that it requires the judge to develop the law, for, as we all know, in the common law system that is what judges do, in a way that responds to the needs of the people, and to the national interest. I call this patriotic and indigenous jurisprudence. Above all, it requires a commitment to the Constitution and to the achievement of its values and vision.

But don't get me wrong: by "patriotic and indigenous" I do not mean insular and inward looking. The values of the Kenyan Constitution are anything but that. We need to learn from other countries. And we need to learn from scholars like this assembled company. We intend to build up a network of interested and highly qualified academics who share our vision. I hope that some of you here will form part of that network. My concern, when I emphasize "indigenous" is simply that we should grow our jurisprudence out of our own needs, without unthinking deference to that of other jurisdictions and courts, however, distinguished. The Kenyan judiciary has, therefore, a great opportunity to develop a robust, indigenous, patriotic and progressive jurisprudence that will give the country direction in its democratic development. This transformative mission is a duty to all judicial officers. They have all undertaken a constitutional obligation to undertake it and I have challenged them to

make a personal obligation to help accomplish it.

Former Justice Krishna Iyer of the Indian Supreme Court expressed the same ambition, in his inimitable style:

Jurisprudence must match jurisdiction and jurisdiction must broaden to meet the challenges of the masses hungry for justice after a long night of feudal-colonial injustice. . . . The rule of law must run close to the rule of life and the court, to be authentic, must use native jural genius, people-oriented legal theory and radical remedial methodology regardless of Oxbridge orthodox, elitist petulance and feudal hubris.

Far from being inward looking, it would be my hope that we could learn from, and even emulate, distinguished courts in other countries, including, for example, the Supreme Court of India and the South African Constitutional Court. The Kenyan courts do not need to be as bold as the Indian apex court: many of its procedural innovations in public interest litigation are already enshrined in our constitution. And I would argue that the types of jurisprudence that that court has been so creative in developing are already part of our constitution. Protection of the environment, recognition of rights of communities especially in land, affirmative action, rights of persons with disability, rights to education, health and food—and the redress of past injustices—are engraved in our constitutional text.

What the first Chief Justice of the South African Constitutional Court, Arthur Chaskalson, said of their constitution could just as well be said of ours:

We live in a society in which there are great disparities in wealth. Millions of people are living in deplorable conditions and in great poverty. There is a high level of unemployment, inadequate social security, and many do not have access to clean water or to adequate health services. These conditions already existed when the Constitution was adopted and a commitment to address them, and to transform our society into one in which there will be human dignity, freedom and equality, lies at the heart of our new constitutional order.

For these reasons, including that our Constitution is couched often in language similar to that of South Africa, I anticipate that we shall learn a great deal from them, though always, as I say, suiting the decisions to our own realities.

Upendra Baxi wrote, of Public Interest Litigation (PIL),

The Supreme Court of India is at long last becoming . . . the Supreme Court for Indians. For too long the apex court had become "an arena of legal quibbling for men with long purses". Now increasingly, the court is being identified by the Justices as well as people as "the last resort of the oppressed and bewildered."

I would hope that the Supreme Court of my country will be the Supreme Court for Kenyans where the oppressed and bewildered will find justice.

But it is not enough for the Supreme Court to shine in jurisprudential terms. Most cases will never get beyond the High Court. The corollary of the decision to create a new, final, court of general, not specifically constitutional jurisdiction, was the desire that courts at all levels could confront constitutional issues and deal with them in a way that fulfills the constitutional dream. We are hoping to raise standards of judging and standards of advocacy, including through the work of the Judicial Training Institute, and by adopting frequent use of written briefs,

rather than just skeleton oral arguments. The development of a new jurisprudence must be a collaborative effort between judges at all levels, and practicing and academic lawyers.

The internet is making access to precedents much easier, and there is an improvement in the law reporting situation. There is even some sign of a resurgence of interest in writing about Kenyan law. Do add your bit!

If I may turn now to the focus of concern of most of you: international law. The Constitution took a bold step and provides that "The general rules of international law shall form part of the law of Kenya" and "Any treaty of convention ratified by Kenya shall form part of the law of Kenya under this Constitution". Thus Kenya has become a monist state rather than a dualist one!

The implications of this will have to be worked out over time, as cases come before the courts. I would not have you imagine that Kenyan judges have ignored international law. I know firsthand from Kenya's supercharged civil society that constantly makes claims of international law to hold the government accountable, exemplifies the growing importance of international law in our courts. The courts have often applied the familiar common law approach, and indeed quoted the Bangalore Principles on Domestic Application of International Human Rights Norms, including:

It is within the proper nature of the judicial process and well-established judicial functions for national courts to have regard to international obligations which a country undertakes—whether or not they have been incorporated into domestic law—for the purpose of removing ambiguity or uncertainty from, national constitutions, legislation or common law.

However, where national law is clear and inconsistent with the international obligations of the State concerned in common law countries the national court is obliged to give effect to national law. In such cases the court should draw such inconsistency to the attention of the appropriate authorities since the supremacy of national law in no way mitigates a breach of an international legal obligation, which is undertaken by a country.

Now, however, the courts have greater freedom. Many issues will have to be resolved: what precisely are the "The general rules of international law"?; what is the effect of the direct application of a treaty of which the language is not self-executing, such as "States Parties shall take all appropriate measures" rather than "everyone has the right"? And what is the effect of a treaty provision that does not fill a gap in domestic law but inescapably conflicts with it? And what if the general rules of international law are exploitative, oppressive and subvert the radical social democratic vision of our constitution? All these questions clearly identify where the scholarship of people like yourselves, will be much appreciated by both bar and bench.

I should also like to quote another Bangalore Principle, relevant to my theme of indigenous jurisprudence:

While it is desirable for the norms contained in the international human rights instruments to be still more widely recognized and applied by national courts, this process must take fully into account local laws, traditions, circumstances and needs.

How can we achieve this marriage consistent with international law obligations?

Let me also emphasize that Kenya does not intend to be a "user" of international law,

but a producer, shaper and developer of it as well. This is the link to the Nyerere Doctrine where I began. Nyerere refused to accede to existing international rules on treaty succession and came up with his own innovation. Kenyan judiciary will not just import all international legal rules including those which are disempowering to the South as a political and economic category. Instead, as I pointed above in our strategy to create an indigenous, patriotic and progressive jurisprudence, the Kenyan judiciary will use our new constitution to begin a dialogue with international legal communities to nudge the jurisprudence of social justice in a progressive direction. In particular, we have a chance to develop jurisprudence on economic and social rights in ways that are unique to our social and economic development. We intend, therefore, to be able to export progressive jurisprudence to the rest of the world.

Finally, let me not give the impression that I am negative about the work of my judicial colleagues. There are many competent and committed members of the bench. Even under the former constitution with its inadequate Bill of Rights (more limitations than rights!) creative judges were doing their best. And now many of them, new and longer established, are responding with enthusiasm to the challenges and opportunities of the new Constitution. I cannot really comment on individual cases—none has come before us yet, and some will undoubtedly do so. But I personally feel encouraged by signs of willingness to draw on international instruments, not only treaties, and by reliance on the values including those of Article 10—as Article 259 requires.

As we say in Kenya in Kiswahili—Asante Sana. We also say Shukrani, shukran and shukria. Thank you very much.

HONORING THE LIFE AND SERVICE
OF CHARLES WALTER "WALT"
RUCKEL, JR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the life of Northwest Florida's beloved Charles Walter "Walt" Ruckel, Jr. Throughout Northwest Florida, Walt Ruckel was known for his warm nature, immense generosity, dedicated service to his local community and, above all, his never-ending love for his family. Walt Ruckel is survived by 8 children, 12 grandchildren and 15 great-grandchildren.

Walt Ruckel was a true Northwest Floridian, born and raised on the Gulf Coast. After graduating from high school, he attended Davidson College and North Georgia College as part of the U.S. Army Specialized Training Reserve Program. Upon completion of his training, Mr. Ruckel entered the U.S. Army Air Corps, where he served as an airplane mechanic before being honorably discharged in 1947. In 1948, he graduated from Soule Business College in New Orleans and returned to his native Northwest Florida where he began a distinguished career in the Northwest Florida business community. Mr. Ruckel took a position working as a bank teller and bookkeeper at Valparaiso State Bank in Valparaiso, Florida,

where he quickly established himself, rising to become Assistant Vice President in 1950 before becoming President of the bank in 1951. Mr. Ruckel continued to serve at the bank as Chairman of the Board until 2004.

Mr. Ruckel's immense pride in his local community inspired him to pursue a career in real estate and property development. In 1955, he founded Ruckel Properties, which continues to serve the Northwest Florida community today. Through Mr. Ruckel's leadership, Ruckel Properties has developed countless homes and businesses in Northwest Florida and has been a driving force in the development of the cities of Niceville and Valparaiso.

In addition to his work in the Northwest Florida business community, Walt Ruckel was also a noted civic leader. He was a founding member of the Niceville-Valparaiso Rotary Club, where he served as President from 1954 to 1955 and was twice named the club's "Man of the Year." Mr. Ruckel truly believed in the value of community service, and he remained active in the Rotary Club until his passing, helping to organize and volunteer at the club's latest fundraiser. His steadfast dedication to serving his community extended beyond the Rotary Club, and he was active in many other civic organizations, including the local Chamber of Commerce, United Way and Boy Scouts of America.

Northwest Florida is also home to numerous military installations, and Mr. Ruckel was a strong supporter of the servicemen and women and their families who form such an integral part of our local community. Mr. Ruckel served as Chairman of the Air Force Armament Museum Foundation, where he helped lead a successful effort to raise more than \$1 million for the construction of the Air Force Armament Museum, located at Eglin Air Force Base.

All those who had the fortune of meeting Walt Ruckel were blessed by his kindness and generosity, and his impact on Northwest Florida will never be forgotten. To some, Walt Ruckel will be remembered as an invaluable member and leader of the Northwest Florida community, to others, an honorable member and strong supporter of our Armed Forces. To his friends and family, Walt Ruckel will most fondly be remembered as a loving and committed family man.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life of Walt Ruckel and his living legacy. Northwest Florida has truly suffered a great loss with his passing, and my wife Vicki joins me in sending our most heartfelt condolences to the entire Ruckel family.

IN MEMORY OF DELORES THOMAS HADNOTT

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. AL GREEN of Texas. Mr. Speaker, today, I would like to honor the memory of a noble public servant and spiritual leader, Delores Thomas Hadnott. With singular dedi-

cation, Ms. Hadnott devoted her life to faithfully serving her community.

Ms. Hadnott was born in Arcadia, LA on December 31, 1951. Her parents instilled within her the importance of education and the drive to help others. In 1972, she received her B.A. degree in Sociology from Grambling State University in only three years, while serving as salutatorian, class president and a member of Alpha Kappa Alpha Sorority, Incorporated.

After Ms. Hadnott completed Management Training at the University of Houston, she started her thirty-six year career with the American Red Cross—Greater Houston Area Chapter. Ms. Hadnott excelled in her position, becoming the office director of the southeast branch office in 1987. Ms. Hadnott worked tirelessly to advocate for the betterment of Houston and under-served individuals.

In addition to her lifelong service in her community, Ms. Hadnott acted in several roles at the Mount Carmel Missionary Baptist Church. Through her unselfish hard work and virtue, she eventually became the assistant church secretary, a member of the finance committee, program coordinator for the Mission Society and a Sunday school instructor.

Ms. Hadnott's leadership and community service have been consistently recognized by her colleagues. Mayor Lee Brown honored her on May 9, 2002 when he proclaimed it Delores Hadnott Day in the City of Houston. In 2006, she received the 42nd Annual Founders' Day, Sojourner Truth Crystal and Professional awards. In 2009, I had the honor to present her with the 2009 Congressional Certificate of Special Recognition.

Finally, Mr. Speaker, Delores Thomas Hadnott will be missed dearly by her daughter, Crystal Denise, son, Lawrence Oliver, stepson, Lawrence Isaiah, grandson, Ashton Josiah, and daughter-in-law, Shakwanna. She will be remembered in the City of Houston as a dedicated public servant and valued community leader. May she rest in the peace she has so richly earned.

RECOGNIZING MASTER AGRICULTURIST DALE HINES

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KIND. Mr. Speaker, I rise before you today to congratulate a second-generation dairy farmer from my home district in western Wisconsin. Dale Hines is a hard-working man from the beautiful small town of Ellsworth who was recently recognized as a Master Agriculturist. This distinction, awarded by the magazine Wisconsin Agriculturist, recognizes Wisconsin farmers who not only display an ability to raise crops or livestock, but those who also dedicate significant time to their family, communities, churches, farm organizations, and other local efforts.

I'm proud to be from an area so rich with agricultural history—an area which celebrates and appreciates the hard-working men and women who work on our farms, raising crops and livestock, helping to put food on our tables. The family farm is an important American

institution, and Dale Hines and the rest of the Hines family are an embodiment of that spirit. As a child, Dale grew up surrounded by farming. Even at a young age, he spent his time milking his family's 30 Holstein cows along with his older brothers—a chore which became a full-time career for Dale after graduating from Ellsworth High School in 1977. Today, the Hines Ranch, which was recognized in 1987 as the Wisconsin Conservation Farm of the Year, has grown exponentially. They cultivate 810 acres of land and milk 80 cows, a herd which produces more than 28,000 pounds of milk per cow.

However, despite their farm's growth amidst the ever-changing world of farming, one thing has never changed for the Hineses: the importance of the family-run operation. Although only Dale's family lives in the farmhouse, the entire extended family is still very much involved with the farm's day-to-day operations. Everyone helps out in whatever way they can, whether it's helping with the planting and harvesting of the crops, constructing all of the farm's buildings, or keeping track of the books—a task which Dale's 85-year-old mother Joyce still does to this day.

The Hines family is truly an example to follow, both due to the success of their farm and the importance they place on family. It is with great pride that I rise today and congratulate Dale Hines, a dedicated father, farmer, and citizen, on having received proper recognition of the hard work that he and his family have put forth over the last half-century. He is truly deserving of the title of Master Agriculturist, and I wish him and the rest of the Hines family all of the best in the future.

IN RECOGNITION OF STEPHANNIE FINLEY IN HONOR OF HER SERVICE TO THE COLORADO SPRINGS CHAMBER OF COMMERCE

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. LAMBORN. Mr. Speaker, I rise today to pay tribute to Stephannie Finley, the outgoing President of the Colorado Springs Chamber of Commerce Governmental Affairs and Public Policy Division.

Stephannie began her career working for a small food distribution business that served Peterson AFB, the Air Force Academy, and Ft. Carson. After the business was sold, Stephannie entered the world of politics.

She has extensive experience including: working for the White House Advance Team in the early 1990s, serving as a staffer to the Colorado General Assembly, the Chief of Staff for Colorado's 3rd Congressional District, the Director of State Government Relations for the University of Colorado, and the Chief of Staff to Lt. Governor Jane Norton.

Stephannie first joined the Chamber in February of 2006. She has been a passionate and dedicated servant to the Front Range of Colorado, and I extend her my sincerest thanks and wish her the best of success in her future service.

“UNBROKEN”

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. POE of Texas. Mr. Speaker, on a fateful day in May 1943, bombardier Louis Zamperini and his fellow airmen were flying in a B-24 over the Pacific Ocean on a reconnaissance mission. The plane fell apart mid-flight, crashing into the middle of ocean and killing all but three of the 11-man crew.

In the midst of the catastrophe and chaos, Louis along with his pilot Russell Allen Phillips and tail gunner Francis McNamara, found a small rubber life raft. All three avoided sharks, dodged bullets from Japanese aircraft and devised ways to catch rainwater, fish and sometimes birds.

After 33 days on the raft, Francis McNamara died. The chance of rescue for the other two men seemed bleak, until day 47, when their raft finally made landfall in the Marshall Islands.

Once they reached the island, Louie and Russell were immediately captured by Japanese forces and put in a POW camp where they were imprisoned for over two years in several infamous camps, including Ofuna, Omori and Naoetsu. Thought dead by his family, Louis faced torture worse than death.

One particular brutal guard, nicknamed “The Bird,” planned to make an example of the famous Olympian. Louis would look away from The Bird’s eyes and get punched for looking away; Louis would stare into The Bird’s eyes and get punched for staring at his eyes. The Bird would then whip Louis with a 2-pound steel buckle across the face and head. The Bird would torture, starve and force Louis to perform demeaning acts every day. It seems unthinkable, but during the two years of abuse and torture, Louis never broke down. That is a resilient spirit.

Finally, almost 28 months after his plane crashed, Louis was brought home to California. Louis tried to balance the horrors of his imprisonment with his new found celebrity status in America. His life began to spin out of control. This is not where his story ends.

Louis attributes getting his life back on track to a young evangelist named Billy Graham who inside a revival tent changed Louis’s life forever. After his reconfirmation to his God, Louis became a missionary to the same country that had held him captive. In Japan, he preached the good word of forgiveness to the guards that tortured him during the war.

Laura Hillenbrand tells the tale of the great American hero Louis Zamperini in the appropriately titled book “Unbroken.” Born in Olean, New York in 1917, Louis moved to Torrance, California with his Italian-American family in the 1920’s. Like most rural American children of the era, he grew up poor in the Depression.

Louis’s teenage years were far different from the life he leads today, but, they were a precursor to the spunk he still exhibits some 80 years later. In his younger years, he was in and out of trouble with the law, having established a reputation on the streets of Torrance as a fighter and a thief. It was here that his older brother, Pete, discovered Louis’s talent for running.

In an effort to restore his street reputation, Louis joined the high school track team. Pete helped develop Louis’s natural athletic speed by training him, first for the mile run. By his senior year, Louis set the world’s high school record in the mile run. Soon after, he qualified to run in the 1936 Berlin Olympics where he was the top American finisher in the 5,000-meter run.

At the Berlin games, Louis’s speed caught Adolf Hitler’s attention, and Hitler sought him out for a congratulatory handshake. The dictatorship that Louis witnessed in Berlin would soon affect him personally.

After returning from the ’36 Olympics, Louis enrolled at the University of Southern California where he earned a track scholarship. It was five years later that Louis enlisted in the U.S. Army. After Pearl Harbor, Louis was sent to Houston to train in the U.S. Air Corps bombardier school. From there, he served as a bombardier in the South Pacific during World War II.

Louis is now 94 years young. Louis has done more in his life than many can claim: he ran in the 1936 Berlin Olympics; fought in the Second World War; survived a plane crash into the ocean; and endured two years of torture at Japanese POW camps. Having lived for nearly a century, Louis still travels the country telling his story and inspiring generations to come. He still has the fight left in him—don’t let his age fool you.

Today, Louis still travels the world and tells his story of endurance and survival. His patriotic legacy of military service and plain old giving back is one of the best examples of our greatest generation in American history. Louis is that special warrior who never forsook his duty and never forsook his honor. He was unbroken.

And that’s just the way it is.

IN REMEMBRANCE OF JUDGE
PETER SIKORA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor Cuyahoga County Juvenile Court Judge Peter M. Sikora.

Born on December 11, 1951, Judge Sikora was a lifelong Clevelander. He attended St. Ignatius High School where he ran track, cross country and played on the hockey team. Tragically, at the age of 17, Judge Sikora suffered a life altering trampoline accident that left him in a wheelchair. However, he was able to overcome his injury and have a successful career as a judge.

After earning an associate’s degree from Cuyahoga Community College and graduating as valedictorian from Baldwin-Wallace College, Judge Sikora earned his law degree from Case Western Reserve University. He went on to serve as deputy legal counsel for Governor Celeste in the mid-1980s before becoming deputy director and general counsel to the Ohio Department of Mental Retardation and Developmental Disabilities.

In 1989, former Governor Celeste appointed Judge Sikora to the Cuyahoga Juvenile Court

where he continued to be re-elected for consecutive terms until his passing. He was the most veteran judge at the Cuyahoga County Juvenile Court. In addition to his service, Judge Sikora was a dedicated and active member of the Greater Cleveland community. He was a board member for the Cleveland Ballet, International Services Center, Health Hill Hospital for Children and MetroHealth Rehabilitation Institute of Ohio.

I offer my condolences to his sister, Linda Baxendale; nieces and nephews, Nathan (Sara), Jared (Ashley), Aaron (Suzanne), Leah, Molly, Claire, Ava, Hatcher, Briley, Mary Grace and Jack; his caregiver, Jean Foutz and his court staff.

Mr. Speaker and colleagues, please join me in honoring Judge Peter Sikora, who dedicated his life to serving the Greater Cleveland community.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 26, 2012 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

APRIL 27

10 a.m.

Finance

To hold hearings to examine the nominations of Mark J. Mazur, of New Jersey, and Matthew S. Rutherford, of Illinois, both to be an Assistant Secretary of the Treasury, and Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission.

SD-215

MAY 9

10 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy, Executive Office of the President.

SD-342

HOUSE OF REPRESENTATIVES—Thursday, April 26, 2012

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLORES).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 26, 2012.

I hereby appoint the Honorable BILL FLORES to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, with the unfortunate Arizona State immigration law under review by the Supreme Court, it's an appropriate time to take a step back and look at the big picture. Mexico is exhibiting some of the demographic changes taking place around the world that are seen in the most extreme forms in places like Japan and Italy, where birth rates are falling, their populations are aging, and dramatic stress is placed upon their economies.

It's not yet to that point in Mexico, but the game has definitely changed. In contrast, the United States has had a growing and vibrant population, in no small measure because we've been energized from people around the world. It's time to consider our immigration policies and practices for the future.

Even though there's been no more contentious issue in American politics than that of immigration, the situation surrounding Mexican immigration has changed profoundly. As I men-

tioned, the birth rate is falling, and for the first time as many people are leaving the United States for Mexico as are arriving from Mexico in the United States.

Illegal entry is clearly declining. The number of arrests at the border demonstrates that. People are being deported in greater numbers than ever before. It's not that there isn't still a problem. There are still some bad actors coming across the border, no mistake about it.

There are important opportunities to concentrate on what's important, such as people who are dealing with drugs, pose security threats, and who are criminals. Wasting resources on a scattershot effort on people who are here just to work or to be with their families is not particularly a wise use of resources, and it doesn't make us any safer.

It's past time to deal with the millions of people who are already here and part of the fabric of our communities. Often, they are with families that include children who are citizens and other family members who are citizens as part of an extended family. It's not just the members of those extended families that rely on one another; America relies on these millions of people, as the Alabama legislature found out with draconian efforts to try and deal with illegal immigrants—and legal immigrants, by the way—that ended up almost ruining a number of their farmers, and their legislature had to backtrack.

Immigrants have always been a source of America's strength. Our current policies inflict damage to the realities of those family ties, especially to children who are already citizens.

We also do other dumb things. We deny VISAs to smart people who are educated at great expense at some of the finest institutions in America with important skills that will be valuable to business. We make it hard for them to work here. Unfortunately, if their skills are going to be utilized, too often they end up being hired by foreign overseas competitors, or American companies have to create jobs for them overseas.

There are a half-dozen pieces of legislation in a piecemeal fashion that will make it better. One of the most important is the DREAM Act, which would allow children who were brought here at an early age to be able to earn the right to citizenship if they have done well with their education or serve in the military.

I'm pleased to see all of these different pieces of legislation that would bring a measure of rationality and fairness gaining support. The most important thing we can do is return to that spirit of bipartisan cooperation that was exhibited by the late Ted Kennedy and, by the way, how JOHN MCCAIN used to be, before he ran for reelection in today's Arizona, because they were sponsoring comprehensive immigration reform. They didn't rely on half a dozen pieces of legislation, but really looked at the problem holistically for the people involved, for the community, and for the country. They would have a thoughtful path to citizenship that people could earn, not being granted amnesty but by paying taxes, learning the language, demonstrating a clear commitment to what it takes to be a constructive part of the community.

Comprehensive immigration reform is what ultimately will help us unwind this problem, save money and heartache, and get about the business of building a stronger American future for all our families.

YUCCA MOUNTAIN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, I come to the floor again, as I have in the past 2 years, to talk about the location of high-level nuclear waste around this country and compare and contrast it with where we have high-level nuclear waste, mostly spent nuclear fuel, but other types defined as waste, and compare it to where it should be based upon a 1982 law, the Nuclear Waste Policy Act and the 1987 amendment to that law which identified Yucca Mountain as the location where we should be storing high-level nuclear waste.

Today we go to the Pennsylvania and West Virginia areas, and we compare Yucca Mountain with a nuclear power plant called Limerick. At Yucca Mountain, currently there is no nuclear waste on site. At Limerick, there are 1,143 metric tons of uranium spent nuclear fuel on the site. At Yucca Mountain, the waste would be stored, if it's there, a thousand feet underground. At Limerick, you can see waste is stored aboveground in pools and casks. That's above ground.

If it was stored in Yucca Mountain, it would be a thousand feet above the water table. Why is that? Well, Yucca Mountain is in a desert, so that's why

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the water table is very, very low. Well, at Limerick, the waste is stored 20 feet above the groundwater.

Finally, Yucca Mountain is 100 miles from the Colorado River. Limerick is on the Schuylkill River 40 miles from Philadelphia. Yucca is about 100 miles from Las Vegas, Nevada. The importance of this is just to address with Fukushima Daiichi, and nuclear waste, and some difficulties we've had, and public policy being as defined by law. The question is, why do we still have nuclear waste in Pennsylvania right outside Philadelphia, and why don't we have it underneath a mountain in a desert?

The answer is—I know it would shock people—politics here in Washington, especially in the other Chamber, not complying with the law, along with an administration that is in league with those who have blocked a final scientific study for Yucca Mountain. What I have been doing is going around and looking at the senators from the States around the nuclear power plants that I have been addressing.

Where do they stand individually? Well, Senator CASEY, a relatively new Senator, has really been silent on that, although he has said, as a Senator from a State with 9 commercial reactors and 10 million people living within 50 miles of those reactors, I can tell you that nuclear security is extremely important to Pennsylvanians. Obviously the nuclear waste is not that important to him since he has been silent on Yucca Mountain.

Senator TOOMEY is quoted as saying the alternative is what we have now, highly active radio waste located at 131 sites in 39 States, including nuclear power plants close to the Lehigh Valley. That cannot be as safe and secure as burying the waste deep in Yucca Mountain. I would agree with the Senator.

Senator MANCHIN from West Virginia, who is relatively new, has been silent on what we should do with the high-level nuclear waste. Part of this process is to identify that and hopefully have him come out in a statement. Senator ROCKEFELLER voted “no.” His statement is, nuclear energy is touted by its proponents as a carbon-free option that should have its share of the Nation's electricity generation expanded.

□ 1010

Yet we have never figured out what to do about the permanent storage and human health and safety concerns regarding high radioactive waste with a half-life measured in tens of thousands of years. That's where I very much disagree with the Senator, because the Federal Government has spent 20 years and \$9 billion studying Yucca Mountain. Unprecedented 100 million-year projections were completed showing Yucca's safety. There is no safer place

in the entire United States for nuclear waste than Yucca Mountain.

So, then, I've been doing a tally across the country of the Senators and where they stand as of today. We have 48 who support Yucca Mountain and high-level nuclear waste; 18, we don't know. Hopefully, they'll get a chance to cast a vote. And we have 20 who are “no.” In the filibuster world that operates in the other Chamber, you know we really need 60. We're very close. In fact, if 12 of these 18 undecideds are “yes,” there should be no reason why we would allow Senator REID and the President of the United States to block further development and movement to take all of our high-level nuclear waste and store it safely in a mountain in a desert.

QUALITY OF LIFE ISSUES OF THE DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Yesterday, the guest chaplain asked that the House of Representatives be blessed and that each Member of the House of Representatives be blessed. In our opportunity to be free in our expression of religion, I ask that each of us bless this Nation. For that reason, I set this morning to discuss just a series of issues, hoping that we can improve the quality of life of not only Americans, but people around the world.

First, we have to clean up our house. And so I express outrage of the actions of two former TSA workers—TSO officers and two present TSO officers.

All of us can fall short because we are human, but the outrage of participating in drug trafficking right here in the United States as an official of the United States Government should be condemned by all of us, and I will call for immediate hearings to ensure that the culture of TSO officers, besides their frontline duty, is to respect the job and the task. As a champion of their work, believing that their work is vital to the security of this Nation and the fact that we have not been attacked on our soil since 9/11, I call for immediate investigation and response.

This morning, as well, we determined that the Secret Service, who finished quickly an investigation of the Colombian debacle dealing with sex workers, prostitutes, we now have discovered through a contractor that, in fact, actions occurred in El Salvador. We thought it might not be the culture. But let's own up and begin, as necessary, to purge those who are reckless in their behavior. Thank you to the men and women of the Secret Service who have always done their duty. But to the dastardly deeds of these who think it's a playground: Get out now. There is no tolerance for this kind of behavior.

Let me move immediately to the work in Syria. I was the first Member to go to the Syrian Embassy to ask for the fall, or the removal, of Dr. Assad, and we have been moving along while others have been slaughtered. Meetings and discussions at the U.N. National Security Council, a special envoy—“do this and do that”—while women and children are being slaughtered, it is time for there to be a stronger statement on the removal of Dr. Assad and the increase in U.N. peacekeepers. The people need your help in Syria. The bloodshed continues and the fear is insurmountable, almost. It is necessary on behalf of their human rights to be able to move quickly in Syria.

As the Supreme Court has discussed the Arizona law, I hope that we can bless America by having comprehensive immigration reform. I hope we can understand that there are laws that work well. Just helping a Korean student who was shot in my jurisdiction whose father was denied entry because of his language and didn't understand, he now has been granted humanitarian parole. Let's have comprehensive immigration reform so that we don't have States who are stopping families who are U.S. citizens in the streets of Arizona, profiling them because of this dastardly law, that we don't have police officers having to become immigration officers while they need to be rescuing people and saving people. Let's do the decent thing. Let's bless America and have comprehensive immigration reform.

Then, of course, the Senate is debating the issue of the Violence Against Women Act, an act that as a new Member of Congress I had the pleasure of both cosponsoring and writing amendments as a member of the House Judiciary Committee, and it is sad that we have a divide on the Violence Against Women Act that has bipartisan support. This House should take up the Leahy bill immediately as it passed the Senate. Do you realize how many women are being killed a day, an hour, because of the domestic violence that this particular act helps to outreach, provide resources, counseling and opportunities to be able to nurture those women and to be able to ensure that they are safe?

As a former board member of the Houston Area Women's Center that has been a living example of protecting women against dastardly violence and, of course, men who are subjected to domestic violence, it is, unfortunately, a form of an epidemic in this country, as we have seen with bullying. We have to be able to bless America and have people turn internally. Let them seek help. But why stall the passage of the Violence Against Women Act which, in fact, will provide the nurture, comfort, and resources and the national statement that we abhor and stand against violence against women and others who

are being impacted violently against this Nation.

As a Member who stood along Chairman Hyde many years ago, the late Chairman Hyde, the chairman of the House Judiciary Committee, a Republican who stood alongside of us to say he stands with legislation to protect women, get the Senate to do its business and let the House do its business. Let us bless America.

HONORING COACH PAT HEAD SUMMITT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I rise today to offer my praise to one of Tennessee's true living legends.

Born in Clarksville, Tennessee, in Tennessee's Seventh Congressional District, Coach Pat Head Summitt paved the way for women athletes at Cheatham County High School and then at the University of Tennessee-Martin. She was an exemplary student athlete, and today the gym at UT-Martin is named in her honor.

She took the reins at the University of Tennessee in 1974, and she has led the Lady Vols to an unprecedented 31 consecutive NCAA Tournament appearances. In her time as a coach, she has coached 12 Olympians, 20 Kodak All-Americans, and 77 All-SEC performers. After 1,098 career wins over 38 seasons, Pat Head Summitt is the all-time winningest coach in NCAA basketball history.

Pushing excellence both on and off the court, Coach Summitt prepared her players to be successful women when they hang up their jerseys. We will remember her legacy at UT for two things: winning games and, most importantly, graduating players. Every Lady Volunteer—every Lady Volunteer—who finished their eligibility at the University of Tennessee graduated from college. That is a statistic to cheer about. Coach Summitt has dedicated her career and her magnificent journey to the great game of women's basketball and to the student athletes she has championed.

This week, we have welcomed Coach Summitt and her son, Tyler. They've been here in D.C. with us this week as we have saluted her career and as we cheer her as she now coaches millions of volunteers in fighting Alzheimer's and early onset dementia.

Thank you, Coach Summitt, for leading by example both on and off the court.

□ 1020

ISRAEL INDEPENDENCE DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Ladies and gentlemen of the House, 64 years ago, the State of Israel was born out of the hope of a generation and on the heels of history's darkest human tragedy. Notwithstanding the many grave challenges that it has faced since that day and still in our time, Israel has achieved a thriving economy, a strong national defense, and an important role as a member of the family of nations.

Israel's existence itself is a powerful symbol of the Jewish people's resolve never again to permit its sons and daughters to face the threat of persecution or genocide. On my many visits to Israel, I have witnessed the triumph of a dream—a beautiful dream that sustained the Jewish people for 2,000 years and that has been fulfilled through the blossoming of a desert, the emergence of Israel's high-tech economy, and the freedoms of speech, press, and religion for its citizens of every faith.

Israel continues to impress the world with her achievements in business, technology, sports, the arts, and the defense of human rights. They are even more remarkable when considering the very real dangers Israel faces in the form of terrorism, regional instability, and the threat from Iran.

For Americans, Israel's peace and security has always been an important national interest of the United States of America. As President Obama has made very clear, our countries will continue to work closely together to prevent a nuclear-armed Iran. Not only do the United States and Israel share common interests; we also share common values. Democracy, equal opportunity, human rights, and a yearning for peace are the ideals we hold in our hearts, and together we have worked for 64 years to defend them and promote them.

On the anniversary of Israel's independence, Americans continue to stand side by side with Israel as it pursues peace and security for its people and, yes, for its region.

I pray for the peace of Israel and its people and for all the people of that troubled region. And I know the strong bonds between our nations will endure for generations to come. Those futures were what we worked so hard to make possible for thousands and thousands.

INTERNATIONAL WOMEN OF COURAGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, in March, the United States recognized 10 women who were risking their lives to bring about justice in their countries. These women were honored in the United States as the 2012 International Women of Courage and visited Congress to share their stories and give a voice to the people of their countries who have nowhere else to turn.

I had the privilege of meeting with each of these women and listening to their stories and learning more about their fight to end human rights abuses and to make the world a better place. I was impressed with their strength, their courage, and want to share some of their stories with you here today so that we can continue to speak up for those who have no voice.

Maryam Durani is from Afghanistan. At age 27, she is the director of Women's Association for Culture and speaks out for the rights of women and girls in Kandahar province. Her life has been threatened numerous times, and yet she continues to fight for women in Afghanistan and has started the only female-focused radio station in the nation. She received the International Women of Courage Award for "striving to give a voice to women through the power of media, government, and civil society."

Pricilla de Oliveira Azevedo is from Brazil. She is 34 and serves as the General Coordinator for Strategic Programs for the Rio de Janeiro State Secretariat of Public Security. She is one of the most senior officers in the Police Pacification Units in her country and has worked to end drug-dealing operations in Brazil. She arrested a gang of criminals who had once kidnapped her and is working with the state and local governments to improve conditions throughout Brazil. She received this award for "integrating previously marginalized populations into the larger Rio de Janeiro community."

Zin Mar Aung is from Burma. At age 36, she is a democratic activist who was a former political prisoner and was held for 11 years because of her efforts to promote democracy, women's empowerment, and conflict resolution in Burma. She received this award for "championing democracy, strengthening civil society, and empowering individuals to contribute meaningfully to the political transformation of Burma."

Jineth Bedoya Lima is from Colombia and at age 38 is an investigative journalist. While on assignment, she was repeatedly raped and left in a dumpster. She was left in this dumpster by her attackers and told that they were sending a message to the Colombian press. Since that horrific attack, she has spoken out against sexual violence and has become a role model for women in Colombia. She was given this award for "her unflinching courage, determination, and perseverance fighting for justice" all around the globe.

Hana Elhebshi is a 27-year-old architect from Libya who contributed to the proper documentation of the violence during the revolution in her country. She also is an advocate for women's rights in her country and received this award for "courageous advancement of the cause of freedom of expression and promotion of women's rights during

times of conflict and transition in Libya.”

Aneesa Ahmed is from Maldives and founded Hope for Women. She advocates for ending gender-based violence in Maldives and has served as the Deputy Minister of Women’s Affairs. She received this award for “courageous advocacy of women’s rights and protection from domestic violence.”

Shad Begum is 33 and is from Pakistan. She is a courageous human rights activist. She provides political training, microcredit information and more to women in her country. There have been numerous attempts to end her life, but she remains committed to advancing women’s rights and even won a local office in her country. She received this award for “fearlessly championing Pakistani women’s political and economic rights.”

Samar Badawi is from Saudi Arabia and at 31 monitors human rights in her country. She is the first woman in Saudi Arabia to file a lawsuit against the government demanding that women have a right to vote. She won this award for “demonstrating significant courage in her activism while becoming a champion in the struggle for women’s suffrage and legal rights in Saudi Arabia.”

Hawa Abdallah Mohammed Salih is from Sudan and is a human rights activist. Forced to flee Darfur, she lived in an internally displaced persons camp and has since spoken out against human rights abuses in these very camps and has advocated for women’s rights in her country. She has been persecuted by the Government of Sudan and forced to flee her country. She received this award for “giving a voice to the women and children of Darfur.”

Safak Pavey is a member of the Parliament in Turkey and is the first disabled woman elected to Parliament in her country. She is working to empower the disabled, women, and minorities in Turkey. She received this award for “her personal dignity and courage.”

Mr. Speaker, I want to just simply say that these women act as a role model for all women across the country, across the world; and we must stand up for women’s rights.

SMART SECURITY: A STRATEGY THAT INVESTS IN AFGHANISTAN AND ITS PEOPLE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, last weekend, the United States Government and Afghanistan reached a strategic agreement to define the terms of the relationship between our two countries in the near-term future.

First of all, this agreement affirms that our combat troops will not leave

Afghanistan until 2014, which is far too slow a timetable. Don’t we have enough evidence right here after 10-plus years that we’re not making America safer with this war, we’re not minimizing the terrorist threat, and we’re not bringing stability and security to Afghanistan?

How much more will Americans be asked to sacrifice? How many more tens of billions in taxpayer dollars will be wasted when we have so many needs right here at home? How many more Americans have to come home in a casket? How many more will take their own lives because the mental health distress of serving in a combat zone becomes too much? How many more have to spend the rest of their lives in a wheelchair, or without a limb or limbs, because of injuries suffered in an immoral and unnecessary war?

□ 1030

Believe me, Mr. Speaker, there is not a minute to waste. Now is the moment to end this war and bring our troops home.

The meeting this weekend does, however, show the importance of a plan going forward, a plan that will define the terms of our engagement with Afghanistan after the war is over.

I’ve always said that ending the military occupation does not mean abandoning Afghanistan. The question is, what form will our partnership take? And on that question, the agreement signed this weekend provides very little guidance.

According to The Washington Post, in fact, and I’ll quote them, they say: “The specifics of the U.S. commitment to Afghanistan have yet to be formally outlined.”

Then The Post adds that “the document provides only a vaguely worded reassurance, leaving many to guess at what the U.S. commitment means in practice.”

Well, Mr. Speaker, we need more than a guess. We need a clear strategy for investing in Afghanistan and it’s people. And while a lot of the talk has been about continuing to shore up Afghan security forces, we need a much more comprehensive approach.

In short, we need to implement SMART Security, the strategy that I’ve spoken of from this spot hundreds of times since 2004. SMART Security would replace our military surge with a civilian surge. It would put humanitarian aid in front and center. It would emphasize development and diplomacy instead of invasion and occupation.

It would mean, in place of troops and weapons, we send experts with tools and resources to rebuild Afghan infrastructure, hospitals, and schools. It would mean investing in programs to improve maternal health and child mortality. It would mean a focus on democracy promotion and rebuilding civil society in Afghanistan. It would

also mean shifting the emphasis to peace-building, conflict prevention, and human rights education.

This approach would save lives. It would promote peace. It is a superior counterterrorism and national security strategy. It will keep the American people safe. It will advance our values in a way that a decade of war clearly has not.

We can’t wait until 2014, Mr. Speaker. We need a SMART Security approach in Afghanistan, and we need it now. And we need to start by bringing our troops home.

HONORING OUR COUNTRY’S VETERANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of South Carolina. Mr. Speaker, I rise today in honor of our country’s veterans, and I want to begin briefly by mentioning an organization that helps veterans that was recently brought to my attention, Patriot Outreach, a nonprofit organization to assist our military with getting the help they need to deal with the trauma associated with aspects of military service. You can learn more about that at PatriotOutreach.org, and I think they’re doing a great service for our veterans.

Benjamin Disraeli once said that “the legacy of heroes is the memory of a great name, and the inheritance of a great example.” In our country, some of our greatest heroes are veterans, individuals who answered our Nation’s call to protect and defend our freedom.

Our veterans are one of our Nation’s greatest treasures and, as such, our country has given them a firm promise. Because of their willingness to protect us with their service, when their service ends, we promise to take care of them. But, unfortunately, if you talk to veterans today, they don’t believe that our government is living up to their promises.

When we made the commitment to take care of our troops when they returned home, we never said anything about making them jump through hoops or navigate a complicated bureaucracy. We promised our veterans the Moon and, instead, have failed, in many instances, to provide them with the most basic of care.

As of March 16 this year, the Columbia, South Carolina Regional Office of the Veterans Administration had over 21,927 pending cases, with an average wait time of 232 days.

Survivor benefits for veterans’ spouses can take between 10 and 18 months to be disbursed, and sometimes even longer, depending on the health status of the beneficiary.

My office is currently assisting a constituent who contacted us because

he has had 12 claims pending before the VA, which date all the way back to 2004. Another constituent has had her claims delayed over 18 months because she's been told by the VA that they don't have medical records. Now, this is despite the fact that she's already sent the VA her medical records twice by certified mail.

Unfortunately, claims aren't the only backlog facing the VA. Veterans are also facing delays in seeking medical attention. A lack of doctors and inefficiency in the system have forced some veterans to have to wait months to receive medical care.

Mr. Speaker, to put it simply, the VA isn't clicking and ticking. Despite the best intentions of VA personnel to deliver a high level of service and care to our veterans, too many of our former servicemen and -women are falling through the cracks.

In the Third District of South Carolina, we recently created an advisory committee composed of retired military veterans to provide insight into some of the problems that they're facing today. Their view is not that the law needs to be changed necessarily, but that the spirit of the law is not being followed. Veterans were promised certain benefits and, in too many cases, they are still waiting to receive them.

In addition to the mounting pile of problems regarding veterans services, I'm deeply concerned that veterans will be negatively impacted by the implementation of ObamaCare. The clear goal of the Obama administration's unconditional and unconstitutional health care law is to begin lumping our servicemen and -women into the bureaucracy of ObamaCare. Not only do I think that this breaks a promise made to our veterans, but I'm afraid it will make an already bad situation worse.

In conclusion, Mr. Speaker, we can do better; and for the sake of our living heroes, we must do better. Let us not forget the promises that we've made to our veterans, and let us not just honor our veterans with our words, but let's also honor them with our actions.

Thank you. May God bless our troops in the field, those here at home. May God bless those who have served our country in uniform, and may God continue to bless the United States of America.

DISCRIMINATORY VOTER IDENTIFICATION LAWS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, today I rise to talk about the discriminatory voter ID laws that are undemocratic and simply un-American.

The American Legislative Exchange Council, also known as ALEC, has long been a secretive collaboration between

big business and conservative Tea Party Republican politicians serving in this Nation's State and Federal legislatures. ALEC's goal is to advance the special interests of large corporations and the super-rich and wealthy by any means necessary.

Yesterday, I discussed how ALEC has fiendishly and unabashedly produced legislative policy that degrades our air and water quality and wrecks our environment. Last week, I outlined how ALEC has infiltrated our criminal justice system by producing legislation that stimulates higher and higher levels of incarceration, to the benefit and to the surging profits of the private for-profit prison industry.

And if that wasn't enough, with 194 days left until the general election, ALEC has been working hard to suppress the votes of the most vulnerable in our society. ALEC has met with its corporate allies and right-wing State officials behind closed doors to promote legislation to suppress the votes of likely Democratic voters.

By making it more difficult for people to exercise their right to vote, ALEC's model voter ID act grants an electoral advantage to Republicans, while undermining the right of individuals to vote.

In addition, ALEC has worked to make it easier for corporations to participate in the political process. Their Public Safety and Elections Task Force promotes model legislation that would disenfranchise millions of voters, devastate campaign finance reform, and allow for greater corporate influence in elections.

Mr. Speaker, it has injected these corrosive laws into our States, and they have spread like untreated cancer. Bills based on ALEC's model legislation have already been introduced in 34 States and passed in many of those States.

□ 1040

Voter suppression comes in many forms, from new voter ID laws to eliminating Election Day registration to restricting voter registration drives by community groups to reducing the number of days for early voting and limiting the number of days for voter registration. There is no doubt that ALEC is directly tied to the proliferation of these voter ID laws in the States' legislatures.

These policies are not about preventing fraud in the voting process. This legislation is solely about disenfranchising minorities, the elderly, and other at-risk voters, such as the poor, who are unlikely to have the technical kinds of ID that these pieces of legislation demand.

After the spotlight has started to shine on ALEC, they have come out publicly and said, Okay, we're going to get out of the public policy business. They're not going to not write any

more model legislation like the Florida "shoot first and ask questions later." They're not going to introduce any more of that type of legislation. They also have announced they're going to shut down their Public Safety and Elections Task Force, which is the committee that produced the voter suppression legislation.

That's a good thing. But the damage has already been done, and we're going to have to remain vigilant about this group, this shadowy group, ALEC, this unholy alliance between Tea Party Republican legislators and big business. We'll have to keep our eyes open. I'll have more to talk about in the coming days.

JONATHAN FRANK DAVIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WESTMORELAND) for 5 minutes.

Mr. WESTMORELAND. Mr. Speaker, I've come to the floor this morning with great sadness but also with a great sense of pride to honor the service of a Georgia hero, Private First Class Jonathan Frank Davis.

On March 29, 2012, Jonathan gave the ultimate sacrifice in Kandahar province, Afghanistan, while supporting Operation Enduring Freedom.

Jonathan was the son of Reverend and Mrs. Kerry Davis of Griffin, Georgia. His mother, Tracey, described him as tenderhearted, a tenderness that extended to both his peers and animals. His heart was so large that they now have numerous pets running around their home due to Jonathan not being able to turn away a single stray.

His nurturing and giving nature was one of the things that was loved most about him. As a child, Jonathan always stood up for his classmates who were being bullied, and many of Jonathan's peers remember that he was the first to come to their defense. He was willing to give his shirt off his back to help others and was always concerned about the well-being of everyone around him, especially those less fortunate.

Jonathan was playful and strove to make others happy, either by playing funny pranks on them or with his unforgettable smile that could light up a room. Jonathan attended Griffin High School, where he played soccer, and after graduation, he, like myself, married his high school sweetheart. Her name is Kristen.

Kristen is expecting their first child, and Jonathan talked all the time of how excited he was to become a father. He carried the sonogram of baby Benjamin in his wallet everywhere he went and couldn't wait to teach their baby boy soccer.

Jonathan's unwavering courage, huge heart, and strong Christian faith are the reasons why he answered his calling to join the Army. He was assigned

to the 4th Squadron, 73rd Cavalry Regiment, 4th Brigade Combat Team of the 82nd Airborne Division at Fort Bragg, North Carolina. He was pursuing a medical career after the Army and, having already completed part of his EMT and paramedic training, was on the path to attending medical school.

Jonathan was part of a scout group sweeping an area in Afghanistan and doing what he does best—protecting others—when his group came under enemy fire and he suffered fatal wounds. At only age 20, Jonathan was taken from us much too soon. On April 7, the First Assembly of God Church in Griffin, Georgia, celebrated the life of Jonathan, and he was laid to rest by his close family and friends.

I am proud to stand before you and honor the life of PFC Jonathan Davis and thank him for his dedicated service to our country. His endless generosity and brave spirit are among the many reasons he will be missed so much by all who had the privilege to know him.

Joan and I extend our deepest sympathy to the friends and family of Jonathan, and we will never forget his great sacrifice for our Nation and those that allow us to live free every day.

Jonathan, until we meet again some day, thank you, Brother.

STOP MILITARY RAPE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, I rise again for the 19th time to highlight the epidemic of rape and sexual assault in the military.

By the military's own figures, 19,000 sexual assaults and rapes occur each year, but only 13 percent of the members of the military actually report them.

Last week, I met with Secretary of Defense Leon Panetta, along with my colleagues, to discuss DOD's new report of data on rape and sexual assault in the military. The report shows a slight increase in reports of rape and assault but a startling decrease in the number of charges brought against reported perpetrators. With a decrease in charges came a significant decrease in prosecutions, in punishments, and in convictions. The numbers, frankly, are very discouraging.

When I left the meeting, I was only pleased about one thing. Secretary Panetta and I agreed that the only way to solve this problem is with an increase in prosecutions. We agree on the results to be achieved, but for right now, we do not agree on the steps to achieve it.

After our meeting, Secretary Panetta announced new initiatives, but DOD's three major proposals will not increase prosecutions, convictions, or punishments.

Proposal one: elevate cases of rape and sexual assault to higher-ranking

officials in the chain of command. Military commanders today told me that many are already having them handled by colonels and captains, yet this does not result in more prosecutions. I believe the cases have to be handled by an impartial office within the military but outside the chain of command.

Proposal number two: establish a special victim's unit in each service of the military. These units have been in place in the Army since 2009. I'm impressed with the training program that is offered to the various members of the investigation and prosecution within the Army. But again, we have not seen an increase in prosecutions, convictions, or punishments as of yet.

Proposal three: create a centralized database of these proceedings and cases. This is a good thing. It's already required in the Department of Defense as a result of the NDAA 2009.

So for all intents and purposes, all of these initiatives are already in place to some extent. The problem is the chain of command, and let me explain.

Claudia Castillo, an Army corporal whose attempts for justice back in 2003 and 2004 were thwarted repeatedly by commanding officers, including a high-ranking lieutenant colonel, all of whom were unmoved by her reports of sexual assault and harassment.

Corporal Castillo was on combat deployment in Iraq when she awoke to a fellow specialist on top of her sexually assaulting her and using force. She was in shock and screamed until he left. She immediately reported the assault to her platoon sergeant, who responded with a lack of surprise or concern. He advised her to wait while he "looked into it." He did not have any advice for how she could get help or go forward.

Corporal Castillo also encountered several incidents of harassment, stalking, and erratic behavior by a much older staff sergeant. She would wake up to find him standing by her bed while she slept. Her reports to command were greeted by ridicule and not taken seriously.

□ 1050

Command discretion empowers a commander to decide if the case goes forward to a court-martial. Even if very high-ranking commanders are in charge of these cases, captains and colonels are not shielded from the conflicts of interest that exist in the chain of command.

Victims should have the benefit of impartiality by objective experts, which is why my bill, H.R. 3435, attempts to do that. We need to overhaul the current military justice system, and I will continue to tell stories like Corporal Castillo's until military justice means justice for all.

DEE COOK—CHILD ADVOCATES OF FORT BEND COUNTY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Mr. Speaker, I rise today to recognize Dee Cook, a distinguished leader in my home community of Fort Bend County, Texas. For over 40 years, Dee has given her time and her energy to help with the children of Fort Bend County, in part through her commitment and support of Child Advocates of Fort Bend County, which fights on behalf of abused and neglected children.

Dee has served as the grant officer of the George Foundation since 1988. The George Foundation contributes to many worthy causes throughout Fort Bend County, and Dee has played a pivotal role in making sure the generosity of the foundation is directed to causes that help our communities the most. However, it is her generous contributions through the George Foundation to Child Advocates of Fort Bend County that bring me to the floor today.

By contributing her time, energy and resources, Dee has enabled Child Advocates to serve over 8,000 children throughout Fort Bend County. Under her leadership, Dee Cook has helped teach the staff and volunteers to be better leaders, more effective program managers, and to achieve the dream of helping the most vulnerable children in our communities in ways we never thought possible 20 years ago. Her contributions are helping children and, in turn, are strengthening our communities and neighborhoods. On their behalf, she has given a voice to those who desperately need one.

Dee's efforts to build philanthropic leaders do not stop with Child Advocates. She has also started an annual 8-month Leadership for Nonprofit Excellence course to teach the rising stars of Fort Bend County the skills they need to harness and grow Fort Bend's strong nonprofit community. Most importantly, she has led a cooperative effort between the George Foundation and the Sugar Land Chamber of Commerce to create Youth in Philanthropy, the YIP Team. The YIP Team is 100 Fort Bend County high school juniors and seniors who spend a school year seeing how volunteerism and philanthropy co-exist to serve our Fort Bend community. At the end of the school year, the YIP Team will put their knowledge to the test by awarding monetary grants to nonprofits—life changing, indeed.

I commend Dee Cook for a lifetime of service to Fort Bend County. I simply want to say to Dee, on behalf of the people of Fort Bend County, thank you. Fort Bend County would not be the county that we all know and love without Dee Cook.

In closing, Dee's love for Fort Bend County will be on display tonight at Constellation Field as Fort Bend's new pro-baseball team, the Sugar Land

Skeeters, has its first home game. I join Dee and the people of Sugar Land and Fort Bend County in saying, Go Skeeters.

STUDENT LOANS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Mrs. CAPPs) for 5 minutes.

Mrs. CAPPs. Mr. Speaker, we all know if Congress doesn't come together soon, interest rates on student loans will double on July 1. Rates will go from 3.4 percent to 6.8 percent.

Right now in our country, student loan debt is higher than credit card debt. This is a huge challenge and barrier facing students, their families and our economy. We cannot have our graduates leaving school with crushing debt. It limits the careers they can pursue, and we certainly don't want young people shying away from continuing their education because they know they'll never be able to afford it. We must keep open the doors of opportunity for all and, in the process, produce a well-educated workforce that's going to grow our economy.

But, if Congress doesn't act soon, more than 7 million low- and middle-income students nationwide will be required to pay more for their student loans. This would mean adding thousands of dollars to a college bill, and that's why I am a proud supporter of legislation to address this issue. I support ending some of the lavish subsidies we give to extraordinarily profitable oil companies and using that money to keep student loan rates from doubling and, at the same time, reducing our deficit by billions of dollars.

We must get our priorities straight. We should be investing in our students and bringing down our deficit instead of handing over taxpayer dollars to some of the richest corporations in the world. I urge my colleagues to join in this effort.

VA COMMUNITY-BASED OUTPATIENT CLINICS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. BOUSTANY) for 5 minutes.

Mr. BOUSTANY. Mr. Speaker, I recently received the first monthly update from the U.S. Department of Veterans Affairs since the announced delays associated with the Lafayette and Lake Charles VA Community-based Outpatient Clinics. VA Secretary Eric Shinseki's office followed through on my request for detailed monthly updates of the progress the VA is making with regard to these clinics in both Lafayette and Lake Charles. The errors in the contracting process were solely the VA's fault, and they've admitted it. I will remain vigilant in overseeing the expedited process to deliver south Lou-

isiana veterans the local care they need and deserve.

I am pleased to announce that there are new and much-needed services for veterans coming to Lafayette in early May. These services include home-based primary care, imaging and x ray services, prosthetics and dental care. For the veterans in Lake Charles, a mobile clinic providing primary care services is expected to begin June 4, and the selection of a location is under way. This will be a first for our veterans in Lake Charles who have had to travel far to get basic care. According to the VA officials, the Veterans Affairs' clinic primary care services will be available in Lake Charles 3 days per week also beginning June 4. Women's services will be provided 1 day per week in Lake Charles beginning then as well.

We need to do more, and we're going to do more. These are all very important services the veterans of south Louisiana deserve after sacrificing so much for our country. They should not have to wait any longer for this very much needed medical care. Expediting this process must remain a top priority for the VA.

Having cared for veterans in the VA system during my medical career, I know localized, personalized outpatient facilities and care are best for our veterans. This is a critical priority for our area. This is the least we can do for those who have fought on behalf of our country, and I am committed to ensuring that this unnecessary VA mistake does not repeat itself in the future. I will continue demanding accountability from the VA leadership on this and on other issues. I will continue to be the leading advocate for local veterans as we work to improve health care for our veterans in Lafayette and Lake Charles and in the surrounding communities of south Louisiana.

God bless those who have served our country. God bless America.

VIOLENCE AGAINST WOMEN ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Wisconsin (Ms. MOORE) for 5 minutes.

Ms. MOORE. Mr. Speaker, I come humbly to the well today, under the "E Pluribus Unum," to ask that there be swift bipartisan action in reauthorizing the Violence Against Women Act. VAWA's authorization, of course, lapsed at the end of the last fiscal year, on September 30, 2011.

□ 1100

Unfortunately, for every day that passes by, women pay the price. The annual National Census of Domestic Violence Services—a daily snapshot taken every year by the National Network to End Domestic Violence—found that in one 24-hour period in the United States, over 67,000 victims were served through emergency shelters,

transitional housing, counseling, legal advocacy, and more. Over 22,000 hotline phone calls were answered and over 26,000 people participated in domestic violence prevention and education training.

For all these people who are served, unfortunately, in the same 24-hour period, there are nearly 11,000 unmet requests for services because these programs neither have the resources to help these victims nor the authorizations based on best practices on how we need to change VAWA in order to meet the needs of women.

Our colleagues across the Capitol in the Senate are on the cusp of passing a bipartisan VAWA reauthorization bill that contains these provisions to strengthen our ability to combat not only domestic violence, but also sexual assault, dating violence, and stalking. And I'm so proud to say that right here on this floor, 1 month ago, I introduced a companion bill to the Senate legislation that contains these badly needed updates to reflect the input of numerous stakeholders and lays a path forward for VAWA.

The vision is to protect all victims, no matter what their gender, sexual orientation, immigration status, or whether or not they reside in sovereign territories or in States. These updates have garnered criticism from our colleagues on the other side of the aisle that offer fundamental, simple rights that ought to be guaranteed by the 14th Amendment.

For example, this bill would recognize the tribes' authority to prosecute non-Indians or Indians who abuse their American Indian spouses or dating partners on tribal lands. Fifty-two percent of women who are beaten, battered, raped, or stalked on tribal lands are not prosecuted because tribes have no authority. And on tribal lands, there is no follow-up and no prosecution.

The bill would also provide equal opportunity for areas that are in traditionally underserved areas, including those who have barriers because of their religion, gender identity, or sexual orientation. It's absurd to say that because you are a homosexual that you don't deserve protection from being beaten, stalked, or raped. And, of course, the Hippocratic Oath would have us scoop up a person who may be lying in the street, hit by a truck. We don't ask people for their immigration papers in order to intervene in a life-saving intervention. Why would we demand this of immigrant women?

We have got to ensure a more comprehensive response to the continuing problem of enforcement, reporting, and services for victims of sexual assault.

In spite of the strides we have made toward a new and improved VAWA, just yesterday the House Republicans put their so-called "clean" reauthorization bill on the floor. Let me tell

you this: it's clean, perhaps, because we don't want to sully our hands dealing with the beaten, stalked, murdered, and bullied butch-batterers, because we don't want to deal with homosexuality. We want clean reauthorization, a sleight of hand that keeps immigrant women in the shadows and keeps their pain and their battery and their victimization in the shadows and makes them invisible. We're actually sanctioning the abuse that occurs on tribal lands and providing a sanctuary for assailants who commit these crimes on native lands by not providing this authority to tribal nations.

I urge my Republican colleagues to work together with House Democrats to craft a truly bipartisan update of VAWA.

RECESS

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

Accordingly (at 11 o'clock and 5 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FLEISCHMANN) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day. Lead us this day in Your ways that our Nation might be guided along the roads of peace, justice, and goodwill.

Grant strength and wisdom to our Speaker and the Members of both the people's House and the Senate, to our President and his Cabinet, and to our Supreme Court.

Bless as well the moral and military leaders of our country, and may those who are the captains of business, industry, and unions learn to work together toward the mutual benefit of all, walking in the ways of righteousness and working for the highest good of our beloved land.

Grant us the courage to develop a sound energy program for the good of all, and may our people respond with willing hearts to make that program work.

Bless us this day and every day, and may all that is done within the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

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

PLEDGE OF ALLEGIANCE

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

Mr. HIGGINS led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

S. 1789. An act to improve, sustain, and transform the United States Postal Service.

The message also announced that pursuant to section 5 of title I of division H of Public Law 110-1, the Chair, on behalf of the Vice President, appoints the following Senator as Vice Chairman of the U.S.-Japan Interparliamentary Group conference for the One Hundred Twelfth Congress:

The Senator from Alaska (Ms. MURKOWSKI).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

YUCCA REPOSITORY BILL

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

Mr. WILSON of South Carolina. Mr. Speaker, in 2002, Yucca Mountain was approved as the location for our Nation's nuclear repository, which was previously authorized by Congress in 1987. In 2010, sadly, the President placed party politics over the interests of the American people and began the wasteful process of stopping the project.

Consumers in South Carolina have paid over \$1.3 billion for the establishment of a national nuclear repository at Yucca Mountain. In order to establish accountability and to protect the people living in the Second Congressional District of South Carolina, I have introduced the Yucca Utilization to Control Contamination Act. This bill gives the administration two options: first, certify the Yucca Mountain project or, second, face fines to reim-

burse consumers across the Nation who have paid for its opening.

The President constantly talks about fairness. It is only fair that the people of South Carolina receive the services they have already paid for with hard-working taxpayer dollars promoting jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

PATIENTS DESERVE CHOICE

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

Ms. CHU. Patients deserve choice when selecting the right prescriptions and pharmacies for them, but powerful, unregulated middlemen, known as pharmacy benefit managers, or PBMs, are limiting their options, and most people don't even know it.

These companies are telling doctors what drugs they can prescribe, limiting access to pharmacy patient care, and they're telling customers what pharmacies they can go to. That's not fair to patients. With the pending merger of two of the biggest PBMs, one company will control three-quarters of the private insurance market. This leaves us with even less competition, higher prices, and fewer choices.

That's why I support the Medicare Pharmacy Transparency and Fair Auditing Act. This bill will ensure that PBMs are transparent and fair when dealing with local pharmacies, and it will help make sure the Medicare part D prescription program works for seniors. It will be an important step in protecting pharmacy choice for patients.

SUGAR REFORM

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

Mr. PITTS. Mr. Speaker, last week, liberal MSNBC host Ed Schultz found himself agreeing with the Heritage Foundation and Mitt Romney. What issue could possibly unite liberals and conservatives? The answer is: sugar reform.

You see, sugar farmers and sugar processors benefit from a Federal sugar program that fixes prices and guarantees their profits. Indeed, Schultz noted that one of the biggest processors, American Crystal Sugar, makes \$1.5 billion in revenue and pays its CEO \$2.4 million a year in compensation.

While Schultz is, probably, mostly concerned about a labor dispute between American Crystal and its workers, I hope he will also consider the many other workers in sugar-using industries. The Federal program inflates the price of sugar in the U.S., placing American sugar users at a severe disadvantage to their foreign competition. In the last 15 years, more than

100,000 workers in sugar-using industries have lost their jobs.

I've been proud to work with Congressman DANNY DAVIS to reform this program and to make it fair for everyone. Democrats and Republicans, liberals and conservatives agree that the government shouldn't be guaranteeing corporate profits at the expense of workers and consumers. I hope the Ag Committee will reform the sugar program as we deal with the farm bill.

HORSE SLAUGHTER

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

Ms. SCHAKOWSKY. Mr. Speaker, I rise today about a serious issue: horse slaughter.

A recent poll confirms what many of us already know: 80 percent of American voters are opposed to slaughtering horses for human consumption. Regardless of gender, political affiliation, or whether they live in urban or rural areas, Americans oppose this awful practice.

The last U.S. horse slaughterhouses were closed in 2007 but, despite public opposition, Congress recently restarted horse meat inspections, paving the way for slaughterhouses to reopen. That's why we need to pass the American Horse Slaughter Prevention Act, which would prohibit the sale and transport of horses for slaughter in the United States, as well as prohibit their transport across the borders to Canada and Mexico. The passage of this critical bipartisan bill would save the lives of approximately 100,000 American horses exported for slaughter each year.

Horses have a special place in our Nation's history and folklore, and they are not raised for food. This bill would make sure that these majestic creatures are treated with the respect and dignity they deserve. It should be passed now.

□ 1210

SUPPORT FOR ISRAEL

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

Mr. DEUTCH. Mr. Speaker, today is Israel's independence day, Yom Ha'azmaut, and I recognize our great ally's many achievements over the past 64 years.

Israel has endured against all odds, against border attacks, against deniers of a right to exist, against international bias; and even in the face of the threats posed by Iran's nuclear ambitions, Israel valiantly strides forward.

Israel is a world hub for biotechnology, for medical research, green energy and innovation, and she is also

a welcoming home to those seeking freedom and equal rights as the region's only true democracy.

So as we celebrate Israel's independence day, let's remember why our bonds run so deep. It's more than strategic cooperation or shared security. It's the values that Americans and Israelis share. For democracy and freedom, for basic human dignity, that's what forms the bond; and it's a bond that I will always work to protect and support.

NATIONAL CHILD ABUSE PREVENTION MONTH

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

Mr. SCHILLING. Mr. Speaker, a few months ago I had the opportunity to visit the Children's Advocacy Center in my hometown of Rock Island, Illinois. The work that they do there to help children and their families that are victims of crimes is truly amazing, and I am grateful for their commitment to helping the children that need it the most.

April is recognized as National Child Abuse Prevention Month. Unfortunately, sexual abuse of children is still a serious problem in our country, and too many cases go unreported.

My colleague from California and I have introduced H.R. 3486, the Speak Out to Stop Child Abuse Act, which would require States that receive Federal funding under their Child Abuse Prevention and Treatment Act to have a law on the books that makes it a criminal penalty for any adult who knowingly fails to report the sexual abuse of a child.

H.R. 3486 simply asks States to help by requiring adults who witness the sexual abuse of a child to report it. I want to thank Congresswoman BASS for introducing this legislation, and I also recommend all of my colleagues help support this, also.

CHILD ABUSE PREVENTION

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

Ms. BASS of California. Mr. Speaker, I rise today to recognize April as National Child Abuse Prevention Month. During this month, it is important that we acknowledge the role that we all play in promoting the social and emotional well-being of children in our communities. Unfortunately, throughout this congressional term, we've been astonished by a few high-profile child sex abuse cases; and in some situations, the abuse was unreported for years, leaving dozens of youth vulnerable to further maltreatment for decades. This is unacceptable. Adults should never turn a blind eye after seeing sexual abuse firsthand.

Sadly, failing to report child sexual abuse is not new. In 1999, Sherrice Iverson, a 7-year-old girl from Los Angeles was attacked in a restroom. A witness didn't stop the attack or even call for help. She was ultimately murdered. Fortunately, California enacted a law in her name to help ensure this never happens again.

At the end of 2011, Representative BOBBY SCHILLING and I introduced a similar bill here in Congress. The bipartisan Speak Out to Stop Child Abuse Act requires all adult witnesses to report child sexual abuse to law enforcement or Child Protective Services. I ask my colleagues to cosponsor this bipartisan bill.

EPA

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

Mr. FLEMING. Mr. Speaker, the EPA is out to get you and crucify you. That's the message from one of President Obama's EPA appointees to our country's oil and natural gas companies.

Yesterday, we learned that an official at the Environmental Protection Agency based in Dallas used the Roman Empire to illustrate the kind of philosophy that he's followed at the EPA. Here's what he said:

The Romans used to conquer little villages in the Mediterranean. They'd go into a little Turkish town somewhere, they'd find the first five guys they saw, and they would crucify them. And then you know that town was really easy to manage for the next few years.

That's exactly what he did as an EPA official, going after a company that was safely using hydraulic fracturing to drill for gas. He led the charge to crucify this company with no proof that the company had done anything wrong in a case that was finally dismissed last month by a Federal court.

This is enviro-fascism at its worst; and if someone needs to be made an example of, it's this EPA official who disregarded science and facts to radically and negligently pursue the Obama administration's war on energy.

VA DISABILITY CLAIMS

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

Mr. MCNERNEY. Mr. Speaker, I rise to discuss issues affecting veterans throughout California, particularly the VA disability claims backlog and inaccuracy rates at the Oakland regional office.

A Vietnam veteran from my district, like many others across the country, is suffering from stage 4 lung cancer caused by exposure to Agent Orange. He made great sacrifices to defend our country, but waited for more than a year for the Oakland office to process his claim.

My office was able to help him, but such delays are unacceptable. Unfortunately, long waits have become the norm for veterans in northern California. With more and more veterans returning from Iraq and Afghanistan, it is imperative that the VA take action now to address the backlog in Oakland.

While I welcome the news that the entire staff at the facility will be retrained, much more is needed. I call on the VA to implement a concrete plan to address the inaccuracies and delays at the Oakland office. Our region's and Nation's veterans deserve no less.

STUDENT LOANS

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

Mr. HIGGINS. Mr. Speaker, I rise to discuss an important issue to young America: that's access to affordable higher education.

Young Americans today are graduating college with a degree but also with \$25,000, \$50,000, and \$100,000 in student loan debt. Thirty-seven million people have outstanding student loan debt totaling over \$1 trillion. Two-thirds of the debt held by Americans under the age of 30 is student loan debt.

In 2007, a Democratic Congress cut the interest rate on student loans in half to 3.4 percent, but it is set to expire this summer, and allowing the interest rate to double would constitute a tax hike on students in middle America.

In my western New York district alone, this rate increase would affect 62,000 students and their families. I urge my colleagues to take immediate action on this issue because all Americans deserve a fair shot at a good education.

□ 1220

LET'S HELP THE STUDENTS

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

Mr. DEFAZIO. Mr. Speaker, the House Republicans want to play politics on the issue of doubling the student loans. They say, well, the reduction in student loan interest rates was never supposed to be permanent. Guess what. The Bush tax cuts, which I voted against, for millionaires and billionaires were never supposed to be permanent either, but you're fighting to preserve them every step of the way.

We can do one simple thing here. If we raised the tax rate on income over \$350,000 only from 35 to 36 percent, we could give millions of students a more affordable education with lower interest rates. Those who have already made it would share a little bit of the

burden to help those who want to be the next generation of business leaders and political leaders and scientists for our country.

Come on, guys. The millionaires and billionaires, they can take care of themselves. That wasn't supposed to be permanent. Let's help the students.

GIRL SCOUTS

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

Mr. HOLT. Mr. Speaker, a century ago Juliette Gordon Low assembled 18 girls from Georgia for the first Girl Scout meeting. From "Daisy" Low's start, 50 million people have been counted among the ranks of the Girl Scouts of the USA, and today there is a membership of more than 3 million.

Today, Girl Scouts are involved in much more than cookies. I've had the privilege to see their wonderful community service projects, have attended award ceremonies, and I know about their work to introduce girls of all ages to math and science.

Recently, I had the opportunity to spend time with members of the Girl Scouts from West Windsor in Plainsboro, New Jersey. Their robotics team placed first in the Eastern Pennsylvania Division of the FIRST LEGO League, and they're competing in the World Festival in St. Louis this week. I send them my best wishes.

I'm inspired by the Girl Scouts, and I rise to honor all the work that the Girl Scouts have done over 100 years, and I wish them success for the next 100 years.

STUDENT LOAN REFORM

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, in a global economy, putting a college education within reach for every American has never been more important, but it has also never been more expensive.

Our Nation's young people have been hit particularly hard over the economic downturn in the last several years. In Texas and all across the country, students and recent college graduates are now facing the highest unemployment rate of any other group. Two-thirds of the class of 2010 graduated with an average of \$25,000 of student loan debt. Young Americans are rightly concerned about their future, and so am I.

Mr. Speaker, on July 1 of this year, Stafford loan interest rates are set to double unless Congress takes action. As we sit here as a Congress, we need to work together to prevent this increase. I, along with my Democratic colleagues in Congress and President Obama, have been working on a num-

ber of efforts to make college more affordable.

PROTECTING OUR FUTURE

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

Mr. COHEN. Mr. Speaker, the best thing Members of Congress can do to represent their constituents well is to stay in touch.

Today we had another teletown hall in my district, and we listened to seniors be concerned about Social Security and Medicare. They wondered why the Ryan budget takes away from them and why would Social Security and Medicare, which are good for so many years to come and not the cause of the deficit, why their future health care expenses and their daily expenses are being threatened. Those are good questions, and I let them know that the Democrats in this Congress and in the Senate aren't going to allow that to be jeopardized. We are going to maintain Social Security and Medicare as we know it. It's so important.

For the young people—and I see one up there. The young people, Mr. Speaker, need to see that student loan rates stay at 3.4 percent and not the way the Republicans are going to do it and pay for it by taking away cervical cancer screenings and mammograms for women. That's wrong. We need to protect our future, the future generations, be statesmen and not worry about tomorrow's election.

NATIONAL DAY OF PRAYER

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

Mr. MCINTYRE. Mr. Speaker, I rise today for the observance of the National Day of Prayer, which will take place next Thursday, May 3.

This tradition began under President Eisenhower and continued through peacetime and wartime, through times of prosperity and times of uncertainty, and demonstrates our commitment as a Nation to maintaining a foundation of prayer.

Through prayer, we acknowledge that God gives us peace in the midst of our circumstances, we seek the wisdom to know and act upon God's purpose for our lives, and we feel the power of God to protect and provide for those of us who call on His name. We know that the true source of power cannot be found here in the Halls of Congress or in the Oval Office in the West Wing or in the chambers of the Supreme Court, but only on our knees before the one who is the true source of power.

So may we pray not only next Thursday on the National Day of Prayer and join communities across this Nation

which are joining in prayer for our country, but may we do so also in honor and in recognition of our national motto, "In God we trust." Indeed, may God bless this great Nation.

RESPECT AMERICA'S CONSTITUTIONAL RIGHTS

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

Ms. HAHN. Mr. Speaker, we must hold the government accountable for the safekeeping of the sensitive information that we choose to share with it.

In response to a number of privacy concerns I have with the Cyber Intelligence Sharing and Protection Act, I sought to encourage more government accountability by cosponsoring a bipartisan amendment with Congressman WOODALL that was offered to the Rules Committee yesterday addressing some of these concerns.

Under the current bill, the threshold for having a cause of action against the government for disclosing personal information is exceptionally hard to meet. Our amendment would have lowered this threshold, ensuring that the government treats highly sensitive and personal information it receives with the utmost care.

While this amendment was a great example of Democrats and Republicans coming together on an issue that all Americans care about deeply, unfortunately, the Rules Committee chose not to move it forward.

While I believe it is important to protect our country against impending cyberattacks, it must be done in a manner that fully respects Americans' constitutional rights.

PROVIDING FOR CONSIDERATION OF H.R. 3523, CYBER INTELLIGENCE SHARING AND PROTECTION ACT; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; PROVIDING FOR CONSIDERATION OF H.R. 4628, INTEREST RATE REDUCTION ACT; AND FOR OTHER PURPOSES

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 631 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 631

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against con-

sideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-20. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time through the legislative day of April 27, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the following measures:

(a) The bill (H.R. 2096) to advance cybersecurity research, development, and technical standards, and for other purposes.

(b) The bill (H.R. 3834) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes.

(c) The bill (H.R. 4257) to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes.

SEC. 3. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

SEC. 4. The Committee on Appropriations may, at any time before 6 p.m. on Wednes-

day, May 2, 2012, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2013.

□ 1230

The SPEAKER pro tempore (Mr. FORTENBERRY). The gentleman from Florida is recognized for 1 hour.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. NUGENT. Mr. Speaker, I rise today in support of this rule, House Resolution 631. The rule provides for consideration of multiple pieces of legislation meant to provide solutions to some of today's most pressing threats and concerns. House Resolution 631 ensures that we'll be able to have a robust debate on important issues facing our Nation's cybersecurity infrastructure while also providing the path forward for student loan legislation that reflects quick action we need to take on this pressing issue.

First, House Resolution 631 gives this House the opportunity to be a leader when it comes to our Nation's cybersecurity needs. The rule also sets up the opportunity for us to vote tomorrow on a measure that addresses our Nation's student loan programs. Without this legislation, Americans with Federal student loans will see their rate double starting in July.

These are issues that cannot wait. Our Nation's security cannot wait. At a time when our workforce is so bleak and President Obama's policies keep digging us deeper and deeper into a financial hole, we cannot wait on finding a solution for those young people with student loan debt who are still trying to find a place in our workforce.

We all know that the Internet has fundamentally changed the way we live our lives day-to-day. I think it's safe to say that even 20 years ago, many of us in this room couldn't have imagined that one day we would live in a world where we could do almost anything we wanted, be it buy groceries, run a business, or talk to a loved one serving our country overseas, through a computer. The Internet has made all this possible.

But for all the ways the Internet has made life, business, and even government, to some extent, faster, more responsive, and more transparent, it has also opened us up to new threats. U.S. companies report an onslaught of

cyberintrusions that steal sensitive information. Even our own government has suffered from cyberattacks. This type of rampant Internet theft not only costs American companies valuable information, intellectual property, and research and development work, it also costs American workers their jobs. It's hard to say exactly how much cyberattacks cost our Nation's economy, but they could cost as much as \$400 billion a year, according to one report from the Computer Security Institute and the FBI.

Today, the House will begin consideration of a bill that will help protect our Nation from these kinds of threats. H.R. 3523, the Cyber Intelligence Sharing and Protection Act, would allow private companies to voluntarily share information with each other and with the government in a sort of public-private Internet security partnership. The bill includes significant safeguards to protect personal and private information. It significantly limits the Federal Government's use of that information that the private companies voluntarily provide, including the government's ability to search data.

It requires that the independent inspector general for the intelligence community audit information shared with the government and report the results to Congress to ensure regular oversight. It also encourages the private sector to make the information it shares with others, including the government, as anonymous as possible.

This is a strongly bipartisan piece of legislation, Mr. Speaker, that was passed out of the Intelligence Committee with an overwhelming vote of 17-1. In the Rules Committee yesterday, we heard testimony from both sides, speaking to the cooperative, bipartisan work that was done in this piece of legislation. I commend the work that the Intelligence Committee did with members on both sides of the aisle, as well as with private sector companies, trade groups, privacy and civil liberty advocates, and the executive branch. It's because of these efforts that virtually every sector of the economy supports this legislation. It's also why there are more than 100 cosponsors of this legislation, including 11 committee chairmen.

But recognizing that we don't always face one problem at a time, this rule also provides for consideration of a measure to address student loans. Our legislation, the Interest Rate Reduction Act, would prevent federally subsidized student loan interest rates on new loan disbursements from doubling to 6.8 percent from the current 3.4 percent on July 1 of this year. This 1-year measure would cost the government \$5.9 billion.

Now, you all probably heard me talk again and again about bringing our Nation back to its core mission. You've also heard me talk about how we need

to cut back on the "nice-to-haves" and make hard choices of what we will and won't pay for. Back when the previous majority passed their health care take-over in 2010, they paid for it, in part, by taking \$9 billion from college financial aid trust funds. Now that they've robbed Peter to pay Paul, they're realizing Peter still needs that money, too. To resolve the problem, the Interest Rate Reduction Act pays for this stop-gap measure by taking some of that stolen money back from the ObamaCare slush fund and redirecting it to student financial aid.

Sometimes this House has to multitask, Mr. Speaker. As we face an economy that can't afford to lose any more jobs to cyberattacks and college loan recipients who can't find a job thanks to President Obama's failed policies, that is one of those times. House Resolution 631 provides the House with a way forward on both of these critical measures.

With that, I encourage my colleagues to vote "yes" on the rule, "yes" on the underlying pieces of legislation, and I reserve the balance of my time.

Mr. POLIS. I thank the gentleman from Florida for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to the rule and the underlying bills: H.R. 3523, the Cyber Intelligence Sharing and Protection Act, or CISPA, and H.R. 4628, the Interest Rate Reduction Act.

□ 1240

Both bills are being brought to the House under a hyperpartisan, closed process that limits debate and discussion that can improve the legislation and allow the House to work its will. Many of the meaningful amendments that would have protected privacy under CISPA were not allowed under this rule, and under the Interest Rate Reduction Act, no amendments were allowed.

I want to address both of the bills that are contained in this underlying rule. First, the Interest Rate Reduction Act. This is a bill of rather mysterious origin that appeared in the Rules Committee yesterday mere hours after having been introduced by its lead sponsor, Mrs. BIGGERT of Illinois. No regular order was followed for this bill. This bill received no hearings and no markups by the committee of jurisdiction, and within hours of its being introduced, it was brought immediately to the Rules Committee with direction to go to the floor of the House of Representatives without a single member of either party having any opportunity to amend the bill and with only 1 hour of debate.

What is new about this cliff with regard to student loan rates? This was a well-known fact with regard to the expiration date that, in fact, the Stafford

student loan interest rate would increase from 3.4 to 6.8 percent. I've joined my colleague, Mr. COURTNEY, who will later address these issues as a sponsor of his bill that would address extending the lower student loan rate, and yet, there had been no interest from the committee chair or Republicans with regard to this issue until yesterday afternoon, when a new bill, without the benefit of a markup, was presented in committee and to the Rules Committee, going completely around the committee of jurisdiction.

Look, there is a legitimate issue here. Middle class families are having a tougher and tougher time affording college for their kids at the same time that a college education is more necessary than ever for young people to have the skills they need to compete in the global economy. It's a serious issue that deserves serious treatment. There's a lot of cost drivers with regard to education. Some have commented about a higher education bubble that has led to higher and higher tuition rates. Certainly, how the State and Federal share of higher education funding is targeted and the manner in which it's spent absolutely affect tuition rates and whether there's a bubble.

But instead of a thoughtful approach, an approach that looked at drivers of cost, an approach that looked at outcomes from higher education, and an approach that looked at employment levels pre- and post-higher education, a bill was immediately created and brought to the floor within a day. Again, there is technically a 3-day rule that the majority has said that they would follow. They would give Members of this body on both sides 3 days to consider legislation, but they calculate 3 days in a very funny way. There were, as far as I know, no Members of this body who saw that particular student loan bill before yesterday afternoon. Here we are today on the rule, with final passage vote—without any opportunity to amend—expected to occur midday tomorrow.

By most calculations, it sounds like, well, less than 3 days. They had maybe 6 hours, 7 hours yesterday, 24 today, and maybe 10 tomorrow. It seems like, in fact, less than 48 hours, less than 2 days. But, nevertheless, it's yet another example of only governing out of a sense of crisis, and with regard to this issue one in which we do have time, fundamentally, to follow regular order, and even more importantly, we did have time. This is not an issue that appeared from nowhere. Why has the chair of the committee of jurisdiction not been working on this issue for weeks or months? While many of us on our side, including myself, appreciate the sudden interest in helping middle class families afford college, it would be good to do so in a more thoughtful manner that truly addresses the cost drivers of education.

I also take issue with the other underlying bill, the initial bill that we thought would be debated under this rule before this other mysterious bill appeared out of nowhere and came to the Rules Committee. This was a bill that did follow regular order in the Intelligence Committee, and while a number of amendments that are meaningful are included in this rule, several of the most meaningful amendments that truly would have addressed the privacy concerns with regard to CISPA are not allowed under this rule.

CISPA asks Americans, once again, to make a false choice between security and liberty. Now, we all agree, on both sides of the aisle, Americans in general, that cybersecurity is an important issue that needs to be addressed. That's why it's critical that we get information-sharing correct. This bill in its current form before us is an unprecedented, sweeping piece of legislation that would waive every single privacy law ever enacted in the name of cybersecurity. It would even waive the terms of service and would supersede the terms of service that most American consumers, American people, believe they are entering into in a contract with a provider of a Web site or service of their choice. That information, without any safeguards, would be shared with the government.

As a former tech entrepreneur myself, I know very well how important cybersecurity is. Frankly, it's something that I've never thought we could rely on the government to do for us, and I think a lot of tech companies feel the same way. But that doesn't mean that in the effort for expediency we should give up our privacy rights and liabilities to protect online networks.

While I appreciate the efforts the sponsors of the bill have made to improve the bill slightly in the direction that people can have more comfort with, they haven't gone nearly far enough to ensure that customers' private information remains just that, private. There's nothing in this bill to stop companies from sharing their private information with every branch of the government, including secret, unaccountable branches, including the military. And allowing the military and the NSA to spy on American citizens on American soil goes against every principle that this Nation stands for.

A lot has been made of saying, oh, it's optional. Well, it may be optional for the corporations to share information, but is it optional for their users, whose information they have, who entered a specific terms of service agreement, to have their information shared without their consent? In many cases, under a terms of service agreement, the users, in fact, may be the owners of the information. The company that it's hosted on may, in fact, merely be a host or provider. But, again, outside of

any legal process, this gives that company, whether it's hosting or providing, the ability to share wholesale information that can include health records, that can include firearm registration information, that can include credit card information, that can include account information, and that can include political information, with secret government authorities.

Now, we have government authorities that have the responsibility and are charged with keeping America safe on American soil, namely, the Department of Homeland Security and the FBI. They've worked hard over decades to strike a fine balance between protecting our liberties and security. The military and the NSA are unaccustomed to that balance. That's why even within the military many from DOD have expressed opposition to this bill. Eric Rosenbach, the Deputy Assistant Secretary of Defense for Cyber Policy within DOD, said that a civilian agency, and not an agency within DOD, should be responsible for securing the domestic civilian Internet.

According to Mr. Rosenbach:

It's almost certainly not the right approach for the United States of America to have a foreign intelligence focus on domestic networks, doing something that throughout history has been a domestic function.

So, not only will the military and the NSA be able to receive private information if CISPA passes, but they'll be able to use it for almost any justification. Now, while ostensibly a cybersecurity bill, CISPA allows information-sharing "for the protection of national security," a broad and undefined category that can include practically everything under the sun. Is a Tea Party activist a threat to national security? Is a Communist activist a threat to national security? The danger that this can be used for political oppression and to stifle political speech is very real under this bill.

In addition, because of the immunity clauses of this bill, there's no incentive at all for companies to withhold their customers' sensitive private information. Companies are exempted from any liability for violating their own terms of service and sharing information with secret government agencies. In fact, given the high compliance cost for this sort of sharing, CISPA actually incentivizes companies to dump all of their information on the government so they can take advantage of this blanket immunity that this bill includes.

This legislation also has glaring omissions when it comes to the Nation's future capacity to be competent in cybersecurity. The bill lacks adequate support and direction for paths that can actually improve the cybersecurity of our Nation: Training in the pipeline for cybersecurity experts, including STEM programs in our K-12 schools in computer science; embed-

ding cybersecurity in computer science; and providing scholarships and ways that students can attain the highest levels and enter public service to support the cybersecurity of the Nation.

□ 1250

Mr. Speaker, there should be an open rule for both of the underlying bills to give Members of this House across the ideological spectrum the opportunity to address the deficiencies in both these bills.

Now, we've heard from supporters of the cybersecurity bill that privacy concerns are overblown. "Trust us," they've said. Republicans say: Trust Big Government bureaucrats. Trust anonymous intelligence officers to use that information responsibly.

Well, under this bill, we have no choice but to trust them, because the bill imposes no serious limitation on what corporations or secret government agencies can do with our private information.

It's outrageous to have a closed rule on the student loan interest bill—a bill that no Member of this body, Democrat or Republican, has had any opportunity to amend. And it is also outrageous to not allow a full discussion of the thoughtful amendments brought forth by Members of both parties that would remedy some of the very severe deficiencies in the cybersecurity bill.

I, therefore, cannot support this rule or these flawed bills, and I reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I appreciate the gentleman from Florida for yielding to me.

I rise in support of the rule and the cyber bill that it brings to the floor, as well as the other cyber bills which the House will consider today and tomorrow.

Let me begin, Mr. Speaker, by acknowledging the leadership of the Speaker and majority leader for setting up a process for a thoughtful examination of the many issues related to cybersecurity. They recognize that not only is it a significant national security threat, it's a threat to our economy and to jobs. But at the same time, what we are trying to protect, at least 85 to 90 percent of it is owned and operated by the private sector. So one has to tread carefully in this area, and we have tried to do so with the limited legislation that is before the House today and tomorrow.

I also want to thank the members of the House Cybersecurity Task Force, who put in a great deal of time and expertise in sorting through these issues and making recommendations: Mr. ADERHOLT, Mr. CHAFFETZ, Mr. COFFMAN, Mr. GOODLATTE, Mr. HURT, Mr. LATTA, Mr. LUNGREN, Mr. MCCAUL, Mr.

MURPHY, Mr. STIVERS, and Mr. TERRY. Of course, a number of Members have worked on these issues for several years, including a number of those I've just mentioned, as well as Mr. LANGEVIN, Mr. RUPPERSBERGER, people on both sides of the aisle.

Finally, I also want to take a second to thank the staffs of the various committees who have worked on this issue, as well as Josh Martin and Michael Seeds of my office, as well as Jen Stewart, the Speaker's national security adviser, whose guidance on substance and process was invaluable.

Mr. Speaker, we will have ample opportunity to debate the merits of the individual pieces of legislation, but I think it's important at the beginning just to step back and say: Why all this hubbub about computers? What does all that mean?

Well, I think we should start with the point that cyber—and that includes networks that are connected to the Internet and networks that are not connected to the Internet—but cyber is deeply ingrained in virtually every facet of our lives now, from the time we get up until the time we go to sleep and all the times in between. We very much depend on cyber, and anything you very much depend on can, and often does, become a vulnerability.

We know of at least three different kinds of vulnerabilities these days. People can reach through the Internet and steal information which businesses, large, medium, and small, have produced. It happens every day in this country. Intellectual property is ripped out of the possession of those who produce it. And every time people steal information, they cost us jobs; they are stealing jobs as well. So our economy is directly affected by the difficulty in protecting the information that we, as individuals and businesses, store on our computers.

In addition to that, though, information can be destroyed on our computers or it can be manipulated, or the computers themselves can be manipulated so that what we intend to do or what we want to do is not possible. If, for example, you have a lot of bank records that are destroyed or other such important records, then it can have a huge effect on our economy as well as our security.

But going beyond stealing information, destroying information, we now know it's possible to reach through the Internet and other networks to have physical consequences in the real world, to flip a switch, to open a valve. It's the sort of thing that happened with the Stuxnet virus in Iran. But there are physical consequences to doing so. So that's part of the reason that people talk about the electricity grid going down, a whole city being poisoned by its water supply, chemical plants releasing emissions that they don't intend to release, physical consequences.

Real death, potentially, and destruction can occur all because of things going on the Internet. That's the reason a lot of people talk about a cyber 9/11 or a cyber Pearl Harbor.

I know it's tempting to think all that's hype, but the truth is that over the past decade—and especially over the past couple of years—the number and sophistication of threats has grown much more rapidly than our ability to respond. And it's especially our laws and policies that have not kept up with the growing sophistication of threats.

So the bills that we have before us this week, four of them, try to begin to take a step to close that gap between the growing threat and laws and policies. They don't solve all the problems, they don't try to, but they are a step in the right direction.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NUGENT. I yield the gentleman an additional 1 minute, if he needs it.

Mr. THORNBERRY. I appreciate the gentleman yielding.

I would just point out two other things, briefly:

One is, again, one criticism one hears is that, well, you don't solve this problem or that problem, and that is absolutely true. These bills, all four of them, don't solve all the problems in cyberspace. But we shouldn't let the pursuit of the perfect answer prevent us from accomplishing some significant steps in the right direction, and that's what these bills do.

The second point I'd make, as the gentleman from Florida mentioned, is three of these bills were reported out of committee by voice vote. The information-sharing bill was reported out 17-1. I believe that it has been made better since then. New protections are there. A host of restrictions on how the information can be used and privacy protections have been added and will be added with the amendments to come.

So I think this deserves the support of all Members on both sides of the aisle, and Members on both sides of the aisle should take credit for taking a step to make our Nation more secure.

Mr. POLIS. Mr. Speaker, it's my honor to yield 2 minutes to the gentleman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

I rise today to oppose the rule and the underlying bill, despite my genuine concern for cybersecurity.

I believe that despite some positive changes by the chairman and ranking member it still fails to adequately safeguard the privacy of Americans, and that is why I am the one that voted against it in committee.

We absolutely can combat the serious threat by cyberattacks and still ensure that we are protecting not only our computer systems, but also the civil liberties of Americans. As the Obama

administration wrote yesterday in opposition to this bill, "cybersecurity and privacy are not mutually exclusive."

I am particularly concerned because this legislation has the potential of exposing personal information of customers that may be shared both with the government and between companies. The Obama administration writes that the bill "lacks sufficient limitations on the sharing of personally identifiable information between private entities."

I offered an amendment to simply require companies to make reasonable efforts to remove information unrelated to the cybersecurity threat which can be used to identify specific persons. Even with this basic standard for compliance, the big private companies refused to make the effort, and my amendment was not made in order.

Further, the bill allows the U.S. military to directly receive cyberinformation on Americans. By allowing companies to give information to the NSA or other military agencies, this bill threatens the long-held American tradition that the military does not snoop on U.S. soil against U.S. citizens. So I also offered an amendment to require that information to be received only by civilian agencies, ensuring a layer of protection between citizens and the military.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Ms. SCHAKOWSKY. Unfortunately, my amendments, together with all other privacy amendments, will not be considered today.

□ 1300

I urge my colleagues to join me in opposing this rule and the underlying bill. We can and we will have the opportunity to do better.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding.

Mr. Speaker, I rise in reluctant opposition to this rule and to the underlying bill in its current form. I greatly appreciate the nonpartisan work on the issue by Chairman ROGERS and Ranking Member RUPPERSBERGER. They've worked in a refreshingly collaborative fashion on this bill and on the work of the Intelligence Committee, generally.

Yet, I find I cannot support the bill in its current form due to my concerns about its impact on civil liberties and the privacy of Americans. While amendments were submitted to the Rules Committee that would address these issues, including an amendment I jointly submitted with Ms. SCHAKOWSKY and Mr. HASTINGS, none of

these amendments were made in order in this rule.

I share the view of the sponsors of the legislation that cybersecurity is a serious issue that requires congressional action. I also believe that information-sharing is an important piece of responding to the cybersecurity threats, though it is, by no means, sufficient alone without other elements such as hardening critical infrastructure against cyberattacks.

I'm disappointed in the rule because the problems with the bill are eminently fixable and, in fact, multiple amendments, including my own, were submitted that would improve the bill.

Yesterday afternoon, the White House issued a Statement of Administration Policy saying the President's senior advisers would advise him to veto the bill if it came to him in the current form because of the lack of protection for civil liberties. As the administration's statement said: "Cybersecurity and privacy are not mutually exclusive."

I believe we can and must protect ourselves from cyberattack and that we can and must preserve our privacy. This is eminently doable, but we are not there yet.

My amendment, which was not made in order, would have accomplished four tasks. First, it would have made DHS, a civilian agency, the primary coordinating agency for information-sharing.

Second, it would require rules to minimize the sharing of personally identifiable information. The amount of personally identifiable information shared would be the least amount needed to combat the cybersecurity threat, and no more.

Third, it would narrow the uses of cybersecurity information to cybersecurity purposes, specific national security threats, and certain other serious crimes.

And, finally, it would more specifically define cyberthreat information to make sure that we don't sweep up information we don't intend to and don't need.

In conclusion, amendments like this one would have improved the bill and better balanced the need to protect ourselves against cyberthreats with the equal imperative of preserving the privacy of the American people.

I am disappointed that the House won't have the opportunity to vote on those amendments; and, as a result, I urge a "no" vote on the rule.

Mr. NUGENT. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Speaker, I do rise in support of the rule. I think the number of amendments that they've made in order is consistent with Speaker BOEHNER's policy of running an open House.

Unfortunately, one of those amendments that was not made in order is

the Barton-Markey amendment on privacy. I am going to vote "no" on the underlying bill because it does not protect the privacy of the individual American citizen.

We do have a real threat, a cyberthreat, in this country. This bill is an honest attempt to deal with that threat; but absent explicit privacy protection against individuals, to me, that is a greater threat to democracy and liberty than the cyberthreats that face America.

So unless they pull the bill and they revise some of the privacy protections, I am going to ask for a "no" vote on the bill. But on the rule, I do think we should vote for the rule.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in opposition to this rule and the underlying bill.

At the beginning of this Congress, expectations were high for meaningful progress on cybersecurity. Speaker BOEHNER even established a task force within the Republican Conference to come up with recommendations.

But a funny thing happened on the way to Cyber Week. Key Republican task force recommendations were abandoned. They abandoned measures to approve data breach notification laws, formalize DHS' cyber-role and, more importantly, enhance the cybersecurity of critical infrastructure networks.

These omissions from Cybersecurity Week were no small matter. We all have critical infrastructure in our districts, be it a pipeline, a power plant, an airport or even a dam.

Top national security officials, both in the Obama and Bush administrations, have briefed us on the significant cyberattacks to critical infrastructure. They have told us that voluntary information-sharing is simply not enough.

In fact, the CSIS Cyber Commission, the Republican task force, and NSA Director Alexander have all said that Congress must do something to proactively address critical infrastructure vulnerabilities.

But House leadership ignores these voices. Instead, it has decided that information-sharing alone is enough to fix the problem.

Mr. Speaker, this boils down to a simple question: Who do you trust?

Turning to H.R. 3523: What does it do?

In an effort to improve our cybersecurity, this bill would erode the privacy protections of every single American using the Internet. Put simply, this bill would allow any certified business to share with any government agency, who can then use this information for any national security purpose and grant that business immunity from virtually any liability. None of these amendments authored by the Intel-

ligence Committee would change that truth.

Further, the Rules Committee decided to block consideration of amendments submitted by me and other like-minded colleagues to address the fundamental privacy flaws in this bill.

If my colleagues want to do something on cybersecurity, then vote "yes" on any or all of the suspension bills to be considered today; but do not vote for H.R. 3523. It would set back the privacy rights that our constituents have enjoyed since the beginning of the Internet.

Again, I urge my colleagues to vote "no" on the rule and the underlying bill.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, it is my honor to yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. This legislation might as well be called the Cyber Insecurity Bill because it fails to address the reality of cyberthreats already facing our Nation. And if this bill had a privacy policy, it would read: you have no privacy.

They would not even allow the Barton-Markey privacy language to be put in order to debate out here on the House floor.

Let's talk about what the bill does not do. Although the bill would allow the government to tell nuclear power plant operators that a new version of the Stuxnet computer worm could cause widespread Fukushima-style meltdowns in this country, would this bill require the industry to take even a single step to protect American nuclear reactors? No.

Would this bill require industry to even tell the government what it is doing to protect against a cyberthreat nuclear meltdown? No.

Would this bill require industry to even tell the government when it had experienced an actual cyberattack? No.

Now, let's talk about what this bill would do. Could companies share personal information about consumers with other companies, even if that information had nothing to do with cybersecurity? Yes.

Would companies be free from liability if they share that personal information of every American? Yes.

Could the government use personal information to spy on Americans? Yes.

In this last Congress, FRED UPTON and I wrote the GRID Act, which passed by voice vote on the suspension calendar 2 years ago.

□ 1310

It would have said to the Federal Energy Regulatory Commission: Do you have the authority to mandate grid security standards against an attack coming in from Iran or from China?

This bill does nothing to protect against the threat at the electricity grid system in this country that could lead to nuclear meltdowns. This Republican Congress still refuses to bring up the real security we need against a cyberattack. We have an all-volunteer Army in Iraq and Afghanistan, brave men and women, but they follow orders. We must give the orders to the electric industry and to the other industries to protect this country against a cyberattack. This bill does not do it.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. POLIS. I yield myself such time as I may consume.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide that, immediately after the House adopts this rule, we will bring up H.R. 4816, Mr. TIERNEY's bill, to prevent the doubling of student loan interest rates, fully paid for and then some, reducing the deficit by \$7 billion by repealing tax giveaways for big oil companies.

To discuss our student loan bill, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. I thank the gentleman for yielding.

Mr. Speaker, it is imperative that this House take action to stop the need-based student loan interest rates from doubling at the end of June. If we defeat the previous question, the House will have an opportunity to take up a bill that I have filed and introduced that will keep those interest rates at 3.4 percent for 1 year.

My Democratic colleagues and I recognize the importance of being fiscally responsible, so our bill is completely paid for. We pay for it by ending unnecessary tax subsidies for big oil and gas companies. These are the same companies that took home \$80 billion in profits last year. Exxon pocketed nearly \$4.7 billion every hour.

We have to make choices here in Congress. Our side of the aisle believes that it is a fair and reasonable choice to eliminate an unjustified subsidy to hugely profitable industries so that 7 million students, including some 177,000 in my Commonwealth of Massachusetts alone, will not see an increase in their student loans. Our side of the aisle believes that encouraging middle class students and their families to be able to pay for college educations should be a bigger priority than continuing tax subsidies for Big Oil.

Now, the other side of the aisle has been tremendously late to this issue. I know the presumptive nominee for the Presidential race has changed his mind and has come around to believing that this is important—a practice that he does on a regular basis. They've come around to the side of knowing that we should keep these interest rates low, and we welcome that; but the fact of

the matter is that they have decided to make the wrong choice in how we're going to pay for it.

The bill that is expected to come to the House floor tomorrow includes a short-term fix for the student loan issue, but it will do it at the expense of women and children. What is it with my colleagues on the other side of the aisle with the knee-jerk reaction of, every time they have to do something, they take a gratuitous swipe at women's health benefits and women's health choices? Their bill would end funding for breast and cervical cancer screenings for women, and their bill would end funding for child immunizations. Their bill makes the wrong and the reckless choice.

I urge my colleagues to defeat this motion so that we can consider my bill for a vote on the floor, a bill that makes the right choice, that makes sure we keep the rates low, that makes sure the oil companies get rid of that subsidy they no longer need or should have.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. POLIS. I yield 2 minutes to the gentleman from California, the ranking member of the Education and the Workforce Committee, Mr. MILLER.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

I rise in strong support of the Tierney motion, the legislation that he and Mr. COURTNEY of Connecticut introduced yesterday in the Congress.

For years now, the Democrats have stood on the side of lower interest rates for families and for students. We have paid for 4 years of that starting in 2007. We took the money and the subsidies away from the big banks, and we recycled that on behalf of students and their families in order to lower the cost of college and to make it more affordable for those families seeking college educations for their young children.

The fact of the matter is that the Republicans fought that effort. They're fighting that effort today. Actually, they were fighting it yesterday, and they changed their minds. After almost a unanimous vote on their budget—the Ryan budget, the Republican budget—to allow student interest rates to double, they have now changed their minds. That's important. That's good. We need to make sure that the rates don't double on July 1.

How are you going to pay for that?

We want it paid for. We don't want to do what they did last week and provide \$46 billion in tax cuts to the wealthiest Americans and add it to the deficit—\$46 billion in new deficit spending in 1 year. So the Speaker says, well, he's just going to take it out of the slush fund. Really? The Speaker of the House thinks that the prevention fund is a slush fund? The Speaker of the House thinks that birth defects and the funding to mitigate birth defects is a slush

fund? Does the Speaker of the House really believe that a screening program for women with cervical and breast cancer is a slush fund?

No. This is a matter of life and death for young children who get immunized out of the prevention fund. For women who get this screening, we know what the early detection of breast cancer means for women and their survivability rates. This isn't a slush fund; but what they're asking you to do is to repeal this fund that goes to communities all over this country in order that people will have access to this kind of preventative care.

Yes, they'll say, but you took some money out of this fund to do the payroll tax reduction for the middle class. Yes, but we didn't repeal the fund. They're taking \$10 billion out of the fund and repealing it and putting women and children at risk. That's not a slush fund, Mr. Speaker. That's immoral.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, our second President, John Adams, once said:

Facts are stubborn things, and whatever may be our wishes or the dictates of our passion cannot alter the state of facts.

As to how we got here on the student loan bill, here are the facts. Unlike what was stated by the proponent of this rule, on January 24, the President of the United States stood on that podium and challenged Congress to block the increase of rates from 3.4 percent to 6.8 percent. The Republican majority has done nothing over the last 3 months to respond to that—no bill, no hearing, no markup. In fact, they passed the Ryan budget, which locked in the higher rate at 6.8 percent and doubled down and went after Pell Grants for needy students who need those grants to pay for college.

The politics has changed. That's the fact.

What happened here, and the Speaker's reversal over the last 24 hours, which we welcome, is now being paid for by a grotesque pay-for which goes after women and children rather than going after the folks who can afford to pay for it—the oil companies, the gas companies that made \$137 billion in profits last year.

Support the Tierney motion and oppose this rule.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. POLIS. It is my honor to yield 1 minute to my colleague, the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. Mr. Speaker, I am proud to have cosponsored legislation with my colleagues Mr. COURTNEY and Mr. TIERNEY in order to keep student loan rates from doubling in 65 days.

Right now, millions of high school seniors are deciding where they are going to attend college. At kitchen tables across the country, students are making decisions that will impact the rest of their lives. So, today, I find it hard to believe that Republicans have decided to pit public health against higher education. By introducing this misguided, deeply partisan bill, it is clear that my Republican colleagues aren't taking the responsibility to families very seriously. It is unconscionable that this body would be playing politics with our children's futures.

With the same urgency that Republicans rammed through a \$46 billion tax cut to millionaires and billionaires, I am sure we can find a responsible way to prevent piling on even more debt on our college students. I urge my colleagues to vote for the defeat of the previous question and to adopt a bipartisan, bicameral solution that can be quickly signed by the President.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. POLIS. I would like to inquire of the gentleman from Florida if he has or is expecting any additional speakers.

Mr. NUGENT. I do not.

Mr. POLIS. It is my honor to yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. I thank the gentleman for yielding and for giving us this opportunity to talk about a choice we have here today.

Everybody knows that what is essential to a democracy is the education of our children, of investments in the future so that people can reach their own personal self-fulfillment and provide for their families but, also, so that our country can be competitive in the global economy. It is a very important part of the American Dream.

□ 1310

Democrats believe in imposing ladders of opportunity where people can have the opportunity to succeed if they want to work hard, play by the rules, take responsibility.

An important rung of that ladder is education. We all know the impact that the GI Bill had on America's great middle class, growing America's great middle class, the education of our returning veterans to our country, enabling them to have more education than their parents, and that has been the way it has always been in our country's history, the enduring theme of re-igniting the American Dream.

So we have a challenge before us, because the clock is ticking on a July deadline. At that time, left to the budget of the Republicans, the Ryan-Republican-Tea Party budget, there would have been a doubling of interest rates from 3.4 percent to 6.8 percent. We've been having this debate for a while on how we could stop that dou-

bling from happening. Republicans told us they were tired of hearing about the interest rate debate.

Until now, thanks to President Obama taking this issue public so that the American people understood what was at stake here and that the doubling of interest rates would deprive some people of even going to college and be more costly for many others. In fact, 7 million students would be affected, and that means at least 20 million people, assuming they have an average of two people in their families.

So this has a direct impact on many people in our country. It's a bread-and-butter issue. It's a kitchen table issue where people talk about how they're going to make ends meet, and one of those ends is the education of their children.

So all of a sudden Republicans in the House have seen the light. They're willing to reverse a vote that they took not more than a week ago—100 percent of them voted for the Ryan budget, which would allow the interest rates to double from 3.4 percent to 6.8 percent. Thank God they have seen the light. Thank you, President Obama, for shedding some light on this, and now they say they're for stopping that.

But how do they want to pay for it? They want to take it from their favorite target—women's health. I don't know why it hasn't dawned on them yet that the health of America's women is very important to the health of America's families.

So they want to take the funds from women's health and then also childhood immunizations. That's very important. Immunization of every child in America is very important to every other child in America. That's where they want to take the money from.

The motion that we have here today is to say instead of taking the money, instead of robbing Paula to pay Peter, we should be taking the money from the tax subsidies that go to Big Oil in our country. That's what we should be doing. Isn't that a better show of what our values are, that we value the health of our women and our children?

To make matters worse, not only are they suggesting that we take the money from the prevention fund, the immunization and screening for breast cancer and cervical cancer and other women's health issues, not only are they saying we should take the \$6 billion from there, they're saying we should take the additional \$5 billion that would be left in the account and repeat it. We're taking twice as much money as we need for the student loan bill because we're going to use this as an excuse to do away with this prevention initiative that affects women's health so directly. It's outrageous. We prefer tax subsidies for Big Oil rather than the health of America's women.

Once again, they're targeting women's health.

So, I urge my colleagues to vote against the previous question so we will have an opportunity to at least put before the House an alternative that says give us a choice to choose between whether we want to pay for our young people's education by removing some of the subsidies to Big Oil or we want to take it out of women's health.

The very idea that the Republicans would deny us a vote to do that speaks very clearly about how focused they are on targeting women's health as something that they want to cut.

So, again, I urge my colleague to vote "no" on the previous question, which would allow the House to vote on a Democratic bill that reduces the interest rates, keeps them at 3.4 instead of raising them to 6.8, which is in the Republican budget. If we cannot do that, I urge my colleagues to vote "no" on this ill-conceived, way-out-of-whack statement of values that we would make women's health pay for children's education when we should be doing both.

So "no" on the previous question—we're not allowed to at least even take a vote—"no" on the bill, and let's admit that we can do better than that.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. POLIS. I yield myself the remainder of the time.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment of Mr. TIERNEY's bill into the record along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. GINGREY of Georgia). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. TIERNEY's bill will not only provide the House, as was passionately argued by the leader, Ms. PELOSI, and Mr. TIERNEY, the opportunity to decide between women's health or special tax breaks for oil and gas companies, but will also reduce the deficit by \$7 billion. The time of record deficits when restoring the fiscal integrity of our Nation is critical to our competitiveness in job creation. I hope that this House acts boldly by defeating the previous question and allowing us to vote on reducing the deficit by \$7 billion.

With regard to CISPA, it simply strikes the wrong balance between security and liberty. Information-sharing is important. I think a bipartisan consensus can be reached. And while I appreciate the spirit with which CISPA was offered and members of both parties worked on it, the bill is so far from perfect, we need to continue to work on it and defeat this rule and allow more amendments.

Any American who values his or her privacy should be concerned by the implications of this bill trusting Big Government and secret agencies with our

most personal information. The reality is that CISPA represents a massive government overreach in the name of security. We need accountability and we need oversight. We can't have secretive agencies accountable to no one with vast powers over American citizens on our soil.

For these reasons, I oppose the underlying pieces of legislation. I urge a "no" vote on the rule and the previous question.

I yield back the balance of my time.

Mr. NUGENT. Mr. Speaker, I've been here now 1 year and 4 months, and I'm always amazed at what we hear from the other side. I hear about how this is supposed to be an attack on women's health. You know, it's interesting because that's the position that President Obama's taken. I understand that that's the position that my friends on the other side of the aisle have taken, but it's not true.

You know, yesterday in markup in Energy and Commerce in regards to this pay-for, they talked about a number of issues in regards to this slush fund that HHS has. Now, it's interesting, part of that slush fund comes out to a partly paid for by the U.S. Department Health and Human Services, the Department's Communities Putting Prevention to Work campaign.

□ 1330

It's \$100 million. Part of it was in spaying and neutering pets, which I agree with, but I don't see how that is taking money away from women's health. If you go on to HHS' Web site, where they actually chronicle the spending from this slush fund, not one place does it talk about cervical cancer or breast cancer in regards to the dollars spent. So to stand here on this floor and accuse Republicans of being against women and women's health when the facts don't back it up—if you go to HHS' Web site, you will see specifically where the money has been spent. Like I said, in one area it is \$100 million. The other area that they've gone after is media campaigns as they relate to soda, fast-foods, and others. That's not women's health.

Mr. Speaker, the Democrats would like you to forget that in 2010, they took over \$9 billion away from student financial aid. The same argument that they're making today, they took it away. I wasn't here in 2010, so it's kind of hard to have your cake and eat it, too. When we say robbing from Peter to pay Paul, and now Peter needs the money, those are students that need the money. Those are students that can't afford to pay additional interest on loans that they're already having a hard time paying off because they are trying to find a job.

Mr. Speaker, we've heard so much about cybersecurity today, but remember that the committee started their work on cybersecurity over a year ago

in regards to hearings and working in a bipartisan way that produced a bill that was overwhelmingly bipartisan, 171. In this Congress, that's pretty difficult to do. But they saw the need based upon their experience within where we stand today as it relates to threats against our infrastructure, those people that actually create jobs, and against our government.

Not only have they worked tirelessly amongst themselves, but they reached out to other stakeholders in a way that I believe has been unprecedented in regards to trying to craft a bill that, while not perfect, is a step in the right direction.

This isn't about government coming in—you heard one gentleman up here talking about how government should tell businesses what to do. Folks, this is America. This is about freedom for businesses. If they don't act upon information, shame on them. It's not about government takeover of private businesses that tells them how to operate. It is about, though, the ability of government to help formulate the aspect of protecting our cybersecurity. It's all about that. It's about sharing of information. It's about right now the Federal Government is precluded from sharing information to help alert those businesses out there to protect themselves. We know about it, and we can't even tell them.

That was one of the inherent problems we had back in 9/11, the fact that we couldn't talk to each other, that agencies didn't talk and share information. Now we want to set ourselves up for a greater catastrophe, one that could bring this Nation down to its knees or worse.

You heard about regular order or not regular order. We had regular order on the cybersecurity bill, and it's not enough. Sixteen amendments were made in order. The gentleman from Colorado's amendment was made in order. Five privacy-related amendments were made in order, two Republican and three of those bipartisan. Of the total of those 16 amendments made in order, eight were Republican, four were Democrats, and four were bipartisan. Mr. Speaker, I believe in regular order, and I think that was a perfect example of how this House is supposed to work. That was regular order at its best.

We talk about a fair and open process. I want to make sure that we protect the American people; that when you go to bed tonight, your financial information is still going to be secure tomorrow, that you're going to have the ability to protect yourself financially. One of those is to allow businesses to share cyberthreats that are made against them and others, and also for the Federal Government to share when they see a cyberthreat coming that could affect a business today in America.

HHS has discretion on how they spend that slush fund. Remember, that money was stolen from students back in 2010 to provide for their education. It was stolen. Call it what you want, but now it's just righting a wrong. It's about making sure that our students have the ability to get an education and hopefully get a great job.

I also heard my good friend from Colorado mention about how we're going to make a decision as to who's a national security threat. He mentioned the Tea Party in the same word with Communists. I think it's pretty clear that the Tea Party is not a national security threat and communism is. I don't think that takes a whole lot of rocket science.

Mr. POLIS. Will the gentleman yield?

Mr. NUGENT. I yield to the gentleman.

Mr. POLIS. The point being made is that it depends on one's political perspective where one sees a national security threat. Some see it on the left, some see it on the right. I don't trust Big Government decisionmakers to decide who is and isn't a threat to security.

Mr. NUGENT. Reclaiming my time, I get what you're saying. But at the end of the day when you're trying to say, I guess, a description in regards to that, and you say Communists and then you say Tea Party, I think it's pretty clear. The Tea Party is not a threat to national security. Communism is and has been.

Mr. Speaker, I support this rule and encourage my colleagues to support it as well.

We're talking about two issues here today that have a lot of bipartisan agreement. Our Nation's cybersecurity is just an integral part of our national security as a whole. It's part—not all—but part of our national security as a whole. And we agree something must be done with our Nation's students as it relates to the loan debt that they have. These are issues that I think we all agree on, Democrats and Republicans alike.

I know from some of our previous conversations that my friend, Mr. POLIS, is a fan of NPR. So I wanted to let him know this, just in case he didn't. This morning NPR did a story about the fact that China and Russia aren't the only threats to our Nation's cybersecurity anymore. In fact, according to the story today, the newest cybersecurity threat we face today is going to continue and grow, and it's from Iran. Even though Iran may not have as strong a cyberpresence now as Russia and China do, it's continuing to grow. It's growing at the same time as their nuclear program is growing, too. Iran has learned how to manipulate the Internet to shut down protesters in their own country, to hack Web sites that have antigovernment messages,

and carry out sophisticated cyberattacks in their own country to identify those dissidents who may disagree with the government. With threats like that growing every day, we need to make sure our networks here at home in America are safe and secure.

This bipartisan—I can't stress this enough—this bipartisan Rogers cybersecurity bill is critical. It's a critical step in ensuring America and our private industry are safe from cyberattacks. We talk about bipartisan a lot in this Chamber. We don't always practice it. This committee not only practiced it, but they reached outside of the committee itself to those that may be supportive and may be opposed, and they tried to work and put forth amendments that would make this a better bill.

□ 1340

That's what it's all about, the amendment process, is to make something better, nor tear it down. So I encourage colleagues on both sides of the aisle to support this strongly bipartisan legislation both on cybersecurity and protecting our students and student loans.

As the President begins his taxpayer-funded college tour, which is really more like a reelection tour, he's going to be talking a lot about student loan debt. Well, he can talk all he wants because in this House we're going to act—and we're going to do it in a way that fixes a problem that was a temporary fix for 5 years.

Well, guess what. We're going to fix it again. We're going to make sure that our students have the ability to get a college education and be able to pay it back in a way that they can be successful in the future. We're going to make sure that the ratio of the student loan rates don't double come this July 1.

In Washington—speak, to a lot of people, that's a ways off. But up here, this House, this Congress has kicked cans down the road before to the tune of 20 years when they're looking out and saying, oh, we've got plenty of time, and all of sudden we have other issues facing this country—and now we have one here.

This House is taking action to correct a wrong or a problem that exists today in America, both in cybersecurity and in student loans, and we're going to do it without costing the taxpayers anything by taking money out of the ObamaCare slush fund, which was funded by cuts to student loan programs to begin with, and sending it back to our student loans.

Now remember, this slush fund can be used for anything. As we saw, they used it for a whole bunch of things. As they tried to link us to women's health issues, not one of those were related to that. Not one nickle or dime was spent on those, even though they would like to say it was.

So, Mr. Speaker, I support the rule and the underlying legislation.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 631 OFFERED BY
MR. POLIS OF COLORADO

Amend section 3 to read as follows:

SEC. 3.(a) Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4816) to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Education and the Workforce and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

(b) Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in subsection (a).

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition.

Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NUGENT. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 631, if ordered; and suspending the rules and passing H.R. 2240, if ordered.

The vote was taken by electronic device, and there were—yeas 241, nays 179, not voting 11, as follows:

[Roll No. 182]

YEAS—241

Adams Gingrey (GA) Nugent
 Aderholt Gohmert Nunes
 Akin Goodlatte Nunnelee
 Alexander Gosar Olson
 Amash Gowdy Palazzo
 Amodei Granger Paulsen
 Austria Graves (GA) Pearce
 Bachmann Graves (MO) Pence
 Bachus Green, Gene Petri
 Barletta Griffin (AR) Pitts
 Bartlett Griffith (VA) Platts
 Barton (TX) Grimm Poe (TX)
 Bass (NH) Guinta Pompeo
 Benishek Guthrie Posey
 Berg Hall Price (GA)
 Biggert Hanna Quayle
 Bilbray Harper Reed
 Bilirakis Harris Rehberg
 Bishop (UT) Hartzler Reichert
 Black Hastings (WA) Renacci
 Blackburn Hayworth Ribble
 Bonner Heck Rigell
 Bono Mack Hensarling Rivera
 Boren Herger Roby
 Boustany Herrera Beutler Roe (TN)
 Brady (TX) Huelskamp Rogers (AL)
 Brooks Huizenga (MI) Rogers (KY)
 Broun (GA) Hultgren Rogers (MI)
 Buchanan Hunter Rohrabacher
 Bucshon Hurt Rokita
 Buerkle Issa Rooney
 Burgess Jenkins Ros-Lehtinen
 Burton (IN) Johnson (IL) Roskam
 Calvert Johnson (OH) Ross (FL)
 Camp Johnson, Sam Royce
 Campbell Jones Runyan
 Canseco Jordan Ryan (WI)
 Cantor Kelly Scalise
 Capito King (IA) Schilling
 Carter King (NY) Schmidt
 Cassidy Kingston Schock
 Chabot Kinzinger (IL) Schweikert
 Chaffetz Kline Scott (SC)
 Coble Labrador Scott, Austin
 Coffman (CO) Lamborn Sensenbrenner
 Cole Lance Sessions
 Conaway Landry Shimkus
 Cravaack Lankford Shuler
 Crawford Latham Shuster
 Crenshaw LaTourette Simpson
 Cuellar Latta Smith (NE)
 Culberson Lewis (CA) Smith (NJ)
 Denham LoBiondo Smith (TX)
 Dent Long Southerland
 DesJarlais Lucas Stearns
 Diaz-Balart Luetkemeyer Stivers
 Dold Lummis Stutzman
 Dreier Lungren, Daniel Terry
 Duffy E. Thompson (PA)
 Duncan (SC) Mack Thornberry
 Duncan (TN) Manzullo Tiberi
 Ellmers Marchant Tipton
 Emerson Matheson Turner (NY)
 Farenthold McCarthy (CA) Turner (OH)
 Fincher McCaul Upton
 Fitzpatrick McClintock Walberg
 Flake McCotter Walden
 Fleischmann McKeon Walsh (IL)
 Fleming McKinley Webster
 Flores McMorris West
 Forbes Rodgers Westmoreland
 Fortenberry Meehan Whitfield
 Foxx Mica Wilson (SC)
 Franks (AZ) Miller (FL) Wittman
 Frelinghuysen Miller (MI) Wolf
 Gallegly Miller, Gary Womack
 Gardner Mulvaney Woodall
 Garrett Murphy (PA) Yoder
 Gerlach Myrick Young (AK)
 Gibbs Neugebauer Young (FL)
 Gibson Noem Young (IN)

NAYS—179

Ackerman Berman Butterfield
 Altmore Bishop (GA) Capps
 Andrews Bishop (NY) Capuano
 Baca Blumenauer Cardoza
 Baldwin Bonamici Carnahan
 Barrow Boswell Carney
 Bass (CA) Brady (PA) Carson (IN)
 Becerra Braley (IA) Castor (FL)
 Berkley Brown (FL) Chandler

Chu Honda
 Cicilline Hoyer
 Clarke (MI) Israel
 Clarke (NY) Jackson (IL)
 Clay Jackson Lee
 Cleaver (TX)
 Clyburn Johnson (GA)
 Cohen Johnson, E. B.
 Connolly (VA) Kaptur
 Cooper Keating
 Costa Kildee
 Costello Kind
 Courtney Kissell
 Critz Kucinich
 Crowley Langevin
 Cummings Larsen (WA)
 Davis (CA) Larson (CT)
 Davis (IL) Lee (CA)
 DeFazio Levin
 DeGette Lewis (GA)
 DeLauro Lipinski
 Deutch Loeb sack
 Dicks Lofgren, Zoe
 Dingell Lowey
 Doggett Luján
 Donnelly (IN) Lynch
 Doyle Maloney
 Edwards Markey
 Ellison Matsui
 Engel McCarthy (NY)
 Eshoo McCollum
 Farr McDermott
 Fattah McGovern
 Frank (MA) McIntyre
 Fudge McNerney
 Garamendi Meeks
 Gonzalez Michaud
 Green, Al Miller (NC)
 Grijalva Miller, George
 Gutierrez Moore
 Hahn Moran
 Hanabusa Murphy (CT)
 Hastings (FL) Nadler
 Heinrich Napolitano
 Higgins Neal
 Himes Olver
 Hinojosa Owens
 Hiron Pallone
 Hochul Pascrell
 Holt Pastor (AZ)
 Marino Pelosi
 Perlmutter Wilson

NOT VOTING—11

Davis (KY) McHenry
 Finler Paul
 Holden Rangel
 Marino Slaughter

□ 1405

Mr. BILIRAKIS changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 182, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the resolution.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 236, nays 185, not voting 10, as follows:

[Roll No. 183]

YEAS—236

Adams Gohmert Nunnelee
 Aderholt Goodlatte Olson
 Akin Gosar Palazzo
 Alexander Gowdy Paulsen
 Amash Granger Pearce
 Amodei Graves (GA) Pence
 Austria Graves (MO) Petri
 Bachmann Griffin (AR) Pitts
 Bachus Griffith (VA) Platts
 Barletta Grimm Poe (TX)
 Bartlett Guinta Pompeo
 Barton (TX) Guthrie Posey
 Bass (NH) Hall Price (GA)
 Benishek Hanna Quayle
 Berg Harper Reed
 Biggert Harris Rehberg
 Bilbray Harter Hartzler
 Bilirakis Hastings (WA) Reichert
 Bishop (UT) Hayworth Renacci
 Black Heck Ribble
 Blackburn Hensarling Rigell
 Bonner Herger Rivera
 Bono Mack Herrera Beutler Roby
 Boren Huelskamp Roe (TN)
 Boustany Huizenga (MI) Rogers (AL)
 Brady (TX) Hultgren Rogers (KY)
 Brooks Hunter Rogers (MI)
 Broun (GA) Hurt Rokita
 Buchanan Bucshon Issa
 Bucshon Buerkle Jenkins
 Buerkle Burgess Johnson (IL)
 Burgess Johnson (OH)
 Burton (IN) Johnson, Sam
 Calvert Camp Royce
 Campbell Kelly Runyan
 Canseco King (IA) Ryan (WI)
 Cantor King (NY) Scalise
 Capito Kingston Schilling
 Carter Kinzinger (IL) Schmidt
 Cassidy Kline Schock
 Chabot Labrador Schweikert
 Chaffetz Lamborn Scott (SC)
 Coble Lance Scott, Austin
 Coffman (CO) Landry Sensenbrenner
 Cole Latham Shimkus
 Conaway Latham Shuler
 Cravaack LaTourette Shuster
 Crawford Latta Simpson
 Crenshaw Lewis (CA) Smith (NE)
 Culberson LoBiondo Smith (NJ)
 Denham Long Smith (TX)
 Dent Lucas Southerland
 DesJarlais Luetkemeyer Stearns
 Diaz-Balart Lummis Stivers
 Dold Lungren, Daniel Stutzman
 Dreier E. Terry
 Duffy Mack Thompson (PA)
 Duncan (SC) Manzullo Thornberry
 Duncan (TN) Marchant Tiberi
 Ellmers Matheson Tipton
 Emerson McCarthy (CA) Turner (NY)
 Farenthold McCaul Turner (OH)
 Fincher McClintock Upton
 Fitzpatrick Walberg
 Flake McKeon Walden
 Fleischmann Fleischmann McKinley Walsh (IL)
 Fleming Fleming McMorris Webster
 Flores Rodgers West
 Forbes Meehan Westmoreland
 Fortenberry Fortenberry Mica
 Foxx Miller (FL) Whitfield
 Franks (AZ) Franks (AZ) Miller (MI) Wilson (SC)
 Frelinghuysen Frelinghuysen Miller, Gary Wittman
 Gallegly Gallegly Mulvaney Wolf
 Gardner Gardner Murphy (PA) Womack
 Garrett Garrett Myrick Woodall
 Gerlach Gerlach Neugebauer Yoder
 Gibbs Gibbs Noem Young (AK)
 Gibson Gibson Nugent Young (FL)
 Gingrey (GA) Nunes Young (IN)

NAYS—185

Ackerman Bishop (GA) Capps
 Altmore Bishop (NY) Capuano
 Andrews Blumenauer Cardoza
 Baca Bonamici Carnahan
 Baldwin Boren Carney
 Barrow Boswell Carson (IN)
 Bass (CA) Brady (PA) Castor (FL)
 Becerra Braley (IA) Chandler
 Berkley Brown (FL) Chu
 Berman Butterfield Cicilline

Clarke (MI)	Hoyer	Peterson
Clarke (NY)	Israel	Pingree (ME)
Clay	Jackson (IL)	Polis
Cleaver	Jackson Lee	Price (NC)
Clyburn	(TX)	Quigley
Cohen	Johnson (GA)	Rahall
Connolly (VA)	Johnson, E. B.	Reyes
Conyers	Jones	Richardson
Cooper	Kaptur	Richmond
Costa	Keating	Ross (AR)
Costello	Kildee	Rothman (NJ)
Courtney	Kind	Roybal-Allard
Critz	Kissell	Ruppersberger
Crowley	Kucinich	Rush
Cuellar	Langevin	Ryan (OH)
Cummings	Larsen (WA)	Sánchez, Linda
Davis (CA)	Larson (CT)	T.
Davis (IL)	Lee (CA)	Sanchez, Loretta
DeFazio	Levin	Sarbanes
DeGette	Lewis (GA)	Schakowsky
DeLauro	Lipinski	Schiff
Deutch	Loeb	Schrader
Dicks	Lofgren, Zoe	Schwartz
Dingell	Lowe	Scott (VA)
Doggett	Lujan	Scott, David
Donnelly (IN)	Lynch	Serrano
Doyle	Maloney	Sowell
Edwards	Markey	Sherman
Ellison	Matsui	Sires
Engel	McCarthy (NY)	Smith (WA)
Eshoo	McCollum	Speier
Farr	McDermott	Stark
Fattah	McGovern	Sutton
Frank (MA)	McIntyre	Thompson (CA)
Fudge	McNerney	Thompson (MS)
Garamendi	Meeke	Tierney
Gonzalez	Michaud	Tonko
Green, Al	Miller (NC)	Towns
Green, Gene	Miller, George	Tsongas
Grijalva	Moore	Van Hollen
Gutierrez	Moran	Velázquez
Hahn	Murphy (CT)	Vislosky
Hanabusa	Nadler	Walz (MN)
Hastings (FL)	Napolitano	Wasserman
Heinrich	Neal	Woolsey
Higgins	Olver	Yarmuth
Himes	Owens	
Hinche	Pallone	
Hinojosa	Pascrell	
Hirono	Pastor (AZ)	
Hochul	Pelosi	
Holt	Perlmutter	
Honda	Peters	

wealth of Massachusetts, and for other purposes, as amended.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

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

A motion to reconsider was laid on the table.

□ 1420

CYBER INTELLIGENCE SHARING AND PROTECTION ACT

GENERAL LEAVE

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3523.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 631 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3523.

The Chair appoints the gentlewoman from Illinois (Mrs. BIGGERT) to preside over the Committee of the Whole.

□ 1422

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, with Mrs. BIGGERT in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Madam Chair, I yield myself 4 minutes.

Never a problem have I seen when it comes to our national security, Madam Chair, that we are just not prepared to handle.

In just the last few years, nation-states, like China, have stolen enough intellectual property from just the Fed's contractors that it would be equivalent to 50 times the print collection of the Library of Congress. We have nation-states that are literally

stealing jobs and our future. We also have countries that are engaged in activities and have capabilities that have the ability to break networks, computer networks, which means you can't just reboot. It means your system is literally broken. Those kinds of disruptions can be catastrophic when you think about the financial sector or the energy sector or our command and control elements for all of our national security apparatus.

This is as serious a problem as I have seen. So, last year, I and my partner—DUTCH RUPPERSBERGER, the vice chairman and ranking member of the Intelligence Committee—agreed that this was a significant enough problem to the future prosperity of America that we'd better do something about it.

We needed to stop the Chinese Government from stealing our stuff. We needed to stop the Russians from what they're doing to our networks and to people's personal information, data, and resources. We needed to prepare for countries like Iran and North Korea so that they don't do something catastrophic to our networks here in America and cause real harm to real people.

So, in a bipartisan way, we set out to do something very, very, very narrow. When the government spies overseas, it collects malware—viruses, software that is dangerous to our computers. That means they can either steal our stuff—the personal information off of your computer—or they can steal the secrets that make your business viable, the kinds of secrets that give people jobs.

So wouldn't it be great if we could take that source code, that software and share it with the private sector so that they could put it on their private systems, like they do every single day to try to protect networks, and have that added advantage of that extra coverage from that malicious source code? The good news is this happens every day. If you have Norton or McAfee or Symantec or any other antivirus protection on your computer, it has patches of information that they know is really bad stuff, and every time you turn your computer on, it updates and tries to protect your computer, your personal information.

That's all this is. It is adding to that patchwork some zeroes and some ones that we know is malicious code that is either going to steal your information or break your computer or something worse. That's all this bill is. It draws a very fine line between the government and the private sector. It is all voluntary. There are no new mandates. There is no government surveillance—none, not any—in this bill. It just says, if we know we have this source code, shouldn't we be obligated to give it so it doesn't do something bad to the companies and individuals in America. That's all this bill does.

We have worked collaboratively with hundreds of companies, with privacy

NOT VOTING—10

Davis (KY)	McHenry	Slaughter
Filner	Paul	Sullivan
Holden	Rangel	
Marino	Sessions	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1414

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall No. 183, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

LOWELL NATIONAL HISTORICAL PARK LAND EXCHANGE ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2240) to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Common-

groups, with civil libertarians. We have worked with government folks. We have had hundreds and hundreds of meetings for over a year. We have kept this bill open in an unprecedented transparent way to try to meet the needs of privacy concerns, civil libertarian concerns, civil liberties concerns. We wanted to make sure that, with this bill, people understood exactly what we were trying to do, how simple it is, and how crucial it is to the future defense of this great Nation.

Without our ideas, without our innovation that countries like China are stealing every single day, we will cease to be a great Nation. They are slowly and silently and quickly stealing the value and prosperity of America.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. I yield myself an additional 1 minute.

One credit card company said that they get attacked for your personal information 300,000 times a day—one company. We have a company that can directly show you stolen intellectual property. This one particular company estimated 20,000 manufacturing jobs that they lost for Americans, which were good-paying jobs, because countries like China stole their intellectual property and illegally competed against them in the marketplace.

This is as bad a problem, Madam Chair, as I have seen. I think you'll hear throughout the day this has been a responsible debate and that it has been a responsible negotiation to get to privacy concerns and our ability to protect your information on your computer through this series of zeroes and ones, the binary code on our computers.

Again, I want to thank my ranking member for his partnership and his work. He has been exceptional to work with on something on which we both agree and on which we agreed, in a bipartisan fashion, was a danger to the future prosperity of America.

With that, I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chair, I yield myself such time as I may consume.

First of all, I do want to thank the chairman for working with us in a bipartisan way to protect our country from this very serious threat of cyberattacks.

As the ranking member of the House Intelligence Committee, people often ask me what keeps me up at night. I tell them: weapons of mass destruction entering the country undetected and also a catastrophic cyberattack shutting down our water supply, power grid or banking systems; and those are just a few of the many areas that could be attacked and shut down.

Every day, U.S. Web sites and our Nation's networks are threatened by foreign governments like China, Iran,

Russia, and other groups trying to steal our money and valuable trade secrets. According to the National Counterterrorism Executive, the number one thing cyberthieves are trying to steal is information and communication technology, which form the backbone of nearly every other technology. In fact, according to the United States Cyber Command, \$300 billion worth of trade secrets are stolen every year. This proves we need to make real changes to how we protect our cybersystems.

The Cyber Intelligence Sharing and Protection Act helps the private sector protect itself and its clients from these attackers and data thieves. The intelligence community has the ability to detect these cyberthreats, these malicious codes and viruses, before they are able to attack our networks; but right now, Federal law prohibits the intelligence community from sharing the classified cyberthreat with the companies that will protect us, that control the network—the AT&Ts, the Verizons, the Comcasts, those groups. We have the ability to give them the information to protect us; yet we have to pass a law to do that, and that's why we are here today.

□ 1430

The Cyber Intelligence Sharing and Protection Act will clearly do that if we pass the bill. It allows the intelligence community to share the codes and signatures associated with malware and viruses and the means to counter the bad stuff with the companies. These companies keep a lookout for these viruses and work to stop them before they are able to attack their system.

Companies then voluntarily give information about the cyberattack back to the government, machine code consisting of strings of zeroes and ones that uniquely identifies the malware. Cyberanalysts will use this information to better understand the attack and try to figure out who launched it and where it came from.

This information will be used to protect against similar attacks in the future.

Now, the Democrats worked hard to protect privacy and civil liberties in this bill throughout the entire process. We fought for additional privacy protections in the original bill that was marked up in committee. In the version we will vote on tomorrow morning, additional changes are also included in the amendments.

Privacy and civil liberty groups and the White House all agree we made important positive changes that went a long way to improve the initial bill that came out of committee. We severely limit what information can be shared with the government and how it can be used.

It is also important to note the entire process is completely voluntary

and provides industry the flexibility they need to deal with business realities.

The bill also requires an annual report from the inspector general of the intelligence community to ensure none of the information provided to the government is mishandled or is misused. This is a very important privacy issue.

The review will include annual recommendations to improve the protection of privacy and civil liberties. That review will be done again by the inspector general.

We also made it clear this legislation grants no new authority to the Department of Defense, the National Security Agency, or the intelligence community. At the urging of the White House and others, we included the Department of Homeland Security in the process so that there is not even a perception that our intelligence agencies or military will be in control of this. The Homeland Security Department will be coordinating as a civil body.

In addition, companies that act in good faith to protect systems and networks can receive liability protection. This is what our bill does.

Now, what does it not do? The bill does not allow the government to order companies to turn over private email or other personal information. This is not surveillance. The bill does not allow the government to monitor private networks, read private email, censor, or shut down any Web site.

We have a broad coalition of support with 100 cosponsors, close to 30 companies and industry groups, and dozens of trade organizations like Facebook, Microsoft, IBM, a lot of different groups that are supporting this bill.

This is not a perfect bill, but the threat is great. I believe this legislation is critical for our national security and yet deals with the issue of privacy. We can do better in privacy, and we hope to get the bill to the Senate, where there will be a lot more negotiation. Congress must act now, and I encourage my colleagues to vote for this bill.

I reserve the balance of my time.

Mr. ROGERS of Michigan. I yield 2 minutes to the gentlelady from North Carolina (Mrs. MYRICK) who is on the Intelligence Committee and has a tremendous expertise on counterterrorism issues.

Mrs. MYRICK. I want to say a big thanks to the chair and to the ranking member for all of their months of hard work on putting this cybersecurity bill together, and it is a bipartisan Intelligence Committee bill.

We all know the private sector is a very diverse world that includes reputable companies but also grey market suppliers and counterfeiters, and State-owned enterprises and other entities that often act against the national security interests of the United States, as well as other private companies.

The information technology sector, in particular, includes companies that are associated with some foreign governments and militaries and intelligence services of nations that attack the United States in cyberspace daily.

State and local entities, along with the private sector, don't have the resources, the capabilities, or the information necessary to address these cybersecurity threats. This bill creates a necessary mechanism for the Federal Government to share its informational resources and cybersecurity threat analysis with the private sector and with State and local entities.

The purpose of the bill is to transmit important cybersecurity information from the Federal Government to the private sector, not vice versa. The bill would empower the private sector to begin taking necessary steps to protect itself from cyberattacks, some they don't have any clue are happening.

Ultimately though, it's going to be important for Congress and the Federal Government to continue the debate on cybersecurity to determine how to best confront the changing threats because this world is changing daily, and the Federal Government can't leave those responsibilities solely to the private sector, especially, like the chairman already mentioned, countries like China that are continuously developing cyberwarfare capabilities and the cyberattacks that they commit against the Western companies and infrastructures and government entities we all know about.

So I urge my colleagues to vote "yes" on this important piece of legislation and an important step in trying to protect the private sector in this country.

Mr. RUPPERSBERGER. Madam Speaker, I yield 2 minutes to my distinguished colleague from the State of Utah (Mr. BOSWELL) who formerly served on the Intelligence Committee.

The CHAIR. The gentleman from Iowa is recognized for 2 minutes.

Mr. BOSWELL. Thank you, I appreciate the correction. We grow corn in Iowa, and we grow potatoes in Idaho. A little bit of fun.

I rise to speak in support of this bill today. I look across at Chairman ROGERS and here at Ranking Member RUPPERSBERGER, and I have great confidence. I know these men. I know their staff. They've come to this very serious matter that lays before our country that we need to understand. We must take action.

I'm encouraged by the process to involve key stakeholders from private industry and privacy groups during this drafting. This transparent engagement shaped many of the bipartisan constructive amendments being considered today that will improve the bill, and it's a good thing.

The threat from malicious actors in cyberspace is real. You've heard it said

over and over already by those who have spoken ahead of me. I concur with what they say. It's an absolutely real thing. You only need to pick up the newspaper or turn on the TV to see the threats facing our networks. These networks include those that power our homes, our factories, and our small businesses, allow our banking system to function and provide the very backbone to our current American way of life, and we rely on these networks every day.

The bill under consideration today is a very narrow piece, but what we can agree on is it's a critical one to helping secure our networks and, therefore, the way of life as we know it today.

There are continuing debates on how to implement the bill, but the debate isn't over what needs to be done; it must be done. Information we ask our intelligence community to use and that protects our government networks should, in a secure way, be shared to protect the many other critical networks we rely on.

I believe companies are doing what they can to protect their networks to the extent they can today, but there is more that must be done.

We cannot be in a situation where the government had information to prevent or mitigate a catastrophic cyberattack, and yet we did not have the procedure in place to share this information. Our American way of life includes a great respect for privacy and our civil liberties. We make no mistake about that.

This bill, with the addition of many of the amendments which were drafted in concert with privacy groups, addresses many of those concerns.

In addition, the annual unclassified report required by the statutory intelligence community inspector general will inform whether there are additional adjustments needed to be made.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman an additional 10 seconds.

Mr. BOSWELL. So, in closing, I want to say this: Congress cannot wait to act. Network security hasn't kept up with network speed. This is the fundamental purpose of this bill. I encourage Members to begin to secure our networks through sharing information about the threats. Please vote "yes."

Mr. ROGERS of Michigan. I yield 2 minutes to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. I thank the ranking member and the chairman for your hard work on the issue and the members on the committee.

This is very important. It goes beyond partisanship. This is about national security.

The idea of cyberattacks, it's not something that is just out there in space that we really don't have to worry about. This is an issue that's

here today, and it's here right now. In fact, just today, the New York Stock Exchange was the target of a DDoS attack on some of its external computer systems. That's not something that we just magically happen to have today. This is happening every day, thousands and thousands of times a day.

□ 1440

I'm a military guy and I'm a military pilot. I think a lot about the threats from outside. You think a lot about threats of terrorism and threats of invasion or anything along that line. But I'll tell you one of the biggest threats that really keep us up at night is this idea of a cyberattack. I think it's something that we have to take head-on. This voluntary information-sharing between classified portions of our government and certified private actors will serve to enhance our defenses greatly.

It is important to note the amount of classified information currently shared between our government and private industry is muddled at best. The few private companies who are lucky enough to receive an invitation into the current classified annex of cybersecurity-sharing face significant challenges when it comes to even understanding what that information is. Many times they simply get a badly scanned printout of a current threat situation from which they try to prevent a future attack, and it is woefully inadequate.

We talk a lot about the Russians and about the Chinese and their use of cyberwarfare against us. That's a significant threat. That's something very serious. But I want to speak just momentarily about the threat from Iran.

We all know that Iran is a very serious country that is very seriously focused on bringing down, in many cases, the West. They've said it themselves. The Iranian regime from the highest level down has publicly stated their plans to fight enemies with abundant power in cyberspace and Internet warfare. It's also publicly stated that Iran blames the West for the Stuxnet virus which disrupted their nuclear program, and they have vowed retaliation. The combination of the low cost and effectiveness of cyberwarfare has led the Iranian Revolutionary Guard to actively and effectively recruit radical Islamist hackers for nefarious purposes. We can't stand idly by while we see nations like Iran threaten the future of this country.

So I support this bill, and I commend the folks who have worked on it.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to my distinguished colleague from the State of New Jersey, Mr. RUSH HOLT, who was formally on the Intelligence Committee.

Mr. HOLT. Madam Chair, I thank the gentleman.

The proponents of this legislation, who are all friends and well intentioned, have repeatedly said there's a real threat, a threat to our critical infrastructure, affecting our waterworks, and our electric grid. But this bill is so poorly constructed it is not designed to protect against those threats. There are any number of flaws with it.

The American Civil Liberties Union points out that there would be an exception to all privacy laws; and it would allow companies to share private and personal data that they hold on their American customers, actually, among themselves and with the government. It would not limit companies to sharing only technical or nonpersonal data. They'd be free from any liability of misuse. They would only have to plead good intentions.

The bill fails to narrowly define the privacy laws it would contravene; it fails to put the cybersecurity efforts in a civilian agency; it fails to require companies to remove personal identifiable information about individuals; it fails to sufficiently limit the government's use of information; it fails to create a robust oversight and accountability structure. With the bill in its current form, there's no requirement that personal information must be removed. There's no consumer or stakeholder group involved in the oversight. There's no way for any member of the public to know if their data has been shared in error, and on and on.

And I should point out that it is not just the American Civil Liberties Union that opposes this. Even the American Library Association opposes it. The President, himself, says, if this passes, he will veto it. Passing this bill in response to the cyberthreat would be like going into Iraq because al Qaeda terrorists were a real threat.

Yes, there's a real threat. This is not the answer.

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. STIVERS).

Mr. STIVERS. Madam Chair, I would like to thank the gentleman from Michigan for yielding me time. I would also like to thank him for his leadership on this effort, as well as the ranking member, the gentleman from Maryland (Mr. RUPPERSBERGER).

I rise today in support of the cybersecurity legislation under consideration. As a member of the Cybersecurity Task Force, I'm pleased that many of our recommendations are included in this bill.

Cybersecurity is a very important issue. Every day there are people trying to use cyberattacks to steal our money, steal our jobs, and attack our national security.

I know as a member of the Financial Services Committee that our financial sector spends billions of dollars every year trying to protect against

cyberattacks. They protect consumers by increasing controls, making sure they have encryption, authenticating customers, and protecting customer data.

That's all protecting our wallets, but we also need to protect our jobs. Unfortunately, there are folks who would like to use cyberattacks to steal our intellectual property and give it to those who compete against America, which will steal our jobs.

Not allowing information-sharing like this bill does would be like saying to the Marines and the Army, You can't share information about how the enemy is going to attack you. As a member of the National Guard for the last 26 years, I know that cyber is also a real threat to our national security.

This bill will update our information-sharing to allow private companies to share information with the government and the government to share information, and includes some important liability protection as well. It's a carefully crafted bill.

I think the gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) have been very open to working with folks to try to improve this bill. I'm looking forward to supporting some of the bipartisan amendments that I think will improve this bill.

Madam Chair, we must protect ourselves against cyberattacks, against those who would steal our money, steal our jobs, and attack our country. This bill is not a panacea, but it's a great start. I'm happy to support it, and I hope all my colleagues will vote "yes."

Mr. RUPPERSBERGER. I yield 2 minutes to my distinguished colleague from the State of California, Mr. ADAM SCHIFF, who is also the ranking member on the Technical and Tactical Intelligence Committee.

Mr. SCHIFF. I thank the gentleman for yielding.

Madam Chair, I rise in reluctant opposition to the bill. But at the outset, I want to acknowledge the extraordinary work done by our chairman, MIKE ROGERS, and our ranking member, DUTCH RUPPERSBERGER. These two gentlemen have changed the nature and culture of our committee, made it far more productive, and they've done great work getting us to this point. And I want to acknowledge that at the outset.

There's still work to be done in two areas principally, and I want to talk briefly about that. Even before I do that, I want to acknowledge why we're here.

We do ourselves, I think, a disservice when we talk about a cyberthreat. That sounds like something that may come in the future, something to be concerned about that might take place down the line. We're under cyberattack right now. This is not speculative. This is not intangible. This is happening

right now. This needs to be dealt with, and we do need a sense of urgency. But there is a distance yet to go, and in two areas in particular.

One is, when we gather cyberinformation and we share it between companies or between the government and companies, as we must do, we want to make sure that we minimize any unnecessary invasion of privacy of the American people. We can do both, and we have to do both. We need to protect ourselves from cyberattack, and we need to protect and preserve the privacy rights of the American people.

I think the bill needs a requirement that personally identifiable information be minimized to the maximum extent practicable. All we're asking for is what can reasonably be done. We're not asking for the private sector or the government to do the impossible, but we should require of our government that they minimize personal information that is shared to protect us from cybercrime. That's the first thing.

The second item that really needs to be incorporated in this bill that my colleague, Mr. THOMPSON, will talk about as well is the need to protect critical infrastructure. That is a big missing piece in the bill, and I understand from my colleagues that it's not within the Intelligence Committee jurisdiction. That's correct. But as we saw from the Rules Committee, they're more than capable of incorporating things from more than one committee's jurisdiction in the rule, as we see in a rule that incorporates student loan interest and a bill on that subject with a bill on cybersecurity. There is nothing preventing the Rules Committee from bringing into the discussion today and allowing amendments on critical infrastructure.

The absence of those two big pieces makes it impossible for me to support the bill today.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman an additional 30 seconds.

Mr. SCHIFF. I thank the gentleman.

I just want to conclude by saying I look forward to our continued work on this bill, and I appreciate the great cooperation between the chair and ranking member, and I have respect for all the members of the committee.

□ 1450

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the gentleman from Nevada (Mr. HECK).

Mr. HECK. I come to the floor today to voice my strong support for the Cyber Intelligence Sharing and Protection Act. We know that every day, American companies and computer systems are targeted by foreign nation-state actors who prey on sensitive business and personal information to gain

an unfair advantage in the global marketplace. The theft of research and development results, negotiating positions, or pricing information costs us jobs here at home and puts personal information at risk. The same vulnerabilities that can result in the theft of sensitive business information could be used to attack critical infrastructure we rely on such as power plants, air traffic control systems, and electrical grids. An attack on these systems would be devastating. Protecting them and the constituents they serve must be considered an urgent national security concern.

The government currently uses classified cyberthreat intelligence to protect its own systems, computer networks, and critical infrastructure. The business community has voiced its desire to be given the tools necessary to protect itself from cyberthreats. This bill will allow the government to provide classified cyberthreat information to private sector companies so that they can protect sensitive information and their customers' privacy against malicious cyberattacks. The bill places no mandates or burdens on private sector companies and does not expand the size or scope of the Federal Government. All information-sharing is totally voluntary under this legislation, and there are strong privacy protections in place for the information that is shared.

After receiving input from the private sector and civil liberty groups and by building upon the success of an existing intelligence-sharing pilot program with defense contractors, we have produced a bill that upholds constitutional rights to privacy while providing the private sector with the necessary means to defend itself against cyberattackers. I want to commend Chairman ROGERS and Ranking Member RUPPERSBERGER for their outstanding leadership in crafting this legislation that was written in a transparent and bipartisan fashion.

I urge my colleagues to support this bill that protects our homeland, protects our economy, and protects our privacy.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to my distinguished colleague from the State of Mississippi, Mr. BENNIE THOMPSON, who is also the ranking member of the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Madam Chairman, I rise in opposition to H.R. 3523. I also appreciate the efforts of my colleagues on the Intelligence Committee for fostering a greater sharing of cyberthreat information. This bill is a start, but my opposition is because it does not do what we know that we need to have done.

Having been involved in homeland security issues for nearly a decade, I know how important it is to protect our Nation's networks from

cyberattacks. But in an effort to foster information-sharing, this bill would erode the privacy protections of every single American using the Internet. It would create a Wild West of information-sharing, where any certified business can share with any government agency, who can then use the information for any "national security" purpose and grant that business immunity from virtually any liability. None of the amendments offered by the chairman and ranking member would change any of those basic facts.

I and several of my colleagues offered amendments that would have addressed those concerns by ensuring that civilian agencies would take the lead in information-sharing, restricting how the government could use the information, and making sure consumers' sensitive information is adequately protected. Unfortunately, the House will not have an opportunity to consider them today.

If my colleagues want to accomplish something on cybersecurity, then vote "yes" on any or all of the suspension bills before us today; but do not vote for H.R. 3523. It violates the "do no harm" rule and would set back the privacy rights of all our citizens who have enjoyed the establishment of the Internet.

This fatally flawed bill is opposed by not only every major privacy or civil liberties group, from the ACLU to the Constitution Project to the Center for Democracy and Technology, but also the Obama administration. For these reasons, Madam Chair, I strongly urge a "no" vote on H.R. 3523.

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. I thank the gentleman.

Madam Chairman, I rise in support of this bill. It's a sensible bill that builds a necessary pillar in the cybersecurity strategy of our Nation.

I've immersed myself in cybersecurity over the last couple of years. I've been on two task forces. I'm on the Energy and Commerce Committee. I've met with industry leaders in all of the critical infrastructure areas. And as I've gathered information and input, there's two principles at stake here. The common thread from all of them have said: we have to be flexible, and we have to be able to communicate. Those are the two principles on which this bill is based.

Number one, flexibility. What it means is you can't lock this into a government agency because when government agencies start taking control of setting standards or working with an industry group to set standards on cybersecurity, the hackers take 5 seconds to get around that, and it will take years then for the industry to move around that. You are setting them up as ducks waiting to be shot if we do that. So we can't. We've got to give them the flexibility. The least govern-

ment interference is what gives them the flexibility.

The next part is communication. What I learned from the critical infrastructure industries is that what they want to know is, is there a threat out there, and what's the specifics of the threat? They know they're under attack every day. Maybe our defense agencies have specific information they can share, but they can't because it's top secret.

So this bill allows there to be communication of specific threats to perhaps communicate from government to private sector some better practices that they can enact. That's what this breaks down, that barrier, not some of these civil liberty conspiracy theories. This is simple communication between government and private sector or private sector to private sector. This isn't reporting on whether you're downloading an illegal movie or whatever. This is about securing our infrastructure.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to my distinguished colleague and friend from the State of Rhode Island (Mr. LANGEVIN), who is also a member of our Intelligence Committee and has worked very hard with the chairman and myself on the issue of cybersecurity. I consider him one of our experts on the Hill in the area of cybersecurity.

Mr. LANGEVIN. I want to thank the gentleman for yielding.

I rise in strong support of H.R. 3523, and I want to thank Chairman ROGERS and Ranking Member RUPPERSBERGER for a bipartisan and inclusive process on an extremely difficult and technical issue. While I don't believe this legislation is perfect, and much work remains to be done, CISPA represents an important good-faith effort to come together as a necessary first step towards better cybersecurity for our Nation.

I have long worked on this issue for many years to raise awareness and to secure our Nation against the threats that we face in cyberspace. Quite frankly, we are running out of time. I believe it's important that we act now to begin our legislative response to this critical issue.

We all know how dependent we are on the Internet and how we use it so much in our daily lives, but the Internet was never built with security in mind. What's happening is our adversaries are using the vulnerabilities against us.

I've also been very clear that we need to have robust privacy protections that must be included to safeguard personal information and also defend civil liberties in any cybersecurity response that we do enact. I'm pleased to say this legislation has been strengthened in that regard, and I believe more can be done as we continue this important debate.

That being said, the efficient sharing of cyberthreat information envisioned

by this legislation is vital to combating advanced cyberthreats and stemming the massive ongoing theft of identities, intellectual property, and sensitive security information.

□ 1500

This legislation clearly and simply will allow the government to provide classified information threat signatures to the private sector and also allow the private sector to share with us the cybersecurity attacks that they are experiencing, sharing that with the government so we have better situational awareness. If you look at this, it basically gives us radar, if you will, in cyberspace, sharing information back and forth on cyberthreats that are facing the country.

This bill is a good step, but it's only a first step. Voluntary information-sharing is helpful and it's needed, but it does not, on its own, constitute strong cybersecurity.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman from Rhode Island 30 additional seconds.

Mr. LANGEVIN. I thank the gentleman for the additional time.

I have long maintained that we must also move forward on legislation that establishes minimum standards for the cybersystems that govern our critical infrastructure, particularly the electric grid and our water systems.

With that, I again want to thank Chairman ROGERS and Mr. RUPPERSBERGER for their outstanding efforts, and I ask my colleagues to support this important cybersecurity information-sharing legislation.

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the gentleman from California (Mrs. BONO MACK).

Mrs. BONO MACK. Madam Chair, I rise today in strong support of this bill. This critically needed legislation will help to safeguard America in the future from cyberattacks by unscrupulous and rogue nations, terrorists and cybercriminals. We need to act before a disaster takes place, not after it, and this is our chance.

As chairwoman of the House Subcommittee on Commerce, Manufacturing and Trade, I have spent the past 16 months holding hearings and thoroughly examining the issue of online privacy. So as a cosponsor of this legislation, I have very carefully reviewed its privacy provisions, and I'm satisfied that it will not negatively impact American consumers.

Frankly, the privacy concerns are exaggerated. There is no bogeyman hiding in the closet, and Big Brother is not tapping into your hard drive. This bill provides absolutely no authority to the Federal Government to monitor private networks—none. Additionally, all information-sharing with the gov-

ernment would be completely voluntary.

The bill also encourages the private sector to "anonymize" the information it shares with the government or other entities, including—and this is very important to remember—the removal of personally identifiable information prior to sharing it.

Finally, the bill also requires the intelligence community inspector general to review information-sharing between the private sector and the government and to provide an annual report to the Congress on its findings.

These are very strong privacy protection features, and I applaud Chairman ROGERS and Ranking Member RUPPERSBERGER for working so hard to protect the American consumer and to make this a truly bipartisan effort.

Unfortunately, some people and some groups will say anything to try and scuttle this bill—sounding false alarms and raising imaginary red flags—despite the very real and dangerous threat posed by terrorists and our enemies if we do nothing.

Madam Chair, I strongly urge the adoption of H.R. 3523.

Mr. RUPPERSBERGER. I yield 2 minutes to my distinguished colleague from the State of Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Thank you, Ranking Member RUPPERSBERGER.

Madam Chair, I rise in opposition to this very disturbing bill.

One thing that is important to keeping our country number one has been the personal freedoms that we have all enjoyed since this country's beginning. Those freedoms lie in the Bill of Rights. And the Fourth Amendment to the United States Constitution within that Bill of Rights provides for a right of privacy. Now this right of privacy can be impacted by technology and various advances in science that make eavesdropping, surveillance, and investigation easier and also more secretive by law enforcement, by personal individuals, and by corporations, by any component that may look to misuse information for their personal benefit. So I rise in opposition to this disturbing bill.

CISPA would grant the private sector blanket permission to harvest Americans' data for extremely broad "cybersecurity purposes," notwithstanding any other provision of law. It would grant the private sector blanket permission to then share that data with the Federal Government, notwithstanding any other privacy laws or agreements with users.

The Acting CHAIR (Mrs. CAPITO). The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman an additional 30 seconds.

Mr. JOHNSON of Georgia. Then, as if that weren't disturbing enough, this bill would grant the government broad authority to share that information be-

tween intelligence and law enforcement agencies and use it for virtually any purpose defined as important to cybersecurity or national security.

I know it's 2012, but it sure feels like "1984" in this House today. If you value liberty, privacy, and the Constitution, then you will vote "no" on CISPA.

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the gentleman from California (Mr. NUNES).

Mr. NUNES. Madam Chair, I rise in strong support of this bill.

The bill before us today is targeted towards a very specific and growing threat to our Nation. Every day, American businesses are being targeted by China, Russia, and other foreign actors for cyber-exploitation and theft. These acts of industrial espionage are causing enormous losses of valuable American intellectual property that ultimately costs the United States jobs. We cannot afford to allow high-paying jobs to be stolen in this manner, nor can we simply sit by and allow the cyberwarfare being conducted against us to continue without consequences.

Madam Chairman, jobs are at stake, as is the technological capital of the United States. But if the reality of this economic cyberwarfare isn't convincing enough, you should understand that there are other good reasons for us to support this bill.

The state-of-the-art technology stolen from Americans can easily be turned against us and represents a serious threat to America's critical infrastructure. None in this body would likely disagree that we have to prevent our enemies from protecting American military technology. That's why we have long had export controls and other mechanisms to prevent such a thing from occurring. Madam Chairman, how is the theft of intellectual property any less a threat today?

Whether we like it or not, cyberwarfare is a reality. Our government and its security agencies understand this and are using both classified and unclassified information to fight the threat. But without passage of this bill, they are being forced to do so without the meaningful participation of industries—private industries—that are being subjected to attacks, that in some cases our government even knows about but cannot share that with those private companies.

So we shouldn't expect America's private sector innovators to protect themselves if we won't tell them where the attacks are coming from. If we don't share this information or allow them to share information with us, how do we expect to secure the sensitive information?

The Acting CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. I yield the gentleman from California an additional 30 seconds.

Mr. NUNES. So we essentially have three choices. We can pass this bill,

very narrowly focused, allowing our intelligence community to work with private industry, or we can fund a massive new government program. I think we've proven that those massive new government programs seldom work and are often costly. Or would the opponents of this bill simply rather do nothing and allow our country to continue to be attacked every day?

We need to pass this bill to enable cyberthreat-sharing and provide clear authority for the private sector to defend its networks.

Madam Chair, I want to close by saying that we should congratulate Chairman ROGERS and Ranking Member RUPPERSBERGER for the work that they've done to protect this country.

□ 1510

Mr. RUPPERSBERGER. Madam Chair, I yield 3 minutes to my distinguished colleague from the State of Oklahoma (Mr. BOREN), who is also a member of the Intelligence Committee. He has worked very closely with me and the chairman to bring this bill to the floor today, and we thank him for that.

Mr. BOREN. Madam Chair, I rise today in support of the Cyber Intelligence Sharing and Protection Act. I'm proud to have been a part of this bipartisan effort, led by Chairman ROGERS and Ranking Member RUPPERSBERGER, to bring this bill to the floor today.

There is one fact on which everyone can agree: our country must strengthen its cybersecurity capabilities. To achieve this, we need the cooperation of industry, government, and our citizens, and we need to protect the unique interests of each of these groups.

Some may be asking the question, how does this bill protect American industry? It gives private companies the ability to receive classified information from the government to protect their networks. The bill also gives them flexibility to share information with the government without compromising their business equities or harming their customers. This information-sharing partnership will enhance government efforts to analyze and understand malicious codes and other cyberthreats.

I think companies that have publicly supported this legislation have gotten a bad rap in the press. I think we all need to remember that these American companies are not the enemy. They employ thousands of Americans and provide essential cyberservices to millions of people. They are profit-making entities that want to satisfy their customers and grow their businesses. These American companies have absolutely no motivation to send private customer information to the government or anyone else. In fact, they have every reason to protect it.

Under this legislation, American companies will enhance their capa-

bility to protect the private information of their customers by receiving classified assistance from the government. Moreover, they will help their customers and the country by voluntarily informing the government of malware and other malicious conduct and threats that emerge from their networks. But that is not the only way that this bill protects our citizens' privacy. It restricts the government's use and retention of any personal information that companies may choose to share. In addition, it directs the intelligence community inspector general to monitor and report any abuse of users' privacy.

Finally, we must also remember that the government is not the enemy. The intelligence community does not want to squander this opportunity to improve our Nation's cybersecurity by abusing the civil liberties or privacy of American citizens. To this end, the bill specifies that the government can only use the information it receives from the private sector for purposes directly related to addressing cyberthreats, national security, and threats to life and limb.

In closing, this legislation strikes the appropriate balance between the interests of the private sector industry, the Federal Government, and private citizens.

The Acting CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman an additional 30 seconds.

Mr. BOREN. It will help our country avoid a potential cybercatastrophe that could threaten our national security and endanger our economic prosperity.

With that, I urge my fellow Members to join me and support this important bill.

Again, I want to say specifically to our ranking member and our chairman, thank you for putting the country's interests ahead of partisan gain. We're working together in this committee, both Democrats and Republicans, to do what is in the best interest of our intelligence community and the United States of America.

Mr. RUPPERSBERGER. Madam Chair, may I ask how much time we have on both sides?

The Acting CHAIR. The gentleman from Maryland has 8 minutes remaining, and the gentleman from Michigan has 10½ minutes remaining.

Mr. ROGERS of Michigan. Madam Chair, I yield 1½ minutes to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. I thank the chairman.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

My friends, that is the Fourth Amendment to the Constitution, one of the original 10 in the Bill of Rights protecting, in writing, the privacy of the United States citizenry.

I want to give Mr. ROGERS and Mr. RUPPERSBERGER an "A" for effort in terms of identifying the problem, but I have to give them an "F" for problem solution.

The word "privacy" in the underlying bill is mentioned one time, and that in passing. There are no explicit protections for privacy. In fact, there is an explicit exemption of liability to all people who engage in the collection, dissemination, transfer, and sharing of information. The cause of action, if you feel your privacy has been violated, is to go to district court and prove there was willful and knowing sharing of your information without your permission. If you prevail in Federal district court, you get \$1,000, or whatever it costs you.

My friends, we have a real problem. I take the chairman at his word—he's a former FBI agent—that he wants to solve this cyberthreat. I know he means it. But until we protect the privacy rights of our citizens, the solution is worse than the problem that they're trying to solve.

Please vote "no" on this bill.

Mr. RUPPERSBERGER. Madam Chair, I have no more speakers, and I yield myself such time as I may consume.

First thing, there were some comments that I would like to respond to.

First thing, this bill does not allow the wholesale violation of privacy rights. This bill is extremely important to our national security, but also important to our citizens of this great country, our privacy rights, and civil liberties.

The chairman and I have taken this very seriously, as have the members of our caucus. We know this is not a perfect bill—there will probably be additional changes. We will have more debate later on this afternoon.

Now, some of the things I want to address. During the drafting of this legislation we put forward a wide range of privacy protections. We worked for the last year with the White House, privacy groups, and business groups to come to a coalition to make sure that we get this bill right.

First, the bill severely limits what kind of information can be shared with the government. Only information directly pertaining to the threat can be shared, which is mostly formulas, X's and O's of the virus code. It's almost something that the companies deal with now in dealing with spam.

Second, the bill encourages companies to voluntarily strip out personal information that may be associated with these zeroes and ones. Occasionally, that does occur, and we have to deal with that, and we'll continue to deal with that issue.

There also are strong use limitations on the data. This information must be used for cybersecurity purposes or the protection of national security. The information cannot be used for regulatory purposes. For example, if there's evidence of tax evasion, that information cannot be used in a criminal proceeding, only in national security, only in the areas of life and limb, or for anything involving juvenile crimes.

The bill prohibits the government from requiring the companies to give information to the government in exchange for receiving the cyberthreat intelligence. That means that when we pass the information of the attacks—it's called the secret sauce—to the providers, it's only voluntarily. The government can't put any restrictions on that whatsoever. That really means that this is not surveillance at all.

The bill does not allow the government to order you to turn over private email or other personal information. This is not, again, surveillance.

The bill does not allow the government to monitor private networks, read private emails, censor or shut down any Web site. This is not SOPA.

In an effort to improve the bill even more, the intelligence community—thank you to the leadership of Chairman ROGERS—has been working with privacy groups, the White House, and other interested parties to address these concerns with the legislation. We on our side of the aisle take, again, this issue of privacy very seriously. The committee has maintained an open door policy and made more changes to the bill to make it even better as we have gone on up until today.

The legislation grants no new authority to the Department of Defense, National Security, or the intelligence community that require it to direct any public or private cybersecurity effort. If the government violates any of these restrictions placed on it by the legislation, the government can be sued for damages, costs, and attorneys fees.

I think it is extremely important—we on the Intelligence Committee deal with these issues every day. This is a very sophisticated area that we deal with that most people don't know. So we're attempting, and we have for the last year, to educate as many of our Members as we can. But it's important to know that national security is clear—our effort and what we're attempting to do—but also to maintain the privacy, the constitutional rights of our citizens.

I reserve the balance of my time.

□ 1520

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the distinguished gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Madam Chair, I don't think we can say often enough

how important it is that the chairman and ranking member have worked together, not only on the substance of this bill, but in the process of getting us here. They have, truly, put the country's interests first, and I think all Members should commend them for that.

This was a good bill when it was reported out of committee 17-1. I think it will be a better bill once the amendments are considered and adopted. And for any Member who has concerns about privacy or misuse of information, I think they should look at the amendments that are going to be adopted; and any reasonable concern, any semi-reasonable concern about privacy will be addressed with the limitations that those amendments add.

Madam Chair, this bill does not solve all the problems in cybersecurity. All four bills that we're considering today and tomorrow don't solve all the problems we have in cybersecurity. But it makes no sense to me, as some seem to have argued, that we should not solve this problem of information-sharing because we're not solving all the problems that somebody can see out there.

This problem of information-sharing has been central to cybersecurity concerns for some time. I happened across a report from December 2004 that was issued by a subcommittee I chaired of the Select Committee on Homeland Security, along with the gentlelady from California (Ms. ZOE LOFGREN), where we wrote: Whether it is vulnerability assessments, threat warnings, best practices or emergency response, information-sharing with the private sector is critical to securing the United States from cyberattack. That was 8 years ago.

Why has it not occurred? Because all the legal obstacles, all the fear of being sued has prevented it from occurring. And that's what this bill does. It clears away the legal underbrush that has prevented the kind of information-sharing that people have been talking about for a decade.

This is a good, important step. It doesn't solve all the problems, but it puts more information at the disposal of critical infrastructure so that they can be protected. It should be adopted.

Mr. RUPPERSBERGER. Madam Chair, I have a speaker on the way.

Mr. ROGERS, do you have any more speakers?

Mr. ROGERS of Michigan. I do.

Mr. RUPPERSBERGER. I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the distinguished gentleman from the great State of Oregon (Mr. WALDEN).

Mr. WALDEN. I thank the chairman and the ranking member for their bipartisan and thoughtful approach to this incredibly important issue facing our country. I support your legislation. I commend you both for identifying a

glaring hole in our cyberdefenses: better information-sharing between the private sector and the government.

Such sharing is a force multiplier. It combines the technological strength of our network providers with the ongoing efforts of our agencies to combat growing cyberthreats. From the get-go, the bill has protected privacy and civil liberties and ensured that any information-sharing is voluntary.

I understand Chairman ROGERS has also gone the extra mile to reach out to the privacy community and will be offering and supporting amendments to address any lingering concerns that may remain from misunderstandings over the language. Breaking down the barriers to information-sharing is a linchpin to better cybersecurity, and this legislation will be a tremendous step forward in securing cyberspace for our citizens.

But don't take my word for it. That's what cybersecurity firms and researchers, Internet service providers, and government officials told the Subcommittee on Communications and Technology, which I chair, in the three separate hearings that we held. That's what a bipartisan working group I convened concluded when it interviewed a broad spectrum of stakeholders in the cybersecurity debate.

By contrast, no matter how well-intentioned, cybersecurity regulations would likely just expand government, reduce flexibility, impose costs, misallocate capital, create more red tape and not more security. According to one government witness, regulating cybersecurity practices would "stifle innovation and harm the industry's ability to protect consumers from cyberthreats."

Indeed, voluntary efforts, not government regulation, are already improving cybersecurity for communications networks that cover 80 percent of Americans.

When Congress is looking at a complex issue like cybersecurity, we need to heed the Hippocratic Oath: First, do no harm.

So I want to thank my colleagues for making this process especially open and transparent. Representative ROGERS has graciously reached out to members of the Energy and Commerce Committee to understand our concerns about protecting privacy and civil liberties and preventing regulatory overreach, and Representative THORNBERRY's work in organizing the House Republican Cybersecurity Task Force, which included Representatives TERRY and LATTA, members of my subcommittee.

The Acting CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. I yield the gentleman an additional 30 seconds.

Mr. WALDEN. The bottom line is, we're going to protect America from the greatest threat to America and to

Americans with this legislation. We need to make sure that our private sector is nimble and flexible and innovative; and tying its hands with prescriptive regulation—we heard over and over again in our subcommittee hearings—would do the opposite of that and would result in the bad guys getting an edge on the good guys.

I support this bipartisan legislation. I urge its passage.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to my distinguished colleague from the State of Georgia, Mr. JOHN LEWIS, one of the most respected Members of our Congress.

Mr. LEWIS of Georgia. Madam Chair, I want to thank my friend, the gentleman from Maryland (Mr. RUPPERSBERGER) for yielding.

Madam Chair, I rise to oppose H.R. 3523. It is a step back.

Those of us who protested in the fifties and the sixties, who were called Communists, who had our telephone calls recorded, we have a long memory. We remember our Nation's dark past.

Martin Luther King, Jr.'s telephone was wiretapped. His hotel room was wiretapped. His home was wiretapped. Our office was wiretapped. Our meetings were wiretapped. And it was not just people spying on civil rights activists, but people protesting against the war in Vietnam.

We didn't have a Facebook, a Twitter, or email. These new tools must be protected. Today we have a mission, a mandate, and a moral obligation to protect future generations of activists and protestors.

So I say to my colleagues, stand with us today. Stand up and stand on the right side of history. Oppose H.R. 3523.

Mr. ROGERS of Michigan. Madam Chair, I yield myself 2 minutes.

Lots of misinformation about this bill today. I respect the gentleman from Georgia greatly for his efforts. I heard the gentleman from Texas talk about searches and seizures. And this is the good news: there are none of those things in this bill. None.

You know, if I knew that your house was to be robbed, I would expect that if the police knew, that they'd pick up the phone and call you and say, you are going to be robbed. Take precaution. We'll be their shortly.

This bill just says, if we have this nasty source code, these zeroes and ones, I want to give it to you so you can protect your systems. That's it. No monitoring, no content, no surveillance, nothing. That's not what this bill is about.

I understand the passion about it. That's why we've taken a year to forge this bipartisan effort to get where we believe privacy is protected. It is paramount that we do that, that our civil liberties are protected. It is paramount that we do that.

But we at least take down the hurdle to share nasty source code or software

that's flying through the Internet, that's developed, and it's very sophisticated, by the Chinese and the Russians and the Iranians and other groups and non-nation-state actors that are going to steal your personal information.

That's all this is. It's sharing bad source code so you can put it on your system so you don't get infected. End of story.

I wish people would read the bill, all of it, every word of it. I think you'll find the carefully crafted language to make sure that our rights are protected, that the Fourth Amendment is protected.

And by the way, just like the Army, the Navy, the Marines, your FBI is protecting you. That's what this bill allows it to do, simply that.

So, as I said, I respect greatly the gentleman from Georgia. There's a lot of atrocities I think he lived through in his life that no one should have to live through. We took those things into consideration when we wrote this bill, and that's why we've got so much support and so much technical company support, companies like Facebook and Microsoft and all of those groups.

So I hope people read the bill and support the bill.

I reserve the balance of my time.

□ 1530

Mr. RUPPERSBERGER. I yield myself such time as I may consume.

In closing, I want to say again that the purpose of this bill, as the chairman just said, is very basic and simple. We want to protect our citizens from attacks. We are being attacked as we speak right now. Just last year, it was estimated we lost \$300 billion worth of trade secrets. We even know that one country is attacking a fertilizer company to find out how we make it better than they do. This is putting our businesses in jeopardy and jobs in jeopardy, and we know we sure need jobs.

More importantly, those of us who work in this field know how serious these threats are. The head of our FBI, whose responsibility it is to provide our domestic national security, has said that one of the most serious threats, if not a bigger threat, in terrorism would be a catastrophic cyberattack. We've already talked today about what that would be. We have Secretary Napolitano, the Director of Homeland Security, who has said the same thing: that it is one of the most serious issues our country has to deal with. It's unfortunate, but most of our citizens aren't aware of how serious this threat is.

So we've attempted to allow our intelligence community, which is one of the best in the world, to have the ability to see these threats coming in from other countries or from terrorist groups and to be able right now to give this information over to the private sector to protect us, you, me, our busi-

nesses. That's what this bill does. Nothing more. What we're attempting to do is to move the bill and get the bill to the Senate.

We can always do better in the area of privacy and civil liberties, and we're going to continue to do that. We can always do better in the area of homeland security and go further to protect those institutions and our grid systems and that type of thing; but this is the start, because the one thing that now is stopping our country and is stopping us from protecting our citizens is this Congress.

This Congress needs to pass this bill now. We need to move forward. We need to get it to the Senate. We need to start working with the Senate. Then hopefully we'll deal and work very closely with the White House and find a bill so that we can protect our citizens and also protect our civil liberties and privacy.

I also understand Mr. LEWIS. We all respect him and what he has gone through. As a former prosecutor and lawyer who has worked on many search and seizure warrants and that type of thing, I can tell you this: there are no violations in this bill at all. That is not what this bill is about. If it were, I wouldn't be in favor of it.

I thank you, Mr. ROGERS, for your cooperation and for working with us in this bipartisan manner. It is a very serious issue.

I yield back the balance of my time. Mr. ROGERS of Michigan. I yield myself the balance of my time.

I do want to thank the ranking member and both staffs from both committees who have been tireless in this effort to get it right and to find that right place where we could all feel comfortable.

The amendments that are following here are months of negotiation and work with many organizations—privacy groups. We have worked language with the Center for Democracy and Technology, and they just the other day said they applauded our progress on where we're going with privacy and civil liberties. So we have included a lot of folks.

It has been a long road. It has been the most open and transparent bill that, I think, I've ever worked on here. We kept it open to the very end to make sure that we could find the language that clarified our intent to protect privacy, to protect civil liberties, and to just be able to share dangerous information with victims. That's all this bill is. The whopping 13 pages it is does only that. So I appreciate the comments today. I look forward to the amendment debate.

Again, Mr. RUPPERSBERGER, it has been a joy to work with you on this particular issue.

As an old Army officer once told me, once you find a problem, you are morally obligated to do something about

it. We set about it a year ago to make America safe and to protect your network at home from people stealing it, breaking it, and doing something worse.

So, Madam Chair, I look forward to the debate on the amendments, and I yield back the balance of my time.

Mr. CUMMINGS. Madam Chair, although I am voting against the Cyber Intelligence Sharing and Protection Act of 2011 today, I recommend Representative C.A. "DUTCH" RUPERSBERGER, the Ranking Member of the House Intelligence Committee, for his efforts to improve the bill significantly since its passage out of committee. He has been a leader in protecting our Nation against cyber attacks, and he has gone out of his way to make this bill as inclusive and bipartisan as possible. I want to thank him for the time he took to meet with me personally to discuss this legislation and ways to improve it going forward.

I oppose this bill in its current form for several reasons. First, the Republicans on the House Rules Committee refused to allow debate on an amendment offered by Representative BENNIE THOMPSON, the Ranking Member of the House Committee on Homeland Security, to expand this legislation to protect our Nation's critical infrastructure.

In testimony before the House Intelligence Committee, then-CIA Director Leon Panetta called cybersecurity "the battleground for the future." Our Nation's critical infrastructure—including power distribution, water supply, telecommunications, and emergency services—has become increasingly dependent on computerized information systems to manage their operations and to process, maintain, and report essential information. Any effort to address this national security threat must address our Nation's critical infrastructure.

In addition, the legislation includes several provisions that are problematic. For example, under the information-sharing provisions of the bill, private entities receive absolute immunity from criminal or civil liability for any harm that may result from a company's actions that stem from the sharing or receiving of cyber threat information as long as the company can show it was acting in good faith.

This bill would also create a new exemption to the Freedom of Information Act that is unwarranted since current law exemptions provide the flexibility necessary to protect sensitive information. The bill would prohibit agencies from disclosing "cyber threat information," and it would hold the government liable for such disclosure. Unfortunately, an amendment offered on the floor did not sufficiently address these concerns.

Finally, the bill would allow companies to share private consumer data without adequate protections or oversight. Private entities would decide the type and amount of information to share with the Federal Government, and nothing in the bill would require companies to strip out unnecessary personally identifiable information. Again, an amendment offered on the floor did not go far enough to adequately address this issue.

I appreciate the great effort that went into pulling this bill together, but more work is needed before I can offer my support. It is critical that we protect Americans from cyber at-

tacks, and I hope we can continue to improve this legislation as we move forward.

Mr. NADLER. Madam Chair, I rise in strong opposition to H.R. 3523, the Cyber Intelligence Sharing and Protection Act (CISPA).

The main topic this week, as announced by the House Republican Leadership, is cyber security, a serious issue for our Nation. As we become more dependent on computers and technology for even common or routine actions that happen every day, we become at increased risk of great damage from a cyber attack. Nations or individuals who wish us harm know that, and so we must be vigilant.

What we are considering today is premised on the idea that greater information sharing of cyber threats between the government and the private sector will improve security. While this is a relatively uncontroversial idea in concept, the bill before us raises a number of concerns.

It is important to note at the outset that the bill allows companies to share information, including private e-mails and other Internet communications, with the government—notwithstanding any other law. So, protections in existing law, such as the Electronic Communications Privacy Act (ECPA) and the Wiretap Act, are totally superseded. The government could get all of your information without a warrant or subpoena, and you would have little ability, if any, to stop it. Such a blanket exemption should give us great pause.

Unfortunately, the rest of the bill does not provide sufficient safeguards to justify this blanket exemption. To begin with, the definition of the cyber threat information to be shared is very broad. Suggestions have been made that define what should be included as cyber threat information in a narrow but sufficient way. These suggestions were not included in this bill.

At the very least, companies and other entities providing the government with information should be required to take some reasonable steps to remove personally identifiable information. Such reasonable steps need not be overly burdensome, but, again, even this limited protection was not included.

Once this information was shared with the government, it could be reviewed and used by any department. The Department of Defense, National Security Agency, and other defense and intelligence agencies thus would have access to the private, domestic internet activities of innocent Americans. This mixing of domestic information with military entities is dangerous and unprecedented. In fact, our policy has long-been to keep the military out of such domestic affairs. Information about cyber security should be limited to the relevant domestic government bodies, such as the Department of Homeland Security.

The power of government to use the information it receives would also be tremendously broad. One allowable use for this information is the hopelessly vague "national security." In the past, the government has considered peace groups, civil rights activists, and other advocates to be "threats" to national security. It is easy to imagine how this term could be utilized for all the wrong reasons. The bill is supposed to be about cyber security, but allowing use of the information collected for national security purposes does not necessarily serve that purpose.

Further, the bill makes enforcing even the limited restrictions it contains difficult. With respect to private entities, as long as they act "in good faith," they are immune from any civil or criminal case in state or federal court. This low standard means that any time a company claims it thought it was following the law, persons harmed by the improper sharing of information will have no recourse.

The bill does allow for civil actions against government violations. Unfortunately, the ability to bring a lawsuit against the government, as provided for in the bill, is deficient in three ways.

First, the bill only would allow lawsuits against the government for breaches if filed "not later than two years after the date of the violation." That time period is wholly unworkable, unfair, and unrealistic.

Second, as written the bill only would impose liability on the government only for "intentionally" or "willfully" violating its restrictions. While this is helpful, such a limited liability scheme ignores damages arising from negligence. Such negligent acts could involve the failure to properly protect sensitive information or the failure to act with due care in deciding what information should be used.

Lastly, the only remedy is monetary damages. Injunctive relief, which could force the government to change its practices, is not provided for.

I filed an amendment with the Rules Committee to solve these three problems regarding the ability to hold the government accountable. It was not made in order.

In fact, multiple amendments were filed with the Rules Committee which would have made significant improvements to this bill. They would have narrowed its terms, limited how information could be used, protected personal information, and so on. The Rules Committee chose not to make them in order. Some of the amendments the House was allowed to consider will improve the bill, but not enough to sufficiently protect our privacy and civil liberties.

In closing, I want to reiterate that I recognize the importance of the issue of cyber security. I agree with the proponents of the bill that we must improve our cyber security defenses.

But, I remain firmly committed to the notion that we can protect our security and maintain our liberty, privacy, and freedom. This bill puts our privacy at great risk, and unnecessarily so. As such, I oppose its passage and recommend my colleagues do the same.

Mr. RAHALL. Madam Chair, I recognize the need to address the threats posed to our Nation and the American economy in cyber space, but I also believe we must be very careful in maintaining the appropriate balance between protecting our national security and preserving our civil liberties.

Given the concerns about this measure and the perceived threat to sensitive and personal information of American citizens, I believe that the House should take additional time to deliberate on this measure. The American public deserves an opportunity to gain a fuller understanding of the provisions included in this bill and how their daily lives may be affected by it.

For these reasons, I will oppose the bill.

Mr. BLUMENAUER. Madam Chair, security and privacy are not mutually exclusive. The intelligence community—within government and the private sector—has the tools necessary to keep us safe without compromising our civil liberties. Unfortunately, the bill before the House, H.R. 3523, the Cyber Intelligence Sharing and Protection Act (CISPA), treats privacy and civil liberties as obstacles to cybersecurity. Therefore, I oppose this legislation.

Just as the Internet has revolutionized the way people do business, learn, and interact, it has also transformed the nature of the threats against our national security. Every day bad actors—rogue states, terrorist organizations, and hackers—attempt to infiltrate America's cyber networks. Some security experts warn that a cyber attack poses the greatest threat to our national security.

The intent of CISPA is laudable. Cybersecurity experts in government and the private sector agree that the biggest impediments to strengthening cybersecurity are the obstacles preventing the sharing of cyber threat information. If one network is attacked, other networks could benefit from information pertaining to that attack. However, CISPA fails to adequately protect civil liberties in facilitating this information sharing.

CISPA preempts all other provisions of law, including critical privacy laws. The bill does not define "national security" at all, leaving that to the discretion of private entities and the government. The definition of "cybersecurity threat" is too broad and could allow the sharing of private information that does not relate to a real threat. The bill also does not require that the data be scrubbed of key information that may identify individuals. Once this information is shared, it is supposed to be used only for cybersecurity or national security purposes. But again these terms are undefined or only partially defined, leaving open the potential that this information may be abused in a way that does not relate to a real threat.

Strengthening America's cybersecurity is a bipartisan issue. It should be done in a thoughtful and deliberate manner to ensure that we are securing the country while still protecting our civil liberties guaranteed by the Constitution. Unfortunately, CISPA falls short.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee print 112-20. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3523

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cyber Intelligence Sharing and Protection Act".

SEC. 2. CYBER THREAT INTELLIGENCE AND INFORMATION SHARING.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 442 et seq.) is amended by adding at the end the following new section:

"CYBER THREAT INTELLIGENCE AND INFORMATION SHARING

"SEC. 1104. (a) INTELLIGENCE COMMUNITY SHARING OF CYBER THREAT INTELLIGENCE WITH PRIVATE SECTOR AND UTILITIES.—

"(1) IN GENERAL.—The Director of National Intelligence shall establish procedures to allow elements of the intelligence community to share cyber threat intelligence with private-sector entities and utilities and to encourage the sharing of such intelligence.

"(2) SHARING AND USE OF CLASSIFIED INTELLIGENCE.—The procedures established under paragraph (1) shall provide that classified cyber threat intelligence may only be—

"(A) shared by an element of the intelligence community with—

"(i) certified entities; or

"(ii) a person with an appropriate security clearance to receive such cyber threat intelligence;

"(B) shared consistent with the need to protect the national security of the United States; and

"(C) used by a certified entity in a manner which protects such cyber threat intelligence from unauthorized disclosure.

"(3) SECURITY CLEARANCE APPROVALS.—The Director of National Intelligence shall issue guidelines providing that the head of an element of the intelligence community may, as the head of such element considers necessary to carry out this subsection—

"(A) grant a security clearance on a temporary or permanent basis to an employee or officer of a certified entity;

"(B) grant a security clearance on a temporary or permanent basis to a certified entity and approval to use appropriate facilities; and

"(C) expedite the security clearance process for a person or entity as the head of such element considers necessary, consistent with the need to protect the national security of the United States.

"(4) NO RIGHT OR BENEFIT.—The provision of information to a private-sector entity or a utility under this subsection shall not create a right or benefit to similar information by such entity or such utility or any other private-sector entity or utility.

"(5) RESTRICTION ON DISCLOSURE OF CYBER THREAT INTELLIGENCE.—Notwithstanding any other provision of law, a certified entity receiving cyber threat intelligence pursuant to this subsection shall not further disclose such cyber threat intelligence to another entity, other than to a certified entity or other appropriate agency or department of the Federal Government authorized to receive such cyber threat intelligence.

"(b) USE OF CYBERSECURITY SYSTEMS AND SHARING OF CYBER THREAT INFORMATION.—

"(1) IN GENERAL.—

"(A) CYBERSECURITY PROVIDERS.—Notwithstanding any other provision of law, a cybersecurity provider, with the express consent of a protected entity for which such cybersecurity provider is providing goods or services for cybersecurity purposes, may, for cybersecurity purposes—

"(i) use cybersecurity systems to identify and obtain cyber threat information to protect the rights and property of such protected entity; and

"(ii) share such cyber threat information with any other entity designated by such protected entity, including, if specifically designated, the Federal Government.

"(B) SELF-PROTECTED ENTITIES.—Notwithstanding any other provision of law, a self-protected entity may, for cybersecurity purposes—

"(i) use cybersecurity systems to identify and obtain cyber threat information to protect the rights and property of such self-protected entity; and

"(ii) share such cyber threat information with any other entity, including the Federal Government.

"(2) SHARING WITH THE FEDERAL GOVERNMENT.—

"(A) INFORMATION SHARED WITH THE NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER OF THE DEPARTMENT OF HOMELAND SECURITY.—Subject to the use and protection of information requirements under paragraph (3), the head of a department or agency of the Federal Government receiving cyber threat information in accordance with paragraph (1) shall provide such cyber threat information to the National Cybersecurity and Communications Integration Center of the Department of Homeland Security.

"(B) REQUEST TO SHARE WITH ANOTHER DEPARTMENT OR AGENCY OF THE FEDERAL GOVERNMENT.—An entity sharing cyber threat information that is provided to the National Cybersecurity and Communications Integration Center of the Department of Homeland Security under subparagraph (A) or paragraph (1) may request the head of such Center to, and the head of such Center may, provide such information to another department or agency of the Federal Government.

"(3) USE AND PROTECTION OF INFORMATION.—Cyber threat information shared in accordance with paragraph (1)—

"(A) shall only be shared in accordance with any restrictions placed on the sharing of such information by the protected entity or self-protected entity authorizing such sharing, including appropriate anonymization or minimization of such information;

"(B) may not be used by an entity to gain an unfair competitive advantage to the detriment of the protected entity or the self-protected entity authorizing the sharing of information;

"(C) if shared with the Federal Government—

"(i) shall be exempt from disclosure under section 552 of title 5, United States Code;

"(ii) shall be considered proprietary information and shall not be disclosed to an entity outside of the Federal Government except as authorized by the entity sharing such information;

"(iii) shall not be used by the Federal Government for regulatory purposes;

"(iv) shall not be provided by the department or agency of the Federal Government receiving such cyber threat information to another department or agency of the Federal Government under paragraph (2)(A) if—

"(I) the entity providing such information determines that the provision of such information will undermine the purpose for which such information is shared; or

"(II) unless otherwise directed by the President, the head of the department or agency of the Federal Government receiving such cyber threat information determines that the provision of such information will undermine the purpose for which such information is shared; and

"(v) shall be handled by the Federal Government consistent with the need to protect sources and methods and the national security of the United States; and

"(D) shall be exempt from disclosure under a State, local, or tribal law or regulation that requires public disclosure of information by a public or quasi-public entity.

"(4) EXEMPTION FROM LIABILITY.—No civil or criminal cause of action shall lie or be maintained in Federal or State court against a protected entity, self-protected entity, cybersecurity

provider, or an officer, employee, or agent of a protected entity, self-protected entity, or cybersecurity provider, acting in good faith—

“(A) for using cybersecurity systems or sharing information in accordance with this section; or

“(B) for decisions made based on cyber threat information identified, obtained, or shared under this section.

“(5) RELATIONSHIP TO OTHER LAWS REQUIRING THE DISCLOSURE OF INFORMATION.—The submission of information under this subsection to the Federal Government shall not satisfy or affect any requirement under any other provision of law for a person or entity to provide information to the Federal Government.

“(c) FEDERAL GOVERNMENT USE OF INFORMATION.—

“(1) LIMITATION.—The Federal Government may use cyber threat information shared with the Federal Government in accordance with subsection (b) for any lawful purpose only if—

“(A) the use of such information is not for a regulatory purpose; and

“(B) at least one significant purpose of the use of such information is—

“(i) a cybersecurity purpose; or

“(ii) the protection of the national security of the United States.

“(2) AFFIRMATIVE SEARCH RESTRICTION.—The Federal Government may not affirmatively search cyber threat information shared with the Federal Government under subsection (b) for a purpose other than a purpose referred to in paragraph (1)(B).

“(3) ANTI-TASKING RESTRICTION.—Nothing in this section shall be construed to permit the Federal Government to—

“(A) require a private-sector entity to share information with the Federal Government; or

“(B) condition the sharing of cyber threat intelligence with a private-sector entity on the provision of cyber threat information to the Federal Government.

“(d) FEDERAL GOVERNMENT LIABILITY FOR VIOLATIONS OF RESTRICTIONS ON THE DISCLOSURE, USE, AND PROTECTION OF VOLUNTARILY SHARED INFORMATION.—

“(1) IN GENERAL.—If a department or agency of the Federal Government intentionally or willfully violates subsection (b)(3)(C) or subsection (c) with respect to the disclosure, use, or protection of voluntarily shared cyber threat information shared under this section, the United States shall be liable to a person adversely affected by such violation in an amount equal to the sum of—

“(A) the actual damages sustained by the person as a result of the violation or \$1,000, whichever is greater; and

“(B) the costs of the action together with reasonable attorney fees as determined by the court.

“(2) VENUE.—An action to enforce liability created under this subsection may be brought in the district court of the United States in—

“(A) the district in which the complainant resides;

“(B) the district in which the principal place of business of the complainant is located;

“(C) the district in which the department or agency of the Federal Government that disclosed the information is located; or

“(D) the District of Columbia.

“(3) STATUTE OF LIMITATIONS.—No action shall lie under this subsection unless such action is commenced not later than two years after the date of the violation of subsection (b)(3)(C) or subsection (c) that is the basis for the action.

“(4) EXCLUSIVE CAUSE OF ACTION.—A cause of action under this subsection shall be the exclusive means available to a complainant seeking a remedy for a violation of subsection (b)(3)(C) or subsection (c).

“(e) REPORT ON INFORMATION SHARING.—

“(1) REPORT.—The Inspector General of the Intelligence Community shall annually submit to the congressional intelligence committees a report containing a review of the use of information shared with the Federal Government under this section, including—

“(A) a review of the use by the Federal Government of such information for a purpose other than a cybersecurity purpose;

“(B) a review of the type of information shared with the Federal Government under this section;

“(C) a review of the actions taken by the Federal Government based on such information;

“(D) appropriate metrics to determine the impact of the sharing of such information with the Federal Government on privacy and civil liberties, if any;

“(E) a review of the sharing of such information within the Federal Government to identify inappropriate stovepiping of shared information; and

“(F) any recommendations of the Inspector General for improvements or modifications to the authorities under this section.

“(2) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(f) FEDERAL PREEMPTION.—This section supersedes any statute of a State or political subdivision of a State that restricts or otherwise expressly regulates an activity authorized under subsection (b).

“(g) SAVINGS CLAUSES.—

“(1) EXISTING AUTHORITIES.—Nothing in this section shall be construed to limit any other authority to use a cybersecurity system or to identify, obtain, or share cyber threat intelligence or cyber threat information.

“(2) LIMITATION ON MILITARY AND INTELLIGENCE COMMUNITY INVOLVEMENT IN PRIVATE AND PUBLIC SECTOR CYBERSECURITY EFFORTS.—Nothing in this section shall be construed to provide additional authority to, or modify an existing authority of, the Department of Defense or the National Security Agency or any other element of the intelligence community to control, modify, require, or otherwise direct the cybersecurity efforts of a private-sector entity or a component of the Federal Government or a State, local, or tribal government.

“(3) INFORMATION SHARING RELATIONSHIPS.—Nothing in this section shall be construed to—

“(A) limit or modify an existing information sharing relationship;

“(B) prohibit a new information sharing relationship;

“(C) require a new information sharing relationship between the Federal Government and a private-sector entity; or

“(D) modify the authority of a department or agency of the Federal Government to protect sources and methods and the national security of the United States.

“(h) DEFINITIONS.—In this section:

“(1) CERTIFIED ENTITY.—The term ‘certified entity’ means a protected entity, self-protected entity, or cybersecurity provider that—

“(A) possesses or is eligible to obtain a security clearance, as determined by the Director of National Intelligence; and

“(B) is able to demonstrate to the Director of National Intelligence that such provider or such entity can appropriately protect classified cyber threat intelligence.

“(2) CYBER THREAT INFORMATION.—The term ‘cyber threat information’ means information directly pertaining to a vulnerability of, or threat to, a system or network of a government or private entity, including information pertaining to the protection of a system or network from—

“(A) efforts to degrade, disrupt, or destroy such system or network; or

“(B) efforts to gain unauthorized access to a system or network, including efforts to gain such unauthorized access to steal or misappropriate private or government information.

“(3) CYBER THREAT INTELLIGENCE.—The term ‘cyber threat intelligence’ means information in the possession of an element of the intelligence community directly pertaining to a vulnerability of, or threat to, a system or network of a government or private entity, including information pertaining to the protection of a system or network from—

“(A) efforts to degrade, disrupt, or destroy such system or network; or

“(B) efforts to gain unauthorized access to a system or network, including efforts to gain such unauthorized access to steal or misappropriate private or government information.

“(4) CYBERSECURITY PROVIDER.—The term ‘cybersecurity provider’ means a non-governmental entity that provides goods or services intended to be used for cybersecurity purposes.

“(5) CYBERSECURITY PURPOSE.—The term ‘cybersecurity purpose’ means the purpose of ensuring the integrity, confidentiality, or availability of, or safeguarding, a system or network, including protecting a system or network from—

“(A) efforts to degrade, disrupt, or destroy such system or network; or

“(B) efforts to gain unauthorized access to a system or network, including efforts to gain such unauthorized access to steal or misappropriate private or government information.

“(6) CYBERSECURITY SYSTEM.—The term ‘cybersecurity system’ means a system designed or employed to ensure the integrity, confidentiality, or availability of, or safeguard, a system or network, including protecting a system or network from—

“(A) efforts to degrade, disrupt, or destroy such system or network; or

“(B) efforts to gain unauthorized access to a system or network, including efforts to gain such unauthorized access to steal or misappropriate private or government information.

“(7) PROTECTED ENTITY.—The term ‘protected entity’ means an entity, other than an individual, that contracts with a cybersecurity provider for goods or services to be used for cybersecurity purposes.

“(8) SELF-PROTECTED ENTITY.—The term ‘self-protected entity’ means an entity, other than an individual, that provides goods or services for cybersecurity purposes to itself.

“(9) UTILITY.—The term ‘utility’ means an entity providing essential services (other than law enforcement or regulatory services), including electricity, natural gas, propane, telecommunications, transportation, water, or wastewater services.”

(b) PROCEDURES AND GUIDELINES.—The Director of National Intelligence shall—

(1) not later than 60 days after the date of the enactment of this Act, establish procedures under paragraph (1) of section 1104(a) of the National Security Act of 1947, as added by subsection (a) of this section, and issue guidelines under paragraph (3) of such section 1104(a);

(2) in establishing such procedures and issuing such guidelines, consult with the Secretary of Homeland Security to ensure that such procedures and such guidelines permit the owners and operators of critical infrastructure to receive all appropriate cyber threat intelligence (as defined in section 1104(h)(3) of such Act, as added by subsection (a)) in the possession of the Federal Government; and

(3) following the establishment of such procedures and the issuance of such guidelines, expeditiously distribute such procedures and such guidelines to appropriate departments and agencies of the Federal Government, private-sector entities, and utilities (as defined in section 1104(h)(9) of such Act, as added by subsection (a)).

(c) *INITIAL REPORT.*—The first report required to be submitted under subsection (e) of section 1104 of the National Security Act of 1947, as added by subsection (a) of this section, shall be submitted not later than one year after the date of the enactment of this Act.

(d) *TABLE OF CONTENTS AMENDMENT.*—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following new item:

“Sec. 1104. Cyber threat intelligence and information sharing.”.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 112–454. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. LANGEVIN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–454.

Mr. LANGEVIN. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 13, strike “UTILITIES” and insert “CRITICAL INFRASTRUCTURE OWNERS AND OPERATORS”.

Page 2, line 1, strike “utilities” and insert “critical infrastructure owners and operators”.

Page 3, line 13, strike “utility” and insert “critical infrastructure owner or operator”.

Page 3, line 16, strike “utility” each place it appears and insert “critical infrastructure owner or operator”.

Page 17, strike lines 12 through 16.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Madam Chair, I yield myself such time as I may consume.

The bill that we are considering today creates a voluntary information-sharing network, which could provide owners and operators of critical infrastructure with valuable threat information that would help them to secure their networks from cyberattacks.

Unfortunately, the legislation specifies that it applies only to “private sector entities and utilities.” While “utilities” is defined extremely broadly in the legislation as any entity that provides “essential services,” including telecommunications and transportation providers, there remains the possibility that the definition may exclude pieces of our critical infrastructure that have significant cyber vulnerabilities.

My amendment, which I am offering with my good friend Mr. LUNGREN from California, strikes the uses of the word “utilities” and replaces it in each instance with the phrase “critical infrastructure owners and operators.” This is a commonsense way to avoid potential confusion and to eliminate any possibility that critical entities could be denied the opportunity to opt into this voluntary information-sharing framework and thereby share and receive the valuable classified threat information that will be available under CISPA.

This amendment will not significantly expand the scope of the legislation, but instead will help prevent interpretations of language that could be contrary to the committee’s intent, which I believe is the same as mine.

Now, while I recognize that any regulation of critical infrastructure would be outside the Intelligence Committee’s jurisdiction, I nonetheless want to take this opportunity to voice my strong conviction that our efforts must not stop with the legislation that we are considering this week.

Just as the airline industry must follow Federal Aviation Administration safety standards, the companies that own and operate the infrastructure on which the public most relies should be accountable for protecting their consumers when confronted with a significant risk. I, along with many Members on both sides of the aisle and experts within and outside of government, have come to the same basic conclusion: the status quo of voluntary action will not result in strong cyberprotections for our most valuable and vulnerable industries. The Secretary of Homeland Security emphasized last week that our critical infrastructure control systems, which are mainly in private hands, must come up to a certain baseline level in cybersecurity standards.

With increased public awareness helping to build momentum for legislative action, we have a real chance to address these threats. I hope that we will not look back on this moment years from now, regretting a missed opportunity after the damage has been done. While the amendment we are offering today will not by itself provide the protections that Mr. LUNGREN and I ultimately believe are necessary for our critical infrastructure, it is a useful first step, and I am thankful to Mr. LUNGREN for joining me in this effort.

With that, Madam Chair, I reserve the balance of my time.

Mr. ROGERS of Michigan. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. I want to first compliment Mr. LANGEVIN for working with us on the cybersecurity bill. He has been an instrumental force in pushing this cybersecurity issue to the front and in getting the language

that we have that finds that right balance.

My concern with this, which is why I thought, at least, the President’s advisers who were recommending to him that he veto the bill were misguided, is that now we have done something in this bill that is fairly unique. It is all voluntary, and we have separated the government and the private sector. The government is not going to be involved in private sector networks, and they’re not going to be involved in the government networks. Perfect. That’s exactly the balance we found.

With this, it crosses both of those, and it gets us to a place that I think we need to have a lot more discussion on, and you can see by the level of debate just on this issue how people are really nervous about the Federal Government getting into their business.

□ 1540

This, I’m afraid, opens it up to that. Here’s the good news. We believe this is already covered in the bill as far as the sharing component, and you replace the word “utility” with something that isn’t defined, “critical infrastructure, owners and operators.” We’re not sure what that is, and in some cases you could extrapolate that to be even the local police, who argue they’re part of the national security infrastructure. Does that mean local police are going to get very sensitive foreign cyberintelligence information? And why would they have it? We don’t know the answers to those questions, and that’s why we’re having such a hard time with this amendment.

I would argue that there does need to be a Homeland Security bill, and it really shouldn’t be done in the Intelligence Committee. It should be done in the Homeland Security Committee.

So I would love to work with Mr. LANGEVIN as the process works its way through the Homeland Security Committee and believe that that should be fully debated.

Remember, when you start getting regulation into the private sector, including private networks, that, I argue, is troublesome and very worrisome to me, and something I would have a hard time supporting.

So, I look forward to working with the gentleman. I would have to oppose this amendment, but I want to thank you for all your work on the cyber issue and, clearly, this cyber information-sharing bill.

I reserve the balance of my time.

Mr. LANGEVIN. I thank the chairman of the Intelligence Committee for his thoughts. I respectfully disagree. The word “utilities” is important, but I believe “critical infrastructure,” out of an abundance of caution, is a better term than “utilities”.

How much time do I have, Madam Chair?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. LANGEVIN. I yield 1½ minutes to the distinguished chairman on the Department of Homeland Security Committee, the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I think the amendment is quite simple. As written, the bill allows for information to be shared with the private sector and utilities, but there are those that do not fall within that that I think we would all agree should be able to have this relationship.

Our amendment would have the simple effect of including those elements such as airport authorities, mass transit authorities, or municipal hospitals, which are neither private sector nor utilities, to be able to participate in this voluntary information-sharing regime.

I find it odd to find out that the committee was worried about the definition of “critical infrastructure.” That has been defined in the U.S. Code for over a decade. It is in the language in 42 U.S.C. 5195c, the Critical Infrastructure Protection Act of 2001, which defines critical infrastructure as:

Systems or assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.

That has been the definition that we have supported. That’s been the definition that we’ve worked on. Your committee, our committee, all committees have. I find this a very simple amendment that tries to reach what we are all trying to reach. It does not grant any more authority to the Federal Government. It allows for the sharing of information to vital entities, as the gentleman has suggested, that we would all agree ought to be there.

I would hope that pride of authorship is not the problem here. We’re trying to do something that we think makes common sense. And if folks have trouble with the definition of critical infrastructure, you would have thought it would have been raised in the last decade.

The Acting CHAIR. The time of the gentleman has expired.

Mr. LANGEVIN. I yield the gentleman an additional 15 seconds.

Mr. DANIEL E. LUNGREN of California. I would hope that we could have support for this bipartisan amendment brought forward by the gentleman who serves on the Intelligence Committee. I serve on the Homeland Security Committee. I’m chairman of the Subcommittee on Cybersecurity.

It seems to me to make imminent sense. I do not understand why there is some opposition to this amendment. I thank the gentleman.

Mr. ROGERS of Michigan. How much time do I have remaining?

The Acting CHAIR. The gentleman has 3 minutes remaining.

Mr. ROGERS of Michigan. I would just remind the gentleman that the definition does not go back anywhere in this bill to that. It leaves it open, and when you start, again, crossing that valley between the government and the private sector, it causes serious issues—as you can see, the people who are very concerned that the government is going to get into regulating anything on the Internet.

I would say this is no pride of authorship. I don’t know if Mr. RUPPERSBERGER and I could have any more authors participate in our bill than we have.

The problem here is very real and very substantive. And that’s why I think both the gentlemen, who have as much passion and care and commitment to this issue as I’ve seen, need to work that issue on the Homeland Security Committee so you can do it in a way that won’t rise to the level of the objections that we have seen when just the suggestion of regulating outside of the purview of national security comes into discussion.

That’s why I would hope the gentleman would exercise extreme caution when taking that walk. It is perilous for the government to get into regulating the Internet, and I oppose that completely. That’s why we have these problems, I think, arise from it. I think, if these are issues that they can get over, that this should have substantive debate. Remember, this very narrow bill took 1 year—1 year—of work and negotiation and discussions to get it to where we are today.

So, I would encourage that maybe more thought ought to be put in it, and I would look forward to working with both gentleman as they introduce and work their bills through the Homeland Security Committee, as I think would be appropriate.

I reserve the balance of my time.

Mr. LANGEVIN. Again, I thank the chairman of the Intelligence Committee for his thoughts. I want to be very clear that this term substituting “critical infrastructure” for “utilities” does not lend to regulating critical infrastructure. It just allows for the broadest possible definition of information-sharing among those entities that are deemed to be critical infrastructure.

With that, I thank Chairman LUNGREN for his support of this bipartisan amendment, and I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LANGEVIN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

The Chair understands that amendment No. 2 will not be offered.

AMENDMENT NO. 3 OFFERED BY MR. POMPEO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-454.

Mr. POMPEO. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, beginning on line 18, strike “or sharing information” and insert “to identify or obtain cyber threat information or for sharing such information”.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Kansas (Mr. POMPEO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. POMPEO. I want to thank Chairman ROGERS and Chairman RUPPERSBERGER for their hard work on this important piece of legislation. I am among those folks who, when I first learned of this legislation, had some concerns to make sure that it was balanced and it did the right things. Also as a former Army officer, I recognize the deep national security implications of the cyberthreat, but I also wanted to make sure that we also did everything that was necessary to protect everyone’s privacy rights.

This is a simple amendment. It makes clear that the liability protection in the bill with respect to the use of such systems only extends to the identification and acquisition of cyberthreat information and no further.

This is an unprecedented threat from countries like China and Russia. These are hostile nations, and they’re committing resources, unprecedented resources, to attack U.S. networks each and every minute of every day. While this new threat is being developed by our foreign enemies, organized criminals and foreign hackers also just as easily deploy malicious cyberattacks to disrupt stock markets, transportation networks, businesses, governments, and even our military operations.

A devastating cyberattack could easily be unleashed from the remote comfort of enemies’ computers thousands of miles away from our Nation. We must take this threat very, very seriously.

Part of the challenge in cyberspace is that a line of computer code could be just as deadly as a traditional military weapon. We’ve already seen these attacks used as an instrument of war. In 2008, Georgia suffered a significant

cyberattack prior to the invasion by Russia. This attack crippled Georgia's banking system and disrupted the nation's cell phone services, helping to clear the battlefield for the invading Russians.

Perhaps the most significant dangerous activity in cyberspace even goes unnoticed. Cyberspies lay in wait for years in order to eventually steal precious military and economic secrets. Each of these examples further illustrates the need for legislation. Unfortunately, some civil liberties and privacy advocates claim that liability protection in this bill with respect to the use of cybersecurity systems could lead to broader activities than authorized.

This legislation doesn't do that, but my amendment simply provides clarifying language to the original language of the bill, and thus enjoys the support of bipartisan cosponsors of the legislation, as well as the outside groups that raise these concerns.

Madam Chair, I urge approval of this amendment.

With that, I reserve the balance of my time.

The Acting CHAIR. Does any Member seek time in opposition?

Mr. POMPEO. I yield as much time as he may consume to the gentleman from Michigan (Mr. ROGERS), the chairman of the Intelligence Committee.

□ 1550

Mr. ROGERS of Michigan. I want to thank Mr. POMPEO for working with us. This was an amendment negotiated with Mr. RUPPERSBERGER and myself and Mr. POMPEO to clearly define the intention of the bill, and I think it offers protections. I think we should all strongly support Mr. POMPEO's amendment.

Mr. POMPEO. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. POMPEO).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. ROGERS OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-454.

Mr. ROGERS of Michigan. I have an amendment at the desk, Madam Chair.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, beginning on line 2, strike "affect any" and insert "affect—".

Page 9, strike lines 3 through 5 and insert the following:

"(A) any requirement under any other provision of law for a person or entity to provide information to the Federal Government; or

"(B) the applicability of other provisions of law, including section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act'), with respect to in-

formation required to be provided to the Federal Government under such other provision of law.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Michigan (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Madam Chair, I strongly encourage the support of this amendment. It's a simple amendment we negotiated. It is clarifying language again on FOIA.

With that, I yield such time as he may consume to the gentleman from California (Mr. ISSA).

Mr. ISSA. I thank the gentleman for yielding. Hopefully there will be time left over also for Mr. CHAFFETZ, who has worked hard on this amendment.

I want to thank the chairman for working with our committee on this amendment that clarifies in the Cyber Intelligence Sharing and Protection Act that FOIA, the Freedom of Information Access Act, is in fact clearly in effect for the vast majority of this information.

We understand that companies—I will just take an example—such as electric utility companies may share their very vulnerabilities as a part of a process to reduce or eliminate these vulnerabilities. We certainly understand that that's not FOIAable. National security is not FOIAable. However, we, in this amendment, ensure that everything is at least possibly FOIAable whenever it would be appropriate, and then the only question is does it stand for one of the exclusions. So by making it narrow, we tell the American people that the Freedom of Information Act is in effect on cybersecurity and will not be unreasonably withheld.

I think this is critical at a time when greater transparency is the promise and there is a great deal of concern about cybersecurity somehow being something that would take away America's freedoms. Just the opposite is true. Our freedom of the Internet, our freedom to have an effective and efficient system on which to build our infrastructure both for electricity and other utilities, but also for our everyday life, essentially requires the kind of cooperation that we anticipate.

Mr. RUPPERSBERGER. Madam Chair, I claim time in opposition to the amendment; however, I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. I agree with Mr. ISSA's comments. This is a joint amendment of Mr. ROGERS and me. The amendment would make it clear that while FOIA exemption protects information obtained under the bill, regu-

latory information required by other authorities remains subject to FOIA requests.

The chairman and I agree the law should not create a broad change. The type of information that is available under the Freedom of Information Act, we have a responsibility to protect classified information from disclosure, but we also understand the need to keep information open to the public. The amendment makes clear that information available under other authorities remains subject to FOIA, and I urge all Members to support this bipartisan amendment.

Mr. CHAFFETZ. Will the gentleman yield?

Mr. RUPPERSBERGER. I yield to the gentleman from Utah.

Mr. CHAFFETZ. I thank the gentleman for yielding.

I appreciate the bipartisan nature in which this is moving forward. I appreciate specifically Chairman ROGERS, Chairman ISSA, and the ranking member.

I stand in support of this amendment. I think FOIA is a very important principle we have in this, and this just strengthens that.

I would also say, Madam Chair, that I was opposed to SOPA. I was adamantly opposed to this. But this bill in particular is desperately needed in this country. Cybersecurity is a very real threat, and this bill is something that is needed in this country. I think it is strong in its Fourth Amendment protections. I think it's appropriate for this Nation to do this. We need to make sure that we're smart in how we advance.

There have been some much-needed amendments that were adopted. But again, the bill, as we see it moving forward, I think, will strengthen cybersecurity in this country, and I'm proud of the fact that Chairman ROGERS is bringing this bill to the floor.

I urge the support of this amendment and the underlying bill.

Mr. ROGERS of Michigan. Madam Chair, I yield back the balance of my time.

Mr. RUPPERSBERGER. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. ROGERS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. RUPPERSBERGER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

It is now in order to consider amendment No. 5 printed in House Report 112-454.

AMENDMENT NO. 6 OFFERED BY MR. QUAYLE

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-454.

Mr. QUAYLE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, strike lines 8 through 18 and insert the following:

“(1) LIMITATION.—The Federal Government may use cyber threat information shared with the Federal Government in accordance with subsection (b)—

“(A) for cybersecurity purposes;

“(B) for the investigation and prosecution of cybersecurity crimes;

“(C) for the protection of individuals from the danger of death or serious bodily harm and the investigation and prosecution of crimes involving such danger of death or serious bodily harm;

“(D) for the protection of minors from child pornography, any risk of sexual exploitation, and serious threats to the physical safety of such minor, including kidnapping and trafficking and the investigation and prosecution of crimes involving child pornography, any risk of sexual exploitation, and serious threats to the physical safety of minors, including kidnapping and trafficking, and any crime referred to in 2258A(a)(2) of title 18, United States Code; or

“(E) to protect the national security of the United States.

Page 16, before line 1 insert the following:

“(4) CYBERSECURITY CRIME.—The term ‘cybersecurity crime’ means—

“(A) a crime under a Federal or State law that involves—

“(i) efforts to degrade, disrupt, or destroy a system or network;

“(ii) efforts to gain unauthorized access to a system or network; or

“(iii) efforts to exfiltrate information from a system or network without authorization; or

“(B) the violation of a provision of Federal law relating to computer crimes, including a violation of any provision of title 18, United States Code, created or amended by the Computer Fraud and Abuse Act of 1986 (Public Law 99-474).”.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Arizona (Mr. QUAYLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. QUAYLE. Madam Chair, I yield myself such time as I may consume.

I appreciate the opportunity to speak in favor of this bipartisan amendment that I'm offering along with Congresswoman ESHOO, Congressman THOMPSON, and Congressman BROUN.

H.R. 3523 is designed to increase the sharing of government intelligence and cyberthreats with the private sector and allow private sector companies to share threat information on a voluntary basis. The bill is consistent with our founding principles and our Constitution. Indeed, as the nature of the threats facing our Nation change, I believe this legislation is vital to protecting our country.

Every day our military intelligence communities work to counter traditional threats like nuclear and biological weapons in order to prevent a cata-

strophic attack on U.S. soil, but today's security threats are becoming less traditional. Four nations have chosen cyberspace as an area of particular vulnerability for America and are targeting critical military and economic cyberinfrastructure.

Admiral Mike Mullen, the former Chairman of the Joint Chiefs of Staff, lists cyberattacks as one of the top threats facing the United States. Secretary of Defense and former CIA Director Leon Panetta warned that the next Pearl Harbor we confront could very well be a cyberattack that cripples our power systems, our grid, our security systems, our financial systems, our governmental systems.

This legislation not only protects our national security and intellectual property, it also provides private and public entities to voluntarily work with the government to protect every individual's personal information from nation-state actors like China, Russia, and Iran, who are determined to use cyberattacks to steal from us and weaken us.

□ 1600

This bipartisan amendment will further solidify protecting the homeland from foreign nation-states wishing to do us harm, while protecting civil liberties.

This amendment significantly narrows the bill's current limitation of the Federal Government's use of cyberthreat information that is voluntarily shared by the private sector. Specifically, this amendment strictly limits the Federal Government's use of voluntarily shared cyberthreat information to the following five purposes: cybersecurity purposes; investigation and prosecution of cybersecurity crimes; protection of individuals from danger of death or serious bodily harm; and protection of minors from child pornography, any risk of sexual exploitation, and serious threats to the physical safety of a minor; finally, protection of the national security of the United States.

If the government violates the use limitation, the bill provides for government liability for actual damages, costs, and attorney fees in Federal court. These provisions together ensure that information cannot be shared with the government or used under this bill unless there's a direct tie to cybersecurity.

Cyberterrorists work fast, so Congress needs to work faster to protect America. Enabling information-sharing between the government and private sector is the quickest and easiest way to prevent a cyberattack on our Nation. Our amendment ensures we can accomplish this goal while also protecting the privacy of all Americans, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. RUPPERSBERGER. I rise to claim time in opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. I yield to the gentleman from California (Mr. THOMPSON). He is on the Intelligence Committee and also a sponsor of this amendment.

Mr. THOMPSON of California. I thank the gentleman for yielding.

Madam Chair, I rise in support of the Thompson-Eshoo-Quayle-Broun amendment to this bill. The threat of a devastating cyberattack is real and cannot be understated. I believe the Federal Government and private companies need to work together to protect our national and economic security. But in doing so, we still have a responsibility to protect the constitutional rights of law-abiding citizens.

I'm concerned that the underlying bill is drafted in a way where consumer information could be shared too broadly and used in ways unrelated to combating cybersecurity threats. The Thompson-Eshoo-Quayle-Broun amendment will tighten the bill's limitation on the Federal Government's use of cyberthreat information shared under this legislation. Specifically, our amendment will limit the Federal Government's use of shared information only for cybersecurity purposes, for the investigation and prosecution of cybersecurity crimes, to protect against the threat of imminent harm, and protect our country's national security.

This bill, even with our amendment, isn't perfect. As this legislation moves forward, I expect the word of the chairman to be honored when he says that our committee will work together to further protect personal information and limit its use. For example, further narrowing terms in this bill, such as “to protect the national security of the United States,” will be necessary, I believe, to fully protect our civil liberties.

Mr. QUAYLE. I yield 30 seconds to the chairman of the Intelligence Committee, Mr. ROGERS.

Mr. ROGERS of Michigan. Thank you, Mr. QUAYLE.

Again, this is an amendment worked out with Mr. RUPPERSBERGER, Mr. THOMPSON, Mr. QUAYLE, and myself. Ms. ESHOO is also on the amendment.

This is in consultation with all of the privacy groups and the civil liberty groups. We wanted to make sure that the intent matched the language. And we think this is a limiting amendment on what it can be used for, which is very narrow, is very specific; and we think this enhances already good privacy protections in the bill, and I strongly support it and would encourage the House to strongly support the bipartisan amendment.

Mr. RUPPERSBERGER. I yield back the balance of my time.

Mr. QUAYLE. I just want to thank the chairman and the ranking member

and their staffs for working tirelessly on this bill. It's a good bill, and this amendment, I believe, strengthens it.

I urge my colleagues to support it, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. QUAYLE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. RUPPERSBERGER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. AMASH

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112-454.

Mr. AMASH. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, after line 10, insert the following new paragraph:

“(4) PROTECTION OF SENSITIVE PERSONAL DOCUMENTS.—The Federal Government may not use the following information, containing information that identifies a person, shared with the Federal Government in accordance with subsection (b):

- “(A) Library circulation records.
- “(B) Library patron lists.
- “(C) Book sales records.
- “(D) Book customer lists.
- “(E) Firearms sales records.
- “(F) Tax return records.
- “(G) Educational records.
- “(H) Medical records.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Michigan (Mr. AMASH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. AMASH. I yield myself such time as I may consume.

I'm extremely concerned about the privacy implications of the bill. The liability waiver goes too far, and the government can access too much of Americans' private information and use it in too many ways.

Our amendment addresses that last concern. Our amendment prohibits CISPAs from being used to snoop through sensitive documents that can personally identify Americans. The documents that our amendment makes off-limits to the government are library and book records, information on gun sales, tax returns, educational records, and medical records.

We didn't pull this list out of thin air. In fact, the list already exists in Federal law as part of the PATRIOT Act. Under the PATRIOT Act, the Federal Government can obtain these documents as part of a foreign intelligence

investigation only if senior FBI officials request the documents and a Federal judge approves.

Many have questioned the wisdom of allowing the government access to sensitive documents even in those more limited circumstances. If the PATRIOT Act requires the approval of a Federal judge and a senior FBI official, surely we can't allow access to such personal information without any judicial or agency oversight. I don't know why the government would want to snoop through library lists or tax returns to counter a cyberattack. But if the government wants these records, it has existing legal processes to obtain them. Our constituents' privacy demands that we not give the government unfettered and unsupervised access to these documents in the name of cybersecurity.

Please support the bipartisan Amash-Labrador-Nadler-Paul-Polis amendment.

I reserve the balance of my time.

The Acting CHAIR. Does any Member seek recognition in opposition to the amendment?

Mr. AMASH. I yield back the balance of my time.

Mr. NADLER. Madam Chair, I rise in strong support of the Amash-Labrador-Nadler-Paul-Polis Amendment.

While I believe most Members agree both that a cyber attack could be devastating and that sharing information will help to fight that threat, the underlying bill is overly broad and intrusive. Our amendment will add at least a modicum of protection for Americans' privacy.

While the idea of privacy may seem quaint to some in this day of social networking and the Internet, most Americans still believe that they have a zone of privacy vis-a-vis the government. As such, it is important we protect private actions from the prying eyes of government. Moreover, the government has a history of misusing such information and so we need to be very circumspect in what we allow it access to.

Our amendment prohibits records or information regarding what books you bought or checked out of the library, your medical records, tax returns, and so on from being used by the government for any purpose if it obtained that information pursuant to this bill. There is no need for the government to have this most personal of information—I don't see how any of it could be possibly relevant to cyber security. And, if the information can't be legally used, hopefully that will discourage companies from sharing it in the first place.

The categories of information in our amendment are already given a protected status in the Foreign Intelligence Surveillance Act (FISA). FISA requires a court order and the approval of a high-ranking FBI official to request these personal materials. If that is the standard under FISA, we should not let companies cavalierly hand such records to the government with no independent review at all.

I urge my colleagues to support this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. AMASH).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. AMASH. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112-454.

Mr. MULVANEY. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, after line 10 insert the following:

“(4) NOTIFICATION OF NON-CYBER THREAT INFORMATION.—If a department or agency of the Federal Government receiving information pursuant to subsection (b)(1) determines that such information is not cyber threat information, such department or agency shall notify the entity or provider sharing such information pursuant to subsection (b)(1).

“(5) RETENTION AND USE OF CYBER THREAT INFORMATION.—No department or agency of the Federal Government shall retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).

“(6) PROTECTION OF INDIVIDUAL INFORMATION.—The Federal Government may, consistent with the need to protect Federal systems and critical information infrastructure from cybersecurity threats and to mitigate such threats, undertake reasonable efforts to limit the impact on privacy and civil liberties of the sharing of cyber threat information with the Federal Government pursuant to this subsection.

Page 14, after line 13, insert the following:

“(4) USE AND RETENTION OF INFORMATION.—Nothing in this section shall be construed to authorize, or to modify any existing authority of, a department or agency of the Federal Government to retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).”

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. I yield myself such time as I may consume.

Madam Chair, I appreciate the opportunity to rise today to speak in favor to this amendment to the Cyber Intelligence Sharing and Protection Act. CISPAs is fundamentally based on the authority granted to Congress in article I of the Constitution and article IV of the Constitution, specifically to provide for the common defense and to protect the Nation against invasion—in fact, the only affirmative duty that this government is obligated to meet under the terms of our Constitution.

This bill protects our Nation from foreign cyberthreats through the voluntary sharing of cyberthreat information. It is important for Members to

understand this bill allows for only voluntary sharing of information on cybersecurity threats to the United States between the government and the private sector.

□ 1610

It includes no mandates to the private sector. It contains no new spending and strictly limits how the government can use the information that is voluntarily provided by the private sector. The amendment that I've offered with Mr. DICKS today goes one step further to protect the private information of American citizens. It explicitly prohibits the Federal Government from retaining or using the information for purposes other than specifically specified or set forth in the legislation.

Let's make it clear. The government cannot keep or use the shared information to see if you failed to pay your taxes. The government cannot use this information to read your emails. The government cannot use this information to track your credit card purchases or look at the Web sites that you've been visiting. Under our amendment, the Federal Government cannot use retained information unless it was directly related to a cyber or national security threat.

Finally, this bipartisan amendment requires—requires—the Federal Government to notify any private sector entity that shares information with the government if that information is not, in fact, cyberthreat information so that it doesn't happen again, and the government must delete that information.

The privacy of American citizens is simply too important to dismiss. Our amendment narrows the scope of the bill to ensure personal information is protected and that we are focusing on the true threat—advanced, foreign state-sponsored cyberattacks against America and its private entities.

With that, I would yield such time as he may consume to the chairman.

Mr. ROGERS of Michigan. Madam Chair, I just want to rise in strong support of this amendment. I appreciate Mr. MULVANEY's working with the committee.

This is a limiting amendment, and I think it, again, is in response to making sure that the intent of the bill meets the language of the bill, and this is well done to continue to protect privacy and civil liberties of all Americans and still allow for the government to share malicious source code with the private sector.

Mr. RUPPERSBERGER. Madam Chair, I rise in opposition to the amendment; although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. I also support this amendment. It is very important. It's another example of what we're attempting to do to protect the privacy and civil liberties of our citizens but yet have a bill that we clearly need to protect them from a national security perspective.

I yield back the balance of my time.

Mr. MULVANEY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MULVANEY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112-454.

Mr. FLAKE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after line 18, insert the following new subparagraph:

“(E) a list of the department or agency receiving such information;

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. This amendment is straightforward. It would require the inspector general of the intelligence community to include a list of federal agencies and departments receiving information shared with the government in the report already required by the underlying legislation.

This act is an important piece of legislation that will help private entities and utilities protect themselves from catastrophic attacks to their networks by creating the authority for private entities and utilities to voluntarily share information pertaining to cyberattacks with the Federal Government and vice versa.

H.R. 3523 avoids placing costly mandates on private industry and the creation of a new regulatory structure. That's what I really appreciate about this legislation, as I'm sure everyone does—it's voluntary.

As with any new intelligence program, however, it's incumbent on us to make sure robust protections exist to safeguard privacy rights. The inspector general report required under H.R. 3523 will provide a thorough review of the

information shared under these new authorities and will address any impacts such sharing has on privacy and civil liberties. Adding the list of the departments and agencies that were recipients of this shared information, as my amendment would do, would add information on which government agencies exactly are receiving shared information. Such information will further mitigate the risk of abuse to privacy rights and increase the effectiveness of the inspector general's report.

I commend my colleagues from Michigan and Maryland. They've been working hard to put together this bipartisan measure, working up until the very last minute to ensure that Members' concerns are addressed, and I believe that this is an important piece of legislation.

I'd like to yield to the gentleman from Michigan such time as he may consume.

Mr. ROGERS of Michigan. I want to thank the gentleman from Arizona for working with us. This, again, was a negotiated amendment. The gentleman approached us with concerns to make sure that the IG report adequately reflected and allowed us to perform the adequate oversight. This amendment does that. I appreciate his work and effort, and I think this strengthens the bill and continues to provide the oversight and protection of civil liberties and privacy for all Americans.

The Acting CHAIR. Does any Member seek recognition in opposition?

Mr. FLAKE. I just want to say I support the legislation in the underlying bill, and I would urge support for this amendment as well, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112-454.

AMENDMENT NO. 11 OFFERED BY MR. POMPEO

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112-454.

Mr. POMPEO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 13, insert the following:

“(4) LIMITATION ON FEDERAL GOVERNMENT USE OF CYBERSECURITY SYSTEMS.—Nothing in this section shall be construed to provide additional authority to, or modify an existing authority of, any entity to use a cybersecurity system owned or controlled by the Federal Government on a private-sector system or network to protect such private-sector system or network.”.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Kansas (Mr. POMPEO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. POMPEO. Madam Chairman, I appreciate this opportunity to offer a second amendment to this incredibly important piece of legislation that's been worked on for an awfully long time to balance the security needs of our Nation and the privacy rights of every United States citizen.

Similar to the first amendment I offered, this amendment addresses some of the concerns raised by me, privacy folks, and civil libertarian advocates to make very clear the intentions of this legislation. I talked earlier about the threat we face today. It's real, it's foreign, it's domestic, and these cyberattacks are an enormous risk to our national security and to our economic security.

I now strongly support this legislation. I've had a chance to work with Chairman ROGERS and Ranking Member RUPPERSBERGER to solidify limitations on this legislation that make it very clear that this government's use of this information will be limited.

I think some have claimed incorrectly that the current bill could be read to provide new authority to the Federal Government to install its Einstein system on private sector networks and to monitor traffic and send it back to the government with absolutely no limitations. That's wrong.

This amendment, however, makes it even more clear. This amendment makes clear that nothing in this bill would alter existing authorities or provide any new authority to any entity to use a Federal Government-owned or -operated cybersecurity system on a private sector system or network to protect such a system or network.

Again, I'm pleased to support the legislation. It doesn't create any new regulatory regime. It doesn't create any more Federal bureaucracy. And it has no additional spending. I urge my colleagues to support this amendment and final passage of CISPA.

I yield whatever time he might consume to the chairman of the Intelligence Committee.

Mr. ROGERS of Michigan. This is an important amendment, and again, I think it alleviates some of the concerns. They were misguided, but this locks it down, makes it very tight and makes it very clear on the limiting of this information, which is the intent of this bill. So I think this amendment addresses the privacy and civil liberties advocates' claims that the liability protection in the bill with respect to the use of cybersecurity systems could be read to be broader than the activities authorized by the legislation.

As I said, that was not true, certainly not the intent. This amendment makes that very clear in the bill that that would not be its purpose, and it is a limiting amendment. I strongly support this amendment. It is a bipartisan amendment as well.

The Acting CHAIR. Does any Member seek recognition in opposition to the gentleman's amendment?

Mr. POMPEO. Madam Chairwoman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. POMPEO).

The amendment was agreed to.

□ 1620

AMENDMENT NO. 12 OFFERED BY MR. WOODALL

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 112-454.

Mr. WOODALL. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 13 insert the following:

“(4) NO LIABILITY FOR NON-PARTICIPATION.—Nothing in this section shall be construed to subject a protected entity, self-protected entity, cyber security provider, or an officer, employee, or agent of a protected entity, self-protected entity, or cybersecurity provider, to liability for choosing not to engage in the voluntary activities authorized under this section.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Georgia (Mr. WOODALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WOODALL. Madam Chair, my amendment is a simple amendment. What we're doing here in this bill today, to the great credit of the chairman and the ranking member, is instituting a voluntary system by which our private companies and utilities can cooperate in the name of securing America's cyberspace. But what happens so often is, when the Federal Government creates a so-called “voluntary” standard, suddenly those folks who choose not to play on that playing field are subject to new liabilities because they rejected that voluntary standard.

Well, if it's going to be a truly voluntary standard, we have to ensure that those who reject it are not held to any new liabilities. I believe that was the intent of the committee as they crafted this legislation, but my amendment makes that clear to say that no new liabilities arise for any company that chooses not to participate in this new truly voluntary cybersecurity cooperative regime.

With that, I reserve the balance of my time.

The Acting CHAIR. Does any Member seek recognition in opposition?

Mr. WOODALL. With that, I want to thank the ranking member and the chairman for their tremendous openness throughout this entire process. Briefing after briefing, phone call after phone call, they both made themselves available to Members on both sides of

the aisle so that we could get our questions answered in what is sometimes a difficult area to understand and digest. I thank them both for their leadership, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WOODALL).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 112-454.

Mr. GOODLATTE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 14 insert the following:
“(1) AVAILABILITY.—The term ‘availability’ means ensuring timely and reliable access to and use of information.

Page 15, strike lines 1 through 25 and insert the following:

“(2) CONFIDENTIALITY.—The term ‘confidentiality’ means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information.

“(3) CYBER THREAT INFORMATION.—

“(A) IN GENERAL.—The term ‘cyber threat information’ means information directly pertaining to—

“(i) a vulnerability of a system or network of a government or private entity;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to degrade, disrupt, or destroy a system or network of a government or private entity; or

“(iv) efforts to gain unauthorized access to a system or network of a government or private entity, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity.

“(B) EXCLUSION.—Such term does not include information pertaining to efforts to gain unauthorized access to a system or network of a government or private entity that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(4) CYBER THREAT INTELLIGENCE.—

“(A) IN GENERAL.—The term ‘cyber threat intelligence’ means intelligence in the possession of an element of the intelligence community directly pertaining to—

“(i) a vulnerability of a system or network of a government or private entity;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to degrade, disrupt, or destroy a system or network of a government or private entity; or

“(iv) efforts to gain unauthorized access to a system or network of a government or private entity, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity.

“(B) EXCLUSION.— Such term does not include intelligence pertaining to efforts to gain unauthorized access to a system or network of a government or private entity that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

Page 16, strike line 5 and all that follows through page 17, line 2, and insert the following:

“(5) CYBERSECURITY PURPOSE.—

“(A) IN GENERAL.—The term ‘cybersecurity purpose’ means the purpose of ensuring the integrity, confidentiality, or availability of, or safeguarding, a system or network, including protecting a system or network from—

“(i) a vulnerability of a system or network;
“(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to degrade, disrupt, or destroy a system or network; or

“(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

“(B) EXCLUSION.— Such term does not include the purpose of protecting a system or network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(6) CYBERSECURITY SYSTEM.—

“(A) IN GENERAL.—The term ‘cybersecurity system’ means a system designed or employed to ensure the integrity, confidentiality, or availability of, or safeguard, a system or network, including protecting a system or network from—

“(i) a vulnerability of a system or network;
“(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to degrade, disrupt, or destroy a system or network; or

“(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

“(B) EXCLUSION.— Such term does not include a system designed or employed to protect a system or network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

Page 17, after line 2 insert the following:

“(7) INTEGRITY.—The term ‘integrity’ means guarding against improper information modification or destruction, including ensuring information nonrepudiation and authenticity.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Madam Chair, I rise to offer an amendment to H.R. 3523. This amendment is the result of a

series of long discussions between Members of the bipartisan coalition supporting this bill and various privacy and civil liberties groups.

As many know, I have long worked with these outside groups and with industry to make sure that where Congress acts with respect to technology, it does so in a way that is thoughtful, intelligent, and shows a strong respect for privacy and civil liberties.

I am a firm believer that Congress can craft legislation that addresses technology issues and allows the private sector to flourish while also protecting the rights of Americans. This amendment seeks to move the legislation further down that path.

To do so, this amendment carefully narrows the definitions of the key terms in the bill—“cyberthreat information,” “cyberthreat intelligence,” “cybersecurity purposes,” and “cybersecurity systems”—and adds in three new definitions from the existing law. Together, these new definitions ensure that companies in the private sector can protect themselves against very real cyberthreats. At the same time, they limit what information the private sector can identify, obtain, and share with others, and they do so in a way that is technology neutral so that the definitions we write into law today do not become obsolete before the ink is dry.

Specifically, these new definitions remove language from prior versions of the bill that could have been interpreted in broad ways. They remove or modify definitions that could have been thought to cover things that the bill did not intend to cover, like unauthorized access to a system or network that purely involves violations of a terms of service. These revised definitions also rely in part on existing law to cover the appropriate set of threats to networks and systems without being overly broad.

I would note that these definitional changes are important on their own for the narrowing function they serve. In the view of groups like the Center for Democracy and Technology and the Constitution Project, this amendment represents “important privacy improvement.” Specifically, the change to the definitions addresses a number of key issues raised by a variety of groups, and many in the Internet user community. As such, these amendments move an already important bill in an even better direction.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chairman, I rise in opposition to the amendment, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. I yield 1 minute to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. I thank the gentleman for yielding.

Anytime the government gets involved in data sharing and data storage, there is going to be the possibility for abuse.

I hear from my constituents in Texas and U.S. companies that they continue to lose information to cyberattacks from abroad. Most of these attacks come from none other than the organized crime syndicate of China, as I call it. They steal our intellectual property, and then they use the stolen information to compete against the United States.

We need a commonsense information-sharing system to combat the growing threat to this way of life that we have in America. However, we have to do it in such a way that protects our privacy and constitutional rights of citizens.

While I believe the intent of the base bill was never to allow the government to use information it obtained for any other purposes than cybersecurity, I believe that the clear and simple language in Mr. GOODLATTE’s amendment is necessary to make it 100 percent clear that this is strictly prohibited.

As we remember from the 2012 NDAA debate, it’s important, especially when dealing with legislation that affects civil liberties and constitutional rights, Congress needs to be perfectly 100 percent clear. I believe the Goodlatte amendment does this. I urge all Members to support it.

Mr. GOODLATTE. Madam Chairman, at this time, I am pleased to yield 1 minute to the chairman of the Intelligence Committee, the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. I want to thank the distinguished former chairman and member, Mr. GOODLATTE, for his commonsense amendment. Again, this is working to make sure that this bill is restricted for both information use, privacy, and civil liberties, and why the coalition, I argue, continues to grow because of the good work of folks like Mr. GOODLATTE. It’s bipartisan in nature, and I would strongly urge the body’s support for the Goodlatte amendment.

Mr. GOODLATTE. Madam Chairman, I am not aware of any other speakers on this amendment, so I would urge my colleagues to support the amendment. It is, as the chairman indicated and the ranking member indicated, bipartisan legislation that will improve the underlying bill in significant ways and protect the civil liberties of American citizens in a more clear fashion.

I thank all of those in the Chamber and outside who contributed ideas to help us craft this amendment and urge all of my colleagues to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. ROGERS of Michigan. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

Mr. ROGERS of Michigan. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mrs. CAPITO, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, had come to no resolution thereon.

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 3523, pursuant to House Resolution 631, amendments No. 10 and No. 5 in House Report 112-454 may be considered out of sequence.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 631 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3523.

Will the gentlewoman from West Virginia (Mrs. CAPITO) kindly resume the chair.

□ 1630

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, with Mrs. CAPITO (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 13 printed in House Report 112-454 by the gentleman from Virginia (Mr. GOODLATTE) had been postponed.

AMENDMENT NO. 14 OFFERED BY MR. TURNER OF OHIO

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 112-454.

Mr. TURNER of Ohio. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 7, insert “deny access to or” before “degrade”.

Page 15, line 20, insert “deny access to or” before “degrade”.

Page 16, line 10, insert “deny access to or” before “degrade”.

Page 16, line 21, insert “deny access to or” before “degrade”.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Ohio (Mr. TURNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. TURNER of Ohio. Madam Chairman, this amendment would make a technical correction to the definition sections of this bill to ensure that U.S. cybersecurity policies remain consistent for protections against threats to our government and private sector networks.

This amendment will maintain consistency among this bill and other cybersecurity policies. The terms “deny, degrade, disrupt or destroy” are found throughout our national cybersecurity strategy and our guidance documents. The term “deny” was inadvertently omitted from H.R. 3523. Inserting “deny” makes the bill consistent with other national documents in the discussion of cybersecurity.

The increase in cybersecurity incidents led to the development of centers like the Air Force’s Cyberspace Technical Center of Excellence at Wright Patterson Air Force base in my district in Dayton, Ohio. To combat this growing trend in the sophistication of cyberattacks, the Center of Technical Excellence has been turned to that focus.

The need to protect U.S. networks from denial-of-service attacks was made clear when, for 3 weeks in 2007, Estonia was the target of a large-scale series of denial-of-service attacks against government Web sites, banks, universities, and Estonian newspapers.

I urge all of my colleagues to support this amendment and the underlying bill.

I yield 30 seconds to the chairman.

Mr. ROGERS of Michigan. Madam Chair, I want to, again, thank Mr. TURNER for this important clarification amendment and working with us to improve the status of the bill to make sure that we are able to protect America’s networks and increases the ability for us to protect privacy and civil liberties.

I appreciate the gentleman’s good effort, and I would encourage the House to support the Turner amendment.

The Acting CHAIR. Does any Member seek recognition in opposition?

Mr. TURNER of Ohio. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. TURNER).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in House Report 112-454.

Mr. MULVANEY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 3. SUNSET.

Effective on the date that is five years after the date of the enactment of this Act—

(1) section 1104 of the National Security Act of 1947, as added by section 2(a) of this Act, is repealed; and

(2) the table of contents in the first section of the National Security Act of 1947, as amended by section 2(d) of this Act, is amended by striking the item relating to section 1104, as added by such section 2(d).

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. This amendment, ladies and gentlemen, is fairly simple and straightforward, but it bears discussion for a few moments. It requires the bill to expire of its own terms within 5 years. It’s what we call in this business a sunset clause. And by its own terms, if the bill is passed, it will automatically cease to be, cease to be enforceable after 5 years unless this body acts affirmatively to renew it.

Generally, I think this is good policy with most things that we do in Washington, D.C. In fact, several people say that one of the biggest difficulties we have in this town is that we simply create laws all the time and they never go away. So generally speaking, I think sunset clauses are to be admired and to be encouraged.

Even more so is the case, however, when we deal with situations where we have concerns regarding individual liberties. We’ve worked very, very hard to make this bill a good bill. It is an excellent bill. I’m proud to be a cosponsor of this bill.

But every single time that we start moving into the realm where the government action starts to bump up against individual liberties, it’s a good idea to take a pause after this certain amount of time, in this case 5 years, and look our hands over, look over the actual implementation of the bill and make sure that we did exactly what we thought that we were going to do.

Finally, I think in a case when we’re dealing with technology, which moves so very rapidly—in fact, we’ve written this bill as well as we possibly could to try and deal with unanticipated development in technology—but when you’re dealing with technology that moves so rapidly and changes so quickly, I think it’s important, after a certain period of time, again, here, 5

years, to step back, look our hands over and make sure that things worked exactly as we thought they would.

So, for that reason, Madam Chairman, I ask that this amendment be considered and be approved.

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

The Acting CHAIR. Does any Member seek recognition in opposition to the Member's amendment?

The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MULVANEY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-454.

Ms. JACKSON LEE of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, after line 5, insert the following:

“(C) CYBERSECURITY OPERATIONAL ACTIVITY.—

“(1) IN GENERAL.—In receiving information authorized to be shared with the Federal Government under this section, the Secretary of Homeland Security is authorized, notwithstanding any other provision of law, to acquire, intercept, retain, use, and disclose communications and other system traffic that are transiting to or from or stored on Federal systems and to deploy countermeasures with regard to such communications and system traffic for cybersecurity purposes provided that the Secretary certifies that—

“(A) such acquisitions, interceptions, and countermeasures are reasonable necessary for the purpose of protection Federal systems from cybersecurity threats;

“(B) the content of communications will be collected and retained only when the communication is associated with known or reasonably suspected cybersecurity threat, and communications and system traffic will not be subject to the operation of a countermeasure unless associated with such threats;

“(C) information obtained pursuant to activities authorized under this subsection will only be retained, used or disclosed to protect Federal systems from cybersecurity threats, mitigate against such threats, or, with the approval of the Attorney General, for law enforcement purposes when the information is evidence of a crime which has been, is being, or is about to be committed; and

“(D) notice has been provided to users of Federal systems concerning the potential for acquisition, interception, retention, use, and disclosure of communications and other system traffic.

“(2) CONTRACTS.—The Secretary may enter into contracts or other agreements, or otherwise request and obtain the assistance of,

private entities that provide electronic communication or cybersecurity services to acquire, intercept, retain, use, and disclose communications and other system traffic consistent with paragraph (1).

“(3) PRIVILEGED COMMUNICATIONS.—No otherwise privileged communication obtained in accordance with, or in violation of, this section shall lose its privileged character.

“(4) POLICIES AND PROCEDURES.—The Secretary of Homeland Security shall establish policies and procedures that—

“(A) minimize the impact on privacy and civil liberties, consistent with the need to protect Federal systems and critical information infrastructure from cybersecurity threats and mitigate cybersecurity threats;

“(B) reasonably limit the acquisition, interception, retention, use, and disclosure of communications, records, system traffic, or other information associated with specific persons consistent with the need to carry out the responsibilities of this section, including establishing a process for the timely destruction on recognition of communications, records, system traffic, or other information that is acquired or intercepted pursuant to this section that does not reasonably appear to be related to protecting Federal systems and critical information infrastructure from cybersecurity threats and mitigating cybersecurity threats;

“(C) include requirements to safeguard communications, records, system traffic, or other information that can be used to identify specific persons from unauthorized access or acquisition; and

“(D) protect the confidentiality of disclosed communications, records, system traffic, or other information associated with specific persons to the greatest extent practicable and require recipients of such information to be informed that the communications, records, system traffic, or other information disclosed may only be used for protecting information systems against cybersecurity threats, mitigating against cybersecurity threats, or law enforcement purposes when the information is evidence of a crime that has been, is being, or is about to be committed, as specified by the Secretary.

Page 14, after line 24, insert the following:

“(2) COUNTERMEASURE.—The term ‘countermeasure’ means an automated action with defensive intent to modify or block data packets associated with electronic or wire communications, internet traffic, program code, or other system traffic transiting to or from or stored on an information system to counteract a cybersecurity threat.”

The Acting CHAIR. Pursuant to House Resolution 631, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Madam Chair, let me thank you for your courtesy. Let me thank the chairperson for his courtesy and the ranking member for his courtesy. I was very appreciative, with the overlapping committee work, for the courtesy of the floor. I thank you very much.

Let me hold up the Constitution and say that I believe in the Constitution and the Bill of Rights, particularly, that protects us against unreasonable search and seizure. And I also recognize the bipartisan effort of this particular

legislation and recognize that we may have disagreement.

My amendment ensures that comprehensive policies and procedures are implemented by the Department of Homeland Security to protect Federal systems from cybersecurity threats and minimize the impact on privacy. What it does not do is allow Homeland Security and the Justice Department to spy on Americans.

Let me be very clear. It does not allow the infrastructure of Homeland Security and the Justice Department to spy on Americans. I would not adhere to that.

It is a shame that oversight of our Nation's critical infrastructure, however, was not included in this bill. The hard work that has been done by the Committee on Homeland Security, Mr. LUNGREN and Ms. CLARKE, joined with other Members, was worthy of consideration.

I understand the strictures that we're dealing with. My amendment is designed to put in place comprehensive privacy protections in order to prevent any gross infringement of an individual's civil liberties or privacy rights. It allows the Department of Homeland Security to protect Federal systems that enable air traffic controllers to operate.

Madam Chairperson, we know the climate that we live in. God has blessed us, if I might even say that, but more importantly, the hard work of men and women who happen to be Federal employees, that no action has occurred on our soil since 9/11.

This amendment would allow the Department of Homeland Security to protect Federal systems that enable air traffic controllers to operate, that enable Congress to operate, that enable all Federal agencies to operate.

My amendment is intentionally narrowly tailored to go after known or reasonable threats to our Federal systems. Let me be very clear. This is not a reflection on this legislation from the extent of hard work.

□ 1640

I am just saying that, coming from my perspective, I would hope that we would look at infrastructure.

I am not advocating for the bill. I am advocating for an open discussion on this issue that certain elements have to be resolved in dealing with the cyberthreats that we face. I've long been an advocate for protecting the right to privacy and the civil liberties of all Americans—that is very much a part of this amendment—but I am also mindful of the importance of the infrastructure.

As we assess cybersecurity measures and take steps to implement legislation, I believe we must be sure to strike the proper balance between effective and strong security for our digital networks and protecting the privacy of individuals as well as infrastructure that involves transportation.

I am ever mindful that we must be careful not to go about strengthening cybersecurity at the expense of infringing on people's privacy rights and civil liberties, which is why my amendment is narrowly tailored and sets clear restrictions on the scope of communications addressed and why and how that information can be used.

Our Nation's critical infrastructures are composed of public and private institutions in the sectors of agriculture, food, water, public health, emergency services, government, defense industrial base, information and telecommunications, energy, transportation, banking and finance, chemicals and hazardous materials.

I ask my colleagues to support the amendment, and I reserve the balance of my time.

Mr. ROGERS of Michigan. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. I yield myself 1½ minutes.

If you thought it was good for the businesses to require Facebook to give them your passwords, you'll love this. If not, you should go apoplectic. I think that's an awful practice on Facebook. This is worse. I want to read just from the law. Notwithstanding any other provision, it allows them to: acquire, intercept, retain, use, and disclose communications and other system traffic that are transiting to and from or are stored on the Federal systems and to deploy countermeasures with regard to such communications and system traffic for cybersecurity purposes.

This is dangerous. It's dangerous. For the very narrow bill that has been misrepresented from what we do, this is Big Brother on steroids. We cannot allow this to happen. This would be the government tracking communications or your medical records from the veterans' association. It would track your IRS forms coming in and out of the Federal Government. This is exactly what scares people about trying to get into the business of making sure we protect our networks, but we can't do it by trampling on privacy and civil liberties.

This is awful. I am just shocked, after all of this debate and all of this discussion on our very narrow bill, that my friends would come up with something that wholesale monitors the Internet and gets all of the information which we've fought so hard to protect on behalf of average Americans.

I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I want to thank the chairman for yielding.

Let me say this to my colleague from Texas: that we have had a number of amendments here today that have tried to streamline this bill in order to make it even narrower and to take out any perception that it would be personal in-

formation and limit what government can do and be very explicit in the terms of what this sharing is, which is voluntary, which is narrowly drawn.

The chairman and the ranking member have done a wonderful job of working with other Members to allow these amendments to make this bill better. I am very disappointed. This amendment basically guts the bill—it expands it—when everybody who has been down here so far has been trying to narrow it. This just expands it even more. This is the type of amendment that people fear in that we would give Homeland Security the ability to intercept and keep the transmissions. That is totally out of hand.

I just hope that we will vote against this amendment and support the underlying bill.

Ms. JACKSON LEE of Texas. What an exaggeration. I know that they have been propelled by all of the media that has given them great support.

They know that the underlying bill, in fact, is considered an invasion of privacy; but if you look at my amendment, it is only when the communication is associated with a known or a reasonably suspected cybersecurity threat. It is narrow, but more importantly, it has a privacy provision. I believe in privacy. Let me just say that I was not going to be denied the right to come to the floor to be able to frame what we should be doing—looking at infrastructure and the complement of making sure that privacy is protected.

This particular book, even with the amendments they have, will probably not draw this to the point of acceptance. So I would argue that this is a productive debate but that the amendment that Jackson Lee has submitted does not, in fact, at all violate privacy. I would say to them that I look forward to being able to address this question as we go forward.

I am going to ask, at this time, unanimous consent to withdraw this amendment for the misinterpretation that my friends on the other side of the aisle have predicted or thought that they were going to put on this particular amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 10 OFFERED BY MS. RICHARDSON

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112-454.

Ms. RICHARDSON. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 6, insert the following new subparagraph:

“(C) prohibit a department or agency of the Federal Government from providing

cyber threat information to owners and operators of critical infrastructure;

The Acting CHAIR. Pursuant to House Resolution 631, the gentlewoman from California (Ms. RICHARDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. RICHARDSON. I stand today in support of the Richardson amendment to H.R. 3523; but I would like to take a moment to thank the majority leader, Mr. CANTOR, Chairman ROGERS, and Ranking Member RUPPERSBERGER for their tolerance in allowing us to come to the floor. I was ranking member of a committee that was in operation at this time, and I thank you for allowing us to come forward.

The Richardson amendment ensures that owners and operators of critical infrastructure systems that are potential targets to cyberattacks receive information about cyberthreats. Some examples of our critical infrastructure systems that this amendment would apply to are: energy facilities, banking and finance facilities, chemical facilities, dams, nuclear plants, emergency services, agriculture and food systems, water treatment systems. Many of these would be in great danger and would need information.

Every single Member of Congress has critical infrastructure sectors in their districts, whether they be public or private, and every community in this Nation has some critical infrastructure presence that should be protected and advised of threats. In my district, I have the Home Depot Athletic Center, which holds up to 27,000 people. There is the Boeing Company, which manufactures the C-17 planes. There is the Long Beach Police and Fire Department EOC center, the Long Beach Gas and Oil Department, and water treatment facilities. The numbers go on. We need to make sure that not only ports and government facilities but also private facilities are approved and entitled to have this same information.

Some inherent complications are that there are 18 different Federal Government agencies that have jurisdiction over critical infrastructure sectors. For example, the Department of Homeland Security has jurisdiction over chemical, commercial facilities, dams, emergency services, and nuclear power alone.

H.R. 3523, as currently drafted, does not mention how critical infrastructure sectors that do not fall within the jurisdiction of government intelligence agencies would receive critical cyberthreat information or have the systems in place to share information appropriately. This amendment makes an important improvement to that legislation.

I would like to commend Chairman ROGERS and Ranking Member RUPPERSBERGER, who mentioned in their

testimony before the Rules Committee and the Intelligence Committee that there was a key fault here in this critical infrastructure section. I am further pleased that the Rules Committee acknowledged that by finding this amendment in order, and I urge my colleagues to consider this seriously.

While Chairman LUNGREN's original cyber bill did not make it to the House floor, I offer this Richardson amendment in the same bipartisan spirit that I did when his bill was brought forward in our subcommittee. Mr. LUNGREN and Mr. LANGEVIN spoke earlier on the bipartisan amendment regarding critical infrastructure, hence my building my comments on that.

Richardson amendment No. 10 ensures that our critical infrastructure sectors will not be left out from receiving information that could protect their systems against a terrorist attack.

□ 1650

This amendment makes sure that industries most at risk of a cyberattack receive information that they need to protect the public and the facilities at large. My amendment makes explicit that critical infrastructure sectors be included in information-sharing relationships and does not include any new Federal authorities.

With that, Madam Chairwoman, I urge my colleagues to support the amendment.

Mr. ROGERS from Michigan. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. I appreciate the gentlelady's effort. Again, we were pretty careful in this year-long process of trying to find a very narrow solution because of all of the challenges that come with trying to get a piece of legislation across the House to the Senate to the President's desk.

I argue that the Homeland Security Committee should engage in a critical infrastructure debate. Here's the problem: it's not defined for the purposes of this bill. So we don't know what that means. We've been very careful to separate the government from the private sector. There is no government involvement in the private sector networks. It is just information, malicious source code-sharing. That's it.

This, we're not sure where it goes. Many in industry believe that they're talking about the backbone of the Internet. Are they talking about the backbone of the Internet? We don't know. It's not well defined. That would mean, then, that the government for the first time gets into the backbone of the Internet. I think that's a horrible, terrible idea.

So I don't think that's what the gentlelady intends, but the problem is that's not what the language says.

I look forward to working with the gentlelady as she works through those issues on Homeland Security because these are hard. They are tricky. Sometimes a word will get you in trouble, as we have found along the path here, and as it should. We should be really careful about how we're doing this.

So I would encourage the gentlelady to work with us. I know Mr. RUPPERSBERGER, since we've been through this, we can provide some help along the way, and we look forward to the product that you all work on that is geared toward the infrastructure piece. Again, this was never intended to solve all the problems. It was intended to be a very narrow first step to say, Hey, if your house is being robbed, we want to tell you before the robber gets there. That's all this bill does. It tells if your computer is going to get hacked and your personal information stolen, we want you to have the malicious code so you can protect yourself. That's all this bill does.

So we get a little nervous when it starts crossing that divide that we've established between the government and the private sector. You start crossing that divide, we think you can get into some serious trouble in a hurry without very clearly defined language and definition.

Unfortunately, I have to oppose the amendment, but I look forward to working with the gentlelady on a very important issue, infrastructure protection, as the Homeland Security does its work.

Mr. RUPPERSBERGER. Will the gentleman yield?

Mr. ROGERS of Michigan. I yield to the gentleman from Maryland.

Mr. RUPPERSBERGER. As we said before, our bill is extremely limited, and we're attempting again to allow our government, our intelligence community, to give the information that's necessary to protect our citizens from these cyberattacks.

Ours is the most active bill that is out there now. Our bill, hopefully, will pass and go to the Senate, and there will be a lot more negotiation. But there is a lot of work to do in other areas, too, such as Homeland Security; and I know there are other issues involved in the Homeland Security markup, I know that there are issues involving Judiciary.

I can say this: I know that the chairman and I for 1 year now have worked very openly with every group that we think would be involved in this bill. Because of different positions taken, including HLU, we listened. This bill is better, and we hope that it passes.

So we clearly will work with you, but we on the Intelligence Committee are very limited to our jurisdiction, and that's why a lot of these issues we can't deal with other than what is in our bill right now.

I thank the gentleman for yielding.

Ms. RICHARDSON. Again, I'd like to thank both the chairman and the ranking member and look forward to the opportunity to work with you.

I would just give you one analogy to consider as we move forward. As you recall on 9/11 when the planes hit those two Twin Towers, the government had the ability to notify the private airlines to scramble the planes and to demand that all of the planes would be landed because we didn't know where they were going to go.

At that point, the government had the ability to work with the private sector, with the airline industry, to communicate information that they were now becoming aware of.

I'm certainly not suggesting that we interfere with the free-flowing ideas of the Internet. What this amendment is suggesting, and I look forward to working with you in the future, is that the government does have the ability if in the event something happens with dropping some chemicals into water, for example, treatment facilities, that the government should certainly have the ability to work with those private sector companies to be able to notify them and ensure that the public is protected.

I thank you for hearing the amendment, and I look forward to working with you going forward.

I yield back the balance of my time.

Mr. ROGERS of Michigan. I thank the gentlelady, and I look forward to that opportunity.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. RICHARDSON).

The amendment was rejected.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair understands that amendment No. 16 will not be offered.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-454 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. LANGEVIN of Rhode Island.

Amendment No. 4 by Mr. ROGERS of Michigan.

Amendment No. 6 by Mr. QUAYLE of Arizona.

Amendment No. 7 by Mr. AMASH of Michigan.

Amendment No. 8 by Mr. MULVANEY of South Carolina.

Amendment No. 13 by Mr. GOODLATTE of Virginia.

Amendment No. 15 by Mr. MULVANEY of South Carolina.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. LANGEVIN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the

gentleman from Rhode Island (Mr. LANGEVIN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 243, not voting 21, as follows:

[Roll No. 184]

AYES—167

Ackerman Gibson Neal
 Andrews Gonzalez Olver
 Baldwin Green, Al Owens
 Bass (CA) Grijalva Pallone
 Becerra Grimm Pascrell
 Berkley Gutierrez Pastor (AZ)
 Berman Hahn Pelosi
 Bishop (GA) Hanabusa Perlmutter
 Bishop (NY) Hastings (FL) Peters
 Bonamici Heinrich Pingree (ME)
 Boren Higgins Polis
 Boswell Himes Price (NC)
 Brady (TX) Hinchey Quigley
 Braley (IA) Hochul Reyes
 Brown (FL) Holt Richardson
 Butterfield Honda Richmond
 Capps Hoyer Rothman (NJ)
 Capuano Israel Roybal-Allard
 Carnahan Jackson (IL) Ruppersberger
 Carney Jackson Lee
 Carson (IN) (TX) Ryan (OH)
 Castor (FL) Johnson, E. B. Sánchez, Linda
 Chandler Kaptur T.
 Chu Keating Sanchez, Loretta
 Cicilline Kildee Sarbanes
 Clarke (MI) Kind Schakowsky
 Clay King (NY) Schiff
 Cleaver Kissell Schwartz
 Clyburn Kucinich Scott (VA)
 Coffman (CO) Langevin Serrano
 Cohen Larsen (WA) Sewell
 Connelly (VA) Larson (CT) Shuler
 Conyers Lee (CA) Smith (WA)
 Cooper Levin Speier
 Costa Lewis (GA) Stark
 Critz Lipinski Sutton
 Cuellar Loeb sack Thompson (CA)
 Cummings Lofgren, Zoe Thompson (MS)
 Davis (CA) Lowey Thornberry
 Davis (IL) Luján Tierney
 DeFazio Lungren, Daniel
 DeGette E.
 DeLauro Lynch
 Dent Markey Turner (NY)
 Deutch Matsui Van Hollen
 Dicks McCollum Velázquez
 Dingell McDermott Vislosky
 Doggett McGovern Walz (MN)
 Doyle McIntyre Wasserman
 Edwards Meehan Schultz
 Ellison Meeks Waters
 Engel Michaud Watt
 Farr Miller (NC) Waxman
 Fattah Miller, George Wills (FL)
 Frank (MA) Moore Woodall
 Fudge Moran Woolsey
 Garamendi Nadler Yarmuth

NOES—243

Adams Barton (TX) Brooks
 Aderholt Bass (NH) Broun (GA)
 Akin Benishek Buchanan
 Alexander Berg Buerkle
 Altmire Biggart Burgess
 Amash Bilbray Burton (IN)
 Amodi Bilirakis Calvert
 Austria Bishop (UT) Camp
 Baca Black Campbell
 Bachmann Blackburn Capito
 Bachus Bonner Carter
 Barletta Bono Mack Cassidy
 Barrow Boustany Chabot
 Bartlett Brady (PA) Chaffetz

Coble Hurt
 Cole Issa
 Conaway Jenkins
 Costello Johnson (IL)
 Courtney Johnson (OH)
 Cravaack Johnson, Sam
 Crawford Jones
 Crenshaw Jordan
 Crowley Kelly
 Culberson King (IA)
 Denham Kingston
 DesJarlais Kinzinger (IL)
 Diaz-Balart Kline
 Dold Labrador
 Donnelly (IN) Lamborn
 Dreier Lance
 Duffy Landry
 Duncan (SC) Lankford
 Duncan (TN) Latham
 Ellmers LaTourette
 Emerson Latta
 Eshoo Lewis (CA)
 Farenthold LoBiondo
 Fincher Long
 Fitzpatrick Lucas
 Flake Luetkemeyer
 Fleischmann Lummis
 Fleming Mack
 Flores Manullo
 Forbes Marchant
 Fortenberry Matheson
 Foxx McCarthy (CA)
 Franks (AZ) McCarthy (NY)
 Frelinghuysen McCaul
 Gallegly McClintock
 Gardner McCotter
 Garrett McKeon
 Gerlach McKinley
 Gibbs McMorris
 Gingrey (GA) Rodgers
 Gohmert McNerney
 Goodlatte Mica
 Gosar Miller (FL)
 Gowdy Miller (MI)
 Granger Miller, Gary
 Graves (GA) Mulvaney
 Graves (MO) Murphy (PA)
 Green, Gene Myrick
 Griffin (AR) Napolitano
 Griffith (VA) Neugebauer
 Guinta Noem
 Guthrie Nugent
 Hall Nunes
 Hanna Nunnelee
 Harper Olson
 Harris Palazzo
 Hartzler Paulsen
 Hastings (WA) Pearce
 Hayworth Peterson
 Heck Petri
 Hensarling Pitts
 Herger Platts
 Herrera Beutler Poe (TX)
 Hinojosa Pompeo
 Huelsskamp Posey
 Huizenga (MI) Price (GA)
 Hultgren Quayle
 Hunter Rahall

NOT VOTING—21

Blumenauer Filner
 Bucshon Hirono
 Canseco Holden
 Cantor Johnson (GA)
 Cardoza Maloney
 Clarke (NY) Marino
 Davis (KY) McHenry

□ 1723

Messrs. ALEXANDER, COSTELLO, DUNCAN of South Carolina, REHBERG, COURTNEY and PEARCE changed their vote from “aye” to “no.”

Mr. BRADY of Texas, Ms. SEWELL, Ms. LORETTA SANCHEZ of California, Mr. CONYERS, Ms. WATERS, Ms. MCCOLLUM and Ms. PINGREE of Maine changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:
 Mr. FILNER. Mr. Chair, on rollcall 184, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

AMENDMENT NO. 4 OFFERED BY MR. ROGERS OF MICHIGAN

The Acting CHAIR (Mr. CHAFFETZ). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. ROGERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 412, noes 0, not voting 19, as follows:

[Roll No. 185]

AYES—412

Ackerman Cardoza Ellmers
 Adams Carnahan Emerson
 Aderholt Carney Engel
 Akin Carson (IN) Eshoo
 Alexander Carter Farenthold
 Altmire Cassidy Farr
 Amash Castor (FL) Fattah
 Amodi Chabot Fincher
 Andrews Chaffetz Fitzpatrick
 Austria Chandler Flake
 Baca Tipton Fleischmann
 Bachmann Cicilline Fleming
 Bachus Clarke (MI) Flores
 Baldwin Clay Forbes
 Barletta Cleaver Fortenberry
 Barrow Clyburn Foxx
 Bartlett Coble Frank (MA)
 Barton (TX) Coffman (CO) Franks (AZ)
 Bass (CA) Cohen Frelinghuysen
 Bass (NH) Cole Fudge
 Becerra Conaway Gallegly
 Benishek Connolly (VA) Garamendi
 Berg Conyers Gardner
 Berkley Cooper Garret
 Berman Costa Gerlach
 Biggart Costello Gibbs
 Bilbray Courtney Gibson
 Bilirakis Cravaack Gingrey (GA)
 Bishop (GA) Crawford Gohmert
 Bishop (NY) Crenshaw Gonzalez
 Bishop (UT) Critz Goodlatte
 Black Crowley Gosar
 Blackburn Cuellar Gowdy
 Bonamici Culberson Granger
 Bonner Cummings Graves (GA)
 Bono Mack Davis (CA) Graves (MO)
 Boren Davis (IL) Green, Al
 Boswell DeFazio Green, Gene
 Boustany DeGette Griffin (AR)
 Brady (PA) DeLauro Griffith (VA)
 Brady (TX) Denham Grijalva
 Braley (IA) Dent Grimm
 Brooks DesJarlais Guinta
 Broun (GA) Deutch Guthrie
 Brown (FL) Diaz-Balart Gutierrez
 Buchanan Dicks Hahn
 Buerkle Dingell Hall
 Burgess Doggett Hanabusa
 Burton (IN) Dold Hanna
 Butterfield Donnelly (IN) Harper
 Calvert Doyle Harris
 Camp Dreier Hartzler
 Campbell Duffy Hastings (FL)
 Cantor Duncan (SC) Hastings (WA)
 Capito Duncan (TN) Hayworth
 Capps Edwards Heck
 Capuano Ellison Heinrich

Hensarling
 Herger
 Herrera Beutler
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hochul
 Holt
 Honda
 Hoyer
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Israel
 Issa
 Jackson (IL)
 Jackson Lee (TX)
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Johnson, Sam
 Jones
 Jordan
 Kaptur
 Keating
 Kelly
 Kildee
 Kind
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Kucinich
 Labrador
 Lamborn
 Lance
 Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Levin
 Lewis (CA)
 Lewis (GA)
 Lipinski
 LoBiondo
 Loeback
 Lofgren, Zoe
 Long
 Lowey
 Lucas
 Luetkemeyer
 Luján
 Lummis
 Lungren, Daniel E.
 Lynch
 Mack
 Manzullo
 Marchant
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McClintock
 McCollum
 McCotter
 McDermott
 McGovern
 McIntyre

NOT VOTING—19

Blumenauer
 Bucshon
 Canseco
 Clarke (NY)
 Davis (KY)
 Filner
 Hirono

□ 1727

Mr. CUMMINGS changed his vote from “no” to “aye.”

Ryan (OH)
 Ryan (WI)
 Sánchez, Linda T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schilling
 Schmidt
 Schock
 Schwartz
 Schweikert
 Scott (SC)
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Speier
 Stark
 Stearns
 Stivers
 Stutzman
 Sullivan
 Sutton
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Turner (NY)
 Turner (OH)
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Bonner
 Bono Mack
 Boren
 Boswell
 Boustany
 Brady (PA)
 Brady (TX)
 Braley (IA)
 Brooks
 Brown (GA)
 Brown (FL)
 Buchanan
 Buerkle
 Burgess
 Burton (IN)
 Butterfield
 Calvert
 Camp
 Campbell
 Cantor

So the amendment was agreed to.
 The result of the vote was announced as above recorded.

Stated for:
 Mr. FILNER. Mr. Chair, on rollcall No. 185, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

AMENDMENT NO. 6 OFFERED BY MR. QUAYLE
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. QUAYLE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 410, noes 3, not voting 18, as follows:

[Roll No. 186]

AYES—410

Ackerman
 Adams
 Aderholt
 Akin
 Alexander
 Altmire
 Amash
 Amodei
 Andrews
 Austria
 Baca
 Bachmann
 Bachus
 Baldwin
 Barletta
 Barrow
 Bartlett
 Barton (TX)
 Bass (CA)
 Bass (NH)
 Becerra
 Benishek
 Berg
 Berkeley
 Berman
 Biggart
 Bilbray
 Bilirakis
 Bishop (GA)
 Bishop (NY)
 Bishop (UT)
 Black
 Blackburn
 Bonamici
 Bonner
 Bono Mack
 Boren
 Boswell
 Boustany
 Brady (PA)
 Brady (TX)
 Braley (IA)
 Brooks
 Brown (GA)
 Brown (FL)
 Buchanan
 Buerkle
 Burgess
 Burton (IN)
 Butterfield
 Calvert
 Camp
 Campbell
 Cantor

Hanna
 Harper
 Harris
 Hartzler
 Hastings (FL)
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Hensarling
 Herger
 Herrera Beutler
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hochul
 Holt
 Honda
 Hoyer
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Israel
 Issa
 Jackson (IL)
 Jackson Lee (TX)
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Johnson, Sam
 Jones
 Jordan
 Kaptur
 Keating
 Kelly
 Kildee
 Kind
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Kucinich
 Labrador
 Lamborn
 Lance
 Landry
 Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Levin
 Lewis (CA)
 Lewis (GA)
 Lipinski
 LoBiondo
 Loeback
 Long
 Lowey
 Lucas
 Luetkemeyer
 Luján
 Lummis
 Lungren, Daniel E.
 Lynch
 Mack
 Manzullo
 Marchant
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul

NOES—3

Gohmert

Lofgren, Zoe
 McClintock

McCormack
 McCotter
 McDermott
 McGovern
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 McNeerney
 Meehan
 Meeks
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Moore
 Moran
 Mulvaney
 Murphy (CT)
 Murphy (PA)
 Myrick
 Nadler
 Napolitano
 Neal
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Olver
 Owens
 Palazzo
 Pascrell
 Pastor (AZ)
 Paulsen
 Pearce
 Pelosi
 Perlmutter
 Peters
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Platts
 Poe (TX)
 Polis
 Pompeo
 Posey
 Price (GA)
 Price (NC)
 Quayle
 Quigley
 Rahall
 Reed
 Rehberg
 Reichert
 Renacci
 Reyes
 Ribble
 Richardson
 Richmond
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Rothman (NJ)
 Roybal-Allard
 Royce
 Runyan

NOES—3

Lofgren, Zoe

McClintock

NOT VOTING—18

Filner
 Hirono
 Holden
 Johnson (GA)
 Maloney
 Marino
 McHenry

Ruppersberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sánchez, Linda T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schilling
 Schmidt
 Schock
 Schwartz
 Schweikert
 Scott (SC)
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Speier
 Stark
 Stearns
 Stivers
 Stutzman
 Sutton
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Turner (NY)
 Turner (OH)
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Woolsey
 Yarmuth
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

Paul
Pence
Rangel

Schrader
Sires
Slaughter

Sullivan

Gowdy
Granger
Graves (GA)
Graves (MO)

Lynch
Mack
Manzullo

Rothman (NJ)
Roybal-Allard
Royce

Blumenauer
Bucshon
Canseco
Davis (KY)
Filner
Hirono

NOT VOTING—16

Holden
Johnson (GA)
Maloney
Marino
McHenry
Paul
Pence
Rangel
Sires
Slaughter

□ 1731

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 186, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 7 OFFERED BY AMASH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. AMASH) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 415, noes 0, not voting 16, as follows:

[Roll No. 187]

AYES—415

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (GA)
Brown (FL)
Buchanan
Buerkle
Burgess
Burton (IN)

Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carmahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro

Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar

Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hincheey
Hinojosa
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.

McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)

Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Townsend
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Wooley
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

□ 1736

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 187, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 8 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 416, noes 0, not voting 15, as follows:

[Roll No. 188]

AYES—416

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (GA)
Brown (FL)
Buchanan
Buerkle
Burgess
Burton (IN)

Brown (FL)
Buchanan
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carmahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Conaway
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Cravaack
Crawford
Crenshaw

Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)

Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Garamendi
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grijalva
 Grimm
 Guinta
 Guthrie
 Gutierrez
 Hahn
 Hall
 Hanabusa
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (FL)
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Hensarling
 Henger
 Herrera Beutler
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hochul
 Holt
 Honda
 Hoyer
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Israel
 Issa
 Jackson (IL)
 Jackson Lee
 (TX)
 Jenkins
 Johnson (GA)
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Johnson, Sam
 Jones
 Jordan
 Kaptur
 Keating
 Kelly
 Kildee
 Kind
 King (IA)
 King (NY)
 Kingston
 Kingzinger (IL)
 Kissell
 Kline
 Kucinich
 Labrador
 Lamborn
 Lance
 Landry
 Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Levin
 Lewis (CA)

Lewis (GA)
 Lipinski
 LoBiondo
 Loebsock
 Lofgren, Zoe
 Long
 Lowey
 Lucas
 Luetkemeyer
 Lujan
 Lummis
 Lungren, Daniel
 E.
 Lynch
 Mack
 Manzullo
 Marchant
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McClintock
 McCollum
 McCotter
 McDermott
 McGovern
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 McNeerney
 Meehan
 Meeks
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Moore
 Moran
 Mulvaney
 Murphy (CT)
 Murphy (PA)
 Myrick
 Nadler
 Napolitano
 Neal
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Olver
 Owens
 Palazzo
 Pallone
 Pascrell
 Pastor (AZ)
 Paulsen
 Pearce
 Pelosi
 Perlmutter
 Peters
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Platts
 Vislosky
 Walberg
 Berman
 Biggert
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Rivera
 Roby
 Roe (TN)

Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Bucshon
 Canseco
 Davis (KY)
 Filner
 Blumenauer
 Hirono
 Holden
 Maloney
 Marino
 McHenry
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

NOT VOTING—15

□ 1740

So the amendment was agreed to.
 The result of the vote was announced
 as above recorded.

Stated for:
 Mr. FILNER. Mr. Chair, on rollcall 188, I was
 away from the Capitol due to prior commit-
 ments to my constituents. Had I been present,
 I would have voted "aye."

AMENDMENT NO. 13 OFFERED BY MR. GOODLATTE
 The Acting CHAIR. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from Virginia (Mr. GOOD-
 LATTE) on which further proceedings
 were postponed and on which the ayes
 prevailed by voice vote.

The Clerk will redesignate the
 amendment.
 The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
 has been demanded.

A recorded vote was ordered.
 The Acting CHAIR. This will be a 2-
 minute vote.

The vote was taken by electronic de-
 vice, and there were—ayes 414, noes 1,
 not voting 16, as follows:

[Roll No. 189]

AYES—414

Ackerman
 Adams
 Aderholt
 Alexander
 Sutton
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Turner (NY)
 Turner (OH)
 Upton
 Van Hollen
 Velázquez
 Berg
 Berkeley
 Berman
 Biggert
 Wilsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Brady (TX)
 Braley (IA)
 Brooks
 Broun (GA)

Brown (FL)
 Buchanan
 Buerkle
 Burgess
 Burton (IN)
 Butterfield
 Calvert
 Camp
 Campbell
 Cantor
 Capito
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Carter
 Cassidy
 Castor (FL)
 Chabot
 Chaffetz
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Coble
 Coffman (CO)
 Cohen
 Cole
 Conaway
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Cravaack
 Crawford

Crenshaw
 Critz
 Crowley
 Cuellar
 Culberson
 Cummings
 Davis (CA)
 Davis (IL)
 DeFazio
 DeGette
 DeLauro
 Denham
 Dent
 DesJarlais
 Deutch
 Diaz-Balart
 Dicks
 Dingell
 Doggett
 Dold
 Donnelly (IN)
 Doyle
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Edwards
 Ellison
 Ellmers
 Emerson
 Engel
 Eshoo
 Farenthold
 Farr
 Fattah
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry

Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Garamendi
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grijalva
 Grimm
 Guinta
 Guthrie
 Gutierrez
 Hahn
 Hall
 Hanabusa
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (FL)
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Hensarling
 Henger
 Herrera Beutler
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hochul
 Holt
 Honda
 Hoyer
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Israel
 Issa
 Jackson (IL)
 Jackson Lee
 (TX)
 Jenkins
 Johnson (GA)
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Johnson, Sam
 Jones
 Jordan
 Kaptur
 Keating
 Kelly
 Kildee
 Kind
 King (IA)
 King (NY)
 Kingston
 Kingzinger (IL)
 Kissell
 Kline
 Kucinich
 Labrador
 Lamborn
 Lance
 Landry
 Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)

Levin
 Lewis (CA)
 Lewis (GA)
 Lipinski
 LoBiondo
 Loebsock
 Long
 Lowey
 Lucas
 Luetkemeyer
 Lujan
 Lummis
 Lungren, Daniel
 E.
 Lynch
 Mack
 Manzullo
 Marchant
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McClintock
 McCollum
 McCotter
 McDermott
 McGovern
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 McNeerney
 Meehan
 Meeks
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Moore
 Moran
 Mulvaney
 Murphy (CT)
 Murphy (PA)
 Myrick
 Nadler
 Napolitano
 Neal
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Olver
 Owens
 Palazzo
 Pallone
 Pascrell
 Pastor (AZ)
 Paulsen
 Pearce
 Pelosi
 Perlmutter
 Peters
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Platts
 Vislosky
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Richmond
 Rigell
 Rivera
 Roby

Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Rothman (NJ)
 Roybal-Allard
 Royce
 Runyan
 Ruppberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schilling
 Schmidt
 Schock
 Schrader
 Schwartz
 Schweikert
 Scott (SC)
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Speier
 Stark
 Stearns
 Stivers
 Stutzman
 Sullivan
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Turner (NY)
 Turner (OH)
 Upton
 Van Hollen
 Velázquez
 Vislosky
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall

Woolsey Yoder Young (FL)
Yarmuth Young (AK) Young (IN)

NOES—1
Lofgren, Zoe

NOT VOTING—16

Akin Hirono Pence
Blumenauer Holden Rangel
Bucshon Maloney Sires
Cansco Marino Slaughter
Davis (KY) McHenry
Filner Paul

□ 1744

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 189, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

AMENDMENT NO. 15 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 413, noes 3, not voting 15, as follows:

[Roll No. 190]

AYES—413

Ackerman Brady (PA) Conaway
Adams Brady (TX) Connolly (VA)
Aderholt Braley (IA) Conyers
Akin Brooks Cooper
Alexander Brown (GA) Costa
Altmire Brown (FL) Costello
Amash Buchanan Courtney
Amodei Buerkle Cravaack
Andrews Burgess Crawford
Austria Burton (IN) Crenshaw
Baca Butterfield Critz
Bachmann Calvert Crowley
Bachus Camp Cuellar
Baldwin Campbell Culberson
Barletta Cantor Cummings
Barrow Capito Davis (CA)
Bartlett Capps Davis (IL)
Barton (TX) Capuano DeFazio
Bass (CA) Cardoza DeGette
Bass (NH) Carnahan DeLauro
Becerra Carney Denham
Benishkek Carson (IN) Dent
Berg Carter DesJarlais
Berkley Cassidy Deutch
Berman Castor (FL) Diaz-Balart
Biggert Chabot Dicks
Bilbray Chaffetz Doggett
Bilirakis Chandler Dold
Bishop (GA) Chu Donnelly (IN)
Bishop (NY) Cicilline Doyle
Bishop (UT) Clarke (MI) Dreier
Black Clarke (NY) Duffy
Blackburn Clay Duncan (SC)
Bonamici Cleaver Duncan (TN)
Bonner Clyburn Edwards
Bono Mack Coble Ellison
Boren Coffman (CO) Ellmers
Boswell Cohen Emerson
Boustany Cole Engel

Eshoo Lamborn
Farenthold Lance
Farr Landry
Fattah Langevin
Fincher Lankford
Fitzpatrick Larsen (WA)
Flake Larson (CT)
Fleischmann Latham
Fleming LaTourette
Flores Latta
Forbes Lee (CA)
Fortenberry Levin
Foxy Lewis (CA)
Frank (MA) Lewis (GA)
Franks (AZ) Lipinski
Frelinghuysen LoBiondo
Fudge Loebsack
Gallegly Lofgren, Zoe
Garamendi Long
Gardner Lowey
Garrett Lucas
Gerlach Luetkemeyer
Gibbs Luján
Gibson Lummis
Gingrey (GA) Lungren, Daniel
Gohmert E.
Gonzalez Lynch
Goodlatte Mack
Gosar Manullo
Gowdy Marchant
Granger Markey
Graves (GA) Matheson
Graves (MO) Matsui
Green, Al McCarthy (CA)
Green, Gene McCarthy (NY)
Griffin (AR) McCaul
Griffith (VA) McClintock
Grijalva McCollum
Grimm McCotter
Guinta McDermott
Guthrie McGovern
Gutierrez McIntyre
Hahn McKean
Hall McKinley
Hanabusa McMorris
Hanna Rodgers
Harper McNerney
Harris Meehan
Hartzler Meeks
Hastings (FL) Mica
Hastings (WA) Michaud
Hayworth Miller (FL)
Heck Miller (MI)
Heinrich Miller (NC)
Hensarling Miller, Gary
Herger Miller, George
Herrera Beutler Moore
Higgins Moran
Himes Mulvaney
Hinchey Murphy (CT)
Hinojosa Murphy (PA)
Hochul Myrick
Holt Nadler
Honda Napolitano
Hoyer Neal
Huelskamp Neugebauer
Huizenga (MI) Noem
Hultgren Nugent
Hunter Nunes
Hurt Nunnelee
Israel Olson
Issa Olver
Jackson (IL) Owens
Jackson Lee Palazzo
(TX) Pallone
Jenkins Pascrell
Johnson (GA) Pastor (AZ)
Johnson (IL) Paulsen
Johnson (OH) Pearce
Johnson, E. B. Pelosi
Johnson, Sam Perlmutter
Jones Peters
Jordan Peterson
Kaptur Petri
Keating Pingree (ME)
Kelly Pitts
Kildee Platts
Kind Poe (TX)
King (IA) Polis
King (NY) Pompeo
Kingston Posey
Kinzinger (IL) Price (GA)
Kissell Price (NC)
Kline Kline
Kucinich Kucinich
Labrador Labrador

Reed Whitfield
Rehberg Wilson (FL)
Reichert Wilson (SC)
Renacci Wittman
Reyes Wolf
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Suntion
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (OH)
Upton
Van Hollen
Peters
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland

Womack Young (AK)
Woodall Young (FL)
Woolsey Young (IN)
Yarmuth
Yoder

NOES—3

Dingell Schrader Turner (NY)

NOT VOTING—15

Blumenauer Hirono Paul
Bucshon Holden Pence
Cansco Maloney Rangel
Davis (KY) Marino Sires
Filner McHenry Slaughter

□ 1747

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 190, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, and, pursuant to House Resolution 631, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. PERLMUTTER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PERLMUTTER. In its current form, I am.

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

The Clerk read as follows:

Mr. Perlmutter moves to recommit the bill, H.R. 3523, to the Permanent Select Committee on Intelligence with instructions to

report the same back to the House forthwith with the following amendments:

At the end of the bill, add the following new section:

SEC. 3. PROTECTING THE PRIVACY OF INTERNET PASSWORDS AND THE CREATIVITY OF THE INTERNET.

Nothing in this Act or the amendments made by this Act shall be construed to—

(1) permit an employer, a prospective employer, or the Federal Government to require the disclosure of a confidential password for a social networking website or a personal account of an employee or job applicant without a court order; or

(2) permit the Federal Government to establish a mechanism to control United States citizens' access to and use of the Internet through the creation of a national Internet firewall similar to the "Great Internet Firewall of China", as determined by the Director of the National Intelligence.

Page 12, line 22, strike "and".

Page 12, line 25, strike the period and insert a semicolon.

Page 12, after line 25, insert the following:

"(G) the number of Americans who have—
 "(i) been required by employers, prospective employers, or the Federal Government to release confidential passwords for social networking websites; and

"(ii) had personal information released to the Federal Government under this section or obtained in connection with a cybersecurity breach; and

"(H) the impact of the information that has been released or obtained as referred to in subparagraph (G) on privacy, electronic commerce, Internet usage, and online content.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes.

Mr. PERLMUTTER. Mr. Speaker, the House has heard this before. It's very simple, sweet and direct, and I will take a moment and just read it so that everybody has a chance to understand it again. What we're doing is avoiding and prohibiting an employer, as a condition of employment, from demanding a confidential Facebook password—Twitter, Tumblr—or any social media of the like. It reads this way:

Nothing in this act or the amendments made by this act shall be construed to permit an employer, a prospective employer, or the Federal Government to require the disclosure of a confidential password for a social networking Web site or a personal account of an employee or job applicant without a court order; or permit the Federal Government to establish a mechanism to control United States citizens' access to and use of the Internet through the creation of a national Internet firewall, similar to the "Great Internet Firewall of China", as determined by the Director of National Intelligence.

So what this amendment does is two things. It is the final amendment to this bill. There are no more amendments to this bill. I know some people voted against this amendment when it was brought up a couple of weeks ago; and for those of you who regret voting against it, you're going to get a chance to correct that vote. This is something I've been working on with Mr. HEINRICH and Mr. MCHENRY. It just says we're not going to allow as a condition of

employment the requirement of a Facebook password or the like. Now, there is a reason for this.

One, there is all sorts of personal information that I may have or that somebody else may have with respect to Facebook or Twitter or LinkedIn, whatever it might be; and they're entitled to have an expectation of privacy, a sense that their freedom of speech—their freedom to peaceably assemble, in effect—is not violated. So that's the first reason.

The second reason is if an employer or the Federal Government poses as somebody, by having their Facebook passwords, then they can impersonate; they can become imposters. It is a two-way exchange of information so that somebody who is completely unrelated to the employment now is communicating with an impostor. That's another reason for this.

The third reason is for the employers, themselves, to avoid liability by learning information that may then cause them to take actions that would violate a protected group. So there are at least three good reasons to do this.

We have precedent in our law, and it is the Employee Polygraph Protection Act of 1988. We said we're not going to allow as a condition of employment the use of lie detectors. You can use background checks, and you can use references. There are plenty of vehicles by which to check out somebody's employment references; but we're not going to allow lie detectors, and we should not allow that the Facebook passwords be given up as a condition of employment. So we have precedent in the law. We don't allow polygraphs or lie detectors as a condition of employment. Let's use what we already have—background checks, references, et cetera.

The second piece of this is that we will not allow the command and control of the Internet or access to the Internet by the United States Government, saying that which is similar: that we want to avoid what has happened in China, that we want to avoid what has happened in Iran. We don't want the Internet taken down and our access, individuals' access, to the Internet broken.

So there are two pieces to this. One is not allowing the demand of a confidential password and not allowing the government to have the command and control and the ability to take down the Internet, an action similar to what we've seen in other countries.

This is a very simple amendment. It's very straightforward. We've had a lot of amendments that have garnered the support of virtually every Member of this House. This should be one of those. This is the final amendment. I would hope that we would uphold the Constitution by passing this amendment, as well as by making sure that the Internet is available to anyone who wants to use it at any time.

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

Mr. ROGERS of Michigan. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. Today, 300,000 times somebody will be trying to get into our credit card companies—300,000 times, one company. In just the last few years, just in defense contractors, foreign nation-states have stolen more intellectual property, which will end up protecting this country, equivalent to 50 times the print collection of our U.S. Library of Congress. Anonymous is attacking businesses, and today attacked Wall Street because they're anti-capitalists. There are people out there today who are literally robbing the future of America for our jobs, our prosperity, and our economic prowess in the world; and they're doing it by design.

A year ago, we set out to try to do something small. If we have some bad software—some bad, malicious virus information—shouldn't we be obligated to share that with the private sector so they can protect themselves? Absolutely.

If we don't do this, a nation-state like China has geared up its military and intelligence services for the very purpose of economically wounding the United States—by draining our intellectual property dry. They have done it by stealing pesticide formulas. They have done it by stealing pharmaceutical formulas. They have done it by stealing intellectual property when it relates to military hardware and then have copied it, and it has cost us a tremendous amount of more money to have had to go back and redesign it.

□ 1800

So we can play games. We can do silly things. This amendment actually does nothing to protect a person's private password at home. Nothing. Not one thing. But it is serving to try to obfuscate and maybe send it back to committee and come back.

This has been a bipartisan bill, and I can't tell you how disappointing this amendment is to me. I have worked with Mr. RUPPERSBERGER and the members of this committee. I have worked with the privacy groups. We've worked with civil libertarians. They threw everything but the kitchen sink at us. By the way, this does nothing, or this would have been thrown at us, too. You know why? Because it doesn't do anything. I get it. Sounds great. You're going to run out and do some bad things with it.

But this is our Nation's defense. This is the last bastion of things we need to do to protect this country. We've done it since 9/11. We did Homeland Security. We've done the Patriot Act. We've done other things that this body and the other body and the President of the

United States signed to protect this country, as our Constitution tells us to do for the common defense of this great Nation.

I will tell you something. We can have this debate. We can talk about a bill that does absolutely nothing to protect someone's private password at home, or we can get about the business of trying to give the private sector just a little bit of information to protect people's private information in the comfort of their homes, so that we can protect this Nation from a catastrophic attack.

The director of the national security didn't say "maybe," didn't say, "could happen." They said it will happen.

This is the one small thing we get to do to prepare for a whole bunch of folks out there that want to bring this Nation down.

We ought to stand together today in a bipartisan way. We ought to reject all of the confusion and obfuscation and all of the things that they're saying about this bill that just are not true. We ought to stand here and say, We respected the fact that you kept the government stuff government, and the private stuff private, and you're not mixing it up, and you're not surveilling. You're doing none of those things. You're just sharing some pretty bad information so that they can apply it to their patches that happen on your computer every single day, thousands of times a day, to try to keep viruses off your computer, and that's it.

We've spent a lot of time today trying to go in a different direction. People are upset that there aren't things in the bill. Okay. I mean, the Buffett rule isn't in the bill. I don't think that ought to get a veto threat either.

This is where we are. This is that first small threat.

I'm going to ask all of you to join us today. Reject this red herring, this obfuscation, and stand with America. They need it. There are 3 million businesses with all of the associations telling us, Please, give us that classified secret malware information that your government has so we can protect the people we have as customers and clients. They're begging for it because they're getting killed every single day. It's happening right this second.

This is our chance to stand up. This was a bipartisan effort. If you really believe in bipartisanship, if you believe that's the future of this Chamber, and that's the dignity of the very Founding Fathers that gave it to us, then today is the day to prove it.

Reject this amendment, stand for America. Support this bill.

I yield back the balance of my time. The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection. The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clauses 8 and 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 3523, if ordered; and suspension of the rules with regard to H.R. 2050, if ordered.

The vote was taken by electronic device, and there were—yeas 183, nays 233, not voting 15, as follows:

[Roll No. 191]

YEAS—183

Ackerman Frank (MA) Napolitano
Altmire Fudge Neal
Andrews Garamendi Olver
Baca Gonzalez Owens
Baldwin Green, Al Pallone
Barrow Green, Gene Pascrell
Bass (CA) Grijalva Pastor (AZ)
Becerra Gutierrez Pelosi
Berkley Hahn Perlmutter
Berman Hanabusa Peters
Bishop (GA) Hastings (FL) Peterson
Bishop (NY) Heinrich Pingree (ME)
Bonamici Higgins Polis
Boren Himes Price (NC)
Boswell Hinchey Quigley
Brady (PA) Hinojosa Rahall
Braley (IA) Hochul Reyes
Brown (FL) Holt Richardson
Butterfield Honda Richmond
Capps Hoyer Ross (AR)
Capuano Israel Rothman (NJ)
Cardoza Jackson (IL) Roybal-Allard
Carnahan Jackson Lee Ruppertsberger
Carney (TX) Rush
Carson (IN) Johnson (GA) Ryan (OH)
Castor (FL) Johnson, E. B. Sanchez, Linda
Chandler Jones T.
Chu Kaptur Sanchez, Loretta
Cicilline Keating Sarbanes
Clarke (MI) Kildee Schakowsky
Clarke (NY) Kind Schiff
Clay Kissell Schrader
Cleaver Kucinich Schwartz
Clyburn Langevin Scott (VA)
Cohen Larsen (WA) Scott, David
Connolly (VA) Larson (CT) Serrano
Conyers Lee (CA) Sewell
Cooper Levin Sherman
Costa Lewis (GA) Shuler
Costello Lipinski Smith (WA)
Courtney Loeb sack Speier
Critz Lofgren, Zoe Stark
Crowley Lowey Sutton
Cuellar Luján Thompson (CA)
Cummings Lynch Thompson (MS)
Davis (CA) Markey Tierney
Davis (IL) Matheson Tonko
DeFazio Matsui Towns
DeGette McCarthy (NY) Tsongas
DeLauro McCollum Van Hollen
Deutch McDermott Velázquez
Dicks McGovern Visclosky
Dingell McIntyre Walz (MN)
Doggett McNerney Wasserman
Donnelly (IN) Meeks Schultz
Doyle Michaud Waters
Edwards Miller (NC) Watt
Ellison Miller, George Waxman
Engel Moore Welch
Eshoo Moran Wilson (FL)
Farr Murphy (CT) Woolsey
Fattah Nadler Yarmuth

NAYS—233

Adams Bachus Bilbray
Aderholt Barletta Bilirakis
Akin Bartlett Bishop (UT)
Alexander Barton (TX) Black
Amash Bass (NH) Blackburn
Amodei Benishek Bonner
Austria Berg Bono Mack
Bachmann Biggert Boustany

Brady (TX) Hastings (WA) Pompeo
Brooks Hayworth Posey
Broun (GA) Heck Price (GA)
Buchanan Hensarling Quayle
Buerkle Herger Reed
Burgess Herrera Beutler Rehberg
Burton (IN) Huelskamp Reichert
Calvert Huizenga (MI) Renacci
Camp Hultgren Ribble
Campbell Hunter Rigell
Cantor Hurt Rivera
Capito Issa Roby
Carter Jenkins Roe (TN)
Cassidy Johnson (IL) Rogers (AL)
Chabot Johnson (OH) Rogers (KY)
Chaffetz Johnson, Sam Rogers (MI)
Coble Jordan Rohrabacher
Coffman (CO) Kelly Rokita
Cole King (IA) Rooney
Conaway King (NY) Ros-Lehtinen
Cravaack Kingston Roskam
Crawford Kinzinger (IL) Ross (FL)
Crenshaw Kline Royce
Culberson Labrador Lamborn
Denham Lamborn Runyan
Dent Lance Ryan (WI)
DesJarlais Landry Scalise
Diaz-Balart Lankford Schilling
Dold Latham Schmidt
Dreier LaTourette Schock
Duffy Latta Schweikert
Duncan (SC) Lewis (CA) Scott (SC)
Duncan (TN) LoBiondo Scott, Austin
Ellmers Long Sensenbrenner
Emerson Lucas Sessions
Farenthold Luetkemeyer Shimkus
Fincher Lummis Shuster
Fitzpatrick Lungren, Daniel Simpson
Flake E. Smith (NE)
Fleischmann Mack Smith (NJ)
Fleming Manzullo Smith (TX)
Flores Marchant Southerland
Forbes McCarthy (CA) Stearns
Fortenberry McCaul Stivers
Foxy McClintock Stutzman
Franks (AZ) McCotter Sullivan
Frelinghuysen McKeon Terry
Gallegly McKinley Thompson (PA)
Gardner McMorris Thornberry
Garrett Rodgers Tiberi
Gerlach Meehan Tipton
Gibbs Mica Turner (NY)
Gibson Miller (FL) Turner (OH)
Gingrey (GA) Miller (MI) Upton
Gohmert Miller, Gary Walberg
Goodlatte Mulvaney Walden
Gosar Murphy (PA) Walsh (IL)
Gowdy Myrick Webster
Granger Neugebauer West
Graves (GA) Noem Westmoreland
Graves (MO) Nugent Whitfield
Griffin (AR) Nunes Wilson (SC)
Griffith (VA) Nunnelee Wittman
Grimm Olson Wolf
Guinta Palazzo Womack
Guthrie Paulsen Woodall
Hall Pearce Yoder
Hanna Petri Young (AK)
Harper Pitts Young (FL)
Harris Platts Young (IN)
Hartzler Poe (TX)

NOT VOTING—15

Blumenauer Hirono Paul
Bucshon Holden Pence
Cansco Maloney Rangel
Davis (KY) Marino Sires
Filner McHenry Slaughter

□ 1823

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 191, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. ROGERS of Michigan. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 248, noes 168, not voting 15, as follows:

[Roll No. 192]

AYES—248

Adams	Forbes	McKeon
Aderholt	Fortenberry	McKinley
Alexander	Fox	McMorris
Altmore	Franks (AZ)	Rodgers
Amodie	Frelinghuysen	Meehan
Austria	Galleghy	Mica
Bachmann	Garamendi	Miller (FL)
Bachus	Gardner	Miller (MI)
Barletta	Garrett	Miller, Gary
Barrow	Gerlach	Moran
Bartlett	Gibbs	Mulvaney
Bass (NH)	Gingrey (GA)	Murphy (PA)
Benishek	Gonzalez	Myrick
Berg	Goodlatte	Neugebauer
Biggert	Govdy	Noem
Bilbray	Granger	Nugent
Bilirakis	Graves (GA)	Nunes
Bishop (GA)	Graves (MO)	Nunnelee
Bishop (NY)	Griffin (AR)	Olson
Black	Griffith (VA)	Owens
Blackburn	Grimm	Palazzo
Bonner	Guinta	Paulsen
Bono Mack	Guthrie	Peterson
Boren	Hanabusa	Petri
Boswell	Hanna	Pitts
Boustany	Harper	Platts
Brady (TX)	Harris	Poe (TX)
Broun (GA)	Hartzler	Pompeo
Buchanan	Hastings (WA)	Price (GA)
Buerkle	Hayworth	Quayle
Burgess	Heck	Reed
Burton (IN)	Hensarling	Reichert
Butterfield	Herger	Renacci
Calvert	Herrera Beutler	Ribble
Camp	Hochul	Rivera
Campbell	Huelskamp	Roby
Cantor	Huizenga (MI)	Roe (TN)
Capito	Hultgren	Rogers (AL)
Cardoza	Hunter	Rogers (KY)
Carney	Hurt	Rogers (MI)
Carter	Israel	Rokita
Cassidy	Issa	Rooney
Castor (FL)	Jenkins	Ros-Lehtinen
Chabot	Johnson (OH)	Roskam
Chaffetz	Johnson, Sam	Ross (AR)
Chandler	Jordan	Ross (FL)
Clyburn	Kelly	Royce
Coble	King (IA)	Ryunyan
Coffman (CO)	King (NY)	Ruppersberger
Cole	Kingston	Ryan (WI)
Conaway	Kinzinger (IL)	Scalise
Connolly (VA)	Kissell	Schilling
Cooper	Kline	Schmidt
Costa	Labrador	Schock
Cravaack	Lamborn	Schrader
Crawford	Lance	Scott (SC)
Crenshaw	Langevin	Scott, Austin
Critz	Lankford	Scott, David
Cuellar	Larsen (WA)	Sessions
Culberson	Latham	Shimkus
Denham	LaTourette	Shuler
Dent	Latta	Shuster
DesJarlais	Lewis (CA)	Smith (NE)
Diaz-Balart	Lipinski	Smith (NJ)
Dicks	LoBiondo	Smith (TX)
Dold	Long	Smith (WA)
Donnelly (IN)	Lucas	Southerland
Dreier	Luetkemeyer	Stearns
Duffy	Lummis	Stivers
Duncan (SC)	Lungren, Daniel	Stutzman
Duncan (TN)	E.	Sullivan
Ellmers	Manzullo	Terry
Fincher	Matheson	Thompson (CA)
Fitzpatrick	McCarthy (CA)	Thompson (PA)
Flake	McCarthy (NY)	Thornberry
Fleischmann	McCaul	Tiberi
Flores	McIntyre	Tipton

Towns
Turner (NY)
Turner (OH)
Upton
Waldberg
Walden
Webster

West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack

Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

mitments to my constituents. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, and 192. Had I been present, I would have voted "aye" on rollcall vote Nos. 184, 185, 186, 187, 188, 189, 190, and 191. I would have voted "no" on rollcall vote Nos. 182, 183, and 192.

IDAHO WILDERNESS WATER RESOURCES PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2050) to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 3523, CYBER INTELLIGENCE SHARING AND PROTECTION ACT

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 3523, the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

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

There was no objection.

Mr. ROGERS of Michigan. Madam Speaker, I ask unanimous consent that in the engrossment of H.R. 3523, the Clerk be authorized to make the change that I have placed at the desk.

The SPEAKER pro tempore (Mrs. NOEM). The Clerk will report.

The Clerk read as follows:

Insert "deny access to or" before "degrade" in each place it appears.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

NOES—168

Ackerman
Akin
Amash
Andrews
Baca
Baldwin
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bishop (UT)
Bonamici
Brady (PA)
Brady (IA)
Brooks
Brown (FL)
Capps
Capuano
Carnahan
Carson (IN)
Chu

Green, Gene
Grijalva
Gutierrez
Hahn
Hall
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Holt
Honda
Hoyer
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Landry
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsock
Lofgren, Zoe
Lowe
Lujan
Lynch
Mack
Marchant
Markey
Matsui
McClintock
Doyle
McCollum
McCotter
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone

Pascarell
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rahall
Rehberg
Reyes
Richardson
Richmond
Rigell
Rohrabacher
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sewell
Sherman
Simpson
Speier
Stark
Sutton
Thompson (MS)

Cielline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fleming
Frank (MA)
Fudge
Gibson
Gohmert
Gosar
Green, Al

Cleaver
Cohen
Conyers
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fleming
Frank (MA)
Fudge
Gibson
Gohmert
Gosar
Green, Al

Pascarell
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rahall
Rehberg
Reyes
Richardson
Richmond
Rigell
Rohrabacher
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sewell
Sherman
Simpson
Speier
Stark
Sutton
Thompson (MS)

NOT VOTING—15

Blumenauer
Bucshon
Canseco
Davis (KY)
Filner

Hirono
Holden
Maloney
Marino
McHenry

Paul
Pence
Rangel
Sires
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1831

Mr. HOYER changed his vote from "aye" to "no."

Mr. TIPTON changed his vote from "no" to aye."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 192, I was away from the Capitol due to prior com-

will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

FEDERAL INFORMATION SECURITY AMENDMENTS ACT OF 2012

Mr. ISSA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4257) to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4257

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Information Security Amendments Act of 2012”.

SEC. 2. COORDINATION OF FEDERAL INFORMATION POLICY.

Chapter 35 of title 44, United States Code, is amended by striking subchapters II and III and inserting the following:

“SUBCHAPTER II—INFORMATION SECURITY

“§ 3551. Purposes

“The purposes of this subchapter are to—

“(1) provide a comprehensive framework for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets;

“(2) recognize the highly networked nature of the current Federal computing environment and provide effective Governmentwide management and oversight of the related information security risks, including coordination of information security efforts throughout the civilian, national security, and law enforcement communities assets;

“(3) provide for development and maintenance of minimum controls required to protect Federal information and information systems;

“(4) provide a mechanism for improved oversight of Federal agency information security programs and systems through a focus on automated and continuous monitoring of agency information systems and regular threat assessments;

“(5) acknowledge that commercially developed information security products offer advanced, dynamic, robust, and effective information security solutions, reflecting market solutions for the protection of critical information systems important to the national defense and economic security of the Nation that are designed, built, and operated by the private sector; and

“(6) recognize that the selection of specific technical hardware and software information security solutions should be left to individual agencies from among commercially developed products.

“§ 3552. Definitions

“(a) SECTION 3502 DEFINITIONS.—Except as provided under subsection (b), the definitions under section 3502 shall apply to this subchapter.

“(b) ADDITIONAL DEFINITIONS.—In this subchapter:

“(1) ADEQUATE SECURITY.—The term ‘adequate security’ means security commensurate with the risk and magnitude of the harm resulting from the unauthorized access to or loss, misuse, destruction, or modification of information.

“(2) AUTOMATED AND CONTINUOUS MONITORING.—The term ‘automated and continuous monitoring’ means monitoring, with minimal human involvement, through an uninterrupted, ongoing real time, or near real-time process used to determine if the complete set of planned, required, and deployed security controls within an information system continue to be effective over time with rapidly changing information technology and threat development.

“(3) INCIDENT.—The term ‘incident’ means an occurrence that actually or potentially jeopardizes the confidentiality, integrity, or availability of an information system, or the information the system processes, stores, or transmits or that constitutes a violation or imminent threat of violation of security policies, security procedures, or acceptable use policies.

“(4) INFORMATION SECURITY.—The term ‘information security’ means protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction in order to provide—

“(A) integrity, which means guarding against improper information modification or destruction, and includes ensuring information nonrepudiation and authenticity;

“(B) confidentiality, which means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information; and

“(C) availability, which means ensuring timely and reliable access to and use of information.

“(5) INFORMATION SYSTEM.—The term ‘information system’ means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information and includes—

“(A) computers and computer networks;

“(B) ancillary equipment;

“(C) software, firmware, and related procedures;

“(D) services, including support services; and

“(E) related resources.

“(6) INFORMATION TECHNOLOGY.—The term ‘information technology’ has the meaning given that term in section 11101 of title 40.

“(7) NATIONAL SECURITY SYSTEM.—

“(A) DEFINITION.—The term ‘national security system’ means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

“(i) the function, operation, or use of which—

“(I) involves intelligence activities;

“(II) involves cryptologic activities related to national security;

“(III) involves command and control of military forces;

“(IV) involves equipment that is an integral part of a weapon or weapons system; or

“(V) subject to subparagraph (B), is critical to the direct fulfillment of military or intelligence missions; or

“(ii) is protected at all times by procedures established for information that have been specifically authorized under criteria estab-

lished by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

“(B) EXCEPTION.—Subparagraph (A)(i)(V) does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

“(8) THREAT ASSESSMENT.—The term ‘threat assessment’ means the formal description and evaluation of threat to an information system.

“§ 3553. Authority and functions of the Director

“(a) IN GENERAL.—The Director shall oversee agency information security policies and practices, including—

“(1) developing and overseeing the implementation of policies, principles, standards, and guidelines on information security, including through ensuring timely agency adoption of and compliance with standards promulgated under section 11331 of title 40;

“(2) requiring agencies, consistent with the standards promulgated under such section 11331 and the requirements of this subchapter, to identify and provide information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of—

“(A) information collected or maintained by or on behalf of an agency; or

“(B) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

“(3) coordinating the development of standards and guidelines under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) with agencies and offices operating or exercising control of national security systems (including the National Security Agency) to assure, to the maximum extent feasible, that such standards and guidelines are complementary with standards and guidelines developed for national security systems;

“(4) overseeing agency compliance with the requirements of this subchapter, including through any authorized action under section 11303 of title 40, to enforce accountability for compliance with such requirements;

“(5) reviewing at least annually, and approving or disapproving, agency information security programs required under section 3554(b);

“(6) coordinating information security policies and procedures with related information resources management policies and procedures;

“(7) overseeing the operation of the Federal information security incident center required under section 3555; and

“(8) reporting to Congress no later than March 1 of each year on agency compliance with the requirements of this subchapter, including—

“(A) an assessment of the development, promulgation, and adoption of, and compliance with, standards developed under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) and promulgated under section 11331 of title 40;

“(B) significant deficiencies in agency information security practices;

“(C) planned remedial action to address such deficiencies; and

“(D) a summary of, and the views of the Director on, the report prepared by the National Institute of Standards and Technology

under section 20(d)(10) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3).

“(b) NATIONAL SECURITY SYSTEMS.—Except for the authorities described in paragraphs (4) and (8) of subsection (a), the authorities of the Director under this section shall not apply to national security systems.

“(c) DEPARTMENT OF DEFENSE AND CENTRAL INTELLIGENCE AGENCY SYSTEMS.—(1) The authorities of the Director described in paragraphs (1) and (2) of subsection (a) shall be delegated to the Secretary of Defense in the case of systems described in paragraph (2) and to the Director of Central Intelligence in the case of systems described in paragraph (3).

“(2) The systems described in this paragraph are systems that are operated by the Department of Defense, a contractor of the Department of Defense, or another entity on behalf of the Department of Defense that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of the Department of Defense.

“(3) The systems described in this paragraph are systems that are operated by the Central Intelligence Agency, a contractor of the Central Intelligence Agency, or another entity on behalf of the Central Intelligence Agency that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of the Central Intelligence Agency.

“§ 3554. Agency responsibilities

“(a) IN GENERAL.—The head of each agency shall—

“(1) be responsible for—

“(A) providing information security protections commensurate with the risk and magnitude of the harm resulting from unauthorized access, use, disclosure, disruption, modification, or destruction of—

“(i) information collected or maintained by or on behalf of the agency; and

“(ii) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

“(B) complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines, including—

“(i) information security standards and guidelines promulgated under section 11331 of title 40 and section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3);

“(ii) information security standards and guidelines for national security systems issued in accordance with law and as directed by the President; and

“(iii) ensuring the standards implemented for information systems and national security systems of the agency are complementary and uniform, to the extent practicable;

“(C) ensuring that information security management processes are integrated with agency strategic and operational planning and budget processes, including policies, procedures, and practices described in subsection (c)(2);

“(D) as appropriate, maintaining secure facilities that have the capability of accessing, sending, receiving, and storing classified information;

“(E) maintaining a sufficient number of personnel with security clearances, at the appropriate levels, to access, send, receive and analyze classified information to carry out the responsibilities of this subchapter; and

“(F) ensuring that information security performance indicators and measures are in-

cluded in the annual performance evaluations of all managers, senior managers, senior executive service personnel, and political appointees;

“(2) ensure that senior agency officials provide information security for the information and information systems that support the operations and assets under their control, including through—

“(A) assessing the risk and magnitude of the harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of such information or information system;

“(B) determining the levels of information security appropriate to protect such information and information systems in accordance with policies, principles, standards, and guidelines promulgated under section 11331 of title 40 and section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) for information security classifications and related requirements;

“(C) implementing policies and procedures to cost effectively reduce risks to an acceptable level;

“(D) with a frequency sufficient to support risk-based security decisions, testing and evaluating information security controls and techniques to ensure that such controls and techniques are effectively implemented and operated; and

“(E) with a frequency sufficient to support risk-based security decisions, conducting threat assessments by monitoring information systems, identifying potential system vulnerabilities, and reporting security incidents in accordance with paragraph (3)(A)(v);

“(3) delegate to the Chief Information Officer or equivalent (or a senior agency official who reports to the Chief Information Officer or equivalent), who is designated as the “Chief Information Security Officer”, the authority and primary responsibility to develop, implement, and oversee an agency-wide information security program to ensure and enforce compliance with the requirements imposed on the agency under this subchapter, including—

“(A) overseeing the establishment and maintenance of a security operations capability that through automated and continuous monitoring, when possible, can—

“(i) detect, report, respond to, contain, and mitigate incidents that impair information security and agency information systems, in accordance with policy provided by the Director;

“(ii) commensurate with the risk to information security, monitor and mitigate the vulnerabilities of every information system within the agency;

“(iii) continually evaluate risks posed to information collected or maintained by or on behalf of the agency and information systems and hold senior agency officials accountable for ensuring information security;

“(iv) collaborate with the Director and appropriate public and private sector security operations centers to detect, report, respond to, contain, and mitigate incidents that impact the security of information and information systems that extend beyond the control of the agency; and

“(v) report any incident described under clauses (i) and (ii) to the Federal information security incident center, to other appropriate security operations centers, and to the Inspector General of the agency, to the extent practicable, within 24 hours after discovery of the incident, but no later than 48 hours after such discovery;

“(B) developing, maintaining, and overseeing an agencywide information security program as required by subsection (b);

“(C) developing, maintaining, and overseeing information security policies, procedures, and control techniques to address all applicable requirements, including those issued under section 11331 of title 40;

“(D) training and overseeing personnel with significant responsibilities for information security with respect to such responsibilities; and

“(E) assisting senior agency officials concerning their responsibilities under paragraph (2);

“(4) ensure that the agency has a sufficient number of trained and cleared personnel to assist the agency in complying with the requirements of this subchapter, other applicable laws, and related policies, procedures, standards, and guidelines;

“(5) ensure that the Chief Information Security Officer, in consultation with other senior agency officials, reports periodically, but not less than annually, to the agency head on—

“(A) the effectiveness of the agency information security program;

“(B) information derived from automated and continuous monitoring, when possible, and threat assessments; and

“(C) the progress of remedial actions;

“(6) ensure that the Chief Information Security Officer possesses the necessary qualifications, including education, training, experience, and the security clearance required to administer the functions described under this subchapter; and has information security duties as the primary duty of that official; and

“(7) ensure that components of that agency establish and maintain an automated reporting mechanism that allows the Chief Information Security Officer with responsibility for the entire agency, and all components thereof, to implement, monitor, and hold senior agency officers accountable for the implementation of appropriate security policies, procedures, and controls of agency components.

“(b) AGENCY PROGRAM.—Each agency shall develop, document, and implement an agencywide information security program, approved by the Director and consistent with components across and within agencies, to provide information security for the information and information systems that support the operations and assets of the agency, including those provided or managed by another agency, contractor, or other source, that includes—

“(1) automated and continuous monitoring, when possible, of the risk and magnitude of the harm that could result from the disruption or unauthorized access, use, disclosure, modification, or destruction of information and information systems that support the operations and assets of the agency;

“(2) consistent with guidance developed under section 11331 of title 40, vulnerability assessments and penetration tests commensurate with the risk posed to agency information systems;

“(3) policies and procedures that—

“(A) cost effectively reduce information security risks to an acceptable level;

“(B) ensure compliance with—

“(i) the requirements of this subchapter;

“(ii) policies and procedures as may be prescribed by the Director, and information security standards promulgated pursuant to section 11331 of title 40;

“(iii) minimally acceptable system configuration requirements, as determined by the Director; and

“(iv) any other applicable requirements, including—

“(I) standards and guidelines for national security systems issued in accordance with law and as directed by the President; and

“(II) the National Institute of Standards and Technology standards and guidance;

“(C) develop, maintain, and oversee information security policies, procedures, and control techniques to address all applicable requirements, including those promulgated pursuant section 11331 of title 40; and

“(D) ensure the oversight and training of personnel with significant responsibilities for information security with respect to such responsibilities;

“(4) with a frequency sufficient to support risk-based security decisions, automated and continuous monitoring, when possible, for testing and evaluation of the effectiveness and compliance of information security policies, procedures, and practices, including—

“(A) controls of every information system identified in the inventory required under section 3505(c); and

“(B) controls relied on for an evaluation under this section;

“(5) a process for planning, implementing, evaluating, and documenting remedial action to address any deficiencies in the information security policies, procedures, and practices of the agency;

“(6) with a frequency sufficient to support risk-based security decisions, automated and continuous monitoring, when possible, for detecting, reporting, and responding to security incidents, consistent with standards and guidelines issued by the National Institute of Standards and Technology, including—

“(A) mitigating risks associated with such incidents before substantial damage is done;

“(B) notifying and consulting with the Federal information security incident center and other appropriate security operations response centers; and

“(C) notifying and consulting with, as appropriate—

“(i) law enforcement agencies and relevant Offices of Inspectors General; and

“(ii) any other agency, office, or entity, in accordance with law or as directed by the President; and

“(7) plans and procedures to ensure continuity of operations for information systems that support the operations and assets of the agency.

“(c) AGENCY REPORTING.—Each agency shall—

“(1) submit an annual report on the adequacy and effectiveness of information security policies, procedures, and practices, and compliance with the requirements of this subchapter, including compliance with each requirement of subsection (b) to—

“(A) the Director;

“(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(C) the Committee on Oversight and Government Reform of the House of Representatives;

“(D) other appropriate authorization and appropriations committees of Congress; and

“(E) the Comptroller General;

“(2) address the adequacy and effectiveness of information security policies, procedures, and practices in plans and reports relating to—

“(A) annual agency budgets;

“(B) information resources management of this subchapter;

“(C) information technology management under this chapter;

“(D) program performance under sections 1105 and 1115 through 1119 of title 31, and sections 2801 and 2805 of title 39;

“(E) financial management under chapter 9 of title 31, and the Chief Financial Officers

Act of 1990 (31 U.S.C. 501 note; Public Law 101 576);

“(F) financial management systems under the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note); and

“(G) internal accounting and administrative controls under section 3512 of title 31; and

“(3) report any significant deficiency in a policy, procedure, or practice identified under paragraph (1) or (2)—

“(A) as a material weakness in reporting under section 3512 of title 31; and

“(B) if relating to financial management systems, as an instance of a lack of substantial compliance under the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note).

“§ 3555. Federal information security incident center

“(a) IN GENERAL.—The Director shall ensure the operation of a central Federal information security incident center to—

“(1) provide timely technical assistance to operators of agency information systems regarding security incidents, including guidance on detecting and handling information security incidents;

“(2) compile and analyze information about incidents that threaten information security;

“(3) inform operators of agency information systems about current and potential information security threats, and vulnerabilities; and

“(4) consult with the National Institute of Standards and Technology, agencies or offices operating or exercising control of national security systems (including the National Security Agency), and such other agencies or offices in accordance with law and as directed by the President regarding information security incidents and related matters.

“(b) NATIONAL SECURITY SYSTEMS.—Each agency operating or exercising control of a national security system shall share information about information security incidents, threats, and vulnerabilities with the Federal information security incident center to the extent consistent with standards and guidelines for national security systems, issued in accordance with law and as directed by the President.

“(c) REVIEW AND APPROVAL.—The Director shall review and approve the policies, procedures, and guidance established in this subchapter to ensure that the incident center has the capability to effectively and efficiently detect, correlate, respond to, contain, mitigate, and remediate incidents that impair the adequate security of the information systems of more than one agency. To the extent practicable, the capability shall be continuous and technically automated.

“§ 3556. National security systems

“The head of each agency operating or exercising control of a national security system shall be responsible for ensuring that the agency—

“(1) provides information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of the information contained in such system;

“(2) implements information security policies and practices as required by standards and guidelines for national security systems, issued in accordance with law and as directed by the President; and

“(3) complies with the requirements of this subchapter.”.

SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TABLE OF SECTIONS IN TITLE 44.—The table of sections for chapter 35 of title 44, United States Code, is amended by striking the matter relating to subchapters II and III and inserting the following:

“SUBCHAPTER II—INFORMATION SECURITY

“Sec.

“3551. Purposes.

“3552. Definitions.

“3553. Authority and functions of the Director.

“3554. Agency responsibilities.

“3555. Federal information security incident center.

“3556. National security systems.”.

(b) OTHER REFERENCES.—

(1) Section 1001(c)(1)(A) of the Homeland Security Act of 2002 (6 U.S.C. 511(c)(1)(A)) is amended by striking “section 3532(3)” and inserting “section 3552(b)”.

(2) Section 2222(j)(5) of title 10, United States Code, is amended by striking “section 3542(b)(2)” and inserting “section 3552(b)”.

(3) Section 2223(c)(3) of title 10, United States Code, is amended by striking “section 3542(b)(2)” and inserting “section 3552(b)”.

(4) Section 2315 of title 10, United States Code, is amended by striking “section 3542(b)(2)” and inserting “section 3552(b)”.

(5) Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) is amended—

(A) in subsections (a)(2) and (e)(5), by striking “section 3532(b)(2)” and inserting “section 3552(b)”;

(B) in subsection (e)(2), by striking “section 3532(1)” and inserting “section 3552(b)”.

(6) Section 8(d)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7406(d)(1)) is amended by striking “section 3534(b)” and inserting “section 3554(b)”.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of section 3554 of title 44, United States Code, as amended by section 2 of this Act. Such requirements shall be carried out using amounts otherwise authorized or appropriated.

SEC. 5. EFFECTIVE DATE.

This Act (including the amendments made by this Act) shall take effect 30 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Madam Speaker, cybersecurity threats represent one of the most serious national security and economic challenges we face as a Nation. Whether it's criminal hackers, organized

crime, terrorist networks or national states, our Nation is under siege from dangerous cybersecurity threats that grow daily in frequency and sophistication.

□ 1840

It is critical that the Federal Government address cybersecurity threats in a manner that keeps pace with the Nation's growing dependence on technology. The President himself recently stated: "Cybersecurity is a challenge that we as a government or as a country are not adequately prepared to counter."

Madam Speaker, it is essential that we, in fact, change that here today.

Current law does not adequately address the nature of today's cybersecurity threats. Since the enactment in 2002 of the Federal Information Security Management Act, or FISMA, it has become a check-the-box compliance activity that all too often has little to do with minimizing security threats, and yet the Government Accountability Office recently found that security incidents among 24 key agencies increased more than 650 percent during the last 5 years.

To address the rising challenge posed by cyberthreats, Ranking Member CUMMINGS and I introduced H.R. 4257, the Federal Information Security Amendments Act of 2012. The bill aims to harness the last decade of technological innovation in securing the Federal information systems. It amends FISMA to move beyond the check-the-box compliance mentality. It enhances the current framework for securing Federal information technology systems.

Our bill calls for automated and continuous monitoring of government information systems. And it ensures that control monitoring finally incorporates regular threat assessment and—Madam Speaker, this is the most important part of what we do—continuous monitoring and constant threat assessments so that never again will we find that the incidents are going up double digits every month in some cases.

The bill also reaffirms the role of the Office of Management and Budget, or OMB, with respect to FISMA, recognizing that the budgetary leverage of the Executive Office of the President is necessary to ensure agencies are focused on effective security of its IT systems.

While our bill does not include new requirements, restrictions, or mandates on private or non-Federal computer systems, H.R. 4257 does highlight the need for stronger public-private partnerships. Through our Web site, keepthewebopen.com, our bill has been vetted by the American people. It has also received strong support from cybersecurity experts and industry, including the Information Technology

Industry Council and the Business Software Alliance.

I'd like to thank my ranking member, Mr. CUMMINGS, for a one-on-one equal partnership with me in the efforts to address the growing threat for cybersecurity. He has led the way on his side of the aisle, and I have been honored to serve on my side. We have encouraged all Members to support this timely legislation. We recognize that some things are too important to be partisan. This certainly is one of them.

I reserve the balance of my time.

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

Madam Speaker, first of all, I'd like to express my appreciation to the chairman of our committee for his kind words and for his cooperation. I start by thanking him for working with me and my staff to make this a bipartisan effort, and it is truly a bipartisan effort. From the beginning, we agreed that we did not want to make securing our Federal information systems a partisan issue and that securing our Nation against a cyberattack is an issue that transcends any party lines. This bill is evidence of the good work that we can do when we work together to address an important issue like cybersecurity.

Not only does this bill enjoy bipartisan support, but it is noncontroversial. Last week, the bill was marked up in committee and passed on a voice vote. The only amendments considered made constructive changes to the bill that were recommended by the National Institute of Standards and Technology and the Government Accountability Office. These changes enjoyed universal support in committee.

This legislation will ensure that Federal agencies use a risk-based approach to defend against cyberattacks and protect government information from being compromised by our adversaries. The bill would make key changes to help protect our Federal information systems from cyberattacks. It would shift the Federal Government to a system of continuous monitoring of information systems, streamline reporting requirements, and ensure that agencies take a smart, risk-based approach to securing networks.

This bill will continue to authorize the Office of Management and Budget to set Federal policy for information security. This is important because we need to hold all agencies accountable for developing appropriate standards and living up to them. However, nothing in this bill would prevent the Department of Homeland Security from continuing the great work it is doing to protect our Nation against potential cyberattacks.

The Department has dramatically expanded its cybersecurity workforce, and it has built the National Cybersecurity and Communications Integra-

tion Center to serve as Federal Government's cybersecurity command center. This command center is a vital part of our efforts to protect Federal information systems.

Earlier this month, the head of U.S. Cyber Command, General Keith Alexander, testified that securing our Nation against cyberthreats is one of our biggest national security challenges. Securing our Federal information systems is a critical component of addressing this challenge, and I urge my colleagues to join me and our chairman in supporting this legislation.

With that, Madam Speaker, I reserve the balance of my time.

Mr. ISSA. Madam Speaker, we have a speaker on the other side for a colloquy, so I'd reserve at this time to allow him to go next.

Mr. CUMMINGS. I want to thank the gentleman.

Madam Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my friend from Maryland, the distinguished ranking member.

I want to thank Chairman ISSA and appreciate the work of him and the ranking member, Mr. CUMMINGS, and their staff on this legislation, which I think is a thoughtful, bipartisan update to an information security bill actually written by my predecessor and the chairman's, Tom Davis of Virginia.

The FISMA Amendments Act transitions from compliance to performance metrics to address major shortcomings in Federal agency cybersecurity implementation. Of course, when considering the performance of Federal agencies, it's a natural extension to question the relationship between the executive branch and those agencies and the relationship among technology and cybersecurity-related positions within the executive branch.

I appreciate President Obama's focus on technology, particularly the chief information officer's 25-point plan, but I'm concerned that the current ad hoc nature of the CIO, CTO, and Cybersecurity coordinator could create certain risk and continuity of operations challenges when we look out to further administrations. I would ask Chairman ISSA if he shares those concerns.

I yield to the gentleman from California.

Mr. ISSA. I thank the gentleman. I do share those concerns and appreciate the gentleman's work on this.

Proper organization of the executive branch is essential to the successful long-term management of technology, and particularly cybersecurity.

This policy is going to require additional work. FISMA is not the end but, in fact, a starting point; and I look forward to working with the gentleman to make sure that as we work with the executive branch, including OMB, that we get it right and we keep the focus

where it needs to be on all the agencies and bringing them together.

Mr. CONNOLLY of Virginia. Madam Speaker, I thank the chairman and look forward to working with him and the ranking member, as well as Mr. LANGEVIN of Rhode Island, who has been a leader on this subject, to advance legislation that will address executive branch organization in the context of cybersecurity. With the right framework, I believe the current and future administrations will be able to more efficiently implement these FISMA reforms and other related legislation. Given its jurisdiction, the Oversight and Government Reform Committee is the appropriate venue to develop such legislation, and I look forward to working with the committee chair and ranking member to advance it.

□ 1850

Mr. CUMMINGS. Madam Speaker, I yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. I thank the gentleman for yielding.

Madam Speaker, I rise to engage in a colloquy with my colleague and friend, the chairman of the Committee on Oversight and Government Reform, Mr. ISSA.

I'd first like to thank the chairman for his hard work. His efforts to update the Federal Information Security Management Act have been commendably inclusive and bipartisan, and I want to thank him and his staff, as well as Mr. CUMMINGS and Mr. CONNOLLY and their staff, for all the outreach and good faith negotiation that's occurred during the crafting of this legislation.

There can be no question that the FISMA reform language before the House today is both sorely needed and long overdue. To this end, together with my good friend and our former colleague, Ms. Watson, I introduced an amendment that passed the House overwhelmingly last Congress during consideration of the FY 2011 National Defense Authorization Act.

That amendment, which was, unfortunately, stripped out during conference with the Senate, would have made important updates to FISMA, in addition to establishing a National Office for Cyberspace in the Executive Office of the President.

Such an office has been recommended by the Obama administration's 60-Day Cyberspace Policy Review, public-private sector working groups such as the CSIS Commission on Cybersecurity for the 44th Presidency, which I cochaired with my good friend, Mr. MCCAUL, and the GAO, as a response to security deficiencies throughout the Federal Government.

While I applaud my friend for delivering on the need for FISMA reform, I'd like to ask the chairman if he gave thought to such organizational changes

within the executive branch and, in particular, an organization like a National Office for Cyberspace during the drafting of this legislation.

I yield to my friend.

Mr. ISSA. I thank the gentleman. And yes, we did. Your leadership on cybersecurity matters, including FISMA reform, have been essential.

When you and I served on the Select Intelligence Committee, I recognized that you put more time and effort into the behind-the-door work than any of us. And, in fact, you and I share some of the challenges that we faced with the DNI and other earlier organizations.

But I share with you that your suggestions on how we can, in fact, find single-point accountability in future legislation, in concert with this administration, is essential. I look forward to working with you on exactly that. I know of no other partner I could have on the other side of the aisle that is more prepared to do it, and I thank the gentleman.

Mr. LANGEVIN. I thank the gentleman for that. In that spirit, I'd like to encourage the gentleman to continue in this open and bipartisan fashion. I'd like to ask if you would be interested in working together on such subsequent legislation, along with Mr. CUMMINGS and Mr. CONNOLLY, who have been so involved and thoughtful on this issue.

I believe that such legislation should include strong, centralized oversight to protect our Nation's critical infrastructure, including budgetary oversight powers, while remaining accountable to Congress.

Mr. ISSA. I couldn't agree with the gentleman more. Your work with our staff has been essential. I look forward to doing exactly that, and I think we have to have that ongoing effort to get to there.

I saw the ranking member's head also shaking. I know that we will both look forward to working with you on a bipartisan basis.

Mr. LANGEVIN. I thank the gentleman for that, and I look forward to working with my good friend to ensure that our Federal Government is properly addressing this critically important issue.

Mr. ISSA. Madam Speaker, I yield 3 minutes to my colleague and the gentleman from Utah (Mr. CHAFFETZ), the chairman of the subcommittee that has done so much on, in fact, cybersecurity.

Mr. CHAFFETZ. Madam Speaker, I appreciate Chairman ISSA and his foresight and leadership on this issue in driving this forward. This is so, so important to our country and our nation, and for the Federal Government to operate properly.

Madam Speaker, I also want to thank and recognize the ranking member, Mr. CUMMINGS, his unparalleled support

and need and just patriotism for what's good for this Nation, working together in a bipartisan way. This is what I think the American people want, and this is what they get in this bill.

I also want to share the fact that cybersecurity is a real threat. It's a threat to the mom who's got the computer sitting in there in the kitchen, and the kids are going in every direction, to the most secure infrastructure we have in our Federal Government. It is imperative that we get this right, because everything from a guy in a van down by the river to nation-states, our country is under a constant bombardment and attack, for our intellectual property, to trade secrets, to what's going on in this government.

And while this is focused on what our government is doing and how it's organized, it updates the law so that we have the right provisions at the right place, and we're doing the right things. We have to be vigilant as a people. So this is focused, not—it doesn't give a new mandate. There's no new mandate upon the American people. There's no mandate upon businesses.

What this does is get the structure for what should happen in the Federal Government right, and updating and doing things like continuous monitoring, vulnerability assessments and penetration tests that are done within the Federal Government. It requires a chief information security officer within these different agencies, and it focuses these efforts upon the Director of OMB.

By really putting the focal point on the executive branch within the White House, you will get a much better response, because everything, from the Bureau of Indian Affairs to the Department of Defense and everywhere in between, we have to make sure that our systems are updated because the threat is constant, it is real, it is 24/7. And without these updates, without the constant monitoring, without these types of things, we will be doing a disservice to the American people, and we will not be living up to the commitment that we have to make sure that these networks are as secure as they possibly can be.

This is something that will be with us, not just for the next 6 months, not just for the next year, but for the foreseeable future. And Madam Speaker, that's why I'm so enthusiastic about this bill. I appreciate the bipartisan nature in which it was done. And I certainly appreciate Chairman ISSA and his leadership on this. I'm glad to be part of it.

I would encourage my colleagues to vote in favor of this bill.

Mr. CUMMINGS. We don't have any additional speakers. I reserve the balance of my time.

Mr. ISSA. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. THORNBERRY) who coordinated so

much of the work that we're doing today from multiple committees.

Mr. THORNBERRY. I thank Chairman ISSA for yielding. Madam Speaker, I want to commend the chairman and the ranking member for working together and bringing this important bill to the floor.

I also want to commend the gentleman from Utah (Mr. CHAFFETZ), who was a member of our task force and, as the chairman noted, has done so much work on this.

Madam Speaker, this is an important bill on cybersecurity. The FISMA law passed in 2002 needs to be updated. The growth in the number and sophistication of the threats has not been matched by our response, and so laws and policies are increasingly outdated and not able to keep up with the threats faced by Federal networks as well as private sector networks.

And this bill requires continuous monitoring, as you have heard. The threat is dynamic. It changes. It doesn't work anymore to just check a box and say, I've done this. You have to have that continuous monitoring of what's happening within your networks. That's important for defense of the Federal Government, but it's also important to be an example for the rest of the country. And in cybersecurity, it seems to me, it's particularly important for the Federal Government to lead by example.

I also want to just say that this is an example of an issue, a part of cybersecurity, on which everybody agrees needs to happen, and this committee has brought a bipartisan answer. We cannot allow differences that may exist between this body and the other body on other cybersecurity issues prevent us from taking action, getting something accomplished on something that everybody agrees on.

This is one of the things everybody agrees needs to happen. Information-sharing, everybody agrees on. Research and development that we'll have tomorrow on the floor, everybody agrees needs to happen.

I appreciate the work of this committee. It's an important bill. It will help make the Nation more secure, as well as this government, and I hope all Members will support it.

Mr. ISSA. Madam Speaker, at this time I have no other speakers, and I'm prepared to close.

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

Madam Speaker, I want to associate myself with all the words that have been said by both sides this evening, because we understand that cybersecurity is so very, very important to our Nation. We often look back to 9/11 and we think about what happened in that very short time, and how it disrupted our entire Nation, taking planes out of the air, causing our world to at least pause.

□ 1900

We saw the damage that was done in a matter of a few minutes.

Cybersecurity and the cyberthreat is just as great, if not far greater, and can happen very, very quickly. A cyberattack can take place very, very quickly, and it is something that we must do everything in our power to protect ourselves against. This bill does not solve all the problems, but it certainly leads us in the right direction.

Again, I want to thank the chairman. I want to thank everybody involved for the bipartisan effort and for making the security of our Nation our number one priority.

With that, I urge all of the Members to vote for this bill, and I yield back the balance of my time.

Mr. ISSA. Madam Speaker, in closing, I urge all Members to support the passage of this bill, H.R. 4257, as amended. I want to make one closing statement.

Often we talk about cybersecurity, and people think just about the Internet. We sit here in a room that is essentially windowless. I've been in this room when the lights are out. It is very, very dark. We would have a hard time finding our way out. Yet the very essence of keeping the grid up requires computers to talk to each other. Our phone systems, our lights, our power, our sewage, our water all depend today on interoperable computer systems that span the entire country and, in many cases, the entire world.

So, as people realize the government-to-government relationship and, particularly, the public-private partnerships that this bill encourages and asks the Office of Management and Budget to assure occur, we are doing so, of course, in order to maintain a reliable Internet; but much more importantly, the fundamentals of the very electricity that powers the Internet must be maintained and protected. I believe we've gone a long way today in the passage of this bill. I urge its passage.

I thank the gentleman from Maryland for his leadership on this important matter.

I yield back the balance of my time.

Mr. HALL. Madam Speaker, I would like to thank Chairman ISSA for the hard work that he and the Committee on Oversight and Government Reform has undertaken in the development of H.R. 4257, the Federal Information Security Amendments Act of 2012.

This bill updates and improves the decade old Federal Information Security and Management Act (FISMA). FISMA currently requires each Federal agency to develop, document, and implement an agency-wide program to provide information security for their systems.

The Science, Space, and Technology Committee receives annual FISMA reports from each Federal agency. These reports detail the management and security of each agency's information technology resources, and the actions necessary to ensure the effectiveness of the government's information security policies.

The Science, Space, and Technology Committee monitors these reports to review the cybersecurity standards and guidelines that the National Institute of Standards and Technology sets for Federal information systems. These standards and guidelines are particularly important because along with agency use, the same standards and guidelines are frequently adopted on a voluntary basis by many organizations in the private sector. The Committee will continue to receive and review these annual FISMA reports from Federal agencies, and will provide continued oversight of NIST's role in FISMA process.

H.R. 4257 takes an important step forward in the protection of the government's information technology resources by establishing a mechanism for stronger oversight. The bill ensures implementation of new developments in technological innovation, including automated and continuous monitoring of cybersecurity threats as well as regular threat assessments.

Our Federal agencies depend on FISMA to guide them to protect federal networks. Officials are already working to integrate some of the concepts proposed by H.R. 4257, such as continuous monitoring, into the management of information systems. I am encouraged that this bill will help agencies more easily comply with the latest cybersecurity standards and guidelines set forth by NIST.

H.R. 4257 is a good bill that represents another critical piece in Congress's overall efforts to address the Nation's cybersecurity needs. There are additional tweaks that could make the bill even better, and I look forward to working with Mr. ISSA as the bill moves through the process to address remaining issues to our mutual satisfaction.

I support the passage of H.R. 4257 and encourage my colleagues to do the same.

Mr. ISSA. Madam Speaker, I submit the following letters.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, April 25, 2012.

Hon. RALPH M. HALL,
Chairman, Committee on Science, Space, and Technology, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the Committee on Science, Space, and Technology's jurisdictional interest in H.R. 4257, the Federal Information Security Amendments Act of 2012, and your willingness to forego consideration of H.R. 4257 by your committee.

I agree that the Committee on Science, Space, and Technology has a valid jurisdictional interest in certain provisions of H.R. 4257 and that the Committee's jurisdiction will not be adversely affected by your decision not to request a sequential referral of H.R. 4257. As you have requested, I will support your request for an appropriate appointment of outside conferees from your Committee in the event of a House-Senate conference on this or similar legislation should such a conference be convened.

Finally, I will include a copy of your letter and this response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you again for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, April 26, 2012.

Hon. DARRELL ISSA, Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN ISSA: I am writing to you concerning the jurisdictional interest of the Committee on Science, Space, and Technology in H.R. 4257, the Federal Information Security Amendments Act of 2012.

As you know the staffs on our Committees have worked together to execute improvements to the legislation and I ask your assurances that the jurisdictional interests of the Committee on Science, Space, and Technology be protected and kept in mind as the bill proceeds. I would ask for your continuing cooperation in addressing remaining issues to our mutual satisfaction.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, I will waive further consideration of this bill in Committee, notwithstanding any provisions that fall within the jurisdiction of the Committee on Science, Space, and Technology. This waiver, of course, is conditional on our mutual understanding that agreeing to waive consideration of this bill should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on Science, Space, and Technology.

Additionally, the Committee on Science, Space, and Technology expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee for conferees on H.R. 4257, as well as any similar or related legislation.

I ask that a copy of this letter be placed in the Congressional Record during consideration of this bill on the House floor.

I look forward to continuing to work with you on the legislation as you work towards H.R. 4257's enactment.

Sincerely,

RALPH M. HALL,
Chairman, Committee on Science,
Space, and Technology.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 4257, as amended.

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

A motion to reconsider was laid on the table.

HATERS OF RELIGION

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

Mr. POE of Texas. Madam Speaker, in the quiet town of Woonsocket, Rhode Island, a 91-year-old memorial honoring hometown soldiers stands tall outside a local fire station. A stone bottom statue with a cross on top immortalizes the fallen heroes who sacrificed so much for our country. For

decades, the memorial has stood in the shadows of the fire station with no complaints from local residents.

But a group of out-of-towners, not from Woonsocket, not even from Rhode Island, but from 1,000 miles away in Wisconsin, have self-righteously objected to the cross on top of the 91-year-old memorial. The antireligious hate group demands that the cross be removed. They also demand that the firefighters' prayer and angel from the Woonsocket Fire Department Web site be removed.

Madam Speaker, the firefighter prayer asks God to give them "strength to save lives" and to protect the families of the firefighters.

County officials will not succumb to the intimidation tactics of the bigoted group. The mayor has said he will not remove the cross under any circumstances because the Constitution protects the free exercise of religion whether this hate group likes it or not.

And that's just the way it is.

PAYCHECK FAIRNESS

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

Ms. BERKLEY. Madam Speaker, it's hard to believe that in the 21st century women in Nevada are still making only 83 cents for every dollar that a man makes.

What does that mean in real terms? It means a difference of \$7,326 a year. It is not fair. In most cases, working women in Nevada are either the primary or the sole breadwinners of their families.

That's why I'm calling on the Speaker to follow the Senate's lead and to schedule a vote on the Paycheck Fairness Act, which is legislation that will help close the unacceptable wage gap between men and women in this country. Unfortunately, far too many in the House and the Senate are still living in the Dark Ages when it comes to basic fairness for women.

Women in Nevada are still shaking their heads in disbelief that in the year 2012 one of the major debates in this Congress has been whether to restrict access to birth control, and now there are those in the House and Senate who have voted time and time again against enforcing equal pay for equal work.

It is time for this Congress to join the rest of us in the 21st century. Let's get the paycheck fairness bill on the floor, and let's vote "yes."

IN HONOR OF LANCE CORPORAL CODY EVANS

(Mr. FLEISCHMANN asked and was given permission to address the House for 1 minute.)

Mr. FLEISCHMANN. Madam Speaker, I rise today to honor an outstanding

young man from my district who I've recently had the pleasure of getting to know. Lance Corporal Cody Evans of Speedwell, Tennessee, serves in the United States Marine Corps as a combat engineer, one of the most dangerous jobs in the military.

While serving in Afghanistan, Lance Corporal Evans stepped on a pressure plate while sweeping for IEDs, nearly losing his life. He lost both legs and suffered numerous other injuries. I met Lance Corporal Evans in January of this year in a visit to Walter Reed. To say that I was impressed by this young man's spirit and resilience would be an understatement. Cody has the spirit of a fighter, a spirit that has led to his continued recovery.

No mention of Cody would be complete without mentioning his mother, Regina, who has been with him constantly. Her dedication to her son is incredible.

As a Nation, we must recognize those who serve, who have the character and commitment to risk their lives so that we may sleep peacefully at home. Cody Evans deserves this recognition, which is why it is my honor to ask that this poem penned by Albert Caswell be placed into the CONGRESSIONAL RECORD.

I . . .
I Volunteered. . .
But, to do my very best. . .
As I so raised my hand like all of the rest!
Patriots, who over the years our nation have
so blessed!
As I so went off to war, but for the greater
good like all of the rest!
Men of steel, whose hearts so chose to crest!
As Cody, you so watched your brothers die!
While, holding them in your arms as you
began to cry. . .
And oh yes you Cody, you have so proudly
worn. . .
Those most magnificent shades of green,
that uniform!
Because, to be A United States Marine. . .
you were born!
For you'd much rather die for something,
than live for nothing at all!
As why Cody you so answered that most
noble of all calls!
That Call To Arms, That Call To War. . .
while standing tall!
As you almost died, oh yes a couple of
times. . .
While, there on the very edge of death you so
lie!
As you could have given up, but instead you
chose to rise. . .
As your newest mountain you were about to
climb!
Because, Cody you Volunteered for that
fight!
Yea Cody, because you're from Tennessee
where men with brave hearts ever burn
bright!
Who, In Strength In Honor do so believe!
Where them and their families are as strong
as Hickory trees!
And all in our Country Tis of Thee, they do
so believe!
This Volunteer from Tennessee!
As yes you have lost your two strong fine
legs, but you won't moan and you
won't beg!
Because, that's just The Volunteer all in
you!

In fact Andrew Jackson Cody, would be so proud of you!
 All because of what upon the battlefield of honor, into what you so grew. . .
 For surely Cody you had one of the toughest jobs of that war. . .
 As a Combat Engineer, where every new step meant but death for sure!
 Something that so demanded such faith and nerves of steel!
 As you and your brothers so fought and died for was right and what was real!
 And still somehow on this very day, your strength and will to so come back from the dead so impresses me!
 To So Teach Us All!
 To So Beseech Us All!
 To So Reach Us All!
 To This Our Nation To So Bless!
 For you are but The Toast of Tennessee!
 But, in Heaven you need not arms or even legs!
 And that is where you are going Cody one fine day!
 And if ever I had a son!
 I wish he could but shine just half as bright, as this great one!
 This United States Marine!
 Who embodies the very heart of Tennessee!
 Who so Volunteered, all for this our Country Tis of Thee!
 As you so Volunteered to make America Safe and Free!
 I could do a million great things, but such light to this our world I could never bring!
 As you are a most magnificent United States Marine!
 All in what your fine life has said, and so means!
 Moments are all we have to so make a difference in all we have!
 To bring our light, to fight the bad!
 Cody, to be an American. . . you make me so proud to be!
 For you are one of her greatest of all sons, Ooh. . . Rah, a Shining Son of Tennessee. . .
 If it were not for Heroes like you and Volunteers, where would this nation be?
 —By Albert Carey Caswell.

ENERGY ISSUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. POE) is recognized for 60 minutes as the designee of the majority leader.

Mr. POE of Texas. Thank you, Madam Speaker.

Tonight, I and other Members of the House are going to talk about energy issues in the United States.

Probably a timely thing to start with are the recent comments by one of the individuals who works for the Environmental Protection Agency, the EPA. The more we learn about the EPA, the more we learn that they are hostile to real American energy for various reasons. Let me give you some historical perspective that makes this continuous assault on the oil and gas industry make sense to us now in 2012.

It seems that back in 2010, 2 years ago, EPA Region 6 Administrator Al Armendariz stood up on his bureaucratic pedestal of power and spelled out the true intentions that he had and the

goals of the EPA. He declared that the EPA—and he declared this from his marble palace here in Washington, D.C.—that the EPA would target the oil and gas industry, calling it an “enforcement priority” as if, Madam Speaker, the oil and gas industry were made up of criminals.

He went on:

I was in a meeting once, and I gave an analogy to my staff about my philosophy of enforcement, and I think it was probably a little crude and maybe not appropriate for the meeting, but I'll go ahead and tell you what I said.

And here is what he said, Madam Speaker:

It was kind of like how the Romans used to do—you know, conquer villages in the Mediterranean. They'd go into a little Turkish town somewhere. They'd find the first five guys they saw, and they'd crucify them.

That's right—they would crucify them—as if he is advocating crucifying the oil and gas industry. What a thing to say from somebody who works for the Federal Government.

He said he would make examples out of the people in the oil and gas industry. Probably unknown to him, his speech was all caught on videotape that recently surfaced. In fact, it was on the Internet YouTube last night; but today, mysteriously, it seems to have disappeared and is no longer on YouTube. That was in 2010.

These comments help us to understand the EPA's belligerent attitude against energy—American energy—against the oil and gas industry. What came after was one of the most aggressive assaults on the oil and gas industry we've ever seen. As a Wall Street Journal editorial once said, the EPA is at war with Texas. I think the EPA probably should change their name to the War Department because they are at war with America's energy. They certainly aren't concerned as much about the environment as they are about putting American energy out of business.

The oil and gas industry supports 9.2 million jobs in the United States. I wonder how many of those workers Mr. Armendariz wants to crucify all in the name of his political agenda.

Madam Speaker, we need a fair EPA, one that brings a balanced approach to the environment and to our energy industry. An attack on the energy industry is an attack, really, on the American people and American jobs. Mr. Armendariz seems to be at war with America. He does not want to really help the oil and gas industry become environmentally safe. It seems to me he wants to kill it, and the effort will kill American jobs, kill our energy, and kill our national security.

The video also shows he is not concerned about real science, not about true environmental science or, really, the facts. He just hates the oil and gas industry. So, Madam Speaker, he needs

to go. He needs to be replaced with someone who cares more about the environment than personal crusades against industry.

□ 1910

Madam Speaker, I would like to place in the RECORD the Forbes article that was published today regarding the EPA official that I just mentioned.

[From Forbes, Apr. 26, 2012]

EPA OFFICIAL NOT ONLY TOUTED

'CRUCIFYING' OIL COMPANIES, HE TRIED IT

Confirming what many in the industry long suspected, a video surfaced Wednesday in which Al Armendariz, an official at the Environmental Protection Agency, promotes the idea of crucifying oil companies. Armendariz heads up the EPA's region 6 office, which is based in Dallas and responsible for oversight of Texas and surrounding states. The former professor at Southern Methodist University was appointed by President Obama in November 2009.

In a talk to colleagues about methods of EPA enforcement, Armendariz can be seen saying, “The Romans used to conquer little villages in the Mediterranean. They'd go into a little Turkish town somewhere, they'd find the first five guys they saw and they would crucify them. And then you know that town was really easy to manage for the next few years.”

Range was among the first to discover the potential of the Marcellus Shale gas field of Pennsylvania—the biggest gas field in America and one of the biggest in the world. Armendariz's office declared in an emergency order that Range's drilling activity had contaminated groundwater in Parker County, Texas. Armendariz's office insisted that Range's hydraulic fracking activity had caused the pollution and ordered Range to remediate the water. The EPA's case against Range was catnip for the environmental fracktivists who insist with religious zealotry that fracking is evil. Range insisted from the beginning that there was no substance to the allegations.

The Armendariz video (which appears to have been taken off YouTube late last night) was shot around the same time he was preparing the action against Range. Here's the highlights of what he said.

The Romans used to conquer little villages in the Mediterranean. They'd go into a little Turkish town somewhere, they'd find the first five guys they saw and they would crucify them. And then you know that town was really easy to manage for the next few years.

And so you make examples out of people who are in this case not compliant with the law. Find people who are not compliant with the law, and you hit them as hard as you can and you make examples out of them, and there is a deterrent effect there. And, companies that are smart see that, they don't want to play that game, and they decide at that point that it's time to clean up.

And, that won't happen unless you have somebody out there making examples of people. So you go out, you look at an industry, you find people violating the law, you go aggressively after them. And we do have some pretty effective enforcement tools. Compliance can get very high, very, very quickly.

That's what these companies respond to is both their public image but also financial pressure. So you put some financial pressure on a company, you get other people in that industry to clean up very quickly.

The former professor at Southern Methodist University is a diehard environmentalist, having grown up in El Paso near

a copper smelter that reportedly belched arsenic-laced clouds into the air. (Here's a profile of him in the Dallas Observer.) Texas Monthly called him one of the 25 most powerful Texans, while the Houston Chronicle said he's "the most feared environmentalist in the state."

Never mind that he couldn't prove jack against Range. For a year and a half EPA bickered over the issue, both with Range and with the Texas Railroad Commission, which regulates oil and gas drilling and did its own scientific study of Range's wells and found no evidence that they polluted anything. In recent months a federal judge slapped the EPA, decreeing that the agency was required to actually do some scientific investigation of wells before penalizing the companies that drilled them. Finally in March the EPA withdrew its emergency order and a federal court dismissed the EPA's case.

David Porter, a commissioner on the Texas Railroad Commission, wasn't impressed. "Today the EPA finally made a decision based on science and fact versus playing politics with the Texas economy. The EPA's withdrawal of the emergency order against Range Resources upholds the Railroad Commission Final Order that I signed concluding that Range is not responsible for any water contamination in Parker County. Al Armendariz and the EPA's Region Six office are guilty of fear mongering, gross negligence and severe mishandling of this case. I hope to see drastic changes made in the way the regional office conducts business in the future—starting with the termination of Al Armendariz."

After an outcry emerged over the video on Wednesday, Armendariz apologized for his statements Wednesday night, reportedly saying: "I apologize to those I have offended and regret my poor choice of words. It was an offensive and inaccurate way to portray our efforts to address potential violations of our nation's environmental laws. I am and have always been committed to fair and vigorous enforcement of those laws."

He ought to resign as well. His comments in the video are proof that facts and science don't matter to him, that he's already made up his mind that the industry he has regulatory power over is evil. When you lose faith in the impartiality of regulators every action they take is tainted. He's the boy who cried wolf.

I want to continue my comments about America's energy by talking a little bit about gasoline and gasoline prices.

I ask Members, people back in Texas, in southeast Texas where I live, how rising gasoline prices have affected them personally, and I want to give the House the benefit of some of those statements made by American people about the high cost of gasoline and maybe some things that we can do about the high cost of gasoline.

Here's what they've said, and I'll take them one at a time.

One individual from southeast Texas says:

I spend more money on gasoline than I do on groceries.

Another:

Living in Texas requires driving greater distances to get anything. We have no choice but to purchase gas, and it definitely cuts into our food budget.

You see, Madam Speaker, west of the Mississippi there are vast places, as the

Speaker knows, where people roam and live in the rural areas, and it takes them a long time to get from point A to point B, especially when they're going to work sometimes, whether they work on the ranch or whether they work in small towns in America.

So, because of that greater distance, a lot of Americans don't realize that the only mode of transportation for some Americans is to drive a vehicle. That's how they get to work. They don't drive subways. They don't ride bicycles. They don't have the opportunity to walk to work because they live in the vastness of the West.

I'll continue:

Seventy percent of all business requires people to have discretionary income that's being siphoned off by higher gas, taxes, fees, and it's only getting worse because of high gasoline prices.

Another says:

As a retiree, high gasoline prices affects everything I do. Travel, possible vacation plans are no longer being discussed in our family. Anything I do is planned well so as to cut down on how much I drive. What I buy, because it is priced so high in the stores. The price in stores has tripled because stores are having to pay higher fuel prices to get their products to market.

Another one says:

I drive for a living, and it hurts.

Another Texan has written me and said:

I drive 175 miles round trip to work every day. I work for the Corps of Engineers, and the government doesn't give me one red cent for gasoline. It costs me \$900 a month for gasoline that I used to could use somewhere else.

Amazing number: \$900. In some cases, that's how much people pay on the rent on their house or an apartment. Yet we have one American doing his job working for the people of this country spending that much money just on gasoline.

Another individual wrote me and he said:

I can't afford to commute. But by my long hours as a businessowner, it makes it impossible to take mass transit or a carpool. So I have no alternative since I have no carpool, no mass transit, but I have to drive to get to work because I'm a businessowner, and the gasoline is driving me out of business.

Another one has said:

I drive 75 miles a day round trip for work, plus I pay \$7 in tolls. Yeah, it's hurting. I love my job, but it's getting to the point that what money I make is going straight back into the gas tank.

Another citizen has said:

I drive a 2000 Ford F-150 as my work vehicle. It's draining my wallet, but I need a full-size truck for my job.

Once again, in the West, a lot of folks drive pickup trucks. They don't only just drive them to work. That is their work vehicle. They use that in their job. It is their office. They don't have the luxury as some do to work in tall skyscrapers and an office, as we consider an office. Their truck is their vehi-

cle, and the F 150 is the standard-operating vehicle, at least in Texas and other parts of the country. By the way, it's the number one selling vehicle in the United States.

But Americans need to understand, and the government needs to understand, that's what Americans drive. That is their work vehicle in many cases. High gasoline prices affect their quality of life, and maybe we, as a body, ought to do something about gasoline that is now \$4 a gallon.

Another citizen told me:

Last month I spent \$600 on gas for my truck versus just \$300 a few years ago. Customers don't understand that the materials are going up due to the rising costs and the suppliers are raising the price to recoup the loss due to fuel prices skyrocketing.

What we pay at the grocery store or at any store where we do business, for a product, part of the cost of that product is getting it to market so Americans can buy it. It's costing more to get goods and services to market because of gasoline prices, and, of course, gasoline prices affect the price of goods, and therefore that is passed on to the consumer, to people in America who live here.

Another one says:

Where do I begin? I hated it, but I had to go from a 4Runner to a Corolla to handle my commute to work every day.

Another one said:

Since 2010, my food bill has gone from \$95 a week for a full cart to \$130 per week for half a cart of groceries. We are making more but keeping less. High gasoline prices affect my quality of life.

Another one says:

I have spent less on food so I could fill up three times a week at approximately \$75 to \$80 a tank.

Another citizen wrote me his concerns:

I had to find another job closer to home because it's getting ridiculous, the cost of gasoline.

An individual who uses his truck in his business said this:

I drive a hot-shot delivery truck, and I have to pay my own fuel. We do get a fuel surcharge, but it does not even come close to paying for the fuel. I spend \$200 to \$250 a week on fuel over what the surcharge pays me, and it's killing me.

That's what Americans are saying about gasoline prices. These are people who work every day, support their families. Yet gasoline affects them in personal ways.

Another individual wrote me about his religion is being affected, his religious commitment is being affected by the cost of gasoline. Here's what he says:

Because the church my family and I attend is 30 minutes away, we've chosen to attend Wednesday night church services closer to home. Also, we've had to give up two church service meetings during the week. It's upsetting for my fellow members to ask me on Sundays if I've left the church. It's also harder to maintain those close ties not seeing fellow members but once a week, and it's all due to high gasoline prices.

Another southeast Texan writes this comment to me:

We certainly have less “disposable income,” as the phrase goes, and that means less money to spend in various businesses in our city because of the high cost it costs my family to buy gasoline.

Another one says this:

I’ve cut out everything extra, dine out less, fewer trips, stay at home for entertainment, prices of food have tripled, and I stretch leftovers as far as possible because of gas prices.

Another citizen and neighbor says:

I only drive where I have to. I shop at Kroger to get extra cents off of gas.

The Kroger grocery store gives people the deduction if they buy gasoline from Kroger, and they have the little Kroger card:

We just stay at home more than ever.

And a fisherman says this:

I am a commercial fisherman. Gas prices hurt at the pump and it has in turn driven up the prices for supplies. It’s even driven up the price and cost of bait.

Another one lastly makes this comment:

It’s just hard to make it these days.

So gasoline prices, which we’re not talking a whole lot about now, some Americans have just accepted it as the new normal. I refuse to do that. I refuse to accept high gasoline prices.

□ 1920

I’m old enough to remember when gasoline cost—I don’t want to shock the Speaker, because you’re a whole lot younger than I am. I remember when I could fill up my Chevy II Super Sport in the early seventies for 26 cents a gallon. I know that shocks you, but gasoline prices have gone up. Of course in my generation, as Mr. BURTON from Indiana knows, when gasoline hit 30 cents a gallon, we all were shocked about it. Now we’re paying \$4 a gallon.

We don’t have to accept that. The reason we don’t have to accept it is because sitting over here are America’s natural resources, our God-given natural resources, just waiting to be developed. But as I mentioned earlier, we’ve got these bureaucrats down the street in their marble palaces called the EPA, and they regulate more than just light bulbs. They’re regulating the oil and gas industry out of business, and I think it’s a personal vendetta that they have for some reason.

There are things we should do, things we can do, and it’s important that we discuss those. And we’ll continue to discuss those tonight with my colleagues.

I do want to yield to my friend and colleague, Mr. BURTON from Indiana, for as much time as he wishes to consume.

Mr. BURTON of Indiana. First of all, I want to thank my good friend Congressman POE of Texas for putting a face on the problem of high energy prices and high gasoline prices.

I listened to all of the things that you were reading there from your constituents about not being able to go to work or buying huge amounts of gas two or three times a week, and it just breaks your heart. You know, I went to the store the other night and I bought two oranges. They were on sale at a dollar a piece. Two oranges for a dollar a piece. The reason for that is not just because they’re growing them and it’s costing more; it’s because the transportation by diesel trucks and gasoline-powered trucks has gone up so much that they have to pass that onto the consumers with higher prices. If you talk to any man or woman who goes to the store, they’ll tell you that they’re feeling it when they buy their groceries, as well as at the gas pump.

I’d like to tell you a little story real quickly. You’ll find this humorous because you talked about gasoline being 20-some cents when you were a little bit younger. I presume it was a little bit younger.

We were on a trip with some friends of ours, and we went to an island down off the coast of Florida in the Caribbean. This friend of mine and I, we rented two little motor scooters to go out to the corner of the island. Gasoline on the island was very high; it was 50 cents a gallon. He says, I’m not paying 50 cents a gallon for gasoline. So we took what we had in the cycles and we rode out there, and he ran out the gasoline. We had to get a coffee can and turn one cycle upside down to get enough gas in his cycle to get back. Well, we couldn’t get my cycle turned back on. So he tried to pull me and my motorcycle, with my wife on the back, with a string back to the hotel room where we were staying, and we couldn’t do it. It about broke my finger off.

So they left me at a Portuguese gasoline station where nobody spoke English, and they didn’t understand a thing I was saying. My face was burned to a pulp from the sun, and I ended up not getting back until late that night with an almost third-degree burn because he wouldn’t pay 50 cents for a gallon of gas. Imagine what he would think today at having to pay \$4 for a gallon of gas. The poor guy would just die.

Let me just look at this chart. My colleague was talking just a moment ago—and I wish all of the people in America, if I could talk to them, could see this chart. It shows that back in the early part of the Obama administration, gasoline was about \$2.68 a gallon, and now in some parts of the country it is over \$4 a gallon. It’s killing the economy, it’s killing people who have to go to work, as Congressman POE said, and we have the resources to deal with it.

The thing I wanted to talk about real quickly was—and I talked to Congressman POE about this—Interior Secretary Salazar, as well as the head of

the EPA and the Energy Department, are having an all-out assault on Members of Congress who are pointing out that we have energy in this country that can be tapped to lower the price of energy. They’re attacking us, saying that we’re just raising red herrings and not dealing with the problems as we should. I want to read this to you. Mr. Salazar, the head of the Interior Department says:

It’s in this imagined energy world where we see this growing and continued divide in the energy debate in America. But the divide is not among ordinary Americans; it is between some people here in Washington, D.C.

I guess they mean you and me, Congressman POE.

He said:

It’s a divide between the real energy world that we work on every day and the imagined, fairytale world.

And the President of the United States has said on a number of occasions that we’re doing more drilling right now than we ever have and that the American people are being misled.

In addition to the chart I have on gasoline prices, I brought this chart down. This chart, Congressman POE, shows the number of applications for permits to drill and how they’ve been affected since the Obama administration has taken place. So I just want to go through these facts. If the President were paying attention, and if I were talking to him—but I know I can’t—if I were talking to him, I would say, Mr. President, these are the facts. And I don’t know who’s giving you these facts down there at the White House, but, Mr. President, you ought to take a look at these facts because they’re accurate.

First of all, according to the American Petroleum Institute, the number of new permits to drill issued by the Bureau of Land Management is down by 40 percent, from an average of over 6,400 permits in 2007 and 2008 to an average of 3,962 in 2009 to 2010. That’s down by almost 40 percent. We’re not drilling where we can. They’re not issuing the permits.

During this same period, the number of new wells drilled on Federal land have declined. The number of oil wells have gone down by 40 percent, and the number of new Federal oil and gas leases issued by the Bureau of Land Management is down by almost 50 percent. Is it any wonder we’re not going after our resources, we’re depending on the Saudis, the people in South America and Venezuela, many of whom don’t like us very much? As a result, we’re paying more and more and more at the pump.

President Obama says that oil production is at an all-time high during his administration. However, the fact is oil production on Federal land fell by 11 percent last year, and oil production on private and State-owned land—where they couldn’t touch it—did go up

a little bit. That's what he's talking about. Where the government has control over permits, they're not letting us drill.

Federal lands hold an estimated 116 billion barrels of recoverable oil, enough to produce gasoline for 65 billion cars and fuel oil for 3.2 million households for 60 years. Western oil shale deposits alone are estimated to contain up to five times the amount of Saudi oil reserves. Seventy percent of this oil shale is on Federal land, and we can't get to it because the President and his administration will not let us.

According to a recent CRS report, there are over 21.6 million acres of land leased by the Federal Government that are not currently producing oil or that have not been approved for exploration. Returning to the levels of 2007 and 2008, when the administration started, Federal leasing and permitting levels would have projected an increase of 7 million to 13 million barrels per year of domestic oil production, but they cut it back.

According to the American Petroleum Institute, an estimated 12,000 to 30,000 American jobs would be created in energy producing Western States over the next 4 years if we just went back to where we were drilling in 2007 and 2008. Furthermore, the Keystone XL pipeline, which the President has stopped dead, would bring to our economy thousands of new jobs and transport 830,000 barrels of oil to American refineries, which would be converted into oil and gasoline that would help this economy and lower gas prices.

With gas prices, as my colleague said, very, very high at over \$4 a gallon—and in some places here in Washington, it was up to \$5 a gallon not too long ago. With gas prices that high and affecting every American, it's clear that the United States needs to become more energy independent and signal to the world that the U.S. is open to production. If we started drilling where we can and exploring where we can, make no mistake, the people who sell oil to us will lower the price because they want to be competitive and they don't want to lose market share.

Whether it's the administration dragging its heels on approving permits for offshore drilling or drilling on Federal land, not opening up land for exploration, or not approving the Keystone pipeline, the Obama administration's policies are failing everyday Americans and costing millions in potential government revenue and thousands of new jobs.

□ 1930

So no matter what the administration people are saying, like Mr. Salazar or the EPA or the Energy Department, the fact is we have enough energy in this country to move toward energy independence over the next 5 to 10 years. But this administration wants

to go to new sources of energy like windmills and solar panels and geothermal and nuclear. And all those things are important, but while we're starting to transition to new sources of energy, we need to use the energy that we have, which would lower the cost of energy to the average citizen and lower the price of gasoline so people, as Mr. POE has said, could get to work and live a competent, fair, friendly life.

With that, Mr. POE, thank you so much for giving me this time. I'm a big admirer of yours.

Mr. POE of Texas. Thank you, Mr. BURTON, for your comments. I appreciate the gentleman from Indiana.

Several comments about what you said are important. The administration, the government, says drilling is up in the United States. That is true. But drilling on Federal lands is not up. Mr. BURTON of Indiana. Down 11 percent.

Mr. POE of Texas. The drilling is taking place on State-owned property or private property, but other lands other than Federal lands. If it wasn't for that, drilling would be down in the United States. If we go back to the Gulf of Mexico, the same situation we have in the Gulf of Mexico has been ever since the BP incident.

Permitting is taking too long. It takes a record amount of days, sometimes months, to issue a permit in the deep water and in the shallow water. The shallow water guys operate with a very small amount of capital. They can't stay and wait around for the government to make a decision on a permit or not, so they aren't able to drill. In the deep water, those deepwater wells, those rigs, they cost \$100,000 a day whether they're operating or they're sitting there, and that's why some of them have left the Gulf of Mexico to never return. They've gone down to South America; they've gone to off the coast of Africa, to drill where countries are friendlier to the drilling safely off of their coast.

Mr. BURTON of Indiana. If I might, we sent \$3 billion of American taxpayers' money to Brazil at a time when we have almost a \$16 trillion national debt, and they're drilling in deepwater areas like we would be drilling in off the coast of Mexico. But we can't drill there because of the oil spill and because we can't get permits, so we're sending our taxpayers' dollars down to Brazil so they can do what we can't.

Mr. POE of Texas. If the gentleman will yield, we're not only sending money down there to develop their oil industry, when they develop it, we're going to buy their oil back. So we're paying them twice.

Mr. BURTON of Indiana. That's right.

Mr. POE of Texas. Which doesn't make a whole lot of sense to me.

Now, I don't know and I don't really suspect that drilling would be the only

answer for raising or lowering the gasoline prices, but it's one factor because of supply and demand. It's not the only factor, but it's one of those. It just seems to me that the United States is the only major power in the world that has an energy policy that is: We're not going to drill in the United States for all these reasons, but we want you to drill in your country your natural resources and we'll buy them from you. It seems a little bit arrogant on our part as a Nation.

Mr. BURTON of Indiana. Let me just say that Sarah Palin, whom everybody in this country knows, she will tell you, and she's told people all across the country when she speaks, that they have a huge amount of oil in the ANWR and other parts of Alaska, and because of the radical environmentalist groups in this country, they can't drill up there.

Now, I've been up there. I was up there with DON YOUNG. We saw the oil pipeline. If you look at the ANWR, there's nothing up there. You're not going to hurt any of the animals. There's a lot of bugs. There's a lot of vermin up there. But you're not going to hurt the animals by drilling up there, and it's certainly not going to hurt the environment. But it would help if we could bring that oil—millions of barrels of oil—down to the lower 48 States. It would have a tremendous impact, in my opinion, as well as you've said, off the Gulf of Mexico and off the Continental Shelf. We could really move toward energy independence over a period of the next 5 to 10 years. Like you said, it wouldn't happen immediately, but it would be a giant step in the right direction.

Mr. POE of Texas. If the gentleman will yield, as you mentioned about ANWR in Alaska, years ago we came up with this idea of a pipeline from Alaska bringing crude oil into the United States, and the same people that opposed that pipeline still exist today and are opposing the Keystone Pipeline. It took years for the vetting of the environmental lobby to finally be put to rest. They were concerned about the caribou. Of course, I think the caribou are doing quite well now. Finally, Congress decided not to wait on that administration and go ahead and make an approval. But Congress went ahead and approved the Alaska pipeline on its own, which became law in spite of the administration. It didn't wait for its approval. And now we know the rest of the story—it's a success 25 years later. And that's what Congress needs to do with the Keystone Pipeline.

No one has ever accused Canada of being environmentally insensitive. Their regulations are as tough as the EPA's—or even stronger. But yet they've developed a way that they can bring crude oil through a pipeline down to southeast Texas—Port Arthur, my district—in a safe, environmental way,

and also one of the newest and finest pipelines. But the administration says, Not so fast. And it's unfortunate because the jobs will stay in America. Create that pipeline. Canada is not a Middle Eastern dictatorship. They're kind of a normal country.

We should approve that as soon as possible. I understand the concern in Nebraska. I'm glad to see the folks in Nebraska are working with Trans-Canada to reroute that 60 miles so there are no environmental issues and get this pipeline approved and start shipping that crude oil down to southeast Texas so we can use it in the United States.

It would seem to me that the United States should maybe think about this type of energy policy: we should drill safely in the United States for oil and natural gas. And I say "safely" because that is important. But we should also partner with the countries next to us—the Canadians to the north, who have natural resources, and the Mexicans to the south, who have an abundance of natural resources—and the three of us work together on a North American OPEC-type philosophy and be energy independent. Not just energy independent, but it will help out our national security.

And if we do that, if we work with Canada, Mexico, drill in the United States, where it's safe, we can make the Middle East irrelevant. We can make that little fellow from the desert, Ahmadinejad, and his threats about closing the Strait of Hormuz, we can make him irrelevant. We don't care what he does. We don't need to continue to send our money to other nations over there that don't like us. So maybe that's something we need to do in the United States.

Lastly, and then I'll yield to the gentleman, because of American technology, because of those folks that know how to drill safely for oil and natural gas, the United States now suddenly is becoming an abundant Nation with natural gas. And we could, if we developed it the way that we can, the United States—primarily Texas, but other States—we could become the Saudi Arabia of natural gas. We could export natural gas, we have so much of it, and bring that money into the United States, rather than constantly sending money throughout the world, all because we don't take care of what we have and use what we have.

Mr. BURTON of Indiana. Well, T. Boone Pickens said—and everybody knows he's one of the big advocates of natural gas, which is a very clean-burning fuel. He said, if we would convert the tractor-trailer units that bring commerce to all of us, we could lower the cost for all those tractor-trailer units, as far as energy consumption is concerned, by 50 percent—cut it in two—and that would have a dramatic impact on things that are transported by tractor-trailer units.

I would just like to say that the President, when he took office—and I'll conclude with this, because you've done such a good job tonight. You've covered it very well. When the President took office, he said that his energy policies would, of necessity, cause energy costs to skyrocket. Well, as Ronald Reagan would say, "Well, he did, and energy prices have skyrocketed," and we've got to do something about it.

The American people don't want to pay \$4 or \$5 a gallon for gasoline. They can't live that way. It's causing a deterioration in their standard of living.

So if I were talking to the President—and I know I can't, Madam Speaker. But if I were talking to him, I would say, Mr. President, why don't you get with the program. The American people really need your help. And if you don't pay attention to them regarding the energy policies, it's my humble opinion that there may be a big change in administrations next year. So for political survivability alone, you ought to take another look at what you're doing.

And with that, I thank the gentleman very much for yielding to me.

□ 1940

Mr. POE of Texas. I thank the gentleman for his participation.

Madam Speaker, it seems to me that the United States can make some decisions and solve some of our own problems. We can start with finding people in the EPA that do not have their own personal vendetta against the oil and gas industry, replace those individuals like Armendariz and get some fair and balanced bureaucrats to make sure we have a clean environment to work with our energy companies rather than against them, and stop the war against the energy companies in the U.S.

We can work and bring down the price of energy in the United States. One way, not the only way, is to make sure that we have a supply. A greater supply, as we all know, of anything, does help reduce the cost of energy, so that people in southeast Texas who have a hard time getting to work and who are paying more for products that they have to buy, just like Americans throughout our Nation are having tough times because of high gasoline prices, we owe it to them to do that, to take care of ourselves and to work with Canada and to work with Mexico so that the three countries can be a strong ally, not just politically, but that we can be strong allies with our energy economy.

With that, I'll yield back to the Chair.

And that's just the way it is.

MADE IN CHINA

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 5, 2011, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 25 minutes as the designee of the majority leader.

Mr. FORTENBERRY. Madam Speaker, as I was shopping for some family items recently, I noted how difficult it is to find items that are made in America. While American manufacturing is, encouragingly enough, on the rebound, products ranging from hairbrushes to iPods still carry that "Made in China" label. All the while, many questions about China and its economic policies, foreign policies, and human rights records are left largely unexamined.

For the good of our economy, it is essential that we thoroughly understand China's record and their intentions as a country. Our nations have a complicated and lopsided economic relationship. Americans buy great quantities of Chinese-made products. China finances a great portion of America's debt. Currently, nearly one-third of our debt is foreign owned with China easily being the largest debt holder at nearly \$1.2 trillion. Other estimates peg the figure at closer to \$2 trillion. The effect of such indebtedness is the shift of our wealth assets into the hands of a foreign nation, losing the market for American-made products to a country with lax labor and environmental standards, which manipulates its currency and creates unbalanced and unfair trading conditions.

China's involvement on the world stage is also of significant concern. While it aggressively pursues its own mercantilistic agenda, China lends little constructive hand to creating conditions for international stability. China is seen as an enabler of North Korea, who is actively pursuing nuclear weapons capabilities; and they continue on their march toward more aggressive missile testing, as well, despite the protest of the international community.

Over recent months, as the U.S. and the European Union have accelerated important efforts to curb Iran's nuclear ambitions, China has been conspicuously absent from the leadership table in this discussion. China continues to be a top buyer of Iranian oil—one of the key leverage points of economic sanctions against Iran. At a discussion I attended, a Chinese official in so many words said the U.S. is to blame for Iran's pursuit of nuclear weapons capability. And he went on to say, while China does not desire this outcome, we're going to do business as usual.

Africa is becoming a lost continent, diplomatically and economically, in favor of international players who do not have the same regard for human rights as we do. China's influence in resource-rich Africa is growing rapidly—with disturbing consequences. Direct Chinese investment in Africa has grown exponentially over the last 2

years. One million Chinese nationals now do business in Africa, and Chinese energy and mineral resource companies are quickly acquiring oil fields and mines.

In the process, China has forged strategic alliances with war criminals. According to China's Foreign Ministry spokesman, China shares a "deep and profound friendship" with Sudanese war criminal Omar al-Bashir. I should note there was a bright spot this week. When approached by South Sudanese President Salva Kiir for assistance as Sudan and South Sudan march toward war, China's President Hu Jintao echoed the United States in calling for peace and negotiation between the two countries, rather than continuing to back Omar al-Bashir. The international community will look upon China's new role as a diplomatic figure in this conflict with great interest.

Beyond this, an honest discussion is necessary about Chinese industrial virtues. A Chinese official has said that in dealing with "differences in corporate culture and the degree of openness to the outside world, Chinese companies always take the domestic business practices with them." Chinese companies always take "domestic business practices" with them. Those practices, according to witnesses who have given congressional testimony, include fertility monitors on factory floors, invasively examining female employees for pregnancy and reporting pregnant women to the Chinese family planning police. China has practiced the violence of forced abortions. China also has tragically high suicide rates for workers, who use suicide as their only means of collective bargaining against dire and oppressive labor conditions.

As China continues to advance as a world economic power, it has a choice. It can join the responsible community of nations in respecting the dignity and rights of all persons while conducting affairs with other nations in an ethical fashion, or it can stand by current practices that exploit relationships in order to fuel its own brand of corporate collectivism, undermining international stability in the process.

Madam Speaker, it is my belief that it is important to seek reasonable and good relationships with China, a country with a rich cultural history, a country which is rapidly ascending onto the world stage. We must do so ideally and practically for the sake of our own national security. But we must do so with open eyes, fully understanding the implications when all of us buy products with that "made in China" label.

Madam Speaker, I yield back the balance of my time.

FISCAL RESPONSIBILITY

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 5, 2011, the gentleman from Georgia (Mr. WOODALL) is recognized for 18 minutes as the designee of the majority leader.

Mr. WOODALL. Madam Speaker, I thank you for the time and being down here with me. I will set up my charts tonight because I can't commit it all to memory. I'm glad to be here at the end of the leadership hour. We've talked about China, we've talked about U.S. energy, and we've talked about the big issues that are on the floor of this House and that are here in Washington, D.C.

I want to say to folks, I come from a conservative part of the world. I come from the Deep South. I come from the suburbs of Atlanta, Gwinnett County, Forsyth County, Walton County and Barrow County. But I brought with me tonight quotes from President Barack Obama because, as I have said in town hall meeting after town hall meeting, I disagree with about 80 percent of what the President does, but I believe in about 80 percent of what he says. I think if we can come together on some of those principles that he is enunciating, we might be able to make some real progress.

This is from the President's 2011 inaugural address. He says this:

At stake right now is not who wins the next election. At stake is whether new jobs and industries take root in this country or somewhere else.

That is absolutely true. Folks come down to the floor of this House every day. They say what they're doing, they're doing for job creation. They say what they're doing, they're doing for economic growth. But we have a substantial disagreement about what that means.

□ 1950

I happen to believe that one of the things that encourages job creation and economic growth is fiscal responsibility. We need fiscal responsibility in our families, we need it in our businesses, and we need it in our government.

The President said this, Madam Speaker, his State of the Union address in 2010. He said:

Families across the country are tightening their belts and making tough decisions; the Federal Government should do the same.

State of the Union address, 2010, "the Federal Government should do the same."

It wasn't just in 2010. I'm not cherry-picking comments. Here we are in the President's State of the Union address in 2011, Madam Speaker:

Every day, families sacrifice to live within their means. They deserve a government that does the same.

He said it in 2010. He said it in 2011. In fact, go back to the beginning of his Presidency. Here we are in 2009, the same State of the Union address:

Given these realities, everyone in this Chamber, Democrats and Republicans, will

have to sacrifice some worthy priorities for which there are no dollars, and that includes me.

Madam Speaker, he was right there in front of where you sit tonight. He said:

Given these realities, everyone in this Chamber must sacrifice some worthy priorities for which there are no dollars, and that includes me.

The President of the United States.

But what's the reality, Madam Speaker? We can put the words back up. We can put the words up from 2009, from 2010, from 2011, but what's the reality? The reality, sadly, is this chart, Madam Speaker. You can't see it from where you are, but it's a chart from *The Wall Street Journal*, entitled, "The Debt Boom." It charts the public debt of the United States from the year 2000 to the year 2012.

What we see, Madam Speaker, is that as a percent of GDP, the debt was entirely too high during the Bush years. Don't get me wrong. There is not a party in this town that is blameless in this debate. For Pete's sake, we were having economic boom times and our debt was running 35 percent of GDP. Thirty-five percent of all the economy of the United States of America was being borrowed in debt. But look what happens. Look what happens. President Obama is sworn in in January of 2009. You see a debt boom, where we rise from 35 percent of GDP as our debt level up to 80 percent of GDP as our debt level.

Now, again, I can put the words back up: "Time for sacrifice." "Families are tightening their belts, we must do the same." "Everyone must sacrifice priorities, including me," the President of the United States. I can put the words back up. The reality, Madam Speaker, is that the President has continued to promote spending with reckless abandon.

And it's not just in the debt.

Madam Speaker, this chart is a chart produced by the Budget Committee on which I have the privilege of serving. What it charts is the debt of the United States. We see it on the white dotted line here. And it charts the proposed plan of President Barack Obama.

The President, to his credit, introduced a budget in January—the law requires him to do it and he did it. In fact, he has every year that he's been in office. The law requires the Senate to produce a budget every year. They ignore that law and have again this year for the third time in a row. But the President produced his budget.

I can, again, go back to the words where he talks about sacrifice, where he talks about tightening his belt, where he talks about what American families are doing and says America deserves a government that does the same, but look at this chart. The white dotted line represents the current debt path of America. The red line represents the President's proposal from

February of this year. If you look closely, Madam Speaker, what you can see is that under the President's proposal of February of this year, enacting the President's proposal raises the deficit of the United States year after year after year after year—2012, '13, '14, '15, '16, '17, '18, '19, and '20—more than doing nothing.

Madam Speaker, you ask: How can that be true? The President's proposal includes \$2 trillion in new taxes on American families. That's true. That's true. The President has made no secret of his desire to work our way through our current economic crisis by taxing the American people. I don't believe that's the right way to go, but he has introduced that as a plan. And, yes, his budget raises taxes by \$2 trillion, but he spends so much more that even with a \$2 trillion tax increase, Madam Speaker, we don't see any improvement in our debt in 2013 or '14 or '15 or '16 or '17 or '18 or '19 or '20 or '21.

Now, I've blown up, Madam Speaker, just so folks can see it, way out there in 2022, you finally begin to see a better debt trajectory from the President's budget than if we had done something. Nine years from now, America would have a slightly lower deficit under the President's plan than if we did nothing and just left all of our systems on autopilot. That doesn't jibe with what we heard.

Can I go back to the beginning, Madam Speaker?

At stake is not who wins the election; at stake is new jobs, new jobs that come through fiscal responsibility.

Go back to his State of the Union address:

Families across the country are tightening their belts and making tough decisions. The Federal Government should do the same.

Madam Speaker, there's not one tough decision made when you tax the American people by \$2 trillion but you spend even more.

I believed the President. I believed the President when he said:

Given these realities, everyone in this Chamber, Republicans and Democrats, will have to sacrifice some worthy priorities for which there are no dollars.

He was right when he said that. That was an applause line, Madam Speaker. Folks got to their feet here in the House Chamber. He's right, that sacrifice is necessary. His budget includes none of it.

The good news, though, Madam Speaker, is we're not limited to the President's ideas in this town. We have a freshman class here in Washington, D.C., Madam Speaker, of which you are a critical part, that says we can do better; in fact, we must do better; in fact, we cannot take "no" for an answer.

Let me show you what I have here, Madam Speaker. It's a chart of discretionary appropriations. Now, discretionary appropriations, for folks who are in the freshman class who haven't

followed that back in their offices, that's the part that we have to affirmatively act on every year.

About two-thirds of the Federal budget is on autopilot. If we closed the doors of Congress tomorrow, that money would continue to flow out the door, but not so with one-third of the Federal budget. We call that discretionary spending. You and I, Madam Speaker, we have responsibility to do oversight on that every year.

Look what we see here. FY 2010—that's the first year I've charted—we spent about \$1.3 trillion in this discretionary spending. That was 2010. You and I were not yet here, Madam Speaker. You and I showed up while we were still working on the FY 2011 budget. You will see we spent less in this Congress—and I don't just mean we proposed spending less. I don't just mean we talked about spending less. I don't mean that we got together as Republicans and said this is our idea, but we're not going to be able to get the Democrats to go along with it. I mean, as a body in this House, as a Congress on Capitol Hill, with the cooperation of the President's signature, we actually passed into law a budget for discretionary spending that went down in 2011 from 2010 levels.

And guess what? We didn't stop there, Madam Speaker. As you know, we passed another set of appropriations bills that took spending down even further. From 2011 levels, we went down further in 2012. And guess what? This freshman class, we're not done yet. This House leadership, they're not done yet. For 2013, we are on track to reduce spending—I don't mean reduce rates of growth. I don't mean reduce projected increases. I mean reduce the actual dollars going out the door for a third year in a row. The third year in a row. It's unprecedented. It hadn't happened since World War II. It's happened because the American people said we have to do better. It happened because the American people said we can't just talk about it; we have to do it.

But I've got some bad news, Madam Speaker. We're going to keep working on this discretionary spending side of the ledger. We're going to keep trying to drive those numbers down. But that's not where the real spending is. As I said a few minutes ago, that's only one-third of the budget. Two-thirds of the budget is on autopilot.

I have it up here, Madam Speaker. In yellow, you see what they call mandatory spending. That's the autopilot money. Again, you could close the White House tomorrow, you could close the Congress tomorrow, this money still flows out the door. If we're going to stop it, we have to act affirmatively to stop it.

This little piece of the pie up here is the defense part. You would think that national security is one of the biggest things we spend money on around here.

Madam Speaker, it's down to less than 20 percent of the money that goes out the door in Washington, D.C. goes towards national security. This 17 percent here is everything else, everything else that's in that discretionary budget. The 63 percent, 64 percent, so says the Congressional Budget Office, this is the mandatory spending that's on autopilot.

□ 2000

I have it displayed here in a slightly different way. The red bar represents our discretionary spending. And you can see that discretionary spending, as a percentage of the budget, has been in decline each and every year since 1962. Now, those aren't actual dollars going down, that's just a share of what we do in Washington, D.C. It's been this Congress that's brought the actual dollars down, as I said, for the first time since World War II.

But over time we've had a shift in this country. Discretionary spending has declined as a percentage of what we do, and this out-of-control mandatory spending, this autopilot spending is increasing. What are we going to do about that?

There's not enough time tonight, Madam Speaker, to get into the details. But I encourage all of our colleagues, Madam Speaker, and I hope you will help me to encourage them, to keep an eye out on what's coming down the road, because what's coming down the road in this body is a process called reconciliation. And I put to you that we haven't had a real reconciliation process in this House. In 1997, Republicans in the House and Senate, and a Democrat in the White House, came together to pass the biggest spending reduction bill that we'd had in our lifetime prior to this point.

We can't balance the budget on the discretionary spending side of the ledger alone. As you know, Madam Speaker, if we zeroed out everything—and I mean everything. I don't mean cut by 5 percent, I don't mean cut by 10 percent, I mean zeroed out everything except Social Security, Medicare, Medicaid, interest on the national debt, those mandatory spending programs that I'm talking about, those autopilot programs, if we zeroed out everything else, the budget still wouldn't be balanced. That's how far out of whack we are. And that's how big those categories are.

We're going to do something that hasn't been done since 1997 and that is, go through reconciliation, where we ask the committees of this House, we go back to our communities and ask in town hall meetings, what can we do on that mandatory spending side of the ledger to tighten our belts, to do better to provide more bang for their buck to the American taxpayers.

Those bills are going to start coming to the floor in the month of May, for

the first time since 1997, in a serious way. Now, it's going to be a small process at first. We're talking about just the amount of money to cover some of our necessary defense spending needs. But we're going to start to talk about priorities here. And when I say talk about, I mean legislate on.

Madam Speaker, the talking has already been done. "Every day families sacrifice to live within their means. They deserve a government that does the same." President Barack Obama, 2011.

"Families across the country are tightening their belts and making tough decisions. The Federal Government should do the same." President Obama 2010.

At stake right now is not who wins the election. At stake is whether new jobs and industry take root in this country or not. Madam Speaker, we are bankrupting this country. We are bankrupting this country. We have doubled, doubled the annual spending deficits that we've seen in this country. We've seen the public debt of this Nation increase by 50 percent in the last 3½ years. And that was with the efforts of the most conservative U.S. House of Representatives we've seen in our lifetime. That was with the efforts of this U.S. House of Representatives that has cut spending, not 1 year in a row, not 2 years in a row, but 3 years in a row.

Madam Speaker, the good ship United States of America is in troubled waters. The President is saying all the right things. I come to the floor here tonight, Madam Speaker, to ask you to encourage him to do the right things. Join this U.S. House of Representatives, join these 100 new Democrat and freshman Members in this body as we try to do something that hasn't been done since 1997, and that's take programs off of autopilot and make sure that every dollar leaving this institution is doing the very best that it can for the hardworking American taxpayers that have entrusted us to spend it.

Madam Speaker, I thank you for being here and yielding me this time this evening.

I yield back the balance of my time.

OUR FRIEND IN THE MIDDLE EAST

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Madam Speaker, there's a lot going on in the world these days. I had an interesting trip to Afghanistan this weekend, a country into which we are pouring billions and billions of dollars and have military there that is keeping President Karzai in office.

And he's a very grateful man. That was demonstrated when he told our

government, this Obama administration, that DANA ROHRBACHER, my very dear friend, one of the greatest patriots I know, would not be allowed into Afghanistan, as if he had that power, because he had been very critical of President Karzai.

So we're spending billions and billions of dollars so that a cantankerous President of Afghanistan, who is only there because of the lives and treasure that Americans have sacrificed, can turn around and tell Americans, we don't want Members of Congress that actually control the purse strings to money flowing into this country, we don't want them here. It was rather interesting.

And as might be expected, President Karzai had his facts entirely wrong. He was representing that Representative ROHRBACHER had a bill that was attempting to partition, divide up Afghanistan. Entirely wrong. I knew that because I assisted with the bill and co-sponsored it, proudly, because it was a resolution that basically was encouraging Afghanistan to allow elections of their regional governors. It encouraged elections.

Somehow President Karzai found this very offensive, as a threat to him. And I can see it from his standpoint. If one puts oneself in his position, you realize, gee, I'm President Karzai. I get to appoint every regional governor. And gee, that would be a system, like ancient Rome, where you would be appointed to be governor, but you had to kick back to Caesar in order to keep your seat. Interesting.

That is a plan fraught with the potential for corruption. That's one of the reasons that DANA and I, and so many others, think it would be a good idea, help strengthen the country, if the people in the various regions were able to elect their governors.

President Karzai not only appoints the governors, he appoints the mayors. They don't get to elect them. He appoints them. You want to be a mayor of a city, you better go suck up to President Karzai because he's going to make the appointment.

If you would like to be the chief of police, don't worry with some local city council in Afghanistan. Don't worry with the governor. You'll be appointed, that's right, by President Karzai.

We're told by Afghans that actually it goes so much further than that. He even appoints many of the teachers. You want to be a teacher at an upper level? Afghans tell me that he appoints them as well.

President Karzai gets to appoint a slate of potential legislators. He has tremendous control of the purse strings in Afghanistan, not someone to be countered with, you would think, unless perhaps you're from a government that assists the government of Afghanistan in meeting its budget needs.

□ 2010

As I understand it, Afghanistan has a budget of \$12.5 billion. As I understand it, Afghanistan provides \$1.5 billion of that \$12.5 billion budget. That's all the revenue—taxes, fees, all kinds of things. That's the extent of their revenue.

Gee, what would happen to President Karzai if all of a sudden this Congress did what the 1974 Democratic-controlled Congress did when, without any regard for those who had fought with us in Vietnam and in Southeast Asia, every penny was just completely shut off, when every penny being spent in Vietnam back in '74 was cut off? What happened after we left was an absolute horrible bloodbath of those who had assisted the United States in any way.

So I don't think this Congress will be as abrupt as the Democratic Congress was in 1974, but it certainly has the ability to do that. The difference is, I think, there are enough people in this Congress who realize, unless we empower those who fought the Taliban in late 2001, after 9/11, and in early 2002 when they basically routed the Taliban with U.S.-embedded support and air support, unless we empower those allies by allowing them to elect their own regional governors, by allowing them to elect their mayors, taking some of the power away from a central administration where, regardless of whether or not reports may or may not be accurate about corruption at the highest level, then there is certainly corruption in Afghanistan.

It is also interesting that this administration refuses to replace the inspector general, who is supposed to supervise and audit the money that's going into Afghanistan. Surely, that couldn't be because it's an election year. Surely, that couldn't be because, if we had somebody actually monitoring where all of the billions of dollars were pouring into Afghanistan are going, the report would indicate widespread corruption, which would reflect poorly on this administration, throwing away billions of dollars not only to the Solyndras around the country but to corrupt administrations who are fattening their bank accounts while Americans don't have any.

Many Americans struggle to have any money in their bank accounts, yet we're propping up an administration over there that thinks that, on a whim, they can say, I don't like this Congressman because he has been critical of my administration, so we're going to keep him out.

I realize that Secretary Clinton inherited a very difficult situation that was not of her making, but it is important in dealing with matters of foreign policy and in dealing with matters of State that we not be duped by people who have made careers out of duping Americans and Russians and other nationalities.

So we have a great ally in the nation of Israel. They believe in freedom as we do. They have a truly representative government, one in which the Prime Minister of Israel does not forbid the elections of other officials so that he will be the only one who has the power to appoint. Israel allows elections, and as others have pointed out, they're more likely more free than any of the other neighbors immediately surrounding Israel. Even Muslims in Israel have greater freedom to elect whom-ever they wish in fair and free elections. We have an ally in Israel.

Now, I realize there are differences in views, whether the Old Testament, the Torah, the Tanakh have valid legitimacy these days. Some of us believe them and are proud to do so just as the Founders did. Heck, of the 56 signers of the Declaration, over a third of them were ordained Christian ministers who believed every word of the Old Testament.

So I've been looking in the Old Testament for wisdom in application to our current situation because we know, back earlier this year, The Washington Post was told by this administration that the window during which Israel was going to likely attack Iran was between two different dates during a certain period. Well, that's not very helpful to an ally when we tell the world about when an ally may choose to defend itself. That's more a heads-up to an enemy of Israel's and the United States, a sworn enemy of the United States, led by people who have sworn to the destruction of the United States and Israel.

So it's a little bit confusing to see how this administration could be going about betraying our friend Israel. It would seem, when this administration leaked to the media that our dear friend and ally Israel was going to utilize the relationship with Azerbaijan to attack, that such a release was not something you would do for a friend but, rather, a betrayal of a friend and ally.

It appears that those were efforts to keep Israel from doing what it needed to do to defend itself when this administration is telling Israel, Hey, just trust us. Trust us. We'll take care of your national security, and yes, there is a window beyond which you could no longer do any good in trying to stop the nuclear proliferation in Iran and beyond which we in the United States could. So, if we can just force Israel past that window, then they would have to rely completely on the United States to do all in its power to protect Israel.

If Israel looks at what has been happening already this year with a couple of betrayals of our friendship, that would not bode well that the top in this administration for this country will protect Israel at whatever cost. That has to be considered by Israel.

Then we have this report. This was dated April 19, 2012, from the Middle East Media Research Institute. The introduction reads:

An important element in the renewal of nuclear negotiations with Iran in the talks in Istanbul April 13-14, 2012, was an alleged fatwa attributed to Iranian Supreme Leader Ali Khamenei, according to which the production, stockpiling, and use of nuclear weapons are forbidden under Islam and that the Islamic Republic of Iran shall never acquire these weapons. Indeed, U.S. leaders, among them Secretary of State Hillary Clinton and even U.S. President Barack Obama, along with other representatives to the talks, the International Atomic Energy Agency Board of Governors, and even highly respected research institutes considered the fatwa as an actual fact, and examined its significance and implications for the nuclear negotiations with Iran that were renewed in Istanbul.

However, an investigation by the Middle East Media Research Institute reveals that no such fatwa ever existed or was ever published, and that media reports about it are nothing more than a propaganda ruse on the part of the Iranian regime apparatuses in an attempt to deceive the top U.S. administration officials and the others mentioned above.

Iranian regime officials' presentation of facts on nuclear weapons attributed to Supreme Leader Ali Khamenei as a fatwa, or religious edict, when no such fatwa was issued by him, is a propaganda effort to propose to the West a religiously valid substitute for concrete guarantees of inspectors' access to Iran's nuclear facilities. Since the West does not consider mere statements by Khamenei or other regime officials to be credible, the Iranian regime has put forth a fraudulent fatwa the West would be more inclined to trust.

□ 2020

It goes on to talk about, and I'll just read from this:

U.S. Secretary of State Hillary Clinton clarified that she had discussed the fatwa with "experts and religious scholars," and also with Turkish Prime Minister Recep Tayyip Erdogan. At the NATO conference in Norfolk, Virginia, in early April, she stated: "The other interesting development which you may have followed was the repetition by the supreme leader, the Ayatollah Khamenei, that he had issued a fatwa against nuclear weapons, against weapons of mass destruction. Prime Minister Erdogan and I discussed this at some length, and I've discussed with a number of experts and religious scholars. And if it is indeed a statement of principles and values, then it is a starting point for being operationalized, which means that it serves as the entryway into a negotiation as to how you demonstrate that it is indeed a sincere, authentic statement of conviction. So we will test that as well."

During his visit to Tehran in late March, in an interview with Iranian state television, Prime Minister Erdogan said, "I have shared the Leader's [Khamenei's] statement with U.S. President Barack Obama and told him that in face of this assertion, I do not have a different position, and the Iranians are using nuclear energy peacefully."

On April 7, 2012, Kayhan International reported, citing Press TV, that Turkish Foreign Minister Ahmet Davutoglu had told the Turkish Kanal D TV that there is no possi-

bility that "Khamenei's fatwa forbidding the possession and use of nuclear weapons might be disobeyed in Iran."

So we can all celebrate. There's been a fraudulent false report of a fatwa by Khamenei. So, gosh, nobody in Iran would violate this fatwa making it against the Islamic religion to develop nuclear weapons. When the truth is, if Israel is not going to defend itself by itself, as President Obama said it absolutely must on more than one occasion, if it is going to rely on the representations of this administration to, Trust us, we'll take care of you, we got your back, then Israel may want to note how easy it is to deceive this administration into believing what it wants—that Iran would not develop nuclear weapons.

It is important to note that this administration has been praised in messages coming from the Islamic Society of North America and other groups actually named coconspirators in funding terrorism in the world. They've been praised by these named coconspirators in funding terrorism for their cleansing of training materials of our FBI, of our intelligence, of our State Department. We have gone through and eliminated words like "jihad," words like "Islam," words like "radical," replacing them with things like "violent extremism." When the trouble is, it is so easy to deceive national officials in any country where they refuse to study the enemy who has sworn to destroy them. If you will not study the enemy who is sworn to destroy you and your country, then you will continue to be easily duped.

So we have these named coconspirators for funding terrorism out there praising this administration and their meetings inside the hearts of the administration at the State Department, in the White House, in the Justice Department. They've been praised for eliminating all of these references to such inappropriate things as "Islam."

Well, this weekend, despite efforts by some in this administration to prevent it, a few of us met with our allies, members of the national front, one of which could be elected the next President of Afghanistan. These are people who, while we in America were burying Americans, they were burying family members who had fought with us against the Taliban. These are the enemy of our enemy, the Taliban. They should be our friends, and they are my friends.

Therefore, when I saw my Muslim friends there at the home of my friend Massoud, there were big hugs all around. This administration calls them war criminals because some of them fight as viciously as the Taliban that they fight against, but they were friends. They fought with us. They did much of our fighting for us before we became occupiers in Afghanistan.

Yet, when this administration throws our allies under a bus, it means for

them to stay there. Well, some of us believe that if we ever hope to have other allies, then it is critical that we treat our allies with respect. We don't stab them in the back. We don't throw them under the bus. But that's a lesson hard learned.

There are international reports that say President Karzai may be willing to resign a year early. That's been heard different places around the world. Gee, wow, isn't that wonderful if Karzai would resign a year early. But in meeting with my friends who have talked to some of Karzai's circle, they point out: Do you in America not understand that when this President Karzai says he's looking at retiring a year early, it's not because he is some big-hearted, wonderful, democracy-loving person? If he loved democracy, he'd let us elect our governors. He'd let us elect our mayors. But he wants to appoint them, and he's not ready to give up power. But the Afghan constitution apparently says that if you've served two terms, you cannot run for a third term.

So, this President Karzai is looking at a way, when perhaps if he resigned a year early, then he could argue, I didn't serve two terms. I served 1 year short of two terms, therefore I can run for a third term.

□ 2030

Being as how the President of Afghanistan appoints the governors, the mayors, the chiefs of police, so many of the positions of power in Afghanistan, it's quite conceivable that he could ensure that he got elected again next time if he ran a third time. And if he were to be allowed to run a third time and get elected, that puts him beyond 2014, which means the United States will not be around to enforce the promises that President Karzai made.

Oh, it's a hope and prayer that this administration will quit living on the false promises of people who say they're going to help us, but are sworn publicly and privately to destroy our way of life. And there are those we continue to hear say, Look, Israel is just occupiers. They're occupiers in this land. The Palestinians have more claim. But as Newt Gingrich pointed out, the term "Palestinian" is a very recent word that found usage. If you go back, as one reporter did, who ended up being let go, she marveled that these people ought to go back to Poland or wherever they came from, when actually if you look at where they came from 1,600, 1,700 years before Mohammed existed in the city of Hebron, a King named David ruled for 7 years. He then moved the capital up to Jerusalem, and a beautiful capital it was.

Some have said, "Well, where is the evidence of the Israelis being in Jerusalem?" Well, we know that Mohammed never went to Jerusalem. He had a dream, as I understand it at one point, that he had gone there; but he never

physically went. That's for sure. But here is the current city of Jerusalem. This is the city of David here, south of the Temple Mount, Mount Moriah, where Abraham went. It's interesting, because people have said, gee, where is the archeological evidence? And we see people around the country in Hebron where Jesse was buried, where his tomb is, in what I call Shiloh and they were calling Sheloh. The Ark of the Covenant, they've found the location, it certainly appears, where it was kept for over 300 years, long before there was a Mohammed.

People have said, well, where is the evidence? It is beginning to show up in droves. Quite interesting, as the archeologists have begun to look, they've realized, you know what, the city of David may have been south down the hill from where the current Temple Mount is. They began excavating, and they found all kinds of dramatic evidence of Israel's existence. It's dramatic. There is no question from the things that are being found and the way they're being dated and the dates that are coming to light that Israel existed in the land where it has its country now. Not just in part, but throughout the West Bank. That was Israeli territory many, many centuries before a man named Mohammed lived.

I'm not attempting to push my religious beliefs on anybody else. These are simply the facts of history that we have to look at and understand. Until we have an administration that stops blinding those who are supposed to protect us, we're in big trouble. So it is important that we pay tribute to our dear friend Israel, stop the betrayals, and say thank God for the nation of Israel and the dear friend that they are to the United States.

With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of Kentucky (at the request of Mr. CANTOR) for today and April 27 on account of personal reasons.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Friday, April 27, 2012, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5797. A letter from the Secretary, Commodity Futures Trading Commission, trans-

mitting the Commission's "Major" final rule — Swap Dealer and Major Swap Participant Recordkeeping, Reporting, and Duties Rules; Futures Commission Merchant and Introducing Broker Conflicts of Interest Rules; and Chief Compliance Officer Rules for Swap Participants, and Futures Commission Merchants (RIN: 3038-AC96) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5798. A letter from the Deputy Chief Management Officer, Department of Defense, transmitting the annual report for FY 2012 for the Investment Review Board and Investment Management; to the Committee on Armed Services.

5799. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 3 officers to wear the authorized insignia of the grade of brigadier general; to the Committee on Armed Services.

5800. A letter from the Vice Admiral, U.S. Navy, Principal Military Deputy, Department of Defense, transmitting notice that the Navy intends to donate the destroyer EXEDSON (DD946) to the Saginaw Valley Naval Ship Museum; to the Committee on Armed Services.

5801. A letter from the Secretary, Department of Health and Human Services, transmitting Report to Congress: Tobacco Prevention and Control Activities in the United States, 2008-2009; to the Committee on Energy and Commerce.

5802. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Creation of a Low Power Radio Service [MM Docket No.: 99-25] received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5803. A letter from the Program Manager, Internal Revenue Service, transmitting the Service's final rule — Summary of Benefits and Coverage and Uniform Glossary [TD 9575] (RIN: 1545-BJ94) received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5804. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report prepared in accordance with section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. No. 107-174; to the Committee on Oversight and Government Reform.

5805. A letter from the Assistant Secretary for Management of Chief Financial Officer, Department of the Treasury, transmitting the Department's report for fiscal year 2011 on the Acquisition of Articles, Materials, and Supplies Manufactured Outside the United States, pursuant to Public Law 110-28, section 8306; to the Committee on Oversight and Government Reform.

5806. A letter from the Director, Environmental Protection Agency, transmitting the Agency's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5807. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's annual report for Fiscal Year 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5808. A letter from the Director, International Broadcasting Bureau, transmitting

the Bureau's annual report for fiscal year 2011 on the Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

5809. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5810. A letter from the Associate Commissioner/EEO Director, National Indian Gaming Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5811. A letter from the Director, Office of EEO and Diversity, Patent and Trademark Office, transmitting the Office's annual report for fiscal year 2011, in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5812. A letter from the EEO Director, Securities and Exchange Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5813. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the exterior boundary of Allegheny Wild and Scenic River Allegheny National Forest, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

5814. A letter from the Acting Assistant Administrator for Fisheries, Department of Commerce, transmitting the 2011 Report to Congress on the Disclosure of Financial Interest and Recusal Requirements for Regional Fishery Management Councils and Scientific and Statistical Committees; to the Committee on Natural Resources.

5815. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Railroad Workplace Safety; Adjustment-Track On-Track Safety for Roadway Workers [Docket No.: FRA-2008-0059, Notice No. 5] (RIN: 2130-AB96), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5816. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Value Engineering [FHWA Docket No.: FHWA-2011-0046] (RIN: 2125-AF40) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5817. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30832; Amdt. No. 3469] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5818. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures,

and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30831; Amdt. No. 3468] received April 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5819. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company (GE) Turbofan Engines [Docket No.: FAA-2006-2573; Directorate Identifier 2006-NE-27-AD; Amendment 39-16961; AD 2012-04-05] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5820. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airplanes Originally Manufactured by Lockheed for the Military as P2V Airplanes [Docket No.: FAA-2012-0107; Directorate Identifier 2012-NM-018-AD; Amendment 39-16955; AD 2012-03-51] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5821. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Division Turbofan Engines [Docket No.: FAA-2011-0944; Directorate Identifier 2011-NE-11-AD; Amendment 39-16960; AD 2012-04-04] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5822. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2008-0107; Directorate Identifier 2007-NM-087-AD; Amendment 39-16965; AD 2012-04-09] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5823. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1230; Directorate Identifier 2011-NM-141-AD; Amendment 39-16964; AD 2012-04-08] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5824. A letter from the Chairman, Department of Transportation, Surface Transportation Board, transmitting the Department's final rule — Waybill Data Released in Three-Benchmark Rail Rate Proceedings [Docket No. EP 646 (Sub-No. 3)] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5825. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Wisconsin Ledge Viticultural Area [Docket No.: TTB-2011-0007; T.D. TTB-102; Re: Notice No. 121] (RIN: 1513-AB82) received April 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5826. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Labeling Imported Wines With Multistate Appellations [Docket No.: TTB-2010-0007; T.D. TTB-101; Re: Notice No.: 110] (RIN: 1513-AB58) received April 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 4257. A bill to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes; with an amendment (Rept. 112-455). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. STEARNS (for himself and Ms. MATSU):

H.R. 4817. A bill to require the reallocation and auction for commercial use of the electromagnetic spectrum between the frequencies from 1755 megahertz to 1780 megahertz; to the Committee on Energy and Commerce.

By Mr. GOSAR:

H.R. 4818. A bill to amend the Employee Retirement Income Security Act of 1974 to ensure health care coverage value and transparency for dental benefits under group health plans; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY:

H.R. 4819. A bill to suspend temporarily the duty on certain sound-isolating earphones with multiple balanced armature speakers; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 4820. A bill to suspend temporarily the duty on certain single-driver sound isolating earphones; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 4821. A bill to suspend temporarily the duty on certain self-contained, single-element unidirectional (cardioid) dynamic microphones; to the Committee on Ways and Means.

By Mr. BERMAN:

H.R. 4822. A bill to extend the temporary suspension of duty on certain shopping bags; to the Committee on Ways and Means.

By Mr. BERMAN:

H.R. 4823. A bill to suspend temporarily the duty on spun-bonded, non-woven, high-density polyethylene materials; to the Committee on Ways and Means.

By Mr. BERMAN:

H.R. 4824. A bill to suspend temporarily the duty on non-woven recycled polyethylene terephthalate; to the Committee on Ways and Means.

By Mr. SULLIVAN (for himself, Mr. TERRY, Mr. ROSS of Florida, and Mr. FLORES):

H.R. 4825. A bill to amend the Congressional Budget Act of 1974 to establish a point of order to prohibit the extension of the statutory debt limit unless a concurrent resolution on the budget has been agreed to and is in effect, Federal spending is cut and capped, and a balanced budget amendment to the constitution has been sent to the States for ratification, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Kentucky:

H.R. 4826. A bill to amend the Internal Revenue Code of 1986 to allow additional investment credits for qualifying supercritical advanced coal projects; to the Committee on Ways and Means.

By Mr. NUNNELEE:

H.R. 4827. A bill to suspend temporarily the duty on certain aluminum alloy foil; to the Committee on Ways and Means.

By Mr. NUNNELEE:

H.R. 4828. A bill to suspend temporarily the duty on certain aluminum alloy profiles; to the Committee on Ways and Means.

By Mr. NUNNELEE:

H.R. 4829. A bill to suspend temporarily the duty on used camshafts and crankshafts for diesel engines; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4830. A bill to suspend temporarily the duty on certain glass fibers and articles thereof; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4831. A bill to suspend temporarily the rate of duty on Ammonium polyphosphate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4832. A bill to suspend temporarily the rate of duty on 1-Propene, polymer with ethene; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4833. A bill to extend the temporary suspension of duty on Phosphinic acid, diethyl-, aluminum salt with synergists and encapsulating agents; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4834. A bill to extend the temporary suspension of duty on Phosphinic acid, diethyl-, aluminum salt; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4835. A bill to extend the temporary suspension of duty on 1,4-Benzenedicarboxylic acid, polymer with N,NNBis(2-aminoethyl)-1,2-ethanediamine, cyclized, methosulfate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4836. A bill to extend the temporary suspension of duty on cyanuric chloride; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4837. A bill to suspend temporarily the rate of duty on Zinc diethylphosphinate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4838. A bill to suspend temporarily the rate of duty on Fluoroalkyl acrylic copolymerisates dispersed in water; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4839. A bill to extend the temporary suspension of duty on Sulfur black 1; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4840. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4841. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4842. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. RUNYAN:

H.R. 4843. A bill to extend the suspension of duty on certain ion-exchange resins; to the Committee on Ways and Means.

By Mr. RUNYAN:

H.R. 4844. A bill to extend the temporary suspension of duty on certain ion-exchange resins; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 4845. A bill to suspend temporarily the duty on TFM; to the Committee on Ways and Means.

By Ms. BALDWIN:

H.R. 4846. A bill to prevent mail, telemarketing, and Internet fraud targeting seniors in the United States, to promote efforts to increase public awareness of the enormous impact that mail, telemarketing, and Internet fraud have on seniors, to educate the public, seniors, their families, and their caregivers about how to identify and combat fraudulent activity, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLORES (for himself and Mr. GENE GREEN of Texas):

H.R. 4847. A bill to prevent certain discriminatory taxation of natural gas pipeline property; to the Committee on the Judiciary.

By Mr. CLARKE of Michigan (for himself, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. GEORGE MILLER of California, Mr. CLEAVER, Ms. KAPTUR, Mr. GRIJALVA, Ms. WATERS, Mr. CARSON of Indiana, Mr. JACKSON of Illinois, Ms. CLARKE of New York, and Mr. ELLISON):

H.R. 4848. A bill to save neighborhoods and keep families in their homes by encouraging mortgage loan modifications and suspending foreclosures and evictions; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUNES (for himself, Mr. MCCARTHY of California, Mr. DENHAM, and Mr. MCCLINTOCK):

H.R. 4849. A bill to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes; to the Committee on Natural Resources.

By Mr. ADERHOLT:

H.R. 4850. A bill to allow for innovations and alternative technologies that meet or exceed desired energy efficiency goals; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 4851. A bill to extend the temporary suspension of duty on 1-Propene, 1,1,2,3,3,3-hexafluoro-, oxidized, polymerized, reduced hydrolyzed; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4852. A bill to extend the temporary suspension of duty on Ethene, tetrafluoro, oxidized, polymerized reduced, methyl esters, reduced; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4853. A bill to extend the temporary suspension of duty on Methoxycarbonyl-terminated perfluorinated polyoxymethylene-polyoxyethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4854. A bill to extend the temporary suspension of duty on Propanoic acid, 3-hy-

droxy-2-(hydroxymethyl)-2-methyl polymers with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane and reduced methyl esters of reduced polymerized, oxidized tetrafluoroethylene, compounds with trimethylamine; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4855. A bill to extend the temporary suspension of duty on Diaminododecane; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4856. A bill to extend the temporary suspension of duty on 1,1,2,2-Tetrafluoroethene, oxidized, polymerized; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4857. A bill to extend the temporary suspension of duty on Vinylidene chloride-methyl methacrylate-acrylonitrile copolymer; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4858. A bill to extend the temporary reduction of duty on p-Hydroxybenzoic acid; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4859. A bill to suspend temporarily the rate of duty on 1,1,2,2-Tetrafluoroethylene, oxidized, polymerized, reduced; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4860. A bill to suspend temporarily the rate of duty on Vinylidene fluoride-trifluoroethylene copolymer; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4861. A bill to suspend temporarily the rate of duty on Chlorotrifluoroethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4862. A bill to suspend temporarily the rate of duty on Diphosphoric acid, polymers with ethoxylated reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4863. A bill to suspend temporarily the rate of duty on 4,4'-Dichlorodiphenyl sulfone; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4864. A bill to suspend temporarily the rate of duty on 1,2-Propanediol, 3-(diethylamino)-, polymers with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, propylene glycol and reduced M esters of reduced polymd. oxidized tetrafluoroethylene, 2-ethyl-1-hexanol-blocked, acetates (salts); to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4865. A bill to extend the temporary suspension of duty on Oxiranemethanol, polymers with reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4866. A bill to extend the temporary suspension of duty on ethene, tetrafluoro, oxidized, polymerized reduced, methyl esters, reduced, ethoxylated; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4867. A bill to suspend temporarily the rate of duty on certain licorice extract derivatives; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4868. A bill to suspend temporarily the rate of duty on extract of licorice; to the Committee on Ways and Means.

By Mr. BOSWELL (for himself and Mr. LOEBACK):

H.R. 4869. A bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to jointly conduct a study on the incidence of breast cancer among members of the Armed Forces and veterans; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL:

H.R. 4870. A bill to suspend temporarily the duty on certain non-toric shaped polarized materials of more than 80 mm in diameter; to the Committee on Ways and Means.

By Mr. CAMPBELL:

H.R. 4871. A bill to suspend temporarily the duty on certain toric shaped polarized materials; to the Committee on Ways and Means.

By Mr. CAMPBELL:

H.R. 4872. A bill to suspend temporarily the duty on certain non-toric shaped polarized materials of 80 mm or less in diameter; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4873. A bill to suspend temporarily the duty on mixtures containing Imidacloprid and Thiodicarb; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4874. A bill to suspend temporarily the duty on mixtures containing Thiencarbazone-methyl, Isoxaflutole, and Cyprosulamide; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4875. A bill to modify and extend the temporary reduction of duty on mixtures of imidacloprid with application adjuvants; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4876. A bill to extend the temporary reduction of duty on Imidacloprid; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4877. A bill to reduce temporarily the duty on mixtures containing Imidacloprid and Cyfluthrin or its β -Cyfluthrin isomer; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4878. A bill to suspend temporarily the duty on 1-Naphthyl, N-methylcarbamate; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4879. A bill to reduce temporarily the duty on Penflufen; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4880. A bill to extend the suspension of duty on ion-exchange resin powder, dried to less than 10 percent moisture; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4881. A bill to extend the suspension of duty on an ion exchange resin comprising a copolymer of styrene crosslinked with divinylbenzene, iminodiacetic acid, sodium form; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4882. A bill to extend the suspension of duty on an ion exchange resin comprising a copolymer of styrene crosslinked with ethenylbenzene, aminophosphonic acid, sodium form; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4883. A bill to suspend temporarily the duty on IMIDACLOPRID; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4884. A bill to extend the temporary suspension of duty on 2-Phenylphenol sodium salt; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4885. A bill to extend the temporary suspension of duty on 2-Hydroxypropylmethyl cellulose; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4886. A bill to extend the temporary suspension of duty on 2-Phenylphenol; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4887. A bill to suspend temporarily the duty on 2-amino-5-cyano-N,3-dimethylbenzamide; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4888. A bill to suspend temporarily the duty on Picoxystrobin; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4889. A bill to suspend temporarily the duty on A5546 sulfonamide; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4890. A bill to reduce temporarily the duty on ethylene/tetrafluoroethylene copolymer (ETFE); to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4891. A bill to suspend temporarily the duty on certain work footwear for men; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4892. A bill to suspend temporarily the duty on certain work footwear for women; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4893. A bill to suspend temporarily the duty on certain work footwear for women covering the ankle; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4894. A bill to suspend temporarily the duty on certain work footwear for men covering the ankle; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4895. A bill to suspend temporarily the duty on certain work boots for men; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4896. A bill to suspend temporarily the duty on certain work boots for women; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4897. A bill to suspend temporarily the duty on certain women's footwear with outer soles and uppers of rubber or plastics and valued over \$6.50 but not over \$12 per pair; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4898. A bill to suspend temporarily the duty on certain women's footwear with outer soles and uppers of rubber or plastics and valued over \$12 but not over \$20 per pair; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4899. A bill to suspend temporarily the duty on certain women's platform footwear; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4900. A bill to suspend temporarily the duty on certain women's footwear with outer soles of rubber or plastics and uppers of textile materials and leather; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4901. A bill to extend the temporary suspension of duty on certain women's sports footwear; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 4902. A bill to suspend temporarily the duty on photomask blanks; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4903. A bill to suspend temporarily the duty on power electronic boxes and static converter composite units; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4904. A bill to suspend temporarily the duty on stator/rotor parts; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4905. A bill to suspend temporarily the duty on Tinopal OB CO; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4906. A bill to suspend temporarily the duty on Uvinul 3039; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4907. A bill to suspend temporarily the duty on Lucirin TPO; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4908. A bill to suspend temporarily the duty on certain high pressure fuel pumps; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4909. A bill to suspend temporarily the duty on certain hybrid electric vehicle inverters; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4910. A bill to suspend temporarily the duty on certain direct injection fuel injectors; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4911. A bill to suspend temporarily the duty on lithium ion electrical storage battery; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4912. A bill to suspend temporarily the duty on motor generator units; to the Committee on Ways and Means.

By Mr. COFFMAN of Colorado (for himself and Mr. COOPER):

H.R. 4913. A bill to require designated military command responsibility and accountability for the care, handling, and transportation of the remains of a deceased member of the Army, Navy, Air Force, or Marine Corps who died overseas, from the place of death, through the defense mortuary system, until the remains are accepted by the member's next of kin, in order to ensure that the deceased member is treated with dignity, honor, and respect; to the Committee on Armed Services.

By Mr. COSTA:

H.R. 4914. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Tebuconazole; to the Committee on Ways and Means.

By Mr. DOYLE:

H.R. 4915. A bill to suspend temporarily the duty on Agilon 400; to the Committee on Ways and Means.

By Mr. DOYLE:

H.R. 4916. A bill to suspend temporarily the duty on Brine Electrolysis Ion Exchange Apparatus; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4917. A bill to extend the temporary suspension of duty on ceiling fans for permanent installation; to the Committee on Ways and Means.

By Ms. FUDGE:

H.R. 4918. A bill to suspend temporarily the duty on sodium thiocyanate; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4919. A bill to suspend temporarily the duty on Para-methoxyphenol; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4920. A bill to extend the temporary suspension of duty on mixtures or coprecipitates of yttrium phosphate and cerium phosphate; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4921. A bill to suspend temporarily the duty on Tertio-butyl catechol flakes; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4922. A bill to extend the temporary suspension of duty on phosphoric acid, lanthanum salt, cerium terbium-doped; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 4923. A bill to suspend temporarily the duty on germanium unwrought; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 4924. A bill to suspend temporarily the duty on germanium oxides; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 4925. A bill to suspend temporarily the duty on gallium unwrought; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4926. A bill to extend and modify the temporary suspension of duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4927. A bill to extend and modify the temporary suspension of duty on certain men's footwear; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4928. A bill to extend and modify the temporary suspension of duty on certain men's footwear; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4929. A bill to extend and modify the temporary suspension of duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4930. A bill to extend the temporary suspension of duty on 4-Chloro-2-nitro-aniline; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4931. A bill to extend and modify the temporary reduction of duty on 3,3'-Dichlorobenzidine dihydrochloride ([1,1'-biphenyl]-4,4'-diamino, 3,3'-dichloro-); to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4932. A bill to suspend temporarily the duty on Polyalkene Yellow (4A100); to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. SENSENBRENNER, Ms. MOORE, Mr. ENGEL, Mr. ISRAEL, Mr. TONKO, and Mr. RIBBLE):

H.R. 4933. A bill to authorize the award of the Medal of Honor to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War; to the Committee on Armed Services.

By Mr. LATOURETTE:

H.R. 4934. A bill to extend the temporary suspension of duty on 4,8-Dicyclohexyl -6-2,10-dimethyl -12H-dibenzo[d,g][1,3,2]-dioxaphosphocin; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4935. A bill to extend the temporary suspension of duty on mixtures of zinc dicyanato diamine with an elastomer binder

of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4936. A bill to extend the temporary suspension of duty on mixtures of benzenesulfonic acid, dodecyl-, with 2-aminoethanol and Poly (oxy-1,2-ethanediyl), α -[1-oxo-9- octadecenyl]- w-hydroxy-, (9Z); to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4937. A bill to extend the temporary suspension of duty on mixtures of NN-(3,4-dichloro-phenyl)-N,Ndimethylurea with acrylate rubber; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4938. A bill to extend the temporary suspension of duty on mixtures of caprolactam disulfide with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4939. A bill to suspend temporarily the duty on Aflux 37; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4940. A bill to extend the temporary suspension of duty on 1-Octadecanaminium, N,N-dimethyl-N-octadecyl-, (Sp-4-2)-[29H,31H-phthalocyanine-2-sulfonato(3-)- κ N29, κ N30, κ N31, κ N32]cuprate(1-); to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4941. A bill to extend the temporary suspension of duty on 2-Oxepanone, polymer with aziridine and tetrahydro-2H-pyran-2-one, dodecanoate ester; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4942. A bill to suspend temporarily the duty on Ethylene-Propylene polymer; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4943. A bill to suspend temporarily the duty on mixtures of alkali metal phenate, mineral oil, and p-Dodecylphenol; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4944. A bill to suspend temporarily the duty on Sensomer CT-400; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4945. A bill to suspend temporarily the duty on D-Galacto-D-mannan; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4946. A bill to suspend temporarily the duty on Benzene, polypropene derivatives; to the Committee on Ways and Means.

By Mr. MICHAUD:

H.R. 4947. A bill to extend and modify the temporary reduction of duty on certain rayon staple fibers; to the Committee on Ways and Means.

By Mrs. NOEM:

H.R. 4948. A bill to amend the Federal Crop Insurance Act to extend certain supplemental agricultural disaster assistance programs through fiscal year 2017, and for other purposes; to the Committee on Agriculture.

By Mr. OWENS:

H.R. 4949. A bill to suspend temporarily the duty on certain bulk container bags; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 4950. A bill to suspend temporarily the duty on certain drive-axles; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 4951. A bill to suspend temporarily the duty on non-driving axles; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 4952. A bill to suspend temporarily the duty on gear boxes; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself and Mr. BILBRAY):

H.R. 4953. A bill to amend the Internal Revenue Code of 1986 to provide a credit for the production of renewable chemicals; to the Committee on Ways and Means.

By Mr. PETRI:

H.R. 4954. A bill to suspend temporarily the duty on certain compression-ignition internal combustion piston engines; to the Committee on Ways and Means.

By Mr. PETRI:

H.R. 4955. A bill to suspend temporarily the duty on certain programmable controllers; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4956. A bill to suspend temporarily the rate of duty on Oleo Turmeric; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4957. A bill to suspend temporarily the rate of duty on Oleo Black Pepper; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4958. A bill to suspend temporarily the rate of duty on Oleo White Pepper; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4959. A bill to suspend temporarily the rate of duty on Oleo Cassia; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4960. A bill to suspend temporarily the rate of duty on Oleo Capsicum; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4961. A bill to suspend temporarily the rate of duty on Oleo Ginger; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4962. A bill to suspend temporarily the rate of duty on Oleo Celery; to the Committee on Ways and Means.

By Mr. SHERMAN (for himself and Mr. HINCHBY):

H.R. 4963. A bill to address the concept of "Too Big To Fail" with respect to certain financial entities; to the Committee on Financial Services.

By Mr. WATT:

H.R. 4964. A bill to suspend temporarily the duty on benzenesulfonyl chloride; to the Committee on Ways and Means.

By Mr. BOREN:

H. Res. 634. A resolution honoring RSU Public Television on the occasion of its 25th anniversary; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. STEARNS:

H.R. 4817.

Congress has the power to enact this legislation pursuant to the following:

Article I, § 8, clause 3, the Commerce Clause: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GOSAR:

H.R. 4818.

Congress has the power to enact this legislation pursuant to the following:

This legislation is being introduced in order to amend ERISA—which was passed based on a combination of Article 1 Section 8 Clause 3 (commerce clause) and Article 1 Section 8 Clause 18 (the necessary and proper clause).

By Ms. SCHAKOWSKY:

H.R. 4819.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. SCHAKOWSKY:

H.R. 4820.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. SCHAKOWSKY:

H.R. 4821.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. BERMAN:

H.R. 4822.

Congress has the power to enact this legislation pursuant to the following:

The United States Constitution, Article I, Section 8.

By Mr. BERMAN:

H.R. 4823.

Congress has the power to enact this legislation pursuant to the following:

The United States Constitution, Article I, Section 8.

By Mr. BERMAN:

H.R. 4824.

Congress has the power to enact this legislation pursuant to the following:

The United States Constitution, Article I, Section 8.

By Mr. SULLIVAN:

H.R. 4825.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

Article V

“The Congress shall have power . . . when ever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that

no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.”

By Mr. DAVIS of Kentucky:

H.R. 4826.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. NUNNELEE:

H.R. 4827.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. NUNNELEE:

H.R. 4828.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. NUNNELEE:

H.R. 4829.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. WILSON of South Carolina:

H.R. 4830.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. WILSON of South Carolina:

H.R. 4831.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. WILSON of South Carolina:

H.R. 4832.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. WILSON of South Carolina:

H.R. 4833.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. WILSON of South Carolina:

H.R. 4834.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. WILSON of South Carolina:

H.R. 4835.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. WILSON of South Carolina:

H.R. 4836.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. WILSON of South Carolina:

H.R. 4837.

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1. “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. WILSON of South Carolina:

H.R. 4838.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. WILSON of South Carolina:

H.R. 4839.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. WILSON of South Carolina:

H.R. 4840.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. WILSON of South Carolina:

H.R. 4841.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. WILSON of South Carolina:

H.R. 4842.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. RUNYAN:

H.R. 4843.

Congress has the power to enact this legislation pursuant to the following:

The Commerce clause Article 1, Section 8, clause 3 of the Constitution

By Mr. RUNYAN:

H.R. 4844.

Congress has the power to enact this legislation pursuant to the following:

The Commerce clause Article 1, Section 8, clause 3 of the Constitution

By Mr. DAVIS of Kentucky:

H.R. 4845.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Ms. BALDWIN:

H.R. 4846.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article 1, Section 8 of the Constitution of the United States.

By Mr. FLORES:

H.R. 4847.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

By Mr. CLARKE of Michigan:

H.R. 4848.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the United States Constitution and Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. NUNES:

H.R. 4849.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of section 3 of article IV of the Constitution of the United States.

By Mr. ADERHOLT:

H.R. 4850.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—The Commerce Clause and Article I, Section 8, Clause 18—Necessary and Proper Clause.

By Mr. ANDREWS:

H.R. 4851.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4852.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4853.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4854.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4855.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4856.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4857.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4858.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4859.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4860.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4861.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4862.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4863.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4864.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4865.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4866.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4867.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. ANDREWS:

H.R. 4868.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. BOSWELL:

H.R. 4869.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States of America.

By Mr. CAMPBELL:

H.R. 4870.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution of the United States.

By Mr. CAMPBELL:

H.R. 4871.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution of the United States.

By Mr. CAMPBELL:

H.R. 4872.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution of the United States.

By Mrs. CAPITO:

H.R. 4873.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CAPITO:

H.R. 4874.

By Mr. CLARKE of Michigan:

H.R. 4904.

Congress has the power to enact this legislation pursuant to the following:
clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4905.

Congress has the power to enact this legislation pursuant to the following:
clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4906.

Congress has the power to enact this legislation pursuant to the following:
clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4907.

Congress has the power to enact this legislation pursuant to the following:
clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4908.

Congress has the power to enact this legislation pursuant to the following:
clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4909.

Congress has the power to enact this legislation pursuant to the following:
clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4910.

Congress has the power to enact this legislation pursuant to the following:
clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4911.

Congress has the power to enact this legislation pursuant to the following:
clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4912.

Congress has the power to enact this legislation pursuant to the following:
clause 3 of section 8 of article I of the Constitution.

By Mr. COFFMAN of Colorado:

H.R. 4913.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authorities on which this bill rests are:

The power of Congress "to make rules for the government and regulation of the land and naval forces" in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. COSTA:

H.R. 4914.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sec. 8, "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States: but all Duties, Imposts and Excises shall be uniform throughout the United States;"

By Mr. DOYLE:

H.R. 4915.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. DOYLE:

H.R. 4916.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mrs. ELLMERS:

H.R. 4917.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. The Congress shall have Power To lay and collect. Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By extension of this Clause, Congress may also set the level of said duties including lowering them to zero where warranted.

By Ms. FUDGE:

H.R. 4918.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. GENE GREEN of Texas:

H.R. 4919.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution—"The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. GENE GREEN of Texas:

H.R. 4920.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution—"The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. GENE GREEN of Texas:

H.R. 4921.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution—"The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. GENE GREEN of Texas:

H.R. 4922.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution—"The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. HANNA:

H.R. 4923.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. HANNA:

H.R. 4924.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. HANNA:

H.R. 4925.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. HARRIS:

H.R. 4926.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the Constitution of the United States.

By Mr. HARRIS:

H.R. 4927.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the Constitution of the United States.

By Mr. HARRIS:

H.R. 4928.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the Constitution of the United States.

By Mr. HARRIS:

H.R. 4929.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the Constitution of the United States.

By Mr. HUIZENGA of Michigan:

H.R. 4930.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power "To regulate Commerce with foreign Nations."

By Mr. HUIZENGA of Michigan:

H.R. 4931.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power "To regulate Commerce with foreign Nations."

By Mr. HUIZENGA of Michigan:

H.R. 4932.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power "To regulate Commerce with foreign Nations."

By Mr. KIND:

H.R. 4933.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to provide for the common Defence", "to raise and support Armies", "to provide and maintain a Navy" and "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution.

By Mr. LATOURETTE:

H.R. 4934.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4935.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4936.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4937.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4938.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4939.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4940.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4941.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4942.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4943.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4944.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4945.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4946.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. MICHAUD:

H.R. 4947.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. NOEM:

H.R. 4948.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. OWENS:

H.R. 4949.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which gives Congress the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. OWENS:

H.R. 4950.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which gives Congress the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. OWENS:

H.R. 4951.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which gives Congress the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. OWENS:

H.R. 4952.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which gives Congress the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. PASCRELL:

H.R. 4953.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PETRI:

H.R. 4954.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution which states: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;"

AND

Article I, Section 8, Clause 3 of the U.S. Constitution which grants Congress the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

By Mr. PETRI:

H.R. 4955.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution which states: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;"

AND

Article I, Section 8, Clause 3 of the U.S. Constitution which grants Congress the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

By Mr. RUPPERSBERGER:

H.R. 4956.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for

carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4957.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4958.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4959.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4960.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4961.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4962.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SHERMAN:

H.R. 4963.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (the Commerce Clause).

By Mr. WATT:

H.R. 4964.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . ."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 23: Mr. ROSS of Arkansas.
- H.R. 85: Ms. WATERS and Mr. OLVER.
- H.R. 157: Mr. GOSAR.
- H.R. 218: Ms. WATERS.
- H.R. 327: Mr. PASCRELL.
- H.R. 329: Mr. STEARNS, Mr. PETRI, and Mr. PETERSON.
- H.R. 361: Mr. LOBIONDO.
- H.R. 365: Mr. GALLEGLY.
- H.R. 374: Mr. GRIMM.
- H.R. 409: Mr. PETRI.
- H.R. 451: Mrs. MILLER of Michigan and Mr. ANDREWS.
- H.R. 459: Mr. PETERSON.
- H.R. 721: Mr. PRICE of Georgia.
- H.R. 743: Mr. MCGOVERN.
- H.R. 807: Mr. COOPER.
- H.R. 860: Ms. WATERS.
- H.R. 885: Mr. MCNERNEY, Mr. DAVIS of Illinois, Mr. OWENS, Mr. LUJÁN, Ms. HANABUSA, Ms. MCCOLLUM, Mr. LARSON of Connecticut, Mr. CLAY, and Mr. PASTOR of Arizona.
- H.R. 1006: Mr. RANGEL.
- H.R. 1190: Mr. THOMPSON of California, Mr. SCHOCK, and Mr. DOGGETT.
- H.R. 1375: Mr. CLARKE of Michigan, Mr. MCDERMOTT, and Mr. SHERMAN.
- H.R. 1386: Mr. SHERMAN, Ms. LORETTA SANCHEZ of California, Mr. BRADY of Pennsylvania, Mr. DAVIS of Illinois, Mr. BLUMENAUER, Ms. CHU, Mr. CROWLEY, Mr. ROSKAM, Mr. NEAL, Mr. HIGGINS, Mr. HEINRICH, Mr. BOSWELL, Mr. SMITH of Washington, and Mr. CLARKE of Michigan.
- H.R. 1543: Ms. NORTON.
- H.R. 1592: Mr. LOBIONDO.
- H.R. 1639: Ms. BUERKLE.
- H.R. 1684: Mr. HIGGINS.
- H.R. 1697: Mr. MEEHAN.
- H.R. 1845: Mr. HECK, Mr. MCGOVERN, Mr. PETRI, Mrs. CAPPS, Ms. TSONGAS, and Mr. HARPER.
- H.R. 1955: Mr. MEEHAN.
- H.R. 1957: Mrs. MALONEY.
- H.R. 1960: Ms. BALDWIN.
- H.R. 1968: Mr. FORTENBERRY.
- H.R. 2051: Mr. YODER.
- H.R. 2069: Mr. PALLONE and Mr. ANDREWS.
- H.R. 2108: Mr. GOSAR and Mr. JOHNSON of Ohio.
- H.R. 2134: Ms. PINGREE of Maine.
- H.R. 2161: Mrs. NAPOLITANO.
- H.R. 2185: Mr. FILNER.
- H.R. 2206: Mrs. ROBY.
- H.R. 2230: Mr. SABLAN.
- H.R. 2245: Ms. BONAMICI.
- H.R. 2269: Mr. HANNA.
- H.R. 2299: Mr. WESTMORELAND and Mr. LOBIONDO.
- H.R. 2429: Mr. YODER.
- H.R. 2569: Mr. HULTGREN.

- H.R. 2697: Mr. TIBERI.
- H.R. 2810: Mr. CONAWAY and Mr. NUNNELEE.
- H.R. 2888: Mr. YODER.
- H.R. 2962: Mr. HANNA.
- H.R. 3032: Mr. BOSWELL.
- H.R. 3125: Ms. ZOE LOFGREN of California.
- H.R. 3126: Mr. ROTHMAN of New Jersey.
- H.R. 3173: Mr. WITTMAN and Mr. DEFazio.
- H.R. 3187: Mr. ROSKAM and Mr. GALLEGLY.
- H.R. 3238: Mr. BERG and Mr. ROGERS of Kentucky.
- H.R. 3368: Ms. PINGREE of Maine.
- H.R. 3395: Mr. DENT.
- H.R. 3433: Mr. SCOTT of South Carolina.
- H.R. 3461: Mr. BARLETTA, Mr. GUTIERREZ, Mr. CONAWAY, and Mr. SCHRADER.
- H.R. 3596: Mr. GUTIERREZ and Ms. TSONGAS.
- H.R. 3609: Mr. SCOTT of South Carolina.
- H.R. 3665: Ms. PINGREE of Maine.
- H.R. 3679: Mr. LATOURETTE, Mr. LARSEN of Washington, Ms. FUDGE, Mr. SCHRADER, Mr. FALCOMA, and Ms. LINDA T. SANCHEZ of California.
- H.R. 3704: Ms. MOORE, Mr. NADLER, and Mr. BERMAN.
- H.R. 3728: Mr. ROSS of Florida, Mr. SOUTHERLAND, Mr. WESTMORELAND, and Mr. YODER.
- H.R. 3737: Mr. MEEHAN.
- H.R. 3803: Ms. BUERKLE, Mr. PRICE of Georgia, Mr. LATHAM, Mr. MICA, Mr. CRENSHAW, Mr. AMODEI, Mr. RENACCI, Mr. SESSIONS, Mr. NUGENT, Mr. YOUNG of Florida, and Mr. TURNER of Ohio.
- H.R. 3826: Mr. CUELLAR, Mr. MARKEY, and Ms. EDDIE BERNICE JOHNSON of Texas.
- H.R. 3828: Mr. SCOTT of South Carolina.
- H.R. 3838: Mr. STARK.
- H.R. 3848: Mr. FINCHER, Mr. JOHNSON of Ohio, Mr. WEST, and Mr. ROGERS of Kentucky.
- H.R. 3863: Mr. MCGOVERN.
- H.R. 3985: Mrs. ELLMERS.
- H.R. 3989: Mr. BARLETTA.
- H.R. 3990: Mr. BARLETTA.
- H.R. 4017: Mr. LATHAM.
- H.R. 4066: Mrs. BLACKBURN.
- H.R. 4070: Mrs. MCCARTHY of New York and Mr. TOWNS.
- H.R. 4077: Ms. RICHARDSON and Mr. SIRES.
- H.R. 4083: Mr. CARSON of Indiana.
- H.R. 4120: Mr. MEEHAN, Mr. HIGGINS, and Mr. FORTENBERRY.
- H.R. 4122: Mr. MARKEY.
- H.R. 4132: Mr. PETERSON, Mr. ROSS of Florida, Mr. POLIS, Mr. POSEY, and Mr. GUTHRIE.
- H.R. 4137: Mr. DINGELL.
- H.R. 4144: Ms. LEE of California.
- H.R. 4157: Mr. PEARCE, Mr. PETERSON, Mr. SCHILLING, Mrs. HARTZLER, Mr. DESJARLAIS, Mr. BARTLETT, Mr. TIPTON, Mr. DENHAM, Mr. FLORES, Mr. POE of Texas, Mr. GOODLATTE, Mr. KINZINGER of Illinois, and Mr. ROGERS of Kentucky.
- H.R. 4169: Mr. SMITH of New Jersey.
- H.R. 4192: Ms. HANABUSA, Mr. POLIS, Mr. LANGEVIN, Ms. EDWARDS, Mr. JACKSON of Illinois, Mr. COOPER, and Ms. CHU.
- H.R. 4201: Mr. JONES and Mr. KLINE.
- H.R. 4202: Mr. CLARKE of Michigan and Ms. FUDGE.
- H.R. 4222: Mr. PASTOR of Arizona.
- H.R. 4229: Mr. BRALEY of Iowa, Mrs. HARTZLER, Mr. PAULSEN, and Mr. MCGOVERN.
- H.R. 4243: Mr. SHUSTER, Ms. BUERKLE, and Mr. CLAY.
- H.R. 4257: Mr. VAN HOLLEN.

- H.R. 4269: Mr. COBLE.
- H.R. 4271: Mr. CICILLINE, Ms. SUTTON, Mr. DOGGETT, and Mr. PASTOR of Arizona.
- H.R. 4275: Mr. ELLISON and Ms. CHU.
- H.R. 4286: Ms. CLARKE of New York and Mr. CLARKE of Michigan.
- H.R. 4290: Mr. TOWNS, Ms. NORTON, Mr. CLARKE of Michigan, Mr. MCGOVERN, Mr. GUTIERREZ, Mr. DAVID SCOTT of Georgia, Mr. CUMMINGS, Mrs. DAVIS of California, Ms. ZOE LOFGREN of California, Ms. TSONGAS, Mr. MCNERNEY, Mr. DAVIS of Illinois, Mr. ROSS of Arkansas, and Ms. BALDWIN.
- H.R. 4330: Mr. OWENS, Mr. JONES, Mr. AUSTIN SCOTT of Georgia, Mr. CRAWFORD, and Mr. FINCHER.
- H.R. 4335: Mr. MICHAUD, Mr. CONNOLLY of Virginia, Mr. STARK, and Mr. ENGEL.
- H.R. 4336: Mr. TURNER of Ohio.
- H.R. 4367: Mr. CLEAVER, Mr. FINCHER, Ms. HAYWORTH, Mr. CLAY, and Mr. STIVERS.
- H.R. 4371: Mr. RANGEL.
- H.R. 4379: Ms. MCCOLLUM.
- H.R. 4502: Mr. HARRIS.
- H.R. 4503: Mr. HARRIS.
- H.R. 4504: Mr. HARRIS.
- H.R. 4505: Mr. HARRIS.
- H.R. 4643: Ms. JENKINS, Mr. GERLACH, Mr. HERGER, Mr. SCHOCK, and Mr. RANGEL.
- H.R. 4770: Mr. GERLACH.
- H.R. 4816: Mrs. CAPPS, Mr. SCHIFF, Mr. BUTTERFIELD, Mr. ELLISON, Ms. BERKLEY, Mr. SHERMAN, Mr. CICILLINE, Mr. COSTELLO, Ms. HIRONO, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Ms. ESHOO, Mr. SIRES, Mr. HIGGINS, Ms. MCCOLLUM, Mr. CARNEY, Mr. DAVID SCOTT of Georgia, Mr. LOEBSACK, Mr. ROTHMAN of New Jersey, Mr. MARKEY, and Ms. SPEIER.
- H.J. Res. 106: Mr. DANIEL E. LUNGREN of California.
- H.J. Res. 107: Mr. CANSECO.
- H. Con. Res. 115: Mr. BUCHANAN, Mr. PAULSEN, Mr. TURNER of Ohio, Mr. AMODEI, Mr. MCKINLEY, Mr. SCHILLING, and Mrs. NOEM.
- H. Con. Res. 120: Mr. CICILLINE and Mr. MCGOVERN.
- H. Res. 220: Mr. GALLEGLY.
- H. Res. 351: Ms. NORTON, Mr. GERLACH, Mr. CARSON of Indiana, Ms. LEE of California, Mr. SIRES, Mr. CARNAHAN, and Mr. FILNER.
- H. Res. 568: Mr. HALL, Ms. LINDA T. SANCHEZ of California, and Mr. LEVIN.
- H. Res. 592: Mr. HIGGINS.
- H. Res. 608: Mr. MORAN.
- H. Res. 609: Mr. MCGOVERN and Mr. RANGEL.
- H. Res. 611: Mr. SHUSTER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative LANGEVIN, or a designee, to H.R. 3523, the Cyber Intelligence Sharing and Protection Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SENATE—Thursday, April 26, 2012

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Joel Osteen, senior pastor of the Lakewood Church in Houston, TX.

The guest Chaplain offered the following prayer:

Let us pray.

Father we receive Your blessings today with grateful hearts, and thank You for the favor that You show us.

As we pray for those who lead our Nation, we ask that You bless this body and those who serve in it. We thank You that these lawmakers serve with honor and integrity, and that You will continue to bless our Nation through them. Give them wisdom that they will make good decisions, courage that they will hold fast to Your truth, and compassion that all should prosper from their laws. We receive Your presence here today, Father, and pray that these lawmakers will remain mindful of You and that they will honor You in everything they do.

In Jesus' Name we pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 26, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1925, which the clerk will report.

The assistant legislative clerk read as follows.

A bill (S. 1925) to reauthorize the Violence Against Women Act of 1994.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

GUEST CHAPLAIN JOEL OSTEEN

Mrs. HUTCHISON. It is my pleasure to be able to introduce our guest Chaplain, Joel Osteen, pastor of Lakewood Church in Houston. He is a native Texan and attended Oral Roberts University in Tulsa, OK.

For 17 years, Pastor Osteen worked behind the scenes for his father John, who founded Lakewood Church in 1959.

In 1999, after his father passed away, Pastor Osteen accepted God's call to service in the church and took over the reins as senior pastor, despite having only preached once in his life.

It was soon clear that this new, young preacher had a natural gift for speaking and was able to personally connect with diverse audiences with the inspirational message of God's love. Since that time, he and his wife and copastor Victoria have led Lakewood through extraordinary growth.

In 2005, the Osteens moved Lakewood Church from its original home in northeast Houston to the former home of the Houston Rockets basketball team. With this space, Pastor Osteen now delivers a message of hope and encouragement to 38,000 people a week, with millions more across the country tuning in on their televisions.

Pastor Osteen has reached millions more as a best-selling author. His first book, "Your Best Life Now," was released in 2004 and remained on the New York Times bestseller list for 2 years.

His most recent book, "Every Day a Friday," offers commonsense advice on how to be happy by applying the principles of God's word to your daily life. Pastor Osteen has spoken throughout the world, and that is what brings him to the Capitol today.

On Saturday the Osteens will lead thousands in what is billed as "a night of hope" at Nationals Park in Washington. That message of hope and encouragement is what has attracted me and my family to watch Pastor Osteen on Sunday morning. I have been to his church. He welcomed me and my daughter, Bailey—whose 11th birthday is today—at Lakewood Church 2 years ago, and I got to see this awesome place that he fills every single Sunday—sometimes more than the Houston Rockets ever did, I have to say.

I do want to say that the Chaplain of the Senate, Dr. Barry Black, who works with us every week in the Senate, with all of our staffs, was wonderful to help in assisting to bring Pastor Osteen to the podium to open our Senate this morning. It is a wonderful Senate tradition that we start our day by thanking God for this wonderful world and also remembering the mantle of leadership and responsibility that is on our shoulders and trying to do the very best we can with that message.

Again, I thank Pastor Osteen and his wife Victoria, who are wonderful people whom I have gotten to know through the years. They have inspired so many of us in our travails of life.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, the Senate is now considering S. 1925, with the time until 11:30 for debate only. The Republicans will control the first 45 minutes and the majority will control the second 45 minutes.

At 11:30 today the Senate will proceed to executive session to consider the Costa and Guaderrama nominations, both nominated to be U.S. district judges for Texas. At noon there will be two votes on the confirmation of these nominations.

Senator MCCONNELL and I are trying to work through a way to proceed on the Violence Against Women Reauthorization Act. I hope to be able to have some announcement around 2 o'clock.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. McCONNELL. Mr. President, the Senate is now debating the Violence Against Women Act.

We began debate on this legislation by consent, and we would like to complete action on this legislation also by consent. We have been working to enter into an efficient consent agreement with only a couple of relevant amendments and with very short time agreements for processing them.

This approach is in keeping with how Republicans have handled VAWA in the past. This approach would also allow us to complete the bill today. These relevant amendments would give the Senate the opportunity to strengthen the law, especially in terms of the punishment for those who commit violence against women.

As my friend, the majority leader, noted yesterday, a good way to lower the incidence of violent crime is to incarcerate those who commit it. We could not agree more. We would like the chance to improve the law in that respect.

HONORING OUR ARMED FORCES

CAPTAIN DANIEL H. UTLEY

Mr. McCONNELL. Mr. President, I rise this morning to acknowledge the loss of an American hero and patriot. It is my sad duty today to report to my colleagues that Kentucky has lost one of our finest heroes in uniform. This particular loss is very personal to me, as I knew this outstanding young man very well.

CPT Daniel H. Utley of the U.S. Army was killed in the North African country of Mali just a few days ago, on April 20, 2012, while on a training mission to help the local citizens combat terrorism. Dan was 33 years old.

For his service to our country, Captain Utley received many medals, awards, and decorations, including the Bronze Star Medal, the Defense Meritorious Service Medal, the Army Commendation Medal, the Joint Service Achievement Medal, the Army Achievement Medal, the Joint Meritorious Unit Award, the National Defense Service Medal, the Afghanistan Campaign Medal with Combat Star, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korean Defense Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, and the NATO Medal. Captain Utley also received the Basic Parachutist Badge and his Thailand Jump Wings.

Charley Utley, Dan's Father said:

He was a great young man; he was a great son. He always put other people ahead of himself. He did an outstanding job while he was there. He loved being in the Army. He enjoyed what he was doing, and he really thought he was making a difference.

It goes without saying that every man and woman in our Armed Forces is an American of special fortitude and character. But I can personally testify to that truth on behalf of Dan Utley.

At my alma mater, the University of Louisville, I was glad to have begun the McConnell Scholars Program, a rigorous and prestigious scholarship program for the finest students in Kentucky that prepares them for a lifetime of leadership and service. Dan was one of the best McConnell Scholars to ever grace the program.

I could not agree more with my good friend, Dr. Gary Gregg, the director of the McConnell Scholars Program, who said of Dan's loss: "America has lost a rising star."

Dan was born in Bowling Green, KY, on April 13, 1979. He was raised in Glasgow, KY, and he went to Glasgow High School where he played soccer and was a member of the academic team. He was also a member of Glasgow's First Christian Church.

Dan had a lot of hobbies, but most of them had one thing in common: They did not take place inside four walls or under a roof. "He loved the outdoors," remembers Dan's father, Charlie. "He loved camping, hiking, biking, jumping out of airplanes, canoeing, kayaking—anything to do with the outdoors."

Dan graduated from high school in 1997, and he was awarded a McConnell scholarship to attend the University of Louisville.

Dr. Gregg said:

Dan was a workhorse of a McConnell Scholar. There are people who serve for title and glory; Dan was a young man who served in order to serve. When he was an undergraduate, he would volunteer for any cause that came along. He was always trying to help out the underdog. His heart was always bigger than his ego; his compassion for others always outshone his ambition for self. His life was no different in the U.S. Army—what he loved most was serving others in need.

I got to know Dan very well during his time in college, and I came to appreciate what a remarkable young man he was. He was extremely smart. He was also one of the most popular students in the program.

Dan spent one semester in college working in the Kentucky State Legislature, helping to write bills and assisting State senators and representatives with whatever they needed. Dan graduated from the University of Louisville in 2001 with a bachelor's degree with honors in political science. After college, for a time, he enrolled in law school but soon decided, because of his desire to serve, that his path to fulfillment lay in military service.

When I first met Dan, a military career was certainly not at all what I would have expected him to do. But it just goes to show the growth and maturity this young man achieved in such a very short time.

"He was in law school, but after 9/11, he wanted to do something," says Charlie Utley. "He was miserable in law school because he wanted to do something for his country."

Dan's friend and fellow McConnell Scholar, Connie Wilkinson-Tobbe, agrees and this is what she said:

Dan was ready to live life, and he was probably smarter than everybody sitting in [law school]. That was not stimulating enough for him, and he was ready to do great things.

So in 2003, Dan joined the Army and went through OCS. In almost a decade of Army service, Captain Utley served in many posts, all of them challenging and proof of his skill and talent. He was stationed or deployed in South Korea for 24 months, in Kuwait for 12 months, in Afghanistan for 13 months, and his final deployment in Mali lasted 7 months.

He served in capacities such as tactical communications platoon leader, operations officer while in Kuwait, aide-de-camp for a general in the 160th Signal Brigade, and brigade civil affairs officer in the 101st Airborne. After successfully completing a civil affairs qualifications course, Dan was assigned to F Company, 91st Civil Affairs Battalion, (Airborne), as a team leader.

Let me quote again from Dr. Gregg.

I particularly remember when he called and told me he was being made an aide-de-camp and was going to get a new shoulder holster as part of his job protecting the general he served. It was a position of great honor and he was humbled to have been chosen, but he wanted to talk most about his cool new side arm!

Earlier this year, the news magazine for the U.S. Agency for International Development—Frontlines—published an article about America's efforts to combat instability in Mali, one of the poorest countries in the world. The article stated:

"The presence of the terrorist group al-Qaida in the Islamic Maghreb, which has its roots in the Algerian Civil War, now poses a threat of violent extremism" in the country.

That is why the U.S. Army, and specifically Captain Utley, was in Mali in the first place. As a team member of the Department of Defense's Civil Military Support Element, Captain Utley was quoted in this article on the valiant work he and his fellow soldiers were doing just a few months before his tragic death.

In September 2004, Dan married Katie, also an Army officer. They had their wedding in Hawaii. Katie was commissioned through the ROTC Program at the University of Georgia, and is now a captain in the Army with the 82nd Airborne, based out of Fort Bragg, NC.

We are thinking of CPT Dan Utley's loved ones today, especially his wife, CPT Katie M. Utley; his father, Charles L. Utley; his mother, Linda H. Utley; his brother and sister-in-law, Charles L. Utley, II, and Maria; his brother and sister-in-law, Matthew R. Utley and Michelle; his nephews, Matthew Ryan Utley and Mason Robert Utley; his niece, Marleigh Rose Utley; his maternal grandmother, Pauline Haynes; his parents-in-law, Chris and Peggy Michael; his brother-in-law, Matthew Michael; and many other beloved family members and friends.

I also know for a fact many faculty members of the University of Louisville, staff members for the McConnell Center, and current and former McConnell scholars will dearly miss Dan. I certainly will.

I had the honor of watching Dan grow from a teenager to a brave and virtuous man who willingly sacrificed everything to defend his friends and his family and his country. Elaine and I extend our deepest sympathies to all who knew and loved him, and I would ask my Senate colleagues to join me in expressing our respect and gratitude to this fine young man, CPT Daniel H. Utley. Let our work here today serve to ensure our country never forgets the duty he fulfilled by putting on the uniform—or the great sacrifice he made in a country many of us could not even find on a map in order to protect our freedoms here at home.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11:30 a.m. will be for debate only and will be equally divided between the two leaders or their designees, with the Republicans controlling the first 45 minutes and the majority controlling the second 45 minutes.

The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I want to express my appreciation to the Republican leader for his remarks about Captain Utley. I have had the honor to talk with McConnell scholars on a number of occasions from Louisville. They are such a fine group of people, and I know how deeply our leader feels this loss. I certainly will join him in my expressions to the family.

I recall General Myers, former Chairman of the Joint Chiefs of Staff, when someone suggested soldiers who were injured or lost their lives were victims, saying they are not victims, they are heroes. They committed themselves to serving their country. They believe our country is worthy of defense and they are willing to put their lives on the line for it, and they are heroes. And certainly this captain was.

Mr. MCCONNELL. Mr. President, I wish to thank my friend from Alabama for his kind remarks about this brave young man.

Mr. SESSIONS. I thank the leader.

THE BUDGET

Mr. SESSIONS. Mr. President, this Sunday, April 29, in a few days, will mark the third anniversary of the last time the Democratic-led Senate has passed a budget. Since that date, our Nation has spent \$10.4 trillion while adding \$4.5 trillion to the national debt. And that is how it is that we say nearly 40 cents of every dollar we are spending now is borrowed.

We have accumulated \$10.4 trillion in spending over these years since we have had a budget and we have added \$4.5 trillion to the debt. We are in our

fourth consecutive year of trillion-dollar-plus deficits and heading into the fifth year. Prior to these 4 years, the largest deficit we ever had was about \$480 billion. We have more than doubled that every year since.

It is a systemic problem—and not a little problem. The economy coming back would help, no doubt, but it will not put us on a sound path. We have to make some choices. Every person in America now owes, as their share of the national debt, \$45,000—every American. Every man, woman, and child is carrying that amount as their burden as a result of the overspending of this Congress.

For perspective—and we need perspective because the numbers are often hard to grasp—that per-person number is larger than any of the rest of the world, including Greece. Our per-person debt is greater than the per-person debt of Greece. Yet at this time of financial crisis, the majority in the Senate refuses to perform its legally required duty and moral responsibility to produce a budget plan, which is part of the United States Code dating back to 1974 under the Congressional Budget Act. And a budget requires, as under that Act, only 51 votes to pass. It cannot be filibustered. It is given a priority.

In 1974, Congress was obviously disappointed that we were not moving forward effectively with budgets, and a budget is crucial to the financial stability of a nation. That is why they passed the Congressional Budget Act and ensured that a budget cannot be filibustered in the Senate. It is guaranteed a right to have a vote. It is required to be brought up in committee by April 1 and moved forward by April 15. That is what the statute requires. Unfortunately, it doesn't require that Congress go to jail if it doesn't pass a budget. Or perhaps, as Senator HELLER from Nevada has suggested, maybe Congress ought not to be paid if they do not pass a budget. Maybe that reform would be good for us.

The majority has refused to bring up a budget. They have not even attempted to pass a budget this year, and they refused to do so the last 2 years before this. The absence of a budget is not simply a case of inaction; the Senate majority has pursued a systemic, deliberate, and determined policy—I believe a politically driven policy—to keep a budget off the floor. Why? To attempt to shield its conference from public accountability during this period of financial danger.

The worst possible time not to have a budget, not to have a plan, not to stand up and tell the American people what our financial vision for the country is, would be in a time of deep financial crisis, when we are on an unsustainable path. Yet they are not even willing to present a financial plan for the future of America. And when criticized about

it, the White House says one thing, Speaker PELOSI another, the Democratic leader here has another explanation, but none of reasons are coherent or make real sense.

Why? I guess there is no explanation. There can be no justifiable reason why this responsibility is not fulfilled. They say, maybe one day. Maybe it wouldn't pass ultimately. Maybe we wouldn't agree. But the Republican House felt its responsibility to comply with the law, and it has for the last 2 years. They laid out a long-term plan for America that changes our debt course and puts us on a financial path to stability. That is our responsibility. Oh, yes, the Senate called it up here. For what reason? So they could attack it and bring it down, but not to lay out any plan of their own.

When Senator MCCONNELL called up President Obama's budget last year, he said, let's see if you want to vote for that. You voted down the House budget and attacked PAUL RYAN and his colleagues for the historic work they put into drafting their budget. Let's see what you think about your President's budget. It went down 95 to 0. Not a single Member voted for it.

So while government workers have been throwing lavish parties in Las Vegas, President Obama has not been roused to impose managerial discipline on this government. He has yet to call on his party, which is running the Senate, to produce a financial plan. His own budget this year was brought up in the House and didn't receive a single vote. Yet both he and the Senate Democrats continue to call for higher taxes. They say we must have higher taxes. How can they ask Americans to send more money to Washington when the Senate's majority won't even write a budget; won't even tell them where they are going to spend the money? They just say, send us more. We need more. We are not going to cut spending. Oh, we can't cut spending—that would be terrible—but you need to send us more money, and maybe one day we will pass a budget; maybe not.

The American people shouldn't send one more dime in new taxes to this dysfunctional government. They should say to Washington, you lay out a plan that puts us on a sound financial path, you bring wasteful spending to a conclusion, you quit spending money on Solyndras and hot tubs in Las Vegas, then you talk to me about sending more money. That is what the American people need to say. That is what they are saying. That is what they said in 2010, I thought pretty clearly, but the message has not been received.

National Review's Rich Lowry recently wrote an article in which he refers to Senator CONRAD, our fine Democratic chairman of the Budget Committee. This is what he wrote:

Senator Conrad said it was too hard to pass a budget in an election year.

So that was one of the arguments—well, we don't need to bring up a budget because it is an election year and we don't want to be having a vote before we have to be voted on by the American people. They might not like the way we voted. They might vote us out of office. They might be disappointed in us if they see us actually take tough votes on what we are going to have to do about the future of the Republic.

Mr. Lowry goes on:

But Senate Democrats hadn't passed one in 2011 or 2010, either. This year is a presidential election, 2011 was an off-year, and 2010 was a midterm election. That covers every kind of year there is in Washington. By this standard, the Senate will have an annual excuse not to pass a budget resolution for the rest of time.

I think there is a lot of truth to that. So they can't pass a budget this year because it is an election year. Well, last year wasn't.

So this Sunday, April 29, we will have gone 3 full years since the last time the Senate Democrats have brought a budget to the floor of the Senate—3 years. They won't produce a plan because they are unable to produce a plan. And it is hard, I have to admit. The House has done it, but the Senate seems to be unable to do it. They are unable to unite behind a financial vision for this country that they are willing to go to the American people and advocate for and publicly defend. Now, that is my view of it. Maybe it is unfair, but I don't think so. So they can't put on paper how much they want the government to grow, how much they want to raise taxes, and how much deficit each year they are willing to accept and whether that deficit is going to be brought under control permanently or whether it will continue at the unsustainable rate it is.

There have been a lot of secret meetings and discussions about what might be involved in an agreement that could or could not occur. There has been a lot of talk about that. But what has been carefully avoided is actually letting the American people see the numbers so they can be totaled and we can precisely measure the impact.

Last year our colleagues indicated that we would have a Budget Committee markup on a budget, that they had a plan, and it was going to be Monday, and then it was going to be Tuesday. Then the Democratic conference met, and they laid out some broad outline for it. Then apparently they told Senator CONRAD not to have a budget markup. So we didn't even have anything brought up in the Budget Committee last year as required by the law.

But you could take a look at that budget. It would have increased spending, not reduced spending. It would have increased taxes significantly but would have managed to cut the Defense Department \$900 billion. That is what the outlines of it appear to be. That is a pretty tough budget to go to the American people with—

increase taxes, and savage the Defense Department. Well, I don't think that was very popular. Maybe politically it was foolish, as Senator REID had said, to bring up such a budget to the American people. Maybe they ought to look at the Ryan budget in the House. It is much more responsible. It reduces spending, even simplifies and lowers taxes, creating a growth environment, and it puts us on a financial path for the next 30 years that anybody who looks at America would say: Wow. They have changed. They have a plan that will get them out of this fix they are in. They have gotten off the path to the waterfall, and they are on a sound course now.

So I would encourage my colleagues who think there is a legitimate reason not to lay out a plan, not to fight for the future of America, a reason not to advocate for the kinds of changes we all know have to occur—if you think those are not important, then I invite you to come to the floor and dispute what I have said and explain why we don't need to move forward as the law requires us to do.

I don't know how things will happen, but as ranking member of the Budget Committee and seeing the numbers, I know reality is not going to be easily confronted. It is not going to be easy. We are going to have to look at the almost 60 percent of the budget now that is entitlements and interest on the debt. I believe interest on the debt last year was calculated by the Congressional Budget Office to go from \$240 billion to over \$900 billion under the President's budget. These are annual interest payments on the trillions of dollars we now owe in debt—that is unsustainable.

I know it is not going to be easy. I would just say that if we on the Republican side are honored with a majority in the Senate, we will pass a budget. It will be an absolute duty, as far as I can see, for us to do so. It will be an honest budget. It won't be easy, and the American people may be surprised at what would be required to change the debt and deficit course we are on. But our budget would put us on a path to a financially prosperous America, get us off the road to debt and decline, and put us on a path to growth and prosperity. That is what we have to have.

Until the world's financial community and the American people understand that we are on a good path and not a bad path, we are not going to see the economic growth we should be seeing. And it is through growth and prosperity and more jobs that we will pay more taxes. It will be those actions that will put America on the way to meet the great challenge of our time.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin is recognized.

Mr. JOHNSON of Wisconsin. Mr. President, I ask unanimous consent to speak not to exceed 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Wisconsin. Mr. President, I come to the floor today to mark an amazing anniversary. And by amazing, I don't mean good. I mean unbelievable. I mean sad. On Sunday we will mark the anniversary—April 29—of the date where it has been 3 years since the Senate has passed a budget. I know a lot of Americans have heard that date, they have heard the talking point that it has been 1,000-and-umpteenth days since we passed a budget. But it is not a talking point. It is simply unbelievable. It is jaw-dropping. The U.S. Government is the largest financial entity in the world, and it has been operating now for 3 years without a budget. It is a \$3.8 trillion-a-year entity.

I come from the private sector. I am an accountant. When I tell the voters, the citizens of Wisconsin, that the Federal Government hasn't passed a budget, they really are amazed. That is why I call it an amazing anniversary date.

The Senate has not fulfilled a basic responsibility. It is required by law to pass a budget by April 15 of every year. It is a reasonable requirement. It is a reasonable responsibility. The House Republicans have fulfilled their responsibility and have put forward a plan. They have shown the American people what they would do to solve our looming debt and deficit problem. The Senate hasn't.

Why hasn't the majority in the Senate passed a budget? They have all the votes. They have them in the Budget Committee to refer a budget to the floor. They have the votes and they have the number of Members on the floor of the Senate to pass a budget. Why do they refuse? Is it because they have no solutions to our problem or is it that they have a solution, and they simply don't want the American people to know what it is? "Trust us. We will take care of us." Is it also because they don't want their fingerprints on that solution? They don't want to be held accountable? I think more likely that is the reason we haven't passed a budget herein the Senate for 3 years now.

I guess they could claim President Obama's budget is their plan. But the problem with that is President Obama's last two budgets have been so unserious—last year his budget lost in this body of the Senate by a vote of 0 to 97. Not one member of the President's own party gave it a vote. As a matter of fact, not one member of the President's own party was willing to bring that budget to the floor for a vote. Republicans had to do that.

Now this year's budget—3 weeks ago, in the House of Representatives again, the President's budget was brought forward to the House—by a Republican,

not a Democrat. It lost 0 to 414. Again, I ask the American people to think about that. Think about what a stunning repudiation that is of leadership. What it really represents is a total abdication of leadership.

The American people deserve better. They deserve far better. They deserve to have a plan. They deserve to have a choice.

The President now has put forward four budgets. He has yet to propose any solution to save Social Security or to save Medicare. Again, the House has provided that plan. They have passed a budget. They have been responsible. Republicans have been willing to be held accountable. That is our job.

It is well past time for the Senate to fulfill its responsibility to bring a budget to the floor—not just vote on one but to work on it and pass one so that we can go to conference and we can reconcile that with the House budget so the United States finally, after 3 years, will start operating under a budget in the next fiscal year.

I know the Budget Control Act sets spending caps. I get that. I get that. Washington is going to make sure it can continue to spend money. But spending money is only half the equation. What is this body going to do in terms of showing the American people what our plan is to live within our means, to get our debt and deficit under control? The American people are waiting.

The result of this embarrassing abdication of responsibility and leadership can be clearly described by a few charts. Let me start going through a couple.

I think most people have seen all kinds of different debt charts. I like this one because it starts in 1987, when our total Federal debt was \$2.3 trillion. If we were to pass President Obama's budget and live by it, in 10 years our total Federal debt would be \$25.9 trillion.

In the Budget Control Act, this body—Congress—gave President Obama the authority to increase our debt limit by \$2.1 trillion. It took us 200 years to incur \$2.3 trillion. We will have blown through that \$2.1 trillion debt ceiling increase in less than 2 years.

Just in case anybody is still confused, we have a spending problem in this Nation. It is not that we take too little from the American people, it is because we spend too much.

I know the American people are frequently subjected to phrases such as "Draconian cuts." I think this proves we are not cutting anything. In 2002 the Federal Government spent \$2 trillion. Last year, or the current fiscal year, it is projected that we will spend \$3.8 trillion. We have virtually doubled spending in just 10 years. And the argument moving forward is, according to President Obama, he would like to

spend \$5.8 trillion in the year 2022. The House budget would spend \$4.9 trillion.

Another way of looking at that is 10-year spending. In the 10-year period from 1992 to 2001, the Federal Government spent a total of \$16 trillion. From 2002 to 2011, the Federal Government spent \$28 trillion. Again, the argument moving forward is that President Obama's budget in 10 years would spend \$47 trillion. The House budget proposes spending \$40 trillion. You don't have to be a math major or an engineer to do that math. Both \$40 trillion and \$47 trillion are greater than \$28 trillion. We are not cutting spending, we are just trying to reduce the rate of growth. That is an incredibly important distinction. Don't be misled. We are trying to get our debt and deficit under control.

A couple months ago, President Obama said he had the solution. His Buffett rule was going to stabilize the debt and deficit. Here is a little history. I hope the American people look at this.

President Bush, in his first 4 years in office, ran a total deficit of \$0.8 trillion—\$800 billion. Now, back in Oshkosh, WI, I wasn't happy with that result. I didn't like seeing that deficit spending. His second 4 years didn't improve. He had a total deficit of \$1.2 trillion between the years of 2005 and 2008. Again, I don't think there are very many fiscal conservatives who were happy with that result.

Now President Obama has increased that dramatically. During the 4 years of his administration, the total deficit will be \$5.3 trillion. That is on total spending of about \$14.4 trillion. We are borrowing 37 cents of every \$1 we spend and our debt now exceeds the size of our economy. Again, President Obama's solution? I realize this is hard to see, but he has proposed the Buffett tax. If we were to actually enact that tax over 4 years, it would raise some \$20 billion. I know you cannot see it, but there is a line there. It does not even fill in the marker lines here. It is \$20 billion to solve a \$5,300 billion problem. I am sorry, that is not a serious proposal. It is just class warfare.

Let me show one of the problems President Obama refuses to address: the looming bankruptcy of our Social Security Program, the program millions of seniors rely on, that Americans plan their retirement around. We hear all too frequently that Social Security is solvent to the year 2035. No, it is not. It is solvent because of an accounting fiction called the trust fund, which is simply government bonds held by the Government. The analogy I use, it is akin to you had \$20 and you spend the \$20 and you write yourself a note and put it in your pocket and say I have \$20. No, you do not, nor does the Federal Government. It has bonds which, by the way, it can print any day of the week, but it has to sell those bonds.

Social Security went cash negative, which means it paid out more in cash benefits than it took in, in cash receipts by 2010—by about \$51 billion. Last year, it was \$46 billion in deficit. Through the year 2035, all this red ink represents \$6 trillion in additional deficit spending in the Social Security fund. It is insolvent. It is bankrupt. It needs to be addressed. This President refuses to address it.

When we project out and we see another \$10 trillion to \$11 trillion in increased spending and debt according to President Obama's budget, I am concerned we are not even fully realizing the other risks involved.

Before I get to this chart, let me mention the first one. If we fail to meet the growth targets President Obama is projecting in his budget by just 1 percent, we add \$3.1 trillion to that 10-year deficit figure. That is a 30-percent increase. I know when they passed the health care law the American people were told—they were hoodwinked into believing it would actually reduce our deficit. It will not. The way they were going to pay for 6 years' worth of spending is with 10 years' worth of receipts and reductions in Medicare. The receipts come in taxes, fees and penalties on, by the way, drug manufacturers, medical device manufacturers, health care plans. I don't know what economics course members of this administration took, but we do not bend down the cost curve by increasing the costs to providers. That is what they were doing for about \$590 billion of that revenue stream to pay for ObamaCare.

The other \$665 billion was going to come out of cuts to Medicare, Medicare Advantage, and Medicaid.

We have not imposed the provider reductions under the SGR fix, the doc fix—about \$208 billion. What makes anybody believe we will actually impose the \$665 billion in savings in Medicare? If we move the 10-year window forward to when ObamaCare kicks in, when the full spending occurs starting about 2016, the total cost of the health care law will not be \$1.1 trillion, it will be \$2.4 trillion, and that is a conservative estimate, not even taking into account millions of employees who will lose their employer-sponsored care and get put into the exchanges at highly subsidized rates. But using a conservative cost figure of \$2.4 trillion and growth in taxes, fees, and penalties by a reasonable amount, \$816 billion, that leaves a \$1.6 trillion what I am calling deficit risk. How is that going to be filled? Are we going to borrow it or are we going to take it out of Medicare? Somehow I do not think we will be taking it out of Medicare. Somehow I think we will have to borrow it, if we can.

That brings me to our last chart, interest rate risk. I was never concerned, not even for a moment last year during

the debt ceiling debate, that the Federal Government was going to default on any of its obligations. We were going to pay Social Security recipients. We were going to pay our soldiers. We were going to meet every obligation of the Federal Government. The day I fear is the true day of reckoning, the day when creditors around the world take a look at the United States and say: You know what, I am not going to loan you any more money or what is more likely to occur is they will say: I will loan you some money but not at these rates.

If we take a look at the history of the borrowing costs of the United States, from 1970 to the year 2000, our average borrowing cost for the Federal Government was 5.3 percent. Over the last 3 years, from 2010 to 2012, our average borrowing costs were about 1.5 percent. That is a difference of 3.8 percent between these two figures. If we just revert to that average—and by the way, back then the United States was a far more creditworthy borrower—our debt-to-GDP ratio ranged somewhere between 45 percent and 67 percent. Currently, our debt-to-GDP ratio exceeds 100 percent. If we revert to that average borrowing cost, that would cost the Federal Government \$600 billion in added interest expense per year. That is 60 percent of the discretionary spending level of \$1.47 trillion this year.

The ACTING PRESIDENT pro tempore. The Senator has consumed 15 minutes.

Mr. JOHNSON. I ask unanimous consent for 2 more minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON. This is the problem. This is a huge problem. It is one that is being ignored because we simply refuse to address it. This body refuses to pass a budget to lay out a plan to fix it; to stabilize one of our primary metrics, a key one—that debt-to-GDP ratio, stabilize that and start bringing it down. The other is the percentage of government in relation to the size of our economy. One hundred years ago that was 2 percent. Last year, it was about 24 percent, which means 24 cents of every \$1 filters through some form of government. I do not find the Federal Government particularly effective or efficient. That is what the private sector does. It is the private sector that creates long-term self-sustaining jobs. It is the private sector we need to rely on to grow our economy and create jobs.

As to the vision for America, we are going to have a very clear choice on the vision for America, between what this administration wants to do with a government-centered society and what Republicans want to do in terms of an opportunity society led by free people, free enterprise, led by freedom. That is

our choice. But until the majority party in the Senate lays out their plan, the American people will not have a plan. They will not understand what the plan is for the other side.

Again, let me close by saying it is well past time for the Senate to fulfill its responsibility and pass a budget.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. How much time do I have remaining?

The ACTING PRESIDENT pro tempore. Close to 14 minutes, approximately 14 minutes.

Mr. MCCAIN. Mr. President, I rise to discuss the Violence Against Women Act and the policies that impact the lives of women. Since its original enactment in 1994, the Violence Against Women Act has been reauthorized twice by unanimous consent, under both Democratic and Republican leadership. The legislation originated out of a necessity for us to respond to the prevalence of domestic violence, sexual violence, and the impact those crimes have on the lives of women.

By and large, the legislation has worked, even though there are outstanding issues, such as spending inefficiencies and needed improvements to oversight. As with most large pieces of legislation, including the Violence Against Women Act Reauthorization, there are debates and philosophical differences about elements of various provisions in the bill. While the Senate should be allowed to debate and ideally resolve these differences, I don't think any of the points of controversy we will discuss are important enough to prevent passage of the legislation. The Violence Against Women Act represents a national commitment to reversing the legacy of laws and social norms that once served to shamefully excuse violence toward women, a commitment that should be maintained.

Whatever differences we might have over particular provisions in the bill, surely we are united in our concern for the victims of violence and our determination to do all we can to prevent violence against the innocent, regardless of gender. I recognize women suffer disproportionately from particular forms of violence and other abuse, which this legislation is intended to address. I believe it does address it, and that is why I support it. But our motivation to act on their behalf resides in our respect for the rights all human beings possess, male and female, all races, creeds, and ages: to be secure in

their persons and property; to be protected by their government from violent harm at the hands of another; to live without threat or fear in the exercise of their God-given rights.

Similarly, whatever our political differences in this body, I trust we all believe we are doing what we think best serves the interests and values of the American people—all the American people. I don't think either party is entitled to speak or act exclusively for one demographic of our population, one class, one race or one gender. The security and prosperity of all Americans is a shared responsibility and each of us discharges it to the best of our ability. We do not have male and female political parties and we do not need to accuse each other of caring less for the concerns of one-half the population than we do for the other half. The truth is, both parties have presided over achievements and increases in opportunity for women. Both parties have nominated women to the Supreme Court. Both parties have had excellent female Secretaries of State. Both parties have had female Presidential and Vice Presidential candidates. Both parties have reauthorized the Violence Against Women Act. Both parties have made progress toward ensuring Americans, male and female, have an equal opportunity to succeed as far as their talents and industry can take them.

That progress has come in the form of many policies, from changes to our Tax Code to changes in education policy, to improvements in workplace environment as well as from changes in cultural attitudes in both the public and the private sector. Do we always agree? Do we always get it right? No, we do not. But I do think there is much for all of us to be proud.

Regrettably—and there is always something to regret in politics—we have seen too many attempts to resolve inequities in our society and ensure all Americans are afforded the same respect for their rights and aspirations misappropriated for the purpose of partisan advantage, which has the perverse effect, of course, of dividing the country in the name of greater fairness and unity.

My friends, this supposed war on women or the use of similarly outlandish rhetoric by partisan operatives has two purposes, and both are purely political in their purpose and effect. The first is to distract citizens from real issues that matter, and the second is to give talking heads something to sputter about when they appear on cable television. Neither purpose does anything to advance the well-being of any American.

I have been fortunate to be influenced throughout my life by the example of strong, independent, aspiring, and caring women. As a son, brother, husband, father, and grandfather, I think I can claim some familiarity

with the contributions women make to the health and progress of our society. I can certainly speak to their beneficial impact on my life and character. But I would never claim to speak for all the women in my family, much less all the women in our country any more than I would venture the same presumption for all men.

To suggest that one group of us or one party speaks for all women or that one group has an agenda to harm women and another to help them is ridiculous, if for no other reason than it assumes a unity of interests, beliefs, concerns, experiences, and ambition among all women that doesn't exist among men or among any race or class. It would be absurd for me to speak for all veterans and wrong of me to suggest that if a colleague who is not a veteran disagrees with my opinion on some issue, he or she must be against all our veterans.

In America, all we can fairly claim to have in common with each other at all times—no matter what gender we are or what demographic we fit—are our rights. As a son, brother, husband, father, and grandfather, I have the same dreams and concerns for all the people in my life. As a public servant, I have the same respect for their rights and the same responsibility to protect them, and I try to do so to the best of my ability.

Thankfully, I believe women and men in our country are smart enough to recognize when a politician or political party resorts to dividing us in the name of bringing us together, it usually means they are either out of ideas or short on resolve to address the challenges of our time. At this time in our Nation's history we face an abundance of hard choices. Divisive slogans and the declaring of phony wars are intended to avoid those hard choices and to escape paying a political price for doing so.

For 38 straight months our unemployment rate has been over 8 percent. Millions of Americans—men and women—cannot find a job. Many have quit looking. Americans don't need another hollow slogan or another call to division and partisanship. They need real solutions to their problems. They are desperate for them.

Americans of both genders are concerned about finding and keeping a good job. Americans of both genders are concerned about the direction of our economy. Women and men are concerned about mounting debt—their own and the Nation's. Women and men are hurt by high gas prices, by the housing crisis, shrinking wages, and the cost of health care. Women and men are concerned about their children's security, their education, their prospects for inheriting an America that offers every mother's and father's child a decent chance at reaching their full potential. Leaving these problems unaddressed

indefinitely and resorting to provoking greater divisions among us at a time when we most need unity might not be a war against this or that group of Americans, but it is surely a surrender, a surrender of our responsibilities to the country and a surrender of decency.

Within the tired suggestions that women are singularly focused on one or two issues are the echoes of stale arguments from the past. Women are as variable in their opinions and concerns as men. Those false assertions are rooted in the past stereotypes that prevented women from becoming whatever they wanted to become, slowed our progress, and hurt our country in many ways. The argument is as wrong now as it was then and we ought not to repeat it.

We have only these in common: our equal right to the pursuit of happiness and our shared responsibility to making America an even greater place than we found it. Women and men are no different in their rights and responsibilities. I believe this legislation recognizes that. I don't believe the ludicrous partisan posturing that has conjured up this imaginary war.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, a group of women Senators is here to talk about the Violence Against Women bill, and as my colleague from Arizona was referencing, this is a bill where there has been unity for well over a decade. We have a number of Republican sponsors. We are up to 61 sponsors, men and women, who have come together to say that violence against women is not okay.

The first speaker is the Senator from Maryland, Senator MIKULSKI.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank the gentlelady from Minnesota for her well-known advocacy on this issue. Her advocacy was well known in Minnesota. Her work as a prosecutor brought her in contact with many of these women and making sure they got a fair shake in the system was well known and well appreciated.

I am here to be a strong supporter for the Violence Against Women Act, and I hope this bill passes and that this bill passes today. It is because Senator LEAHY has worked on a bipartisan basis in his committee that we were able to bring out this bill.

This bill was first passed in 1994 under the leadership of our Vice President, then-Senator JOE BIDEN, who is well known for his strong, muscular, robust approach to law enforcement. What he saw was that so many of the victims of crime were women and that they were victims both in streets and neighborhoods. They were also terrible

victims in their own home where they were battered and abused. They found that when they came to the judicial system, they were battered again because they were ignored and had no one to stick up for them and were always told: Oh, it is your fault. What are you doing? JOE BIDEN changed the law, and we worked on a bipartisan basis.

Ever since 1994 we have continually reauthorized this legislation, looking at new needs and new technology and new creative ways of responding to these needs for prevention, intervention, and even prosecution. What we want to do today is pass this legislation that has been refreshed, reformed, and also brings some new approaches.

The chairman of the committee has done an outstanding job and is to be commended. The Violence Against Women Act authorizes two Federal programs for domestic and sexual violence in our communities, the Department of Justice and the Department of Human Resources. The STOP grant is the largest national grant program in the Justice Department. Roughly half of all violence-against-women funds goes to these STOP grants, and they go to every community.

What is it they do? They coordinate community approaches to end violence and sexual assault. They fund victim services such as shelters and the toll-free crisis hotline and fund legal assistance to victims to get court orders to be able to protect themselves from the abuser or from the stalker. They also have training for police officers, prosecutors, and judges so they know how to do a good job. It also helps with grants for victims of child abuse, something I am very familiar with, having been a child abuse social worker, and also important services in terms of rape prevention programs. This is a great bill and it meets a compelling human need.

Since the original Biden legislation, over 1 million women who have called that hotline were desperate, who were fearful for their lives. And when they called that number, they didn't get a busy signal, nobody hung up on them; they got help, and I know that it saved lives. One in four women will be a victim of domestic violence during her lifetime. Sixteen million children are exposed to domestic violence, and also one in six women has experienced attempted or completed rape, and now even men are the subject of rape.

Twenty-five percent of rape crisis centers have waiting lists for advocacy groups. I want to talk about that in more detail. There are 2 million victims of physical and sexual violence each year; 20,000 in Maryland. On average, 1,000 female victims are killed by their abusers and one-third of all female homicides are domestic violence. These are numbers and statistics, but they also represent real people.

We help over 70,000 victims every day through hotlines and services and shelters, but regrettably there is a waiting list. So we need to pass this legislation because it gives us the authorization to be able to help those in need. It meets these compelling human needs to protect people, and in my own State it has had enormous, positive consequences.

There is something that was developed through the Department of Justice called the lethal index. It means when a police officer goes into a home, he or she has to assess how dangerous it is. Should they yank the kids out? Should they take the abuser and put them in jail or do they call in a social worker to try and intervene? Should they give the family more time, give them family counseling so they can get people off the ledge and out of a violent situation so they are able to work on the long path toward family stability?

Well, my local law enforcement police officers tell me this lethal checklist has been a tremendous tool to being able to assess the level of violence when they are in that home and to know when people are in danger and they have to get them out right that minute. Again, they also know when there is the opportunity for other interventions to be able to help the family. This helps families, it helps police officers, and it helps our community. We need to empower victims to be able to help themselves by providing help in these abusive relationships.

Studies show that victims who use community-based domestic violence services—when they are available—are almost never victims of murder or attempted murder. That is a powerful line that if we had this intervention and prevention we can not only reduce violence but we can reduce homicides as well.

We need to pass this bill because it is crucial to our families, to our communities, and it also shows the country that we are serious about governing and keeping this legislation going.

I want to also comment on some of the other important programs. As I said, I want to talk a little bit about my role. I am an appropriator—and in fact, I will leave shortly to go to a markup. But I have moved the Commerce, Justice, Science spending bill. I worked so closely with the gentlelady from Texas, Senator KAY BAILEY HUTCHISON, also a very strong advocate in the interest of women and protecting women here and around the world. We worked on a bipartisan basis in this year's bill and put money in the Federal checkbook for those STOP grants, for those sexual assault services, for transitional housing grants, and also for other help in our communities. We also took a serious look at the whole issue of forensics.

Forensics is a subject of much debate and unfortunately much backlog. In my bill, in the Commerce, Justice,

Science bill, we funded overall in the Department of Justice money to deal with forensic backlogs, but we also paid particular attention to something called the Debbie Smith Act. Let me say this: There are two different bills. There is the Violence Against Women Act and there is the Debbie Smith Act. The Debbie Smith Act was passed because of a woman named Debbie Smith who was subjected to the most violent, repugnant, despicable acts of violence against her. Working together, what we have done is actually put money in the Federal checkbook to reduce the backlog of DNA evidence. We have ensured that a high percentage of funds also go to labs to be able to deal with samples from crime scenes, databases, and other areas.

Assuming we will debate this rape kit issue at a later time, I wish to thank Senator LEAHY for his advocacy and Senator CORNYN for his sensitivity in wanting to solve the problem. I believe if we can take a minute and keep in our minds as our legislative goal to work together—not who gets credit but who gets help—it is not about who gets credit, it is about who gets help. We want to be able to help those rape victims have the solace and the consolation that their government is on their side, using the best of scientific evidence to make sure we have the right person to ensure the right prosecution to get the right conviction.

Right now, there is a backlog. When Justice gives out their money for forensics, it doesn't always go toward these issues. We can direct it. We can do a good job. Let's come together. Let's iron out our parliamentary differences so we can pass this very important Violence Against Women Act.

I can take what I have done to put money in the Federal checkbook. Let's refresh the Federal law book and, most of all, let's keep our eyes on what we want to do. We want to be able to prevent domestic violence and violence against women, whether it is the stranger who perpetrates danger and commits despicable acts or against women in their own homes. We aim for prevention, intervention, the training of police officers, judges, and courts, and the right prosecutions.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I wish to thank so much the Senator from Maryland for showing such a succinct way of describing such an incredibly complex but important bill.

We have also been joined by the Senator from California who has been a long-time leader on this issue. She was here in Congress, as was the Senator from Maryland, when the initial Violence Against Women Act passed in 1994.

I yield to the Senator from California, Mrs. BOXER.

Mrs. BOXER. Mr. President, I thank the Senator. If the Chair would tell me when I have used 5 minutes and then I will conclude.

The ACTING PRESIDENT pro tempore. The Senator will be notified.

Mrs. BOXER. Mr. President, I wish to thank Senator KLOBUCHAR for her leadership and Senator FEINSTEIN as well. These are the two Democratic women on the Judiciary Committee who have been such leaders on this issue, as well as Senator MURRAY.

I am proud to stand here today to call for the passage of the Violence Against Women Act. This is not a new bill, as has been painstakingly described to all of my colleagues. I can remember so well when then-Senator JOE BIDEN wrote the Violence Against Women Act, and he came to me when I was in the House and asked me to carry it in the House. I was as honored as I am right now.

Yes, it took us a while to pass it, but ever since it has been noncontroversial. For some reason our Republican friends, although we have 61 people as cosponsors, are slowing it down, and it seems to me very clear if they didn't have objections we could pass this by voice vote.

Three women are killed by their abusive partners every single day. I will repeat that: Three women today will be killed by their abusive husbands. For every woman who is killed, there are nine more who are beaten or injured every single day. In the name of those people—in the name of the three women who will be killed today—we should pass this unanimously.

Has the Violence Against Women Act worked? Yes. Incidents of domestic violence have decreased by 53 percent since we passed this law. Why on Earth, when three women are killed every day and nine women are injured, sometimes to the point of almost losing their lives—why on Earth, when a bill has brought down domestic violence by 53 percent, would there be objection? There is no reason whatsoever for objection.

When we go back to the votes on the bill, there are overwhelming votes in favor every time. This year 47 attorneys general signed a bipartisan letter supporting the reauthorization.

I have story after story from home, and I am going to read a couple to my colleagues. A mother in Alameda County with two children had been in a long-term abusive relationship. She separated from her abuser only to be stalked and brutally assaulted by him. She called 9-1-1. She hid the phone during the last beating so the police could hear what was going on. Because of the Violence Against Women Act, she was able to access a Family Justice Center where she received counseling, relocation assistance, and she worked with a deputy DA trained by program grants. She was pressured not to cooperate

with the prosecution, but because of the Violence Against Women Act—the investigators had been trained by that act—she overcame her fear. She was protected as she cooperated and gained a strong conviction of her abuser.

That is a case that shows the training works, and the training took place because of the Violence Against Women Act.

This is a story of an immigrant woman in Los Angeles. This happened 2 years ago. She was stabbed 19 times by her boyfriend while she was 3 months pregnant. During her ordeal, her boyfriend drove her from one part of town to the other, refusing to take her to an emergency room even though she was bleeding profusely. She jumped out of the car, screamed for help, and the abuser fled. Thankfully, she received medical attention. The baby was not lost, she recovered, and because of the Violence Against Women Act she cooperated with the prosecutors. She got a U visa, and she and her child could move on.

The last case deals with Indian tribes. I know what a fierce advocate the Presiding Officer is in every way for Indian tribes. So I talked to my people back home. According to a 2008 report by the Centers for Disease Control, 39 percent of Native American women will face domestic violence—39 percent. Yesterday, Senator KLOBUCHAR, Senator MURRAY, and I stood next to a woman who is the vice-chair of a tribe in Washington. She, for the first time, spoke out about the abuse she received as a toddler. I don't think Senator KLOBUCHAR and I and Senator MURRAY will ever forget it.

She said: I know how old I was because I remember I was the size of a couch cushion. This woman spoke out about how later on she saw the gang rape of her aunt. Because of the situation with Indian law, if the abuser is not from the tribe—

The ACTING PRESIDENT pro tempore. The Senator has consumed 5 minutes.

Mrs. BOXER. I will complete my statement in a moment. If an abuser is not from the tribe, there is no recourse—no recourse—in a place where 39 percent of the women will face domestic violence, and we have colleagues on the other side of the aisle who want to exclude people.

I wish to ask a rhetorical question: If a person is walking down the street and sees three people bleeding on the street—one just has to know a little bit about being a Good Samaritan—a person doesn't ask them for their papers, they don't ask them who they are, they don't ask them where they live, they help them.

Anyone on this floor who attempts to take out various groups from this bill is changing the Violence Against Women Act, which has never excluded any group. So let's be clear. Let's pass the bill. Let's get it done.

I will say in closing, tribal chairman Stacy Dixon of the Susanville Indian Rancheria said the improvements in this bill will “bring justice back to Indian country and will equip tribal governments with the needed authority and resources to protect our residents and restore faith in the justice system.”

Let's restore faith in the justice system not just for those on tribal lands but for those who live in any part of our lands.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank very much the Senator from California for those moving remarks and for the very important point that the Violence Against Women Act has never discriminated against people, regardless of who they are, where they live, or how much money they have. I appreciate those remarks, and I think it is at the core of what some of this debate is about.

Overall, I still believe when we are ready to have a number of colleagues from across the aisle on this bill, we will get this done. That is why it is so important that with the work of Senator REID and Senator LEAHY, the chairman of our Judiciary Committee, and Senator CRAPO, who is the leading Republican on this bill, and Senator MIKULSKI, who came and spoke earlier, as well as Senator MURKOWSKI, who joined us the last time we had the group of women Senators—and we have been working diligently on it late into the evening—I am very positive we are going to get this done and get this vote done.

I see we have been joined by the Senator from Washington, Ms. CANTWELL, who has long been a leader on women's issues and has fought for this bill and has been a Member of Congress in the past when it has been reauthorized. So she knows very well that in the past this has not been a partisan bill; that people have come together and worked out whatever differences they have had, and they have been able to pass this important Violence Against Women Act.

So I thank her for being here, and I yield to Senator CANTWELL.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from Minnesota for her leadership on this issue and for her great service on the Senate Judiciary Committee. I know she, as a former prosecutor, has provided a great deal of leadership on many issues, but having her voice on this Senate Judiciary Committee has been very important for our country.

I come to the floor to stand with my colleagues who are here, the women of the Senate, to say we are standing up for women across America. We want

the reauthorization of the Violence Against Women Act. Today we wish to tell victims of domestic violence that they are not alone. We have to make sure we are giving to local governments and to law enforcement the tools they need to protect victims of domestic violence.

Today we are here with a clear message to victims of domestic violence which is that we will stand with them. We haven't forgotten, and we are not going to let this bill be bogged down in political fighting. We are going to make sure we continue to move ahead. We already have the support of 61 Senators, 47 State attorneys general, and countless law enforcement individuals who are working across the Nation to make sure these victims have an advocate. However, we know there is still opposition that remains, so I want to make sure we address those concerns today.

For those who oppose the bill, I ask them to look at my State of Washington and the threat of domestic violence. In Washington State, law enforcement receives 30,000 domestic violence calls a year, on average, and on any given day in 2011, domestic violence programs served 1,884 people in Washington State. That is why the Violence Against Women Act is so important. In Washington, it really does save lives.

People such as Carissa, one of my constituents, who was in an abusive relationship, was allowed to flee with her then 3-year-old daughter in 1998. She joined me in Seattle recently to highlight the fact that the programs, shelter, and the assistance in starting a new life helped her escape that life of abuse.

I wish to quote Carissa: “I am standing here alive today because VAWA works.” Looking into Carissa's eyes, we know this is not about statistics, and it is not about politics. It is about providing a lifeline to women who want to have a different life.

VAWA also helps crack down on violence against mail order brides. It is a story that we all know too well in the Pacific Northwest. Anastasia King and Susana Blackwell were mail order brides who came to Washington State to start a new life with men they believed loved them. Their lives were brutally cut short when their husbands murdered them. This happened after they had been subject to repeated domestic abuse. That is why, in 2005, I sponsored the International American Broker Regulation Act which became part of the Violence Against Women Act. It empowered more and more fiancés to learn if their spouses had a history of violent crime, and it now has become part of the reauthorization that is this bill. It includes enhancements that require marriage broker agencies to provide foreign-born fiancés with a record of any domestic

violence their potential spouses might have engaged in. That way we can stop the abuse before it begins.

Opponents who say the Violence Against Women Act would create immigration fraud and give funds to those who don't need it should consider the story of Anastasia King and Susana Blackwell. Anastasia's and Susana's lives could have been saved had these provisions and protections been in place. We should not deny immigrant women or trafficking victims resources they need to prevent abuse nor should we create barriers for them to get the safety they need. That is why we need to pass the Violence Against Woman Act.

We also need to make it clear that Native American women will receive protection. Deborah Parker of the Tulalip Tribes came to the Capitol this week to explain why this is so important. Deborah is a tireless champion for the victims of domestic abuse, and she was here to tell her brave story. She spoke eloquently as to why women need to make sure their perpetrators will be charged.

Consider that 39 percent of American Indian women will endure domestic violence in their lifetimes. Compare that with figures that estimate that 24 percent of all women in the United States will experience domestic violence in their lifetimes. So we need a Violence Against Women Act that will crack down on the domestic violence in tribal communities. This bill gives the tools so we can make sure we go after those offenders.

Some have warned this will trample on the rights of individuals to have due process and full protection. That is not the case. What we are doing is making sure there will be an investigation on reservations of the suspected abuse. I think it is time we address this epidemic that is happening in Indian Country before it escalates more. That is why we need to make sure every woman in America has the rights under the Violence Against Women Act to be protected.

We have a long way to go to root out domestic abuse and violence. But without these tools, such as VAWA, we are not going to achieve our goals. It is time we pass this legislation for people such as Deborah, for people such as Carissa, and to remember the lives of people such as Susana Blackwell and Anastasia King.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator from Washington very much. Deborah Parker, whom she referenced, did a beautiful job yesterday of explaining exactly what it meant to be a Native American woman and a victim of domestic violence.

As a member of the Judiciary Committee, I can tell you, we have looked

hard at all the issues in reauthorizing this bill. We have had a series of hearings and looked at the fact that domestic violence and sexual assault still remain in America, and many of us have worked to build upon the many important improvements the past two VAWA reauthorizations have made in reducing violence.

I would note many things were added—including one of the issues mentioned here today: the U visas—on a bipartisan basis in the 2000 reauthorization. Many of the issues regarding American Indian women were considered in the past. But we are simply building on the past bills. We have worked with our Republican cosponsors to make sure there was a general agreement on any additions that were made to the bill, and they were all made for very good reasons—as we have heard today—to help women who need the help.

But despite these improvements we have seen in the numbers, make no mistake about it, violence against women is still a problem. A recent survey by the National Network to End Domestic Violence helps to illustrate both the progress we have made as well as the work that is still left to be done.

On just 1 day last year—look at this as a benchmark; 1 day last year: September 15—in the State of Minnesota, 44 Minnesota domestic violence programs reported serving 735 victims in emergency shelters or transitional housing and 670 adults and children through individual counseling, legal advocacy or children's support groups. That is a total of 1,405 victims in 1 day in one State.

On that same day, there were 807 calls to domestic violence hotlines, which provide emergency support, information, safety planning, and resources for victims in danger. That works out to 33 calls per hour in a 24-hour period, and that is in 1 State of the 50 States.

Because of the Violence Against Women Act, on just 1 day last year, all these victims were able to get access to services they may not have been able to get before VAWA. But one other number from that survey caught my eye. In just 1 day, 315 requests for services were unmet. Mr. President, 83 percent of those unmet requests were for housing.

What is the reason for those unmet requests? The Minnesota organizations reported they did not have enough things such as staff, beds, translators or other specialized services. Think about that: In just 1 day, in 1 State, 315 people were unable to get the help they needed. That means we still have work to do.

As I have worked on the reauthorization of VAWA, I have been reminded of how many of my experiences as Hennepin County attorney—that is Minnesota's largest county—are relevant

still today. While I was county attorney, I made it a priority of my office to focus on prevention and prosecution of domestic violence cases.

As a prosecutor, I saw upfront how devastating these cases can be.

One case, a woman in Maple Grove, a suburb of the Twin Cities, told her mother and a friend she planned to end her relationship with her abusive boyfriend. She was finally going to break it off, and if something were to happen to her—she said this; she actually said these words to her mom and to her friend—she said: If something happens to me, "he did it." That was the last day anyone saw her alive.

A fisherman discovered the woman's body months later in the Minnesota River. It was a tragic end to a story of escalating abuse that this young woman had to live through, as she tried to break it off, to a tragic end.

The woman had earlier filed assault charges against her boyfriend, claiming he had put her in a chokehold and pushed her into a coffee table. Her 3-year-old son told his grandmother he found his mother on the floor and that she was sleeping and he could not wake her.

The boyfriend had actually been convicted years earlier for attempted murder in another case with a pattern of domestic abuse. After he got out, he met his new girlfriend—the one who ended up dead in the Minnesota River. In the end, he pleaded guilty to the murder and received a maximum sentence.

I remember another case with a woman who was shot to death by her boyfriend who then killed himself. The man's 12-year-old daughter tried to get into the bedroom, and when she could not get in, she went to a neighbor's house for help. His 19-year-old son was also in the house. The police were called to that residence at least five times in the 2 years before the tragedy.

These stories are horrifying, and as a prosecutor one never forgets them. For survivors, they stay with them for the rest of their lives. It is stories such as these that make it so obvious that we have more work to do. We need to pass this reauthorization bill and we need to continue to build on the improvements we have made in past reauthorizations. One of the important improvements this reauthorization bill has made comes in the area of stalking. The bill includes a provision I added, along with my cosponsor, Senator KAY BAILEY HUTCHISON of Texas, that will help law enforcement more effectively target high-tech predators because stalking, similar to any of the other crimes recognized in the Violence Against Women Act, is crime that affects victims of every race, age, culture, gender, sexual orientation, and economic status.

The numbers are truly alarming. In just 1 year, 3.4 million people in the United States reported they had been

victims of stalking, and 75 percent of those victims reported they had been stalked by someone they knew.

Overall, around 19 million women in the United States have at some point during their lifetime been stalked. The National Center for Victims of Crime estimates that one out of every four stalking victims is stalked through some form of technology.

As the Presiding Officer knows, this is a change. That is why Senator HUTCHISON and I drafted this amendment that basically says the laws have to be updated because law enforcement has to be as sophisticated as the people who are breaking the laws—as the people who were spying on ESPN reporters, as a recent case showed, through little peepholes in their hotel rooms, while they were undressing. That happened, and that case would have been a lot easier if this bill had been changed and updated with the provisions Senator HUTCHISON and I are adding. That victim, that reporter, came forward and asked that this be included in the law, and it is. It is another reason why we have to pass the Violence Against Women Act.

The bill also includes a number of improvements, as was noted by Senator CANTWELL, with respect to a particularly underserved community—women living in tribal areas. It is a heartbreaking reality that Native American women experience rates of domestic violence and sexual assault that are much higher than the national average. All the bill does in this area—as the Chair knows, representing a State with a high population of Native Americans—is that it simply allows a tribal court to have jurisdiction concurrent with the other courts, with the Federal and State courts. I know changes have been made in the managers' amendment to address the particular concerns of Alaska. This is an incredibly important part of the bill, and I am glad we were able to work with the Republican cosponsors to get this part of the bill updated.

The Violence Against Women Act is an important tool for ending violence against women, but this is not just about women.

I often mention the case of a very sad situation where a man murdered his wife. They were Russian immigrants. They knew no one in town. He murders his wife, takes her body parts in a bag, dumps them off in a river in Missouri, with his 4-year-old kid in the car the entire time.

When they got back to the Twin Cities, he actually confessed to the crime. When they had the funeral for this woman, there were only five people in that Russian church. There was the family who had come over from Russia—the parents and the sister—and there was myself and our domestic violence advocate. That little girl was there too.

The story the family told me was this: The sister of the victim—the sister of the woman who was killed—was her identical twin. The little girl had never met her aunt because she lived in Russia. When they got off that plane from Russia, the little girl ran up to her aunt—who was the identical twin of her dead mother—she ran up to her and hugged her and said, “Mommy, mommy, mommy,” because she thought it was her mother.

It reminds all of us that domestic violence is not just about one victim, it is about a family and it is about a community and it is about a country. That is why we have the opportunity to get this bill done, to put it up for a vote, and reauthorize the Violence Against Women Act—something we have done time and time again on a bipartisan basis. So let's do it again.

Mr. President, I see we have been joined by the Senator from New York, a member of the Judiciary Committee, who has worked so hard on this bill, Senator SCHUMER.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I congratulate my colleague from Minnesota who has the dual experience of being both a prosecutor and a woman who understands how important these issues are. We men try to join in, but women know this so well and so strongly, whether from their own personal experiences, friends they know or—as in the case of the Senator from Minnesota who has done a great job on this—from their professional experience as well.

I care a lot about this issue. I carried the Violence Against Women Act, the first bill, in 1994. Then-Senator BIDEN put it together in 1992. Senator BOXER carried it when she was elected to the Senate. They asked me to carry it, and we got it passed.

It has changed the world. VAWA has changed the world. It used to be, before VAWA, a woman would show up bloodied and bruised at a police station, and the police officer—who had no training and no knowledge of what to do, not his or her fault—would say: Go home. It is a family matter.

Now, of course, we have laws, we have training, we have shelters, and women are far more protected.

We were much too close, in 1994, to the old rule of thumb that a husband could beat his wife with a stick, provided it was no thicker than his thumb. We are much further away from that because of this law, and it makes a great deal of sense.

But similar to any good and important law that has changed the world, we have to keep updating it. We have to keep learning from what has happened and make it better and stronger and tougher and covering more ground. We need it.

Still, despite VAWA's good acts, in my home State, on Long Island alone, during 2009 and 2010, there were 19,417 cases in which local, county or State police officers were called to the scene of a domestic violence complaint. That is just in two counties in one State in this country.

That is why I am so glad to see Members on both sides of the aisle have finally seen that saving the lives of women is, once again, above politics.

It has been a pleasure, over the years, to work with my colleagues, and I wish to thank Chairman LEAHY and Senator CRAPO for their great leadership. It is truly a bipartisan effort, with 61 cosponsors, and that is how it has been in the past. It has always been bipartisan. It is a tribute not only to Chairman LEAHY but to my female colleagues, many of whom have spoken out this morning and have been constant champions of the Violence Against Women Act.

So this bill should be an easy one. The Violence Against Women Act should be low-hanging fruit. Even in a disputatious Congress, this should pass easily. It passed unanimously—Democrats and Republicans—in 2000 and 2005. Recognizing today's tougher times, as well as the successes with which our past efforts have already been met, Chairman LEAHY and Senator CRAPO cut spending by 20 percent and reduced duplicative programs. So you would not think there would be opposition, but, unfortunately, there has been.

So this fact is clear: It would be unacceptable to show less support now in 2012 for our national commitment to stop violence and abuse and to protect women against this plague than we have over the last 20 years. We should not step backward. We should not halt progress. “Replace” is the operative word. What has been offered is not a substitute or an improvement for the Violence Against Women Act. The so-called alternative would take violence against women and replace it with a different program.

This program has worked. It needs improvements. That is why we are here. But it is has worked. You do not start over for ideological or political reasons. Most notably in the act from my colleagues across the aisle, the word “women” has been taken out of the program that forms the cornerstone of the Violence Against Women Act and the word has been replaced with “victim.” No one here would argue against the principle that all violent crimes, all domestic crimes are tragic and serious. But this so-called substitute negates centuries of women's experience that proves that violence against women, especially violence caused by spouses and partners and family members, is a uniquely pernicious and entrenched practice, one that has not even always been illegal. There was never a rule of thumb that

governed the size of a stick that wives would use to beat their husbands. That sums it up in a nutshell. Men were never banned from juries. Men were never banned from police forces and prosecutors' offices. It is this horrific and shameful history to which we responded in 1994 when we first crafted the Violence Against Women Act.

There is another point to be made. Anyone who respects the proper role of the Federal Government in fighting crime should recognize that it is entirely rational for us to limit our police powers and funding in this area to a particular type of crime, one that has civil rights implications, one that has been hard for States and localities to prosecute without special support and training. That is why there is no substitute for the Violence Against Women Act.

There are a number of priorities that have been included in the bill that I have cared a lot about.

First is making sure that sexual assault victims do not have to pay for their own forensic exams. While the last reauthorization took some steps to fix this problem, we go further.

Second, VAWA, having contributed immensely to our understanding and prevention of domestic violence, has been reinvigorated and retargeted at sexual assault crimes. Many aspects of the new bill will improve the reporting, law enforcement training, and victim support.

Third, it expands programs that are available to victims and law enforcement in rural and underserved areas. This is extremely important to upstate New York, which has one of the largest rural populations in the country.

Fourth, as I mentioned, Senator LEAHY and Senator CRAPO should be applauded for including more oversight and accountability for programs in this bill and finding a way to trim the authorization by 20 percent by consolidating programs where it makes sense.

To make the continued need for this bill concrete personal, I would like to point out one massive success story in New York that has been made possible by VAWA. There are many others, but I want to point out one.

On Long Island, thousands of women each year seek help from the Nassau County Coalition Against Domestic Violence. The coalition offers confidential, specialized services for victims of domestic and dating violence, elder abuse, children who witness domestic violence, and sexual assault survivors. They have a 24-hour hotline, group and individual counseling, legal advocacy, Safe Home emergency housing, and various other outreach programs. Without VAWA, these services would be drastically cut back.

Specifically, the coalition receives \$650,000 over 2½ years through a VAWA legal assistance to victims grant, \$38,000 through a VAWA crisis inter-

vention grant, and \$12,000 through a rape advocacy grant. These last two may not sound like large sums of money, but they go a long way toward helping prevent domestic violence and dealing with it when it, unfortunately, happens.

The reauthorization of VAWA is more important than ever. In today's economy, local municipalities, as we know, in New York and throughout the country are slashing their social service budgets and contracts right and left. Without VAWA, many groups such as the Nassau County coalition would be left bereft and all of the good work they have done over the years would no longer be there. Without agencies such as this one, where will a sexually assaulted Levittown woman turn for help? Well, I do not want to find out. I, for one, will do everything in my power to ensure that day never comes by supporting this VAWA, not some new law that has not been tested.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, we are going to be joined here shortly by the Senator from New Hampshire, Mrs. SHAHEEN, but I do want to mention one other aspect.

Many of my colleagues have mentioned the incredibly important role that then-Senator BIDEN, now-Vice President BIDEN played in drafting this first bill in 1994. Well, there was another Senator who played an important role, and he is someone from Minnesota; that is, the late Senator Paul Wellstone, always with his wife Sheila with him at his side working on this important issue. When we lost Paul and Sheila in 2002, Minnesotans lost a tireless champion in Congress; Americans lost what was always called—Paul was called “the conscience of the Senate”; and women everywhere lost two powerful voices on domestic violence issues.

I went back through the transcripts and looked at some of the speeches Senator Wellstone gave, before his tragic plane crash, about domestic violence and some of the things he said. Here are some. Of course, I would never do justice to him as he stood on the floor, but he said things like this. He said:

We can no longer stand by and say that it is someone else's problem. What are we waiting for? Too many have spoken with their voices and with their lives, and this violence must end.

He also said this:

Once upon a time we used to say it is nobody's business. We do not believe that any longer.

Paul and Sheila passionately believed that domestic violence was not just a law enforcement issue, it was an issue about civil rights, justice, and human dignity. Paul often talked

about his brother Stephen, who struggled with mental illness his entire life, and he took up that cause because he knew no one was there for Stephen, no one else would speak for him. And he felt the same way about domestic violence.

We honor their memory—Paul and Sheila—by carrying on their work today.

I wish to highlight some of the more remarkable efforts to bring this issue out of the shadows which the Wellstones made.

Senator Wellstone began work on issues of domestic violence when he was elected to the Senate in 1990. As one can tell from the whole course of his political career, violence against women was always an issue close to his heart. In fact, Senator Wellstone dedicated his own salary increases each year to battered women's shelters in Minnesota and introduced a number of bills strengthening protections for women.

To Senator Wellstone, family violence could no longer be dismissed as a “family issue.” That is why he made a commitment to read into the CONGRESSIONAL RECORD the names and stories of all Minnesota women and children killed at the hands of spouses, boyfriends, and fathers. In one 1995 floor speech, he had six stories to tell, some so horrifying that he refused to share the full details in the Chamber.

In 1993 Paul and Sheila found an especially impactful way to bring their message to Washington. In collaboration with the Silent Witness Initiative, Paul and Sheila brought 27 life-size silhouettes to the rotunda of the Russell Office Building. Each one of the silhouettes represented one Minnesota woman murdered in an act of domestic violence. You think about this now, and you might be used to seeing these things. You might be used to seeing quilts that have been made with each square to a victim of domestic violence or silhouettes or other things that go around the country. But at that time, back in 1993, that was unique. It was something people were not talking about. The Wellstones felt it was their duty to bring that forward, as did then-Senator BIDEN and Senator LEAHY and other people who were involved in this issue.

So many of the women Senators who spoke today—Senator MIKULSKI, Senator HUTCHISON, who I see has joined us on the floor—on a bipartisan basis, they all came together and said that we must get this done.

Again, Senator Wellstone understood as well as anybody that this was an issue that had too long been ignored and found a way to bring the story to his colleagues in the Senate. Paul and Sheila may no longer be with us, but their legacy lives on. The Sheila Wellstone Institute continues its work by promoting awareness of violence

against women and ensuring that ending this problem remains a national priority.

The Wellstones' sons Mark and David have also continued the work their parents began through their nonprofit Wellstone Alliance. Among many other things, Wellstone Action and Mark Wellstone in particular worked hard to ensure that the Violence Against Women Act was reauthorized in 2006.

As we look today for a potential vote on the Violence Against Women Act, I would like my fellow Senators to remember these words Senator Wellstone spoke many years ago.

He said:

We can no longer stand by and say it is someone else's problem. What are we waiting for? Too many have spoken with their voices and their lives, and this violence must end.

We all know we can no longer stand by and say it is someone else's problem. We cannot let our own differences, minor though they be, on various provisions get in the way of the fact that this has always been a bipartisan bill, that this bill has 60 cosponsors, that this bill was led by Senator LEAHY and Senator CRAPO from the very beginning, a Democrat and a Republican working together.

This is the time to pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I came to the floor yesterday to talk about the important work on this bill that has been done by Senators on both sides. Republicans and Democrats agree that we should reauthorize the Violence Against Women Act and that we should have the very best legislative product possible. This should be done with input from both parties. That is what our Chamber does. We deliberate and then we produce legislation.

Yesterday I was talking to the chairman of the Judiciary Committee, talking about what his bill does, and I want to say clearly today that the amendment I am producing with Senator GRASSLEY and many other cosponsors builds on the sentiments the chairman expressed yesterday.

It seems very simple to me that what the Republicans are asking is that our substitute, which has many cosponsors—we believe it improves on the underlying bill. And one amendment by Senator CORNYN adds much to the bill, helping to get the backlog of these rape kits put forward so that we can stop people who are perpetrating these crimes from being out loose doing it again, when we have the proof that has not yet been tested because of the backlog.

There are some things that can be done to improve this bill. Senator MIKULSKI and I worked together on funding the Justice Department. In our bill, we do add to the capability for the Jus-

tice department to give the grants that would make that backlog smaller. Senator CORNYN's amendment even improves upon that. So what is not to like about two other approaches that would add to this bill so that we can get this bill passed—or one version of it—go to conference with the House, and really address the issues?

No one is arguing that we should not pass a Violence Against Women Act. The question is, Can we make it even better? And if so, why not? Why not have the kind of debate that we have on this floor that does that? So I think it is important that we produce the best possible product.

Yesterday the chairman spoke repeatedly about a victim is a victim is a victim. He spoke about how the police never ask if the victim is a Republican or a Democrat, is the victim gay or straight, but that a victim is a victim. And I have—

The PRESIDING OFFICER. The Senator will suspend. We have a previous order we need to read.

EXECUTIVE SESSION

NOMINATION OF GREGG JEFFREY COSTA TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS

NOMINATION OF DAVID CAMPOS GUADERRAMA TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Gregg Jeffrey Costa, of Texas, to be United States District Judge for the Southern District of Texas; David Campos Guaderrama, of Texas, to be United States District Judge for the Western District of Texas.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I believe under the regular order I would be recognized now, and then Senator GRASSLEY would be recognized. But I understand the Senator from Texas needs more time; is that right?

Mrs. HUTCHISON. Yes.

Mr. LEAHY. We are not on VAWA now; we are on the nominations. Under the regular order, I am to speak for 15 minutes and then Senator GRASSLEY for 15 minutes. How much more time does the Senator from Texas need?

Mrs. HUTCHISON. Mr. President, I believe perhaps the—

The PRESIDING OFFICER. The Senator from Vermont is correct on the order.

Mrs. HUTCHISON. Mr. President, did the other side go over the allotted time on VAWA?

The PRESIDING OFFICER. They did not. The Senator from Texas was actually speaking on their time.

The Senator from Vermont is recognized under the order.

Mr. LEAHY. How much time does the Senator need?

Mrs. HUTCHISON. I would like to have up to 5 minutes to finish the debate on the VAWA bill, and then I do have remarks in support of the two judgeships that will be voted on at noon.

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senator from Texas be given 5 minutes out of the Republicans' time now to finish the VAWA statement, and that we then go back to my time on the judges. I assume that the Republican side would be glad to have the rest of the time on the judges.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Mrs. HUTCHISON. Mr. President, I want to make sure everyone knows that the Republicans have an addition to the Violence Against Women Act that we think will strengthen it.

For instance, there are a couple of additions from what we talked about yesterday. We got a letter today from the National Center for Missing and Exploited Children. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN,
Alexandria, VA, April 26, 2012.

Hon. KAY BAILEY HUTCHISON,
Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: As you know, the National Center for Missing & Exploited Children (NCMEC) addressed the issue of sentencing for federal child pornography crimes in our testimony before the Senate Judiciary Committee in March 2011. The 1.4 million reports to NCMEC's CyberTipline, the Congressionally-authorized reporting mechanism for online crimes against children, indicate the scope of the problem. These child sex abuse images are crime scene photos that memorialize the sexual abuse of a child. Those who possess them create a demand for new images, which drives their production and, hence, the sexual abuse of more child victims to create the images.

Despite the heinous nature of this crime, the federal statute criminalizing the possession of child pornography has no mandatory minimum sentence. This, combined with the advisory nature of the federal sentencing guidelines, allows judges to impose light sentences for possession. Congress passed mandatory minimum sentences for the crimes of

receipt, distribution, and production of child pornography. We don't believe that Congress intended to imply that possession of child pornography is less serious than these other offenses. NCMEC feels strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, we support a reasonable mandatory minimum sentence for this offense.

As we have previously testified, child protection measures must also include the ability to locate non-compliant registered sex offenders—offenders who have been convicted of crimes against children yet fail to comply with their registration duties. The U.S. Marshals Service is the lead federal law enforcement agency for tracking these fugitives. Their efforts would be greatly enhanced if they had the authority to serve administrative subpoenas in order to obtain Internet subscriber information to help determine the fugitives' physical location and apprehend them.

Thank you for your efforts to protect our nation's children.

Sincerely,

ERNIE ALLEN,
President and CEO.

Mrs. HUTCHISON. Mr. President, this letter says that they strongly support two provisions in our substitute bill. It says we have a mandatory minimum for protection of child pornography, and they feel strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, a reasonable mandatory minimum for this offense would be in order.

I stated yesterday, about a situation where a judge gave a 1-day sentence to an individual who was in possession of hundreds of images and videos of 8- to 10-year-old girls being raped. Really, 1 day? Mr. President, this is America. I can't even imagine that would be the case.

Our amendment strengthens the underlying bill by saying we would have a mandatory minimum of 1 year. My goodness, I think that is a minimum this body would want to adopt.

We also want to make sure we can locate registered sex offenders who abscond. The letter we have put into the RECORD says law enforcement's efforts would be greatly enhanced if they had the authority to determine the fugitives' physical location and apprehend them. Here are two stories, and our bill would strengthen the ability to help these situations.

Johnny Burgos was convicted in New York for rape and assault of a minor. Following his release from prison, he registered as a sex offender in New York, but he left. Although he seemed to be constantly on the move, the U.S. Marshals in the New York/New Jersey Regional Fugitive Task Force believed he was living in Pennsylvania. They attempted to obtain the records from cell phone companies, insurance companies, and the New York and Pennsylvania Departments of Motor Vehicles. But because it was necessary to get grand jury subpoenas for these records, the process took too long and the in-

vestigation suffered. In the interim, he is believed to have committed another sexual assault in Maryland. Our bill would strengthen the capabilities for the U.S. Marshals Service to get that information on a timely basis.

This story is even worse, Mr. President. Joseph Duncan, shortly after his release from custody in 2005, absconded from Minnesota and traveled across country to Idaho, where he kidnapped Dylan and Shasta Groene from their home in the middle of the night. In the course of the kidnapping, he murdered the children's mother, brother, and the mother's boyfriend by beating them to death with a hammer. He then took the children to remote campgrounds across State lines into Montana, where he brutally abused them and later killed Dylan—a child. He was essentially lost by three States, and no one even knew where he was to look for him.

Our bill strengthens the U.S. Marshals Service's capabilities to attach to wherever these thugs might be who are doing these heinous crimes. I also add that our bill has a strengthening of the rape kit issue that Senator CORNYN is trying to get to be able to offer as an amendment to Senator LEAHY's bill, the majority's bill. Senator CORNYN has been trying for a long time to strengthen the ability to stop this backlog and get the rape kit issue addressed so we can have the evidence to get the perpetrators so they will not commit these crimes against other innocent people such as Dylan and Shasta Groene.

I hope we will be able to have a modest one amendment, and my substitute, so we will be able to go to conference with a strong strengthening of the underlying bill, which I intend to support. I am going to support the Violence Against Women Act, even if it falls short in these areas. But why not strengthen it in these areas so that all of us know we have done the best we can to send a bill to the House for its consideration, and then a conference committee where we can pass this bill without further delay.

When the regular order comes back, I want to speak in favor of the two Texas judges on whom we are going to vote.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will speak further about the Violence Against Women Act because I believe the Leahy-Crapo, et al, bill has the best balance possible to protect the most people possible.

Mrs. HUTCHISON. I thank the Senator.

Mr. LEAHY. Mr. President, today we are finally going to vote on the nominations of Gregg Costa and David Guaderrama to fill judicial emergency vacancies on the U.S. District Courts for the Southern and Western Districts of Texas. Both of these nominees to fill judicial emergency vacancies have the

support of their home state Republican Senators. Their nominations were reported unanimously by the Judiciary Committee over four and a half months ago. Senator CORNYN, who is on the Senate Judiciary Committee, strongly supports both of these nominees. The senior Senator from Texas, Senator HUTCHISON, supports these nominees. There was a unanimous vote in the Judiciary Committee. Still it has taken another four and one-half months to get them before the Senate for final consideration.

These are judicial emergency vacancies. I mention that because these are more examples of what I have been concerned about for the last few years. Senate Republicans have refused to move promptly to confirm consensus nominees. These are not ideologically driven nominees. These are nominees, like so many of President Obama's nominees, who are highly qualified. They enjoy bipartisan support, but they are made to wait and wait before finally being able to be confirmed.

This is a destructive development. It is a new practice in the Senate. I can say this as one who has served here during the Presidencies of Presidents Ford, Carter, Reagan, George H.W. Bush, Clinton, George W. Bush, and now President Obama. This new practice has kept the Senate behind the curve. It has kept Federal judicial vacancies unfilled. It has overburdened the Federal courts and has kept Americans from getting prompt justice.

It should not have taken this long for these two nominees to receive a vote. They could and should have been confirmed last year. It is nearly May, and the Senate is still only considering judicial nominations that should have been confirmed last year. There are 24 judicial nominees ready for final Senate consideration. Several are still pending from last year. That means 150 million Americans affected by more than 80 judicial vacancies would see a vacancy in their district or circuit court filled if the Senate would only be allowed to vote on those 24 nominees.

The lack of real progress during the last three and one-third years is in stark contrast to the way in which we moved to reduce judicial vacancies during the last Republican presidency. During President Bush's first term we reduced the number of judicial vacancies by almost 75 percent. When I became Chairman in the summer of 2001, there were 110 vacancies. As Chairman, I worked with Senate Republicans to confirm 100 judicial nominees of a conservative Republican President in 17 months. We expedited consideration of consensus nominees and ended the vacancies crisis. In contrast, despite his selecting qualified nominees and working with Senators from both sides of the aisle, President Obama has seen judicial vacancies remain above 80 for nearly three years.

At this same point in the Bush administration, we had reduced judicial vacancies around the country to 45. Today they stand at 81. And by August 2004, we reduced judicial vacancies to just 28 vacancies. Despite 2004 being an election year, we were able to reduce vacancies to the lowest level in the last 20 years. At a time of great turmoil and political confrontation, despite the attack on 9/11, the anthrax letters shutting down Senate offices, and the ideologically driven judicial selections of President Bush, we worked together to promptly confirm consensus nominees and significantly reduce judicial vacancies.

In October 2008, another presidential election year, we again worked to reduce judicial vacancies and were able to get back down to 34 vacancies. I accommodated Senate Republicans and continued holding expedited hearings and votes on judicial nominations into September 2008.

We lowered vacancy rates more than twice as quickly as Senate Republicans have allowed during President Obama's first term. The vacancy rate remains nearly twice what it was at this point in the first term of President Bush.

The Senate is 32 behind the number of circuit and district court confirmations at this point in President Bush's fourth year in office. We are 65 confirmations from the total of 205 that we reached by the end of President Bush's fourth year.

I wish to share with the Senate and the American people a chart. This compares vacancies during the terms of President Bush and President Obama. I mention this because, look at where the vacancies were when President Bush came in. For a short time, I was chairman of the Senate Judiciary Committee when President Bush was President. Even though 60 nominees had been pocket-filibustered of President Clinton's, I said we were going to change this routine. Look how quickly I brought the vacancies way down under President Bush. I then worked with Republicans to bring them down further, even though they didn't move as fast on President Bush's nominees as I had. When I was chairman, I continued to bring it down.

Then what happened when President Obama came in? All of a sudden they said: This was great that you brought down the vacancies under President Bush. We are glad to have the vacancies under President Bush come down, but now the vacancies are going to come back with President Obama.

This is another way to demonstrate what I have been saying. See how sharply the line slopes as we reduced vacancies in 2001 and 2002, when I was Chairman of the Judiciary Committee. See where we were in April 2004 having reduced judicial vacancies to 45 on the way to 28 in August. By comparison, see how long vacancies have remained

above 80 and how little comparative progress we have made. Again, if we would just be allowed to vote on the 24 judicial nominees ready for final action we could reduce vacancies to under 60 and make instant progress.

The American people deserve better. Our courts need qualified Federal judges, not vacancies, if they are to reduce the excessive wait times that burden litigants seeking their day in court. It is unacceptable for hard-working Americans who turn to their courts for justice to suffer unnecessary delays. When an injured plaintiff sues to help cover the cost of his or her medical expenses, that plaintiff should not have to wait three years before a judge hears the case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

Some Senate Republicans seek to divert attention by suggesting that these longstanding vacancies are the President's fault for not sending us nominees. Let me remind my colleagues that of the 81 current vacancies that exist, several of them are without a nomination because this President is trying to work with home state Senators, including 27 vacancies involving a Republican home state Senator who has refused to either recommend a candidate or agree to a judicial nominee. There are seven nominations on which the Senate Judiciary Committee cannot proceed because Republican Senators have not returned blue slips.

More importantly, there are 24 outstanding judicial nominees that can be confirmed right now who are being stalled. Let us act on them. Let us vote them up or down. When my grandchildren say they want more food before they finish what is on their plate, my answer is to urge them to finish the food already on their plate before asking for seconds or dessert. To those Republicans that contend it is the White House's fault for not sending us more nominees, I say let us complete Senate action on these 24 judicial nominees ready for final action. If we could vote on the 24 judicial nominees ready for final action there are more nominees working their way through Committee, and the Senate can act responsibly to help fill more of the vacancies plaguing some of our busiest courts.

Today, we can finally fill two emergency vacancies with superbly qualified nominees. Gregg Costa is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Southern District of Texas, where he is already well-known and well-respected for his service as a Federal prosecutor. Prior to becoming a Federal prosecutor in 2005, Mr. Costa worked in private practice in Houston, Texas, was a Bristow Fellow in the Office of the Solicitor General, and clerked for Chief Justice William

Rehnquist on the United States Supreme Court. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Costa "well qualified" to serve, its highest possible rating.

Judge David Guaderrama is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Western District of Texas, where he has served as a Magistrate Judge since 2010. He previously served four terms as a state court judge in El Paso, Texas, and for seven years as the Chief Public Defender in El Paso County. While on the state bench, Judge Guaderrama implemented the first adult criminal Drug Court and the first Access to Recovery program in El Paso County. Judge Guaderrama began his legal career in 1979 as a solo practitioner and from 1980 to 1986 was a partner with the firm of Guaderrama and Guaderrama.

These are two qualified nominees from Texas. They were passed out of our committee last year. They should have been confirmed before we recessed last year. Even typical consensus, non-controversial nominees like these two have been delayed for no good reason. In fact, we have 24 judicial nominations currently before the Senate.

I have heard them say the President has to send up more nominees. Why don't we confirm the 24 who are on the calendar? Then we have others working through the committee process. In fact, 10 of those nominations that have been pending the longest are all to fill judicial emergency vacancies. Every single Democrat in this body has signed off on them.

Again, I show this chart to show how quickly Democrats moved, while Republicans did not move as quickly as they did for President Bush's nominees. We did that with President Ford. We did that with President Carter. We did that with President Reagan. We did that with the first President Bush and also with President Clinton—except for the 60 who were pocket-filibustered by the Republicans. And we did that, as I have shown here, with President Bush. Why does it have to be a different situation for President Obama? Why can't we treat President Obama the way we did all these other Presidents I have mentioned, since I have been here—the way we did President Ford's nominations and all the others?

I cannot understand what it is or why President Obama has to be treated differently. It is not fair to him. More important, Mr. President, it is not fair to the Federal judiciary. These vacancies mean there are millions of Americans—150 million Americans who are in districts or States with judicial vacancies. That means justice delayed. If justice is delayed, justice is denied.

We can and should do better. Maybe some believe there is an advantage to taking partisan shots at President Obama. I disagree. They should do as

we have done in the past and help the Federal judiciary. That should be kept out of partisan politics. It is to all of our advantage. When people go before a court in this country, they are not asked whether they are a Republican or Democrat. They are coming to seek justice. They should be allowed to have that. Let's speed up.

I will vote for these two judges. The Senator from Texas will vote for these two judges. But they were ready to be voted on way last year. It is time to get moving.

Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise to speak in favor of Gregg Costa and David Guaderrama for their nominations to the Federal district bench.

I want to say that Mr. COSTA—and I will mention this again—asked not to be confirmed until after the case that he was working on was finished. His case was the prosecution of Robert Allen Stanford, who swindled so many Texans and other Americans out of money they had invested. Frankly, he was all over the country in his representation.

Mr. Costa asked not to be confirmed until he could finish that case because it was complicated and he was the lead on it.

So there has been no delay on our part at all on his nomination. As I understand it, we have confirmed the same—roughly the same—number of district judges as President George Bush and President Clinton did in their first terms. To my knowledge, we are not holding up nominations at all.

In fact, of course, Senator CORNYN and I both highly recommended Mr. Costa and Mr. Guaderrama to the President for his nomination because we have a process that assures we nominate to the President the most qualified people to fill these spots. We have a bipartisan legal committee that vets them comprised of people who know the legal community in Texas, and so, therefore, they know the reputations of these lawyers, and our committee system has worked very well. I have served on it with Senator Gramm, as I have with Senator CORNYN, and we agree on the quality of these nominees. So I don't think there is a delay, and I am very pleased to be able to have nominated these two fine lawyers to the President.

I would like to talk first about Mr. Costa, who did ask to wait for his confirmation, but now he is ready because the case he was working on was decided. Mr. Costa will be serving in the Southern District in Galveston, TX, where I was born. Mr. Costa was born in Baltimore, MD, and grew up in Richardson, TX. He attended Dartmouth College, where he graduated with a bachelor of arts degree in government

and then continued his studies at the University of Texas School of Law where he served as editor-in-chief of the Texas Law Review and received his juris doctorate with highest honors in 1996.

Mr. Costa's professional career includes being a law clerk for Supreme Court Chief Justice William Rehnquist in 2001, as well as his current position serving as an assistant U.S. attorney in Houston. As the co-lead counsel for the United States in the prosecution of Robert Allen Stanford, Mr. Costa secured a conviction of 13 charges of conspiracy, wire, and mail fraud. Mr. Costa has been credited by his colleagues as the glue that held the case together. His dedication to this case and these victims shows the core of his character. The fact he asked for a delay in his confirmation because he wanted to finish this case and assure that convictions would be obtained makes me proud and pleased to support his nomination to the Federal bench.

I am also pleased to support the nomination of Judge David Campos Guaderrama to the Western District of Texas in El Paso. Judge Guaderrama is originally from New Mexico and moved to El Paso, TX, at a young age. He attained two bachelor degrees from New Mexico State University in political science and psychology, then earned his juris doctorate degree from the University of Notre Dame Law School in 1979.

In 1987, Judge Guaderrama was appointed as the first chief public defender of El Paso County and continued in that service until he was elected to the 243rd Judicial District Court in 1995. As a testament to his service to the El Paso community, Judge Guaderrama has served as a U.S. magistrate judge for the U.S. District Court for the Western District for the last 2 years.

During his three decades serving in the Texas legal system, Judge Guaderrama has earned many accolades for his help and leadership in initiating and enacting several successful judicial programs in west Texas. He has demonstrated a strong commitment to the El Paso community, and I am confident he will serve on the Federal bench well and I support his nomination.

I would also say Senator CORNYN also supports these two judges. Of course, Senator CORNYN sits on the Judiciary Committee. Our judicial evaluation committee, which is bipartisan, has served so well to give us the highest quality nominees on the bench, and our committee did select both these nominees as their first choices after their interviews and input from the legal community in both El Paso and Houston, which includes the Galveston part of the district.

These nominations have been well vetted. They have been supported by

both sides of the aisle, and we are very pleased to put forward these two quality nominees. Senator CORNYN as well is very strongly in support of them.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIOLENCE AGAINST WOMEN REAUTHORIZATION
ACT OF 2011

Mr. LEAHY. Mr. President, I know we are about to vote on these judges, but I wish to make a few remarks about the VAWA reauthorization before we do so.

There are few tools more important in the fight to end domestic and sexual violence than the Violence Against Women Act. This landmark legislation has fundamentally changed the way society views these horrible crimes, and it has resulted in a more than 60 percent decrease in domestic violence offenses. We have been successful because we have learned from experience and adapted our efforts to better meet the needs of victims.

Each reauthorization of VAWA has played a critical role in this process. As we learn more about the needs of victims, VAWA has been carefully modified to meet those needs. The bipartisan bill that Senator CRAPO and I introduced last year continues that important process. The Republican substitute amendment does not.

The Leahy-Crapo bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country. We listened when they told us what was working and what could be improved. We took their input seriously, and we carefully drafted our legislation to respond to those needs. We made additional modifications and reached carefully crafted compromises through what was an open process. We also shared our draft with Senators from both sides of the aisle and proceeded openly to introduce the bill so that it could be reviewed and improved as the Judiciary Committee considered and voted on it.

Senator CRAPO and I purposely avoided proposals that were extreme or divisive and selected only those proposals that law enforcement and survivors and the professionals who work with crime victims every day told us were essential. Our reauthorization bill is supported by more than 1,000 Federal, State, and local organizations. They include service providers, law enforcement, religious organizations, and many, many more. There is one purpose and one purpose only for the bill that Senator CRAPO and I introduced,

and that is to help and protect victims of domestic and sexual violence. Our legislation represents the voices of millions of survivors and their advocates all over the country.

The same cannot be said for the Republican proposal brought forward in these last couple of days. That is why the Republican proposal is opposed by so many and such a wide spectrum of people and organizations.

The National Task Force to End Sexual and Domestic Violence Against Women, which represents dozens of organizations from across the country says:

The Grassley-Hutchison substitute was drafted without input or consultation from the thousands of professionals engaged in this work every day. The substitute includes damaging and unworkable provisions that will harm victims, increase costs, and create unnecessary inefficiencies.

Although well-intentioned by its lead sponsors, the Republican proposal is no substitute for the months of work we have done in a bipartisan way with victims and advocates from all over the country.

I regret to say the Republican proposal undermines core principles of the Violence Against Women Act. It would result in abandoning some of the most vulnerable victims and strips out key provisions that are critically necessary to protect all victims—including battered immigrants, Native women, and victims in same sex relationships. The improvements in the bipartisan Leahy-Crapo Violence Against Women Reauthorization Act are gone from the Republican proposal. It is no substitute and does nothing to meet the unmet needs of victims.

Mr. GRASSLEY. Mr. President, this afternoon we are considering two nominations for U.S. district judge positions in Texas. Gregg Jeffrey Costa is nominated to serve in the Southern District of Texas, while David Campos Guaderrama is nominated to serve in the Western District of Texas. Again, we are moving forward under the regular order and procedures of the Senate. With today's nomination, we will have confirmed 80 judicial nominees during this Congress. With the confirmations today, the Senate will have confirmed more than 75 percent of President Obama's judicial nominations.

While we are making progress in the Senate, we continue to hear complaints about the vacancy rate. I will again remind my colleagues that of the 81 vacancies, more than 58 percent of these vacancies have no nominee.

These nominations came to the committee with the support of home State Senators. They were reported out of committee by voice vote. These nominees have exceptional records and demonstrate the type of consensus nominations that can be confirmed, even in a Presidential election year.

Mr. Costa received his B.A. degree in 1994 from Dartmouth College. He graduated from the University of Texas School of Law in 1999. After law school, Mr. Costa clerked for the Honorable A. Raymond Randolph on the DC Court of Appeals from August 1999 to July of 2000 and then for Chief Justice Rehnquist from July 2001 to July 2002. Between his two clerkships, he worked as a Bristol Fellow in the United States Department of Justice, Office of the Solicitor General.

In 2002, Mr. Costa joined the law firm Weil Gotshal & Manges as an associate. During his time at the firm, Mr. Costa handled civil litigation matters including intellectual property, class actions, international arbitration, bankruptcy, and general commercial disputes. Mr. Costa also worked on appellate matters and a few pro bono cases as well.

In 2005, he joined the U.S. Attorney's Office for the Southern District of Texas, Houston office, as an assistant U.S. attorney. Mr. Costa has worked in the criminal division of the office in the major offenders and major fraud sections, investigating and prosecuting matters in the areas of mortgage fraud, investment fraud, securities fraud, public corruption, Internet fraud, human trafficking, child pornography, and narcotics and firearms violations. As an AUSA, Mr. Costa also has handled numerous appellate matters before the U.S. Court of Appeals for the Fifth Circuit.

In addition to prosecuting cases for the office, Mr. Costa serves as the deputy international affairs coordinator for the U.S. Attorney's Office. In this capacity, he helps coordinate incoming and outgoing requests on behalf of the Governments of Malaysia, Turkey, Columbia, Greece, France, and the United Kingdom. Mr. Costa also helps and provides guidance to other AUSAs on extradition matters. And in 2005, after Hurricanes Katrina and Rita, Mr. Costa served as the hurricane fraud coordinator for his office that investigated fraud cases relating to the Hurricanes. Mr. Costa's office prosecuted more than 100 individuals for crimes such as government-benefit fraud, identity theft offenses, charitable fraud, and investment fraud.

The ABA Standing Committee on the Federal Judiciary gave him a unanimous rating of "well qualified."

We are also considering the nomination of David Campos Guaderrama, nominated to be U.S. district judge for the Western District of Texas. After graduation from Notre Dame Law School, Judge Guaderrama worked as a solo practitioner from December 1979 to August 1980. He then formed a partnership practice with his then wife. His practice focused on defending individuals in criminal cases, but he also handled some general civil, probate, and workers' compensation cases during this time. In 1987, he was appointed to

serve as El Paso County's first public defender and was charged with starting up and developing an office that would be capable of handling at least 50 percent of all indigent felony cases.

In November 1994, Judge Guaderrama was elected judge of the 243rd Judicial District Court of Texas. He was elected for a 4-year term and subsequently re-elected on four occasions. During his term as a Texas District Court judge, he was instrumental in establishing the 243rd Drug Court Program and Access to Recovery Program. Both programs are aimed at helping rehabilitate defendants guilty of minor drug offenses through counseling and supervision, rather than incarceration. Also while on the 243rd Judicial District he served as chairman of a subcommittee that oversaw reform of the jury selection process that implemented mailing jury qualification questionnaires to potential jurors. He also piloted a program to use video conference technology to conduct arraignments.

In 2008, Judge Guaderrama was an unsuccessful candidate for justice, Eighth Court of Appeals of Texas. In 2010, he was appointed by the U.S. District Court of the Western District of Texas to serve an 8-year term as a U.S. magistrate judge. He has an ABA rating of majority "well qualified", minority "qualified."

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Gregg Jeffrey Costa, of Texas, to be United States District Judge for the Southern District of Texas.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 83 Ex.]

YEAS—97

Akaka	Casey	Hagan
Alexander	Chambliss	Harkin
Ayotte	Coats	Hatch
Barrasso	Coburn	Heller
Baucus	Cochran	Hoeven
Begich	Collins	Hutchison
Bennet	Conrad	Inhofe
Bingaman	Coons	Inouye
Blumenthal	Corker	Isakson
Blunt	Cornyn	Johanns
Boozman	Crapo	Johnson (SD)
Boxer	Durbin	Johnson (WI)
Brown (MA)	Enzi	Kerry
Brown (OH)	Feinstein	Klobuchar
Burr	Franken	Kohl
Cantwell	Gillibrand	Kyl
Cardin	Graham	Landrieu
Carper	Grassley	Lautenberg

Leahy	Nelson (FL)	Snowe
Levin	Paul	Stabenow
Lieberman	Portman	Tester
Lugar	Pryor	Thune
Manchin	Reed	Toomey
McCain	Reid	Udall (CO)
McCaskill	Risch	Udall (NM)
McConnell	Roberts	Vitter
Menendez	Rockefeller	Warner
Merkley	Rubio	Webb
Mikulski	Sanders	Whitehouse
Moran	Schumer	Wicker
Murkowski	Sessions	Wyden
Murray	Shaheen	
Nelson (NE)	Shelby	

NAYS—2

DeMint Lee

NOT VOTING—1

Kirk

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that when the Senate resumes legislative session, the period for debate only on S. 1925 be extended until 2:30 p.m. today, with the time equally divided between the two leaders or their designees and that I be recognized at 2:30 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the question is, will the Senate advise and consent to the nomination of David Campos Guaderrama, of Texas, to be United States District Judge for the Western District of Texas?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. I rise today to speak on an issue that is profoundly important and meaningful to this body at this moment in history. We face a critical juncture in our Nation's history, and we absolutely must renew and strengthen the Violence Against Women Act, not only for the sake of women but also our families around Connecticut and this country.

I thank my colleagues for voting to proceed to consideration of S. 1925, the Violence Against Women Reauthorization Act. VAWA is critically important. It is bipartisan legislation that gives victims of domestic violence and sexual assault access to the services they so desperately need. This crucial law supports both the organizations

that provide these services and the law enforcement agencies that assist the victims as they pursue justice.

As a law enforcement official, I saw firsthand in my duties as State attorney general for Connecticut how important and practical and meaningful this law is. We have a responsibility to not only authorize but also to strengthen VAWA right away.

Some 17 years have passed since the original Violence Against Women Act. We have made great strides, but we cannot be complacent in our efforts to protect our Nation's children and women. At a time when the women of our great Nation face relentless attacks on their rights, we cannot afford to lose the ground we have gained over the last 17 years. We must address the grave concerns of domestic violence and sexual assault which are in no way partisan. As Chairman LEAHY so eloquently and powerfully stated, there is nothing Republican or Democratic about a victim who suffers from this grave ill.

S. 1925 is a bipartisan bill written over months of negotiations and consultations with critical law enforcement and victims advocacy groups, and it supports a number of organizations in my home State of Connecticut with a mission to protect women who experience violence in all forms. This bill provides resources to help a number of organizations in Connecticut fulfill their vital mission to protect more than 54,000—I am going to repeat that because that is a staggering number—54,000 domestic violence victims in Connecticut alone.

Organizations in Connecticut received nearly \$5 million in fiscal year 2011 from the Violence Against Women Act. But many domestic programs in Connecticut and around the country are reporting huge staff and resource shortages that are necessary to respond to the hundreds of thousands of women in need. It is truly an epidemic in this country that we must counter and fight just as we would an epidemic of infectious bacteria or other kinds of insidious sources. VAWA would give these service providers the resources they need to protect women, men, and children who are victims of domestic and sexual violence. We have the opportunity to renew and commit to end domestic violence with updates and stronger measures in this act.

I am pleased that S. 1925 builds on the accountability provisions in the current law so we can make sure VAWA grant money is used effectively and efficiently to support victims. There is a new frontier in the fight against domestic violence and sexual assault. We must strengthen provisions dealing with Internet abuse to protect women and others from those kinds of threats, intimidation, harassment, even physical assaults facilitated by the Internet. Domestic violence, sexual

assault, and stalking can be even more dangerous and threatening in the Internet age, requiring broader and stronger protection. We must protect the thousands of women who fall victim every year to violent crimes facilitated by cyber stalking and impersonation with consequences that are truly horrific and reprehensible.

I am proud to introduce a companion bill to the Violence Against Women Act that enhances current law for the Internet age. This legislation, the Internet Abuse Act, expands the ability of law enforcement to prosecute criminals who use the Internet to intimidate, threaten, harass, and facilitate acts of sexual violence against women, children, and others.

The VAWA proposal before us includes key concepts from the Internet Abuse Act. One of the key provisions strengthens existing criminal provisions against cyber stalking. We must take this act to the new frontier of Internet abuse and make it real against the very pernicious and reprehensible cyber stalking, cyber harassment, and cyber assault that is as much a fact of life as the older forms of domestic abuse. This provision gives law enforcement the ability to go after more real instances of criminal harassment and abuse online, and I want to stress at the same time the provision dramatically strengthens free speech protections.

Currently, the government can prosecute individuals for merely annoying online communications as well as communications that may be generally offensive but not directed at a specific person. This provision removes those authorities from the law so that prosecutors will spend their limited resources focusing on real causes of harassing and abusive conduct online.

The law also focuses on vulnerable populations. As we strengthen VAWA, we must ensure that all victims of domestic violence are protected and have access to the services they need.

Although VAWA has been strengthened and updated in every past reauthorization, the needs of some of our most vulnerable communities still have not been fully addressed. One example is elder abuse. Although the VAWA reauthorization in 2000 included provisions to deal with domestic abuse in later life, our Nation's elders continue to be victims of domestic violence. I am pleased that the provisions I drafted with my distinguished colleague, Senator KOHL, which improve the protections for elder victims of domestic abuse, have been included in this reauthorization of VAWA.

There are LGBT protections. It would simply be unconscionable to deny any victim of domestic violence the support he or she needs. For that reason, I strongly support the provisions that ensure all victims of domestic violence, regardless of gender or

sexual orientation, have access to life-saving services, and we are talking about lifesaving services.

In my experience nobody ever asked what the sexual orientation of a victim was when that person was, in fact, battered and brutalized. There is no such question that gay, lesbian, bisexual, and transgender individuals experience domestic violence at the same rate as the general population. Yet these individuals face discrimination as they attempt to access victims services. That should not be acceptable in this country.

In fact, the survey found 45 percent of LGBT victims were turned away when they sought help from a domestic violence shelter. Clearly, there is a real need to improve the access and availability of services for this vulnerable population, and I support measures in the act that ensure victims of domestic and sexual violence, regardless of their sexual orientation or gender identification, can access the services they need.

In addition, there are broader protections for Native American communities. S. 1925 makes great improvements to the law enforcement tools available to Native American populations. Members of the Tribal Council of the Mashantucket Pequot Tribal Nation, a great tribal nation in Connecticut, have appealed to me to protect the tribal provisions in S. 1925 and to make sure any amendments are barred if they weaken those protections.

In short, all victims of domestic violence deserve access to the services they need and many of my colleagues I know agree. In fact, 61 from both sides of the aisle have signed on to the Violence Against Women Reauthorization Act, and I thank every single one of them for stepping forward and speaking out on this profoundly meaningful and important issue. We have the opportunity to work to eliminate domestic and sexual violence, which is a scourge in our society, costly in suffering as well as dollars, and I encourage my colleagues to keep faith with the hundreds of thousands of victims who look to us for the support they need. We must vote as soon as possible—hopefully today—to reauthorize the Violence Against Women Act.

I thank the Presiding Officer, and I yield the floor.

THE PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I have seen the good the law called the Violence Against Women Act has done in providing victim services in my State of Iowa. We all recognize the harm that flows from domestic violence. It is harmful to the victims as well as the families of victims.

I have supported reauthorization of the Violence Against Women Act each time it has come up. The Violence Against Women Reauthorization on

each of these occasions has been highly bipartisan. We have passed consensus bills and we have not played politics with reauthorizing the law; that is, until now. This time it seems to be different. I don't know why it should be. The majority turned this issue into a partisan issue.

In the Judiciary Committee, the majority gave no notice it would inject new matters into the Violence Against Women Act. When the committee held a hearing on this issue, these ideas were not discussed. Their need has not been demonstrated. We do not know exactly how they will work. It was clear committee Republicans would not be able to agree to this new added material. Of course, the majority refused during negotiations when we asked they be removed.

Republicans will be offering a substitute amendment to the Leahy bill. Probably 80 to 85 percent of the substitute we are offering is the same as the Leahy bill. This includes whole titles of the bill. We could have again reached a near consensus bill to reauthorize the Violence Against Women Act, but the majority intentionally decided not to change the bill. They didn't want it to pass with an overwhelming bipartisan majority.

Now the media has reported this was a deliberate strategy of the majority. A recent Politico article quoted a prominent Democratic Senator. The article said he "wants to fast track the bill to the floor, let the GOP block it, then allow Democrats to accuse Republicans of waging a war against women." This is the cynical, partisan game-playing Americans are sick of. At every town meeting people say to me: When are you going to get together and stop the partisanship? This is especially the case on this bill.

Republicans aren't even blocking the bill. We have called for the bill to be brought up. Instead, the majority has taken 6 months to reauthorize this program that expired last October. That says something about the priorities of the other party.

For instance, last week, we wasted time on political votes. That seems to be the case in the Senate most of this year. The Senate can pass a bill to reauthorize the Violence Against Women Act by an overwhelming margin, but it seems as though the other party doesn't want that to happen. When they say unfavorable things about Republicans and women, they aren't being forthright. A few weeks ago, the Democratic Congressional Campaign Committee sent out a fundraising e-mail. The e-mail stated, in part:

Now, there are news reports that Republicans in Congress will oppose re-authorizing the Violence Against Women Act. Enough is enough! The Republican War on Women must stop NOW . . . Will you chip in \$3 by midnight tonight to hold Republicans accountable for their War on Women?

The majority had a decision between raising money for campaigns or trying

to get the Violence Against Women Act reauthorization bill that would actually help these victims. I say to my colleagues, there is no war on women except the political one. It is a figment of the imagination of Democratic strategists who don't want to remember health care reform, unemployment or high gas prices. Instead of talking about those issues—particularly high gas prices—they would rather make up a war against women. All evidence points to the other side being more interested in raising money.

The media has also reported the bill is coming out now because the Democrats' desire to gin up a Republican so-called war on women was derailed last week, I suppose by other issues. It should be clear at the outset Republicans are not blocking, have not blocked, and never threatened to block the Senate's consideration of this bill. The Judiciary Committee only reported the bill to the Senate 2 months ago. It was March before the committee filed its usual committee report to the entire Senate. Democrats immediately came to the floor and urged the bill to come up right now. It was up to the majority leader to decide when the bill should be debated. He finally decided—not right after the bill was reported out of committee or not right after the committee report was filed—to do it now. Why not back then?

As long as there is a fair process for offering amendments, including our alternative bill and pointing out the flaws in the majority's bill, this should be a relatively short process. As the previous speaker said, I hope we can get it done this very day.

There are several other important points I wish to establish. First, I hope a consensus version of the Violence Against Women Act will be reauthorized. If a consensus bill doesn't pass, no rights of women or anyone else will be affected if the bill does not pass because, contrary to the statements made, there would be no cutbacks of services.

The Violence Against Women Act—the bill before us—is an authorization bill only, not an appropriations bill. This bill does not allow the expenditure of one dime because that result occurs through the appropriations process. Appropriators can and will fund the Violence Against Women Act programs regardless of whether this bill is reauthorized. This is exactly what happened over the past year. We think new issues have arisen since the last Violence Against Women Act reauthorization. These issues should be addressed in a consensus reauthorization. That can happen. We should give guidance to the appropriators. That is what authorization committees, such as in this case, the Judiciary Committee, is all about.

I support the appropriators continuing to fund the Violence Against

Women Act while we are trying to put together a consensus bill. The Violence Against Women Act is being funded despite the expiration of its previous authorization. No existing rights of anyone are affected if the Violence Against Women Act is not reauthorized. No existing rights of anyone are affected if we pass a consensus bill rather than this partisan bill—I should say the majority's bill, not the partisan bill.

Second, the majority controls how bills move in the Senate. As I said, the current Violence Against Women Act reauthorization expired 6 months ago. If reauthorization was so important, I think the majority party could have moved to reauthorize this bill months ago. They didn't move a bill because no one's substantive rights or funding are at stake. This is true, even though the prior reauthorization has expired and a new reauthorization bill has not yet passed.

Third, nothing like the majority's bill, where it does not reflect consensus, will become law. It is a political exercise. The other body, meaning the House of Representatives, doesn't seem as though it is going to pass it the way the majority party here wants it to pass. If we want to pass a consensus violence against women reauthorization bill, we ought to start with the alternative Senator HUTCHISON and I are going to present to the Senate.

Fourth, the majority's bill, as reported out of committee, was and is fiscally irresponsible. According to the Congressional Budget Office, the majority's bill would have added more than \$100 million in new direct spending. That will increase the deficit by that same amount. The reason is the immigration provisions that we said previously were nonstarters. These were some of the provisions the majority refused to take out. Those provisions are bad immigration policy. Nonetheless, I am glad the majority has now found an offset for this spending.

The Republican alternative does more to protect the rights of victims of domestic violence and sex crimes than does, in fact, the majority bill. There are many ways in which this substitute does that. Under the substitute amendment, more money goes to victims and less to bureaucrats. It requires that 10 percent of the grantees be audited every year. This is to ensure taxpayer funds are actually being used for the purpose of the legislation—to combat domestic violence.

This is a very important point. The Justice Department inspector general conducted a review of 22 grantees under this law between 1998 and 2010. Of these 22 audits, 21 were found to have some form of violation of grant requirements. The violations range from unauthorized and unallowable expenditures to sloppy recordkeeping and failure to report in a timely manner. When

this happens, the money is not getting to the victims and the taxpayers' money is being wasted.

Let me give some examples. In 2010, one grantee was found by the inspector general to have questionable costs for 93 percent of the nearly \$900,000 they received from the Justice Department. A 2009 audit found that nearly \$500,000 of a \$680,000 grant was questionable.

The fiscal irregularities continue. An inspector general audit from just this year found that this law's grant recipients in the Virgin Islands engaged in almost \$850,000 in questionable spending. Also, a grant to an Indian tribe in Idaho found about \$250,000 in improperly spent funds. This included—can my colleagues believe it—\$171,000 in salary for an unapproved position.

In Michigan this year, a woman, at a VAWA grant recipient facility, used grant funds to purchase goods and services for personal use.

We should make sure then that Violence Against Women Act money goes to victims and not to waste such as this. That hasn't been the case, obviously, under the current situation. So our Republican substitute deals with this spending problem.

The substitute also prevents grantees from using taxpayer funds to lobby for more taxpayer funds. That will ensure that more money is available for victims' services. Money that goes to grantees and is squandered helps no woman or other victims.

In addition, the Republican alternative limits the amount of Violence Against Women Act funds that can go to administrative fees and salaries to 7.5 percent. That means money that now is over the 7.5-percent suggested limit is going to bureaucrats and not to victims. Of course, the underlying bill, the Leahy bill, contains no such limit. If you want the money to go to victims and not bureaucrats, those overhead expenses should be capped at this 7.5-percent level.

The Republican substitute amendment requires that 30 percent of the STOP grants and grants for arrest policies and protective orders are targeted to sexual assault. The Leahy-Crapo bill sets aside only 20 percent instead of that 30 percent to fight sexual assault.

The substitute Senator HUTCHISON and I offer—hopefully this afternoon—requires that training materials be approved by an outside accredited organization. This ensures that those who address domestic violence help victims based on knowledge and not ideology. This will result in more effective assistance to victims. The Leahy-Crapo bill contains no such requirement.

The Hutchison-Grassley substitute protects due process rights that the majority bill threatens. I will give you an instance. The majority bill said that college campuses must provide for "prompt and equitable investigation and resolution" of charges of violence

or stalking. This would have codified a proposed rule of the Department of Education that would have required imposition of a civil standard or preponderance of the evidence for what is essentially a criminal charge, one that, if proved, rightly should harm reputation. But if established on a barely "more probable than not" standard, reputations can be ruined unfairly and very quickly. The substitute eliminates this provision.

The majority has changed their own bill's language. I thank them for that. I take that as an implicit recognition of the injustice of the original language.

The substitute also eliminates a provision that allowed the victim who could not prove such a charge to appeal if she lost, creating double jeopardy.

The majority bill also would give Indian tribal courts the ability to issue protection orders and full civil jurisdiction over non-Indians based on actions allegedly taking place in Indian country.

Noting that the due process clause requires that courts exercise jurisdiction over only those persons who have "minimum contacts" with the forum, the Congressional Research Service has raised constitutional questions about this provision. The administration and its supporters in this body pursue their policy agendas headlong without bothering to consider the Constitution. The substitute contains provisions that would benefit tribal women and would not run afoul of the Constitution.

We have heard a lot of talk about how important the rape kit provisions in the Judiciary Committee bill are. I strongly support funds to reduce the backlog of testing rape kits. But that bill provides that only 40 percent of the rape kit money actually be used to reduce the backlog. The substitute requires that 70 percent of the funding would go for that purpose and get rid of the backlog sooner.

It requires that 1 percent of the Debbie Smith Act funds be used to create a national database to track the rape kit backlog. It also mandates that 7 percent of the existing Debbie Smith Act funds be used to pay for State and local audits of the backlog.

Debbie Smith herself has endorsed these provisions. The majority bill has no such provisions. Making sure that money that is claimed to reduce the rape kit backlog actually does so is provictim. True reform in the Violence Against Women Act reauthorization should further that goal.

Combating violence against women also means tougher penalties for those who commit these terrible crimes. The Hutchison-Grassley substitute creates a 10-year mandatory minimum sentence for Federal convictions for forcible rape. The majority bill establishes a 5-year mandatory minimum sentence. That provision is only in there

because Republicans offered it and we won that point in our committee.

Child pornography is an actual record of a crime scene of violence against women. Our alternative establishes a 1-year mandatory minimum sentence for possession of child pornography where the victim depicted is under 12 years of age.

I believe the mandatory minimum for this crime should be higher. In light of the lenient sentences many Federal judges hand out, there should be a mandatory minimum sentence for all child pornography possession convictions. But the substitute is at least a start. This is especially true because the majority bill takes no action against child pornography.

The alternative also imposes a 5-year mandatory minimum sentence for the crime of aggravated sexual assault. This crime involves sexual assault through the use of drugs or by otherwise rendering the victim unconscious. The Leahy bill does nothing about aggravated sexual assault. The status quo appears to be fine for the people who are going to vote for the underlying bill if the Hutchison-Grassley amendment is not adopted.

Instead, the Hutchison-Grassley amendment establishes a 10-year mandatory minimum sentence for the crime of interstate domestic violence that results in the death of the victim.

It increases from 20 to 25 years the statutory maximum sentence for a crime where it results in life-threatening bodily injury to, or the permanent disfigurement of, the victim.

It increases from 10 to 15 years the statutory maximum sentence for this crime when serious bodily injury to the victim results.

The Leahy bill contains none of these important protections for domestic violence victims.

The substitute grants administrative subpoena power to the U.S. Marshals Service to help them discharge their duty of tracking and apprehending unregistered sex offenders. The Leahy bill does nothing to help locate and apprehend unregistered sex offenders.

And the substitute cracks down on abuse in the award of U visas for illegal aliens and the fraud in the Violence Against Women Act self-petitioning process. The majority bill does not include any reforms of these benefits, despite actual evidence of fraud in the program.

One of the Senators who recently came to the floor complained that there had never been controversy in reauthorizing the Violence Against Women Act. But in the past there were no deliberate efforts to create partisan divisions. We always proceeded in the past in a consensus fashion.

Domestic violence is an important issue, serious problem. We all recognize that. In the past, we put victims ahead of politics in addressing it. When the

other side says this should not be about politics and partisanship, why, heavens, we obviously agree. It is the majority that has now decided they want to score political points above assisting victims. They want to portray a phony war on women because this is an election year. They are raising campaign money by trying to exploit this issue, and I demonstrated that in one of the e-mails that came to our attention.

There could have been a consensus bill before us today, as in the past. There is controversy now because that is what the majority seems to want. We look forward to a fair debate on this bill and the chance to offer and vote on our substitute amendment. That amendment contains much that is in agreement with the Leahy bill. The substitute also is much closer to what can actually be enacted into law to protect victims of domestic violence.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Hawaii.

Mr. AKAKA. Madam President, I rise today in support of S. 1925, the Violence Against Women Act reauthorization of 2011.

Since its enactment in 1994, VAWA has enhanced the investigation and prosecution of incidents of domestic and sexual violence and provided critical services to victims and their advocates in court. It has truly been a lifeline for women across the country, regardless of location, race, or socioeconomic status.

For these reasons, VAWA's two prior reauthorizations were overwhelmingly bipartisan. This year, however, a number of my colleagues are opposing the Violence Against Women Act reauthorization because they object to, among other things, the authority that it restores to Native American tribes to prosecute those who commit violent crimes against Native women.

This bill's tribal provisions address the epidemic rates of violence against Native women by enabling VAWA programs to more directly and promptly respond to their concerns and needs. These tribal provisions are critical to the lives of Native women and doubly important to me as chairman of the Senate Committee on Indian Affairs and a Native Hawaiian.

Native women are 2½ times more likely than other U.S. women to be battered or raped. These are extremely disturbing statistics: 34 percent of Native women will be raped in their lifetimes and 39 percent will suffer domestic violence. That is more than one out of every three Native women. We must come together to put a stop to this.

Last summer I chaired an oversight hearing entitled "Native Women—Protecting, Shielding, and Safeguarding Our Sisters, Mothers, and Daughters." I heard the heartbreaking stories that lie behind the grim and troubling sta-

tistics on violence against American Indian, Alaska Native, and Native Hawaiian women.

My committee heard from the chief of the Catawba Nation, who gave a moving account of his experience growing up with domestic violence and the impact it had on the women and children in his community. He also spoke of the importance of reauthorizing VAWA.

We heard from officials who described how existing laws are failing Native women. We heard, for example, that women in tribal communities live in a confusing and dangerous jurisdictional maze, in which the absence of clear lines of authority often leads to offenders, many of whom are non-Native men, escaping investigation and prosecution, to say nothing of punishment. This outrageous and unacceptable situation has led to repeated offenses against Native women that too often spiral into violence with tragic consequences for the women, their children, and their communities.

My committee also heard that Native women are being increasingly targeted by the sex-trafficking industry and that many have, according to police reports in tribal communities across the country, simply vanished into this terrible underworld. The draft bill to address violence against Native women was circulated to a wide range of stakeholders for feedback. This led to strengthened provisions in the draft bill which I introduced as S. 1763, the Stand Against Violence and Empower Native Women Act.

The Senate Committee on Indian Affairs held a legislative hearing on my bill the following month and then reported it out of the committee in December.

Since then, I have worked closely with my good friend and colleague Senator LEAHY, chairman of the Judiciary Committee, as we developed S. 1925, which now includes the SAVE Native American Women Act. S. 1925's tribal provisions empower tribal courts to prosecute crimes of domestic violence, dating violence, or violations of protection orders regardless of the race of the alleged abuser. This bill also strengthens research and programs to address sex trafficking. Since VAWA was enacted 18 years ago and reauthorized twice since then, a hallmark of the law is that it has expanded its protections to classes of once neglected victims. Accordingly, S. 1925's tribal provisions are consistent with VAWA's history as well as its intent and purpose, which past Congresses have embraced.

Last week 50 law professors from leading institutions across the country sent a letter to Congress expressing their "full confidence in the constitutionality of the legislation and in its necessity to protect the safety of Native women." Just this week the White

House released a Statement of Administration Policy stating that it strongly supports these provisions, which will “bring justice to Native American victims.”

I commend Chairman LEAHY for his dedicated leadership in developing this bill. He has truly worked in the spirit of aloha by partnering with the Indian Affairs Committee and other offices to craft a VAWA reauthorization bill that reasserts VAWA’s intent, purpose, and history.

I would also like to say mahalo—thank you—to each of this bill’s other bipartisan cosponsors. As we all know, domestic and sexual violence continues to occur, and far too many women across the country are victims of these horrible acts. We have heard from victims, from service providers, and from law enforcement that these crimes can leave victims with lasting emotional and physical scars, while endangering their security, their families, and their lives.

This bill will strengthen the Violence Against Women Act and extend its protections to include Native women who are underserved in the current system.

This is not an issue that should divide us along partisan lines. On the contrary, it should unite us to take a stand against these awful crimes. So I urge you to join me and the rest of S. 1925’s cosponsors to protect our sisters, mothers, and daughters and pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I rise to speak about our Constitution’s Federalist structure and the real danger of the Federal Government unduly interfering with the ability of States and localities to address activities and concerns in their communities.

Everyone agrees that violence against women is reprehensible. The Violence Against Women Act reauthorization had the honorable goal of assisting victims of domestic violence, but it oversteps the Constitution’s rightful limits on Federal power. It interferes with the flexibility of States and localities that they should have in tailoring programs to meet particular needs of individual communities, and it fails to address problems of duplication and inefficiency.

First, violent crimes are regulated and enforced almost exclusively by State governments. In fact, domestic violence is one of the few activities that the Supreme Court of the United States has specifically said Congress may not regulate under the commerce clause. As a matter of constitutional policy, Congress should not seek to impose rules and standards as conditions for Federal funding in areas where the Federal Government lacks constitutional authority to regulate directly.

Second, the strings Congress attaches to Federal funding in the VAWA

reauthorization restrict each State’s ability to govern itself. Rather than interfering with State and local programs under the guise of spending Federal tax dollars, Congress should allow States and localities to exercise their rightful responsibility over domestic violence. State and local leaders should have flexibility in enforcing State law and tailoring victim services to the individualized needs of their communities, rather than having to comply with one-size-fits-all Federal requirements.

Third, even if the Federal Government had a legitimate role in administering VAWA grant programs, the current reauthorization fails to address many instances of duplication and overlap among VAWA and other programs operated by the Department of Justice and by the Department of Health and Human Services, nor does it address the grant management failings by the Government Accountability Office.

My opposition to the current VAWA reauthorization is a vote against big government and inefficient spending and a vote in favor of State autonomy and local control. We must not allow a desire by some to score political points and an appetite for Federal spending to prevent States and localities from efficiently and effectively serving women and other victims of domestic violence.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Madam President, when my wife Frannie and I decided that I should run for the Senate, we were greatly influenced by the example set by Senator Paul Wellstone and his wife Sheila. The Wellstone example serves as a constant reminder of what public service is all about. It is about helping others. It is about giving a voice to those who otherwise might go unheard. It is about making the law more just and more fair, especially for those who need its protections the most.

Frannie and I have a personal responsibility to carry on the Wellstones’ legacy. We all do. And you know what, I think Paul and Sheila would be proud of what we are doing here today. We are on the verge of reauthorizing the Violence Against Women Act.

Paul and Sheila were extraordinary people. An unlikely couple, Sheila was born in Kentucky to Southern Baptist parents. Paul was born here in Washington, the son of Russian-Jewish immigrants. But love and fate—they work in mysterious ways—brought Paul and Sheila together.

Sheila’s family moved to Washington, where she and Paul became high school sweethearts. Paul went to North Carolina for college, and Sheila went back to Kentucky. But a freshman year apart was more than they could bear. Sheila moved to North Carolina to be with Paul. They got

married. A year later they were proud parents. They eventually would have two more children. The Wellstones were a big happy family.

After Paul earned his Ph.D. in political science, the Wellstones moved to Minnesota, where Paul had a successful teaching career at Carleton College. Sheila, meanwhile, worked two jobs: She was a full-time mother and a part-time library aide.

A happy family life in Minnesota would have been enough for most people but not for Paul and Sheila. Their compassion knew no limits. They wanted to make the world a better place for others, and they set out to do just that. Paul ran for public office. He and Sheila worked as a team during Paul’s Senate campaign, as they did in all aspects of their lives. Paul’s opponent outspent him by a large margin, but what Paul and Sheila lacked in resources they made up for in grassroots support, a tireless work ethic, and an unparalleled commitment to the people of Minnesota, and also quite a bit of charm. Improbable as it must have seemed at the outset, Paul won. He was elected to the Senate in 1990. So the Wellstones went to Washington, the city where they first fell in love.

At the time, Sheila was not really a public figure—at least she did not view herself as such. In fact, Sheila was a bit shy, and she avoided public speaking when she could. But Sheila started spending time at women’s shelters in Minnesota and elsewhere, listening to painful stories about domestic violence and assault. She realized there were a lot of women across the country who needed a voice, who needed someone to speak up for them. Sheila set out to become that person.

Here is what she said:

I have chosen to focus on domestic violence because I find it appalling that a woman’s home can be the most dangerous, the most violent, and, in fact, the most deadly place for her. And if she is a mother, it is dangerous for her children. It is time that we tell the secret. It is time that we all come together to work toward ending the violence.

Sheila matched her words with action. She became a champion for survivors of domestic violence in Minnesota and throughout the country. Each year, she hosted an event in the Capitol to raise awareness about that issue. That annual event continues to this day. And as I said, Sheila and Paul were a team, so Sheila worked very closely with Paul to champion the Violence Against Women Act, a landmark Federal law that affirmed our Nation’s commitment to women’s safety.

Signed into law in 1994, VAWA increased the number of beds and shelters that were available to women who needed refuge. It provided critical support to law enforcement officers and prosecutors so they could respond more effectively to incidents of domestic violence. It funded support services and crisis centers for victims. And perhaps

most importantly, VAWA sent a message: Domestic violence no longer will be tolerated in America. Since VAWA was enacted, incidents of domestic violence have been reduced significantly. VAWA has improved lives. It has saved lives. It is part of the Wellstones' proud legacy.

VAWA is part of this institution's legacy too. When it comes to violence against women, Members of the Senate always have been able to come together. VAWA has been reauthorized twice. Both times it had unanimous support in the Senate—unanimous support. The VAWA reauthorization bill we are considering today is in keeping with VAWA's bipartisan tradition. Its 61 cosponsors come from across the country and across the aisle.

I am grateful to Senators LEAHY and CRAPO for their leadership on this bill.

The VAWA Reauthorization Act renews our national commitment to prevent responsive incidents of sexual assault, a heinous crime that remains all too common in America, even while domestic violence is becoming less common.

The VAWA Reauthorization Act addresses the alarming rates of violence against women in Indian Country by giving tribes jurisdiction to prosecute acts of domestic violence in their communities. The VAWA Reauthorization Act cuts redtape and spending by consolidating grant programs and improving accountability measures.

This is a good bill, and I am proud to support it. I am also proud to have written two of its provisions. I thank Chairman LEAHY for inviting me to do so and for including those provisions in the final bill.

First, the VAWA reauthorization bill includes the provision from the Justice for Survivors of Sexual Assault Act, one of the first bills I wrote after being sworn into the Senate. When this bill becomes law, survivors of sexual assault never again will suffer the indignity of paying for forensic medical exams. VAWA provides State and local governments with funding to administer these exams, which also are known as rape kits, and are used to collect evidence in sexual assault cases. The problem is that under current law, grant recipients can charge the survivor for the upfront cost of administering the exam, leaving the survivor to seek reimbursement later. Too often survivors are not reimbursed. They get lost in the maze of paperwork or are left high and dry when funds run out.

Can you imagine if we required crime victims to pay for the police to gather evidence such as fingerprints from a crime scene? Of course not. We should not require victims of sexual assault to pay for rape kits. This isn't a partisan issue; it is common sense.

I am grateful to Senator CHARLES GRASSLEY, the Judiciary Committee's

ranking member, for his ongoing support for this bill. He was an original cosponsor when I introduced it in 2009 and when I reintroduced it last year.

Survivors of sexual violence have endured enough already. They should not have to pay for rape kits. They will not have to once this bill becomes law.

The VAWA reauthorization bill also includes the Housing Rights for Victims of Domestic and Sexual Violence Act, legislation that I introduced with Senators COLLINS and MIKULSKI last fall. This bill will help women stay in their homes when they are most vulnerable, when they need a roof over their heads the most.

The link between violence and homelessness is undeniable. By one account, nearly 40 percent of women who experience domestic violence will become homeless at some point in their lives—nearly 40 percent. Once a woman becomes homeless, she becomes even more vulnerable to physical or sexual abuse.

In my State nearly one in three homeless women is fleeing domestic violence, and half of those women have children with them. That is not the world that Sheila Wellstone envisioned. Nobody should have to choose between safety and shelter. While the link between violence and homelessness is undeniable, it is not unbreakable. We need shelters and transitional housing programs for women who are fleeing danger. The VAWA reauthorization bill provides continued support for those programs.

There is also much we can do to prevent women from becoming homeless in the first place, such as housing rights legislation, which will make it unlawful to evict from federally subsidized housing a woman just because she is a victim of domestic violence, dating violence, sexual assault, or stalking. This bill is for every woman who has hesitated to call the police to enforce a protective order because she was afraid she would be evicted from her home if she did so.

I am grateful to the many wonderful organizations that have worked with me on this bill. They include women's victims advocacy groups such as the Minnesota Coalition Against Sexual Assault, the MNCASA, and the Minnesota Domestic Abuse Project. They include tenant advocacy groups such as the National Low-Income Housing Coalition. They include the Legal Aid Society, Minnesota Legal Assistance, and they include leaders of the housing industry too. In fact, I recently received a letter from the National Association of Realtors, the Institute for Real Estate Management, and other housing industry representatives expressing their support for this bill.

They wrote that they "believe that preserving housing for victims of domestic violence, dating violence, sexual assault, and stalking is critically important."

I could not agree more. That is exactly what this bill does.

Sheila Wellstone isn't with us today. Sheila and Paul and their daughter Marcia were tragically taken from us too soon. But Sheila's example is with us, her legacy is with us, and her words are with us. I would like to close with those. Here is what Sheila said:

We really have to look at the values that guide us. We have to work toward the ethic that expects every individual to be physically and emotionally safe. No one, regardless of age, color, gender, background, any other factor, deserves to be physically or emotionally unsafe. In a just society, we pledge to act together to ensure that each individual is safe from harm. In a just society, I think we have to say this over and over and over: We are not going to tolerate the violence.

Madam President, the VAWA reauthorization bill is another step toward a more just society, as Sheila was describing. I look forward to it becoming law.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I rise today with the surest conviction that this body—united as a group of Democrats and Republicans—can and will vote to ensure the women and children of this country are free from domestic abuse. I believe that opposing the bill before us would defy every ounce of common sense I have in my body.

I am a proud sponsor of the Violence Against Women Act, as are most of my colleagues in this body, because it is unfathomable that any individual could oppose efforts to ensure women and children are free from violence.

The bill we are currently considering would reauthorize several essential grant programs that have made a tremendous difference in my State of West Virginia and across this Nation. Here is what I have heard from the West Virginia Coalition Against Domestic Violence Team Coordinators Sue Julian and Tonia Thomas:

The Violence Against Women Act is the most critical piece of federal legislation affecting the safety of survivors of domestic violence and their children in every county of West Virginia. [The law] supports cost-effective responses to the pervasive and insidious crimes of domestic violence. VAWA funds innovative, successful programs that are at the core of our nation's response to domestic violence, sexual assault, dating violence and stalking. Action taken at the congressional level to end violence against women, children, and men echoes through the hills and hollows of the most remote communities in this state. Without VAWA, the collaborative efforts of law enforcement, prosecution, victim advocates, and judicial personnel would be fragmented, compartmentalized, and at worse counterproductive to each other. VAWA saves lives, changes communities, offers safety and creates channels of hope.

We know since it first passed in 1994, the Violence Against Women Act has reduced domestic violence by more

than 50 percent through the critical programs it funds. Still, violence against women and children is a terrifying reality in this country.

Let me share with you some startling statistics that illustrate the scope of the problem.

According to the West Virginia Foundation for Rape Information and Services—our State's sexual assault coalition—one in six women in West Virginia will be a victim of attempted or completed rape.

According to the West Virginia Coalition Against Domestic Violence, on any given day, licensed domestic violence programs in West Virginia provide services to nearly 600 women, children, and men.

Every 7 minutes a call is made to a domestic violence hotline in West Virginia. One-third of homicides in West Virginia are related to domestic violence. More than two-thirds of women murdered in West Virginia are killed by a member of their family or their household.

In 2010, there were 11,174 investigations into domestic violence allegations in West Virginia, which required 272,450 hours of law enforcement involvement. This legislation is a fight on behalf of the women whose stories are contained in those numbers but whose lives are invaluable and more important than any statistic could ever hope to portray. No one can better speak to the importance of the Violence Against Women Act than the groups whose work each and every day is improved because of the programs supported by the law.

Growing up in a small community, as I did in Farmington, WV, in a loving family, violence against women and children was unfathomable. I would not even have thought it. The most beautiful people in my life were my mother, my grandmother, my sister, my aunts, and my cousins. They were the most beautiful people I could have hoped to grow up with. My grandmother—we call her Mama Kay—had been the glue to our family and kept it together, and she really kept the community together. She was a symbol of strength to whom others would turn for a place to stay or a hot meal in times of trouble.

We celebrated and admired the women who raised us and those around us. We thanked them and loved them and showed them appreciation and respect. So it is incomprehensible to me how anybody could make a decision to inflict physical pain on a woman or a child or even a man. Truly, life is tough enough without involving violence.

Once again, for each and every Member of the Senate who will cast a vote on this bill, the question comes down to this: What is it that we truly value? What are our priorities?

Ensuring that women and children have adequate protection against vio-

lence just makes common sense. To the people of West Virginia, I know this is the highest of priorities. Of course, these atrocities are not unique to my State. Nationally, domestic violence accounts for 22 percent of the violent crimes experienced by women and 3 percent of the violent crimes against men.

Approximately 37 percent of the women seeking injury-related treatment in hospital emergency rooms were there because of injuries inflicted by a current or former spouse or partner. In tough economic times—like those we are experiencing now—women are more likely to become a victim of domestic violence.

According to the National Network to End Domestic Violence, domestic violence is more than three times as likely to occur when couples are experiencing high levels of financial strain as when they are experiencing low levels of financial strain. Women whose male partners experienced two or more periods of unemployment over a 5-year study were almost three times as likely to be victims of intimate violence as were women whose partners had stable jobs.

Seventy-three percent of shelters attributed the rise in abuse to “financial issues.” “Stress” and “job loss” were also frequently cited as causing the increase of victims seeking shelter. It goes on and on.

All we are asking for is to make this a nonpartisan issue—come together as Americans, as Senators, not worrying about political differences. This is one bill that brings us all together for a common cause—a most decent cause—and something that is needed in America.

I urge the support of all of my colleagues. Please support this. Let's come back together as Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Madam President, I rise to join my colleagues in calling for passage of the Violence Against Women Reauthorization Act. I am disheartened that in the last several months petty, partisan gamesmanship has held up this legislation.

Since VAWA originally passed on a bipartisan basis in 1994, the annual incidence of domestic violence has decreased by 53 percent. Many victims are now reporting incidents of abuse rather than hiding in fear. Reports of abuse have increased by 51 percent. This law has transformed our criminal justice system and victim support services. The law has worked well because it encourages collaboration among law enforcement, health and housing professionals, and community organizations to help prevent and respond to intimate partner violence.

In one recent instance in my State, a man was on pretrial release after being

charged with stalking his wife. Thanks to the STOP grants funding—which provide services and training for our officers and prosecutors—he was being monitored. This individual was being electronically monitored and was caught violating the conditions of his release when he went to his estranged wife's home. The supervising officer was immediately notified of this violation and police officers found the man with the help of the GPS and arrested him in his estranged wife's driveway.

Thank goodness this woman was protected and this incident did not add another victim to the 73 deaths caused by domestic violence each year in North Carolina.

Unfortunately, though, the well-being of women in North Carolina and around the country hangs in the balance until we in Congress take action on this act.

Domestic violence also hurts our economy. It costs our health care system \$8.3 billion each year. The reauthorization of this act streamlines crucial existing programs that protect women while recognizing the difficult fiscal decisions facing the Federal Government today. Thirteen existing programs would be consolidated to four, which will reduce administrative costs and avoid duplication. New accountability provisions will also require strict audits and enforcement mechanisms aimed at ensuring these funds are used wisely and efficiently.

In fact, title V of this bill includes one of my bills—the Violence Against Women Health Initiative. My bill provides vital training and education to help health care providers better identify the signs of domestic violence and sexual assault. It helps medical professionals assess violence and then refer patients to the appropriate victim services.

This training would have helped Yolanda Haywood, a woman who, as a young mother of three, found herself in an abusive marriage. Her husband abused her regularly and one night punched her in the face and split her lip, which sent her to the emergency room. She obviously needed stitches. As she sat on the examination table, the physician who was sewing her lip back asked: Who did this to you? Yolanda quietly said: My husband. The physician responded by telling her she needs to learn how to duck better.

Yolanda spent the next several years learning how to duck before finally leaving that abusive relationship. Empowered by her experience, she went to medical school and now teaches students at a prestigious university the importance of identifying and treating domestic violence and sexual assault, as well as working in an ER.

In a recent visit to a woman's domestic shelter in Charlotte, I met a counselor who shared this story with me. A young boy had just spent his first night

at the shelter. The next morning the counselor was talking to him and he said he slept with both eyes shut last night. The counselor asked the young boy: Well, how do you usually sleep? He said: I usually sleep with one eye open and one eye closed because the last time I slept with both eyes closed my mommy and I both got hurt.

This is the kind of experience this bill will help with. It will protect women and children. For all the progress we have made combating violence against women, this must continue to be a priority. I urge each of my colleagues to support the reauthorization of the Violence Against Women Act because it literally saves lives in North Carolina and around the country, while ensuring a better future for our children.

I thank the Chair, and I yield the floor.

THE PRESIDING OFFICER. The Senator from Louisiana.

NATIONAL FLOOD INSURANCE PROGRAM

Mr. VITTER. Madam President, I rise to talk about another vital program we must reauthorize and continue before it expires; that is, the National Flood Insurance Program. Right now, that is due to completely expire at the end of May. So I wanted to bring this to everyone's attention, particularly that of the majority leader, so we take this up in time—as soon as possible—and put it in line absolutely as soon as possible so this can be extended and there will be no interruption.

This is an important program for the country. It provides vital flood insurance for millions of Americans. Many properties cannot have a real estate closing on them. They cannot be transferred without that important flood insurance. It is particularly important in my home State of Louisiana, where the risks of flooding—coastal and otherwise—are even greater than the national average.

Unfortunately, we have been on a path the last few years of just barely hobbling along, using a bandaid approach to extend this necessary program just a little bit at a time. This got to its worst state in 2010, when we not only extended it just a little bit at a time, but we actually allowed it to lapse, to expire, for several days at a time on four different occasions, for a total of 53 days. What happened? Each of those times the program expired, many real estate closings—tens of thousands of real estate closings around the country—came to a screeching halt. They were cancelled. They were put off.

So here we are, in a very soft economy and trying to eke out of a real estate-led recession. Yet for no good reason—because of our inability to, frankly, get our act together and organize ourselves and extend this non-controversial program—we had lapses in the program so that thousands of

real estate closings were put off. That lapse occurred, as I said, in 2010, four different times, for a total of 53 days.

Since then, we have improved a little bit. We have extended the program for 6 months at a time under legislation I have introduced. But now we need to take the next step and not just continue to hobble along but have a full reauthorization, with important bipartisan reforms, of this National Flood Insurance Program.

There has been a lot of work done in that regard. The House of Representatives has done a complete reauthorization bill, and they adopted that bill by an overwhelming vote of 406 to 22 last July 2. So they have acted. They have done their part going back going almost 1 year ago—about 9 months ago. On the Senate side, we have made important bipartisan progress in the Banking Committee, which is the committee of jurisdiction. We have worked hard to put together a full 5-year reauthorization bill with reforms on a bipartisan process.

As ranking member of the relevant subcommittee, I have put a lot of work into this with many others, including my subcommittee chairman JON TESTER. We reported that bill through the entire committee. It got a strong report out of committee and is ready for action on the Senate floor. So now we need to take that next step. We need to get it on the Senate floor, pass it through, and reconcile it with the House bill.

There are no major substantive obstacles. This is a true bipartisan effort. We have worked well together and through a number of issues. The only issue is getting time on the Senate floor and moving this forward so we can do this full-scale, 5-year reauthorization before the program expires this May 31.

Again, I just come to the floor to urge all of us, and in particular the majority leader who sets the schedule, to schedule this, to find that time, to put it in line as soon as possible. We are now on the Violence Against Women Act, which we support being on. I believe next we are moving to student loans. I have no problem with that. But let's put this important measure in line right after that, as soon as possible, so we can take it up and accomplish this task well before the May 31 deadline.

We can get this done. As I said, there are few, if any, substantive hurdles. We can get this done. We can produce a long-term reauthorization, we can produce good reforms in that bill, as we have in the Senate committee bill and as the House has. We just need to move it through the process. I certainly commit to everyone, starting with the majority leader, that if we get that minimal amount of time on the Senate floor, we will certainly work to have that process run as smoothly and as

quickly as possible. I have worked with Senator TESTER in that regard, toward that end, and we will continue to work through the remaining Senate proceedings.

Finally, in support of this plea, I have a letter, dated February 13 of this year, addressed to the majority and minority leaders from a long list of Senators, both parties, urging that we take this action, urging that we schedule this for the Senate floor absolutely as soon as possible so we can get this job done. As I said, this letter was dated February 13. Obviously, a few months have passed since then and the clock is ticking and that clock runs out on May 31.

Again, I urge us, particularly the majority leader, to please put this necessary and important and bipartisan legislation in line for floor consideration as soon as possible. We can get this done. We can get this done by the current deadline. We can get this done for the good of the American people and on a bipartisan basis and I urge us all to work toward that end, as JON TESTER and I have been doing and as the committee chair and ranking member have been doing. I certainly know the ranking member of the committee, Senator SHELBY, strongly supports this plea.

At this time, I ask unanimous consent to have printed in the RECORD the letter to which I have just referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, February 13, 2012.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Washington, DC.

DEAR LEADERS REID AND MCCONNELL: As we begin the Second Session of the 112th Congress, we the undersigned urge you to bring legislation to the floor to provide for a long-term reauthorization and meaningful reform of the National Flood Insurance Program (NFIP) as expeditiously as possible in February or very soon thereafter.

The National Flood Insurance Program was first established in 1968, and has since that time been instrumental in protecting America's families, homes and businesses from financial ruin when flooding occurs. The program was last reauthorized in 2004. That reauthorization expired in 2008, and since then the program has been extended through a series of short-term measures. In fact, the program expired four times in 2010 resulting in lapses totaling 53 days. It has been estimated that those program lapses resulted in the delay or cancellation of more than 1,400 home closings per day, further damaging an already fragile housing market.

As you know, the House of Representatives passed its version of a long-term reauthorization on July 12, by an overwhelming vote of 406-22. The Senate Banking Committee has reported a committee print with overwhelming bipartisan support which is currently awaiting floor action. This bill makes essential changes to the program in an attempt to protect taxpayers and restore its solvency. We sincerely believe that, with a

concerted effort on the part of Senate and Banking Committee leadership, as well as interested Senators, the bill can be brought to the floor of the Senate, debated and passed as soon as possible in order to ensure this process is completed before the NFIP expires at the end of May.

The Senate should take this opportunity to capitalize on the bipartisan efforts by both the Senate Banking Committee and the House of Representatives thus far to make major improvements to this important program. We believe that passage of a comprehensive, bipartisan flood reauthorization bill is within reach, and we respectfully urge you to schedule such a debate.

Sincerely,

Senator Jon Tester, Senator David Vitter, Senator Ben Nelson, Senator Kay Hagan, Senator Daniel Akaka, Senator Michael Bennet, Senator Thomas Carper, Senator Amy Klobuchar, Senator Jeff Merkley, Senator Mark Warner, Senator Herb Kohl, Senator Mike Crapo, Senator Scott Brown, Senator Johnny Isakson, Senator Mike Johanns, Senator John Boozman, Senator Bob Corker, Senator Saxby Chambliss, Senator Pat Roberts, Senator Susan Collins.

Senator Joseph Lieberman, Senator Robert Menendez, Senator Richard Blumenthal, Senator John Kerry, Senator Daniel Inouye, Senator Bernard Sanders, Senator Jeanne Shaheen, Senator Sherrod Brown, Senator Al Franken, Senator Christopher Coons, Senator Daniel Coats, Senator Jerry Moran, Senator Lamar Alexander, Senator Olympia Snowe, Senator James Inhofe, Senator Jack Reed, Senator Claire McCaskill, Senator Patrick Leahy, Senator Sheldon Whitehouse, Senator Mark Begich, Senator Richard Burr.

Mr. VITTER. Again, I hope we all come together in plenty of time to take care of this important business. I bring it up now, well before the deadline, because the clock is ticking. A Senate bill would have to be reconciled with the House. We need to get floor time absolutely as soon as possible and I look forward to that happening and I look forward to working with Senator TESTER and others on the Senate floor. I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I rise, as do my Democratic colleagues and quite a few of my Republican colleagues, in support of the Violence Against Women Act.

My remarks will extend beyond the time we have left, so I will ask the Chair to advise me when 2 minutes have passed, and I will try to conclude over a 3-minute timeframe so other colleagues can speak on this very important piece of legislation.

The PRESIDING OFFICER. The Chair will so advise.

Mr. UDALL of Colorado. Mr. President, the Violence Against Women Act—known as VAWA—has been in effect for 18 years and it has saved lives and strengthened families all over the country. I speak as a Coloradoan, and I will cite statistics that will point to the concrete effects the Violence Against Women Act has had in my State.

This was a landmark piece of legislation and it changed the way we think

about and respond to domestic violence. It has made a difference in the lives of literally millions of women all over the country by bringing the perpetrators of domestic violence, sexual assault, and child abuse to justice. It has made a difference by providing safe and secure support services to victims of crimes. It has established a National Domestic Violence Hotline and so much more. It is little wonder such a commonsense and far-reaching concept in legislation has found support from Members of both sides of the aisle.

I mentioned Colorado. Let me cite some numbers. In 2010 alone, 60,000 victims of domestic violence contacted State crisis hotlines seeking help. The funding that VAWA provides not only gives our law enforcement beefed up resources and tools for catching and then prosecuting perpetrators, but it also supports critical services for victims and survivors.

The PRESIDING OFFICER. The Senator has used 2 minutes.

Mr. UDALL of Colorado. I thank the Chair.

These resources have literally saved the lives of women from Durango to Craig and from Pueblo to Denver, and I wish to commend all the important organizations in my State that make it all possible.

The great news is that today—right now—we have the opportunity to make this an even better piece of legislation.

This reauthorization builds upon and strengthens the current act, expanding access to the resources so many victims desperately need. It also contains important reforms that will increase accountability in the use of VAWA resources, ensuring these federal dollars are going to serve the victims who need them most. Taxpayers demand that we spend their monies wisely especially during tough economic times and this VAWA bill meets that high standard they expect of us.

Moreover, it is worth noting this bill makes college campuses safer by requiring that schools develop comprehensive plans to combat and prevent crimes against women.

It also takes the imperative step of strengthening the Federal Government's response to domestic and dating violence on tribal lands, which has climbed to near epidemic levels across the country.

Furthermore, it increases protections and outreach for LGBT victims, because the right to live free from domestic violence should not depend on gender identity or sexual orientation.

The most recent reauthorization of the Violence Against Women Act expired in September of last year. The bottom line is that it is past time to get this done. The legislation before us today has 61 cosponsors, is broadly bipartisan, and has the support of countless women and men around the country.

I believe there is an alternative version of this bill that may come before us for a vote as well. I know this is an election year, and the increasingly partisan climate in Congress has made it tempting to take truly bipartisan legislation such as this and inject division into the debate. But the issues addressed by VAWA are not partisan to the people back in Colorado and around the country. So let us resist that path.

The bipartisan legislation drafted by Senator LEAHY and Senator CRAPO is the only bill that truly provides the resources necessary in the most effective way to help end violence against women.

I know my colleagues in the Senate share my commitment to reaching this goal, so I am glad this bipartisan bill is finally receiving a vote.

When I served in the House of Representatives, I worked with a bipartisan group of colleagues to reauthorize VAWA both in 2000 and 2006, so I know we can come together and pass this reauthorization as well.

We all agree that violence against women is unacceptable. This is a necessary and carefully constructed bill that will protect the lives of women in Colorado and throughout the country.

In concluding, we all agree violence against women is flatout unacceptable, and this is a necessary and carefully constructed bill that will protect the lives of women in Colorado and throughout the country. So let's come together in the Senate, put aside our differences, and pass what is a strong and important bipartisan bill. The families and the communities of my State and our country are counting on us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I too rise today to discuss the incredible importance of the Violence Against Women Act.

For nearly 18 years, the Violence Against Women Act has been the centerpiece of our Nation's commitment to end domestic violence, dating violence, and sexual violence. Congress authorized the Violence Against Women Act in 2000 and again in 2005 with overwhelming bipartisan support.

I am a longtime champion of the prevention of domestic violence because I have seen the impact of this abuse firsthand in Idaho. The act provides critical services to victims of violent crime as well as agencies and organizations that provide important aid to those victims.

The Violence Against Women Act has been called by the American Bar Association "the single most effective federal effort to respond to the epidemic of domestic violence, dating violence, sexual assault and stalking in our country."

This legislation provides access to legal and social services for survivors.

It provides training to law enforcement, prosecutors, judges, attorneys, and advocates to address these crimes in our Nation's communities. It provides intervention for those who have witnessed abuse and are more likely to be involved in this type of violence. It provides shelter and resources for victims who have nowhere else to turn, who are literally victims in their own homes.

There is significant evidence that these programs are working. In Idaho, the number of high school students reporting that they have experienced violence by a dating partner has dropped since the Center for Healthy Teen Relationships began its work in 2006. The U.S. Department of Justice reported that the number of women killed by an intimate partner decreased by 35 percent between 1993 and 2008.

The legislation is working and our collective efforts across this country to respond to this epidemic are working, but our fight against domestic violence is far from over. Last year in my State 22 people were killed by a domestic partner. Approximately one in three adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner. Nearly 1 in 10 high school students Nationwide was hit, slapped, or physically hurt on purpose by their boyfriend or girlfriend.

Future tragedies of the kinds we have seen in Idaho and across this country have to be prevented. And while we may not all agree on the specifics of this reauthorization, all of us agree on one very important aspect; that is, we must end domestic violence, dating violence, sexual assault, and stalking in the United States.

No bill is ever perfect. As we go through the process of working through this bill on the floor, we will see amendments brought seeking to perfect and improve it. I will support some of those amendments, others will support some of those amendments, and the bill will be addressed, as all bills should be, on the floor of the Senate. But when we are done and the debate is over and the voting on the amendments is concluded, I urge all my colleagues to join me in supporting the reauthorization of this critical program. We must continue the life-changing work this legislation helps us accomplish.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, as we speak, the Alaska Network on Domestic Violence and Sexual Assault's 24-hour hotline that allows folks to seek assistance—their numbers are ringing. This evening, 363 Alaskans will spend the night in an emergency domestic violence shelter or in transitional housing provided by an Alaskan domestic violence program, programs

such as the Lee Shore Center in Kenai, the Safe Shelter in Dillingham, the WISH shelter in Ketchikan, and the AWAIC shelter in Anchorage. The number of Alaskans seeking shelter is rising on the order of over 5 percent per year. These programs and the Alaskans who benefit from them are all supported by the Violence Against Women Act.

As we debate and deliberate on the reauthorization of VAWA, the Violence Against Women Act, we express our respect for the volunteers and the professionals who support and who constantly advocate on behalf of these victims. These are Alaskans such as Peggy Brown and Katie TePas, who lead the effort across my State, and others like them throughout Alaskan communities. It is important that as we again reauthorize the Violence Against Women Act, we do so as a tangible display of our support for their very important work.

Let me share some statistics with you, as others have shared from their respective States. In Alaska, somewhere between 25 and 40 percent of all domestic violence assaults are witnessed by children. On a national scale, more than 90 percent of abusers are people whom children know, love, and trust.

I come to the floor today to express my support for the Leahy bill, S. 1925. I have proudly cosponsored this effort and came on very early in the effort. It is the product of literally thousands of hours of work by domestic violence advocates and dedicated Senate staff members. I do believe it represents a real improvement in the services that are offered to victims even in a difficult budget environment. I would like to give a few illustrations.

Back in 2010, there were more than 800 Alaskans who sought pro bono legal assistance from the Alaska Legal Services Corporation and the Alaska Network on Domestic Violence and Sexual Assault. A little over 500 of these victims could be served. Another 300 had to be turned away due to the lack of resources—turning people away who are victims because we don't have the resources to provide the help. This bill establishes a new pro bono legal program within VAWA to ensure that victims of domestic violence have access to lawyers.

Back in 2011, 12 percent of Alaska high school students reported they were hit, slapped, or physically hurt on purpose by their boyfriend or their girlfriend, and 9 percent reported they had been physically forced to have sexual intercourse when they did not want it. This bill focuses resources on the protection of our young people—and rightfully so—because 70 percent of all reported sexual crimes in the United States involve children. This legislation devotes needed resources to protect our children, and it also devotes

increasing resources to protect our elders, who are increasingly victims of sexual assault and domestic violence—again, a side that most people don't want to acknowledge or talk about, but our statistics cannot be denied.

In addition, S. 1925 sends a strong message to offenders that they will be held accountable. In the remote Native villages of Alaska, where the victims of domestic violence literally have no place to hide, reauthorization of VAWA will mean there will be more funds to hire village public safety officers who are first responders in the last frontier.

I would like to express my appreciation to the Judiciary Committee for including a provision I have requested concerning the Alaska Rural Justice and Law Enforcement Commission. The Rural Justice Commission is a joint Federal, State, and tribal planning body that was created by the late Senator Ted Stevens back in 2004 to coordinate the public safety efforts in our remote rural villages. It is in danger of shutting its doors at this point in time, and the legislation before us establishes the framework for the Rural Justice Commission to continue its very important work.

Last weekend there was a great deal of concern that arose particularly amongst Alaska tribes that the version of S. 1925 that came out of the Judiciary Committee diminished the ability of the Alaska tribes to issue domestic violence protection orders that would enjoy full faith and credit from the State of Alaska. The concern we had was the result of an inadvertent technical drafting error that expanded certain tribal powers within Indian Country, but it appeared to repeal other existing tribal powers that are currently held by Alaska tribes. Our State has very little Indian Country. We do not have reservations, with the small exception of one reservation down in southeastern Alaska. So for the past couple days, I have been working, along with Senator BEGICH, to address this issue and have worked on a technical correction to address the concern in a way that ensures that Alaska tribes lose none of the jurisdiction or the authority they presently have to issue and to enforce their domestic violence protection orders.

It was just this morning that I received a copy of a letter from Ed Thomas, who is president of the Central Council Tlingit and Haida Tribes of the State, and he has come out clearly endorsing the amendment.

I would note that Senator LEAHY has included these technical corrections in the substitute amendment he intends to bring forward, and I would certainly urge that it be adopted.

As my colleague from Idaho just mentioned, there is a divergence of views within this Chamber on what the reauthorization of VAWA should say. It is important to point out that we are

in agreement on the vast majority—well over 80 percent—of the provisions in S. 1925. The disagreement is in a few smaller areas. There are Senators whose ideas were not incorporated in the Leahy bill and who wish to be heard, and I think it is appropriate that they be heard.

Again, I would concur with my colleague, the Senator from Idaho, in stating that when the Violence Against Women Act was first initiated back in 1994, it was a bipartisan effort. It was a collaborative effort. The effort this year with the reauthorization should be no less. I have every confidence that this body will once again act in a bipartisan fashion to reauthorize this very critical piece of legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, 35 years ago I was a very young assistant prosecutor. There weren't any other women who were assistant prosecutors in Kansas City, and I got assigned a lot of cases that the men in the office used to jokingly call women's work, which meant that I got a lot of cases on welfare fraud and food stamp fraud. And then, as I spent more time in the office, I got sexual assaults and I got domestic violence.

I remember as if it were yesterday the feeling of helplessness as I sat across the desk from a woman who had been beaten to within an inch of her life, and I remember calling the police department and asking for help and them saying: You know, hon, let it go. Tell her to go home.

I remember her asking me: What do I do about my children? I have no money. I don't really want to prosecute him—I don't think he will leave me alone.

I remember not being able to sleep at night because I was so worried about the women who had really no place to go, no one to guide them through the terrifying journey the criminal justice system can be, much less the terrifying journey their lives were. That was 35 years ago.

When I ran for prosecutor in 1992, I said: I am going to start a domestic violence unit, because since then I had spent time working on the laws in Jefferson City, and I had also spent time on the board of a domestic violence shelter—one of the first in Kansas City—and then I became prosecutor, and we started a domestic violence unit.

The police department still pushed back and said: These aren't real crimes. If the victim doesn't want to testify, we have no evidence to go forward.

And I said to them: Wait a minute. We go forward on homicides when the victims can't testify. We should build these cases around the facts and circumstances regardless of the mental state of the victim.

I remember feeling so helpless that we had no resources. And then I remember, as the Jackson County prosecutor in Kansas City, when the Violence Against Women Act passed. I remember reviewing our grant application for the victim advocate in our office, and I remember all of a sudden thinking, you know, we are going to turn the corner.

Is it still a huge problem? Yes. But if you were there 35 years ago on the front lines and you knew the progress we have made to date, you wouldn't be voting no in the Judiciary Committee on the reauthorization of the Violence Against Women Act. You wouldn't be doing that.

So let's move forward. Let's make sure the victim advocates who arrive on the scene as a result of this important piece of legislation—let's make sure they stay on the job. Let's make sure there are not any young prosecutors today who are going home sleepless, much less victims who look at someone who claims they love them, claims they are their protector, but at the same time knowing that person is capable of taking their life. Let's make sure those women have someplace to turn to, their children have someplace to turn to. Let's reauthorize this act today and make sure all the women out there have that help and assistance they need in their time of need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, it is a shame it has taken so long to get to this point, but I am very glad to see we are close to having this body move forward on this legislation.

The Violence Against Women Act has helped provide lifesaving assistance to hundreds and thousands of women and families, and it was certainly a no-brainer to make sure that all women had access to that assistance. I was proud to have been here serving in the Senate in 1994 when we first passed VAWA. Along with its bipartisan support, it received praise from law enforcement officers, prosecutors, judges, victims, service providers, faith leaders, health professionals, advocates, and survivors. It obtained that broad support because it has worked.

Since it became law 18 years ago, domestic violence has decreased by 53 percent. We have made a lot of progress since 1994, and I am glad we are continuing on that path today on behalf of all women. In fact, Deborah, is here with us today.

Deborah is the Vice Chairwoman of the Tulalip Tribe in my home State of Washington.

Yesterday she joined Senators BOXER, KLOBUCHAR and me to tell her emotional story about the devastating effects violence can have on women—especially Native women.

Deborah was repeatedly abused, starting at a very young age, by a non-

tribal man who lived on her reservation. Not until after the abuse stopped around the 4th grade did Deborah realize she wasn't the only child suffering at the hands of her assailant—at least a dozen other young girls had fallen victim to this man.

This is a man who was never arrested for these crimes; never brought to justice; and still walks free today. All because he committed these heinous acts on the reservation—and as someone who is not a member of a tribe, it is an unfortunate reality that he is unlikely to be held liable for his crimes.

The debate we had over the provisions in this legislation was a matter of fairness.

Deborah's experience—and the experience of the other victims of this man—does not represent an isolated incident.

In fact 34 percent of Native Women will be raped; 39 percent of Native Women will be subjected to domestic violence; and 56 percent of Native Women will marry a non-Indian who most likely would not be held liable for any violent crimes committed if these protections hadn't been included in this legislation.

Where people live and who they marry should not determine whether or not perpetrators of domestic violence are brought to justice.

With this bill today, we are taking a major step to uphold our government's promise to protect its citizens.

This bill builds on what works in the current law, improves what doesn't, and it continues on the path of reducing violence toward women.

It certainly should not have been controversial.

It is time for us to come together and support this bill so women and families across America can get the resources and support they need.

I particularly want to thank the courageous work of this wonderful tribal woman to help explain to all of us why the bill we have put before the Senate is so critical today.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask unanimous consent the committee-reported substitute be withdrawn, that a Leahy substitute amendment which is at the desk be made pending, and the only amendments in order to the Leahy substitute or the underlying bill be the following: Klobuchar No. 2094, Cornyn No. 2086, and Hutchison No. 2095; that there be 60 minutes of debate equally divided between the two leaders or their designees for consideration of the amendments and the bill; that there be no amendment in order to any of these amendments; that there be no motions or points of order to the amendments or the bill other than budget points of order or the applicable motions to waive; that the amendments be subject

to a 60-affirmative vote threshold; that upon disposition of the three amendments, the Leahy substitute amendment, as amended, if amended, be agreed to and the Senate proceed to vote on passage of the bill, as amended; that all after the first vote be 10-minute votes and there be 2 minutes equally divided between the two votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I will briefly say—I know everyone is anxious to get to work—we have had some pretty good work in recent days. The postal bill was extremely difficult to get done. We had the highway bill; that was difficult to get done. Those are bipartisan in nature. It took a while to get through this matter that is before us, but now we are there. It is an effort on everyone's behalf. On my side, I am grateful for the work done by Senators PATTY MURRAY and PAT LEAHY and many others, but I am glad we are at the point where we are today.

Mr. MCCONNELL. Mr. President, I add I agree entirely with the remarks of the majority leader. This is the way the Senate ought to operate—on both these bills, both the postal bill, which was challenging for everyone to get through, and the Violence Against Women Act, on which there is broad, probably unanimous agreement. In fact, the last time it passed the Senate it did pass on a voice vote. We are proceeding to handle it in a way entirely consistent with the Senate's past and procedures, with some amendments but limited debate time on each of them. We will be able to finish this bill today.

I commend Senator HUTCHISON and others on our side who have been deeply involved in this—Senator CORNYN—in bringing us to the place we are now.

AMENDMENT NO. 2093

The PRESIDING OFFICER. The clerk will report the substitute.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. LEAHY, proposes an amendment numbered 2093.

(The text of the amendment is printed in today's RECORD under "Text of amendments.")

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I note my colleague from New Jersey was also standing. I have about 5 minutes of remarks. Did the Senator from New Jersey wish also to speak?

Mr. LAUTENBERG. I plan to, but I will defer, if the Senator is in a rush.

Mr. KYL. I appreciate that very much and I perhaps will ask unanimous consent the Senator from New Jersey follow my remarks?

Mr. LEAHY. Mr. President, reserving the right to object—I will not object—and I know we will be getting back onto this matter and I will be seeking

time, I certainly do not object to my two friends taking time now.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, I support reauthorization of the Violence Against Women Act. Throughout my career, I have worked on a number of crime victims' rights measures that, taken together, provide the mosaic of protections for all crime victims.

As a member of the House of Representatives, I cosponsored the Sexual Assault Prevention Act—SAPA—which was incorporated into the Omnibus Crime Control Act signed into law by President Clinton in 1994. Among a number of reforms, SAPA increased penalties for stalking and sexual assault, and it changed the Federal Rules of Evidence to allow admission of prior sexual offenses in sexual assault cases. In 1997, I successfully petitioned the Arizona Supreme Court to adopt this change to Arizona's rules of evidence.

In 2004, I co-authored the Crime Victims' Rights Act with Senator FEINSTEIN. This legislation included a bill of rights for victims of Federal crimes, including the right to be informed, present, and heard at critical stages of the proceedings. That bill was signed into law by President Bush.

I also supported the 2005 reauthorization of the Violence Against Women Act, which included a section Senator CORNYN and I wrote that expanded the Federal DNA collection program.

Today, I am pleased to support the Hutchison/Grassley bill reauthorizing the Violence Against Women Act. I regret that there are competing versions of reauthorization, especially since I believe that virtually all of us support the current law.

I cannot, however, vote for the Leahy version for a number of reasons. First, a new section, 904, is blatantly unconstitutional. This new section would give Indian tribes criminal jurisdiction to arrest, prosecute, and imprison non-Indians under tribal law for certain domestic-violence offenses.

Adding this language to the existing law violates basic principles of equal protection and due process. All tribes require either Indian ancestry or a specific quantum of Indian blood in order to be a tribal member. Even a person who has lived his entire life on the reservation cannot be a tribal member if he does not have Indian blood. Such a person, no matter how long he has lived in the area, cannot vote in tribal elections and would have no say in crafting the laws that would be applied against him by section 904.

Section 904 breaks with 200 years of American legal tradition that tribes cannot exercise criminal jurisdiction over non-Indians. By doing so, it creates a clear violation of the Constitution's equal protection and due process guarantees.

I also take issue with the new Section 905 of the Leahy bill, which would

allow Indian tribes to issue "exclusion orders" barring non-Indians from lands within the tribes' "Indian country." "Indian country" is a term of art in Federal Indian law. It is meant to include lands that were allotted and sold to non-Indians, or allotted to Indians who later sold the land to non-Indians, but that are within the exterior boundaries of a historic Indian reservation. Many non-Indian families have lived on such lands for generations. Other such residents include people with Indian blood, but who have been expelled from membership in the tribe for various reasons. Section 905 would literally allow the tribes to issue orders that bar these individuals from entering their own land, land which they own in fee simple absolute.

The primary rationale for these proposed additions to VAWA was to provide protection for tribal members. The Hutchison/Grassley alternative does that by replacing the unconstitutional provisions of the Leahy bill with an authorization for tribes to seek protection orders to prevent domestic violence, issued directly by a Federal court, upon a showing that the target of the order has assaulted an Indian spouse or girlfriend, or a child in the custody or care of such person, and that a protection order is reasonably necessary to protect the well-being of the victim. Violations of the order would be subject to criminal prosecution in Federal court.

While punishing an offender for any underlying crime is important, preventing harm is critical; and it is often easier to prosecute violations of the terms of a protection order. For example, parties who are not in a romantic relationship with the defendant typically will be available to testify that the defendant entered areas from which he is excluded under the order. Protection orders, thus, tend to provide an effective means for preventing acts of domestic violence. And because orders would be issued by a Federal court, we can be reasonably certain that such orders will comply with basic principles of due process and will be enforced.

The Hutchison/Grassley reauthorization of the Violence Against Women Act contains other improvements on the Leahy version, and I urge its adoption.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, on this floor we talk a lot about the critical importance of family. I frequently speak about my family, my 10 grandchildren and 4 children, who are the foundation and inspiration for everything I do. But for some Americans, the family is instead a source of fear.

Domestic violence wreaks havoc in our homes and our communities across the country. The statistics are shocking. Every year 12 million women and men in our country are victims of rape,

physical violence, and stalking. The numbers are shocking. They represent a national tragedy. But these are not just numbers, they are lives. In 2010, 38 of New Jersey's domestic violence incidents ended in death. I have visited women's shelters in New Jersey, and I have seen fear in the faces of women holding their children. It takes a lot of courage for a woman to stand up and leave her abuser. As a society, we have to be able to tell these women they will have a safe place to go, they will have resources to help them, and they will see justice for their abuser.

Today we are debating legislation to reauthorize the Violence Against Women Act, which for almost 18 years has provided women with support programs they need to escape abusive situations. Make no mistake, VAWA is working for women. Since its passage, occurrences of domestic violence have decreased by more than 50 percent. But despite this incredible progress, these horrible acts continue.

In fact, our progress should inspire us to work harder. Domestic violence programs in our communities are on the front line, and they are starved for resources. More than one-third of New Jersey's domestic violence programs report not having enough funding to provide needed services, and approximately one-quarter report not having enough beds available for women and children trying to escape violent situations. Since 2006, more than 40 programs in New Jersey alone have received almost \$30 million in funding through the Violence Against Women Act.

Let me be clear. It would be tragic to turn our backs on victims and the people who dedicate their lives to supporting them. While we cannot stop all malicious acts, we can do more to keep women and their families safe.

In 1996, I wrote the domestic violence gun ban, which forbids anyone convicted of domestic violence from getting a gun. Since the law's inception, we have kept guns from falling into violent hands on over 200,000 occasions. For instance, our gun laws allow domestic abusers to sidestep the ban on getting a gun. The loophole allows a convicted abuser to walk into a gun show and walk out with a gun, no questions asked. That is because background checks are not required for private sellers at gun shows.

Since 1999, I have introduced legislation to close the gun show loophole and keep guns from falling into the wrong hands, and it passed in the Senate with the vote of the Vice President to break the tie. Thirteen years later, this gap in our law remains in place, and people can go to the gun show, walk up to an unlicensed dealer, put the money down, and walk out with a gun. It is an outrage. If we want to protect victims from domestic abuse, we ought to commit ourselves to closing the gun show

loophole for the safety of women, their families, and other victims of abuse. Saving the lives of women should be above politics.

The Violence Against Women Reauthorization Act passed the Senate unanimously in 2000 and 2005, and it is incomprehensible that we would turn our back on those who are so abused. I ask those who would vote against passing this bill to think about their own families, think about their spouses, think about their daughters, think about their children.

Every Republican in the committee voted against reauthorizing the VAWA in committee. Every one of them voted against the bill that primarily protects women. They walked away.

Today they have taken a different approach. They presented an amendment, and it is a sham. It actually removes the word "women" from a key part of the bill. It also fails to protect some of our most vulnerable victims. Apparently, some of our colleagues would vote against protecting women if it means they also have to protect immigrants and people in the gay and lesbian community.

I call on our colleagues on the other side of the aisle to join us and our families. We know they care. Show it. Show it in this vote we are about to take. Send a clear message that this country does not tolerate brutality against anyone, and show it with a little bit of courage. Stand and say: No, I want to protect my family, I want to protect those who are abused routinely in our society. That is the plea. I just hope each one of them will look at a picture of their kids and their families and say: I owe you that protection.

We worked hard here with the premise that we are protecting people, so let's show it.

Mr. NELSON of Florida. Mr. President, I am here today to speak in support of S. 1925, the Reauthorization of the Violence Against Women Act, and I want to thank Senator LEAHY and Senator CRAPO for their leadership on this important issue.

Originally passed in 1994, the Violence Against Women Act has improved the criminal justice system's ability to hold perpetrators accountable and protect victims of domestic violence. The Violence Against Women Act also provides important services to women who have been victims of domestic violence to help them get their lives back on track.

Now, the data tells us that the Violence Against Women's Act has been effective and is needed: In my State of Florida in 2010, according to the Florida Department of Law Enforcement, there were 113,378 reported domestic violence offenses. This includes domestic violence crimes of stalking, threats and intimidations, assaults, rapes, and murders. (SOURCE: Florida Department of Law Enforcement. (2011).

Crime in Florida, 2010 Florida Uniform Crime Report. Tallahassee, FL: DLE.) Those reports resulted in 67,810 arrests. That's about 60%. Unfortunately, we may not ever fully know the full extent of domestic violence. Many victims do not report the abuse that they experience to the police or request domestic violence services out of fear and embarrassment.

Since 1994, studies estimate that reporting of domestic violence has increased as much as 51%. Across the Nation we are seeing more victims of domestic violence step out of the shadows, and come forward to ask for help. And we are seeing more prosecution of domestic violence perpetrators. And, this is a trend that we want to see continue.

So, Mr. President, I urge my colleagues to swiftly pass this important legislation.

I yield the floor.

Mr. WARNER. Mr. President, I rise to add my voice in support of the reauthorization of the Violence Against Women Act, of which I am proud to say I am a cosponsor.

In Virginia, this act has doubled the resources available for prevention and intervention of sexual violence in communities and on campus. The funding provides crisis services in nearly every locality in Virginia. Funds have helped develop State databases like the protective order registry in the Virginia Criminal Information Network, VCIN, and the I-CAN system housed with the Virginia Supreme Court. These databases have helped improve responses across the Commonwealth to sexual and domestic violence.

Some startling Virginia domestic and sexual violence incidence statistics highlight just how critical this legislation is to anyone in my State and across the country who may find themselves in need of help.

Virginia has seen a 12 percent increase over the past 2 years in the number of men, women and children staying in domestic violence emergency shelters on an average night.

Nearly 1 million women and more than 600,000 men in Virginia have experienced rape, physical violence, and/or stalking by an intimate partner.

According to the State's medical examiner, one in three homicides in Virginia is due to family or intimate partner violence.

As these statistics show, the services authorized through VAWA continue to be a necessity. It is important that we continue to support access to these vital services that will provide significant benefits to those most in need of assistance.

For the Violence Against Women Act to truly work as intended, we must have effective accountability. Particularly in times of tight budgets, it is important to ensure that taxpayer dollars are spent wisely. It is critically important that we continue to advance effective, comprehensive policies that will

provide appropriate preventive and supportive services that many in my State, as well as across the country, will benefit from.

The accountability measures included in this bill are patterned after proposals offered by my Republican colleagues for other grant programs, and these accountability measures have been tailored to VAWA to make sure that funds are efficiently spent and effectively monitored.

The bill authorizes the Department of Justice's inspector general to audit grantees to prevent waste, fraud and abuse. It gives grantees a reasonable amount of time to correct any problems that were not solved during the audit process, but imposes severe penalties on grantees that refuse to address the problems identified by the inspector general.

Rather than Congress mandating a set number of audits, the Office of Inspector General will have the ability to set the appropriate number. This will give the experts in the inspector general's office the ability to more effectively perform important oversight. The Department of Justice has also taken significant steps to improve monitoring of VAWA grant awards by updating grant monitoring policies and incorporating accounting training for all grantees.

The bill has taken the important step of holding the Department of Justice accountable when using Federal funds to host or support conferences. These new accountability provisions are an integral piece in this process and a meaningful additional check to ensure the appropriate use of taxpayer dollars for these important programs.

I encourage my colleagues to join me in support of the reauthorization of the Violence Against Women Act.

Mr. KOHL. Mr. President, I am proud to rise today in support of the bipartisan Violence Against Women Reauthorization Act. I cosponsored the Violence Against Women Act (VAWA) when it was originally enacted in 1994, and have cosponsored every reauthorization since then. The Violence Against Women Act continues to be as important today as it was in 1994. The programs VAWA supports have gone a long way to help stop batterers in their tracks and provide victims with the support they need to recover and rebuild their lives. This reauthorizing legislation builds upon proven prevention and support strategies and includes new provisions to address the changing and still unmet needs of victims.

VAWA has been a success story over the past 18 years because it encourages communities to more effectively and efficiently respond to domestic violence. Working together, law enforcement, judges, domestic violence shelters, victim advocates, healthcare providers, and faith-based advocates are

able to better prosecute abusers and protect and aid the women, men and children who find themselves in dangerous and potentially life threatening domestic relationships. Programs authorized by VAWA also provide victims with critical services, including transitional housing and legal assistance, and address the unique issues faced by elderly, rural, and disabled victims. No one should have to choose between staying in a harmful relationship and losing their home or job.

Yet, the Violence Against Women Reauthorization Act of 2011 makes needed reforms and changes that will strengthen and streamline existing programs, while also consolidating programs and reducing authorizations to recognize the difficult fiscal situation we face. The bill also incorporates new accountability provisions, to ensure that VAWA funds are used effectively and efficiently. Our bill implements cuts that will save \$135 million each year.

As Chairman of the Subcommittee on Retirement and Aging, we have seen far too many instances of physical, mental, and financial abuse of our Nation's seniors. So I thank Senator LEAHY for including provisions from my End Abuse in Later Life Act. Those provisions ensure that appropriate enforcement tools are available to combat sexual assault and domestic violence against the elderly, and that older victims receive victim services.

We commend Senator LEAHY for his work on this important, bipartisan bill. VAWA reauthorizations passed the Senate unanimously in 2000 and 2005, and I look forward to the long overdue passage of S. 1925 today.

Mr. WHITEHOUSE. Mr. President, I wish to speak in favor of the Violence Against Women Reauthorization Act, which I am proud to cosponsor. As attorney general of Rhode Island, I saw firsthand the good work that the Violence Against Women Act has done to protect victims of domestic violence, to provide crucial services to those who have been harmed, and to hold batterers accountable for their crimes. It is vital that we reauthorize this important law.

In Rhode Island and across the country, the Violence Against Women Act continues to support essential tools for preventing and responding to domestic violence. The Rhode Island Coalition Against Domestic Violence reports, for example, that we now have 23 transitional housing units in our State, helping victims of violence become safe and self-sufficient as they escape a batterer. VAWA's law enforcement and legal assistance programs have also proven essential, especially in light of difficult State and local budgets. VAWA supports seven law enforcement advocates in Rhode Island, who work in local police departments to provide immediate assistance to victims of do-

mestic violence, sexual assault, and stalking. These and other VAWA programs have improved the criminal justice response to violence against women and ensured victims and their families the services they need.

The Violence Against Women Reauthorization Act builds on that record of success. It makes important updates to strengthen the law, while remaining cognizant of the challenging budget circumstances we face. The bill includes an increased focus on sexual assault prevention, enforcement, and services. It provides new measures to prevent homicides through programs to manage high-risk offenders. It also consolidates programs to reduce administrative costs and add efficiency. And it incorporates new accountability provisions to ensure that VAWA funds are used effectively and efficiently.

Senators LEAHY and CRAPO led a fair and open process in crafting this bill. They have carefully studied these issues, consulted with a great number of experts and stakeholders, and as a result have achieved a bill with 60 cosponsors in this body.

I would particularly like to thank Senators LEAHY and CRAPO for including in this bill a measure I authored to help prevent teen dating violence. Far too many teens suffer abuse at the hands of a dating partner. The Centers for Disease Control report that one in ten teenagers was hit or physically hurt on purpose by a boyfriend or girlfriend in the past year. The Saving Money and Reducing Tragedies through Prevention, or SMART Prevention Act, which I introduced last year and is included in this bill, will support innovative and effective programs to prevent this dangerous abuse.

At a subcommittee field hearing I chaired last year on strategies for protecting teens from dating violence, each of the expert witnesses testified that prevention programs can help address this serious problem. Ann Burke, a leading national advocate, explained that school-based teen dating violence prevention programs have proven effective in changing behaviors. For example, in 2 years following the passage of Rhode Island's Lindsay Ann Burke Act, named in memory of Ann's daughter, a victim of dating violence, the number of teenagers physically abused by a dating partner in our State decreased from 14 percent to 10.8 percent.

Prevention programs are most effective when part of a community approach. Kate Reilly, the executive director of the Start Strong Rhode Island Project, testified that effective prevention programming should "meet kids where they live and play." That requires involving parents, coaches, mentors, and community leaders—men and women—as well as innovative uses of technology and social media.

One group of children needs particular attention: those who have witnessed abuse in their home. Deborah

DeBare, executive director of the Rhode Island Coalition Against Domestic Violence, explained at our hearing that “growing up in a violent home may lead to higher risks of repeating the cycle of abuse as teens and young adults.” By supporting robust services for children exposed to domestic violence, we can help to lift the emotional burden on children who witness their parents’ violence and break the intergenerational cycle of violence.

The VAWA Reauthorization Act’s SMART Prevention provisions build on Ann and Kate and Deb’s insights. The bill supports educational programs warning young people about dating violence, as well as programs to train those with influence on youth. To save costs, the new program is consolidated with existing grant programs, including a program directed at children who have witnessed violence and abuse. Coordinating and focusing prevention resources will save money, and abuse that is prevented reduces the strain on our overburdened health, education, and criminal justice systems.

I again congratulate Senators LEAHY and CRAPO for their strong bipartisan leadership in helping us extend our longstanding bipartisan commitment to preventing domestic violence. I urge all of my colleagues to support reauthorizing the Violence Against Women Act, so that we can keep working toward a country that is free of this scourge.

Ms. SNOWE. Mr. President, I rise today in strong support of The Violence Against Women Act. This consequential measure reauthorizes a landmark federal law and, once the Senate has finished a free and open debate including a full range of amendments, we should pass this bill with a strong, bipartisan majority. Approving this measure offers the Senate an opportunity to demonstrate to the American people that we still have the capacity to meet the challenge of forging effective solutions to monumental matters affecting Americans in their daily lives.

For far too long, domestic violence has been an extremely serious and common crime that devastated families and silently took a great toll on our society. Decades ago, domestic violence went largely unreported, in part because the victim viewed the violence as personal, or because they were afraid of retribution, or they were embarrassed and did not want family members, friends, or neighbors to know.

I well recall in 1990, when I was serving as the co-chair of the House Congressional Caucus on Women’s Issues with Pat Schroeder, and Congress started to focus greater attention on these kinds of heinous transgressions and those who perpetrate them. Just as we fought vigorously for women’s health equity, as well as economic se-

curity for women, the Caucus was a driving force for change in combating domestic violence, with then-Congresswoman Boxer taking a leadership role in authoring legislation, along with Connie Morella. As we were building legislative momentum in the House, then-Senator Joe Biden was shepherding this initiative through the Senate.

This culminated in the original Violence Against Women Act, enacted in 1994, a truly landmark piece of legislation. For the first time, Congress enacted legislation that sought to comprehensively address the problem of violence against women. We provided assistance to States to improve law enforcement and prosecution efforts, and funded shelters and services to help women and their families extricate themselves out of these violent and abusive situations and into safety.

Here we are, 18 years later, and yes, we can feel fortunate for the progress we have made on this critical issue. The evidence clearly bears this out.

According to the National Network to End Domestic Violence, reporting of domestic violence has increased as much as 51 percent. Reporting is an instrumental first step to ensuring that women receive the support they want, need, and deserve. As a result, hundreds of thousands of women have been helped through VAWA-supported programs such as hotlines, individual and court advocacy, emergency shelters, transitional housing and housing assistance. Furthermore, the annual incidence of domestic violence has fallen by more than 50 percent.

While women are the most frequent targets of domestic violence, children are also too often victims in these tragedies as well. For this reason, the best approach must be comprehensive in scope and the urgent necessity for action, such as early intervention, is paramount.

Earlier this month, researchers at Boston Children’s Hospital and the Institute of Child Development at the University of Minnesota released a study—the first of its kind—that prospectively examined the effects of interpersonal trauma on children—particularly young children. On average, children exposed to such trauma had cognitive scores that were the equivalent of 7 IQ points fewer, with the most significant and enduring cognitive deficits appearing in children exposed to trauma between birth and 2 years of age. As study leader Dr. Michelle Bosquet Enlow observed, “If we wait until children are identified by the school . . . a lot of the damage will have already been done.”

Well, I could not agree more, and that is why along with early intervention, we must also increase access to quality early childhood health and education programs. The challenge in 2012 is to understand and act upon the sys-

temic, reverberative consequences of this violence.

Consider the reality that domestic violence does not merely occur at home. In fact, the one place where an abuser can be confident to find his victim is at work. In a survey conducted by the Maine Department of Labor, 74 percent of abusers had easy access to their partner’s workplace, with 21 percent of offenders reporting that they contacted the victim at the workplace in violation of a no contact order.

At the same time, among female employees who experienced domestic violence, 87 percent received harassing phone calls at work; 78 percent reported being late to work because of abuse; and, incredibly, 60 percent lost their jobs due to domestic abuse. As Ranking Member of the Senate Committee on Small Business and Entrepreneurship, I find these facts chilling, because not only do these alarming invasions of privacy threaten women’s financial independence, they can also erode elements of a woman’s critical support system that can often be found in the workplace as well.

Turning now to my own State of Maine where approximately half of all homicides each year stem from domestic violence, I want to begin with the tragic case of Amy Lake. A kindergarten teacher from Dexter, ME, Amy, and her two children, Coty and Monica, were killed last year by her abusive husband before he killed himself.

Domestic violence experts and law enforcement authorities contend that Amy did everything possible to protect herself and her two children. Amy and her children lived in seven different places the year before their deaths. Amy sought and received a protective order, which her husband proceeded to violate five times. This wrenching incident has galvanized the local community and the entire state of Maine at large to redouble our efforts to end domestic violence. And frankly it is cases like Amy’s that tell us in no uncertain terms our work is far from finished. Our job is NOT completed. And our task remains for us all to strive to solve.

In fighting domestic violence, engaging men is a fundamental part of the answer. I salute the efforts of Maine’s Governor, Paul LePage, who himself has overcome tragedy as a child and has courageously and aggressively pursued changes aimed at protecting victims, such as reforming bail rules, and strengthening notification requirements. Additionally, Black Bears Against Domestic Violence—an initiative involving male athletes from all of the sports teams from the University of Maine—has done an outstanding job in speaking out against dating violence both on campus and at local high schools.

This bill before us today, which I am pleased to cosponsor, successfully

builds upon past strides at both the State and Federal levels. We include a number of judicial improvements, such as encouraging the use of best practices among law enforcement and court personnel to better assess the risk of domestic violence homicide and to provide immediate, crisis intervention services for those at risk of escalating violence. Maine is already moving in that direction in light of the tragedy that befell Amy Lake, which is vividly emblematic of the imperative to get the right information to the right people at the right time.

Our legislation also reauthorizes grants to encourage arrest policies and enforce protection orders. At the same time, it explicitly calls on law enforcement to identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs in the purpose area of Services—Training—Officers—Prosecutors, STOP, grants and Grants to Encourage Arrest Policies and Enforce Protection Orders, GTEAP. Human Rights Watch points out two astounding facts—first, that the arrest rate for rape, which stands at 24 percent, has not changed since the late 1970s. Second, it estimates that the number of untested rape kits reaches the hundreds of thousands. Indeed, a recent Newsweek article profiled Detroit prosecutor Kym Worthy, who was attacked at law school while on a run but never reported it, is spearheading an effort to ensure that more than 11,000 police rape kits are tested in Detroit. As she rightfully surmises, “when victims go through a 3-hour plus rape kit exam, they expect the police to use the evidence to catch the rapist.”

Now, I am cognizant that some of my colleagues—especially those who have enthusiastically supported the original law and past reauthorizations—are fully committed to fighting violence against women but have concerns about the version before us. I hope we can cooperatively work through these issues in an effort to ensure that at the end of the day the overall passage of a significant reauthorization is NOT jeopardized.

Let me be clear, quelling domestic violence is too vital, too urgent, and too necessary a challenge to countenance division along party lines. Our answer must be to counter the impulse to create a political wedge with a desire to legislate in good faith. What is effective fodder for campaign vitriol has no place in a measure like this endeavor to reauthorize The Violence Against Women Act.

Time is of the essence when it comes to legislation with life and death ramifications. Politically, this law has a strong bipartisan pedigree, which has been crucial to its success and enduring legacy. In deference to that tradition, rather than focusing on how to

parlay our differences into political advantage, I urge my colleagues try to bridge the divide first.

As someone who has dedicated her life in public service to empowering women, I know this much to be true we can adopt measures that promote and enhance women’s health, but if we achieve those noble goals, yet fail to ensure women’s security, the victory is pyrrhic at best. If we make strides in education and economic opportunity, but jettison efforts to protect women from abuse, the gains we make will have come at a steep price.

The opportunities to rally around a common cause have been regrettably rare in this chamber so far this Congress. Let us seize this moment and send the strongest signal possible to the nation that on our watch women will receive the protections they require and deserve.

Mr. COONS. Mr. President, every single American should be able to count on the law to protect them from domestic violence and sexual assault, regardless of who they are, where they live, or whom they love. That means giving law enforcement the tools they need to investigate and prosecute these crimes while investing in a community-based approach, like we have in Delaware. In reauthorizing the Violence Against Women Act today, the Senate is taking an important step in the ongoing effort to rid domestic abuse from our communities and our Nation.

The Violence Against Women Act has been an unqualified success at reducing domestic violence and bringing this once-hidden crime into the light. Yet there is no question that the need for this legislation persists.

Just last month, a 26-year-old male was placed under arrest in New Castle County, DE, after assaulting his ex-girlfriend in front of her five children. The assault involved dragging the victim by her hair into the kitchen, where the violence continued. The victim’s teenage son was forced to make the call to 9-1-1—another stark and horrifying example of how not all victims of domestic violence have bruises.

Like many aspects of modern law enforcement, the best strategies for fighting domestic violence and sexual assault change over time. What Congress and experts understood to be effective in 1994 may not be the best or most comprehensive approach today. That is why the original authors of this act provided for reauthorization every 5 years. Twice each decade, we must take a hard look at where we are failing and where we are succeeding in this important fight.

In this year’s reauthorization, we made changes that generally fall into two categories: reducing bureaucracy and strengthening accountability to ensure taxpayer dollars are spent wisely; and ensuring that every victim of

abuse in this country is able to count on the law to protect them, regardless of who they are, where they live or whom they love.

Sometimes it takes an extra step on our part to make sure underserved communities, like those in the LGBTQ community, receive the same protection under the law as everyone else. I believe it is a step worth taking.

The reauthorization we are considering today takes that step, moving us forward by adding protections for victims of domestic violence regardless of their sexual orientation. Lesbian, gay, bisexual and transgendered Americans experience domestic violence in the same percentage of relationships as the general population—a shocking 25 35 percent—yet these victims often don’t have access to the same services as their straight friends and neighbors.

Nearly half of LGBTQ victims are turned away from domestic violence shelters, and a quarter are often unjustly arrested as if they were the perpetrators.

In Delaware and across this country, our law enforcement officers are doing an incredible job responding to domestic violence cases, due in part to the training they receive from VAWA programs. Providing the resources necessary to help ensure officers treat all victims equally is essential to keeping our communities safe.

Today’s reauthorization makes plain that discrimination is not the policy of the United States of America. It says no program funded by Federal VAWA dollars can turn away a domestic violence victim because of their sexual orientation or gender identity.

That is it. That is all this part of the bill does, and I can’t believe any of my distinguished colleagues would want to let discrimination persist in the laws of this country.

Every single American should be able to count on the law to protect them from domestic violence and sexual assault. Whether the victim is gay or straight, American Indian, white, black or Latino, they deserve protection from abuse and justice for their abusers. The amendment offered by Senator HUTCHISON removes these key provisions and would allow the denial of VAWA assistance to victims solely because of their LGBT status.

I opposed the Hutchison amendment for this reason, and because it eliminates improvements that will help law enforcement conduct investigations of the crimes targeted by VAWA.

As cochair of the Senate Law Enforcement Caucus, I convened a roundtable discussion in New Castle, DE, earlier this year to hear from leaders across the spectrum of law enforcement, the nonprofit sector, and the judiciary.

One thing the roundtable made absolutely clear is that law enforcement agencies use VAWA funding to hold

training and share information they can't get anywhere else.

Chief Jeffrey Horvath of the Lewes Police Department explained that in a small police unit such as the one he leads, marshaling the funds to provide officer training on domestic violence would be impossible without VAWA assistance.

These local experts also stressed the critical need for ongoing and continued training. MAJ Nathaniel McQueen of the Delaware State Police noted that because the research continues to evolve, trainings must be given every year.

Patricia Dailey Lewis, representing the Family Division of the Delaware Attorney General's Office, explained that VAWA provides the social workers that are critical to ushering victims through the criminal justice system. Without a social worker as a guide, the complications and frustrations of the justice system can be overwhelming—ultimately deterring victims from coming forward and pushing domestic violence back into the shadows.

VAWA funds the Victims Advocate Office in the Delaware State Police Department, which LT Teresa Williams reported has served over 6,000 Delawareans in 2 years. As that number suggests, the prevalence of domestic and sexual violence cases remains a huge concern. Chief James Hosfelt of the Dover Police Department estimated that one-third of his case files relate to incidents of domestic violence.

Once law enforcement and prosecutors have secured a court order, VAWA plays a pivotal role in reducing recidivism. As Leann Summa, director of Legal Affairs of the Family Court in Delaware, explained to me, VAWA funds through STOP grants provide the only method by which the Delaware Family Court can ensure that individuals comply with court orders of treatment and counseling. For victims, VAWA also provides the support groups that reach those who might otherwise fall back into dangerous conditions. Maria Matos, executive director of the Latin American Community Center, explained to me that, while members of the Latino community do not often join in support groups, VAWA has helped create one that has worked successfully in Delaware.

So if we are to tackle a problem this large, this pervasive, and this dangerous, we need well-trained, dedicated law enforcement officers but we also need support from a whole community providing a broad range of services. And in Delaware, that is exactly what we have. VAWA has fostered a community of those dedicated to reducing violence, allowing each group to serve as a force multiplier for others and adding value that individual programs alone would not create.

Another participant in our roundtable, Bridget Poulle, executive direc-

tor of the Domestic Violence Coordinating Council, told me that even though the council she represented receives no VAWA funds, that, "VAWA has allowed all systems to work at a higher level."

Tim Brandau, executive director of CHILD, Inc., agreed that it is the broad community created by VAWA that is most important to sustain. Commissioner Carl Danberg of the Department of Corrections, who also joined us at the roundtable, reminded us how, in the early days of addressing domestic violence, the typical response was to "lock them both up," revictimizing the innocent party. What seemed an appropriate or sufficient response at one time sounds appalling to our ears today—reinforcing the need to reevaluate these programs regularly.

VAWA makes the whole system better by bringing together the necessary pieces of a fully functioning justice system. At the roundtable, Patricia Dailey Lewis, representing the Family Division of the Delaware Attorney General's Office, explained that VAWA provides the social workers that are critical to ushering victims through the criminal justice system. Without a social worker as a guide, the complications and frustrations of the justice system can be overwhelming—ultimately deterring victims from coming forward and pushing domestic violence back into the shadows.

The breadth of the VAWA community is key to its success. This was emphasized at the roundtable by Carol Post, executive director of the Delaware Coalition Against Domestic Violence, and by Deane Moran, Director of the Sexual Assault Network of Delaware. They reported how VAWA touches everything from transitional housing to the national hotline, from the safe exchange of children to increased awareness on college campuses; from STOP grants in rural neighborhoods to SASP funding in urban communities. Not only for women, but also for men, and for children.

My colleagues who opposed this reauthorization were willing to put all of this progress at risk. Their insistence on excluding some of our friends and neighbors because of their background or sexual orientation is unconscionable.

I am proud to represent a State that has taken a leadership role in the fight against domestic violence, and I thank JOE BIDEN, the former Senator from Delaware, for his leadership in advancing the first VAWA statute.

It is my pleasure, honor, and great responsibility to do all that I can to secure VAWA reauthorization this year—the safety of our communities depends on it.

Mr. COBURN. Mr. President, I write today to explain my vote in opposition to S. 1925, Violence Against Women Reauthorization Act, VAWA. I have sev-

eral outstanding concerns with this legislation, some of which were reflected in the amendments I circulated during the Senate Judiciary Committee's February 2012 markup of this legislation. In particular, I believe this legislation violates the principles of federalism outlined in the Constitution, fails to completely address duplication and overlap both within VAWA programs and with non-VAWA programs administered by both the Department of Justice, DOJ, and the Department of Health and Human Services, HHS, ignores the continuing problem of grant management and waste, fraud and abuse at the Office of Violence Against Women, OVW, and disregards our country's fragile financial condition, which has worsened significantly since the last VAWA reauthorization in 2005.

First and foremost, I do not think anyone would disagree with the fact that violence of any type against women, domestic, dating or sexual violence, is reprehensible and should not be tolerated. However, regardless of the extent of this or any other problem, we must carefully weigh the proper role of the Federal Government so Congress does not violate its limited authority under the Constitution. Domestic violence laws, like most other criminal laws, are State laws, and nowhere in the Constitution is the Federal Government tasked with providing basic funding to States, localities, and private organizations to operate programs aimed at victims of State crimes such as domestic violence. Far too often, Congress infringes upon the rights of the people and the States by overreaching in its legislative efforts.

Although many VAWA programs are laudable, they are not the Federal Government's responsibility. In fact, the entire purpose of this legislation is to provide funding for State, local, non-profit, and victim services grantees to serve victims of State crimes, such as domestic violence, stalking, and sexual violence. These crimes and the treatment of its victims are appropriately in the jurisdiction of the States, not the Federal Government. In light of our current economic crisis, Congress must evaluate each and every program to determine if it is constitutional, whether it is a Federal responsibility, and whether it is a priority. Combating violence against women is certainly a priority, but it is not a Federal responsibility.

Second, this legislation fails to completely address the duplication and overlap within VAWA programs and with non-VAWA programs operated by both the DOJ and HHS. At the beginning of every Congress, I send to each Senator my letter outlining the criteria he will use to evaluate legislation. This Congress, it was also signed by seven other Members. The VAWA reauthorization violates several of

those criteria, including elimination and consolidation of duplicative programs prior to reauthorization.

While I recognize the legislation does consolidate some programs, it has not eliminated all duplication. There are several VAWA grant programs that are so broad that they duplicate one another, providing multiple opportunities for grantees to double dip into Federal funds. In addition, the Family Violence Prevention and Services Act, FVPSA, which predates the original VAWA legislation, authorized several HHS programs aimed at reducing domestic violence and helping victims. Several of those programs fund the same types of services as those authorized by the VAWA grants in this legislation.

Furthermore, in the Government Accountability Office, GAO Duplication Report released at the end of February 2012, GAO found the DOJ administers more than 250 grant programs to provide crime prevention, law enforcement, and victims' services, totaling approximately \$30 billion since 2005. Specifically, GAO noted more than 20 percent of the 253 grants reviewed by GAO are for victims' assistance.

In addition, according to GAO, this June that office will be releasing yet another duplication report specifically on the OVW, Office of Justice Programs, OJP, and Community Oriented Policing Services, COPS Program. Before moving forward with a VAWA reauthorization, Congress should evaluate this report on OVW to determine how we can streamline the victims' services DOJ already provides. Reauthorizing VAWA programs now, without taking into account the recent and forthcoming work of GAO, is premature.

As a result, I am very disappointed the Democrats refused to allow a vote on the amendment No. 2085 I filed to eliminate unnecessary duplication within DOJ, especially since the savings would have been largely directed to helping bring justice to rape cases. This amendment would have provided at least \$600 million in additional funds to support efforts to use DNA to solve crimes.

This amendment would have required the Department of Justice to identify every program its administers, consolidate unnecessary duplication, and apply savings towards resolving rape cases and reducing the deficit.

Specifically, the amendment directed the Attorney General to develop a plan that would result in financial cost savings of at least 20 percent of the nearly \$3.9 billion in duplicative grant programs identified by the Government Accountability Office.

According to GAO, since 2005, Congress has spent \$30 billion in overlapping Department of Justice grants for crime prevention police and victims services from more than 250 DOJ grant programs, and \$3.9 billion in grants just in 2010.

As much as 75 percent of the savings, nearly \$600 million, may be directed towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual assault, homicide, kidnapping and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System. The remainder of the savings will be returned to the Treasury for the purpose of deficit reduction.

By requiring the consolidation and elimination of duplication at DOJ, Congress will free Federal funding which can be more appropriately dedicated to bringing justice to rape victims, while also reducing the deficit.

DNA testing provides a powerful criminal justice tool to convicting rapists and exonerating the innocent—DNA, deoxyribonucleic acid, testing has become a powerful criminal justice tool in recent years. "DNA can be used to identify criminals with incredible accuracy when biological evidence exists. By the same token, DNA can be used to clear suspects and exonerate persons mistakenly accused or convicted of crimes. In all, DNA technology is increasingly vital to ensuring accuracy and fairness in the criminal justice system," according to the Department of Justice.

"Each person's DNA is unique (with the exception of identical twins). Therefore, DNA evidence collected from a crime scene can implicate or eliminate a suspect, similar to the use of fingerprints. It also can analyze unidentified remains through comparisons with DNA from relatives. Additionally, when evidence from one crime scene is compared with evidence from another using the Combined DNA Index System, those crime scenes can be linked to the same perpetrator locally, statewide, and nationally."

"When biological evidence from crime scenes is collected and stored properly, forensically valuable DNA can be found on evidence that may be decades old. Therefore, old cases that were previously thought unsolvable may contain valuable DNA evidence capable of identifying the perpetrator."

In New York authorities used DNA evidence to link a man to at least 22 sexual assaults and robberies. Authorities in Philadelphia, PA, and Fort Collins, CO, used DNA evidence to link and then solve a series of crimes—rapes and a murder—perpetrated by the same individual.

DNA is generally used to solve crimes in one of two ways. First, in cases where a suspect is identified, a sample of that person's DNA can be compared to evidence from the crime scene. The results of this comparison may help establish whether the suspect committed the crime. Second, in cases where a suspect has not yet been identified, biological evidence from the

crime scene can be analyzed and compared to offender profiles in DNA databases to help identify the perpetrator. Crime scene evidence can also be linked to other crime scenes through the use of DNA databases.

DNA evidence is generally linked to DNA offender profiles through DNA databases. In the late 1980s, the Federal Government laid the groundwork for a system of national, State, and local DNA databases for the storage and exchange of DNA profiles. This system, called the Combined DNA Index System, CODIS, maintains DNA profiles obtained under the Federal, State, and local systems in a set of databases that are available to law enforcement agencies across the country for law enforcement purposes. CODIS can compare crime scene evidence to a database of DNA profiles obtained from convicted offenders. CODIS can also link DNA evidence obtained from different crime scenes, thereby identifying serial criminals.

In order to take advantage of the investigative potential of CODIS, in the late 1980s and early 1990s, States began passing laws requiring offenders convicted of certain offenses to provide DNA samples. Currently all 50 states and the Federal Government have laws requiring that DNA samples be collected from some categories of offenders.

When used to its full potential, DNA evidence will help solve and may even prevent some of the Nation's most serious violent crimes. However, the current Federal and State DNA collection and analysis system needs improvement, according to the Department of Justice: In many instances, public crime labs are overwhelmed by backlogs of unanalyzed DNA samples. In addition, these labs may be ill-equipped to handle the increasing influx of DNA samples and evidence. The problems of backlogs and lack of up-to-date technology result in significant delays in the administration of justice. More research is needed to develop faster methods for analyzing DNA evidence. Professionals working in the criminal justice system need additional training and assistance in order to ensure the optimal use of DNA evidence to solve crimes and assist victims.

Thousands of sexual assault DNA kits are still not tested—"The demand for DNA testing continues to outstrip the capacity of crime laboratories to process these cases," according to a National Institute of Justice report. "The bottom line: crime laboratories are processing more cases than ever before, but their expanded capacity has not been able to meet the increased demand."

The DNA casework backlog, consisting of forensic evidence collected—from crime scenes, victims and suspects in criminal cases—has more than doubled from less than 50,000 in 2005 to more than 100,000 in 2009.

There are thousands of rape kits “sitting waiting to be tested” in Houston, TX alone. The Houston Police Department may have up to 7,000 sexual assault kits that have not been tested. Houston recently accepted an \$821,000 Federal grant to study the backlog of untested kits, but “the bulk of the money has to be spent on figuring out the reasons rape kits have gone untested” and less than half of the money “will go towards dealing with the actual backlog.”

This amendment provides roughly \$600 million to help resolve more than 340,000 rape and other criminal cases with DNA testing—This amendment would have provided at least \$600 million in additional funds to support efforts to use DNA to solve crimes.

The amendment would have directed the Attorney General to develop a plan that would result in financial cost savings of at least 20 percent of the nearly \$3.9 billion in duplicative grant programs identified by the Government Accountability Office. As much as 75 percent of the savings, nearly \$600 million, may be directed towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual assault, homicide, kidnapping, and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System. The remainder of the savings will be returned to the Treasury for the purpose of deficit reduction.

In 2010, National Institute of Justice’s DNA Backlog Reduction Program provided more than \$64.8 million which allowed more than 37,000 cases to be tested. The \$600 million provided by this amendment could therefore be enough to provide testing for over 342,000 cases.

No list of Justice Department programs exists, yet GAO found more than 250 overlapping DOJ grant programs—As with many other agencies, the Justice Department cannot fully account for each program in its purview. In fact, in its review of DOJ programs for their annual report on duplication, even the GAO could not fully account for every program at the agency.

The number of Justice programs detailed by GAO, 253, may actually be an understatement. The report explains Justice grant programs can continue for up to 5 years, and as such, “the total number of active justice grant programs can be higher than what is presented,” which is only a one year snapshot of the Department’s programs.

This amendment would require the Department to provide a full listing of every single program administered under their jurisdiction, which will assist in Congress’s work to address this extensive overlap when making funding decisions.

In their duplication report, GAO revealed that “overlap and fragmenta-

tion among government programs or activities can be harbingers of unnecessary duplication. Reducing or eliminating duplication, overlap, or fragmentation could potentially save billions of taxpayer dollars annually and help agencies provide more efficient and effective services.”

This amendment would have addressed this overlap and unnecessary duplication at the Department of Justice by also requiring the following: a listing of other programs within the Federal Government with duplicative or overlapping missions and services; the latest performance reviews for the program, including the metrics used to review the program; the latest improper payment rate for the program, including fraudulent payments; and the total amount of unspent and unobligated program funds held by the agency and grant recipients.

This information would be updated annually and posted on-line, along with recommendations from the agency to consolidate duplicative and overlapping programs, eliminate waste and inefficiency, and terminate lower priority, outdated and unnecessary programs.

According to GAO, since 2005 Congress has spent \$30 billion in overlapping Department of Justice grants for crime prevention, police, and victims services through more than 250 programs, and \$3.9 billion in grants in 2010.—In February, the Government Accountability Office, GAO, released its second annual report addressing duplication and areas for cost savings throughout the Federal Government. The report, “Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue,” exposed 51 specific examples of government duplication and areas of Federal spending with potential for significant cost savings.

Included in this year’s report are some very troubling findings of extensive duplication in a large portion of Department of Justice, DOJ, programs. GAO found the Justice Department administers more than 250 duplicative programs to provide “crime prevention, law enforcement, and crime victim services,” costing taxpayers roughly \$30 billion in the last 6 years.

Their report details the widespread duplication in the Department, enumerating at least 56 victims’ assistance programs, 33 juvenile justice efforts, more than 40 technology and forensics grant solicitations, and 16 community crime prevention strategy programs, to name a handful of the many identified.

In 1 year alone, three primary offices—the Office of Justice Programs, the Office on Violence Against Women, and the Community Oriented Policing Services Office—awarded \$3.9 billion through 11,000 grants, many of which the GAO found to be duplicative and in need of review and coordination.

GAO attributes much of the duplication among these 253 grant programs to the fact Justice officials do not conduct a full cross reference check to ensure applicants have not applied for or received overlapping grants from the Department.

In fact, Justice employees contend they simply do not have enough time before providing a grant to ensure recipients have not already received funding. GAO observed, “Justice officials stated that the timeline for reviewing applications, making recommendations on their merit, and processing awards each year is compressed and that it would be difficult to build in the extra time and level of coordination required to complete an intradepartmental review for potentially unnecessary duplication of funding prior to making awards.”

This amendment would direct DOJ to use their own authority to eliminate and consolidate overlapping programs as identified by GAO and develop a plan that would result in financial cost savings of no less than 20 percent of the nearly \$3.9 billion in duplicative grant programs identified by the Government Accountability Office.

Addressing duplication at GAO is one step in addressing our nearly \$16 trillion debt—With the release of the GAO report, combined with last year’s recommendations, Congress and the administration have been given extensive details in 132 areas of government duplication and opportunities for significant cost savings, with dozens of recommendations for how to address the duplication and find these savings.

The problem in Congress today is not an issue of ignorance—it is one of indifference and incompetence. We know we have a problem. We know we have cancer. Yet we refuse to stop making it worse, we refuse to apply the treatment, and we refuse to take the pain of the medication for the long-term benefit of a cure.

The report provides a clear listing of dozens of areas ripe for reform and in need of collaboration from members on both sides of the aisle, to find solutions to address these issues.

We are looking into a future of trillion dollar deficits and a national debt quickly headed toward \$20 trillion. Our Nation is not on the verge of bankruptcy, it is already bankrupt. Over the last 2 years, there have been countless discussions and bipartisan talks about how to address our debt and deficit. Yet there has been little agreement, and at the end of this year we will be faced with another tax extenders package and another increase in the debt limit, all while sequestration will be poised to kick in and achieve the savings Congress has been unable to muster the courage to pass.

But, before us, we have part of the answer. GAO’s work presents Washington with literally hundreds of options for areas in which we could make

a decision now to start finding savings, potentially hundreds of billions of dollars. If we are unable to agree on eliminating even one small duplicative program or tax credit when clearly we know there are hundreds, we have little hope of ever coming to a comprehensive compromise for fixing our floundering budget.

Congress should require the Department of Justice to provide a full listing of every program in their jurisdiction. Further, the Department can find savings from consolidating the overlap outlined by the GAO, freeing up Federal funding to dedicate toward solving unresolved rape cases, while also reducing the deficit.

As a Nation, we simply cannot afford to reauthorize programs that waste taxpayer dollars by duplicating programs operated by other Federal agencies for the same purposes. To be clear, addressing duplication and overlap is not a matter of refusing to provide services to victims of domestic violence but, rather, it is to ensure they are properly served by programs that are efficient, effective and not bogged down in Federal Government bureaucracy.

Third, both the Government Accountability Office, GAO, and the DOJ Office of the Inspector General, DOJ OIG, have repeatedly documented the failure of OVW to manage its grants and monitor its grantees effectively. Following this statement, I have included in the RECORD summaries of both GAO and DOJ OIG reports on OVW and VAWA grants. Overall, DOJ has long had problems with its grant management. The DOJ OIG has published for more than a decade a list of the Top 10 Management Challenges at the DOJ. Grant management, unfortunately, has appeared on that list ever since the inception of this evaluation, with OVW being called out as particularly problematic.

Since 2001, GAO has noted various problems at OVW and with particular VAWA grants. With regard to OVW grant management, GAO noted grants awarded by OVW "often lacked the documentation necessary to ensure that the required monitoring activities occurred." As a result OVW "was not positioned to systematically determine staff compliance with monitoring requirements and assess overall performance."

Furthermore, since 1998, the DOJ IG has issued audit after audit noting unallowable expenditures, questioned grant costs, weak internal reporting, and poor oversight in numerous VAWA grants across the country. For example, a 2011 DOJ IG audit of a Boston grantee questioned over half \$638,298 of its \$1.3 million grant. The questioned costs were used for unsupportable conferences, bonus payments, and consultant fees.

Even my constituents have directly experienced OVW mismanagement. For

example, the Oklahoma District Attorneys Council, OK DAC, which is the Oklahoma State administrative agency for many Federal grants, has had specific, documented problems with the poor job OVW has been doing in its grant management and oversight. OVW does not answer or return phone calls in a timely manner and has consistently been unavailable to answer grantees' questions in the middle of the work week. Moreover, according to the OK DAC, in the last 4 years that Oklahoma has received one particular VAWA grant, OVW has failed to perform even one site visit to check on the implementation of the grant and the grantee's use of Federal funds.

After more than a decade of significant challenges, it is my hope the DOJ OIG will be able to remove grant management from DOJ's top 10 management challenges. However, until that occurs, it is the job of Congress to ensure we are not turning a blind eye to DOJ's failure to properly administer taxpayer funds through Federal grant programs, including those authorized by VAWA.

Fourth, the fiscal condition of our country has worsened dramatically since the original passage of this bill in 1994 and the last reauthorization in 2005. In fact, at the end of 2005, our national debt was approximately \$8.1 trillion. It is now over \$15.6 trillion—a growth of over \$7.5 trillion, or 92.6 percent, in just over 6 years. The Federal Government is in no position to spend more money on any grant programs without offsets. We simply cannot afford it.

Although Chairman LEAHY recognized the inordinately high authorization levels in the last VAWA reauthorization by reducing some of those amounts, S. 1925 continues to inflate the actual funding we know Congress will provide to VAWA grantees. The bill authorizes approximately \$660 million in grants each year for 5 years, totaling \$3.3 billion. None of these funds are offset. The 2005 VAWA reauthorization provided approximately \$779 million per year for 5 years, totaling \$3.89 billion. Thus, while S. 1925 reauthorizes a total of \$590 million less than the 2005 VAWA reauthorization, this total is still much higher than actual past appropriations.

In fact, from 2007 to 2011, Congress appropriated a total of \$2.71 billion for VAWA grant programs, which is \$590 million less than this bill's authorized funding. From 2007 to 2011, although Congress authorized a total of \$3.89 billion, it actually appropriated \$1.18 billion less than that figure, 2.71 billion. Thus, while S. 1925 may reduce authorizations, it still provides a total authorization that is significantly higher than total VAWA appropriations over the past 5 years. If we know, based on past funding history, it is highly unlikely Congress will ever provide to

VAWA grantees the level of funding authorized in this legislation, why would we send a false message to grantees by retaining such inflated estimates in VAWA?

Fifth, I also have concerns about a section of this bill that allows a tribal court to have jurisdiction over non-Indians who commit a domestic violence crime in Indian country or against an Indian. The language explicitly provides that the self-governance of a tribe includes the right "to exercise special domestic violence criminal jurisdiction over all persons." To my knowledge, this is the first time the Federal Government has given Indian courts jurisdiction over "all persons." While I recognize domestic violence is a serious problem in Indian Country, this change could cause particular problems with tribes in Oklahoma. Oklahoma has no reservations, but it does have 39 separate Indian governments. The individual allotment lands and trust lands are small and dispersed within Oklahoma communities and counties. The tribes do not have large continuous land bases, and because of its unique history, many Oklahomans claim Indian enrollment but have no relationship to the tribe or a tribal community.

Further, the Bill of Rights does not apply in Indian courts. Instead, most of the protections are preserved because of the Indian Civil Rights Act, but it does not preserve all rights. For example, the Indian Civil Rights Act only guarantees right to counsel at an individual's own expense. If the "all persons" language is as absolute as it appears, it could allow a non-Indian to be tried in tribal court without the full protection of the Constitution. S. 1925 includes language that says: "In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant . . . all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant." Still, I am not certain this is enough and am afraid it will be subject to future court challenges.

Proponents of this provision argue that such allowances to tribal courts are necessary because no one is prosecuting non-Indian offenders, and that may be true in some cases. But, instead of creating a conflict between Indian country and the Federal Government's jurisdiction over American citizens who commit crimes, we believe we should deal with the bigger problem by holding the Department of Justice and local U.S. attorneys accountable for not prosecuting these cases.

Finally, while I applaud and support Senator GRASSLEY's effort to increase

accountability at the DOJ and to address problematic definitions, immigration provisions, and criminal statutes in his substitute amendment, for many of the same reasons I outline above, I must also oppose his substitute. Although Senator GRASSLEY's alternative is, in several areas, likely a better alternative than S. 1925, it fails to reduce authorizations or offset those amounts, does not fully address grant management problems at OVW or program duplication, and still runs counter to my basic constitutional concerns with VAWA programs.

As a result, I cannot support S. 1925 or Senator GRASSLEY's substitute.

I ask unanimous consent to have the attached documents supporting my statement on the Violence Against Women Act of 2011 in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUMMARY OF GOVERNMENT ACCOUNTABILITY OFFICE (GAO) REPORTS ADDRESSING VIOLENCE AGAINST WOMEN ACT (VAWA) GRANTS AND/OR THE OFFICE OF VIOLENCE AGAINST WOMEN

“JUSTICE IMPACT EVALUATIONS: ONE BYRNE EVALUATION WAS RIGOROUS; ALL REVIEWED VIOLENCE AGAINST WOMEN OFFICE EVALUATIONS WERE PROBLEMATIC,” UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, GAO-02-309, MARCH 2002

The title of this report summarizes the VAWA program well—“all reviewed Violence Against Women Office evaluations were problematic.”

From 1995 2001, NIJ awarded \$6 million for five Byrne grant evaluations and five VAWA grant evaluations. VAWA funds provided all of the funding for NIJ's evaluation of its grants (\$4 million). GAO reviewed in depth three of the VAWA evaluations, “all of which . . . had methodological problems that raise concerns about whether the evaluations will produce definitive results.”

“With more up-front attention to design and implementation issues, there is a greater likelihood that NIJ evaluations provide meaningful results for policymakers.”

While OVW provides grantees flexibility to develop projects to fit their communities, “the resulting project variation makes it more difficult to design and implement definitive impact evaluations of the program. Instead of assessing a single, homogeneous program with multiple grantees, the evaluation must assess multiple configurations of a program, thereby making it difficult to generalize about the entire program.”

All three VAWA evaluations were designed “without comparison groups [which] hinders the evaluator's ability to isolate and minimize external factors that could influence the results of the study.” As a result, “lack of comparison groups . . . makes it difficult to conclude that a reduction in violence against women and children . . . can be attributed entirely, or in part, to the . . . program. Other external factors may be operating.”

STATEMENT OF LAURIE EKSTRAND, DIRECTOR OF JUSTICE ISSUES, UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, TESTIMONY BEFORE THE SUBCOMMITTEE ON CRIME AND DRUGS, COMMITTEE ON THE JUDICIARY, UNITED STATES SENATE, “LEADING THE FIGHT: THE VIOLENCE AGAINST WOMEN OFFICE,” GAO-02-641T, APRIL 16, 2002

The primary conclusion of Ms. Ekstrand's testimony was the following: “Our recent work has shown a need for improvement in [OVW] grant monitoring and in the evaluations that are intended to assess the impacts of [OVW] programs.”

VAWA programs have grown significantly since its 1995 inception. Between 1995 and 2000, the number of VAWA discretionary grants “increased about 362%—from 92 in FY 1996 . . . to 425 in FY 2000.” During the same time period, the dollar amount of all VAWA discretionary grants “increased about 940%—from just over \$12 million in FY 1996 . . . to about \$125 million in FY 2000.”

Ms. Ekstrand referenced the March 2002 report by stating “grant files for discretionary grants awarded by [OVW] often lacked the documentation necessary to ensure that the required monitoring activities occurred.” As a result OVW “was not positioned to systematically determine staff compliance with monitoring requirements and assess overall performance.”

REPORT TO THE HONORABLE ELEANOR HOLMES NORTON, HOUSE OF REPRESENTATIVES, “VIOLENCE AGAINST WOMEN: DATA ON PREGNANT VICTIMS AND EFFECTIVENESS OF PREVENTION STRATEGIES ARE LIMITED,” UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, GAO 02 530, MAY 2002

This report was requested by Eleanor Holmes Norton due to her concern about pregnant women being victims of homicide and other types of violence.

GAO concluded the data was incomplete on the number of pregnant women who are victims of violence and that data “lacks comparability.”

“Research findings on whether women are at increased risk for violence during pregnancy are inconclusive.” A report by the CDC noted, “the risk of physical violence does not seem to increase during pregnancy.”

Little information is available on the effectiveness of strategies to prevent and reduce violence against women . . .

“PREVALENCE OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING,” UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, IN RESPONSE TO A REPORT MANDATED BY THE VIOLENCE AGAINST WOMEN AND DOJ REAUTHORIZATION ACT OF 2005, GAO-07-148R, NOVEMBER 2006

VAWA advocates attempt to highlight how many (incidence) of these crimes occur and how many people are victimized (prevalence) as evidence of why we need to pay for additional services to victims of domestic violence. However, this GAO report notes there is not an accurate nationwide estimate of the prevalence of domestic violence, sexual assault, dating violence, and stalking.

That is not to say it does not occur. Rather, that is to note, as policymakers, we really do not have adequate information to make decisions on what grants are necessary, if any, to address this problem because we do not know its scope. GAO notes “no single, comprehensive effort currently exists that provides nationwide statistics on the prevalence of these four categories of crime [domestic violence, sexual assault, dating violence, and stalking].” In fact, “since 2001,

the amount of national research that has been conducted on the prevalence of domestic violence and sexual assault has been limited, and even less research has been conducted on dating violence and stalking.” Yet, in the 2000 reauthorization of VAWA, language was added to put greater emphasis on dating violence.

While it could be costly to design a single, nationwide effort, DOJ has not even performed a cost-benefit analysis to determine if such a national effort should move forward.

In addition, while there have been some analysis by individual subdivisions of agencies (approximately 11 collection efforts focusing on various aspects of domestic violence), even their work has not produced results that can be extrapolated nationally. For example, the CDC and OJP have taken some steps at providing consistency in some of their data collection and definitions of terms such as “dating violence” or “domestic violence,” however, GAO notes even agencies like these “encourage but do not require grantees to use these definitions as part of their research efforts and cannot always use these definitions in their own work.”

GAO concludes, “the absence of comprehensive nationwide prevalence information somewhat limits the ability to make informed policy and resource allocation decisions about the statutory requirements and programs create to help address these four categories of crime and victims.”

“SERVICES PROVIDED TO VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, DATING VIOLENCE, AND STALKING,” UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, IN RESPONSE TO A REPORT MANDATED BY THE VIOLENCE AGAINST WOMEN AND DOJ REAUTHORIZATION ACT OF 2005, GAO-07-846R, JULY 2007

This is the second part of the mandate to GAO from the 2005 VAWA Reauthorization. The first part was completed in the November 2006 report mentioned above.

This report focused on eleven federal grant programs and how each collected and reported data to the respective agencies (OVW/OVC/HHS-ACF) on the services they provide. While information is reported, “data are not available on the extent to which men, women, youth, and children receive each type of service for all services.” GAO notes this “occurs primarily because the statutes governing these programs do not require the collection of such data.”

Even if such data were available, GAO notes, among several concerns, the data may not be reliable because “recipients of grants administered by all three agencies use varying data collection practices.”

While I understand concerns for victims' confidentiality and safety, there are clearly improvements that can be made in improving the uniformity and reliability of data collection.

In addition, due to Congress placing different requirements on different grants and having a complicated maze of grant programs we cannot keep track of, we have not provided the appropriate consistency to grantees to make data collection requirements easy to understand and perform. Better drafting on our part could also improve the data we receive, which, in turn, would greatly improve and inform our policymaking efforts.

STATEMENT OF EILEEN LARENCE, DIRECTOR OF HOMELAND SECURITY AND JUSTICE, UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, TESTIMONY BEFORE THE COMMITTEE ON THE JUDICIARY, UNITED STATES SENATE, "THE VIOLENCE AGAINST WOMEN ACT: BUILDING ON 17 YEARS OF ACCOMPLISHMENTS," GAO-11-833T, JULY 13, 2011

This testimony focused on a review of the 2006 and 2007 reports above and updates to those recommendations conducted in July 2011.

Of the eleven national data collection efforts mentioned in the 2006 report, four only focused on incidence (the number of times a crime is committed), not the prevalence (how many individuals are actually victimized).

GAO reports DOJ's OJJDP completed a nationwide survey in 2009 of incidence and prevalence of children's exposure to violence. This should help in the area of teen dating violence. While CDC has begun a teen dating violence prevention initiative, it just began implementing the first phase in four high risk areas in September 2011, and results are not expected until 2016. Thus, GAO says "it is too early to tell the extent to which this effort will fully address the information gap related to prevalence of stalking victims under the age of 18."

In 2006, GAO reported different agencies used different definitions related to different types of domestic violence, which led to problems collecting accurate national statistics. This report notes HHS still continues to encourage the use of uniform definitions, but it does not require grantees to do so. In 2010, CDC convened a panel to update and revise its definitions. CDC is reviewing those results and plans another panel in 2012.

DOJ has reported its juvenile justice division created common definitions for use in a national survey of children's exposure to violence. This is encouraging, but clearly significant divisions of DOJ, such as OJV, which are responsible for a large portion of VAWA grants, have not reported advances in developing common definitions.

A CDC/NIJ Report on the prevalence of domestic violence was released mid-December 2011.

As a result of the 2007 report, HHS and DOJ stated "they modified their grant recipient forms to improve the quality of the recipient data collected and to reflect statutory changes to the programs and reporting requirements." Officials stated this resulted in an increase in the quality of data received.

Overall, GAO's testimony concluded "having better and more complete data on the prevalence of domestic violence, sexual assault, dating violence and stalking as well as related services provided to victims . . . can without doubt better inform and shape the federal programs intended to meet the needs of these victims."

Mrs. FEINSTEIN. Mr. President, I rise today to express support for the reauthorization of the Violence Against Women Act—VAWA. VAWA is a critical piece of legislation that protects American women from the plague of domestic violence, stalking, dating violence and sexual assault. The Violence Against Women Act is the centerpiece of the federal government's efforts to combat domestic violence and sexual assault and has transformed the response to these crimes at the local, State and federal levels.

As my colleagues know, VAWA was signed into law in 1994. This body reau-

thorized it in 2000 and again in 2005 on an overwhelming bipartisan basis. And it is my hope that we can repeat this bipartisan cooperation with the current reauthorization bill. I applaud those on both sides of the aisle for coming together to support this legislation. The measure today has a total of 61 cosponsors, including eight Republicans. VAWA has always been bipartisan, is bipartisan today, and needs to come to a vote.

During my days as the mayor of San Francisco, law enforcement officers most worried about responding to domestic abuse calls. That is where things got really rough. Tragically, I saw it happen over and over again. It was a big problem then, and it remains a big problem today.

To address these problems, the bill reauthorizes a number of grant programs administered by the Departments of Justice and Health and Human Services to provide funding for emergency shelter, counseling, and legal services for victims of domestic violence, sexual assault and stalking. It also provides support for State agencies, rape crisis centers, and organizations that provide services to vulnerable women. And American women are safer because we took action.

Today, more victims report incidents of domestic violence to the police, and the rate of non-fatal partner violence against women has decreased by 53 percent since 1994, according to the Department of Justice. Because of VAWA, States have the funding to implement "evidence-based" anti-domestic violence programs, including "lethality screens," which law enforcement uses to predict when a person is at risk of becoming the victim of deadly abuse.

In my home state of California, with the help of VAWA funds, we reduced the number of domestic violence homicides committed annually by 30% between 1994, the year in which VAWA was enacted, and 2010. Simply put, VAWA funding saves lives.

An extremely noteworthy example of VAWA's success came to my office from the Alameda County District Attorney.

In 1997, Alameda County, CA reported 27 deaths as a result of domestic violence. That was about the normal rate at that time. But by last year, 2011, the district attorney reported just three deaths. The district attorney credits VAWA for reducing the number of domestic violence homicides in Alameda County. This is a clear example of why we need to reauthorize VAWA.

Through the use of VAWA funding, Alameda County created the Family Justice Center in 2005 to provide comprehensive services to adults and children who experience domestic violence or sexual assault. Today, the center is a national model of how communities can bring service professionals together to serve crime victims.

During these tough economic times, the demand for the Family Justice Center's services has grown—as has its need for VAWA funding. In the center's first year, they treated approximately 8,000 clients, including an estimated 1,000 children. In 2010, the center treated 12,000 clients. Last year, the center treated more than 18,000 women, men, children and teens who were victims of interpersonal violent crimes.

During a recent visit to my office, the Alameda County District Attorney noted that without VAWA funding it would not be possible for the Family Justice Center to continue to serve this growing population of crime victims.

The vital need for domestic violence prevention services was highlighted in a recent survey by the Centers for Disease Control and Prevention—CDC—which found that on average, 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in the United States. Over the course of a year, that equals more than 12 million women and men.

In California, about 30,000 people accessed crisis intervention services from one of California's 63 rape crisis centers in 2010 and 2011. These centers primarily rely on federal VAWA funding—not State funding—to provide services to victims in their communities.

In 2009 alone, there were more than 167,000 cases in California in which local county or State police officers were called to the scene of a domestic violence complaint according to the California Department of Justice.

The bill we are considering today gives increased attention to victims of sexual violence. This form of violence is particularly destructive because, for many years, our society viewed sexual violence as the fault of the victim, not the perpetrator.

Although VAWA has always addressed the crime of sexual assault, a smaller percentage of the bill's grant funding goes to sexual assault victims than is proportional to their rates of victimization. The bill does three things to address this imbalance: No. 1, it provides an increased focus on training for law enforcement and prosecutors to address the ongoing needs of sexual assault victims; No. 2, the bill extends VAWA's housing protections to these victims; No. 3, and the bill ensures that those who are living with, but not married to, an abuser qualify for housing assistance available under VAWA.

The bill also updates the federal criminal code to clarify that cyberstalking is a crime. With increasing frequency, victims are being stalked over the Internet through e-mail, blogs, and Facebook. When stalking is done online, the message sent by the perpetrator is memorialized forever, making it more difficult for victims to put the painful experience in

the past and move forward in their lives.

Despite the fact that the underlying bill has 61 cosponsors from both parties, not a single Republican member of the Judiciary Committee—of which I am a longtime member—voted to advance the legislation.

The bill considered in the Judiciary Committee includes several changes that I believe improve the underlying bill.

For example: It creates one very modest new grant program, consolidates 13 existing programs, and reduces authorization levels for all other programs by 17 percent. The new bill would decrease the total authorization level of \$795 million in fiscal year 2011 to \$659 million in fiscal year 2012. And it places emphasis on preventing domestic homicides and reduces the national backlog of untested rape kits.

Yet, there are some who refuse to support it because it now includes expanded protections for victims. Specifically, VAWA was expanded to include additional protections for gay and lesbian individuals, undocumented immigrants who are victims of domestic abuse, and authority for Native American tribes to prosecute crimes.

In my view, these are improvements. Domestic violence is domestic violence. I ask those who oppose the bill: If the victim is in a same-sex relationship, is the violence and danger any less real? If a family comes to this country and the husband beats his wife to a bloody pulp, do we say, well, you are illegal; I am sorry, you don't deserve any protection?

911 operators and police officers don't refuse to help a victim because of their sexual orientation or the country where they were born. When you call the police in America, they come.

VAWA will help ensure that all victims have access to life-saving services, regardless of sexual orientation or gender identity. Lesbian, gay, bisexual and transgendered victims experience domestic violence in 25 percent to 35 percent of relationships—the same rate as heterosexual couples. Yet, these victims are often turned away when they seek help from shelters and professional service providers and they do not receive the help they need.

VAWA would improve the LGBT community's ability to access services by explicitly prohibiting grant recipients from discriminating based on sexual orientation or gender identity and by clarifying that gay and lesbian victims are included in the definition of underserved populations.

Domestic and sexual violence in Tribal communities is a problem of epidemic proportions. Studies indicate that nearly three out of five Native American women have been assaulted by their spouses or intimate partners. The VAWA Reauthorization bill provides law enforcement with additional

tools to take on the plague of violence affecting Native women. The bill adds new Federal crimes—including a 10-year offense for assaulting a spouse or intimate partner by strangling or suffocation—the two types of assault that are frequently committed against women in Indian Country. And it closes loopholes to ensure that those who commit domestic violence in Indian Country do not escape justice.

The Chairman of the San Manuel Band of Mission Indians in Highland, CA recently wrote to me to emphasize the importance of closing the jurisdictional loophole. According to the chairman, the rampant violence against Native women can in part be attributed to the absence of tribal criminal jurisdiction over non-Indian perpetrators.

Crimes of domestic violence or dating violence that would typically lead to convictions and sentences of anywhere between 6 months and 5 years in U.S. courts are too often falling through the cracks in the legal system when identical crimes occur in Indian Country.

The Violence Against Women Reauthorization Act of 2011 is supported by over 50 national religious organizations including the Presbyterian Church, the Episcopal Church, the Evangelical Lutheran Church, the National Council of Jewish Women, National Council of Catholic Women, the United Church of Christ and the United Methodist Church.

As I mentioned earlier, law enforcement officers are at particular risk when they respond to domestic violence incidents. According to the Law Enforcement Officer Deaths Memorial Fund, in 2009, 23 percent of firearms-related deaths involved domestic disturbance calls. In 2010, eight officers were killed responding to domestic violence calls.

VAWA provides needed training to decrease the risk to law enforcement when responding to domestic violence calls. The legislation includes grants to develop and strengthen policies and training for law enforcement to recognize and effectively respond to instances of domestic abuse.

To me, this bill is a no-brainer. To stand in the way of this bill is almost to say we don't consider violence against women an important issue.

Let me repeat: this bill protects American women. It has support on both sides of the aisle. It saves lives. It is a lifeline for women and children who are in distress.

We need to show our commitment to end domestic violence and sexual violence. I hope that all senators will support this important effort to reauthorize the Violence Against Women Act with strong bipartisan support as we always have. This has always been a bipartisan effort. Let's vote and let's get it done.

I yield the floor.

Mr. LEVIN. Mr. President, in 1994 and again in 2000 and 2005, the Senate took a strong, bipartisan stance against acts of domestic and sexual violence that alter the lives of far too many American families and especially American women. With the passage and later reauthorizations of the Violence Against Women Act, Congress provided invaluable aid—sometimes lifesaving aid—to hundreds of thousands of Americans. There is no reason we cannot reauthorize this legislation again this year with overwhelming bipartisan support, and I urge my colleagues on both sides of the aisle and in both chambers of Congress to support this bill.

Since its passage, the Violence Against Women Act has provided comprehensive support to survivors of domestic and sexual violence and to the Federal, State, and local agencies that confront this scourge every day. The original legislation passed in 1994 laid a strong foundation that helped establish a coordinated response to violence against women. Reauthorizations in 2000 and 2005 strengthened that foundation. Today, through violence prevention grants, services to survivors of sexual assault, legal assistance, transitional housing grants, assistance to law enforcement agencies and prosecutors, and other efforts, VAWA has made an enormous difference.

Deaths due to violent acts by intimate partners have decreased significantly. And according to a cost-benefit analysis, VAWA saved nearly \$15 billion in its first 6 years of existence by avoiding the high social costs violence against women exacts on our Nation. William T. Robinson, the president of the American Bar Association, calls VAWA "the single most effective federal effort to respond to the epidemic of domestic violence, dating violence, sexual assault and stalking in this country."

For all its successes, VAWA has not ended our responsibility to act against violence. Domestic and sexual violence remain far too common for us to abandon our efforts. And just as we have in past authorizations, the legislation before us would strengthen our ability to confront violence in new ways.

Now, some of these new efforts have become controversial. Some of our Republican colleagues have questioned provisions that extend VAWA's anti-discrimination protections. Some have questioned extending the umbrella of this Nation's protections to immigrants. And some have questioned provisions designed to protect Native American women from sexual and domestic violence. In fact, some of my colleagues have denied that these provisions are necessary, and some have criticized them as "political."

I certainly do not consider extending the successful protections of this legislation to all Americans as "political."

I consider it common sense. I consider it our duty to help these survivors get the assistance they need. I strongly support these important extensions of the act's protections, and I encourage my colleagues to support them as well.

This is not a partisan issue. I hope the Senate can, as it has in the past, send a strong bipartisan message of support to survivors of domestic or sexual violence. And I hope our colleagues in the House of Representatives will quickly take up and approve legislation that will make an enormous positive difference in the lives of so many.

Ms. KLOBUCHAR. Mr. President, I want to briefly comment on an issue that has been raised by some with respect to the stalking provisions in the bill.

Some outside observers have questioned whether the language in the bill would chill free speech or even criminalize constitutionally protected speech. Obviously, that was not the intent of the language and I do not believe that would be the impact.

In fact, a statute cannot criminalize constitutionally protected speech. If it is protected under the Constitution, then it is protected, plain and simple.

The stalking provision is intended to make our anti-stalking laws more effective. The problem with current law is that we require a victim to actually suffer from substantial emotional distress in order for the perpetrator to be prosecuted.

But sometimes victims are not even aware that they are being stalked, especially if the stalker is using electronic surveillance, video surveillance, or other technology that is specifically designed for spying.

So a stalker who is using technology to stalk his victim can escape prosecution simply because he goes undetected by the victim. That does not make sense to me.

With the provision in the bill, we allow law enforcement and prosecutors to focus on the stalker's actions, and not just the victim's emotions.

This will allow prosecutions if the perpetrator is caught before the victim has suffered the necessary level of emotional distress. Under current law, law enforcement has to wait until that harm has occurred, even though the stalker has already committed terrible invasions of the victim's privacy.

But I understand the concerns of those who are worried about free speech. I am willing to work with them to address their concerns as we move forward.

I have no desire to inhibit free speech. This is not about speech, it is about video surveillance, tracking devices, and other secretive methods of stalking. It is about truly dangerous and despicable behavior.

Mr. DURBIN. According to a recent survey, 24 people every minute become victims of rape, physical violence, or

stalking by an intimate partner in the United States. That means that just in the time it takes me to finish this statement, dozens will have been victimized.

Since it was passed by Congress in 1994, the Violence Against Women Act has provided valuable, even life-saving, assistance to these hundreds of thousands of individuals. The impact of this bipartisan legislation has been profound. According to the Bureau of Justice Statistics, the rate of domestic violence against women has dropped by 53 percent since VAWA's passage. This legislation is critical.

There is no question that we are making tremendous progress. But there are so many who urgently need help. Let's look at incidence of physical violence: The Centers for Disease Control tell us that nearly one in four women reports experiencing severe physical violence by an intimate partner. And the consequences can be severe. For example, according to one report, in 2007, 45 percent of the women killed in the United States died at the hands of an intimate partner.

Sexual assault statistics are just as alarming: The CDC tells us that nearly one in five women in the United States has been raped. And more than half of female rape victims report being raped by an intimate partner. One in six women in the United States has experienced stalking. Each one of these statistics, and every person who has suffered domestic and sexual violence, shows us that we need to reauthorize this legislation, and we need to do it now.

This legislation is supported by victims, experts, and advocates. It is supported by service providers, faith leaders, and health care professionals. And it is supported by prosecutors, judges, and law enforcement officials. It should be supported by all of us here in Congress.

The last two VAWA reauthorizations have appropriately—and carefully—expanded the scope of the law and improved it. This reauthorization is no exception. It applies the important lessons we have learned from those working in the field and renews our commitment to reducing domestic and sexual violence. Here is what the reauthorization does:

It ensures that funding will continue to go to the organizations and individuals who need help most. It places increased emphasis on responding to sexual assault, in addition to domestic violence. It does things like encourage jurisdictions to evaluate their rape kit inventories and reduce existing backlogs.

The reauthorization incorporates important accountability mechanisms. It consolidates programs to reduce duplication and unnecessary bureaucracy. And it reduces spending. Total annual authorization has been cut by 17 per-

cent. The reauthorization also helps meet the needs of victims from communities that have had difficulty accessing traditional services, for example, because of their religion, sexual orientation, or gender identity. It helps tribal communities. It helps abused immigrants.

The reauthorization helps ensure that law enforcement officials have access to the tools they need by allowing for the "recapture" of a modest number of U Visas. U Visas, for victims of crimes, are an important law enforcement tool. They may be granted only after law enforcement certification and only if a non-citizen is the victim of enumerated—and serious—crimes. Law enforcement officials across the country have advocated for increased accessibility to U Visas: In my home State of Illinois, Cook County State's Attorney Anita Alvarez said: "Increasing the accessibility to U Visas will provide to prosecutors like me an important tool in protecting public safety." The Fraternal Order of Police wrote: "The expansion of the U Visa program will provide incalculable benefits to our citizens and our communities at a negligible cost."

I want to take a moment to discuss an important provision in this reauthorization that I authored, working with Senator LEAHY, to address an appalling situation taking place in our immigration detention facilities. We have heard about truly horrific instances of sexual assault occurring in immigration detention facilities.

A troubling episode of *Frontline*, the PBS program, detailed one woman's story in great detail recently. But that was hardly an isolated incident. As the National Prison Rape Elimination Commission has said: "[A]ccounts of abuse by staff and by detainees have been coming to light for more than 20 years. As a group, immigration detainees are especially vulnerable to sexual abuse and its effects while detained . . ."

The Prison Rape Elimination Act of 2003—"PREA"—aimed to eliminate the sexual abuse of those in custody. This was legislation, championed by Senator SESSIONS, that I cosponsored. Our goal, together, was to create a "zero-tolerance" policy for this intolerable behavior. Nobody behind bars should have to fear abuse from others in detention or from those meant to protect them. Simply put: sexual abuse is not, and cannot be, part of the punishment for those accused of violating our laws.

We are waiting on the Department of Justice's final National Standards to Prevent, Detect, and Respond to Prison Rape. But it is unclear to what extent those standards will be interpreted to apply to immigration detention facilities—as opposed to, say, facilities under the Bureau of Prisons. When we drafted and passed PREA, it was always our intent that it would apply to

all those in detention—including immigration detainees.

It was important to me to have a provision that clarifies that standards to prevent prison rape must apply to immigration detainees. This provision requires that, in the absence of other steps, the Department of Homeland Security and the Department of Health and Human Services quickly adopt standards for the prevention and punishment of sexual assault in all facilities with immigration detainees.

Custodial sexual assault is just one of the many issues addressed by the Violence Against Women Act. I urge my colleagues to work with me to reauthorize this legislation. Previous VAWA reauthorizations have always had broad bipartisan support. This legislation is not Democratic or Republican. It is about protecting our communities from abuse and violence. This reauthorization that we are passing is an impressive product that carefully incorporates the expert feedback from those in the field.

The dozens of individuals who have been victimized since I stood up here today need our help now. Let's give it to them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate the work the leadership has done, and I know Senator MURRAY has been very involved with that too, and I appreciate her help in getting us to a point where we now have a unanimous consent to get to votes and we can finally pass this bill.

I think sometimes a bill like this is an abstract matter. It is not an abstract matter to the women's organizations that support it. It is not abstract to law enforcement who support it. And if I might speak personally for a moment, it is not an abstract matter to me.

The distinguished Presiding Officer and I come from probably the safest, lowest crime State in the country, but we both know that crimes do happen. We also know that in a rural State, oftentimes domestic violence is not reported. We don't talk about this outside the family. And I know that in some of those instances, when I had the privilege of serving as a prosecutor in Vermont, they didn't talk about it. I first heard about it usually in the morgue or at the great Fletcher Hospital. I learned about it because when the body was picked up, either the undertaker or the police or the ambulance driver realized this was not a natural cause, and then we would sort of roll the clock back. In rolling the clock back, we found that all these warning signals were there. There was nowhere for the victim to go. The things we now have were not there then.

I was able to prosecute a number of these people. In fact, I probably

brought some of the first successful domestic violence prosecutions we had. But police and prosecutors will say that those are always after the fact.

So how do we stop this from happening in the first place? That is what the Leahy-Crapo Violence Against Women Reauthorization Act is about. It is there to stop the crime before the crime happens. This bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country, of all political persuasions. I never knew a time when somebody would come to a crime scene and say: Is this victim a Democrat or Republican, gay or straight, immigrant or not? We would say: How do we catch the person who did this?

We listened to what the survivors, advocates, and law enforcement officers told us. They told us what worked, what did not work, and what could be improved. Then we carefully drafted the legislation to fit these needs, and that is why our bill is supported by more than 1,000 Federal, State, and local organizations, service providers, law enforcement, religious organizations, and many more.

There is one purpose, and one purpose only, for the bill Senator CRAPO and I introduced and others cosponsored: It is to help and protect victims of domestic and sexual violence. Our legislation represents the voice of millions of survivors and advocates across the country. The same cannot be said with the Republican proposal brought forward in the last couple of days. That is why that proposal is opposed by such a wide spectrum of people and organizations.

Domestic and sexual violence knows no race, gender, ethnicity, or religion. Its victims can be your next door neighbor, your colleague, a fellow church member, or your child's teacher at school. The Violence Against Women Reauthorization Act seeks to ensure that services to help victims of domestic violence reach all victims, no matter who they are. That is why civil and human rights organizations like the NAACP, the Leadership Conference on Civil and Human Rights, Human Rights Watch, and End Violence Against Women International have urged Congress to act to reauthorize VAWA. I ask consent that these letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, April 25, 2012.

Re: NAACP Support for S. 1925, the reauthorization of the Violence Against Women Act (VAWA) and our opposition to weakening amendments

MEMBERS,
U.S. Senate,
Washington, DC.

DEAR SENATOR: On behalf of the NAACP, our nation's oldest, largest and most widely-

recognized grassroots-based civil rights organization, I strongly urge you to support the speedy reauthorization of the Violence Against Women Act (VAWA), S. 1925. As you consider this legislation on the Senate floor, I further urge you to oppose any weakening amendments. Since it was first enacted in 1994, this important legislation has sought to improve community-based and criminal justice system responses to domestic violence, dating violence, sexual assault and stalking in the United States.

The NAACP strongly supported passage of the original VAWA in 1994, and since that time no other law has done more to stop domestic and sexual violence in our communities. The resources and training provided by VAWA have changed attitudes toward these reprehensible crimes, improved the response of law enforcement and the justice system, and provided essential services for victims struggling to rebuild their lives. It is a law that has saved and improved countless lives, and should clearly be reauthorized and strengthened. Within the United States, domestic violence related homicides have dropped significantly since the passage of VAWA.

On Wednesday, November 30, 2011 Senators Patrick Leahy (VT) and Mike Crapo (ID) introduced S. 1925, a bipartisan bill to reauthorize and improve VAWA. The NAACP has, through its Washington Bureau and in collaboration with the National Task Force to End Sexual and Domestic Violence Against Women, worked closely with these Senators to ensure that under S. 1925 VAWA will continue to fund programs which have proven themselves to be effective and that key changes will be made to streamline VAWA and make sure that even more Americans have access to safety, stability and justice.

In addition to supporting enactment of the VAWA in 1994, the NAACP has joined bipartisan supporters in reauthorizing this important legislation in 2000 and 2005. We have seen the VAWA change the landscape for victims in the United States who once suffered in silence. Victims of domestic violence, dating violence, sexual assault and stalking have now been able to access services, and a new generation of families and justice system professionals have come to understand that domestic violence, dating violence, sexual assault and stalking are crimes that our society will no longer tolerate.

I look forward to working with you to pass a strong reauthorization of the Violence Against Women Act to honor the memory of the women that have lost their lives and endured these atrocities and for the hope that this bill will continue to protect future generations of women. Thank you in advance for your attention to the NAACP position. Should you have any questions or comments, please do not hesitate to contact me at my office at (202) 463-2940.

Sincerely,

HILARY O. SHELTON,
*Director, NAACP Washington Bureau &
Senior Vice President, Advocacy and Policy.*

Mr. LEAHY. These organizations recognize the impact VAWA has in reducing incidences of sexual and domestic violence in our country. Since its initial passage in 1994, no law has done more to combat domestic violence and sexual assault. Because of VAWA, victims have access to life-saving services. It is time that we ensure that all victims have access to these resources.

The National Task Force to End Sexual and Domestic Violence Against

Women, which represents dozens of organizations across the country, says the substitute was drafted without input or consultation from the thousands of professionals engaged in this work every day.

The substitute includes damaging, nonworkable provisions that will harm victims, increase costs, and create unnecessary inefficiencies. I know it may be well-intentioned, but it is no substitute for the months of work we have done in a bipartisan way with the people across the country to bring this bill that is before us. Unfortunately, it undermines the core principles of the Violence Against Women Act. It resolves in abandoning some of the most vulnerable victims and strips out key provisions that are critically necessary to protect all victims, including immigrants, Native women, and victims in same-sex relationships. Again, a victim is a victim is a victim. We don't say: We can help you if you fit in this category. But sorry, battered woman, you are on your own because you fit in the wrong category. That is not the America I know and love.

The improvements in the bipartisan Leahy-Crapo Violence Against Women Reauthorization Act are taken out, and the Republican proposal is no substitute. It does nothing to meet the needs of victims. It undermines the focus of protecting women. It literally calls for removing the word "women" from the largest VAWA grant program. They are still victimized at far higher rates and with far greater impact on their lives than men. Shifting this focus away from women is unnecessary and harmful, and it could send a terrible message. There is no reason to turn the Violence Against Women Act inside out, to eliminate the focus on the victims the bill has always been intended to protect.

By contrast, our bipartisan bill does not eliminate the focus against women but increases our focus to include all victims of domestic violence and sexual assault.

I see others on the floor. I have far more I am going to say about this, and I am about to yield the floor in case others wish to speak.

Remember, this bill is the Violence Against Women Act. Let's not go away from that. It has been carefully put together with the best input we could get from law enforcement, from victims organizations, and, I must say, from some victims themselves. This is to protect those people. I have seen some crime scenes that I still have nightmares about decades later, and I can guarantee my colleagues that every prosecutor in this country and every police officer in this country who deals with these matters probably have the same kinds of nightmares.

Are we going to stop all violence against women with this act? Of course not. But as a result of having had this

legislation in effect for years, the numbers have come down because there is a place to go, there are people to help, and there are people to stop the violence. That is what we want to do—not to be, as I was during those nights in the morgue, saying to the police: Let's find out who did this so we can catch them, but, rather, to stop them before it happens and to protect the people so they live. That is what we are trying to do. That is what this bill does.

I yield the floor.

Mr. GRASSLEY. Mr. President, I wish to commend my colleague from Texas, Senator HUTCHISON, for offering her substitute amendment to the Violence Against Women Act reauthorization bill. I am pleased to cosponsor her amendment. This amendment is vitally needed.

The Violence Against Women Act has always been reauthorized in the past on a bipartisan, consensus basis.

It would have been so easy to do so again.

All of us who support the amendment of the Senator from Texas are in agreement with 80 percent of the bill that is before us.

But the majority has decided to place a higher priority on scoring political points than on passing another consensus reauthorization of the law.

Recently, Vice President Biden asked what kind of message it would send to women if VAWA were allowed to expire.

He implied that a crisis would be at hand that must be avoided at all costs.

But the actual answer to his question is clear.

The majority party has already allowed VAWA to expire.

VAWA's reauthorization expired last October.

There has been no crisis of any kind because the appropriations for VAWA programs have kept flowing.

It is the majority, not us, that is responsible for the lapse in VAWA's authorization.

The way that the Judiciary Committee handled reauthorization this time has been very disappointing.

The majority insisted on including—and retaining—provisions that appear designed to provoke partisan opposition.

For instance, the majority insisted on giving Indian tribal courts criminal jurisdiction over non-Indian Americans for the first time in our country's history.

The committee held one hearing on reauthorizing this bill, and it devoted no attention to exploring how this provision would operate.

As a result, the committee described this provision in only four sentences in its report on the legislation.

We all recognize that domestic violence rates in Indian country are too high.

Both the committee-reported bill and the Hutchison-Grassley substitute contain provisions to address the problem.

But the majority cannot explain why expanding the power of tribal courts would be effective or how this would work.

Do the tribes have the resources and expertise and resources to comply with the Constitution?

How would the Federal courts' caseload be affected by all the new habeas petitions that would necessarily be filed if this became law?

What changes would occur in the existing relationships between Federal, State, and tribal law enforcement?

The majority has no idea whether this provision would help matters or not because it simply did not give this issue any careful attention.

Moreover, the Congressional Research Service has raised several constitutional issues that would be posed by this provision as it was reported from the committee.

These include due process, equal protection, fifth amendment grand jury and double jeopardy issues, as well as sixth amendment rights to counsel and a jury trial by one's peers.

At the eleventh hour before floor consideration, the majority has recognized the serious constitutional issues that were raised by the committee language.

It has changed the language in an effort to respond to the constitutional questions it had denied existed.

If we had had a hearing on these questions, matters could have proceeded differently.

These changes do not address the constitutional questions CRS posed about congressional power to recognize the inherent power of tribes to prosecute non-Indians, nor do they affect the inability of a defendant to appeal his conviction.

And, of course, they do not address the practical concerns that I have raised all along.

CRS also raises constitutional due process concerns regarding another section in the bill that would give tribal courts the authority to enforce protective orders. That section remains unchanged.

Ironically, the constitutional concerns about the criminal provisions are made more severe because the majority refused to eliminate language we asked them to omit.

Constitutional problems are made worse because the bill gives tribes criminal jurisdiction as part of their claimed inherent sovereignty.

Our substitute strikes the provisions.

Mr. President, I ask unanimous consent to have printed in the RECORD the relevant portions of the CRS analysis.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Congressional Research Service,
Apr. 13, 2012]

MEMORANDUM

To: Senate Judiciary Committee.

From: Jane M. Smith, Legislative Attorney,
7 7202.

Subject: State Jurisdiction over Indian country; Public Law 280; S. 1925's Provision for Tribal Court Jurisdiction to Issue Protection Orders and Due Process.

This memorandum is in response to your request for an explanation of state jurisdiction over Indian country; an explanation of how Public Law 280 affects that jurisdiction; and an analysis of whether the provision in S. 1925, the Violence Against Women Act Reauthorization Act (VAWA Reauthorization), concerning the jurisdiction of tribal courts to issue protection orders against "all persons" comports with the requirements of due process under the Constitution.

STATE JURISDICTION OVER INDIAN COUNTRY

In the absence of congressional authorization, state jurisdiction in Indian country depends on whether the conduct at issue involves non-Indians or Indians only.

CIVIL JURISDICTION OVER NON-INDIANS

Generally, states have civil jurisdiction over non-Indians in Indian country, unless that jurisdiction is preempted by federal law or is incompatible with the right of Indian tribes to govern themselves. In order to determine whether federal law preempts state jurisdiction over non-Indians, courts engage in "a particularized inquiry into the nature of the state, federal, and tribal interests at stake, an inquiry designed to determine whether, in the specific context, the exercise of state authority would violate federal law."

The courts:

examine[] the language of the relevant federal treaties and statutes in terms of both the broad policies that underlie them and the notions of sovereignty that have developed from historical traditions of tribal independence. This inquiry is not dependent on mechanical or absolute conceptions of state or tribal sovereignty, but has called for a particularized inquiry into the nature of the state, federal, and tribal interests at stake, an inquiry designed to determine whether, in the specific context, the exercise of state authority would violate federal law.

In order to determine whether state law applies to non-Indian conduct in Indian country, therefore, courts engage in a particularized weighing of the federal, tribal, and state interests at stake.

In *Bracker*, the Court considered whether the state could impose motor vehicle license and fuel taxes on the logging and hauling operations of a non-Indian contractor working for the tribe exclusively within the reservation. Finding that federal control over tribal timber was pervasive ("the Bureau of Indian Affairs exercises literally daily supervision over the harvesting and management of tribal timber"), the Court held that the state taxes were preempted by federal law. Preemption of state law can occur, therefore, not only when the state law violates federal law, but also when federal involvement with the activity is pervasive.

There is very little case law on when state jurisdiction interferes with the right of Indians to govern themselves. In *Washington v. Confederated Tribes of the Colville Indian Reservation*, the Supreme Court rejected the tribes' argument that because the tribal government generated substantial revenues from selling cigarettes without state taxes that imposing the state cigarette tax would

infringe on their right to govern themselves. The Court noted the tribes' interest in governing themselves was strongest when the conduct at issue involved tribal members only and determined that the tribes did not have a legitimate interest in marketing an exception to state taxation. Because there is so little case law, it is not clear under what circumstances application of state law to non-Indians would interfere with a tribe's ability to govern itself.

CRIMINAL JURISDICTION OVER NON-INDIANS

Most states only have criminal jurisdiction over non-Indians committing crimes against other non-Indians in Indian country. The federal government has exclusive jurisdiction over non-Indians who commit crimes against Indians.

THE EFFECT OF PUBLIC LAW 280 ON STATE JURISDICTION OVER INDIAN COUNTRY

Public Law 280 gave to certain states criminal jurisdiction and civil adjudicatory jurisdiction over Indian country. "[W]hen a State seeks to enforce a law within an Indian reservation under the authority of Pub. L. 280, it must be determined whether the law is criminal in nature, and thus fully applicable to the reservation . . . or civil in nature and applicable only as it may be relevant to private civil litigation in state court."

Whether a law is criminal or civil does not depend on whether the law carries criminal penalties. Rather, a law is criminal in nature if it prohibits an activity outright, and it is civil in nature if it allows the activity but regulates it. Thus, in *California v. Cabazon Band of Mission Indians*, the Supreme Court held that even though California's gaming laws carried criminal penalties, they were civil in nature because they allowed certain kinds of gaming, but regulated them. Thus, states that have criminal jurisdiction over Indian country under Public Law 280 have criminal jurisdiction over all conduct by Indians and non-Indians which violates a state law that is prohibitory.

TRIBAL COURT JURISDICTION TO ISSUE CIVIL PROTECTION ORDERS UNDER S. 1925 AND DUE PROCESS

Section 905 of S. 1925 provides: "a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person . . . in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe." According to the Senate Report, this section is intended to make clear that tribal court jurisdiction covers all persons within the tribe's jurisdiction, including non-Indians.

THE INTENT BEHIND SECTION 905

Under current law, the general rule is that "the inherent sovereign powers of an Indian tribe do not extend to the activities of non-members of the tribe." However, there are two exceptions to this rule. First "[a] tribe may regulate, through taxation, licensing, or other means, the activities of nonmembers who enter consensual relationships with the tribe or its members through commercial dealing, contracts, leases, other arrangements." Second, "[a] tribe may also retain inherent power to exercise civil authority over the conduct of non-Indians on fee lands within its reservation when that conduct threatens or has some direct effect on the political integrity, the economic security, or the health or welfare of the tribe."

It appears that section 905 would expand a tribe's civil authority over non-Indians to enter protective orders. According to the Senate Report, section 905 is intended to en-

sure that the result in *Martinez v. Martinez* is not repeated. In *Martinez*, Mrs. Martinez, an Alaska Native who was not a member of the Suquamish Tribe, obtained from the Suquamish tribal court a protection order against her husband, a non-Indian. The Martinez family lived on non-Indian fee land located within the tribe's reservation. Mr. Martinez objected to the court's jurisdiction and sought an injunction against the tribal court in federal district court. The district court granted the injunction, finding the tribal court lacked jurisdiction over Mr. Martinez.

The federal court rejected the tribe's and Mrs. Martinez's argument that Congress had granted the tribal court jurisdiction to issue protection orders against non-Indians in 18 U.S.C. 2265(e). That section, which was in the Violence Against Women Act (VAWA), provides: "Tribal court jurisdiction.—. . . a tribal court shall have full civil jurisdiction to enforce protection orders . . . in matters arising within the authority of the tribe." The court wrote:

The Court does not construe the provisions of the VAWA as a grant of jurisdiction to the Suquamish Tribe to enter domestic violence protection orders as between two non-members of the Tribe that reside on fee land within the reservation. There is nothing in this language that explicitly confers upon the Tribe jurisdiction to regulate non-tribal member domestic relations. The grant of authority simply provides jurisdiction "in matters arising within the authority of the tribe."

Tribal jurisdiction over non-members is highly disfavored and there exists a presumption against tribal jurisdiction. There must exist "express authorization" by federal statute of tribal jurisdiction over the conduct of non-members. For there to be an express delegation of jurisdiction over non-members there must be a "clear statement" of express delegation of jurisdiction.

Section 905, therefore, is apparently intended to provide such a delegation of authority to tribal courts to issue protection orders over non-members within the tribes' reservations or jurisdictions.

DUE PROCESS AND PERSONAL JURISDICTION

The Supreme Court has held that due process requires that a defendant have "minimum contacts" with a jurisdiction "such that the maintenance of the suit [in the jurisdiction] does not offend traditional notions of fair play and substantial justice." There may be an issue with section 905 in that it would delegate to tribal courts jurisdiction over "all persons," regardless of their contacts with the Indian tribe.

Taking section 905 literally, it does not appear to require that a person have minimum contacts with the tribe in order for the tribe to exercise jurisdiction over him or her to issue protection orders. Under section 905, the outcome of the *Martinez* case arguably would have been different: the tribal court would have had jurisdiction over Martinez, a non-Indian, even though he appears to lack contacts with the tribe—he was not married to a member of the tribe, did not work for the tribe, and lived on non-Indian fee land. There is an argument that the tribal court's exercise of jurisdiction over Mr. Martinez would "offend traditional notions of fair play and substantial justice," because he may not have minimum connections to the tribe, and thus violate the due process clause of the Fifth Amendment.

Advocates of tribal jurisdiction would probably argue that because Mr. Martinez lived within the tribe's reservation he had

sufficient minimum contacts with the tribe. However, Mr. Martinez lived on non-Indian fee land. Under *United States v. Montana*, as a matter of federal common law, tribes generally do not have jurisdiction over non-Indians on non-Indian fee land within the reservation, subject to the two exceptions. Therefore, it appears that residence by a non-Indian on non-Indian fee land within a tribe's reservation does not connect the resident to the tribe in a way to support tribal jurisdiction under the federal common law. It is not clear whether it would be sufficient to establish minimum contacts for the purposes of due process.

[From the Congressional Research Service,
Apr. 18, 2012]

TRIBAL CRIMINAL JURISDICTION OVER NON-INDIANS IN THE VIOLENCE AGAINST WOMEN ACT (VAWA) REAUTHORIZATION AND THE SAVE NATIVE WOMEN ACT

(By Jane M. Smith, Legislative Attorney;
Richard M. Thompson II, Legislative Attorney)

Domestic and dating violence in Indian country are at epidemic proportions. However, there is a practical jurisdictional issue when the violence involves a non-Indian perpetrator and an Indian victim. Indian tribes only have criminal jurisdiction over crimes involving Indian perpetrators within their jurisdictions. Most states only have jurisdiction over crimes involving a non-Indian perpetrator and a non-Indian victim within Indian country located in the state. Although the federal government has jurisdiction over non-Indian-on-Indian crimes in Indian country, offenses such as domestic and dating violence tend to be prosecuted with less frequency than other crimes. This creates a practical jurisdictional problem.

Legislation introduced in the 112th Congress, the Violence Against Women Reauthorization Act (S. 1925 and H.R. 4271) and the SAVE Native Women Act (S. 1763 and H.R. 4154), would recognize and affirm participating tribes' inherent sovereign authority to exercise special domestic violence jurisdiction over domestic violence involving non-Indian perpetrators and Indian victims occurring within the tribe's jurisdiction. It is not clear whether Congress has authority to restore the tribes' inherent sovereignty over non-members, or whether such authority would have to be a delegation of federal authority.

In a series of cases, the Supreme Court outlined the contours of tribal criminal jurisdiction. In *United States v. Wheeler*, the Court held that tribes have inherent sovereign authority to try their own members. In *Oliphant v. Suquamish Indian Tribe*, the Court held the tribes had lost inherent sovereignty to try non-Indians. The Court in *Duro v. Reina* determined that the tribes had also lost the inherent authority to try non-member Indians. In response to *Duro*, Congress passed an amendment to the Indian Civil Rights Act that recognized the inherent tribal power (not federal delegated power) to try non-member Indians. The Violence Against Women Reauthorization and the SAVE Native Women Act, would apparently abrogate the *Oliphant* ruling and "recognize and affirm the inherent power" of the tribes to try non-Indians for domestic violence offenses.

The Supreme Court stated in *United States v. Lara* that Congress has authority to relax the restrictions on a tribe's inherent sovereignty to allow it to exercise inherent authority to try non-member Indians. However, because of changes on the Court and, as Jus-

tice Thomas stated, the "schizophrenic" nature of Indian policy and the confused state of Indian law, it is not clear that today's Supreme Court would hold that Congress has authority to expand the tribes' inherent sovereignty. It may be that Congress can only delegate federal power to the tribes to try non-Indians.

The dichotomy between delegated and inherent power of tribes has important constitutional implications. If Congress is deemed to delegate its own power to the tribes to prosecute crimes, all the protections accorded criminal defendants in the Bill of Rights will apply. If, on the other hand, Congress is permitted to recognize the tribes' inherent sovereignty, the Constitution will not apply. Instead, criminal defendants must rely on statutory protections under the Indian Civil Rights Act. Although the protections found in these statutory and constitutional sources are similar, there are several important distinctions between them. Most importantly, if inherent sovereignty is recognized and only statutory protections are triggered, defendants may be subjected to double jeopardy for the same act; may have no right to counsel in misdemeanor cases if they cannot afford one; may have no right to prosecution by a grand jury indictment; may not have access to a representative jury of their peers; and may have limited federal appellate review of their cases.

Mr. GRASSLEY. Mr. President, to address the real problems of domestic violence among Native Americans, our substitute would permit tribes to petition for protective orders against non-Indians in Federal court.

The committee-reported bill did not respect due process in the area of accusations against college students.

Of course, allegations of sexual assault on campus should be taken as seriously as anywhere else.

But reputations can be ruined by false charges, so it is important that fairness in adjudications occur.

As a practical matter, the committee-reported bill imposed on these campus proceedings the standards of proof issued in a controversial proposed regulation by the Department of Education.

They were very weak and unfair.

Additionally, under the committee-reported bill, if the campus disciplinary authority exonerated the innocent even under the weak standard of proof, the accuser could appeal for another round of proceedings.

That just is not fair.

At the last minute, the majority has changed the first but not the second of these provisions.

Now, the investigation must be fair and impartial.

That is progress.

This change should have been made much earlier.

But the bill still allows a person who has been found innocent after a fair investigation to be pursued again at the victim's request.

Our substitute eliminates that unfairness.

The committee bill also mishandles immigration issues.

The one hearing the Judiciary Committee held presented testimony that fraud exists in the VAWA-self petitioning process.

We heard from victims who fell in love with foreign nationals, sponsored them for residency in the United States, only to be accused of abuse so that the foreign national could get a green card.

The chairman promised at the hearing to include language in the bill that would address this immigration fraud, but his bill fails to include anything of the sort.

Our substitute contains language that will reduce fraud and abuse by requiring an in person interview whenever possible with the applicant who alleges abuse.

We cannot allow people to misuse the VAWA self-petitioning process to obtain a green card.

The committee-reported bill also expands the number of U visas by tens of thousands without changing the rules by which they are issued.

Under current law, an individual may be eligible for a U visa if he or she has been or is likely to be helpful to the investigation or prosecution of a crime.

However, the requirements for a U visa are generous.

There is no requirement that an investigation be commenced as a result of the alien reporting the crime; there is no time period within which an alien has to report the crime; the crime could have occurred years before it is reported and there could be no way to identify the perpetrator; the alien seeking the "U" visa could even have a criminal record of their own.

Our substitute includes common-sense, best practices to ensure that U visas are truly used as a tool to fight crime.

The Hutchison-Grassley substitute amendment will better protect victims of domestic violence than does the underlying bill.

Hundreds of millions of dollars in grant money for domestic violence programs are distributed every year.

For that money to be effective, it must actually reach victims.

But too much of the money does not reach victims.

Excess amounts are spent on administrative expenses, conferences, and lobbying, and some is lost to waste, fraud, and abuse.

For example, since 1998, the inspector general has audited 22 individual VAWA grantees.

In those random audits, 21 were found to have unallowable costs, unsupported expenditures, or other serious deficiencies in how they expended taxpayer dollars.

That is millions of dollars that could have helped an untold number of victims but instead were lost.

Although some good accountability measures were included in the committee-reported bill, more are necessary.

The substitute amendment requires audits and includes mandatory exclusions for those who are found to have violated program rules.

It limits conference expenditures at the Justice Department and Health and Human Services Department unless there is proper oversight.

It prohibits lobbying by grantees, and it limits administrative expenses in the government's management of the grants.

Our substitute directs more money to victims of the most serious crimes than the committee bill by requiring 30 percent—not 20 percent—of the funds go toward sexual assault.

It directs that 70 percent of the funds for reducing rape kit backlogs actually be used for that purpose, not the mere 40 percent in the committee-reported bill.

The substitute protects victims in other ways that are not contained in the underlying bill.

It contains a 10-year mandatory minimum sentence for aggravated sexual abuse.

It imposes a mandatory minimum sentence of 1 year for possession of child pornography where the child depicted is under 12.

That does not go far enough, but it is a step in the right direction.

It is a consensus item that has passed the Judiciary Committee in the past with a strong bipartisan vote.

The alternative also creates a mandatory minimum sentence of 15 years for interstate domestic violence that results in death.

There are opponents of mandatory minimum sentences.

The leniency-industrial complex is active in this area as in others.

But we should not take too seriously the claims of opponents of the mandatory minimums that they take away judicial discretion.

They think that judges should be able to give any sentence they want on these crimes, even potentially no jail time at all.

Contrary to victims' groups, they fear that any requirement of jail time for these crimes will be counterproductive and lead to lower sentences.

But those same opponents support the grants for arrest in the committee-reported bill.

Unlike sentences, mandatory arrest policies tie the hands of law enforcement to take action against people who have not been convicted of anything.

They may reduce the likelihood that the police may be called in actual cases of domestic violence.

They may result in calls to the police by one person for leverage against another.

They may cause other negative unintended consequences as well.

Our substitute also gives the Marshals Service administrative subpoena authority to pursue unregistered sex offenders.

These are individuals who are required by law to register as sex offenders but fail to comply.

This is another provision that has enjoyed wide bipartisan support in the Judiciary Committee.

Victims will also be helped by the substitute's requirement of an audit of the Justice Department's use of the Crime Victims Fund.

When criminals are convicted and made to pay fines, these fines are placed in a fund for the sole purpose of assisting victims.

However, there are questions whether the Justice Department is spending these funds only for their one permitted use.

An audit is in order.

And the bill also includes a bipartisan provision to enable victims to receive restitution that is owed to them but has not been paid.

The IRS would be permitted to deduct the money from payments it would otherwise make to the perpetrator.

Mr. President, there is broad bipartisan support for reauthorizing the Violence Against Women Act.

The Hutchison-Grassley substitute would of the underlying bill reauthorize the 80 percent that enjoys that consensus.

It eliminates provisions that are not consensus and would not pass the other body and become law.

And it adds other provisions that are widely supported and would provide real benefits to victims of domestic violence.

I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, may I inquire as to how much time remains on this side of the aisle?

The PRESIDING OFFICER. There are 24 minutes remaining.

Mr. CORNYN. I ask unanimous consent to reserve 15 minutes for my remarks out of the 24 available, and if I could get some notice from the chair when we approach that. I may not use that much; I may yield it back.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Thank you, Mr. President. The Violence Against Women Act will be reauthorized, at least in the Senate, by bipartisan consensus today. There are some different versions that will be offered. I am sure each side thinks theirs is an improvement over the alternative, and I will leave to Senator HUTCHISON and Senator GRASSLEY to address the improvements they have made over the bill that came out of the Judiciary Committee and the alternative they have proposed.

AMENDMENT NO. 2086

(Purpose: To amend title 18 of the United States Code and other provisions of law to strengthen provisions of the Violence Against Women Act and improve justice for crime victims)

Mr. CORNYN. Mr. President, I rise to speak on an amendment I have offered, and I ask unanimous consent at this time to call up amendment No. 2086 and ask for its immediate consideration.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, reserving the right to object, and I do not believe I will object, is this based on the unanimous consent agreement that was entered into by the two leaders? I ask, through the Chair, the Senator from Texas, is this amendment No. 2086?

Mr. CORNYN. That is correct.

Mr. LEAHY. I do not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. Cornyn], for himself, Mr. Kirk, Mr. Bennet, Mr. McConnell, and Mr. Vitter, proposes an amendment numbered 2086.

Mr. CORNYN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of Wednesday, April 25, 2012, under "Text of Amendments.")

Mr. CORNYN. This amendment I have offered in conjunction with Senator VITTER, Senator MCCONNELL, Senator MICHAEL BENNET from Colorado, and others is a bipartisan amendment which will make sure that more of the money contained in the funds the Congress appropriates to the Department of Justice will be used to test backlogged rape kit evidence that has not been tested. I know the jargon may be a little confusing, but basically what happens is when the law enforcement officials investigate a sexual assault, they take a rape kit to collect physical evidence and bodily fluids for DNA testing, among other types of tests.

It is a national scandal that we don't know how many untested rape kits there may be. In other words, criminal investigations take place where this critical evidence is acquired, but it never goes to a laboratory to be tested to identify the perpetrator of that sexual assault. It is estimated that there are as many as 400,000 untested rape kits across the country sitting either in laboratories or in police lockers, evidence lockers, that have not yet been forwarded for testing at a laboratory—400,000.

I heard a chilling statistic this morning from a young woman, Camille Cooper, who is the legislative director of an organization called PROTECT out of Knoxville, TN. This is an organization that commits itself to combating child sex crimes and to helping those victims get justice.

She said this morning in my presence that before law enforcement identifies

a child sex crime perpetrator, on average they project as many as 27 children have already been sexually assaulted by this same person before law enforcement gets them on their radar. I mention that number—I can't vouch for the number, but I do trust her—I mention that because the reason these 400,000 estimated rape kits—critical evidence in a child or in an adult sexual assault case—if they are untested, that evidence cannot be used to then match up against the DNA data bank to get a hit to identify the perpetrator of the crime. By the nature of the crime, these are not one-time events. These are people who for some unknown reason tend to commit serial assaults against children and women. So it is even more necessary, more compelling, to identify them early because if we wait too long, we may either run into a statute of limitations and not be able to prosecute them for that crime but, even worse, in the interim, they are committing additional sexual assaults against other victims.

So it is absolutely critical that we get these rape kits tested—this physical evidence from sexual assault cases—as soon as we can and match it up against the DNA in these DNA data banks that are maintained by the FBI so we can identify the people who are committing these heinous crimes and get them off the streets sooner, so that future victims will be protected from those assaults. It is also important that a person who is suspected of one of these heinous crimes be exonerated if, in fact, the physical evidence will rule them out from having committed the crime.

My amendment to the underlying bill is included in the Hutchison-Grassley version. But in the event the Hutchison-Grassley version does not prevail today, I offer my amendment that will redirect more of the money—the \$100 million that is appropriated by Congress under the Debbie Smith Act—to make sure this critical evidence is tested on a timely basis for the reasons I mentioned.

My amendment requires that at least 75 percent of the funds given out through grant programs by the Department of Justice be used for the core purpose of testing those rape kits. Also, 7 percent of those funds would be used to inventory the backlog.

To me, it is a scandal that we don't even know what the backlog consists of because there are actually two kinds of backlog cases: One is the case where the kit is already at the laboratory and it is a part of the backlog of the laboratory. But the hidden backlog consists of the rape test kits that are maintained in police lockers and have never been forwarded to the laboratory in the first place. Those are not typically part of this estimate of the backlog. The experts—the people who watch this area closely—estimate that if we count all

of the untested kits that are evidence waiting for a laboratory to test them to match up with a perpetrator of these crimes, there could be as many as 400,000 of them untested by the labs in the backlog.

I know my colleague, Senator KLOBUCHAR, will be offering an alternative to my amendment. I ask unanimous consent to have printed in the RECORD at the end of my present remarks a letter from the Rape, Abuse and Incest National Network on those two competing amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CORNYN. I will not read the whole letter, which is addressed to me, but I will read parts of it:

I am writing to express RAINN's concern with the draft VAWA amendment by Sen. Klobuchar. Unlike the Cornyn amendment, we do not believe this draft amendment will make effective or positive improvements to the Debbie Smith Act.

Indeed, they conclude later in the letter:

Overall, we believe this amendment is largely symbolic and will not have the impact in reducing the backlog that we find in the Cornyn amendment.

Very quickly, there is no requirement in the Klobuchar amendment that audits actually have to be conducted. So, to me, that seems like a case of willful blindness to the size and scope of the backlogs and the problems.

There is no requirement in the Klobuchar alternative for a registry. In other words, there is no way the Department of Justice can make sure the money granted to law enforcement is actually used for the purpose for which the grant was intended, by creating a registry. In fact, the Klobuchar amendment actually diverts some of the funds from the core purpose of the Debbie Smith Act for the purpose of testing this critical evidence. It takes out a provision for administrative subpoenas to track unregistered sex offenders. It cuts some of the sentencing provisions in my amendment for people guilty of interstate child sex trafficking—children under 12 years of age—and it eliminates the sense-of-the-Senate provision that I worked on with Senator MARK KIRK of Illinois condemning a Web site known as backpage.com, which has been identified in the New York Times and other places as a source of advertising for underage prostitution—something certainly worthy of our condemnation as a Senate.

So I will come back to talk about other aspects of this, but I hope my colleagues will look at the letter from RAINN, the largest antisexual violence organization in the United States, which says they believe the Klobuchar amendment is largely symbolic and does not do as much as the Cornyn amendment would to get at these per-

petrators and to identify them for what they are.

EXHIBIT 1

RAPE, ABUSE & INCEST
NATIONAL NETWORK,
Washington, DC, April 26, 2012.

Hon. JOHN CORNYN,
U.S. Senate,
Washington, DC.

DEAR SEN. CORNYN: I am writing to express RAINN's concern with the draft VAWA amendment by Sen. Klobuchar. Unlike the Cornyn amendment, we do not believe that this draft amendment will make effective or positive improvements to the Debbie Smith Act.

The Klobuchar amendment adds an additional purpose area to the Debbie Smith Act promoting inter-agency communication, potentially at the expense of reducing the backlog. Funds used for this section have the potential to be used for radios and other communication tools. While we can't speak to the need for such spending, we do know that this would not have a direct impact on the backlog and would not aid in solving cases. Unlike the Cornyn amendment, which nearly doubles the percentage of Debbie Smith funds that are spent on casework, this provision would divert money from labs and go against the congressional intent of the original bill.

In addition, this draft would allow the Justice Department to fund backlog audits, but would not designate funds specifically for that purpose. It would not establish a registry to allow the collection of data; would not establish any process for transparency; and would not provide the kind of comprehensive information that is needed to efficiently target Debbie Smith funds to the areas of greatest need. Finally, it strips out a number of provisions that were included at the request of law enforcement agencies, in order to ensure that their compliance would not be burdensome. The SAFER Act section of the Cornyn amendment has none of these defects, and has safeguards to ensure that funds spent on an audit and registry will not take away from funds spent on testing DNA evidence. Overall, we believe this amendment is largely symbolic and will not have the impact in reducing the backlog that we find in the Cornyn amendment.

RAINN is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotlines (800.656.HOPE and rainn.org), which have helped more than 1.7 million people since 1994. RAINN also carries out programs to prevent sexual assault, help victims, and ensure that rapists are brought to justice. For more information about RAINN, please visit www.rainn.org.

I appreciate your work on this issue, and encourage you to continue to push for adoption of the Cornyn amendment, which will make real, positive changes in the lives of victims.

Sincerely,

SCOTT BERKOWITZ,
President and Founder.

Mr. CORNYN. With that, Mr. President, I reserve the remainder of my time and yield the floor.

Mrs. HUTCHISON. Mr. President, what is the time allotment at present?

The PRESIDING OFFICER. The minority has 12½ minutes total.

Mrs. HUTCHISON. I thank the Chair. The PRESIDING OFFICER. The majority has 12 minutes.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am pleased to be here to join those of my colleagues who are urging that we come together this afternoon, and I am pleased we are going to see votes on the Violence Against Women Act to reauthorize the legislation as it has passed through the Judiciary Committee.

As we all know, domestic violence continues to be a serious problem across our country. In New Hampshire, nearly one in four women has been sexually assaulted. At least one-third of New Hampshire women have been victims of a physical assault by an intimate partner. More than one-half of all women in my State have experienced sexual or physical assault over the course of their lifetimes.

All of us share in an obligation to stop this epidemic, and VAWA is a proven tool in this fight. The real importance of this legislation lies not in the statistics but in hearing about those women who have been helped by the services that are provided by the Violence Against Women Act.

I have had a chance to visit several crisis centers around New Hampshire in the past few weeks, and I have met with the survivors and the advocates who depend on this funding. I went to a crisis center called Bridges in Nashua where I spoke with a survivor of domestic violence. She told me: When you are a victim of domestic violence, you think you are worthless. She said: There are so many times that I would have gone back to my abuser, except that I had the ability to call Bridges crisis line at 2 o'clock in the morning and talk to somebody who could help me so that I knew I was supported.

Because of the Violence Against Women Act, the Bridges program can operate and have a crisis line for 24 hours a day, 7 days a week. Because of the support she got through the Bridges program, this survivor is going back to college, she is free from abuse, and she is going to have a life that is saved because of programs that are supported by the Violence Against Women Act.

The law enforcement community has been very supportive of this legislation. They need this bill too. In New Hampshire, half of all murders are domestic violence related. I spoke to the chief of police in Nashua, our State's second largest city. He gets just \$68,000 from the Violence Against Women Act funding, but that allows him to have a dedicated unit within the police department that can respond to domestic violence and sexual assault cases.

I heard from retired Henniker police chief Timothy Russell. He is a 37-year veteran in law enforcement, and he now travels around the State teaching police officers how to respond to domestic violence cases. It is funds from the Violence Against Women Act that

allow him to conduct the specialized training so police officers can identify patterns of domestic abuse and prevent those situations from escalating. Officers are taught to maintain good relationships with crisis centers, and Chief Russell tells them: If you see a victim in trouble, get a counselor on the phone to talk to them. Tell them what their options are. Again, thanks to funding from the Violence Against Women Act, he has resources to bring this training throughout New Hampshire to police officers so they can help the victims.

I saw just this kind of cooperation and action when I visited the Family Justice Center in Rochester, NH, this week. They have made a multitude of services accessible in one place so victims do not have to go all over town or all over the county to get the help they need. They can see a counselor, get childcare assistance, and fill out an application for a protective order; women can even get their injuries treated and officially documented. They can get free legal help—all in this Family Justice Center, made possible by a Violence Against Women Act grant.

If we do not support this because it is the right thing to do—and I think it is—we should also support this legislation because it saves money. It is a cost-effective approach because, in addition to reducing crime, victims are less reliant on emergency rooms. They are less likely to need State assistance when they can connect with resources. They can get help with childcare and housing and get back on their feet and become productive citizens. This is the type of help every citizen deserves and ultimately makes us all safer.

I am also pleased to see there is particular language in this legislation that requires service providers to help any victim of domestic violence regardless of their race, religion, sexual orientation, or immigration status.

I think Sergeant Jill Rockey, whom I met when I was in Rochester at the Family Justice Center, put it best when she said:

When someone calls for help in a domestic or sexual violence case, we don't ask if they are an immigrant or gay. We just go.

Well, hopefully, today we will respond in passing this bill with that same sense of urgency. Let's make sure we do not let victims, first responders, or our communities down. Let's give everyone the help they need and deserve. Let's pass this legislation today.

I yield the floor.

Mr. LEAHY. Mr. President, one of the hallmarks of the Violence Against Women Act is the success it has had reducing violence against women across the country. Because we have made much progress over the past 18 years on domestic violence but have had less success with combating sexual assault, our bipartisan Leahy-Crapo bill takes important steps to increase the focus

on sexual violence. As we were writing this bipartisan legislation, we consulted with the men and women who work with victims every day to develop a consensus bill that will help emphasize the need to further reduce the incidence of sexual assault. The administration and law enforcement groups like the National Association of Attorneys General, the National District Attorneys Association, the National Sheriffs' Association, and the International Association of Chiefs of Police understand and support our goals.

Unfortunately, while I do not doubt that Senator CORNYN shares our goals, the amendment he is offering can have the perverse affect of hindering progress on these issues. That is why there will be an amendment offering a better approach and a better way forward together. The alternative to the Cornyn amendment will allow us to make progress on to reduce the backlog in the testing of rape kits and other DNA samples, as I have always supported in the Debbie Smith Act. Accordingly, I will urge all Senators to reject the Cornyn amendment and support the alternative, which will complement the work we are doing by reauthorizing the Violence Against Women Act.

I point out that the provisions in the Cornyn amendment are duplicative of provisions in the Republican proposal offered by Senators HUTCHISON and GRASSLEY. The Senate is already voting on those provisions.

Further, Senator CORNYN, who is a member of the Judiciary Committee, did not offer his current amendment when the VAWA reauthorization was considered earlier this year. I offered an amendment on his behalf that the committee adopted on another issue.

Moreover, the separate issue of the Debbie Smith Act is part of a larger effort on which the Judiciary Committee is considering as we move to reauthorize the Justice for All Act that we passed with bipartisan support several years ago. Although we have made reduction of rape kit backlogs an additional use for which VAWA STOP grants funding may be used by State and local jurisdictions, this matter is on a separate legislative track.

I am not insisting or formality in this regard and have worked with other Senators on the alternative amendment that should be helpful to our goal of reducing the rape kit testing backlog. To make sure our work is successful, we will also need to pay careful attention to the standards for testing and the controversies surrounding those matters, however. Moreover, there is a risk of making money available that swamps the capacities for accurate testing. This is not as simply as throwing money at the problem. I have worked and remain hard at work on forensic reforms to ensure that our

criminal justice system takes advantage of scientific advancements while remaining fair.

A concern with the Cornyn amendment is its mandating the diversion of 7 percent of Debbie Smith Act funding to create an unwieldy national database of rape kits. The amendment would also compel jurisdictions to undergo a burdensome process of entering information into that database without procedural safeguards to ensure its accuracy. These requirements would force state and local law enforcement to invest time and resources to comply with onerous and illogical reporting requirements and divert their focus from their core law enforcement mission of actually responding to calls and investigating sexual assault cases. It is no wonder that the National Association of Police Organizations opposes the Cornyn amendment.

The amendment also contains a number of criminal sentencing mandates that have no place in our VAWA bill. Victims' advocates like the National Task Force to End Sexual and Domestic Violence Against Women say its provisions "would have a chilling effect on victim reporting and would not help hold perpetrators accountable." Victim advocates tell us that, particularly in cases where the perpetrator is known to the victim, these kinds of mandated sentences can deter victims from reporting the crimes and actually contribute to continuing abuse. Mandatory minimum sentences such as these also worsen prison overcrowding and budget crises at the Federal, State, and local level, and undermine our effective Federal sentencing system. The National Network to End Domestic Violence, the National Association to End Sexual Violence, the National Council Against Domestic Violence, and the National Congress of American Indians Task Force oppose these sentencing provisions.

There could be an extended Senate debate about whether mandatory minimums are good policy and the unintended consequence they may have of worsening abuse in domestic violence situations. That would be a long debate with strongly held views. That is not what the Violence Against Women Act is about. We should not complicate passage of this bipartisan measure with such matters beyond the scope and purpose of the bill. Such debates are for another time and other bills.

Our VAWA reauthorization bill should not be seen as a catch-all for all criminal proposals or sentencing mandates. There are other bills and other packages of bills that we are working on and hope to pass this year. Some may come up in the Justice for All Act as we are able to get Senate floor time for that measure. Some have come up on separate bills that are awaiting Republican clearance for Senate passage. Among those are a package of bills in-

cluding the Strengthening Investigations of Sex Offenders and Missing Children Act, the Investigative Assistance for Violent Crimes Act, the Dale Long Public Safety Officers' Benefits Improvements Act, along with Finding Fugitives Sex Offenders Act from which the Cornyn Amendment takes its administrative subpoena provisions.

Let me turn to the Debbie Smith Act and a woman I admire very much. Debbie Smith is a survivor of a terrible crime who had to wait in terror for far too long before evidence was tested and the perpetrator was caught. She has worked tirelessly to make sure that other victims of sexual assault do not have to endure similar ordeals. I have been a proud supporter of the Debbie Smith DNA Backlog Grant Program since its creation, and I have worked with Senators of both parties, including Senators MIKULSKI and HUTCHISON on the Appropriations Committee, to see that it receives as much funding as possible each year. As I noted, although its authorization does not expire until 2014, I included an extension of its reauthorization in the Justice For All Reauthorization Act I introduced earlier this year. The Debbie Smith DNA Backlog Grant Program has been very successful in reducing evidence backlogs in crime labs, particularly in sexual assault cases. That is why I am glad that the alternative amendment will allow us to ensure that the program is authorized through 2017 at a level of \$151 million a year.

Unfortunately, disturbing reports have emerged of continuing backlogs, with some cities finding thousands of untested rape kits on police department shelves. That means that there is more need than ever for the Debbie Smith Act but also that there must be increased emphasis on reducing law enforcement backlogs, where there has been less progress. That is why it is so important that alternative to the Cornyn amendment expands the Debbie Smith Act to allow law enforcement to obtain funding for the collection and processing of DNA evidence. Law enforcement burden is one of the key bottlenecks in the process at present. In contrast to the Cornyn amendment, the alternative calls for new national best practices and protocols for law enforcement handling of rape kits and for Justice Department assistance to law enforcement in addressing this continuing problem. This will help to make real progress in overcoming the last major hurdles in reducing backlogs of rape kits.

The amendment takes steps to ensure that more of the Debbie Smith Act funds are used directly for DNA evidence testing to reduce backlogs. That will make this key program even quicker and more effective in reducing backlogs. The Debbie Smith program is an important tool in the fight against sexual assault, and I hope all Senators

will join us in reauthorizing and strengthening it by rejecting the Cornyn amendment in favor of the alternative.

As I have said during this debate, we must do more to reduce sexual assault, and the bipartisan Leahy-Crapo bill focuses on that goal. I believe that Senator CORNYN's amendment will distract from the progress that is most helpful to victims, despite his good intentions. I urge Senators to vote against the Cornyn amendment and support the alternative to expedite improvements to the Debbie Smith Act to reduce the backlog of untested rape kits and other DNA evidence.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Texas.

AMENDMENT NO. 2095

(Purpose: In the nature of a substitute)

Mrs. HUTCHISON. Madam President, I rise to speak on behalf of my substitute amendment along with Senator GRASSLEY and other cosponsors, and I call up the amendment, No. 2095.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for herself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. CORNYN, Mr. KYL, Mr. ALEXANDER, Mr. MORAN, and Mr. CORKER, proposes an amendment numbered 2095.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mrs. HUTCHISON. Madam President, the substitute amendment is a bill that takes the good parts and the important parts of the reauthorization of the Violence Against Women Act that I think are universal—the parts that have passed unanimously through Congress in recent years, starting 16 years ago—but the substitute also strengthens the bill. I am glad we are going to get a chance to vote on something that will strengthen it because there are some areas where the underlying bill is not as strong as our substitute bill, amendment No. 2095, would be, especially in the area of abuse of children and child pornography and child sex trafficking. This is our most vulnerable victim: the child who is abused.

I want to read from some of the national organizations for victims as they write about this important aspect which is included in our bill but not covered as well in the underlying bill.

The National Center for Missing and Exploited Children, with whom I have worked to try to get the AMBER Alert system to be relevant across State lines—where we have actually saved, we believe, 550 children who have been abducted and taken across State lines—because of the quick action of the AMBER Alert system, they have

been able to be safely brought back home. The National Center for Missing and Exploited Children says:

. . . possession of child pornography is a serious crime that deserves a serious sentence. Therefore, we support a reasonable mandatory minimum sentence for this offense.

As we have . . . testified, child protection measures must also include the ability to locate non-compliant registered sex offenders. . . . The U.S. Marshals Service is the lead federal law enforcement agency for tracking these fugitives. Their efforts would be greatly enhanced if they had the authority to serve administrative subpoenas. . . .

Now, that is key because it is covered in our substitute. It is covered in Senator CORNYN's amendment. It is not covered in either the underlying Leahy bill nor in Senator KLOBUCHAR's side-by-side. So this is a major area of strengthening that this very important victims' rights organization is supporting.

Shared Hope International is another children's advocate organization that says:

Child pornography is one form of child sex trafficking and is too often intertwined with the other forms of sexual exploitation, which include prostitution and sexual performance. Stiffer penalties will bring greater deterrence and justice for the victims.

Then, RAINN, which is the largest victims' rights organization for sexual assault, says:

Thank you . . . for including the SAFER Act—

Which is Senator CORNYN's amendment.

. . . . We are grateful for your leadership in the battle to prevent sexual violence and prosecute its perpetrators.

Then, PROTECT also says:

. . . the apologists for child pornography traffickers deny the pain and harm done by possessors of these images.

They go on further to say:

. . . "simple processors"—

Which would mean people who have this and have it on their computers and sell it—

fuel the market for more and more crime scene recordings of children being raped, tortured and degraded.

Now, these are people who are for the Cornyn amendment, and they are for the protection we have in the substitute.

It is so important we strengthen this area to try to protect our most vulnerable victims. That is one area where strengthening can make such a difference. The Marshals Service being able to have administrative subpoenas will allow them to track even known sexual predators who have fled and you have a hard time finding them.

I gave an illustration this morning of two children who were abducted by a known sexual predator, but they did not have the administrative ability to find that sexual predator, and he ended up killing one of the children, the children's mother, the mother's boyfriend, and another relative.

In the underlying bill, the mandatory sentences are days. We have a minimum mandatory 1-year sentence for a crime of having pornography that shows 8- to 10-year-old girls being raped. Now, I would think a 1-year minimum sentence for that kind of promotion of this degradation of children would be something all of us could support.

I heard people on the floor say our substitute does not fully cover some areas, such as Indian women. Well, our bill assures that Indian women are going to have the protections in a constitutional way so the bill is not thrown out. Indian women on reservations are particularly vulnerable, and my colleague, Senator MURKOWSKI, has told me that in Alaska they do not have reservations to a great extent, but they do have a record of abuse of Indian women, and we need to protect them.

We do it in a constitutional way in our substitute, and I think that protection is very important. It has been determined by several organizations—criminal justice organizations—that the underlying bill is not constitutional and would not work for Indian women.

It has been asserted on the Senate floor that we do not protect victims of same-sex sexual violence, but we do. We neutralize in our bill any reference or discrimination. In fact, I will read the language of our bill:

No person in the United States shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under [this act].

We cover every person who is a victim under this bill. I have been made aware through very sad stories of the need to protect men as well, as victims of same-sex domestic violence. Men who have been gang raped are less likely to report it because of a shame they feel, and it is a different aspect than we have dealt with in previous Violence Against Women Act bills. But it is real and we do need to cover that. We do in the substitute bill, absolutely fully. We cover victims of domestic violence in our bill, and that is what is important to all of us.

Immigrant women who are illegal have the same protections they have had in every Violence Against Women Act that has been passed over the last 16 years. So we do not change that. We do not change the authorization levels.

So all of these—along with our strengthening of the bill with the Marshals Service's ability to get administrative subpoenas, as well as the minimum sentences that are so very important—make our bill the right alternative.

I have said before that I feel so strongly about this issue that I intend

to vote for, of course, my amendment, which I think is strengthening; most certainly for Senator CORNYN's amendment, which is a strengthening amendment to the underlying bill—it is included in our substitute as well; Senator CORNYN is another cosponsor, as is Senator MCCONNELL, of the substitute—but I intend to vote for the underlying bill even with its flaws because I wish to make sure there is no cutting off of the aspect of this most important legislation because of the time limit of our action.

The PRESIDING OFFICER. The minority has 3 minutes remaining reserved for the junior Senator from Texas.

Mrs. HUTCHISON. If the Senator wishes to speak further, I am happy to yield.

Mr. CORNYN. I will be glad to yield to Senator HUTCHISON 2 of these 3 minutes remaining.

Mrs. HUTCHISON. I thank the Senator. I would just say I have had a long record in this area. When I was a member of the State legislature, Texas passed the most far-reaching protection for victims of rape in the whole country. I was the lead sponsor of that bill. When we passed it in 1975, it then became the model other States used to strengthen the laws to help these victims.

One day, just in this last year, I was at a grocery store in Dallas, TX. A woman came up to my truck I was driving, knocked on the window. I had no idea what she was going to say, but I rolled down the window. She said: Senator HUTCHISON, thank you for the bill you passed in Texas in 1975—because I was a victim of rape, and I would not have gone forward without your protections. But I did and that man was sent to prison.

That is what we are here for, and that is why I have this strong substitute.

The PRESIDING OFFICER. The junior Senator from Texas.

Mr. CORNYN. Madam President, I have letters in support of the legislation we have talked about, the SAFER amendment, the alternative to the Klobuchar amendment, from the National Center for Missing and Exploited Children, from Arrow Child and Family Ministries, from the Rape, Abuse and Incest National Network, and from PROTECT. I ask unanimous consent that all those letters be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CORNYN. I wish to talk about one aspect of Senator HUTCHISON's legislation that is also included in my stand-alone amendment. This is the administrative subpoena authority. Because this has been taken out of the Klobuchar alternative, it is not in underlying Leahy bill.

What happens is sex offenders are required to register. If they do not register, they are much more likely to commit future acts of sexual assault and abuse, particularly against children. As a matter of fact, one of the biggest indicators that someone is likely to reoffend is when they do not register. So what the Hutchison bill does, what my bill does, is give U.S. marshals the administrative subpoenas to collect records and information to help identify these unregistered sex offenders and to protect future victims from their sexual assault.

Because if they are registered, if they are identified, they are much less likely to reoffend and commit further acts of sexual abuse. We all want to see this legislation pass. But I would just reiterate for my colleagues' benefit, the letter we received from the Rape, Abuse and Incest National Network that said the alternative to my amendment that will be offered—that the alternative is largely symbolic and will not have the impact of reducing the impact we find in the Cornyn amendment.

I would ask my colleagues to support the amendment and to support certainly Senator HUTCHISON's amendment. I commend her for her great work on this subject.

EXHIBIT 1

NATIONAL CENTER FOR MISSING
& EXPLOITED CHILDREN,
Alexandria, VA, April 26, 2012.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: As you know, the National Center for Missing & Exploited Children (NCMEC) addressed the issue of sentencing for federal child pornography crimes in our testimony before the Senate Judiciary Committee in March 2011. The 1.4 million reports to NCMEC's CyberTipline, the Congressionally-authorized reporting mechanism for online crimes against children, indicate the scope of the problem. These child sex abuse images are crime scene photos that memorialize the sexual abuse of a child. Those who possess them create a demand for new images, which drives their production and, hence, the sexual abuse of more child victims to create the images.

Despite the heinous nature of this crime, the federal statute criminalizing the possession of child pornography has no mandatory minimum sentence. This, combined with the advisory nature of the federal sentencing guidelines, allows judges to impose light sentences for possession. Congress passed mandatory minimum sentences for the crimes of receipt, distribution, and production of child pornography. We don't believe that Congress intended to imply that possession of child pornography is less serious than these other offenses. NCMEC feels strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, we support a reasonable mandatory minimum sentence for this offense.

As we have previously testified, child protection measures must also include the ability to locate non-compliant registered sex offenders—offenders who have been convicted of crimes against children yet fail to comply with their registration duties. The

U.S. Marshals Service is the lead federal law enforcement agency for tracking these fugitives. Their efforts would be greatly enhanced if they had the authority to serve administrative subpoenas in order to obtain Internet subscriber information to help determine the fugitives' physical location and apprehend them.

Thank you for your efforts to protect our nation's children.

Sincerely,

ERNIE ALLEN,
President and CEO.

ARROW CHILD & FAMILY MINISTRIES,

April 25, 2012.

DEAR SENATOR CORNYN: Arrow Child & Family Ministries supports the proposed "Justice for Victims Amendment" to S. 1925. VAWA Reauthorization is of critical importance to victims of sexual assault, stalking, domestic and dating violence and your proposed amendment will provide additional protections and accountability to victims.

As a provider of foster care services in Texas, California, Pennsylvania and Maryland, Arrow sees first-hand the impact domestic and sexual violence has on families and society's youngest victims—children. Arrow is also engaged in helping victims of child sex trafficking with the opening of Freedom Place, a long-term comprehensive care facility located in Texas for underage American girls who have been bought and sold as sex slaves. The average age of these girls is 12 to 13 years old. Once they become victims, their life expectancy is only seven years. This is not just an international problem. Thousands of girls and boys from towns and cities across America are victims. In fact, according to the National Incidence Studies of Missing, Abducted, Runaway and Thrownaway Children, an estimated 1 out of every 3 children who run away is lured into sex trafficking within 48 hours of leaving home.

Our children are in crisis and we thank Senator Cornyn for his willingness to toughen sentencing for some of the worst sex offenders, and call on Backpage.com to remove part of its website that has been linked to child sex trafficking.

Respectfully,

MARK TENNANT,
Founder and CEO.

RAPE, ABUSE & INCEST
NATIONAL NETWORK,
Washington, DC, March 23, 2012.

Hon. JOHN CORNYN,
U.S. Senate,
Washington, DC.

DEAR SEN. CORNYN: I am writing to express RAINN's strong support for the Justice for Victims Amendment, which will strengthen the Violence Against Women Reauthorization Act and have a tremendously positive impact on how our nation's criminal justice system responds to—and prevents—sexual violence.

One out of every six women and one in 33 men are victims of sexual assault—20 million Americans in all, according to the Department of Justice. Rapists tend to be serial criminals, often committing many crimes before they are finally caught; and only about 3% of rapists will ever spend a single day in prison.

First, this amendment will help eliminate the DNA evidence backlog by ensuring that 75% of DNA spending goes directly to solve cases, a big improvement over current practice. It will also establish the Sexual Assault Forensic Evidence Registry, which will bring

transparency, efficiency and accountability to the DNA backlog problem and allow policymakers to closely track local backlogs and prioritize testing. The amendment will also ensure that criminals convicted of severe crimes of violence against women receive a just punishment, and ensure that fugitive sex offenders are swiftly identified and located. If enacted, these provisions will lead to more successful prosecutions, more violent criminals behind bars, and safer communities.

RAINN is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotlines (800.656.HOPE and rainn.org), which have helped more than 1.6 million people since 1994. RAINN also carries out programs to prevent sexual assault, help victims, and ensure that rapists are brought to justice. For more information about RAINN, please visit www.rainn.org.

Thank you for introducing the Justice for Victims Amendment. We believe this amendment will greatly enhance VAWA and result in a stronger, more effective bill. We are grateful for your unflinching leadership in the battle to prevent sexual violence and prosecute its perpetrators, and we look forward to working with you to encourage passage of this important amendment and to reauthorize VAWA.

Sincerely,

SCOTT BERKOWITZ,
President and Founder.

PROTECT,
Knoxville, TN, April 16, 2012.

Hon. JOHN CORNYN,
517 Hart Senate Office Bldg.,
Washington, DC.

DEAR SENATOR CORNYN: I am writing to express PROTECT's strong support for the Justice for Victims Amendment.

This amendment to the Violence Against Women Act will create needed penalty enhancements for several crimes, including child trafficking and domestic violence. It would also begin to address the nation's outrageous and unacceptable backlog of rape kits, by reforming how the Justice Department allocates existing resources.

PROTECT has members in all 50 states and around the world. As you know, we have focused on addressing the magnitude of online child exploitation. The PROTECT our Children Act of 2008, which we initiated (and which had 61 Senate sponsors) exposed the magnitude of this problem both domestically and abroad and mandated increased transparency and accountability by the U.S. Department of Justice and the agencies it funds.

We also want to thank you for including an important provision granting the US Marshals Service administrative subpoena power to track unregistered sex offenders. Since 1993, the national trend to use public registration in lieu of meaningful containment and supervision has threatened community safety. Aggressively pursuing those who fail to comply is thus an especially valuable public safety strategy. PROTECT is intimately familiar with the work of the Service and can attest to the hard work and success that office has tracking and apprehending child predators.

We thank you for continued leadership in the battle to protect American Children. The Justice for Victims Amendment is a much-needed advance in this battle. We look forward to working with you to secure passage

of this amendment to champion the re-authorization of VAWA.

Sincerely,

GRIER WEEKS,
Executive Director.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, how much time is remaining on each side?

The PRESIDING OFFICER. There is 6 minutes 20 seconds for the majority.

Mr. LEAHY. How much on the other side?

The PRESIDING OFFICER. Zero.

Mr. LEAHY. Mr. President, the Leahy-Crapo Violence Against Women Reauthorization Act is based on months of work with survivors, advocates, and law enforcement officers from all across the country.

We listened when they told us what was working and what could be improved. We took their input seriously, and we carefully drafted our legislation to respond to those needs.

Our bill is supported by more than 1,000 Federal, State, and local organizations. They include service providers, law enforcement, religious organizations, and many, many more.

There is one purpose and one purpose only for the bill that Senator CRAPO and I introduced, and that is to help and protect victims of domestic and sexual violence. Our legislation represents the voices of millions of survivors and their advocates all over the country.

The same cannot be said for the Republican proposal brought forward in these last couple of days. That is why the Republican proposal is opposed by so many and such a wide spectrum of people and organizations.

The National Task Force to End Sexual and Domestic Violence Against Women, which represents dozens of organizations from across the country says: "The Grassley-Hutchison substitute was drafted without input or consultation from the thousands of professionals engaged in this work every day.

The substitute includes damaging and unworkable provisions that will harm victims, increase costs, and create unnecessary inefficiencies." Although well-intentioned, the Republican proposal is no substitute for the months of work we have done in a bipartisan way with victims and advocates from all over the country.

I regret to say that the Republican proposal undermines core principles of the Violence Against Women Act. It would result in abandoning some of the most vulnerable victims and strips out key provisions that are critically necessary to protect all victims—including battered immigrants, Native women, and victims in same sex relationships.

The improvements in the bipartisan Leahy-Crapo Violence Against Women Reauthorization Act are gone from the Republican proposal. It is no substitute

and does nothing to meet the unmet needs of victims.

The Republican proposal fundamentally undermines VAWA's historic focus on protecting women. It literally calls for removing the word "women" from the largest VAWA grant program. Women are still victimized at far higher rates, and with a far greater impact on their lives, than men. Shifting VAWA's focus away from women is unnecessary and harmful.

The Republican proposal would send a terrible message. There is no reason to turn the Violence Against Women Act inside out and eliminate the focus on the victims the bill has always been intended to protect.

Our Leahy-Crapo bipartisan bill, by contrast, does not eliminate the focus on violence against women, but increases our focus to include all victims of domestic violence and sexual assault.

The Republican proposal strips out critical protections for gay and lesbian victims. The rate of violence in same sex relationships is the same as the general population, and we know that victims in that community are having difficulty accessing services.

To strip out these critical provisions is to turn our backs on victims of violence. That is not the spirit of VAWA. We understand that a victim is a victim is a victim, and none of them should be excluded or discriminated against.

The Republican proposal would extend and institutionalize that discrimination. The Republican proposal should be rejected.

The Republican proposal also fails to adequately protect Tribal victims. Domestic violence in tribal communities is an epidemic. Four out of five perpetrators of domestic or sexual violence on Tribal lands are non-Indian and currently cannot be prosecuted by tribal governments.

If you need more convincing of this problem, listen to the senior Senator from Washington and the Senators from New Mexico, Montana, Alaska and Hawaii who have spoken so compellingly to the Senate about these concerns and who strongly support the provisions in the bipartisan Leahy-Crapo bill.

The Republican proposal is no real alternative to fix the jurisdictional loophole that is allowing the domestic and sexual violence against Native women to go undeterred and unremedied. Its proposal offers a false hope, a provision that purports to allow a tribe to petition a Federal court for a protective order to exclude individuals from tribal land. It does not even allow the victim herself to request the order, and it does nothing to ensure that a violent offender is held accountable.

This is a false alternative. It is not what the Justice Department has sug-

gested. It is not what the Indian Affairs Committee has supported. It will do next to nothing and is no answer to the epidemic of violence against Native women.

The Republican proposal also abandons immigrant victims and disregards law enforcement requests for additional U visas, a law enforcement tool that encourages immigrants to report and help prosecute crime. To the contrary, the Republican proposal would add dangerous restrictions on current U visa requirements that could result in that tool being less effective.

The U visa process already has fraud protections. For law enforcement to employ U visas, law enforcement officers must personally certify that the victim is cooperating with a criminal investigation. The new restrictions the Republican proposal seeks to add will discourage victims from coming forward and will hinder law enforcement's ability to take violent criminals off the street.

I will be offering an amendment to offset the minimal additional costs associated with our increasing the number of U visas that can be used. With that amendment the bipartisan Leahy-Crapo bill will not "score" and will be deficit neutral.

The Republican proposal also would add burdensome, unnecessary and counterproductive requirements that would compromise the ability of service providers to maximize their ability to reach victims. In contrast, the bipartisan Leahy-Crapo accountability provisions ensure the appropriate use of taxpayer dollars without unnecessary regulatory burdens.

It is all the more ironic that the Republican proposal would add massive, new bureaucratic requirements to service providers who are understaffed and operating on shoestring budgets like most small businesses and nonprofits. These requirements are unnecessary and would add significant costs to victim service providers, undercutting their ability to help victims.

It is easy to call for audits, but without proper resources and focus, such demands could be counterproductive and lead to decreased accountability. The bipartisan Leahy-Crapo bill, by contrast, includes targeted accountability provisions.

While I have been willing to accommodate improvements to this legislation from day one, I have also been clear that I will not abandon core principles of fairness. Regrettably, that is what the Republican proposal would result in doing. It would undermine the core principle of VAWA to protect victims—all victims—the best way we know how. Our bill is focused on VAWA and improvements to meet the unmet needs of victims.

It is not a catch-all for all proposals for criminal law reform, for sentencing modifications. There are other bills

and other packages of bills that we are working on and hope to pass this year. We should not complicate passage of this bipartisan measure with such matters beyond the scope and purpose of the bill. Such debates are for another time and other bills.

I urge all Senators to join together to protect the most vulnerable victims of violence, including battered immigrant women assisting law enforcement, Native American women who suffer in record numbers, and those who have traditionally had trouble accessing services.

A victim is a victim is a victim. They all deserve our attention and the protection and access to services the bipartisan Leahy-Crapo bill provides.

The path forward is to reject the Republican proposal, which is no alternative to the bipartisan Leahy-Crapo bill. Let us move forward together to meet the unmet needs of victims.

I would just say that the Leahy-Crapo bill does not eliminate the focus on violence against women; it protects women, unlike the Republican proposal which strips out so many aspects.

Our bill is inclusive. Theirs is exclusive. A victim is a victim is a victim. We do not exclude anybody. As the distinguished Senator from New Hampshire said earlier today: They do not ask who the victim is when there is a victim.

With my remaining time, I yield 2 minutes to the Senator from New Jersey and the remaining time to the Senator from Minnesota, Ms. KLOBUCHAR.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I wish to salute the distinguished chairman of the Judiciary Committee for the incredible work he has done to bring us to this moment.

I held a roundtable in New Jersey with about 35 organizations that deal with the challenge of violence against women. They unequivocally expressed their support for what we are doing here today and the importance in the lives of women whom they deal with every day.

I know my friends on the other side of the aisle are trying to strip provisions that protect women from discrimination and abuse in certain categories. In my view, violence against any woman is still violence. The Nation has been outraged about violence against women for almost two decades. We have seen the violence. We continue to fight against it. We have tried to end it. In my mind, there is no doubt—and I would find it very hard to understand why anyone would stand in the way of denouncing violence against any woman, no matter who they are, no matter what their class is.

I am hard-pressed to understand why anyone would choose to exclude violence against certain women; turn back the clock to a time when such violence

was not recognized, was not a national disgrace, and make a distinction when and against whom such violence meets our threshold of outrage. In my mind, there can be no such threshold, no such distinction. Violence against any woman is an outrage, plain and simple.

The reauthorization of the Violence Against Women Act does not just affect those who are here or might become victims of sexual violence or domestic violence; it affects all of us. Nearly one in five women report being the victim of a rape or an attempted rape. One in six report being stalked. One in four women report having been beaten by their partner. Of those who report being raped, 80 percent report being raped before the age of 25.

The short-term physical and emotional trauma of such an event cannot be overstated. That is why it is critical we pass VAWA as the committee has moved forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 2094 TO AMENDMENT NO. 2093

Ms. KLOBUCHAR. Madam President, I call up amendment No. 2094.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Ms. KLOBUCHAR] proposes an amendment numbered 2094 to amendment No. 2093.

Ms. KLOBUCHAR. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide Debbie Smith grants for auditing sexual assault evidence backlogs)

At the appropriate place, insert the following:

SEC. ____ DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following:

“(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

“(7) To ensure that the collection and processing of DNA evidence from crimes, including sexual assault and other serious violent crimes, is carried out in an appropriate and timely manner.

“(8) To ensure effective communication among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested.”;

(2) in subsection (c)(3)(B)—

(A) by striking “2014” and inserting “2017”; and

(B) by striking “40” and inserting “70”;

(3) by striking subsection (j) and inserting the following:

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General for grants under this section \$151,000,000 for each of fiscal years 2013 through 2017.”; and

(4) by adding at the end the following:

“(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

“(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall, not later than 1 year after receiving such grant, complete the audit described in paragraph (1)(A) in accordance with the plan submitted under such paragraph.

“(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) DEFINITIONS.—In this subsection:

“(A) AWAITING TESTING.—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government; and

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) POSSESSION.—

“(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

“(o) DEVELOPMENT OF PROTOCOLS AND PRACTICES.—

“(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011 the Director of the National Institute of Justice, in consultation with Federal, State, and local government laboratories and law enforcement agencies, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence.

“(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

“(3) DEFINITION OF BACKLOG FOR DNA CASE WORK.—The Director shall develop and publish a definition of the term ‘backlog for DNA case work’ for purposes of this section—

“(A) taking into consideration the different stages at which a backlog may develop, including the investigation and prosecution of a crime by law enforcement personnel, prosecutors, and others, and the laboratory analysis of crime scene samples; and
 “(B) which may include different criteria or thresholds for the different stages.”.

Ms. KLOBUCHAR. I thank Senator CORNYN and Senator HUTCHISON for their words and their work. I rise to discuss my amendment that would respond to the problems we are seeing with rape kit backlogs, which Senator CORNYN has identified, while also reforming what we know is working well on this issue.

This amendment would amend the Debbie Smith Act, which, similar to the Violence Against Women Act, has a history of bipartisan support. The Debbie Smith Act, as you know, was enacted in 2004. It was named after a courageous survivor of sexual assault.

What this amendment does is to basically increase the percentage of Debbie Smith grant funds that are available for use in testing the backlog of rape kits. We raise the current percentage of 40 percent up to 70 percent. So it is a significant change.

The amendment also asks the National Institute of Justice to develop protocols to help law enforcement with sexual assault cases and to provide technical assistance and training to law enforcement and local governments. The amendment also allows funds to be used for auditing rape kit backlogs, which is one of the important issues Senator CORNYN’s amendment addresses.

The difference between Senator CORNYN’s amendment and my amendment is that mine does not mandate that a minimum percentage of funds be used for audit. Senator CORNYN’s amendment also has provisions such as subpoena authority for U.S. marshals who are tracking fugitive sex offenders that I have supported in the past and I will continue to support in the future. I will be glad to work with Senator CORNYN and Chairman LEAHY and others to get this done and to look for an appropriate vehicle to address this issue.

But today is about passing VAWA without delay. We have worked on the Judiciary Committee for 1 month with every group that wanted to have a say in the reauthorization of VAWA, and we have worked closely with all on the committee. As you know, Senator CRAPO has been the long-time Republican coauthor of this bill. We have a number of Republican supporters. I wish to end with the words of Paul Wellstone, who once served in the Senate on behalf of the State of the Minnesota, who was a fierce advocate for the Violence Against Women Act.

He said this:

What are we waiting for? Too many have spoken with their voices and with their lives, and this violence must end.

Let’s get the Violence Against Women Act done.
 I yield the floor.

Mr. LEAHY. Madam President, we are about to vote. This is a time for both Republicans and Democrats to come together and say what we all know in our heart: We oppose violence against women. Let’s say it not just in our heart, let’s say it in legislation—good legislation.

Have the yeas and nays been ordered?
 The PRESIDING OFFICER. They have not.

Mr. LEAHY. Madam President, which is the first amendment to be considered?

The PRESIDING OFFICER. The question is on agreeing to the Klobuchar amendment, No. 2094.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.
 The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WEBB) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—57

Akaka	Gillibrand	Murkowski
Baucus	Hagan	Murray
Begich	Harkin	Nelson (NE)
Bennet	Heller	Nelson (FL)
Bingaman	Inouye	Pryor
Blumenthal	Johnson (SD)	Reed
Boxer	Kerry	Reid
Brown (MA)	Klobuchar	Rockefeller
Brown (OH)	Kohl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Snowe
Casey	Levin	Stabenow
Collins	Lieberman	Tester
Conrad	Manchin	Udall (CO)
Coons	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NAYS—41

Alexander	Enzi	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Hoeven	Risch
Burr	Hutchison	Roberts
Chambliss	Inhofe	Rubio
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Corker	Kyl	Toomey
Cornyn	Lee	Vitter
Crapo	Lugar	Wicker
DeMint	McCain	

NOT VOTING—2

Kirk	Webb
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The PRESIDING OFFICER. Under the previous order requiring 60 votes

for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2086

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2086, offered by the Senator from Texas, Mr. CORNYN.

The Senator from Texas.

Mr. CORNYN. Madam President, for those who supported the Klobuchar amendment, here is your last chance to make sure more money under the Debbie Smith Act is appropriated and directed toward solving the 400,000 untested rape kits backlogged in this country that is nothing short of a national scandal.

We know the people who commit these sexual assault crimes are serial offenders. If we don’t catch them early, more people are going to get hurt. The best way to catch them is to collect this DNA, match it against banked DNA, and take them off the street, and to exonerate those who may be under suspicion but who are innocent.

I hope my colleagues will support this amendment. It has the support of the Rape Abuse and Incest National Network, and it has administrative subpoenas to track down unregistered sex offenders who are more likely to commit crimes against children and other innocent victims. Please vote for this amendment. It will strengthen the Violence Against Women Act and you can be proud of your vote.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, we have been able to get very good progress on the rape kit backlogs in the Leahy-Crapo bill. I wish we had passed the Klobuchar amendment. The Cornyn amendment is well intentioned, but it will undermine, rather than enhance, the progress we have made.

The Cornyn amendment will divert funding from the Debbie Smith rape kit backlog reduction program. Let me repeat: It will divert funding from the Debbie Smith rape kit backlog reduction program to create an unwieldy national database of rape kits. It could force State and local law enforcement to invest time and resources to comply with onerous and illogical reporting requirements instead of actually responding to calls and investigating sexual assault cases.

Key victims’ groups have opposed it, saying all the things it adds in here—the things we have taken care of to help victims—would actually hurt them. It creates new mandatory minimum penalties that victims’ groups say will have the opposite effect of what we want by deterring abused women from reporting violence and sexual assault crimes. And I strongly oppose it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MENENDEZ. I ask for the yeas and nays.

Mr. CORNYN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WEBB) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 85 Leg.]

YEAS—50

Alexander	Enzi	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Murkowski
Bennet	Hatch	Paul
Blunt	Heller	Portman
Boozman	Hoeben	Risch
Brown (MA)	Hutchison	Roberts
Burr	Inhofe	Rubio
Chambliss	Isakson	Sessions
Coats	Johanns	Shelby
Coburn	Johnson (WI)	Snowe
Cochran	Kyl	Tester
Collins	Lee	Thune
Corker	Lieberman	Lugar
Cornyn	McCain	Vitter
Crapo	McCaskill	Wicker
DeMint		

NAYS—48

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bingaman	Inouye	Pryor
Blumenthal	Johnson (SD)	Reed
Boxer	Kerry	Reid
Brown (OH)	Klobuchar	Rockefeller
Cantwell	Kohl	Sanders
Cardin	Landrieu	Schumer
Carper	Lautenberg	Shaheen
Casey	Leahy	Stabenow
Conrad	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NOT VOTING—2

Kirk	Webb
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The PRESIDING OFFICER (Mr. BLUMENTHAL). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2095

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on amendment No. 2095, offered by the Senator from Texas.

Mrs. HUTCHISON. Mr. President, No. 2095 takes the part of the bill that reauthorizes the Violence Against Women Act and continues those, but it does important things that are not in the underlying bill:

No. 1, a mandatory minimum sentence of 5 years for aggravated sexual assault through the use of drugs or otherwise rendering the victim unconscious is not in the underlying bill. It is in our substitute.

No. 2, it grants administrative subpoena power to U.S. Marshals so they can have the ability to quickly find a known sexual predator. This has been cited by the National Center for Missing and Exploited Children as a key part of the need to help get these offenders when they are going to prey on children. It is not in the underlying bill; it is in ours.

It protects Indian women on reservations in a constitutional way. The underlying bill has been questioned as to constitutionality by the Congressional Research Service.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. HUTCHISON. And it also does what the Cornyn and Klobuchar amendments attempted to do and assure that we get this backlog of people who have committed rape off the streets.

Please support this amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, the reason why so many people across the political spectrum support the Leahy-Crapo bill and the reason they oppose this amendment is it is going to remove the historic emphasis of women in VAWA. The improvements we have made in the bipartisan Leahy-Crapo bill are gone from the Republican proposal. There is only one real Violence Against Women Act reauthorization, and this is not it. It undermines core principles. It abandons some of the most vulnerable victims. It strips key provisions that are critically necessary to protect all victims, including battered immigrants, Native women, and victims of same-sex relationships.

I hope my colleagues will strongly and roundly defeat this alternative. It guts the Violence Against Women Act reauthorization.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 37, nays 62, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—37

Alexander	Chambliss	Enzi
Ayotte	Coats	Graham
Barrasso	Cochran	Grassley
Blunt	Corker	Hatch
Boozman	Cornyn	Heller
Burr	Crapo	Hoeben

Hutchison	McCain	Shelby
Inhofe	McConnell	Thune
Isakson	Moran	Toomey
Johanns	Portman	Vitter
Johnson (WI)	Risch	Wicker
Kyl	Roberts	
Lugar	Sessions	

NAYS—62

Akaka	Gillibrand	Nelson (NE)
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Paul
Bennet	Inouye	Pryor
Bingaman	Johnson (SD)	Reed
Blumenthal	Kerry	Reid
Boxer	Klobuchar	Rockefeller
Brown (MA)	Kohl	Rubio
Brown (OH)	Landrieu	Sanders
Cantwell	Lautenberg	Schumer
Cardin	Leahy	Shaheen
Carper	Lee	Snowe
Casey	Levin	Stabenow
Coburn	Lieberman	Tester
Collins	Manchin	Udall (CO)
Conrad	McCaskill	Udall (NM)
Coons	Menendez	Warner
DeMint	Merkley	Webb
Durbin	Mikulski	Whitehouse
Feinstein	Murkowski	Wyden
Franken	Murray	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LEAHY. Mr. President, I wish to commend and thank Senator KLOBUCHAR, Senator MIKULSKI, Senator BOXER, and Senator CANTWELL for their outstanding statements earlier today in support of our bipartisan Violence Against Women Reauthorization Act. Their contributions to the bill and their leadership have been essential. They have spoken often and consistently about this legislative priority. They bring their experiences and years of work on these matters to this effort.

I also wish to commend the statements made by Senators from both sides of the aisle yesterday as the Senate began consideration of the bill. I have always enjoyed working with the senior Senator from Texas and recall how we worked together to pass our Amber Alert legislation in record time. As I have said, we have included the Klobuchar-Hutchison provision updating Federal antistalking legislation in our bill from the outset. I appreciate her saying that she "is going to support" the Leahy-Crapo bill. Likewise, I have supported giving the Republican proposal a Senate vote, although I have explained why I will vote against it.

I thought the statements by the majority leader, Senator BEGICH, Senator UDALL of New Mexico, Senator TESTER, Senator GILLIBRAND, Senator SCHUMER, as well as Senator HELLER were strong and compelling.

We now have the opportunity to consider our amendment to improve upon the bill. Our amendment continues to focus on protecting victims. By way of our amendment, we can fix a "scoring" problem by adding an offset for the measures in the bill that the Congressional Budget Office determined after its technical analysis would result in

affecting budget. That amendment should keep the measure budget neutral. We also are pleased to include provisions suggested by Senators MURKOWSKI and BEGICH to correct the manner in which Alaska is affected by the tribal provisions in the bill. We worked with them on the initial language and are pleased to continue that bipartisan cooperation. These are additional steps we can take to make sure we pass the best possible legislation we can.

It has been a pleasure to work with Senator CRAPO over the last many months to reauthorize and improve the Violence Against Women Act. We have been committed to an open, bipartisan process for this legislation from the beginning. This amendment I am offering continues that process and incorporates further important suggestions we have received from both sides of the aisle.

The substitute makes modest changes to the tribal provisions to further protect the rights of defendants. These changes are in response to concerns raised by Senator KYL and others, and I am happy to make them. The substitute also responds to concerns raised by Senator MURKOWSKI and Senator BEGICH about the legislation's impact on Alaska Native villages. Again, I am pleased to be able to address those concerns. The bill is stronger for it.

The substitute also incorporates national security protections at the request of Senator FEINSTEIN.

We also add a small fee for applications for diversity visas that will more than cover the modest costs of protecting additional battered immigrants who assist law enforcement. This addition renders the bill deficit neutral and alleviates budget concerns. It, too, makes the legislation stronger.

The amendment strengthens the campus provision of the legislation while responding to concerns that the bill might have inadvertently affected burdens of proof in campus proceedings. I thank Senator CASEY for working with us on this aspect of the amendment.

These are very modest changes, but every one reflects our continued commitment to listening to those who work with victims of domestic and sexual violence every day and to working with Senators of both parties to make the legislation stronger. The legislation came to the floor with 61 Senators, including 8 Republicans, as cosponsors. These adjustments should make it even more of a consensus bill.

I have been heartened by the constructive tone of debate on the floor of the Senate and the near universal support for reauthorizing VAWA. Let's continue this consensus, bipartisan process by passing this amendment and then adopting the bill with these improvements. Let's pass this reauthorization. As Congress faces unrelenting criticism for gridlock and dysfunction,

our reauthorizing VAWA in a bipartisan way that helps all victims of domestic and sexual violence is an example of the Senate at its best. I hope all Senators will join us in this effort.

The PRESIDING OFFICER. Under the previous order, amendment No. 2093, the Leahy substitute amendment, is agreed to.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote on S. 1925.

The Senator from Vermont.

Mr. LEAHY. As we proceed to vote to reauthorize the Violence Against Women Act, I look forward to a strong bipartisan vote. I thank the majority leader and the Republican leader for their work to bring us to this point. I commend the Senators from both sides of the aisle who have worked so hard to bring us to this. In particular I thank my partner in this effort, Senator CRAPO, and our bipartisan cosponsors. I also commend Senator MURRAY and Senator MURKOWSKI who have been so instrumental in helping both sides arrive at a fair process for considering amendments and proceeding without unnecessary delays.

The Violence Against Women Act continues to send a powerful message that violence against women is a crime, and it will not be tolerated. It is helping transform the law enforcement response and provide services to victims all across the country. We are right to renew our commitment to the victims who are helped by this critical legislation and to extend a hand to those whose needs have remained unmet.

As we have done in every VAWA authorization, this bill takes steps to improve the law and meet unmet needs. We recognize those victims who we have not yet reached and find ways to help them. This is what we have always done. As I have said many times the past several weeks, a victim is a victim is a victim. We are reaching out to help all victims. I am proud that the legislation Senator CRAPO and I introduced seeks to protect all victims—women, children, and men, immigrants and native born, gay and straight, Indian and non-Indian. They all deserve our attention and the protection and access to services our bill provides.

I have said since we started the process of drafting this legislation that the Violence Against Women Act is an example of what the Senate can accomplish when we work together. I have worked hard to make this reauthorization process open and democratic. Senator CRAPO and I have requested input from both sides of the aisle, and we have incorporated many changes to

this legislation suggested by Republican as well as Democratic Senators.

Our bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country and from all political persuasions. We worked with them to craft a bill that responds to the needs they see in the field. That is why every one of the provisions in the bill has such widespread support. That is why more than 1000 national, State, and local organizations support our bill.

I appreciate the bipartisan support this bill has had from the beginning, and I want to commend our 61 cosponsors. I commend our eight Republicans for their willingness to work across party lines.

I cannot overstate the important role played by Senators MURRAY, MURKOWSKI, MIKULSKI, FEINSTEIN, KLOBUCHAR, BOXER, HAGAN, SHAHEEN, CANTWELL, GILLIBRAND, COLLINS, SNOWE, and AYOTTE in this process. The work these women Senators have done in shaping the legislation, and supporting it here on the Senate floor, as well as back home in their States, has helped create the urgency needed to get a bill passed. They are among the strongest supporters of our bill, and the bill is better for their efforts. I also appreciate the gracious comments Senator HUTCHISON made about the Leahy-Crapo bill, and I am encouraged by her now joining with us to pass the bill.

I also want to thank the many members of the Judiciary Committee who helped draft various provisions in the bill. Senators KOHL, DURBIN, SCHUMER, FRANKEN, KLOBUCHAR, WHITEHOUSE, COONS, and BLUMENTHAL offered significant contributions.

The Senate's action today could not have been accomplished without the hard work of many dedicated staffers. I would like to thank in particular Anya McMurray, Noah Bookbinder, Ed Chung, Erica Chabot, Liz Aloï, Matt Smith, Kelsey Kobelt, Tara Magner, Ed Pagano, John Dowd and Bruce Cohen from my staff.

I know the staff of Senator GRASSLEY has put in significant time on this legislation as well. I thank Kolan Davis, Fred Ansell, and Kathy Neubel for their efforts.

I also commend the hardworking Senate floor staff, Tim Mitchell and Trish Engle, and the staffs of other Senators who I know have worked hard on this legislation, including Erik Stegman, Wendy Helgemo, Josh Riley, Ken Flanz, Susan Stoner, Nate Bergerbest, Kristi Williams, Stacy Rich, Mike Spahn, Serena Hoy, Bill Dauster, and Gary Myrick.

Most importantly, I thank the many individuals, organizations, and coalitions that have helped with this effort. I thank the Vermonters who have helped inform me and this legislation, Karen Tronsgard-Scott of the Vermont Network to End Domestic and Sexual

Violence and Jane Van Buren with Women Helping Battered Women. And I thank all those involved with the National Task Force to End Sexual and Domestic Violence Against Women, American Bar Association Commission on Domestic Violence, Asian & Pacific Islander Institute on Domestic Violence, Break the Cycle, Casa de Esperanza, Futures Without Violence, Jewish Women International, Legal Momentum, National Alliance to End Sexual Violence, National Center for Victims of Crime, National Coalition Against Domestic Violence, National Coalition of Anti-Violence Programs, National Congress of American Indians Taskforce on Violence Against Women, National Council of Jewish Women, National Domestic Violence Hotline, National Network to End Domestic Violence, National Organization of Sisters of Color Ending Sexual Assault, SCESA, National Resource Center on Domestic Violence, National Sexual Violence Resource Center, Resource Sharing Project of the Iowa Coalition Against Sexual Assault, YWCA USA, Human Rights Campaign, Human Rights Watch, NAACP, Mayors of Los Angeles, New York, and Chicago, the National Sheriff's Association, Federal Law Enforcement Officers Association, FLEOA, National Center for State Courts, National Association of Attorneys General, National Association of Women Judges, Leadership Conference on Civil and Human Rights, National Faith Groups, and so many more for their focus on the victims and their unmet needs.

This is an example of what the Senate can do when we put aside rhetoric and partisanship. I believe that if Senators, Members of the House, Americans from across the country take an honest look at the provisions in our bipartisan VAWA reauthorization bill, they will find them to be commonsense measures that we all can support. Sixty-one Senators have already reached this conclusion. I hope more will join us and the Senate can promptly pass and Congress can promptly enact the Leahy-Crapo Violence Against Women Reauthorization Act.

I thank the bipartisan coalition that has come together on this. Most importantly, the coalition across the political spectrum that is so opposed to violence against women will thank us for passing this bill.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. I yield back all time on our side.

Mrs. HUTCHISON. I yield back time on our side.

The PRESIDING OFFICER. All time has been yielded back.

The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered. The clerk will call the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. FRANKEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 87 Leg.]

YEAS—68

Akaka	Franken	Murkowski
Alexander	Gillibrand	Murray
Ayotte	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Heller	Portman
Bennet	Hoeven	Pryor
Bingaman	Hutchison	Reed
Blumenthal	Inouye	Reid
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Coats	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Manchin	Vitter
Coons	McCain	Warner
Corker	McCaskill	Webb
Crapo	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Mikulski	

NAYS—31

Barrasso	Grassley	Paul
Blunt	Hatch	Risch
Boozman	Inhofe	Roberts
Burr	Isakson	Rubio
Chambliss	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Kyl	Thune
Cornyn	Lee	Toomey
DeMint	Lugar	Wicker
Enzi	McConnell	
Graham	Moran	

NOT VOTING—1

Kirk

The bill (S. 1925), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. LEAHY. I move to reconsider the vote.

Mr. KERRY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 365, S. 2343.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows: Motion to proceed to S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 365, S. 2343, The Stop the Student Loan Interest Rate Hike Act of 2012.

Harry Reid, Jack Reed, Sheldon Whitehouse, Jeff Merkley, Charles E. Schumer, Kay R. Hagan, Jeanne Shaheen, Robert P. Casey, Jr., Kent Conrad, Sherrod Brown, John F. Kerry, Dianne Feinstein, Mary Landrieu, Barbara Boxer, Patty Murray, Bernard Sanders, Barbara A. Mikulski, Richard J. Durbin.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived, and a vote on the motion to invoke cloture on the motion to proceed to S. 2343 occur at noon on Tuesday, May 8, 2012.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KERRY. Mr. President, there are a number of us who wish to speak. I will cede to the Senator from Montana, my senior. So if I could ask unanimous consent that the Senator from Montana speak, then the Senator from Massachusetts, and then—I think the Senator from Louisiana had a request for 1 minute. So if we could allow the Senator from Louisiana to go first, then the Senator from Montana, and then I would follow, and then Senator REED would follow me. So I ask unanimous consent for that order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Ms. LANDRIEU. Mr. President, today, young women from Louisiana, California, and the Washington, DC area are my special guests for Take Our Daughters and Sons to Work Day. We were joined by over 100 young women and men here at the Capitol today with their parents, grandparents, and guardians to participate in work in the Senate.

I want to acknowledge the Ms. Foundation that started the national Take Our Daughters and Sons to Work Day program over 20 years ago. I would like to particularly thank Leader REID and Leader MCCONNELL for opening the Senate floor today for these children.

I ask unanimous consent that the young women's names, as well as the names of those family members or guardians joining them, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Dominique Cravins, from Opelousas, LA, accompanied by her parents, Don and Yvette Cravins; Martine Cruz, from Baton Rouge, LA, accompanied by her mother, Dr. Julie Morial; Amiya Dawson, from Monroe, LA,

accompanied by her mother, Kinya Dawson; Katya and Anya Fontana, from New Orleans, LA, accompanied by their mother, Karen Fontana; Mariah Jones, from Natchitoches, LA, accompanied by her grandparents, Victor and Deloris Jones; Anna Reilly, from Baton Rouge, LA, accompanied by her mother, Jennifer Reilly; Lawryn Scott, from Shreveport, LA, accompanied by her mother, Jacqueline Scott; Sarah Sternberg, from Los Angeles, CA, accompanied by her grandfather, Morton Friedkin; Grace Strotzman, from Washington, DC, accompanied by her parents, Kathleen and Matt Strotzman; Hailey Trahan, from Lafayette, LA, accompanied by her mother, Angela Trahan, Gladys and Clayton Arceneaux, and Monique Thierry; and, Caroline and Bailey Watts, from Hammond, LA, accompanied by their great aunt, Grace Eldridge, and their grandmother, Maggie Watts.

Ms. LANDRIEU. Please join me in welcoming my exceptional guests and their family members or guardians who have accompanied them to the U.S. Senate.

So, again, I thank my Senate colleagues for giving me this opportunity.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I note the Senator from Massachusetts has a very tight schedule and a close timeline to catch a flight overseas. I think it appropriate that I defer to the Senator from Massachusetts. He has a very tight schedule, and I can wait a little longer.

The PRESIDING OFFICER. The Senator from Massachusetts.

TRIBUTE TO MARY C. TARR

Mr. KERRY. Mr. President, I am very grateful to my colleague, I was happy to wait, but I am grateful to him. I thank the Senator from Montana, my friend Senator BAUCUS.

I am privileged to work with a lot of extraordinary staff members here in the Senate, as we all are. We often say that none of us is any better than our staff allow us to be. It is rare that I have had somebody on my team who predated my time in the U.S. Senate. I have been here—oh, this is my 28th year now.

Mary Tarr, who I would like to say a few words about, is my office manager, up until today—a veteran staffer of 31 years here in the Senate. She is about to retire and looks forward to going into the grandmother business over the course of these next years, after three decades here.

I think sometimes people miss or are unaware of the difference that an office manager could make in a Senate office. It is hard to quantify sometimes. But without any negative inference to the Senate itself in drawing this analogy, which is sort of a prison-and-inmates analogy, a great manager is a little bit like the character Red in the movie “The Shawshank Redemption.” In that movie, Red is described as the guy who can get stuff, not unlike the sergeant in “Catch 22.” There are these special people who know how to make things

appear out of nowhere and make everything work. That is exactly the quality Mary Tarr has brought to my office over these years—a mix of relationships, building relationships, institutional memory, and a lot of guile at times. And she gets things done. So since the summer of 1997 when she came aboard in my office, Mary has literally been my “Red” in my office.

Over the course of nearly 15 years, no matter what I needed, no matter what the office needed, no matter what we needed to get done, she managed to make that happen. I must say I was very lucky, because I didn’t have the ability to show her any tricks; she taught me the tricks. The reason is that she came to me already a master of Senate procedure. I was privileged to be the fifth U.S. Senator for whom she worked—and for 15 years, I might add. Before me, she split her assignments down the middle between Democrats and Republicans. She worked for PATTY MURRAY and Brock Adams, and she worked for Republicans, including Jim Abnor and Charles Percy. She knew this place. She has always loved this place, and she knew pretty much everybody who worked here.

She did all of the things one needs to do to make the trains run on time: kept the records, maintained the office accounts, prepared the budget, kept the payroll, preaudited expenses, ordered supplies, made sure we were in compliance with all the rules, requirements, and procedures, and followed them as they changed, as we tie ourselves in various knots with various requirements we dump on ourselves. She was my liaison with the Senate Sergeant at Arms Office, the Senate Disbursing Office, the Senate Service Department, and the Senate Computer Center—an extraordinary amount of work. She performed the endless tasks that all of us here understand are critical to enabling our offices to be able to work—much more complex than obviously the average citizen ever sees.

She wrote the emergency evacuation manual for my staff after 9/11. She trained the staff on emergency procedures, and she restructured and ran what I think is one of the best intern programs, if not the best internship program, in the U.S. Senate, for which the summer interns at the end of the summer got to have a terrific intern pool party at her home. Office managers all over the Senate constantly consulted her on how to run an effective intern program, and she was always ready to help because she understood how important it was for young interns to have a positive experience. Part of that belief came out of the fact that she was only 17 when she came to work full time for the U.S. Senate—y younger, obviously, than some of the interns who come here and work with us.

When I said she could do the impossible, what I was referring to is the fact

that she helped me move my office not once but twice, which is an enormous undertaking here in the Senate.

Mary Tarr has worked for the Senate since 1981. In those 31 years, I will tell my colleagues she has become a fixture on Capitol Hill, well-known by everybody, perhaps legendary with some.

If you needed a room at the last minute to host a function, people would call Mary Tarr—from outside of our office, I might add.

If you needed a desk repaired or a light repaired or air-conditioning work done, mention Mary’s name and people would say: Right away.

Printing? My legislative director told me a story about how he went to get some printing done, and the folks at the Senate Printing Office asked: Did Mary OK this?

Extra ice cream at the great ice cream party we have in May at the Dirksen buffet? She would just say: Go in and ask for the “Mary special,” and they made it.

Everybody seemed to know Mary, from the hundreds of former interns she mentored over the years, who are now working in government or public service, to Bill Gates, who once conveyed a hello from Mary to a former colleague in PATTY MURRAY’s office.

Hundreds of American soldiers, I might add, stationed abroad have received care packages from Mary, the daughter of a wounded Vietnam veteran.

In my Senate offices, I have a shelf of scrapbooks filled with e-mails, letters, and photos from soldiers who have received care packages, Christmas stockings, Easter baskets, and Halloween candy—all of which Mary has organized and shipped year after year. And the words of those soldiers underscore just how important Mary has been to them.

Our former intern, Army 2LT Rory McGovern, wrote:

It always helps to have a piece of home come in the mail.

Army Private Jacob Adkins:

I appreciate the fact that someone who I don’t even know supports me enough to send a care package. You make me proud to serve.

From Marine battalion chaplain Capt. Pat Opp:

Little things go a long way with morale. Send more lemonade—the troops mix it with cold water as the temperature is super hot over here.

Army MAJ James Maloney, upon receiving clothes, school supplies, and personal grooming items to share with a children’s and women’s clinic in Afghanistan, wrote:

It has done wonders for our interaction with the local population.

All of that organized—every time—by Mary Tarr.

One of my favorite e-mails in the scrapbooks comes not from a soldier but from a marine’s mother, Kathy Lavin, whose son Ryan had received one of our care packages. Kathy wrote

to tell Mary that she can finally get a good night's sleep because of the message she just received from Ryan. Ryan wrote:

It's almost time to take the candle out of the window, mom. I am coming home. I love and miss you.

So how did Mary Tarr come to send a care package to Ryan? So typical of Mary, she was in Massachusetts attending the funeral of a friend, and while there she went into a shop in Hull to buy gifts for her mother and father, Carolyn and Tom Corbe. Mary chose a Marine Corps kite for her dad, who received a Purple Heart in Vietnam. Ryan's mother was in the shop and asked Mary if she had a marine because of what she was buying. Mary told her she was a Marine Corps brat and the kite was for her father. She asked if Kathy had a marine. When Kathy told her about Ryan, Mary immediately wrote the information down, got his address, and then, seeing her job through—like every single one she has ever undertaken—she stayed in touch with Ryan until he came home.

I personally know how important those packages are, and I will tell you, one of the things I am proudest of is what Mary has done on behalf of her country and certainly those of us who make decisions to send people into combat. And I am proud of her.

She may be retiring, but she has enormous plans ahead of her. She and her husband Brian are planning to move to Roswell, GA, where her daughter Angela and her husband Daniel live. Mary jokes that Angela and Daniel may be the only two Democrats in the whole town of Roswell, so the arrival of Mary and Brian will double our party's strength there. But Angela is going to have a baby in October, so there is hope even for Roswell yet. Her plan is to babysit her new grandson for a few years, and then eventually she and Brian are going to retire to Florida, where her daughters Chrissy and Lindsay are in college.

No matter where she goes or how far from Capitol Hill, she is always going to be a very special part of the family here, the extended Senate family. She has always represented our Senate well. She is extremely hard working, honest, bright, conscientious, and knowledgeable. She has handled her responsibilities with great dedication. I think she has viewed every challenge as an opportunity to prove herself, and she did that again and again.

So, Mr. President, as she departs my staff today, the principles she represented in her work and the standards she established are going to remain for a long time as a guide to those in our office and here in the Senate, and we say thank you to her for all she has done for our country, the State of Massachusetts, and for me personally. I wish her and Brian and her family the very best as they take on a new chapter in their lives.

Mr. President, again, I thank my colleague from Montana.

The PRESIDING OFFICER. The Senator from Montana.

TRIBUTE TO MAUREEN RICE

Mr. BAUCUS. Mr. President, I compliment the Senator from Massachusetts for taking so much time to praise a person who clearly deserves praise, who has worked so hard for him and for the people of Massachusetts and for her country. Clearly, Mary is an incredible lady.

Mr. President, my "Mary" is Maureen. Maureen, too, is someone who started working for me when she was very young—17 years old. In 1974, 1975—I do not know exactly when—I was hiring people, and this young girl came to my office. I could tell—this young girl knows the meaning of work. She is Catholic, Irish Catholic, and this lady knows the meaning of hard work.

I hired her on the spot. She is my office manager. She is with me even to this date. She is tough. She is smart. She organizes. She is the glue. She is a super lady.

We all have our "Marys." We have our "Maureens." And at this moment, I want to praise Mary and Maureen but also all those who work so hard for us in so many different capacities.

REAUTHORIZATION OF THE VIOLENCE AGAINST WOMEN ACT

Mr. President, renowned poet and author Maya Angelou wrote:

History with all its unending pain cannot be outlived, but faced with courage need not be lived again.

I stand here today to once again lend my strong support—I voted for it, as a majority of our colleagues did—for the Violence Against Women Act.

Nearly two decades ago, the Congress underwent an exhaustive investigation on the extent and severity of domestic violence and sexual assault toward women in this country. In hearing after hearing, Senators heard from experts, including prosecutors, victim advocates, and physicians, and real-life stories of women who were the victims of these crimes.

In response, Congress passed the Violence Against Women Act in 1994. This law quite literally changed the culture in our country. It changed how we view and address domestic violence and sexual assault. States across our country began to enact laws to make stalking a crime and strengthened criminal rape statutes. Congress provided States with the resources to train law enforcement and coordinate services related to domestic violence and sexual assault.

Despite the progress we have made, our work is not done. One in every four women will experience domestic violence during her lifetime. In my home State of Montana, 98 people died from domestic violence between 2000 and 2010. These are not simply statistics, they are our mothers, our sisters, our daughters, our friends—they are people close to us.

Since the passage of the Violence Against Women Act, reporting of domestic violence has increased by 51 percent and the rate of nonfatal intimate partner violence against women has decreased by 53 percent.

Congress renewed this critical legislation in the year 2000 and again in 2005. Both measures included improvements, and both of those passed the Senate unanimously.

We are here today to reiterate our commitment to addressing violence against women, including domestic abuse, sexual assault, dating violence, and stalking.

I was struck recently by the story in the Billings Gazette of Maria Martin. Maria was a victim of partner abuse. In the year 2005, the man she was dating went into a jealous rage. He held her hostage in her own home with a knife to her throat. He also threatened to kill her three daughters. Charges were filed, and this man is now serving a 61-year prison term.

Maria went on to earn her master's degree in rehabilitation and mental health counseling. She now helps others who find themselves in the situation she was in just a few short years ago. Maria told the reporter that programs created under the Violence Against Women Act provided her with the resources and support to overcome her situation. The act helped her to find the courage she needed to see that this painful experience did not have to be lived again—with its counseling, shelter for abused women, and law enforcement counseling for law enforcement so they can be more sensitive to women who are victims of domestic violence.

The bipartisan reauthorization renews grant programs critical to Montana, including those that support law enforcement, victim services, and prevention programs.

The bill consolidates 13 programs, many of which overlap, into 4. This consolidation reduces administrative costs and adds efficiency. Acknowledging the current fiscal realities, the bill, therefore, reduces authorization levels by 17 percent overall. It is more effective, and it costs less.

The bill also makes critical changes to address the pervasive domestic violence occurring in Indian Country.

Native Americans represent about 6 percent of Montana's population—about 6 percent. Yet Native women accounted for over 13 percent of victims reporting domestic violence in my State in the year 2008—more than two times the percentage.

According to the Department of Justice, Native women are 2½ times more likely to be a victim of rape or sexual assault compared with non-Native women. However, it is the Federal courts, not the tribal courts, that have jurisdiction over many of these crimes, including misdemeanor cases. With

Federal prosecutors stretched thin, especially in large rural States such as Montana, many cases go uninvestigated and criminals walk free to continue their violence with no repercussions.

Chairman LEAHY's bill carefully crafts a measure to extend concurrent criminal tribal jurisdiction to address the issue of domestic violence and partner abuse occurring in Indian Country. These provisions will give tribal courts narrow jurisdiction to prosecute domestic violence or dating partner violence occurring on tribal land.

The bill, however, provides safeguards to those who might be defendants. It provides safeguards to ensure that the defendant receives all rights guaranteed by the U.S. Constitution. This includes fourth amendment protections against unreasonable search and seizure, fifth amendment privilege against self-incrimination, and sixth amendment right to effective assistance of counsel—all guaranteed in this statute.

Fifty law professors from across the country, including the University of Montana, wrote to Chairman LEAHY in support of these provisions and Congress's constitutional authority to extend tribal jurisdiction. These provisions will begin to address the violence against Native women that "has reached epidemic proportions."

Maya Angelou is right that we cannot erase the past and what happened to Maria and others like her. But Maria's courage is proof that we can change these circumstances for others—to see that no one has to live through this experience.

Maria said—and I will quote her:

I am alive today because I am a strong, intelligent woman. I need to stand up, step out, and be in front of this issue for others who can't or are not able to—yet.

I urge my colleagues to support me in making sure that this act follows through in negotiations with the House and that we get this reauthorization passed that is so important to so many people in our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, after months of working to ensure that the subsidized student loan interest rate does not double this summer, I think we finally have reached a consensus—middle-income families in America cannot afford a huge increase, a doubling in the interest rate on student loans.

Those who were previously opposed or indifferent to our proposal now are in favor of stopping the doubling of the rate. The most prominent, of course, is the former Governor of Massachusetts, Mitt Romney, who said: "I fully support the effort to extend the low interest rate on student loans." I think that

is the consensus. It was hard fought. I submitted the legislation to keep the rate at 3.4 percent originally in January. Now we have reached that consensus.

But the debate has now shifted to how do we pay for it. What I have proposed, and am joined by many colleagues, is to close a loophole that has allowed a self-selected few to avoid paying their fair share of payroll taxes.

The alternative proposed on the other side goes to critical health care benefits for lower and middle-income families. It seems to me entirely unfair to try to provide help to middle-income families by taking away their access to health care. For families who are struggling, education and health care are not something that can be traded one for the other.

Congress should not raise the interest rate on these loans. We have reached that agreement. It is a de facto tax on middle-income families. We have put forward a plan that will avoid the doubling of the interest rate on student loans and will pay for it in a responsible way. We are offering a short-term solution to a long-term problem. But we have to begin. We have to do it quickly. If we do not act before July 1, the interest rate on these loans will double for every loan granted thereafter.

Our proposal is to close a loophole that the General Accounting Office has identified as glaring and, frankly, not substantiated by any need. This loophole involves Subchapter S corporations or S-corps. Immediately, when we say S-corps, we think it must be the local manufacturer or the hardware store and how can we go ahead and impose any further taxes, any further costs on these job creators.

This is not the situation. What is happening is that a very clever and bright group of people have figured out a way to use the S-corp to avoid payroll taxes. It is a small subset of corporations that are doing this, and our proposal is targeted. It is targeted only to those S-corps that derive 75 percent or more of their gross revenue from the services of three or fewer shareholders or where the S-corp is a partner in a professional service business.

Essentially, this is a small group of people who derive 75 percent or more of their gross revenues from providing professional services. It is lawyers, accountants, lobbyists, and folks such as that. The proposal only applies to S-corps or partnerships in the field, where virtually all the earnings are attributable to the performance of services. This is not the local manufacturer, not the local hardware store, not the local dry cleaner or gas station. These are people who perform essentially professional services.

They are avoiding their payroll taxes, and we do not think that should be the case. Furthermore, this proposal

exempts S-corp shareholders, partners, and partnerships with modified adjusted gross incomes below \$250,000 for joint filers and \$200,000 for individuals. So it is targeted within this small subgroup of S-corps to an even smaller group, those who are making \$250,000 and above as joint filers or \$200,000 and above as sole filers.

This proposal prevents professional service income from being mischaracterized to avoid employment taxes. However, legitimate passive income—the S-corp is earning income from rents, from dividends, from interest, and certain other gains, those will be essentially treated as such and will continue to be exempt from payroll taxes.

All we have done is close a glaring loophole, done it in a way in which we do not impact anyone making under \$200,000, anyone, frankly, who is involved in a corporation whose principal activities are not professional services. I think this is a responsible way to do it. This is a way that can, in fact, respond to the need to responsibly fund this provision for maintaining the student loan interest rate.

The GAO found that in 2003 and 2004 tax years, individuals used this loophole to underreport over \$23 billion in wage income. The median unreported amount was \$20,127. For most students, that would cover tuition. Let me say this again. What the GAO found was that using this device as an S-corp, people were able to transform what normally would be \$20,000 in payroll wages or salaries that would be subject to payroll taxes into a distribution of an S-corp, avoiding payroll taxes.

This is a loophole. There is no other word for it. We are closing it, and we are closing it in a way that is responsible and that will have virtually no impact on the businesses on Main Street USA. In fact, I think if we tried to explain to anyone running the local store that there are some folks out there who were using S-corps to avoid their payroll taxes, they would be, if not shocked, they would, at least, raise objections to that practice, frankly.

So closing this loophole will fully offset the \$5.9 billion cost of this 1-year extension on the interest rate and would make the Tax Code more fair. It is a win-win proposition. In fact, according to Citizens for Tax Justice, in their words, closing this loophole will actually help most small businesses, which are currently subsidizing the minority who abuse it to avoid payroll taxes. So I think this is not only the right thing to do in terms of the policy of not doubling the interest rate on student loans, this is an appropriate way to do it, an appropriate way to pay for it.

Even Governor Romney recognizes that at times S-corps have to pay their fair share. This is a quote from the Boston Herald of January 6, 2008.

"When Mitt Romney became Governor in 2003, Subchapter S corporations that were owned by Massachusetts business trusts were taxed at 5.3 percent. By the time Romney left office, the tax rate on these corporations had climbed to 9.8 percent, with Romney declaring the tax increase to be merely 'closing loopholes.' "

We are urging that the Governor be consistent both in support for avoiding the increase in the student interest rate and closing loopholes in Subchapter S corporations. Both parties must work to find a way to do this. The good news is there is now consensus that it must be done. I am prepared, and I hope my colleagues are prepared to work for a way to pay for it which is fair, which does not take from one middle-class program to offset another middle-class program. We should work together to get this done as soon as we return.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

TRIBUTE TO ANGELA ELSBURY

Mrs. MCCASKILL. Mr. President, I have obviously been very fortunate to have the opportunity to give remarks from my desk on the floor of the Senate several times since the people of Missouri sent me in 2006. I do not think I have ever had a speech that I was going to give that was easier and harder than this speech—easy in that I am talking about someone I love; hard because this person I love is going on to a different place and a brighter future and I am going to miss her terribly.

This person's name is Angela Elsbury, and she has a job that people outside Congress do not fully appreciate. She is called the scheduler. But for anybody who does this work, they appreciate that somehow that title just does not do it justice. I do not know what the right title would be. I can think of several: In charge of my life, hand holder, the nicest person who has to say no, multitasker, mother to the entire office, disciplinarian, jokester.

There are so many things a good scheduler does that make our lives work. Angela came to this work having worked for the Governor in Missouri in a similar capacity. She actually joined my campaign and was one of the first ones through the door. She came from a place that, frankly, had not had a lot of people who were elbow to elbow with Governors and Senators. She came from a small town called Madison, MO. I think there are maybe just north of 500 people who live in Madison.

So not only did she begin the campaign and do a lot at the beginning of the campaign keeping us organized and allowing the schedule to work, she came to Washington and has done remarkable work. Her work is so remarkable that everybody kind of thought it was easy. That is the mark of a very good scheduler because it is the hardest job—the hardest job—in the office.

Not only does she have to put up with the frustration of me when the hours

are long and the meetings are back to back and there is not time to get a breath, she has to put up with everyone in Missouri who cannot understand why I cannot be in five places at one time and why it is not possible for me to vote one hour and be in Rolla, MO, the next hour. She does all that with incredible grace and intellect and a smile on her face. She is just a very special person.

The thing about these jobs is there are days I get worried about our democracy, and then I look at the resumes of the young people, whether it is the great pages who serve us morning, noon, and night in the Chamber or whether it is the amazing people whom I work with in my office. These are people who could go other places in the private sector and make a lot of money. They choose to come here. They are drawn here. They are drawn to their government. They are drawn to public service.

So, as a result, I mean, what do I love about my job? Let me count the ways. But one of the things I love most is being surrounded by patriotic, intellectual Americans who want to do the right thing and do not care that they have to still live like they are in college, who do not care that the idea of buying a car is a fantasy because it is just too expensive, who do not care that they have to have an hour commute in order to get housing they can afford. They want to be a part of it.

I am surrounded by a team like that, but in the driver's seat, kind of making the car go where it needs to go, and making sure it does not get broken down on the side of the road has been Angela. I am not sure exactly how this car is going to navigate without her. I have a feeling we are going to have a few bumps. There may be an out and out collision. There may be some scrapes and some wailing and some hollering about people who are upset or it does not work.

I do know this, that we always say somebody's shoes are hard to fill. These shoes will be very hard to fill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to give this speech in full.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAXES

Mr. President, I rise today to discuss the impending tax hike which, if allowed to occur, will raise taxes on practically all Americans come Jan 1, 2013. That is only eight months from now. Earlier in February, The Washington Post called the approximately \$500 billion tax hike Taxmageddon, and Federal Reserve Chairman Ben Bernanke described it as a massive fiscal cliff when testifying before Congress.

This tax hike will affect virtually every single federal income tax payer. We must not allow this to happen. America is slowly recovering from one of the greatest recessions in modern history. We remain in a precarious economic situation, with a fragile recovery. It is beyond irresponsible for President Obama to sit idly by and allow this scheduled \$500 billion tax hike to occur.

Congress needs to act now in order to prevent this tax hike on America.

First we need to focus on tax extenders.

Tax Extenders are temporary tax provisions affecting everything from individuals and businesses to charitable giving, energy, and even disaster relief. My colleague from Montana, Senator BAUCUS, and I held a hearing in late January to discuss these tax provisions and the fact that Congress year after year continues to extend these provisions without a thorough review of each provision.

Some of these provisions are worthy of being extended, such as the Research and Development tax credit. I have introduced legislation with the Chairman, my friend from Montana, to make this provision permanent. But when it comes to tax extenders, we need to have a real debate, one where the Senate decides which provisions must be extended and which should be allowed to expire.

Second, we need to address the Alternative Minimum Tax, or AMT.

The AMT was initially drafted to provide some type of guarantee that higher-income taxpayers, who owed little or no taxes under the regular income tax due to tax preferences, would still pay some taxes. Yet over time, this tax has grown into a monster potentially ensnaring more and more middle income families every year.

To avoid the consequences of the AMT on the middle class, year after year Congress has patched the AMT. We have indexed the AMT for inflation so that middle income families do not get caught up paying this tax. Not only must we patch the AMT for 2012, we must eliminate the AMT in the long term.

Third, we must focus on death tax reform.

Taxing people's assets upon their death is just plain wrong. The death tax affects thousands of small businesses owners every year. This year alone, it is estimated that 3,600 estates will be affected. In 10 years, approximately 83,200 estates will be hit with this tax according to the Joint Committee on Taxation.

The President likes to talk about how his policies will help small businesses. Well, if current law expires, the number of small business owners who will face the death tax will rise by 900 percent. The number of farmers who will face the death tax will rise by 2,200

percent. That's right—two thousand two hundred percent.

Many individuals work their entire lives to build a business, and they reasonably want to pass that business along to their families. Instead of being rewarded for their work, and the work of their families, this is what they face come January 1, 2013. Uncle Sam will take over 50 percent of their assets—55 percent to be exact.

The survivors of the deceased will be forced to sell land or assets of the business to meet this liability. Let me be clear. Nobody should be forced to sell a single asset in order to meet this arbitrary tax due date. Company assets should not have to be sold to pay taxes. The market should determine when things are bought and sold. That is the best measurement—when a willing Buyer meets a willing Seller and they agree on a price and a time when a company should be sold.

Currently, the law states that there is an exemption equivalent of \$5 million and a tax rate of 35 percent on the remaining estate. In 2013 the exemption equivalent will drop to \$1 million and the top tax rate will be the full 55 percent.

That's a 57 percent increase.

The truth is that we ought to repeal the death tax in its entirety. The whole thing must go. And I am working hard to make that a reality. Unfortunately, with the current composition of the Senate, that is going to be an uphill climb. Yet at a minimum we must extend the current provisions and keep a tax hike from occurring on these job creators.

Fourth and most importantly, we must extend the tax relief signed into law by President Bush and extended by President Obama.

This may be the most crucial piece of legislation Congress passes this year, if not during the entire 112th Congress. If we allow these cuts to expire as scheduled at the end of the year, almost every federal income tax payer in America will see an increase in their rates. Some will see a rate increase of 9 percent, while others will see a rate increase of 87 percent.

Let's take the average American family of four earning \$50,000. This family will owe an additional tax of \$2,183.

Democrats insist that that is fair.

That is just more people paying more of their fair share.

But to whom? And for what?

What this means in reality is that instead of taxpayers using their \$2,183 to pay for their children's education, save for retirement, buy a new home, or invest in a new business, they will be forking that \$2,183 over to the federal government. And after winding its way through the federal bureaucracy, some pittance of that \$2,183 will be spent on a federal program that too often has zero demonstrated success.

Let's not sugarcoat this.

In the supposed interest of fairness, families will have an additional \$2,183 taken from their wallets in order to serve bigger government.

That is the impact on families and businesses of President Obama's redistributionist agenda.

Looking at this problem more broadly, economists estimate that if these current policies are allowed to expire, the economy could contract by approximately 3 percentage points. That would be a large hit to an economy that is still weak and recovering from the fiscal crisis of 2008. Adding another fiscal crisis by not extending these tax policies definitely won't help and will likely do further damage.

Preventing this tax hike is what we must focus on. Congress should have a laser focus on preventing this looming disaster.

Yet at a time when we should be working to prevent a massive tax increase, President Obama and his Democrat allies are spinning their wheels trying to raise taxes on politically unpopular groups.

These tax hikes are already scheduled to go into effect. Congress doesn't have to do anything and everyone will pay more in taxes come 2013.

That's not a good sign given that some people have called this a do-nothing Senate.

I am sure that some people are tired of the mantra among conservatives that Democrats want to raise your taxes and Republican's don't.

But we say it because it is true.

At liberal think tanks, their employees go to work every morning and think about how they can raise taxes.

My friends on the other side of the aisle, knowing that their constituents already feel overtaxed, spend countless hours devising ways to raise taxes in a way that only hits politically unpopular groups.

And the President is devoting his entire reelection campaign toward tax hiking in the interest of fairness.

Here in the Senate, we have already voted twice on my colleague from New Jersey's proposal to raise taxes on oil and gas companies.

First we had hearings in the Senate Finance Committee last year. As I said then, that was nothing more than a dog and pony show. Then leadership brought the bill directly to the floor skipping the process of a markup.

Last week we voted for the silly Buffett Tax.

This is not serious tax policy. The Buffett Tax is a statutory talking point. And not a very good one at that.

First, the President said it was about deficit reduction.

When we pointed out to him that it raised only \$47 billion in revenue over 10-years, a drop in the bucket given the President's trillions in deficit spending, the White House shifted gears.

Now it was about fairness.

But when we pointed out that his redistributionist scheme, if redirected to a lower tax bracket, would only yield an \$11 per family tax rebate, he criticized Republicans for demonizing him as a class warrior.

The President needs to come clean about what the Buffett tax really is.

It is nothing less than a second and even more damaging AMT, one that would force many small business owners and job creators to pay a minimum of 30 percent of their income in tax.

As the Wall Street Journal said on April 10, "The U.S. already has a Buffett rule. The Alternative Minimum Tax that first became law in 1969 . . . The surest prediction in politics is that any tax that starts by hitting the rich ends up hitting the middle class because that is where the real money is."

And what is really rich about the Buffett rule, is that Mr. Buffett would be able to avoid his own Buffett tax.

So what is the President doing? Why, with Taxmageddon around the corner, are President Obama and his liberal allies dithering with these harmful tax increases?

The answer is politics.

President Obama has read the polls. He knows he's in trouble. His approval rating is declining and he does not have a single positive accomplishment to run on for a second term.

The \$800 billion stimulus? A failed policy that hasn't kept the employment rate under 8 percent.

Obamacare? Rejected soundly by the American people as evidenced by the 2010 midterm elections, it might now be rejected by the Supreme Court as one of the biggest unconstitutional boondoggles in our nation's history.

What else does he have?

Absolutely nothing.

His fawning admirers might not know it yet, but Mitt Romney is in the catbird seat.

President Obama long ago lost independents. So he is appealing to all he has left, core left wing supporters, one step from an Occupy Wall Street encampment, who love class warfare.

Before the Buffett rule, Democrats proposed six different pieces of legislation that in one form or another raise taxes on millionaires.

Here they are.

And every one of these bills was focused on raising taxes to pay for more government spending.

Let's not pretend that all of these redistributionist tax plans comprise serious policy.

And let's not forget that every minute Democrats spend goofing around with these plans, is a minute that we do not spend preventing the largest tax increase in American history.

Mr. President, Senate Democrats are fiddling while Rome burns. They have failed to address the deficit. Spending

surged 24 percent under President Obama when he took office. All of the tax hikes he and his allies have proposed do little, if anything, to pay down his deficits and debt.

It is time for the Senate leadership to get serious and to focus on making the lives of middle class families easier, not more difficult. The policies from the other side do nothing of the sort. If anything they make them more difficult.

Taxmageddon is coming. The only good news is that Congress can prevent it and extend tax relief for the middle class.

That is where my focus will be for the next 8 months, and I hope that my colleagues will join me in securing the benefits of tax relief for all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

THE ECONOMY

Mr. CARPER. Mr. President, I came to the floor today to talk about the actions we took here this week in the Senate to make sure the postal service has a good chance to return to solvency and be relevant in the 21st century and continue to provide a valuable role in providing 7 to 8 million jobs in the United States of America. But I think I will put that on hold for a moment and recall the words of a former President, Harry Truman, who left office not very popular, but in retrospect is regarded as one of the best Presidents of the last century. Harry Truman used to say, the only thing new in the world is the history we forgot or never learned.

I want to go back to a few years in our history and reflect on the words of the preceding speaker and ask, what can we learn from history? Well, one of the things we can learn from is the last time we actually had a balanced budget in this country, and we had three of them in the last 3 years of the Clinton administration. He became President in the middle of a recession and left our country with the strongest economy of any Nation on Earth, with the most productive workforce, the most revered Nation on Earth. He turned the reins over to a new President, George W. Bush, and gave to him balanced budgets and a strong economy. Eight years later, we had accumulated more debt in those 8 years—from 2001 to 2009—I think than we had in the previous 208 years combined.

President Bush then turned over to President-elect Obama a \$1 trillion deficit and an economy that was in free fall, with the worst recession since the Great Depression. That is where President Obama and Vice President BIDEN—a former colleague and Senator from Delaware—started off in January of 2009. Keep in mind, the last 6 months of 2008, this country lost 2½ million jobs. The first 6 months of 2009, this country lost 2½ million jobs. That is

sort of like where they took the hand-off.

I am not trying, and have never attempted, to characterize the comments made by my colleague a few minutes ago, but I think a little history is not a bad thing. Interestingly enough, the balanced budget agreement was negotiated by President Clinton's Chief of Staff Erskine Bowles. That is a name we have heard a lot of in the past year and a half, because he was asked by this President to do a similar kind of thing, to try to negotiate a deficit reduction deal, along with a former Republican Senator from Wyoming, Alan Simpson. The two were asked to head up a commission, with 16 other very smart people. And 11 out of the 18, after working at this for a year, came back and said, here is what we think you should do to take a good \$4 trillion or \$5 trillion out of the deficit over the next 10 years.

The deficit commission, headed by Erskine Bowles and Alan Simpson, simply recommended we do that by working on the spending side and on the revenue side. For every \$3 of deficit reduction on the spending side, they said there would be \$1 of new revenues—not by raising taxes but actually by lowering somewhat the personal income tax rate, the corporate income tax rate, and broadening the base of the income which can be taxed.

That was seen by a lot of people as being a grand compromise. Democrats agreed to compromise on entitlement program reform in an effort to make sure we have Social Security, Medicare, and Medicaid 50, 60, 70, or 100 years from now; and Republicans agreed to compromise on tax reform that actually lowers the rate but allows us to generate new revenue—\$1 of new revenue for every \$3 of spending reductions to achieve deficit reduction.

I think that is a smart plan. Other people have come forward with their plans since, but I think that is the smartest deficit reduction plan, and I think it is a good jobs bill. I hope by the end of the year, when the smoke clears and the elections are over, we will come back to that and use that as maybe our north star to get us back to fiscal responsibility in this Nation.

That is not why I came here tonight, but I thought maybe it was appropriate, on the heels of my friend and colleague, to set the record straight a little bit.

POSTAL SERVICE REFORM

Ironically, yesterday 62 Senators voted for postal reform legislation. I appreciate the support of the Presiding Officer and other colleagues, Democrat and Republican. But that legislation was almost immediately attacked by some of our Republican friends over in the House of Representatives. Our Presiding Officer knows I am not a real partisan guy; never have been, not while I was Governor or in the many

roles I have been privileged to play in Delaware. But our bill was attacked almost immediately by our Republican friends over in the House because it doesn't do this or doesn't do that or whatever the sin might be.

Ironically, we asked, where is your bill? How about let's compare our bill to your bill. They haven't passed a bill. Yet they feel at liberty to take all kinds of shots—and I don't think they are entirely fair shots—at our bill. I had a conversation this afternoon with the chair of the relevant committee in the House and urged him to make sure they actually move a bill and not just criticize what we have done.

There are provisions in our bill I am frankly not happy with, and I am sure there will be provisions in whatever bill the House passes he won't be comfortable with. But at the end of the day, they have to move a bill. They have to say this is what we are for, because we have said this is what we want to have as our negotiating point in conference going forward. So we need the House to do the same thing, sooner rather than later. I am encouraged to hear the House is going to take something up by the middle of May. If they can do it before that, God bless them.

I want to take 5, 6, or 7 minutes to talk a little about what we are trying to do with respect to postal reform. We are trying to rightsize the enterprise, much as the auto industry rightsized itself 3 or 4 years ago coming out of bankruptcy. We are trying to modernize the postal industry and we are also trying to help the postal service—encourage the postal service—to find new ways to use their existing business model—where in every community in America there are 33,000 post offices going to every front door and mailbox in America 5 or 6 days a week—to make more money and raise their revenues, some of the ways they can do that.

Our legislation focuses on that, rightsizing the enterprise given the reduction in mail, the diversion of mail to the electronic media because of Facebook, Twitter, the Internet, or all of the above. We communicate differently than we used to. We have to help them rightsize their enterprise and modernize and find new ways to generate revenues. That is the heart and soul of what we want to do.

How do we do that? As it turns out, by luck, the postal service over the years has overpaid its obligation to the Federal Employees Retirement System by a lot, it turns out by about \$11 billion. There is no argument; they have overpaid the money. The postal service is owed that money by the Federal Employees Retirement System. The postal service wishes to take that money and use that money in two ways: one, to incentivize about 100,000 postal employees who are eligible to retire, to retire;

not fire them, not lay them off, but say, look, if you will retire, here is another \$25,000 or if you are close to retirement, here is some credit, but we want you to retire.

Second, the postal service has more mail processing centers than they need. A couple of years ago they had maybe 600 or so. Today they have a few less than 500. They want to get down to about 325 over the next year or two. That would be almost cutting in half the number of mail processing centers around the country. They do not need them, given the volume of mail today. They need mail processing centers, but not as many as they have.

When the postal service closes another 150 or so mail processing centers, some people will not be able to work at those mail processing centers, but the postal service is saying, we will find you other jobs. You can be a letter carrier or work in another part of the postal service. You will not get fired. But we want to encourage those eligible to retire to retire.

The Service also wants to take most of that Federal Employees Retirement System money to pay down their debt to the Treasury. Right now, they have gone on a \$15 billion line of credit. The postal service wants to take most of their Federal Employees Retirement System reimbursement and pay off that debt.

Another thing they wish to do, that a lot of folks around here are real concerned about, is to close some post offices. There is the fear that maybe as many as 3,000 or 4,000 post offices. In rural places around the country, maybe the post office is the center of the town. Folks are concerned their post office will be closed and people will be left without postal service. As it turns out, that will not be the case.

What the postal service is going to do under our bill is to say to communities across the country, we want to offer you a menu of options. We want to offer you a menu of options for different communities, and among that menu of options we want to offer to those communities are these:

No. 1, we are not going to close your post office. We will keep your post office open, but in a place where we are paying the people \$50,000, \$60,000, \$70,000 a year to run a post office that sells \$15,000 worth of stamps, that doesn't make sense. So if the postmaster is eligible to retire, we want to incentivize that postmaster to retire. Let him go off and get his pension, get his benefits, and he could still come back to work on a part-time basis, maybe 2 or 4 or 6 hours a day, and run the post office in that community. If that is what the community wants, that is what they would get.

Some communities might prefer to put the post office in the supermarket or the local drugstore or a convenience store, where it is open not just a few

hours a day but open 24/7, maybe. That would be an option for the community. Some communities may have a town-hall and some other State and local businesses that could collocate those with the post office and put them all under one roof and everybody would save some money. So they could share some space.

Another option for some places, maybe Minnesota—we have rural letter carriers in the southern part of Delaware—we could offer people the opportunity for rural mail delivery. They wouldn't have to come in to town to collect their mail in a post office. It would be delivered to wherever they live. The idea is to say to folks in communities that might be adversely affected, you pick from among this menu of options, figure out what works for you. Even vote by mail and pick their favorite choice.

So rightsizing the enterprise, reducing the head count, reducing the number of mail processing centers further by another third, and, finally, ways to provide more cost-effective mail service in communities across the country, though not the heart and soul of what we are trying to do, they are very important.

Let me mention one or two others, if I could. The postal service pays twice for health care for their retirees. I will say that again. The postal service pays twice for the health care of their retirees. They pay under Medicare and they pay under the Federal Employees Health Benefit Plan. Twice. The employees don't get the full benefit of that money, the postal service certainly doesn't get the full benefit of that money. Most companies in this country—big companies and small ones—when their employees retire, a lot of times will continue to provide health care benefits for them until the age of 65. Then at age 65, the company will say to the retiree, we want you to get your primary Medicare, your primary source of health care, and we will provide a wraparound, your Medigap program, to fill in the gaps for you. That is how a lot of companies do it. My wife retired from DuPont. When she turns 65—in about another 30 years, well, maybe a little sooner than that—Medicare will be her primary source of health care and the company will provide a wraparound for Medigap. What the post office wishes to do is have a similar type of opportunity. In the end, I think the retirees will benefit, the postal service will benefit, and the taxpayers, I think, arguably would benefit. Those are a couple of things that are in our legislation.

Did we pass a perfect bill? By no means. By no means. As I said earlier, there are some things in the bill I don't like. And I hope we can make the bill better in conference. In order to get to conference with the House, the House has to pass a bill. It is not enough for

the House to criticize what we have done. We say, what have you done? As it turns out, so far, not much—at least in terms of passing a bill and being able to appoint conferees and see what we can work out here. My hope is they will do that.

My hope is they will do that sooner rather than later, so we can stop saying, well, the postal service lost \$45 million today. They did that yesterday and they are going to do it tomorrow. That is not sustainable. That is not sustainable. They need to be put in a position where they can be successful. We can help them get there. And to the extent the postal service becomes vibrant and solvent, they can support the 7 or 8 million jobs that are tied to and interconnected with the postal service.

With that, Mr. President, I bid you adieu, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from New Mexico.

Mr. UDALL of New Mexico. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO RUDOLFO ANAYA

Mr. UDALL of New Mexico. Mr. President, it is good to see the Presiding Officer in the chair today and to know that Alaska is well represented having the Senator from Alaska in the chair and presiding over the Senate. I very much appreciate that.

I come to the floor to commend one of New Mexico's most celebrated authors, Rudolfo Anaya. This year marks the 40th anniversary of Professor Anaya's acclaimed novel "Bless Me, Ultima."

This beloved book is an iconic part of Chicano literary history. It has been read by thousands of high school and college students, as well as the general public. It tells the story of a young boy growing up in a small New Mexico town during World War II. "Bless Me, Ultima" is a classic portrait of Chicano culture in a particular time and place, but it also resonates with universal themes: the search for identity, the conflict between good and evil.

Literature expands our horizons. It increases our understanding. As President Kennedy said, "Art establishes the basic human truths which must serve as the touchstone of our judgment."

For 40 years, Rudolfo Anaya's work has explored the human condition. The University of New Mexico organized a reading marathon to commemorate the publication of "Bless Me, Ultima," and I was pleased to take part.

Rudolfo Anaya was born in 1937 in the small New Mexico village of

Pastura. He grew up in Santa Rosa and in Albuquerque. When he was only 16, he suffered a terrible accident. His injuries required years of rehabilitation. He has commented on that painful time in his young life and how those events affected his sensibilities as a writer.

He obtained his B.A. and M.A. from the University of New Mexico. "Bless me, Ultima," in 1972, was his debut novel. It was the beginning of a remarkable literary career. He is also the author of "Tortuga," "Zia Summer," and "Albuquerque," among many other works. He was a professor of English at the University of New Mexico from 1974 until his retirement in 1993. Professor Anaya was awarded the National Medal of Arts in 2001. He received the award for his "exceptional contribution to contemporary American literature that has brought national recognition to Chicano traditions, and for his efforts to promote Hispanic writers."

Rudolfo Anaya has been a prolific writer and a dedicated teacher. He has made a lasting contribution to American arts and letters. I am pleased to congratulate him on the 40th anniversary of "Bless Me, Ultima," and I wish him the very best in his future endeavors.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIOLENCE AGAINST WOMEN ACT

Mr. BENNET. Mr. President, I rise to talk about the importance of the passage of the Violence Against Women Act. As a husband and as a father of three young daughters, this issue is especially personal to me. This piece of legislation provides extremely valuable Federal resources to help victims of domestic and sexual violence rebuild their lives. Whether it comes in the form of an emergency shelter, legal assistance, a crisis hotline or advocacy, this bill provides the assistance that victims need, especially in the most vulnerable time.

Domestic violence, spousal abuse, and sexual assaults represent enormous public policy challenges. Because of the very personal nature of these crimes, it can be extremely difficult for victims to come forward to get the help they need, let alone call out those who have committed these heinous crimes. But since this bill was first enacted, the annual incidence of domestic violence continues to drop. Additionally, domestic violence reporting has dramatically increased and victims are receiving lifesaving assistance to help them move forward with their lives.

In my home State of Colorado, we continue to make great progress reducing the number of domestic and sexual assaults that occur, but we must continue to do more.

In 2010, the National Center for Injury Prevention and Control published a report which estimated that 451,000 women in Colorado were victims of rape in their lifetime. It also estimated that 897,000 Colorado women were victims of sexual violence other than rape in their lifetime. That same report said 505,000 men had been victims of sexual violence in their lifetime. These statistics are staggering in my view, and they make the case for why we had to pass this bill and continue to strengthen the programs that provide lifesaving services.

The Violence Against Women Act also includes invaluable programs to coordinate community efforts to respond to incidents of domestic and sexual violence by training police officers, judges, and other members of the criminal justice system. The legal system in our country is already stretched so thin. The resources provided by this bill will help law enforcement and court officials track down and bring to justice those who commit these crimes.

In my opinion, we can't do enough to get these criminals off the streets. For instance, we need to ensure that we support protection and prevention services such as training judges and police officers on how to identify and respond to abusive situations. We can significantly decrease domestic violence fatalities and the number of displaced families if we have better trained officers in our legal system and health and human services arena.

Finally, I wish to thank Chairman LEAHY for his tireless efforts to move this critical piece of legislation forward, as well as Senators MURRAY and KLOBUCHAR for their continued leadership on behalf of women and children all across the Nation. With a big bipartisan vote today in the Senate, we came together to make sure the Violence Against Women Act was passed.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 263,

502, 566, 567, 572, 624, 653, 654, 656, 657, 658, 659, 666, 667, 668, 669, 670, 671, 672, 673, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Jane D. Hartley, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2014.

DEPARTMENT OF STATE

Adam E. Namm, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador.

DEPARTMENT OF AGRICULTURE

Michael T. Scuse, of Delaware, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

Michael T. Scuse, of Delaware, to be a Member of the Board of Directors of the Commodity Credit Corporation.

DEPARTMENT OF DEFENSE

Mark William Lippert, of Ohio, to be an Assistant Secretary of Defense.

IN THE ARMY

The following named officer for appointment as the Chief of Engineers/Commanding General, United States Army Corps of Engineers, and appointment to the grade indicated in the United States Army while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3036:

To be lieutenant general

Lt. Gen. Thomas P. Bostick

NATIONAL INSTITUTE OF BUILDING SCIENCES

James T. Ryan, of Utah, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2013.

James Timberlake, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2014.

Mary B. Verner, of Washington, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2012.

Mary B. Verner, of Washington, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2015.

Susan A. Maxman, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2012.

Susan A. Maxman, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2015.

POSTAL REGULATORY COMMISSION

Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission for the remainder of the term expiring October 14, 2012.

MERIT SYSTEMS PROTECTION BOARD

Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2018.

NATIONAL BOARD FOR EDUCATION SCIENCES

Adam Gamoran, of Wisconsin, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

Judith D. Singer, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2014.

Hirokazu Yoshikawa, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

David James Chard, of Texas, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

NATIONAL SCIENCE FOUNDATION

Bonnie L. Bassler, of New Jersey, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2016.

DEPARTMENT OF EDUCATION

Deborah S. Delisle, of South Carolina, to be Assistant Secretary for Elementary and Secondary Education Department of Education.

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Donald S. Wenke

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Burton M. Field

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Bruce A. Litchfield

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Charles R. Davis

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Salvatore A. Angelella

The following named officer for appointment as Chief of Air Force Reserve, and appointment to the grade of lieutenant general in the United States Air Force while assigned to a position of importance and re-

sponsibility under title 10, U.S.C., sections 601 and 8038

To be lieutenant general

Maj. Gen. James F. Jackson

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Andrew E. Busch

IN THE ARMY

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Colonel Robert P. White

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Steven Ferrari

The following named officers for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

To be brigadier general

Col. Kristin K. French

Col. Walter E. Piatt

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Dennis L. Via

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Todd A. Plimpton

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Patricia E. McQuiston

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Raymond P. Palumbo

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Robert P. Lennox

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Robert B. Brown

The following named United States Army Reserve officer for appointment as Chief, Army Reserve and appointment to the grade

indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3038:

To be lieutenant general

Maj. Gen. Jeffrey W. Talley

IN THE NAVY

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Eric C. Young

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Terry B. Kraft

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Bryan P. Cutchen

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Jonathan W. White

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Richard P. Breckenridge

Rear Adm. (lh) Walter E. Carter, Jr.

Rear Adm. (lh) Craig S. Faller

Rear Adm. (lh) James G. Foggo, III

Rear Adm. (lh) Peter A. Gumataotao

Rear Adm. (lh) John R. Haley

Rear Adm. (lh) Patrick J. Lorge

Rear Adm. (lh) Michael C. Manazir

Rear Adm. (lh) Samuel Perez, Jr.

Rear Adm. (lh) Joseph W. Rixey

Rear Adm. (lh) Kevin D. Scott

Rear Adm. (lh) James J. Shannon

Rear Adm. (lh) Thomas K. Shannon

Rear Adm. (lh) Herman A. Shelanski

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Mark I. Fox

IN THE AIR FORCE

PN1393 AIR FORCE nominations (25) beginning JENNIFER M. AGULTO, and ending KATHRYN W. WEISS, which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2012.

PN1394 AIR FORCE nominations (112) beginning MARIO ABEJERO, and ending CARL R. YOUNG, JR., which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2012.

PN1395 AIR FORCE nominations (514) beginning RICHARD E. AARON, and ending ERIC D. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2012.

IN THE ARMY

PN1463 ARMY nominations of Carol A. Fensand, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1464 ARMY nominations (2) beginning KELLEY R. BARNES, and ending DAVID L.

GARDNER, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1465 ARMY nomination of Troy W. Ross, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1466 ARMY nomination of Sean D. Pitman, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1467 ARMY nomination of Walter S. Carr, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1468 ARMY nomination of Marc E. Patrick, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1469 ARMY nomination of Demetres Williams, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1470 ARMY nominations of (2) beginning ALYSSA ADAMS, and ending DONALD L. POTTS, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1485 ARMY nomination of James M. Veazey, Jr., which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1486 ARMY nomination of Shari F. Shugart, which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1487 ARMY nominations (4) beginning DANIEL A. GALVIN, and ending THOMAS J. SEARS, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1488 ARMY nominations (4) beginning ANTHONY R. CAMACHO, and ending RICHARD J. SLOMA, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1489 ARMY nominations (8) beginning JAMES M. BLEDSOE, and ending DANIEL J. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1490 ARMY nominations (534) beginning JOHN R. ABELLA, and ending D010584, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1491 ARMY nominations (652) beginning DREW Q. ABELL, and ending G010092, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1492 ARMY nominations (980) beginning EDWARD C. ADAMS, and ending D011050, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

IN THE MARINE CORPS

PN1289 MARINE CORPS nomination of Juan M. Ortiz, Jr., which was received by the Senate and appeared in the Congressional Record of January 31, 2012.

IN THE NAVY

PN1471 NAVY nomination of David T. Carpenter, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1472 NAVY nomination of Michael Junge, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1473 NAVY nomination of Marc E. Bernath, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1475 NAVY nomination of Steven A. Khalil, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1493 NAVY nomination of Ashley A. Hockycko, which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1494 NAVY nomination of Jason A. Langham, which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1495 NAVY nomination of Will J. Chambers, which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1496 NAVY nominations (4) beginning PATRICK J. FOX, JR., and ending LESLIE H. TRIPPE, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, May 7, 2012, at 4:30 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 508, 568, and 569; that there be 60 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING MATTILOU SEXTON CATCHPOLE

Mr. DURBIN. Mr. President, an incredible woman died late last month after a hard fought battle with Alzheimer's disease—a woman who gave her life to help and teach others. A former University of Illinois Springfield professor, Dr. Mattilou Sexton Catchpole, passed away at the age of 88.

Mattilou was born on Halloween day in Chicago, IL, but grew up in Tex-

arkana, AR. Her parents gave her a strong moral background and an appreciation for justice. As active participants in the Arkansas civil rights movement, they taught her that social justice, equitable educational opportunities, and equal rights for all were of the utmost importance.

She enlisted in the Air Force during World War II and served as a medical technician stateside. While post-traumatic stress disorder was not categorized as a medical condition, Mattilou knew that many of the returning soldiers experienced hell. She soon realized that quiet conversations and a caring touch helped to heal the wounds that she couldn't see.

Still caring for others, she first became a registered nurse and then a certified registered nurse anesthetist, or CRNA. While raising three children and suffering from sometimes debilitating back pain, she worked as a CRNA at the Cleveland Clinic and obtained bachelor's and master's degrees at Case Western Reserve University.

She came to my hometown of Springfield, IL, to teach at the university in 1978, and in no time finished her doctorate in health education from Southern Illinois University at Carbondale. Dr. Catchpole became the director of the Nurse Anesthesia Program and Nurse Anesthesia Completion Program in Springfield. She spent the rest of her life teaching at the university and writing.

At the age of 78, Dr. Catchpole was named the 2002 Kayaker of the Year by the Missouri Whitewater Association. Physical fitness and the outdoors were very important to her. It was swimming that enabled her to build the strength and leave behind a full-body cast that doctors thought she would wear for most of her adult life because of back pain. In 2006, at the age of 82, Mattilou was one of 18 recipients of the President's Call to Service Awards for over 5,000 hours of service with Health Volunteers Overseas. You could always rely on Mattilou to lend a helping hand to someone in need or to teach a person all that she knew about a subject.

I offer my deepest condolences to her family, her brother, U.A. Garred Sexton; her three children, Julia Ann, Nancy, and Floyd; and her eight grandchildren and seven great-grandchildren. Mattilou's passing is a deep loss for so many, but her hard work, accomplishments, and students will continue to carry on.

TRIBUTE TO MAYOR CHARLES LONG

Mr. McCONNELL. Mr. President, I rise to pay tribute to my good friend Mr. Charles Long, the longtime mayor of Booneville, KY. Mr. Long has served as mayor of this small Owsley County town for 53 years. During his tenure, he has worked to provide a better life for

the citizens of Booneville by providing exceptional opportunities for various daily improvements, as well as working to make vital amenities more easily accessible to all.

One of the most significant accomplishments of Mayor Long's time in office has to do with developments he oversaw in the area of water and sanitation. The mayor oversaw the installation of the town's water and sewer system in 1968. Afterwards, he went on to guarantee that over 98 percent of Owsley County had access to the water system and worked to see the sewage system expanded to over 400 residents in the county.

Mayor Long serves on the Kentucky River Area Development Committee—KRADD. The mayor's home county of Owsley is one of the eight counties in eastern Kentucky that KRADD supervises. The organization has been a major force in further developing the rural areas of eastern Kentucky, and Mayor Long is an integral part of that process.

Besides the hard work Mayor Long does for the people of Booneville, he is known for being a beloved and involved member of his large family. His children, grandchildren, and great-grandchildren are all very proud of him and all he has accomplished.

Sadly, Charles recently lost the love of his life and wife of 72 years, Virginia Ruth Long. Mrs. Long passed away on March 27, 2012, at the age of 92. During a recent session of the Kentucky State Senate, she was honored by a Senate Resolution commemorating her life and accomplishments. I know Mayor Long surely appreciated that gesture.

Charles Long has literally spent the majority of his life serving the local people of Booneville as their mayor. He is able to look back at his long and successful career and reminisce on the countless improvements he has put in place for the city he holds dear to his heart. Mr. Charles Long exhibits a commendable display of characteristics such as dedication, kindness, and reliability which set him apart as a true hometown hero.

I am honored to stand on the floor of the U.S. Senate today in tribute to Mayor Charles Long's service to the town of Booneville and the Commonwealth of Kentucky. And I ask my Senate colleagues to join me in expressing recognition to Mayor Long for his long and fruitful tenure in office.

Mr. KYL. Mr. President, I would like to call the attention of my colleagues to a column published in the April 23rd edition of the Washington Post by Dr. Henry Kissinger and retired GEN Brent Scowcroft. These are two of the most respected voices on nuclear strategy, deterrence, and arms control, and they both recently testified on the New START treaty.

The article, titled "Strategic Stability in Today's Nuclear World,"

comes at an important time. The President, we know, has tasked his advisors to conduct an assessment of our nuclear forces and strategy to inform future arms reductions beyond the levels established by the New START treaty. The administration is said to be considering reductions that could lead to as few as 300 warheads, which would require rather significant changes to long-standing U.S. nuclear doctrine.

Dr. Kissinger and General Scowcroft warn that:

Before momentum builds on that basis, we feel obliged to stress our conviction that the goal of future negotiations should be strategic stability and that lower numbers of weapons should be a consequence of strategic analysis, not an abstract preconceived determination.

In fact, the authors go on to warn the reader that:

Strategic stability is not inherent with low numbers of nuclear weapons; indeed, excessively low numbers could lead to a situation in which surprise attacks are conceivable.

This short column should be required reading for all of my colleagues, and the eight key criteria listed by the authors, to govern nuclear weapons policy, should become the basis for our consideration of nuclear strategy and arms control moving forward.

I want to express my deep appreciation to Dr. Kissinger and General Scowcroft for their important contributions to our ongoing debates about nuclear weapons and, more broadly, for their decades of service to our country.

Mr. President, I ask unanimous consent to have the article printed in the RECORD at the end of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, April 23, 2012]
STRATEGIC STABILITY IN TODAY'S NUCLEAR WORLD

(By Henry A. Kissinger and Brent Scowcroft)

A New START treaty reestablishing the process of nuclear arms control has recently taken effect. Combined with reductions in the U.S. defense budget, this will bring the number of nuclear weapons in the United States to the lowest overall level since the 1950s. The Obama administration is said to be considering negotiations for a new round of nuclear reductions to bring about ceilings as low as 300 warheads. Before momentum builds on that basis, we feel obliged to stress our conviction that the goal of future negotiations should be strategic stability and that lower numbers of weapons should be a consequence of strategic analysis, not an abstract preconceived determination.

Regardless of one's vision of the ultimate future of nuclear weapons, the overarching goal of contemporary U.S. nuclear policy must be to ensure that nuclear weapons are never used. Strategic stability is not inherent with low numbers of weapons; indeed, excessively low numbers could lead to a situation in which surprise attacks are conceivable.

We supported ratification of the START treaty. We favor verification of agreed reductions and procedures that enhance predict-

ability and transparency. One of us (Kissinger) has supported working toward the elimination of nuclear weapons, albeit with the proviso that a series of verifiable intermediate steps that maintain stability precede such an end point and that every stage of the process be fully transparent and verifiable.

The precondition of the next phase of U.S. nuclear weapons policy must be to enhance and enshrine the strategic stability that has preserved global peace and prevented the use of nuclear weapons for two generations.

Eight key facts should govern such a policy:

First, strategic stability requires maintaining strategic forces of sufficient size and composition that a first strike cannot reduce retaliation to a level acceptable to the aggressor.

Second, in assessing the level of unacceptable damage, the United States cannot assume that a potential enemy will adhere to values or calculations identical to our own. We need a sufficient number of weapons to pose a threat to what potential aggressors value under every conceivable circumstance. We should avoid strategic analysis by mirror-imaging.

Third, the composition of our strategic forces cannot be defined by numbers alone. It also depends on the type of delivery vehicles and their mix. If the composition of the U.S. deterrent force is modified as a result of reduction, agreement or for other reasons, a sufficient variety must be retained, together with a robust supporting command and control system, so as to guarantee that a preemptive attack cannot succeed.

Fourth, in deciding on force levels and lower numbers, verification is crucial. Particularly important is a determination of what level of uncertainty threatens the calculation of stability. At present, that level is well within the capabilities of the existing verification systems. We must be certain that projected levels maintain—and when possible, reinforce—that confidence.

Fifth, the global nonproliferation regime has been weakened to a point where some of the proliferating countries are reported to have arsenals of more than 100 weapons. And these arsenals are growing. At what lower U.S. levels could these arsenals constitute a strategic threat? What will be their strategic impact if deterrence breaks down in the overall strategic relationship? Does this prospect open up the risk of hostile alliances between countries whose forces individually are not adequate to challenge strategic stability but that combined might overthrow the nuclear equation?

Sixth, this suggests that, below a level yet to be established, nuclear reductions cannot be confined to Russia and the United States. As the countries with the two largest nuclear arsenals, Russia and the United States have a special responsibility. But other countries need to be brought into the discussion when substantial reductions from existing START levels are on the international agenda.

Seventh, strategic stability will be affected by other factors, such as missile defenses and the roles and numbers of tactical nuclear weapons, which are not now subject to agreed limitations. Precision-guided large conventional warheads on long-range delivery vehicles provide another challenge to stability. The interrelationship among these elements must be taken into account in future negotiations.

Eighth, we must see to it that countries that have relied on American nuclear protection maintain their confidence in the U.S.

capability for deterrence. If that confidence falters, they may be tempted by accommodation to their adversaries or independent nuclear capabilities.

Nuclear weapons will continue to influence the international landscape as part of strategy and an aspect of negotiation. The lessons learned throughout seven decades need to continue to govern the future.

PASSAGE OF THE EQUAL RIGHTS AMENDMENT

Mr. MENENDEZ. Mr. President, the following statement is from Senator Birch Bayh in honor of the 40th anniversary of Congressional passage of the Equal Rights Amendment:

Recent events have seen an assault on those who provide health care services to women and we have even seen questions raised anew about issues like contraception. It may have been 40 years since we passed the ERA in Congress but the reasons why many of us tried to write women's rights into the Constitution are still with us today.

As the Chief Senate Sponsor and floor leader of the Equal Rights Amendment, I remember well the intensity of the battle we fought in the early 1970's. America's history has been a steady expansion of individual rights, beginning with the expansion of the franchise in our early years. From the rights of former slaves after the Civil War to the expansion of the vote for women and then for 18 year olds, we have codified in our Constitution an ongoing commitment to individual rights. It seemed fitting then, and seems fitting now, that our Constitution speak loudly and clearly that the law allow no discrimination on the basis of gender.

While the principles involved in this battle remain, the country has evolved quite a bit since 1972. In 1972 there were 2 women in the U.S. Senate and 13 in the House of Representatives. Now there are 17 women Senators and 75 Congresswomen. There were no female Governors in 1972 and had been only 3 in all our history before that, there are 6 now. We have had a female Speaker of the House and have scores of CEOs, business owners and leaders in all walks of life who are female. The number of women elected to state legislatures across the country is larger than ever before. The number of women in the military cannot be compared to the numbers 40 years ago. And in a recent issue of Newsweek, long-time Supreme Court reporter Nina Totenberg spoke about taking the job at NPR in the 70s because the pay was too low for men to want the job.

There has indeed been progress, but the principles remain the same. To open the sports pages in the morning is to see female athletes in a number of sports. To watch the television news in the evening has us watching many female anchor persons, weather ladies, and sports announcers. Even the major sports telecasts regularly involve on-air female broadcasters. But is there equal pay for equal work today? Are there still obstacles on the professional paths to boardrooms for women? Is sexual harassment still a prominent issue in offices around America and in our military?

It is still fitting in the 21st century for our nation to include in its basic law the principle that discrimination based on sex has no place in American life. It is fitting for our daughters and granddaughters to be reminded that their parents and grandparents took a stand to protect their futures and to ensure that they have an equal place in modern America.

In closing, let me stress that the ERA is still the right thing to do, not only in principle but in every day practice. Thank you for your continued, dedicated efforts.

RECOGNIZING THE GREATER BRIDGEPORT YOUTH ORCHESTRAS

Mr. BLUMENTHAL. Mr. President, today I commend the Greater Bridgeport Youth Orchestras, GBYO, as it celebrates its 50th anniversary this year. This legendary local group currently at a membership of 250 students of all ages from 29 different communities around the city of Bridgeport, who participate in 5 different ensembles—has bestowed the gift of great music and mentorship to the State of Connecticut. Through the platform of an orchestra, these young musicians have learned how to support each other. They listen closely while others shine as well as play as an ensemble, producing thrilling fortissimos that echo in audiences' hearts long after the final note.

While maintaining a high level of musicianship through competitive auditions, the GBYO provides an invaluable experience—an alternative to joining a sports team—for students who love music. Its members can feel camaraderie, learn teamwork, and come to understand the value of weekly group rehearsals and daily practice.

I applaud the GBYO for its goal of providing a supportive environment where lifelong friendships are formed, mentorship thrives, and students feel safe to express their emotions and connect through passionate music. This sensitivity is rare and precious. GBYO combines the development of emotional intelligence and social skills with the principles of hard work and diligence. These young musicians are talented, smart, well-rounded, and, best of all, excited.

In March, the GBYO celebrated its landmark anniversary with a gala alumni concert at the University of Bridgeport, conducted by GBYO's music director, Christopher Hisey, who is an alumnus of the orchestra. He led a stirring and inspiring alumni ensemble piece to finish the tremendous concert. I congratulate executive director Barbara Upton and music director Christopher Hisey, for their leadership.

I wish the Greater Bridgeport Youth Orchestras continued success and hope this well-regarded organization can serve as a role model, inspiring others to preserve and perpetuate the long tradition of the arts and the importance it holds for our culture and society.

2011 CONNECTICUT WOMEN'S HALL OF FAME

Mr. BLUMENTHAL. Mr. President, today I wish to recognize the 2011 Connecticut Women's Hall of Fame induct-

ees and their contributions to the recent history of the State of Connecticut and our Nation.

In the spirit of preserving the often untold accomplishments of impactful leaders from Connecticut, each year the Connecticut Women's Hall of Fame publicly honors several women, living or deceased, to share their stories, preserve their legacies, and update and equalize the history that is taught to our children. The Connecticut Women's Hall of Fame has created and maintained a remarkable space, free of charge, where the utmost respect can be paid to women who have made immeasurable impacts to our daily lives.

On October 25, 2011, at the 18th Annual Induction Ceremony and Celebration "Women of Influence: Creating Social Change"—Isabelle M. Kelley, Denise Lynn Nappier, and Patricia Wald were inducted. These three women are trailblazers, taking on various leadership positions in government while breaking through stagnant stereotypes and archaic traditions.

Isabelle M. Kelley devoted her passion for societal transformation, drive to accomplish, and energetic entrepreneurship to the problem of food shortages faced by our country's most impoverished families. Ms. Kelley was born in Connecticut in 1917 and remained there throughout her high school and college years, attending Simsbury High School and the University of Connecticut. Upon graduation in 1938 with an economics degree, she was asked to join the U.S. Department of Agriculture as an economist to examine food purchasing trends, which inspired a life-long interest in our country's food supply. In this capacity, she was the first to publicly link malnourishment in children to limited school achievement. She was asked by President Kennedy to serve on a task force to realize a national food stamp program. In 1964, she authored the Food Stamp Act and was appointed as the first Director of the Food Stamp Division of the USDA. It was the first time any woman directed a national social program at the USDA and led any type of consumer affairs or marketing division in any Federal agency.

Ms. Kelley passed away in 1997, but students of public health and nutrition can listen to and read transcripts of her oral history project by Harvard University's Schlesinger Library, whose aim was to capture the voices of 38 women "who had achieved positions of high rank in the federal government during the middle decades of the twentieth century." In 2011, she was invited into the USDA's Hall of Heroes.

The Honorable Denise Lynn Nappier, now serving her fourth term as Connecticut's first female State treasurer and first elected statewide official, and the country's first African American female State treasurer, can serve as a

role model to women around the country who strive to impact the field of financial regulation. Born in 1951 in Hartford, Treasurer Nappier ran for city treasurer in 1989. After working 10 years to engender Hartford's financial development, she won the position of State treasurer. She made visits to schools around the State, teaching students how to save and budget—paving the way for success in their finances as adults. The Connecticut Women's Hall of Fame joins other esteemed organizations that have honored Treasurer Nappier, including the Girl Scouts of Connecticut, the Hartford College for Women, the National Association of Minority and Women Law Firms, the Government Finance Officers Association, and the National Political Congress of Black Women.

The Honorable Patricia Wald has dedicated her career to public service and the law, retiring from her seat as the first female judge for the U.S. Circuit Court of Appeals for the District of Columbia to serve on the International Criminal Tribunal in The Hague. Born in 1928 in the city of Torrington, she went on to attend law school at Yale University as one of only 11 women in her graduating class. Judge Wald was motivated to go into government service by the possibilities of social reform, especially addressing issues concerning poverty and criminal justice. In 1964, she was nominated by President Johnson to the President's Commission on Crime in Washington, DC. After serving the Carter administration as Assistant Attorney General for Legislative Affairs, she was appointed to the U.S. Circuit Court of Appeals of the District of Columbia in 1979, where she served for 20 years, eventually as chief judge. Since her retirement from the bench, she has been asked to join several commissions and task forces, including President Bush's Commission on Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction and the Constitution Project's Guantanamo Task Force. Most recently, she has served on the advisory board of the Coalition for the International Criminal Court. I join those who have honored Judge Wald, including members of the International Human Rights Law Group, the American Lawyer Hall of Fame, and the American Bar Association, in celebrating her commitment to the law, especially in protecting our country's most vulnerable.

I know my colleagues will join me in honoring these remarkable women, who weathered criticism and risked public failure to inspire current and upcoming public servants and to better the lives of future generations.

2011 CONNECTICUT VETERANS
HALL OF FAME

Mr. BLUMENTHAL. Mr. President, today I wish to recognize the 2011 in-

ductees of the Connecticut Veterans Hall of Fame, a nonprofit organization that honors men and women from Connecticut who have served their communities in commendable ways since retiring from the military. Starting in 2005, when established by Executive Order, the Connecticut Veterans Hall of Fame has selected at least 10 inductees each year: men and women from Connecticut who, even after their great sacrifices as active members of our military, have chosen to continue their service in innovative ways to contribute to the lives of current enlistees, fellow veterans, and civilians.

These local heroes were celebrated at an induction ceremony surrounded by their family and friends this past December attended by Lieutenant Governor Nancy Wyman and the Connecticut Department of Veterans Affairs Commissioner Linda Schwartz. I would like to join Lieutenant Governor Wyman and Commissioner Schwartz and formally recognize Samuel Beamon, Sr., Rev. Dr. G. Kenneth Carpenter, Richard Rampone, Ronald Catania, Burke Ross, John Chiarella, Phillip Kraft, Ronald Perry, Dr. Madelon Baranoski, and Harold Farrington, Jr.

Several of these 2011 inductees are well-loved for touching their communities through a wide range of public leadership initiatives. Samuel Beamon, Sr., Rev. Dr. G. Kenneth Carpenter, and Richard Rampone served in Vietnam in the U.S. Marine Corps. Samuel Beamon, Sr. was honored for his exceptional work with the Young Marines Program in Waterbury, CT and as past commandant of the Department of Connecticut Marine Corps League, as well as his esteemed legacy as lieutenant of the Waterbury Police Department. Rev. Dr. G. Kenneth Carpenter has been recognized as a constant source of spiritual guidance as pastor of the Union Baptist Church in Mystic; in addition, he is founder and president of the Mystic Area Shelter and Hospitality, MASH, which gives temporary shelter and counseling to families—especially those with children—who are struggling in this tough economy. Richard Rampone, who worked to protect his community as Patrolman for the Berlin Police Department, is the State commandant of the Marine Corps League Department of Connecticut, whose mission is to assist marines entering civilian life.

Many of our honorees participate in more than one organization, dedicating a vast amount of time to helping servicemembers and veterans. Ronald Catania, who served in the U.S. Air Force in Vietnam, has given countless hours to numerous groups, including the Connecticut Police Chiefs Association, Connecticut Veterans Memorial, Connecticut National Guard during the Hurricane Katrina disaster, the American Red Cross, and the Special Olym-

pics. On September 11, he worked the day after the attacks to transport donated goods to Ground Zero for emergency responders. Burke Ross, who served in the U.S. Marine Corps during World War II, has been a fervent supporter and participant of the Military Order of the Purple Heart, MOPH, volunteers at the West Haven VA Medical Facility, and for the past 25 years has planned the annual Memorial Day Services and Parade in the Derby-Shelton area; in 2001, he was selected as the Disabled American Veteran, DAV, of the Year for his more than 30 years as an officer and then chaplain to his local DAV chapter.

The civic dedication of a number of these inductees spans decades. John Chiarella, who served in the U.S. Army in Korea and Vietnam, has spent 10 years ensuring that Waterbury-area students have an education in our patriotic traditions, including developing a program called Forever Wave, whose mission is to instruct on the flag salute. He is also known for his role as chairman of the Waterbury Veterans Memorial Committee. U.S. Army veteran Phillip Kraft has been a voice for veterans' benefits as an instructor at the International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW, annual conference. Also, for many years, Mr. Kraft has watched over burial services and maintained the upkeep of the Spring Grove Cemetery in Darian, where approximately 1,500 veterans have been laid to rest, and also takes the lead as CEO of the National Veterans Services Fund. Honoree Ronald Perry, who served in the U.S. Marine Corps in Vietnam, has been a solid support system for the Meriden, CT, Marine community, speaking out on behalf of several veterans associations, including the Marine Corps League of Meriden, and arranging the birthday celebrations of Meriden-area Marine Corps veterans.

The remaining two Connecticut veterans honored in 2011, Dr. Madelon Baranoski and Harold Farrington, have used the skills and experiences they developed in a professional capacity to positively affect the military and veterans communities of Connecticut. After serving in Vietnam in the U.S. Army Nurse Corps, Dr. Baranoski has compiled research on the physiological consequences of stress to foster greater understanding about the mental conditions of veterans in our communities and to help reform the criminal justice system. She is currently an associate professor of psychiatry and the vice chair of the Human Investigation Committee at Yale University School of Medicine. Harold Farrington, Jr., has spent 30 years helping veterans and their families navigate the bureaucracy and reap the benefits of government programs as an employee of the U.S. Department of Veterans Affairs.

In an article for New London's *The Day*, Mr. Farrington candidly captured the emotions he felt as a 2011 Connecticut Veterans Hall of Fame Inductee: Having dedicated his life to service, he acknowledged that "to know my work is being recognized is very rewarding."

I hope this honor from the State of Connecticut will start to reflect and manifest the pride felt by the family, friends, and fellow veterans of these inductees. It gives me great pride to laud these courageous and selfless individuals who have not hesitated to serve and sacrifice in and out of uniform. To them, I say with gratitude: Today, your country publicly recognizes your contributions and deep, heartfelt commitment to our U.S. veterans.

NATIONAL INFERTILITY AWARENESS WEEK

Mrs. GILLIBRAND. Mr. President, building a family is an exciting milestone in the lives of millions of American families. Unfortunately, the road towards conceiving a child is often difficult and painful for the nearly 7 million Americans diagnosed with the disease of infertility.

This week, men and women across the country will share their stories during National Infertility Awareness Week. This movement, organized by RESOLVE: The National Infertility Association, brings attention to the disease of infertility and encourages the public to take charge of their reproductive health. Let me take this opportunity to commend RESOLVE for its work providing community and giving voice to women and men experiencing infertility.

Over the last few decades, significant medical advancements, such as in vitro fertilization, have provided a solution for some would be parents. However, the high cost to undergo infertility care often poses an additional barrier for couples to overcome. It costs more than \$12,000 for a couple to undergo one cycle of infertility treatment, and insurance coverage is often dismal. For some patients, multiple cycles are required to achieve a successful pregnancy outcome. Federal Government insurance plans do not specifically cover infertility treatments, and only 15 States offer any level of coverage.

I have introduced a bill that would alleviate some of the costs associated with infertility care. The Family Act, S. 965 creates a Federal tax credit for individuals who are diagnosed with infertility by a licensed physician. A tax credit will help make this vital patient care more accessible and affordable to those who lack insurance coverage for these services.

I hope you will join me during National Infertility Awareness Week and become a cosponsor of the Family Act. This is a necessary step towards ensur-

ing that all of our citizens have the ability to raise a family, without compromising their financial future.

ADDITIONAL STATEMENTS

LOST AT SEA

• Mrs. BOXER. Mr. President, it is with great sadness that I speak in memory of five extraordinary sailors who recently died at sea during a boat race off the coast of California.

On Saturday, April 15, the sailing vessel *Low Speed Chase* was one of 49 boats participating in the Full Crew Farallones Race, which has been run annually from San Francisco to the Farallon Islands and back since 1907. As the yacht rounded an island, it was broadsided by huge waves and crashed onto the rocks.

Three sailors survived and were rescued by the U.S. Coast Guard. Tragically, the lives of five others—Alexis Busch, Alan Cahill, Jordan Fromm, Marc Kasanin, and Elmer Morrissey—were lost.

Alexis Busch, who as a teenager had been a beloved batgirl for the San Francisco Giants, managed the Ross Valley Swim and Tennis Club and crewed in sailing races from San Francisco Bay to Australia. Her longtime boyfriend and sailing partner, Nick Vos, was one of the survivors on the *Low Speed Chase*.

Alan Cahill was a married father of two children and a master marine craftsman who served as caretaker for many boats at the San Francisco Yacht Club. Originally from Cork, Ireland, Alan moved to the Bay Area to pursue his love of racing. He was a talented sailor and good friend, who served as the best man at the wedding of his crewmate, Bryan Chong, one of the three survivors.

Jordan Fromm was a lifelong sailor who was a fixture at the San Francisco Yacht Club, where he had been a member since childhood and participated in its youth sailing programs. Fromm planned to start his own yacht restoration business.

Marc Kasanin grew up in Belvedere, started sailing at age 5, and spent most of his life on the water as a sailor and a nautical artist. His artwork was recently displayed at the Tiburon Art Festival.

Elmer Morrissey earned a Ph.D. in energy engineering and worked as a software designer at Lawrence Berkeley National Laboratory. In addition to sailing, he enjoyed playing music and rugby and writing humorous sports blogs.

These crew members were some of the Bay Area's best sailors. Their loss is a devastating blow to their families, to their friends, to their crewmates, and to the entire sailing community. At this most difficult time, my heart goes out to them all.●

TRIBUTE TO DOROTHY INGRAM

• MRS. BOXER. Mr. President, I am honored to remember the life, accomplishments, and service of Dorothy Inghram, a pioneer who was California's first African American school district superintendent and San Bernardino County's first African American school teacher and principal. Ms. Inghram passed away at her San Bernardino home on March 14 at the age of 106.

Dorothy Inghram was born on November 9, 1905, the youngest of Henry and Mary Inghram's seven children. While at San Bernardino Valley College, Ms. Inghram wrote the school's alma mater and later transferred to Redlands University to complete a bachelor's degree in music in 1936. She began her teaching career in Texas but later returned to California and accepted a teaching position in the Mill School District. For the next 3 decades, she devoted her life to education and literacy in the community.

Over the years, Ms. Inghram's professional contributions have been acknowledged on many occasions, including numerous awards, a city-proclaimed Dorothy Inghram Day, and a library named in her honor. Most rewarding to her personally, however, were the admiring and grateful former students who credited her with helping them recognize undiscovered talents and sparking interests that led to successful careers.

I ask my colleagues to join me, and her grateful community in honoring the life and trailblazing legacy of Dorothy Inghram.●

TRIBUTE TO MR. WAYNE R. GRACIE

• Mr. CHAMBLISS. Mr. President, today I wish to recognize Mr. Wayne R. Gracie upon his retirement after an outstanding career of 37 years of distinguished civil service to our great Nation.

Since 1975, through seven Presidential administrations, Wayne has worked with Congress and directly supported the Secretary and Chief of Staff of the Air Force, as well as the Chief of the Air Force Reserve. He has worked on logistics, budgets, and legislative interactions—turning words into programming actions—that resulted in new Department of Defense policies and programs.

Wayne excelled at providing both Houses of Congress with new insight and understanding of the Air Force Reserve's need to transition from a Cold War force to the modern force operating around the world today. His efforts resulted in new funding and development of both a "strategic reserve" for surge operations, as well as a cost-effective "operational reserve" for use in daily military missions.

In 1997, backed by his credibility and good will on Capitol Hill, Wayne led

the preparation, messaging, and testimony for congressional hearings that resulted in the formation of Air Force Reserve Command, the ninth major command in the Air Force. This authorized a three-star commander and energized new Reserve component personnel benefits.

After conducting more than 20 years of continual combat operations in Iraq, Bosnia, Kosovo, Afghanistan, Horn of Africa, Libya, and many other locations around the globe, the Air Force Reserve's success is evident today. Wayne's efforts were critical to presenting, justifying, and enacting new legislation supporting Air Force reservists, their civilian employers, and their families who were impacted by increased Reserve operations. Thanks to his continuous dialogue with Congress, reservists now get improved health care, new credits toward retirement, inactive duty training travel pay, and post-9/11 G.I. Bill benefits.

Also, Wayne was pivotal to facilitating Air Force Reserve testimonies before the Senate Armed Services Committee and Senate Appropriation Committee that resulted in additional funding for equipment modernization. His efforts directly led to increased combat effectiveness as well as improved humanitarian and disaster response operations. These updated capabilities were essential to successful relief missions in Japan and Haiti, as well as in the United States for Hurricanes Katrina and Ivan, for aerial firefighting in the Southwest, and for containing the gulf oil spill.

Because of Wayne's visionary leadership, planning, and foresight, the Air Force, the Department of Defense, and the Nation will long reap the benefits of his tenure at the Pentagon and his work with us here on Capitol Hill. It is experienced, dedicated, professional people like Wayne who make the Department of Defense and Air Force Reserve the outstanding institutions that they are today.

I thank Wayne for his many years of dedicated service and wish him and his wife Candace the very best as they enter retirement.●

TRIBUTE TO TOM MCSWAIN

● Mrs. HAGAN. Mr. President, Leadership North Carolina is an organization committed to engaging and informing leaders from across my home State. Today I wish to recognize a constituent who is a leader of Leadership North Carolina. Tom McSwain's service to our citizens may be recognized during his term as chairman of the American Traffic Safety Services Association from 2004 to 2006, but his leadership skills were forged many years before this term and he continues to lead in many ways. Tom is a native of Macon, GA, and a proud alumnus of the University of Georgia, who has a deep love

for and commitment to his adopted home State of North Carolina. Two sources of strength for Tom are his wife Shawn Scott, an alumna of Leadership North Carolina Class IX, and his son, Jack.

Currently, Tom serves as eastern region director with responsibility for company sales and activities in the Eastern United States, Latin and South America with Ennis-Flint. Ennis-Flint is the world's largest supplier of pavement marking materials and is headquartered in Dallas, TX.

Tom has served in many professional capacities within the highway safety industry. Most prominently, he was chairman of the American Traffic Safety Services Association—ATSSA—from 2004 to 2006. ATSSA is an international trade association with 1,600 members who manufacture and install roadway safety devices such as signs, striping, guardrails, crash cushions, and lighting. In this role, he served as the chair of the past chairman's advisory council and as the president-elect of the ATSSA Foundation, which provides scholarships to children of individuals killed while working on our nation's highways. He is also a board member of the Road Information Program—TRIP.

Our State has benefitted from the migration of citizens from all over the country, bringing their creativity and skills to North Carolina. Tom moved to his newly adopted home of North Carolina in 1997. Following his service as Chairman of ATSSA, Tom sought to transition his engagement and focus from the national arena to North Carolina.

In 2006, Mr. McSwain graduated from Leadership North Carolina as a member of Class XIII, receiving the prestigious Stanley Frank Class Award. This award is presented annually in honor of the late Stanley Frank, chair of the LNC Founding Committee, who gave his time, talents, and resources to make our State a better place to live and to work. Mr. Frank was a Greensboro businessman and a civic giant who was one of the earliest, and one of the strongest supporters of LNC. Each recipient of this award exemplifies the spirit of Stanley Frank as selected by their fellow participants. Tom was the Class XIII recipient, recognized for his demonstrated leadership, which has made a significant improvement in the quality of life, economic well-being, and sense of community in our State. Upon graduation, Mr. McSwain expanded his commitment to Leadership North Carolina, serving as program chair for Class XIV and joining the Leadership North Carolina Board of Directors.

Elected as chair of Leadership North Carolina in 2010, Tom has brought his considerable leadership experience to strengthen the organization during his 2-year tenure. His work has positioned the program for sustainability for

years to come and strengthened its reputation among leaders in business, government, education, and nonprofits. The measure of a good leader is the legacy he or she leaves behind. Tom McSwain leaves North Carolina with 900 informed and engaged leaders to take the baton and help craft our State's future.

On June 30 of this year, Tom McSwain will complete his tenure as chair of Leadership North Carolina. We need strong, effective leaders now more than ever. Tom's service to Leadership North Carolina has been focused on engaging, challenging, and informing future leaders. I join the Board of Directors of Leadership North Carolina in recognizing Tom for his leadership, vision, and determination.

Tom embodies our State's motto *Esse Quam Videri*, to be rather than to seem, and I ask all my colleagues to join me in thanking Tom McSwain for his service to North Carolina.●

TRIBUTE TO DAN LYONS

● Mr. HELLER. Mr. President, today I am proud to recognize one of Nevada's veterans whose overwhelming sacrifice on behalf of those who served our great Nation is inspiring. As I speak, Mr. Lyons is traveling on foot from his hometown of Reno, NV to our Nation's capital to encourage legislators to assist our homeless veterans.

This is a serious issue that I have worked on since I was elected to Congress. Today, over 100,000 veterans are on America's streets. Many have serious problems and need support. That is why I stand with Mr. Lyons as he completes his 2,600 mile journey.

The brave men and women who served our country and fought to protect our freedom are coming back to a struggling economy with few job prospects, leaving them unable to afford housing. Our Nation's servicemembers have made great sacrifices for our country, and they deserve our gratitude and support. We must welcome them home and help them transition to civilian life. Assisting our Nation's veterans and families is of the utmost importance.

I am also grateful that Mr. Lyons is raising awareness for an issue that I am personally involved with. Having a family member who serves in the Armed Forces, I have always been an advocate for our troops. That is why I proudly cosponsored and voted in support of bipartisan legislation, the VOW to Hire Heroes Act, which was signed into law by President Obama. This legislation provides a tax credit to employers who hire veterans while also offering education and funding to provide on-the-job training and employment assistance to veterans. Ensuring our returning soldiers come home to good paying jobs is the least we can do and the VOW to Hire Heroes Act helps put our Nation's veterans back to work.

Mr. Lyons' selfless efforts to honor and acknowledge our Nation's veterans epitomize service over self. I commend Mr. Lyons for his steadfast determination in raising awareness for those who keep us safe. Today, I ask my colleagues to join me in recognizing Mr. Lyons for his service to our country and commitment to helping veterans in need.●

RECOGNIZING HOOSIER ESSAY CONTEST WINNERS

● Mr. LUGAR. Mr. President, I wish to take the opportunity to express my congratulations to the winners of the 2011 2012 Dick Lugar/Indiana Farm Bureau/Indiana Farm Bureau Insurance Companies Youth Essay Contest.

In 1985, I joined with the Indiana Farm Bureau to sponsor an essay contest for 8th grade students in my home State. The purpose of this contest is to encourage young Hoosiers to recognize and appreciate the importance of Indiana agriculture in their lives and subsequently craft an essay responding to the assigned theme. The theme chosen for this year was "The Role of the Farm in a Healthy Diet."

Along with my friends at the Indiana Farm Bureau and Indiana Farm Bureau Insurance Companies, I am pleased with the annual response to this contest and the quality of the essays received over the years. I applaud each of this year's participants on their thoughtful work and wish, especially, to highlight the submissions of the 2011 2012 contest winners—Travis Koester of Wadesville, IN, and Andrea Ledgerwood of Angola, IN. I ask unanimous consent to have printed in the RECORD the complete text of Travis' and Andrea's respective essays and I am pleased, also, to include the names of the many district and county winners of the contest.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE ROLE OF THE FARM IN A HEALTHY DIET (By Travis Koester)

Americans talk skinny, but eat fat. What can farmers do to help? American agriculture will feed the world with a safe, abundant, and affordable food supply. This has been our message in recent years. It is time for change. What word is missing? Healthy! Farmers can help Americans through education and making healthier food more available to low income families.

Living on a family dairy farm, what can I do? In a country where more than two-thirds of the population is overweight, adult food choices are often made on impulse, not intellect. Americans say they'd like restaurants to offer healthier items, but only 23 percent order those foods, according to research firm Technomic. We must reach the public at a young age. I can encourage teachers to welcome Farm Bureau Ag in the Classroom. These educational programs can influence my generation to eat healthy.

However, healthy food generally costs more than unhealthy food. How can we assist

those with low incomes? Working with Partners in Food, our family farm donates lean healthy beef to local food banks, providing the underprivileged with nutritious protein. Furthermore, I live in a community with a plethora of gardens. Grandmother alone has four gardens! I will encourage my community to share excess garden items with the poor by using my family farm as a collection point. Neighbors and family can share healthy fruits and vegetables that I can deliver to local food banks promoting agriculture at the same time.

It is time for farmers to take action through education and making healthy food more available to the poor. One farmer at a time, we can make a difference and improve the health of our fellow Americans. Will you join me? American agriculture will feed the world with a safe, abundant, affordable, and healthy food supply.

THE ROLE OF THE FARM IN A HEALTHY DIET (By Andrea Ledgerwood)

Indiana farms are crucial to our state's well-being. They provide healthy foods we eat every day, including milk, eggs, corn, and meat. The health of the animals occupying the farms ensures the quality of the food. Indiana farmers take pride in making sure only the healthiest products go to market.

On that note, we also get nutrients from these products. Milk from dairy cows can reduce the risk of health issues such as osteoporosis, some cancers, type two diabetes, and obesity to list just a few. It is just rich, cold, delicious, wholesome, fresh milk from our Hoosier dairy farmers who care about us. Hoosier farmers also grow sweet corn in the rich Indiana soil. Sweet corn contains only one gram of fat per ear of corn—that is seven times less fat than name brand granola bars. It also has significantly more vitamin C than most granola bars. Doesn't a crunchy, sweet, flavorful, fun to eat summer treat from our fellow Hoosier farmers sound delicious?

If Indiana were to have more farmers' markets in our cities and towns, I believe we could improve our state's average health, including obesity. When we incorporate educational and nutritional values, Hoosiers will soon realize that eating healthy can be easy, affordable, and fun. The Farm Bureau exhibit at the Indiana State Fair is an excellent example of people working together to educate the public about farm safety and the healthiness of homegrown farm products. They have demonstrations, food samples, and very knowledgeable people that care about your health. I believe if we had more of those types of facilities around Indiana, people will be more encouraged to consume the rich, tasty, fresh farm products from our local Hoosier farmers. Don't you agree . . . there's a lot more than corn in Indiana!!

2011-2012 DISTRICT ESSAY WINNERS

District 1: Rachel Stoner, Kyle Venditti; District 2: Luke Lashure, Andrea Ledgerwood; District 3: Ross Kindig, Grace Ringer; District 4: Will Harris, Carley Myers; District 5: Bailey Hayes, Jonathan Meredith; District 6: Aiden Foran, Karsyn Gaynor; District 7: Courtney Brown, Sam Ellis; District 8: Elizabeth Field, Brevin Runnebohn; District 9: Halie Klueg, Travis Koester; District 10: Jerry Clayton, Anne Franke.

2010-2011 COUNTY ESSAY WINNERS

Adams: Carley Myers and Triston Vetter, Adams Central Middle School. Allen: Haleigh DeVido and Luke Lashure, Saint Joseph Hessen Cassel School. Bartholomew: Aaron

Kruchten and Audrey Wetzel, Central Middle School. Benton: Kendra Budreau and Joe Stempel, Benton Central Junior-Senior High School. Carroll: Morgan Dominguez, Delphi Community Middle School. Cass: Jodi Aleshire and Derek Sullivan, Southeastern School. Clay: Courtney Brown, Clay City Junior-Senior High School. Crawford: Nicholas Lahue and Nickki Parks, Crawford County Junior-Senior High School. Decatur: Sam Owens and Mika Shook, South Decatur Junior-Senior High School. Franklin: Sydney Browning and Dakota Busch, Mount Carmel School. Gibson: Cecilia Hall, Saint James Catholic School. Hamilton: Trenten Richardson, Carmel Middle School. Hendricks: Jonathan Meredith, Cascade Middle School. Howard: Will Harris and Anna Ortman, Northwestern Middle School.

Jackson: Anne Franke, Immanuel Lutheran School; Christopher Rust, Saint John's Lutheran School. Jay: Brett Laux and Abby Reier, East Jay Middle School. Lake: Mechai Sharks, Our Lady of Grace School; Kyle Venditti, Taft Middle School. Marion: Aiden Foran and Karsyn Gaynor, Immaculate Heart of Mary School. Monroe: Sam Ellis, Bachelor Middle School. Newton: Ross Kindig and Grace Wernert, South Newton Middle School. Owen: Caroline Sebastian, Owen Valley Middle School. Parke: Ross Akers and Bailey Hayes, Rockville Junior-Senior High School. Perry: Izic Holmes, Cannelton City Schools. Pike: Taylor Carlisle, Pike Central Middle School. Porter: Rachel Stoner, Morgan Township Middle School. Rush: Elizabeth Field and Brevin Runnebohn, Benjamin Rush Middle School. Steuben: Andrea Ledgerwood, Prairie Heights Middle School. Switzerland: Jerry Clayton and Destiny Marcum, Switzerland County Middle School. Vanderburgh: Halie Klueg, Thompkins Middle School; Travis Koester, Saint Wendel Catholic School. Wayne: Conner Allen and Amanda Wilson, Centerville Junior High School. White: Zeb Davis and Grace Ringer, Frontier Junior-Senior High School.●

TRIBUTE TO BRIGADIER GENERAL JOHN R. McMAHON

● Mrs. MURRAY. Mr. President, it is with great privilege that I congratulate BG John R. McMahon, division commander of the Northwest Division of the U.S. Army Corps of Engineers, on his well-deserved retirement after a long and successful career serving our country. Brigadier General McMahon has been stationed with the Northwest Division since 2009, and my staff and I have had the pleasure of working extensively with him during that time.

An example of Brigadier General McMahon's leadership ability was his response to a storm that caused serious damage to the Howard Hanson Dam in King County. The storm raised the flood threat for hundreds of thousands of residents in the Green River Valley, which is home to one of the largest manufacturing and distribution bases on the west coast. Brigadier General McMahon and the Army Corps reacted quickly and decisively to respond and repair right abutment seepage issues and other potential failure modes, allowing the facility to return to normal operation in less than three years.

During his tenure, Brigadier General McMahon addressed the need to replace three lock gates on the Columbia-Snake River navigation system, and that was no small feat. He has also worked extensively to lay the groundwork with the Department of State in preparation for the upcoming renewal of the Columbia River Treaty. Brigadier General McMahon's hard work leaves a strong legacy upon which these important efforts may progress.

Additionally, as we all know, the Missouri River system witnessed some of the worst flooding in history in 2011. Under Brigadier General McMahon's leadership, the Army Corps responded quickly and efficiently to minimize the threats of rising floodwaters and to answer calls for help in repairing the extensive damage caused by these floods. For this, so many are grateful. His professionalism and expertise helped our Nation through this disaster and undoubtedly lessened the destruction and prevented loss of life.

On behalf of all who live in the Pacific Northwest, I thank Brigadier General McMahon for his dedication to the safety and well-being of the people of our region. His knowledge, experience, and tireless effort will be sorely missed. Mr. President, I congratulate General McMahon and wish him and his family the best of luck in their future endeavors.●

REMEMBERING PAUL SANDOVAL

● Mr. UDALL of Colorado. Mr. President, today I wish to honor a great Colorado leader and dear friend, Mr. Paul Sandoval. Two days ago, Paul passed away after a battle with pancreatic cancer, and I want to take this opportunity to honor his tremendous legacy and express my profound sadness at the loss of my dear friend a man who was the consummate public servant. I knew Paul as a fiercely compassionate person, tough yet kind, and he maintained these qualities throughout his battle with cancer.

Paul was a true family man. Known for his modesty and generosity, he gave as much to his family and friends as he did to his community and the State of Colorado. But it is not easy to express just how much Paul meant to the people of Colorado.

He was perhaps most proud of this crowning achievement: being a tamale maker. He left an indelible impact on the culinary landscape of the State. I won't be the first or last to say this, but Paul's tamale shop, La Casita, makes the best tamales in Denver. People flocked to his restaurant, a landmark in north Denver, not only because of his delicious "mile high traditional" tamales but because of the community he created for all who visited. For the past four decades, anyone seeking fresh tamales and stimulating conversation about politics made a visit to Paul's restaurant.

The consummate public servant, Paul was often called the godfather of Colorado politics. He served the State faithfully as a State senator, a member of the Denver school board, and an adviser to elected officials at the local, State and Federal levels. I often relied on Paul's guidance, and I feel the loss of his counsel and friendship deeply.

I admire Paul because he never let partisanship get in the way of a good idea. As a supporter of Democrats, Republicans, and Independents, he valued a person's character and integrity, not party affiliation. Good people make the call to public service worth heeding, and Paul was one of the best. He embodied the Colorado principle that when you work together, things get done for the good of Colorado's families. Paul's example inspires my approach to bipartisanship and collaboration in the Senate today.

Paul's hard-working, entrepreneurial spirit stems from his early life and experiences. He started selling the Denver Post at the age of 6 and was delivering groceries for a local market by the eighth grade. At that young age he even tracked down a customer who owed him for a newspaper, then negotiated with the man to pay interest for holding out. His early training in negotiation paid off for Colorado because Paul became one of our State's talented bridge-builders: he formulated commonsense public policy and then brought people together to achieve it.

The son of the founder of a meatpacking union, Paul had politics in his blood and was elected to the Colorado State Senate in 1974. In the Senate, Paul was a champion of many issues, but education issues held a special place in his heart and on his agenda. His leadership ensured the passage of Colorado's first bilingual education bill, and he cofounded the Chicano Education Project to implement bilingual curricula across the State. Paul furthered his commitment to educating Colorado's future leaders by later joining the Denver school board, and he personally set up scholarship funds to support undergraduate and graduate students.

For all of his work and in recognition of his leadership throughout the State, Paul received awards too numerous to recount here. Most recently, he was awarded the Hispanic Chamber of Commerce of Metro Denver's Lifetime Achievement Award. In addition, at this year's Jefferson Jackson Day Dinner, the Colorado Democratic Party honored him with its Lifetime Achievement Award.

My thoughts and prayers are with Paul's beloved wife Paula, his children, and his family, and I share their profound grief at the loss of my dear friend and confidant. But Paul's legacy will endure through the family he cherished, the generations of public servants he mentored, and the gift of inspiration he imparted to all of us.

I can think of no better way to describe Paul than as authentic, a real believer in what people could do through a good education and hard work, and a man who nourished a better political system the same way he nourished us with the best tamales in Denver. Paul Sandoval will be deeply missed but always remembered, for his extraordinary spirit.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:35 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1038. An act to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

H.R. 2146. An act to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes.

H.R. 3336. An act to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act.

The message further announced that the House disagree to the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoint the following Members as managers of the conference on the part of the House:

From the Committee on Transportation and Infrastructure, for consideration of the House bill (except section 141) and the Senate amendment (except sections 1801, 40102, 40201, 40202, 40204, 40205, 40305, 40307, 40309 40312, 100112 100114, and 100116), and modifications committed to conference: Messrs. MICA, YOUNG of Alaska, DUNCAN of Tennessee, SHUSTER, Mrs. CAPITO, Mr.

CRAWFORD, Ms. HERRERA BEUTLER, Messrs. BUCSHON, HANNA, SOUTHERLAND, LANKFORD, RIBBLE, RAHALL, DEFAZIO, COSTELLO, Ms. NOR-TON, Mr. NADLER, Ms. BROWN of Florida, Messrs. CUMMINGS, BOSWELL, and BISHOP of New York.

From the Committee on Energy and Commerce, for consideration of section 142 and titles II and V of the House bill, and sections 1113, 1201, 1202, subtitles B, C, D, and E of title I of division C, sections 32701 32705, 32710, 32713, 40101, and 40301 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, WHITFIELD, and WAXMAN.

From the Committee on Natural Resources, for consideration of sections 123, 142, 204, and titles III and VI of the House bill, and section 1116, subtitles C, F, and G of title I of division A, section 33009, titles VI and VII of division C, section 40101, subtitles A and B of title I of division F, and section 100301 of the Senate amendment, and modifications committed to conference: Messrs. HASTINGS of Washington, BISHOP of Utah, and MARKEY.

From the Committee on Science, Space, and Technology for consideration of sections 121, 123, 136, and 137 of the House bill, and section 1534, subtitle F of title I of division A, sections 20013, 20014, 20029, 31101, 31103, 31111, 31204, 31504, 32705, 33009, 34008, and division E of the Senate amendment, and modifications committed to conference: Messrs. HALL, CRAVAACK, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Ways and Means, for consideration of sections 141 and 142 of the House bill, and sections 1801, 40101, 40102, 40201, 40202, 40204, 40205, 40301 40307, 40309 40314, 100112 100114, and 100116 of the Senate amendment, and modifications committed to conference: Messrs. CAMP, TIBERI, and BLUMENAUER.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1038. An act to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; to the Committee on Energy and Natural Resources.

H.R. 2146. An act to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3336. An act to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act; to the Committee on Agriculture, Nutrition, and Forestry.

MEASURES DISCHARGED

The following concurrent resolution was discharged from the Committee on

the Budget pursuant to Section 300 of the Congressional Budget Act, and placed on the calendar:

S. Con. Res. 42. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5851. A communication from the Acting Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Hispanic-Serving Agricultural Colleges and Universities (HSACU) Certification Process" (RIN0524-AA39) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5852. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of fourteen (14) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5853. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of four (4) officers authorized to wear the insignia of the grade of major general and brigadier general, respectively, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5854. A communication from the Acting Assistant Secretary of Defense (Reserve Affairs), transmitting a report relative to additional Reserve component equipment procurement and military construction; to the Committee on Armed Services.

EC-5855. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC-5856. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to South Africa; to the Committee on Banking, Housing, and Urban Affairs.

EC-5857. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Republic of Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC-5858. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Singapore; to the Committee on Banking, Housing, and Urban Affairs.

EC-5859. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the United Arab Emirates (UAE); to the Committee on Banking, Housing, and Urban Affairs.

EC-5860. A communication from the Chairman and President of the Export-Import

Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Philippines; to the Committee on Banking, Housing, and Urban Affairs.

EC-5861. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-5862. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-5863. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Canada, Mexico, Chile, Colombia, Ecuador, China, Philippines, Japan, and South Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC-5864. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Constraint on Releases of Airborne Radioactive Materials to the Environment for Licensees Other than Power Reactors" (Regulatory Guide 4.20, Revision 1) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC-5865. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Changes in Provider and Supplier Enrollment, Ordering and Referring, and Documentation Requirements; and Changes in Provider Agreements" (RIN0938-AQ01) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Finance.

EC-5866. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-5867. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-5868. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Passenger Vessel SAFARI EXPLORER Arrival/Departure, Kaunakakai Harbor, Molokai, Hawaii" ((RIN1625-AA87) (Docket No. USCG-2011-1159)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5869. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; On the Waters in Kailua Bay, Oahu, HI" ((RIN1625-AA87) (Docket No. USCG-2011-1142)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5870. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "West Oahu Offshore Security Zone" ((RIN1625-AA87) (Docket No. USCG-2011-1048)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5871. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones; Cruise Ships, San Pedro Bay, California" ((RIN1625-AA87) (Docket No. USCG-2011-0101)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5872. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Submarine Cable Installation Project; Chicago River South Branch, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2011-1122)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5873. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Eisenhower Expressway Bridge Rehabilitation Project; Chicago River South Branch, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2011-1123)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5874. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; New Year's Eve Fireworks Displays within the Captain of the Port Miami Zone, FL" ((RIN1625-AA00) (Docket No. USCG-2011-1091)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5875. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Upper Mississippi River, Mile 389.4 to 403.1" ((RIN1625-AA00) (Docket No. USCG-2011-1087)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5876. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; City of Beaufort's Tricentennial New Year's Eve Fireworks Display, Beaufort River, Beaufort, SC" ((RIN1625-AA00) (Docket No. USCG-2011-1112)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5877. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sausalito Yacht Club's Annual Lighted Boat Parade and Fireworks Display, Sausalito, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0970)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5878. A communication from the Attorney, U.S. Coast Guard, Department of Home-

land Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Power Line Replacement, West Bay, Panama City, FL" ((RIN1625-AA00) (Docket No. USCG-2011-0983)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5879. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Mississippi River, Mile Marker 230 to Mile Marker 234, in the Vicinity of Baton Rouge, LA" ((RIN1625-AA00) (Docket No. USCG-2011-0841)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5880. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; New Jersey Intracoastal Waterway (NJICW), Atlantic City, NJ" ((RIN1625-AA09) (Docket No. USCG-2011-0698)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5881. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; S99 Alford Street Bridge Rehabilitation Project, Mystic River, MA" ((RIN1625-AA11) (Docket No. USCG-2011-1125)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5882. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Memorial Bridge Construction, Piscataqua River, Portsmouth, NH" ((RIN1625-AA11) (Docket No. USCG-2011-1097)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5883. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Arthur Kill, NY and NJ" ((RIN1625-AA11) (Docket No. USCG-2011-0727)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5884. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Alternate Tonnage Threshold for Oil Spill Response Vessels" ((RIN1625-AB82) (Docket No. USCG-2011-0966)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5885. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations and Safety Zones; Recurring Events in Captain of the Port New York Zone" ((RIN1625-AA00) (Docket No. USCG-2010-1001)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5886. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Boca Raton Holiday Boat Parade, Intracoastal Waterway, Boca Raton, FL" ((RIN1625-AA08) (Docket No. USCG-2011-1078)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5887. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations and Safety Zones; Recurring Events in Captain of the Port Boston Zone" ((RIN1625-AA08; AA00) (Docket No. USCG-2011-0109)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5888. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XB116) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5889. A communication from the Deputy Chief Counsel for Regulations and Security Standards, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Transportation Security Administration Postal Zip Code Change; Technical Amendment" ((49 CFR Part 1572) (Amendment No. 1572-9)) received in the Office of the President of the Senate on April 23, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5890. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Douglas, AZ" ((RIN2120-AA66) (Docket No. FAA-2011-1313)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5891. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace, and Establishment of Class E Airspace; Bozeman, MT" ((RIN2120-AA66) (Docket No. FAA-2011-0783)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5892. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Brooksville, FL" ((RIN2120-AA66) (Docket No. FAA-2012-0013)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5893. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2011-0959)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5894. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc (RR) Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2010-0562)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5895. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0997)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5896. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc." ((RIN2120-AA64) (Docket No. FAA-2012-0190)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5897. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Reciprocating Engines" ((RIN2120-AA64) (Docket No. FAA-2009-0201)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5898. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-0030)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5899. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0992)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5900. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1087)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5901. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Burl A. Rogers (Type Certificate Previously Held by William Brad Mitchell and Aeronca, Inc. Airplanes)" ((RIN2120-AA64) (Docket No. FAA-2011-0318)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5902. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0191)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5903. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0565)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5904. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1311)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5905. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Robinson Helicopter Company Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-0588)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5906. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Catch Sharing Plan" (RIN0648-BB68) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5907. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Framework Adjustment 23" (RIN0648-BB51) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5908. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery Management Plan; Secretarial Amendment" (RIN0648-BB39) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5909. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2012 and 2013 Harvest Specifications" (RIN0648-XA758) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5910. A communication from the Acting Director, Office of Sustainable Fisheries, De-

partment of Commerce, transmitting, pursuant to law, the report of a rule entitled "2012 Accountability Measures for Gulf of Mexico Commercial Greater Amberjack and Closure of the Commercial Sector for Greater Amberjack" (RIN0648-XB074) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5911. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands; Correction" (RIN0648-XB038) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5912. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure" (RIN0648-XB076) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5913. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Western Pacific Pelagic Fisheries; American Samoa Longline Limited Entry Program" (RIN0648-XB009) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5914. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" (RIN0648-XB122) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5915. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska" (RIN0648-XB149) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5916. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod for American Fisheries Act Catcher/Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XB136) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5917. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XB118) received in the Office of the President of the Senate on April 19, 2012; to

the Committee on Commerce, Science, and Transportation.

EC-5918. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District in the Gulf of Alaska" (RIN0648-XB113) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5919. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XB103) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5920. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XB142) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5921. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters" ((RIN1625-AA32) (Docket No. USCG-2001-10486)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5922. A communication from the Program Manager, Centers for Disease Control, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "World Trade Center Health Program Requirements for the Addition of New WTC-Related Health Conditions" (RIN0920-AA45) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-5923. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Cochineal Extract and Carmine in the Labeling of Wines, Distilled Spirits, and Malt Beverages" (RIN1513-AB79) received in the Office of the President of the Senate on April 25, 2012; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KOHL, from the Committee on Appropriations, without amendment:

S. 2375. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112-163).

By Mrs. FEINSTEIN, from the Committee on Appropriations, without amendment:

S. 2465. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112-164).

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

H.R. 1016. A bill to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 401. A resolution expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

S. 2224. A bill to require the President to report to Congress on issues related to Syria.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Col. Donald S. Wenke, to be Brigadier General.

Air Force nomination of Lt. Gen. Burton M. Field, to be Lieutenant General.

Air Force nomination of Maj. Gen. Bruce A. Litchfield, to be Lieutenant General.

Air Force nomination of Lt. Gen. Charles R. Davis, to be Lieutenant General.

Air Force nomination of Maj. Gen. Salvatore A. Angelella, to be Lieutenant General.

Air Force nomination of Maj. Gen. James F. Jackson, to be Lieutenant General.

Air Force nomination of Maj. Gen. Andrew E. Busch, to be Lieutenant General.

Army nomination of Colonel Robert P. White, to be Brigadier General.

Army nomination of Col. Steven Ferrari, to be Brigadier General.

Army nominations beginning with Col. Kristin K. French and ending with Col. Walter E. Piatt, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2012.

Army nomination of Lt. Gen. Dennis L. Via, to be General.

Army nomination of Col. Todd A. Plimpton, to be Brigadier General.

Army nomination of Maj. Gen. Patricia E. McQuiston, to be Lieutenant General.

Army nomination of Maj. Gen. Raymond P. Palumbo, to be Lieutenant General.

Army nomination of Lt. Gen. Robert P. Lennox, to be Lieutenant General.

Army nomination of Maj. Gen. Robert B. Brown, to be Lieutenant General.

Army nomination of Maj. Gen. Jeffrey W. Talley, to be Lieutenant General.

Navy nomination of Capt. Eric C. Young, to be Rear Admiral (lower half).

Navy nomination of Rear Adm. (lh) Terry B. Kraft, to be Rear Admiral.

Navy nomination of Rear Adm. (lh) Bryan P. Cutchen, to be Rear Admiral.

Navy nomination of Rear Adm. (lh) Jonathan W. White, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) Richard P. Breckenridge and ending with Rear Adm. (lh) Herman A. Shelanski, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2012.

Navy nomination of Vice Adm. Mark I. Fox, to be Vice Admiral.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination

lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Jennifer M. Agulto and ending with Kathryn W. Weiss, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2012.

Air Force nominations beginning with Mario Abejero and ending with Carl R. Young, Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2012.

Air Force nominations beginning with Richard E. Aaron and ending with Eric D. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2012.

Army nomination of Carol A. Fensand, to be Major.

Army nominations beginning with Kelley R. Barnes and ending with David L. Gardner, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2012.

Army nomination of Troy W. Ross, to be Colonel.

Army nomination of Sean D. Pitman, to be Major.

Army nomination of Walter S. Carr, to be Major.

Army nomination of Marc E. Patrick, to be Major.

Army nomination of Demetres Williams, to be Major.

Army nominations beginning with Alyssa Adams and ending with Donald L. Potts, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2012.

Army nomination of James M. Veazey, Jr., to be Colonel.

Army nomination of Shari F. Shugart, to be Major.

Army nominations beginning with Daniel A. Galvin and ending with Thomas J. Sears, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with Anthony R. Camacho and ending with Richard J. Sloma, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with James M. Bledsoe and ending with Daniel J. Young, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with John R. Abella and ending with D010584, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with Drew Q. Abell and ending with G010092, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with Edward C. Adams and ending with D011050, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Marine Corps nomination of Juan M. Ortiz, Jr., to be Lieutenant Colonel.

Navy nomination of David T. Carpenter, to be Captain.

Navy nomination of Michael Junge, to be Captain.

Navy nomination of Marc E. Bernath, to be Commander.

Navy nomination of Steven A. Khalil, to be Lieutenant Commander.

Navy nomination of Ashley A. Hockycko, to be Lieutenant Commander.

Navy nomination of Jason A. Langham, to be Commander.

Navy nomination of Will J. Chambers, to be Commander.

Navy nominations beginning with Patrick J. Fox, Jr. and ending with Leslie H. Trippe, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

By Mr. BINGAMAN for the Committee on Energy and Natural Resources.

*Marcilynn A. Burke, of North Carolina, to be an Assistant Secretary of the Interior.

*Adam E. Sieminski, of Pennsylvania, to be Administrator of the Energy Information Administration.

*Anthony T. Clark, of North Dakota, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2016.

*John Robert Norris, of Iowa, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2017.

By Mr. KERRY for the Committee on Foreign Relations.

*Michael A. Raynor, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Benin.
Nominee Michael A. Raynor.
Post Cotonou, Benin.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: Kathleen M. Raynor: \$25, 9/2008, Barack Obama.

3. Children and Spouses: Bradley J. Raynor: none; Emma C. Raynor: none.

4. Parents: Albert P. Raynor—deceased; Margaret B. Raynor—deceased.

5. Grandparents: Albert B. Raynor—deceased; Hazel P. Raynor—deceased; William Bradley—deceased; Beatrice Bradley—deceased.

6. Brothers and Spouses: Gregory P. Raynor—none; Geoffrey B. Raynor—deceased.

7. Sisters and Spouses: Catherine L. Raynor—none.

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*Scott H. DeLisi, of Minnesota, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uganda.

Nominee: Scott H. DeLisi.
Post: Kampala, Uganda.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self \$112.58, Oct. 2008, Obama Presidential Campaign '08; \$20.00, Dec. 2011, Obama for America.

2. Spouse: Leija C. DeLisi: \$80.00, Oct. 2008, Obama Presidential Campaign '08.

3. Children and Spouses: Daughter/Son-in-law: Tjama & Joe Saitta: \$75.00, Oct. 2008, Obama Presidential Campaign '08; Son: Anthony DeLisi: \$120.00, Oct. 2008, Obama Presidential Campaign '08; Son: Joe DeLisi: None.

4. Parents: Glorie A. DeLisi: \$75.00, Oct. 2008, Obama Presidential Campaign '08; Joseph DeLisi (deceased), none.

5. Grandparents: Agostino & Antonella DeLisi (deceased), none; Elmer & Katherine Minea (deceased), none.

6. Brothers and Spouses: Andrew & Ida DeLisi: none; Daniel (deceased) & Jill DeLisi: none.

7. Sisters and Spouses: Sister: Deborah Hannigan: \$2,200.00, Oct. 2008, Obama Presidential Campaign '08; Brother-in-Law: James Hannigan: \$500.00, Oct. 2008, Obama Presidential Campaign '08; Christine & Edmond Perz: none; Martha & David Bogie: none.

*Makila James, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Swaziland.

Nominee: Makila James
Post: Swaziland

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: \$100.00, 2008, Barack Obama.

3. Children and Spouses: Louis Wells (spouse)

4. Parents: Eddie Mae James (mother) and Albert James (father) both deceased.

5. Grandparents: Cora Lester (grandmother); Lucius Lester (grandfather), Nellie James (grandmother), and Tal James (grandfather)—all deceased.

6. Brothers and Spouses: Albert James (brother) and Avonell James (sister-in-law): none.

7. Sisters and Spouses: Names: Helen Garrett (sister): none. Rosetta James (sister): \$247.00, 2008, Hillary Clinton for President; \$205.00, 2008, Obama Victory Fund; Patricia Boatner (sister) and Arnold Boatner (brother-in-law): none; Cynthia Jenkins (sister): none; Linda James (sister): none; Lisa Wise (sister) and Tony Wise (brother-in-law): none; Felice James (sister): none.

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Foreign Service nominations beginning with Robert E. Drapcho and ending with Robert P. Schmidt, Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2012.

Foreign Service nominations beginning with Kathryn E. Abate and ending with Timothy J. Riley, which nominations were re-

ceived by the Senate and appeared in the Congressional Record on February 29, 2012.

By Mr. LEAHY for the Committee on the Judiciary.

Gonzalo P. Curiel, of California, to be United States District Judge for the Southern District of California.

Robert J. Shelby, of Utah, to be United States District Judge for the District of Utah.

Michael P. Shea, of Connecticut, to be United States District Judge for the District of Connecticut.

By Mrs. MURRAY for the Committee on Veterans' Affairs.

*Margaret Bartley, of Maryland, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

*Coral Wong Pietsch, of Hawaii, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WHITEHOUSE (for himself and Mr. GRASSLEY):

S. 2370. A bill to amend title 11, United States Code, to make bankruptcy organization more efficient for small business debtors, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. VITTER, Mr. DEMINT, and Mr. LEE):

S. 2371. A bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself and Mrs. HAGAN):

S. 2372. A bill to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 2373. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BINGAMAN (for himself, Mr. BARRASSO, Mr. WYDEN, and Mr. ENZI):

S. 2374. A bill to amend the Helium Act to ensure the expedient and responsible drawdown of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KOHL:

S. 2375. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related

Agencies programs for the fiscal year ending September 30, 2013, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. SNOWE (for herself and Ms. CANTWELL):

S. 2376. A bill to recognize and clarify the authority of the States to regulate air ambulance medical standards pursuant to their authority over the regulation of health care services within their borders, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND:

S. 2377. A bill to provide to the Administrator of the Animal and Plant Health Inspection Service of the Department of Agriculture expedited authority to remove geese that threaten aircraft; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROCKEFELLER:

S. 2378. A bill to suspend temporarily the duty on vacuum-grade ferromniobium or ferrocolumbium; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2379. A bill to reduce temporarily the duty on manganese flake containing at least 99.5 percent by weight of manganese; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2380. A bill to reduce temporarily the duty on ferromniobium; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2381. A bill to suspend temporarily the duty on mixtures containing imidacloprid and thiodicarb; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2382. A bill to suspend temporarily the duty on mixtures containing methyl 4-((3-methoxy-4-methyl-5-oxo-4,5-dihydro-1H-1,2,4-triazol-1-yl)carbonyl)-amino)sulfonyl)-5-methylthiophene-3-carboxylate, isoxaflutole, and cyprosulfamide; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2383. A bill to modify and extend the temporary reduction of duty on mixtures of imidacloprid with application adjuvants; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2384. A bill to reduce temporarily the duty on mixtures containing Imidacloprid and cyfluthrin or its B-cyfluthrin isomer; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2385. A bill to suspend temporarily the duty on Imidacloprid; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2386. A bill to reduce temporarily the duty on Penflufen; to the Committee on Finance.

By Mr. PRYOR:

S. 2387. A bill to amend the Food, Conservation, and Energy Act of 2008 to require the Secretary of Agriculture to acknowledge that the Department is considering or rejecting a civil rights claim not later than 45 days after receipt of the claim and, once considering a claim, to process all civil rights complaints within 270 days; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BEGICH (for himself, Mr. INOUE, Ms. SNOWE, Ms. MURKOWSKI, and Mr. WHITEHOUSE):

S. 2388. A bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BEGICH (for himself, Ms. MURKOWSKI, Mr. TESTER, and Mr. CRAPO):
S. 2389. A bill to deem the submission of certain claims to an Indian Health Service contracting officer as timely; to the Committee on Indian Affairs.

By Mr. GRAHAM:

S. 2390. A bill to direct the Attorney General to revise certain rules under titles II and III of the Americans with Disabilities Act of 1990 relating to accessible means of entry to pools; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN:

S. 2391. A bill to extend the temporary suspension of duty on bitolylene diisocyanate; to the Committee on Finance.

By Mr. CARDIN:

S. 2392. A bill to suspend temporarily the duty on ginger extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2393. A bill to suspend temporarily the duty on celery extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2394. A bill to suspend temporarily the duty on capsicum extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2395. A bill to suspend temporarily the duty on cassia extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2396. A bill to suspend temporarily the duty on turmeric extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2397. A bill to suspend temporarily the duty on white pepper extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2398. A bill to suspend temporarily the duty on black pepper extracted oleoresin; to the Committee on Finance.

By Mrs. MURRAY:

S. 2399. A bill to suspend temporarily the duty on sports footwear for persons other than men or women, valued at \$12/pair or higher, other than ski-boots, cross-country ski footwear and snowboard boots; to the Committee on Finance.

By Mrs. MURRAY:

S. 2400. A bill to suspend temporarily the duty on sports footwear for men (other than ski-boots, cross-country ski footwear and snowboard boots), valued \$12/pair or higher, with spikes; to the Committee on Finance.

By Mrs. MURRAY:

S. 2401. A bill to suspend temporarily the duty on sports footwear for women (other than ski-boots, cross-country ski footwear, snowboard boots and golf shoes), with spikes; to the Committee on Finance.

By Mrs. MURRAY:

S. 2402. A bill to suspend temporarily the duty on sports footwear for men (other than ski-boots, cross-country ski footwear, snowboard boots and golf shoes), with spikes; to the Committee on Finance.

By Mrs. MURRAY:

S. 2403. A bill to suspend temporarily the duty on sports footwear for persons other than men (other than ski-boots, cross-country ski footwear and snowboard boots), valued \$12/pair or higher, with spikes; to the Committee on Finance.

By Mr. KOHL (for himself and Mr. JOHNSON of Wisconsin):

S. 2404. A bill to authorize the award of the Medal of Honor to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War; to the Committee on Armed Services.

By Mr. LIEBERMAN:

S. 2405. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2406. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2407. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Finance.

By Mr. SCHUMER:

S. 2408. A bill to suspend temporarily the duty on lenses for digital cameras with a focal length 55 mm or more but not over 300 mm; to the Committee on Finance.

By Mr. SCHUMER:

S. 2409. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 10 mm or more; to the Committee on Finance.

By Mr. SCHUMER:

S. 2410. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 70mm or more; to the Committee on Finance.

By Mr. SCHUMER:

S. 2411. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 55 mm or more; to the Committee on Finance.

By Mr. SCHUMER:

S. 2412. A bill to extend the temporary suspension of duty on certain digital camera lenses not exceeding 765.5 grams in weight; to the Committee on Finance.

By Mr. SCHUMER:

S. 2413. A bill to extend temporary suspension of duty on certain plastic lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2414. A bill to extend the temporary suspension of duty on certain porcelain lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2415. A bill to extend the temporary suspension of duty on certain aluminum lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2416. A bill to extend the temporary suspension of duty on certain brass lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2417. A bill to suspend temporarily the duty on certain occupancy sensors; to the Committee on Finance.

By Mr. SCHUMER:

S. 2418. A bill to suspend temporarily the duty on certain electrical connectors; to the Committee on Finance.

By Mr. SCHUMER:

S. 2419. A bill to suspend temporarily the duty on certain time switches; to the Committee on Finance.

By Mr. SCHUMER:

S. 2420. A bill to suspend temporarily the duty on certain surge protectors; to the Committee on Finance.

By Mr. SCHUMER:

S. 2421. A bill to suspend temporarily the duty on certain tamper resistant ground fault circuit interrupters; to the Committee on Finance.

By Mr. SCHUMER:

S. 2422. A bill to suspend temporarily the duty on certain adjustable metal lighting fixtures; to the Committee on Finance.

By Mr. SCHUMER:

S. 2423. A bill to suspend temporarily the duty on nightlights of plastic; to the Committee on Finance.

By Mr. SCHUMER:

S. 2424. A bill to extend the temporary suspension of duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one, 1-

hydroxypyridine-2-thione, zinc salt, and application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:

S. 2425. A bill to extend the temporary suspension of duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one and application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:

S. 2426. A bill to suspend temporarily the duty on p-toluenesulfonamide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2427. A bill to suspend temporarily the duty on instant print film for analog photography; to the Committee on Finance.

By Mr. SCHUMER:

S. 2428. A bill to suspend temporarily the duty on cyflufenamid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2429. A bill to extend the temporary suspension of duty on tebufenozide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2430. A bill to extend the temporary reduction of duty on Acetamidrid, whether or not mixed with application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:

S. 2431. A bill to extend the temporary suspension of duty on cis-3-hexen-1-ol; to the Committee on Finance.

By Mr. SCHUMER:

S. 2432. A bill to extend the temporary suspension of duty on Helional; to the Committee on Finance.

By Mr. SCHUMER:

S. 2433. A bill to extend the temporary suspension of duty on magnesium zinc aluminum hydroxide carbonate coated with stearic acid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2434. A bill to extend the temporary suspension of duty on magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) and magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) coated with stearic acid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2435. A bill to extend the temporary suspension of duty on C12-18 alkenes, polymers (TPX) with 4-methyl-1-pentene; to the Committee on Finance.

By Mr. SCHUMER:

S. 2436. A bill to extend the temporary suspension of duty on cyanuric chloride; to the Committee on Finance.

By Mr. SCHUMER:

S. 2437. A bill to extend the temporary suspension of duty on sodium hypophosphite monohydrate; to the Committee on Finance.

By Mr. SCHUMER:

S. 2438. A bill to extend the temporary suspension of duty on sorbic acid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2439. A bill to renew the temporary suspension of duty on potassium sorbate; to the Committee on Finance.

By Mr. SCHUMER:

S. 2440. A bill to renew the temporary suspension of duty on N-propyl gallate; to the Committee on Finance.

By Mr. SCHUMER:

S. 2441. A bill to suspend temporarily the duty on thiourea dioxide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2442. A bill to suspend temporarily the duty on 12-hydroxystearic acid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2443. A bill to suspend temporarily the duty on sodium ferrocyanide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2444. A bill to reduce temporarily the duty on certain ceramic frit rings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2445. A bill to reduce temporarily the duty on certain metal iodide pellets; to the Committee on Finance.

By Mr. SCHUMER:

S. 2446. A bill to suspend temporarily the duty on leather footwear for women with uppers other than of pigskin, valued \$35/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2447. A bill to suspend temporarily the duty on leather footwear for women with uppers other than of pigskin (other than house slippers, work footwear, tennis shoes, basketball shoes and the like), valued \$20/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2448. A bill to suspend temporarily the duty on footwear for women (other than house slippers, tennis shoes, basketball shoes, gym shoes, training shoes and the like and other than work footwear), valued \$15/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2449. A bill to suspend temporarily the duty on nonenumerated footwear for women, valued \$25/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2450. A bill to suspend temporarily the duty on nonenumerated footwear with textile uppers for women, other than house slippers, valued \$13/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2451. A bill to suspend temporarily the duty on footwear other than house slippers, for women, valued \$9.00/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2452. A bill to suspend temporarily the duty on women's belts of leather or composition leather, each valued \$7.00 or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2453. A bill to suspend temporarily the duty on necklaces or bracelets, other than necklaces or bracelets containing jadeites or rubies, valued \$10 each or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2454. A bill to suspend temporarily the duty on imitation jewelry earrings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2455. A bill to suspend temporarily the duty on imitation jewelry necklaces or bracelets, valued \$10 each or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2456. A bill to extend the temporary suspension of duty on sodium hypophosphite monohydrate; to the Committee on Finance.

By Mr. SCHUMER:

S. 2457. A bill to suspend temporarily the duty on anatase titanium dioxide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2458. A bill to suspend temporarily the duty on germanium unwrought; to the Committee on Finance.

By Mr. SCHUMER:

S. 2459. A bill to suspend temporarily the duty on germanium oxides; to the Committee on Finance.

By Mr. SCHUMER:

S. 2460. A bill to suspend temporarily the duty on gallium unwrought; to the Committee on Finance.

By Mr. SCHUMER:

S. 2461. A bill to renew and modify the temporary suspension of duty on certain low

expansion stoppers, lids, and other closures; to the Committee on Finance.

By Mr. SCHUMER:

S. 2462. A bill to renew and modify the temporary reduction of duty on certain low expansion laboratory glassware; to the Committee on Finance.

By Mr. LEVIN:

S. 2463. A bill to suspend temporarily the duty on fireworks (Class 1.4G), other than display or special fireworks; to the Committee on Finance.

By Mr. LEVIN:

S. 2464. A bill to suspend temporarily the duty on display or special fireworks (Class 1.3G); to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2465. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. TESTER:

S. 2466. A bill to amend title 10, United States Code, to authorize the provision of behavioral health readiness services to certain members of the Selected Reserve of the Armed Forces based on need, and for other purposes; to the Committee on Armed Services.

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 2467. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2013, and for other purposes; to the Committee on Armed Services.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 2468. A bill to establish the Columbine-Hondo Wilderness in the State of New Mexico, to provide for the conveyance of certain parcels of National Forest System land in the State, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELLER:

S. 2469. A bill to prohibit an agency or department of the United States from establishing or implementing an internal policy that discourages or prohibits the selection of a resort or vacation destination as the location for a conference or event, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PAUL (for himself and Mr. UDALL of Colorado):

S. 2470. A bill to amend title 13, United States Code, to provide for the more accurate and complete enumeration of members of the Armed Forces in any tabulation of total population by the Secretary of Commerce, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH (for himself and Mr. LEE):

S. 2471. A bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself and Mr. ISAKSON):

S. 2472. A bill to provide for the issuance and sale of a semipostal by the United States Postal Service for research and demonstration projects relating to autism spectrum disorders; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE (for himself, Mr. BARASSO, Ms. MURKOWSKI, Mr. PAUL, and Mr. HATCH):

S. 2473. A bill to prohibit the establishment of new units of the National Forest System, National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, or any other system established by Federal law, or any national conservation or national recreation area without approval of the applicable State legislature; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (for himself and Mr. INOUE):

S. 2474. A bill to improve the health of minority individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN of Ohio:

S. 2475. A bill to extend the temporary suspension of duty on Mixtures of N'-(3,4-dichloro-phenyl)-N,N-dimethylurea with acrylate rubber; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2476. A bill to suspend temporarily the duty on mixture of 1-(1,2,3,4,5,6,7,8-octahydro-2,3,8,8-tetramethyl-2-naphthalenyl)-ethan-1-one (and isomers); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2477. A bill to suspend temporarily the duty on certain warp knit open-work fabric; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2478. A bill to extend the temporary suspension of duty on 4,8-dicyclohexyl-6-2,10-dimethyl-12 H-dibenzo[d,g][1,3,2]-dioxaphosphocin); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2479. A bill to extend the temporary suspension of duty on o-Chloro-p-toluidine (3-chloro-4-methylaniline); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2480. A bill to suspend temporarily the duty on 4-vinylbenzenesulfonic acid, lithium salt; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2481. A bill to extend the temporary suspension of duty on 1-octadecanaminium, N,N-dimethyl-N-octadecyl-, (Sp-4-2)-[29H,31H-phthalocyanine-2-sulfonato(3-)-kN29,kN30,kN31, kN32]cuprate(1-); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2482. A bill to suspend temporarily the duty on 4-vinylbenzenesulfonic acid, sodium salt hydrate; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2483. A bill to suspend temporarily the duty on 1,3-propanediaminium, N-[3-[[[dimethyl[3-[2-methyl-1-oxo-2-propenyl]amino]propyl]ammonio]acetyl]amino]pentyl]-2-hydroxy-N,N,N',N',N'-pentamethyl-, trichloride, polymer with 2-propanamide; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2484. A bill to suspend temporarily the duty on p-toluidine; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2485. A bill to suspend temporarily the duty on certain plastic laminate sheets consisting of layers of polyethylene film, polyethylene coextrusion copolymer of low density polyethylene and ethylene acrylic acid, and aluminum foil; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2486. A bill to suspend temporarily the duty on Ethylene-Propylene polymer; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2487. A bill to suspend temporarily the duty on 2-cyclo-hexylidene-2-phenyl-acetonitrile; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2488. A bill to reduce temporarily the duty on frames and mountings for spectacles, goggles, or the like; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2489. A bill to extend the temporary suspension of duty on mixtures of caprolactam disulfide with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2490. A bill to suspend temporarily the duty on 3-trifluoromethyl-4-nitrophenol; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2491. A bill to extend the temporary suspension of duty on Copper Phthalocyanine Green 7, Crude; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2492. A bill to suspend temporarily the duty on sodium thiocyanate; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2493. A bill to suspend temporarily the duty on 1,3,5-triazine-2,4,6-triamine, polymer with formaldehyde; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2494. A bill to renew the temporary suspension of duty on 2-oxepanone, polymer with aziridine and tetrahydro-2H-pyran-2-one, dodecanoate ester; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2495. A bill to suspend temporarily the duty on certain clearcoat lacquer; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2496. A bill to extend the temporary suspension of duty on mixtures of zinc dicyanato diamine with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2497. A bill to suspend temporarily the duty on mixtures of polyethylene glycol, C16-C18 fatty acids, and C2-C6 aliphatic hydrocarbons; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2498. A bill to extend the temporary suspension of duty on 4,4'-oxydiphthalic anhydride; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2499. A bill to suspend temporarily the duty on a mixture of alkali metal phenate, mineral oil, and p-Dodecylphenol; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2500. A bill to extend the temporary suspension of duty on 3-methyl-4-(2,6,6-trimethylcyclohex-2-enyl)but-3-en-2-one(Methylionone); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2501. A bill to extend the temporary suspension of duty on mixtures of (acetato) pentammine cobalt dinitrate with a polymeric or paraffinic carrier; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2502. A bill to suspend temporarily the duty on benzene, polypropene derivatives; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2503. A bill to extend the temporary suspension of duty on 1,3-Bis(4-

aminophenoxy)benzene (RODA); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2504. A bill to suspend temporarily the duty on D-Galacto-D-mannan, 2-hydroxy-3-(trimethylammonio)propyl ether, chloride (83589-59-7), 1-Propanaminium, 2,3-dihydroxy-N,N,N-trimethyl-, chloride (34004-36-9) and water; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2505. A bill to extend the temporary suspension of duty on mixtures of benzenesulfonic acid, dodecyl-, with 2-aminoethanol and Poly (oxy-1,2-ethanediyl), a-[1-oxo-9- octadecenyl]- w-hydroxy-, (9Z); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2506. A bill to suspend temporarily the duty on D-Galacto-D-mannan; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2507. A bill to reduce temporarily the duty on parts of frames and mountings for spectacles, goggles, or the like; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. UDALL of Colorado (for himself, Mr. CORNYN, Mr. MENENDEZ, Mr. BINGAMAN, Mr. REID, Mr. BENNET, Mr. AKAKA, Ms. STABENOW, Mrs. FEINSTEIN, and Mrs. HUTCHISON):

S. Res. 440. A resolution recognizing the historic significance of the Mexican holiday of Cinco de Mayo; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Ms. KLOBUCHAR, Mr. PRYOR, and Mr. THUNE):

S. Res. 441. A resolution expressing support for the designation of May 2012 as National Youth Traffic Safety Month; considered and agreed to.

By Mr. JOHANNIS (for himself and Mr. NELSON of Nebraska):

S. Res. 442. A resolution celebrating the 140th anniversary of Arbor Day; considered and agreed to.

By Mr. NELSON of Florida (for himself, Mr. RUBIO, and Mr. MENENDEZ):

S. Res. 443. A resolution honoring the life and legacy of Auxiliary Bishop Agustin Roman; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. THUNE):

S. Res. 444. A resolution designating the week of May 1 through May 7, 2012, as "National Physical Education and Sport Week"; considered and agreed to.

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. Res. 445. A resolution expressing support for the designation of May 1, 2012, as "Silver Star Service Banner Day"; considered and agreed to.

By Mr. RUBIO (for himself, Mr. MCCAIN, Mr. JOHANNIS, and Ms. AYOTTE):

S. Res. 446. A resolution expressing the sense of the Senate that the United Nations and other intergovernmental organizations should not be allowed to exercise control over the Internet; to the Committee on Foreign Relations.

By Mr. PAUL:

S. Con. Res. 42. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year

2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022; placed on the calendar.

By Mr. REID:

S. Con. Res. 43. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 207

At the request of Mr. KOHL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 207, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 250

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 250, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 434

At the request of Mr. COCHRAN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 434, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 491

At the request of Mr. PRYOR, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 491, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 750

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a co-

sponsor of S. 750, a bill to reform the financing of Senate elections, and for other purposes.

S. 889

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 889, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day.

S. 1133

At the request of Mr. WYDEN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1133, a bill to prevent the evasion of antidumping and countervailing duty orders, and for other purposes.

S. 1162

At the request of Mr. DEMINT, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Indiana (Mr. COATS), the Senator from Louisiana (Mr. VITTER), the Senator from Utah (Mr. LEE) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 1162, a bill to authorize the International Trade Commission to develop and recommend legislation for temporarily suspending duties, and for other purposes.

S. 1202

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1202, a bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture.

S. 1301

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1718

At the request of Mr. WYDEN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1718, a bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

S. 1773

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1773, a bill to promote local and regional farm and food systems, and for other purposes.

S. 1872

At the request of Mr. CASEY, the names of the Senator from Maine (Ms.

COLLINS) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1946

At the request of Mr. WHITEHOUSE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1946, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers.

S. 1989

At the request of Ms. CANTWELL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1989, a bill to amend the Internal Revenue Code of 1986 to make permanent the minimum low-income housing tax credit rate for unsubsidized buildings and to provide a minimum 4 percent credit rate for existing buildings.

S. 1993

At the request of Mr. NELSON of Florida, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1993, a bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

S. 2010

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2010, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 2050

At the request of Ms. SNOWE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2050, a bill to amend the Internal Revenue Code of 1986 to extend certain provisions of the Creating Small Business Jobs Act of 2010, and for other purposes.

S. 2069

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2069, a bill to amend the Public Health Service Act to speed American innovation in research and drug development for the leading causes of death that are the most costly chronic conditions for our Nation, to save American families and the Federal and State governments money, and to help family caregivers.

S. 2112

At the request of Mr. BEGICH, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2112, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 2121

At the request of Ms. KLOBUCHAR, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2121, a bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Delaware (Mr. COONS), the Senator from Utah (Mr. LEE) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2173

At the request of Mr. DEMINT, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Texas (Mr. CORNYN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Oklahoma (Mr. INHOFE), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2173, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 2219

At the request of Mr. WHITEHOUSE, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2219, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 2237

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2237, a bill to provide a temporary income tax credit for increased payroll

and extend bonus depreciation for an additional year, and for other purposes.

S. 2255

At the request of Mr. BURR, the names of the Senator from Alaska (Mr. BEGICH), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2255, a bill to amend chapter 1 of title 36, United States Code, to add Welcome Home Vietnam Veterans Day as a patriotic and National observance.

S. 2320

At the request of Ms. AYOTTE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2320, a bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes.

S. 2325

At the request of Mr. NELSON of Florida, the names of the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Mr. BEGICH), the Senator from Ohio (Mr. BROWN) and the Senator from Missouri (Mrs. McCASKILL) were added as cosponsors of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2338

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 2338, a bill to reauthorize the Violence Against Women Act of 1994.

S. 2343

At the request of Mr. REID, the names of the Senator from Washington (Mrs. MURRAY), the Senator from New York (Mrs. GILLIBRAND), the Senator from Vermont (Mr. SANDERS), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Oregon (Mr. WYDEN), the Senator from Minnesota (Mr. FRANKEN), the Senator from Alaska (Mr. BEGICH), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

S. 2344

At the request of Mr. VITTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2344, a bill to extend the National Flood Insurance Program until December 31, 2012.

S. 2366

At the request of Mr. ALEXANDER, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Nevada (Mr. HELLER), the Senator from Florida (Mr. RUBIO) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 2366, a bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

S. RES. 227

At the request of Mr. WEBB, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 227, a resolution calling for the protection of the Mekong River Basin and increased United States support for delaying the construction of mainstream dams along the Mekong River.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

S. RES. 419

At the request of Mr. CARDIN, his name was added as a cosponsor of S. Res. 419, a resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week.

S. RES. 436

At the request of Mr. BEGICH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. Res. 436, a resolution designating the week of April 22 through 28, 2012, as the "Week of the Young Child".

S. RES. 439

At the request of Mr. BLUMENTHAL, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 439, a resolution expressing the sense of the Senate that Village Voice Media Holdings, LLC should eliminate the "adult entertainment" section of the classified advertising website Backpage.com.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself, Mr. BARRASSO, Mr. WYDEN, and Mr. ENZI:

S. 2374. A bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes: to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I am pleased to introduce the Helium Stewardship Act of 2012, along with my cosponsors, Senators BARRASSO, WYDEN, and ENZI. This bipartisan bill addresses the need for ongoing stewardship of the nation's helium reserve in Amarillo, Texas. The helium reserve is not only a domestic treasure, but it also provides nearly 30 percent of the world's helium.

Helium is a commodity that is frequently overlooked and often only considered when you are going to the florist to purchase party balloons for your

child's birthday party. I want to take a moment and highlight the importance of this commodity, as well as the importance of the U.S. helium reserve in the world's helium market.

Helium is critical to a wide range of industrial, scientific, and medical markets, including medical devices such as MRIs, industrial welding, high tech manufacturing of microchips and fiber optic cables, manufacturing magnets for wind turbines, space exploration at NASA, and other important scientific research that is conducted at national laboratories like those in my State.

The current sales and management structure for the helium reserve is distorting the private helium market and threatening helium supplies for Federal medical and scientific research, and other private commercial applications. The low government sales price is also a barrier to the development of private sources of helium. But more importantly, if Congress does not act, the helium program will disappear altogether in less than three years, leaving our hospitals, national labs, domestic manufacturers, and helium producers high and dry.

This bipartisan bill will address these issues by authorizing prudent helium sales and management beyond 2015 and securing private access to Federal supplies. It will also allow for the continued repayment of the national debt by selling helium at fair market prices—providing a good return on investment to the American taxpayer. This will bolster the private helium sector, and help to create long-term jobs in this American resource sector, as well as ensure the continued success of domestic manufacturers that utilize helium in their manufacturing process.

Finally, this bill will ensure secure access to helium for our national labs, scientific researchers, NASA, medical institutions, and universities, who rely on helium to push the boundaries of science and technology here in the USA. In particular, as the reserve is sold off, a 15 year supply of helium will be set aside exclusively for Federal researchers to guarantee continuity of our research programs as we transition to purely private sources of helium.

The bill is based on stakeholder input of the National Academies of Science, Bureau of Land Management staff, scientific researchers, high-tech manufacturers, and the private helium industry to address the most pressing problems facing Federal helium users and the helium industry today.

I would like to conclude by taking a moment to acknowledge the exceptional efforts of Dr. Marcius Extavour who was the AAAS Science policy fellow and physicist working on the Energy and Natural Resources Committee last year. He worked diligently to help craft this important piece of legislation and I thank him for his efforts.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2374

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Helium Stewardship Act of 2012".

SEC. 2. DEFINITIONS.

Section 2 of the Helium Act (50 U.S.C. 167) is amended—

(1) in paragraph (1), by striking the semicolon at the end and inserting a period;

(2) in paragraph (2), by striking "and" and inserting a period; and

(3) by adding at the end the following:

"(4) FEDERAL HELIUM RESERVE.—

"(A) IN GENERAL.—The term 'Federal Helium Reserve' means helium reserves owned by the United States.

"(B) INCLUSIONS.—The term 'Federal Helium Reserve' includes—

"(i) the Cliffside Field helium storage reservoir;

"(ii) the federally owned helium pipeline system; and

"(iii) all associated infrastructure owned, leased, or managed under contract by the Secretary for storage, transportation, withdrawal, purification, or management of helium.

"(5) LOW-BTU GAS.—The term 'low-Btu gas' means a fuel gas with a heating value of less than 250 Btu per standard cubic foot measured as the higher heating value resulting from the inclusion of noncombustible gases, including nitrogen, helium, argon, and carbon dioxide."

SEC. 3. SALE OF CRUDE HELIUM.

Section 6 of the Helium Act (50 U.S.C. 167d) is amended to read as follows:

"SEC. 6. SALE OF CRUDE HELIUM.

"(a) PHASE A: BUSINESS AS USUAL.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary may offer for sale crude helium for Federal, medical, scientific, and commercial uses in such quantities, at such times, and under such conditions as the Secretary, in consultation with the helium industry, determines necessary to carry out this subsection with minimum market disruption.

"(2) MINIMUM QUANTITY.—The Secretary shall offer for sale during each fiscal year under paragraph (1) a quantity of crude helium that is not less than the quantity of crude helium offered for sale by the Secretary during fiscal year 2012.

"(3) PURCHASE BY FEDERAL AGENCIES.—Federal agencies, and extramural holders of 1 or more Federal research grants, may purchase refined helium under this subsection for Federal, medical, and scientific uses from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

"(4) DURATION.—This subsection applies during the period—

"(A) beginning on the date of enactment of the Helium Stewardship Act of 2012; and

"(B) ending on the date on which all amounts required to be repaid to the United States under this Act as of October 1, 1995, are repaid in full.

"(b) PHASE B: MAXIMIZING TOTAL RECOVERY OF HELIUM.—

"(1) IN GENERAL.—The Secretary may offer for sale crude helium for Federal, medical,

scientific, and commercial uses in such quantities, at such times, and under such conditions as the Secretary, in consultation with the helium industry, determines necessary—

"(A) to maximize total recovery of helium from the Federal Helium Reserve over the long term;

"(B) to manage crude helium sales according to the ability of the Secretary to extract and produce helium from the Federal Helium Reserve;

"(C) to respond to helium market supply and demand;

"(D) to give priority to meeting the helium demand of Federal users in event of any disruption to the Federal Helium Reserve; and

"(E) to carry out this subsection.

"(2) PURCHASE BY FEDERAL AGENCIES.—Federal agencies, and extramural holders of 1 or more Federal research grants, may purchase refined helium under this subsection for Federal, medical, and scientific uses from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

"(3) DURATION.—This subsection applies during the period—

"(A) beginning on the day after the date described in subsection (a)(4)(B); and

"(B) ending on the date on which the volume of recoverable crude helium at the Federal Helium Reserve (other than privately owned quantities of crude helium stored temporarily at the Federal Helium Reserve under section 5 and this section) is 3,000,000,000 standard cubic feet.

"(c) PHASE C: ACCESS FOR FEDERAL USERS.—

"(1) IN GENERAL.—The Secretary may offer for sale crude helium for Federal uses (including medical and scientific uses) in such quantities, at such times, and under such conditions as the Secretary determines necessary to carry out this subsection.

"(2) PURCHASE BY FEDERAL AGENCIES.—Federal agencies, and extramural holders of 1 or more Federal research grants, may purchase refined helium under this subsection for Federal uses (including medical and scientific uses) from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

"(3) EFFECTIVE DATE.—This subsection applies beginning on the day after the date described in subsection (b)(3)(B).

"(d) PRICES AND DETERMINATIONS.—

"(1) IN GENERAL.—Sales of crude helium by the Secretary shall be at prices established by the Secretary that approximate the crude helium price in the private market as of the date of the offer for sale.

"(2) DETERMINATION OF SALE PRICE.—The Secretary may make a determination of the prices described in paragraph (1) using—

"(A) a confidential survey of qualifying domestic helium sourcing transactions to which any holder of a contract with the Secretary for the acceptance, storage, and redelivery of crude helium in the Cliffside Field helium storage reservoir is a party;

"(B) current market crude helium prices inferred from any amount received by the Secretary from the sale or disposition of helium on Federal land under subsection (f); and

"(C) in consultation with the helium industry, the volume-weighted average cost among helium refiners, producers, and liquefiers, in dollars per thousand cubic feet, of converting gaseous crude helium into bulk liquid helium.

"(3) AUTHORITY OF SECRETARY.—The Secretary shall require all persons or entities

that are parties to a contract with the Secretary for the acceptance, storage, and redelivery of crude helium to disclose, on a strictly confidential basis in dollars per thousand cubic feet, the weighted average price of all crude helium and bulk liquid helium purchased or processed by the persons in all qualifying domestic helium sourcing transactions during the fiscal year.

“(4) QUALIFYING DOMESTIC HELIUM SOURCING TRANSACTIONS.—

“(A) IN GENERAL.—In establishing the prices described in paragraph (1), the Secretary shall consider subparagraphs (B) and (C) to ensure a reasonable number of transactions.

“(B) INCLUSIONS.—For the purposes of this subsection, qualifying domestic helium sourcing transactions include any new agreement in the United States for the purchase of at least 20,000,000 standard cubic feet of crude helium or liquid helium in the fiscal year in which the Secretary collects the data.

“(C) EXCLUSIONS.—For the purposes of this subsection, qualifying domestic helium sourcing transactions do not include—

“(i) purchases of crude helium from the Secretary; or

“(ii) transactions at prices indexed to the posted crude helium price of the Secretary.

“(5) USE OF INFORMATION.—The Secretary may use the information gathered under this subsection to approximate the current fair market price for crude helium to ensure recovery of fair value for the taxpayers of the United States from sales of crude helium.

“(6) PROTECTION OF CONFIDENTIALITY.—The Secretary shall adopt such administrative policies and procedures that the Secretary considers necessary and reasonable to ensure robust protection of the confidentiality of data submitted by private persons.

“(e) HELIUM PRODUCTION FUND.—

“(1) IN GENERAL.—All amounts received under this Act, including amounts from the sale of crude helium, shall be credited to the Helium Production Fund, which shall be available without fiscal year limitation for purposes considered necessary by the Secretary to carry out this subsection.

“(2) CAPITAL INVESTMENTS AND MAINTENANCE.—The Secretary may use funds credited to the Helium Production Fund to fund capital investments in upgrades and maintenance at the Federal Helium Reserve, including—

“(A) well head maintenance at the Cliffside Field helium storage reservoir;

“(B) capital investments in maintenance and upgrades of facilities that pressurize the Cliffside Field helium storage reservoir;

“(C) capital investments in maintenance and upgrades of equipment related to the storage, withdrawal, transportation, purification, and sale of crude helium at the Cliffside Field helium storage reservoir; and

“(D) any other scheduled or unscheduled maintenance of the Cliffside Field helium storage reservoir and helium pipeline.

“(3) EXCESS FUNDS.—Any amounts in the Fund described in paragraph (1) that exceed the amounts that the Secretary determines to be necessary to carry out paragraph (1) and any contracts negotiated under this Act shall be paid to the Treasury and credited against the amounts required to be repaid to the Treasury under subsection (a).

“(f) EXTRACTION OF HELIUM FROM DEPOSITS ON FEDERAL LAND.—All amounts received by the Secretary from the sale or disposition of helium on Federal land shall be paid to the Treasury and credited against the amounts required to be repaid to the Treasury under subsection (a).”.

SEC. 4. HELIUM RESOURCE ASSESSMENT, CONSERVATION RESEARCH, AND HELIUM-3 SEPARATION.

The Helium Act is amended by striking section 15 (50 U.S.C. 167m) and inserting the following:

“SEC. 15. HELIUM GAS RESOURCE ASSESSMENT.

“Not later than 2 years after the date of enactment of the Helium Stewardship Act of 2012, the Secretary, acting through the Director of the United States Geological Survey, shall—

“(1) in coordination with appropriate heads of State geological surveys—

“(A) complete a national helium gas assessment that identifies and quantifies the quantity of helium, including the isotope helium-3, in each reservoir, including assessments of the constituent gases found in each helium resource, such as carbon dioxide, nitrogen, and natural gas; and

“(B) make available the modern seismic and geophysical log data for characterization of the Bush Dome Reservoir;

“(2) in coordination with appropriate international agencies and the global geology community, complete a global helium gas assessment that identifies and quantifies the quantity of the helium, including the isotope helium-3, in each reservoir;

“(3) in coordination with the Secretary of Energy, acting through the Administrator of the Energy Information Administration, complete—

“(A) an assessment of trends in global demand for helium, including the isotope helium-3;

“(B) a 10-year forecast of domestic demand for helium across all sectors, including scientific and medical research, manufacturing, space technologies, cryogenics, and national defense; and

“(C) an inventory of medical, scientific, industrial, commercial, and other uses of helium in the United States, including Federal and commercial helium uses, that identifies the nature of the helium use, the amounts required, the technical and commercial viability of helium recapture and recycling in that use, and the availability of material substitutes wherever possible; and

“(4) submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the assessments required under this paragraph.

“SEC. 16. LOW-BTU GAS SEPARATION AND HELIUM CONSERVATION RESEARCH AND DEVELOPMENT.

“(a) AUTHORIZATION.—The Secretary of Energy shall support programs of research, development, commercial application, and conservation (including the programs described in subsection (b))—

“(1) to expand the domestic production of low-Btu gas and helium resources;

“(2) to separate and capture helium from natural gas streams at the wellhead; and

“(3) to reduce the venting of helium and helium-bearing low-Btu gas during natural gas exploration and production.

“(b) PROGRAMS.—

“(1) MEMBRANE TECHNOLOGY RESEARCH.—The Secretary of Energy, in consultation with other appropriate agencies, shall support a civilian research program to develop advanced membrane technology that is used in the separation of low-Btu gases, including technologies that remove helium and other constituent gases that lower the Btu content of natural gas.

“(2) HELIUM SEPARATION TECHNOLOGY.—The Secretary of Energy shall support a research

program to develop technologies for separating, gathering, and processing helium in low concentrations that occur naturally in geological reservoirs or formations, including—

“(A) low-Btu gas production streams; and

“(B) technologies that minimize the atmospheric venting of helium gas during natural gas production.

“(3) INDUSTRIAL HELIUM PROGRAM.—The Secretary of Energy, working through the Industrial Technologies Program of the Department of Energy, shall carry out a research program—

“(A) to develop low-cost technologies and technology systems for recycling, reprocessing, and reusing helium; and

“(B) to develop industrial gathering technologies to capture helium from other chemical processing, including ammonia processing.

“SEC. 17. HELIUM-3 SEPARATION.

“(a) INTERAGENCY COOPERATION.—The Secretary shall cooperate with the Secretary of Energy, or a designee, on any assessment or research relating to the extraction and refining of the isotope helium-3 from crude helium at the Federal Helium Reserve or along the helium pipeline system, including—

“(1) gas analysis;

“(2) infrastructure studies; and

“(3) cooperation with private helium refiners.

“(b) FEASIBILITY STUDY.—The Secretary, in consultation with the Secretary of Energy, or a designee, may carry out a study to assess the feasibility of establishing a facility to separate the isotope helium-3 from crude helium at—

“(1) the Federal Helium Reserve; or

“(2) an existing helium separation or purification facility connected to the helium pipeline system.

“(c) REPORT.—Not later than 1 year after the date of enactment of the Helium Stewardship Act of 2012, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that contains a description of the results of the assessments conducted under this section.”.

SEC. 5. MISCELLANEOUS.

Section 102 of the Soda Ash Royalty Reduction Act of 2006 (30 U.S.C. 262 note; Public Law 109-338) is amended by striking “5-year” and inserting “7-year”.

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 2467. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2013, and for other purposes; to the Committee on Armed Services.

Mr. LEVIN. Mr. President, Senator MCCAIN and I are introducing, by request, the Administration’s proposed National Defense Authorization Act for fiscal year 2013. As is the case with any bill that is introduced by request, we introduce this bill for the purpose of placing the administration’s proposals before Congress and the public without expressing our own views on the substance of these proposals. As Chairman and Ranking Member of the Armed Services Committee, we look forward

to giving the administration's requested legislation our most careful review and thoughtful consideration.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 2468. A bill to establish the Columbine-Hondo Wilderness in the State of New Mexico, to provide for the conveyance of certain parcels of National Forest System land in the State, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I rise today to introduce the Columbine-Hondo Wilderness Act which will designate approximately 45,000 acres in the Sangre de Cristo Mountains in northern New Mexico as wilderness. I am pleased that my colleague, Senator TOM UDALL, is a cosponsor of this legislation.

Located in the Carson National Forest in Taos County, the Columbine-Hondo is one of the last remaining segments of this high alpine ecosystem to receive permanent wilderness protection. The concept of wilderness has deep roots and a long history in the Carson National Forest. For example, in the early 1900s, Aldo Leopold, known as the father of wilderness, spent his early career in the Forest Service in the Carson where he quickly reached the post of Forest Supervisor. There is no doubt that he spent much time traveling through this landscape that likely helped cultivate his thoughts on the importance of wilderness.

Leopold's concept of wilderness evolved over time and heavily influenced policy makers and the growing conservation community. He wrote, "Wilderness is the raw material out of which man has hammered the artifact called civilization. . . . To the laborer in the sweat of his labor, the raw stuff on his anvil is an adversary to be conquered. So was wilderness an adversary to the pioneer. But to the laborer in repose, able for the moment to cast a philosophical eye on his world, that same raw stuff is something to be loved and cherished, because it gives definition and meaning to his life." One person who shared that definition and meaning with Aldo Leopold was former New Mexico Senator Clinton P. Anderson. In fact, due in large part to the conversations he had with Leopold forty years earlier, Senator Anderson led the effort in Congress to pass the Wilderness Act of 1964.

In that 1964 Act, the Wheeler Peak Wilderness became the first wilderness area in the Carson National Forest, which lies just south of the Columbine-Hondo area. Shortly thereafter in 1970, the Taos Pueblo-Blue Lake Wilderness, adjacent to Wheeler Peak, was established, further demonstrating that the idea of wilderness is a valuable concept to Indian tribes wishing to protect their most sacred sites for future generations. Another decade had to pass

before Congress protected additional lands in New Mexico as wilderness in 1980, including the Latir Peak Wilderness, north of the Columbine-Hondo. In that same Act, the Columbine-Hondo was designated as a Wilderness Study Area to allow Congress further time to review the merits of designating this area as wilderness.

Aldo Leopold laments in *A Sand County Almanac* that progress in conservation is slow—a fact that hasn't changed much in modern times. "Despite nearly a century of propaganda," he wrote, "conservation still proceeds at a snail's pace." In this context, it is unfortunately not surprising that it has taken Congress over 30 years to review the merits of the Columbine-Hondo Wilderness Study Area.

But the time to permanently protect the Columbine-Hondo is now before us. After many years of hard work by local community leaders, a nearly unanimous consensus has formed in support of protecting this landscape as wilderness. This is due to the longstanding recognition by the surrounding communities and their residents of the benefits that wilderness provides them. The mountains provide communities with clean air and act as a watershed, providing them with fresh and clean water. Sportsmen benefit from the protection of quality habitat that will ensure the elk, deer, and antelope found in the mountains and the fish in the mountain streams will continue to thrive. Communities like the Towns of Taos and Red River and the Villages of Questa and Taos Ski Valley can find economic benefits by attracting visitors seeking opportunities for solitude and quiet recreation, including hiking, birding, horseback riding, and even the occasional llama trekking. And community members can create job opportunities through outfitting and other service industries to assist residents and visitors alike explore these gateways to a more primitive era.

Wilderness also ensures that the way of life of many local ranchers will remain protected from threats like mining or disruptive off-road vehicle use. Local mountain biking coalitions have also recognized that a balance can be reached to protect wilderness values while making practical and common sense boundary adjustments that will help promote sustainable mountain biking opportunities in the region.

During my tenure in the Senate, it has been relatively uncommon to find such overwhelming support for the establishment of a new wilderness area. I commend the dedication and perseverance exhibited by the many local wilderness advocates who have devoted many years to see this effort come to fruition. Without their help, it may have taken another decade before Congress addressed this long outstanding matter. Congress has had 32 years now to review the designation of the Col-

umbine-Hondo Wilderness. With such broad support having been developed, I urge my colleagues to support this initiative to protect this area without further delay.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2468

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Columbine-Hondo Wilderness Act".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—ADDITION TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

Sec. 101. Designation of the Columbine-Hondo Wilderness.

Sec. 102. Wheeler Peak Wilderness boundary modification.

Sec. 103. Authorization of appropriations.

TITLE II—LAND CONVEYANCES AND SALES.

Sec. 201. Town of Red River land conveyance.

Sec. 202. Village of Taos Ski Valley land conveyance.

Sec. 203. Authorization of sale of certain National Forest System land.

SEC. 2. DEFINITIONS.

In this Act:

(1) **RED RIVER CONVEYANCE MAP.**—The term "Red River Conveyance Map" means the map entitled "Town of Red River Town Site Act Proposal" and dated April 19, 2012.

(2) **SECRETARY.**—The term "Secretary" means the Secretary of Agriculture.

(3) **STATE.**—The term "State" means the State of New Mexico.

(4) **TOWN.**—The term "Town" means the town of Red River, New Mexico.

(5) **VILLAGE.**—The term "Village" means the village of Taos Ski Valley, New Mexico.

(6) **WILDERNESS.**—The term "Wilderness" means the Columbine-Hondo Wilderness designated by section 101(a).

(7) **WILDERNESS MAP.**—The term "Wilderness Map" means the map entitled "Columbine-Hondo, Wheeler Peak Wilderness" and dated April 19, 2012.

TITLE I—ADDITION TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

SEC. 101. DESIGNATION OF THE COLUMBINE-HONDO WILDERNESS.

(a) **IN GENERAL.**—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 45,000 acres of land in the Carson National Forest in the State, as generally depicted on the Wilderness Map, is designated as wilderness and as a component of the National Wilderness Preservation System, which shall be known as the "Columbine-Hondo Wilderness".

(b) **MANAGEMENT.**—Subject to valid existing rights, the Wilderness shall be administered by the Secretary in accordance with this Act and the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(c) **INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.**—Any land or interest in

land that is within the boundary of the Wilderness that is acquired by the United States shall—

- (1) become part of the Wilderness; and
- (2) be managed in accordance with—
 - (A) the Wilderness Act (16 U.S.C. 1131 et seq.);
 - (B) this section; and
 - (C) any other applicable laws.
- (d) GRAZING.—Grazing of livestock in the Wilderness, where established before the date of enactment of this Act, shall be administered in accordance with—
 - (1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and
 - (2) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96-617).

(e) COLUMBINE HONDO WILDERNESS STUDY AREA.—

(1) FINDING.—Congress finds that, for purposes of section 103(a)(2) of Public Law 96-550 (16 U.S.C. 1132 note; 94 Stat. 3223), any Federal land in the Columbine Hondo Wilderness Study Area administered by the Forest Service that is not designated as wilderness by subsection (a) has been adequately reviewed for wilderness designation.

(2) APPLICABILITY.—The Federal land described in paragraph (1) is no longer subject to subsections (a)(2) and (b) of section 103 of Public Law 96-550 (16 U.S.C. 1132 note; 94 Stat. 3223).

(f) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of the Wilderness.

(2) FORCE OF LAW.—The maps and legal descriptions prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(g) FISH AND WILDLIFE.—Nothing in this Act affects the jurisdiction of the State with respect to fish and wildlife located on public land in the State, except that the Secretary, after consultation with the New Mexico Department of Game and Fish, may designate zones in which, and establish periods during which, hunting or fishing shall not be allowed for reasons of public safety, administration, the protection for nongame species and associated habitats, or public use and enjoyment.

(h) WITHDRAWALS.—Subject to valid existing rights, the Federal land described in subsections (a) and (e)(1) and any land or interest in land that is acquired by the United States in the Wilderness after the date of enactment of this Act is withdrawn from—

- (1) entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 102. WHEELER PEAK WILDERNESS BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the Wheeler Peak Wilderness in the State is modified as generally depicted in the Wilderness Map.

(b) WITHDRAWAL.—Subject to valid existing rights, any Federal land added to or excluded from the boundary of the Wheeler Peak Wil-

derness under subsection (a) is withdrawn from—

- (1) entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 103. AUTHORIZATION OF APPROPRIATIONS. There are authorized to be appropriated such sums as are necessary to carry out this title.

TITLE II—LAND CONVEYANCES AND SALES.

SEC. 201. TOWN OF RED RIVER LAND CONVEYANCE.

(a) IN GENERAL.—Subject to the provisions of this section, the Secretary shall convey to the Town, without consideration and by quitclaim deed, all right, title, and interest of the United States in and to the 1 or more parcels of Federal land described in subsection (b) for which the Town submits a request to the Secretary by the date that is not later than 1 year after the date of enactment of this Act.

(b) DESCRIPTION OF LAND.—The parcels of Federal land referred to in subsection (a) are the parcels of National Forest System land (including any improvements to the land) in Taos County, New Mexico, that are identified as “Parcel 1”, “Parcel 2”, “Parcel 3”, and “Parcel 4” on the Red River Conveyance Map.

(c) CONDITIONS.—The conveyance under subsection (a) shall be subject to—

- (1) valid existing rights;
- (2) public rights-of-way through “Parcel 1”, “Parcel 3”, and “Parcel 4”;
- (3) an administrative right-of-way through “Parcel 2” reserved to the United States; and
- (4) such additional terms and conditions as the Secretary may require.

(d) USE OF LAND.—As a condition of the conveyance under subsection (a), the Town shall use—

- (1) “Parcel 1” for a wastewater treatment plant;
- (2) “Parcel 2” for a cemetery;
- (3) “Parcel 3” for a public park; and
- (4) “Parcel 4” for a public park.

(e) REVERSION.—In the quitclaim deed to the Town under subsection (a), the Secretary shall provide that any parcel of Federal land conveyed to the Town under subsection (a) shall revert to the Secretary, at the election of the Secretary, if the parcel of Federal land is used for a purpose other than the purpose for which the parcel was conveyed, as required under subsection (d).

(f) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

(2) COSTS.—The Town shall pay the reasonable survey and other administrative costs associated with the conveyance.

SEC. 202. VILLAGE OF TAOS SKI VALLEY LAND CONVEYANCE.

(a) IN GENERAL.—Subject to the provisions of this section, the Secretary shall convey to the Village, without consideration and by quitclaim deed, all right, title, and interest of the United States in and to the parcel of Federal land described in subsection (b) for which the Village submits a request to the Secretary by the date that is not later than 1 year after the date of enactment of this Act.

(b) DESCRIPTION OF LAND.—The parcel of Federal land referred to in subsection (a) is

the parcel comprising approximately 4.6 acres of National Forest System land (including any improvements to the land) in Taos County generally depicted as “Parcel 1” on the map entitled “Village of Taos Ski Valley Town Site Act Proposal” and dated April 19, 2012.

(c) CONDITIONS.—The conveyance under subsection (a) shall be subject to—

- (1) valid existing rights;
- (2) an administrative right-of-way through the parcel of Federal land described in subsection (b) reserved to the United States; and
- (3) such additional terms and conditions as the Secretary may require.

(d) USE OF LAND.—As a condition of the conveyance under subsection (a), the Village shall use the parcel of Federal land described in subsection (b) for a wastewater treatment plant.

(e) REVERSION.—In the quitclaim deed to the Village, the Secretary shall provide that the parcel of Federal land conveyed to the Village under subsection (a) shall revert to the Secretary, at the election of the Secretary, if the parcel of Federal land is used for a purpose other than the purpose for which the parcel was conveyed, as described in subsection (d).

(f) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

(2) COSTS.—The Village shall pay the reasonable survey and other administrative costs associated with the conveyance.

SEC. 203. AUTHORIZATION OF SALE OF CERTAIN NATIONAL FOREST SYSTEM LAND.

(a) IN GENERAL.—Subject to the provisions of this section and in exchange for consideration in an amount that is equal to the fair market value of the applicable parcel of National Forest System land, the Secretary may convey—

(1) to the holder of the permit numbered “QUE302101” for use of the parcel, the parcel of National Forest System land comprising approximately 0.2 acres that is generally depicted as “Parcel 5” on the Red River Conveyance Map; and

(2) to the owner of the private property adjacent to the parcel, the parcel of National Forest System land comprising approximately 0.1 acres that is generally depicted as “Parcel 6” on the Red River Conveyance Map.

(b) DISPOSITION OF PROCEEDS.—Any amounts received by the Secretary as consideration for a conveyance under subsection (a) shall be—

(1) deposited in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”) (16 U.S.C. 484a); and

(2) available to the Secretary, without further appropriation and until expended, for the acquisition of land or interests in land in the Carson National Forest.

(c) CONDITIONS.—The conveyance under subsection (a) shall be subject to—

- (1) valid existing rights; and
- (2) such additional terms and conditions as the Secretary may require.

(d) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

(2) COSTS.—The reasonable survey and other administrative costs associated with the conveyance shall be paid by the holder of the permit or the owner of the private property, as applicable.

By Mr. AKAKA (for himself and Mr. INOUE):

S. 2474. A bill to improve the health of minority individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. AKAKA. Mr. President, I am proud to once again introduce legislation addressing the health care disparities in racial and ethnic minority communities, the Health Equity and Accountability Act of 2012. I would like to thank my cosponsor, Senator INOUE, along with a number of our colleagues in the House of Representatives, for all their support and contributions to this important legislation, and for raising awareness of this widespread problem.

While there are glaring health disparities based on racial and ethnic identity alone, they are further exacerbated by factors such as socioeconomic, geography, and sexual orientation and identity. Although the exact causes for the current state of health disparities in our country may be debatable, it is undeniable that ethnic, racial, geographic, and other minorities across the United States are plagued by disproportionately high rates of disease and experience a diminished quality of health care. Statistics paint a disturbing picture of minority health, consistently showing higher rates of illness and death for members of minority and marginalized groups.

For instance, HIV/AIDS has had a devastating impact on minorities in the U.S. In 2009, ethnic minorities accounted for over 70 percent of newly diagnosed cases of HIV. That year, nine out of ten babies born with HIV belonged to minority groups. The Office of Minority Health reported that, compared to Caucasians, Hispanic individuals are 3 times more likely to be diagnosed with AIDS; Native Americans are 1.4 times more likely; and Native Hawaiians and Pacific Islanders are 2.4 times more likely to be diagnosed with AIDS.

Cancer is the number one killer of Asian American Pacific Islanders and the second leading cause of death for most other racial and ethnic minorities in the United States. Cancer also affects African Americans at particularly alarming rates and has a disproportionate prevalence in the population of Hispanic women, who are 1.6 times more likely to be diagnosed with cervical cancer than non-Hispanic women. In addition, Native Americans are twice as likely as non-Hispanic whites to develop stomach or liver cancer.

The infant mortality rates for African Americans are one-and-a-half to 3 times higher than the rates for infants born to women of other races and ethnicities. Hispanic individuals are three times more likely to be diagnosed with AIDS than Caucasian individuals. As our nation continues to struggle with obesity, trends show in-

creasingly high rates of obesity in minority groups, with young Mexican-American men under the age of 20 experiencing obesity at a rate of 25 percent of the population, while white men of the same age have a rate of just 15 percent.

Circulatory diseases are a growing problem in the Pacific region. These diseases not only lower patients' quality of life, but they are also very costly. Data from the Agency for Healthcare Research and Quality shows that eliminating preventable hospitalizations that are associated with lower incomes would save \$6.7 billion in health care costs each year. However, the numbers alone do not capture the full extent of health disparities since there are additional issues with data collection and multiple factors often contribute to deaths.

In 2005, I introduced a similar piece of legislation, S. 1580, because many of the indigenous and ethnic minority communities across the United States and its territories lacked essential access to health care and suffered from certain key diseases at disproportionately high rates. The bill I am introducing today addresses many of the same issues and also takes into account the strong advances made by the Patient Protection and Affordable Care Act. In 2008, the landmark health care reform legislation laid the foundation to start reducing some of those health disparities. Senator INOUE and I are introducing this legislation today to build on the work of the Affordable Care Act, and to advance the national discussion on how we can better achieve health equity.

While the Affordable Care Act expanded care in diverse communities across the country, such as Asian Americans, Native Hawaiians, and Pacific Islanders, it is important that we take further steps to ensure that all Americans, regardless of racial, ethnic, socioeconomic, physical, and geographic circumstances, have affordable access to high-quality health care. Because the causes of health care disparities are wide-ranging, the scope of this bill must be equally encompassing. Therefore, my bill focuses on two main strategies: first, encouraging research on diseases and conditions that disproportionately impact minority individuals; and second, improving access to effective care for minority communities.

We must make it easier to identify existing disparities through comprehensive data collection, ensure workforce diversity, target diseases that disproportionately affect minorities, and make culturally and linguistically appropriate health care services available to all.

We need more comprehensive data on the most significant health care problems experienced by minority individuals and the factors that play a role in

how these diseases affect different communities. The more we know about the way populations are affected by disease, the better prepared health care professionals will be to create strategies to both treat and prevent each high-impact disease in specific communities. My bill will help to accomplish this by strengthening both data collection and the reporting of health data.

To complement our efforts in data collection, we must also target disease awareness education and effective preventative services towards communities with large populations of ethnic and racial minorities at high risk for certain diseases. Community-based programs as well as comprehensive disease-specific programs already in place are helping to ensure that the health needs of minority communities are being met. My legislation would revitalize efforts in community health and preventive services, which are the most cost-effective ways of providing care.

This bill builds upon the Affordable Care Act's historic investment in prevention and calls for resources to target communities striving to overcome negative social factors. This bill encourages these investments and focuses on preventing fatal diseases, which could save thousands of lives each year and lower health care costs.

Although prevention plays a critical role in finding ways to close disparities, we also have to invest in research to develop better treatment plans for diseases that disproportionately affect indigenous, racial, and ethnic minorities, and to ensure that currently underserved communities have access to care. My bill proposes focused approaches to combat a variety of diseases and conditions, including heart disease, cancer, diabetes, and HIV/AIDS, which have a disparate impact on racial and ethnic minorities. This legislation also helps to provide affordable and culturally appropriate access to care in several ways.

My bill, the Health Equity and Accountability Act of 2012, includes proposals to remove significant barriers to health care coverage and access and maximize the positive impact of federal investments in health care in minority communities. For example, it would re-establish Medicaid eligibility for citizens of the Compact of Free Association nations living in the United States. This would greatly ease the financial burden on States like Hawaii and Arkansas, which have been forced to absorb the costs of providing health and social services, education, and public safety for Compact migrants in accordance with unfunded Federal mandates since 1996.

My bill would also make health care more affordable and improve access by providing a 100 percent Federal Medicaid Assistance Percentage, FMAP, for Native Hawaiians who receive health care from Federally Qualified

Health Centers or the Native Hawaiian Health Care System. The increased FMAP will ensure that Native Hawaiians have access to the essential health services provided by community health centers and the Native Hawaiian Health Care System. These provisions would provide treatment for Native Hawaiians that is similar to that already provided to Native Alaskans through the Indian Health Service or tribal organizations.

This legislation will make it easier for minorities with cultural and language barriers to improve their health outcomes by enhancing language access services, making health literacy a priority in patient care, and making sure there is culturally competent care in the health care delivery system. My bill will support professionals who are well-equipped to provide quality health care that is culturally and linguistically appropriate. As a part of this effort, this legislation creates training opportunities for willing and competent minority candidates to enter the health care workforce.

The Health Equity and Accountability Act also seeks to ensure that communities of color benefit from the rapid advances in health information technology, or health IT. It also encourages new investments in health IT infrastructure, which will serve as the foundation for improving the quality, effectiveness, and efficiency for all Americans in our future health care system. Improvements in health IT and health IT infrastructure will also make it possible for rural communities to access mobile health services and other treatment and diagnostics that were previously unavailable.

Another vital service that my bill seeks to make more accessible is mental health care. The Affordable Care Act fundamentally improved services for individuals with mental health and addiction disorders. Despite the improvements, mental health treatment remains underutilized, especially by minorities, due to social stigma and cultural resistance. To develop access and encourage treatment, my bill incorporates culturally competent strategies to address mental and behavioral health problems affecting minority communities and authorizes investment in researching and treating these serious conditions.

However, we cannot simply put these provisions in place and believe that they will eliminate all health disparities. We must have accountability and regular evaluation of these programs to ensure they are being carried out as they were intended, and that they are meeting their goals. To that end, my bill strengthens oversight by the Department of Health and Human Services, requiring the Department to make regular scheduled reports to Congress on the impact of these initiatives to ensure that they are continuing to reduce health disparities.

April is National Minority Health Month, and as we work diligently to transform health care in America, it is essential that we strive to eliminate the health disparities that affect our minority groups. This bill would significantly improve the quality of life for indigenous people, ethnic and racial minorities, as well as other marginalized groups. I encourage my colleagues to support this legislation, and begin an open dialogue on how we can close the gap in health care across the country.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 440—RECOGNIZING THE HISTORIC SIGNIFICANCE OF THE MEXICAN HOLIDAY OF CINCO DE MAYO

Mr. UDALL of Colorado (for himself, Mr. CORNYN, Mr. MENENDEZ, Mr. BINGAMAN, Mr. REID, Mr. BENNET, Mr. AKAKA, Ms. STABENOW, Mrs. FEINSTEIN, and Mrs. HUTCHISON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 440

Whereas May 5, or “Cinco de Mayo” in Spanish, is celebrated each year as a date of great importance by the Mexican and Mexican-American communities;

Whereas the Cinco de Mayo holiday commemorates May 5, 1862, the date on which Mexicans who were struggling for independence and freedom fought the Battle of Puebla;

Whereas Cinco de Mayo has become widely celebrated annually by nearly all Mexicans and Mexican-Americans, north and south of the United States-Mexico border;

Whereas the Battle of Puebla was but one of the many battles that the courageous Mexican people won in their long and brave struggle for independence and freedom;

Whereas the French army, confident that its battle-seasoned troops were far superior to the less-seasoned Mexican troops, expected little or no opposition from the Mexican army;

Whereas the French army, which had not experienced defeat against any of the finest troops of Europe in more than half a century, sustained a disastrous loss at the hands of an outnumbered and ill-equipped, but highly spirited and courageous, Mexican army;

Whereas, after 3 bloody assaults on Puebla in which more than 1,000 French soldiers lost their lives, the French troops were finally defeated and driven back by the outnumbered Mexican troops;

Whereas the courageous spirit that Mexican General Ignacio Zaragoza and his men displayed during that historic battle can never be forgotten;

Whereas many brave Mexicans willingly gave their lives for the causes of justice and freedom in the Battle of Puebla on Cinco de Mayo;

Whereas the sacrifice of the Mexican fighters was instrumental in keeping Mexico from falling under European domination while, in the United States, the Union Army battled Confederate forces in the Civil War;

Whereas Cinco de Mayo serves as a reminder that the foundation of the United

States was built by people from many countries and diverse cultures who were willing to fight and die for freedom;

Whereas Cinco de Mayo also serves as a reminder of the close ties between the people of Mexico and the people of the United States;

Whereas, in a larger sense, Cinco de Mayo symbolizes the right of a free people to self-determination, just as Benito Juarez, the president of Mexico during the Battle of Puebla, once said, “El respeto al derecho ajeno es la paz” (“Respect for the rights of others is peace”); and

Whereas many people celebrate Cinco de Mayo during the entire week in which the date falls: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic struggle of the people of Mexico for independence and freedom, which Cinco de Mayo commemorates; and

(2) encourages the people of the United States to observe Cinco de Mayo with appropriate ceremonies and activities.

Mr. UDALL of Colorado. Mr. President, I rise with Senators CORNYN, MENENDEZ, BINGAMAN, REID, BENNET, STABENOW, AKAKA, FEINSTEIN, and HUTCHISON to submit a resolution commemorating Cinco de Mayo.

We all love Cinco de Mayo for the food and festivities that we have grown so accustomed to across the country. However, the day is also of great historical relevance, commemorating the Battle of Puebla, an unlikely Mexican military victory over the French in 1862. Since then, Cinco de Mayo has come to represent Mexican-Americans’ many contributions to the United States. For many decades Coloradans and communities across the country have celebrated this day in a way that brings pride to the contributions of the Mexican-American community of our state.

The commemoration of Cinco de Mayo also highlights the courage that Mexican forces displayed on May 5, 1862, a courage that was welcomed by the Union Army as it battled Confederate forces in the American Civil War. The victory of the beleaguered force of Mexican troops at the Battle of Puebla was a setback for Napoleon’s France that weakened France’s immense resources and limited its ability to meddle in America’s Civil War. As Mexico sought to defend itself from European aggression, the Battle of Puebla is a reminder for us that the foundation of the United States was also built through fights in which the United States often found itself as the underdog. But through perseverance, the willingness to fight and die for freedom, and the contributions of a diverse cultural mix of Americans from across the globe, we have been made stronger. This is something we should celebrate about our country’s history.

This day in history has become especially important in Colorado, where the contributions of many Mexican-American families can be seen throughout our communities. As in years past, towns throughout Colorado

and our nation will celebrate with food, educational activities, music and dancing, and I encourage my fellow Coloradans to join in their communities' celebrations.

SENATE RESOLUTION 441—EX-PRESSING SUPPORT FOR THE DESIGNATION OF MAY 2012 AS NATIONAL YOUTH TRAFFIC SAFETY MONTH

Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Ms. KLOBUCHAR, Mr. PRYOR, and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 441

Whereas motor vehicle crashes are the leading cause of death for youth in the United States;

Whereas thousands of youth are injured or die each year in motor vehicle crashes;

Whereas on average, 11 youths die each day in motor vehicle crashes;

Whereas on average, May through August is the deadliest period for youths on our nation's highways;

Whereas on average, 8 of the top 10 deadliest days for youths on our nation's highways were between May and August;

Whereas events such as prom and graduation, and the summer driving season, contribute to the risk of a motor vehicle crash due to an increase in the amount of time youth spend on the road and in celebratory activities;

Whereas it is essential to teach our youths that driving is a privilege and with that privilege comes risks and responsibilities;

Whereas this education is essential to preventing risky behaviors that can result in tragic crashes;

Whereas the National Organizations For Youth Safety (NOYS) established a national youth campaign and National Youth Traffic Safety Month to draw attention to the increased rate of motor vehicle crashes involving youth between May and August, to help enforce youth safe driving laws, and to support youth and community education on youth traffic safety; and

Whereas NOYS invites all youths, families, and communities to participate in National Youth Traffic Safety Month:

Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation of May 2012 as "National Youth Traffic Safety Month";

(2) supports youth traffic safety awareness; and

(3) encourages people across the United States to observe National Youth Traffic Safety Month with appropriate programs, activities, and ceremonies.

SENATE RESOLUTION 442—CELEBRATING THE 140TH ANNIVERSARY OF ARBOR DAY

Mr. JOHANNIS (for himself and Mr. NELSON of Nebraska) submitted the following resolution; which was considered and agreed to:

S. RES. 442

Whereas Arbor Day was founded in Nebraska City, Nebraska on April 10, 1872, to recognize the importance of planting trees;

Whereas it is estimated that on the first Arbor Day, more than 1,000,000 trees were planted in the State of Nebraska alone;

Whereas Arbor Day is observed in all 50 States and across the world;

Whereas participating in Arbor Day activities promotes civic participation and highlights the importance of planting and caring for trees and vegetation;

Whereas those activities provide an opportunity to convey to future generations the value of land and stewardship;

Whereas National Arbor Day is observed on the last Friday of April each year; and

Whereas April 27, 2012, marks the 140th anniversary of Arbor Day: Now, therefore, be it *Resolved*, That the Senate—

(1) recognizes April 27, 2012, as National Arbor Day;

(2) celebrates the 140th anniversary of Arbor Day;

(3) supports the goals and ideals of Arbor Day; and

(4) encourages the people of United States to participate in Arbor Day activities.

SENATE RESOLUTION 443—HONORING THE LIFE AND LEGACY OF AUXILIARY BISHOP AGUSTIN ROMAN

Mr. NELSON of Florida (for himself, Mr. RUBIO, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 443

Whereas Agustín Román was appointed auxiliary bishop of the Archdiocese of Miami, Florida in 1979, becoming the first Cuban to be appointed bishop in the United States;

Whereas Agustín Román was expelled from Cuba in 1961 by the regime of Fidel Castro, along with many other Roman Catholic priests;

Whereas Agustín Román ministered in Chile for 4 years before coming to Miami, Florida in 1966, where he quickly became a spiritual leader and advocate for the Cuban community in Miami, as well as for many other immigrant communities, including Haitian refugees;

Whereas Agustín Román was fluent in Latin, English, French, and Spanish, and served on the Bishops' Committee for Hispanic Affairs, worked as a hospital chaplain, and became episcopal vicar for the Spanish-speaking people of the Archdiocese of Miami;

Whereas Agustín Román was the son of humble Cuban peasants, which influenced his commitment to humility, tenacity, and unceasing devotion to his ministry in southern Florida;

Whereas Agustín Román was instrumental in the construction of the Shrine of Our Lady of Charity on Biscayne Bay, which serves as a monument to the patron saint of Cuba, the Virgin of Charity of Cobre, and attracts hundreds of thousands of visitors each year;

Whereas in 1980 Agustín Román served as a mediator during the Mariel boatlift incident, helping more than 100,000 Cubans flee the island and safely resettle in the United States;

Whereas Agustín Román helped negotiate a peaceful resolution to the 1987 riots of Mariel prisoner uprisings in Federal prisons, earning him national recognition for his compassion, gentility, and humble spirit;

Whereas after his retirement at the age of 75, Agustín Román remained active at the Shrine of Our Lady Charity, greeting visitors

and responding to letters from fellow Cuban exiles; and

Whereas Agustín Román passed away on Wednesday, April 11, 2012: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the life of Agustín Román;

(2) recognizes and honors the spiritual leadership of Agustín Román and his dedication to freedom and faith;

(3) offers heartfelt condolences to the family, friends, and loved ones of Agustín Román; and

(4) in memory of Agustín Román, calls on the United States to continue policies that promote respect for the fundamental principles of religious freedom, democracy, and human rights in Cuba, in a manner consistent with the aspirations of the people of Cuba.

SENATE RESOLUTION 444—DESIGNATING THE WEEK OF MAY 1 THROUGH MAY 7, 2012, AS "NATIONAL PHYSICAL EDUCATION AND SPORT WEEK"

Ms. KLOBUCHAR (for herself and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 444

Whereas a decline in physical activity has contributed to the unprecedented epidemic of childhood obesity, which has more than tripled in the United States since 1980;

Whereas regular physical activity is necessary to support normal and healthy growth in children and is essential to the continued health and well-being of children;

Whereas according to the Centers for Disease Control, overweight adolescents have a 70- to 80-percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death;

Whereas physical activity reduces the risk of heart disease, high blood pressure, diabetes, and certain types of cancers;

Whereas type 2 diabetes can no longer be referred to as "late in life" or "adult onset" diabetes because type 2 diabetes presently occurs in children as young as 10 years old;

Whereas the Physical Activity Guidelines for Americans issued by the Department of Health and Human Services recommend that children engage in at least 60 minutes of physical activity on most, and preferably all, days of the week;

Whereas according to the Centers for Disease Control, only 19 percent of high school students are meeting the goal of 60 minutes of physical activity each day;

Whereas children spend many of their waking hours at school and, as a result, need to be active during the school day to meet the recommendations of the Physical Activity Guidelines for Americans;

Whereas nationally, according to the Centers for Disease Control, 1 out of 4 children does not attend any school physical education classes, and fewer than 1 in 4 children get 20 minutes of vigorous activity every day;

Whereas teaching children about physical education and sports not only ensures that the children are physically active during the school day, but also educates the children on how to be physically active and the importance of physical activity;

Whereas according to a 2006 survey by the Department of Health and Human Services,

3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education (or an equivalent) for the entire school year, and 22 percent of schools do not require students to take any physical education courses at all;

Whereas according to that 2006 survey, 13.7 percent of elementary schools, 15.2 percent of middle schools, and 3.0 percent of high schools provide physical education (or an equivalent) at least 3 days per week for the entire school year for students in all grades in the school;

Whereas research shows that fit and active children are more likely to thrive academically;

Whereas increased time in physical education classes can help the attention, concentration, and achievement test scores of children;

Whereas participation in sports teams and physical activity clubs, often organized by the school and run outside of the regular school day, can improve grade point average, school attachment, educational aspirations, and the likelihood of graduation;

Whereas participation in sports and physical activity improves self-esteem and body image in children and adults;

Whereas children and youths who partake in physical activity and sports programs have increased motor skills, healthy lifestyles, social skills, a sense of fair play, strong teamwork skills, self-discipline, and avoidance of risky behaviors;

Whereas the social and environmental factors affecting children are in the control of the adults and the communities in which the children live, and therefore, the people of the United States share a collective responsibility in reversing the childhood obesity epidemic;

Whereas if efforts are made to intervene with unfit children to bring those children to physically fit levels, then there may also be a concomitant rise in the academic performance of those children; and

Whereas Congress strongly supports efforts to increase physical activity and participation of children and youth in sports: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 1 through May 7, 2012, as “National Physical Education and Sport Week”;

(2) recognizes National Physical Education and Sport Week and the central role of physical education and sports in creating a healthy lifestyle for all children and youth;

(3) supports the implementation of local school wellness policies (as that term is described in section 9A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758b)) that include ambitious goals for physical education, physical activity, and other activities that address the childhood obesity epidemic and promote child wellness; and

(4) encourages schools to offer physical education classes to students and work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.

SENATE RESOLUTION 445—EX-PRESSING SUPPORT FOR THE DESIGNATION OF MAY 1, 2012, AS “SILVER STAR SERVICE BANNER DAY”

Mrs. McCASKILL (for herself and Mr. BLUNT) submitted the following resolu-

tion; which was considered and agreed to:

S. RES. 445

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the American people remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices of members and veterans of the Armed Forces on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices of members and veterans of the Armed Forces on behalf of the United States should never be forgotten; and

Whereas May 1, 2012, is an appropriate date to designate as “Silver Star Service Banner Day”: Now, therefore, be it

Resolved, That the Senate supports the designation of May 1, 2012, as “Silver Star Service Banner Day” and calls upon the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 446—EX-PRESSING THE SENSE OF THE SENATE THAT THE UNITED NATIONS AND OTHER INTERGOVERNMENTAL ORGANIZATIONS SHOULD NOT BE ALLOWED TO EXERCISE CONTROL OVER THE INTERNET

Mr. RUBIO (for himself, Mr. McCAIN, Mr. JOHANNIS, and Ms. AYOTTE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 446

Whereas market-based policies and private sector leadership have given the Internet flexibility to evolve;

Whereas the position of the United States Government is and has been to advocate for the free flow of information, Internet freedom, and multi-stakeholder governance of the Internet internationally;

Whereas the current multi-stakeholder model of Internet governance has enabled the Internet to flourish and allowed the private sector, civil society, academia, and individual users to play an important role in charting the direction of the Internet;

Whereas, given the importance of the Internet to the global economy, it is essential that the underlying technical infrastructure of the Internet remain stable and secure;

Whereas the developing world deserves the benefits that the Internet provides, including access to knowledge, services, commerce, and communication, the accompanying benefits to economic development, education, health care, and social assembly, and the informed discussion that is the bedrock of democratic self-government;

Whereas the explosive and hugely beneficial growth of the Internet resulted not

from increased government involvement but from the opening of the Internet to commerce and private sector innovation;

Whereas the governments of some countries that advocate radical change in the structure of Internet governance censor the information available to their citizens through the Internet, use the Internet to prevent democratization, and use the Internet as a tool of surveillance to curtail legitimate political discussion and dissent, and other countries operate telecommunications systems as state-controlled monopolies or highly regulated and highly taxed entities;

Whereas some countries that support transferring Internet governance to an entity affiliated with the United Nations, or to another intergovernmental organization, might seek to have such an entity or organization endorse policies of those countries that block access to information, stifle political dissent, and maintain outmoded communications structures; and

Whereas the structure and control of Internet governance has profound implications for democratization, free expression, competition and trade, access to information, privacy, security, and the protection of intellectual property, and the threat of some countries to take unilateral action that would fracture the root zone file would result in a less functional Internet with diminished benefits for all people: Now, therefore, be it

Resolved, That the Senate calls on the President—

(1) to continue to oppose any effort to transfer control of the Internet to the United Nations or any other intergovernmental organization;

(2) to recognize the need for, and pursue, a continuing and constructive dialogue with the international community on the future of Internet governance; and

(3) to advance the values of a free Internet in the broader trade and diplomatic efforts of the United States Government.

SENATE CONCURRENT RESOLUTION 42—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2013, REVISING THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEAR 2012, AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2013 THROUGH 2022.

Mr. PAUL submitted the following concurrent resolution; which was placed on the calendar:

S. CON. RES. 42

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2013 through 2022.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Social Security.

Sec. 103. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-reduction reserve fund for the sale of unused or vacant Federal properties.

Sec. 202. Deficit-reduction reserve fund for selling excess Federal land.

Sec. 203. Deficit-reduction reserve fund for the repeal of Davis-Bacon prevailing wage laws.

Sec. 204. Deficit-reduction reserve fund for the reduction of purchasing and maintaining Federal vehicles.

Sec. 205. Deficit-reduction reserve fund for the sale of financial assets purchased through the Troubled Asset Relief Program.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

Sec. 301. Discretionary spending limits for fiscal years 2012 through 2022, program integrity initiatives, and other adjustments.

Sec. 302. Point of order against advance appropriations.

Sec. 303. Emergency legislation.

Sec. 304. Adjustments for the extension of certain current policies.

Subtitle B—Other Provisions

Sec. 311. Oversight of Government performance.

Sec. 312. Application and effect of changes in allocations and aggregates.

Sec. 313. Adjustments to reflect changes in concepts and definitions.

Sec. 314. Rescind unspent or unobligated balances after 36 months.

TITLE IV—RECONCILIATION

Sec. 401. Reconciliation in the Senate.

TITLE V—CONGRESSIONAL POLICY CHANGES

Sec. 501. Policy statement on social security.

Sec. 502. Policy statement on medicare.

Sec. 503. Policy statement on tax reform.

TITLE VI—SENSE OF CONGRESS

Sec. 601. Regulatory reform.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2012: \$1,896,000,000,000.
 Fiscal year 2013: \$1,615,000,000,000.
 Fiscal year 2014: \$1,740,000,000,000.
 Fiscal year 2015: \$2,261,000,000,000.
 Fiscal year 2016: \$2,406,000,000,000.
 Fiscal year 2017: \$2,651,000,000,000.
 Fiscal year 2018: \$2,965,000,000,000.
 Fiscal year 2019: \$3,186,000,000,000.
 Fiscal year 2020: \$3,419,000,000,000.
 Fiscal year 2021: \$3,663,000,000,000.
 Fiscal year 2022: \$3,822,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2012: —\$23,000,000,000.
 Fiscal year 2013: —\$675,000,000,000.
 Fiscal year 2014: —\$845,000,000,000.
 Fiscal year 2015: —\$537,000,000,000.
 Fiscal year 2016: —\$559,000,000,000.
 Fiscal year 2017: —\$521,000,000,000.
 Fiscal year 2018: —\$365,000,000,000.
 Fiscal year 2019: —\$312,000,000,000.

Fiscal year 2020: —\$257,000,000,000.

Fiscal year 2021: —\$214,000,000,000.

Fiscal year 2022: —\$263,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2012: \$3,519,858,000,000.
 Fiscal year 2013: \$3,084,004,000,000.
 Fiscal year 2014: \$3,106,658,000,000.
 Fiscal year 2015: \$3,117,000,000,000.
 Fiscal year 2016: \$3,283,243,000,000.
 Fiscal year 2017: \$3,458,011,000,000.
 Fiscal year 2018: \$3,659,956,000,000.
 Fiscal year 2019: \$3,893,357,000,000.
 Fiscal year 2020: \$4,090,845,000,000.
 Fiscal year 2021: \$4,262,660,000,000.
 Fiscal year 2022: \$4,464,458,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012: \$3,565,725,000,000.
 Fiscal year 2013: \$3,109,085,000,000.
 Fiscal year 2014: \$3,098,368,000,000.
 Fiscal year 2015: \$3,092,240,000,000.
 Fiscal year 2016: \$3,256,795,000,000.
 Fiscal year 2017: \$3,408,942,000,000.
 Fiscal year 2018: \$3,594,222,000,000.
 Fiscal year 2019: \$3,842,333,000,000.
 Fiscal year 2020: \$4,027,530,000,000.
 Fiscal year 2021: \$4,208,224,000,000.
 Fiscal year 2022: \$4,417,978,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2012: \$1,043,000,000,000.
 Fiscal year 2013: \$795,000,000,000.
 Fiscal year 2014: \$631,000,000,000.
 Fiscal year 2015: \$62,000,000,000.
 Fiscal year 2016: \$31,000,000,000.
 Fiscal year 2017: —\$111,000,000,000.
 Fiscal year 2018: —\$285,000,000,000.
 Fiscal year 2019: —\$302,000,000,000.
 Fiscal year 2020: —\$395,000,000,000.
 Fiscal year 2021: —\$504,000,000,000.
 Fiscal year 2022: —\$501,000,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012: \$11,368,000,000,000.
 Fiscal year 2013: \$12,197,000,000,000.
 Fiscal year 2014: \$12,912,000,000,000.
 Fiscal year 2015: \$13,084,000,000,000.
 Fiscal year 2016: \$13,230,000,000,000.
 Fiscal year 2017: \$13,147,000,000,000.
 Fiscal year 2018: \$12,912,000,000,000.
 Fiscal year 2019: \$12,631,000,000,000.
 Fiscal year 2020: \$12,261,000,000,000.
 Fiscal year 2021: \$11,787,000,000,000.
 Fiscal year 2022: \$11,328,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012: \$11,242,000,000,000.
 Fiscal year 2013: \$12,089,000,000,000.
 Fiscal year 2014: \$12,812,000,000,000.
 Fiscal year 2015: \$12,966,000,000,000.
 Fiscal year 2016: \$13,076,000,000,000.
 Fiscal year 2017: \$13,017,000,000,000.
 Fiscal year 2018: \$12,784,000,000,000.
 Fiscal year 2019: \$12,534,000,000,000.
 Fiscal year 2020: \$12,191,000,000,000.
 Fiscal year 2021: \$11,739,000,000,000.
 Fiscal year 2022: \$11,290,000,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2012: \$627,000,000,000.

Fiscal year 2013: \$698,000,000,000.

Fiscal year 2014: \$728,000,000,000.

Fiscal year 2015: \$770,000,000,000.

Fiscal year 2016: \$819,000,000,000.

Fiscal year 2017: \$868,000,000,000.

Fiscal year 2018: \$914,000,000,000.

Fiscal year 2019: \$958,000,000,000.

Fiscal year 2020: \$1,004,000,000,000.

Fiscal year 2021: \$1,049,000,000,000.

Fiscal year 2022: \$1,096,000,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2012: \$770,420,000,000.
 Fiscal year 2013: \$813,569,000,000.
 Fiscal year 2014: \$857,048,000,000.
 Fiscal year 2015: \$901,705,000,000.
 Fiscal year 2016: \$950,000,000,000.
 Fiscal year 2017: \$1,004,219,000,000.
 Fiscal year 2018: \$1,063,321,000,000.
 Fiscal year 2019: \$1,127,719,000,000.
 Fiscal year 2020: \$1,197,313,000,000.
 Fiscal year 2021: \$1,269,310,000,000.
 Fiscal year 2022: \$1,345,264,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2012:
 (A) New budget authority, \$5,822,000,000.
 (B) Outlays, \$5,793,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$5,868,000,000.
 (B) Outlays, \$6,108,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$6,043,000,000.
 (B) Outlays, \$6,269,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$6,223,000,000.
 (B) Outlays, \$6,386,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$6,418,000,000.
 (B) Outlays, \$6,379,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$6,616,000,000.
 (B) Outlays, \$6,379,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$6,838,000,000.
 (B) Outlays, \$6,794,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$7,071,000,000.
 (B) Outlays, \$7,024,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$7,304,000,000.
 (B) Outlays, \$7,257,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$7,543,000,000.
 (B) Outlays, \$7,494,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$7,796,000,000.
 (B) Outlays, \$7,745,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2011 through 2021 for each major functional category are:

(1) National Defense (050):
 Fiscal year 2012:
 (A) New budget authority, \$549,397,000,000.
 (B) Outlays, \$559,626,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$562,462,000,000.
 (B) Outlays, \$587,049,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$562,462,000,000.
 (B) Outlays, \$587,807,000,000.

- Fiscal year 2015:
 - (A) New budget authority, \$570,643,000,000.
 - (B) Outlays, \$574,208,000,000.
- Fiscal year 2016:
 - (A) New budget authority, \$579,797,000,000.
 - (B) Outlays, \$580,181,000,000.
- Fiscal year 2017:
 - (A) New budget authority, \$591,058,000,000.
 - (B) Outlays, \$583,077,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$602,310,000,000.
 - (B) Outlays, \$587,825,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$613,550,000,000.
 - (B) Outlays, \$603,494,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$625,785,000,000.
 - (B) Outlays, \$615,208,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$638,070,000,000.
 - (B) Outlays, \$627,214,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$651,718,000,000.
 - (B) Outlays, \$645,558,000,000.
- (2) International Affairs (150):
 - Fiscal year 2012:
 - (A) New budget authority, \$57,684,000,000.
 - (B) Outlays, \$50,501,000,000.
 - Fiscal year 2013:
 - (A) New budget authority, \$14,024,000,000.
 - (B) Outlays, \$20,680,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$20,680,000,000.
 - (B) Outlays, \$15,069,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$11,666,000,000.
 - (B) Outlays, \$11,423,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$11,423,000,000.
 - (B) Outlays, \$12,347,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$12,746,000,000.
 - (B) Outlays, \$13,359,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$13,359,000,000.
 - (B) Outlays, \$13,471,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$14,318,000,000.
 - (B) Outlays, \$14,318,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$14,619,000,000.
 - (B) Outlays, \$11,335,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$14,921,000,000.
 - (B) Outlays, \$11,541,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$15,217,000,000.
 - (B) Outlays, \$11,742,000,000.
- (3) General Science, Space, and Technology (250):
 - Fiscal year 2012:
 - (A) New budget authority, \$29,836,000,000.
 - (B) Outlays, \$31,175,000,000.
 - Fiscal year 2013:
 - (A) New budget authority, \$19,605,000,000.
 - (B) Outlays, \$18,914,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$19,962,000,000.
 - (B) Outlays, \$19,222,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$20,319,000,000.
 - (B) Outlays, \$18,518,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$20,682,000,000.
 - (B) Outlays, \$18,849,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$21,052,000,000.
 - (B) Outlays, \$19,186,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$21,249,000,000.
 - (B) Outlays, \$19,529,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$21,812,000,000.
 - (B) Outlays, \$19,878,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$22,203,000,000.
 - (B) Outlays, \$20,234,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$22,600,000,000.
 - (B) Outlays, \$20,596,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$23,005,000,000.
 - (B) Outlays, \$20,964,000,000.
- (4) Energy (270):
 - Fiscal year 2012:
 - (A) New budget authority, \$9,886,000,000.
 - (B) Outlays, \$18,342,000,000.
 - Fiscal year 2013:
 - (A) New budget authority, \$923,000,000.
 - (B) Outlays, \$2,882,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$976,000,000.
 - (B) Outlays, \$2,349,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$1,003,000,000.
 - (B) Outlays, \$1,649,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$857,000,000.
 - (B) Outlays, \$801,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$886,000,000.
 - (B) Outlays, \$829,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$914,000,000.
 - (B) Outlays, \$856,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$944,000,000.
 - (B) Outlays, \$885,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$973,000,000.
 - (B) Outlays, \$912,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$1,003,000,000.
 - (B) Outlays, \$940,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$1,021,000,000.
 - (B) Outlays, \$955,000,000.
- (5) Natural Resources and Environment (300):
 - Fiscal year 2012:
 - (A) New budget authority, \$37,109,000,000.
 - (B) Outlays, \$42,242,000,000.
 - Fiscal year 2013:
 - (A) New budget authority, \$24,206,000,000.
 - (B) Outlays, \$23,864,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$23,864,000,000.
 - (B) Outlays, \$23,928,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$24,441,000,000.
 - (B) Outlays, \$22,864,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$24,912,000,000.
 - (B) Outlays, \$23,178,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$25,401,000,000.
 - (B) Outlays, \$23,571,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$26,392,000,000.
 - (B) Outlays, \$24,430,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$26,745,000,000.
 - (B) Outlays, \$24,747,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$27,636,000,000.
 - (B) Outlays, \$25,441,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$27,558,000,000.
 - (B) Outlays, \$25,561,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$27,904,000,000.
 - (B) Outlays, \$25,787,000,000.
- (6) Agriculture (350):
 - Fiscal year 2012:
 - (A) New budget authority, \$22,686,000,000.
 - (B) Outlays, \$19,646,000,000.
 - Fiscal year 2013:
 - (A) New budget authority, \$20,143,000,000.
 - (B) Outlays, \$22,255,000,000.
- Fiscal year 2014:
 - (A) New budget authority, \$20,600,000,000.
 - (B) Outlays, \$19,523,000,000.
- Fiscal year 2015:
 - (A) New budget authority, \$20,545,000,000.
 - (B) Outlays, \$20,545,000,000.
- Fiscal year 2016:
 - (A) New budget authority, \$20,567,000,000.
 - (B) Outlays, \$19,628,000,000.
- Fiscal year 2017:
 - (A) New budget authority, \$20,518,000,000.
 - (B) Outlays, \$19,549,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$20,811,000,000.
 - (B) Outlays, \$19,765,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$21,010,000,000.
 - (B) Outlays, \$19,990,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$21,275,000,000.
 - (B) Outlays, \$20,266,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$21,560,000,000.
 - (B) Outlays, \$20,514,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$21,631,000,000.
 - (B) Outlays, \$20,583,000,000.
- (7) Commerce and Housing Credit (370):
 - Fiscal year 2012:
 - (A) New budget authority, \$42,288,000,000.
 - (B) Outlays, \$42,685,000,000.
 - Fiscal year 2013:
 - (A) New budget authority, \$12,386,000,000.
 - (B) Outlays, \$11,996,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$12,332,000,000.
 - (B) Outlays, — \$552,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$12,332,000,000.
 - (B) Outlays, — \$1,240,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$11,997,000,000.
 - (B) Outlays, — \$4,202,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$15,199,000,000.
 - (B) Outlays, — \$4,255,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$15,864,000,000.
 - (B) Outlays, — \$5,765,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$16,368,000,000.
 - (B) Outlays, \$2,829,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$16,930,000,000.
 - (B) Outlays, \$2,174,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$17,448,000,000.
 - (B) Outlays, \$1,283,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$17,820,000,000.
 - (B) Outlays, \$230,000,000.
- (8) Transportation (400):
 - Fiscal year 2012:
 - (A) New budget authority, \$88,325,000,000.
 - (B) Outlays, \$91,171,000,000.
 - Fiscal year 2013:
 - (A) New budget authority, \$77,499,000,000.
 - (B) Outlays, \$80,200,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$76,644,000,000.
 - (B) Outlays, \$80,149,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$77,240,000,000.
 - (B) Outlays, \$81,869,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$78,217,000,000.
 - (B) Outlays, \$83,149,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$79,069,000,000.
 - (B) Outlays, \$84,439,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$79,014,000,000.
 - (B) Outlays, \$83,270,000,000.

- Fiscal year 2019:
 (A) New budget authority, \$80,669,000,000.
 (B) Outlays, \$84,969,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$81,266,000,000.
 (B) Outlays, \$85,940,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$81,783,000,000.
 (B) Outlays, \$87,078,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$82,635,000,000.
 (B) Outlays, \$88,495,000,000.
- (9) Community and Regional Development (450):
- Fiscal year 2012:
 (A) New budget authority, \$18,783,000,000.
 (B) Outlays, \$24,628,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$11,998,000,000.
 (B) Outlays, \$13,439,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$12,036,000,000.
 (B) Outlays, \$13,336,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$12,256,000,000.
 (B) Outlays, \$12,761,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$12,478,000,000.
 (B) Outlays, \$12,725,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$12,701,000,000.
 (B) Outlays, \$11,854,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$12,932,000,000.
 (B) Outlays, \$11,621,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$13,163,000,000.
 (B) Outlays, \$11,835,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$13,401,000,000.
 (B) Outlays, \$12,073,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$13,645,000,000.
 (B) Outlays, \$12,325,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$13,890,000,000.
 (B) Outlays, \$12,647,000,000.
- (10) Education, Training, Employment, and Social Services (500):
- Fiscal year 2012:
 (A) New budget authority, \$88,578,000,000.
 (B) Outlays, \$105,484,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$33,898,000,000.
 (B) Outlays, \$42,292,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$30,868,000,000.
 (B) Outlays, \$32,933,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$32,868,000,000.
 (B) Outlays, \$29,490,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$33,437,000,000.
 (B) Outlays, \$29,870,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$42,660,000,000.
 (B) Outlays, \$37,022,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$46,337,000,000.
 (B) Outlays, \$43,104,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$49,313,000,000.
 (B) Outlays, \$45,960,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$49,859,000,000.
 (B) Outlays, \$47,385,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$50,122,000,000.
 (B) Outlays, \$50,122,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$50,554,000,000.
 (B) Outlays, \$47,920,000,000.
- (11) Health (550):
- Fiscal year 2012:
 (A) New budget authority, \$357,821,000,000.
 (B) Outlays, \$358,737,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$338,159,000,000.
 (B) Outlays, \$334,163,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$348,397,000,000.
 (B) Outlays, \$338,935,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$359,620,000,000.
 (B) Outlays, \$357,023,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$365,157,000,000.
 (B) Outlays, \$364,094,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$374,943,000,000.
 (B) Outlays, \$373,308,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$385,894,000,000.
 (B) Outlays, \$381,726,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$397,015,000,000.
 (B) Outlays, \$392,850,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$417,710,000,000.
 (B) Outlays, \$403,283,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$419,586,000,000.
 (B) Outlays, \$415,086,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$431,913,000,000.
 (B) Outlays, \$427,453,000,000.
- (12) Medicare (570):
- Fiscal year 2012:
 (A) New budget authority, \$487,762,000,000.
 (B) Outlays, \$487,661,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$509,976,000,000.
 (B) Outlays, \$510,212,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2015:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2016:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2017:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2018:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2019:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2020:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2021:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- Fiscal year 2022:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
- (13) Income Security (600):
- Fiscal year 2012:
 (A) New budget authority, \$534,107,000,000.
 (B) Outlays, \$533,175,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$355,125,000,000.
 (B) Outlays, \$347,966,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$362,716,000,000.
 (B) Outlays, \$355,966,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$362,163,000,000.
 (B) Outlays, \$357,163,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$369,163,000,000.
 (B) Outlays, \$369,695,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$368,254,000,000.
 (B) Outlays, \$364,817,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$371,087,000,000.
 (B) Outlays, \$636,453,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$385,838,000,000.
 (B) Outlays, \$383,743,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$396,715,000,000.
 (B) Outlays, \$395,180,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$408,219,000,000.
 (B) Outlays, \$407,134,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$422,855,000,000.
 (B) Outlays, \$427,176,000,000.
- (14) Social Security (650):
- Fiscal year 2012:
 (A) New budget authority, \$779,797,000,000.
 (B) Outlays, \$776,213,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$823,017,000,000.
 (B) Outlays, \$819,677,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$866,901,000,000.
 (B) Outlays, \$863,317,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$912,103,000,000.
 (B) Outlays, \$908,091,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$960,918,000,000.
 (B) Outlays, \$956,379,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$1,075,559,000,000.
 (B) Outlays, \$1,010,794,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$1,075,559,000,000.
 (B) Outlays, \$1,070,115,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$1,140,590,000,000.
 (B) Outlays, \$1,134,743,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$1,210,617,000,000.
 (B) Outlays, \$1,204,570,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$1,283,153,000,000.
 (B) Outlays, \$1,276,804,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$1,360,160,000,000.
 (B) Outlays, \$1,353,009,000,000.
- (15) Veterans Benefits and Services (700):
- Fiscal year 2012:
 (A) New budget authority, \$126,263,000,000.
 (B) Outlays, \$126,262,000,000.
- Fiscal year 2013:
 (A) New budget authority, \$132,924,000,000.
 (B) Outlays, \$133,660,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$135,032,000,000.
 (B) Outlays, \$135,471,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$138,369,000,000.
 (B) Outlays, \$138,367,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$147,201,000,000.
 (B) Outlays, \$146,698,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$146,175,000,000.
 (B) Outlays, \$145,526,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$145,004,000,000.
 (B) Outlays, \$144,303,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$154,685,000,000.
 (B) Outlays, \$153,943,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$159,160,000,000.
 (B) Outlays, \$158,409,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$163,701,000,000.
 (B) Outlays, \$163,701,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$173,802,000,000.
 (B) Outlays, \$172,995,000,000.

(16) Administration of Justice (750):
 Fiscal year 2012:
 (A) New budget authority, \$51,700,000,000.
 (B) Outlays, \$54,471,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$50,998,000,000.
 (B) Outlays, \$38,113,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$41,766,000,000.
 (B) Outlays, \$40,926,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$42,296,000,000.
 (B) Outlays, \$40,215,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$45,028,000,000.
 (B) Outlays, \$42,812,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$43,922,000,000.
 (B) Outlays, \$41,759,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$44,527,000,000.
 (B) Outlays, \$42,294,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$45,216,000,000.
 (B) Outlays, \$41,863,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$45,915,000,000.
 (B) Outlays, \$41,951,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$46,787,000,000.
 (B) Outlays, \$42,718,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$51,306,000,000.
 (B) Outlays, \$47,151,000,000.
 (17) General Government (800):
 Fiscal year 2012:
 (A) New budget authority, \$24,163,000,000,000.
 (B) Outlays, \$30,033,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$21,262,000,000.
 (B) Outlays, \$18,354,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$21,414,000,000.
 (B) Outlays, \$19,949,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$21,586,000,000.
 (B) Outlays, \$20,149,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$21,762,000,000.
 (B) Outlays, \$20,373,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$22,114,000,000.
 (B) Outlays, \$20,531,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$22,470,000,000.
 (B) Outlays, \$20,836,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$22,893,000,000.
 (B) Outlays, \$21,252,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$23,227,000,000.
 (B) Outlays, \$21,614,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$23,622,000,000.
 (B) Outlays, \$21,904,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$23,933,000,000.
 (B) Outlays, \$22,217,000,000.
 (18) Net Interest (900):
 Fiscal year 2012:
 (A) New budget authority, \$224,064,000,000.
 (B) Outlays, \$224,064,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$183,281,000,000.
 (B) Outlays, \$183,281,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$184,653,000,000.
 (B) Outlays, \$184,653,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$211,497,000,000.
 (B) Outlays, \$211,497,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$293,109,000,000.
 (B) Outlays, \$293,109,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$361,394,000,000.
 (B) Outlays, \$361,394,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$440,040,000,000.
 (B) Outlays, \$440,040,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$501,224,000,000.
 (B) Outlays, \$501,224,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$536,534,000,000.
 (B) Outlays, \$536,534,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$565,473,000,000.
 (B) Outlays, \$565,473,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$588,933,000,000.
 (B) Outlays, \$588,933,000,000.
 (19) Allowances (920):
 Fiscal year 2012:
 (A) New budget authority, \$45,400,000,000.
 (B) Outlays, \$45,400,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$57,358,000,000.
 (B) Outlays, \$57,358,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$71,118,000,000.
 (B) Outlays, \$71,118,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$79,148,000,000.
 (B) Outlays, \$79,148,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$92,742,000,000.
 (B) Outlays, \$92,742,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$91,236,000,000.
 (B) Outlays, \$91,236,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$86,010,000,000.
 (B) Outlays, \$86,010,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$56,114,000,000.
 (B) Outlays, \$56,114,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$58,063,000,000.
 (B) Outlays, \$58,063,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$58,990,000,000.
 (B) Outlays, \$58,990,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$55,589,000,000.
 (B) Outlays, \$55,589,000,000.
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2012:
 (A) New budget authority, \$91,535,000,000.
 (B) Outlays, \$91,535,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$95,678,000,000.
 (B) Outlays, \$95,678,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$96,030,000,000.
 (B) Outlays, \$96,030,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$101,010,000,000.
 (B) Outlays, \$101,010,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$104,680,000,000.
 (B) Outlays, \$104,680,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$117,921,000,000.
 (B) Outlays, \$117,921,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$123,045,000,000.
 (B) Outlays, \$123,045,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$133,352,000,000.
 (B) Outlays, \$133,352,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$138,451,000,000.
 (B) Outlays, \$138,451,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$144,197,000,000.
 (B) Outlays, \$144,197,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$150,911,000,000.
 (B) Outlays, \$150,911,000,000.
 (21) Global War on Terrorism (970):
 Fiscal year 2012:
 (A) New budget authority, \$126,544,000,000.
 (B) Outlays, \$126,544,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$50,000,000,000.
 (B) Outlays, \$50,000,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2015:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2016:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2017:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2018:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2019:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2020:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2021:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2022:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 (22) Congressional Health Insurance for Seniors (990):
 Fiscal year 2012:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2013:
 (A) New budget authority, \$3,125,000,000.
 (B) Outlays, \$3,125,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$539,435,000,000.
 (B) Outlays, \$532,135,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$466,210,000,000.
 (B) Outlays, \$468,810,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$494,278,000,000.
 (B) Outlays, \$494,278,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$513,342,000,000.
 (B) Outlays, \$511,342,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$544,406,000,000.
 (B) Outlays, \$542,406,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$577,470,000,000.
 (B) Outlays, \$575,470,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$623,534,000,000.
 (B) Outlays, \$623,534,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$666,598,000,000.
 (B) Outlays, \$664,598,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$712,662,000,000.
 (B) Outlays, \$710,662,000,000.

TITLE II—RESERVE FUNDS**SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF UNUSED OR VACANT FEDERAL PROPERTIES.**

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any unused or vacant Federal properties. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 202. DEFICIT-REDUCTION RESERVE FUND FOR SELLING EXCESS FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any excess Federal land. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 203. DEFICIT-REDUCTION RESERVE FUND FOR THE REPEAL OF DAVIS-BACON PREVAILING WAGE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports from savings achieved by repealing the Davis-Bacon prevailing wage laws. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 204. DEFICIT-REDUCTION RESERVE FUND FOR THE REDUCTION OF PURCHASING AND MAINTAINING FEDERAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by reducing the federal vehicles fleet. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 205. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF FINANCIAL ASSETS PURCHASED THROUGH THE TROUBLED ASSET RELIEF PROGRAM.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling financial instruments and equity ac-

cumulated through the Troubled Asset Relief Program. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

TITLE III—BUDGET PROCESS**Subtitle A—Budget Enforcement****SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2012 THROUGH 2022, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.****(a) SENATE POINT OF ORDER.—**

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term “discretionary spending limit” means—

(1) for fiscal year 2012, \$1,201,863,000,000 in new budget authority and \$1,308,512,000,000 in outlays;

(2) for fiscal year 2013, \$934,104,000,000 in new budget authority and \$1,023,435,000,000 in outlays;

(3) for fiscal year 2014, \$891,861,000,000 in new budget authority and \$965,519,000,000 in outlays;

(4) for fiscal year 2015, \$906,188,000,000 in new budget authority and \$943,141,000,000 in outlays;

(5) for fiscal year 2016 \$921,824,000,000 in new budget authority and \$955,362,000,000 in outlays;

(6) for fiscal year 2017, \$939,918,000,000 in new budget authority and \$964,874,000,000 in outlays;

(7) for fiscal year 2018, \$958,654,000,000 in new budget authority and \$974,728,000,000 in outlays;

(8) for fiscal year 2019, \$977,693,000,000 in new budget authority and \$998,696,000,000 in outlays;

(9) for fiscal year 2020, \$997,939,000,000 in new budget authority and \$1,018,172,000,000 in outlays;

(10) for fiscal year 2021, \$1,018,340,000,000 in new budget authority and \$1,038,189,000,000 in outlays; and

(11) for fiscal year 2022, \$1,040,081,000,000 in new budget authority and \$1,064,838,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment or motion thereto or the submission of a conference report thereon—

(A) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.—

(A) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, allocations to the Committee on Appropriations of the Senate, and aggregates for one or more—

(i) bills reported by the Committee on Appropriations of the Senate or passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committee on Appropriations of the Senate;

(iii) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Committee on Appropriations of the Senate; or

(iv) conference reports; making appropriations for overseas deployments and other activities in the amounts specified in subparagraph (B).

(B) AMOUNTS SPECIFIED.—The amounts specified are—

(i) for fiscal year 2012, \$126,544,000,000 in new budget authority and the outlays flowing therefrom;

(ii) for fiscal year 2013, \$50,000,000,000 in new budget authority and the outlays flowing therefrom;

(iii) for fiscal year 2014, \$0 in new budget authority and the outlays flowing therefrom;

(iv) for fiscal year 2015, \$0 in new budget authority and the outlays flowing therefrom;

(v) for fiscal year 2016, \$0 in new budget authority and the outlays flowing therefrom;

(vi) for fiscal year 2017, \$0 in new budget authority and the outlays flowing therefrom;

(vii) for fiscal year 2018, \$0 in new budget authority and the outlays flowing therefrom;

(viii) for fiscal year 2019, \$0 in new budget authority and the outlays flowing therefrom;

(ix) for fiscal year 2020, \$0 in new budget authority and the outlays flowing therefrom;

(x) for fiscal year 2021, \$0 in new budget authority and the outlays flowing therefrom; and

(xi) for fiscal year 2022, \$0 in new budget authority and the outlays flowing therefrom.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(b) DEFINITION.—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

SEC. 303. EMERGENCY LEGISLATION.

(a) **AUTHORITY TO DESIGNATE.**—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) **EXEMPTION OF EMERGENCY PROVISIONS.**—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits), and section 301 of this resolution (relating to discretionary spending). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) **DESIGNATIONS.**—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) **DEFINITIONS.**—In this section, the terms “direct spending”, “receipts”, and “appropriations for discretionary accounts” mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) **POINT OF ORDER.**—

(1) **IN GENERAL.**—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) **SUPERMAJORITY WAIVER AND APPEALS.**—

(A) **WAIVER.**—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) **APPEALS.**—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) **DEFINITION OF AN EMERGENCY DESIGNATION.**—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) **FORM OF THE POINT OF ORDER.**—A point of order under paragraph (1) may be raised

by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) **CONFERENCE REPORTS.**—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) **CRITERIA.**—

(1) **IN GENERAL.**—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) **UNFORESEEN.**—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) **INAPPLICABILITY.**—In the Senate, section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, shall no longer apply.

SEC. 304. ADJUSTMENTS FOR THE EXTENSION OF CERTAIN CURRENT POLICIES.

(a) **ADJUSTMENT.**—For the purposes of determining points of order specified in subsection (b), the Chairman of the Committee on the Budget of the Senate may adjust the estimate of the budgetary effects of a bill, joint resolution, amendment, motion, or conference report that contains one or more provisions meeting the criteria of subsection (c) to exclude the amounts of qualifying budgetary effects.

(b) **COVERED POINTS OF ORDER.**—The Chairman of the Committee on the Budget of the Senate may make adjustments pursuant to this section for the following points of order only:

(1) Section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go).

(2) Section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits).

(3) Section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits).

(c) **QUALIFYING LEGISLATION.**—The Chairman of the Committee on the Budget of the Senate may make adjustments authorized under subsection (a) for legislation containing provisions that—

(1) amend or supersede the system for updating payments made under subsections 1848 (d) and (f) of the Social Security Act, consistent with section 7(c) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139);

(2) amend the Internal Revenue Code of 1986, in order to establish a single, flat tax rate of 17 percent consistent with section

7(d) of the Statutory Pay-As-You-Go Act of 2010; and

(3) extend relief from the Alternative Minimum Tax for individuals under sections 55 and 59 of the Internal Revenue Code of 1986, consistent with section 7(e) of the Statutory Pay-As-You-Go Act of 2010.

(d) **DEFINITION.**—For the purposes of this section, the terms “budgetary effects” or “effects” mean the amount by which a provision changes direct spending or revenues relative to the baseline.

(e) **SUNSET.**—This section shall expire on December 31, 2012.

Subtitle B—Other Provisions**SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.**

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the Government Accountability Office’s High Risk list reports. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) **APPLICATION.**—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) **BUDGET COMMITTEE DETERMINATIONS.**—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 314. RESCIND UNSPENT OR UNOBLIGATED BALANCES AFTER 36 MONTHS.

(a) **APPLICATION.**—Any adjustments of allocations and aggregates made pursuant to this resolution shall require that any unobligated or unspent allocations be rescinded after 36 months.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

TITLE IV—RECONCILIATION

SEC. 401. RECONCILIATION IN THE SENATE.

(a) SUBMISSION TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.—

(1) IN GENERAL.—Not later than September 1, 2012, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the United States Senate. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON FOREIGN RELATIONS.—The Committee on Foreign Relations shall report changes in law within its jurisdiction sufficient to reduce direct spending by \$2,864,000,000 for the period of fiscal years 2013 through 2022.

(B) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$2,432,000,000 for the period of fiscal years 2013 through 2022.

(C) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Committee on Agriculture, Nutrition, and Forestry shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$6,100,000,000 for the period of fiscal years 2013 through 2022.

(D) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Committee on Environment and Public Works shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$3,422,000,000 for the period of fiscal years 2013 through 2022.

(E) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$1,584,000,000,000 for the period of fiscal years 2013 through 2022.

(F) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$3,473,634,000,000 for the period of fiscal years 2013 through 2022.

(G) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$7,818,000,000 for the period of fiscal years 2013 through 2022.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

TITLE V—CONGRESSIONAL POLICY CHANGES

SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window as follows:

(1) The legislation must modify the Primary Insurance Amount formula between 2018 and 2055 to gradually reduce benefits on a progressive basis for works with career-average earnings above the 40th percentile of new retired workers.

(2) The normal retirement age will increase by 3 months each year starting with individuals reaching age 62 in 2017 and stopping with the normal retirement age reaches the age of 70 for individuals reaching the age of 62 in 2032.

(3) The earliest eligibility age will be increased by 3 months per year starting with individuals reaching age 62 in 2021 and will stop with the reaches age 64 for individuals reaching the age 62 in 2028 or later.

SEC. 502. POLICY STATEMENT ON MEDICARE.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare as follows:

(1) Enrolls seniors in the same health care plan as Federal employees and Members of Congress, similar to the Federal Employee Health Benefits Plan (FEHBP).

(2) Beginning on January 1, 2014, the Director of the Office of Personnel Management shall ensure seniors currently enrolled or eligible for Medicare will have access to Congressional Health Care for Seniors Act.

(3) Prevents the Office of Personnel and Management from placing onerous new mandates on health insurance plans, but allows the agency to continue to enforce reasonable minimal standards for plans, ensure the plans are fiscally solvent, and enforces rules for consumer protections.

(4) The legislation must create a new “high-risk pool” for the highest cost patients, providing a direct reimbursement to health care plans that enroll the costliest 5 percent of patients.

(5) Ensures that every senior can afford the high-quality insurance offered by FEHBP, providing support for 75 percent of the total costs, providing additional premium assistance to those who cannot afford the remaining share.

(6) The legislation must increase the age of eligibility gradually over 20 years, increasing the age from 65 to 70, resulting in a 3-month increase per year.

(7) High-income seniors will be provided less premium support than low-income seniors.

SEC. 503. POLICY STATEMENT ON TAX REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a tax reform that broadens the tax base, reduces tax complexity, includes a consumption-based income tax, and a globally competitive flat tax as follows:

(1) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax rate of 17 percent on adjusted gross income. The individual tax code shall remove all credits and deductions, with exception to the mortgage interest deduction, offsetting these with a substantially higher standard deduction and personal exemption. The standard deduction for joint filers is \$30,320, \$19,350 for head of household, and

\$15,160 for single filers. The personal exemption amount is \$6,530. This proposal eliminates the individual alternative minimum tax (AMT). The tax reform would repeal all tax on savings and investments, including capital gains, qualified and ordinary dividends, estate, gift, and interest saving taxes.

(2) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax of 17 percent on adjusted gross income. The business tax code shall remove all credits and deductions, offsetting these with a lower tax rate and immediate expensing of all business inputs. Such inputs shall be determined by total revenue from the sale of good and services less purchases of inputs from other firms less wages, salaries, and pensions paid to workers less purchases of plant and equipment.

(3) The individuals and businesses would be subject to taxation on only those incomes that are produced or derived, as a territorial system in the United States. The aggregate taxes paid should provide the ability to fill out a tax return no larger than a postcard.

TITLE VI—SENSE OF CONGRESS

SEC. 601. REGULATORY REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform as follows:

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the of Congress to vote on the Executive In Need of Scrutiny Act, legislation that would require all regulations that impose a burden greater than \$100 million in economic aggregate may not be implement as law unless Congress gives their consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It shall be the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every 2 years unless repromulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily require regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed \$100,000,000 in aggregate economic costs.

SENATE CONCURRENT RESOLUTION 43—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 43

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from

Thursday, April 26, 2012, through Sunday, May 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12 noon on Monday, May 7, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, May 4, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, May 7, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2091. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table.

SA 2092. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2093. Mr. REID (for Mr. LEAHY) proposed an amendment to the bill S. 1925, supra.

SA 2094. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, supra.

SA 2095. Mrs. HUTCHISON (for herself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. CORNYN, Mr. KYL, Mr. ALEXANDER, Mr. MORAN, Mr. CORKER, and Mr. JOHANNIS) proposed an amendment to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, supra.

SA 2096. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2097. Mr. BLUMENTHAL (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2091. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Beginning on page 364, strike line 3 and all that follows through page 377, line 17, and insert the following:

“(3) APPLICABILITY.—Nothing in this section—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

“(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

“(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

“(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

“(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

“(A) occurs in the Indian country of the participating tribe; and

“(B) violates the portion of a protection order that—

“(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(ii) was issued against the defendant;

“(iii) is enforceable by the participating tribe; and

“(iv) is consistent with section 2265(b) of title 18, United States Code.

“(d) DISMISSAL OF CERTAIN CASES.—

“(1) DEFINITION OF VICTIM.—In this subsection and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a criminal violation of a protection order, the term ‘victim’ means a person specifically protected by a protection order that the defendant allegedly violated.

“(2) NON-INDIAN VICTIMS AND DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

“(A) the defendant files a pretrial motion to dismiss on the grounds that the alleged offense did not involve an Indian; and

“(B) the participating tribe fails to prove that the defendant or an alleged victim is an Indian.

“(3) TIES TO INDIAN TRIBE.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

“(A) the defendant files a pretrial motion to dismiss on the grounds that the defendant and the alleged victim lack sufficient ties to the Indian tribe; and

“(B) the prosecuting tribe fails to prove that the defendant or an alleged victim—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse or intimate partner of a member of the participating tribe.

“(4) WAIVER.—A knowing and voluntary failure of a defendant to file a pretrial motion described in paragraph (2) or (3) shall be considered a waiver of the right to seek a dismissal under this subsection.

“(e) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

“(1) all applicable rights under this Act;

“(2) if a term of imprisonment of any length is imposed, all rights described in section 202(c); and

“(3) all other rights whose protection is necessary under the Constitution of the

United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

“(f) PETITIONS TO STAY DETENTION.—

“(1) IN GENERAL.—A person has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

“(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

“(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(g) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(B) prosecution;

“(C) trial and appellate courts;

“(D) probation systems;

“(E) detention and correctional facilities;

“(F) alternative rehabilitation centers;

“(G) culturally appropriate services and assistance for victims and their families; and

“(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(h) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (g) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.”.

SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction of the

issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”

(b) **APPLICABILITY.**—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) **IN GENERAL.**—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse.”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”;

(ii) by striking “fine” and inserting “a fine”;

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) **DEFINITIONS.**—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”

(b) **INDIAN MAJOR CRIMES.**—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) **REPEAT OFFENDERS.**—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) **IN GENERAL.**—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2011”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2012 and 2013”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) **GENERAL EFFECTIVE DATE.**—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) **EFFECTIVE DATE FOR SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), subsections (b) through (e) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) **PILOT PROJECT.**—

(A) **IN GENERAL.**—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) **PROCEDURE.**—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants’ rights, consistent with section 204 of Public Law 90–284.

(C) **EFFECTIVE DATES FOR PILOT PROJECTS.**—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (e) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION.

(a) **IN GENERAL.**—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C.

2812(f)) is amended by striking “2 years” and inserting “3 years”.

(b) **REPORT.**—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. LIMITATION.

Nothing in this Act or an amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

SA 2092. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Beginning on page 364, strike line 3 and all that follows through page 377, line 17, and insert the following:

“(3) **APPLICABILITY.**—Nothing in this section—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

“(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

“(c) **CRIMINAL CONDUCT.**—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

“(1) **DOMESTIC VIOLENCE AND DATING VIOLENCE.**—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

“(2) **VIOLATIONS OF PROTECTION ORDERS.**—An act that—

“(A) occurs in the Indian country of the participating tribe; and

“(B) violates the portion of a protection order that—

“(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(ii) was issued against the defendant;

“(iii) is enforceable by the participating tribe; and

“(iv) is consistent with section 2265(b) of title 18, United States Code.

“(d) **DISMISSAL OF CERTAIN CASES.**—

“(1) **DEFINITION OF VICTIM.**—In this subsection and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a criminal violation of a protection order, the term ‘victim’ means a person specifically protected by a protection order that the defendant allegedly violated.

“(2) NON-INDIAN VICTIMS AND DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

“(A) the defendant files a pretrial motion to dismiss on the grounds that the alleged offense did not involve an Indian; and

“(B) the participating tribe fails to prove that the defendant or an alleged victim is an Indian.

“(3) TIES TO INDIAN TRIBE.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

“(A) the defendant files a pretrial motion to dismiss on the grounds that the defendant and the alleged victim lack sufficient ties to the Indian tribe; and

“(B) the prosecuting tribe fails to prove that the defendant or an alleged victim—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse or intimate partner of a member of the participating tribe.

“(4) WAIVER.—A knowing and voluntary failure of a defendant to file a pretrial motion described in paragraph (2) or (3) shall be considered a waiver of the right to seek a dismissal under this subsection.

“(e) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

“(1) all applicable rights under this Act;

“(2) if a term of imprisonment of any length is imposed, all rights described in section 202(c); and

“(3) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

“(f) PETITIONS TO STAY DETENTION.—

“(1) IN GENERAL.—A person has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

“(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

“(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(g) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(B) prosecution;

“(C) trial and appellate courts;

“(D) probation systems;

“(E) detention and correctional facilities;

“(F) alternative rehabilitation centers;

“(G) culturally appropriate services and assistance for victims and their families; and

“(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(h) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (g) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.”.

SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”.

(b) APPLICABILITY.—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse.”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2011”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2012 and 2013”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of

this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (e) of section 204 of Public Law 90-284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90-284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90-284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (e) of section 204 of Public Law 90-284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking "2 years" and inserting "3 years".

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. LIMITATION.

Nothing in this Act or an amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

SA 2093. Mr. REID (for Mr. LEAHY) proposed an amendment to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Violence Against Women Reauthorization Act of 2011".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

Sec. 3. Universal definitions and grant conditions.

Sec. 4. Effective date.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

Sec. 101. Stop grants.

Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.

Sec. 103. Legal assistance for victims.

Sec. 104. Consolidation of grants to support families in the justice system.

Sec. 105. Sex offender management.

Sec. 106. Court-appointed special advocate program.

Sec. 107. Criminal provision relating to stalking, including cyberstalking.

Sec. 108. Outreach and services to underserved populations grant.

Sec. 109. Culturally specific services grant.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 201. Sexual assault services program.

Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.

Sec. 203. Training and services to end violence against women with disabilities grants.

Sec. 204. Enhanced training and services to end abuse in later life.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

Sec. 301. Rape prevention and education grant.

Sec. 302. Creating hope through outreach, options, services, and education for children and youth.

Sec. 303. Grants to combat violent crimes on campuses.

Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLENCE REDUCTION PRACTICES

Sec. 401. Study conducted by the centers for disease control and prevention.

Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

Sec. 801. U nonimmigrant definition.

Sec. 802. Annual report on immigration applications made by victims of abuse.

Sec. 803. Protection for children of VAWA self-petitioners.

Sec. 804. Public charge.

Sec. 805. Requirements applicable to U visas.

Sec. 806. Hardship waivers.

Sec. 807. Protections for a fiancée or fiancé of a citizen.

Sec. 808. Regulation of international marriage brokers.

Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.

Sec. 810. Diversity immigrant visa petition fee.

Sec. 811. Budgetary effects.

Sec. 812. Disclosure of information for national security purposes.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.

Sec. 902. Grants to Indian tribal coalitions.

Sec. 903. Consultation.

Sec. 904. Tribal jurisdiction over crimes of domestic violence.

Sec. 905. Tribal protection orders.

Sec. 906. Amendments to the Federal assault statute.

Sec. 907. Analysis and research on violence against Indian women.

Sec. 908. Effective dates; pilot project.

Sec. 909. Indian law and order commission; Report on the Alaska Rural Justice and Law Enforcement Commission.

Sec. 910. Limitation.

TITLE X—OTHER MATTERS

Sec. 1001. Criminal provisions relating to sexual abuse.

Sec. 1002. Sexual abuse in custodial settings.

Sec. 1003. Anonymous online harassment.

Sec. 1004. Stalker database.

Sec. 1005. Federal victim assistants reauthorization.

Sec. 1006. Child abuse training programs for judicial personnel and practitioners reauthorization.

Sec. 1007. Mandatory minimum sentence.

Sec. 1008. Removal of drunk drivers.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by redesignating—

(A) paragraph (1) as paragraph (2);

(B) paragraph (2) as paragraph (3);

(C) paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(D) paragraphs (6) through (9) as paragraphs (8) through (11), respectively;

(E) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;

(F) paragraph (18) as paragraph (20);

(G) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;

(H) paragraphs (21) through (23) as paragraphs (26) through (28), respectively;

(I) paragraphs (24) through (33) as paragraphs (30) through (39), respectively;

(J) paragraphs (34) and (35) as paragraphs (43) and (44); and

(K) paragraph (37) as paragraph (45);

(2) by inserting before paragraph (2), as redesignated, the following:

“(1) ALASKA NATIVE VILLAGE.—The term ‘Alaska Native village’ has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).”;

(3) in paragraph (3), as redesignated, by striking “serious harm.” and inserting “serious harm to an unemancipated minor.”;

(4) in paragraph (4), as redesignated, by striking “The term” through “that—” and inserting “The term ‘community-based organization’ means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—”;

(5) by striking paragraph (5), as in effect before the amendments made by this subsection;

(6) by inserting after paragraph (7), as redesignated, the following:

“(6) CULTURALLY SPECIFIC SERVICES.—The term ‘culturally specific services’ means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.

“(7) CULTURALLY SPECIFIC.—The term ‘culturally specific’ means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g)).”;

(7) in paragraph (8), as redesignated, by inserting “or intimate partner” after “former spouse” and “as a spouse”;

(8) by inserting after paragraph (11), as redesignated, the following:

“(12) HOMELESS.—The term ‘homeless’ has the meaning provided in 42 U.S.C. 14043e-2(6).”;

(9) in paragraph (18), as redesignated, by inserting “or Village Public Safety Officers” after “government victim service programs”;

(10) in paragraph (21), as redesignated, by inserting at the end the following:

“Intake or referral, by itself, does not constitute legal assistance.”;

(11) by striking paragraph (17), as in effect before the amendments made by this subsection;

(12) by amending paragraph (20), as redesignated, to read as follows:

“(20) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term ‘personally identifying information’ or ‘personal information’ means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number, driver license number, passport number, or student identification number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.”;

(13) by inserting after paragraph (20), as redesignated, the following:

“(21) POPULATION SPECIFIC ORGANIZATION.—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing

targeted services to members of that specific underserved population.

“(22) POPULATION SPECIFIC SERVICES.—The term ‘population specific services’ means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.”;

(14) in paragraph (23), as redesignated, by striking “services” and inserting “assistance”;

(15) by inserting after paragraph (24), as redesignated, the following:

“(25) RAPE CRISIS CENTER.—The term ‘rape crisis center’ means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.”;

(16) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking “or” after the semicolon;

(B) in subparagraph (B), by striking the period and inserting “; or”; and

(C) by inserting at the end the following:

“(C) any federally recognized Indian tribe.”;

(17) in paragraph (27), as redesignated—

(A) by striking “52” and inserting “57”; and

(B) by striking “150,000” and inserting “250,000”;

(18) by striking paragraph (28), as redesignated, and inserting the following:

“(28) SEXUAL ASSAULT.—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.”;

(19) by inserting after paragraph (28), as redesignated, the following:

“(29) SEX TRAFFICKING.—The term ‘sex trafficking’ means any conduct proscribed by 18 U.S.C. 1591, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.”;

(20) by striking paragraph (35), as redesignated, and inserting the following:

“(35) TRIBAL COALITION.—The term ‘tribal coalition’ means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

“(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

“(B) is comprised of board and general members that are representative of—

“(i) the member service providers described in subparagraph (A); and

“(ii) the tribal communities in which the services are being provided.”;

(21) by amending paragraph (39), as redesignated, to read as follows:

“(39) UNDERSERVED POPULATIONS.—The term ‘underserved populations’ means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.”;

(22) by inserting after paragraph (39), as redesignated, the following:

“(40) UNIT OF LOCAL GOVERNMENT.—The term ‘unit of local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.”;

(23) by striking paragraph (36), as in effect before the amendments made by this subsection, and inserting the following:

“(41) VICTIM SERVICES OR SERVICES.—The terms ‘victim services’ and ‘services’ means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

“(42) VICTIM SERVICE PROVIDER.—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.”;

(24) by striking paragraph (43), as redesignated, and inserting the following:

“(43) YOUTH.—The term ‘youth’ means a person who is 11 to 24 years old.”.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.”;

(B) by amending subparagraph (D), to read as follows:

“(D) INFORMATION SHARING.—

“(i) Grantees and subgrantees may share—“(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

“(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

“(ii) In no circumstances may—

“(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

“(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.”;

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

“(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.”; and

(E) by inserting after subparagraph (F), as redesignated, the following:

“(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.”;

(2) by striking paragraph (3) and inserting the following:

“(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.”;

(3) in paragraph (7), by inserting at the end the following:

“Final reports of such evaluations shall be made available to the public via the agency's website.”; and

(4) by inserting after paragraph (11) the following:

“(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6(d)).

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national ori-

gin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2011, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

“(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

“(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

“(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(15) CONFERRAL.—

“(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

“(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

“(i) the administration of grants;

“(ii) unmet needs;

“(iii) promising practices in the field; and

“(iv) emerging trends.

“(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011.

“(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

“(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

“(ii) is made available to the public on the Office on Violence Against Women's website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

“(A) AUDIT REQUIREMENT.—

“(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(ii) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

“(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

“(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

“(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

“(C) CONFERENCE EXPENDITURES.—

“(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

“(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

“(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

“(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, an annual certification that—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

“(iii) all reimbursements required under subparagraph (A)(v) have been made; and

“(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.”.

SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking “\$225,000,000 for each of fiscal years 2007 through 2011” and inserting “\$222,000,000 for each of fiscal years 2012 through 2016”;

(2) in section 2001(b) (42 U.S.C. 3796gg(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking “equipment” and inserting “resources”;

(ii) by inserting “for the protection and safety of victims,” after “women.”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))”;

(C) in paragraph (2), by striking “sexual assault and domestic violence” and inserting

“domestic violence, dating violence, sexual assault, and stalking”;

(D) in paragraph (3), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims”;

(E) in paragraph (4)—

(i) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(ii) by inserting “, classifying,” after “identifying”;

(F) in paragraph (5)—

(i) by inserting “and legal assistance” after “victim services”;

(ii) by striking “domestic violence and dating violence” and inserting “domestic violence, dating violence, and stalking”;

(iii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(I) in paragraph (7), as redesignated by subparagraph (G), by striking “and dating violence” and inserting “dating violence, and stalking”;

(J) in paragraph (9), as redesignated by subparagraph (G), by striking “domestic violence or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”;

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking “triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”;

(ii) by striking “and” at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking “to provide” and inserting “providing”;

(ii) by striking “nonprofit nongovernmental”;

(iii) by striking the comma after “local governments”;

(iv) in the matter following subparagraph (C), by striking “paragraph (14)” and inserting “paragraph (13)”;

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

“(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

“(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

“(17) developing, enlarging, or strengthening programs addressing sexual assault

against men, women, and youth in correctional and detention settings;

“(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

“(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

“(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.”;

(3) in section 2007 (42 U.S.C. 3796gg-1)—

(A) in subsection (a), by striking “non-profit nongovernmental victim service programs” and inserting “victim service providers”;

(B) in subsection (b)(6), by striking “(not including populations of Indian tribes)”;

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

“(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

“(C) the law enforcement entities within the State;

“(D) prosecution offices;

“(E) State and local courts;

“(F) Tribal governments in those States with State or federally recognized Indian tribes;

“(G) representatives from underserved populations, including culturally specific populations;

“(H) victim service providers;

“(I) population specific organizations; and

“(J) other entities that the State or the Attorney General identifies as needed for the planning process.”;

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b-1b).”;

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking “and not less than 25 percent shall be allocated for prosecutors”;

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

“(B) not less than 25 percent shall be allocated for prosecutors.”;

(IV) in subparagraph (D) as redesignated by subclause (II) by striking “for” and inserting “to”; and

(v) by adding at the end the following:

“(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total

amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

“(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

“(1) the certifications of qualification required under subsection (c);

“(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

“(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

“(5) an implementation plan required under subsection (i); and

“(6) any other documentation that the Attorney General may require.”;

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking “domestic violence and sexual assault” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(II) in subparagraph (D), by striking “linguistically and”; and

(ii) by adding at the end the following:

“(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.”;

(F) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.”; and

(G) by adding at the end the following:

“(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

“(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

“(2) submit to the Attorney General—

“(A) the implementation plan developed under paragraph (1);

“(B) documentation from each member of the planning committee as to their participation in the planning process;

“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

“(ii) the intended use of the grant funds;

“(iii) the expected result of the grant funds; and

“(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

“(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of

developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

“(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

“(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

“(G) goals and objectives for reducing domestic violence-related homicides within the State; and

“(H) any other information requested by the Attorney General.

“(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

“(1) funds from a subgrant awarded under this part are returned to the State; or

“(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4)”;

(4) in section 2010 (42 U.S.C. 3796gg-4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

“(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

“(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting “or” after the semicolon;

(ii) in paragraph (2), by striking “; or” and inserting a period; and

(iii) by striking paragraph (3); and

(C) by amending subsection (d) to read as follows:

“(d) NONCOOPERATION.—

“(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

“(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section.”; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg-5(a)(1))—

(A) by inserting “modification, enforcement, dismissal, withdrawal” after “registration,” each place it appears;

(B) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”; and

(C) by striking “victim of domestic violence” and all that follows through “sexual assault” and inserting “victim of domestic violence, dating violence, sexual assault, or stalking”.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “States,” and all that follows through “units of local government” and inserting “grantees”;

(ii) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines” before the period;

(iii) in paragraph (2), by striking “and training in police departments to improve tracking of cases” and inserting “data collection systems, and training in police departments to improve tracking of cases and classification of complaints”;

(iv) in paragraph (4), by inserting “and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking” after “computer tracking systems”;

(v) in paragraph (5), by inserting “and other victim services” after “legal advocacy service programs”;

(vi) in paragraph (6), by striking “judges” and inserting “Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel”;

(vii) in paragraph (8), by striking “and sexual assault” and inserting “dating violence, sexual assault, and stalking”;

(viii) in paragraph (10), by striking “non-profit, non-governmental victim services organizations,” and inserting “victim service providers, staff from population specific organizations,”; and

(ix) by adding at the end the following:

“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

“(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

“(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

“(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

“(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

“(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

“(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.”;

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “except for a court,” before “certify”; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(iii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (3)—

(I) by striking “spouses” each place it appears and inserting “parties”; and

(II) by striking “spouse” and inserting “party”;

(iv) in paragraph (4)—

(I) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”;

(II) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears;

(III) by inserting “dating violence,” after “victim of domestic violence.”;

(IV) by striking “and” at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “, not later than 3 years after January 5, 2006”;

(II) by inserting “, trial of, or sentencing for” after “investigation of” each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subclause (III) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”;

(V) by striking the period at the end and inserting “; and”;

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking “grantees are States” and inserting the following: “grantees are—

“(1) States”;

(viii) by adding at the end the following:

“(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “, policy,” after “law”;

(II) in subparagraph (A), by inserting “and the defendant is in custody or has been served with the information or indictment” before the semicolon; and

(iii) in paragraph (2), by striking “it” and inserting “its”;

(D) by adding at the end the following:

“(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg).

“(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(2) in section 2102(a) (42 U.S.C. 3796hh-1(a))—

(A) in paragraph (1), by inserting “court,” after “tribal government.”;

(B) in paragraph (4), by striking “non-profit, private sexual assault and domestic violence programs” and inserting “victim service providers and, as appropriate, population specific organizations”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking “\$75,000,000” and all that follows through “2011.” and inserting “\$73,000,000 for each of fiscal years 2012 through 2016.”;

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “arising as a consequence of” and inserting “relating to or arising out of”;

(B) in the second sentence, by inserting “or arising out of” after “relating to”;

(2) in subsection (b)—

(A) in the heading, by inserting “AND GRANT CONDITIONS” after “DEFINITIONS”;

(B) by inserting “and grant conditions” after “definitions”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “victims services organizations” and inserting “victim service providers”;

(B) by striking paragraph (3) and inserting the following:

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “this section has completed” and all that follows and inserting the following: “this section—”

“(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

“(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

“(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide.”;

(B) in paragraph (2), by striking “stalking organization” and inserting “stalking victim service provider”;

(5) in subsection (f) in paragraph (1), by striking “this section” and all that follows and inserting the following: “this section \$57,000,000 for each of fiscal years 2012 through 2016.”.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 316), and inserting the following:

“SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

“(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

“(b) USE OF FUNDS.—A grant under this section may be used to—

“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

“(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

“(3) educate court-based and court-related personnel and court-appointed personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

“(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

“(5) enable courts or court-based or court-related programs to develop or enhance—

“(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

“(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

“(C) offender management, monitoring, and accountability programs;

“(D) safe and confidential information-storage and information-sharing databases within and between court systems;

“(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

“(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

“(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

“(A) victims of domestic violence; and

“(B) nonoffending parents in matters—

“(i) that involve allegations of child sexual abuse;

“(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

“(iii) in which the other parent is represented by counsel;

“(7) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

“(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

“(c) CONSIDERATIONS.—

“(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

“(A) the number of families to be served by the proposed programs and services;

“(B) the extent to which the proposed programs and services serve underserved populations;

“(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

“(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

“(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

“(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

“(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

“(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

“(5) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

“(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

“(7) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$22,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated pursuant to this subsection shall remain available until expended.

“(f) ALLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking “\$5,000,000” and all that follows and inserting “\$5,000,000 for each of fiscal years 2012 through 2016.”

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2010” and inserting “January 1, 2015”;

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking “Code of Ethics” in section (c)(2) and inserting “Standards for Programs”; and

(B) by adding at the end the following:

“(e) REPORTING.—An organization that receives a grant under this section for a fiscal

year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting “is present” after “Indian Country or”; and

(2) by inserting “or presence” after “as a result of such travel”;

(b) STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

“§ 2261A. Stalking

“Whoever—

“(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

“(A) places that person in reasonable fear of the death of, or serious bodily injury to—

“(i) that person;

“(ii) an immediate family member (as defined in section 115) of that person; or

“(iii) a spouse or intimate partner of that person; or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

“(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication system or interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

“(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A), shall be punished as provided in section 2261(b) of this title.”

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262(a)(2) of title 18, United States Code, is amended by inserting “is present” after “Indian Country or”.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall

take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

“(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

“(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

“(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

“(2) victim service providers offering population specific services for a specific underserved population; or

“(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

“(c) PLANNING GRANTS.—The Attorney General may use up to 25 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

“(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

“(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

“(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

“(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

“(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

“(2) strengthening the capacity of underserved populations to provide population specific services;

“(3) strengthening the capacity of traditional victim service providers to provide population specific services;

“(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

“(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

“(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

“(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

“(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2012 through 2016.

“(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.”.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking “**AND LINGUISTICALLY**”;

(2) by striking “and linguistically” each place it appears;

(3) by striking “and linguistic” each place it appears;

(4) by striking subsection (a)(2) and inserting:

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

“(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-6) (Legal Assistance for Victims).

“(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

“(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).”;

(5) in subsection (g), by striking “linguistic and”.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking “other programs” and all that follows and inserting “other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.”;

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting “or tribal programs and activities” after “nongovernmental organizations”; and

(B) in subparagraph (C)(v), by striking “linguistically and”; and

(3) in paragraph (4)—

(A) by inserting “(including the District of Columbia and Puerto Rico)” after “The Attorney General shall allocate to each State”;

(B) by striking “the District of Columbia, Puerto Rico.” after “Guam”;

(C) by striking “0.125 percent” and inserting “0.25 percent”; and

(D) by striking “The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011” and inserting “\$40,000,000 to remain available until expended for each of fiscal years 2012 through 2016”.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting “, including sexual assault forensic examiners” before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “victim advocacy groups” and inserting “victim service providers”; and

(ii) by inserting “, including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides” before the semicolon;

(B) in paragraph (2)—

(i) by striking “and other long- and short-term assistance” and inserting “legal assistance, and other long-term and short-term victim and population specific services”; and

(ii) by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”;

(D) by adding at the end the following:

“(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

“(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by

the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.”; and

(3) in subsection (e)(1), by striking “\$55,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2012 through 2016”.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)” after “risk reduction”;

(B) in paragraph (4), by striking “victim service organizations” and inserting “victim service providers”;

(C) in paragraph (5), by striking “victim services organizations” and inserting “victim service providers”;

(2) in subsection (c)(1)(D), by striking “nonprofit and nongovernmental victim services organization, such as a State” and inserting “victim service provider, such as a State or tribal”;

(3) in subsection (e), by striking “\$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$9,000,000 for each of fiscal years 2012 through 2016”.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

“Subtitle H—Enhanced Training and Services to End Abuse Later in Life

“SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘exploitation’ has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

“(2) the term ‘later life’, relating to an individual, means the individual is 50 years of age or older; and

“(3) the term ‘neglect’ means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

“(b) GRANT PROGRAM.—

“(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

“(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

“(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

“(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

“(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

“(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual

assault, stalking, exploitation, and neglect; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

“(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

“(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

“(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

“(D) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

“(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

“(A) the entity is—

“(i) a State;

“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

“(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

“(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

“(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

“(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

“(i) a law enforcement agency;

“(ii) a prosecutor’s office;

“(iii) a victim service provider; and

“(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

“(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$9,000,000 for each of fiscal years 2012 through 2016.”.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b-1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, territorial or tribal” after “crisis centers, State”; and

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “\$80,000,000 for each of fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2012 through 2016”; and

(B) by adding at the end the following:

“(3) BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—A minimum allocation of \$150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of \$35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.”.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c-3) and inserting the following:

“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH (‘CHOOSE CHILDREN & YOUTH’).

“(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and prevent future violence.

“(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

“(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

“(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

“(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and

youth who are victims of domestic violence, dating violence, sexual assault, and stalking, and to properly refer such children, youth, and their families to appropriate services.

“(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

“(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

“(C) provide support services for student victims of domestic violence, dating violence, sexual assault or stalking, such as a resource person who is either on-site or on-call;

“(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking and the impact of such violence on youth; or

“(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

“(C) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

“(A) a victim service provider, tribal non-profit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, or stalking;

“(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

“(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with spe-

cialized knowledge and experience working with youth offenders; or

“(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

“(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault and stalking.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2012 through 2016.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

“(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “stalking on campuses, and” and inserting “stalking on campuses,”;

(ii) by striking “crimes against women on” and inserting “crimes on”; and

(iii) by inserting “, and to develop and strengthen prevention education and awareness programs” before the period; and

(B) in paragraph (2), by striking “\$500,000” and inserting “\$300,000”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting “, strengthen,” after “To develop”; and

(ii) by inserting “including the use of technology to commit these crimes,” after “sexual assault and stalking,”;

(B) in paragraph (4)—

(i) by inserting “and population specific services” after “strengthen victim services programs”;

(ii) by striking “entities carrying out” and all that follows through “stalking victim services programs” and inserting “victim service providers”; and

(iii) by inserting “, regardless of whether the services are provided by the institution or in coordination with community victim service providers” before the period at the end; and

(C) by adding at the end the following:

“(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

“(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “any non-profit” and all that follows through “victim services programs” and inserting “victim service providers”;

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

“(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services.”; and

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2012 through 2016”;

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

“(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”; and

(5) in subsection (e), by striking “there are” and all that follows through the period and inserting “there is authorized to be appropriated \$12,000,000 for each of fiscal years 2012 through 2016.”.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting “, when the victim of such crime elects or is unable to make such a report.”; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking “and” after the semicolon;

(ii) in clause (ii)—

(I) by striking “sexual orientation” and inserting “national origin, sexual orientation, gender identity.”; and

(II) by striking the period and inserting “; and”;

(iii) by adding at the end the following:

“(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.”;

(2) in paragraph (3), by inserting “, that withholds the names of victims as confidential,” after “that is timely”;

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

“(i) The terms ‘dating violence’, ‘domestic violence’, and ‘stalking’ have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

“(v) The term ‘sexual assault’ means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”;

(4) in paragraph (7)—

(A) by striking “paragraph (1)(F)” and inserting “clauses (i) and (ii) of paragraph (1)(F)”;

(B) by inserting after “Hate Crime Statistics Act.” the following: “For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(5) by striking paragraph (8) and inserting the following:

“(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

“(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

“(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report.

“(B) The policy described in subparagraph (A) shall address the following areas:

“(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

“(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

“(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

“(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

“(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

“(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or inter-

vene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

“(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

“(ff) the information described in clauses (ii) through (vii); and

“(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

“(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

“(iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

“(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

“(II) to whom the alleged offense should be reported;

“(III) options regarding law enforcement and campus authorities, including notification of the victim’s option to—

“(aa) notify proper law enforcement authorities, including on-campus and local police;

“(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

“(cc) decline to notify such authorities; and

“(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

“(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

“(I) such proceedings shall—

“(aa) provide a prompt, fair, and impartial investigation and resolution; and

“(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

“(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

“(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

“(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

“(bb) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

“(cc) of any change to the results that occurs prior to the time that such results become final; and

“(dd) when such results become final.

“(v) Information about how the institution will protect the confidentiality of victims,

including how publicly-available record-keeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

“(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

“(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

“(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee’s rights and options, as described in clauses (ii) through (vii) of subparagraph (B).”;

(6) in paragraph (9), by striking “The Secretary” and inserting “The Secretary, in consultation with the Attorney General of the United States.”;

(7) by striking paragraph (16) and inserting the following:

“(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

“(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.”;

(8) by striking paragraph (17) and inserting the following:

“(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.”;

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4(c)) is amended by striking “\$2,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$1,000,000 for each of the fiscal years 2012 through 2016”.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42

U.S.C. 14043d-2) is amended to read as follows:

“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

“(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

“(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

“(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

“(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

“(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

“(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

“(D) policy development targeted to prevention, including school-based policies and protocols.

“(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children’s exposure to violence in the home. Such programs may include—

“(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

“(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

“(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

“(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

“(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective

work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

“(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, or a school district.

“(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

“(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

“(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

“(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(d) GRANTEE REQUIREMENTS.—

“(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

“(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

“(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

“(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

“(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or

will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

“(D) document how prevention programs are coordinated with service programs in the community.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

“(A) include outcome-based evaluation; and

“(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated under this section may only be used for programs and activities described under this section.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.”

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-3 and 14043d-4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g-4) is amended to read as follows:

“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) IN GENERAL.—The Secretary shall award grants for—

“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

“(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

“(3) the development or enhancement and implementation of comprehensive statewide

strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

“(b) USE OF FUNDS.—

“(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

“(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

“(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

“(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

“(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient’s privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

“(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

“(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

“(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess,

treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

“(2) PERMISSIBLE USES.—

“(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

“(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

“(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

“(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

“(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

“(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

“(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

“(C) REQUIREMENTS FOR GRANTEES.—

“(1) CONFIDENTIALITY AND SAFETY.—

“(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentiality and security procedures, and provide documentation of such consultation.

“(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a

grant under this section for administrative expenses.

“(3) APPLICATION.—

“(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

“(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

“(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

“(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

“(II) a health care facility or system; or

“(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

“(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

“(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

“(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

“(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

“(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

“(d) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

“(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

“(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

“(C) a health care provider membership or professional organization, or a health care system; or

“(D) a State, tribal, territorial, or local entity.

“(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

“(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

“(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

“(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

“(3) REPORTING.—The Secretary shall publish a biennial report on—

“(A) the distribution of funds under this section; and

“(B) the programs and activities supported by such funds.

“(f) RESEARCH AND EVALUATION.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

“(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

“(2) RESEARCH.—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

“(B) research to determine effective health care interventions to respond to and prevent

domestic violence, dating violence, sexual assault, and stalking;

“(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

“(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$10,000,000 for each of fiscal years 2012 through 2016.

“(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.”

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

“CHAPTER 1—GRANT PROGRAMS”;

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(4) by adding at the end the following:

“CHAPTER 2—HOUSING RIGHTS

“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) DEFINITIONS.—In this chapter:

“(1) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an individual—

“(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

“(B) any individual, tenant, or lawful occupant living in the household of that individual.

“(2) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

“(3) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—

“(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

“(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

“(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

“(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

“(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

“(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

“(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

“(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

“(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

“(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

“(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

“(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

“(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

“(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

“(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

“(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

“(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

“(B) BIFURCATION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

“(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under

clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

“(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

“(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

“(II) the distribution or possession of property among members of a household in a case;

“(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

“(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

“(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

“(c) DOCUMENTATION.—

“(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

“(2) FAILURE TO PROVIDE CERTIFICATION.—

“(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

“(i) deny admission by the applicant or tenant to the covered program;

“(ii) deny assistance under the covered program to the applicant or tenant;

“(iii) terminate the participation of the applicant or tenant in the covered program; or

“(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

“(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

“(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

“(A) a certification form approved by the appropriate agency that—

“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

“(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

“(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

“(B) a document that—

“(i) is signed by—

“(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

“(II) the applicant or tenant; and

“(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

“(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

“(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing pro-

gram based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

“(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) NOTIFICATION.—

“(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

“(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

“(C) with any notification of eviction or notification of termination of assistance; and

“(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d-1 note; relating to access to services for persons with limited English proficiency).

“(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

“(A) the tenant expressly requests the transfer; and

“(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

“(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

“(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

“(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

“(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.”

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (1)—

(i) in paragraph (5), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(ii) in paragraph (6), by striking “; except that” and all that follows through “stalking.”; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking “and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission”; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in clause (iii), by striking “, except that.” and all that follows through “stalking.”;

(C) in subsection (f)—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking “and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking “CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT” and inserting “VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING”; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT” and inserting “VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING”;

(B) in subsection (a)(1), by striking “fleeing”;

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking “ and” at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

“(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry in to the workforce; and”;

(iv) in subparagraph (C), as redesignated by clause (ii), by striking “ employment counseling.”; and

(D) in subsection (g)—

(i) in paragraph (1), by striking “\$40,000,000 for each of fiscal years 2007 through 2011” and inserting “\$35,000,000 for each of fiscal years 2012 through 2016”; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking “eligible” and inserting “qualified”; and

(II) by adding at the end the following:

“(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term ‘qualified application’ means an application that—

“(i) has been submitted by an eligible applicant;

“(ii) does not propose any activities that may compromise victim safety, including—

“(I) background checks of victims; or

“(II) clinical evaluations to determine eligibility for services;

“(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

“(iv) does not propose prohibited activities, including mandatory services for victims.”

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e-3(i)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2012 through 2016”; and

(2) in section 41405(g) (42 U.S.C. 14043e-4(g)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2012 through 2016”.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “stalking;” after “sexual exploitation;”.

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2012, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and

competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(1)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(1)(2)) is amended—

(1) in subparagraph (E), by striking “or” at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

“(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(5) as a VAWA self-petitioner; or”.

SEC. 804. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

“(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

“(i) is a VAWA self-petitioner;

“(ii) is an applicant for, or is granted, non-immigrant status under section 101(a)(15)(U); or

“(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).”.

SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) RECAPTURE OF UNUSED U VISAS.—Section 214(p)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(2)) is amended by—

(1) in subparagraph (A), by striking “The number” and inserting “Except as provided in subparagraph (C), the number”; and

(2) by adding at the end the following:

“(C) Beginning in fiscal year 2012, if the numerical limitation set forth in subparagraph (A) is reached before the end of the fiscal year, up to 5,000 additional visas, of the aggregate number of visas that were available and not issued to nonimmigrants described in section 101(a)(15)(U) in fiscal years 2006 through 2011, may be issued until the end of the fiscal year.”.

(3) SUNSET DATE.—The amendments made by paragraphs (1) and (2) are repealed on the date on which the aggregate number of visas that were available and not issued in fiscal years 2006 through 2011 have been issued pursuant to section 214(p)(2)(C) of the Immigration and Nationality Act.

(b) AGE DETERMINATIONS.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

“(7) AGE DETERMINATIONS.—

“(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent’s petition was filed but while it was pending.

“(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien’s application for status under such clause (i) is filed but while it is pending.”.

SEC. 806. HARDSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking “(1), or” and inserting “(1); or”;

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and “or”; and

(4) by inserting after subparagraph (C) the following:

“(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien’s intended spouse and was not at fault in failing to meet the requirements of paragraph (1).”.

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking “The Attorney General, in the Attorney General’s” and inserting “The Secretary of Homeland Security, in the Secretary’s”; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking “Attorney General” and inserting “Secretary of Homeland Security”; and

(B) in the second sentence, by striking “Attorney General” and inserting “Secretary”; and

(C) in the third sentence, by striking “Attorney General.” and inserting “Secretary.”; and

(D) in the fourth sentence, by striking “Attorney General” and inserting “Secretary”.

SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime,” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).”; and

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking “a consular officer” and inserting “the Secretary of Homeland Security”; and

(ii) by striking “the officer” and inserting “the Secretary”; and

(C) in paragraph (3)(B)(i), by striking “abuse, and stalking,” and inserting “abuse, stalking, or an attempt to commit any such crime.”; and

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime,” and inserting “crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).”; and

(B) by amending paragraph (4)(B)(ii) to read as follows:

“(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).”; and

(3) in paragraph (5)(B)(i), by striking “abuse, and stalking,” and inserting “abuse, stalking, or an attempt to commit any such crime.”.

(b) PROVISION OF INFORMATION TO K NON-IMMIGRANTS.—Section 833 of the Inter-

national Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking “State any” and inserting “State, for inclusion in the mailing described in clause (i), any”; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

“(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center’s Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

“(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

“(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

“(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant’s attention—

“(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

“(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

“(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.”; and

(2) in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—

(1) FINDINGS.—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) TECHNICAL CORRECTION.—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking “Federal and State sex offender public registries” and inserting “the National Sex Offender Public Website”.

(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

“(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

“(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client’s birth certificate or other proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.”;

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking “REGISTRIES.—” and inserting “WEBSITE.—”; and

(ii) by striking “Registry or State sex offender public registry,” and inserting “Website.”; and

(B) in subparagraph (B)(ii), by striking “or stalking.” and inserting “stalking, or an attempt to commit any such crime.”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking “Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,” and inserting “Website”; and

(ii) in clause (iii)(II), by striking “background information collected by the international marriage broker under paragraph (2)(B);” and inserting “signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);” and

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking “A penalty may be imposed under clause (i) by the Attorney General only” and inserting “At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General”;

(B) by amending subparagraph (B) to read as follows:

“(B) FEDERAL CRIMINAL PENALTIES.—

“(i) FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.—Except as provided in clause (ii), an inter-

national marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

“(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

“(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

“(ii) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

“(iii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

“(iv) RELATIONSHIP TO OTHER PENALTIES.—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

“(v) CONSTRUCTION.—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.”; and

(C) in subparagraph (C), by striking the period at the end and inserting “including equitable remedies.”;

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

“(6) ENFORCEMENT.—

“(A) AUTHORITY.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

“(B) CONSULTATION.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.”.

(d) GAO STUDY AND REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking “STUDY AND REPORT.—” and inserting “STUDIES AND REPORTS.—”; and

(2) by adding at the end the following:

“(4) CONTINUING IMPACT STUDY AND REPORT.—

“(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section

and of section of 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

“(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2011, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

“(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).”.

SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110-229; 48 U.S.C. 1806 note), is amended by striking “except that,” and all that follows through the end, and inserting the following: “except that—

“(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) has abandoned or lost such status by reason of absence from the United States, such alien’s presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

“(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien’s physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.”.

SEC. 810. DIVERSITY IMMIGRANT VISA PETITION FEE.

(a) REQUIREMENT FOR FEE.—Section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

“(iv) Each petition filed under this subparagraph shall include a petition fee in the amount of \$30.”.

(b) DEPOSIT OF FEE.—

(1) IN GENERAL.—For purposes of fees collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)), as added by subsection (a), a portion of such funds shall be transferred to and deposited in the Federal Old-Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) (referred to in this section as the “Trust Funds”), at such times and in such manner as is determined appropriate by the Secretary of the Treasury, in such amounts as are equal to the increases in disbursements from the Trust Funds by reason of the application of section 805(a).

(2) REMAINDER.—To the extent the total amount collected pursuant to clause (iv) of

section 204(a)(1)(I) of the Immigration and Nationality Act exceeds the total amount transferred to the Trust Funds pursuant to paragraph (1), such excess amount shall not be available for obligation and shall be deposited, in its entirety, in the general fund of the Treasury.

(c) **SUNSET OF FEES.**—The fees collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)), as added by subsection (a), shall apply only to petitions filed before December 31, 2015.

SEC. 811. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 812. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) **INFORMATION SHARING.**—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary’s or the” before “Attorney General’s discretion”;

(2) in paragraph (2)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”;

(B) by inserting “Secretary or the” before “Attorney General for”;

(C) by inserting “in a manner that protects the confidentiality of such information” after “law enforcement purpose”;

(3) in paragraph (5), by striking “Attorney General is” and inserting “Secretary of Homeland Security and the Attorney General are”; and

(4) by adding at the end a new paragraph as follows:

“(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.”

(b) **GUIDELINES.**—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

(1) by inserting “, Secretary of State,” after “The Attorney General”;

(2) by inserting “, Department of State,” after “Department of Justice”; and

(3) by inserting “and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domestic violence”.

(c) **IMPLEMENTATION.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) **CLERICAL AMENDMENT.**—Section 384(a)(1) of the Illegal Immigration Reform

and Immigrant Responsibility Act of 1986 is amended by striking “241(a)(2)” in the matter following subparagraph (F) and inserting “237(a)(2)”.

TITLE IX—SAFETY FOR INDIAN WOMEN
SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault.”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault.”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking.”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—

(A) by inserting “sex trafficking,” after “stalking.”; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

“(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the non-abusing parent or the caretaker of the youth or child; and

“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

“(d) **TRIBAL COALITION GRANTS.**—

“(1) **PURPOSE.**—The Attorney General shall award a grant to tribal coalitions for purposes of—

“(A) increasing awareness of domestic violence and sexual assault against Indian women;

“(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

“(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

“(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

“(2) **GRANTS.**—The Attorney General shall award grants on an annual basis under paragraph (1) to—

“(A) each tribal coalition that—

“(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

“(ii) is recognized by the Office on Violence Against Women; and

“(iii) provides services to Indian tribes; and

“(B) organizations that propose to incorporate and operate a tribal coalition in areas

where Indian tribes are located but no tribal coalition exists.

“(3) **USE OF AMOUNTS.**—For each of fiscal years 2012 through 2016, of the amounts appropriated to carry out this subsection—

“(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

“(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year

“(4) **ELIGIBILITY FOR OTHER GRANTS.**—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

“(5) **MULTIPLE PURPOSE APPLICATIONS.**—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.”

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking “and the Violence Against Women Act of 2000” and inserting “, the Violence Against Women Act of 2000”; and

(B) by inserting “, and the Violence Against Women Reauthorization Act of 2011” before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “Secretary of the Department of Health and Human Services” and inserting “Secretary of Health and Human Services, the Secretary of the Interior.”; and

(B) in paragraph (2), by striking “and stalking” and inserting “stalking, and sex trafficking”; and

(3) by adding at the end the following:

“(c) **ANNUAL REPORT.**—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

“(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

“(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

“(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

“(d) **NOTICE.**—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the “Indian Civil Rights Act of 1968”) is amended by adding at the end the following:

“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

“(a) **DEFINITIONS.**—In this section:

“(1) **DATING VIOLENCE.**—The term ‘dating violence’ means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length

of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

“(2) DOMESTIC VIOLENCE.—The term ‘domestic violence’ means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family-violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

“(3) INDIAN COUNTRY.—The term ‘Indian country’ has the meaning given the term in section 1151 of title 18, United States Code.

“(4) PARTICIPATING TRIBE.—The term ‘participating tribe’ means an Indian tribe that elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

“(5) PROTECTION ORDER.—The term ‘protection order’—

“(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

“(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

“(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term ‘special domestic violence criminal jurisdiction’ means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

“(7) SPOUSE OR INTIMATE PARTNER.—The term ‘spouse or intimate partner’ has the meaning given the term in section 2266 of title 18, United States Code.

“(b) NATURE OF THE CRIMINAL JURISDICTION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

“(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

“(3) APPLICABILITY.—Nothing in this section—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

“(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

“(4) EXCEPTIONS.—

“(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

“(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

“(ii) DEFINITION OF VICTIM.—In this subparagraph and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection order, the term ‘victim’ means a person specifically protected by a protection order that the defendant allegedly violated.

“(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse, intimate partner, or dating partner of—

“(I) a member of the participating tribe; or

“(II) an Indian who resides in the Indian country of the participating tribe.

“(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

“(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

“(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

“(A) occurs in the Indian country of the participating tribe; and

“(B) violates the portion of a protection order that—

“(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(ii) is issued against the defendant;

“(iii) is enforceable by the participating tribe; and

“(iv) is consistent with section 2265(b) of title 18, United States Code.

“(d) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

“(1) all applicable rights under this Act;

“(2) if a term of imprisonment of any length may be imposed, all rights described in section 202(c);

“(3) the right to a trial by an impartial jury that is drawn from sources that—

“(A) reflect a fair cross section of the community; and

“(B) do not systematically exclude any distinctive group in the community, including non-Indians; and

“(4) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

“(e) PETITIONS TO STAY DETENTION.—

“(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

“(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

“(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under

conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

“(f) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(B) prosecution;

“(C) trial and appellate courts;

“(D) probation systems;

“(E) detention and correctional facilities;

“(F) alternative rehabilitation centers;

“(G) culturally appropriate services and assistance for victims and their families; and

“(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.”.

SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”.

(b) APPLICABILITY.—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United

States Code (as in effect on the day before the date of enactment of this Act).

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without cause or excuse.”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women

Reauthorization Act of 2011, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2011”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2012 and 2013”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (d) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants’ rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (d) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking “2 years” and inserting “3 years”.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with re-

spect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. LIMITATION.

Nothing in this Act or any amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

TITLE X—OTHER MATTERS

SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) SEXUAL ABUSE OF A MINOR OR WARD.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

“(b) OF A WARD.—

“(1) OFFENSES.—

“(A) IN GENERAL.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

“(i) in official detention or under official supervision or other official control of, the United States—

“(I) during or after arrest;

“(II) after release pretrial;

“(III) while on bail, probation, supervised release, or parole;

“(IV) after release following a finding of juvenile delinquency; or

“(V) after release pending any further judicial proceedings;

“(ii) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

“(iii) at the time of the sexual act—

“(I) in the special maritime and territorial jurisdiction of the United States;

“(II) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

“(III) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

“(B) SEXUAL CONTACT.—It shall be unlawful for any person to knowingly engage in sexual contact with, or cause sexual contact by, another person, if to do so would violate subparagraph (A) had the sexual contact been a sexual act.

“(2) PENALTIES.—

“(A) IN GENERAL.—A person that violates paragraph (1)(A) shall—

“(i) be fined under this title, imprisoned for not more than 15 years, or both; and

“(ii) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.

“(B) SEXUAL CONTACT.—A person that violates paragraph (1)(B) shall be fined under this title, imprisoned for not more than 2 years, or both.”.

(b) PENALTIES FOR SEXUAL ABUSE.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“§ 250. Penalties for sexual abuse

“(a) OFFENSE.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

“(b) PENALTIES.—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“250. Penalties for sexual abuse.”.

SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(5) DEFINITION.—As used in this section, the term ‘detention facilities operated under contract with the Department’ includes, but is not limited to contract detention facilities and detention facilities operated through an

intergovernmental service agreement with the Department of Homeland Security.

“(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).”.

SEC. 1003. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Communications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking “annoy.”;

(2) in subparagraph (C)—

(A) by striking “annoy.”; and

(B) by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”; and

(3) in subparagraph (E), by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”.

SEC. 1004. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking “\$3,000,000” and all that follows and inserting “\$3,000,000 for fiscal years 2012 through 2016.”.

SEC. 1005. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103-322; 108 Stat. 1910) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

SEC. 1006. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking “\$2,300,000” and all that follows and inserting “\$2,300,000 for each of fiscal years 2012 through 2016.”.

SEC. 1007. MANDATORY MINIMUM SENTENCE.

Section 2241(a) of title 18, United States Code, is amended in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 5 years or imprisoned for life”.

SEC. 1008. REMOVAL OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43)(F) of the Immigration and Nationality Act (8

U.S.C. 1101(a)(43)(F)) is amended by striking “for which the term of imprisonment” and inserting “, including a third drunk driving conviction, regardless of the States in which the convictions occurred or whether the offenses are classified as misdemeanors or felonies under State or Federal law, for which the term of imprisonment is”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

SA 2094. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows:

At the appropriate place, insert the following:

SEC. ____ DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following:

“(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

“(7) To ensure that the collection and processing of DNA evidence from crimes, including sexual assault and other serious violent crimes, is carried out in an appropriate and timely manner.

“(8) To ensure effective communication among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested.”;

(2) in subsection (c)(3)(B)—

(A) by striking “2014” and inserting “2017”; and

(B) by striking “40” and inserting “70”;

(3) by striking subsection (j) and inserting the following:

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General for grants under this section \$151,000,000 for each of fiscal years 2013 through 2017.”; and

(4) by adding at the end the following:

“(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

“(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall, not later than 1 year after receiving such grant, complete the audit described in paragraph (1)(A) in accordance with the plan submitted under such paragraph.

“(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) DEFINITIONS.—In this subsection:

“(A) AWAITING TESTING.—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) POSSESSION.—

“(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

“(o) DEVELOPMENT OF PROTOCOLS AND PRACTICES.—

“(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011 the Director of the National Institute of Justice, in consultation with Federal, State, and local government laboratories and law enforcement agencies, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence.

“(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

“(3) DEFINITION OF BACKLOG FOR DNA CASE WORK.—The Director shall develop and publish a definition of the term ‘backlog for DNA case work’ for purposes of this section—

“(A) taking into consideration the different stages at which a backlog may develop, including the investigation and prosecution of a crime by law enforcement personnel, prosecutors, and others, and the laboratory analysis of crime scene samples; and

“(B) which may include different criteria or thresholds for the different stages.”.

SA 2095. Mrs. HUTCHISON (for herself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. CORNYN, Mr. KYL, Mr. ALEXANDER, Mr. MORAN, Mr. CORKER, and Mr. JOHANNIS) proposed an amendment to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Violence Against Women Reauthorization Act of 2012”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Universal definitions and grant conditions.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST VICTIMS

Sec. 101. Stop grants.

Sec. 102. Grants to encourage accountability policies and enforcement of protection orders.

Sec. 103. Legal assistance for victims.

Sec. 104. Consolidation of grants to support families in the justice system.

Sec. 105. Sex offender management.

Sec. 106. Court-appointed special advocate program.

Sec. 107. Criminal provision relating to stalking, including cyberstalking.

Sec. 108. Outreach and services to underserved populations grant.

Sec. 109. Culturally specific services grant.

Sec. 110. Reauthorization of child abuse training programs for judicial personnel and practitioners.

Sec. 111. Offset of restitution and other State judicial debts against income tax refund.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 201. Sexual assault services program.

Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.

Sec. 203. Training and services to end violence against women with disabilities grants.

Sec. 204. Grant for training and services to end violence against women in later life.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

Sec. 301. Rape prevention education grant.

Sec. 302. Creating hope through outreach, options, services, and education for children and youth.

Sec. 303. Grants to combat violent crimes on campuses.

Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLENCE REDUCTION PRACTICES

Sec. 401. Study conducted by the centers for disease control and prevention.

Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—IMMIGRATION PROVISIONS

Sec. 801. Application of special rule for battered spouse or child.

Sec. 802. Clarification of the requirements applicable to U visas.

Sec. 803. Protections for a fiancée or fiancé of a citizen.

Sec. 804. Regulation of international marriage brokers.

Sec. 805. GAO report.

Sec. 806. Disclosure of information for national security purposes.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.

Sec. 902. Grants to Indian tribal coalitions.

Sec. 903. Consultation.

Sec. 904. Amendments to the Federal assault statute.

Sec. 905. Analysis and research on violence against Indian women.

Sec. 906. Effective date.

Sec. 907. Tribal protection orders.

Sec. 908. Alaska Rural Justice and Law Enforcement Commission.

TITLE X—VIOLENT CRIME AGAINST WOMEN

Sec. 1001. Criminal provisions relating to sexual abuse.

Sec. 1002. Sexual abuse in custodial settings.

Sec. 1003. Report on compliance with the DNA Fingerprint Act of 2005.

Sec. 1004. Reducing the rape kit backlog.

Sec. 1005. Report on capacity utilization.

Sec. 1006. Mandatory minimum sentence for aggravated sexual abuse.

Sec. 1007. Removal of drunk drivers.

Sec. 1008. Enhanced penalties for interstate domestic violence resulting in death, life-threatening bodily injury, permanent disfigurement, and serious bodily injury.

Sec. 1009. Finding Fugitive Sex Offenders Act.

Sec. 1010. Minimum penalties for the possession of child pornography.

Sec. 1011. Audit of Office for Victims of Crime.

TITLE XI—THE SAFER ACT

Sec. 1101. Short title.

Sec. 1102. Debbie Smith grants for auditing sexual assault evidence backlogs.

Sec. 1103. Sexual Assault Forensic Evidence Registry.

Sec. 1104. Reports to Congress.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 4002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by redesignating—

(A) paragraph (1) as paragraph (2);

(B) paragraph (2) as paragraph (4);

(C) paragraphs (3) through (5) as paragraphs (5) through (7), respectively;

(D) paragraphs (6) through (9) as paragraphs (8) through (11), respectively;

(E) paragraphs (10) through (16) as paragraphs (14) through (20), respectively;

(F) paragraph (18) as paragraph (23);

(G) paragraphs (19) and (20) as paragraphs (25) and (26), respectively;

(H) paragraphs (21) and (22) as paragraphs (28) and (29), respectively;

(I) paragraphs (23) through (33) as paragraphs (31) through (41), respectively;

(J) paragraphs (34) and (35) as paragraphs (43) and (44); and

(K) paragraph (37) as paragraph (47);

(2) by inserting before paragraph (2), as redesignated, the following:

“(1) ALASKA NATIVE VILLAGE.—The term ‘Alaska Native village’ has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).”;

(3) by inserting after paragraph (2), as redesignated, the following:

“(2) CHILD.—The term ‘child’ means a person who is under 11 years of age.”;

(4) in paragraph (4), as redesignated, by striking “serious harm.” and inserting “serious harm to unemancipated minor.”;

(5) in paragraph (5), as redesignated, by striking “The term” through “that—” and inserting “The term ‘community-based organization’ means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—”;

(6) by inserting after paragraph (7), as redesignated, the following:

“(8) CULTURALLY SPECIFIC SERVICES.—The term ‘culturally specific services’ means community-based services that offer culturally relevant and linguistically specific services and resources to culturally specific communities.

“(9) CULTURALLY SPECIFIC.—The term ‘culturally specific’ means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300–u–6(g)).”;

(7) in paragraph (10), as redesignated, by inserting “or intimate partner” after “former spouse” and “as a spouse”;

(8) by inserting after paragraph (13), as redesignated, the following:

“(14) HOMELESS.—The term ‘homeless’ has the meaning provided in 42 U.S.C. 14043e 2(6).”;

(9) in paragraph (18), as redesignated, by inserting “or Village Public Safety Officers” after “government victim service programs”;

(10) in paragraph (21), as redesignated, by inserting at the end the following:

“Intake or referral, by itself, does not constitute legal assistance.”;

(11) by striking paragraph (17), as in effect before the amendments made by this subsection;

(12) by amending paragraph (22), as redesignated, to read as follows:

“(22) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term ‘personally identifying information’ or ‘personal information’ means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number, driver license number, passport number, or student identification number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.”;

(13) by inserting after paragraph (22), as redesignated, the following:

“(23) POPULATION SPECIFIC ORGANIZATION.—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(24) POPULATION SPECIFIC SERVICES.—The term ‘population specific services’ means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.”;

(14) in paragraph (25), as redesignated, by striking “services” and inserting “assistance”;

(15) in paragraph (26), as redesignated, by striking “52” and inserting “57”;

(16) by inserting after paragraph (26), as redesignated, the following:

“(27) RAPE CRISIS CENTER.—The term ‘rape crisis center’ means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.”;

(17) in paragraph (28), as redesignated—

(A) in subparagraph (A), by striking “or” after the semicolon;

(B) in subparagraph (B), by striking the period and inserting “; or”; and

(C) by inserting at the end the following:

“(C) any federally recognized Indian tribe.”;

(18) in paragraph (29), as redesignated, by striking “150,000” and inserting “250,000”;

(19) by inserting after paragraph (29), as redesignated, the following:

“(30) SEX TRAFFICKING.—The term ‘sex trafficking’ means any conduct proscribed by 18 U.S.C. 1591, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.”;

(20) by striking paragraph (31), as redesignated, and inserting the following:

“(31) SEXUAL ASSAULT.—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.”;

(21) by amending paragraph (41), as redesignated, to read as follows:

“(41) UNDERSERVED POPULATIONS.—The term ‘underserved populations’ means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.”;

(22) by inserting after paragraph (41), as redesignated, the following:

“(42) UNIT OF LOCAL GOVERNMENT.—The term ‘unit of local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.”;

(23) by striking paragraph (36), as in effect before the amendments made by this subsection, and inserting the following:

“(45) VICTIM SERVICES OR SERVICES.—The terms ‘victim services’ and ‘services’ mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

“(46) VICTIM SERVICE PROVIDER.—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.”; and

(24) by striking paragraph (47), as redesignated, and inserting the following:

“(47) YOUTH.—The term ‘youth’ means a person who is 11 to 20 years old.”.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent’s or guardian’s consent, the minor or person with a guardian may release information without additional consent.”;

(B) by amending subparagraph (D), to read as follows:

“(D) INFORMATION SHARING.—

“(i) Grantees and subgrantees may share—

“(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal,

State, tribal, or territorial reporting, evaluation, or data collection requirements;

“(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement, intelligence, national security, or prosecution purposes.

“(ii) In no circumstances may—

“(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grant-ee or subgrantee;

“(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.”;

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

“(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined by law, where specifically mandated by the State or tribe involved.”; and

(E) by inserting after subparagraph (F), as redesignated, the following:

“(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.”;

(2) by striking paragraph (3) and inserting the following:

“(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with, or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.”;

(3) in paragraph (7), by inserting at the end the following:

“Final reports of such evaluations shall be made available to the public via the agency’s website.”; and

(4) by inserting after paragraph (11) the following:

“(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6(d)).

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in the United States shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence

Against Women Reauthorization Act of 2011, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) EXCEPTION.—If gender segregation or gender-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual’s gender. In such circumstances, alternative reasonable accommodations are sufficient to meet the requirements of this paragraph.

“(C) DISCRIMINATION.—The provisions of paragraphs (2) through (4) of section 809(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d(c)) apply to violations of subparagraph (A).

“(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

“(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance provided under this title may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(15) ACCOUNTABILITY.—All grants awarded by the Attorney General that are authorized under this Act shall be subject to the following accountability provisions:

“(A) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct an audit of not fewer than 10 percent of all recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees.

“(B) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in subparagraph (E).

“(C) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

“(D) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (B), the Attorney General shall—

“(i) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(E) UNRESOLVED AUDIT FINDING DEFINED.—In this paragraph, the term ‘unresolved audit finding’ means an audit report finding, statement, or recommendation that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date of an initial notification of the finding or recommendation.

“(F) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(i) DEFINITION.—For purposes of this section and the grant programs described in this Act, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(ii) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

“(G) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

“(H) CONFERENCE EXPENDITURES.—

“(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice, or Department of Health and Human Services under this Act may be used by the Attorney General, the Secretary of Health and Human Services, or by any individual or organization awarded funds under this Act, to host or support any expenditure for conferences, unless in the case of the Department of Justice, the Deputy Attorney General or the appropriate Assistant Attorney General, or in the case of the Department of Health and Human Services the Deputy Secretary, provides prior written authorization that the funds may be expended to host a conference.

“(ii) WRITTEN APPROVAL.—Written approval under clause (i) may not be delegated and shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

“(iii) REPORT.—The Deputy Attorney General and Deputy Secretary shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved and denied.

“(I) PROHIBITION ON LOBBYING ACTIVITY.—

“(i) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—

“(I) lobby any representative of the Department of Justice regarding the award of grant funding; or

“(II) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

“(ii) PENALTY.—If the Attorney General determines that any recipient of a grant under

this Act has violated clause (i), the Attorney General shall—

“(I) require the grant recipient to repay the grant in full; and

“(II) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

“(J) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Assistant Attorney General for the Office of Justice Programs, the Director of the Office on Violence Against Women, and the Deputy Secretary for Health and Human Services shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives an annual certification that—

“(i) all audits issued by the Office of the Inspector General under subparagraph (A) have been completed and reviewed by the Assistant Attorney General for the Office of Justice Programs;

“(ii) all mandatory exclusions required under subparagraph (B) have been issued;

“(iii) all reimbursements required under subparagraph (D) have been made; and

“(iv) includes a list of any grant recipients excluded under subparagraph (B) from the previous year.”.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST VICTIMS

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking “\$225,000,000 for each of fiscal years 2007 through 2011” and inserting “\$222,000,000 for each of fiscal years 2012 through 2016”;

(2) in section 2001 (42 U.S.C. 3796gg), by striking “against women” each place that term appears and inserting “against victims”;

(3) in section 2001(b) (42 U.S.C. 3796gg(b)), as amended by paragraph (2)—

(A) in the matter preceding paragraph (1)—

(i) by striking “equipment” and inserting “resources”; and

(ii) by inserting “for the protection and safety of victims,” before “and specifically.”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(C) in paragraph (2), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(D) in paragraph (3), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims”;

(E) in paragraph (4)—

(i) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(ii) by inserting “, classifying,” after “identifying”;

(F) in paragraph (5)—

(i) by inserting “and legal assistance” after “victim services”;

(ii) by striking “domestic violence and dating violence” and inserting “domestic violence, dating violence, and stalking”;

(iii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(iv) by striking “including crimes” and all that follows and inserting “including crimes of domestic violence, dating violence, sexual assault, and stalking”;

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(I) in paragraph (7), as redesignated by subparagraph (G), by striking “and dating violence” and inserting “dating violence, and stalking”;

(J) in paragraph (9), as redesignated by subparagraph (G), by striking “domestic violence or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”;

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking “triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”;

(ii) by striking “and” at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking “to provide” and inserting “providing”;

(ii) by striking “nonprofit nongovernmental”;

(iii) by striking the comma after “local governments”; and

(iv) by striking the period at the end and inserting a semicolon;

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

“(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

“(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

“(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims; and

“(19) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.”; and

(N) in the flush text at the end, by striking “paragraph (14)” and inserting “paragraph (13)”;

(4) in section 2007 (42 U.S.C. 3796gg-1)—

(A) in subsection (a), by striking “non-profit nongovernmental victim service programs” and inserting “victim service providers”;

(B) in subsection (b)(6), by striking “(not including populations of Indian tribes)”;

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

“(2) grantees and subgrantees shall develop a plan for implementation and may consult and coordinate with—

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

“(C) the law enforcement entities within the State;

“(D) prosecution offices;

“(E) State and local courts;

“(F) Tribal governments in those States with State or federally recognized Indian tribes;

“(G) representatives from underserved populations;

“(H) victim service providers;

“(I) population specific organizations; and

“(J) other entities that the State or the Attorney General identifies as needed for the planning process.”;

(ii) by striking paragraph (4);

(iii) by redesignating paragraph (3) as paragraph (4);

(iv) by inserting after paragraph (2), as amended by clause (i), the following:

“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the plans described in the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and section 393A of the Public Health Service Act (42 U.S.C. 280b-1b).”;

(v) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking “and not less than 25 percent shall be allocated for prosecutors”;

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

“(B) not less than 25 percent shall be allocated for prosecutors”;

(IV) in subparagraph (C), as redesignated by subclause (II), by striking “culturally specific community based” and inserting “population specific”; and

(V) in subparagraph (D) as redesignated by subclause (II) by striking “for” and inserting “to”; and

(vi) by adding at the end the following:

“(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 30 percent of the total amount granted to a State under this part shall be allocated for programs or projects that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

“(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

“(1) the certifications of qualification required under subsection (c);

“(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

“(3) proof of compliance with the requirements for paying fees and costs relating to

domestic violence and protection order cases, described in section 2011 of this title;

“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

“(5) an implementation plan required under subsection (i); and

“(6) any other documentation that the Attorney General may require.”;

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking “domestic violence and sexual assault” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(II) in subparagraph (D), by striking “linguistically and culturally” and inserting “population”; and

(ii) by adding at the end the following:

“(3) **CONDITIONS.**—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other programs requirements.”;

(F) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.”; and

(G) by adding at the end the following:

“(i) **IMPLEMENTATION PLANS.**—A State applying for a grant under this part shall—

“(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part; and

“(2) submit to the Attorney General—

“(A) the implementation plan developed under paragraph (1);

“(B) documentation from each member of the planning committee as to their participation in the planning process;

“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

“(ii) the intended use of the grant funds;

“(iii) the expected result of the grant funds; and

“(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

“(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

“(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

“(F) a description of how the State plans to meet the requirements of subsection (c)(5);

“(G) goals and objectives for reducing domestic violence-related homicides within the State; and

“(H) any other information requested by the Attorney General.”;

(5) in section 2010 (42 U.S.C. 3796gg-4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this part unless the State, Indian tribal government, unit of local government, or another governmental entity—

“(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

“(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting “or” after the semicolon;

(ii) in paragraph (2), by striking “; or” and inserting a period; and

(iii) by striking paragraph (3);

(C) in subsection (c), by striking “, except that such funds” and all that follows and inserting a period; and

(D) by amended subsection (d) to read as follows:

“(d) **NONCOOPERATION.**—

“(1) **IN GENERAL.**—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

“(2) **COMPLIANCE PERIOD.**—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this subsection.”; and

(6) in section 2011(a)(1) (42 U.S.C. 3796gg-5(a)(1))—

(A) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears; and

(B) by striking “domestic violence” and all that follows through “sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”.

SEC. 102. GRANTS TO ENCOURAGE ACCOUNTABILITY POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) **IN GENERAL.**—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “States,” and all that follows through “units of local government” and inserting “grantees”;

(ii) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines but not policies that mandate the arrest of an individual by law enforcement in responding to an incident of domestic violence in the absence of probable cause” before the period;

(iii) in paragraph (2), by striking “and training in police departments to improve tracking of cases” and inserting “data collection systems, and training in police departments to improve tracking of cases and classification of complaints”;

(iv) in paragraph (4), by inserting “and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking” after “computer tracking systems”;

(v) in paragraph (5), by inserting “and other victim services” after “legal advocacy service programs”;

(vi) in paragraph (6), by striking “judges” and inserting “Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel”;

(vii) in paragraph (8), by striking “and sexual assault” and inserting “dating violence, sexual assault, and stalking”;

(viii) in paragraph (10), by striking “non-profit, non-governmental victim services organizations,” and inserting “victim service providers, population specific organizations,”; and

(ix) by adding at the end the following:

“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

“(15) To develop or strengthen policies, protocols, and training for law enforcement officers, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking.

“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

“(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

“(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

“(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

“(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

“(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.”;

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “except for a court,” before “certify”; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (4)—

(I) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears;

(II) by inserting “dating violence,” after “domestic violence,”; and

(III) by striking “and” at the end;

(iv) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “, not later than 3 years after the date of enactment of this section.”;

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(III) in clause (ii), as redesignated by subclause (III) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”;

(IV) by striking the period at the end and inserting “; and”;

(v) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vi) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking “grantees are States” and inserting the following: “grantees are—

“(1) States”; and

(vii) by adding at the end the following:

“(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “, policy,” after “law”; and

(II) in subparagraph (A), by inserting “and the defendant is in custody or has been served with the information or indictment” before the semicolon; and

(ii) in paragraph (2), by striking “it” and inserting “its”; and

(D) by adding at the end the following:

“(f) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 30 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(2) in section 2102(a) (42 U.S.C. 3796hh-1(a))—

(A) in paragraph (1), by inserting “court,” after “tribal government,”; and

(B) in paragraph (4), by striking “non-profit, private sexual assault and domestic violence programs” and inserting “victim service providers and, as appropriate, population specific organizations”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking “\$75,000,000” and all that follows through “2011.” and inserting “\$73,000,000 for each of fiscal years 2012 through 2016.”; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “arising as a consequence of” and inserting “relating to or arising out of”;

(B) in the second sentence, by inserting “or arising out of” after “relating to”;

(2) in subsection (b)—

(A) in the heading, by inserting “AND GRANT CONDITIONS” after “DEFINITIONS”;

(B) by inserting “and grant conditions” after “definitions”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “victims services organizations” and inserting “victim service providers”;

(B) by striking paragraph (3) and inserting the following:

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “this section has completed” and all that follows and inserting the following: “this section—

“(A) has demonstrated expertise in providing legal assistance or advocacy to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

“(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

“(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide.”;

(B) in paragraph (2), by striking “stalking organization” and inserting “stalking victim service provider”;

(5) in subsection (f)(1), by striking “this section” and all that follows and inserting the following: “this section \$57,000,000 for each of fiscal years 2012 through 2016.”.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 316), and inserting the following:

“SEC. 1301. COURT TRAINING AND SUPERVISED VISITATION IMPROVEMENTS.

“(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

“(b) USE OF FUNDS.—A grant under this section may be used to—

“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

“(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

“(3) educate court-based and court-related personnel (including custody evaluators and guardians ad litem) and child protective

services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

“(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

“(5) enable courts or court-based or court-related programs to develop or enhance—

“(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

“(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

“(C) offender management, monitoring, and accountability programs;

“(D) safe and confidential information-storage and information-sharing databases within and between court systems;

“(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

“(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

“(6) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or are proceeding with the assistance of a legal advocate; and

“(7) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

“(c) CONSIDERATIONS.—

“(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (6) of subsection (b), the Attorney General shall consider—

“(A) the number of families to be served by the proposed programs and services;

“(B) the extent to which the proposed programs and services serve underserved populations;

“(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

“(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

“(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence,

child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

“(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

“(3) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

“(4) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

“(5) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

“(6) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking organization or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$22,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated pursuant to this subsection shall remain available until expended.

“(f) ALLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking “\$5,000,000” and all that follows and inserting “\$5,000,000 for each of fiscal years 2012 through 2016.”

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2010” and inserting “January 1, 2015”;

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking “Code of Ethics” in section (c)(2) and inserting “Standards for Programs”; and

(B) by adding at the end the following:

“(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

Section 2261A of title 18, United States Code, is amended to read as follows:

“§ 2261A. Stalking

“Whoever—

“(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

“(A) places that person in reasonable fear of the death of, or serious bodily injury to—

“(i) that person;

“(ii) an immediate family member (as defined in section 115) of that person; or

“(iii) a spouse or intimate partner of that person; or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

“(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

“(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A), shall be punished as provided in section 2261(b) of this title.”

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult, or youth, victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (3) shall not apply to this grant program.

“(2) PROGRAMS COVERED.—The programs covered by paragraph (2) are the programs carried out under the following provisions:

“(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (STOP Grants).

“(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Accountability Policies).

“(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

“(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

“(2) victim service providers offering population specific services for a specific underserved population; or

“(3) victim service providers working in partnership with a national, State, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

“(c) PLANNING GRANTS.—The Attorney General may use up to 20 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

“(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

“(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

“(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

“(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

“(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services

to adult and youth victims in one or more underserved populations, including—

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific victim services;

“(2) strengthening the capacity of underserved populations to provide population specific victim services;

“(3) strengthening the capacity of traditional victim service providers to provide population specific services;

“(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

“(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

“(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

“(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

“(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2012 through 2016.

“(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.”.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking “AND LINGUISTICALLY”;

(2) by striking “and linguistically” each place it appears;

(3) by striking “and linguistic” each place it appears;

(4) by striking subsection (a)(2) and inserting:

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Accountability Policies and Enforcement of Protection Orders).

“(B) Section 1401 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-6) (Legal Assistance for Victims).

“(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

“(D) Section 40802a of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) (Education,

Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).”; and

(5) in subsection (g), by striking “linguistic and”.

SEC. 110. REAUTHORIZATION OF CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.

Section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)) is amended by striking “\$2,300,000” and all that follows and inserting “\$2,300,000 for each of fiscal years 2012 through 2016.”.

SEC. 111. OFFSET OF RESTITUTION AND OTHER STATE JUDICIAL DEBTS AGAINST INCOME TAX REFUND.

(a) IN GENERAL.—Section 6402 of the Internal Revenue Code of 1986 (relating to authority to make credits or refunds) is amended—

(1) by redesignating subsections (g) through (l) as subsections (h) through (m), respectively; and

(2) by inserting after subsection (f) the following:

“(g) COLLECTION OF PAST-DUE, LEGALLY ENFORCEABLE RESTITUTION AND OTHER STATE JUDICIAL DEBTS.—

“(1) IN GENERAL.—In any State which wishes to collect past-due, legally enforceable State judicial debts, the chief justice of the State’s highest court shall designate a single State entity to communicate judicial debt information to the Secretary. In making such designation, the chief justice of the State’s highest court shall select, whenever practicable, a relevant State official or agency responsible under State law for collecting the State’s income tax or other statewide excise at the time of the designation. Upon receiving notice from a State designated entity that a named person owes a past-due, legally enforceable State judicial debt to or in such State, the Secretary shall, under such conditions as may be prescribed by the Secretary—

“(A) reduce the amount of any overpayment payable to such person by the amount of such State judicial debt;

“(B) pay the amount by which such overpayment is reduced under subparagraph (A) to such State designated entity and notify such State designated entity of such person’s name, taxpayer identification number, address, and the amount collected; and

“(C) notify the person making such overpayment that the overpayment has been reduced by an amount necessary to satisfy a past-due, legally enforceable State judicial debt.

If an offset is made pursuant to a joint return, the notice under subparagraph (B) shall include the names, taxpayer identification numbers, and addresses of each person filing such return.

“(2) PRIORITIES FOR OFFSET.—Any overpayment by a person shall be reduced pursuant to this subsection—

“(A) after such overpayment is reduced pursuant to—

“(i) subsection (a) with respect to any liability for any internal revenue tax on the part of the person who made the overpayment;

“(ii) subsection (c) with respect to past-due support;

“(iii) subsection (d) with respect to any past-due, legally enforceable debt owed to a Federal agency; and

“(iv) subsection (e) with respect to any past-due, legally enforceable State income tax obligations; and

“(B) before such overpayment is credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b).

If the Secretary receives notice from 1 or more State designated entities of more than 1 debt subject to paragraph (1) that is owed by such person to such State agency or State judicial branch, any overpayment by such person shall be applied against such debts in the order in which such debts accrued.

“(3) NOTICE; CONSIDERATION OF EVIDENCE.—Rules similar to the rules of subsection (e)(4) shall apply with respect to debts under this subsection.

“(4) PAST-DUE, LEGALLY ENFORCEABLE STATE JUDICIAL DEBT.—

“(A) IN GENERAL.—For purposes of this subsection, the term ‘past-due, legally enforceable State judicial debt’ means a debt—

“(i) which resulted from a judgment or sentence rendered by any court or tribunal of competent jurisdiction which—

“(I) handles criminal or traffic cases in the State; and

“(II) has determined an amount of State judicial debt to be due; and

“(ii) which resulted from a State judicial debt which has been assessed and is past-due but not collected.

“(B) STATE JUDICIAL DEBT.—For purposes of this paragraph, the term ‘State judicial debt’ includes court costs, fees, fines, assessments, restitution to victims of crime, and other monies resulting from a judgment or sentence rendered by any court or tribunal of competent jurisdiction handling criminal or traffic cases in the State.

“(5) REGULATIONS.—The Secretary shall issue regulations prescribing the time and manner in which State designated entities must submit notices of past-due, legally enforceable State judicial debts and the necessary information that must be contained in or accompany such notices. The regulations shall specify the types of State judicial monies and the minimum amount of debt to which the reduction procedure established by paragraph (1) may be applied. The regulations shall require State designated entities to pay a fee to reimburse the Secretary for the cost of applying such procedure. Any fee paid to the Secretary pursuant to the preceding sentence shall be used to reimburse appropriations which bore all or part of the cost of applying such procedure.

“(6) ERRONEOUS PAYMENT TO STATE.—Any State designated entity receiving notice from the Secretary that an erroneous payment has been made to such State designated entity under paragraph (1) shall pay promptly to the Secretary, in accordance with such regulations as the Secretary may prescribe, an amount equal to the amount of such erroneous payment (without regard to whether any other amounts payable to such State designated entity under such paragraph have been paid to such State designated entity).”.

(b) DISCLOSURE OF RETURN INFORMATION.—Section 6103(l)(10) of the Internal Revenue Code of 1986 (relating to disclosure of certain information to agencies requesting a reduction under subsection (c), (d), (e), or (f) of section 6402) is amended by striking “or (f)” each place it appears in the text and heading and inserting “(f), or (g)”.

(c) CONFORMING AMENDMENTS.—

(1) Section 6402(a) of the Internal Revenue Code of 1986 is amended by striking “and (f)” and inserting “(f), and (g)”.

(2) Paragraph (2) of section 6402(d) of such Code is amended by striking “subsections (e) and (f)” and inserting “subsections (e), (f), and (g)”.

(3) Paragraph (3)(B) of section 6402(e) of such Code is amended to read as follows:

“(B) before such overpayment is—

“(i) reduced pursuant to subsection (g) with respect to past-due, legally enforceable State judicial debts, and

“(ii) credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b).”.

(4) Section 6402(h) of such Code, as so redesignated, is amended by striking “or (f)” and inserting “(f), or (g)”.

(5) Section 6402(j) of such Code, as so redesignated, is amended by striking “or (f)” and inserting “(f), or (g)”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to refunds payable for taxable years beginning after December 31, 2011.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) **GRANTS TO STATES AND TERRITORIES.**—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1)—

(A) by striking “governmental and nongovernmental”; and

(B) by striking “other programs” and all that follows and inserting “other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.”; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “nonprofit, nongovernmental organizations for programs and activities” and inserting “nongovernmental or tribal programs and activities”; and

(B) in subparagraph (C)(v), by striking “linguistically and”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011” and inserting “\$40,000,000 to remain available until expended for each of fiscal years 2012 through 2016”.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting “, including sexual assault forensic examiners” before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “victim advocacy groups” and inserting “victim service providers”; and

(ii) by inserting “, including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides” before the semicolon;

(B) in paragraph (2)—

(i) by striking “and other long- and short-term assistance” and inserting “legal assistance, and other long-term and short-term victim and population specific services”; and

(ii) by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.”; and

(3) in subsection (e)(1), by striking “\$55,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2012 through 2016”.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)” after “risk reduction”; and

(B) in paragraph (4), by striking “victim service organizations” and inserting “victim service providers”; and

(C) in paragraph (5), by striking “victim services organizations” and inserting “victim service providers”; and

(2) in subsection (c)(1)(D), by striking “nonprofit and nongovernmental victim services organization, such as a State” and inserting “victim service provider, such as a State or tribal”; and

(3) in subsection (e), by striking “\$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$9,000,000 for each of fiscal years 2012 through 2016”.

SEC. 204. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) is amended to read as follows:

“**SEC. 40802. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.**

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘eligible entity’ means an entity that—

“(A) is—

“(i) a State;

“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

“(iv) a population specific organization with demonstrated experience in assisting individuals in later life;

“(v) a victim service provider; or

“(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

“(B) is partnered with—

“(i) a law enforcement agency;

“(ii) an office of a prosecutor;

“(iii) a victim service provider; or

“(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

“(2) the term ‘exploitation’ means domestic violence, dating violence, sexual assault, or stalking;

“(3) the term ‘later life’, relating to an individual, means the individual is 60 years of age or older; and

“(4) the term ‘neglect’ means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

“(b) **GRANT PROGRAM.**—

“(1) **GRANTS AUTHORIZED.**—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

“(2) **MANDATORY AND PERMISSIBLE ACTIVITIES.**—

“(A) **MANDATORY ACTIVITIES.**—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

“(i) provide training programs to assist law enforcement agencies, prosecutors, agen-

cies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

“(ii) provide or enhance services for victims of elder abuse;

“(iii) establish or support multidisciplinary collaborative community responses to victims of elder abuse; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of elder abuse.

“(B) **PERMISSIBLE ACTIVITIES.**—An eligible entity receiving a grant under this section may use not more than 10 percent of the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of elder abuse; or

“(ii) conduct outreach activities and awareness campaigns to ensure that victims of elder abuse receive appropriate assistance.

“(3) **UNDERSERVED POPULATIONS.**—In making grants under this section, the Attorney General shall give priority to proposals providing culturally specific or population specific services.

“(4) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$9,000,000 for each of fiscal years 2012 through 2016.”.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b-1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, territorial or tribal” after “crisis centers, State”; and

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”; and

(2) in subsection (c)(1), by striking “\$80,000,000 for each of fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2012 through 2016”.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

(a) **IN GENERAL.**—Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c-3) and inserting the following:

“**SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH. (‘CHOOSE CHILDREN & YOUTH’).**

“(a) **GRANTS AUTHORIZED.**—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and prevent future violence.

“(b) **PROGRAM PURPOSES.**—Funds provided under this section may be used for the following program purpose areas:

“(1) **SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.**—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence,

sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

“(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

“(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, as well as runaway and homeless youth, and to properly refer such children, youth, and their families to appropriate services.

“(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

“(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

“(C) provide support services for student victims of domestic violence, dating violence, sexual assault or stalking, such as a resource person who is either on-site or on-call;

“(D) provide scientifically valid educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities; or

“(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

“(c) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

“(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth, including runaway or homeless

youth, who are victims of domestic violence, dating violence, sexual assault, or stalking; or

“(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth.

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

“(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

“(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, and stalking.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2012 through 2016.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968.

“(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”

(b) VAWA GRANT REQUIREMENTS.—Section 40002(b) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended by adding at the end the following:

“(12) REQUIREMENT FOR SCIENTIFICALLY VALID PROGRAMS.—All grant funds made available by this Act shall be used to provide scientifically valid educational programming, training, public awareness communications regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities, as appropriate.”

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “stalking on campuses, and” and inserting “stalking on campuses,”;

(ii) by striking “crimes against women on” and inserting “crimes on”; and

(iii) by inserting “, and to develop and strengthen prevention education and awareness programs” before the period; and

(B) in paragraph (2), by striking “\$500,000” and inserting “\$300,000”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting “, strengthen,” after “To develop”; and

(ii) by inserting “including the use of technology to commit these crimes,” after “sexual assault and stalking,”;

(B) in paragraph (4)—

(i) by inserting “and population specific services” after “strengthen victim services programs”;

(ii) by striking “entities carrying out” and all that follows through “stalking victim services programs” and inserting “victim service providers”; and

(iii) by inserting “, regardless of whether the services are provided by the institution or in coordination with community victim service providers” before the period at the end; and

(C) by adding at the end the following:

“(9) To provide scientifically valid educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities.

“(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “any non-profit” and all that follows through “victim services programs” and inserting “victim service providers”;

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

“(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;”;

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2012 through 2016”;

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

“(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall create a coordinated community response including both

organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”; and

(5) in subsection (e), by striking “there are” and all that follows through the period and inserting “there is authorized to be appropriated \$12,000,000 for each of fiscal years 2012 through 2016.”.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)(F)—

(A) in clause (i)(VIII), by striking “and” after the semicolon;

(B) in clause (ii)—

(i) by striking “sexual orientation” and inserting “national origin, sexual orientation.”; and

(ii) by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.”;

(2) in paragraph (3), by inserting “, that withholds the names of victims as confidential,” after “that is timely”;

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

“(i) The terms ‘dating violence’, ‘domestic violence’, and ‘stalking’ have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

“(v) The term ‘sexual assault’ means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”;

(4) in paragraph (7)—

(A) by striking “paragraph (1)(F)” and inserting “clauses (i) and (ii) of paragraph (1)(F)”;

(B) by inserting after “Hate Crime Statistics Act.” the following: “For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(5) by striking paragraph (8) and inserting the following:

“(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

“(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

“(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported.

“(B) The policy described in subparagraph (A) shall address the following areas:

“(i) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

“(ii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

“(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

“(II) to whom the alleged offense should be reported;

“(III) options regarding law enforcement and campus authorities, including notification of the victim’s option to—

“(aa) notify proper law enforcement authorities, including on-campus and local police;

“(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

“(cc) decline to notify such authorities; and

“(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

“(iii) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

“(iv) Notification of students about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

“(v) Notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

“(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee’s rights and options, as described in clauses (ii) through (vii) of subparagraph (B).”;

(6) in paragraph (9), by striking “The Secretary” and inserting “The Secretary, in consultation with the Attorney General of the United States.”;

(7) by striking paragraph (16) and inserting the following:

“(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

“(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.”; and

(8) by striking paragraph (17) and inserting the following:

“(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4(c)) is amended by striking “\$2,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$500,000 for each of fiscal years 2012 through 2016”.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-2) is amended to read as follows:

“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

“(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

“(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

“(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

“(A) scientifically valid age appropriate education that is produced by accredited entities on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

“(B) community-based collaboration and training for those with influence on youth,

such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

“(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

“(D) policy development targeted to prevention, including school-based policies and protocols.

“(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children’s exposure to violence in the home. Such programs may include—

“(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

“(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

“(c) ELIGIBLE ENTITIES.—To be an eligible to receive a grant under this section, an entity shall be—

“(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following:

“(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, or a school district.

“(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

“(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization.

“(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program.

“(d) GRANTEE REQUIREMENTS.—

“(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such infor-

mation as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

“(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

“(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

“(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

“(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

“(D) document how prevention programs are coordinated with service programs in the community.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

“(A) include outcome-based evaluation; and

“(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2012 through 2016.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (a).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations.”.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-3 and 14043d-4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g-4) is amended to read as follows:

“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) IN GENERAL.—The Secretary shall award grants for—

“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

“(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

“(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

“(b) USE OF FUNDS.—

“(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

“(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

“(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

“(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

“(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient’s privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

“(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model

other services appropriate to the geographic and cultural needs of a site;

“(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements; and

“(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

“(2) PERMISSIBLE USES.—

“(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

“(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

“(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

“(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

“(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

“(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

“(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

“(c) REQUIREMENTS FOR GRANTEEES.—

“(1) CONFIDENTIALITY AND SAFETY.—

“(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 4002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentiality and security

procedures, and provide documentation of such consultation.

“(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

“(3) APPLICATION.—

“(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

“(B) SUBSECTION (a)(1) AND (2) GRANTEEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

“(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

“(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

“(II) a health care facility or system; or

“(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

“(C) SUBSECTION (a)(3) GRANTEEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

“(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

“(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

“(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

“(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

“(d) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

“(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

“(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

“(C) a health care provider membership or professional organization, or a health care system; or

“(D) a State, tribal, territorial, or local entity.

“(2) SUBSECTION (a)(3) GRANTEEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

“(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

“(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

“(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

“(3) REPORTING.—The Secretary shall publish a biennial report on—

“(A) the distribution of funds under this section; and

“(B) the programs and activities supported by such funds.

“(f) RESEARCH AND EVALUATION.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

“(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and

health of individuals who are currently being victimized.

“(2) RESEARCH.—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

“(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

“(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

“(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2012 through 2016.

“(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.”.

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

“CHAPTER 1—GRANT PROGRAMS”;

(2) in section 41402 (42 U.S.C. 14043e-1), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(3) in section 41403 (42 U.S.C. 14043e-2), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”; and

(4) by adding at the end the following:

“CHAPTER 2—HOUSING RIGHTS

“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) DEFINITIONS.—In this chapter:

“(1) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an individual—

“(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

“(B) any individual, tenant, or lawful occupant living in the household of that individual.

“(2) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5,

United States Code) that carries out the covered housing program.

“(3) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—

“(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

“(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

“(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

“(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

“(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

“(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

“(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z-1);

“(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

“(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p-2); and

“(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

“(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

“(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

“(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

“(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

“(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

“(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

“(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

“(B) BIFURCATION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any indi-

vidual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

“(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

“(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

“(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

“(II) the distribution or possession of property among members of a household in a case;

“(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

“(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

“(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

“(c) DOCUMENTATION.—

“(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant

or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

“(2) FAILURE TO PROVIDE CERTIFICATION.—

“(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

“(i) deny admission by the applicant or tenant to the covered program;

“(ii) deny assistance under the covered program to the applicant or tenant;

“(iii) terminate the participation of the applicant or tenant in the covered program; or

“(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

“(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

“(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

“(A) a certification form approved by the appropriate agency that—

“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

“(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

“(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

“(B) a document that—

“(i) is signed by—

“(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

“(II) the applicant or tenant; and

“(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

“(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

“(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

“(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) NOTIFICATION.—

“(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

“(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

“(C) with any notification of eviction or notification of termination of assistance; and

“(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d-1 note; relating to access to services for persons with limited English proficiency).

“(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

“(A) the tenant expressly requests the transfer; and

“(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

“(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

“(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

“(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

“(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.”

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (1)—

(i) in paragraph (5), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(ii) in paragraph (6), by striking “; except that” and all that follows through “stalking.”; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking “and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission”; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in clause (iii), by striking “, except that:” and all that follows through “stalking.”; and

(C) in subsection (f)—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking “and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) **RULE OF CONSTRUCTION.**—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking “**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**” and inserting “**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**”; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**” and inserting “**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**”; and

(B) in subsection (a)(1), by striking “fleeing”; and

(C) in subsection (g)—

(i) in paragraph (1), by striking “\$40,000,000 for each of fiscal years 2007 through 2011” and inserting “\$35,000,000 for each of fiscal years 2012 through 2016”; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking “eligible” and inserting “qualified”; and

(II) by adding at the end the following:

“(D) **QUALIFIED APPLICATION DEFINED.**—In this paragraph, the term ‘qualified application’ means an application that—

“(i) has been submitted by an eligible applicant;

“(ii) does not propose any significant activities that may compromise victim safety;

“(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

“(iv) does not propose prohibited activities, including mandatory services for victims, background checks of victims, or clinical evaluations to determine eligibility for services.”.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e-3(i)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2012 through 2016”; and

(2) in section 41405(g) (42 U.S.C. 14043e-4(g)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2012 through 2016”.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

TITLE VIII—IMMIGRATION PROVISIONS

SEC. 801. APPLICATION OF SPECIAL RULE FOR BATTERED SPOUSE OR CHILD.

Section 240A(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1229b) is amended by striking subparagraph (D) and inserting the following:

“(D) **CREDIBLE EVIDENCE CONSIDERED.**—In adjudicating applications under this paragraph, the Secretary of Homeland Security shall consider any credible evidence relevant to the application, including credible evidence submitted by a national of the United States or an alien lawfully admitted for permanent residence accused of the conduct described in subparagraph (A)(i). The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary of Homeland Security.

“(E) **FRAUD DETECTION EFFORTS.**—

“(i) **IN GENERAL.**—Upon filing of an application under this paragraph, the Director of United States Citizenship and Immigration Services shall—

“(I) review such an application for completeness and clear indicators of fraud or misrepresentation of material fact;

“(II) conduct an in-person interview of the alien who filed the application; and

“(III) facilitate cooperation between the service center that adjudicates all applications under this paragraph and the local service centers that have the resources to investigate and interview the applicant to review any evidence that may pertain to the application.

“(ii) **GUIDELINES.**—The Director may issue guidelines for alternatives to the in-person interview so long as the guidelines do not jeopardize national security and include measures to detect fraud and abuse.

“(iii) **EVIDENCE.**—The Director may gather other evidence and interview other witnesses, including the accused United States citizen or legal permanent resident, if such individual consents to be interviewed.

“(F) **PRIORITY OF ONGOING IMMIGRATION AND LAW ENFORCEMENT INVESTIGATIONS OR PROSECUTIONS.**—

“(i) **DETERMINATION.**—During the adjudication of an application under this paragraph, the Director shall determine whether any Federal, State, territorial, tribal, or local law enforcement agency has undertaken an investigation or prosecution of the petitioning alien for—

“(I) conduct relating to the battering or abuse alleged by the petitioning alien under this paragraph;

“(II) a violation of any immigration law; or

“(III) a violation of any other criminal law.

“(ii) **USE OF INFORMATION.**—If such an investigation or prosecution was commenced, the investigative officer of United States Citizenship and Immigration Services shall—

“(I) obtain as much information as possible about the investigation or prosecution; and

“(II) consider that information as part of the adjudication of the application.

“(iii) **PENDING INVESTIGATION.**—If such an investigation or prosecution is pending, the adjudication of the application shall be stayed pending the conclusion of the investigation or prosecution. If no investigation has been undertaken or if a prosecutor’s office has not commenced a prosecution after the matter was referred to it, that fact shall be considered by the investigative officer as part of the adjudication of the application.

“(iv) **EFFECT OF DETERMINATION TO REMOVE OR INDICT.**—If such an investigation determines that the alien is removable, or if the alien is indicted, the application under this paragraph shall be denied.

“(v) **EFFECT OF NOT GUILTY DETERMINATION.**—If an investigation has been undertaken and a determination was made that a prosecution was not warranted or if a criminal proceeding finds the United States citizen or legal permanent resident not guilty of the charges, such determination shall be binding and the application under this paragraph shall be denied.

“(G) **EFFECT OF MATERIAL MISREPRESENTATION.**—If an alien makes a material misrepresentation during the application process under this paragraph, the Secretary of Homeland Security shall—

“(i) deny the application and remove the alien on an expedited basis; and

“(ii) make the alien ineligible for any taxpayer funded benefits or immigration benefits.”.

SEC. 802. CLARIFICATION OF THE REQUIREMENTS APPLICABLE TO U VISAS.

Section 214(p)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(1)) is amended as follows:

(1) By striking “The petition” and inserting the following:

“(A) **IN GENERAL.**—The petition”.

(2) By adding at the end the following:

“(B) **CERTIFICATION REQUIREMENTS.**—Each certification submitted under subparagraph (A) shall confirm under penalty of perjury that—

“(i) the petitioner reported the criminal activity to a law enforcement agency within 120 days of its occurrence;

“(ii) the statute of limitations for prosecuting an offense based on the criminal activity has not lapsed;

“(iii) the criminal activity is actively under investigation or a prosecution has been commenced; and

“(iv) the petitioner has provided to a law enforcement agency information that will assist in identifying the perpetrator of the

criminal activity, or the perpetrator's identity is known.

“(C) REQUIREMENT FOR CERTIFICATION.—No application for a visa under section 101(a)(15)(U) may be granted unless accompanied by the certification as described in this paragraph.”

SEC. 803. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Naturalization Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).”; and

(B) in paragraph (3)(B)(i), by striking “abuse, and stalking.” And inserting “abuse, stalking, or an attempt to commit any such crime.”; and

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).”; and

(B) in paragraph (5)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”.

(b) PROVISION OF INFORMATION TO K NON-IMMIGRANTS.—Section 883 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

SEC. 804. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the name of the component of the Department of Justice responsible for prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) and the amendments made by this title.

(b) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended as follows:

(1) By amending paragraph (1) to read as follows:

“(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

“(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

“(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 5 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate authority

charged with the enforcement of this paragraph.”.

(2) In paragraph (2)(B)(ii), by striking “or stalking.” and inserting “stalking, or an attempt to commit any such crime.”.

(3) In paragraph (5)(B)—

(A) by striking “In circumstances” and inserting the following:

“(i) IN GENERAL.—In circumstances”; and

(B) by adding at the end the following:

“(ii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.”.

SEC. 805. GAO REPORT.

(a) REQUIREMENT FOR REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the self-petitioning process for VAWA self-petitioners (as that term is defined in section 101(a)(51) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(51))).

(b) CONTENTS.—The report required by subsection (a) shall—

(1) assess the efficiency and reliability of the process for reviewing such petitions and applications, including whether the process includes adequate safeguards against fraud and abuse; and

(2) identify possible improvements to the adjudications of petitions and applications in order to reduce fraud and abuse.

SEC. 806. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary's or the” before “Attorney General's discretion”; and

(2) in paragraph (2)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary or the” before “Attorney General for”; and

(C) by inserting “in a manner that protects the confidentiality of such information” after “law enforcement purpose”; and

(3) in paragraph (5), by striking “Attorney General is” and inserting “Secretary of Homeland Security and the Attorney General are”; and

(4) by adding at the end a new paragraph as follows:

“(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.”.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended by inserting “and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domestic violence”.

(c) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended by striking “241(a)(2)” in the matter following subparagraph (F) and inserting “237(a)(2)”.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault,”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking,”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—

(A) by inserting “sex trafficking,” after “stalking,”; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

“(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the child; and

“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.”; and

(2) in paragraph (2)(B), by striking “individuals or”.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking “and the Violence Against Women Act of 2000” and inserting “, the Violence Against Women Act of 2000”; and

(B) by inserting “, and the Violence Against Women Reauthorization Act of 2011” before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “Secretary of the Department of Health and Human Services” and inserting “Secretary of Health and Human Services, the Secretary of the Interior,”; and

(B) in paragraph (2), by striking “and stalking” and inserting “stalking, and sex trafficking”; and

(3) by adding at the end the following:

“(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

“(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

“(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

“(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

“(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”.

SEC. 904. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse.”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (5), by striking “1 year,” and inserting “5 years.”;

(F) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(G) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means knowingly or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means knowingly or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

SEC. 905. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National”; and

(B) by inserting “and in Native villages” (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2011”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$500,000 for each of fiscal years 2012 and 2013”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

SEC. 906. EFFECTIVE DATE.

The amendments made by this title shall take effect on the date of enactment of this Act.

SEC. 907. TRIBAL PROTECTION ORDERS.

Section 2265(e) of title 18, United States Code, is amended—

(1) in the subsection heading, by striking “COURT JURISDICTION” and inserting “PROTECTION ORDERS”;

(2) by striking “For purposes of this section” and inserting the following:

“(1) TRIBAL COURT JURISDICTION.—For purposes of this section and subject to paragraph (2)”; and

(3) by adding at the end the following:

“(2) UNITED STATES COURT JURISDICTION.—

“(A) IN GENERAL.—An Indian tribe may petition a district court of the United States in whose district the tribe is located for an appropriately tailored protection order excluding any person from areas within the Indian country of the tribe.

“(B) REQUIRED SHOWING.—The court shall issue a protection order prohibiting the person identified in a petition under subparagraph (A) from entering all or part of the Indian country of the tribe upon a showing that—

“(i) the person identified in the petition has assaulted an Indian spouse or intimate partner who resides or works in such Indian country, or an Indian child who resides with or is in the care or custody of such spouse or intimate partner; and

“(ii) a protection order is reasonably necessary to protect the safety and well-being of the spouse, intimate partner, or child described in clause (i).

“(C) FACTORS TO CONSIDER.—In determining the areas from which the person identified in a protection order issued under subparagraph (B) shall be excluded, the court shall consider all appropriate factors, including the places of residence, work, or school of—

“(i) the person identified in the protection order; and

“(ii) the spouse, intimate partner, or child described in subparagraph (B)(i).

“(D) PENALTY FOR WILLFUL VIOLATION.—A person who willfully violates a protection order issued under subparagraph (B) shall be punished as provided in section 2261(b).”.

SEC. 908. ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives, and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than 1 year after the date of enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

TITLE X—VIOLENT CRIME AGAINST WOMEN

SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) SEXUAL ABUSE OF A MINOR OR WARD.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

“(b) OF A WARD.—

“(1) OFFENSES.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

“(A) in official detention or supervised by, or otherwise under the control of, the United States—

“(i) during arrest;

“(ii) during pretrial release;

“(iii) while in official detention or custody; or

“(iv) while on probation, supervised release, or parole;

“(B) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

“(C) at the time of the sexual act—

“(i) in the special maritime and territorial jurisdiction of the United States;

“(ii) in a Federal prison, or in any prison, institution, or facility in which persons are

held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

“(iii) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

“(2) PENALTIES.—A person that violates paragraph (1) shall—

“(A) be fined under this title, imprisoned for not more than 15 years, or both; and

“(B) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.”

(b) PENALTIES FOR SEXUAL ABUSE.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“§ 250. Penalties for sexual abuse

“(a) OFFENSE.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

“(b) PENALTIES.—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.”

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“250. Penalties for sexual abuse.”

SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigration laws of the United States.

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of

Homeland Security and to detention facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).”

SEC. 1003. REPORT ON COMPLIANCE WITH THE DNA FINGERPRINT ACT OF 2005.

(a) REPORT REQUIRED.—Not later than 180 days after date of the enactment of this Act, the Secretary of Homeland Security shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

(1) describes, in detail, the measures and procedures taken by the Secretary to comply with any regulation promulgated pursuant to section 3(e)(1) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a(e)(1)); and

(2) provides a detailed explanation of the circumstances and specific cases, if available, in which—

(A) the Secretary failed to comply with any regulation promulgated pursuant to such section 3(e)(1);

(B) the Secretary requested the Attorney General approve additional limitations to, or exceptions from, any regulation promulgated pursuant to such section 3(e)(1); or

(C) the Secretary consulted with the Attorney General to determine that the collection of DNA samples is not feasible because of operational exigencies or resource limitations.

SEC. 1004. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C.

14135(c)(3)) is amended by adding at the end the following:

“(C) For each of fiscal years 2012 through 2014, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (2) and (3) of subsection (a).”

SEC. 1005. REPORT ON CAPACITY UTILIZATION.

(a) REPORT REQUIRED.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall prepare a study on the availability of services for victims of domestic violence, dating violence, sexual assault, and stalking.

(b) CONTENT.—The report required by subsection (a) shall address the following:

(1) The services or categories of services that are currently being offered or provided to victims of domestic violence, dating violence, sexual assault, and stalking.

(2) The approximate number of victims receiving these services.

(3) The approximate number of victims, and the percentage of the total population of victims, who request services but are not provided services.

(4) The reasons why victims are not provided services, including—

(A) shelter or service organization lack of resources;

(B) shelter or organization limitations not associated with funding;

(C) geographical, logistical, or physical barriers;

(D) characteristics of the perpetrator; and

(E) characteristics or background of the victim.

(5) For any refusal to provide services to a victim, the reasons for the denial of services, including victim characteristics or background, including—

(A) employment history;

(B) criminal history;

(C) illegal or prescription drug use;

(D) financial situation;

(E) status of the victim as a parent;

(F) personal hygiene;

(G) current or past disease or illness;

(H) religious association or belief;

(I) physical characteristics of the victim or the provider facility

(J) gender;

(K) race;

(L) national origin or status as alien;

(M) failure to follow shelter or organization rules or procedures;

(N) previous contact or experiences with the shelter or service organization; or

(O) any other victim characteristic or background that is determined to be the cause of the denial of services.

(6) The frequency or prevalence of denial of services from organizations who receive Federal funds.

(7) The frequency or prevalence of denial of service from organizations who do not receive Federal funds.

SEC. 1006. MANDATORY MINIMUM SENTENCE FOR AGGRAVATED SEXUAL ABUSE.

Section 2241 of title 18, United States Code, is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 10 years or imprisoned for life”; and

(2) in subsection (b), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 5 years or imprisoned for life”.

SEC. 1007. REMOVAL OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43)(F) of the Immigration and Nationality Act (8

U.S.C. 1101(a)(43)(F)) is amended by striking “for which the term of imprisonment” and inserting “, including a third drunk driving conviction, regardless of the States in which the convictions occurred or whether the offenses are classified as misdemeanors or felonies under State or Federal law, for which the term of imprisonment is”.

(b) EFFECTIVE DATE AND APPLICATION.—

(1) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) APPLICATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendment made by subsection (a) shall apply to a conviction for drunk driving that occurred before, on, or after such date.

(B) TWO OR MORE PRIOR CONVICTIONS.—An alien who has received two or more convictions for drunk driving prior to the date of the enactment of this Act may not be subject to removal for the commission of an aggravated felony pursuant to section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)), as amended by subsection (a), on the basis of such convictions until the date that the alien is convicted of a drunk driving offense after such date of enactment.

SEC. 1008. ENHANCED PENALTIES FOR INTER-STATE DOMESTIC VIOLENCE RESULTING IN DEATH, LIFE-THREATENING BODILY INJURY, PERMANENT DISFIGUREMENT, AND SERIOUS BODILY INJURY.

Section 2261(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting “not less than 15 years” after “any term of years”;

(2) in paragraph (2), by striking “20 years” and inserting “25 years”; and

(3) in paragraph (3), by striking “10 years” and inserting “15 years”.

SEC. 1009. FINDING FUGITIVE SEX OFFENDERS ACT.

(a) IN GENERAL.—Section 3486(a)(1) of title 18, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (i)(II), by striking “or” at the end;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

“(i) an unregistered sex offender conducted by the United States Marshals Service, the Director of the United States Marshals Service; or”;

(2) in subparagraph (D)—

(A) by striking “paragraph, the term” and inserting the following: “paragraph—

“(i) the term”;

(B) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(ii) the term ‘sex offender’ means an individual required to register under the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.).”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3486(a) of title 18, United States Code, is amended—

(1) in paragraph (6)(A), by striking “United State” and inserting “United States”;

(2) in paragraph (9), by striking “(1)(A)(ii)” and inserting “(1)(A)(iii)”;

(3) in paragraph (10), by striking “paragraph (1)(A)(ii)” and inserting “paragraph (1)(A)(iii)”.

(c) SUBPOENA AUTHORITY.—Section 566(e)(1) of title 28, United States Code, is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(C) issue administrative subpoenas in accordance with section 3486 of title 18, solely for the purpose of investigating unregistered sex offenders (as defined in such section 3486).”

SEC. 1010. MINIMUM PENALTIES FOR THE POSSESSION OF CHILD PORNOGRAPHY.

(a) CERTAIN ACTIVITIES RELATING TO MATERIAL INVOLVING THE SEXUAL EXPLOITATION OF MINORS.—Section 2252(b)(2) of title 18, United States Code, is amended by inserting after “but if” the following: “any visual depiction involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, such person shall be fined under this title and imprisoned for not less than 1 year nor more than 20 years, or if”.

(b) CERTAIN ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY.—Section 2252A(b)(2) of title 18, United States Code, is amended by inserting after “but, if” the following: “any image of child pornography involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, such person shall be fined under this title and imprisoned for not less than 1 year nor more than 20 years, or if”.

SEC. 1011. AUDIT OF OFFICE FOR VICTIMS OF CRIME.

(a) AUDIT.—The Comptroller General of the United States shall conduct an objective and credible audit of the expenditure of funds by the Office for Victims of Crime (in this section referred to as the “Office”) from the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) (in this section referred to as the “Fund”).

(b) REPORT.—Not later than 9 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the audit conducted under subsection (a) that—

(1) addresses whether the Office provides amounts from the Fund to individuals or entities that support individuals who are not victims of crime;

(2) addresses whether the Office is authorized to provide amounts from the Fund to individuals or entities described in paragraph (1);

(3) addresses whether the Office provides amounts from the Fund for legal services for victims of crime; and

(4) if the Office no longer provides amounts from the Fund for the services described in paragraph (3), contains an explanation for why the Office no longer provides amounts for such services.

TITLE XI—THE SAFER ACT

SEC. 1101. SHORT TITLE.

This title may be cited as the “Sexual Assault Forensic Evidence Registry Act of 2012” or the “SAFER Act of 2012”.

SEC. 1102. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.”;

(2) in subsection (c), by adding at the end the following new paragraph:

“(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2012 through

2016, not less than 7 percent of the grant amounts distributed under paragraph (1) shall be awarded for the purpose described in subsection (a)(6).”;

(3) by adding at the end the following new subsection:

“(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

“(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall—

“(A) not later than 1 year after receiving such grant—

“(i) complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph; and

“(ii) for each sample of sexual assault evidence identified in such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry established under subsection (o) the information listed in subsection (o)(2);

“(B) not later than 21 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry the information listed in subsection (o)(2) with respect to the sample; and

“(C) not later than 30 days after a change in the status referred to in subsection (o)(2)(A)(v) of a sample with respect to which the State or unit of local government has entered information into such Registry, update such status.

“(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) SAMPLES EXEMPT FROM REGISTRY REQUIREMENT.—A State or unit of local government is not required under paragraph (2) to enter into the Registry described in such paragraph information with respect to a sample of sexual assault evidence if—

“(A) the sample is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

“(B) the sample relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

“(5) DEFINITIONS.—In this subsection:

“(A) AWAITING TESTING.—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) FINAL DISPOSITION.—The term ‘final disposition’ means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

“(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

“(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

“(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

“(C) POSSESSION.—

“(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal right or privilege for a private laboratory described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).”.

SEC. 1103. SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.

(a) IN GENERAL.—Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135), as amended by section 1102 of this title, is further amended by adding at the end the following new subsection:

“(o) SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.—

“(1) IN GENERAL.—Subject to subsection (j), not later than 1 year after the date of enactment of the SAFER Act of 2012, the Attorney General shall establish a Sexual Assault Forensic Evidence Registry (in this subsection referred to as the ‘Registry’) that—

“(A) allows States and units of local government to enter information into the Registry about samples of sexual assault evidence that are in the possession of such States or units of local government and are awaiting testing; and

“(B) tracks the testing and processing of such samples.

“(2) INFORMATION IN REGISTRY.—

“(A) IN GENERAL.—A State or unit of local government that chooses to enter information into the Registry about a sample of sexual assault evidence shall include the following information:

“(i) The date of the sexual assault to which the sample relates.

“(ii) The city, county, or other appropriate locality in which the sexual assault occurred.

“(iii) The date on which the sample was collected.

“(iv) The date on which information relating to the sample was entered into the Registry.

“(v) The status of the progression of the sample through testing and other stages of the evidentiary handling process, including the identity of the entity in possession of the sample.

“(vi) The date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault for the sexual assault.

“(vii) Such other information as the Attorney General considers appropriate.

“(B) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that the Registry does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved, except for the information listed in subparagraph (A).

“(3) SAMPLE IDENTIFICATION NUMBER.—

“(A) IN GENERAL.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall assign to the

sample a unique numeric or alphanumeric identifier.

“(B) UNIQUE IDENTIFIER REQUIRED.—In assigning the identifier under subparagraph (A), a State or unit of local government may use a case-numbering system used for other purposes, but the Attorney General shall ensure that the identifier assigned to each sample is unique with respect to all samples entered by all States and units of local government.

“(4) UPDATE OF INFORMATION.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall, not later than 30 days after a change in the status of the sample referred to in paragraph (2)(A)(v), update such status.

“(5) INTERNET ACCESS.—The Attorney General shall make publicly available aggregate non-individualized and non-personally identifying data gathered from the Registry, to allow for comparison of backlog data by States and units of local government, on an appropriate Internet website.

“(6) TECHNICAL ASSISTANCE.—The Attorney General shall—

“(A) provide a means by which an entity that does not have access to the Internet may enter information into the Registry; and

“(B) provide the technical assistance necessary to allow States and units of local government to participate in the Registry.”.

(b) FUNDING.—Section 2(j) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(j)) is amended—

(1) by inserting “and for carrying out subsection (o)” after “for grants under subsection (a)”;

(2) by adding at the end the following new sentence: “For each of fiscal years 2012 through 2016, not less than 1 percent of the amount authorized to be appropriated under the previous sentence for such fiscal year shall be for carrying out subsection (o).”

SEC. 1104. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(6) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title; and

(3) summarizes the processing status of the samples of sexual assault evidence about which information has been entered into the Sexual Assault Forensic Evidence Registry established under section 2(o) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1103(a) of this title, including the number of samples that have not been tested.

SA 2096. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

On page 200, line 3, insert “transportation,” after “shelter.”.

SA 2097. Mr. BLUMENTHAL (for himself and Mr. KIRK) submitted an

amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

On page 256, after line 17, insert the following:

SEC. 110. FACILITATION OF STALKING, DOMESTIC VIOLENCE, AND SEXUAL OFFENSES BY IMPERSONATION OR OTHER MEANS.

(a) IN GENERAL.—Chapter 110A of title 18, United States Code, is amended by inserting after section 2265A the following:

“**§ 2265B. Electronic disclosure of identifying information intended to facilitate interstate stalking, domestic violence, sexual offenses, or other offenses**

“(a) DEFINITIONS.—In this section—

“(1) the term ‘domestic assault’ has the meaning given that term in section 117(b);

“(2) the term ‘interactive computer service’ has the meaning given that term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f));

“(3) the term ‘means of identification’ has the meaning given that term in section 1028(d); and

“(4) the term ‘telecommunications device’ has the meaning given that term in section 223(h) of the Communications Act of 1934 (47 U.S.C. 223(h)).

“(b) OFFENSE.—It shall be unlawful for any person to use the mail, any interactive computer service, telecommunications device, electronic communication system or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to knowingly and intentionally publish or otherwise disclose the name, address, telephone number, picture, or means of identification of another individual with the intent, by such publication or disclosure, to facilitate—

“(1) any violation of section 1589, 1591, 1592, 2241, 2242, 2243, 2244, 2251, 2251A, 2260, 2261A, 2421, 2422, or 2423;

“(2) any conduct that would constitute a violation of section 2261 if the conduct were directly committed by such person; or

“(3) any conduct that would constitute domestic assault if the conduct were directly committed by such person, if such person has a final conviction on not less than 2 separate prior occasions in Federal, State, or Indian tribal court proceedings for offenses that would be, if subject to Federal jurisdiction—

“(A) an assault, sexual abuse, or a serious violent felony against a spouse or intimate partner; or

“(B) an offense under chapter 110A.

“(c) PENALTY.—Any person who commits a violation—

“(1) under subsection (b)(1) shall be imprisoned for not more than the maximum term of imprisonment or fined not more than the maximum fine prescribed for the punishment of the specific underlying crime at issue; and

“(2) under subsection (b)(3) shall be fined not more than the maximum fine prescribed for a violation of section 117, imprisoned not more than the maximum term of imprisonment prescribed for section 117, or both.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 110A of title 18, United States Code, is amended by inserting after the item relating to section 2265 the following:

“2265A. Repeat offenders.

“2265B. Electronic disclosure of identifying information intended to facilitate interstate stalking, domestic violence, sexual offenses, or other offenses.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on April 26, 2012, at 10:30 a.m. in room SR-328A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 26, 2012, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m. to conduct a hearing entitled "Legislative Proposals in the United States Department of Housing and Urban Development's FY 2013 Budget."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 26, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Tax Filing Season: Improving the Taxpayer Experience."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 26, 2012, at 2 p.m., to hold a business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate

on April 26, 2012, at 10 a.m. to conduct a hearing entitled "Biological Security: The Risk of Dual-Use Research."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 26, 2012, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS AFFAIRS

Mr. SCHUMER. Mr. President, I ask for unanimous consent that the Committee on Veterans' Affairs be authorized to meet during session on April 26, 2012.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 26, 2012, at 3 p.m., to hold an East Asian and Pacific Affairs subcommittee hearing entitled, "U.S. Policy on Burma."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on April 26, 2012, at 2:30 p.m. to conduct a hearing entitled, "Financial Literacy: Empowering Americans to Prevent the Next Financial Crisis."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that two fellows in the office of Senator PATY MURRAY, Stephanie Doherty Wilkinson and Eric Brooks, be granted floor privileges for the remainder of the 112th Congress.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that John Tracy of my staff be granted the privileges of the floor for the rest of today.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to Calendar Nos. 371 through 381 en bloc, all post office naming bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate proceeded to consider the bills.

Mr. REID. I ask unanimous consent that the bills be read a third time and passed en bloc, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and that any statements relating to the bills be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARMY SPECIALIST MATTHEW TROY MORRIS POST OFFICE BUILDING

The bill (H.R. 298) to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building" was ordered to a third reading, read the third time, and passed.

SPECIALIST MICHEAL E. PHILLIPS POST OFFICE

The bill (H.R. 1423) to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office" was ordered to a third reading, read the third time, and passed.

JOHN J. COOK POST OFFICE

The bill (H.R. 2079) to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office" was ordered to a third reading, read the third time, and passed.

SERGEANT JASON W. VAUGHN POST OFFICE

The bill (H.R. 2213) to designate the facility of the United States Postal Service located at 801 West Eastport Street in Luka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office" was ordered to a third reading, read the third time, and passed.

CORPORAL STEVEN BLAINE
RICCIONE POST OFFICE

The bill (H.R. 2244) to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office" was ordered to a third reading, read the third time, and passed.

TOMBALL VETERANS POST
OFFICE

The bill (H.R. 2660) to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office" was ordered to a third reading, read the third time, and passed.

WILLIAM T. TRANT POST OFFICE
BUILDING

The bill (H.R. 2767) to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trant Post Office Building" was ordered to a third reading, read the third time, and passed.

PRIVATE FIRST CLASS
ALEJANDRO R. RUIZ POST OF-
FICE BUILDING

The bill (H.R. 3004) to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building" was ordered to a third reading, read the third time, and passed.

SPECIALIST PETER J. NAVARRO
POST OFFICE BUILDING

The bill (H.R. 3246) to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building" was ordered to a third reading, read the third time, and passed.

LANCE CORPORAL MATTHEW P.
PATHENOS POST OFFICE BUILDING

The bill (H.R. 3247) to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building" was ordered to a third reading, read the third time, and passed.

LANCE CORPORAL DREW W.
WEAVER POST OFFICE BUILDING

The bill (H.R. 3248) to designate the facility of the United States Postal

Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building" was ordered to a third reading, read the third time, and passed.

PUBLIC SERVICE RECOGNITION
WEEK

Mr. REID. Mr. President, I ask unanimous consent that we proceed to Calendar No. 369, S. Res. 419.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 419) expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition Week.

Without objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 419) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 419

Whereas the week of May 6 through 12, 2012, has been designated as "Public Service Recognition Week" to honor the employees of the Federal Government and State and local governments of the United States of America;

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and honor the diverse men and women who meet the needs of the United States through work at all levels of government;

Whereas millions of individuals work in government service in every city, county, and State across the United States and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas the Federal Government and State and local governments are responsive, innovative, and effective because of the outstanding work of public servants;

Whereas the United States is a great and prosperous country, and public service employees contribute significantly to that greatness and prosperity;

Whereas the United States benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) defend our freedom and advance the interests of the United States around the world;

(2) provide vital strategic support functions to our military and serve in the National Guard and Reserves;

(3) fight crime and fires;

(4) ensure equal access to secure, efficient, and affordable mail service;

(5) deliver Social Security and Medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and the parks of the United States;

(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;

(9) defend and secure critical infrastructure;

(10) help the people of the United States recover from natural disasters and terrorist attacks;

(11) teach and work in our schools and libraries;

(12) develop new technologies and explore the Earth, the Moon, and space to help improve our understanding of how our world changes;

(13) improve and secure our transportation systems;

(14) promote economic growth; and

(15) assist the veterans of our country;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight to defeat terrorism and maintain homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent the interests and promote the ideals of the United States;

Whereas public servants alert Congress and the public to government waste, fraud, and abuse, and of dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who provide support to their efforts, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the country and the world;

Whereas public servants have bravely fought in armed conflict in defense of this country and its ideals, and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants; and

Whereas the week of May 6 through 12, 2012, marks the 28th anniversary of Public Service Recognition Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of the week of May 6 through 12, 2012, as "Public Service Recognition Week";

(2) commends public servants for their outstanding contributions to this great country during Public Service Recognition Week and throughout the year;

(3) salutes government employees for their unyielding dedication to and spirit for public service;

(4) honors those government employees who have given their lives in service to their country;

(5) calls upon a new generation to consider a career in public service as an honorable profession; and

(6) encourages efforts to promote public service careers at all levels of government.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed

to the consideration of S. Res. 441, S. Res. 442, S. Res. 443, S. Res. 444, and S. Res. 445, which were submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate proceeded to consider the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider laid upon the table en bloc, with no intervening action or debate, and that any statements related to the resolutions be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions (S. Res. 441, S. Res. 442, S. Res. 443, S. Res. 444, and S. Res. 445) were agreed to en bloc.

The preambles were agreed to en bloc.

The resolutions, with their preambles, read as follows:

S. RES. 441

(Expressing support for the designation of May 2012 as National Youth Traffic Safety Month)

Whereas motor vehicle crashes are the leading cause of death for youth in the United States;

Whereas thousands of youth are injured or die each year in motor vehicle crashes;

Whereas on average, 11 youths die each day in motor vehicle crashes;

Whereas on average, May through August is the deadliest period for youths on our nation's highways;

Whereas on average, 8 of the top 10 deadliest days for youths on our nation's highways were between May and August;

Whereas events such as prom and graduation, and the summer driving season, contribute to the risk of a motor vehicle crash due to an increase in the amount of time youth spend on the road and in celebratory activities;

Whereas it is essential to teach our youths that driving is a privilege and with that privilege comes risks and responsibilities;

Whereas this education is essential to preventing risky behaviors that can result in tragic crashes;

Whereas the National Organizations For Youth Safety (NOYS) established a national youth campaign and National Youth Traffic Safety Month to draw attention to the increased rate of motor vehicle crashes involving youth between May and August, to help enforce youth safe driving laws, and to support youth and community education on youth traffic safety; and

Whereas NOYS invites all youths, families, and communities to participate in National Youth Traffic Safety Month:

Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation of May 2012 as "National Youth Traffic Safety Month";

(2) supports youth traffic safety awareness; and

(3) encourages people across the United States to observe National Youth Traffic Safety Month with appropriate programs, activities, and ceremonies.

S. RES. 442

(Celebrating the 140th anniversary of Arbor Day)

Whereas Arbor Day was founded in Nebraska City, Nebraska on April 10, 1872, to recognize the importance of planting trees;

Whereas it is estimated that on the first Arbor Day, more than 1,000,000 trees were planted in the State of Nebraska alone;

Whereas Arbor Day is observed in all 50 States and across the world;

Whereas participating in Arbor Day activities promotes civic participation and highlights the importance of planting and caring for trees and vegetation;

Whereas those activities provide an opportunity to convey to future generations the value of land and stewardship;

Whereas National Arbor Day is observed on the last Friday of April each year; and

Whereas April 27, 2012, marks the 140th anniversary of Arbor Day: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes April 27, 2012, as National Arbor Day;

(2) celebrates the 140th anniversary of Arbor Day;

(3) supports the goals and ideals of Arbor Day; and

(4) encourages the people of United States to participate in Arbor Day activities.

S. RES. 443

(Honoring the life and legacy of Auxiliary Bishop Agustín Román)

Whereas Agustín Román was appointed auxiliary bishop of the Archdiocese of Miami, Florida in 1979, becoming the first Cuban to be appointed bishop in the United States;

Whereas Agustín Román was expelled from Cuba in 1961 by the regime of Fidel Castro, along with many other Roman Catholic priests;

Whereas Agustín Román ministered in Chile for 4 years before coming to Miami, Florida in 1966, where he quickly became a spiritual leader and advocate for the Cuban community in Miami, as well as for many other immigrant communities, including Haitian refugees;

Whereas Agustín Román was fluent in Latin, English, French, and Spanish, and served on the Bishops' Committee for Hispanic Affairs, worked as a hospital chaplain, and became episcopal vicar for the Spanish-speaking people of the Archdiocese of Miami;

Whereas Agustín Román was the son of humble Cuban peasants, which influenced his commitment to humility, tenacity, and unceasing devotion to his ministry in southern Florida;

Whereas Agustín Román was instrumental in the construction of the Shrine of Our Lady of Charity on Biscayne Bay, which serves as a monument to the patron saint of Cuba, the Virgin of Charity of Cobre, and attracts hundreds of thousands of visitors each year;

Whereas in 1980 Agustín Román served as a mediator during the Mariel boatlift incident, helping more than 100,000 Cubans flee the island and safely resettle in the United States;

Whereas Agustín Román helped negotiate a peaceful resolution to the 1987 riots of Mariel prisoner uprisings in Federal prisons, earning him national recognition for his compassion, gentility, and humble spirit;

Whereas after his retirement at the age of 75, Agustín Román remained active at the Shrine of Our Lady of Charity, greeting visitors and responding to letters from fellow Cuban exiles; and

Whereas Agustín Román passed away on Wednesday, April 11, 2012: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the life of Agustín Román;

(2) recognizes and honors the spiritual leadership of Agustín Román and his dedication to freedom and faith;

(3) offers heartfelt condolences to the family, friends, and loved ones of Agustín Román; and

(4) in memory of Agustín Román, calls on the United States to continue policies that promote respect for the fundamental principles of religious freedom, democracy, and human rights in Cuba, in a manner consistent with the aspirations of the people of Cuba.

S. RES. 444

(Designating the week of May 1 through May 7, 2012, as "National Physical Education and Sport Week")

Whereas a decline in physical activity has contributed to the unprecedented epidemic of childhood obesity, which has more than tripled in the United States since 1980;

Whereas regular physical activity is necessary to support normal and healthy growth in children and is essential to the continued health and well-being of children;

Whereas according to the Centers for Disease Control, overweight adolescents have a 70- to 80-percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death;

Whereas physical activity reduces the risk of heart disease, high blood pressure, diabetes, and certain types of cancers;

Whereas type 2 diabetes can no longer be referred to as "late in life" or "adult onset" diabetes because type 2 diabetes presently occurs in children as young as 10 years old;

Whereas the Physical Activity Guidelines for Americans issued by the Department of Health and Human Services recommend that children engage in at least 60 minutes of physical activity on most, and preferably all, days of the week;

Whereas according to the Centers for Disease Control, only 19 percent of high school students are meeting the goal of 60 minutes of physical activity each day;

Whereas children spend many of their waking hours at school and, as a result, need to be active during the school day to meet the recommendations of the Physical Activity Guidelines for Americans;

Whereas nationally, according to the Centers for Disease Control, 1 out of 4 children does not attend any school physical education classes, and fewer than 1 in 4 children get 20 minutes of vigorous activity every day;

Whereas teaching children about physical education and sports not only ensures that the children are physically active during the school day, but also educates the children on how to be physically active and the importance of physical activity;

Whereas according to a 2006 survey by the Department of Health and Human Services, 3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education (or an equivalent) for the entire school year, and 22 percent of schools do not require students to take any physical education courses at all;

Whereas according to that 2006 survey, 13.7 percent of elementary schools, 15.2 percent of middle schools, and 3.0 percent of high schools provide physical education (or an equivalent) at least 3 days per week for the

entire school year for students in all grades in the school;

Whereas research shows that fit and active children are more likely to thrive academically;

Whereas increased time in physical education classes can help the attention, concentration, and achievement test scores of children;

Whereas participation in sports teams and physical activity clubs, often organized by the school and run outside of the regular school day, can improve grade point average, school attachment, educational aspirations, and the likelihood of graduation;

Whereas participation in sports and physical activity improves self-esteem and body image in children and adults;

Whereas children and youths who partake in physical activity and sports programs have increased motor skills, healthy lifestyles, social skills, a sense of fair play, strong teamwork skills, self-discipline, and avoidance of risky behaviors;

Whereas the social and environmental factors affecting children are in the control of the adults and the communities in which the children live, and therefore, the people of the United States share a collective responsibility in reversing the childhood obesity epidemic;

Whereas if efforts are made to intervene with unfit children to bring those children to physically fit levels, then there may also be a concomitant rise in the academic performance of those children; and

Whereas Congress strongly supports efforts to increase physical activity and participation of children and youth in sports: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 1 through May 7, 2012, as “National Physical Education and Sport Week”;

(2) recognizes National Physical Education and Sport Week and the central role of physical education and sports in creating a healthy lifestyle for all children and youth;

(3) supports the implementation of local school wellness policies (as that term is described in section 9A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758b)) that include ambitious goals for physical education, physical activity, and other activities that address the childhood obesity epidemic and promote child wellness; and

(4) encourages schools to offer physical education classes to students and work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.

S. RES. 445

(Expressing support for the designation of May 1, 2012, as “Silver Star Service Banner Day”)

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the American people remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices of members and veterans of the

Armed Forces on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices of members and veterans of the Armed Forces on behalf of the United States should never be forgotten; and

Whereas May 1, 2012, is an appropriate date to designate as “Silver Star Service Banner Day”: Now, therefore, be it

Resolved, That the Senate supports the designation of May 1, 2012, as “Silver Star Service Banner Day” and calls upon the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 43, the adjournment resolution, which was submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Con. Res. 43) providing for the conditional adjournment or recess of the Senate and adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and that the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 43) was agreed to, as follows:

S. CON. RES. 43

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, April 26, 2012, through Sunday, May 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12 noon on Monday, May 7, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, May 4, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, May 7, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the

House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AUTHORITY TO SIGN DULY ENROLLED BILLS OR JOINT RESOLUTIONS

Mr. REID. Mr. President, I ask unanimous consent that from Thursday, April 26, through Monday, May 7, the majority leader be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO MAKE APPOINTMENTS

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE THROUGH MONDAY, MAY, 7, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted, on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, April 30, at 10:30 a.m.; Thursday, May 3, at 8:30 a.m.; and that the Senate adjourn on Thursday, May 3, until 2 p.m. on Monday, May 7, unless the Senate has received a message from the House that it has adopted S. Con. Res. 43, which will be the adjournment resolution, and if the Senate has received such a message, the Senate adjourn until Monday, May 7, at 2 p.m. under the provisions of S. Con. Res. 43; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate resume consideration of the motion to proceed to S. 2343, the Stop Student Loan Interest Rate Hike Act; and that at 4:30 p.m. the Senate proceed to executive session under the previous order.

Just so that everyone understands, we have in this the pro forma sessions possibility. I am confident the House will adopt our adjournment resolution, but just in case they don't, that is why we have that in there.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be up to three rollcall votes on Monday, May 7. They will be on the confirmation of three judicial nominations—one U.S. circuit nomination and two U.S. district nominations.

CONDITIONAL ADJOURNMENT UNTIL MONDAY, APRIL 30, 2012, AT 10:30 A.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:13 p.m., adjourned until Monday, April 30, 2012, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEAN SULLIVAN, OF CONNECTICUT, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2015. VICE LARRY W. BROWN, RESIGNED.

DEPARTMENT OF STATE

TIMOTHY M. BROAS, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

RICHARD L. MORNINGSTAR, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS OR CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

- MICHAEL C. AHO, OF VIRGINIA
ERIC AMES, OF NEW MEXICO
CAROLYN WIRTH ANDERSON, OF VIRGINIA
THOMAS W. ARMSTRONG, OF VIRGINIA
BRIAN L. BACKER, OF VIRGINIA
DANIEL R. BALDWIN, OF VIRGINIA
NEIL J. BECK, OF VIRGINIA
BRIAN BEDSWORTH, OF THE DISTRICT OF COLUMBIA
CHARLES A. BENTLEY III, OF THE DISTRICT OF COLUMBIA
DALMITA D. BENTON, OF VIRGINIA
ELIZABETH L. BIERMANN, OF ALABAMA
SHANTHINI M. BLACK, OF GUAM
MARK A. BLAND, OF FLORIDA
CARTER A. BOHN, OF VIRGINIA
MICHAEL CASEY BONFIELD, OF ALABAMA
LEILA BORAZJANI, OF THE DISTRICT OF COLUMBIA
KAREINA BRAZENOR, OF CALIFORNIA
PHILIP J. BRINKMAN, OF VIRGINIA
BRANDY L. BRUCKERT, OF VIRGINIA
DANIEL B. BUDIK, OF MARYLAND
RAUL A. BURGOS, OF VIRGINIA
CRISTINA R. BUSACCA, OF VIRGINIA
ADAM K. CARDWELL, OF VIRGINIA
MOLLY C. CHAMBERS, OF VIRGINIA
ERIC S. CICORA, OF THE DISTRICT OF COLUMBIA
GERALD J. CINTRON, OF MARYLAND
MICHAEL CARL COKER, OF ARIZONA
ANDREW R. DALSHIEM, OF VIRGINIA
ELISABETH L. DAVIDSON, OF WASHINGTON
CARMEN W. DOWLING, OF FLORIDA
WILLIAM M. DRAXLER, OF VIRGINIA
M. JOHN DUDTE, OF VIRGINIA
DANIEL A. DYMOND, OF VIRGINIA
DORI ANNE ENDERLE, OF TEXAS
WOODRUFF J. ENGLISH III, OF THE DISTRICT OF COLUMBIA
ANA H. ESQUIVEL, OF VIRGINIA
CHRISTIAN A. FARRELL, OF VIRGINIA
KRISTEN ASTRID FARRELL, OF THE DISTRICT OF COLUMBIA
RYAN ALLEN PATRICK FEEBACK, OF INDIANA

- TIMOTHY L. FINNEGAN, OF VIRGINIA
JULIANA K. FINUCANE, OF CALIFORNIA
DOUGLAS R. FURLETTI, OF MARYLAND
REBECCA L. GALEK, OF VIRGINIA
ASHLEY L. GALLO, OF VIRGINIA
KATHERINE R. GALM, OF VIRGINIA
DAVID D. GENTILLI, OF VIRGINIA
PARAMJIT K. GILL, OF VIRGINIA
SZE YONG GOH, OF MARYLAND
ERIKA S. GRAMS, OF VIRGINIA
SARAH B. GREYWALL, OF VERMONT
JULIE R. GRIER, OF SOUTH CAROLINA
BENJAMIN MILLER GULLETT, OF NORTH CAROLINA
CHRISTOPHER JAMES HALLETT, OF VIRGINIA
HALLIE A. HASSAKIS, OF THE DISTRICT OF COLUMBIA
MATTHEW HERGOTT, OF COLORADO
MICHAEL C. HILLER, OF VIRGINIA
RACHEL L. HOLMES, OF VIRGINIA
CHRISTOPHER S. JANSEN, OF VIRGINIA
CANDACE R. JENDOUBI, OF VIRGINIA
ANDREW M. JENKINS, OF VIRGINIA
JOSHUA JOHNSON, OF THE DISTRICT OF COLUMBIA
EDWARD T. JONES, OF MARYLAND
BRAPHUS ELLIOTT KAALUND, OF TENNESSEE
NICHOLAS C. KALMBACH, OF VIRGINIA
ABIGAIL J. KAPUR, OF VIRGINIA
ERICH J. KAUSSEN, OF THE DISTRICT OF COLUMBIA
MARIOS M. KENDRICK, OF VIRGINIA
ROBERT S. KINNEAR, OF WASHINGTON
TODD A. KOLODZINSKI, OF VIRGINIA
MICHAEL K. KOSTICK, OF VIRGINIA
VICKY KU, OF NEW YORK
CHRISTINA E. KYRIAKOU, OF VIRGINIA
SECHYI LAU, OF CALIFORNIA
MICHAEL W. LEACH, OF TEXAS
MICAH LEBSON, OF MARYLAND
BOA LEE, OF MINNESOTA
BIC HOANG LEU, OF CONNECTICUT
JOSHUA A. LEWIS, OF MARYLAND
NATHANIAL S. LINDSEY, OF VIRGINIA
WILLIAM S. LIVINGSTONE, OF VIRGINIA
DAVID T. LOMERSON, OF VIRGINIA
TERRY L. LONG, OF VIRGINIA
DOUGLAS LORENSON, OF VIRGINIA
FREDRICK W. LOWERY, OF VIRGINIA
R. SCOTT MACINTOSH, OF MISSOURI
NICKOLAS E. MAGLIS, OF VIRGINIA
OLIVER S. MAINS, OF CALIFORNIA
KENNETH W. MANGIN, OF VIRGINIA
AMANDA E. MATTEIS, OF THE DISTRICT OF COLUMBIA
CARLA M. MCBANE, OF VIRGINIA
RYAN MCHIRSTIAN, OF VIRGINIA
ALEXANDER HOPKINS MEARS, OF PENNSYLVANIA
SHANNON MILLER, OF VIRGINIA
SAGE MOON, OF WASHINGTON
MICHAEL J. MORIARTY, OF VIRGINIA
ROGER A. NASSAR, OF VIRGINIA
MICHAEL D. NORD, OF MARYLAND
MONIQUE NOWICKI, OF VIRGINIA
MARIKO NOYES-SHIMOMURA, OF VIRGINIA
SAMAN NOZARI, OF NORTH CAROLINA
JEAN T. OLSON, OF WISCONSIN
SETH M. OPPENHEIM, OF THE DISTRICT OF COLUMBIA
CALLAN ORDOYNE, OF MINNESOTA
FANTA N. ORR, OF VIRGINIA
BENJAMIN OSLAND, OF VIRGINIA
JESSICA PANCHATHA, OF CONNECTICUT
BARRETT CARLTON PARKER, OF VIRGINIA
BENJAMIN D. PARTINGTON, OF VIRGINIA
ROBERT PASTORE, OF VERMONT
HILDE LYNN PEARSON, OF WASHINGTON
EDWARD J. PIOTROWICZ, OF VIRGINIA
JEFFREY C. PLANTE, OF VIRGINIA
MICHAEL R. PROSSER, OF THE DISTRICT OF COLUMBIA
TONYA D. PRUITT, OF VIRGINIA
IAN B. PULSIPHER, OF VIRGINIA
ZAHID M. RAJA, OF MICHIGAN
ANNE REDALEN FRASER, OF MINNESOTA
MELISSA S. REED, OF VIRGINIA
ROBYN REMEIKA, OF MARYLAND
ERIK R. RIKANSRUD, OF VIRGINIA
SCOTT A. RISWOLD, OF VIRGINIA
ERIN E. ROBINSON, OF VIRGINIA
YOULIANA SADOWSKI, OF VIRGINIA
SALAMA J. SALAMA, OF VIRGINIA
MARY E. SAWYER, OF CONNECTICUT
MARILYN S. SCHNEIDER, OF MARYLAND
SAMUEL D. SIPES, OF TEXAS
LEE R. SMITH, OF VIRGINIA
RACHEL K. SNELL, OF VIRGINIA
BENJAMIN T. SNELL-CALLANEN, OF THE DISTRICT OF COLUMBIA
LINDSEY J. SOLARSKI, OF VIRGINIA
DEVIN R. SPRINGER, OF VIRGINIA
JOSHUA E. STERN, OF VIRGINIA
ELIZABETH M. STICKNEY, OF MARYLAND
HOLLY S. STOPA, OF MARYLAND
STEVEN JAMES STOIBER, OF FLORIDA
LARA A. SULLIVAN, OF VIRGINIA
JOHN SZYPULA, OF COLORADO
GABRIEL ELIJAH TAMES, OF CALIFORNIA
RICHARD F. TAYLOR, OF MARYLAND
ELIE MEYER TEICHMAN, OF MARYLAND
MOIRA KATHARINE THOMAS, OF VIRGINIA
JAMES C. THORN, OF MISSOURI
PHILLIP C. TISSUE, JR., OF PENNSYLVANIA
CHRISTINA A. TOMASETTI, OF VIRGINIA
LAURA TRAVIS, OF VIRGINIA
LUKE RICHARDSON TULLBERG, OF NEW YORK
ROBERT J. VANDERHORST, OF FLORIDA
JEFFREY S. VANDORN, OF IOWA
VITALIY VOZNYAK, OF VIRGINIA

- SUSAN A. WATERMAN, OF VIRGINIA
WILLIAM L. WHEBLEHAN, OF KENTUCKY
ERINN CATHERINE WHITAKER, OF THE DISTRICT OF COLUMBIA
MATTHEW M. WILLS, OF VIRGINIA
T. ANDREW WILSON, OF NEW YORK
MARION J. WOHLERS, OF WASHINGTON
TYSON SCOTT WOODRUFF, OF VIRGINIA
MALCOLM F. WRIGHT, OF VIRGINIA
RONALD K. YIU, OF VIRGINIA
MICHAEL G. ZIDEK, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE JANUARY 1, 2012: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

KENNETH E. GROSS, JR., OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

MICHAEL L. YODER, OF TEXAS

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED CORPS OF THE U.S. PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

To be surgeon

- JOSEPH R. FONTANA
RAKHEE S. PALEKAR
CHRISTOPHER L. PERDUE

To be senior assistant surgeon

PAMELA J. HORN

To be dental officer

- SCOTT W. BROWN
DEBORAH L. FULLER

To be senior assistant dental officer

ALEXANDER D. GAMBER

To be assistant dental officer

- ERIKA A. CRAWFORD
ANTONIO S. PARAMESWARAN

To be assistant nurse officer

- OMORONKE O. ADEGBUJI
MARK E. ARENA
MICHAEL J. REED

To be assistant scientist officer

BRANDY E. HELLMAN

To be assistant health services officer

- GEORGE S. CHOW
SARAH M. LEE
JOY A. MOBLEY

CONFIRMATIONS

Executive nominations confirmed by the Senate April 26, 2012:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

JANE D. HARTLEY, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2014.

DEPARTMENT OF STATE

ADAM E. NAMM, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ECUADOR.

THE JUDICIARY

GREGG JEFFREY COSTA, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

DAVID CAMPOS GUADERRAMA, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS.

DEPARTMENT OF AGRICULTURE

MICHAEL T. SCUSE, OF DELAWARE, TO BE UNDER SECRETARY OF AGRICULTURE FOR FARM AND FOREIGN AGRICULTURAL SERVICES.

MICHAEL T. SCUSE, OF DELAWARE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.

DEPARTMENT OF DEFENSE

MARK WILLIAM LIPPETT, OF OHIO, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF ENGINEERS/COMMANDING GENERAL,

UNITED STATES ARMY CORPS OF ENGINEERS, AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3036:

To be lieutenant general

LT. GEN. THOMAS P. BOSTICK

NATIONAL INSTITUTE OF BUILDING SCIENCES

JAMES T. RYAN, OF UTAH, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2013.

JAMES TIMBERLAKE, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2014.

MARY B. VERNER, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2012.

MARY B. VERNER, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2015.

SUSAN A. MAXMAN, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2012.

SUSAN A. MAXMAN, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2015.

POSTAL REGULATORY COMMISSION

TONY HAMMOND, OF MISSOURI, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 14, 2012.

MERIT SYSTEMS PROTECTION BOARD

MARK A. ROBBINS, OF CALIFORNIA, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE TERM OF SEVEN YEARS EXPIRING MARCH 1, 2018.

NATIONAL BOARD FOR EDUCATION SCIENCES

ADAM GAMORAN, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015.

JUDITH D. SINGER, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2014.

HIROKAZU YOSHIKAWA, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015.

DAVID JAMES CHARD, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015.

NATIONAL SCIENCE FOUNDATION

BONNIE L. BASSLER, OF NEW JERSEY, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR A TERM EXPIRING MAY 10, 2016.

DEPARTMENT OF EDUCATION

DEBORAH S. DELISLE, OF SOUTH CAROLINA, TO BE ASSISTANT SECRETARY FOR ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF EDUCATION.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DONALD S. WENKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. BURTON M. FIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRUCE A. LITCHFIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. CHARLES R. DAVIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

CATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. SALVATORE A. ANGELELLA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF AIR FORCE RESERVE, AND APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES AIR FORCE WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8038:

To be lieutenant general

MAJ. GEN. JAMES F. JACKSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ANDREW E. BUSCH

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL ROBERT P. WHITE

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. STEVEN FERRARI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. KRISTIN K. FRENCH

COL. WALTER E. PIATT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DENNIS L. VIA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. TODD A. PLIMPTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PATRICIA E. MCQUISTION

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RAYMOND P. PALUMBO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT P. LENNOX

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT B. BROWN

THE FOLLOWING NAMED UNITED STATES ARMY RESERVE OFFICER FOR APPOINTMENT AS CHIEF, ARMY RESERVE AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3038:

To be lieutenant general

MAJ. GEN. JEFFREY W. TALLEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ERIC C. YOUNG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) TERRY B. KRAFT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) BRYAN P. CUTCHEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JONATHAN W. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) RICHARD P. BRECKENRIDGE

REAR ADM. (LH) WALTER E. CARTER, JR.

REAR ADM. (LH) CRAIG S. FALLER

REAR ADM. (LH) JAMES G. FOGGO III

REAR ADM. (LH) PETER A. GUMATAOTAO

REAR ADM. (LH) JOHN R. HALBY

REAR ADM. (LH) PATRICK J. LORGE

REAR ADM. (LH) MICHAEL C. MANAZIR

REAR ADM. (LH) SAMUEL PEREZ, JR.

REAR ADM. (LH) JOSEPH W. RIXEY

REAR ADM. (LH) KEVIN D. SCOTT

REAR ADM. (LH) JAMES J. SHANNON

REAR ADM. (LH) THOMAS K. SHANNON

REAR ADM. (LH) HERMAN A. SHELANSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. MARK I. FOX

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH JENNIFER M. AGULTO AND ENDING WITH KATHRYN W. WEISS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH MARIO ABEJERO AND ENDING WITH CARL R. YOUNG, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH RICHARD E. AARON AND ENDING WITH ERIC D. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2012.

IN THE ARMY

ARMY NOMINATION OF CAROL A. FENSAND, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH KELLEY R. BARNES AND ENDING WITH DAVID L. GARDNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2012.

ARMY NOMINATION OF TROY W. ROSS, TO BE COLONEL. ARMY NOMINATION OF SEAN D. PITMAN, TO BE MAJOR. ARMY NOMINATION OF WALTER S. CARR, TO BE MAJOR. ARMY NOMINATION OF MARC E. PATRICK, TO BE MAJOR.

ARMY NOMINATION OF DEMETRES WILLIAMS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH ALYSSA ADAMS AND ENDING WITH DONALD L. POTTS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2012.

ARMY NOMINATION OF JAMES M. VEAZEY, JR., TO BE COLONEL.

ARMY NOMINATION OF SHARI F. SHUGART, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH DANIEL A. GALVIN AND ENDING WITH THOMAS J. SEARS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH ANTHONY R. CAMACHO AND ENDING WITH RICHARD J. SLOMA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH JAMES M. BLEDSOE AND ENDING WITH DANIEL J. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH JOHN R. ABELLA AND ENDING WITH D010584, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH DREW Q. ABELL AND ENDING WITH G010092, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH EDWARD C. ADAMS AND ENDING WITH D011050, WHICH NOMINATIONS

WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF JUAN M. ORTIZ, JR., TO BE LIEUTENANT COLONEL.

IN THE NAVY

NAVY NOMINATION OF DAVID T. CARPENTER, TO BE CAPTAIN.

NAVY NOMINATION OF MICHAEL JUNGE, TO BE CAPTAIN.

NAVY NOMINATION OF MARC E. BERNATH, TO BE COMMANDER.

NAVY NOMINATION OF STEVEN A. KHALIL, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF ASHLEY A. HOCKYCKO, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF JASON A. LANGHAM, TO BE COMMANDER.

NAVY NOMINATION OF WILL J. CHAMBERS, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH PATRICK J. FOX, JR. AND ENDING WITH LESLIE H. TRIPPE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

NAVY NOMINATION OF WILL J. CHAMBERS, TO BE COMMANDER.

WITHDRAWALS

Executive message transmitted by the President to the Senate on April 26,

2012 withdrawing from further Senate consideration the following nominations:

THOMAS M. BECK, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2013, VICE ELIZABETH DOUGHERTY, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 5, 2011.

MATTHEW J. BRYZA, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN, TO WHICH POSITION HE WAS APPOINTED DURING THE RECESS OF THE SENATE FROM DECEMBER 22, 2010, TO JANUARY 5, 2011, WHICH WAS SENT TO THE SENATE ON JANUARY 26, 2011.

EXTENSIONS OF REMARKS

HONORING ALVIN AURELIANO
DAVIS

HON. FEDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise today to recognize and honor Mr. Alvin Aureliano Davis, who was recently named the 2012 Macy's Florida Department of Education State Teacher of the Year. With this honor, Mr. Davis will serve as the Christa McAuliffe Ambassador for education, touring Florida as an education advocate. Mr. Davis is the band teacher at Miramar High School and has been a music educator for the past 11 years. By actively encouraging his students and keeping them engaged on obtainable goals, his students find success both in and out of the classroom. For the past three years, every student who was a regular participating member of the Miramar High band program has gone on to college under his guidance and leadership.

Alvin Davis graduated from Florida A&M University with a Bachelor of Science degree in Music Education. He began his professional career as the band instructor at Crystal Lake Middle School, teaching the fundamentals of band to 6th through 8th graders. As the director of the Miramar High School band, Mr. Davis has continuously constructed his music program and performances with the philosophy of developing an award winning, academic-focused music program on the cutting edge of creativity and band pageantry.

Mr. Davis has a genuine and vested interest in his students. Passing on the legacy of music appreciation is only part of his greater mission of instilling academics and discipline. He requires his students to receive one-on-one counseling with a member of the band staff, and he personally reviews students' report cards and interim reports. Every school band rehearsal includes a one-hour study hall where students are tutored. He has implemented guidelines that high school seniors can perform only if they have registered to take the ACT or SAT college entrance exams, and must prove they have applied for admission to a college or university.

Over the years he has developed a reputation as an educator with a heart as big as the moon, as he is wholeheartedly dedicated to the entire educational welfare of students.

Alvin Davis is the husband of Tiffani Davis and the proud father of his daughter, Caitlyn. I proudly acknowledge his achievement as the 2012 Macy's Florida Department of Education State Teacher of the Year and appreciate his commitment to the many students whose lives he has positively impacted.

HONORING MRS. LOURDES LOZANO

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. DIAZ-BALART. Mr. Speaker, I rise today to honor Mrs. Lourdes Lozano, a remarkable leader in the South Florida community.

Mrs. Lozano was born in Las Villas, Cuba and attended the Escuela Normal de Maestros in preparation for her teaching profession. After graduation she received a post graduate degree from the University of Martha Abreu, in Santa Clara. Once arriving in Miami, she received her Bachelor's degree in Psychology from St. Thomas University.

Mrs. Lozano began her professional career working at ARSCO International, a company in the paint roller industry. While working for this company she became the first woman in the industry to hold the position of Plant Manager. She later went on to become Vice President and General Manager of the company. Mrs. Lozano has also worked as a realtor for the past 28 years and as a supervisor for twelve social workers and one specialist for 22 years. In the past she has been appointed to serve the community as a Commissioner for Hialeah's Housing Authority, and is currently serving as a Council Member for the City of Hialeah.

Mrs. Lozano's work does not stop there, as she has been a volunteer for Liga Contra el Cancer and for the Muscular Dystrophy Association for over 30 years. Along with her husband Richard Irizarry, Mrs. Lozano has made tremendous contributions to our community and both are highly admired for their hard work. In 2004 she was recognized as one of the eight public service employees in Miami-Dade who perform their professional duties with excellence. She has also received the "Most Humanitarian Award" from the Department of Children and Families. She has also been recognized by the Mayor of the City of Hialeah, for her leadership on a number of projects which help alleviate some of the burdens of needy families in the community.

Mr. Speaker, I am honored to pay tribute to my dear friend Mrs. Lourdes Lozano for her continued service to the South Florida community. I ask my colleagues to join me in recognizing this remarkable individual and wish her continued success.

TRIBUTE HONORING ISRAEL'S
SIXTY-FOURTH INDEPENDENCE
DAY

HON. BILL PASCHELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PASCHELL. Mr. Speaker, I rise today to recognize Israel's sixty-fourth Independence Day. Today is a cause for true celebration.

On May 14, 1948, Mr. David Ben-Gurion declared the independence of the State of Israel. It is with this in mind that families and friends across the globe come together to celebrate on this very special occasion.

The United States' strong solidarity to the Israeli people is continually fortified. Since Israel's independence, the ties of democracy between Israel and the United States have been unwavering.

The United States was one of the first nations to recognize the nation of Israel, just minutes after Prime Minister Ben-Gurion declared the independence of the State of Israel.

As the only democracy in the Middle East, Israel has been one of the United States' most important allies since its founding. This relationship remains strong and vibrant to this day.

While many things have changed in the past sixty-four years, the bonds of friendship between our two great nations has remained constant.

President of Israel Shimon Peres has called on all Jewish people across the world to participate in Independence Day celebrations being hosted at the Presidential residence in Jerusalem.

These celebrations will include honorary flyovers of Israeli combat planes and helicopters and a full military review by President Peres and Chief of Staff Gantz. President Peres will also be awarding 120 soldiers with the President's Outstanding Service Award.

Also, President Peres and Prime Minister Netanyahu, will partake in singing songs commemorating Israeli independence with the Israeli Defense Forces band and numerous patriotic singers.

I am always pleased to recognize and commemorate historic occasions such as this one.

Mr. Speaker, I ask that you join our colleagues, all Jewish people, and me, in recognizing Israel's sixty-fourth Independence Day.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING THE NEW JERSEY STATE ASSOCIATION OF CHIEFS ON POLICE ON THEIR 100TH ANNIVERSARY

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to congratulate the New Jersey State Association of Chiefs of Police on 100 years of leading the way in providing the highest level of professional and ethical police services. I join with the New Jersey State Association of Chiefs of Police in recognizing their centennial anniversary to commemorate the many years of their outstanding leadership. These servicemen and women are exceptional in both their professional field and community service to the public.

The New Jersey State Association of Chiefs of Police is one of the oldest, largest and most respected police executive associations in the country. Membership includes the sworn chief executives of local, county, state and federal law enforcement agencies throughout the state of New Jersey. Since its founding in 1912, the Association has been a driving force for implementation of the latest techniques, technology and methodologies in New Jersey police agencies. In 1945, they began administering professional entry level and promotional examinations for non-civil service police departments. As the responsibilities of the organization continued to grow, the New Jersey State Association of Chiefs of Police developed the Command and Leadership Academy in 1993 for law enforcement executives in New Jersey. Striving to uphold its mission of maintaining the highest standards for law enforcement, the Association provides command school, executive and professional development, administrative, management and leadership training for New Jersey police professionals. In that same vein, the Association offers at no cost full portfolios of model policies and resources to law enforcement agencies throughout the state. It also established and administers New Jersey's law enforcement agency accreditation program. In addition to all these services, the association founded, coordinates and hosts the annual New Jersey memorial service for officers killed in the line of duty—the first of its kind in the United States. After a century of service to New Jersey, I join the New Jersey State Association of Chiefs of Police in honoring this exceptional organization and its members who have dedicated themselves to delivering quality service to both the law enforcement community as well as the citizens of New Jersey.

Mr. Speaker, today I would like to celebrate the 100th anniversary of the New Jersey State Association of Chiefs of Police and honor all of its members for their role in keeping this wonderful organization going for so many years. I know I join with all of my constituents in wishing the New Jersey State Association of Chiefs of Police continued success as they proudly serve the communities of New Jersey.

NINETY-SEVENTH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. MARKEY. Mr. Speaker, *parev, pari yegak* (Hello, welcome.)

Thank you to the Armenian National Committee of America, the Armenian Assembly, the Armenian Caucus, the Embassy of Armenia, and the Office of Nagorno Karabakh for organizing this very important event.

I would also like to give a special thanks to all of the Armenian Genocide survivors and their families who are here tonight.

I am very proud to represent the 7th district of Massachusetts because my district includes the community with the third highest percentage of Armenian-Americans in the Nation.

We have gathered today to remember and commemorate the Armenian Genocide, one of the darkest chapters of World War I, and the first of many genocides we saw in the 20th century.

Ninety-seven years ago, the Armenian Genocide was initiated when hundreds of Armenian political, religious, and intellectual leaders were arrested in Constantinople and then deported and murdered. Unfortunately, these terrible atrocities that occurred in the capital of the Ottoman Empire only represented the beginning of the suffering inflicted on the Armenian people.

Between 1915 and 1923, the Ottoman Empire carried out the deportation of nearly 2 million Armenians from their homes, resulting in the deaths of 1.5 million innocent children, women and men.

This must never happen again.

In order to prevent future genocides, we must recognize those of the past. For many years the House has had before it a resolution which clearly affirms the United States record on the Armenian Genocide.

I have been a strong supporter and vocal cosponsor of this resolution in every Congress, and I remain so today.

Almost one-hundred years have passed since the Armenian Genocide, yet the suffering will continue for Armenians and non-Armenians alike as long as the world allows denial to prevail.

Already, 43 states and 22 nations have officially recognized the Armenian Genocide, and it is long overdue for the United States to do the same.

Unfortunately, the Republic of Armenia's challenges continue even after its independence from the Soviet Union in 1991.

In the face of ongoing blockades from Turkey and Azerbaijan, the United States must provide assistance to Armenia while working to reestablish the Turkish government's commitment to normalized relations in order to ensure peace and stability in the Caucasus region. I strongly support these efforts.

The Armenian people are true survivors. Despite the reappearing themes of invasions and land loss that the Armenians have dealt with for over 3,000 years, coupled with the loss of between one-half and three-quarters of their population in the early 20th century, the people of Armenia have prevailed.

In fact, I have a wonderful Armenian intern in my office, Victoria Hines. Victoria's grandmother was born on a train in Moscow during her family's journey to America after her mother hid her father from the Ottoman Turks, allowing for their escape.

Despite watching their friends and even their own first-born perish in the genocide, the Tutunjian family, along with the rest of the Armenian people, view the stories of their families as reminders of the importance of preserving the fight for recognition.

The journey of the Armenian people continues today, with our shared responsibility to ensure that the Armenian people are able to build their own independent and prosperous future.

I look forward to continuing to work with the Armenian-American community to address the issues facing this longtime friend and important ally of the United States. Together we can build something positive, something hopeful, something good for the future—an Armenia that is respected and honored by its allies and neighbors.

And this cannot come without universal acknowledgement of the horror that was the Armenian Genocide.

IN RECOGNITION OF RONALD McDONALD HOUSE OF LONG BRANCH & NEW BRUNSWICK'S 25TH ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PALLONE. Mr. Speaker, I rise today to celebrate the Ronald McDonald House of Long Branch and New Brunswick's 25th Anniversary. The Ronald McDonald House organization and its charities have provided warm and hospitable living environments and support to families whose children are being treated at area hospitals at little or no cost. Their outpouring of support and charitable efforts to serve the members of their community is worthy of this body's recognition.

The Ronald McDonald House was established in 1974 through a collaborative effort by Philadelphia Eagles football player, Fred Hill and Dr. Audrey Evans at Children's Hospital of Philadelphia. Mr. Hill's three-year-old daughter Kim Hill and her childhood battle with leukemia inspired the model for the first Ronald McDonald House. Facing the rigors of multiple hospital visits, the Hill family sought to find a comfortable and supportive place of refuge for other parents facing similar situations. Through the support of Eagles owners, managers, teammates and various fundraising endeavors, the first Ronald McDonald House was opened in Philadelphia, Pennsylvania. The Ronald McDonald House provided the amenities of home while offering families a comfortable and supportive environment with easy access to area hospitals. The Philadelphia Ronald McDonald House would later act as the model for what would become an international network of temporary housing for families of ill children. By 1985, more than 88 Ronald McDonald Houses were established

worldwide. The popular and unique fundraising strategies, including the "Pop Tab Collection Recycling Program", raised millions for participating Houses and furthered the success of the organization. In 1984, Ronald McDonald House Charities (RMHC) was established in memory of McDonald's founder Ray Kroc. Since its inception, RMHC and its network of Chapters have awarded more than \$16 million in grants to more than 1,300 U.S. Children's organizations.

As a result of their commendable efforts, for two consecutive years, Worth magazine named RMHC one of "America's 100 Best charities of 2002".

The Ronald McDonald House of Long Branch and New Brunswick, New Jersey was established in 1987 and services community members throughout the State. Through the support of area businesses, organizations, civic groups, schools and individuals, as well as various fundraising and special events, the two Houses have served more than 4,000 families.

Mr. Speaker, once again, please join me in thanking the Ronald McDonald House of Long Branch and New Brunswick for their 25 years of service. The Ronald McDonald House continues to provide outstanding services to the Middlesex, Monmouth and NJ community.

HONORING MS. LOURDES UBIETA

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. DIAZ-BALART. Mr. Speaker, I rise today to honor Ms. Lourdes Ubieta, a Venezuelan-born journalist and freedom fighter.

Ms. Ubieta speaks three languages and has profound experience in journalism, with a specific interest in human rights. In her current position, she serves as a co-host on a daily talk radio program broadcasted on Actualidad 1020AM. The two-hour long program focuses on domestic and international issues, which informs and educates thousands of Spanish speakers in our community.

Ms. Ubieta's leadership was instrumental in the organization of Venezuela's 2012 Presidential primary elections in Doral, Florida. With her assistance, twenty voting stations were set up at a strip plaza in order to accommodate the expected turnout. In all, more than 8,000 Venezuelan's exercised the right to vote in their homeland's primary. Ms. Ubieta's commitment to democracy and the Venezuelan community in South Florida is clearly evident and extraordinary.

The numerous awards Ms. Ubieta has received are further proof of her hard work and dedication. In the past three years, she has been recognized by the Venezuelan American Chamber of Commerce, Broward Community Center, and has received the Venezuelan Business Club Award, among many others.

Mr. Speaker, I am honored to recognize a dear friend, Ms. Lourdes Ubieta for her outstanding professional career and leadership in our community. I ask my colleagues to join me in recognizing this accomplished individual and wish her continued success.

THE CITY OF MOUND TURNS 100

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PAULSEN. Mr. Speaker, this year marks the centennial of the city of Mound, Minnesota. And although this picturesque community was officially incorporated in 1912, its roots run all the way back to before the Civil War when the town was known as Mound City.

In the early days, Mound was a bustling business district on the shores of Cooks Bay, frequented by the street car boats which travelled Lake Minnetonka at the turn of the 19th century. In 1900, the railroad came to town, requiring the business district to move to where we see it today.

From a city which derives its name from Indian burial mounds, this vibrant community has not only flourished over its 100 years as a home to close to 10,000 Minnesotans—and this year being named Minnesota's Best Place to Raise Your Kids 2012 by Bloomberg Businessweek—but has also been home to many of Minnesota's innovative small businesses.

I'd like to congratulate Mayor Hanus, and all of my neighbors who call Mound home—Happy 100th!

SALLIE MAE LOAN SERVICING
CENTER IN HANOVER TOWNSHIP

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor the Sallie Mae Loan Servicing Center in Hanover Township, which will celebrate its 25th anniversary today, April 25, 2012.

The Student Loan Marketing Association, commonly known as Sallie Mae, was originally created in 1972 as a government sponsored enterprise. In 1997, Sallie Mae began privatizing its operations. At the end of 2004, Congress terminated Sallie Mae's federal charter, officially ending its ties to the government. Today, Sallie Mae is the nation's number one financial services company specializing in education and offering a wide range of products and services from college savings programs to education loans.

Currently, Sallie Mae employs an estimated 8,000 individuals nationwide and is one of the largest employers in Northeastern Pennsylvania. In addition to providing jobs, Sallie Mae sponsors The Sallie Mae Fund, a charitable organization with a mission to increase access to higher education for America's students. In honor of the Hanover Township facility's 25th anniversary, The Sallie Mae Fund announced a \$150,000 donation to the Osterhout Free Library in Wilkes-Barre to support the library's early literacy outreach program. The Fund also supports employee volunteerism and community service. I am proud to say that Sallie Mae employees have raised more than \$2.5 million for Pennsylvania charities.

Mr. Speaker, for the last 25 years, Sallie Mae has proudly served the citizens of Hanover Township and all of Northeastern Pennsylvania. I commend Sallie Mae and all those employed at the Loan Servicing Center for their dedication to education, to the community, and to our country.

WORLD IMMUNIZATION WEEK:
PREVENTING PNEUMONIA AND
DIARRHEA WITH THE POWER OF
VACCINES

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. McDERMOTT. Mr. Speaker, this week marks World Immunization Week, in which countries across the globe mobilize for a week of vaccination campaigns and public education about the value of immunization. I rise today to celebrate a major milestone in global health: the rollout of two new vaccines to protect infants from two of the biggest killers of children under the age of five—pneumonia and diarrhea—that is taking place today in Ghana.

Hundreds of Ghanaians have played a frontline role in making their country the first in Africa to simultaneously introduce both pneumococcal and rotavirus vaccines to their people. While the Government and the people of Ghana are to be congratulated for this unprecedented accomplishment, I also want to acknowledge the role U.S. taxpayers have played in making this moment possible.

The United States' commitment to the Global Alliance for Vaccines and Immunization (GAVI Alliance) has been instrumental in making these vaccines affordable and accessible for children in the world's poorest countries. Immunization is one of the most successful and cost-effective public health interventions. By supporting new vaccines, the GAVI Alliance is well within target to immunize more than 250 million children in the world's poorest countries by 2015, preventing more than 4 million premature deaths.

Seattle, which I represent, has made significant contributions toward the United States becoming a leader in global health innovation, including vaccination research. For example, earlier this year, promising preliminary results from the trial of a malaria vaccine known as RTS,S made headlines around the world when it showed that nearly fifty percent of children who received the vaccine were protected from malaria—a leading cause of death among children in developing countries. The Bill and Melinda Gates Foundation and PATH, both based in Seattle, were at the forefront in developing this potentially life-saving vaccine.

I am proud to say that American research and technology in global health are at the forefront in making medicine accessible to the most remote corners of the world. But we cannot stop here.

U.S. bilateral support for maternal and child health provide critical infrastructure—including supply chains, trained health workers, and facilities—to deliver vaccines around the world, along with other essential and complementary

interventions such as nutrition and clean water.

Immunization leads to significant economic benefits by protecting individuals not just against life-threatening illnesses but against long-term effects of that illness on their physical, emotional and cognitive development. With the introduction of these vaccines, mothers across Ghana will be able to provide their children hope for a brighter future.

On this day, while communities around the world are celebrating the power of lifesaving vaccines, we can be proud as Americans that our investments are making a durable impact on the prosperity and security of those who need it most.

IN HONOR OF THE SANTA CRUZ
WORLD SURFING RESERVE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. FARR. Mr. Speaker, I rise today to recognize the dedication of the Santa Cruz World Surfing Reserve. Santa Cruz is one of just four surf zones located around the world that has qualified to be designated as a World Surfing Reserve by the Save the Waves Coalition. This designation is intended to focus attention on the need to protect our natural resources along the coast including surf breaks and the unique conditions that allow them to exist. The program serves as a model for preserving wave breaks and their surrounding areas by recognizing the positive environmental, cultural, economic, and community benefits of surfing areas.

The surf zone encompasses seven miles of coast and includes world-famous spots such as Steamer Lane, Pleasure Point, the Hook, and Shark's Cove. The zone extends from the high-tide line out to the first surfable break along the designated coastline. The four components that make Santa Cruz uniquely qualified for the creation of the World Surfing Reserve are: the high quality of the waves and surf zones in the area; its rich surf culture and history; local community support; and the incomparable environmental characteristics of its shores.

The World Surfing Reserve designation takes an additional step toward protecting our irreplaceable natural resources along the coast. Residents of Santa Cruz and the surrounding area have a history of strong community action to protect and preserve clean waters and the wealth of marine life that flourishes in the bay. Members of this community value the bountiful resources the coast provides and have worked tirelessly toward ensuring it stays a safe place to swim and surf for years to come.

Mr. Speaker, I am proud to recognize the Santa Cruz World Surfing Preserve as a step forward in the preservation of California's central coast. May the Preserve inspire future generations to share in celebrating, enjoying, and preserving our valued coastlines.

HONORING THE DR. HECTOR P.
GARCIA MIDDLE SCHOOL
SCIENCE BOWL TEAM

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CANSECO. Mr. Speaker, I am proud to rise today to honor and congratulate the Dr. Hector P. Garcia Middle School science bowl team from San Antonio, Texas. Led by their coach Shelley Beck, these fine young men and women have achieved a spot in the 2012 U.S. Department of Energy National Science Bowl competition on April 26–28, 2012 in Chevy Chase, Maryland, and at the National Building Museum in Washington, DC.

Through their perseverance and hard work the team won their regional elimination tournament to be selected as one of the 44 middle schools to compete at the national finals for prizes and rewards. I am proud to congratulate Rachel Moore, Irene Chu, Kathleen Ran, Minji Kim, and Sophie He for this outstanding achievement and wish them the best of luck in the competition.

THE LIFE AND LEGACY OF CHUCK
COLSON

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PENCE. Mr. Speaker, in the passing of Chuck Colson, the earthly life of a consequential American has come to an end, and I marked that day with a sense of personal loss. Chuck Colson rose to the heights of political power and fell to the depths of disgrace, but in his fall, he found redemption in the gospel of Jesus Christ. Having been given a second chance, Chuck Colson devoted his life to carrying the Christian message of second chances to those in prison, and countless lives were changed by his compassion and example.

His voice of moral clarity was an inspiration to millions of Americans and made him an invaluable counselor to leaders in government and business. I will always count it a privilege to have been able to call him my dear friend and mentor. His dedication to moral integrity, serving his fellow man and his steadfast faith have always and will always be an inspiration to me and my family. Karen and I offer our deepest condolences to Patty, the whole Colson family and to all who mourn the loss of Chuck Colson. The below article written by Michael Gerson and published in the Washington Post on April 22, 2012, is a true testimony to the legacy left by his transformed life.

[From the Washington Post, April 22, 2012]

CHARLES COLSON FOUND FREEDOM IN PRISON

(By Michael Gerson)

Charles W. Colson—who spent seven months in prison for Watergate-era offenses and became one of the most influential social reformers of the 20th century—was the most thoroughly converted person I've ever known.

Following Chuck's recent death, the news media—with short attention spans but long memories—have focused on the Watergate portion of his career. They preserve the image of a public figure at the moment when the public glare was harshest—a picture taken when the flash bulbs popped in 1974.

But I first met Chuck more than a decade after he left the gates of Alabama's Maxwell prison. I was a job-seeking college senior, in whom Chuck detected some well-hidden potential as a research assistant. In him, I found my greatest example of the transforming power of grace. I had read many of the Watergate books, in which Chuck appears as a character with few virtues apart from loyalty. I knew a different man. The surface was recognizable—the Marine's intensity, the lawyer's restless intellect. The essence, however, had changed. He was a patient and generous mentor. And he was consumed—utterly consumed—by his calling to serve prisoners, ex-prisoners and their families.

Many wondered at Chuck's sudden conversion to Christianity. He seemed to wonder at it himself. He spent each day that followed, for nearly 40 years, dazzled by his own implausible redemption. It is the reason he never hedged or hesitated in describing his relationship with Jesus Christ. Chuck was possessed, not by some cause, but by someone.

He stood in a long line of celebrated converts, beginning with the Apostle Paul on the Damascus road, and including figures such as John Newton, G.K. Chesterton and Malcolm Muggeridge. They were often received with skepticism, even contempt. Conversion is a form of confession—a public admission of sin, failure and weakness. It brings out the scoffers. This means little to the converted, who have experienced something more powerful than derision. In his poem, "The Convert," Chesterton concludes: "And all these things are less than dust to me/ Because my name is Lazarus and I live."

Prison often figures large in conversion stories. Pride is the enemy of grace, and prison is the enemy of pride. "How else but through a broken heart," wrote Oscar Wilde after leaving Reading Gaol, "may Lord Christ enter in?" It is the central paradox of Christianity that fulfillment starts in emptiness, that streams emerge in the desert, that freedom can be found in a prison cell. Chuck's swift journey from the White House to a penitentiary ended a life of accomplishment—only to begin a life of significance. The two are not always the same. The destruction of Chuck's career freed up his skills for a calling he would not have chosen, providing fulfillment beyond his ambitions. I often heard him quote Alexander Solzhenitsyn, and mean it: "Bless you, prison, for having been in my life."

Chuck was a powerful preacher, an influential cultural critic and a pioneer of the dialogue between evangelicals and Catholics. But he was always drawn back to the scene of his disgrace and his deliverance. The ministry he founded, Prison Fellowship, is the largest compassionate outreach to prisoners and their families in the world, with activities in more than 100 countries. It also plays a morally clarifying role. It is easier to serve the sympathetic. Prisoners call the bluff of our belief in human dignity. If everyone matters and counts, then criminals do as well. Chuck led a movement of volunteers attempting to love some of their least lovable neighbors. This inversion of social priorities—putting the last first—is the best evidence of a faith that is more than crutch,

opiate or self-help program. It is the hallmark of authentic religion—and it is the vast, humane contribution of Chuck Colson.

It is a strange feeling to lose a mentor—a sensation of being old and small and exposed outside his shade. Chuck's irrational confidence in my 21-year-old self felt a little like grace itself. The scale of his life—a broad arc from politics to prison to humanitarian achievement—is also the scale of his absence. But no one was better prepared for death. No one more confident in the resurrection—having experienced it once already. So my grief at Chuck's passing comes tempered—because he was Lazarus, and he lives.

ISRAEL CONTINUES TO SHINE 64
YEARS LATER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. RANGEL. Mr. Speaker, 64 years ago, David Ben Gurion declared the establishment of Eretz Israel, the State of Israel. Today, Israel serves as a harbinger of freedom in a part of the world where this concept is not fully embraced by leaders of neighboring states.

The horrific tragedy of the Holocaust instilled a sense of survival in the Jewish people, which led to the creation of the Jewish state. In Israel, the USA found a new ally in promoting democracy, equality and justice. Israel celebrates the diversity and the contributions of people from all walks of life.

Israeli contributions to science and research are testaments to the work ethic and resilience that define the character of its 7.8 million residents. The Israeli Defense Forces prepares each generation with the skills and innovation that have earned a small city like Tel Aviv the title of being the "Silicon Valley of the Middle East." Israel produces more tech startups per capita than any nation on Earth. We as Americans are especially thankful as many of these companies are expanding to the U.S. and providing high-paying jobs here.

Despite facing overwhelming odds and emboldened adversaries, Israel continues to thrive. America has proudly stood by Israel as it has evolved from a concept, to a state, and to becoming a world-leader for peace. I am honored to represent a Congressional District that has always maintained strong ties with Israel and the Jewish community. We need to continue supporting our brothers and sisters in Israel and ensuring its existence for the rest of time.

HONORING THE SANDRA DAY
O'CONNOR HIGH SCHOOL SCIENCE
BOWL TEAM

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CANSECO. Mr. Speaker, I am proud to rise today to honor and congratulate the Sandra Day O'Connor High School science bowl team from Helotes, Texas. Led by their coach

Tony Potter, these fine young men and women have achieved a spot in the 2012 U.S. Department of Energy National Science Bowl competition on April 26–28, 2012 in Chevy Chase, Maryland, and at the National Building Museum in Washington, DC.

Through their perseverance and hard work the team won their regional elimination tournament to be selected as one of the 69 high schools to compete at the national finals for prizes and rewards. I am proud to congratulate Zac Cozzi, Yun Liang, Paul Cozzi, Jenny Qi, and Robert Perce for this outstanding achievement and wish them the best of luck in the competition.

CONGRATULATIONS TO MSG KEVIN
FOUTZ AND SFC THOMAS PAYNE

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mrs. ELLMERS. Mr. Speaker, I rise today to recognize MSG Kevin Foutz and SFC Thomas Payne of the United States Army on winning this year's Best Ranger Competition.

The competition took place at Fort Benning, Georgia, over three days and included challenges such as a grenade assault course, a helicopter jump, and the Darby Queen obstacle course, as well as plenty of running.

This marks the third consecutive year that soldiers from Fort Bragg, North Carolina, have won the competition, and the first time that one of the winners was from a non-combat arms MOS.

I congratulate MSG Foutz and SFC Payne on this impressive accomplishment.

May God bless them, their families, and our great nation.

RECOGNIZING ISRAELI
INDEPENDENCE DAY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. HIGGINS. Mr. Speaker, I rise today in support and recognition of Israeli Independence Day and to honor a country that has made huge strides since its independence in 1948.

In my close-knit Buffalo neighborhood, where I was born and raised, I learned that while friends may not agree on everything, they do always have each other's back. Israel is our friend, with good reason, and that is something I hope our country never forgets.

Last week, we honored Holocaust Remembrance Day. We join our Israeli friends in mourning those who lost their lives in this attempted genocide of the Jewish people and also promise to move forward ensuring that history will never repeat itself.

Mr. Speaker, I congratulate Israel on the 64th anniversary of their independence and hope for many more years of mutual friendship between our nations.

UNIFORMED CHAIN OF CUSTODY

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, today I am introducing legislation to restore respect for the remains of our fallen heroes by mandating a uniformed chain of custody for overseas military casualties.

Since the beginning of combat operations in Afghanistan, there have been several instances of gross misconduct in the treatment of the remains of our fallen heroes. Body parts have been lost, the cremated remains of 274 servicemembers were dumped in a landfill, and in one incident a Marine was dismembered in order to fit inside his uniform. In each of these unfortunate examples, non-uniformed personnel were intimately involved in the callous behavior. To ensure the reverent care of those who made the ultimate sacrifice for this country, I am sponsoring a bill that mandates a uniformed member of the armed services be accountable for the remains of overseas casualties from the battlefield until the remains are accepted by the member's next of kin.

Civilian personnel involved in the chain of custody are not subject to the Uniform Code of Military Justice, UCMJ, and the Department of Justice has not seen fit to prosecute a single case of misconduct. A uniformed chain of custody law would clearly define accountability for the remains as a military honor and duty, and any violations of this responsibility will be punishable under UCMJ.

The men and women who serve as our nation's Soldiers, Sailors, Airmen, and Marines have few assurances when they deploy to combat to defend our nation. One of the few assurances they do have is that if they make the ultimate sacrifice and lay down their lives in the line of duty, then their remains will be treated with the utmost dignity and respect of a grateful nation. I believe this is not only a legal requirement, but also our moral obligation. My legislation will reassure servicemembers and their families that our nation honors their service in life and in death.

THE COMMEMORATION OF THE
70TH ANNIVERSARY OF THE BA-
TAN DEATH MARCH

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BILBRAY. Mr. Speaker, I rise today to commemorate the 70th Anniversary of the Bataan Death March and to recognize one of my constituents, Dr. Lester Tenney, who took part in that long and inhumane march. He and some 76,000 American and Filipino prisoners of war made the 65 mile march from Mariveles and Bagac in the Philippines to Camp O'Donnell and were eventually transported by Hell Ships to Japan during April of 1942.

Dr. Tenney is a truly remarkable individual who has dedicated his life to serving his country and his community. When he was twenty

years old, Lester joined the Illinois National Guard. His Battalion arrived in the Philippines on November 20, 1941. He was at Clark Field in the Philippines on December 8th when Japanese bombers and fighters attacked within hours of the Pearl Harbor assault.

He was engaged in the first U.S. tank battle in World War II when his Battalion, the 192d Tank Battalion of the Illinois National Guard, was sent to the Lingayen Gulf on the Northern Philippine Island of Luzon where the Japanese forces landed on December 22, 1941. Overwhelmed by the invading Japanese forces, his tank company and all other U.S. troops on Luzon Island retreated into the Bataan Peninsula.

Dr. Tenney became a POW of the Japanese when the U.S. forces on the Bataan Peninsula were surrendered on April 9, 1942. The already sick and starving troops were forced to walk 65 miles in sweltering heat with virtually no food and water in what later became known as the Bataan Death March (the March). He described his experience on the March: "Day after day, on that march, I watched in utter helplessness as hundreds of my friends—many who had become brothers—were shot, bayoneted, decapitated, and in some cases buried alive. I listened to their cries, their last requests, and the unspeakable sadness that comes to a man when he realizes he will never again see his family."

Dr. Tenney suffered severe abuse while held in POW camps and was tortured when he tried to escape. He was transported to Japan on a "Hell Ship" in September of 1942. Dr. Tenney worked as a slave in a Mitsui coal mine in Ohmuta, Japan until the end of the war in August 1945. He, along with his fellow POW's, were often beaten by employees of Mitsui and received inadequate food and little medical care. Even as he was held in one of the worst POW camps in Japan where 138 POWs died, Dr. Tenney tried to lift the spirits of his fellow POWs by organizing and producing many variety shows as camp entertainment. Even the Japanese guards came to watch.

For these shows Dr. Tenney received a special commendation award for his contribution to improving morale among his fellow POWs in addition to the Bronze Star with two oak-leaf clusters, the Purple Heart with two oak-leaf clusters, and other medals.

It was not until 1995, when Dr. Tenney published his memoir *My Hitch in Hell: The Bataan Death March*, that he was finally able to revisit his POW experience. In this book, he vividly described his horrific experience during the March, in the POW camps in the Philippines, and in his three years of slave labor in the Mitsui coal mine. But he also wrote about a Japanese exchange student whom he and his wife hosted in the late 1960s, and whom he came to love like his own son. They were so close that when the matured student married, Dr. and Mrs. Tenney accompanied them on their honeymoon.

Since his time as a POW in Japan, Dr. Tenney has worked to advance the cause of American POW's from all conflicts. He has testified repeatedly before Congress on POW issues. The peace treaty between the U.S. and Japan took away the rights of the individual POWs to sue for their very real dam-

ages. Later the State of California enacted legislation allowing the POWs to sue the Japanese companies who enslaved them. Dr. Tenney was the lead plaintiff in the first such suit. Unfortunately the U.S. State Department took a contrary position and supported the defendant companies; and the suit failed at the Supreme Court.

Then Dr. Tenney turned to the Japanese government in the person of Ambassador Fujisaki. After several meetings with Dr. Tenney, the Ambassador received permission to attend the last reunion of the American Defenders of Bataan and Corregidor, the umbrella group of the Pacific POWs. Ambassador Fujisaki apologized to the group on behalf of the Japanese Government, the first time such a thing had happened. In 2008 Dr. Tenney was able to achieve one of his goals of an official apology from the Japanese Government for the horrors of Bataan and World War II. He has also made repeated appearances at Japanese schools and universities, appearances in the Japanese media, and met with Japanese government officials to promote awareness and improve relations between the United States and Japan.

In addition to his many years of efforts to preserve the history of American POWs of the Japanese during WWII and to reach out to the Japanese people to learn that history together, Dr. Tenney started a project which he named "Care Packages from Home" in 2007. He and friends in his retirement community in Carlsbad, California, have been sending gift packages to thousands of U.S. troops in Iraq and Afghanistan. Having received no package from home while he was a POW, Dr. Tenney is determined to make sure that today's troops never feel like have been forgotten.

As of June of 2011, Dr. Tenney's Care Packages from Home has mailed 11,350 packages and are sending 200 more every month. Maj. Gary Bourland, 39, a Marine who was on his fourth deployment said; "It is the best feeling in the world opening up one of these packages," Dr. Tenney believes that basic necessities such as nail clippers, foot powder, socks and wet wipes, can "make or break you out there." It also signals to our troops, many of whom are young and away from home for the first time that they are being remembered. Maj. Bourland also added, "If they know the American people are supportive, my troops will walk through fire for them."

Dr. Tenney is here in Washington, DC this week to tell his story and commemorate the 70th Anniversary of the Bataan Death March. His service to the United States of America is a model to us all and I am proud to call him my constituent and my friend.

TRIBUTE TO NICK NICHOLSON

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a man who has served as a true Kentucky leader, innovator, and businessman, Nick Nicholson. On April

18th, 2012, Nicholson announced his retirement as CEO of Keeneland. This remarkable Thoroughbred enthusiast has forever impacted the Commonwealth of Kentucky, the horse industry and most indelibly, Lexington's Keeneland Race Course. By implementing new technology, expanding racing enthusiasm, and bringing sound accounting and business management practices, Nicholson has contributed to making Keeneland the top-rated North American track for the last four years. Over the past 13 years, Nicholson and Keeneland have thrived during a time of industry contraction. I commend Mr. Nicholson on his dedicated service as the Keeneland Association's chief executive and as an astute leader in the Bluegrass.

In his youth, Nicholson developed his interest for horse racing when attending Keeneland races with his grandfather while growing up in Central Kentucky. Nicholson's early career began in Washington, DC, where he served as executive assistant to Kentucky Senator Wendell Ford. He next went on to serve as the executive vice president of the Kentucky Thoroughbred Association where he was instrumental in the drafting and passage of legislation that permits interstate track wagering. In 1989, he became the executive vice president and director of the Jockey Club, an organization dedicated to the improvement of Thoroughbred breeding and racing. While employed by this organization, he most notably introduced the world's first interactive Thoroughbred registration system. In 2000, he joined the Keeneland family and became Keeneland's sixth president.

In his 13 years serving as Keeneland's president, Nicholson led the industry by introducing an all-weather surface that has made Keeneland the safest major racetrack in North America. Nicholson has also led Keeneland in setting numerous attendance and wagering records for its race meetings, including an all-time record of 250,163 attendees during its 75th Anniversary meet in October 2011, and an all-time one-day record of 40,617 attendees for the 2012 Toyota Blue Grass Stakes. During his tenure, Keeneland's auction company's top sales figures included \$11.7 million for Meydan City at the 2006 September Yearling Sale and has amassed more than \$7 billion in total gross sales since 2000. He also led many efforts to update Keeneland with several construction projects, including the completion of a new outdoor walking ring; an enclosure of the first floor of the clubhouse, the renovation of the historic Keeneland Sales Pavilion, the construction of the Keeneland Library and the restoration of Keene Place. For his many contributions to the industry, Nicholson was honored with the Lifetime Service Award from the Thoroughbred Owners and Breeders Association, as well as The Jockey Club Gold Medal. In 2004, he was honored by election as a member into the Jockey Club.

Nicholson is a highly active member of his community and has served on the board of the Board of Trustees of UK Healthcare, Urban League, Commerce Lexington Inc., KET Commonwealth Fund, Transylvania University, Shakertown and Central Bank. Nicholson is a husband and father of two, as well as a graduate of Wake Forest University and the University of Kentucky College of Law.

Nicholson has served as a remarkable guide for Keeneland as the racetrack president. Through his leadership, wisdom, and outstanding vision, Nicholson has solidified Keeneland's status as an industry leader and treasured Kentucky tradition. Mr. Speaker, I ask my colleagues to join me in honoring a true leader and visionary and wish him well in his new endeavors, Mr. Nick Nicholson.

IN HONOR OF ISRAEL'S
INDEPENDENCE

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CARNAHAN. Mr. Speaker, I rise today to recognize the state of Israel, one of our country's great allies, on the 64th anniversary of its independence.

On May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel.

Shortly after, President Harry Truman signed the order recognizing this new Jewish State of Israel.

Ever since, the United States and Israel have had an unshakeable relationship, bound together by common interests and shared values.

As the great symbol of democracy in the Middle East, the people of Israel continue to prosper despite the on-going challenges they face.

The Israeli people remain committed to achieving a lasting, long-term peace with their neighbors.

We must continue to support Israel, and to ensure that the peace process moves forward.

Today, I honor our ally and its commitment to democracy and freedom and offer congratulations to the State of Israel on the 64th anniversary of her independence.

RECOGNIZING THE FIRST PRES-
BYTERIAN CHURCH OF BUFFALO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. HIGGINS. Mr. Speaker, I rise today in honor of the First Presbyterian Church of Buffalo, known commonly as "First Church," a staple in my Western New York community, is celebrating its bicentennial this year.

First Church of Buffalo is the home of Buffalo's oldest congregation. Founded on February 2, 1812 by missionaries and veterans of the Revolutionary War, the church was the first religious body formed in what was the western frontier of New York State.

Often referred to as the "Mother of All Churches," First Presbyterian Church has served as a place of worship for the diverse communities of downtown Buffalo and Niagara County.

The current church located at One Symphony Circle since 1889, stands today as one of Buffalo's greatest architectural treasures.

The building was designed by E.B. Green after land was donated by Mrs. Truman Avery in 1889. It is characterized by its varying historical influences with its overall Roman exterior, Byzantine interior design and Anglican chapel.

For more than two-hundred years, First Presbyterian Church has been a beacon on the West Side of Buffalo and has earned its rightful place in our city's storied history. President Theodore Roosevelt worshipped here when he visited Buffalo, the Visiting Nurses Association started as a mission project here, the Welcome Hall Mission was born at this church, and many outreach programs have found their footing through the churches indelible commitment to Buffalo's community.

Mr. Speaker, on Sunday May 20, Western New Yorkers will gather in Symphony Circle to commemorate First Church's bicentennial, joining together with prayer and with fellowship in celebration of this momentous achievement. Mr. Speaker, I ask that you join me and all Western New Yorkers in wishing the leaders, congregants and friends of First Church the very best as they embark upon their second 200 years of service to the people of Buffalo and Western New York.

IN HONOR OF DR. HANIMIREDDY
LAKIREDDY

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CARDOZA. Mr. Speaker, I rise today to honor my friend, Dr. Hanimireddy Lakireddy on the event of his 70th Birthday.

Dr. Lakireddy is a well known and respected doctor in Merced, California. He is the owner and cardiologist at Merced Heart Associates. He is also a physician and surgeon with University Surgery Center. He became the first cardiologist in Merced in 1984. Dr. Lakireddy earned his medical degree from Oasmania Ganshi Kakatiya Medical College.

Dr. Lakireddy is a major supporter of the tenth University of California campus in Merced. Along with his wife, Vijaya, he generously gave a one million dollar gift to name the Classroom Auditorium and enabled the campus to enhance the main lecture hall to provide a performance-based venue for campus events. A leader in the medical and East Indian community, Dr. Lakireddy has helped cultivate numerous gifts to the campus. He not only helps the campus through monetary donations, but he lends his support as a member of the Board of Trustees.

Dr. Lakireddy has a philanthropic goal to promote the virtue of education in the community. He sponsors a scholarship at Merced High School in honor of his parents. He donated one million dollars to Merced College to establish the Dr. Lakireddy School of Health Sciences which offers vocational certificates, vocational nursing, nurse assistant, emergency medical technology, registered nursing and sports medicine. He was awarded Philanthropist of the Year by the Merced community in 2006.

Dr. Lakireddy not only lends his support to the Merced community but he also continues

to help those in Southern India. He has funded several schools, hospitals and a sports complex in two poverty stricken cities, Velvadam and Mylavaram. In addition, Dr. Lakireddy runs a pension program in Velvadam where he promised that "as long as I live, not a single person will go hungry."

Mr. Speaker, I ask that my colleagues join me in honoring my good friend, Dr. Hanimireddy Lakireddy for his civic engagement and support for the community.

CARLOS LOPEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Carlos Lopez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Carlos Lopez is a 9th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Carlos Lopez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Carlos Lopez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

RECOGNIZING THE CENTENARY OF
THE BAHÁ'Í HOUSE OF WORSHIP
IN WILMETTE, ILLINOIS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. SCHAKOWSKY. Mr. Speaker, the Bahá'í House of Worship is a source of great pride in my district—not just because of its beauty but more importantly because of its meaning as a place of faith, unity and peace. I rise today to commemorate the laying of its cornerstone one hundred years ago and to congratulate the Bahá'í community for a century of worship in this magnificent temple.

The Chicago area has played a pivotal role in the development of the Bahá'í community in America. The first public mention of the Bahá'í faith was in Chicago on September 23, 1893. It happened at the World's Parliament of Religions, which was connected with the Columbian Exposition commemorating the four hundredth anniversary of the discovery of America.

In 1907, the Local Assembly of the Bahá'í of Chicago was incorporated, making Chicago the first local Bahá'í community in the world to acquire legal status.

The Bahá'í House of Worship in Wilmette has been a focus of the Bahá'í world for over

a century. It began with the vision of 11 local Bahá'ís in Chicago, who began work on it in 1903. Its cornerstone was laid in 1912. In 1953, following two World Wars, the Great Depression, and numerous financial and technical difficulties, the Bahá'í community completed construction of the temple. Fifty years after its vision was conceived, this House of Worship, which was the first Bahá'í Temple in the West and is known as "the Mother Temple of the West," opened its doors to the peoples of the world. The temple in Wilmette, like the six Bahá'í temples throughout the world erected after it, is free and open to people of all backgrounds and is offered as a place for peaceful prayer, meditation, and reflection.

One hundred years ago, 'Abdu'l-Bahá, the son of the founder of the Bahá'í Faith, arrived in America and he participated in the historic cornerstone laying ceremony. A prisoner of the Persian and Ottoman empires since childhood, 'Abdu'l-Bahá left the Ottoman prison fortress of Akka at the age of 67 and set out on a historic journey to the West, which culminated in a 239-day journey through America. He traveled to several important cities across the country and met with people of diverse backgrounds, teaching the elimination of racial prejudice, the equality of women and men, the unity of religions, and the fundamental oneness of all humankind.

Throughout his travels, 'Abdu'l-Bahá spoke of the great destiny of America. In a public talk in Cleveland, he stated, "This revered American nation presents evidences of greatness and worth. It is my hope that this just government will stand for peace so that warfare may be abolished throughout the world and the standards of national unity and reconciliation be upraised. This American nation is equipped and empowered to accomplish that which will adorn the pages of history, to become the envy of the world and be blest in the East and the West for the triumph of its democracy."

One of the most significant events of 'Abdu'l-Bahá's journey was the laying of the cornerstone of the Bahá'í House of Worship on the shores of Lake Michigan in Wilmette. For several decades, Bahá'ís around the world sent money to support the construction of the temple. One of the Bahá'ís who wanted to support the construction of the temple, was Nettie Tobin, a humble seamstress living in Chicago. Nettie had no cash money to contribute for the Temple but thought she might find a stone for its construction. Nettie went to a construction site and asked for a stone from the foreman, who pointed out to her a pile of rejected stones from which she could choose. With the help of a neighbor she got the large limestone home and sometime later, through an even greater effort involving a baby carriage and a wagon, deposited it on the temple grounds in Wilmette.

'Abdu'l-Bahá arrived in Chicago on April 29, 1912, and, while there, penned a special prayer for America. The next day he spoke to over one thousand people gathered in Chicago for the public session of the Bahá'í Temple Unity convention on the subject of building the Bahá'í Temple. The evening before the laying of the cornerstone of the House of Worship in Wilmette—'Abdu'l-Bahá the son of the Founder of the Bahá'í Faith, explained that places of worship have a special unifying power:

In brief, the original purpose of temples and houses of worship is simply that of unity—places of meeting where various peoples, different races and souls of every capacity may come together in order that love and agreement should be manifest between them . . . that all religions, races and sects may come together within its universal shelter, that the proclamation of the oneness of mankind shall go forth from its open courts of holiness . . .

On May 1, a chilly, blustery and overcast day, a tent was erected on the temple grounds and hundreds gathered for the dedication of the temple. 'Abdu'l-Bahá, standing at the center of the crowd, called for Nettie Tobin's stone. The ground was so hard that 'Abdu'l-Bahá swung an ax to break through the rigid topsoil, and representatives of various races and countries came forward to share in the digging. After 'Abdu'l-Bahá rolled the cornerstone into the ground he proclaimed, "The Temple is already built."

On this hundredth anniversary of the laying of the cornerstone, I thank the Bahá'ís for their contribution to our district and I congratulate the Bahá'ís of Wilmette, Chicago, and, indeed, the world on this important centenary.

CASEY SOUTHWICK

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Casey Southwick for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Casey Southwick is a 7th grader at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Casey Southwick is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Casey Southwick for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

HONORING FLORA WALKER

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. DINGELL. Mr. Speaker, I rise today to congratulate Flora Walker on receiving the Eleanor Roosevelt Award at the Michigan Democratic Party (MDP) Jefferson-Jackson Annual Women's Caucus Luncheon. She is a truly deserving recipient and I am pleased to see her contributions recognized with this prestigious award.

Not only has Ms. Walker blessed us with over forty years of service in Michigan, as well

as continuing service with the UDW/AFSCME in Nevada, but she was also the first female president of the AFL-CIO in Michigan. Thanks to her efforts, the bar was set very high for those following in her footsteps. Her work has greatly enriched the common good and improved the lives of many families. I commend her and am grateful for her tireless work ethic and the important work she has accomplished.

The Eleanor Roosevelt Award hosted by the MDP honors members of the community who have furthered the ideals of the Democratic Party with their commitment to the party's cause. Each year one man and one woman are selected to receive this prestigious award, which recognizes their work as continuing the work of President Franklin Delano Roosevelt and his wife, Eleanor Roosevelt. It fills me with great pride to see my friend, Flora Walker, be the recipient in 2012.

Mr. Speaker, I would request that the House of Representatives join me in offering congratulations to Ms. Walker for her outstanding achievements. I commend the organizations and honorees for their important work in advancing the values of the Democratic Party and wish her the best of luck in all future endeavors.

CHEVELLE DASSOW

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chevelle Dassow for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Chevelle Dassow is a 7th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Chevelle Dassow is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Chevelle Dassow for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

ISRAEL INDEPENDENCE DAY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise in recognition of Israel Independence Day. Sixty-four years ago, after 2,000 years in exile, the Jewish people declared their independence and established a nation in their ancient and sacred homeland.

Since then, the Israeli people have developed a vibrant democracy, a vigorous economy, a dynamic cultural life, and an admirable commitment to the environment.

In the Jewish tradition, even joyous occasions are mixed with sorrow, to honor past history and to acknowledge the debt owed to those who came before us.

I have always admired the confluence of Israel Independence Day with Remembrance Day, when the day before the celebration of independence Israelis stop to remember their fallen soldiers, and those who gave their lives in service to the nation. It is a reminder of the heavy price of freedom, and of the burden on future generations to uphold the ideals for which Israel's sons and daughters gave their lives.

Beyond the conflicts that seem to dominate the news, Israel has made extraordinary achievements in every field imaginable. From agriculture and medicine to environmental sustainability and literature, Israelis offer a steady stream of improvements to global challenges.

One of my most memorable visits to Israel was to a desalination plant in Ashkelon, where I saw firsthand how Israel deals with some of the same water challenges that confront South Florida. This is just one example of how the close relationship between our two countries benefits both Israelis and Americans.

Israel Independence Day is a celebration of renewal, and this year Israelis have much to be proud of in the remarkable nation they built from the desert. For 64 years Israel has stood as a symbol of hope for millions of people around the world. For 64 years Israel has modeled a society where determination and passion, and an emphasis on social progress and education, can build a productive nation.

Mr. Speaker, I have been to Israel 14 times as a Member of Congress, and every time I go I encounter ordinary citizens and government officials alike who are genuinely dedicated to living up to the ideals of Israel's independence. I am always impressed by the Israelis' intense desire to persevere. Israel deserves to be secure and prosperous, to live in peace with its neighbors, and to live free from fear and violence.

HONORING DR. HERBERT DARDIK

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to honor Dr. Herbert Dardik, the Chief of Vascular Surgery at Englewood Hospital, in recognition of his designation as honoree at the Englewood Hospital's 2012 Gala. For more than 50 years, Dr. Dardik has demonstrated his abiding commitment to Englewood Hospital and to its patients.

He served with distinction as Chief of Surgery from 1984–1995 and from 2000–2011, playing an instrumental role in establishing the surgical program's outstanding record of excellence. During his tenure, Dr. Dardik led pioneering efforts in the field of vascular surgery, developing new techniques to facilitate carotid artery surgery and the umbilical cord vein vascular graft, used worldwide to prevent gangrene and salvage lower limbs. He founded the Vascular Fellowship Program in 1978 and has trained generations of world-class vascular surgeons.

Today, Dr. Dardik serves as Chief of Vascular Surgery and as Senior Medical Director of the Hospital's Institute for Patient Blood Management and Bloodless Medicine and Surgery. He lives in Tenafly with his wife Janet.

Mr. Speaker, today I rise to honor the remarkable career of Dr. Herbert Dardik, whose tireless efforts have benefited patients everywhere. I join with the grateful guests of the Englewood Hospital Gala, and all of my constituents in northern New Jersey, in thanking him for his innumerable contributions to the good health of our community.

HONORING MARSHA LEWIS BROWN

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise to pay tribute to a proven and respected leader and my Soror, Marsha Lewis Brown, the 17th Director of the South Atlantic Region of Alpha Kappa Alpha Sorority, Inc. She has honored Alpha Kappa Alpha with her sterling commitment for the last 38 years.

Marsha Lewis Brown has served as President, Vice President, Secretary, Treasurer, and Parliamentarian in her home chapter, Gamma Theta Omega, located in Tampa, Florida. In all of these positions she has served with dignity, grace and fortitude. Soror Brown has been the recipient of many Alpha Kappa Alpha accolades including, Soror of the Year, Soror in the Spotlight, President Meritorious, and most notably the Chapter Leadership Award.

Marsha Lewis Brown has had an impressive tenure with Alpha Kappa Alpha. She was awarded the 2004 Margaret Davis Bowen Outstanding Alumna Soror of the South Atlantic Regional Conference award. She has been at the helm of many committees including, Chairman of the South Atlantic Regional Heritage Committee from 2006 to 2010, a four-year chairmanship of the South Atlantic Regional Standards Committee, a four-year chairmanship of the South Atlantic Regional Leadership Development Committee, and 1999 General Conference Chairman for the South Atlantic Regional Conference in Orlando, Florida. She also served four years as a member of the Alpha Kappa Alpha International Standards Committee.

Mr. Speaker, I am proud that such an energetic, gifted and dedicated Soror is following in my footsteps and joins the ranks of so many other distinguished Regional Directors from the great State of Florida. Soror Marsha Lewis Brown is an exemplary member of Alpha Kappa Alpha Sorority, Inc. I honor her today for her leadership as she continues to inspire and motivate the women of the South Atlantic Regional Conference.

CRISTINA MERAZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Cristina Meraz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Cristina Meraz is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Cristina Meraz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Cristina Meraz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

NORTH HOLLYWOOD HIGH SCHOOL
2012—U.S. DEPARTMENT OF ENERGY
NATIONAL SCIENCE BOWL

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to North Hollywood High School on the occasion of advancing to the U.S. Department of Energy's National Science Bowl competition.

Under the leadership of Coach Altair Maine, North Hollywood High School students Rain Tsong, Daniel Bork, Vivek Banerjee, Kennedy Agwamba, and Chiyong Kim have proven their knowledge and skill by winning the Los Angeles Department of Water and Power's 20th Annual Science Bowl Regional Competition. As regional champions, North Hollywood High School is advancing to a field of 69 regional high school championship teams from 40 States. This annual competition provides these commendable young scholars the opportunity to compete in an academically challenging environment that focuses on the principles of mathematics and science.

Now the Nation's largest high school science-based academic tournament, the National Science Bowl underscores the importance of STEM (science, technology, engineering, and mathematics) education. This provides a pathway to encourage America's bright young scholars to enter the fields of mathematics and science. As we progress further into this decade, it is becoming increasingly clear that our economy's future will be technology-based. STEM education produces critical thinkers and facilitates the next generation of innovators. This represents the very fabric of American ingenuity. Through STEM education, America will remain a pioneer in science and technology, ensuring our global competitiveness for years to come.

Mr. Speaker and distinguished colleagues, I ask you to join me in saluting North Hollywood High School and all of the regional champion teams at the National Science Bowl for contributing to a truly excellent educational event that will spark further interest in the fields of science, technology, engineering, and mathematics for young Americans.

A TRIBUTE TO JOHN FORTIN

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor the life and legacy of John "Jack" Fortin, who passed away on April 20, 2012. Jack and I coached football together at St. Thomas More High School in West Philadelphia in the 1970s.

From his start as a truck driver for 7Up, Mr. Fortin became one of our nation's greatest entrepreneurs. He bought a small chemical manufacturing company in North Philadelphia that had about \$150,000 in revenue and three employees in 1975 and built it into Haas Group International, a company with 1,300 employees and revenues of \$560 million that does business in more than 75 countries around the world.

Mr. Fortin, known as Jack, grew up in Southwest Philadelphia. He took on his first job at age 8 delivering alcohol for his uncle during Prohibition.

He attended John Bartram High School and played second base on Bartram's championship baseball team in 1941.

After graduating from high school in 1942, Mr. Fortin joined the Navy that July. As a radioman second class, he spent his active duty in the Pacific and was in Nagasaki, Japan, two weeks after the atomic bomb was dropped. He earned two medals before his discharge in 1945.

After the war he drove a truck for 7Up, where he met his future wife, Maria, who was the switchboard operator. He then got a job with Quaker Chemical in 1957. Eighteen years later he bought Haas Chemical. He retired in 2000, and in 2007 his family sold the business to the Jordan Co., a private equity firm.

Mr. Fortin was a lifelong sports fan and spent more than 20 years coaching youth and CYO football. His last stop was as assistant varsity coach and head freshman coach at St. Thomas More High School in West Philadelphia until it closed in 1975.

During his lifetime, Mr. Fortin received many awards and commendations for his contributions to youth sports but perhaps his greatest thrills in sport were leading all hitters at the age of 62 at Phillies Dream Week in 1985 and receiving the Matt Guokas Sr. Memorial Award from the Philadelphia Basketball Old Timers Association.

Together with Jack's family and friends, I mourn his passing but celebrate his life.

IN HONOR OF TERESA MURACO

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to recognize the 90th birthday of a very special woman from my district, Teresa Muraco of Grosvenordale, Connecticut. Teresa is beloved by her community for her unfaltering commitment to helping those in need.

A lifelong resident of the Second District of Connecticut, Ms. Muraco graduated from Tourtellotte Memorial High School with the Class of 1940. From there, she went on to hold several local jobs, working in the spinning department of a Grosvenordale mill. She also spent 15 years in the Putnam Superior Court in the family services office.

Although her factory days are behind her, Teresa Muraco very much remains active. By her own estimate, she spends about 10 to 12 hours each week volunteering. She belongs to three different fire auxiliaries, where she helps out at barbecues and suppers. Ms. Muraco is also an active member of St. Joseph Church in North Grosvenordale, helping out at their thrift shop once a month.

Teresa Muraco was named Thompson Volunteer of the Year in 2011 and Citizen of the Year by the Thompson VFW for her dedication to the town and its veterans. I ask my colleagues to join with me in wishing Teresa Muraco a happy birthday and applauding her tireless efforts to better her community.

DARLENE CHAVEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Darlene Chavez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Darlene Chavez is a 7th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Darlene Chavez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Darlene Chavez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

H.R. 4257, FEDERAL INFORMATION SECURITY AMENDMENTS ACT OF 2012

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. VAN HOLLEN. Mr. Speaker, as a co-sponsor of the Federal Information Security Amendments Act of 2012, I rise to commend Chairman ISSA and Ranking Member CUMMINGS and the members of the House Government Oversight Committee for their bipartisan efforts in crafting this thoughtful and timely piece of legislation.

This bill is necessary because there has been an increasing number of cyber-attacks against federal information systems, including incidents in which operations were disrupted or sensitive data placed at risk. Among the number of notable security breaches in 2011 were cyber-attacks at the Pentagon, the Oak Ridge Laboratory and the Veterans Administration. According to the U.S. Computer Emergency Readiness Team, the number of cyber-incidents reported in 2010 totaled more than 107,000. The number of federal-only incidents was up 39 percent compared with 2009, at nearly 42,000 incidents.

This act is intended to help arrest and reverse this troubling trend by ensuring that federal agencies use risk-based approaches to defend against cyber-attacks and to protect government information from unauthorized access.

By shifting the federal government to a system of continuous monitoring of information systems and streamlining reporting requirements, the bill addresses concerns that FISMA, in its current form, places too great an emphasis on compliance over outcomes.

The bill requires OMB to oversee agency policies and develop information security protections consistent with standards issued by the National Institute of Standards and Technology and OMB would have to report to Congress annually on agency compliance.

Additionally, each agency would be required to provide protections that are commensurate with the risks posed to the security of the agency's information. The head of each agency would be required to appoint a Chief Information Security Officer responsible for developing and implementing an information security program and the bill mandates that each agency develop and implement an information security program that is approved by OMB.

Mr. Speaker, as a leading employer in the U.S., the federal government has a special responsibility to ensure that the electronic points of entry it maintains with Americans and with the world are protected from unauthorized access and disruption.

The common sense and necessary legislation before us today is an important step in that direction. I encourage my colleagues to join me in support of the bill.

ISRAEL INDEPENDENCE DAY

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. RUPPERSBERGER. Mr. Speaker, this week, we joined people in the State of Israel and her many friends around the world in celebrating Yom Ha'atzmaut—the independence from British mandatory rule and the establishment of the State of Israel.

The United States and Israel have shared a special bond since the establishment of the Jewish State in 1948. The United States, under the leadership of then-President Truman, was the first country to recognize Israel, only 11 minutes after its founding. Today, the United States and Israel continue to share a commitment to democracy, the rule of law, the freedoms of religion and speech, as well as respect for human rights. The United States and Israel also share a desire for peace and stability.

Our countries cooperate closely on intelligence issues, partnering on the development of new technology to promote the security and safety of our citizens. Bilateral ties in trade were codified in the 1985 U.S.-Israel Free Trade Agreement. Today, the American and Israeli governments and businesses are working together to develop and promote new energy solutions.

The Jewish people paid a heavy price for security and independence. Nearly 23,000 men and women have been killed defending Israel since the first Jewish settlers left the secure walls of Jerusalem in 1860. Since the end of the War of Independence, nearly 2,500 people have been killed by terror attacks in Israel, including 14 in the past year.

Today, despite disturbing political instability in the region, Israel stands strong. She is among the safest countries in the world, her economy is sound, life expectancy there is among the highest in the world, and more Israelis earn advanced degrees than most other nations. And, at a time when our own country is challenged by polarizing politics, an astounding 88 percent of Israelis say they are proud to be Israeli.

I want to extend my best wishes to the people of Israel as we celebrate Israel's extraordinary friendship and honor her achievements over the past 64 years.

RECOGNIZING MAYOR OF THE
CITY OF LA VERNIA IN TEXAS,
HAROLD SCHOTT

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the retiring Mayor of the City of La Vernia in Texas, Harold Schott. He was elected Mayor of the City of La Vernia in May 2008 and ends his tenure in May 2012. His tireless efforts have improved the community and served to better the development and progress of the City of La Vernia.

Mr. Schott was born in Castroville, Texas and grew up in San Antonio, Texas where he graduated from the Central Catholic High School. At twenty-five years old, he joined the San Antonio Police Department in 1970. In his duration with the department, he was a Police Department Union Representative for his sub-station. After 33 years of dedication and service, he retired from the Police Department in 2003. His work with the City of La Vernia began in 1998 when he was elected to the La Vernia City Council and held his position as a council member for a decade. By May 2008, he was elected Mayor of the City of La Vernia. I had the pleasure of working with the Mayor on various projects, such as securing a \$500,000 earmark on a new water well and assistance for a grant that brought a new energy efficient roof for City Hall.

His work as Mayor led to a list of accomplishments that benefited the city and people of La Vernia, including new pumps and vault at Wood Creek water plant, TMRS Retirement plans for employees, and residential water meter replacement. Additionally, he increased safety and protections by reducing speed limits at the city limits and developed emergency response plans for water and wastewater systems. His actions were for the betterment of the community and commendable.

Along with serving the city, he sat on the Canyon Regional Water Authority Board of Trustees from 2004 through 2012. He has been married to his wife, Lucy, who has served as a U.S. Marshal for 17 years. The couple has two children and one grandchild.

Mr. Speaker, I am honored to recognize Mr. Harold Schott, retiring Mayor of the City of La Vernia. His years of dedication and commitment to our community have truly impacted the quality of lives for the people of the city.

CARLOS DELACERDA
HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Carlos DeLaCerde for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Carlos DeLaCerde is a 10th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Carlos DeLaCerde is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Carlos DeLaCerde for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

CELEBRATING THE 64TH ANNIVERSARY OF THE INDEPENDENCE OF ISRAEL

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. MARCHANT. Mr. Speaker, it is with a strong spirit of solidarity that I recognize the 64th anniversary of the independence of the State of Israel. On May 14, 1948, as the world was working toward a brighter and less war-torn future, the Israeli people declared their independence from the British Mandate. The United States recognized the new State of Israel minutes after its birth and, ever since, our two nations have remained strong allies and profound friends.

During its 64 year history, the State of Israel has weathered persistent threats with a remarkable resolve. The nation has not only survived, but has prospered. While ensuring the security of her people, Israel has maintained a firm commitment to democracy. We in the United States are fortunate to have Israel as an unshakeable ally in the Middle East. On this anniversary of independence, we should reflect upon the endurance of that alliance and renew its promises for future generations.

I further recognize the importance of fostering our alliance with mutual cooperation. The second ten-year Memorandum of Understanding between the United States and Israel, which was signed in 2007, has established a fruitful security agreement that has served both of our nations well. A later Memorandum in 2009 further strengthened our joint commitment to counter-terrorism by pledging our mutual assistance to stop the supply of arms to terrorist organizations. It is strategic landmarks like these that help support the lasting bond that we have established with the Israeli state and people.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all of my distinguished colleagues to join me in recognizing and celebrating the 64th anniversary of the State of Israel. I am proud of the historic relationship that the United States has with Israel and look forward to the future of our friendship.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,623,285,528,454.41. We've added \$4,996,408,479,541.33 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN HONOR OF THE EEOC RULING THAT GENDER-IDENTITY DISCRIMINATION BE COVERED BY TITLE VII

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. ANDREWS. Mr. Speaker, I rise today to honor the Equal Employment Opportunity Commission's decision that an employer who discriminates against an employee or applicant on the basis of gender-identity violates the Civil Rights Act. This decision is a massive step forward for transgender employment protection, a right that the transgender community has fought hard to ensure over the past decade.

As a result of this ruling, investigators at all 53 of the EEOC's district offices will now accept discrimination claims brought by transgender individuals. The EEOC's legal staff can also bring lawsuits against employers the agency determines have discriminated against transgender employees or job applicants. The decision will be binding on all federal agencies. This definitive ruling gives transgender Americans the certainty, security and reliable legal protection they deserve.

On June 25, 2008, I headed the first Congressional hearing on transgender discrimination. As I stated then, I feel strongly that a person's gender identity is an irrelevant criterion and should not play a role in his or her ability to get a job. The person best qualified to fill the role should get the job. This ruling from the EEOC ensures that transgender people across the country will be protected by federal law if they are denied a job or fired because of who they are or how they appear.

Given the incredibly high rate of employment discrimination facing transgender people, it is important to recognize all of the people who have struggled through discrimination and adversity to get this ruling passed.

Mr. Speaker, I applaud the EEOC's decision and encourage Congress to seek further protections for transgender Americans and work to end all forms of discrimination.

CHESLE PARSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chesle Parson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Chesle Parson is a 7th grader at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Chesle Parson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Chesle Parson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

RIVERDALE WOMEN'S CLUB 60TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Riverdale Women's Club, located in the Borough of Riverdale, Morris County, New Jersey as they celebrate their 60th Anniversary.

The Riverdale Women's Club was founded in 1952 as a community service and social organization to provide community improvements, cultural enrichment and educational opportunities to the residents of Riverdale and surrounding municipalities.

The Riverdale Women's Club has made many significant contributions to their community throughout their long history.

Utilizing the many talents of group members, the Club crafts lap robes and afghans for local nursing homes and hospitals, as well as newborn baby hats for area maternity departments. In addition, the members of the Club sew sheets for local school nurses and make teddy bears to be used by local Police, Fire and Rescue for trauma victims.

During holiday seasons the Club collects food and provides food baskets to Morris County's neediest as well as making candy and cookies for local nursing homes. Throughout the year the members of the Club collect clothing and sanitary items to give to New Jersey's veterans' homes.

Every year the Women's Club fulfills their longstanding tradition of encouraging educational opportunities through the Marie S. Hagberg Scholarship, Adele Wasek Art Award and Helen Spengler Continuing Education Scholarships given to deserving students. They also sponsor Annual Academic Essay and Art Award Competitions.

In addition, the Club has participated in the establishment of the Riverdale Senior Citizen's Club, the Friends of Riverdale Library and the Local 4-H Club. They were also instrumental in the foundation of the Children's Wellness Clinic and a number of additional health clinics in Riverdale.

Through their steadfast dedication to addressing the educational and social needs of the community while providing a gathering place for women, the Riverdale Women's Club has proved itself to be a pillar of the Borough of Riverdale. We are proud to have such a dedicated group here in Morris County.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Riverdale Women's Club as they celebrate their Sixtieth Anniversary.

HONORING 100 YEARS OF HADASSAH

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to honor Hadassah, the Women's Zionist Organization of America, and to recognize its 100 years of service in our communities. As a lifetime Hadassah member, it is a great privilege to recognize the important work the organization continues to do, both in the United States and around the world.

Founded in 1912 by Henrietta Szold, Hadassah has the extraordinary distinction of being the largest volunteer organization, as well as the largest women's organization, in the United States. A century later, Hadassah has maintained its commitment to Judaism, Zionism, and American ideals, promoting health care, education, youth institutions, volunteerism, and land reclamation in Israel, as well as Jewish and Zionist education programs, Zionist Youth programs, and health awareness programs in the United States. Hadassah remains a critical voice of the Jewish community, advocating for issues of importance to women and to American Jews.

The Hadassah Medical Organization operates state-of-the-art medical facilities in Israel, including the Hadassah-Hebrew University Medical Center at Ein Kerem and the Hadassah University Hospital at Mount Scopus. Hadassah also maintains an extensive healthcare network including community healthcare programs, specialized outpatient clinics and services, and consultation clinics in the center of Jerusalem and in Tel Aviv. Hadassah's medical services continue to set the standard for health care in Israel, providing over 1 million people with hospital care each year.

Hadassah's critical services extend far beyond health care. The organization offers continuing education in fields such as nursing, medicine, business, and law, offering women in those professions the opportunity to join profession councils and to affiliate on a national level with other members who share the same vocation. Further, Hadassah College Jerusalem has, for over 35 years, been providing Academic and Associate degrees in a variety of subjects.

Within our own communities, Hadassah strengthens Jewish identity and support for Israel through community programs for both youth and adult members to foster community bonds, create volunteer opportunities, and develop Jewish leaders. Hadassah members organize and advocate on issues including hate crimes, anti-Semitism, reproductive choice, and genetic discrimination, as well as support for Israel, Middle East peace, and Israeli security.

For the past century, Hadassah has been a critical voice for women and the Jewish community and has translated that voice into powerful action around the world. I congratulate Hadassah and its more than 300,000 Members, Associates and supporters on their successes of the past 100 years, and I look forward to continuing to work together to build communities and improve lives in the United States, Israel, and throughout the world.

PERSONAL EXPLANATION

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mrs. DAVIS of California. Mr. Speaker, on Tuesday April 23, 2012, I missed the following vote: H.R. 2157—To facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes. Had I been present, I would have voted “yes” on rollcall No. 178.

CHLOE GROSSETETE**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chloe Grossetete for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Chloe Grossetete is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Chloe Grossetete is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Chloe Grossetete for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING YOUTH SPORTS
SAFETY MONTH 2012**HON. MIKE McINTYRE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. McINTYRE. Mr. Speaker, I rise today to recognize Youth Sports Safety Month and the work of the National Youth Sports Health & Safety Institute, NYSHSI. NYSHSI was formed in the fall of 2011 through a partnership between the American College of Sports Medicine and Sanford Health. I am pleased to serve as an honorary member of the Institute's Leadership Board. NYSHSI is dedicated to leading and advocating for the advancement and dissemination of the latest research and evidence-based education, recommendations and policy to enhance the experience, development, health and safety of our youth in sports. The need for this commitment is underscored by a recent poll that shows 91 percent of Americans feel sports participation is important for children and adolescents, and 94 percent feel more needs to be done to ensure the health and safety of youth athletes. These concerns have been fueled by reports of wide-

spread escalating prevalence of exertional heat illness, concussion, and overuse, as well as other consequences and hazards of sports unnecessarily harming the health of our youth. I look forward to all the great work that is planned over the next year and beyond, beginning with NYSHSI's initial focus on these four key areas of emphasis: Sports Trauma, Environment, Overload/Overuse, Chronic Disease & Disabilities.

As Founder and Co-Chairman of the Congressional Caucus on Youth Sports, I believe the work of NYSHSI is extremely important to the youth of America participating in sport and as a complement to the mission and goals of the Caucus. During Youth Sports Safety Month and throughout the rest of the year, our young athletes urgently need leadership from NYSHSI, their peer organizations, and Members of Congress, so that youth sports in America can be fun, healthy and safe.

HONORING MASTER SERGEANT
JEFFREY J. RIECK**HON. STEVE STIVERS**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. STIVERS. Mr. Speaker, I rise today on behalf of a grateful nation to celebrate the life of Ohio Army National Guard MSG Jeffrey J. Rieck—a true American hero who lost his life on April 4, 2012, while deployed to Afghanistan for Operation Enduring Freedom. An Ohioan and fellow soldier from Columbus, Ohio, he recently joined the countless number of fearless warriors who have given the final measure of devotion in defense of our great nation.

Master Sergeant Rieck, 46, was born in Cincinnati, Ohio, and served a 25-year career with the military that began in May 1987. Among the medals awarded for his heroism are a Bronze Star and Purple Heart, which are just the beginning to the honors owed to him.

A dedicated and loving father, brother, uncle, nephew, cousin, and friend, Master Sergeant Rieck will be remembered as a true hero who dedicated every aspect of his life to his family, loved ones, and country—a man who served with true pride and grace. I feel absolutely privileged that I had the opportunity to serve with Master Sergeant Rieck in the Ohio Army National Guard.

George Orwell is known to have said, “We sleep soundly in our beds because rough men stand ready in the night to visit violence on those who would do us harm.” Master Sergeant Rieck highlighted this quote as one of his favorites, and no better quote could be referenced to describe the soldier we lost a few weeks ago.

As I pray for the family and friends of Master Sergeant Jeffrey Rieck, I ask that all Members of Congress join me in offering our eternal appreciation for his life and sacrifice. He went to the furthest and greatest extent in order to secure our freedom here at home, and that must never be forgotten.

CRYSTINA HOLENCY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Crystina Holency for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Crystina Holency is an 8th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Crystina Holency is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Crystina Holency for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING ANNETTE FENTIN, RECIPIENT OF THE BREAKING THE
GLASS CEILING AWARD**HON. THEODORE E. DEUTCH**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in celebration of Annette Fentin, recipient of the Jewish Museum of Florida's Breaking the Glass Ceiling Award. Her tenacity, professionalism, and role as a business and philanthropic leader in Florida are truly an inspiration, and it is an honor to represent her in the United States Congress.

Annette Fentin is a pioneer. At a time when the very existence of her career seemed improbable, she not only entered the workforce but skyrocketed to the top of her field. As a young mother balancing numerous family obligations, Annette was inspired to get a real estate license, and after overcoming numerous hurdles was soon a top seller at a real estate firm.

In 1969, after being recognized as a respected member of the business community, Annette became the first woman member to be appointed to the Jacksonville Chamber of Commerce. She worked side by side with 99 men to help make Jacksonville a place where businesses could grow and thrive. Soon, Annette was appointed to their board of governors, was organizing business exchanges with countries around the world as head of the World Trade Committee in Jacksonville, and began her own firm where she employed 30 individuals. And the honor of being the first woman member of an influential organization was given to her once more, as she was appointed to the University of North Florida board of trustees.

But Annette's service to her community transcends far beyond the realm of creating an

environment where business can flourish. She is committed to improving education for people in Florida, and has organized fundraisers with her Synagogue, B'nai Torah, to assist students in need at FAU. Furthermore, in Miami she was instrumental in the creation of Israel Tennis Centers, a Jewish organization that fosters cultural exchange by connecting athletes who are part of the global Jewish community.

Today, women make up half of our workforce here in the United States. And although we have made great strides since the 1960's when Annette first began her career, we are often reminded that there is still room for progress. Business owners like Annette who took on careers previously reserved for men are an inspiration to us all. She reminds us that with tenacity and courage it is possible to break barriers and give women a seat at the table.

HONORING LIEUTENANT KEITH WHEELER

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to honor Lieutenant Keith Wheeler for his tremendous service to the people of Aroostook County.

On May 6, 2012, Lieutenant Wheeler will have completed his 40th year of exemplary service in the Aroostook County Sheriff's Office. Keith began his career in law enforcement as a jail guard at the age of 24. As a Patrol Officer, Detective, Patrol Sergeant and a Lieutenant, he has never wavered from his dedication to the community or his desire to help people. These values have made Lieutenant Wheeler a fixture in the Country and a highly effective Commander of the Sheriff Office's Law Enforcement Division.

Lieutenant Wheeler is also known for his ability to form close relationships and inspire confidence amongst his colleagues. Retired Chief Deputy Shirley Cleary has been a career long role model and friend to Keith, always stressing the importance of treating people the way you would want to be treated. Lieutenant Wheeler was also entrusted to coordinate the state's Marijuana Eradication Program. In 2008, he was named the Deputy Sheriff of the year by the Maine Sheriff's Association.

I am pleased to join the Aroostook County Sheriff's Office, and the people of Maine, in celebrating Lieutenant Wheeler's 40 years of commendable service.

Mr. Speaker, please join me in congratulating Lieutenant Wheeler on achieving this milestone, and thanking him for all that he does to keep Maine families safe.

NATIONAL DRUG TAKE BACK DAY

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. RAHALL. Mr. Speaker, imagine one million pounds, 500 tons of prescription pills piled

high on the National Mall. Those numbers and that image boggle the mind. And yet, in thirteen short months, that's just about the amount of leftover or expired drugs legions of concerned and compassionate Americans have turned in during the last three National Drug Take Back Days sponsored by the U.S. Drug Enforcement Administration.

That total may well be only the tip of the iceberg threatening our National ship of state. On this Saturday, April 28, 2012, the American people and every Member of Congress have the opportunity to strike a blow to rid our nation of the prescription drug abuse scourge that is ravaging so many of our families and communities. The DEA, along with almost 4,000 state and local law enforcement partners are, once again, sponsoring a National Drug Take Back Day.

This is a national call to action. Everyone can participate; everyone needs to participate, because one of the most insidious contributors to this growing epidemic lurks in every home bathroom.

"Ground Zero" for Drug Take Back Day is each medicine cabinet in humble homes across the country. Participation is made simple by the vast number of drop-off points made available by our law enforcement professionals—over 5,300 sites in all 50 states of our nation.

A resounding and very clear message at the nation's first National Summit on Prescription Drug Abuse was made: one of the most cost effective, long-term measures we can take to turn the tide on prescription drug abuse is prevention. That effort starts in our own cabinets and cupboards.

Once described as America's "Silent Epidemic," the abuse of prescription drugs can be openly witnessed any hour—day or night—on countless street corners across the country. Today, prescription drug abuse may be the biggest challenge of our society, and the only way its destructive trend can be reversed is if everyone—I mean, everyone—gets involved.

We are traveling a difficult and challenging path to save an entire generation. But, events and action on a national level, like Drug Take Back Day, provide simple and effective solutions in our quest to conquer the problem of prescription drug abuse.

Let us act with dispatch and compassion and with an acute understanding of the enormity of the challenge before us. Working in partnership with law enforcement, not as vigilantes or self appointed marshals Drug Take Back Day is one of the simplest, most effective, prevention measures we have on our side.

DANIEL KOHEN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Daniel Kohen for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Daniel Kohen is a 12th grader at Pomona High and received this award because his determination and

hard work have allowed him to overcome adversities.

The dedication demonstrated by Daniel Kohen is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Daniel Kohen for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

IN RECOGNITION OF ISRAEL'S INDEPENDENCE DAY

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CARDOZA. Mr. Speaker, I am delighted to rise today in order to recognize the sixty-fourth anniversary of Israel's independence. After 2,000 years the Jewish people regained their independence with the establishment of the State of Israel on April 26, 1948.

Israel was conceived during a dark time for the Jewish people and for the world, but because of their steadfast vision and perseverance they have become a beacon of prosperity and hope for the entire world to follow.

For sixty-four years the United States and Israel have been unwavering partners. We share an unbreakable bond based in mutual respect, shared values, and the ideal of equal opportunity for all. Our two nations have worked together side by side to promote respect for human rights and to ensure a more secure and stable world for all.

As President Obama has said, and as I have said so many times before, the security of Israel is of paramount importance, and our support for that security is unbreakable. We should take this occasion to reinforce this bond and renew our commitment into the future.

It is also fitting to take this occasion to focus on the future of a lasting peace. As I and my colleagues have repeatedly said, the only path to a lasting peace is through direct negotiations between Israel and the Palestinians that lead to a two-state solution. We must also acknowledge that a lasting peace cannot be achieved while a contingent within the Palestinian Government does not recognize Israel's right to exist. The State of Israel has existed for sixty-four years and will continue to endure. It is time all factions within the Palestinian Government acknowledge this so that we can move forward to achieve peace for a region that so greatly desires it.

Mr. Speaker, Israel has much to be proud of today. On this day of independence, I congratulate the people of Israel for their perseverance and for the hope of a brighter future as our two nations continue down a path of prosperity and peace for years to come.

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PETERSON. Mr. Speaker, I rise today in support of H.R. 1971, the Pharmacy Competition and Consumer Choice Act. This legislation will help level the playing field between neighborhood pharmacies and pharmacy benefit managers (PBMs) ensuring rural communities will continue to have access to see the providers of their choosing.

The 7th Congressional District of Minnesota, which I represent, is made up of more than 31,000 square miles and many small towns and farms. Small and independent retail pharmacies serve the pharmacy needs of residents in this large rural area. Residents of my district are concerned that they are losing access to their local community pharmacist whom they trust and have built relationships with throughout the years.

These PBMs tend to encourage patients to use their own mail-order-only operations in order to receive discounted co-pays on prescription drugs. Many constituents have expressed how they want to save money but also would like to talk to the pharmacists about their drug regimens and possible drug interactions. They do not like the idea of dealing with faceless employees of a managing company and talking with someone new each time they call. Patients should not have to choose between best price and best care.

Small pharmacies play a vital role in rural communities. Not only are they an employer, but serve as a health care advisor to senior citizens and families. I have heard concerns that such market concentration, like one we will see with Express Scripts and Medco, will likely lead to higher prices for consumers and fewer choices. During this difficult economic time, we cannot afford to lose jobs and the small businesses that serve the very important health-care needs of American consumers. This is especially true in rural areas, where there are already fewer choices.

H.R. 1971, the Pharmacy Competition and Consumer Choice Act, would provide transparency into how PBMs deal with Medicare Part D plans, and would require PBMs to deal more honestly with pharmacies when contacting and conducting audits. By protecting Part D plans and beneficiaries, as well as patient access to local community pharmacies, this legislation will help ensure that rural patients will continue to have access to local pharmacies.

RECOGNIZING DIANA Z. YSRAEL
ON RECEIVING THE 2012 GUAM
BUSINESSWOMAN OF THE YEAR
LIFETIME ACHIEVEMENT AWARD

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mrs. Diana Z. Ysrael on being awarded the 2012 Guam Businesswoman of the Year Lifetime Achieve-

ment Award. Diana Ysrael is the owner of Diana's Specialty Shops, which opened in 1960, and she is an advisor for Tanota Partners, a family-owned real estate business that was established in 1970.

Diana was born in Graceville, Minnesota on November 9, 1935 and attended George Washington High School in Mangilao, Guam. She received a Bachelor of Science degree in Nursing Education from St. Theresa's College in Winona, Minnesota and went on to work as a registered nurse for the Mayo Clinic in Rochester, Minnesota and the Guam Memorial Hospital. In 1960, Diana decided to start her own business and opened Diana's, Guam's first children's specialty shop. Over the years, Diana expanded her business to five locations with over 50 employees. She also provides guidance and consultative work to her family businesses, Tanota Partners and Dizzy Inc. clothing stores.

In addition to being a local entrepreneur for over 50 years, Diana is an active member of Guam's community. She has dedicated her time to volunteering for Strides for the Cure, a local non-profit organization that raises awareness of cancer and seeks to reduce cancer rates on Guam. Diana also frequently contributes to the American Red Cross and provides financial support to St. John's School athletic program and scholarship fund. Further, through Tanota Partners, Diana has helped provide funding to repair the Agana Pool.

Diana has dedicated her career to building a successful self-owned business, and she serves as a positive role model for businesswomen on Guam. I join the people of Guam in thanking her for her many contributions to our community, and I wish her continued success in the years to come.

60TH ANNIVERSARY OF UNITED
WAY OF BUCKS COUNTY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to commemorate the 60th Anniversary of United Way of Bucks County, an organization that strives to better the lives of countless people in my Congressional District.

United Way was founded shortly after World War II, just as Bucks County began to experience a rapid growth in population. Fearing this new influx of local residents would place too much of a burden on existing charitable agencies, a group of determined citizens began meeting to discuss the struggles that the new community faced. Although small at first, these meetings eventually led to the creation of United Way of Bucks County in 1952.

Over the years, United Way has worked with many different people and organizations in order to identify and resolve pressing neighborhood issues. Since 1952, United Way has worked with various schools, government agencies, businesses and neighborhood associations in an effort to foment public policy and much needed community change.

Today, the organization allocates over \$1 million to 31 different agencies that support 52

local programs in Bucks County. Undoubtedly, United Way of Bucks County has become a vital attribute to our community, and I am honored to speak on behalf of its members and affiliates today.

Thank you for 60 years of public service, and dedication, I am proud to have such an admirable organization work on behalf of the constituents in my Congressional District.

POTENTIAL IMPORT OF THE
MERGER OF EXPRESS SCRIPTS,
INC., AND MEDCO

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BUTTERFIELD. Mr. Speaker, I rise today to draw attention to the potential impact of the merger of two major pharmacy benefit managers (PBMs), Express Scripts, Inc. and Medco. The Federal Trade Commission (FTC) recently decided not to oppose this merger, which combines two of the "Big Three" PBMs. However, the FTC decision was not unanimous; in fact, one FTC Commissioner who opposed the merger called it a "game changer."

The merger of Express Scripts and Medco now means that the top two PBMs will cover approximately 72 percent of the privately insured Americans. This "mega PBM" will have the ability to raise prices for health plans and patients, limit access to pharmacy patient care and force patients to use the PBM's mail order pharmacies rather than their trusted community pharmacies, driving up costs for employers, health plans and other federal and state programs.

Additional concerns resulting from the Express Scripts and Medco merger include increased market concentration in the PBM market, with decreasing competition. The "Big Three" PBMs controlled approximately 80 percent of the national prescription drug plan market for large plans. This merger reduces the options for large plans from three to two. For large health plans that have typically selected one of the "Big Three" PBMs, the merger creates a firm with more than 50 percent market share.

The new mega PBM alone will control over 40 percent of the national prescription drug volume. Approximately 135 million Americans—more than one-third of all Americans—will rely on this new "mega PBM" to manage their prescription benefits. The merger combines two of the three largest suppliers of specialty pharmacy services, consolidating an excessive share of all specialty pharmacy sales. The merger creates the nation's largest mail-order pharmacy accounting for close to 60 percent of all mail-order prescriptions processed in the United States. This is a very troubling situation.

I have actively sought to bring this issue to the forefront, through floor speeches, letters to the FTC, and calls for hearings in the House Energy & Commerce Committee. I am concerned that this "mega PBM" will only exacerbate the problems for community pharmacies and consumers caused by PBMs currently. Already, many PBMs disallow pharmacies the

ability to appeal pricing decisions with which they disagree. It is documented that they often mandate that a covered individual use a specific retail pharmacy, mail order pharmacy, specialty pharmacy or other pharmacy or entity. This is exceedingly problematic in places like the First Congressional District, where there are limited options for seniors and the disabled to reach certain pharmacies.

Only a handful of states directly regulate some PBM functions, such as how they conduct audits of pharmacies, and some state boards of pharmacy regulate them to the extent that their activities can be construed as practicing pharmacy. The vast majority of their remaining functions and activities are unregulated.

We must do more to rein in some of the worst abuses of PBMs against community pharmacies and consumers. In addition to supporting state actions against the Express Scripts/Medco merger, I am a cosponsor of H.R. 4215, the Medicare Pharmacy Transparency and Fair Auditing Act, important legislation that will protect patients and providers from the egregious practices of PBMs. Similar legislation that includes the provisions of H.R. 4215 has been introduced in the Senate. This legislation will help level the playing field between neighborhood pharmacies and PBMs and ensure Americans have access to see the providers of their choice. PBMs are the little-known, but powerful, virtually unregulated middlemen that administer prescription drug benefits for most Americans.

TRIBUTE TO ST. BERNARDINE PARISH ON THEIR 150TH ANNIVERSARY

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BACA. Mr. Speaker, it is with great honor that I rise today and ask Congress to recognize the 150th anniversary of the St. Bernardine Parish in San Bernardino, California.

In 1862, Reverend Raho chose a site for the St. Bernardine Parish to be built in the town square in the current city of San Bernardino. Here, Reverend Raho held mass and established the Parish in the name of Bishop Amat. In 1865, the first St. Bernardine Church was completed, only to be destroyed by a fire a year later. The church was rebuilt and expanded between 1867 and 1880 to accommodate a growing population.

The St. Bernardine Parish continued to change and expand with the beginning of the 20th century. In 1907, the Church built a new two story brick school to accommodate 200 students. Three years later, in 1910, the new Church building was completed and dedicated, becoming the fifth Catholic Church in San Bernardino.

During the 1920s, the San Bernardine Parish flourished and helped provide guidance and inspiration to the people of San Bernardino. A decade later, during the Great Depression, the San Bernardine Parish was instrumental in helping the community get through rough times.

I commend the San Bernardine Parish for their tireless work to support our soldiers and their families during and after World War II. Many men and women from the Parish fought bravely to preserve the freedoms of democracy and religion that we hold today.

After the war, St. Bernardine constructed a new convent and built additions onto the existing school building. From the 1960s until the 1990s, Msgr. John Bradley oversaw the period of growth and change for the St. Bernardine Parish, where he is known as the "Preservation Pastor." With Msgr. Bradley's leadership, a new senior citizens housing complex was completed and dedicated. Msgr. Bradley's legacy has impacted Father Leonard Depasquale, who continues to lead the St. Bernardine Parish in improving the life of the people and community of San Bernardino.

I am proud of the way the St. Bernardine Parish has positively impacted the people of San Bernardino for over 150 years. The St. Bernardine Parish has provided spiritual support and assistance to the people of San Bernardino, and I am grateful to their service to our community.

Mr. Speaker, I ask my colleagues to join me today in recognition of the St. Bernardine Parish as they celebrate their 150th anniversary.

HONORING MASTER SERGEANT SHAWN T. HANNON

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. STIVERS. Mr. Speaker, I rise today on behalf of a grateful nation to celebrate the life of Ohio Army National Guard Master Sergeant Shawn T. Hannon—a true American hero who lost his life on April 4, 2012, while deployed to Afghanistan for Operation Enduring Freedom. A fellow Ohioan and soldier from Grove City, Ohio, Master Sgt. Hannon, 44, gave the final measure of devotion when he was killed in action while serving in the line of duty in the protection of our nation.

Master Sgt. Hannon was a lifelong soldier who served for almost 20 years in the Ohio Army National Guard. Hannon was the kind of soldier who makes the citizens of Ohio's 15th Congressional District so proud. He served in multiple deployments, which included Iraq, RAF Lakenheath, England, Mississippi for Hurricane Katrina, and Florida for Hurricane Andrew. He earned a well-deserved Bronze Star, Purple Heart, and the Ohio Distinguished Service Medal for his outstanding service. As a father, husband, son, brother, and friend, Master Sgt. Hannon was known for his charisma, love, and loyalty. I consider myself privileged to have had the opportunity to serve with him in the Ohio Army National Guard.

We should thank God every day that heroes like Master Sgt. Hannon exist, because every day he stood ready to protect and fight for our freedom. His bravery, selflessness, and sacrifice will be forever remembered, as will his unwavering commitment to God, country, and his family.

I ask that every Member of Congress join me in paying tribute to the life of Master Sgt.

Hannon—his bravery and selflessness are deeply missed and felt. We are able to have freedom and safety today because of the ultimate sacrifice that he has made, and for that we owe a great debt of gratitude.

RECOGNIZING THE 64TH ANNIVERSARY OF THE ESTABLISHMENT OF THE STATE OF ISRAEL

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to honor the 64th anniversary of the establishment of the State of Israel.

Today, Israelis and their friends around the world celebrate the renewal of a Jewish State in the land of Israel. Since the U.S. became the first country to recognize Israel, a mere 11 minutes after her founding, the relationship between our two nations has continued to grow and strengthen. That friendship is as important now as it was in 1948, and, after 64 years of cooperation and collaboration, we still subscribe to the same Democratic ideals, face the same global threats, and share the same dreams. As a Jew and a Member of Congress, I am committed to continuously working to grow and strengthen the U.S.-Israel relationship.

Israel is not just a strategic ally, but also a friend and partner of the United States. I have traveled to Israel many times in recent years, and I am continuously impressed by the high level of technology, energy, and scientific innovation. Even as Israelis face an uncertain security outlook and the very real possibility of violence from neighboring nations, Israel continues to be a leader in innovation.

Today we celebrate, but yesterday we paused for Israel's Memorial Day to remember the many men and women who have been killed defending the Jewish state. According to the Israeli government, 22,993 men and women have given their lives defending the land of Israel since 1860, and 2,457 people have been killed in terror attacks. In the past year, 126 members of the Israeli security forces have been killed in the line of duty.

After 64 years, Israel continues to be our closest friend and ally in the Middle East, and the United States remains absolutely committed to ensuring a secure future for the Jewish State. For over six decades, the cornerstone of that relationship has been bipartisan agreement recognizing the critical importance of that relationship to both our nations.

As we celebrate the 64th anniversary of the founding of the State of Israel, this Congress, this Administration, and this country will continue to work together with our Israeli partners to ensure a secure and peaceful future for Israel and the entire Middle East.

IRA FREEMAN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BERMAN. Mr. Speaker, I am pleased to pay tribute to my dear friend Ira Freeman, who is being honored by the Valley Community Clinic for his many years of dedicated service and is being named 2012 Pharmacist of the Year by the California Pharmacists Association.

I know firsthand of Mr. Freeman's many outstanding contributions to our community. Ira is a founding member of the Valley Community Clinic (VCC), whose vision is to provide high quality healthcare for all regardless of their ability to pay. Since 1970, Ira has been the Pharmacist of Record for VCC's in-house dispensary, where he oversees the medication processes for all its patients. In addition, he has spent the last four decades volunteering his time in the dispensary every Thursday and Saturday. Along with giving his time to VCC, he also supports many other Valley non-profits including: New Horizons, Ovarian Cancer Coalition, AIDS Walk LA, Executives of the Jewish Home for the Aging. He was also a board member and Board president of Sun Valley Chamber of Commerce from 1981-1990 and the Studio City Residents Association.

Along with a long and distinguished record of volunteerism and service to his community, Mr. Freeman has been the Owner and Pharmacist at Key Pharmacy since 1964. He earned his degree from Columbia University College of Pharmacy. He actively participates in professional pharmacy associations at the national, state and local level and is actively involved with the legislative process. In fact, his legislative efforts on behalf of pharmacists led pharmacist Barry Pascal to say, "Ira Freeman has put a pharmacist's face into our political process." I can attest to the veracity of this statement because I, myself, have spent many years with Mr. Freeman here in Washington D.C. and in Los Angeles working on different legislation. He served as a member of CPhA-PAC, President of the Pharmacists' Professional Society of the San Fernando Valley, and is a founding member of the United Pharmacists Network. He is known as a political activist extraordinaire and is one of the most loved leaders in the community. It is with great pleasure that I call him my good friend.

Mr. Speaker and distinguished colleagues, I ask you to join me in recognizing Ira Freeman for his years of service and dedication to the community, to honor his many dedicated years at Valley Community Clinic, and to congratulate him on being named 2012 Pharmacist of the Year.

RECOGNIZING TOVE E. ESTABROOK ON RECEIVING THE 2012 GUAM BUSINESSWOMAN OF THE YEAR LIFETIME ACHIEVEMENT AWARD

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mrs. Tove E. Estabrook on being awarded the 2012 Guam Businesswoman of the Year Lifetime Achievement Award. Tove Estabrook is the proprietor of Tove's Flower Shop.

Ms. Estabrook was born in Haderslev, Denmark on August 28, 1935, and she moved to Guam with her late husband, Fred Estabrook. For 44 years, Tove has dedicated her career to providing Guam residents with unique and creative floral designs, and for more than 30 years she has been a business owner as the chief executive officer and proprietor of Tove's Flower Shop. Her business has become a mainstay for floral arrangements and event consultation on Guam, and she continues to grow and expand the services and product offering she provides.

Tove also uses her talents to help various community organizations by making monetary and in-kind floral contributions to their causes. She also delivers weekly floral donations to the Carmelite Sisters' Chapel, San Vicente and San Roque Catholic Church, Our Lady of the Waters Church, the Blessed Sacrament Chapel at the Dulce Nombre de Maria Cathedral-Basilica, and the Bayview Baptist Church.

Tove Estabrook has dedicated her career to building a successful self-owned business, and she serves as a positive role model for businesswomen on Guam. I join the people of Guam in thanking her for her many contributions to our community, and I wish her continued success in the years to come.

IN COMMEMORATION OF ISRAELI
INDEPENDENCE DAY

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mrs. DAVIS of California. Mr. Speaker, I rise in strong support of the contribution of the State of Israel as it celebrates its 64th anniversary as a vibrant and open democratic society.

I had the great privilege to live and work in Israel in the mid-1960's and celebrated Israel's 22nd anniversary by taking part in a three-day walk from the shores of Tel Aviv to the hills of Jerusalem.

Now, I marvel with every visit at the extraordinary changes that have taken place.

In its 64 years, Israel has managed some incredible achievements.

Israel leads the world in the number of scientists and technicians in the workforce per capita. These Israeli scientists have made great contributions to human understanding and invented revolutionary products.

The cell phone was developed in Israel by Israelis.

Israeli doctors and researchers have produced countless medical advances helping those with diseases such as cancer and Parkinsons.

Israel is also a leader in conservation and renewable energy. In fact, Israel is the only country in the world that entered the 21st century with a net gain in its number of trees, made more remarkable because this was achieved in an area considered mainly desert.

These achievements are truly inspiring. But the daily news reports from the Middle East continue to remind us of the daunting challenges that Israel faces.

Foremost among those challenges is the existential threat posed by a nuclear Iran. There is no debate here—Iran's leadership many times has stated that, "Israel must be wiped off the map." Containment of a nuclear Iran is simply not an option for the United States or Israel.

In light of the ongoing threat from Iran and other neighboring countries, the United States must remain firm in its steadfast commitment to the security of Israel as an independent, democratic Jewish state. We must continue to provide Israel with the military capabilities and intelligence necessary to defend itself.

In addition, Israel still lacks a real partner for peace with the Palestinians. However, this does not mean efforts for peace should not continue.

As we know well, achieving peace will not be easy, but I remain hopeful that Israel, her neighbors and the U.S. can get the peace process back on track and that Israel will continue to thrive as a vibrant and open democratic society.

I join my colleagues in recognizing Israel's 64th Anniversary.

STUDENTS AT McCRACKEN MIDDLE SCHOOL: MAKING A DIFFERENCE THROUGH A.C.T.

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize the extraordinary students at the McCracken Middle School in Skokie, Illinois, who are working to improve the lives and futures of children around the world.

Through the organization that they created—Aiding Children Together, or A.C.T.—these remarkable young leaders are making a real difference—not just studying the many problems that confront children but taking action to help solve them.

Two years ago, I received letters from McCracken middle-schoolers who were moved to get involved to help address the crisis of child labor. They wrote to voice their support for the UN Rights of a Child and to speak up for children who are forced to work in often dangerous conditions in order to support themselves and their families.

Since A.C.T. was founded, the students have continued to show their commitment to providing every child with the right to education and to a safe and healthy life. They know that many children are forced to live in

poverty, to suffer and sometimes die from preventable diseases, and even to be forced to serve as child soldiers. The members of A.C.T. believe that unless we solve these problems, too many children will be denied the opportunity to become productive members of their communities.

The students participating in A.C.T. are learning and they are taking action to protect individual children and to create a better future. Through fundraising efforts from walkathons to selling t-shirts, they have raised funds for nonprofit organizations like Free the Children—groups that empower youth to promote children's rights.

Currently, McCracken students are focused on learning about and raising funds for an orphanage in Ghana, engaging with A Better Life for Kids in the effort to expand educational opportunities to some of the most vulnerable children in the world. The orphanage is a safe place and one where deaf children can now go to school, instead of being forced onto the streets.

I want to recognize this year's A.C.T. participants and congratulate them on their work. They are: Lily Shearer, Rebecca Janw, Gabrielle Younan, Mariel Younan, Alex Davood, Juliana Tichota, Nora Gaul, Tenzin Wangdak, Trisha Gandhi, Andrea Hoglund, Sean Loach, Violette Shearer, and Nathaniel Schetter.

These McCracken students are doing amazing things and they are setting an example for all those who see problems as too big or too difficult, those who throw up their hands instead of getting to work. I am so proud of them and I know that they will continue to be a powerful force for change on behalf of children.

I also want to thank Jennifer Ciok and Bethany Blades, the teacher sponsors of A.C.T., and Shelley Nizynski, who teaches at Middleton Elementary School in Skokie and is the founder of A Better Life for Kids. They demonstrate the critical role of teachers in inspiring students to learn, to solve problems and to become leaders in their communities.

HONORING THE EURO-AMERICAN BRANDS

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to honor the Euro-American Brands, in recognition of its designation as honoree at the Englewood Hospital's 2012 Gala.

What began as a childhood passion for sweets today stands as a model for success, ingenuity and perseverance. Founded in 1990 by siblings Dite Van Clief and Tami Targovnik, in partnership with Peter Leiendecker, Paramus, New Jersey-based Euro-American Brands (EAB) is one the nation's premier importers of confections and specialty food products. EAB's love of sweets soared to new heights in 2010.

Joining forces with its supplier of 20 years—Ritter Sport, a popular German confectionery

brand—they introduced the Strawberry Crème Bar to support the fight against breast cancer: 100% of the profits earned by EAB from sales of the Ritter Sport Strawberry Crème Bar benefit The Leslie Simon Breast Care and Cytodiagnosis Center at Englewood Hospital. Their efforts yielded much-needed support for The Breast Center which provides lifesaving medical services to countless women in need.

Mr. Speaker, today I rise to honor this remarkable company, and the great work they are doing in support of the Breast Care Center at Englewood Hospital. I join with the grateful guests of the Englewood Hospital Gala, and all of my constituents in North Jersey, in thanking the Euro-American Brands for its generous contribution to the good health of our community.

SOUTH ATLANTIC REGION OF ALPHA KAPPA ALPHA SORORITY

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise with pride and exuberance to mark my return to Greenville, SC, home to my very first regional conference as the 11th South Atlantic Regional Director in 1987.

In March of 1987, more than 1,300 sorors from Florida, Georgia, and South Carolina convened in Greenville, South Carolina for the South Atlantic Regional Conference. We captured the attention of both State and local dignitaries, including Lt. Governor of South Carolina, the Mayor of Laurens, South Carolina, and were presented "Keys to the City" by the Mayor of Greenville William Workman. Former Supreme Basileus Janet Ballard and many members of the Directorate were in attendance. The conference theme was "Service with a Global Perspective" and it was planned and coordinated by Soror Charlotte Walker and Soror Xanthene Norris, Cluster VIII coordinator. When the conference concluded on March 22, 1987, we returned to our respective homes renewed in our bonds of sisterhood.

Two decades later, the South Atlantic Region of Alpha Kappa Alpha Sorority, Inc., continues to blaze trails and stands largest of the ten Alpha Kappa Alpha regions with more than 10,000 members strong. Our region is home to two former Basileis, Soror Mary Shy Scott, and Soror Norma Solomon White. Currently leading our esteemed sisterhood is our own, Soror Carolyn House Stewart, the 28th Supreme Basileus of Alpha Kappa Alpha Sorority, Incorporated.

It is my pleasure to pay tribute to each of my Sorors of the South Atlantic Region as we gather for our 59th annual conference, under the leadership of our Regional Director, Soror Marsha Lewis Brown. There is no other place I would rather call home. My pride is showing.

A TRIBUTE TO NEUMANN BROTHERS, INC.

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize the renowned, family-owned Iowa building company, Neumann Brothers, for turning 100 years old this month.

Since its founding in 1912 by then 28-year-old Arthur Neumann, Neumann Brothers, Inc. has played an integral role shaping the landscape of the state we love. It's no exaggeration to say that you can look down any street in downtown Des Moines and recognize a building that has been touched by the expertise of Neumann Brothers. A full century in business is quite a feat, but it is no surprise Neumann Brothers' reputation for putting their customers first through keeping deadlines and being accountable have earned them a stellar rapport with Iowa communities.

Thankfully, Neumann Brothers is no longer limited to erecting buildings with mules and steam power. Instead, the company has continually remained on the cutting edge of building technologies and techniques. Neumann Brothers continues that tradition today through their innovation in constructing the most important buildings in our state, and recognition through dozens of awards and the continued patronage of its customers. From the reconstruction of William Penn University in 1916, to recently converting Des Moines' century-old public library into the headquarters of the World Food Prize, the contribution of the Neumann Brothers to Iowa's rich history is incalculable.

Mr. Speaker, it goes without saying that Neumann Brothers has become synonymous with Iowa's most treasured buildings. I know that my colleagues in the United States House of Representatives will join me in congratulating this company on the milestone of their 100th birthday. I wish Neumann Brothers another hundred years of success and thank them for their contribution to Iowa's history and landscape. Thank you.

HONORING THE CENTENNIAL ANNIVERSARY OF THE AMERICAN RED CROSS LIFE SAVING CORPS' IN DUVAL COUNTY, FLORIDA

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CRENSHAW. Mr. Speaker, I rise today to recognize and honor the Centennial anniversary of the American Red Cross Life Saving Corps' outstanding volunteer services to the beach communities in Duval County, my hometown. On April 29, 2012, the members of the Volunteer Life Saving Corps will rededicate the Station at Jacksonville Beach and its new training wing, which will enhance its life-saving mission. Created in 1912 by locals who saw the need, the U.S. Volunteer Life Saving

Corps was established to protect lives along the Atlantic Ocean shoreline and became Florida's first chartered American Red Cross Volunteer Life Saving Corps on April 17, 1914. Today, we celebrate a century of uninterrupted beach guard services each Sunday and holiday throughout the summer season.

Beginning with the first class, volunteers have been required to undergo a vigorous training regimen and meet the high physical and mental standards established by the Corps before they are allowed to stand watch on our beaches. My father, McCarthy Crenshaw, was a proud member of this Corps. For the past 100 years the American Red Cross Life Saving Corps has protected our beaches and has built a long-lasting working relationship with our community, which benefits both our local residents and visitors as they enjoy the surf.

Florida's northeast coastline has 20 miles of gorgeous beach and the Life Saving Corps has a long, rich history of protecting those who come to swim or surf. The first station built for the Corps was established on April 6, 1913, at Pablo Beach. The Corps was comprised of 19 volunteers equipped with a surf boat and life lines. Over the years, the Corps has recorded over 1500 ocean rescues, logged 1,300,000 volunteer hours, made 1700 life-saving assists, and administered first aid to 26,000. The faces of the Corps change each year, but the mission remains the same as the summer of 1912 when the first Life Saving Corps posted the beach watch.

It is my honor to bring this historic commemoration of a century of service by volunteers in the American Red Cross Volunteer Life Saving Corps to the attention of the United States Congress and to invite Members to join me in extending our appreciation.

FIGHTING TO PREVENT A
STUDENT LOAN RATE HIKE

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. HIRONO. Mr. Speaker, "Don't double my rate."

I've heard this message loud and clear from college students in Hawaii and across the country. If Congress does not act, almost 17,000 student loan borrowers in Hawaii will see their interest rates double on July 1. Hawaii college students will owe nearly \$1,000 more next year.

I have heard countless stories of people in Hawaii burdened by student loan debt. One woman in Kailua told me she took out student loans to afford graduate school, and now teaches part time at Hawaii Pacific University. Her husband is a Marine who's currently deployed. She says, "My education was important to me, but now I wonder if it was truly worth it. I have the education that has provided me the job of my dreams but we are drowning in so much student loan debt that I may have single-handedly ruined both of our futures."

Hawaii students shouldn't have to drown in debt to achieve their dreams. Education is too important: it's the key to greater opportunity.

I know firsthand how education opens the door to a better life. I came to this country from Japan when I was nearly 8 years old. My mother courageously plotted and planned in secret in order to flee an abusive marriage and bring us to this country so we could have a better life. We came to Hawaii in steerage with little more than the clothes on our backs. I did not speak a word of English but my mother enrolled me in the public schools and that's where I learned to read, write and speak English. I used financial aid and student loans to put myself through college and law school.

A recent study found that by 2018, nearly two-thirds of jobs in Hawaii will require some type of post-secondary education or career training. Meanwhile, tuition is rising and student loan debt is a serious problem. The average Hawaii college graduate has over \$15,000 in student loan debt. Nationwide, Americans now owe more in student loan debt than credit card debt.

In my first year in Congress, I cosponsored the College Cost Reduction and Access Act of 2007. This bill passed on a strong bipartisan basis and was signed into law by President George W. Bush. This law cut low- and middle-income student loan interest rates in half, from 6.8 percent to 3.4 percent. This provision will expire on July 1. We need a solution right away.

Yet, rather than seek a real, bipartisan solution like we did in 2007, the House Majority continues to play politics with the issues that matter most to our families.

Their latest play is H.R. 4628. This bill is a sheep in wolf's clothing. It supports college students, but on the backs of women and children. The bill would pay for keeping the lower interest rate for one year by repealing the Public Health and Prevention Fund. It's yet another partisan attack on the Affordable Care Act.

The Public Health and Prevention Fund has already had a major impact in Hawaii. Our state has received grants to provide vaccinations, HIV testing, obesity and smoking prevention, and warning systems for disease outbreaks. The Public Health and Prevention Fund is supported by American Academy of Pediatrics—Hawaii Chapter, American Lung Association in Hawaii, CHOW Project, Faith Action for Community Equity, Hawaii Island HIV/AIDS Foundation, Hawai'i Primary Care Association, Hawaii Public Health Association, Malama Pono Health Services, and Papa Ola Lokahi. National organizations supporting this fund include the AARP, Alzheimer's Foundation, American Cancer Society, American Diabetes Association, American Nurses Association, March of Dimes, and hundreds more.

Today's vote is a false choice. Let's stop playing games with our students' future, and let's not balance the budget on the backs of women's and children's health. Today's vote is just a skirmish. The game is not over. We need a real solution right away.

That's why I'm a cosponsor of the Stop the Rate Hike Act, H.R. 4816. This bill would keep student loan interest rates low for another year, long enough to find a longer-term solution. We'd pay for this by ending tax loopholes for big oil companies. These companies are already raking in record profits, and don't need another year of handouts from you and me.

I voted today to take up H.R. 4816, a real solution for our students. I urge my colleagues to come together and get this done.

PERSONAL EXPLANATION

HON. LOUISE MCINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 179, 180, and 181. Had I been present, I would have voted "aye" on rollcall vote Nos. 179 and 181; I would have voted "no" on rollcall vote No. 180.

HONORING THE VICTIMS OF THE
ARMENIAN GENOCIDE

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CICILLINE. Mr. Speaker, I rise today to remember the 1.5 million Armenians, men, women, and children, who were massacred under the Ottoman Empire at the beginning of the 20th century.

Each year, Armenians throughout the world mark April 24 as Genocide Remembrance Day by honoring those who perished from 1915 to 1923, and I join my friends and colleagues in remembering the victims today.

It's important to raise awareness about the Armenian genocide not only because it is an undeniable chapter in world history, but also because learning more about this horrific tragedy underscores the importance of eliminating intolerance and bigotry wherever it occurs.

I have enormous respect and admiration for the strength, resilience, and perseverance of the Armenian-American community. Over the decades since this massacre in their homeland occurred they built lives, homes, and businesses, and raised families in Rhode Island and across the country.

As the Congressman from Rhode Island's First Congressional District, I have the honor of representing many Armenian-Americans who grew up hearing family stories about the atrocities firsthand, as many are children and grandchildren of genocide survivors. Armenian-Americans living in my home state of Rhode Island have made significant contributions through their leadership in business, law, academia, government, and the arts.

As a cosponsor of the Affirmation of the United States Record on the Armenian Genocide Resolution, House Resolution 304, I strongly believe that the time has come for the United States government to recognize this atrocity for what it was—genocide.

I join my colleagues today in remembering and honoring the victims of the Armenian genocide.

HOUSE OF REPRESENTATIVES—Friday, April 27, 2012

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

Reverend Robert Ballecer, S.J., Jesuit Conference, Washington, D.C., offered the following prayer:

God of mercy and of kindness, God of patience and of action, God of energy and forgiveness, we give You thanks for this new day, of what is, and what is to become.

We pray that You help us draw closer to You, that we may bear witness to Your presence among us, and face the day with courage and confidence.

Send Your spirit upon the Members of this assembly. May Your grace descend upon them as they meet the difficult task of working for the common good. May they be blessed with wisdom and compassion, enough to serve their fellow citizens with dignity and humility.

Provide them with the strength to be faithful to their duties and to serve honorably, always remembering the sacred trust they have with their fellow citizens.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. BARLETTA) come forward and lead the House in the Pledge of Allegiance.

Mr. BARLETTA led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 5 requests for 1-minute speeches on each side of the aisle.

FIGHTING ILLEGAL IMMIGRATION

(Mr. BARLETTA asked and was given permission to address the House for 1 minute.)

Mr. BARLETTA. Mr. Speaker, in the minute or so I'm speaking this morning, two more illegal aliens will be added to America's population. Maybe they'll climb over a fence. Maybe they'll sneak off a boat. Maybe they'll overstay an expired visa. All expect to find a better life here in the United States, but all are breaking the law.

The millions of illegal aliens in this country right now impose a huge burden on America's cities. One of them was my city, Hazleton, Pennsylvania. That's why, as mayor, I was the first in the country to enact a local law cracking down on illegal immigration. Now other municipalities and States have taken up that fight.

Seeing Arizona defend its law this week, I'm reminded how the Federal Government has failed to stop illegal immigration. States like Arizona and cities like Hazleton are forced to act because this administration—and prior administrations—refuse to enforce immigration laws.

On Wednesday, Chief Justice John Roberts said it best:

It seems to me that the Federal Government just doesn't want to know who is here illegally or not.

Well, Mr. Speaker, take it from someone who's been fighting against illegal immigration for 6 years now. Sadly, that sounds just about right.

REMEMBERING OTIS BROCK, III

(Mr. BARROW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW. It's with sadness that I rise to honor the life of Otis Brock, III, who passed away Tuesday at the age of 41. Otis's time with us was too brief, but his life serves as a shining example of service to others.

A leader from the beginning, Otis was inspired by the example set by his parents, Otis J. Brock and Annette K. Brock, both prominent educators. After graduating from Sol C. Johnson High School and Savannah State University, Otis rose to become the Savannah-Chatham County Public School System's operations chief.

Otis served in many civic capacities, but the accomplishment he took most pride in was the role of father. Otis and his wife, Nailah, are the proud parents of two young daughters, Zuri and Zoey, and are awaiting the birth of their third child.

Otis, we thank you for your life and legacy. You will be missed.

RECOGNIZING JOHN ALLEN

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. I rise today to recognize John Allen and his lifetime of service to his community, the State of Arkansas, and to our country. John currently serves on the board of directors for the Lawrence County Children's Shelter and Northeast Arkansas Public Water Authority. In the past, he served as an alderman of Hoxie; chairman of the Lawrence County Chamber; president of the Walnut Ridge Jaycees; a lay leader at Hoxie United Methodist Church; and president of the Walnut Ridge Lions Club.

In the 1980s, John served on the Arkansas Transportation Commission and the National Motor Safety Regulatory Review Panel. During this time, he was instrumental in obtaining funding for Arkansas State University to start a transportation-related program within the College of Business. Thanks to John's efforts, ASU now has a Logistics and Supply Chain Management program. Additionally, John served as director of the Arkansas Assessment Coordination Department and Arkansas State director for the U.S. Department of Agriculture-Rural Development.

John has achieved much as a public servant, but he would be the first to say that his family is the center of his life. John and Elaine Allen have been married for 49 years. Together, they have three children: Andy, Andrea, and Matt. John is also the proud grandfather of Anna, Hayden, and Ella.

Mr. Speaker, today I honor John Allen for his lifetime of service. Arkansas, and indeed our Nation, is a better place to live because of John's efforts.

INTEREST RATE REDUCTION ACT

(Mr. FARR asked and was given permission to address the House for 1 minute.)

Mr. FARR. I rise today in opposition of H.R. 4628, the Interest Rate Reduction Act. Keeping student loan rates at their current level should be an easy, bipartisan bill. However, it should not be at the cost of an assault on women's health. Of all the offsets available to the majority, they chose to undermine the well-being of America's women and children by gutting investments in screening for breast and cervical cancer, childhood immunizations, and initiatives to reduce birth defects.

I remain committed to preventing an increase in student loan costs for over

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

7.4 million Americans. I would like to see a new, bipartisan bill sent to the President's desk well in advance of the July 1 deadline when the rates are scheduled to go up. But any student loan relief should not come at the expense of funding for childhood immunizations, screening programs for breast and cervical cancer, and birth defects.

I urge my colleagues to vote "no" on this flawed legislation.

HONORING THOMAS C. DETWILER

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize Thomas C. Detwiler, a constituent and friend from Ridgway, Pennsylvania. Tom is the mill manager of Johnson Domtar's Johnsonburg mill, and earlier this week he was awarded the prestigious Mill Manager of the Year Award from the Paper Industry Management Association at their international conference.

Tom was named vice president and mill manager on July 1, 2006, which is the pinnacle of a professional journey that began over 38 years ago at the same facility when he was hired as a process engineer. Over the years, Tom has become a recognized leader in the industry. His work and dedication is an inspiration to all of us, and his concern for the mill and the employees over the years is truly commendable.

While being diagnosed with a severe health issue that began almost 6 years ago, Tom is devoted to the Johnsonburg area, the mill, and especially the 378 employees. A native of Johnsonburg and 1970 graduate of Johnsonburg High School, Tom holds a bachelor of science degree in medical technology from Penn State University. He resides in Ridgway, Pennsylvania, with his wife Kathy. They have two grown daughters, Lauren and Lynn, who reside in Williamsport, Pennsylvania.

I want to thank Tom for his service to the community and congratulate him on this esteemed award.

HONORING U.S. ARMY PRIVATE FIRST CLASS MICHAEL METCALF

(Mr. DEUTCH asked and was given permission to address the House for 1 minute.)

Mr. DEUTCH. Mr. Speaker, when the doorbell rang at 5 a.m., Kimberly Metcalf of Boynton Beach, Florida, knew her worst fear had come true. Her only child, 22-year-old Michael Metcalf, U.S. Army private first class, died in Afghanistan on Sunday following an IED attack. Michael was killed while at the wheel of his armored vehicle that was going to rescue other soldiers that had been struck by a roadside

bomb. Described by his mother as tough and strong, with a sensitive side, that he performed this one last act of bravery came as no surprise to all who knew him.

Michael attended Park Vista High School and graduated from St. John's Northwestern Military Academy. He loved surfing, skim-boarding, and spending time by the water.

On Monday, Michael's friends and family gathered at the inlet to light candles on his surfboard. Winds blew out all but one. As his friends said, The candle wouldn't go out. He wanted to hang out with us all night.

We will never forget Michael Metcalf's sacrifice, and our Nation is forever grateful for his service.

□ 0910

TRIBUTE TO CHARLES COLSON

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, most people can point to at least one or two leaders, historical figures, or personal mentors who significantly affected their lives or callings. Chuck Colson was all three of these things to me and to many, many others. Charles W. Colson went to be with his Lord on April 21, 2012.

Chuck Colson was a profound example of someone saved by grace. As a State legislator, I was truly grieved by our State's sky-high recidivism rates and got involved with several prison ministries, including Koinonia House, which was founded by yet another man whose life was turned around after he converted in prison and met Charles Colson.

Then, a year before I ran for Congress, I was part of Chuck Colson's fantastic discipleship program. My wife and I chose to name our youngest son Koleson. I pray for my Kole that his life, like Chuck Colson's, would reflect the life-changing grace and redemption offered to us by the cross.

NATIONAL CRIME VICTIMS' RIGHTS WEEK

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise today in recognition of National Crime Victims' Rights Week. As co-founder and cochair with Congressman TED POE of the bipartisan Congressional Victims' Rights Caucus, we are well aware that far too often the victims of crimes suffer in silence.

Just last week, members of the caucus honored advocates nationwide for their work in supporting crime victims, including the University of Cali-

fornia-Merced and Candy O'Donel-Browne of Mountain Crisis Services and the good work that she and her folks have done. Every day, these advocates work tirelessly to guarantee that every survivor has a place to turn for support in the aftermath of crime.

Though we wish that commemorative weeks such as this were not necessary, they help educate the public and remind survivors that they are not and never will be forgotten. All of us have a responsibility to give voice to the challenges crime victims face, not just this week, but for every week of the year.

IN RECOGNITION OF LOCKHEED MARTIN'S F-22 PROGRAM

(Mr. GINGREY of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY of Georgia. Mr. Speaker, I rise today with a heavy heart as the delivery ceremony of the last F-22 Raptor will take place next Wednesday in Marietta, Georgia, my hometown, tail No. 195—far short of what our Air Force needs.

Over the last three decades, the Cobb County community has watched the F-22 grace our skies as thousands of our citizens have worked steadfastly to make the Marietta production a model line. Many of our neighbors have indeed had a direct hand in producing the most capable fighter jet in history. The program has been a critical component of America's industrial base and a source of economic strength, creating 25,000 American jobs in 44 States and representing more than \$12 billion in annual economic activity. The F-22 protects our citizens and our soldiers, and it deters America's enemies. Its legacy will be a credit to our community for years to come.

Mr. Speaker, I ask my colleagues to join me in recognizing Lockheed Martin and the F-22 program.

WORKERS' MEMORIAL DAY

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Mr. Speaker, I rise today on Workers' Memorial Day because 25 years ago in Bridgeport, Connecticut at L'Ambience Plaza, 28 construction workers lost their lives building a building using the controversial lift-slab construction technique, which even at the time was subject to controversy and is now subject to very significant regulation. This sad accident could easily have been avoided, but because the proper safety regulations were not in place, 28 men did not go home that day. When I attended a ceremony earlier this week to commemorate L'Ambience, I met with some of

the families. The men were husbands, fathers, brothers, and neighbors.

Day in and day in out in this Chamber we hear about job-killing regulations from the other side. And yes, we must make sure that our regulations are finally balanced, but it has become religious in this Chamber that all regulations, whether they are there to preserve the lives of construction workers or to keep children from dying of asthma, are “job-killing regulations.” If this stays this ideological and this religious, we will see more killing of the real kind.

**ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE**

The SPEAKER pro tempore (Mr. WOODALL). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

**CYBERSECURITY ENHANCEMENT
ACT OF 2012**

Mr. McCAUL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2096) to advance cybersecurity research, development, and technical standards, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2096

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Cybersecurity Enhancement Act of 2012”.

TITLE I—RESEARCH AND DEVELOPMENT

SEC. 101. DEFINITIONS.

In this title:

(1) NATIONAL COORDINATION OFFICE.—The term National Coordination Office means the National Coordination Office for the Networking and Information Technology Research and Development program.

(2) PROGRAM.—The term Program means the Networking and Information Technology Research and Development program which has been established under section 101 of the High-Performance Computing Act of 1991 (15 U.S.C. 5511).

SEC. 102. FINDINGS.

Section 2 of the Cyber Security Research and Development Act (15 U.S.C. 7401) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) Advancements in information and communications technology have resulted in a globally interconnected network of government, commercial, scientific, and education infrastructures, including critical infrastructures for electric power, natural gas and petroleum production and distribution, telecommunications, transportation, water supply, banking and finance, and emergency and government services.”;

(2) in paragraph (2), by striking “Exponential increases in interconnectivity have facilitated enhanced communications, economic growth,” and inserting “These advancements have significantly contributed to the growth of the United States economy”;

(3) by amending paragraph (3) to read as follows:

“(3) The Cyberspace Policy Review published by the President in May, 2009, concluded that our information technology and communications infrastructure is vulnerable and has “suffered intrusions that have allowed criminals to steal hundreds of millions of dollars and nation-states and other entities to steal intellectual property and sensitive military information.”;

(4) by amending paragraph (6) to read as follows:

“(6) While African-Americans, Hispanics, and Native Americans constitute 33 percent of the college-age population, members of these minorities comprise less than 20 percent of bachelor degree recipients in the field of computer sciences.”.

SEC. 103. CYBERSECURITY STRATEGIC RESEARCH AND DEVELOPMENT PLAN.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the agencies identified in subsection 101(a)(3)(B)(i) through (x) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(3)(B)(i) through (x)) or designated under section 101(a)(3)(B)(xi) of such Act, working through the National Science and Technology Council and with the assistance of the National Coordination Office, shall transmit to Congress a strategic plan based on an assessment of cybersecurity risk to guide the overall direction of Federal cybersecurity and information assurance research and development for information technology and networking systems. Once every 3 years after the initial strategic plan is transmitted to Congress under this section, such agencies shall prepare and transmit to Congress an update of such plan.

(b) CONTENTS OF PLAN.—The strategic plan required under subsection (a) shall—

(1) specify and prioritize near-term, mid-term and long-term research objectives, including objectives associated with the research areas identified in section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)) and how the near-term objectives complement research and development areas in which the private sector is actively engaged;

(2) describe how the Program will focus on innovative, transformational technologies with the potential to enhance the security, reliability, resilience, and trustworthiness of the digital infrastructure, and to protect consumer privacy;

(3) describe how the Program will foster the rapid transfer of research and development results into new cybersecurity technologies and applications for the timely benefit of society and the national interest, including through the dissemination of best practices and other outreach activities;

(4) describe how the Program will establish and maintain a national research infrastructure for creating, testing, and evaluating the next generation of secure networking and information technology systems;

(5) describe how the Program will facilitate access by academic researchers to the infrastructure described in paragraph (4), as well as to relevant data, including event data; and

(6) describe how the Program will engage females and individuals identified in section

33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b) to foster a more diverse workforce in this area.

(c) DEVELOPMENT OF ROADMAP.—The agencies described in subsection (a) shall develop and annually update an implementation roadmap for the strategic plan required in this section. Such roadmap shall—

(1) specify the role of each Federal agency in carrying out or sponsoring research and development to meet the research objectives of the strategic plan, including a description of how progress toward the research objectives will be evaluated;

(2) specify the funding allocated to each major research objective of the strategic plan and the source of funding by agency for the current fiscal year; and

(3) estimate the funding required for each major research objective of the strategic plan for the following 3 fiscal years.

(d) RECOMMENDATIONS.—In developing and updating the strategic plan under subsection (a), the agencies involved shall solicit recommendations and advice from—

(1) the advisory committee established under section 101(b)(1) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(b)(1)); and

(2) a wide range of stakeholders, including industry, academia, including representatives of minority serving institutions and community colleges, National Laboratories, and other relevant organizations and institutions.

(e) APPENDING TO REPORT.—The implementation roadmap required under subsection (c), and its annual updates, shall be appended to the report required under section 101(a)(2)(D) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(2)(D)).

SEC. 104. SOCIAL AND BEHAVIORAL RESEARCH IN CYBERSECURITY.

Section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)) is amended—

(1) by inserting “and usability” after “to the structure”;

(2) in subparagraph (H), by striking “and” after the semicolon;

(3) in subparagraph (I), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following new subparagraph:

“(J) social and behavioral factors, including human-computer interactions, usability, and user motivations.”.

SEC. 105. NATIONAL SCIENCE FOUNDATION CYBERSECURITY RESEARCH AND DEVELOPMENT PROGRAMS.

(a) COMPUTER AND NETWORK SECURITY RESEARCH AREAS.—Section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)) is amended—

(1) in subparagraph (A) by inserting “identity management,” after “cryptography,”; and

(2) in subparagraph (I), by inserting “, crimes against children, and organized crime” after “intellectual property”.

(b) COMPUTER AND NETWORK SECURITY RESEARCH GRANTS.—Section 4(a)(3) of such Act (15 U.S.C. 7403(a)(3)) is amended by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) \$90,000,000 for fiscal year 2013;

“(B) \$90,000,000 for fiscal year 2014; and

“(C) \$90,000,000 for fiscal year 2015.”.

(c) COMPUTER AND NETWORK SECURITY RESEARCH CENTERS.—Section 4(b) of such Act (15 U.S.C. 7403(b)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (C), by striking “and” after the semicolon;

(B) in subparagraph (D), by striking the period and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(E) how the center will partner with government laboratories, for-profit entities, other institutions of higher education, or nonprofit research institutions.”; and

(2) in paragraph (7) by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) \$4,500,000 for fiscal year 2013;

“(B) \$4,500,000 for fiscal year 2014; and

“(C) \$4,500,000 for fiscal year 2015.”.

(d) **COMPUTER AND NETWORK SECURITY CAPACITY BUILDING GRANTS.**—Section 5(a)(6) of such Act (15 U.S.C. 7404(a)(6)) is amended by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) \$19,000,000 for fiscal year 2013;

“(B) \$19,000,000 for fiscal year 2014; and

“(C) \$19,000,000 for fiscal year 2015.”.

(e) **SCIENTIFIC AND ADVANCED TECHNOLOGY ACT GRANTS.**—Section 5(b)(2) of such Act (15 U.S.C. 7404(b)(2)) is amended by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) \$2,500,000 for fiscal year 2013;

“(B) \$2,500,000 for fiscal year 2014; and

“(C) \$2,500,000 for fiscal year 2015.”.

(f) **GRADUATE TRAINEESHIPS IN COMPUTER AND NETWORK SECURITY.**—Section 5(c)(7) of such Act (15 U.S.C. 7404(c)(7)) is amended by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) \$24,000,000 for fiscal year 2013;

“(B) \$24,000,000 for fiscal year 2014; and

“(C) \$24,000,000 for fiscal year 2015.”.

(g) **CYBER SECURITY FACULTY DEVELOPMENT TRAINEESHIP PROGRAM.**—Section 5(e) of such Act (15 U.S.C. 7404(e)) is repealed.

SEC. 106. FEDERAL CYBER SCHOLARSHIP FOR SERVICE PROGRAM.

(a) **IN GENERAL.**—The Director of the National Science Foundation shall continue a Scholarship for Service program under section 5(a) of the Cyber Security Research and Development Act (15 U.S.C. 7404(a)) to recruit and train the next generation of Federal cybersecurity professionals and to increase the capacity of the higher education system to produce an information technology workforce with the skills necessary to enhance the security of the Nation’s communications and information infrastructure.

(b) **CHARACTERISTICS OF PROGRAM.**—The program under this section shall—

(1) provide, through qualified institutions of higher education, scholarships that provide tuition, fees, and a competitive stipend for up to 2 years to students pursuing a bachelor’s or master’s degree and up to 3 years to students pursuing a doctoral degree in a cybersecurity field;

(2) provide the scholarship recipients with summer internship opportunities or other meaningful temporary appointments in the Federal information technology workforce; and

(3) increase the capacity of institutions of higher education throughout all regions of the United States to produce highly qualified cybersecurity professionals, through the award of competitive, merit-reviewed grants that support such activities as—

(A) faculty professional development, including technical, hands-on experiences in the private sector or government, workshops, seminars, conferences, and other professional development opportunities that will result in improved instructional capabilities;

(B) institutional partnerships, including minority serving institutions and community colleges; and

(C) development of cybersecurity-related courses and curricula.

(c) **SCHOLARSHIP REQUIREMENTS.**—

(1) **ELIGIBILITY.**—Scholarships under this section shall be available only to students who—

(A) are citizens or permanent residents of the United States;

(B) are full-time students in an eligible degree program, as determined by the Director, that is focused on computer security or information assurance at an awardee institution; and

(C) accept the terms of a scholarship pursuant to this section.

(2) **SELECTION.**—Individuals shall be selected to receive scholarships primarily on the basis of academic merit, with consideration given to financial need, to the goal of promoting the participation of individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b), and to veterans. For purposes of this paragraph, the term “veteran” means a person who—

(A) served on active duty (other than active duty for training) in the Armed Forces of the United States for a period of more than 180 consecutive days, and who was discharged or released therefrom under conditions other than dishonorable; or

(B) served on active duty (other than active duty for training) in the Armed Forces of the United States and was discharged or released from such service for a service-connected disability before serving 180 consecutive days.

For purposes of subparagraph (B), the term “service-connected” has the meaning given such term under section 101 of title 38, United States Code.

(3) **SERVICE OBLIGATION.**—If an individual receives a scholarship under this section, as a condition of receiving such scholarship, the individual upon completion of their degree must serve as a cybersecurity professional within the Federal workforce for a period of time as provided in paragraph (5). If a scholarship recipient is not offered employment by a Federal agency or a federally funded research and development center, the service requirement can be satisfied at the Director’s discretion by—

(A) serving as a cybersecurity professional in a State, local, or tribal government agency; or

(B) teaching cybersecurity courses at an institution of higher education.

(4) **CONDITIONS OF SUPPORT.**—As a condition of acceptance of a scholarship under this section, a recipient shall agree to provide the awardee institution with annual verifiable documentation of employment and up-to-date contact information.

(5) **LENGTH OF SERVICE.**—The length of service required in exchange for a scholarship under this subsection shall be 1 year more than the number of years for which the scholarship was received.

(d) **FAILURE TO COMPLETE SERVICE OBLIGATION.**—

(1) **GENERAL RULE.**—If an individual who has received a scholarship under this section—

(A) fails to maintain an acceptable level of academic standing in the educational institution in which the individual is enrolled, as determined by the Director;

(B) is dismissed from such educational institution for disciplinary reasons;

(C) withdraws from the program for which the award was made before the completion of such program;

(D) declares that the individual does not intend to fulfill the service obligation under this section; or

(E) fails to fulfill the service obligation of the individual under this section,

such individual shall be liable to the United States as provided in paragraph (3).

(2) **MONITORING COMPLIANCE.**—As a condition of participating in the program, a qualified institution of higher education receiving a grant under this section shall—

(A) enter into an agreement with the Director of the National Science Foundation to monitor the compliance of scholarship recipients with respect to their service obligation; and

(B) provide to the Director, on an annual basis, post-award employment information required under subsection (c)(4) for scholarship recipients through the completion of their service obligation.

(3) **AMOUNT OF REPAYMENT.**—

(A) **LESS THAN ONE YEAR OF SERVICE.**—If a circumstance described in paragraph (1) occurs before the completion of 1 year of a service obligation under this section, the total amount of awards received by the individual under this section shall be repaid or such amount shall be treated as a loan to be repaid in accordance with subparagraph (C).

(B) **MORE THAN ONE YEAR OF SERVICE.**—If a circumstance described in subparagraph (D) or (E) of paragraph (1) occurs after the completion of 1 year of a service obligation under this section, the total amount of scholarship awards received by the individual under this section, reduced by the ratio of the number of years of service completed divided by the number of years of service required, shall be repaid or such amount shall be treated as a loan to be repaid in accordance with subparagraph (C).

(C) **REPAYMENTS.**—A loan described in subparagraph (A) or (B) shall be treated as a Federal Direct Unsubsidized Stafford Loan under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a and following), and shall be subject to repayment, together with interest thereon accruing from the date of the scholarship award, in accordance with terms and conditions specified by the Director (in consultation with the Secretary of Education) in regulations promulgated to carry out this paragraph.

(4) **COLLECTION OF REPAYMENT.**—

(A) **IN GENERAL.**—In the event that a scholarship recipient is required to repay the scholarship under this subsection, the institution providing the scholarship shall—

(i) be responsible for determining the repayment amounts and for notifying the recipient and the Director of the amount owed; and

(ii) collect such repayment amount within a period of time as determined under the agreement described in paragraph (2), or the repayment amount shall be treated as a loan in accordance with paragraph (3)(C).

(B) **RETURNED TO TREASURY.**—Except as provided in subparagraph (C) of this paragraph, any such repayment shall be returned to the Treasury of the United States.

(C) **RETAIN PERCENTAGE.**—An institution of higher education may retain a percentage of any repayment the institution collects under this paragraph to defray administrative costs associated with the collection. The Director shall establish a single, fixed percentage that will apply to all eligible entities.

(5) **EXCEPTIONS.**—The Director may provide for the partial or total waiver or suspension of any service or payment obligation by an individual under this section whenever compliance by the individual with the obligation

is impossible or would involve extreme hardship to the individual, or if enforcement of such obligation with respect to the individual would be unconscionable.

(e) **HIRING AUTHORITY.**—For purposes of any law or regulation governing the appointment of individuals in the Federal civil service, upon successful completion of their degree, students receiving a scholarship under this section shall be hired under the authority provided for in section 213.3102(r) of title 5, Code of Federal Regulations, and be exempted from competitive service. Upon fulfillment of the service term, such individuals shall be converted to a competitive service position without competition if the individual meets the requirements for that position.

SEC. 107. CYBERSECURITY WORKFORCE ASSESSMENT.

Not later than 180 days after the date of enactment of this Act the President shall transmit to the Congress a report addressing the cybersecurity workforce needs of the Federal Government. The report shall include—

(1) an examination of the current state of and the projected needs of the Federal cybersecurity workforce, including a comparison of the different agencies and departments, and an analysis of the capacity of such agencies and departments to meet those needs;

(2) an analysis of the sources and availability of cybersecurity talent, a comparison of the skills and expertise sought by the Federal Government and the private sector, an examination of the current and future capacity of United States institutions of higher education, including community colleges, to provide current and future cybersecurity professionals, through education and training activities, with those skills sought by the Federal Government, State and local entities, and the private sector, and a description of how successful programs are engaging the talents of females and individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b);

(3) an examination of the effectiveness of the National Centers of Academic Excellence in Information Assurance Education, the Centers of Academic Excellence in Research, and the Federal Cyber Scholarship for Service programs in promoting higher education and research in cybersecurity and information assurance and in producing a growing number of professionals with the necessary cybersecurity and information assurance expertise, including individuals from States or regions in which the unemployment rate exceeds the national average;

(4) an analysis of any barriers to the Federal Government recruiting and hiring cybersecurity talent, including barriers relating to compensation, the hiring process, job classification, and hiring flexibilities; and

(5) recommendations for Federal policies to ensure an adequate, well-trained Federal cybersecurity workforce.

SEC. 108. CYBERSECURITY UNIVERSITY-INDUSTRY TASK FORCE.

(a) **ESTABLISHMENT OF UNIVERSITY-INDUSTRY TASK FORCE.**—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall convene a task force to explore mechanisms for carrying out collaborative research, development, education, and training activities for cybersecurity through a consortium or other appropriate entity with participants from institutions of higher education and industry.

(b) **FUNCTIONS.**—The task force shall—

(1) develop options for a collaborative model and an organizational structure for such entity under which the joint research and development activities could be planned, managed, and conducted effectively, including mechanisms for the allocation of resources among the participants in such entity for support of such activities;

(2) propose a process for developing a research and development agenda for such entity, including guidelines to ensure an appropriate scope of work focused on nationally significant challenges and requiring collaboration;

(3) define the roles and responsibilities for the participants from institutions of higher education and industry in such entity;

(4) propose guidelines for assigning intellectual property rights and for the transfer of research and development results to the private sector; and

(5) make recommendations for how such entity could be funded from Federal, State, and nongovernmental sources.

(c) **COMPOSITION.**—In establishing the task force under subsection (a), the Director of the Office of Science and Technology Policy shall appoint an equal number of individuals from institutions of higher education, including minority-serving institutions and community colleges, and from industry with knowledge and expertise in cybersecurity.

(d) **REPORT.**—Not later than 12 months after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall transmit to the Congress a report describing the findings and recommendations of the task force.

(e) **TERMINATION.**—The task force shall terminate upon transmittal of the report required under subsection (d).

(f) **COMPENSATION AND EXPENSES.**—Members of the task force shall serve without compensation.

SEC. 109. CYBERSECURITY AUTOMATION AND CHECKLISTS FOR GOVERNMENT SYSTEMS.

Section 8(c) of the Cyber Security Research and Development Act (15 U.S.C. 7406(c)) is amended to read as follows:

“(c) **SECURITY AUTOMATION AND CHECKLISTS FOR GOVERNMENT SYSTEMS.**—

“(1) **IN GENERAL.**—The Director of the National Institute of Standards and Technology shall develop, and revise as necessary, security automation standards, associated reference materials (including protocols), and checklists providing settings and option selections that minimize the security risks associated with each information technology hardware or software system and security tool that is, or is likely to become, widely used within the Federal Government in order to enable standardized and interoperable technologies, architectures, and frameworks for continuous monitoring of information security within the Federal Government.

“(2) **PRIORITIES FOR DEVELOPMENT.**—The Director of the National Institute of Standards and Technology shall establish priorities for the development of standards, reference materials, and checklists under this subsection on the basis of—

“(A) the security risks associated with the use of the system;

“(B) the number of agencies that use a particular system or security tool;

“(C) the usefulness of the standards, reference materials, or checklists to Federal agencies that are users or potential users of the system;

“(D) the effectiveness of the associated standard, reference material, or checklist in creating or enabling continuous monitoring of information security; or

“(E) such other factors as the Director of the National Institute of Standards and Technology determines to be appropriate.

“(3) **EXCLUDED SYSTEMS.**—The Director of the National Institute of Standards and Technology may exclude from the application of paragraph (1) any information technology hardware or software system or security tool for which such Director determines that the development of a standard, reference material, or checklist is inappropriate because of the infrequency of use of the system, the obsolescence of the system, or the inutility or impracticability of developing a standard, reference material, or checklist for the system.

“(4) **DISSEMINATION OF STANDARDS AND RELATED MATERIALS.**—The Director of the National Institute of Standards and Technology shall ensure that Federal agencies are informed of the availability of any standard, reference material, checklist, or other item developed under this subsection.

“(5) **AGENCY USE REQUIREMENTS.**—The development of standards, reference materials, and checklists under paragraph (1) for an information technology hardware or software system or tool does not—

“(A) require any Federal agency to select the specific settings or options recommended by the standard, reference material, or checklist for the system;

“(B) establish conditions or prerequisites for Federal agency procurement or deployment of any such system;

“(C) imply an endorsement of any such system by the Director of the National Institute of Standards and Technology; or

“(D) preclude any Federal agency from procuring or deploying other information technology hardware or software systems for which no such standard, reference material, or checklist has been developed or identified under paragraph (1).”

SEC. 110. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY CYBERSECURITY RESEARCH AND DEVELOPMENT.

Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) is amended by redesignating subsection (e) as subsection (f), and by inserting after subsection (d) the following:

“(e) **INTRAMURAL SECURITY RESEARCH.**—As part of the research activities conducted in accordance with subsection (d)(3), the Institute shall—

“(1) conduct a research program to develop a unifying and standardized identity, privilege, and access control management framework for the execution of a wide variety of resource protection policies and that is amenable to implementation within a wide variety of existing and emerging computing environments;

“(2) carry out research associated with improving the security of information systems and networks;

“(3) carry out research associated with improving the testing, measurement, usability, and assurance of information systems and networks; and

“(4) carry out research associated with improving security of industrial control systems.”

TITLE II—ADVANCEMENT OF CYBERSECURITY TECHNICAL STANDARDS

SEC. 201. DEFINITIONS.

In this title:

(1) **DIRECTOR.**—The term “Director” means the Director of the National Institute of Standards and Technology.

(2) **INSTITUTE.**—The term “Institute” means the National Institute of Standards and Technology.

SEC. 202. INTERNATIONAL CYBERSECURITY TECHNICAL STANDARDS.

(a) IN GENERAL.—The Director, in coordination with appropriate Federal authorities, shall—

(1) as appropriate, ensure coordination of Federal agencies engaged in the development of international technical standards related to information system security; and

(2) not later than 1 year after the date of enactment of this Act, develop and transmit to the Congress a plan for ensuring such Federal agency coordination.

(b) CONSULTATION WITH THE PRIVATE SECTOR.—In carrying out the activities specified in subsection (a)(1), the Director shall ensure consultation with appropriate private sector stakeholders.

SEC. 203. CLOUD COMPUTING STRATEGY.

(a) IN GENERAL.—The Director, in collaboration with the Federal CIO Council, and in consultation with other relevant Federal agencies and stakeholders from the private sector, shall continue to develop and encourage the implementation of a comprehensive strategy for the use and adoption of cloud computing services by the Federal Government.

(b) ACTIVITIES.—In carrying out the strategy developed under subsection (a), the Director shall give consideration to activities that—

(1) accelerate the development, in collaboration with the private sector, of standards that address interoperability and portability of cloud computing services;

(2) advance the development of conformance testing performed by the private sector in support of cloud computing standardization; and

(3) support, in consultation with the private sector, the development of appropriate security frameworks and reference materials, and the identification of best practices, for use by Federal agencies to address security and privacy requirements to enable the use and adoption of cloud computing services, including activities—

(A) to ensure the physical security of cloud computing data centers and the data stored in such centers;

(B) to ensure secure access to the data stored in cloud computing data centers;

(C) to develop security standards as required under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3); and

(D) to support the development of the automation of continuous monitoring systems.

SEC. 204. PROMOTING CYBERSECURITY AWARENESS AND EDUCATION.

(a) PROGRAM.—The Director, in collaboration with relevant Federal agencies, industry, educational institutions, National Laboratories, the National Coordination Office of the Networking and Information Technology Research and Development program, and other organizations, shall continue to coordinate a cybersecurity awareness and education program to increase knowledge, skills, and awareness of cybersecurity risks, consequences, and best practices through—

(1) the widespread dissemination of cybersecurity technical standards and best practices identified by the Institute;

(2) efforts to make cybersecurity best practices usable by individuals, small to medium-sized businesses, State, local, and tribal governments, and educational institutions; and

(3) efforts to attract, recruit, and retain qualified professionals to the Federal cybersecurity workforce.

(b) STRATEGIC PLAN.—The Director shall, in cooperation with relevant Federal agen-

cies and other stakeholders, develop and implement a strategic plan to guide Federal programs and activities in support of a comprehensive cybersecurity awareness and education program as described under subsection (a).

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act and every 5 years thereafter, the Director shall transmit the strategic plan required under subsection (b) to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 205. IDENTITY MANAGEMENT RESEARCH AND DEVELOPMENT.

The Director shall continue a program to support the development of technical standards, metrology, testbeds, and conformance criteria, taking into account appropriate user concerns, to—

(1) improve interoperability among identity management technologies;

(2) strengthen authentication methods of identity management systems;

(3) improve privacy protection in identity management systems, including health information technology systems, through authentication and security protocols; and

(4) improve the usability of identity management systems.

SEC. 206. AUTHORIZATIONS.

No additional funds are authorized to carry out this title and the amendments made by this title or to carry out the amendments made by sections 109 and 110 of this Act. This title and the amendments made by this title and the amendments made by sections 109 and 110 of this Act shall be carried out using amounts otherwise authorized or appropriated.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MCCAUL) and the gentleman from Illinois (Mr. LIPINSKI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. MCCAUL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on this bill, as amended, now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MCCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today Congress has a historic opportunity to lay the groundwork to defend our Nation against cyberattacks. We're not just talking about mischievous online activity, but actions that could bring America to its knees.

Unfortunately, this is not science fiction. America is under attack, not by armies advancing on our beaches or planes overhead, but in the virtual world, where those who intend to do us harm have already penetrated our Federal and private computer networks and continue to plot relentlessly to bring down our critical infrastructure. Our water supply, nuclear facilities, air

traffic control systems, electrical grid, and defense and banking systems are all vulnerable to a crippling attack.

General Keith Alexander, Director of the National Security Agency, said it is not a matter of if, but when a cyber Pearl Harbor occurs. We are just simply fortunate that a computer-based attack has not brought physical harm to Americans, but that is not for a lack of trying.

China has already successfully stolen some of our biggest military secrets, such as information about the F-35 Joint Strike Fighter, the Department of Defense's biggest weapons program ever. Now they know the program well enough not only to copy it, but to guard against it. Similar attacks continue unabated on our military's computer systems. Hackers trick soldiers into downloading viruses onto their computers, after which every keystroke is recorded. Mr. Speaker, our military secrets are being stolen every day.

Imagine if agents of a foreign government were breaking into the Pentagon and stealing top secret documents, paper files. It would not be tolerated. It would be all over the front page of The Washington Post. And yet in the virtual world, that is occurring. In fact, the October 2011 Report to Congress on Foreign Economic Collection and Industrial Espionage states it is part of China and Russia's national policy to try to identify and take sensitive technology which they need for their own development. In fact, they train and have a cyberwarfare college.

The degradation of our national security and intellectual property from cybertheft threatens to weaken us where we have historically been strong. The NSA calculates that Russia and China have stolen \$1 trillion in American intellectual property, the biggest transfer of wealth in history. Their philosophy is: Why invent when you can steal it?

Besides nation-states, there are groups such as Anonymous, LulzSec, and AntiSec who indulge in nonstate "hactivism." Their agenda is to bully, embarrass, and steal from those that they disagree with philosophically or politically. They think nothing of closing down Web sites, hacking into email and voice mail, and taking sensitive information from those who don't do their bidding.

There has been a lot of hard work going into this Cyberweek and a lot of thought to find solutions. As cochair of the Center for Strategic and International Studies Commission on Cybersecurity for the 44th President, I helped draft recommendations for securing the country's government networks and critical infrastructures.

□ 0920

As a member of the Speaker's Cyber Task Force and chairman of the House

Cybersecurity Caucus, I helped present those recommendations to Congress in the legislation we have seen this week. The historic legislation the House votes on this week incorporates many of these recommendations.

This bill, the Cybersecurity Enhancement Act, gives the National Institute of Standards and Technology the authority to set security standards for Federal computer systems and develop checklists for agencies to follow.

Why is that important?

It hardens our Federal networks. Every Federal agency has been hacked into by agents of a foreign power, by activists. Every Federal agency, including the Pentagon, has been hacked into. This bill will harden those Federal networks and make them less vulnerable to such an attack.

It also creates a Federal/university/private sector task force to coordinate research and development. It establishes cybersecurity research and development grant programs and improves the quality of our cyber workforce by creating a scholarship program.

Importantly, it creates an education and awareness program for computer hygiene. When you talk to the NSA, they tell you that computer hygiene accounts for the majority of cyberattacks. This would remedy the majority of vulnerabilities that we face.

And finally, it sets forth procurement standards for hardware and software that will minimize security risks. This will also have a ripple effect in the private sector so that they will also adopt such procurement standards.

Other legislation we saw that passed yesterday facilitates the sharing of threat information between the public and private sector, which controls most of our critical infrastructure. While it's not part of this bill, I think it's important to make the analogy that what we did yesterday was simply allow the Federal Government to share signature threat information with the private sector, similar to a police officer sharing with a homeowner a threat that they see of someone breaking into their house and then telling them how they can better protect their house and lock the door without the door being opened.

These commonsense reforms are a baseline of what we need to secure our infrastructure. We must take action before life is lost and our economy and defenses have been weakened to the point of damaging our country.

One of the biggest failures after 9/11 was the knowledge that the attacks could have possibly been prevented with better intelligence information-sharing and protective measures. There was also a lack of imagination.

And while we can't change the past, we can use it as a lesson, as we go for-

ward in our modern cyberworld, a world in which our water supply, defense systems, nuclear power plants, electrical grid, banking systems, FAA, and other critical infrastructures are vulnerable to cyberthieves, -attacks, and -terrorists.

We know what has to be done. Mr. Speaker, the time to act is now.

With that, I reserve the balance of my time.

Mr. LIPINSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2096, the Cybersecurity Enhancement Act. I'd like to first thank my colleague, Mr. MCCAUL, for his hard work on this critical piece of national cybersecurity policy.

As cofounder of the House Cybersecurity Caucus, Mr. MCCAUL has played a key role in this policy area that is becoming increasingly important to our Nation. Our work together on this legislation, which began last Congress, demonstrates that this bill is good, bipartisan public policy that should once again receive overwhelming support in this House.

In 2009, the President called for a comprehensive 60-day review of U.S. cyberspace policy. That call and the subsequent expert recommendations contained in the report led to a series of hearings on cybersecurity R&D and resulted in the Cybersecurity Enhancement Act of 2010, which I sponsored and worked on with Mr. MCCAUL in the Science and Technology Committee in the last Congress. That bill passed this Chamber by a vote of 422-5. Unfortunately, it was not taken up by the Senate.

Since that time, cyberthreats have only increased. So last May, Mr. MCCAUL and I introduced this bill once again to address the pressing education, research, and development and standards and practices aspects of cybersecurity.

In America, every individual and every organization, including the Federal Government, is vulnerable to cybercrime. Our most sensitive data are stored on computers, and around the world there are countless individuals, groups, and nations relentlessly focused on exploiting gaps in our cybersecurity system.

The Federal Trade Commission estimates that identity theft costs consumers about \$50 billion annually. The Department of Commerce was targeted this month in a cyberattack that required the Economic Development Administration to completely unplug from the network. And just yesterday, the Homeland Security Committee heard from witnesses about Iran's development of a cyberarmy.

Cybercrime evolves as quickly as technology itself. Thus, it will take a collective effort by the Federal Government, the private sector, our scientists and engineers, and every Amer-

ican to defeat it. And H.R. 2096 will help to do this.

The first step is education. This bill builds on existing partnerships, such as the NSF-sponsored Center for Systems Security and Information Assurance at Moraine Valley Community College in Palos Hills, Illinois. This community college has trained hundreds of teachers and college faculty in cybersecurity-related areas since 2003, individuals who are now teaching at colleges and technical training programs nationwide.

H.R. 2096 also provides scholarships for students pursuing degrees in cybersecurity in exchange for their service in the Federal IT workforce. This approach not only provides for the immediate workforce needs of the Federal Government, but it also builds a pipeline for private industry.

Now, in addition to a skilled IT workforce, our Nation also needs advances in basic R&D. Cyberthreats are constantly evolving, and cybersecurity must reflect the comprehensive efforts that build towards a more secure foundation in the short and long terms.

So this legislation requires relevant Federal agencies to work with the National Science and Technology Council to develop a national strategic plan for cybersecurity R&D that sets priorities based on risk assessments, focuses on transformational technology, and strengthens technology transfer programs. It will build on infrastructure that we need to get the best ideas out of the lab and into the marketplace. And because people are perhaps the weakest link in many IT systems, the research strategy will include the social sciences to help us better understand how humans interact with technology.

Promoting public awareness of good computer hygiene can go a long way to protecting our systems. The dissemination of simple concepts, such as installing antivirus software and not opening emails from unknown sources, can go a long way in reducing the threat of cybercrime.

The legislation also calls on the National Institute of Standards and Technology to be a leader in both domestic and international cybersecurity standards. As Mr. MCCAUL said, H.R. 2096 tasks NIST with developing a comprehensive international cybersecurity strategy that defines what working and IT technical standards we need, determines where they're being developed, and ensures the United States is represented.

Finally, in recognition of the Federal Government's increasing effort to utilize remote data centers, known as cloud computing, in this Congress, I worked to add language so that the bill now directs NIST to work with other agencies and with experts in the private sector to ensure the consistent

and secure standards on cloud computing are put in place across the Federal Government. As cloud computing is used more and more by the Federal Government, we must make sure that this data is safe.

Mr. Speaker, this bill is a necessary and vitally important step toward securing our public, private, and personal IT systems. It is a good bipartisan bill, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HALL), my good friend and colleague, the chairman of the Science and Technology Committee.

□ 0930

Mr. HALL. I want to thank my fellow Texas Representative, MICHAEL MCCAUL, for his very capable leadership, for his wonderful opening statement. It allows me to spend less time. He has knowledge of cybersecurity issues that is a very important asset to this Congress and is a benefit to the Nation, and I'm pleased to join him as a cosponsor of H.R. 2096, the Cybersecurity Enhancement Act of 2012. As he stated so eloquently, as our reliance on information technology expands, so do our vulnerabilities.

Protecting the Nation's cyber-infrastructure is a responsibility shared by a number of different Federal agencies, including the National Science Foundation and the National Institute of Standards and Technology.

H.R. 2096 primarily addresses important cybersecurity research and development efforts conducted at or led by these agencies. It reauthorizes existing but expired research and education programs at NSF while eliminating two unnecessary programs and enhances scholarships to increase the size and skills of the Federal cybersecurity workforce.

It strengthens the cybersecurity R&D standards, development and coordination, and education and awareness at NIST; and it provides for strategic planning for cybersecurity R&D across the Federal Government. This is a good, fiscally responsible bill that enjoys broad bipartisan support.

It represents a modest but critical piece of Congress' overall efforts to address the comprehensive cybersecurity needs of the United States.

This bill has the support of numerous organizations, including the U.S. Chamber of Commerce, which calls H.R. 2096

an important step toward improving Federal cybersecurity R&D activities to improve the security, reliability, and resilience of America's digital infrastructure in partnership with industry.

I support the passage of H.R. 2096 and encourage my colleagues to do the same.

Mr. LIPINSKI. I'd like to yield to the gentleman from Rhode Island (Mr. LANGEVIN) 5 minutes.

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Speaker, I'm pleased to rise today in strong support of the Cybersecurity Enhancement Act offered by my good friend and colleague, the cochair of the Cybersecurity Caucus, Mr. MCCAUL. The gentleman and I have been at this issue for several years now; and when we first began the effort back in '06 or '07, I think for the most part most people, when we talked about cybersecurity, it was, cyber what? Oh, how things have changed.

I think we certainly, collectively, between him and I and many others, have raised the awareness of this issue, its importance, and the challenges that we face in securing our Nation in cyberspace, and I deeply am grateful for his efforts.

It is impossible to overstate the importance of the cyberdomain to our national security, our infrastructure, and our economic competitiveness. Clearly, we all recognize how much we use the Internet every day in our daily lives, whether it's for commerce or communication, social networking, or national security issues. It really has become a part of our daily lives. But in securing the cyberdomain, we also face immense challenges.

Cyberthreats are clearly growing more numerous, sophisticated, and successful. We all know of someone who perhaps has had their bank accounts hacked and had money stolen or their identity stolen or their credit card number or Social Security number stolen because of a cyberattack on a company or government institution. We also have heard of numerous attacks, and we see them daily in the area of cyber-espionage, and the gentleman from Texas did a great job in outlining some of the specific challenges.

The F-35 is one case in particular that comes to mind. There are billions of dollars in R&D that is stolen on a daily or weekly basis by our adversaries; and, of course, we have heard and have documented numerous issues of cyberattacks. Thankfully, nothing major yet in this country. But as General Alexander, the Director of the NSA, has outlined, these days perhaps would come and we need to do all we can to avoid them.

Well-intentioned technological changes that create great efficiencies through automation and advanced management techniques, of course, can leave us even more vulnerable to cyber-exploitation.

Clearly, these efficiencies that have been brought through automation have helped us to be much more efficient; but as the test from Idaho National Labs, which showed how easy it would be to conduct a "skater attack" that penetrated systems that are government safety systems. Pumps and valves and generators could easily be penetrated and cause that generator to blow itself

up. So these things can happen, and we need to do all we can to avoid them. Make sure that that day never comes.

Now, obviously, we have to tap into our creative and innovative spirit to address today's challenges and position ourselves to be agile in the face of tomorrow's threats.

I'm pleased that this bill helps us to make this need a reality by strengthening the coordination and cooperation among the various cyber-research and development efforts across the Federal Government.

The fruits of that research will be critical to our Nation's future defense and the cyberdomain.

Additionally, I'm pleased to highlight that this bill enhances programs that increase the size and skills of our Nation's cybersecurity workforce. Now, we have obviously a critical shortage of qualified cyber-experts, and we need to address that need. The director of the CIA's Clandestine Information Technology Office estimates that we only have about a thousand people that can operate in the country at world-class levels in cyberspace, and what he says is we need somewhere between 20,000 and 30,000 people.

We all heard about the skills gap that we face in this country where, in particular, high-tech companies are having a real difficult time finding qualified workers to fill those jobs of the 21st century. We need to do better in closing our skills gap.

To this end, last year the National Defense Authorization Act commissioned a study that the Pentagon had to conduct to determine its cybersecurity needs and give them a better situation awareness about who they have with those capabilities and what their needs will be both now and in the future. It was a successful study, and the Pentagon is putting that plan and that information into action to close that gap.

And at the high school level in Rhode Island and in several of the other States, we, working with the Sands Institute, created the cyberchallenge. We need to focus on our young people and get them focused on a potential career in cybersecurity, and that program has been incredibly successful.

So in closing that gap and developing a cyberworkforce, this legislation is an important step in that effort. So I want to thank the gentleman from Texas for his leadership on this issue, and I'm pleased to support this bipartisan legislation.

Mr. MCCAUL. Let me just as a point of personal privilege say and give my thanks to the gentleman from Rhode Island (Mr. LANGEVIN), my good friend, colleague, cochair of the Cybersecurity Caucus, for your vision, your leadership on this very, very important issue. As you know and I know, we were very into this issue of cybersecurity 6 years ago, before it was really cool to be into

cybersecurity. So thank you so much for your leadership.

With that, Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. THORNBERRY), my good friend and colleague and also the chairman of the Speaker's Cybersecurity Caucus.

Mr. THORNBERRY. I thank the gentleman for yielding, and I appreciate the chairman of the Science Committee, Mr. HALL, and the ranking member, Ms. JOHNSON, for bringing this bill and the next bill to the floor. This will mean the House will have passed four bills this week related to cybersecurity, taking important steps in the right direction.

I particularly appreciate the work of the gentleman from Texas, Mr. MCCAUL, and Mr. LIPINSKI for bringing this bill to the floor. As they have said, they've been working on it for a while, and I appreciate their persistence and also the substance of the bill.

Of course, the gentleman from Texas, Mr. MCCAUL, as you've heard, has been working in this area for a number of years, and the study that he cochaired with Mr. LANGEVIN with the CSIS Commission on Cybersecurity remains one of the leading studies in this field.

Mr. Speaker, this bill is important. You've heard about the education and awareness. It also helps make sure that the research and development is coordinated so that we don't duplicate within the Federal Government, but also that it is complementary to what the private sector is doing.

□ 0940

I think it's important to emphasize that the answer to cybersecurity is not a government program; it is our people and innovation. That is really the key. So others may steal information from us—they may even copy some of the things they steal—but what they can't do is produce the sort of innovation and new approaches that are absolutely essential to our future. That's part of the reason this bill is important. It's part of the reason we have to be careful about new regulations and other things that some people want to do because nurturing the innovation that comes from this country, from the private sector and the government, is absolutely essential to our future.

So I appreciate all of the work that the gentleman from Texas and others have done, not only on this bill but in the larger scheme of things, as it cuts across a number of committees, and it takes our country a few steps in the right direction. But it's important that we take those steps for our future security.

Mr. LIPINSKI. Mr. Speaker, I yield such time as she may consume to the gentlelady from Texas, the ranking member of the committee, Ms. JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Let me express my appreciation

to the leaders of this bill. This is a good bipartisan bill, and it is nearly identical to the legislation that passed the House by an overwhelming majority in the last Congress. I would like to certainly cite Mr. LIPINSKI and Mr. MCCAUL for their leadership and work on this bill.

The Internet—and our access to the Internet through computers, tablets, smartphones, et cetera—has greatly increased our productivity and connectivity. Unfortunately, this connectivity and the dependence of our infrastructure, our commerce, and a great deal of our day-to-day lives on information technologies have increased our vulnerability to cyberattack. For example, you may recall last year, the networks of 48 companies were penetrated for at least 6 months by a hacker who was looking for intellectual property to steal, and it was reported that the personal information of nearly 80 million video game users was compromised.

So we need to do what we can to help ensure that these sorts of intrusions are minimized. To do this, we need to build strong partnerships between our Federal agencies, businesses, non-governmental organizations, and educational institutions.

I am pleased that H.R. 2096 strengthens the public-private partnerships, guarantees a proactive and comprehensive Federal cybersecurity R&D portfolio, trains the next generation of cybersecurity professionals, and ensures the development of robust cybersecurity technical standards. These activities are essential to our efforts to advance the security of our current information and communication systems and to build future systems that are more secure from the outset.

I would simply close by saying thank you to Mr. MCCAUL and to Mr. LIPINSKI. I hope that we get this bill passed.

Both of the agencies covered in H.R. 2096, the National Science Foundation and the National Institute of Standards and Technology, play an important and unique role in the Federal effort to secure cyberspace.

While I support the passage of H.R. 2096, I would be remiss if I did not take this opportunity to express some disappointment over the language in H.R. 2096 that authorizes a cybersecurity awareness and education program at NIST.

During Committee consideration of H.R. 2096, I offered an amendment to ensure that the education and awareness activities authorized by the bill accurately represent NIST's current role as the coordinator of the National Initiative for Cybersecurity Education, or NICE.

I was pleased that my Republican colleagues offered to work with me to address this concern. However, the language in the bill we are considering today still falls short and fails to accurately reflect these activities.

NICE, under NIST's leadership, is playing an important and critical role in improving cybersecurity education in this country. Unfortunately, my Republican colleagues were resist-

ant to language that specifically addressed NICE's role in formal cybersecurity education.

I believe that this is a regrettable omission and that we missed an opportunity to ensure that the initiative focuses sufficient attention on developing the next generation of cybersecurity professionals. I hope that this shortcoming can be addressed as the bill moves to the Senate.

President Obama has stated that cyber threats are "one of the most serious economic and national security challenges we face as a nation" and that cutting edge research and development and a commitment to science and math education are central to securing America's information and communication networks. I couldn't agree more.

H.R. 2096 will help to advance these important goals and improve the Nation's resiliency to cyber attack.

I'd like to take a moment to thank both the Majority and Minority staff for their work on this bill, and in particular thank Marcy Gallo on my staff for her hard work. I urge my colleagues to support this important legislation.

Mr. MCCAUL. Mr. Speaker, does the gentleman from Illinois have any additional speakers?

Mr. LIPINSKI. Just myself. I am ready to close.

Mr. MCCAUL. Then I reserve the balance of my time.

Mr. LIPINSKI. Mr. Speaker, I want to thank Mr. LANGEVIN, the other co-chair of the Cybersecurity Caucus, for all of his work. I want to thank Ranking Member JOHNSON for her work, Chairman HALL, and especially Mr. MCCAUL for coming together on this bill.

We started this in the last Congress. Hopefully, we will get it finished in this Congress. We know that cyberthreats are everywhere—from cyberarmies that are threatening our Nation to cybercrime that threatens the financial security of all Americans. This bill addresses three key pieces of protecting our Nation: improving education, R&D, and the development of standards. All of these are key pieces we have to continue to develop as the threats develop, and this will help us to do that.

So I want to urge my colleagues to vote for this bill, and I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield myself such time as I may consume.

Let me first recognize Mr. LIPINSKI for his excellent leadership. We've been pushing this bill. It's the second Congress in which we've pushed it. I certainly hope that this time it goes to the Senate and gets signed into law.

Mr. LIPINSKI, you've been a real leader on cybersecurity. It has been an honor to serve with you on the Science and Technology Committee together. Let me, again, thank you for all of your great efforts.

At a time of intense partisanship, when there is so much acrimony on both sides of the aisle, it is refreshing to see a moment when we can come together as Americans first, regardless of

party affiliation, and do something that's right. Cybersecurity is in the best interest of the Nation. Defending the United States is a fundamental element under the Constitution. So, for me, personally, to see us come together like we have today is a very refreshing thing.

My father flew in a B-17 over Europe in 35 bombing missions. He was a bombardier. At that time, the state of warfare was very kinetic. They handed down a better country to this generation, but we're faced with a new threat. They're not bombs of his era, of his day, but, rather, digital bombs that can be dropped at any time and that have dropped on this government—on the Federal Government—and on our private sector. Bombs that have stolen trillions of dollars of intellectual property. Bombs that have committed espionage and stolen our military secrets. And bombs that could be conducted in a cyberwarfare attack.

I think the thing that keeps me up most at night is the idea of cyberwarfare, because we know what our offensive capability is. We know what we can do and conduct as a Nation against another nation. That technology in the wrong hands, in a country's like Iran, can cause great devastation against the interests of the United States, can bring down power grids, can bring down financial institutions. Every critical infrastructure tied to the Internet is vulnerable to this type of attack. So I believe that this legislation will protect this Nation from such attacks.

We all came up here to serve, not for ego, not for title but, at the end of the day, to make a difference, to make a fundamental difference in the lives of Americans. So I believe a moment like this is a great moment in which we can reflect back on later in our lives and think, you know, I made a difference. This bill protects Americans and future generations.

Let me thank all of those who have been involved in this critical legislation and, particularly, Mr. LIPINSKI for your patriotism to this country and for what you've done in getting this to move forward.

With that, Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 2096, the "Cybersecurity Enhancement Act." The bill would reauthorize several National Science Foundation (NSF) programs that aim to enhance cybersecurity. In addition, it would require the National Institute of Standards and Technology (NIST) to continue a cybersecurity awareness program and to develop standards for managing personal identifying information stored on computer systems. Further, it would establish a task force which would recommend actions to improve our Nation's cybersecurity.

Cyberspace can easily be considered the nervous system—the control system of our country. Cyberspace is composed of hundreds

of thousands of interconnected computers, servers, routers, switches, and fiber optic cables that allow our critical infrastructures to work. Thus, the healthy functioning of cyberspace is essential to our economy and our national security.

This issue is not new to me nor to any other Member of Congress. As a senior Member of the Judiciary Committee I have faced the problems which arise when there are breaches and how best to protect our system in both the Crime and Intellectual Property Subcommittees.

As a senior Member of the Homeland Security Committee, I am deeply concerned about vulnerabilities in our cyber security protection. For the last few years, threats originating in cyberspace have risen dramatically. The policy of the United States has been to protect against the debilitating disruption of the operation of information systems for critical infrastructures and, thereby, help to protect the people, economy, and national security of the United States.

I realize that we must act in advance to reduce all of our vulnerabilities to these types of threats, in order to prevent any damage to the cyber systems supporting our Nation's critical infrastructures.

According to the Government Accountability Office (GAO) the threat posed by cyber attacks is heightened by vulnerabilities in federal systems and systems supporting critical infrastructure. Specifically, significant weaknesses in information security controls continue to threaten the confidentiality, integrity, and availability of critical information and information systems supporting the operations, assets, and personnel of Federal Government agencies.

For example, 18 of 24 major Federal agencies have reported inadequate information security controls for financial reporting for fiscal year 2011, and inspectors general at 22 of these agencies identified information security as a major management challenge for their agency.

Moreover, GAO, agency, and inspector general assessments of information security controls during fiscal year 2011 revealed that most major agencies had weaknesses in most major categories of information system controls. These and similar weaknesses can be exploited by threat actors, with potentially severe effects.

In addition, the number of cybersecurity incidents reported by Federal agencies continues to rise, and recent incidents illustrate that these pose serious risk. Over the past 6 years, the number of incidents reported by Federal agencies to the Federal information security incident center has increased by nearly 680 percent.

These incidents include unauthorized access to systems; improper use of computing resources; and the installation of malicious software, among others.

Reported attacks and unintentional incidents involving Federal, private, and infrastructure systems demonstrate that the impact of a serious attack could be significant, including loss of personal or sensitive information, disruption or destruction of critical infrastructure, and damage to national and economic security.

Federal agencies are facing a set of emerging cybersecurity threats that are the result of

increasingly sophisticated methods of attack and the blending of once distinct types of attack into more complex and damaging forms. Examples of these threats include spam (unsolicited commercial e-mail), phishing (fraudulent messages to obtain personal or sensitive data), and spyware (software that monitors user activity without user knowledge or consent).

Cyber attacks are analogous to guerilla warfare. Attribution of an attack to a specific source or entity is a significant challenge in cyberspace because the Internet was built on an open, anonymous platform. This architecture permits the original source of an attack to be easily masked. While an attack may be traced to a specific country, this does not necessarily mean that the government of that country is behind the attacks. Moreover, because of the near universal access to the Internet, disruptive activity can come from individual actors located in any corner of the globe.

In February 2009, the Director of National Intelligence testified that foreign nations and criminals have targeted government and private sector networks to gain a competitive advantage and potentially disrupt or destroy them, and that terrorist groups have expressed a desire to use cyberattacks as a means to target the United States.

The Federal Bureau of Investigation has identified multiple sources of threats to our Nation's critical information systems, including foreign nations engaged in espionage and information warfare, domestic criminals, hackers, virus writers, and disgruntled employees and contractors working within an organization.

For these reasons and more, I support this bipartisan legislation. We must continue to support the research and development of technology that will help to combat threats to our cybersecurity. It is also essential to train and develop the professionals who are able to continue with the implementation of countermeasures and are the future of R&D.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. McCAUL) that the House suspend the rules and pass the bill, H.R. 2096, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. McCAUL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 0950

ADVANCING AMERICA'S NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT ACT OF 2012

Mr. HALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3834) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking

and information technology research, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3834

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Advancing America’s Networking and Information Technology Research and Development Act of 2012”.

SEC. 2. PROGRAM PLANNING AND COORDINATION.

(a) **PERIODIC REVIEWS.**—Section 101 of the High-Performance Computing Act of 1991 (15 U.S.C. 5511) is amended by adding at the end the following new subsection:

“(d) **PERIODIC REVIEWS.**—The agencies identified in subsection (a)(3)(B) shall—

“(1) periodically assess the contents and funding levels of the Program Component Areas and restructure the Program when warranted, taking into consideration any relevant recommendations of the advisory committee established under subsection (b); and

“(2) ensure that the Program includes large-scale, long-term, interdisciplinary research and development activities, including activities described in section 104.”.

(b) **DEVELOPMENT OF STRATEGIC PLAN.**—Section 101 of such Act (15 U.S.C. 5511) is amended further by adding after subsection (d), as added by subsection (a) of this Act, the following new subsection:

“(e) **STRATEGIC PLAN.**—

“(1) **IN GENERAL.**—The agencies identified in subsection (a)(3)(B), working through the National Science and Technology Council and with the assistance of the National Coordination Office described under section 102, shall develop, within 12 months after the date of enactment of the Advancing America’s Networking and Information Technology Research and Development Act of 2012, and update every 3 years thereafter, a 5-year strategic plan to guide the activities described under subsection (a)(1).

“(2) **CONTENTS.**—The strategic plan shall specify near-term and long-term objectives for the Program, the anticipated time frame for achieving the near-term objectives, the metrics to be used for assessing progress toward the objectives, and how the Program will—

“(A) foster the transfer of research and development results into new technologies and applications for the benefit of society, including through cooperation and collaborations with networking and information technology research, development, and technology transition initiatives supported by the States;

“(B) encourage and support mechanisms for interdisciplinary research and development in networking and information technology, including through collaborations across agencies, across Program Component Areas, with industry, with Federal laboratories (as defined in section 4 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703)), and with international organizations;

“(C) address long-term challenges of national importance for which solutions require large-scale, long-term, interdisciplinary research and development;

“(D) place emphasis on innovative and high-risk projects having the potential for substantial societal returns on the research investment;

“(E) strengthen all levels of networking and information technology education and training programs to ensure an adequate, well-trained workforce; and

“(F) attract more women and underrepresented minorities to pursue postsecondary degrees in networking and information technology.

“(3) **NATIONAL RESEARCH INFRASTRUCTURE.**—The strategic plan developed in accordance with paragraph (1) shall be accompanied by milestones and roadmaps for establishing and maintaining the national research infrastructure required to support the Program, including the roadmap required by subsection (a)(2)(E).

“(4) **RECOMMENDATIONS.**—The entities involved in developing the strategic plan under paragraph (1) shall take into consideration the recommendations—

“(A) of the advisory committee established under subsection (b); and

“(B) of the stakeholders whose input was solicited by the National Coordination Office, as required under section 102(b)(3).

“(5) **REPORT TO CONGRESS.**—The Director of the National Coordination Office shall transmit the strategic plan required under paragraph (1) to the advisory committee, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives.”.

(c) **ADDITIONAL RESPONSIBILITIES OF DIRECTOR.**—Section 101(a)(2) of such Act (15 U.S.C. 5511(a)(2)) is amended—

(1) in subparagraph (A) by inserting “education,” before “and other activities”; and

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(3) by inserting after subparagraph (D) the following new subparagraph:

“(E) encourage and monitor the efforts of the agencies participating in the Program to allocate the level of resources and management attention necessary to ensure that the strategic plan under subsection (e) is developed and executed effectively and that the objectives of the Program are met;”.

(d) **ADVISORY COMMITTEE.**—Section 101(b)(1) of such Act (15 U.S.C. 5511(b)(1)) is amended—

(1) after the first sentence, by inserting the following: “The co-chairs of the advisory committee shall meet the qualifications of committee membership and may be members of the President’s Council of Advisors on Science and Technology.”; and

(2) in subparagraph (D), by striking “high-performance” and inserting “high-end”.

(e) **REPORT.**—Section 101(a)(3) of such Act (15 U.S.C. 5511(a)(3)) is amended—

(1) in subparagraph (C)—

(A) by striking “is submitted,” and inserting “is submitted, the levels for the previous fiscal year;”;

(B) by striking “each Program Component Area,” and inserting “each Program Component Area and research area supported in accordance with section 104;”;

(2) in subparagraph (D)—

(A) by striking “each Program Component Area,” and inserting “each Program Component Area and research area supported in accordance with section 104;”;

(B) by striking “is submitted,” and inserting “is submitted, the levels for the previous fiscal year;”;

(C) by striking “and” after the semicolon;

(3) by redesignating subparagraph (E) as subparagraph (G); and

(4) by inserting after subparagraph (D) the following new subparagraphs:

“(E) include a description of how the objectives for each Program Component Area, and the objectives for activities that involve multiple Program Component Areas, relate to the objectives of the Program identified in the strategic plan required under subsection (e);

“(F) include—

“(i) a description of the funding required by the National Coordination Office to perform the functions specified under section 102(b) for the next fiscal year by category of activity;

“(ii) a description of the funding required by such Office to perform the functions specified under section 102(b) for the current fiscal year by category of activity; and

“(iii) the amount of funding provided for such Office for the current fiscal year by each agency participating in the Program; and”.

(f) **DEFINITION.**—Section 4 of such Act (15 U.S.C. 5503) is amended—

(1) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph:

“(1) ‘cyber-physical systems’ means physical or engineered systems whose networking and information technology functions and physical elements are deeply integrated and are actively connected to the physical world through sensors, actuators, or other means to perform monitoring and control functions;”;

(3) in paragraph (3), as so redesignated, by striking “high-performance computing” and inserting “networking and information technology”;

(4) in paragraph (4), as so redesignated—

(A) by striking “high-performance computing” and inserting “networking and information technology”; and

(B) by striking “supercomputer” and inserting “high-end computing”;

(5) in paragraph (6), as so redesignated, by striking “network referred to as” and all that follows through the semicolon and inserting “network, including advanced computer networks of Federal agencies and departments;”;

(6) in paragraph (7), as so redesignated, by striking “National High-Performance Computing Program” and inserting “networking and information technology research and development program”.

SEC. 3. LARGE-SCALE RESEARCH IN AREAS OF NATIONAL IMPORTANCE.

Title I of such Act (15 U.S.C. 5511) is amended by adding at the end the following new section:

“SEC. 104. LARGE-SCALE RESEARCH IN AREAS OF NATIONAL IMPORTANCE.

“(a) **IN GENERAL.**—The Program shall encourage agencies identified in section 101(a)(3)(B) to support large-scale, long-term, interdisciplinary research and development activities in networking and information technology directed toward application areas that have the potential for significant contributions to national economic competitiveness and for other significant societal benefits. Such activities, ranging from basic research to the demonstration of technical solutions, shall be designed to advance the development of research discoveries. The advisory committee established under section 101(b) shall make recommendations to the Program for candidate research and development areas for support under this section.

“(b) **CHARACTERISTICS.**—

“(1) **IN GENERAL.**—Research and development activities under this section shall—

“(A) include projects selected on the basis of applications for support through a competitive, merit-based process;

“(B) involve collaborations among researchers in institutions of higher education and industry, and may involve nonprofit research institutions and Federal laboratories, as appropriate;

“(C) when possible, leverage Federal investments through collaboration with related State initiatives; and

“(D) include a plan for fostering the transfer of research discoveries and the results of technology demonstration activities, including from institutions of higher education and Federal laboratories, to industry for commercial development.

“(2) **COST-SHARING.**—In selecting applications for support, the agencies shall give special consideration to projects that include cost sharing from non-Federal sources.

“(3) AGENCY COLLABORATION.—If 2 or more agencies identified in section 101(a)(3)(B), or other appropriate agencies, are working on large-scale research and development activities in the same area of national importance, then such agencies shall strive to collaborate through joint solicitation and selection of applications for support and subsequent funding of projects.”

“(4) INTERDISCIPLINARY RESEARCH CENTERS.—Research and development activities under this section may be supported through interdisciplinary research centers that are organized to investigate basic research questions and carry out technology demonstration activities in areas described in subsection (a). Research may be carried out through existing interdisciplinary centers, including those authorized under section 7024(b)(2) of the America COMPETES Act (Public Law 110-69; 42 U.S.C. 1862o-10).”

SEC. 4. CYBER-PHYSICAL SYSTEMS.

(a) ADDITIONAL PROGRAM CHARACTERISTICS.—Section 101(a)(1) of such Act (15 U.S.C. 5511(a)(1)) is amended—

(1) in subparagraph (H), by striking “and” after the semicolon;

(2) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

“(J) provide for increased understanding of the scientific principles of cyber-physical systems and improve the methods available for the design, development, and operation of cyber-physical systems that are characterized by high reliability, safety, and security; and

“(K) provide for research and development on human-computer interactions, visualization, and big data.”

(b) TASK FORCE.—Title I of such Act (15 U.S.C. 5511) is amended further by adding after section 104, as added by section 3 of this Act, the following new section:

“SEC. 105. UNIVERSITY/INDUSTRY TASK FORCE.

“(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Advancing America’s Networking and Information Technology Research and Development Act of 2012, the Director of the National Coordination Office shall convene a task force to explore mechanisms for carrying out collaborative research and development activities for cyber-physical systems, including the related technologies required to enable these systems, through a consortium or other appropriate entity with participants from institutions of higher education, Federal laboratories, and industry.

“(b) FUNCTIONS.—The task force shall—

“(1) develop options for a collaborative model and an organizational structure for such entity under which the joint research and development activities could be planned, managed, and conducted effectively, including mechanisms for the allocation of resources among the participants in such entity for support of such activities;

“(2) propose a process for developing a research and development agenda for such entity, including guidelines to ensure an appropriate scope of work focused on nationally significant challenges and requiring collaboration and to ensure the development of related scientific and technological milestones;

“(3) define the roles and responsibilities for the participants from institutions of higher education, Federal laboratories, and industry in such entity;

“(4) propose guidelines for assigning intellectual property rights and for the transfer of research results to the private sector; and

“(5) make recommendations for how such entity could be funded from Federal, State, and non-governmental sources.

“(c) COMPOSITION.—In establishing the task force under subsection (a), the Director of the National Coordination Office—

“(1) shall appoint an equal number of individuals with knowledge and expertise in cyber-physical systems from—

“(A) institutions of higher education, including minority-serving institutions and community colleges; and

“(B) industry; and

“(2) may appoint not more than 2 individuals from Federal laboratories.

“(d) REPORT.—Not later than 1 year after the date of enactment of the Advancing America’s Networking and Information Technology Research and Development Act of 2012, the Director of the National Coordination Office shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report describing the findings and recommendations of the task force.

“(e) TERMINATION.—The task force shall terminate upon transmittal of the report required under subsection (d).

“(f) COMPENSATION.—Members of the task force shall serve without compensation.”

SEC. 5. CLOUD COMPUTING SERVICES FOR RESEARCH.

Title I of such Act (15 U.S.C. 5511) is amended further by adding after section 105, as added by section 4(b) of this Act, the following new section:

“SEC. 106. CLOUD COMPUTING SERVICES FOR RESEARCH.

“(a) INTERAGENCY WORKING GROUP.—Not later than 180 days after the date of enactment of the Advancing America’s Networking and Information Technology Research and Development Act of 2012, the Director of the National Coordination Office, working through the National Science and Technology Council, shall convene an interagency working group to examine—

“(1) the research and development needed—

“(A) to enhance the effectiveness and efficiency of cloud computing environments;

“(B) to increase the trustworthiness of cloud applications and infrastructure; and

“(C) to enhance the foundations of cloud architectures, programming models, and interoperability; and

“(2) the potential use of cloud computing for federally-funded science and engineering research, including issues around funding mechanisms and policies for the use of cloud computing services for such research.

“(b) CONSULTATION.—In carrying out the tasks in paragraphs (1) and (2) of subsection (a), the working group shall consult with academia, industry, Federal laboratories, and other relevant organizations and institutions, as appropriate.

“(c) REPORT.—Not later than 1 year after the date of enactment of the Advancing America’s Networking and Information Technology Research and Development Act of 2012, the Director of the National Coordination Office shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the findings and any recommendations of the working group.

“(d) TERMINATION.—The interagency working group shall terminate upon transmittal of the report required under subsection (c).”

SEC. 6. NATIONAL COORDINATION OFFICE.

Section 102 of such Act (15 U.S.C. 5512) is amended to read as follows:

“SEC. 102. NATIONAL COORDINATION OFFICE.

“(a) OFFICE.—The Director shall continue a National Coordination Office with a Director and full-time staff.

“(b) FUNCTIONS.—The National Coordination Office shall—

“(1) provide technical and administrative support to—

“(A) the agencies participating in planning and implementing the Program, including such support as needed in the development of the strategic plan under section 101(e); and

“(B) the advisory committee established under section 101(b);

“(2) serve as the primary point of contact on Federal networking and information technology activities for government organizations, academia, industry, professional societies, State computing and networking technology programs, interested citizen groups, and others to exchange technical and programmatic information;

“(3) solicit input and recommendations from a wide range of stakeholders during the development of each strategic plan required under section 101(e) through the convening of at least 1 workshop with invitees from academia, industry, Federal laboratories, and other relevant organizations and institutions;

“(4) conduct public outreach, including the dissemination of findings and recommendations of the advisory committee, as appropriate; and

“(5) promote access to and early application of the technologies, innovations, and expertise derived from Program activities to agency missions and systems across the Federal Government and to United States industry.

“(c) SOURCE OF FUNDING.—

“(1) IN GENERAL.—The operation of the National Coordination Office shall be supported by funds from each agency participating in the Program.

“(2) SPECIFICATIONS.—The portion of the total budget of such Office that is provided by each agency for each fiscal year shall be in the same proportion as each such agency’s share of the total budget for the Program for the previous fiscal year, as specified in the report required under section 101(a)(3).”

SEC. 7. IMPROVING NETWORKING AND INFORMATION TECHNOLOGY EDUCATION.

Section 201(a) of such Act (15 U.S.C. 5521(a)) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

“(2) the National Science Foundation shall use its existing programs, in collaboration with other agencies, as appropriate, to improve the teaching and learning of networking and information technology at all levels of education and to increase participation in networking and information technology fields, including by women and underrepresented minorities;”

SEC. 8. CONFORMING AND TECHNICAL AMENDMENTS.

(a) SECTION 3.—Section 3 of such Act (15 U.S.C. 5502) is amended—

(1) in the matter preceding paragraph (1), by striking “high-performance computing” and inserting “networking and information technology”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “high-performance computing” and inserting “networking and information technology”;

(B) in subparagraphs (A), (F), and (G), by striking “high-performance computing” each place it appears and inserting “networking and information technology”; and

(C) in subparagraph (H), by striking “high-performance” and inserting “high-end”; and

(3) in paragraph (2)—

(A) by striking “high-performance computing and” and inserting “networking and information technology and”; and

(B) by striking “high-performance computing network” and inserting “networking and information technology”.

(b) TITLE I.—The heading of title I of such Act (15 U.S.C. 5511) is amended by striking “**HIGH-PERFORMANCE COMPUTING**” and inserting “**NETWORKING AND INFORMATION TECHNOLOGY**”.

(c) SECTION 101.—Section 101 of such Act (15 U.S.C. 5511) is amended—

(1) in the section heading, by striking “**HIGH-PERFORMANCE COMPUTING**” and inserting “**NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT**”;

(2) in subsection (a)—

(A) in the subsection heading, by striking “**NATIONAL HIGH-PERFORMANCE COMPUTING**” and inserting “**NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT**”;

(B) in paragraph (1) of such subsection—

(i) in the matter preceding subparagraph (A), by striking “**National High-Performance Computing Program**” and inserting “**networking and information technology research and development program**”;

(ii) in subparagraph (A), by striking “**high-performance computing, including networking**” and inserting “**networking and information technology**”;

(iii) in subparagraphs (B) and (G), by striking “**high-performance**” each place it appears and inserting “**high-end**”; and

(iv) in subparagraph (C), by striking “**high-performance computing and networking**” and inserting “**high-end computing, distributed, and networking**”; and

(C) in paragraph (2) of such subsection—

(i) in subparagraphs (A) and (C)—

(I) by striking “**high-performance computing**” each place it appears and inserting “**networking and information technology**”; and

(II) by striking “**development, networking,**” each place it appears and inserting “**development,**”; and

(ii) in subparagraphs (F) and (G), as redesignated by section 2(c)(1) of this Act, by striking “**high-performance**” each place it appears and inserting “**high-end**”;

(3) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “**high-performance computing**” both places it appears and inserting “**networking and information technology**”; and

(B) in paragraph (2), in the second sentence, by striking “**2**” and inserting “**3**”; and

(4) in subsection (c)(1)(A), by striking “**high-performance computing**” and inserting “**networking and information technology**”.

(d) SECTION 201.—Section 201(a)(1) of such Act (15 U.S.C. 5521(a)(1)) is amended by striking “**high-performance computing**” and all that follows through “**networking,**” and inserting “**networking and information research and development,**”.

(e) SECTION 202.—Section 202(a) of such Act (15 U.S.C. 5522(a)) is amended by striking “**high-performance computing**” and inserting “**networking and information technology**”.

(f) SECTION 203.—Section 203(a) of such Act (15 U.S.C. 5523(a)(1)) is amended—

(1) in paragraph (1), by striking “**high-performance computing and networking**” and inserting “**networking and information technology**”; and

(2) in paragraph (2)(A), by striking “**high-performance**” and inserting “**high-end**”.

(g) SECTION 204.—Section 204 of such Act (15 U.S.C. 5524) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “**high-performance computing systems and networks**” and inserting “**networking and information technology systems and capabilities**”;

(B) in subparagraph (B), by striking “**interoperability of high-performance computing systems in networks and for common user inter-**

faces to systems” and inserting “**interoperability and usability of networking and information technology systems**”; and

(C) in subparagraph (C), by striking “**high-performance computing**” and inserting “**networking and information technology**”; and

(2) in subsection (b)—

(A) in the heading, by striking “**HIGH-PERFORMANCE COMPUTING AND NETWORK**” and inserting “**NETWORKING AND INFORMATION TECHNOLOGY**”; and

(B) by striking “**sensitive**”.

(h) SECTION 205.—Section 205(a) of such Act (15 U.S.C. 5525(a)) is amended by striking “**computational**” and inserting “**networking and information technology**”.

(i) SECTION 206.—Section 206(a) of such Act (15 U.S.C. 5526(a)) is amended by striking “**computational research**” and inserting “**networking and information technology research**”.

(j) SECTION 207.—Section 207(b) of such Act (15 U.S.C. 5527(b)) is amended by striking “**high-performance computing**” and inserting “**networking and information technology**”.

(k) SECTION 208.—Section 208 of such Act (15 U.S.C. 5528) is amended—

(1) in the section heading, by striking “**HIGH-PERFORMANCE COMPUTING**” and inserting “**NETWORKING AND INFORMATION TECHNOLOGY**”; and

(2) in subsection (a)—

(A) in paragraph (1), by striking “**High-performance computing and associated**” and inserting “**Networking and information**”;

(B) in paragraph (2), by striking “**high-performance computing**” and inserting “**networking and information technologies**”;

(C) in paragraph (3), by striking “**high-performance**” and inserting “**high-end**”;

(D) in paragraph (4), by striking “**high-performance computers and associated**” and inserting “**networking and information**”; and

(E) in paragraph (5), by striking “**high-performance computing and associated**” and inserting “**networking and information**”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HALL) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 3834, as amended, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HALL. Mr. Speaker, I yield myself such time as I may consume.

As a sponsor of H.R. 3834, the Advancing America's Networking and Information Technology Research and Development Act of 2012, I rise today in strong support of this legislation.

Before I delve into the details of the bill, however, I want to thank the Speaker and the majority leader for their leadership in putting together a cybersecurity task force to address our serious cybersecurity challenges. This task force, led by Representative MAC THORBERRY, provided a compass point and set the direction for all the bills we're considering this week.

The Science Committee started our cybersecurity early in Congress, so I was very pleased to see the task force embrace both Mr. MCCAUL's bills, H.R. 2096 and H.R. 3834, as necessary steps to improve U.S. cybersecurity.

I would like to also thank my Texas colleague, Ranking Member JOHNSON, my neighbor, for joining me in cosponsoring H.R. 3834, which updates the NITRD Program. This program is an important component of our Nation's cybersecurity efforts, and it is critical to our overall networking and information technology research and development in general. It's a product of the High-Performance Computing Act of 1991 and represents and coordinates the Federal Government's nearly \$4 billion R&D investment in unclassified networking, computing, software, cybersecurity, and related information technologies.

The bill before us today updates the underlying high-performance computing statute that has been in place for 20 years and codifies the work the National Coordination Office already undertakes. Specifically, H.R. 3834 improves program statistic planning and coordination; it rebalances R&D portfolios to focus less on short-term goals and more on long-scale, long-term interdisciplinary research; it updates research to reflect newer technologies like “big data” and “cyberphysical” systems. It also convenes an inter-agency working group to identify gaps in cloud computing research and examines the potential for using the cloud for federally funded research and codifies and emphasizes the role of the National Coordination Office.

Networking and information technology includes a broad range of technologies from smartphones to cloud computing. These innovations stem from numerous disciplines and have led to advances in search-and-rescue robots, unmanned aerial vehicles, near real-time weather forecasting, devices for assisted living, and computer-based education and training. R&D in this field seeks to minimize and prevent disruptions to critical infrastructure like power grids and emergency communication systems. This essential R&D is part of the reason that the House Republican Cybersecurity Task Force identified this program as important to our Nation.

Other cybersecurity efforts undertaken by NITRD agencies include research to detect, prevent, resist, respond to, and recover from actions that compromise or threaten the availability, ingenuity, or security of computer and network basic systems.

Currently, 15 Federal agencies are contributing members of NITRD, with an additional 20 or so participating in the program. Coordination among these agencies increases the overall effectiveness and productivity of our Nation's networking and information

technology and cybersecurity R&D, leverages our strength, avoids duplication, and improves interoperability of R&D products. More importantly, in networking and information technology, R&D supports and boosts U.S. competitiveness, enhances national security, and helps strengthen the economy through the creation of high-level jobs.

H.R. 3834 is essentially the same bill that the House passed twice in the last Congress only to see it languish in the Senate. I urge passage of this measure once again and hope that the Senate will act accordingly. As with all cybersecurity bills before us today, H.R. 3834 enjoys the support of numerous industry supporters and technology stakeholders.

With that, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3834, the Advancing America's Networking and Information Technology Research and Development Act of 2012.

H.R. 3834 is a good bipartisan bill which I was pleased to join Chairman HALL in introducing. It is largely based on the 2009 House-passed bill that was introduced by then-Chairman Gordon and Ranking Member HALL. But the current bill also includes some updates from the 2009 bill that appropriately reflect changes to the networking and information technology landscape, as well as policy and management recommendations made by an outside panel of experts charged with evaluating the NITRD Program.

The NITRD Program, as it is known, involves the collaboration of 15 Federal research and development agencies, each contributing its own unique expertise. To ensure that we make the most effective use of our Federal R&D resources and remain a leader in these fields, H.R. 3834 requires that all 15 agencies come together to develop and periodically update a strategic plan for Federal investments in NIT R&D.

H.R. 3834 calls for increased support for large-scale, long-term interdisciplinary research in NIT that will help us tackle national challenges such as improving the effectiveness and efficiency of our health care and energy-delivery systems. The bill also promotes partnerships between the Federal Government, academia, and industry to foster technology transfer.

In particular, I would like to highlight this bill's role in ensuring that the education of a future NIT workforce remains an important component of the NITRD Program.

I am hearing every day from small and large companies alike that the demand for skilled American IT professionals is higher than the supply. We hear the same message from university faculty who tell us that computer

science graduates are snatched up the moment they graduate even while we're in the midst of a recession. This gap between supply and demand exists, despite the fact that these jobs are among the highest paying and most stable jobs out there.

It is imperative that we encourage more young Americans to pursue studies in NIT fields. In particular, because of the stark gender and racial gaps that we see in computer science programs, it is imperative that we encourage more young women and students of color to enter these fields. We simply cannot afford to ignore more than 50 percent of our Nation's brainpower.

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H.R. 3834 doesn't go quite as far as I'd like it to go in addressing these education challenges, but it still sends an important message about the need to educate more of our students in NIT fields and provide the necessary authority for the agencies to play an appropriate role here.

Finally, since this is Cyber Week, I would be remiss not to mention that the NITRD Program serves as a coordinating and planning umbrella for all unclassified Federal cybersecurity R&D. Our committee addressed specific needs in cybersecurity R&D in a separate bill just considered today, but in doing so, we made sure that both the intellectual and financial resources for cybersecurity R&D are appropriately integrated into the rest of the Federal NIT portfolio. Information security R&D should not take place in its own silo. It bears on all network and information technologies.

In closing, NIT technologies cut across every sector of our economy and our national defense infrastructure. Our relatively modest 20-year investment in the NITRD Program has contributed immeasurably to our economic and national security by enabling innovation and job creation in NIT and providing American students with the skills to fulfill these jobs. Let's authorize this program today and ensure it remains strong.

I want to thank my friend, Chairman HALL, and his staff, especially Mele Williams, for working so collaboratively and openly with us on this good bipartisan bill. I'd also like to thank my staff, and in particular Dahlia Sokolov, for their hard work on the bill, and I urge my colleagues to support H.R. 3834.

I reserve the balance of my time.

Mr. HALL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Speaker, I rise in today in support of H.R. 3834, also known as the Networking and Information Technology Research and Development Act, or NITRD.

This program provides critical support and coordination for some of the most promising research and development on the computing horizon, namely, protection for our cybernetworks and the next generation of supercomputing, known as exascale.

Information technology research plays a critical role in U.S. economic strength. According to the Council on Competitiveness, our country's ability to outcompete other nations will be determined by our ability to outcompute.

American scientists, businesses, and manufacturing already use computing technologies to accelerate the pace of research on everything from new energy sources, new medicine, intellectual property, and national security. By passing this bill today, we maintain our leadership and focus in technology innovation and information security.

I urge my colleagues to support this bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I rise in support of H.R. 3834, Advancing America's NITRD Act of 2012.

I would like to thank Chairman HALL and Ranking Member JOHNSON for their important work on this bipartisan legislation. It's been nearly 3 years since we last reauthorized and updated the NITRD Program. I was a cosponsor of that bill in 2009, and while the Senate never acted on it, I'm hopeful that this will be a first step in taking action this year.

The NITRD Program evolved from the High-Performance Computing Act of 1991, which funded the development of Mosaic, the first commercial Web browser, which made the Internet user friendly and facilitated the cyber-revolution in the 1990s. This innovation was created by a team of programmers at the National Center for Supercomputing Applications at the University of Illinois. Marc Andreessen, one of the lead programmers on this project and founder of Netscape, summed up the importance of Federal investment in this research saying: "If it had been left to private industry, it wouldn't have happened, at least, not until years later."

Innovative breakthroughs like the Mosaic Web browser changed their everyday lives and established the United States as a world leader in networking and information technologies. But today we find ourselves in a world in which we can no longer take U.S. supremacy for granted. We must make measured choices to prioritize cutting-edge, large-scale R&D and effective technology transfer policies to focus on the most advanced areas of network and information technology.

H.R. 3834 achieves these ends through the development of a coordinated Federal R&D investment strategy. This

bill requires Federal agencies and the NSTC to develop 5-year plans specifying near- and long-term objectives and to assess and evaluate progress periodically to ensure we maintain U.S. leadership in these fields.

In order to guarantee groundbreaking advancements, the strategic plans will be required to encourage innovative and high-risk research projects that address long-term challenges of national importance. The increasingly complex challenges we face require sophisticated solutions that will draw not just on expertise from across economic fields, but across the public and private sectors as well. This legislation encourages collaboration among universities, industries, non-profit research institutions, and Federal laboratories to tackle our biggest challenges and provides impetus needed to spur research on high-risk areas that might otherwise not be taken up.

We also need to be cognizant of how the R&D we fund will actually impact and benefit our economy and our society. While basic research is critical, the effective transfer of the results of research into products, companies, and jobs is necessary for our Nation to remain a leader in networking and information technology. This bill promotes effective technology transfer policies by requiring strategic plans and large-scale research projects to incorporate plans and policies that promote commercialization.

It is vital that we get our scientific development out of the lab and into the marketplace. We've put a lot of investment into our labs. We need to make sure that this provides the economic engine of growth for our Nation.

Mr. Speaker, this legislation will focus our scientific community through innovative, large-scale, and collaborative R&D. We need to remain a leader in networking in information technologies. This is a good bipartisan bill, and I urge my colleagues to support it.

Ms. EDDIE BERNICE JOHNSON of Texas. I urge passage of the bill, and I yield back the balance of my time.

Mr. HALL. I would like to point out that our efforts on this bill have been really a true illustration of the bipartisan work which the Science Committee and this Congress is capable of.

I believe Ms. JOHNSON will attest that our staffs have worked well together to ensure this measure reflects good policy for our Nation's networking and information technology. I want to thank her, and I want to thank her staff for their work on this bill.

Additionally, I would also like to thank Chairman BROOKS as chairman of the Research and Science Education Subcommittee for his leadership on the bill, and Mrs. BIGGERT for her many years of championing this issue.

I urge my colleagues to join me in supporting H.R. 3834, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, and many thanks to my good friend and fellow Texan, RALPH HALL, for bringing H.R. 3834 to the House floor as part of cyber-week.

Just about every aspect of our lives is somehow connected to the internet in one way or another. My hometown of San Antonio is often referred to as "Cyber-City USA," due to the work of the Air Force, private industry, and the University of Texas at San Antonio's Institute for Cybersecurity.

Cyber-crimes risk our personal finances, proprietary business information, and national security know-how. Hackers have sought to physically damage our air traffic control system, DoD and NASA satellites, and electrical grid.

Hackers from a variety of countries, especially China and Russia, as well as those working inside the United States, cause a great deal of damage to our nation's economy and national security. The GAO reported this week that cyberattacks on the federal government have exploded by 680 percent in the past five years.

The NITRD program is a unique collaboration among Federal research and development agencies that coordinate Federal R&D projects to advance information technologies such as computing, networking, and software, while avoiding duplication of efforts. One of the primary goals of the NITRD program is to accelerate development and deployment of these technologies to maintain American leadership in the IT field. The NITRD program was first authorized in 1991, and the House Republican Task Force on Cybersecurity, chaired by my Texas colleague, MAC THORNBERRY, identified it as in need of an update.

This is a good bill for which I thank Science, Space and Technology Chairman RALPH HALL and Ranking Member EDDIE BERNICE JOHNSON for bringing to the floor. I urge my colleagues to support it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HALL) that the House suspend the rules and pass the bill, H.R. 3834, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

□ 1010

SEQUOIA AND KINGS CANYON NATIONAL PARKS BACKCOUNTRY ACCESS ACT

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that the Committee on Natural Resources be discharged from further consideration of the bill (H.R. 4849) to direct

the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

Mr. GEORGE MILLER of California. Mr. Speaker, reserving the right to object, and I will not object, I yield to the gentleman from Washington, the chairman of the committee.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

This legislation addresses an urgent need at Sequoia and Kings Canyon National Parks in California. Because of a lawsuit, the National Park Service has chosen not to issue commercial packer permits this year. These permits allow mules and horses into the park to carry visitors and supplies. Unfortunately, this not only means the loss of hundreds of jobs, it also canceled long-planned family vacations into the outdoors. For many Americans, whether elderly or handicapped, stock animals are the only option if they want to visit our national parks.

Today, we have the option to right a wrong and allow these permits to be awarded to responsible stewards of our parks. This bipartisan legislation was worked out between Members of both parties in the California delegation. Time is very crucial here. This only extends what has been happening for decades in Sequoia and Kings Canyon National Parks. We must act now if there's any hope in preserving the season for those individuals who have planned and paid for their visit in the national park.

Mr. GEORGE MILLER of California. Further reserving my right to object, Mr. Speaker, the bill before us today, as amended this morning, gives the Secretary of the Interior the authority to reopen the wilderness areas in Sequoia and Kings Canyon National Parks to pack and saddle animals for the 2012 and 2013 seasons.

Earlier this week, I joined with my colleagues, JIM COSTA, MIKE THOMPSON, JOHN GARAMENDI, and SAM FARR, in a letter to Chairman HASTINGS and Ranking Member MARKEY of the Natural Resources Committee. We asked the committee, on behalf of our California constituents, to resolve a situation that's already affecting families and businesses and harming the regional economy.

In response to a court order, the National Park Service has not been allowing pack animals into the parks' wilderness areas this year. This situation has caused economic harm to outfitters, packers, guides, and other permit holders who rely on the income that

the park visitors bring to the area, and it's causing visitors to reconsider their trips to the park and the wilderness areas.

Today, this House is taking this action, and I want to thank Mr. MARKEY and Chairman HASTINGS. I spoke to Chairman HASTINGS less than 24 hours ago on the content of our letter, and both he and Mr. NUNES came forward and asked whether or not we could do this by unanimous consent, and that's why we're here this morning.

I want to thank the staffs of both of the majority and the minority side of this committee for all of their work. They worked overnight because very early this morning we all signed off on this legislation.

I think that this legislation is a very good deal for families and visitors to the park. It's a good deal for the businesses who depend upon spring and summer wilderness trips for their livelihood.

The high country wilderness in the Sierras is one of the premier experiences the National Park System has to offer, and for many, the only way to have this experience is through use of pack animals for whatever personal reasons, either frailty, age—age would be my reason. I think it's important. I've had the honor and the pleasure to hike the high country in Kings Canyon and in Sequoia and Yosemite, and it's a unique experience, unique to the American Sierra Mountains system.

I hope that the Senate will be able to take this up by unanimous consent quickly so, again, the people planning to take the trips will have certainty, the packers will have certainty, and the surrounding businesses around Sequoia-Kings Canyon Park will have certainty that the summer trade will be there.

Again, I want to thank the chairman of the committee for his immediate response to our letter of concern. I want to thank my colleagues who joined me on that.

With that, Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The text of the bill is as follows:

H.R. 4849

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sequoia and Kings Canyon National Parks Backcountry Access Act".

SEC. 2. COMMERCIAL USE AUTHORIZATIONS IN DESIGNATED WILDERNESS WITHIN THE SEQUOIA AND KINGS CANYON NATIONAL PARKS.

(a) ISSUANCE OF COMMERCIAL USE AUTHORIZATIONS.—Notwithstanding the decision or any other provision of law, the Secretary shall issue such packer permits at the levels of commercial services authorized by the Secretary in 2011 until the Secretary—

(1) makes an extent necessary determination that addresses the violations of the Wilderness Act found in the decision; and

(2) begins to issue packer permits for operations in designated wilderness within the Sequoia and Kings Canyon National Parks in accordance with that extent necessary determination.

(b) DEFINITIONS.—For the purposes of this Act, the following definitions apply:

(1) DECISION.—The term "decision" means the January 24, 2012, ruling by the United States District Court for the Northern District of California in High Sierra Hikers Association v. United States Department of the Interior, et al., Case No. C09-4621 RS.

(2) EXTENT NECESSARY DETERMINATION.—The term "extent necessary determination" means a determination on the need for commercial services within Sequoia and Kings Canyon National Park wilderness under to section 4(2)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)).

(3) PACKER PERMIT.—The term "packer permit" means a commercial use authorization granted to a commercial stock operator.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 5, strike "Notwithstanding" and all that follows through line 8 and insert the following: "Notwithstanding the decision, for the 2012 and 2013 seasons, the Secretary shall issue packer permits at no more than the levels of commercial services authorized by the Secretary in 2011 until the Secretary—"

Page 2, line 15, strike the period and insert "reflected in a Record of Decision for the Wilderness Stewardship Plan."

Page 2, line 22, strike "C09-4621" and insert "C 90-4621".

Page 3, line 2, strike "to section 4(2)(5)" and insert "section 4(d)(5)".

Mr. HASTINGS of Washington (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House and a concurrent resolution of the following titles:

H.R. 298. An act to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building".

H.R. 1423. An act to designate the facility of the United States Postal Service located

at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Michael E. Phillips Post Office".

H.R. 2079. An act to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office".

H.R. 2213. An act to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office".

H.R. 2244. An act to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office".

H.R. 2660. An act to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office".

H.R. 2767. An act to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trant Post Office Building".

H.R. 3004. An act to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building".

H.R. 3246. An act to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building".

H.R. 3247. An act to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

H.R. 3248. An act to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building".

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 43. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

INTEREST RATE REDUCTION ACT

Mrs. BIGGERT. Mr. Speaker, pursuant to House Resolution 631, I call up the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 631, the bill is considered read.

The text of the bill is as follows:

H.R. 4628

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Interest Rate Reduction Act".

SEC. 2. INTEREST RATE EXTENSION.

Subparagraph (D) of section 455(b)(7) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)(7)(D)) is amended—

(1) in the matter preceding clause (i), by striking “2012” and inserting “2013”; and

(2) in clause (v), by striking “2012” and inserting “2013”.

SEC. 3. REPEALING PREVENTION AND PUBLIC HEALTH FUND.

(a) IN GENERAL.—Section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by such section 4002, the unobligated balance is rescinded.

SEC. 4. COMPLIANCE WITH STATUTORY PAY-AS-YOU-GO ACT OF 2010.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. The gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Massachusetts (Mr. TIERNEY) each will control 30 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4628.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, when I talk to students and families, it's clear that today's economy doesn't hold the same promise for young adults as it once did. Our sons and daughters, many with student loan debt, are moving back home after college only to find Washington's tax-and-spend policies have made it even harder to find a job. In fact, according to a recent Associated Press report, at least half of recent graduates are unemployed or underemployed. That's unacceptable.

Under current law, the outlook for some of these young adults only gets worse as interest rates on subsidized Stafford student loans are set to spike from 3.4 percent to 6.8 percent on July 1 of this year. That's why I've introduced H.R. 4628, the Interest Rate Reduction Act, a bill that would avert this interest rate increase, because the last thing we should do is to allow loan rates to double and make it that much harder to afford a high-quality education. Unfortunately, that's exactly what will happen if we don't set aside the rhetoric and work in a bipartisan way to pay for this critical interest rate fix.

Under my legislation, the \$6 billion cost of the interest rate fix is offset in the same way as bipartisan legislation signed into law by the President earlier

this year. Just 3 months ago, Members on both sides of the aisle came together and the President signed a bill that extended unemployment benefits and the payroll tax cut.

The legislation I offer today would use, as an offset, the exact same source that we all agreed to use just 3 months ago. The bill would eliminate the remaining \$12 billion from the so-called Prevention and Public Health Fund, which, in truth, is nothing more than an open-ended fund that has no clear oversight or purpose. At best, this fund serves only to circumvent Congress's annual appropriations responsibilities by granting, in perpetuity, the Secretary of Health and Human Services unabridged discretion to direct billions of taxpayer dollars under the loose label of prevention programs.

I should note that the President, himself, acknowledged that the prevention fund is bloated when he requested a \$4 billion cut to the program in his FY13 budget. By reclaiming a portion of the administration's misguided health care law through the elimination of this blank-check program, my legislation would extend lower rates for college loans, granting relief to our young people without raising taxes on their potential employers.

It is a commonsense plan that deserves bipartisan support. I ask my colleagues to step forward today and show the American people that we can solve this problem immediately, without the drama of a last-minute, on-deadline fix.

□ 1020

It is my hope that our colleagues in the Senate as well will work with us to send it to the President immediately.

I urge my colleagues to join me in supporting the Interest Rate Reduction Act, and I reserve the balance of my time.

Mr. TIERNEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, it's nice to have our Republican friends finally agree that the interest rates would be a problem if they rise and double.

Since 2007, when the rates were first reduced when the Democrats were in the majority, it's been resisted by our friends on the Republican side—resisted in 2007, 2008, 2009, 2010, and 2011. And not until recently, when the profile of this issue had been raised to a degree where students and families started to really get involved and engaged, did our friends on the other side of the aisle finally decide that, well, they now don't want the rates to go up either. But cynically, some might say, the only way they can find to pay for it is to attack women's health and children's health.

Now, women don't want this bill that way. Children and students don't want the bill this way. Labor doesn't want the bill this way. Public health groups

don't want the bill this way. The Senate has said that they won't accept the bill this way; it's dead on arrival. And the White House senior staff says they'll advise the President to veto the bill this way.

If we really want to set aside partisanship and do this, let's pick a pay-for that the American people can get behind and that we can all agree on. Let's put aside the cynicism, let's stop playing games, and let's do the right thing. Let's make sure the interest rates stay at 3.4 percent. Let's make sure that 177,000 students in Massachusetts and 7 million nationwide have affordable access to college and are able to pay for that bill in a better way when they graduate on that. Let's start doing the right thing.

Last week, our Republican friends found \$46 billion to give to hedge fund managers in a tax cut, to give to Donald Trump in his Trump Towers leasing company, to give to other people that already had millions of dollars and didn't pay for it. This week, they finally get brought around to the issue of trying to help students and come up with this cynical aspect of paying for it by, once again, attacking women's health, in this case adding children on—children's immunizations, women's screenings for breast and cervical cancer and birth defects. This is insidious. This is ridiculous on this. And we should move forward and do the right thing.

The fund that the bill addresses is a fund that was attacked a little bit the last time, as the Speaker mentioned, but left largely intact. This one would wipe out the entire fund, twice the amount of money necessary in order to fund what they're purporting to do because they are ideologically going after the health care bill.

We need to make sure that women's health care and children's health care is protected. We need to make sure the interest rates stay low. We are certain we can do that. It won't be done by doing it this way. And Members in the Senate will have to work in conference to make sure that we get to a pay-for for this that makes sense, and it's something we can do. There's 250 tax expenditures in the Tax Code, 250—\$1.3 trillion. We can find a way to pay for this interest rate reduction here and do it in a way that all of America can get behind and both parties can get behind without the cynicism and without moving in this direction.

I reserve the balance of my time.

Mrs. BIGGERT. Let me just take a couple of seconds to remind the gentleman from Massachusetts that we also are for prevention, but we have a whole list of appropriations, a whole list of what we do, and not to leave all of this to the discretion of one person when there is no oversight by Congress.

With that, I yield 2 minutes to the gentleman from Michigan (Mr.

WALBERG), a member of our Education and the Workforce Committee.

Mr. WALBERG. I thank the gentlelady.

Mr. Speaker, just a bit of a history lesson. We hear a lot of demagoguery going on right now from the highest office of the land about the unwillingness of Republicans to help our college students receive the education that they need by having the loans that they deserve.

Going back to 2006, as part of the Democrats' Six for '06 campaign agenda, the Democrats promised to cut student loan interest in half. When they took the majority—and I sat on the House Education and Labor Committee at the time—they gained control of Congress, all of a sudden they realized it was too costly to do what they planned to do. So they put in place, against our opposition, saying that the private sector still could foster opportunities for student loans and make it fluctuate and flow in a variable rate with the market, ultimately reducing the overall cost of interest over the course of time for our students. They chose not to do that. They put in place the plan that we have right now, a Democrat plan that said, in fact, we will go to 6.8 percent in July of 2012 after dropping it back because they knew they couldn't afford it. They did it in a short-term process. And ultimately, it has come to fruition now that we are at a cost problem and we are at a problem for students to gain education support. It is their plan that we're dealing with. It is their mess that we're asked to fix at this point in time.

The College Cost Reduction and Access Act incrementally reduced to the 3.4 percent that we have now, ultimately putting a cliff in place of what we're looking at. As the expiration date crept closer, Democrats did nothing in the 111th Congress, despite knowing that this would take place, and now we have a problem.

Mr. Speaker, this morning we see a picture of students in graduation garb. On top of one of the mortarboards it says: "Hire me." That's the issue we're talking about: an economy that doesn't offer jobs. And so what we ought to be looking at here is growing an economy, not an ObamaCare fix that is ending up costing these loan programs.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. BIGGERT. I yield the gentleman an additional 30 seconds.

Mr. WALBERG. I thank the gentlelady.

We ought to be looking at ways for growing an economy that gives the opportunity for students to know that they will have a job, that they can pay off loans at whatever rate it will be. There is a much better way than doing what has been done. We ought to be growing an economy for job providers,

as opposed to what the Senate sent over to us, their solution: to whack at more job providers and make it more difficult to provide stable and secure jobs for college graduates looking for simply the opportunity to be hired.

Mr. TIERNEY. Mr. Speaker, I remind the gentleman that in 2007, the bill was paid for. In fact, it was paid for, and 77 members of the Republican Party agreed as well. Now it is time to pay for it in an intelligent and correct manner.

I now yield 2 minutes to the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

I understand the fix that the Republicans are in after just over a week ago almost unanimously voting not to extend the 3.4 percent interest rate to students, and in adopting the Ryan Republican budget, agreeing to let it go out to 6.8 percent. In fact, they use that to pay for the tax cuts for the wealthy they anticipate in their budget. So they took students' money, and the families and the savings that they were made out of—almost \$16 billion over the last 4 years—and they said we're going to use this to provide tax cuts for the wealthy, and we assume that the rates will go to 6.8 percent. President Obama went on the road for 3 days, and all of a sudden Republicans have decided that they're for keeping the interest rates at 3.4 percent.

You can say all of this is cynical, and I believe it is on their part, because what they really see now is an opportunity to attack women's health. They see their position of being for student loans gives them cover to attack women's health, to attack the screening for women's health in the areas of breast cancer and cervical cancer, to attack the ability of public health agencies to screen newborn infants for birth defects, to take away the ability to make sure that young people have the immunizations they need when they start school. So now, under the cover of being for student loans, they now are attacking women's health in the most cynical fashion.

But you know, every now and then in this place—where it's terribly partisan; it can be very cynical, as we see with this action today with this bill—a little ray of light comes in of idealism and hopefulness and understanding. We see today that we have statements by almost all of the major student organizations saying we want that interest rate kept at 3.4 percent, but we do not want it kept at that rate at the risk of jeopardizing women's health, jeopardizing our parents' health, our mothers' health, our sisters' health, our friends' health.

□ 1030

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TIERNEY. I yield an additional 1 minute to the gentleman from California.

Mr. GEORGE MILLER of California. So we should understand that these students see this cynical match that is being played here, and they ask for a timeout and they say find another way to pay for this.

But don't do it at the risk of birth defects for newborn infants. Don't do it at the risk of a child not being immunized against disease.

Don't do it at the risk of young women and older women being screened for breast cancer and cervical cancer, where the difference can mean life or death for those women. Don't attack and abolish and repeal women's health on the backs of our students. Don't do it in our name. In our name, don't do this legislation.

Vote "no" against this. We'll find another way to do this, but don't do this in the name of students. That's what they've asked with their opposition to this legislation.

Mrs. BIGGERT. Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS of New Hampshire. Mr. Speaker, I thank my colleague from Illinois for recognizing me.

There's little disagreement between Republicans and Democrats over the need to extend the subsidized interest rates for student loans for at least another year. Student loan debt now in America exceeds \$1 trillion which, I believe, is more than the entire Nation's credit card debt. It's a very serious national priority that needs to be addressed, and it should be resolved in a bipartisan fashion.

As you can tell from the tenor of the debate this morning, it has been reduced to the issue of how we are going to come up with the money to pay for this. First of all, I think it's a miracle that we're even debating that because the prior administration in this Congress wouldn't have even brought the subject up of how to pay for it.

At least the Democrats now want to pay for it by raising prices on gasoline through higher taxes on oil companies. And I believe that taxation of oil companies should be on the table in tax reform, not on an education bill.

We have a proposal that would reduce the funding in the prevention and public health fund account, and of course our friends on the other side of the aisle are right on message, on the national message, of tying everything that Republicans want to do to be some sort of a battle against women.

Let me just point out that I believe there's already about \$119 million in FY 2011 for the CDC's breast and cervical cancer early detection program. And I know my friend from Illinois will probably enumerate on this even further.

I would point out that the program, or the fund, that the Democrats are trying to protect actually is providing money for early detection, but it's for

free spaying and neutering for dogs and cats around the country. This money comes out of the Communities Putting Prevention to Work campaign, and that's receiving money from this Health and Human Services Secretary slush fund.

I would also point out to my friends that this fund has already been reduced in order to pay for the payroll tax reduction, so it's not setting any kind of a precedent.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. BIGGERT. I yield 30 seconds to the gentleman.

Mr. BASS of New Hampshire. I would suggest that a fund that's funded at \$17.75 billion for the first 10 years, and then automatically advance-appropriated for \$2 billion a year after that, I've never heard of that in the Congress. That means that we are turning over our authority to raise and appropriate money to the tune of \$2 billion a year to the Health and Human Services Secretary with no oversight from Congress at all.

I want student loans to remain at their lower rate, and I want to do it in a fiscally responsible fashion; and that's what this bill does.

Mr. TIERNEY. I yield myself such time as I may consume in order to address the fact that the elimination of the fund would mean that on an annual basis, 326,000 fewer women would be screened for breast cancer.

I yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Thank you, Mr. TIERNEY. I want to just, first of all, begin by recognizing your leadership and, particularly, GEORGE MILLER's leadership back in 2007 when we passed the College Cost Reduction Act which reduced an interest rate of 6.8 percent, which was set as a result of a Republican Congress in 2002 which passed a Budget Reconciliation Act locking in that higher rate.

The College Cost Reduction Act has saved 15 million students in this country higher debt levels because we cut that rate to 3.4 percent. Sadly, the Speaker of the House, JOHN BOEHNER, voted against that measure. Sadly, my good friend from Minnesota, the chairman of the House Education and Workforce Committee, voted against that measure in 2007.

It was well understood that it had a 5-year sunset, like a lot of programs and tax policies in this Congress. People were complaining about the cliff we created.

Well, how about the Bush tax cuts? That's got a \$4 trillion cliff on December 31 because the majority party, when they enacted the Bush tax cuts, sunset that measure.

So here we are today, 64 days away from the rates doubling, and we're now suddenly seeing the majority party get religion on this subject. As Mr. MILLER

pointed out a minute-or-so ago, in fact, the Ryan budget, which the Republicans lined up as a party to pass two or three weeks ago, locked in the higher rate at 6.8 percent for 2013. That was built into the Ryan budget.

In addition, it doubled down on higher education affordability by cutting the Pell Grant award from \$6,000 to \$5,000. That is the Republican higher education platform.

But, thankfully, we have a President who stood on that platform on January 24 and challenged this Congress to protect that lower rate. And because we did not get a hearing, we didn't get a bill, we didn't get a markup, we got no flicker of action by the leadership of this Chamber, he went on the road and talked to the people of this country, like Presidents before him, like Harry Truman and others, because that was the only way you were going to turn this body around was with external pressure to make sure that middle class families knew what the heck was going on, which was nothing.

I started this countdown clock at 110 days when we were waiting for this debt level to go up, and there was a reason for that, because 130,000 petition signatures were dropped off at the Speaker's office at day 110, and we heard nothing from that date when, again, overwhelming college campus signatures arrived at this Congress. And now today we're down to day 64. They're feeling the political heat.

Good for you, Mr. President, for raising this issue and forcing this body to address one of the biggest challenges our Nation faces. And yet they come up with a pay-for that is a disgraceful, grotesque pay-for that goes after women and children in the name of protecting student loans.

As Mr. MILLER said, thank goodness the student leaders who have been leading the fight to protect this lower rate have stood up and said no way.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TIERNEY. I yield the gentleman another 15 seconds.

Mr. COURTNEY. Thank you, that's all I need.

And I would just say that the President responded to that call a few minutes ago by indicating that this measure is dead. It will be vetoed. It's not going anywhere.

Let's get back to work and come up with a real fix and solve this crisis for the American people.

Mrs. BIGGERT. Mr. Speaker, I would just like to remind the gentleman from Connecticut that he was one of 147 Members on that side of the aisle voting for taking money out of the privatization protection for health care.

I yield 2 minutes to the gentleman from Minnesota (Mr. KLINE), our esteemed chairman of the Education Committee.

Mr. KLINE. Mr. Speaker, I thank the gentlelady for yielding the time, and for introducing this legislation.

I rise in support of H.R. 4628, the Interest Rate Reduction Act. We seem to be in pretty strong agreement on both sides of the aisle that we've got an economy in shambles. We've got an unemployment rate above 8 percent now for over 3 years. We've got college graduates who graduate from college and can't get a job—half of them can't get a job or get the right job. They're underemployed or unemployed.

And we've got, by law, the interest rate on subsidized Stafford student loans going from 3.4 percent to 6.8 percent, by law, a law drafted, crafted, passed by my friends on the other side of the aisle.

It was entirely predictable when this was passed in 2007 that this was going to happen. We were going to get to the point where interest rates were going to double. Nevertheless, it's the law.

And so what do we do about it?

It seems to me—and I think that we get some agreement on this—we ought to have a long-term fix so we're not doing this again next year and the next year and the next year, making a political decision. We need a long-term fix.

□ 1040

So, today, we're trying to step up and address the immediate concerns of our students, our graduates, as they go into this shaky economy. So we're moving the interest rate in this legislation, keeping it at 3.4 percent for 1 more year.

I look at this as the opportunity for us to then get together and make a long-term fix, a fix that is much more driven by the market rather than the politics of the day or by an election year. We need a long-term fix. This is going to give us the opportunity to do that.

The SPEAKER pro tempore (Mr. BASS of New Hampshire). The time of the gentleman has expired.

Mrs. BIGGERT. I yield the gentleman an additional 30 seconds.

Mr. KLINE. There has been a lot of discussion here about the pay-for, and the words "cynical" and "cynicism" have been used. We have got proposals from the other side of the aisle, from our friends in the Senate that want to tax small businesses, the job creators, at the very time when our economy is in such trouble. Then there are other proposals that say let's tax oil companies, let's drive up the price of gas.

You can talk about cynicism. What we're talking about is using a slush fund that is provided to the Secretary to spend as she sees fit, and that is perceived as an attack somehow on women. What a surprise in this election year.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mrs. BIGGERT. I yield the gentleman an additional 30 seconds.

Mr. KLINE. There are multiple sources of funding of programs that

can address women's needs. I think it is cynical to suggest that we are somehow attacking women and their health by going at a slush fund that has no control, no oversight, irresponsibly given.

The President himself has already proposed taking \$4 billion from the slush fund. This is the way to go. Let's address the immediate needs of our students and then work together on a long-term solution.

Mr. TIERNEY. Mr. Speaker, the Republicans' long-term fix, of course, was voted on a couple of weeks ago in their budget which allowed for the rates to go up to 6.8 percent and took away the in-school subsidy for interest rates, driving students' costs even further up. That's why we're here today.

I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. A college student sits in the financial aid office worried about her interest rate doubling on July 1. A woman sits in the waiting room of the health clinic waiting to get a cancer screening. A corporate executive sits in a boardroom of an oil company waiting to get his tax break from the Federal Government.

Everybody here today says they want to help the college student avoid the loan increase. The bill says the way we'll pay for avoiding the interest rate increase is to send the woman home from the health clinic and deny her the cancer screening. We say the way to do it is to go to the corporate executive in the oil company boardroom and deny him his tax giveaway from the Federal Treasury.

The way to pay for this assistance for students is not to shut down health for the women of this country. The way to pay for it is to shut down the giveaway of taxpayer dollars to the oil industry of this country. That's the way to fix the problem, and that's the way we eventually will.

Mrs. BIGGERT. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. BUERKLE).

Ms. BUERKLE. Mr. Speaker, today we have an opportunity to vote on a bipartisan initiative that will save our country's future leaders billions of dollars. Economists have resoundingly predicted that a student loan crisis may soon send America's fragile economic sector into shambles if it is not soon addressed.

The New York Federal Reserve has reported that student loans are the leading cause of this debt, with \$870 billion last month alone. This tops even credit card debt.

My friend in Illinois has proposed a commonsense solution to halt an increase in Federal loan rates that everyone agrees is needless.

But, Mr. Speaker, I must say to you, I was stunned to hear that leaders on the other side of our aisle, our good friends on the other side, were at-

tempting to take this issue hostage. Our sons' and daughters' pursuits have been hijacked for political gamesmanship.

Let me be clear, Mr. Speaker, the fund which is offsetting this looming rate hike is nothing more than a slush fund. The HHS Secretary has authority to use it without congressional discretion. It was yet another allowance given to an unelected, unaccountable bureaucrat to be used on things such as bike paths, jungle gyms, and worse yet, lobbying efforts.

I am a woman who has worked for years as a women's health care practitioner, and on behalf of women's health care patients, I will tell you, for the other side, Mr. Speaker, to manipulate this issue does nothing to advance women's interests, but in fact demeans the accomplishments made in women's health over the past decades.

Mr. Speaker, I implore my colleagues who are playing games with this critical issue to grow up. This is not kindergarten. This is the reality of crushing college costs. This bill will help our future by making colleges more affordable by leaving them with a country that is not inundated in debt.

Mr. TIERNEY. Before yielding further, I'm going to take 15 seconds and yield that to myself.

Mr. Speaker, this supposed slush fund the people are talking about is a fund identified and given Appropriations Committee authority to designate where it would be spent. That authority was advocated by our friends on the other side, and the Secretary has in fact specified every year where the money be spent: \$326,000 in screenings for breast cancer; \$284,000 for cervical cancer screenings; \$10,000 for breast and cervical cancer; and so on down the line.

At this time, Mr. Speaker, I yield 1 minute to the minority leader of the House from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. I thank him for his leadership in presenting a commonsense piece of legislation to ensure that the interest on student loans is not doubled in July, and to pay for that by cutting the subsidies to Big Oil instead of, as the Republicans do, continuing their all-out assault on women's health.

So much of the time that we spend on this floor seems completely irrelevant to America's working families as they're struggling to make ends meet. Imagine them around their kitchen tables as we talk about this, that, and the other thing that seems disconnected from their emergency and urgent needs. What we're talking about today directly relates to what keeps people up at night: their economic security, the education of their children, the health of their families. The list goes on. Some of those are addressed in this legislation.

I think we all agree that the greatest thing the country can do and that a family can do is to invest in the education of the next generation, the education of our children.

Imagine if we're sitting around that kitchen table as a family, as we are, and we say as a family, in order for you to go to college, we're not going to be able to immunize your little brother or sister, we're not going to be able to have preventative care in terms of screening for breast cancer, cervical cancer—the list goes on and on—for your mom or any other preventative care for men and women in your family. It just would be wrong.

Who are we as a Nation, if that's a statement of our values, to choose between the education of your children and the health of your family? It is just not right. Especially when you have a situation where we had this fight over and over again.

But let me put it in context. In 2007, the Democratic majority in the House, working in a bipartisan fashion with our Republican colleagues, passed a bill that ratcheted down the interest rate to 3.4 percent. We were very proud of that legislation passing with 77 members of the Republican Party voting with the Democratic majority. The bill was signed by then-President George W. Bush, and we all celebrated that legislation.

□ 1050

That is expiring in July, and if no action is taken, those interest rates of 3.4 will go back to the level of 6.8 percent. We had been making that argument over and over again, which is that in our budgeting we must provide for the education of our children in a way that enables them to acquire a higher education should they desire and be qualified to do so and if that is in their interests and in their families' priorities.

Republicans have grown impatient, they've said, with hearing about student loans—don't look at us—until the President went to the public and clearly spelled out the public policy debate that was going on here, which is that in the Republican budget—the Ryan-Republican-Tea Party budget—it enabled the doubling of the interest rates. In the House Democratic budget, we provided for keeping it at 3.4 percent—a big difference if you're sitting at that kitchen table and if you have a college-aged child.

It's about the children and the debts they incur. It's about the families and the parents and the debts that their families incur. Because the President took the issue to the American people, he made the issue too hot to handle, so the Republicans this week are doing an about-face for what they did last week, to vote overwhelmingly for their budget, which now has enabled the interest rates on student loans, the Stafford loans, to double. An about-face.

But what did they do? They said, Okay, we won't allow it to double, but we're going to take the money from women's health.

It should be no surprise to anyone because they have an ongoing assault on women's health. This is in their budget, and this is just a continuation of that; but I think it's important to note the following: that they not only in their bill call for taking the amount of money that would cover the cost of keeping the interest rates at 3.4 percent; they say, while we're at it, let's eliminate the entire fund. Let's eliminate the entire fund for the prevention, for the immunization, for the screening, and for the rest—for the CDC to do its public health work. Let's eliminate it.

So that should tell you something about where their priorities are if they're saying, We stand here, once again, handmaidens of the oil industry, protecting subsidies for Big Oil, and instead we want Mom and the children to pay the price with their health. It's just not right. It's just not right. The President made it clear to the public the difference in our approaches on the student loan issue. Now he has made it clear that he will veto this bill if it contains this pay-for.

Unfortunately, rather than finding common ground in a way to pay for this critical policy, the Statement of Administration Policy says:

This bill includes an attempt to repeal the Prevention and Public Health Fund, which was created to help prevent disease, detect it early, and manage conditions before they become severe. Women, in particular, will benefit from this prevention fund, which would provide for hundreds of thousands of screenings for breast and cervical cancer.

This is already happening. This would have to stop under this bill. So let's back up for a moment and say we all want the most educated population in our country so people can reach their self-fulfillments, whatever they decide those are; so we can be competitive in the world market; so we can have an informed electorate in the spirit of the GI Bill, which educated our soldiers when they came home and created a middle class in our country, which is the backbone of our democracy. In a global economy, it is even more necessary for us to be able to have the skills and trained workforce to compete.

Let's also recognize that nothing brings more money to the Treasury than the education of the American people. Whether it's early childhood, K-12, higher education, postgrad, lifetime learning—nothing brings more money to the Treasury. So it would be a false economy to deter people from seeking more education. It's also adding insult to injury to say, now that we've finally had to fold on the issue and agree with the Democrats that we should keep the interest rates at 3.4 instead of doubling them to 6.8, we're

going to put women and children first as those who will pay for that. It's just not right.

I congratulate the President for his message to the American people and for the message of his administration in his Statement of Administration Policy that a veto would be recommended. I urge my colleagues to vote "no."

Mrs. BIGGERT. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I thank the chairwoman, and I thank the chairman of the committee, Mr. KLINE.

I rise in reluctant opposition to this bill, but in strong support of the committee and the work that they're doing.

We got caught up in politics again today. It makes me so angry. I'm so angry I could spit. I'm trying to bring my blood pressure down over here as a freshman, remember, because I came here for results. I am the keynote speaker tonight for the Georgia College Republicans' statewide convention, and I'm going to go down there and proudly tell them that I voted "no" on this bill today that is pandering to their interests, not because I don't like young people in education, but because I love young people in education.

Every time we come to this floor and talk about how proud we are that we're paying for a piece of legislation, every oil industry tax you want to raise and every millionaire tax you rant to raise, those could be paying down the deficit that we're borrowing from these young people that you purport to support here today. With every new piece of ObamaCare that we want to abolish and that should be abolished, we could put that money towards reducing the over \$1 trillion a year we're borrowing and asking our young people to pay back.

But let me tell you, as a conservative Republican, I am not embarrassed of what we do to serve our young people. Congratulations on our subsidies for our young people. We've now driven our student loan debt higher than the credit card debt in this country. Congratulations. Congratulations that we now have a 3.4 percent interest rate so that the one out of two young people who comes out of college and can't find a job can default on those loans at a lower rate instead of at a higher rate. Congratulations. What about focusing on the jobs? What about focusing on our children's futures? What about focusing on the better tomorrow that we owe to these young people?

There is a choice of two futures here. The committee, as everyone in this House knows, is working on a permanent solution. We subsidize student loans today with a Federal Government guarantee for below-market interest rates; 6.8, that's a below-market interest rate. We subsidize student

loans today with an above-the-line deduction on the 1040. Everybody can take that today, already today; and here we are in the midst of the largest economic crisis in our Nation's history, saying, once again, let's spend the money instead of putting the money towards these children's futures.

There is no free lunch in this town. Every single penny that we spend we're spending from them. You're not subsidizing these people. You're asking them to pay more with interest in their futures. In graduating from college, one out of two kids can't find a job. Student loans are higher than credit card loans for the first time in American history. Are we headed in the right direction, or are we headed in the wrong direction?

I say focus on what this Committee on Education and the Workforce is doing. Look at what they are doing for a permanent fix to provide certainty. This is another short-term fix. I know my colleagues on the left and on the right are trying their best to do what they believe in their hearts is going to serve our young people, but short-term fixes are not the answer. There is a better answer, and it's coming from the committee later on this year. I hope my colleagues will oppose this bill today and will support that bill coming forward.

Mr. TIERNEY. Before I yield, I do want to correct the gentleman. There is somebody around here who gets a free lunch under your bill, and that would be the oil companies, which made \$80 billion in profits last year.

I yield for the purpose of making a unanimous consent request to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I rise in opposition to robbing health and education to pay for oil.

Baron Henry Brougham once said, "Education makes a people easy to lead, but difficult to drive; easy to govern but impossible to enslave." Education is at the cornerstone of our democracy, and college access and success are fundamental stepping stones toward economic security and global competitiveness. As policymakers, it is imperative that we support students in making college affordable so that our citizens can prosper. We face an immediate crisis in college costs. Without congressional action, interest rates will get out of the box pushing students and families in deeper debt.

Yet, rather than setting forth a bipartisan solution to address the impending interest rate hike, the Republican leadership insists on waging a partisan war on the health of our nation by cutting six billion dollars from the Prevention and Public Health Fund. The Prevention and Public Health Fund invests in state and local public health entities to address critical public health problems effectively from the front end, lowering health costs and benefiting over one hundred million Americans. I have been a strong proponent of prevention my entire adult life given its proven ability to improve

the quality of life for citizens with minimal financial investment. Indeed, proven community-based prevention programs yield an estimated return of \$5.60 for every dollar invested. Since 2010, the state of Illinois has received \$31 million from the Prevention Fund. I cannot support the loss of these funds.

I do not understand the Republican position that decreasing access to women's health exams, children's immunizations, obesity programs, smoking cessation, and other proven health promotion programs by slashing prevention funding is better public policy than stopping billions of dollars in taxpayer subsidies for oil companies with record profits. One policy approach benefits our society; the other benefits a handful of privileged corporations. Why should Republicans demand that the wealthiest oil companies that make tens of billions of dollars in profit receive billions of dollars in taxpayer subsidies? With the price of a barrel of oil so high, there is no need to incentivize oil companies to produce oil. The billions of dollars of profit are incentive enough. Further, leading Senate Republicans have acknowledged that Big Oil doesn't need this incentive.

I stand with the nearly 800 public health, prevention and other health and wellness advocates that strongly oppose repeal of this fund. Helping our nation's low and middle-income students avoid deeper debt should not be contingent on eliminating funding for childhood immunizations and screening programs for breast and cervical cancer and birth defects. I support the extension of the interest rate reduction for student loans, but not at the expense of the health of our nation.

Mr. TIERNEY. With that, Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I rise today in strong opposition to the majority's faulty attempt to extend current student loan interest rates.

The Ryan budget, which most of my colleagues on the other side of the aisle voted for, allowed those interest rates to expire. It was only when they started getting criticized by the press did they decide to offer an alternative to our proposal.

□ 1100

Even then, they took yet another shot at the health care law while keeping Big Oil subsidies intact.

Mr. Speaker, this year, a mammogram has saved my wife's life. They have chosen the wrong priority. At the end of the day, the American people cannot afford to see their interest rates double on their student loans.

I urge my colleagues on the other side of the aisle to join us in offering a legitimate source of funding that doesn't put anyone's health in jeopardy. This Congress needs to find an equitable solution to this problem before July 1.

Mrs. BIGGERT. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. I thank the gentleman for yielding.

Mr. Speaker, banks offer car loans at a 3.99 percent interest rate. Banks also offer 30-year fixed mortgages on homes with an interest rate of 3.8 percent. Student loans are currently at 3.4 percent, but if we don't do something, it's going to jump to 6.8 percent.

It seems to me Congress can handle this and do something about it. Recent reports show that 50 percent of recent graduates from college are unemployed or underemployed.

I received an email from a Kingwood Park High School student today named Derek encouraging Congress to do a commonsense thing: to put the student loan rate at 3.4 percent. Why don't we do that?

The student loan debt has reached a trillion dollars. Why would we want to strap students going into college with more debt by increasing the student loan rate in this current economic climate?

You can get a car loan rate very low. In fact, you can get some car loans with 0 percent, but not so with students. Why is that? We should maintain low interest rates for student loans.

Cars and homes are important, but students going to college are an investment in our future. Education is an important tool for our young people to be able to contribute to America's competitiveness worldwide. Also, the bill is paid for. Some of the money that's coming out of this unconstitutional health care mandate will go to deficit reduction.

We need to support our students and encourage young people to go to college, not discourage them by increasing their student loan rates because of politics. This is a commonsense idea. Extend the student loan low interest rate, and we should do it today.

Mr. TIERNEY. Mr. Speaker, I just note that it was common sense about 2 weeks ago and almost the entire Republican Party voted to let the rate go to 6.8 percent. It's nice to see that they've found some reality here.

At this time, I yield 1 minute to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Following up on my friend from Texas, I served on the Labor and Health Committee for 23 years. Bill Natcher from Kentucky used to say this: If you take care of the health of your people and invest in the education of your young people, you will continue to be the strongest and best Nation on the face of the Earth.

I agreed with the gentleman from Kentucky then, and I agree with him now.

Everybody says on this floor, although everybody didn't vote that way—Mr. BOEHNER voted against this reduction in interest rates; Mr. CANTOR voted against this reduction in interest rates; and Mr. KLINE voted in 2007

against this reduction in interest rates. What we are saying is we need to invest.

We talk about subsidies. This isn't a subsidy. This is an investment in a better, stronger, more growing America. That's what this is. But what do we say? Natcher said, remember, if we take care of the health of our people. This undermines the health of our people. It takes away preventive assistance so that women, families, and children can get preventive care, which so many Republicans have said is a more efficient and effective cost-saving way to address the health of our country.

Bill Natcher was right. Bill Natcher was a conservative Democrat from Kentucky who said, if you take care of the health of your people and educate your young people, you will be the strongest Nation on Earth.

This bill goes in the wrong direction trying to do the right thing. Let us reject this bill, and if, in fact, you are for investing in our young people and bringing these interest rates down—which is so absolutely essential—then bring back a bill you know will pass, because you know this bill will not pass.

The President has issued a statement of administration policy that says they will veto this bill because they do not want to undermine the health of women, family, and children while, at the same time, they want to invest in the college education for our country's young people and our future.

Reject this bill. Bring back a new bill, the Courtney bill, which does, in fact, invest in our children and take care of the health of our people.

Mrs. BIGGERT. Mr. Speaker, as we've noted before, in February, Congress took action to stop a payroll tax increase on millions of working families and to ensure that the tax increase did not add to the deficit. The legislation cut \$5 billion from the prevention fund, and the bill received the support of 149 House Democrats, including Democrat leaders such as Ms. PELOSI, Mr. KILDEE, and Mr. COURTNEY. I guess that the Democrats were in favor of raiding the slush fund before they were against it.

With that, I yield 2 minutes to the gentlewoman from Alabama (Mrs. ROBY), a member of the Education and the Workforce Committee.

Mrs. ROBY. Mr. Speaker, I rise today in support of H.R. 4628, the Interest Rate Reduction Act.

I had a nice prepared speech, but in sitting here listening to the debate, I really want to focus in on one specific issue. American students should not be fearful to attend college due to the crushing weight of student loans weighing them down after their graduation.

But as is suggested by my colleagues on the other side of the aisle that this preventive care fund reduction would

deny access to individuals for these health care screenings, I had the privilege, Mr. Speaker, just yesterday to have a conversation with Secretary Sebelius directly as it relates to this fund. I asked her specifically: Madam Secretary, will the reduction in the preventive fund cause a child to be denied access to a health screening? And by her own admission, she said, "Absolutely not."

As I listen to this debate and I hear the comments from my friends on the other side of the aisle, I'm actually dismayed to hear some of the things that are being said that, quite frankly, by the Secretary's own admission just, quite frankly, aren't true.

I stand today in support of this bill.

I want to also point out that by the Secretary's own admission as well, she acknowledged that, in fact, the President of the United States himself, in his own budget, put reductions to this fund.

The Interest Rate Reduction Act will repeal the slush fund. The \$5.9 billion will be used to offset the cost of maintaining the 1-year extension as we move towards a meaningful response to our young people.

Congress must put Washington politics aside and take action. And it is time to stop piecing together temporary solutions to the problems that exist in our student aid programs.

I fully support the Interest Rate Reduction Act, and I encourage my colleagues to join me.

Mr. TIERNEY. Mr. Speaker, I note that I was at that education meeting and heard the Secretary say very quite clearly that no child who gets an immunization under this program will get an immunization under this program if the fund is eliminated. Mrs. BIGGERT, of course, analyzed the taking a little bit of the money and equating that with taking and wiping out the entire fund.

With that said, Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. I thank the gentleman for yielding.

The cynicism of the debate today is why Congress is held in such low repute.

We hear Republicans saying that the public health fund is a slush fund. This is a fund set up to keep us healthy, prevent diseases as long as possible, immunize our kids, provide mammography and PAP smears, services to women in need, to find birth defects early on, to help stop smoking. They call this a slush fund? They're not trying to reduce this fund; their proposal is to eliminate it. The argument from the other side of the aisle is we'll still get those services even if the fund is ended.

I don't know where we're going to get those services if the fund is eliminated and appropriations are being squeezed

down. Republicans call this a slush fund, but actually they are using it as a slush fund because they are using the fund to pay for this extension of student loan interest rates.

□ 1110

They also eliminated this fund so they could use it for their reconciliation package in order to make sure defense is adequately funded, to make sure that their tax cuts are kept in place. Now they're using it as a slush fund to fix the student loan issue and to drive their agenda.

I find that very cynical. I find that, in fact, quite repulsive, and I hope we will reject this bill. We're all for, according to the debate, making sure that we maintain the current interest rate for the 7.4 million students depending on these loans, but I don't find much sincerity when we see a proposal coming from the Republican majority to pay for that by cutting out preventive services.

There's got to be a better way to do it. They're not looking for a better way.

I urge people to vote against this bill. Mrs. BIGGERT. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. I thank my distinguished colleague, and let me just say to the gentleman from California, who is just getting ready to leave the floor, when he mentioned that Republicans are going to prevent tobacco prevention of our youth today, he and I both know there is a separate program in CDC just for tobacco prevention and, in fact, in this so-called PPHF, which all of us have called a slush fund, which is the prevention and public health fund, there is, right now, \$191.685 million for this spending for tobacco prevention. After this bill passes, there would be \$109 million still remaining in this for that smoking and health component of CDC.

I say to the gentleman from Massachusetts and Mr. HOYER of Maryland, I mean, you're yelling fire and there's no fire. I mean, I can go through all these things to show you that your arguments are wrong. The fact that Sebelius, the head of the Health and Human Services, has said publicly—as the gentlelady from Alabama so eloquently pointed out—she, in fact, pointed out that this so-called slush fund is not going to impact what Mr. HOYER says, dealing with women, families, and children.

They bring up Rep. William Natcher. Well, Mr. Natcher says it's very noble, very good, and you constantly use that.

But I'm just going to take you through these different areas where you say that it's going to be unable to provide support for families and women and children.

Cancer prevention and control, which includes breast and cervical cancer

screening, it's funded at \$205 million in the FY 2012 budget. The FY13 budget goes up to \$261 million. It goes up almost \$60 million. No prevention funds are being used for free cancer screening, and they will not be affected.

Let's take birth defects and developmental disabilities. In FY 2012, the CDC birth defects program was \$138 million. It's now going to be \$125 million. Again, these funds would continue to receive discretionary funding. Nutrition, physical activity and obesity activities, again, will continue to receive funding, viral hepatitis screening, CDC health care statistics and surveillance, and, lastly, prevention and research center. All of these things, I say to the folks on this side, are going to continue to receive base discretionary funding.

I challenge you, the gentleman from Massachusetts, to point out where in each of the ones I have talked about, all these programs are going to remain in existence.

So how in the world can you come down to the floor and constantly say—

Mr. TIERNEY. Will the gentleman yield? That is an empty challenge.

Mr. STEARNS. But the point is that you folks are not accurately portraying what this bill does, so I support H.R. 4628. I agree with Secretary Sebelius, the slush fund will not affect women, families, and children.

The SPEAKER pro tempore (Mr. WOMACK). The time of the gentleman has expired.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to others in the second person.

Mr. TIERNEY. Well, Mr. Speaker, I would have addressed my remarks to the Chair and taken the challenge if it had been anything other than an empty challenge and would have noted that Secretary Sebelius and the administration know clearly that those funds would have been diminished and that thousands of screenings for breast cancer and cervical cancer would have been passed by, hundreds of thousands, in the administration's own analysis on that.

With that, I ask the Chair for the time remaining on both sides, please.

The SPEAKER pro tempore. The gentleman from Massachusetts has 13 minutes remaining, and the gentlewoman from Illinois has 5¾ minutes remaining.

Mr. TIERNEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentleman, who is a pleasure to work with on the Education Committee.

Think of the great moments of American public policy—creation of land grant colleges, the GI Bill, providing student loans—all directed toward increasing access to higher education.

Four years ago, we, the Democrats, lowered interest rates for students to 3.4 percent, saving today's typical student borrower a couple thousand dollars. So 2 days ago, the Speaker, cornered by student outrage, says, well, the majority always intended to keep these rates low.

Well, if the Republicans really cared about keeping student interest rates low, why did their budget double those rates? They voted twice this year, clearly, explicitly, twice, to let rates double and collect \$166 billion more from students so they could preserve tax giveaways for Big Oil.

Now they come and propose canceling preventive health care funding, not preventing cervical cancer, not preventing tobacco-related diseases, not preventing type 2 diabetes, eviscerating the Centers for Disease Control to preserve tax giveaways for Big Oil.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. TIERNEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. First, let me thank Congressman TIERNEY for yielding and for your tireless leadership on this important issue.

It's clear to me the Republicans are not serious about addressing the student loan interest rate hikes with the so-called Interest Rate Reduction Act. Their bill is a wolf in sheep's clothing and would permanently end the prevention and public health fund established by the Affordable Care Act.

This prevention fund is the first mandatory funding stream dedicated to improving public health. It is extremely important in our fight to prevent chronic diseases, HIV, AIDS, and for women's health. This is such a sad and sinister ploy. Instead of pitting student loan relief for middle- and low-income families against critical preventive health services for middle- and low-income families, we should be working towards real solutions.

Instead of paying for subsidies to Big Oil, we should invest in our students, who are our future. This bill jeopardizes, mind you, jeopardizes the health of our Nation. It uses our students as pawns, and it is morally wrong.

I hope we defeat this insincere proposal.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. TIERNEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. The Republican majority in this House is involved in a political shell game on this issue. They have voted to eliminate the prevention and public health fund. They voted 2 days ago to end it. Today they want to tell you they are going to take money from it to pay for student loans. You can't end a fund and then talk about taking money to use it.

In addition to that, the gentleman from California a moment ago talked about money in the appropriations bills for these health care programs.

What he doesn't tell you is that the majority in the committees is voting to cut the money for the Centers for Disease Control, for screenings for breast and cervical cancer, for all of these efforts. They are talking out of both sides of their mouths.

This majority passed a budget that has asked families to pay for tax cuts for the wealthiest Americans, slashes Pell Grants for nearly 10 million college students, allows interest rates on student loans to double in July. After there was an outpouring of concern about the doubling of interest rates, they switched course. This apparent moment of conscience was too good to be true.

□ 1120

Instead of ending oil subsidies and closing corporate tax loopholes, what they now have done is they eliminate—eliminate—the prevention and public health fund. What that fund does is provide crucial health services to all Americans, including women and children.

Women, I'll be brief in this: it is about providing screenings for breast and cervical cancer. My friends, 4,000 women die every year from cervical cancer. Isn't it worth trying to prevent cervical cancer and not eliminate it? It works to prevent coronary heart disease, the leading killer of women in America. It has the potential to mitigate osteoporosis, arthritis, and mental illness, all conditions which disproportionately affect the women in this Nation.

This fund is about the giving of life. There is a level of hypocrisy on this floor that is staggering. Instead of taking the money from health care for education, a false choice, vote against this bill.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. TIERNEY. Mr. Speaker, at this time, I would like to yield 1½ minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. The Republicans have taken a 180-degree turn on helping with student loans. The Republican budget said "no," and in February, Governor Mitt Romney said this:

The right course for America is to make sure that we provide loans to the extent we possibly can at an interest rate that doesn't have the taxpayers having to subsidize people who want to go to school.

Now he and the Republicans here have shifted—shifty indeed. How they are doing so is not only politically expedient, but extremely harmful. They hit health care—health care. They refuse to end a tax break for Big Oil that never should have been given in the first place, even though the Big

Five oil companies made more than \$32 billion in the fourth quarter of last year alone. This bill is shameful, and it is shameful. Vote "no."

Mrs. BIGGERT. I continue to reserve the balance of my time.

Mr. TIERNEY. Mr. Speaker, at this time, I would like to yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, in my dictionary, a "slush fund" is defined as "a fund for bribing public officials or carrying on corruptive propaganda." Yet, the Speaker of the House used that term, and the chair of the Education and Labor Committee used that term "slush fund," to describe the prevention and public health fund, which saves lives by paying for childhood immunizations and screenings for cervical cancer and birth defects.

We are the wealthiest and most powerful nation in the world. I refuse to accept the idea that to solve one problem, we have to create another.

The Democrats proposed righting the Ryan Republican budget wrong by taxing oil company profits. Therefore, their suggestion that we go from 3.4 percent interest to 6.8 can be paid for out of the wealth of oil companies that benefit from our country so tremendously.

Mr. Speaker, I reject the blackmail inherent in H.R. 4628. I don't want anybody to know that it's okay to pit one group against another, and we cannot undermine health care to pay for education. We have to do the right thing. We have to choose both.

Mrs. BIGGERT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. TIERNEY. Mr. Speaker, at this time, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, unless Congress acts, Stafford loan rates will double. I spoke to some students at San Diego State University just the other day who are worried about their day-to-day needs, and they asked us not to play politics with this issue.

New grads should have increased opportunities, not bills they can't pay. A college degree should invite calls from job recruiters, not from collection agencies.

I'm glad that the majority has abruptly changed course by agreeing to stop this interest rate hike. But it is unacceptable that this bill proposes to pay for this by repealing the prevention fund.

The bill creates a choice between funding cancer screenings for a mother or making college more affordable for her daughter. Would you want to be that mother? That sends the wrong message to the American people about our priorities.

I urge my colleagues to support a more equitable solution that promotes

APRIL 27, 2012.

the health of the American families and the future of our bright minds.

Mrs. BIGGERT. I would ask the gentleman how many speakers does he have?

Mr. TIERNEY. I have at least five more speakers.

Mrs. BIGGERT. I would continue to reserve the balance of my time.

Mr. TIERNEY. At this time, Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. CLARKE).

Mr. CLARKE of Michigan. I want to thank the gentleman from Massachusetts (Mr. TIERNEY) for yielding me time.

We've talked about the cost of capping student loan interest rates. Well, I think we should extend the cap for longer than a year, and we don't need to cut people's health care screenings in order to do it. Let's create jobs. That's how we can create the economic revenue.

One of the best ways for us to create jobs is to allow student loan borrowers the ability to pay down on their loans according to their income for 10 years and then making them eligible to have the balance of their student loans, if they owe any, be forgiven.

That's the best economic stimulus. These loans are not just for the benefit of the borrower. It also makes our country stronger. The more our people are trained and educated, we can sell the best products overseas and create the best technology. That creates jobs for this country.

It's in our national interest to help pay down these debts and forgive certain student loans. Let's redirect some of our money from Afghanistan and Iraq and use the savings to forgive student loans.

Mrs. BIGGERT. I continue to reserve the balance of my time, Mr. Speaker.

Mr. TIERNEY. Mr. Speaker, I would like to yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Well, once again, the Republican leadership has shown that it's more interested in playing political games than it is in getting things done.

We're talking about student loans here. We should be putting our heads together and coming up with a better way to pay for lowering student loan rates, not eviscerating health care prevention. This is nothing more than a cynical ploy.

The American people want us to work together. We have an opportunity to do this. This is what we really should be doing. There are lots of loopholes that we could close. My colleagues have mentioned Big Oil and Big Gas. We could close those loopholes. We have corporations making lots of money. We could close those loopholes. But what do the Republicans decide to do? They decide to hurt health benefits. They decide to hurt prevention benefits.

This is not the way we should be going. We need to put our heads to-

gether and help these students. The Democrats have said time and time again that this is our priority. We have voted against Republican budgets that raise the amount that students have to pay in loans. Stop playing your cynical games, and let's get to work for the American people. Let's put our heads together, let's help these students, and let's not eviscerate health prevention.

Mrs. BIGGERT. I continue to reserve the balance of my time.

Mr. TIERNEY. Mr. Speaker, at this time, I'd like to yield 1 minute to the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. Mr. Speaker, today, I rise in opposition to H.R. 4628, a misguided, deeply partisan bill which would cut \$6 billion from the prevention and public health fund. For months, I have been proud to help lead the charge to prevent student loan rates from doubling on July 1. So please excuse my surprise when I hear the majority talk about their strong support for keeping college loans affordable. This is a position that they have repeatedly rejected.

Apparently, Republicans have no interest in trying to prevent serious diseases. Surely, if Republicans can ram a \$46 billion tax cut to millionaires and billionaires, they can find a way to pay for both education and health care.

I urge my colleagues to vote for defeat of this bill, stop protecting tax giveaways to Big Oil, and pass a responsible bill to stop the doubling of student loan rates.

Mrs. BIGGERT. Mr. Speaker, at this time, I would like to enter into the RECORD several documents. One is from the American Council on Education, representing 37 education associations. They say:

Education has never been as important to America's economic health as it is now. That is why we are encouraged by the proposals we have seen. The administration and both parties have expressed their strong support for keeping the interest rate at 3.4 percent without cutting other forms of student aid.

Another one is from Lewis University in Illinois, saying that:

Doubling the interest in the subsidized Stafford loans will discourage students in need who are striving to continue their degree studies during these difficult economic times. Thank you for your support for these students.

□ 1130

Finally, from Joliet Junior College, saying that the college serves a population of seven counties in Illinois.

In the 2010-2011 school year, JJC students were awarded over \$23 million in total financial aid. Because of this, the institution supports H.R. 4628, legislation that would prevent the scheduled rate hike.

With that, I reserve the balance of my time.

KELLY ROHDER,

Director of Communications and External Relations, Joliet Junior College, Joliet, IL.

Joliet Junior College is a comprehensive community college that not only helps students transfer to complete their bachelor's degrees, but provides occupational education leading directly to employment, adult education and literacy programs, and workforce development services.

We serve the populations of seven counties that cover a 1,442-square-mile district. While the principal mission of a community college is to be a resource to the populations it serves, access to quality education is equally important. In the 2010-2011 school year, JJC students were awarded over \$23 million in total financial aid. Because of this, the institution supports H.R. 4628, legislation that would prevent the scheduled rate hike on certain federal student loans and extend lower rates for an additional year. It is our goal to help students—whatever their educational goals are—be successful in achieving them.

DEBRA S. DANIELS, Ed.D.,

President,

Joliet Junior College.

LEWIS UNIVERSITY,

Romeoville, IL, April 26, 2012.

Hon. JUDY BIGGERT,

Willowbrook, IL.

DEAR CONGRESSWOMAN BIGGERT: I am writing today to support your efforts to avert the automatic doubling of interest rates on subsidized Stafford loans that will occur on July 1, 2012 as the expiration date approaches for legislation that was approved in 2007 to fix the interest rate on these loans through June 30, 2012. You are to be commended for taking action to extend the rate through June 30, 2013 to protect students from another increase in costs that might discourage some from pursuing higher education. If the 2007 legislation is allowed to expire, the interest rate will increase from 3.4% to 6.8%, an increase that seems unconscionable in today's struggling economy.

You are to be commended for your leadership in promoting affordability and access to higher education throughout your career in the U.S. House of Representatives. Much appreciation for your leadership in introducing House Bill 4628, the Interest Rate Reduction Act, to extend the 3.4% rate for one more year. According to news reports, President Barack Obama supports freezing the interest rate for an additional year and the likely Republican nominee in this year's Presidential election, Governor Mitt Romney, also opposes an increase for the interest rate.

An educated workforce is essential in current efforts to restore and maintain economic stability and assure a bright future for our nation. You have been far-sighted in your support of students at public and private colleges and universities across the country. Doubling the interest in the subsidized Stafford loans will discourage students in need who are striving to continue their degree studies during these difficult economic times. Thank you for your support for these students. I appreciate your efforts, your leadership and your continuing support for quality higher education.

Sincerely,

BROTHER JAMES GAFFNEY, FSC,

President.

AMERICAN COUNCIL ON EDUCATION,

Washington, DC, April 26, 2012.

DEAR REPRESENTATIVE: I write on behalf of the higher education associations listed

below to express our strong support for enacting legislation to maintain the subsidized Stafford student loan interest rate at 3.4 percent. Allowing this rate to double, as it is scheduled to do on July 1st, would impose significant additional costs on more than 7.4 million students and their families.

We are very encouraged by the bipartisan interest in preventing the rate from rising to 6.8 percent in just over two months time. With interest rates on many consumer loans available at rates below 3.4 percent, raising student loan interest rates to 6.8 percent in this environment makes little sense and would create considerable hardship for students and their families. We particularly appreciate the effort made by Democrats and Republicans in both chambers to seek offsets from outside of student financial aid. In recent years, a number of benefits within the student loan programs have been eliminated in order to pay for other programs or to contribute to deficit reduction. Through a combination of reductions or eliminations of other student aid programs, we have witnessed an increased financial burden on our students.

Education has never been as important to America's economic health as it is now. That is why we are encouraged by the proposals we have seen. The administration and both parties have expressed their strong support for keeping the interest rate at 3.4 percent without cutting other forms of student aid. We urge Congress to continue their work and produce a final bill with bipartisan support.

Sincerely,

MOLLY CORBETT BROAD,

President.

On behalf of:

ACPA—College Student Educators International

ACT, Inc.

American Association of Colleges for Teacher Education

American Association of Colleges of Nursing

American Association of Collegiate Registrars and Admissions Officers

American Association of Community Colleges

American Association of State Colleges and Universities

American Association of University Professors

American Dental Education Association

American Indian Higher Education Consortium

APPA, "Leadership in Educational Facilities"

Association of American Colleges and Universities

Association of American Law Schools

Association of American Universities

Association of Catholic Colleges and Universities

Association of Community College Trustees

Association of Governing Boards of Universities and Colleges

Association of Jesuit Colleges and Universities

Association of Public and Land-grant Universities

Association of Research Libraries

College Board

Council for Christian Colleges & Universities

Council for Opportunity in Education

Council of Graduate Schools

Council of Independent Colleges

Educational Testing Service

Hispanic Association of Colleges and Universities

NAFSA: Association of International Educators

NASPA—Student Affairs Administrators in Higher Education

National Association for College Admission Counseling

National Association for Equal Opportunity in Higher Education

National Association of College and University Business Officers

National Association of Independent Colleges and Universities

National Association of Student Financial Aid Administrators

National Collegiate Athletic Association

Thurgood Marshall College Fund

UNCF

University Professional & Continuing Education Association

Mr. TIERNEY. Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

Mr. Speaker, last week, the Republican majority was adamantly opposed to this legislation. This week, we're rushing it through on the floor today. You know what? That's a good thing. We're on the same page. The majority and the minority want to preserve student loan interest rates at 3.4 percent, not let them double to 6.8 percent.

So if that is the case, why are we selecting mutually unacceptable ways to pay for this? It's as though we're resorting to the trick bags: you raid the health fund that's so important to us; we present the oil company provision that is so unacceptable to you.

What we should do is find a way to put some limits, some incentives to keep tuition increases at or below the rate of inflation. They were up, 8.4 percent. If we work together, that would be a double win for students and parents. We could keep those interest rates low, and we could start bringing down the escalation in tuition increases that are unacceptable.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. TIERNEY. Mr. Speaker, at this time I would like to yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. I'd like to thank the gentleman from Massachusetts for yielding, and for his outstanding leadership on this issue and so many other issues in education.

Mr. Speaker, we obviously absolutely cannot allow the interest rate on student loans to more than double. I rise in opposition to H.R. 4628.

While Congress must prevent the Stafford loan interest rate from doubling to 6.8 percent, it is unconscionable that the Republican leadership is forcing us to choose between education and health care. Too many students face unnecessary barriers to pursuing a college degree, and it is our responsibility to empower them by investing in their education and health.

Republicans are putting us in the untenable position of paying for this measure by gutting the prevention and

public health fund, the sole purpose of which is to reduce chronic conditions that are driving up the cost of health care in the first place.

Now, instead of sacrificing our public health to score political points, we need to work together to ensure our students can pursue their dreams without the burdens of unnecessary costs and debt.

I urge my colleagues to oppose this bill.

Mrs. BIGGERT. Mr. Speaker, I reserve the balance of my time.

Mr. TIERNEY. Mr. Speaker, at this time, I yield the remaining time on this side to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my friend from Massachusetts.

Just a few weeks ago on this very floor, our Republican colleagues voted for the Republican budget that called for a doubling of interest rates on student loans on 7 million American students, and they voted against the Democratic alternative budget, which would have prevented that increase in student loan interest rates.

So what's happened over the last couple weeks? Well, President Obama has gone to the country. He has gone to students and he's told the story about what the Republican budget would do, and so we are here today.

But make no mistake, Mr. Speaker, our Republican colleagues haven't changed their minds about this; they've changed their tactics. If they really wanted to prevent student loans from increasing, they wouldn't seek to cover the costs by cutting funds for cervical cancer screening, by cutting funds for breast cancer screening, by cutting other women's health care measures. They wouldn't push a measure the President has already said he would veto.

Mr. Speaker, we have a proposal. Let's cover the cost by getting rid of the subsidies for Big Oil companies. That's the real slush fund around here. The big taxpayer subsidies go for that purpose. Let's get the job done, and let's not play political games.

Unfortunately, what we're seeing here, Mr. Speaker, is an effort to seek political cover. Let's get the job done for real.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume to close.

It seems like we came in, and I think the first thing that I talked about here is how I hoped that we would be able to work together on a bipartisan basis. It just seems like this is so hard to do in this political time. I really think that, in major legislation, we really have to work together to find the solutions, but it seems like the other side is always ready to tell us what we think and what we are doing and why we are doing it. We are doing this because we really want to have our students have

the ability to have a quality education, and it just seems like we're so different on the pay-fors.

I know that everybody agrees on the program itself and how we have to do it, but we can't seem to do anything without giving us a cynical view, and it bothers me. It seems like when we were talking about the pay-fors, the other side of the aisle's first reaction is to raise taxes for everything and ours has always been to reduce spending, and we think that this is the way to go. I think we have just got to find a way to get together.

I had said in my opening statement that I hoped that we would be able to get together and work together, and also the Senate. I hope that when this bill goes over to the Senate that there is a negotiation, that there is a conference so that we really can iron this out and make sure that there is not a raising to the 6.8 percent.

It kind of makes you wonder. It just seems like the political maneuvering certainly is continuing on the student loan issue. I guess today when we have this vote, we'll see what happens. But I really hope that we get to the Senate so that we have the opportunity to do this.

I just want to go back a little bit to what happened in the Education Committee yesterday that Mrs. ROBY talked about and so did Mr. TIERNEY. I think Secretary Sebelius did say that there were services outside the prevention and public health fund that will remain available to individuals who seek preventive care, such as cancer prevention and care, including breast and cervical cancer screenings, screenings for birth defects and developmental disabilities, tobacco prevention at the CDC, and efforts that promote healthy nutrition and physical activity to prevent obesity.

□ 1140

So I think that this really is a lot that we believe in for prevention. And we heard from Mr. STEARNS all of the appropriations and how that takes care of a lot of the prevention issues.

I think that the American people are really very knowledgeable now about prevention and what they need to do and have the ability to do this on their own as well.

This political bickering is not what the bill is all about. What the bill is all about is to reduce to 3.4 percent interest rates on the subsidized Stafford loans. And I hope that this bill will pass. I urge my colleagues to vote for it.

I yield back the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, House Republicans have demonstrated their complete disregard and contempt for women's health and the plight of students by forcing a choice between the elimination of funding for the Prevention and Public Health Fund or relief for students who are saddled with student loan debt.

That is a choice that we shouldn't and don't have make. It is cruel and destructive, it is anti-family, it is not smart economically, and it is completely unnecessary.

As a mother and a grandmother, I simply cannot understand why Congressional Republicans continue their assault on women's health. I cannot understand why they prefer to reduce access to cancer screenings and immunizations rather than asking Big Oil to give up their subsidies. I cannot understand why they are trying to force us to choose between keeping moms healthy or sending their children to college.

If we want to revitalize our economy and unburden Americans who are saddled with student loan debt, we must enact policies that help to cut that debt. Democrats have been demanding action on student loans for months—and finally, Republicans have agreed to do something.

But at what cost? By putting the health of women and children at risk. The Prevention and Public Health Fund supports proven prevention activities like breast and cervical cancer screenings. It helps provide immunizations for children. It will save lives and keep women well. Republicans are telling us that we have to choose between protecting women's and children's health or letting student loan rates double.

Republicans are trying to label the Prevention Fund as a slush fund. Americans know that mammograms and Pap smears are not "slush"—they are basic, routine—and often life-saving—services for women. Prevention is fundamental. It is the key to reducing health care costs and creating a long-term path to a healthier and economically sound America. Cutting prevention programs like breast and cervical cancer screening now will only lead to increased health costs down the road.

In fact, the data proves that we should be increasing our investment in early detection through screening and working to increase awareness about these diseases. The National Health Interview Survey from 2010 found that women are getting screened for breast and cervical cancers at rates below national standards.

The breast cancer screening rate was 72 percent in 2010, below the federal health target of 81 percent. The cervical cancer screening rates were 83 percent, below the 93 percent goal. The screening rates for both cancers were significantly lower among Asian and Hispanic and women, as well as those without health insurance or no usual source of health care.

In the United States in 2012, it is estimated that there will be 226,870 new cases of invasive breast cancer, and nearly 40,000 women will die from the disease; an estimated 12,000 women will be diagnosed with cervical cancer, and over 4,000 women will die from cervical cancer.

Earlier this week, Republicans on the Energy and Commerce Committee approved over \$97 billion in cuts to public health programs to insulate the Department of Defense from spending cuts triggered by the failure of the Joint Select Committee on Deficit Reduction. Among the suggested cuts was the complete elimination of funding for the Prevention and Public Health Fund. I offered an amend-

ment to preserve support under the Fund for breast and cervical cancer screening programs and other women's health preventive services. My amendment was defeated along party lines.

Republicans could ask millionaires and billionaires, oil and gas companies making record profits, and corporations that shift jobs and profits overseas to help offset the cost of reducing student loan interest rates. Instead, they have decided to continue with their repeated war on women's health by eliminating funding for the public health programs that benefit women—to reduce the costs for their sons and daughters to attend college.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to speak in opposition to H.R. 4628. This bill forces an unnecessary and immoral choice between students' education and the health care of women, children, and seniors.

Since January, President Obama and the Democratic Members of Congress have urged Republicans to address the pending increase in student loan interest rates. Over the last month, many Republicans have stated that they had no qualms about the additional borrowing costs. In fact, they spoke loudly with their votes in support of the Ryan Budget just last month, which would double student loan interest rates.

Republicans are not working in good faith to help students and their families, but are rather using this situation to continue their efforts to defund programs that provide critical illness prevention and wellness screening. Cutting the Prevention and Public Health Fund will have a disproportionate impact on America's women and children. Defunding this program means stripping away vital funding for cancer detection, childhood immunizations, and screening newborns for birth defects. The GOP repeal of the Prevention and Public Health Fund is opposed by nearly 800 organizations, including the American Lung Association, American Heart Association, American Academy of Pediatrics, and Association of Maternal and Child Health Programs.

In 2007, Democrats in Congress provided relief to students from high interest rates on need-based loans. We passed the College Cost Reduction and Access Act that lowered interest rates on subsidized Stafford Loans each year until they reached a low of 3.4 percent this past year. Since then, 15 million students have benefitted from lower rates. Unfortunately, without Republican action in the House and action in the Senate, those rates are set to double on July 1st from 3.4 percent to 6.8 percent.

The doubling of loan rates will hit students at a time when they can least afford it. In the current weak economy, young Americans have the highest unemployment rate of any other group. Two-thirds of the Class of 2010 graduated with an average of student loan debt of \$25,000.

Congress should not be building more hurdles for young people to get the education and the skills needed to succeed. We should be facilitating the ability of students to pursue higher education and training. Every year Congress does not act, it will cost a student borrower \$1,000 in additional repayment costs, and failure to act now will add \$6.3 billion to students' debt burden in one year alone.

Mr. Speaker, it is stop playing politics with American's students and the health care of women, children, and seniors. I urge the passage legislation maintaining the current student loan rate that does not undermine the access to health care that would affect millions of Americans.

Mr. STARK. Mr. Speaker, I rise today in opposition to this sham Republican bill that would eliminate a vital component of ObamaCare—the Prevention and Public Health Fund (PPHF)—in a blatantly political attempt to avoid being blamed for allowing interest rates on student loans to double on 7 million Americans.

Just one month ago, nearly the entire Republican caucus voted for the Ryan Budget. This budget included a provision allowing the current 3.4 percent interest rate on federal student loans to double on July 1. Now, in response to intense political pressure, Republicans have done a complete 180 and claim they do not want to cost college students and their families an extra \$1,000 a year by letting the rate hike take effect. While I welcome them to the party, the Republican bill, hastily rushed to the floor under a completely closed process, contains a poison pill. In order to pay for this legislation, they are continuing their assault on health reform in general and women's health in particular. The PPHF has already been used to improve prevention services in low-income and underserved communities, including vaccinating children and intervening to prevent chronic diseases such as diabetes. Eliminating this fund will also mean that hundreds of thousands of women will lose access to screenings for breast and cervical cancers. This will cost lives and is completely unacceptable.

There is a better way. Earlier this week, I helped to introduce the Stop the Rate Hike Act. This bill would keep interest rates on student loans low. However, it would pay for the fix, not by taking away health care, but by ending egregious tax breaks for big oil companies. The Democratic bill would not only keep college within reach for millions of middle class families, it would also restore some sanity to our tax code. That is the bill we should be voting on today. I urge all of my colleges to vote to protect our nation's health and oppose the sham "Interest Rate Reduction Act."

Mr. RAHALL. Mr. Speaker, as a cosponsor of H.R. 3826, a bill that would prevent a sharp increase in interest rates on Direct Stafford Student loans beginning in July, I am very much opposed to playing politics with this important issue.

I do not believe we need to choose between cutting funds that provide much needed preventive health services and making college more affordable. I cannot understand the mentality that flirts with the idea of raising college costs and limiting access to health care for working middle-class families, while instinctively recoiling at the idea of closing tax loopholes for multinational conglomerates and the wealthiest Americans.

This is exactly what infuriates the American public and why Congressional approval ratings are at record lows. I understand it's an election year and each side wants to score points at the other side's expense but every time we get into one of these debates with competing

proposals we know will split the Congress and lead to gridlock, it chips away at the credibility of the institution. We must find a way to summon the will to get beyond the temptation to take cheap shots at the other side and put the interests of the American people first.

Mr. GEORGE MILLER of California. Mr. Speaker, I submit the attached letters of opposition to H.R. 4628.

AMERICAN DIABETES ASSOCIATION,

April 26, 2012.

Tomorrow, Friday, April 27, your Representative will cast a vote that will impact the future of programs that improve public health and prevent diabetes.

Take action now to protect vital public health and prevention programs!

The Prevention and Public Health Fund was established in 2010 as a national investment in prevention and public health programs over ten years. It is from this fund that the National Diabetes Prevention Program received its initial funding. But Members of Congress will be voting tomorrow on whether to fully repeal this vital fund, gutting efforts to prevent diabetes and improve our nation's overall health!

We need to make sure diabetes programs and prevention efforts don't get slashed. Tell your legislators RIGHT NOW to oppose HR 4628!

Nearly 26 million Americans have diabetes and another 79 million are on the brink of developing the disease. Prediabetes, diabetes and its complications already cost the nation an estimated \$218 billion annually and this cost is expected to grow. If current trends continue, by the year 2050 one in three American adults will have diabetes. Diabetes prevention is an example of an effort that can save both lives and money. If brought to scale, it is estimated that the NDPP will save \$191 billion in health care costs over ten years! The Prevention and Public Health Fund is a critical source of potential funding for the NDPP.

Take this chance to make your voice heard and tell your Representative to oppose any efforts to eliminate the Prevention and Public Health Fund!

Sincerely,

L. HUNTER LIMBAUGH,
Chair of the Board,
American Diabetes Association.

NATIONAL PARTNERSHIP
FOR WOMEN & FAMILIES,
April 26, 2012.

Hon. ROSA DELAURO,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE DELAURO: We are writing to strongly urge you to protect women's access to important preventive health benefits by opposing H.R. 4628. This legislation would eliminate the Prevention and Public Health Trust Fund and rescind all unobligated funds. The National Partnership for Women & Families represents women across the country—and in your district—who are counting on critical prevention services that would be lost if this funding were eliminated.

The Prevention and Public Health Trust Fund (PPHTF) was created by the Affordable Care Act (ACA) to ensure adequate funding for preventive health initiatives. These initiatives help to improve the health of lower and middle income women and families and, by improving health, also help to lower health care spending over time. And what makes the PPHTF so unique is that it works in partnership with states and communities.

Already there are several key initiatives funded by the Prevention and Public Health Trust Fund that are benefitting women including:

Chronic Disease Prevention: to enable communities to use evidence-based interventions to reduce chronic conditions and prevent heart attacks, diabetes, strokes, cancer, and other conditions that impact women.

Obesity Prevention and Fitness: to improve nutrition and increase physical activity to reduce obesity-related conditions and health care costs. Reducing obesity rates (BMI) by 5% nation-wide could save almost \$30 billion in health costs within 5 years.

Expanded Immunization Services: to provide critical immunizations. Every dollar spent on childhood immunizations saves \$16 in costs to treat preventable illness.

Behavioral Health Screening and Integration with Primary Health: to help communities integrate primary care services into publicly funded community mental health and other community-based behavioral health settings and expand suicide prevention activities and screenings for substance use disorders.

HIV/AIDS Prevention: to focus on HIV prevention in high risk populations and communities by increasing HIV testing opportunities, linking HIV-infected women with needed services including preventing maternal child transmission, and filling critical gaps in data and understanding of the HIV epidemic to better target prevention, care, and treatment.

Women in communities across the country are already beginning to benefit from the initiatives funded by the Prevention Trust Fund.

To eliminate funding for programs that not only improve the health and lives of millions of women but also have the potential for improving population health and lowering health care spending over time is not fiscally prudent.

We strongly urge you to support the women and families in your district and oppose H.R. 4628.

Sincerely,

DEBRA L. NESS,
President.

NEMOURS,
April 23, 2012.

Hon. HENRY WAXMAN,
Ranking Member, House Committee on Energy
& Commerce, Rayburn House Office Building,
Washington, DC.

DEAR RANKING MEMBER WAXMAN: As the House votes on H.R. 4628, the Interest Rate Reduction Act, Nemours—an integrated child health system in the Delaware Valley and Florida—would like to express its opposition to the repeal of, or any additional cuts to, the Prevention and Public Health Fund (Fund). While Nemours has no objection to extending student loan interest rates, we oppose offsetting this provision with the Prevention and Public Health Fund. Further cuts to the Fund will only hurt investments already made in wellness, prevention, and public health programs. We need to stop continually sacrificing the Fund for other priorities.

Experts have warned that this could be the first generation of children who live shorter, less healthy lives than their parents. As a foundation operating an integrated health system, we have a unique perspective on the threat that preventable chronic diseases are posing to the health of America's children. We believe our country has the opportunity to invest in our children by promoting

health and disease prevention through the Fund. Already, the Fund has made important investments in obesity prevention, tobacco control, and other health priorities. Every attempt to diminish the Fund compromises our ability to protect and promote the health of our children, which is our mission at Nemours.

With Americans spending more each year on health care, the Fund represents an important investment in a slower cost growth for our health care system and America's economy overall. By partaking in preventive and wellness initiatives early in their lives, more Americans will be able to remain healthy, preventing unnecessary hospitalizations later in life. However, in order to do this, our nation needs to fundamentally realign its health care spending. We need to invest more at the front end to maintain people's health, as opposed to focusing our scarce resources on treatment at the back end. The Fund helps to achieve this goal, and any attempt to diminish the Fund will compromise our ability to ensure the health and well-being of our nation and economy.

We urge you to stand with our nation's children and fight to safeguard the Prevention and Public Health Fund and oppose all efforts to siphon away this investment.

Sincerely,

DEBBIE I. CHANG,
VICE PRESIDENT,
Policy and Prevention.

Mr. TIERNEY. Mr. Speaker, I hereby submit the attached letters of opposition to H.R. 4628.

CONGRESS MUST NOT ELIMINATE PREVENTION
AND PUBLIC HEALTH FUND
STATEMENT OF THE AMERICAN LUNG
ASSOCIATION

WASHINGTON.—Some in Congress are trying to force the nation to choose between health and education. The House of Representatives is poised to vote on a measure to eliminate the lifesaving Prevention and Public Health Fund to pay for keeping student loan rates down. The American Lung Association fiercely opposes any attempts to divert or cut the Prevention Fund. The Affordable Care Act established the Prevention Fund to promote wellness, to prevent disease, and to protect against public health emergencies.

America should not have to choose between protecting the health of its citizens and making higher education more affordable. Congress must reject this ill-conceived approach. The student loan interest rate issue can and must be resolved without undermining the health of millions of Americans.

The Prevention Fund is already helping Americans across the country to make healthier choices and to take responsibility for their own health and the health of their families. Because of the Prevention Fund, states and communities are now able to help more people quit smoking through cessation programs and improve lung health by preventing and treating lung diseases, including COPD, lung cancer, and asthma. It is also allowing states and communities to monitor outbreaks of infectious diseases, such as influenza, and enhance prevention services in low-income and underserved communities.

Quitting smoking is the single most important thing a smoker can do to improve their health status. The Centers for Disease Control and Prevention's (CDC) Tips from Former Smokers media campaign, which was underwritten by the Prevention Fund, has already resulted in tens of thousands of additional calls to 1-800-QUIT NOW by smokers seeking help with quitting. This is tangible

evidence of the Prevention Fund having a positive impact.

Prevention programs work. Prevention save lives and helps keep people healthy. Congress must not play politics with our nation's health. The American Lung Association strongly urges Congress to reject this absurd choice.

ERIKA SWARD,
Director, National Advocacy.

APRIL 27, 2012.

Hon. GEORGE MILLER,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN MILLER: Interest rates on new subsidized Stafford student loans will double to 6.8 percent beginning July 1 unless Congress extends a cap that has helped make the loans more affordable for millions of Americans. This cap was enacted through bipartisan legislation approved by Congress in 2007.

As the House votes today on legislation to extend this cap for one year, we are grateful that the issue is getting attention and support from members of both parties.

Many students and parents are struggling to keep up with the runaway costs of paying for college. This is not the time to pile thousands of dollars in additional debt on their backs by allowing student loan interest rates to double.

If Congress fails to extend the cap, an estimated 7.4 million borrowers will face higher interest rates. Two-thirds of all college students now graduate with student loan debt, compared to just one-third a decade ago. On average, these students graduate with \$25,000 in debt. At over \$1 trillion, student loan debt now tops what Americans owe on their credit cards.

As a consumer organization, we are deeply troubled by the idea of paying for this extension by cutting funds from a prevention and public health fund that is designed to help consumers get life-saving cancer screenings and child immunizations. The alternative proposal to cut federal subsidies for oil and gas companies, which have collected record-breaking profits, appears to be a more equitable solution.

We urge lawmakers to come together to develop a path forward on the funding mechanism so that students can afford the education they need to stay competitive in today's tough job market. Congress should invest in our future by extending the interest rate cap.

Sincerely,

PAMELA BANKS,
Senior Policy Counsel, Consumers Union.
IOANA RUSU,
Regulatory Counsel, Consumers Union.

CONGRESS MUST FIND A TRULY BIPARTISAN
SOLUTION TO KEEP STUDENT LOAN RATE
FROM DOUBLING

WASHINGTON, DC.—Today, Campus Progress Action is calling on Congress to set aside its partisan differences, come together, and stop the interest rate on the subsidized Stafford student loans from doubling July 1.

Anne Johnson, director of Campus Progress Action, said: "While we are pleased that the Republican leadership in the House has moved swiftly to bring a bill to a vote, their proposal to pay for the extension of the current interest rate by cutting preventive health care is destructive and shows a lack of serious leadership. This is not a bipartisan solution."

"If Congress fails to act" Johnson continued, "being able to afford college will be

even harder for millions of American families. An extra \$1,000 will add to the burden of already skyrocketing tuition. That money could be used to help a young graduate move out, pay rent, buy food, pay for a car, and other important expenses."

Campus Progress Action is urging members to vote no on H.R. 4628 and work to find a bipartisan way to pay for maintaining low interest rates for students without impacting other vital programs.

The nearly 7.5 million students who will be impacted if Congress does not take action are hard at work on campuses around the country as they earn their degrees. Congress should be working just as hard to make sure we don't let them down.

TRUST FOR AMERICA'S HEALTH,
Washington, DC, April 26, 2012.

DEAR MEMBER OF CONGRESS: On behalf of the Trust for America's Health, I urge you to oppose the use of the Prevention and Public Health Fund (Fund) as an offset for the Interest Rate Reduction Act (H.R. 4628). Repealing the Fund, which has already suffered a significant cut, would compromise our ability to make progress on cost containment, public health modernization, and wellness promotion. Please oppose this measure and instead look to a solution that will not penalize middle-class Americans.

Two years ago, in creating the Fund, the federal government made a historic investment in the future by focusing on keeping soaring health care costs under control, while at the same time, helping those who wanted to be healthy get or stay healthy. The Fund is our first sustained national investment in prevention, and is essential to efforts to reduce the growth of chronic diseases such as obesity, heart disease, and diabetes, which are the primary drivers in the increase in health costs.

To date, the Fund has provided resources to support evidence-based strategies at the community level that help people get healthy and achieve significant gains such as reducing average body mass index (BMI). A recent TFAH study finds that if the country ignores the obesity epidemic, obesity rates could be expected to grow from 32 percent to 50-51 percent for men and from 35 percent to 45-52 percent for women by 2030. In under two decades, the majority of our country could be not just overweight but obese. Yet, according to the same TFAH analysis, if we reduce the average BMI by just five percent, the country could save nearly \$30 billion in health care savings in just five years.

However, if the country keeps using investments in the future to cover these short-term "fixes," our children will continue to be penalized and, for the first time ever, there's a significant chance that a generation will live shorter and less healthy lives than the previous generation.

The Fund was designed to invest in innovative programs that will help make healthy choices the easy choices for Americans, and help curtail rising health care costs. It has received wide backing since it was created: 760 national, state and local organizations, representing a broad spectrum of sectors, have pledged their support for the Fund. Any cuts to the Prevention Fund guarantee the country will now be paying more for obesity-related health costs over the next ten years and Americans will be less healthy, productive and happy.

Prevention is the key to lowering health care costs and creating a long-term path to a healthier and economically sound America, and the Prevention Fund is an essential part

in bringing communities together on innovative projects that will help us reverse the obesity epidemic and realize these cost savings. I urge you to reject any proposal to repeal or cut the Prevention and Public Health Fund.

Sincerely,

JEFFREY LEVI, PH.D.,
Executive Director.

Mr. HINOJOSA. Mr. Speaker, I hereby submit the attached letters of opposition to H.R. 4628.

HOUSE GOP STUDENT INTEREST RATE BILL OFFERS YOUNG ADULTS A CHOICE: YOUR HEALTH OR AN AFFORDABLE EDUCATION?

Yesterday, House Republicans announced support for preventing interest rate hikes on subsidized Stafford Loans from doubling on July 1st, joining the Administration and House and Senate Democrats who have already stated a commitment to keeping rates down. On Friday, the House Republicans will call for a vote on their bill introduced yesterday to extend the lower interest rates. However, the bill pays for this extension by eliminating a multi-billion dollar health care prevention fund for life-saving cancer screenings and child immunizations. These cuts would have a negative impact on the health of children, young adults, and families. "Keeping interest rates from doubling is a priority, and we are thrilled to see policymakers from both sides of the aisle support college affordability and take steps to keep student debt from increasing even further," said Jennifer Mishory, deputy director of Young Invincibles. "However, pitting the interest rate freeze against health care prevention calls for a false choice between staying healthy and getting a shot at an affordable education." The House Republican bill would cut the Public Health and Prevention Fund, which next year is set to provide funding for childhood immunizations and cancer control programs, including breast and cervical cancer screening. Mishory added, "About 15% of young adults have a chronic disease. Since when does this generation have to choose between a stable economic future and a healthy one?" Effective cancer screening and early and sustained treatment could reduce the cancer death rate by 29%. Moreover, just as 92 percent of young Democrats and 78 percent of young Republicans say that making college loans affordable will help the economy, sufficient investment in prevention has positive economic impact. Research shows that every dollar spent on immunizations could save \$5.30 on direct health care costs and \$16.50 on total societal costs. You can view a recent Young Invincibles report on the Stafford interest rate issue at the link below: http://younginvincibles.org/News/releases/student_loan_interest_rates.pdf.

For background on the cost of college and the rise in student debt, please visit: http://www.younginvincibles.org/News/releases/student_debt_onepager_april2012.pdf.

DON'T PLAY POLITICS WITH STUDENT LOAN HIKE

WASHINGTON, DC.—Victor Sanchez, President of the United States Student Association, issued the following statement on the recent flood of legislation to address the fast approaching student interest rate hike.

"Students respond to Republican lip service with a unified response: 'Don't play politics with my student loans.'"

"We are thrilled to see President Obama and Congressional leaders of both parties working to prevent 7.4 million students from taking on an additional \$1000 of debt for each

new student loan they borrow," said Victor Sanchez, President of the United States Student Association."

"This week House and Senate members from both parties introduced contrasting proposals to pay for legislation that will keep student loan interest rates from doubling to 6.8% on July 1st. Amongst the proposals, House Speaker Boehner announced a vote this Friday on Rep. Biggert's bill, which would cut funding for the Prevention and Public Health Fund in the Affordable Care Act (ACA) to pay for the investment."

"Speaker Boehner believes that the best way to pay for the extension of the 3.4% interest rate on subsidized Stafford loans is by taking funding from an important program that supports efforts to prevent disease and protect against health emergencies in the ACA. In contrast Democrats, who have led on this critical issue, put forth a plan that closes tax loopholes that allow wealthy individuals to avoid paying the same income taxes that middle-class Americans pay."

"The United States Student Association is happy that both parties have prioritized extending the current student loan interest rate, but students know that the fight to make education affordable and attainable has not yet been won. Students should not have to choose between their health care and an affordable education, which is what Speaker Boehner's proposal would force them to do."

"Over the past few months students have been organizing tremendously to put student loan debt and the subsidized Stafford loan hike at the forefront of the national dialogue by coordinating national days of actions and confronting members of Congress on the issue. Students cannot allow this important investment in our education to become the victim of Washington partisan gridlock."

AMERICAN CANCER SOCIETY,
CANCER ACTION NETWORK,
Washington, DC, April 26, 2012.

DEAR REPRESENTATIVE: The American Cancer Society Cancer Action Network (ACS CAN) strongly opposes any legislation that would cut prevention and public health funding for any purpose, including offsetting the cost of student loan programs. Reducing funding intended for prevention of disease makes no sense from a public health standpoint and furthermore will increase overall health care expenditures in the long run.

Half of the estimated 577,000 deaths that will occur from cancer this year could have been prevented by eliminating tobacco use, encouraging better diet and exercise, and giving all Americans access to cancer screening and preventive medicine. Tobacco use alone kills half a million Americans every year. Another 188,000 deaths from cancer are due to poor nutrition, physical inactivity, and obesity-related disease.

Prevention is predicated on the commonsense reality that we as a nation should take steps to resolve health care crises before they begin. It is a fact that diseases we have conquered in the past—polio, smallpox, tuberculosis and others—no longer present the public health risk they once did because of the work we still do to prevent them from occurring. In much the same way, prevention is the real cure for cancer.

Today, the Prevention and Public Health Fund is being used to save lives by addressing the greatest modifiable cancer risk factors: tobacco use, poor nutrition, physical inactivity, and obesity. For example, in Alabama, funding is being used to educate and help women access life-saving preventive

services such as mammograms and Pap tests. In New York state, funding is being used to achieve four strategic objectives: tobacco-free living; active and healthy eating; high-impact evidence-based clinical and other preventive services; and creating healthy and safe physical environments. In Texas, funding is being used to improve the health care workforce and ensure that residents have access to evidence-based services including tobacco quitlines and cancer screenings. Dollars provided by the fund are supporting projects like these in each of the 50 states. This is the kind of work that will transform our health system, allowing the nation to control costs and improve health outcomes—something we all want to accomplish.

Voting to cut prevention funding is a vote in support of more chronic disease. Accordingly, we urge you not to cut the Prevention and Public Health Fund further, and help to save lives in the process. Thank you so much for your consideration of this matter.

Sincerely,

CHRISTOPHER W. HANSEN,
President.

Ms. WOOLSEY. Mr. Speaker, I submit the attached letters of opposition to H.R. 4628.

A UNION OF PROFESSIONALS,
April 26, 2012.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the more than 1.5 million members of the American Federation of Teachers (AFT), I urge you to vote "no" on H.R. 4628, the Interest Rate Reduction Act.

As you know, on July 1, interest rates on federal subsidized Stafford student loans will double from 3.4 percent to 6.8 percent. This increase will affect 7.4 million low- and middle-income students, having a lasting impact on the long-term costs of their loans and on their future life decisions, like buying a home, owning a business or starting a family.

College students are graduating with record levels of debt. In fact, national student debt has surpassed our nation's credit card debt, and with the high levels of unemployment and underemployment for graduates, there could hardly be a worse time for the interest rate on Stafford loans to double.

We are pleased that both parties in the House have now finally acknowledged the need to prevent interest rates from doubling in July. However, there is a right way and a wrong way to pay for the cost of keeping the rates low for one year. Under H.R. 4628, the majority proposes to take billions of dollars from the prevention and public health fund in the Affordable Care Act. This fund helps ensure that women receive affordable and critical preventive healthcare, like breast cancer and cervical cancer screenings that can save their lives and reduce unnecessary medical costs to them and to taxpayers. And the fund supports community health centers, provides child immunizations and helps children with birth defects. Alternatively, the minority supports ending unfair tax loopholes that benefit wealthy individuals and corporations, and then using these savings to prevent loan rates from doubling.

Congress should not rob Peter to pay Paul by using a funding stream geared to help public health and provide preventive healthcare to pay for the loan rate extension. It is unconscionable, when other options are available, to propose that the student loan problem be solved by undercutting the healthcare available to women, children and others most in need of assistance. Instead, the majority should be supporting

other ways to pay for this proposal, such as requiring wealthy individuals and corporations to pay their fair share of taxes.

Again, I urge you to vote “no” on H.R. 4628. The House must stop playing politics with students’ debt and put forth a serious proposal with responsible and fair offsets.

Thank you for considering our views on this important matter.

Sincerely,

KRISTOR W. COWAN,
Director, Legislation.

ASTHO AND NACCHO,
April 26, 2012.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER PELOSI: We are writing today to oppose efforts to pay for changes in interest rates on student loans using funds from the Prevention and Public Health Fund (the Fund). Tens of millions of Americans suffer from preventable diseases, such as heart disease, diabetes, and cancer, and today’s children are in danger of becoming the first generation to live shorter, less healthy lives than their parents. In order to support the nation’s public health system and reduce rising health care treatment costs, the National Association of County and City Health Officials (NACCHO) and the Association of State and Territorial Health Officials (ASTHO) strongly support the Prevention and Public Health Fund and oppose any effort to reduce or eliminate the Fund.

As you know, the Fund is a dedicated investment in community prevention and state and local public health capacity and workforce and is a much-needed down payment on the health and economic well-being of all Americans. Federal investment from the Fund has already begun to address improvements in the nation’s health status by supporting essential and proven prevention activities, such as immunization and tobacco cessation. Additionally, through the National Public Health Improvement Initiative which is supported through the Fund, states and localities are working to improve the delivery of necessary public health services by accelerating the ability for public health agencies to achieve national performance standards. Public health capacity will be improved and made more efficient through this investment.

Of the more than \$1.7 trillion in healthcare spent nationally every year, less than four cents out of every dollar are spent on prevention and public health. Half of American adults have at least one preventable chronic illness, such as cancer, heart disease, stroke, diabetes, or arthritis. This has a resounding effect on the productivity of our nation and is taking a huge toll on our economy. Additionally, chronic disease accounts for nearly 70 percent of all U.S. deaths and costs the nation approximately \$1.8 trillion each year in lost productivity and healthcare expenditures. More than 60 percent of American adults are overweight or obese, and this epidemic costs the U.S. \$147 billion annually. Investing in prevention and public health not only saves lives, but it also yields a significant return on investment.

The Fund not only provides innovative ways to fight preventable diseases, it also supports core public health programs such as the Section 317 Immunization program which provides essential immunizations for the na-

tion’s under and uninsured children. Significantly reducing the Fund would also cripple state and local health departments’ ability to inspect food, prepare for and respond to deadly tornadoes or floods, or track and isolate a disease outbreak. On top of losing programs, state and local health departments have already seen a loss of over 52,000 public health jobs (17 percent of state workforce and 22 percent of local workforce). Due to cuts at the state and local levels, health departments cannot make up for these lost dollars; this puts all Americans’ health at risk.

The Fund has already faced a steep reduction this year, losing \$6.25 billion in budget authority to offset the cost of freezing the Medicare sustainable growth rate formula. Further reducing the Fund now would only exacerbate the strain state and local public health departments are facing. Additionally, unlike the mandatory funds for Medicare and Medicaid, the law creating the Fund explicitly reserves the right of Congress to allocate spending. This provision was purposefully inserted into the law to preserve the ability of the Congress to exercise its judgment in making funding decisions while maintaining this important fiscal commitment to prevention.

Once again, we urge you to oppose efforts to eliminate or reduce the Prevention and Public Health Fund. The nation’s comparatively poor health has a high cost in both human and economic terms. Our nation’s health department officials strongly oppose any efforts to decrease the federal commitment to prevention and public health.

Sincerely,

PAUL E. JARRIS, MD, MBA,
STHO Executive Director.

ROBERT M. PESTRONK, MPH,
NACCHO Executive Director.

CAMPAIGN FOR AMERICA’S FUTURE

DEAR FRIEND: Here’s the real debt crisis: student loan debt. Today, the average student graduates from college with a diploma and an anchor—\$25,000 of debt.

And if Congress doesn’t act, student loan interest rates will double on July 1.

Don’t let Congress kick new graduates in the teeth. Click here to demand your representatives in Congress stop the student loan rate increase.

President Obama supports keeping the current Stafford Loan interest rate at a low 3.4% rate. His opponent Mitt Romney just reversed his position and said he agrees. This should not be a partisan issue.

Yet the House bill to stop the scheduled rate increase has no Republican sponsors.

The Republican chair of the House education committee says he has “serious concerns” about the bill. And the Republican budget—championed by Paul Ryan and embraced as “marvelous” by Mitt Romney—both calls for deep cuts in Pell grants and assumes that the interest rates on government sponsored student loans will double.

Stop the stonewalling! Click here to demand your representatives in Congress stop the student loan rate increase.

What are the Republican “concerns”? They claim to be opposed to the \$6 billion cost of keeping the rate low.

But jacking up the rate simply shifts that \$6 billion cost onto the next generation of students who are already crushed by debt.

And House Republicans didn’t have a problem last week passing a bill with yet another tax break for the rich that would add \$46 billion to the national debt.

It gets worse, the key Republican subcommittee chair recently revealed her igno-

rance about today’s high cost of college. Rep. Virginia Foxx declared she had “very little tolerance” for students with major debt because there is “no reason” to take out big student loans.

Why? Because she worked her way through college 50 years ago . . . when the cost of college was about three times cheaper.

They are playing politics with the futures of our students. It must stop.

Students are not political Pawns! Click here to demand your representatives in Congress stop the student loan rate increase.

Conservatives routinely claim we need severe austerity to save the next generation from massive debt. Yet here they are, about to dump more debt on them right now.

Instead of kicking students when they are down, we should end the student debt crisis. The Federal Reserve lends money to banks at rates near 0%, why not lend to students at similar rates? Unlike banks, graduates won’t use the money to blow up the economy.

We need bold ideas to make college affordable and give every child the tools to thrive in the modern economy.

For example, estimates on what it would cost to give every student free tuition at public colleges are LESS than the cost of Ryan and Romney’s pledge to eliminate the estate tax on multi-million dollar fortunes.

Surely it makes more sense to insure that every qualified student can afford the education that he or she has earned than it does to guarantee that the heirs of the wealthy need never work another day in their lives.

We cannot simply protect the status quo. But the absolute last thing our college graduates need right now is to add to the burden of their school debts.

We need to win this fight against the loan rate increase today, and build momentum to win big progressive reforms tomorrow.

Sincerely,

ROBERT L. BOROSAGE,
Co-director,
Campaign for America’s Future.

Mr. ANDREWS. Mr. Speaker, I submit the attached letters of opposition to H.R. 4628.

CAMPAIGN FOR
TOBACCO-FREE KIDS,
Washington, DC, April 26, 2012.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: We are writing to express our opposition to eliminating the Prevention and Public Health Fund, a provision in H.R. 4628, the Interest Rate Reduction Act. Eliminating this funding for evidence-based prevention programs is an unwise choice for an offset for this legislation. Only by investing in prevention can the nation reduce the burden that preventable diseases are placing on our families, health care system, and government budgets.

The Prevention and Public Health Fund was created to transform our nation’s health system into one that values prevention of disease as highly as treatment of disease. It was intended to provide a stable source of funding for prevention programs, which have been chronically underfunded despite their capacity to avert disease, save lives, and restrain the rate of growth of health care costs.

Tobacco use is the leading preventable cause of death and disease in the United States. More than 400,000 people die each year because of tobacco use, and more than

8 million Americans are currently living with a tobacco-caused disease. Tobacco use is responsible for nearly \$100 billion in health care costs each year. Reducing tobacco use would reduce premature deaths and the costs of treating tobacco-caused cancers, heart disease, and respiratory disease.

Fortunately, there are proven programs and policies to reduce tobacco use, such as telephone-based quitlines that provide counseling and cessation products to people who want to quit, public education media campaigns that educate about the dangers of tobacco use, and state and community-based programs that involve community organizations and businesses in prevention efforts. Investing in comprehensive tobacco control programs pays dividends. The state of Washington's tobacco control program saved more than \$5 for every \$1 it spent between 2000 and 2009 by reducing hospitalizations for heart disease, stroke, respiratory disease, and cancer caused by tobacco use.

In March, the CDC used the Prevention and Public Health Fund to launch the government's first-ever, paid, nationwide media campaign to encourage smokers to quit and prevent children from starting to smoke. Public health authorities such as the Surgeon General, the National Cancer Institute, and the Institute of Medicine have all concluded that media campaigns work. The first results of the new CDC media campaign are promising: calls to state quitlines more than doubled during the two weeks after the ads began running.

We urge you to oppose H.R. 4628 and its elimination of the Prevention and Public Health Fund. The Prevention Fund was already cut by more than \$6 billion by Congress earlier this year. Cutting prevention funding is penny wise and pound foolish. Not investing in prevention now will mean higher medical bills later. We urge you to protect the Prevention and Public Health Fund.

Sincerely,

MATTHEW L. MYERS,
President.

AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL OR-
GANIZATIONS,

Washington, DC, April 26, 2012.

DEAR REPRESENTATIVE: On behalf of the AFL-CIO, I am writing to urge you to vote against the Interest Rate Reduction Act (H.R. 4628), which would eliminate the Prevention and Public Health Fund in order to offset the cost of capping student loan costs, and instead support an alternative that would cap the interest rate on needs-based student loans at 3.4% without slashing important disease prevention programs. H.R. 4628 is little more than a ploy to score political points by pitting one worthy legislative objective against another.

We believe that a college education should be available to every student who is willing to work for it, and keeping the cost of student loans within reach is critical to achieving that goal. Congress must act before July 1 to keep interest rates from doubling for more than 7 million students, which would cost them an average of \$1,000 in additional repayment costs. But Congress must act without causing harm to another group of Americans who will benefit from the Prevention and Public Health Fund, created by the Affordable Care Act.

The Prevention Fund is already helping states and communities promote wellness, prevent disease, and protect against public health emergencies. Since the ACA was enacted in 2010, HHS has awarded over \$1 bil-

lion in Prevention Fund Grants to tackle the leading causes of chronic disease and mortality. Seven out of 10 deaths in America every year are from chronic diseases, and about 50 percent of all adults suffer from one. Programs supported by the Prevention Fund use evidence-based interventions to prevent heart attacks, strokes, cancer, and other illnesses by curbing tobacco use, eliminating obesity, and reducing health disparities. The fund also builds the capacity of our public health infrastructure and workforce to address the spread of infectious diseases and expand access to services in medically underserved communities. Repealing the Prevention Fund would result in higher mortality due to chronic illnesses and significantly higher costs for our health care system.

We urge you to vote against H.R. 4628 because it would inappropriately and gratuitously eliminate the Prevention and Public Health Fund. It is hard to believe that the House Republican leadership could not identify a more appropriate offset. For example, it could have chosen legislation to implement the Buffett Rule, which would ensure that people who make more than \$1 million per year pay an effective federal income tax rate at least 30 percent. We urge the House to approve the Senate's Stop the Student Loan Interest Hike Act (S. 2343), which does include a more appropriate offset to forestall a spike in student loan costs.

Sincerely,

WILLIAM SAMUEL,
Director, Government Affairs Department.

AFSCME,

Washington, DC, April 26, 2012.

DEAR REPRESENTATIVE: On behalf of the 1.6 million members of the American Federation of State, County and Municipal Employees (AFSCME), I urge you to support responsible legislation to help students and families afford a college education by stopping the interest rate on student loans from doubling on July 1, 2012. However, the Interest Rate Reduction Act (H.R. 4628) is the wrong approach to this real problem, and AFSCME strongly urges you to vote no.

What H.R. 4628 gives with one hand, it takes away with the other. The bill would pay for the interest rate reduction by eliminating funding for public health activities such as breast and cervical cancer screenings, child immunizations, newborn screenings, protection of our food supplies and responding to disease outbreaks, bioterrorism and natural disasters. By gutting the Prevention and Public Health Fund, the bill would undermine efforts to refocus our health care system on wellness and to restrain the costs driven by the prevalence of chronic disease.

American families should not be forced to choose between access to an affordable college education and their health. There are far better options for funding the interest rate reduction, including an end to wasteful taxpayer subsidies for big oil and gas companies, as provided by the Stop the Rate Hike Act of 2012 (H.R. 4618).

We urge you to support a responsible fix to the student loan problem that does not compromise the health and well-being of American families. H.R. 4628 is clearly not the way to go.

Sincerely,

CHARLES M. LOVELESS,
Director of Federal Government Affairs.

Mr. HOLT. Mr. Speaker, I submit the attached letters of opposition to H.R. 4628.

APRIL 26, 2012.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the American Public Health Association, the oldest and most diverse organization of public health professionals and advocates in the world, I write to urge you to reject the latest attack on the Prevention and Public Health Fund that will be considered on the House floor on Friday, April 27. This proposed legislation would cut \$6 billion from the fund to pay for student loans. This irresponsible legislation marks the second time this week that the House has considered legislation to raid the fund. On April 25, the House Energy and Commerce Committee voted to eliminate the fund as part of its proposed budget reconciliation legislation.

The Prevention and Public Health Fund represents a critical investment in public health and a historic commitment to changing our health system from one that focuses on treating the sick to one that focuses on keeping people healthy. Chronic disease spending makes up a significant majority of our skyrocketing health care costs and the fund presents an opportunity to rein in our health care spending by reducing the rate of many leading chronic diseases. The fund's mandatory nature demonstrates an ongoing commitment to preventing disease and improving the health of our nation.

Already, the fund is being used to control the obesity epidemic, reduce tobacco use, modernize vaccination systems and for other important interventions that will improve the health of the nation's children and research has shown will ultimately improve student achievement. Additionally the fund is increasing training for the public health workforce, preventing the spread of HIV/AIDS and expanding our public health departments' abilities to prevent and respond to infectious disease outbreaks. Eliminating or reducing this funding would leave American families less healthy and at higher risk in the event of a public health emergency.

Public health funding, including the Prevention and Public Health Fund, has already seen significant reductions in recent years. We urge you to end the ongoing attacks on the Prevention and Public Health Fund and to reject any efforts to eliminate or reduce this critical public health funding.

Sincerely,

GEORGES C. BENJAMIN,
MD, FACP, FACEP (E),
Executive Director.

SERVICE EMPLOYEES

INTERNATIONAL UNION,

Washington, DC, April 26, 2012.

DEAR REPRESENTATIVE, On behalf of the more than 2.1 million members of the Service Employees International Union (SEIU), I urge you to oppose H.R. 4628, the Interest Rate Reduction Act, which would force Americans to choose between preventive health care and paying more for college, rather than asking millionaires and corporations to pay their fair share. This bill cuts investments to improve preventive health care in order to pay to stop the student loan interest rate hike—once again protecting corporations like Big Oil instead of fighting for the middle class.

If Congress fails to take sensible action by July, the interest rate on need-based student loans will double for more than 7 million students, costing them \$1,000 in additional repayment costs. However, instead of closing loopholes that subsidize oil and gas companies, H.R. 4628 would take billions of dollars

from investments in preventive health care in order to reduce student loan rates for low- and middle-income college students. This is a trade-off—between affordable health care and investments in preventive health—that need not and should not be made.

Students are already paying much more than their fair share. New graduates average more than \$25,000 in debt and collectively, Americans owe more than \$1 trillion dollars in student loans. Furthermore, the main reason why student debt has skyrocketed is because states dramatically decreased funding for higher education and universities passed the cost to students. State funding for public higher education dropped 26 percent over the past 20 years, resulting in a 116 percent increase in tuition. Students have to borrow more and pay back more.

During a time of dramatic income inequality and persistent unemployment, we should be focused on helping struggling families and creating good jobs. Congress should prevent this student loan rate hike to help pave the way to the middle class, but should not be cutting investments in preventive health care to pay for it.

I urge you to vote against H.R. 4628, and to pass a bill that does not force Americans to make a choice between keeping student loan interest rates low and compromising critical health care investments. If you have any questions about this bill, please contact Steph Sterling, Legislative Director, at 202-730-7232, or steph.sterling@seiu.org.

Sincerely,

MARY KAY HENRY,
International President.

NEMOURS,
April 23, 2012.

Hon. HENRY WAXMAN
Ranking Member, House Committee on Energy & Commerce, Washington, DC.

DEAR RANKING MEMBER WAXMAN: As the House votes on H.R. 4628, the Interest Rate Reduction Act, Nemours—an integrated child health system in the Delaware Valley and Florida—would like to express its opposition to the repeal of, or any additional cuts to, the Prevention and Public Health Fund (Fund). While Nemours has no objection to extending student loan interest rates, we oppose offsetting this provision with the Prevention and Public Health Fund. Further cuts to the Fund will only hurt investments already made in wellness, prevention, and public health programs. We need to stop continually sacrificing the Fund for other priorities.

Experts have warned that this could be the first generation of children who live shorter, less healthy lives than their parents. As a foundation operating an integrated health system, we have a unique perspective on the threat that preventable chronic diseases are posing to the health of America's children. We believe our country has the opportunity to invest in our children by promoting health and disease prevention through the Fund. Already, the Fund has made important investments in obesity prevention, tobacco control, and other health priorities. Every attempt to diminish the Fund compromises our ability to protect and promote the health of our children, which is our mission at Nemours.

With Americans spending more each year on health care, the Fund represents an important investment in a slower cost growth for our health care system and America's economy overall. By partaking in preventive and wellness initiatives early in their lives, more Americans will be able to remain

healthy preventing, unnecessary hospitalizations later in life. However, in order to do this, our nation needs to fundamentally realign its health care spending. We need to invest more at the front end to maintain people's health, as opposed to focusing our scarce resources on treatment at the back end. The Fund helps to achieve this goal, and any attempt to diminish the Fund will compromise our ability to ensure the health and well-being of our nation and economy.

We urge you to stand with our nation's children and fight to safeguard the Prevention and Public Health Fund and oppose all efforts to siphon away this investment.

Sincerely,

DEBBIE I. CHANG,

Vice President, Policy and Prevention.

Ms. RICHARDSON. Mr. Speaker, I rise in strong opposition to H.R. 4628, the Interest Rate Reduction Act. At a time when 7.4 million low- and middle-income students are counting on Congress to extend the current interest rate on federal student loans, the majority has brought to the floor a partisan bill that would take billions of dollars away from the Prevention and Public Health Fund in the Affordable Care Act.

Mr. Speaker, the Prevention and Public Health Fund is a critical part of health care reform. Since the enactment of the Affordable Care Act, the Fund has already been used to:

- Improve prevention services in low-income and underserved communities;
- Expand mental health programs, including suicide prevention efforts;
- Invest in public health workforce development;
- Provide vaccines to underserved and underinsured children and adults, and provide support for state and local systems to promote and track immunization; and
- Promote healthy diets and active lifestyles.

The GOP bill to extend the current interest rate on federal student loans would permanently end this vital program—cutting off basic preventative care services to millions of Americans.

We must extend the current interest rate on federal student loans, but not on the backs of women and children who will benefit from the prevention fund. This bill takes a short-sighted and misguided approach to solving the issue at hand.

If this body fails to act responsibly to extend the current interest rate on student loans, students who take out the maximum \$23,000 in subsidized student loans will see their interest increase an additional \$5,200 over a 10-year repayment period and \$11,300 over a 20-year repayment period.

By extending the current interest rate, we are making an investment in our country's future—our economy depends on an educated citizenry to out-compete and out-innovate the rest of the world. Maintaining access to a quality and affordable education is central to preserving America's status as a center for academic research and technological innovation.

I urge my colleagues to vote against this politically-motivated legislation that will threaten the long-term well-being of women and children, and request that a more serious alternative be considered.

Mr. BLUMENAUER. Mr. Speaker, unfortunately, a previous commitment has prevented

me from voting today, but if I had the opportunity, I would have voted against the legislation. It is abundantly clear that Congress needs to do something to keep student interest rates from doubling for more than 7 million college students in the coming year. Ensuring that education is widely accessible is vital to growing the U.S. economy and to expanding opportunities for all Americans. The growing burden of higher education costs is an issue that everyone should be concerned about and threatens to limit future economic growth. We must not burden graduates with unmanageable college debt as they seek to launch a career or a business, start a family, or buy a house.

That's why Democrats have been pushing Republicans for weeks to do something to provide students and families with certainty as they look ahead to the 2012–2013 school year.

I am proud to be a cosponsor of H.R. 3826, which would permanently keep interest rates for student Stafford loans at 3.4 percent. Taking action to stop the doubling of these rates will save students \$1,000, on average, over the life of their loans. There is a clear national interest in enacting this legislation and broad support from my constituents.

That's why it's particularly frustrating that Republicans have chosen to link their legislation, which provides students with only one year of reprieve before interest rates go up again, with a controversial offset that ensures the legislation won't actually pass. The chosen offset for this bill removes funding for health prevention services, forcing Americans to choose between preventive health care and paying more for college. For instance, Republicans have used this legislation to remove funding for breast and cervical cancer prevention and control efforts (\$143 million), programs to address birth defects and developmental disabilities such as newborn screening for hearing loss and prevention of congenital heart defects (\$107 million), and vaccinations for underserved children and adults (\$72 million).

Both student aid and public health are core governmental functions and basic investments in our country's future. While providing student aid is very important, we have to make sure that children are healthy enough to go to college in the first place. Why are Republicans wasting America's time with political games when there is a clear path forward to solving the problem in a permanent, bipartisan fashion?

Unfortunately a long-standing engagement out of town means that I will have to miss the vote on this legislation. Due to my concern over the offset for the program, I would have voted no. I hope that my colleagues can draft a new bill that protects our students without taking money away from important preventative health services.

Mrs. MALONEY. Mr. Speaker, I rise in strong opposition to H.R. 4628. While I fully support extending the Subsidized Stafford student loan interest rate of 3.4 percent, the cost of it should not defund efforts to reduce health disparities, especially for America's women and children. I am glad the Majority in the House recognizes the need to extend the interest rate but they are toying with students by

tying the extension to the elimination of the Prevention and Public Health Fund. Already this Fund has awarded more than \$62 million to New York State to combat obesity and tobacco use, prevent the spread of HIV/AIDS, and train the State's public health workforce to meet modern health care needs. These and other critical services, including screenings for breast and cervical cancer, are being offered all across the country.

I am committed to the House Minority's effort to prevent the student loan rate from doubling for millions of Americans. My Congressional district is home to numerous colleges and universities, and I know the amount of debt that students incur by attending these schools. Federal loan and aid opportunities are critical to giving students the opportunity to pursue higher education. In his 2012 State of the Union, President Obama called on the Congress to advance new reforms to address the rising costs of college so that the American workforce is prepared for 21st century jobs. Now is the time to work to make college accessible and affordable. I urge my colleagues to support the Minority's legislation that would extend the lower interest rate for students without hurting the health of our nation.

Mr. CROWLEY. Mr. Speaker, today, the House of Representatives missed an opportunity to do right by millions of American students.

This was an opportunity for us all to come together in a bipartisan way and ensure that college students would not see their student loan interest rates double in just a few months.

But instead, Republicans chose to give our students a lesson in Partisan Politics 101.

For all the rhetoric we heard about their desire to stop these rate hikes, they just couldn't pass up the chance to use one of their favorite tactics—dismantling the Affordable Care Act.

They did this knowing full well that this proposal would never get the support it needs to become law.

They made the calculation that they would try to score political points rather than help ensure that students can access an affordable college education.

But these political tactics are not going to help families shoulder the cost of paying for college.

They are not going to give more students the opportunity to achieve the American dream.

And they are not going to help keep our country competitive in a global economy by training the best and the brightest in needed fields.

What this maneuver would achieve is fewer disease screenings, weakened community health programs, and worse health for us all.

Is that the country we want to be?

We shouldn't have to choose between educating our next generation and making sure they're healthy.

And if this was really about "fiscal responsibility," then the Republicans wouldn't have chosen to eliminate—again—a program that actually saves money by preventing more costly disease.

I went to the House floor hoping to be able to vote for legislation that would make a responsible effort to stop this interest rate hike.

We could cover the cost by putting an end to unnecessary tax breaks for oil companies raking in profits.

But instead, Republicans were intent on making this a political ploy at the expense of American families.

I refuse to play these games with the well-being of hard-working Americans at stake, and I voted no on this legislation so that we can bring a better bill up for a vote.

Ms. VELAZQUEZ. Mr. Speaker, I rise in opposition to this legislation, which would deprive women in need of vital health services. All of us—on both sides of the aisle—recognize the need to prevent student loan interest rates from doubling to 6.8 percent. But this bill tackles this problem in exactly the wrong way—depriving women of preventative care aimed at stopping cervical cancer and stopping low income children from receiving life saving vaccinations.

For the working families of New York, this legislation robs them of access to quality health care. With this bill, we are saying that for a young person from a working family to afford college, his or her mother must also forego vital medical care.

Preventing a rise in student loan rates is critical for our young people. With millions of students graduating into a difficult job market now is the time for serious solutions that keep these loans affordable—not the time to use this problem as a political football.

The President has said this bill is dead on arrival, so why are we wasting time debating it? We can and must find a better solution that keeps these rates low without harming working families.

Let us reject this bill and craft legislation that has a chance of being signed into law.

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise in opposition to this bill.

I firmly believe that we need to make college more affordable. We should not double interest rates after we worked so hard to keep them down while the Democrats controlled Congress. However, by funding the interest rate extension with cuts to the Prevention and Public Health Fund, the Republicans are expanding a war on students into a war on women and a war on health.

As my colleague from California, LOIS CAPPAS noted, this fund supports critical women's health screenings—600,000 screenings will be cut with the repeal of this fund. This is essential to women's health. Moreover, the fund targets widespread chronic diseases like diabetes, stroke, and heart disease. The fund ensures that our children have access to necessary vaccines, and supports programs to prevent birth defects and screen for autism.

Students and their families do not need to be asked to choose between preventive health and affordable schooling. I call on the Republicans who set the agenda to get serious and work on solving this problem in a sensible, bipartisan way.

Mr. REYES. Mr. Speaker, I rise today on behalf of hard working students and their families. Ensuring that all Americans have access to high quality education is one of my top priorities. I have worked to provide students with opportunities for higher education by fighting to strengthen financial aid, increase the maximum amount for Pell Grants, and lower student loan repayment interest rates.

At a time when many Americans are struggling to make ends meet, we must do all we can to keep post-secondary education affordable. Accordingly, I urge my fellow Representatives to take action to prevent student loan interest rates from rising this summer. If we do nothing, the interest rate on need-based student loans will double this July and will increase student loan repayment costs by over \$1,000 for more than seven million students.

While my Republican colleagues have reversed their opinion on this issue and now claim to support our Nation's students—despite their continued support for the Ryan Budget, which slashes funding for education by 45 percent—they have put forward a misguided and radical bill that hurts low-income and middle-income families. Instead of ending tax subsidies for oil and gas companies, the Tea Party Republicans have proposed slashing billions of dollars in funding from vital health care programs for women and children, including childhood immunizations and cancer screening programs.

The Republicans want you to believe that we must choose between supporting our students and providing vital health services to women and children. However, this is clearly not the case. My fellow Democrats and I have been fighting to expand health care coverage and promote affordable education for years. Since 2007, Democrats have lowered the cost of education by cutting the student loan interest rate in half, saving billions of dollars for millions of students while returning billions of dollars in bank subsidies to students in the form of higher Pell Grants, income-based repayment programs, and loan forgiveness for students entering public service.

Unlike my Republican colleagues, I remain committed to creating jobs, expanding health care coverage, and promoting affordable, high quality education for all Americans. I urge my colleagues to do the same by voicing their opposition to the Republicans' damaging student loan proposal.

Mr. KUCINICH. Mr. Speaker, I rise in opposition to H.R. 4628: the Interest Rate Reduction Act.

Congress has a unique opportunity to prevent the scheduled doubling of student loan interest rates before July. Our failure to act will have debilitating effects on millions of Americans. Rather than serve as an obstacle to students wishing to further their education, Congress should work to make college accessible to all. Yet Congress is standing in the way by considering legislation that would pay for the extension of the interest rate reduction by repealing the Prevention and Public Health Fund, which funds essential health services for millions of Americans, including women and children. There is another sensible and responsible way to pay for keeping student loan rates low: end tax subsidies for big oil companies.

Young, educated Americans begin their adult lives financially strapped. Not only do these recent graduates have debt, they also have some of the greatest difficulty finding gainful employment. Recent college graduates have a higher unemployment rate than any other demographic group in the country. Sixty-six percent of students graduating from college today are leaving with student loan debt.

On average, those students graduate with \$25,000 in debt. The total amount of student loan debt in this country is more than \$1 trillion dollars.

If we do not pass a measure that extends the reduced interest rate on student loans, more than 7 million students' rates will double to 6.8 percent. Students who borrow the maximum in subsidized student loans will pay up to an additional \$1,000 in interest costs. It is our responsibility to give these students a chance to earn a quality education without the strings of unmanageable debt.

There is little profit to be had from trying to prevent diseases from occurring in the first place, which means pharmaceutical companies and others who profit from efforts to treat and cure diseases will not pay for such efforts. If we want to prevent cancer, the spread of HIV, outbreaks of West Nile Virus, and protect mothers and babies from tobacco; if we want to promote better nutrition, birth defect reduction, preparedness for bioterrorism, and breast and cervical cancer screenings; if we want to protect our children from lead in our homes and yards, the childhood obesity epidemic, and otherwise invisible clusters of chronic diseases like Multiple Sclerosis, we have to fund these programs ourselves. The Prevention and Public Health Fund must be protected as a measure of self-protection.

This bill repeals the Prevention and Public Health Fund. I cannot support this bill.

Mr. DINGELL. Mr. Speaker, as we continue to recover economically, we must ensure that students can afford a higher education. In 2007, as we were dealing with the worst of the recession, I voted in favor of legislation to reduce interest rates on Stafford loans from 6.8 to 3.4 percent. On July 31, interest rates will go back to 6.8 percent if Congress does not act.

There are nearly 48,000 students attending a university or college in my district who have a Stafford subsidized student loan. Those loans total over \$212 million. Doubling the interest rate will add an unnecessary burden on those students as they graduate and enter the workforce. For each year that Congress does not act to keep rates at 3.4 percent, students add an additional \$1000 in debt over the life of their loans. It may prevent them from starting a family, buying a home, or getting a new car. We must do everything we can to help as they get started.

The cost of the student loan bill is \$6 billion. Unfortunately, Republicans have chosen to pay for it by repealing the Prevention and Public Health Fund included in the Affordable Care Act that invests in innovative programs, practices and treatments to prevent cancer, heart disease, diabetes, and programs particularly important to women's health. We should not have to choose how we are going to invest in our country's future; how do you decide to cut investments in the education for the workforce of tomorrow versus the health of that very same workforce?

I support the Democratic alternative negotiated between the White House and Congressional Democrats that pays for the student loan interest rate by closing a corporate tax loophole. I hope that the House leadership will allow a vote on this commonsense alternative so students and their families aren't left paying

for higher interest rates to go to school. Republicans know that their proposal cannot be supported by Democrats. They don't seem to know that by not finding a compromise, they are playing politics with students, families, and the future of our country.

Ms. MCCOLLUM. Mr. Speaker, I rise today in strong opposition to H.R. 4628, which places partisan politics ahead of America's students and the health of Minnesota communities.

If Congress does not act by July 1, interest rates on student loans will double for 7 million American students. This is a financial crisis for these students and their families, who will be forced to pay an additional \$1000 this year in loan repayment costs. America's college students are already graduating with an average debt burden of \$25,000—higher than any time in our nation's history. President Obama and Democrats in Congress are committed to lowering the costs of college and have introduced legislation to block this impending rate increase.

For months, Republicans in Congress have completely ignored this problem. The fiscal year 2013 budget that House Republicans adopted in March did not include a fix for skyrocketing student loan rate increase, but it did provide millionaires and billionaires an average tax cut of \$400,000. The Republican Chairman of the House Education and Workforce Committee—my colleague from Minnesota—opposed extending the current low interest rate as recently as last week. On April 20, The New York Times reported Chairman KLINE saying a fix would be "too costly" and that "we must choose between allowing interest rates to rise or piling billions of dollars on the backs of taxpayers."

Thankfully, House Republicans ended their opposition to lower student loan rates this week under pressure from President Obama and millions of American students. The majority introduced H.R. 4628 to extend the current 3.4 percent interest rate on federal Stafford loans for an additional year at a cost of \$6.3 billion. Unfortunately, House Republicans are cynically choosing to offset the costs of H.R. 4628 by repealing the Prevention and Public Health Fund created by the new health care reform law. Cutting health care for millions of Americans to prevent rising student loan rates is an unacceptable and unnecessary choice.

Minnesota communities rely on this Fund to pay for cancer detection, childhood immunizations, newborn screening and other critical health care services that help to keep our communities healthy and save our country billions in long-term health care costs. Women in Minnesota will be disproportionately impacted due to the loss of access to services such as breast and cervical cancer screening. Nearly 800 community organizations across the country oppose H.R. 4628 because of these damaging cuts, including the American Lung Association, American Heart Association, American Academy of Pediatrics, the Association of Maternal and Child Health, and the National Association of County and City Health Officials. The White House opposes H.R. 4628 and told the House Republican majority to expect a veto from President Obama. This partisan legislation will only further delay a solution for students.

Democrats in Congress have a plan to protect students against rising loan costs without adding to deficits or harming communities. I am a co-sponsor of H.R. 4816, which prevents the doubling of interest rates on student loans and offsets the costs by eliminating wasteful taxpayer subsidies for the five biggest oil corporations that are making record profits. This legislation is a win for students and a win for American taxpayers. H.R. 4816 reflects the priorities of the American people and creates a path for bipartisan consensus.

I urge my colleges to reject H.R. 4628 and, instead, pass the common-sense alternative offered by House Democrats.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 631, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 4628 is postponed.

CYBERSECURITY ENHANCEMENT ACT OF 2012

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2096) to advance cybersecurity research, development, and technical standards, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 395, nays 10, not voting 26, as follows:

[Roll No. 193]

YEAS—395

Ackerman	Bishop (NY)	Carney
Adams	Bishop (UT)	Carson (IN)
Aderholt	Black	Carter
Akin	Blackburn	Castor (FL)
Alexander	Bonamici	Chabot
Altmire	Bonner	Chaffetz
Amodel	Bono Mack	Chandler
Andrews	Boren	Chu
Austria	Boswell	Cicilline
Baca	Boustany	Clarke (MI)
Bachmann	Brady (PA)	Clarke (NY)
Bachus	Brady (TX)	Clay
Baldwin	Braley (IA)	Cleaver
Barletta	Brooks	Clyburn
Barrow	Brown (FL)	Coble
Bartlett	Buchanan	Coffman (CO)
Barton (TX)	Bucshon	Cohen
Bass (CA)	Buerkle	Cole
Bass (NH)	Burgess	Conaway
Becerra	Burton (IN)	Connolly (VA)
Benishek	Butterfield	Conyers
Berg	Calvert	Cooper
Berkley	Campbell	Costa
Berman	Cantor	Costello
Biggart	Capito	Courtney
Billbray	Capps	Cravaack
Bilirakis	Capuano	Crawford
Bishop (GA)	Carnahan	Crenshaw

Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)

Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Kucinich
Doyle
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larsen (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Paulsen

Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas

Turner (NY)
Turner (OH)
Upton
Van Hollen
Velazquez
Visclosky
Walberg
Walden
Walz (MN)
Waters

Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf

Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—10

Amash
Broun (GA)
Duncan (TN)
Flake

Graves (GA)
Griffith (VA)
Labrador
Mulvaney

Sensenbrenner
Walsh (IL)

NOT VOTING—26

Blumenauer
Camp
Canseco
Cardoza
Cassidy
Critz
Davis (KY)
Farr
Filner

Gohmert
Hinojosa
Hirono
Holden
Jenkins
Kingston
Marino
McHenry
Nunes

Pastor (AZ)
Paul
Rangel
Sires
Slaughter
Townes
Wasserman
Schultz
Watt

□ 1204

Mr. CARSON of Indiana, Ms. FOXX, Messrs. JOHNSON of Georgia and COHEN changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 193, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “yea.”

Mr. PASTOR of Arizona. Mr. Speaker, on rollcall No. 193, due to business in my office I was delayed. Had I been present, I would have voted “yea.”

INTEREST RATE REDUCTION ACT

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans, will now resume.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mrs. CAPPs. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. CAPPs. Yes, I am opposed to this bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Capps moves to recommit the bill H.R. 4628 to the Committee on Education and the Workforce and the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment: Add at the end of the bill the following new section:

SEC. 5. PROHIBITION AGAINST CUTS IN HEALTH INSURANCE BENEFITS FOR WOMEN AND CHILDREN.

Nothing in this Act shall endorse, promote, or result in a reduction of, or increased costs

for, benefits in health insurance coverage offered by health insurance companies for women and children, including benefits for commonly prescribed contraception, mammograms, cervical cancer screenings, childhood immunizations, and health screenings for newborns.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California is recognized for 5 minutes in support of her motion.

Mrs. CAPPs. Mr. Speaker, this is the final—it's the only—amendment to this bill. It will not kill the bill or send it back to committee. Instead, if the House adopts this amendment, it will immediately move to final passage.

It appears that we now all agree that we cannot let student loan rates double come this July—that's good—but I wish we were also looking for a bipartisan solution to funding the continuation of low rates on student loans. Instead, the majority is engaging in another partisan attack on public health funding, funding that improves the lives of Americans and the productivity of our workforce.

I strongly oppose this position and the proposed cuts to the prevention fund, funds that will make women and children healthier, and that's why I've offered this straightforward amendment. It would ensure that poor policy decisions made here in Congress, namely, to get rid of the only dedicated funding we have for public health and prevention, do not give insurance companies an excuse to cut benefits or to increase the costs of preventative services for women and children. These services include critical access to contraception, mammograms, cancer screenings, and immunizations.

Whatever our strong disagreements are about the underlying bill, we surely can agree that no insurance company should use this as an excuse to hinder access to basic preventative services. The Public Health and Prevention Fund is a critical investment in both our Nation's health and our economic future, especially for women and children.

□ 1210

Its value cannot be understated. A healthy mother is better able to raise a child; a healthy child will be ready and able to learn in school; and a healthy worker is more productive for American businesses.

Moreover, this fund is critical to bringing down health care costs. It targets the most prevalent and preventable of chronic diseases like diabetes and heart disease. The fund has been used to ensure that our children have the vaccines they need to avoid painful and expensive childhood illnesses. It supports programs to prevent birth defects and autism surveillance. And the fund supports critical women's health screenings. There will be 600,000 screenings cut with the repeal of this fund.

These are not frivolous programs. As mothers and grandmothers, we know the importance of preventing birth defects and having access to vaccines, knowing we're doing everything we possibly can to ensure that our children have a healthy start. As a nurse, I know the importance of preventing chronic diseases and catching cancer early. As a taxpayer, I surely know that we cannot afford to keep ignoring the cost benefit of prevention, programs that have a 5-to-1 return on our smart investments. States and counties all over the country are realizing the importance of prevention programs. That's why they've all embraced the prevention fund that this bill wipes out, and it wipes it out completely. In fact, 760 nonpartisan groups across the country have signed on in support of the prevention fund.

I would like to insert this list of organizations for the public record, 760 nonpartisan groups. This investment in public health has been a long time coming. To abolish it now will send us back to square one, just when we can least afford to do that.

Finally, Mr. Speaker, the women of this country are watching. They're watching us here today. They have watched as countless bills and budget proposals have moved through this House attacking and zeroing out programs that keep women healthy, their children fed, and families above water.

Now is the time to stand up for women. Vote for this final amendment to this bill to show the women of America that we support them and we support their families and we support the services that they need to lead a happier and healthier life.

I yield back the balance of my time.

GROUPS SUPPORTING THE PREVENTION AND PUBLIC HEALTH FUND

[Total count: 760 (3/26/2012)]

NATIONAL ORGANIZATIONS

317 Coalition; A World Fit for Kids; AARP; AcademyHealth; Academy of Nutrition and Dietetics; Action for Healthy Schools; Active Network; Adapted Physical Activity Council; Adult Congenital Heart Association; Adventist HealthCare, Inc.; Advocates for Better Children's Diets; AIDS Alliance for Children Youth & Families; AIDS Foundation of Chicago; AIDS United; Alliance for a Just Society; Alzheimer's Foundation of America; American Academy of Family Physicians; American Academy of HIV Medicine; American Academy of Pediatrics; American Academy of Physician Assistants.

American Alliance for Health, Physical Education, Recreation, and Dance; American Art Therapy Association; American Association for Health Education; American Association for International Aging; American Association for the Study of Liver Diseases; American Association of Colleges of Nursing; American Association of Colleges of Osteopathic Medicine; American Association of Colleges of Pharmacy; American Association of People With Disabilities; American Association of Poison Control Centers; American Association of School Administrators; American Association on Health and Disability; American Cancer Society Cancer Action Net-

work; American College of Cardiology; American College of Clinical Pharmacy; American College of Gastroenterology; American College of Occupational and Environmental Medicine; American College of Preventive Medicine; American Congress of Obstetricians and Gynecologists; American Council on Exercise.

American Counseling Association; American Dental Education Association; American Diabetes Association; American Federation of State, County and Municipal Employees; American Federation of Teachers; American Foundation for Suicide Prevention; American Health Planning Association; American Heart Association/American Stroke Association; American Hiking Society; American Journal of Health Promotion; American Kidney Fund; American Liver Foundation; American Lung Association; American Medical Student Association; American Muslim Health Professionals; American Nurses Association; American Organization of Nurse Executives.

American Physical Therapy Association; American Psychiatric Association; American Psychological Association; American Public Health Association; American Sleep Apnea Association; American Social Health Association; American Society for Gastrointestinal Endoscopy; American Society of Clinical Oncology; American Thoracic Society; amfAR, the Foundation for AIDS Research; Aniz, Inc.; Applied Research Center; Arthritis Foundation; Ascension Health; Asian & Pacific Islander American Health Forum; Association for Prevention Teaching and Research; Association for Professionals in Infection Control and Epidemiology, Inc.

Association of American Medical Colleges; Association of Black Cardiologists; Association of Community Health Nursing Educators; Association of Maternal and Child Health Programs; Association of Public Health Laboratories; Association of Population Centers; Association of Schools of Public Health; Association of State & Territorial Health Officials; Association of State & Territorial Public Health Nutrition Directors; Association of State and Territorial Dental Directors; Association of State and Territorial Directors of Nursing; Association of University Centers on Disabilities; Association of Women's Health, Obstetric and Neonatal Nurses; Asthma and Allergy Foundation of America.

AVAC: Global Advocacy for HIV Prevention; Bazelon Center for Mental Health Law; Building Healthier America; Campaign for Community Change; Campaign for Public Health Foundation; Campaign for Tobacco-Free Kids; Campaign to End Obesity Action Fund; Caring Ambassadors Program; C-Change; Center for Adolescent Health & the Law; Center for Biosecurity, University of Pittsburgh Medical Center; Center for Health Improvement; Center for Science in the Public Interest; Children and Adults with Attention-Deficit/Hyperactivity Disorder; Children Now; Children's Dental Health Project; Children's Health Fund.

Coalition for Health Funding; Coalition for Health Services Research; Colon Cancer Alliance; Columbia University Mailman School of Public Health; Commissioned Officers Association of the U.S. Public Health Service; CommonHealth ACTION; Community Access National Network; Community Action Partnership; Community Catalyst; Community Food Security Coalition; Community Organizations in Action; Consortium of Academic Health Centers for Integrative Medicine; Council of State and Territorial Epidemiologists; Crohn's and Colitis Foundation of America.

DC Breastfeeding Coalition, Inc.; Defeat Diabetes Foundation; Defeat Diabetes Fund; Dialysis Patient Citizens; Digestive Disease National Coalition; Directors of Health Promotion and Education; Disability Policy Consortium; Doctors for America; Epilepsy Foundation; Every Child By Two—Carter/Bumpers Champions for Immunizations; Faces & Voices of Recovery; Families USA; Family Violence Prevention Fund; Family Voices; Federation of Associations in Behavioral & Brain Sciences; Fight Colorectal Cancer; Friends of AHRQ.

Friends of NCHS; Friends of SAMHSA; Global AIDS Alliance; Grassroots Organizing; Health Care for America Now; Health Promotion Advocates; Health Rights Organizing Project; Healthcare Leadership Council; HealthHIV; Heartland Alliance for Human Needs and Human Rights; Hep C Connection; Hepatitis B Foundation; Hepatitis B Initiative of Washington, D.C. (HBI-DC); Hepatitis Foundation International; HIV Medicine Association; HIV Prevention Justice Alliance; Immunization Action Coalition; Infectious Diseases Society of America.

INSPIREHealth.org.; Institute for Alternative Futures; Institute for Public Health Innovation; Institute of Social Medicine and Community Health; Integrated Healthcare Policy Consortium; International Association for Indigenous Aging; International Certification and Reciprocity Consortium (IC&RC); International Health, Racquet & Sportsclub Association; Interstitial Cystitis Association; Iron Disorders Institute; Laotian American National Alliance; League of United Latin American Citizens; Lung Cancer Alliance.

Lymphoma Foundation of America; Main Street Alliance; March of Dimes Foundation; Media Policy Center; MedImmune; MEND Foundation; Mended Little Hearts; Mental Health America; Metropolitan Community Churches; National Alliance of Multi-ethnic Behavioral Health Associations; National Alliance of State and Territorial AIDS Directors; National Asian American Pacific Islander Mental Health Association; National Assembly on School-Based Health Care; National Assoc. of Area Agencies on Aging (n4a); National Association for Public Health Statistics and Information Systems; National Association for Sport and Physical Education; National Association of Chain Drug Stores.

National Association of Children's Hospitals; National Association of Chronic Disease Directors; National Association of Community Health Centers, Inc.; National Association of Counties; National Association of County and City Health Officials; National Association of County Behavioral Health & Developmental Disability Directors; National Association of Hepatitis Task Forces; National Association of Local Boards of Health; National Association of People with AIDS; National Association of Public Hospitals and Health Systems; National Association of School Nurses; National Association of State Alcohol and Drug Abuse Directors; National Association of State Head Injury Administrators; National Association of State Mental Health Program Directors; National Athletic Trainers' Association; National Black Leadership Commission on AIDS; National Business Coalition on Health.

National Center for Healthy Housing; National Coalition for LGBT Health; National Coalition for Promoting Physical Activity; National Coalition of STD Directors; National Coalition on Health Care; National Committee for Quality Assurance; National

Council for Community Behavioral Healthcare; National Council of Asian Pacific Islander Physicians; National Council of Jewish Women; National Council of La Raza; National Council on Aging; National Education Association; National Environmental Health Association; National Family Planning & Reproductive Health Association.

National Federation of Families for Children's Mental Health; National Forum for Heart Disease and Stroke Prevention; National Health Council; National Health Equity Coalition; National Indian Project Center; National Initiative for Children's Healthcare Quality; National Kidney Foundation; National Korean American Service and Education Consortium; National Latino AIDS Action Network; National Latino Tobacco Control Network (NLTNC); National League of Cities; National Minority AIDS Council; National MS Society; National Network of Public Health Institutes; National Nursing Centers Consortium; National Nursing Network Organization; National Patient Advocate Foundation.

National Physicians Alliance; National Psoriasis Foundation; National REACH Coalition; National Recreation and Park Association; National Rural Health Association; National Viral Hepatitis Roundtable; National WIC Association; National Women and AIDS Collective (VT); Nemours; North American Management; North American Quitline Consortium; Northeast Business Group on Health; Northwest Federation of Community Organizations; Novo Nordisk; OCA; Oncology Nursing Society.

Out of Many, One; Pacific Business Group on Health; Partnership for Prevention; Pediatric Pharmacy Advocacy Group; Pew Children's Dental Campaign; Physician Assistant Education Association; Physicians for Social Responsibility; Planned Parenthood Federation of America; PolicyLink; Population Association of America; Prevent Blindness America; Prevent Cancer Foundation; Prevention and Public Health Fund; Prevention Connections.

Prevention Institute; Preventive Cardiovascular Nurses Association; Professional Association of Social Workers in HIV and AIDS; Project Inform; Public Health Foundation; Public Health Institute; Public Health Law and Policy; Public Health Management Corporation; Public Health Solutions; Pulmonary Hypertension Association; Rails-to-Trails Conservancy; Raising Women's Voices for the Health Care We Need; Rescue Social Change Group; Research Institute for Independent Living; RWJF Center for Health Policy; Safe Kids USA; Safe Routes to School National Partnership; Safe States Alliance.

Samuels and Associates; Service Employees International Union; Sexuality Information and Education Council of the U.S.; Small Business Majority; Society Against STI's & HIV; Society for Adolescent Health and Medicine; Society for Advancement of Violence and Injury Research; Society for Healthcare Epidemiology of America; Society for Public Health Education; Society for Vascular Surgery; Society of General Internal Medicine; State and Territorial Injury Prevention Directors Association; State Associations of Addiction Services; Strategic Health Concepts; Sudden Cardiac Arrest Association; Summit Health Institute for Research and Education, Inc.; Tethys Bioscience, Inc.; The AIDS Institute; The Arc of the United States; The Center for HIV Law and Policy; The Corporate Hepatitis Alliance; The Global Justice Institute; The Na-

tional Alliance to Advance Adolescent Health; The National LGBT Cancer Project—Out With Cancer; Treatment Access Expansion Project (MA); Trust for America's Health; U.S. PIRG; United Church of Christ, Justice and Witness Ministries; United Fresh Produce Association; United Ostomy Associations of America; United States Breastfeeding Committee; United States Conference of Mayors; United Way Worldwide; Up2Us; Upstream Public Health; Urban Coalition for HIV/AIDS Prevention Services; U.S. Soccer Foundation; Voices for America's Children; VSP Vision Care; WomenHeart: The National Coalition for Women with Heart Disease. YMCA of the USA.

STATE ORGANIZATIONS

Alabama

AIDS Alabama; Alabama Public Health Association; American Lung Association in Alabama; Birmingham AIDS Outreach; Southern AIDS Coalition, Inc.

Alaska

Alaska Public Health Association; American Lung Association in Alaska.

Arizona

American Academy of Pediatrics—AZ Chapter; American Lung Association in Arizona; Arizona Public Health Association; Maricopa County Dept of Public Health.

Arkansas

American Lung Association in Arkansas; Community Health Centers of Arkansas, Arkansas Primary Care Association; The Living Affected Corporation; University of Arkansas for Medical Sciences.

California

ACCESS Women's Health Justice; AIDS Project Los Angeles; All Saints Home Care And Referral Services; American Academy of Pediatrics—California Chapter 4; American Lung Association in California; Asian & Pacific Islander Wellness Center; Asian and Pacific AIDS Intervention Team; Association of Asian Pacific Community Health Organizations; Beach Cities Health District; Berkeley Media Studies Group; Bienestar Human Services; Breastfeeding Task Force of Greater Los Angeles; California Association of Alcoholism and Drug Abuse Counselors; California Center for Public Health Advocacy; California Conference of Local Health Department Nursing Directors; California Conference of Local Health Officers; California Food Policy Advocates.

California Foundation for the Advancement of Addiction Professionals; California Hepatitis C Task Force; California Immigrant Policy Center; California Newsreel; California Pan-Ethnic Health Network; California Partnership; California Primary Care Association; California Public Health Association; California School Health Centers Association; California WIC Association; Children's Hospital and Research Center Oakland; Coalition for Humane Immigrant Rights of LA; Community Health Councils; County Health Executives Association of California; County of Los Angeles Department of Public Health; County of Santa Clara, California; County of Sonoma, California; Desert AIDS Project; First 5; First 5 LA; Having Our Say Coalition.

Health Justice Network; Health Officers Association of California; Hep B Free Long Beach; JWCH Institute, Inc.; Korean Research Center; Latino Coalition for a Healthy California; Libreria del Pueblo Inc.; North County Health Services; Prochilo Health, Inc.; Redwood AIDS Information Network & Services; Regional Asthma Man-

agement & Prevention; Senior Moments; Solano County Health and Social Services Department; South Bay Coalition; Special Services for Groups, Inc.—PALS for Health; STOP AIDS Project; Thai Health and Information Services, Inc.; The California Hepatitis Alliance; The Friends of AIDS Foundation; The Greenlining Institute; United Cambodian Community.

Colorado

American Lung Association in Colorado; Boulder County Public Health; Colorado AIDS Project; Colorado Association of Local Public Health Officials; Colorado Community Health Network; Colorado Progressive Coalition; Colorado Public Health Association; Community Health Association of Mountain/Plains States; LiveWell Colorado; Northern Colorado AIDS Project.

Connecticut

American Academy of Pediatrics—CT Chapter; American Lung Association in Connecticut; Connecticut Association of Directors of Health; Connecticut Certification Board; Connecticut Citizen Action Group; United Action Connecticut; Khmer Health Advocates, Inc.

Delaware

American Academy of Pediatrics—Delaware Chapter; American Lung Association in Delaware; Delaware Center for Health Promotion; Delaware Public Health Association; Health Education Network of Delaware; Nemours Health and Prevention Services; The Ministry of Caring, Inc.

District of Columbia

American Lung Association in the District of Columbia.

Florida

AIDS Service Association of Pinellas; ALERT Health, Inc.; American Lung Association in Florida; DYNs Services, Inc.; Florida Health Care Coalition; Florida Public Health Association; ISALAH; Nemours Florida Prevention Initiative; NOFLAweb.org; Okaloosa AIDS Support and Informational Services, Inc.; Riverfund, Inc. (The River Fund); Youth Education Services.

Georgia

American Lung Association in Georgia; Atlanta Regional Health Forum; Bryan County Health Department; Camden County Health Department; Center for Pan Asian Community Services, Inc; Chatham County Health Department; Effingham County Health Department; Georgia AIDS Coalition; Georgia Equality; Georgia Public Health Association; Glynn County Health Department; Grady Health System Infectious Disease Program; HIV Dental Alliance; Institute for Health and Productivity Studies, Rollins School of Public Health, Emory University; Institute of Public Health, Georgia State University; Long County Health Department; Liberty County Health Department; McIntosh County Health Department; The Youth Becoming Healthy Project, Inc.

Hawaii

American Academy of Pediatrics—Hawaii Chapter; American Lung Association in Hawaii; CHOW Project; Faith Action for Community Equity; Hawaii Island HIV/AIDS Foundation; Hawai'i Primary Care Association; Hawaii Public Health Association; Malama Pono Health Services; Papa Ola Lokahi.

Idaho

Allies Linked for the Prevention of HIV & AIDS; American Lung Association in Idaho; Idaho Community Action Network; Idaho Public Health Association.

Illinois

AIDS Foundation of Chicago; American Academy of Pediatrics, Illinois Chapter; American Heart Association—Midwest Affiliate; American Lung Association in Illinois; Asian Health Coalition; Chicago Department of Public Health; Chicago House and Social Service Agency; Children's Heart Foundation; Consortium to Lower Obesity in Chicago Children; Cook County Department of Public Health; David Ostrow & Associates, LLC; Employers Coalition on Health; Illinois Alliance to Prevent Obesity; Illinois Association of Public Health Administrators; Illinois Maternal and Child Health Coalition; Illinois Primary Health Care Association; Illinois Public Health Association; Illinois Public Health Institute; Lee County Health Department; Midwest Business Group on Health; Northern Illinois Public Health Consortium; Open Door Clinic; Project VIDA; Springfield Harm Reduction Initiative; The Phoenix Center; Total Health Awareness Team.

Indiana

American Lung Association in Indiana; Indiana Association of Public Health Physicians and Local Health Departments Organization, Inc.; Indiana Association of School Nurses; Indiana Primary Health Care Association; Indiana Public Health Association; State of Indiana, State Personnel Department.

Iowa

AIDS Project of Central Iowa; American Lung Association in Iowa; Community HIV/Hepatitis Advocates of Iowa Network; Iowa Counties Public Health Association; Iowa Public Health Association; Wilson Resource Center.

Kansas

American Lung Association in Kansas; Kansas Association for the Medically Underserved; Kansas Association of Local Health Departments; Kansas Public Health Association.

Kentucky

AIDS Interfaith Ministries of Kentuckiana, Inc.; American Lung Association in Kentucky; Christian County Health Department; Kentucky Health Departments Association; Kentucky Public Health Association; Kentucky Voices for Health.

Louisiana

American Academy of Pediatrics—Louisiana Chapter; American Lung Association in Louisiana; Health Law Advocates of Louisiana, Inc.; Louisiana Primary Care Association; Louisiana Public Health Institute.

Maine

American Lung Association in Maine; Maine Primary Care Association; Maine Public Health Association; Maine People's Alliance.

Maryland

AIDS Action Baltimore; American Lung Association in Maryland; CASA de Maryland; Johns Hopkins AIDS Education and Training Center; Maryland Association of County Health Officers; Maryland Partnership for Prevention; Moveable Feast; Older Women Embracing Life; South Asian Americans Leading Together; Trans-United.

Massachusetts

American Lung Association in Massachusetts; Boston Public Health Commission; Health Resources in Action, Inc.; Immigrant Service Providers Group/Health; Massachusetts Healthy Communities System; Massachusetts League of Community Health Cen-

ters; Massachusetts Public Health Association; New England AIDS Education and Training Center; Plymouth AIDS Support Services; Victory Programs, Inc.; Western Massachusetts Center for Healthy Communities.

Michigan

American Academy of Pediatrics—Michigan Chapter; American Lung Association in Michigan; Huron County Health Department; Michigan Association for Local Public Health; Michigan Association of School Nurses; Michigan Positive Action Coalition; Michigan Primary Care Association; Michigan Public Health Association; Monroe County Public Health Department; Public Health—Monroe County; Tuscola County Health Department; United Health Organization.

Minnesota

American Lung Association in Minnesota; Local Public Health Association of Minnesota; Minnesota AIDS Project; Minnesota Association of Community Health Center; Minnesota Public Health Association; TakeAction Minnesota.

Mississippi

American Lung Association in Mississippi; Mississippi Primary Health Care Association.

Missouri

American Lung Association in Missouri; Doorways Interfaith Housing; Missouri Association of Local Public Health Agencies; Missouri Hepatitis C Alliance; Missouri Primary Care Association; Missouri Public Health Association.

Montana

American Lung Association in Montana; Indian People's Action; Montana Organizing Project; Montana Public Health Association; RiverStone Health.

Nebraska

American Lung Association in Nebraska; CityMatCH; Nebraska AIDS Project; Nebraska Appleseed; Nebraska Cancer Coalition; Nebraska Public Health Association; Nebraska State Association of County & City Health Officials; Nebraska Urban Indian Health Coalition; Public Health Association of Nebraska.

Nevada

American Lung Association in Nevada; Nevada Public Health Association; Partners for a Healthy Nevada; Progressive Leadership Association of Nevada.

New Hampshire

American Academy of Pediatrics—New Hampshire Pediatric Society (State Chapter); American Lung Association in New Hampshire; Bi-State Primary Care Association; Community Health Institute; Granite State Organizing Project; New Hampshire Public Health Association.

New Jersey

American Lung Association in New Jersey; Hepatitis C Association; Hyacinth AIDS Foundation; MAAT Center; New Jersey Association of County Health Officers; New Jersey Association of Mental Health and Addiction Agencies, Inc.; New Jersey Health Officers Association; New Jersey Primary Care Association; New Jersey Public Health Association; New Jersey Public Health Institute; New Jersey Women and AIDS Network.

New Mexico

American Lung Association in New Mexico; First Nations Community HealthSource; New Mexico Hepatitis C Alliance Alliance;

New Mexico Primary Care Association; New Mexico Public Health Association.

New York

African Services Committee; American Academy of Pediatrics—New York 1 Chapter; American Academy of Pediatrics—New York 3 Chapter; American Academy of Pediatrics—New York 2 Chapter; American Lung Association in New York; Amethyst Women's Project; B Free CEED Coalition; Be Active New York State; Black Women's Blueprint; Brooklyn Perinatal Network, Inc.; CEO Services; Community Health Care Association of New York State.

FamilyCook Productions; Gay Men of African Descent; HIV Law Project; Harm Reduction Coalition; Harlem United Community AIDS Center, Inc.; Hepatitis Outreach Network; Liberty Research Group; Latino Commission on AIDS; Love Alive International; Lower East Side Harm Reduction Center; Make the Road New York; NYC Hepatitis B Coalition; New York Academy of Medicine; New York Harm Reduction Educators, Inc.

New York Immigration Coalition; New York Public Health Association; New York Society for Gastrointestinal Endoscopy; New York State Association of County Health Officials; NYC Department of Health and Mental Hygiene; NYU Langone Medical Center; Status C Unknown; The Amos Project; The Community Heart Health Coalition of Ulster County; The Hepatitis C Mentor & Support Group, Inc.; The Wellness Institute of Greater Buffalo; The Women's Center; VillageCare; Visual AIDS for the Arts, Inc.

North Carolina

American Academy of Pediatrics—NC Chapter; American Lung Association in North Carolina; Asthma Alliance of North Carolina; Nia's Ark; North Carolina Alliance for Health; North Carolina Association of Local Health Directors; North Carolina Community Health Center Association; North Carolina Fair Share; North Carolina Harm Reduction Coalition; North Carolina Public Health Association; Pitt County Memorial Hospital Pediatric Asthma Services.

North Dakota

American Lung Association in North Dakota; Ehrens Consulting; North Dakota Association for the Education of Young Children; North Dakota Dietetic Association; North Dakota Medical Association; North Dakota Public Health Association; Young People's Healthy Heart Program.

Ohio

American Lung Association in Ohio; Association of Nurses in AIDS Care; Association of Ohio Health Commissioners; Cerebral Palsy Association of Ohio; Mahoning Valley Organizing Collaborative; Miami Valley Positives for Positives; Northeast Ohio Alliance for Hope; Ohio AIDS Coalition; Ohio Alliance for Retired Americans; Ohio Association of Community Health Centers; Ohio Public Health Association; Progress Ohio; UHCAN Ohio; The MetroHealth System; Toledo Area Jobs with Justice.

Oklahoma

American Lung Association in Oklahoma; Oklahoma Public Health Association; Tulsa Health Department.

Oregon

American Academy of Pediatrics—Oregon Pediatric Society (Oregon Chapter); American Lung Association in Oregon; Multnomah County; Oregon Action; Oregon Coalition of Health Care Purchasers; Oregon Coalition of Local Health Officials; Oregon Primary Care Association; Oregon Public

Health Association; Oregon Public Health Institute; Tobacco-Free Coalition of Oregon.

Pennsylvania

Action AIDS; Adult Congenital Heart Association; Alder Health Services; American Academy of Pediatrics—Pennsylvania Chapter; American Lung Association in Pennsylvania; City of Philadelphia Department of Public Health; OraSure Technologies, Inc.; Pennsylvania Public Health Association; Reading Risk Reduction; The Food Trust.

Rhode Island

American Lung Association in Rhode Island; Ocean State Action; Rhode Island Public Health Association.

South Carolina

American Lung Association in South Carolina; Palmetto AIDS Life Support Services, Inc.; REACH U.S. Southeastern African American Center of Excellence in the Elimination of Disparities in Diabetes (REACH U.S. SEA-CEED); South Carolina Eat Smart Move More Coalition; South Carolina Fair Share; South Carolina Primary Health Care Association; South Carolina Tobacco Collaborative.

South Dakota

American Lung Association in South Dakota; South Dakota Public Health Association; West South Dakota Native American Organizing Project.

Tennessee

American Lung Association in Tennessee; Nashville CARES; Positive East Tennesseans; Tennessee Association of People With AIDS; Tennessee Public Health Association.

Texas

American Lung Association in Texas; Healthy Family Initiatives; La Fe Policy Research and Education Center; Texas Association of Local Health Officials; Texas Public Health Association.

Utah

American Academy of Pediatrics—Utah Chapter; American Lung Association in Utah; Association for Utah Community Health; Utah Public Health Association.

Vermont

American Lung Association in Vermont; Center for Health and Learning; Ottauquechee Community Partnership; Vermont Public Health Association.

Virginia

American Lung Association in Virginia; K.I. Services, Inc.; Tenants and Workers United; Virginia Organizing Project; Virginia Public Health Association.

Washington

American Lung Association in Washington; Childhood Obesity Prevention Coalition; Comprehensive Health Education Foundation; King County Board of Health; Public Health—Seattle and King County; School Nurse Organization of Washington; Snohomish Health District; Thurston County Board of Health; Washington Association of Local Public Health Officials; Washington Health Foundation- Healthiest State in the Nation Campaign; Washington Public Health Association; YWCA of Seattle—King County—Snohomish County, Seattle WA.

West Virginia

American Lung Association in West Virginia; Covenant House, Inc. West Virginia; Kanawha-Charleston Health Department; West Virginia Primary Care Association.

Wisconsin

American Lung Association in Wisconsin; Wisconsin Association of Local Health De-

partments and Boards; Wisconsin Primary Health Care Association; Wisconsin Public Health Association.

Wyoming

American Lung Association in Wyoming.

Mr. BOEHNER. Mr. Speaker, I claim time in opposition.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. BOEHNER. How in the world did we ever get here?

Think about this. This is a fight being picked over an issue that everyone knew was going to be resolved. It's a fight being picked over an issue that there is no fight over. Five years ago, the Democrats put this clip in the law that would require student loan interest rates to more than double on July 1. I don't know why they did it, but they did it. Nobody wants to see student loan interest rates go up, especially when you have recent college graduates of which 50 percent are either unemployed or underemployed as a result of the President's economic policies.

We've had Democrats and Republicans for months who have been talking about trying to fix this problem. While we don't yet have the long-term solution to this problem—the chairman is continuing to work on it—we believe that we shouldn't put students at risk and that we ought to make sure that their interest rates don't go up. So we developed this short-term policy to solve this problem for the next year while the committee has time to look at a long-term solution to this problem.

But why do people insist that we have to have a political fight on something where there is no fight? There is absolutely no fight. People want to politicize this because it's an election year. But my God, do we have to fight about everything? Now we're going to have to fight over women's health. Give me a break.

This is the latest plank in the so-called "war on women," entirely created by my colleagues across the aisle for political gain. Let's review the facts. The President in his budget called for reductions in spending in this slush fund that's given to the Secretary of HHS. The President called for a reduction in spending. You may have already forgotten that several months ago you all voted to cut \$4 billion out of this slush fund while they passed the payroll tax credit bill. To accuse us of wanting to gut women's health is absolutely not true.

Ladies and gentlemen, this is beneath us. This is beneath the dignity of this House and the dignity of the public trust that we enjoy from our constituents. They expect us to come here and to be honest with each other, to work out these issues. To pick this big political fight where there is no fight is just silly. Give me a break.

Vote "no" on this motion to recommit. Vote "yes" on the final bill. Let's send it over to the Senate now.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mrs. CAPPS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the motion to suspend the rules on H.R. 3834, if ordered.

The vote was taken by electronic device, and there were—ayes 178, noes 231, not voting 22, as follows:

[Roll No. 194]

AYES—178

Ackerman	Eshoo	Miller (NC)
Altmire	Fattah	Miller, George
Andrews	Frank (MA)	Moore
Baca	Fudge	Moran
Baldwin	Garamendi	Murphy (CT)
Barrow	Gonzalez	Nadler
Bass (CA)	Green, Al	Napolitano
Becerra	Green, Gene	Neal
Berkley	Grijalva	Olver
Berman	Gutierrez	Owens
Bishop (GA)	Hahn	Pallone
Bishop (NY)	Hanabusa	Pascarell
Bonamici	Hastings (FL)	Pastor (AZ)
Boren	Heinrich	Pelosi
Boswell	Higgins	Perlmutter
Brady (PA)	Himes	Peters
Braley (IA)	Hinchey	Peterson
Brown (FL)	Hochul	Pingree (ME)
Butterfield	Holt	Polis
Capps	Honda	Price (NC)
Capuano	Hoyer	Quigley
Carnahan	Israel	Rahall
Carney	Jackson (IL)	Reyes
Carson (IN)	Jackson Lee	Richardson
Castor (FL)	(TX)	Richmond
Chandler	Johnson (GA)	Ross (AR)
Chu	Johnson, E. B.	Rothman (NJ)
Ciilline	Kaptur	Roybal-Allard
Clarke (MI)	Keating	Ruppersberger
Clarke (NY)	Kildee	Rush
Clay	Kind	Ryan (OH)
Cleaver	Kissell	Sánchez, Linda
Clyburn	Kucinich	T.
Cohen	Langevin	Sanchez, Loretta
Connolly (VA)	Larsen (WA)	Sarbanes
Conyers	Larson (CT)	Schakowsky
Cooper	Lee (CA)	Schiff
Costa	Levin	Schrader
Costello	Lewis (GA)	Schwartz
Courtney	Lipinski	Scott (VA)
Critz	Loeb sack	Scott, David
Crowley	Lofgren, Zoe	Serrano
Cuellar	Lowey	Sewell
Cummings	Luján	Sherman
Davis (CA)	Lynch	Shuler
Davis (IL)	Maloney	Smith (WA)
DeFazio	Markey	Speier
DeGette	Matheson	Stark
DeLauro	Matsui	Sutton
Deutch	McCarthy (NY)	Thompson (CA)
Dicks	McCollum	Thompson (MS)
Dingell	McDermott	Tierney
Donnelly (IN)	McGovern	Tonko
Doyle	McIntyre	Tsongas
Edwards	McNerney	Van Hollen
Ellison	Meeks	Velázquez
Engel	Michaud	Visclosky

Walz (MN)
Wasserman
Schultz
Waters

Watt
Waxman
Welch
Wilson (FL)

NOES—231

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bueshon
Buerkle
Burgess
Burton (IN)
Calvert
Campbell
Cantor
Capito
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert

Woolsey
Yarmuth
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Bauchmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—22

Blumenauer
Camp
Canseco
Cardoza
Cassidy
Davis (KY)
Doggett
Farr

Nunes
Paul
Rangel
Sires
Slaughter
Towns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1232

Mr. MARKEY changed his vote from “no” to “aye.”
So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:
Mr. FILNER. Mr. Speaker, on rollcall 194, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. GEORGE MILLER of California. Mr. Speaker, I demand a recorded vote. A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 215, noes 195, not voting 22, as follows:

[Roll No. 195]

AYES—215

Adams
Aderholt
Akin
Alexander
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hochul
Hultgren
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McCotter
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Myrick
Noem
Nugent
Nunnelee
Olson
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo

Posey
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan

Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry

NOES—195

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Black
Bonamici
Boswell
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Duncan (SC)
Edwards
Ellison
Engel
Eshoo
Fattah
Fincher
Flake
Fox
Frank (MA)
Franks (AZ)
Fudge

Garamendi
Garrett
Gonzalez
Gosar
Gowdy
Graves (GA)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Himes
Hinchesy
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Labrador
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loeback
Loifgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (FL)
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Nadler
Napolitano

NOT VOTING—22

Blumenauer
Camp
Canseco
Cardoza

Cassidy
Costa
Davis (KY)
Farr

Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walden
Walz (MN)
Webster
West
Whitfield
Wittman
Wolf
Womack
Yoder
Young (AK)
Young (FL)
Young (IN)
Neal
Neugebauer
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Vislosky
Walberg
Walsh (IL)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Westmoreland
Wilson (FL)
Wilson (SC)
Woodall
Woolsey
Yarmuth

Jenkins
Kingston
Marino
McHenry

Nunes
Paul
Rangel
Sires

Slaughter
Towns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. ROBY) (during the vote). There is 1 minute remaining.

□ 1245

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COSTA. Mr. Speaker, on rollcall No. 195, had I been present, I would have voted "aye."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 195, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 193, 194, and 195. Had I been present, I would have voted "aye" on rollcall vote Nos. 193 and 194. I would have voted "no" on rollcall vote No. 195.

ADVANCING AMERICA'S NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 3834) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HALL) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1250

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1588

Mr. CARNAHAN. Mr. Speaker, I ask unanimous consent to be removed as cosponsor of H.R. 1588.

The SPEAKER pro tempore (Mr. PALAZZO). Is there objection to the request of the gentleman from Missouri? There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 4849, SE-QUOIA AND KINGS CANYON NATIONAL PARKS BACKCOUNTRY ACCESS ACT

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 4849, the Clerk be authorized to make the change that I have placed at the desk.

The SPEAKER pro tempore. The Clerk will report the change.

The Clerk read as follows:

In Section 2(b)(1), strike "C 90-4621" and insert instead "C 09-4621".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 43

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, April 26, 2012, through Sunday, May 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, May 7, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, May 4, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, May 7, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

POPEYE—SPINACH—EPA

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, Pop-eye the sailor has advocated for 80 years that spinach gives energy. Now the EPA wants to use this food as

green energy. But does that idea make any sense?

After the administration spent hundreds of millions of dollars of taxpayer money on other failed green initiatives, the EPA awarded \$90,000 to a group of students who designed a solar panel that uses spinach to produce a very slight energy charge. A slight electrical charge is not enough to supply the United States with even a fraction of our energy needs, nor will it leave Bluto shaking in his boots.

Meanwhile, the shovels that were ready for the Keystone XL pipeline are idle, the Gulf of Mexico sits waiting for more oil and gas lease sales and permits, and the procedural hurdles in place have slowed drilling on public lands to a halt.

What we need are real solutions to bring down the price of gasoline and decrease our dependence on foreign oil. We don't need more taxpayer spinach subsidies. Leave spinach for Popeye and the supper table.

And that's just the way it is.

A REALLY DUMB QUESTION

(Mr. MURPHY of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Connecticut. Mr. Speaker, the question before the House today was whether we were going to take money for preventive services for women and children and give it to college students. That's a really dumb question.

It's not dumb because of the recipient of the money. We need, right now, to make a change here in this Congress so that millions of college students all across the country don't see a dramatic increase in the cost of college. My wife and I are amongst those that are paying back our student loans today, and we know what those college students know: that \$5,000 over the next 10 years could break the bank.

No, it was a dumb question because there was another question that we could have asked. We could have asked whether we should take billions in tax subsidies for oil companies and instead turn those dollars around to needy college students. That is a smart question, a smart question with a pretty easy answer.

HONORING THE LIFE OF DICK CLARK

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, Dick Clark is a name that is synonymous with the American spirit. He was an entrepreneur, an entertainer, and a patriot. For decades, Americans of all stripes welcomed him into their living

rooms to hear new music, to be entertained, and to ring in the new year.

Dick had that uniquely American ability to be forward-thinking while grounded in tradition. He had a passion for the universal appeal of music and understood that it could unite people across barriers of both age and race.

He knew this country to be a land of opportunity, and he, in turn, created opportunity for countless others. In fact, he was such a tremendous mentor to so many that spending time with Dick came to be known as attending "Clark University."

In 2004, he suffered a stroke, but the indomitable Dick Clark never slowed down. Thousands of Americans found yet another reason to draw inspiration from America's oldest teenager. He continued to work hard and take pleasure in every single day.

I remember thinking on the last night I spent with him, shortly before he died, that Dick would live to be 100. Sadly, I was wrong.

Within hours of his unexpected passing, the White House called and asked that I convey the condolences of President and Mrs. Obama to Dick's wife, Kari, and his children, Rac, Duane, and Cindy, and their families.

Dick Clark enriched the lives of millions and leaves a legacy that will, no doubt, touch generations to come.

CELEBRATING THE CONTRIBUTIONS OF JULIAN BOND

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, Julian Bond was and is a great civil rights leader. He founded SNCC in the sixties and fought for civil rights in this country. He was a Georgia State senator for 20 years, and had to fight and go to the Supreme Court for First Amendment rights.

He was the chairman of the board of the National Association for the Advancement of Colored People, NAACP, for many years. He's also been a professor of civil rights history at the University of Virginia for the last 20 years, and he'll be retiring on May 1.

On May 2, there will be a dinner in New York at the Plaza Hotel to raise money for the Julian Bond Civil Rights History Chair at the University of Virginia, an opportunity for people to see that civil rights history is taught at the University of Virginia for time immemorial. After Julian retires, civil rights history will continue to be taught at the University of Virginia, as it should be taught at every school, and not just in February, Black History Month.

I commend Julian Bond, and I commend the University of Virginia for having hired him to teach the course and for having a chair in his honor, and encourage all to support such May 2, New York City.

Thank you, Mr. Bond.

□ 1300

NATIONAL DAY OF PRAYER

(Mr. LANKFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANKFORD. July of 1843, a new painting was hung in the old rotunda of the United States Capitol under the old wooden dome. It was a painting by Robert Weir of the Embarkation of the Pilgrims. It depicted the beginning of our Nation as a small group of Puritans set sail in 1620 under the sail of God With Us. The most prominent feature of the painting is the depiction of the people gathered on the deck of that ship in prayer. That painting still hangs in the rotunda, and it still reminds our Nation that we began as a people of prayer, and we will only succeed as we continue as a Nation that prays.

In a day when families are falling apart, when drug use is rampant, when pornography is rampant, when the economy is failing, and when debt is at an all-time high and people have lost hope in government, they move from disappointment to frustration to anger to fear to apathy. We will be wise to remember next week, May 3 of this year, the National Day of Prayer, for our Nation to stop and hesitate again and remember our hope does not come from Washington.

Maybe this is a good moment to read again Luke 22:46 when Jesus admonished the disciples and said: Why are you sleeping? Get up and pray that you will not fall into temptation.

VIOLENCE AGAINST WOMEN ACT

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to ask my colleagues to move as quickly as possible to pass the Violence Against Women Act, legislation that I was happy to be an early supporter of in the early stages of my honor of serving in this House.

I remember as a young member of the House Judiciary Committee standing alongside of Chairman Henry Hyde, a Republican, as we stood in the Senate to push for the passage of the Violence Against Women Act.

Over the years, we have seen the saving of women's lives. Now it is important that we not stall and take the Senate act which, in fact, has broadened its coverage of Native American women, immigrant women, and women of different lifestyles because it includes everyone.

Do we have to wait, while in Texas on a holiday, where a man goes in and

kills his wife and children? Violence. Or the man who is charged with killing Jennifer Hudson's family, looking for his ex-wife. Violence that must stop.

Pass the Violence Against Women Act now. Take the Senate bill that was bipartisan and save the lives of women and men who are subject to violence in their lives.

America, you can do better.

A TRULY ORWELLIAN MEASURE

(Mr. McCLINTOCK asked and was given permission to address the House for 1 minute.)

Mr. McCLINTOCK. Mr. Speaker, under the Fourth Amendment, if the government wants to snoop through a person's email, it must first convince a judge that there's probable cause to believe that person has committed a crime, and it must specify the documents it believes are relevant to that charge.

Yesterday, the House passed a measure that makes a mockery of this cherished protection. Under the guise of cybersecurity, it allows the government to pressure and cajole Internet providers to turn over their subscribers' data and for the government to then use that data without the consent or even the knowledge of the individuals affected for a wide variety of vague purposes unrelated to cybersecurity, all without a warrant.

This is a truly Orwellian measure that our Bill of Rights was specifically written to prevent. I hope the House will have second thoughts as it reflects on the ramifications of this act.

APPOINTMENT AS MEMBER OF THE COMMISSION ON INTERNATIONAL FREEDOM

The SPEAKER pro tempore (Mr. HUIZENGA of Michigan). The Chair announces the Speaker's appointment, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 note) as amended, and the order of the House of January 5, 2011, of the following member on the part of the House to the Commission on International Religious Freedom for a term ending May 14, 2014:

Mr. Samuel Gejdenson, Branford, Connecticut

TAXATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Florida (Mr. WEST) is recognized for 60 minutes as the designee of the majority leader.

Mr. WEST. Mr. Speaker, as we end our congressional session for the month of April, I think it's very important to have an honest conversation about taxation in America.

The United States Constitution clearly states in article 1, section 8, that:

The Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

Unlike in Great Britain, the Framers bestowed this power to a Congress directly representative of the people. Men, religious men like Benjamin Franklin and John Adams, were taught the ideals that all men and women are created equal and that there is no divine right of a King's rule.

Moreover, our Framers believed in the social contract, an intellectual device used to explain the appropriate relationship between individuals and their government. The social contract our Framers envisioned was one in which a legitimate government was defined by government operated and derived from the consent of the governed. In other words, the government envisioned by our Framers would be answerable to those that elected them through regular elections.

One of the most famous social contract thinkers, John Locke, believed if a government were to abuse that relationship, the governed had the natural right to overthrow their leaders.

Our Framers lived under the rule of King George III, a "man of a small mind," according to one British historian, at a time when "republicanism," defined as the protection of liberty through the rule of law, was sweeping across the British Empire. The British Empire, extending to the Americas, ruled by King George was one where high taxes without representation was the rule of law and where dissension was met with a noose.

Following on the heels of the Molasses Act, where a tax was imposed on all molasses sold within the Colonies, set to expire in 1763, the British Parliament passed the Sugar Act in April of 1764. The following year, Parliament passed the Stamp Act, stating that all printed materials within the Colonies needed to be on taxed and stamped paper from London.

In response to the Stamp Act, the American Colonials formed the Stamp Act Congress, held in New York. In 1765, this assembly was seen as the first true collective dissension shown towards the British Crown in colonial history.

What followed throughout the rest of the century, Mr. Speaker, that was a lesson in the early beginnings of American exceptionalism.

Learning from their lesson of taxation without representation, a viewing gallery was built in our first House of Representatives so that any citizen may bear witness to the decisions made on their behalf.

Following the American Revolution, very few taxes were enacted and im-

posed on the American people, such as modest taxes on alcohol, sugar, and tobacco to pay for the simple workings and infrastructure of government.

The War of 1812 brought on new taxes on luxury goods, such as gold and jewelry. After on-again, off-again taxes for the next half century, Congress passed the Revenue Act of 1862, under the tutelage of President Abraham Lincoln.

□ 1310

In 1913, the 16th Amendment replaced a large excise tax from alcohol that was repealed after Prohibition and that provided the government with revenue to fund the First World War, thus making a Federal income tax permanent. But after the war was over and Prohibition was repealed, was this tax still necessary? Did the creation of a permanent income tax contradict the previous taxes we saw in our early history?

At the time, a very controversial amendment, the 16th Amendment, had been cited in multiple Supreme Court cases, most significantly in *Brushaber v. Union Pacific Railroad* and in *Stanton v. Baltic Mining Company*. The Court ruled it was never the intent of Congress to place a direct tax on the American people. Mr. Speaker, that's a decision we now see being debated again in the Supreme Court with the Patient Protection and Affordable Care Act.

These direct taxes, such as a direct tax on property ownership, were seen to be apportioned for the States to decide. Since its induction, we have seen a mass exploitation of the income tax. No longer is the Tax Code used simply to pay for the workings of government. Today, we see tax dollars wasted on such egregious projects as \$150,000 to the Institute of the Museum and Library Services funds for an American Museum of Magic in Marshall, Michigan; \$175,000 in National Institutes of Health funds for the University of Kentucky to study how cocaine enhances the sex drive of Japanese quail; and a National Science Foundation grant of \$198,000 to the University of California at Riverside for research on whether using social media makes one happy.

But, Mr. Speaker, why are we here today?

We are here because millions of Americans have just filed their Federal taxes. I wonder how many of those Americans actually understand their taxes. How many of those Americans have to pay someone hundreds of dollars who can understand the seemingly unending wall in thousands of pages of Tax Code? As a matter of fact, Mr. Speaker, the American people know that even some of our colleagues here on Capitol Hill, in this very body, have had some issues with the Tax Code, to include our own Secretary of the Treasury. Most alarming might be the fact that the Commissioner of the In-

ternal Revenue Service, Mr. Shulman, has claimed that he uses a tax preparer.

This is simply ridiculous. There are serious ramifications of a Tax Code that is over 67,000 pages. How many small and large business owners are not hiring because they are constantly being told they're not paying their fair share of taxes and cannot predict how much they will pay in the future? Mr. Speaker, I reject this progressive mantra that we need to raise taxes so that the government can waste more hard-earned American taxpayer dollars. So now is an absolutely important time to go back and examine our Tax Code, move away from the progressive Tax Code system and simplify it for the American people. Milton Friedman famously quipped:

If you put the Federal Government in charge of the Sahara Desert, in 5 years there would be a shortage of sand.

President Obama has increasingly upped his rhetoric of class envy by suggesting that higher-income taxpayers are avoiding their responsibility in not paying their fair share. Instead of resorting to manipulative rhetoric, pitting one working American against another, the President and Congress should work together to enact pro-growth economic policies to help put Americans back to work.

One of the biggest reasons our economy continues to struggle is that employers, both large and small, are filled with uncertainty. They look to Washington only to see more government spending, the desire for more taxes, and more government regulations on the horizon. Washington spending has been out of control for years, Mr. Speaker—and Republicans and Democrats certainly could have done more in the past to stop it—but the spending binge that has occurred under President Obama is truly unprecedented. President Obama's proposed tax hikes that are buried in the Patient Protection and Affordable Care Act, increasing regulation, government intervention into the private sector, and skyrocketing debt have created economic uncertainty, thus freezing investment and hiring.

The solution for reviving our economy is straightforward: cut wasteful government spending and remove the unnecessary tax and regulatory barriers that cause the uncertainty that prevents employers from hiring Americans. Understand that you cannot help the job seeker by punishing the job creator with higher taxes. Job creators know that historic debt levels will lead to historic job-destroying tax increases. If we raise taxes on the very people that we need to grow and invest in our economy and hire new workers, our economy will continue to spiral. If we do not have economic growth, we will never balance the budget.

Nearly 75 percent of America's small businesses, the economic engine of

growth, pay their taxes through their owners' personal individual incomes. Half of those small businesses would suffer from a higher tax burden under the President's proposed tax increases. Those proposed tax increases will limit their ability to hire more workers and invest. Raising taxes on small businesses, where a majority of Americans go to work every day, will not put American families back to work. Instead, these tax increases will hamper the ability of these job creators to keep workers on their payrolls, expand their businesses, hire new employees, and invest. These tax increases will hurt economic recovery and growth because they suppress incentives to save and invest at a time when investments and capital are desperately needed to recover our economy.

Mr. Speaker, since moving into the White House just over 3 years ago, President Obama has been spending millions of dollars campaigning around this great Nation, pushing a so-called Buffett rule. The President claimed that the Buffett rule would stabilize our debt and deficits for the next decade. Mr. Speaker, I would like to know why the President continues to mislead the American people. The bipartisan Joint Committee on Taxation stated that the Buffett rule would only raise \$46.7 billion over the next 10 years, reducing our deficit by less than .4 percent. In other words, the so-called Buffett rule would only raise enough revenue to keep the Federal Government's lights on for 11 days.

Just a couple of weeks ago, the President was in the congressional district that I represent, touting his political divide-and-rule gimmick that would collect almost \$47 billion through the year 2022; but when you look at the comparison of the \$7 trillion in Federal budget deficits that will come in that exact same period, we are not making progress. Clearly, we have a spending problem in Washington, D.C. and not a revenue problem.

Mr. Speaker, the President should stop trying to score these cheap political points and should work towards solutions that will actually solve our Nation's debt crisis. His claim that the Buffett rule is something that will get us moving in the right direction toward fairness would be more convincing if he took other steps in that direction, too. Three years into his Presidency, President Obama has not introduced a plan for comprehensive tax reform, arguably the most important vehicle for fixing the Nation's finances and for boosting long-term economic growth.

When you look at the progressive Tax Code system that we have in the United States of America, we hear a lot of talk today about fairness, fair share, economic equality, and shared sacrifice. Well, one of the things that we must understand is that the top 1 per-

cent of wage earners in the United States of America are paying close to 40 percent of Federal income taxes. The top 5 percent of wage earners in the United States of America pay close to 58 percent of Federal income taxes. The top 25 percent of wage earners in the United States of America pay 86 percent of Federal income taxes. Mr. Speaker, to make matters worse, a large percentage of wage-earning households—about 47 percent—are paying absolutely nothing in Federal income taxes.

I would also like to speak to the other side of that equation, which is how we are using the Tax Code as a weapon for behavior modification.

One of the things we have to be very concerned about is all of the new taxes that will kick in with the Patient Protection and Affordable Care Act from January of 2013 out to January of 2018.

□ 1320

One of those taxes even includes a real estate tax, as well as an insidious tanning tax. At a time when the housing market is still in free-fall, why would the President tax people for purchasing or selling their homes? It is not only unfair, but it is immoral to leave these types of policies as our legacy to our children and grandchildren.

Also within this new government takeover of health care is the federalization of student loans, and we just voted about keeping those loan rates for our college students at 3.4 percent, not realizing that the Federal Government has now taken over the management of college loans. This completely cuts out any competition to help lower student loan interest rates. The federalization of these loans has done nothing but drive up interest rates on our young people. President Obama himself even said that this will do nothing to help solve the problem of ever-increasing college tuition costs.

This equates to a tax on the American Dream of higher education, which is so crucial to success. Unfortunately, the economy and job market that the Obama administration is fostering is just pouring salt on an open wound, Mr. Speaker. Not only will recent graduates see themselves paying higher interest rates on their loans, they will also enter a job market that is seeing some of the highest unemployment rates for recent graduates in our history. Nearly half of all recent college graduates cannot find jobs after graduation.

Mr. Speaker, at the rate we're going, our children will be the first generation to not live a better life than their parents. This is simply unacceptable. What is the President's response to this crisis? He introduces his fiscal year 2013 budget that would spend an incredibly obscene \$47 trillion over the next ten years; higher taxes on individuals to pay for increased government

spending; higher taxes on small businesses that will stifle new jobs; and higher taxes on investors to ensure our innovation lags behind the rest of the world.

The President's planned tax increases seem designed to demonize the so-called "rich" and use them as a propaganda tool to score political points. But the fact is next year, unless changes are made to the Tax Code, Americans will be subject to the largest tax increase in our Nation's history. If the Obama-Bush tax cuts expire, a typical family of four in south Florida with a household income of \$50,000 per year would have to pay \$2,900 more in taxes each year.

Mr. Speaker, seniors who count on dividends and investments to cover expenses during retirement will have to pay higher tax rates, even if they have a modest income. Children of farmers and small business owners who wish to continue the legacy of their parents will find it increasingly difficult to do so as the death tax exemption will shrink from \$5 million to \$1 million. Further, inherited assets exceeding that amount will be taxed at a maximum rate of 55 percent, with a 5 percent surcharge on estates over \$10 million. Investors will be battered with a capital gains tax increase from 15 percent to a top-level maximum of 25.8 percent. Seniors who rely on those dividend returns will also be hammered. Stock dividends currently at 15 percent will be taxed as ordinary income at a top rate of 43.4 percent.

Mr. Speaker, the President is also going after our military families. If he were to have his way, all military families would see their TRICARE health care fees triple above the current rates that they are already paying, all while leaving civilian unionized health care completely untouched.

Mr. Speaker, why? Why is the President targeting some of the most vulnerable groups in our society like our young people, seniors, and those who have risked their lives to protect our freedoms? This certainly isn't right. This certainly is not fair. It is, Mr. Speaker, downright immoral.

In the last few months, we've heard a lot about this fairness from the President, especially when it comes to the so-called "rich." In President Obama's own message about his proposed budget for fiscal year 2013, he says everyone must shoulder their fair share. But how does the President define fair when 47 percent of wage-earning households paid zero Federal income taxes while the top 25 percent paid 86 percent?

Does President Obama think it's fair that our children and grandchildren will be burdened with debt because of his unprecedented reckless spending, because Washington currently borrows 42 cents of every dollar it spends? Does the President think it's fair to pile another \$47,000 of debt onto every household in the United States of America

over the last 3 years? Is it fair for every American to have a \$50,000 debt obligation on them right now? Does the President think it's fair to use college students as props for these campaign-style rallies, without explaining how his bad policies will leave them in deeper debt? Does the President think it's fair to force hardworking American taxpayers to subsidize a wealthy person's purchase of a hybrid luxury car just because it fits his idea of American energy? Does the President think it's fair to hand out millions of tax dollars to politically correct solar energy companies that then go bankrupt? We've seen five so far. Does the President think it's fair to tell thousands of workers they won't have jobs because he blocked the Keystone XL pipeline to solidify the support of far-left radical environmentalists? How does the President feel about the fact that 3 years of his policies have left us with more people on food stamps, more people in poverty, lower home values, higher gas prices, and higher unemployment? Is this fair, Mr. Speaker? That's why we must simplify this Tax Code.

Mr. Speaker, this great constitutional Republic simply needs a flat tax. A flat tax would dramatically reduce the ill-effects of our progressive Tax Code. Perhaps more important, it would reduce the Federal Government's power over the lives of taxpayers and get the government out of the business of trying to micromanage the economy.

The major features of a flat tax include a single flat rate. All flat tax proposals have a single rate that is usually less than 20 percent. The low flat rate solves the problem of high marginal tax rates by reducing penalties against productive behavior such as saving, risk-taking, and entrepreneurship. It has an elimination of special preferences. A flat tax proposal would eliminate provisions of the Tax Code that give preferential treatment on certain behaviors and activities. Getting rid of deductions, credits, and exemptions also helps to solve the problem of complexity, allowing taxpayers to file their tax returns on a simple form.

There should be no double taxation of saving and investment. Flat tax proposals would eliminate the Tax Code's bias against capital formation by ending the double taxation of income that is saved and invested. This means no death tax, low or perhaps no capital gains tax, no double taxation of savings, and no double taxation on dividends. By taxing income only one time, a flat tax is easier to enforce and more conducive to job creation and capital formation.

There are two principal arguments for a flat tax: growth and fairness. Many economists are attracted to the idea because the current tax system with its higher rates and discrimina-

tory taxation of saving and investment reduces growth, destroys jobs, and lowers incomes. A flat tax would not eliminate the damaging impact of taxes altogether, but by dramatically lowering rates and ending the Tax Code bias against saving and investment, it would boost the economy's performance, especially when compared to the current Tax Code.

Under a flat-tax system, I believe in only three taxable deductions: a child tax credit, a mortgage interest tax deduction, and a charitable contribution deduction.

Mr. Speaker, we want families to have children, and we want children to have homes. Most importantly, we want Americans helping Americans. This system would end the class warfare rhetoric perpetrated by President Obama and eliminate many, if not all, special interest loopholes that have been created over decades of Tax Code manipulation.

Look at other countries around the world that have implemented and are in the process of implementing the flat tax. Economic growth increases, unemployment drops, and we see more compliance with the tax law.

□ 1330

Nations such as Estonia and Slovakia are widely viewed as role models since both have engaged in dramatic reform and are reaping enormous economic benefits. Since instituting the flat tax, Estonia has thrived and become a member of the European Union.

The flat tax was implemented in 1994 at 26 percent and has since fallen to 21 percent of income. From 2001 to 2007, Estonia's economy grew by an average of 9 percent per year, which, as we just saw with our recent GDP growth statistics for the first quarter of 2.2 percent, we are severely lacking. In 2003, its unemployment rate was in excess of 12 percent. Just 5 years later, only 4.5 percent of its population was without jobs. Compare that, Mr. Speaker, to the anemic GDP growth of the economic recovery under President Obama.

I think the most important thing we have to come to understand is that this time in history truly does belong to the American people. The money, the resources belong to the American people.

The liberal, progressive approach that one should give more money to the government in order to better society is a flawed approach and, please, Mr. Speaker, tell me where a social, egalitarian, welfare, nanny state has ever been successful in the world. Thomas Sowell once said:

Liberals seem to assume that, if you don't believe in their particular political solutions, then you don't really care about the people that they claim to want to help.

I do not believe that I can spend the money of over half a million people I

represent in south Florida any better than they can themselves. We should be coming up with ideas of how to keep more money in American pockets to invest in our economy instead of propaganda-esque divisive rhetoric separating the American people for the spoils of politicians.

Let's start treating the American people as adults and find our own integrity and character, Mr. Speaker. The key thing that has to accompany this is that we must reduce the size and scope of government as well because as we start to focus more on Main Street, as we start to focus more on the hardworking American taxpayers and what is truly best for them, then we can have that investment at their level; we can have the growth at their level.

When President Obama talks about increasing investments in government, I must simply inquire: What is the rate of return?

We grew the bureaucracy of education, and the standards of education in the United States of America dropped. We created the Department of Energy, and still we are not energy independent. We bail out private sector industries yet experience the slowest economic recovery in U.S. history.

Mr. Speaker, one of the reasons that I came to the United States Congress is to begin enacting sweeping reforms that show the American people that we are serious about turning this economy around and that we're serious about creating the right type of policies that set the conditions of job creation. We're talking about economic freedom for the American people as opposed to economic dependency upon government. This incredible, exorbitant system that we have is complex to the point where it is causing more pain for the American people and causes them to not have the freedom that they deserve nor faith in any of us.

Mr. Speaker, I reject the notion that fairness comes from wealth redistribution. True fairness rewards merit, creating the conditions for economic success and achieving your goals. That is the American way, to promote individual industrialism to honor the entrepreneurial will and spirit of our countrymen.

Mr. Speaker, a simple question: Why did your ancestors come to this country? Did they come to get a fair system of forced income redistribution?

The government cannot and never will save our country nor our economy. Unless we let our children earn their successes, we will hand them a country in decline, one where they will need to rely on government for their success. It is immoral to pull the ladder of success out from under our children's feet like this.

And how can I explain this to my children, my two daughters, Aubrey and Austen? How would you explain this to your children, Mr. Speaker?

We have never done less with America in our history, and I believe here in Washington, D.C., we need to try doing a lot more with less of the resources of the American people.

In conclusion, Mr. Speaker, let us show the American people that we stand steadfast and loyal to this constitutional Republic and to the preservation of a legacy of liberty, freedom, and democracy for subsequent generations. To all others who would stand contrary to those simple beliefs, well, Mr. Speaker, in the words of the great philosopher, Mr. T, I say that "I pity the fool."

Mr. Speaker, I yield back the balance of my time.

STUDENT LOANS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Maryland (Ms. EDWARDS) is recognized for 60 minutes as the designee of the minority leader.

Ms. EDWARDS. Mr. Speaker, I rise today, I thought, not to speak personally, but as I listened to the gentleman from Florida, as I have listened to Members as they've taken the floor today, I thought I'd like to share a story with the American people, Mr. Speaker, and it's my own story.

I went to college at Wake Forest University. I remember the day I was accepted, I was so excited. My parents were excited, too, but we knew, as a family with six children, my father having served in the United States Air Force for 30 years, that they wanted for me what they wanted for all of us, and that was the chance for the American Dream in a different way than they had.

We knew that in order to do that, that it would take a combination of academic scholarships, grants, loans, and savings to put together what it would take to receive a college education, and so that's what we did as a family. I stand here today to say to you, Mr. Speaker, that it gives me great sadness to know that Republicans on the other side of the aisle would have student loan interest rates increase, double, by July 1 without acting in this Congress.

Today, very sadly, what we did was we said to families—and particularly to women, girls who want to go to school—that you have a choice: We'll either double your interest rates to 6.8 percent beginning in the first year of your college loan or you can have preventive health care services. Imagine for the young women across this country that their choice is preventive health care services or the ability to go to school on a student loan, have that loan, the interest rate low, and then pay back that loan over a period of time. What a horrible choice.

Now, we've listened earlier as people talk about building the American

Dream and climbing the ladders of opportunity to success, but that ladder has rungs. One of the rungs of that ladder, as my family well knew when I became a freshman in college, is the opportunity to get a college education, to do better than the previous generation. It's what we want for all of our children.

I went to school on student loans, and I went to school on student loans at a time when, between undergraduate school and then law school, I effectively had almost \$100,000 in student loans. A quarter of that, about \$25,000 of that, was paid out to some bank that made a profit.

Instead, what we have done as Democrats is we, in 2010, passed a package of reforms for student loans, lowered the interest rate of student loans so that it was affordable, made those loan payments affordable and manageable, made sure that when you were coming out of school, if you had a job that didn't pay you as much as you needed or wanted, that your student loans would be able to be managed and at an interest rate that was affordable. That's not what I had, but it's what we were able to give our young people today.

□ 1340

It's what Republicans in this Congress have decided to take away. So, then in 2007, we passed the College Cost Reduction and Access Act. It provided relief to students from high interest rates by lowering those interest rates. When I came out of undergraduate school and law school, I had this array of student loans that had different interest rates. Little did I know that when I tried to consolidate those loans, I actually ended up paying the higher interest rate.

Today, when students are graduating from college under what Democrats did in 2007, we actually, in this Congress, made sure that the interest rates would be affordable, that students would then be able to manage them, and that they would be able to pay their loans back. So I want to tell you something that I'm not really proud of, and that's that I also got in trouble paying my loans back. I didn't make as much as I needed to pay those and to balance my other responsibilities. It was difficult, but over a period of time, because the program, in fact, was affordable, because I knew that we all had—my neighbors—we all had my back, that I could pay those student loans back over a period of time.

Do you know, Mr. Speaker, just 1 month before I was elected to Congress, I paid my last student loan? I can still remember that day in January writing that check to pay the last of my student loans. Do you know how proud I am to have been able to do that? The reason is because I knew that when my son was going to college, we were doing

the same things that my parents did when I went to college, collecting the savings and academic scholarships, but also putting together a package of loans that would be affordable for him to go to school.

It's what we do. It's sort of that contract that we have from one generation to the next generation. I borrowed for my student loans; I paid those student loans off. My son borrowed some for his student loans and is now in the process of paying those off.

But let's look at what Republicans would have us do. First of all, we know that if we don't act by July 1 that interest rates will, in fact, double from 3.4 percent to 6.8 percent for 7 million students across this country. Already, students across our country bear nearly \$1 trillion in student loan debt, and they struggle in this difficult economy, as many are struggling, to pay those loans. But think what would happen if the interest rate on those loans was allowed to increase to 6.8 percent, to effectively double that interest rate.

Well, what does that mean for your average student? Well, Mr. Speaker, what it means is that a student on average coming out with \$23,000 in debt would have to pay roughly an additional \$11,000 over the course of that loan period to make up for that additional interest. This makes no sense whatsoever.

I think that students across the country must be wondering what it is that Republicans are doing here in Congress that would have them double their interest rate, especially when we're talking about a part of our population that's done everything that we've asked of them. They succeeded in high school. They're going on to college. They are coming out with a promise of a hope for a good job and to be able to do better than the previous generation. And we're saying to them—Republicans in this House are saying to them, instead, we want to double your interest rate. We want you to pay not just the \$23,000 that you owe, but an additional \$11,000 in interest.

More than that, what we've heard from some even on this House floor is that there are many on the other side of the aisle who don't believe that we should have a federally subsidized student loan program at all, education for those who are wealthy who can afford it, but for middle class families, not the ability to get a student loan and to pay that loan back in a manageable way over a period of time.

So we stand united as Democrats and say we are not going to sacrifice middle class families and stack them up against women's health care. We want to make sure that we pay for these lowered student loan interests by ending a corporate tax break. That seems fair enough. Yet, Republicans on the other side of the aisle will simply not be reasonable and agree with what the

overwhelming majority of American people agree to, and that is that we should have student loans that are available and accessible to middle class families.

So I'll have more to say on this, Mr. Speaker, but at this time, I would like to recognize the gentlelady from Oregon, new to the Congress, who will join me in this discussion about student loans and student loan interest, Ms. BONAMICI.

Ms. BONAMICI. Thank you to my colleague for yielding. I'm so happy to be here today with my colleagues in support of preventing a drastic hike on student loan interest rates. Education truly is the key to improving our economy and ensuring a strong America for generations to come, but current barriers to higher education jeopardize those goals for too many. Education needs to be accessible to everyone, not just to those who can pay tuition out of their pocket.

I'm proud to be a cosponsor of the Stop the Rate Hike Act, which will prevent a jump in student loan interest rates, but not at the expense of health care for vulnerable populations and women.

Federal student loans play a significant role in improving access to education. If we allow interest rates to double on July 1, this key component of college affordability will become an increased burden on millions of students across the country who currently have student loans. The average amount of loan debt for these students is more than \$23,000, and if we don't prevent this hike in interest rates, they will see their debt burden increase by an average of \$1,000 just this year.

Now, I'm pleased that my colleagues on both sides of the aisle recognize the importance of preserving affordable interest rates for students, but I'm disappointed in proposals that would guarantee these rates at the expense of other struggling populations. The prevention and public health fund is a critical tool that decreases costs and improves access to health care for a number of populations, including women and children. If fully funded, in 2013 women and children will have access to many lifesaving screenings and preventive care, like funding for breast and cervical cancer screenings and childhood vaccinations. Without this important fund, many women and children would not be able to access these tests, leading to poorer outcomes and increased costs on our health care system in the future. Now, I'm hopeful that the Senate will act to prevent a jump in loan interest rates and send a bill back to the House that does not cut preventive health care funding.

I look forward to working with my colleagues to improve our education system, create jobs, and continue our economic recovery without reversing the important steps forward we've made to improve access to health care.

Ms. EDWARDS. I thank the gentlelady from Oregon, and I was just reminded as I listened to her that in her State of Oregon, something on the order of 119,000 students will see an increase of about \$93 million in interest rates if this takes place on July 1.

In my own home State of Maryland, 103,400 students would see an increase in interest rates if the rate is allowed to go up from 3.4 percent now to double at 6.8 percent, and in Maryland, that would be to the tune of \$80 million. These are extraordinary numbers, and that burden would be borne by those to whom we've said, you've done the right thing, you've gone to college, you've paid for your college, and now you're going to be able to repay your loans, but we want you to pay additional student loan interest because the Republicans have refused to act without also taking away preventive health care.

These are really extraordinary numbers, Mr. Speaker, and I think when the American people hear about the danger that is afoot come July 1 with the increase in student loan interest, middle class families all across this country will be completely outraged.

With that, I'd like to yield a few minutes of time to my colleague from New York (Ms. CLARKE).

Ms. CLARKE of New York. I thank the gentlelady for yielding. Today, the House passed H.R. 4628, the Interest Rate Reduction Act, or, as I like to refer to it, the "take from the poor—give to the poor not in our interest act."

This Republican-led bill will prevent the student loan interest rate from doubling to 6.8 percent, but in doing so would effectively gut the prevention and public health trust fund, a key component of the Affordable Care Act. When my Republican colleagues finally acknowledged the need to prevent student loan interest rates from rising on July 1, I had a glimmer of hope, hope that somewhere in their hearts remained some small bit of compassion for their fellow Americans. But I was quickly slapped back into reality when I saw that the Republicans intended to pay for this bill, as they usually do, on the backs of middle class families and the poor.

The prevention and public health trust fund was created to ensure adequate funding for preventive health initiatives. These initiatives help to improve the health of poor and middle class families and, by improving health, also help to lower health care costs.

Initiatives supported by this fund are successful because they are community-based, and as such, are uniquely tailored to the needs of targeted communities. Already, there are several key initiatives supported by the fund that benefit Americans. Two of the initiatives which directly benefit the 11th Congressional District of New York are

the Chronic Disease Prevention Act, which enables communities to use evidence-based intervention to reduce chronic conditions and prevent heart attacks, diabetes, strokes, and other conditions; and the HIV/AIDS Prevention Act, which focuses on HIV prevention in high-risk populations and communities by increasing HIV testing opportunities, linking HIV positive persons with needed services and filling critical gaps in data collection.

To eliminate funding for programs that improve the health and lives of millions of Americans and lower health care costs is not prudent, which is why this ill-conceived bill is the wrong way to address this crisis. Luckily, there are two ways that this crisis can be averted. Specifically, I ask that Speaker BOEHNER bring to the floor either H.R. 3826, a bill introduced by my friend and colleague, Representative JOE COURTNEY, or H.R. 4816, a bill introduced by another of my Democratic colleagues, JOHN TIERNEY.

While both bills will prevent an increase in the student loan interest rate, H.R. 4816 would also pay for this by decreasing the amount of subsidies given to Big Oil companies. So, as opposed to paying for this interest rate freeze on the backs of the middle class and the poor, the Democratic-sponsored H.R. 4816 would require that Big Oil companies pay their fair share.

□ 1350

So in closing, I'm issuing a call to action to all students, postgraduates, and their families: pick up the phone, email, tweet and send a Facebook message and demand that he immediately either bring H.R. 3826 or H.R. 4816 to the floor for a vote.

So, my colleagues, we have a challenge ahead of us: Do we take from the poor to give to the poor, or do we do what is right by the American people? And that is, to make sure that our students' interest rates do not increase and that we meet the demands for health care in our civil society.

Ms. EDWARDS. I thank the gentlelady from New York. And I just wanted to point out to her, as she well knows from New York, that 422,000 students, if this is allowed to happen on July 1, would see an increase of interest rates from 3.4 percent to 6.8 percent. For those 422,000 students in New York, that would mean \$340 million in increased interest rates.

So I think we can see all across the country and, just really, Mr. Speaker, would like to urge our students out there and our families to think about what this would mean for them, 7 million students across this country doing exactly what we ask them to and facing a doubling of interest rates on July 1.

I notice that we've been joined today by my colleague from Ohio, who's going to help us understand also what's

happening in the State of Ohio—the home of Ohio State, where I know a lot of students must be paying attention to the fact that their interest rates will double on July 1.

Mr. RYAN.

Mr. RYAN of Ohio. I thank the gentlelady, who is also a graduate of the University of New Hampshire Law School—two proud graduates.

I would just like to chime in and talk a little bit because Ohio is a State that, since the inception of the State into the Union, we have always, in Ohio, made investments into our schools, our colleges, our universities through the land grant system and whatnot, because there was always this deep appreciation for education, knowing that as we move, as this country moved throughout the industrial age into the information age now, how essential it is for our kids to be able to go to school and to be able to go to community college and to be able to go to college and to be able to take a loan out, which many, many years ago they really didn't have to do because the Pell Grant was at a level that they didn't really necessarily need a loan. You could get a part-time job or a summer job or work back in your community throughout the year, over the holidays, and be able to supplement. Your parents could help out a little bit, and you would be able to get an education.

Today, because of the explosion in education costs, many of us believe that there is a responsibility for all of us collectively as a society to do something that we can't do on our own, and that's make investments in education and allow every citizen in this country, if they want to, to go to college. But knowing that not everyone wants to go to college, maybe they want to go to community college, which is fine, but it's about ramping up the education level in the United States of America, and it's about making sure that it's affordable.

This is kind of a divisive issue here in Congress. Today, it came to a head right here on the House floor, where there was one side of the aisle that said we want to make these investments and make sure that the student loan rates don't double to 6.8 percent from 3.4 percent because that will be a burden on middle class families and that will be a further burden on parents who are cosigning or paying these student loans, or more of a burden for the student who wants to graduate from college and then maybe go out and have a decent start in life without a \$20,000 or \$30,000 or \$40,000-a-year debt hanging over their head. That would do a lot to stimulate the economy. And we have the other side who said, well, we don't want to do that, but the political pressure got so hot that we're going to do that, and we're going to take it out of screenings for poor and middle class women to get cancer screenings.

Now, what I really dislike about what's happened in this country in the last few years, it's come down to either screw the little guy or screw the little guy. We can't do one or the other. We can't ask for the Buffett rule. We can't ask for a little bit more money from Warren Buffett so that we can invest into these kinds of things. We certainly can't ask the oil and gas industry to pay a little bit more and close a loophole so that we can afford to pay for education for all of our citizens. We can't restructure the Tax Code and make investments that are going to yield a huge benefit for early childhood, for example. So what are we doing?

This doesn't make any sense because America hasn't become successful because we failed to invest. We became successful because America always invested. We always put money into education. We always put money into research and development. We always made sure that our education level was to the level of the technology of its time.

□ 1400

And that's what we're talking about here. And in Ohio, we need these investments because the middle class in Ohio has been squeezed, consistently squeezed. For 30 years, wages have been stagnant.

So now, if you're sitting in Ohio, and you're a member of the building and construction trades, plumbers and pipe fitters, or cement masons or electrical workers, now in Ohio, they're trying to pass a right-to-work-for-less legislation too, which means that the average worker in a State that has right-to-work-for-less laws, makes about \$1,500 a year less than a State that doesn't have it. Their health insurance is 2.6 percentage points lower in right-to-work States. Your pensions are lower.

So imagine you're this person who's trying to make ends meet in Ohio, and your wages have been stagnant for 30 years. And now they're going to say—the Republican Party is pushing—we'll do right-to-work. So you'll see lower wages, lower health care benefits, and worse pensions.

Then the Republicans in Congress, in the House, are passing a bill saying, oh, by the way, you're only going to make \$1,500 a year less. But if you have a student loan that you signed on to for your son or daughter, you're going to have to pay double that interest rate. Or if you get a student loan, you're going to have to pay double the interest rate that it is now.

If you have health care, and maybe your kid was going to stay on it because he's under 26, or she's under 26 years old, the Republicans want to repeal that. So now your kid's got to go out and get health care and pay more on a student loan, while you're making \$1,500 a year less, and your pension's

going to be less, and your health care's going to be less.

What are we doing? This is not the kind of America that we all believe in. And the student loan issue, I think, cuts right to the heart of it.

Then you have this compounding assault on the American worker, whether it's right-to-work-for-less, or whether it's destroy collective bargaining, as they tried to do in Ohio last year. And now it's the student loans. And now we can't even ask Warren Buffett to help out.

I think it's time for us to all wake up as Americans and say, wait a minute, where's the balance? Where's the fairness? Where's the investments into our future?

Many of us are either sons and daughters or grandsons and granddaughters or great grandsons and great granddaughters of immigrants. And the value placed upon education in those families is because that was the way out. That was the way out. That was the way to have success in America.

And what scares me about this is that this is not the kind of America many of us believe in. This is not the kind of America many of us want, and this is the kind of America that is very, very shortsighted and where we're going to end up.

Let me just say, lastly, and I'll yield back to the gentlelady, do we really think, with 300 million to 400 million people in America, do we really think that we're going to be competitive with 1.3 billion or 1.4 billion people in China, 1.2, 3 or 4 or 5 billion people in India, if we're not making the adequate investments into education?

And so these folks at home who will have to deal with right-to-work, student loans, less pensions, less health care, less this, less that, at the same time the tax burden is going to be pushed onto them. They'll be forced to vote on the local property tax for police and fire. They'll be forced to vote on a local property tax for their local school levies, mental health, the whole nine yards. And it's getting continuously squeezed for the middle class. And this student loan issue, and what's happening with the rates here and the cuts that are being made here are a major part of that.

Ms. EDWARDS. I'd like to thank the gentleman. And I'm reminded as he's speaking that there are middle class families in Ohio and all across this country for whom this isn't just about feeling good about making sure that young people can go to college. It's about making certain that our middle class families aren't just struggling, but they're really surviving in this economy and in the economy going forward.

I was reminded again that in Ohio 379,000 students would see an increase of about \$294 million if this increase in student loans is allowed to go forward.

And I think about those students at Ohio State University, at Oberlin College, at Xavier. I could name a lot of them.

I remember, as a second grader, living on Wright Patterson Air Force base in Dayton, Ohio, and there was not a moment in second grade that my parents didn't impress on me that one day I would go to college. My mom and dad didn't know how I would go to college, but they knew that I had to go. And at the time I was such a fan of all those great Ohio universities.

But I also knew that were I to go then or to go now, that in addition to our savings and to academic scholarships, and maybe even Pell Grants, I would also need to take out student loans. And that's the situation that students in Ohio and across this country face, in realizing that on July 1, without action by this Congress, Republicans and Democrats owe it to middle class families to make sure that those student loans don't increase. Everything else is increasing. Let's not increase the interest rate on student loans. And I thank the gentleman.

Mr. RYAN of Ohio. I think when you're looking at a State like Ohio, and like many States, like Maryland, like Pennsylvania, where you're retooling your economy, you've got to grow scientists, engineers, people involved in technology, in math, and you've got to grow that field so that we can generate the new generation of jobs necessary.

And you've also got to educate the workforce. So no more high school diplomas. Not even a year. But get into these apprenticeship programs that the unions have. Get into the community college so we start lifting up.

If we want to do advanced manufacturing, if we want to sell products globally to the world, and wind and solar and the new renewables, whatever the case may be, batteries, whatever, those workers on the factory floor have to have skills that they're not going to get in high school, and this is all part of that program.

So I want to thank the gentlelady for taking the time to do this Special Order and look forward to continuing to support her and the Democrats as we try to bring some sanity to this place.

Ms. EDWARDS. I thank the gentleman. Yet again, here we are, we're talking about a situation where, since January, the President and congressional Democrats, since January of this year, have been urging Republicans to please act so that we don't see an increase in student loan interest from 3.4 percent, a doubling, to 6.8 percent.

And here we are in April; and April is a time when many families, young people have received their notification that they've been accepted into college. They've received maybe notification of a scholarship opportunity.

They also know that their families may have to dig into their savings, or they'll have to get a job; and then they begin to think too about applying for and receiving that student loan so that it puts together the full package of what's needed to go to college. Those are the decisions that here, in April, families all across this country are making. And they're making those decisions, not knowing whether this Congress is going to fail to act that would result in an increase and a doubling of student loan interests, that would cost students not just the \$23,000 in debt that they're likely to graduate college holding on to and needing to repay, but an additional \$11,000 over the course of that loan, over the history of that loan and the repayment. I think it's really shameful.

I know that there are some in this country who didn't have to worry about how to pay for college. I know that there are some in this country who didn't have to wake up and know that they had to get into a work-study program, or do like I did, wait tables in addition to going to class, in addition to receiving loans, in addition to receiving scholarships to pay to go to school. But that's the exception in this country; it's not the rule.

The overwhelming majority of students across this country who go to college, who want to do better because their parents want them to do better than they did, have to do a combination of things in order to afford college, whether it's a 4-year institution or community college and getting those skills to put you into the workforce or an apprenticeship program. This is the situation that our students and their families are facing.

With that, I'd like to yield time to my good friend from Rhode Island (Mr. CICILLINE).

□ 1410

Mr. CICILLINE. I thank my colleague, Ms. EDWARDS, for having this conversation this evening and to say how important it is for me and the residents of my State, the State of Rhode Island.

Rhode Island is, of course, the home of the great Senator Claiborne Pell after whom the Pell Grants were named for his great work in ensuring there was access to affordable higher education. There was a recent report that was done that said from the year 2008 to 2018, it's estimated that there will be 47 million job openings created, and more than 30 million of these jobs will require at least some level of post-secondary education.

So this is really about thinking about the future of the economy of our country and our ability to meet the demands of the new economy of the 21st century. And it's an economic imperative for families that they have the ability to access higher education and to do it in an affordable way.

In my State, this is particularly important where we have very high unemployment. Young adults in 2010 from the ages from 16-24, there is an unemployment rate in Rhode Island of nearly 27 percent, and in 2011, at 22 percent for that same age group. That's between 16,000 and 17,000 young adults without the ability to find work in those 2 years.

This is a very important issue. I have talked to so many of my constituents, both students and families, who are worried about their ability to continue to access education, that are making decisions as they're getting their letters in the mail about where they are going to go to school and thinking about what those costs will be.

What is incredibly disappointing is what we saw today in this Chamber; we've seen this movie before. We saw it during the extension of the payroll tax cut. We saw it in the transportation bill, this idea of a very urgent need that we have to address working in a bipartisan way and at the very final hours, some poison pill is thrown into the bill that is obstructing progress on this issue. Today it was women's health and children's health and cutting nearly \$12 billion from an important wellness and prevention fund to do this.

Look, we have got to do this for the sake of young people in this country who are in school, who have school loans, who are thinking about new opportunities. We have got to prevent this increase in interest rates. It's important to families who are struggling in a really difficult economy, but it's also important to the future of our country. We have got to be in the position to ensure the best talent has the ability to access education in this country.

You know, there are so many young people who, without school loans, will never have the opportunity to pursue higher education and to pursue their dream or to make a life for themselves and their family. We have a responsibility to be sure that we keep these rates low, as low as we possibly can so that young people and families are not having to struggle with this additional burden at a time when we want to be encouraging as many young people as possible to be pursuing higher education and the opportunities and careers that come with it.

I come from a State that understands that investing in education is critical to families and critical to economic opportunity. Education still is the best tool to bring people from poverty into the middle class and beyond, and we have got to make sure that it's available to every single American.

I'm very disappointed today that the measure was undertaken in the way that it was, and the President has already indicated an intention to veto this proposal. There are other proposals that we have in this House I'm a

cosponsor of that will do this in a responsible way that have bipartisan support in the Senate. We have got to do this for the sake of young people in this country, and we owe it to families to ensure that this rate does not double on July 1.

I thank the gentlelady for her leadership on this, and I am proud to continue to be part of this important fight for the sake of the future of our young people and for the sake of the future for our country.

Ms. EDWARDS. I want to thank the gentleman from Rhode Island and just want to point out to him, as I've pointed out to others of my colleagues here, and thank you so much for your eloquence, not just about what those loans mean to individual families, but what they mean as an economic imperative for the 21st century. As Democrats, we recognize that.

I would note that in the great State of Rhode Island, we have an opportunity for 43,000 students in your State, Mr. CICILLINE, to make sure that students aren't facing an additional \$34 million in increase because of what might happen on July 1.

As Republicans and as Democrats, we can do something about this. We don't have to get to a point where we're saying to students for the future that we really don't care about you. We don't care about the fact that we helped you do and be all that you can through high school, but now we're going to dump you when it comes to going to college.

So I thank the gentleman for his leadership.

Up until today, the Republican majority has simply refused to acknowledge that this hike would affect millions of students and families, 7 million students across this country. Perhaps today after a reversal by the assumed Republican Presidential nominee, we voted on a bill that would finally address the issue. But it's so sad that they did that at the expense of health care for working families.

No one understands that more than the gentlewoman from the District of Columbia, my friend and my neighbor. I'd like to take a moment to recognize her and her leadership. If I recall, she taught at a law school and understands those students who really struggle to get through and make sure they're doing what they need to do academically, but that they're able to pay for a quality education; and I'd like to recognize the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I want to thank my very good friend from Maryland, Congresswoman EDWARDS. It's so typical of her to come to the floor on an urgent issue like this.

I have to chuckle when you say about my having been a tenured professor of law at Georgetown, the gentleman from Rhode Island who was one of my students and the gentleman from De-

troit was another. So it makes me feel pretty ancient, but it makes me feel very good, also, to see that my students got elected to the Congress while I was still here.

I can't imagine what the gentleman from Rhode Island went through because I never experienced it, but he probably had college loans coming out of college. Don't even let me talk about tuition at Georgetown Law School. A very good law school, but one of the most expensive in the country.

As a matter of fact, I'm still a tenured professor of law at Georgetown because under the rules of the House, you can teach and still be a Member. So I teach one course there every year. I'm coming to the end of the school year. I go over every other Monday just to keep my brain intact. Sometimes this is a place that gets your brain out of order. It's certainly out of order when it comes to student loans.

The notion that we have to come to the floor today to plead for student loans during a recovery from the great recession, when these great people get out of school, they are not likely to get a job. The very least you would think this Congress could do effortlessly would be to say, Look, you had to take loans; you have to pay interest. We know that means that you're going to be delayed years from doing what all of us did, which was to buy a house pretty early in our careers.

These students will not have the credit to buy a house. First of all, they'll have to pay off their loans. They can't liquidate them in bankruptcy. As with other debts. Now they face the possibility of a doubling of their interest. When Democrats were in power, we adjusted those interest rates. What a cruel hoax, to let them double, particularly since we're just coming out of a recovery.

College students are now beginning to get jobs for the first time. They have started out their careers without any jobs and are faced with humongous loans. I don't know how people go to graduate school like my good friend from Rhode Island.

Of course, if you go to certain kinds of graduate schools, there are stipends but for people in graduate education, there are only loans on top of their undergraduate loans. If you go to law school and medical school, you're really on your own. Those are professional schools. You're going with a huge amount of debt.

In my own district, which, remember, is only one city, the borrowers this year were almost 65,000, and if the interest rates increase, it will bring them to something over \$13 billion.

□ 1420

I don't even want to tell my constituents that. They're depending on me to do something about it. And here on the floor we hear nonsense about 'how are

you going to pay for it?' Are you going to pay for it by stripping health care for women, children, for your parents in order to keep your interest rates from going up? Are you going to pay for it by leaving Big Oil alone in order to keep your interest rates from going up? Our values are way off-kilter when we haven't reached a solution by now, when we're this close to a drop-dead date. That's what it will mean for many students.

We haven't come to an understanding, first, that we'll raise it. The President had to go around the country, making it clear that this issue was on the front burner, because it certainly wasn't there until he did so. Now people come forward. For example, Mr. Romney said, he's for making sure these rates don't go up. But does he have an idea about how to make sure they don't go up? Why doesn't he tell our colleagues here in the House how to make sure they don't go up so that they don't hurt one group of citizens in order to help another group of citizens?

So we come to the floor today—I along with the gentlelady from Maryland and the gentleman from Rhode Island—because we don't intend to let this issue go until we, in fact, find a way to pay for the loans we have told young people to take.

We told them, Go to college. Yes, you'll have a little debt, but go to college and you are made. We've already broken that promise because they come out of college now, and they don't have the workforce opportunities that we, ourselves, had. Let's not break another promise—the promise that they will not be stuck with a debt which is much greater than the debt they already pay. The debt they already pay will delay their coming into the same kind of life style that their parents have. Yes, they're going home to live with their parents because, if you've got this student debt, you're hardly able to go out and rent an apartment in Washington, in Maryland, or in Rhode Island. Yes, they're going home. If we want to make sure that they're able to strike out on their own, the one thing we don't want to do is to burden them with a greater debt than they already have, and they have on the average a \$25,000 debt.

Even when I got out of school—you know, that was sometime in the 18th century—I cannot imagine what I would have done with a \$25,000 debt. Even in real terms today, that's a lot of money, friends. If we care at all about our young people, we will find a way that does not rob Peter to pay Paul in order to relieve them of this debt.

Ms. EDWARDS. I want to thank the gentlewoman and thank her especially for her leadership.

As you were speaking, I was doing a little calculating. I went to undergraduate school at Wake Forest University. I had academic scholarships

and some student loans, and I also waited tables in order to pay for my expenses. Had I not been able to get those student loans, having only the combination of academic scholarships and waiting tables, I would not have been able to have afforded to go to school. I came out with student loan debt from undergraduate school, and then I worked for a time, saved a bit, and went to law school. But even out of law school, I still couldn't pay all of my living expenses and all of my tuition without also taking out student loans.

When I finished law school, the combination of my loans from undergraduate school and my loans from law school totaled about \$75,000 plus. Over the period of time that I paid that back, I paid back a total of about \$100,000 because of the combination of interest rates over the period of time. I paid my last student loan payment almost 1 month to the day before I was elected in my primary election in coming to Congress.

My mother raised six children. We knew almost from the time that we could speak a word that we would go to college. My father was in the United States Air Force. He served for nearly 30 years. We lived all over the country and around the world. They worked really hard, but with six children on a military income and retirement, they knew that they wouldn't be able to fully pay out of savings—what savings with all those mouths to feed?—in order for us to go to college. They wanted their children to go to college. They wanted their children to have the kind of opportunities for the future that they did not have for themselves.

My story, though it happened some time ago, is the story of American families today, whose young people are preparing to graduate from high school. They're preparing for high school graduations over these next couple of months. They want to go to college, and many of those students right now, today, in having received those April notices of college admissions and financial aid determinations, know that through some combination of savings and loans and Pell Grants and work and work study that they will put together the puzzle pieces of a college education so that they can afford it. Parents and students all across the country are making this decision.

For those students who are coming out of high school in this season, July 1 is our deadline. July 1 is our deadline to ensure that interest rates will not double from 3.4 percent to 6.8 percent because, by August 1 and late in August, those students will have to pack their trunks and their bags in order to go away to college. We owe them the commitment to know what their obligation is going to be for the repayment of those student loans and to know that they will not be faced with a doubling of interest rates over the course of their period of time in college.

Let's think of what this means to them. What it means is that we're saying to our students, we want you to study engineering and science and math and technology. We want you to come out of school and to be teachers and to be inventors and innovators and entrepreneurs. But we are unwilling to make sure that you're able to do that by giving you the tools that you need for success.

One of those things for some students across this country—for many students, for 7 million students—is the ability to get student loans that are affordable, and to have some sense that over the period of time that they're in college and they graduate college and the economy is better and they get jobs that they will be able to repay those loans so that some other generation of students can also go to school and do the same thing.

So why am I passionate about this? I am passionate about it because it's my story, and because it's the story of middle class families all across this country who know that they want to do better, who struggle to do better, and who experience the rug being ripped out from under them because we want to ask our middle class families to either double your interest rates or sacrifice your health care. Those are the choices we're asking our middle class families to make. In today's economy, there is not a greater predictor of individual success than a good education. This is a fact. But if it's a fact, then we need to make the investment that makes that fact a reality for our students across this country.

Right now, as many have pointed out on this floor, the unemployment rate for Americans with a college degree or more is about half of the national average. That means that, when you graduate, even if you have student loans that are affordable and can be repaid, you have some opportunity to do that because you will have done better, and you will have had the opportunity to do better than the student who only gets a high school education. The incomes for those who graduate from college are twice as high as those who don't have a high school diploma.

□ 1430

Higher education, whether we're talking about a 4-year institution or a 2-year institution at a community college, is the clearest path that we have to middle class success. If we are going to build a ladder of opportunity for the American people, then one of those rungs has to be student loans and another rung is a Pell Grant; another rung is job training; another rung is to make sure that our families are eating and that our children are immunized. There are many rungs. And this Congress has an obligation to make sure those rungs of that ladder are available to the American people.

Democrats and Republicans both say they want to build a competitive workforce, but let's be clear that it's the Democrats—my colleagues here in the Congress—who time and time again actually stand up for the students with the skills that will be needed to comprise that competitive workforce.

So I look at the things Democrats have done over this period of time. We've increased the maximum Pell Grant from \$4,050 in 2006 to \$5,550 in 2010. We created the American Opportunity Tax Credit that provides a maximum of \$2,500 in a tuition tax credit to eligible families and students. We created income-based repayment to ensure that graduates can manage their loan repayments during stressful economic times.

I remember when I came out of undergraduate school and law school and really wanted to work in the public-interest sector, and I did. But I wasn't paid as much as some of my colleagues who were going into law firms and other kinds of practice. Would that I could have paid my student loans back based on my income.

Well, that's the kind of opportunity that we've provided for students for the future. We've provided loan forgiveness for graduates who actually go into public-interest careers, who go into teaching careers after 10 years of loan payments. We've required schools to have an online calculator so that students and families can estimate their costs based on their family's financial situation. We've supported Historically Black Colleges and Universities and other minority-serving institutions. This is the way that Democrats have supported middle class families and poor families in their ability to achieve the American Dream. I would only ask that my colleagues on the Republican side of the aisle do the same.

With that, we have about 5 minutes left to continue our conversation with the American people. So I will yield just a moment to the Congresswoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I want to thank my friend from Maryland.

I want to add to her list because importantly when our party, the Democrats, took control, the interest rates were where they will go in July. They were at 6.8 percent. We felt the pain, and we lowered those rates to their present 3.4. But the way they were phased in, they would go up again to 6.8. Do you see what we were trying to do in 2007? We recognized this was a major issue and took those rates down, which I'm sure encouraged many people to go to college in the first place.

Now we have young people with an unemployment rate of about 14 percent if you're between 20 and 24. That's terrible when you consider that nationally it's about 8 percent. And I'm very distressed that already there is an almost 15 percent increase delinquency

rates in student loans, which will add to the interest rates were talking about and the interest rates that we're trying to keep at least level.

I want to thank you again for leading this Special Order so that America knows before it's too late.

Ms. EDWARDS. I thank the gentlewoman.

Now I would like to recognize for a moment the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I want to thank the gentlelady for yielding.

I want to say that the gentlelady from the District of Columbia is right, Georgetown Law School is very expensive.

I too had student loans to go to law school and worked two jobs also as a waiter to do that. And I didn't know anybody who was in law school with me that wasn't there with some loan. I didn't know anyone that I met that either they or their parents wrote a check for the tuition. That's the experience of millions and millions of families all across this country.

I was listening to the gentlelady recount all of the work that the Democrats have done in investing in education, and it's because we realize it's not about us. It's about the future of our country. These are investments in young people who are going to be the leaders of this country, and access to education is so central to the American Dream.

I really just want to conclude by thanking the gentlelady for leading this conversation. I hope it will help really be a call to action for young people all across this country on Tuesday. I'm having a call-to-action in my district encouraging young people to demand that Congress do the responsible thing, prevent this rise in interest rates, but also continue to make the investments we need to make in education for their sake and for our sake.

I thank the gentlelady for the time.

Ms. EDWARDS. I thank the gentleman, and I thank all of our participants today in calling attention to the fact that Democrats have proposed ending tax subsidies for oil and gas companies so that we can use those savings and actually help to pay for need-based college loans where they are and to help pay down the deficit.

Republicans are cutting taxes for the wealthiest Americans, and they're throwing that debt onto students and families.

To be clear, this is not a partisan issue. It's a student issue; it's a family issue; it's an American issue. It's about our competitiveness in the economy. And I want to call all young people across this Nation of all political persuasions to reach out to their Members of Congress and say, stop the increase on student loans from doubling from 3.4 percent to 6.8 percent, costing millions of dollars to students across this country.

With that, I yield back the balance of my time.

THE STUDENT LOAN RATE

The SPEAKER pro tempore (Mr. PALAZZO). Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it's always an honor to be able to speak here in the House of Representatives.

It has been a good day because here in the House, despite what some may think, we voted overwhelmingly to leave student loan rates at the same rate they are right now, 3.4 percent. If the government had had to subsidize a rate, if interest rates were higher, that would be more difficult to justify because of how much overspending this administration has had as dictated during the time when Speaker PELOSI and HARRY REID had full control over all of the spending.

But while the President was very busy running around the country condemning Republicans for not caring about student loan rates and the plight of students, we were busy here at work making sure that student loan rates did not increase. While the President was out there telling students that Republicans don't care about you, that they're going to double the interest rates of your student loans, he didn't bother to come check and find out what was happening in Washington. If he had, he would have found out we felt the same way about the student loans.

Let's see which Democrats were as concerned as we were today about the student loan rates going up. This was bill H.R. 4628, and it's basically two pages, not 25 pages or 2,800 pages. It is two pages, and it keeps the rates at the same rate so they won't go up.

One of our clerks just brought the printout of the Democrats that voted with the Republicans to extend the current interest rates, and there were 13 Democrats who voted with Republicans to keep the interest rates where they are. All that's on the printout are the last names: BARROW, BISHOP of New York, BOREN from Oklahoma, DONNELLY, HIGGINS, HOCHUL, KISSELL, LIPINSKI, MATHESON, MCINTYRE, OWENS, PETERSON, and WALZ.

□ 1440

Those are the Democrats that voted today with the Republicans to keep the student loan interest rates the same.

So, Mr. Speaker, it's my great hope that while the President is running around the country condemning Republicans for not caring about the plight of students who have to pay student loans and about the fact that he says Republicans are going to double the student interest rate, I hope that somebody who's not out campaigning—like the President, as he flies around at

government expense—I hope somebody down Pennsylvania Avenue, right down the street that way, will get something into the President's teleprompter that advises him, Hey, you may want to back off of that.

The Republicans, with only 13 Democrats voting with them, actually voted to extend the same interest rates. Now, I feel like the Democrats would agree with the fact that we believe that in order to keep from having expenses continue to go out of sight, as they did during the 2 years that Congress was completely controlled by Democrats and they had the White House, they did whatever they want, they passed a rule, pay-as-you-go.

Actually, I broke ranks and voted with them. Others told me they don't really mean this pay-as-you-go thing. Yes, they're going to pass it, but they don't mean it. I go, But I do believe in pay-as-you-go. I do believe things should be paid for.

I found out from those who had been here longer than I had that they were right in their cynicism, because over and over big bills that our friends across the aisle brought when they were in control of things, they would make an exception. So this bill and that bill and this bill and that bill weren't paid for, so the pay-as-you-go didn't mean much.

But some of us believe that when we create a law we ought to either abide by the law or change it. This needed to be covered. In looking for ways to come up with funds to cover these current interest rates, some of us were reminded of the fact that ObamaCare, that most of the country didn't want—most of the country begged Congress, under Speaker PELOSI and HARRY REID, not to pass—and that Americans, even in Massachusetts and other places normally controlled by Democrats, expressed their will by electing Democrats, this time elected Republicans so they could stop ObamaCare. It took a procedural twist that was quite unseemly in order to get it passed, but the American people didn't want it.

I realize that since President Obama sees ObamaCare as his defining issue, his biggest issue, that he would not ever sign a bill that repealed ObamaCare in its entirety. I can get that. I understand that. I respect that. But it seemed to some of us that surely, as the President in every speech talks about being financially responsible, surely he would see that we shouldn't spend the \$105 billion implementing ObamaCare until we find out if it's constitutional; because to use \$105 billion to implement a bill, actually a takeover of people's rights, to implement that only to have it struck down would mean we had wasted tens of billions of dollars. My thought was, surely—surely—President Obama would be willing to meet us at that point. Sure, he won't agree to a complete repeal, but let's just suspend the

spending until we find out whether the Supreme Court says it's constitutional or not. How could you be against that?

Well, he was, because as the bill was shoved down the throats of Americans, it became very evident that they didn't care what Americans thought, don't really care what the Supreme Court thinks. Apparently, many don't even know what the Supreme Court thinks or says because the President, himself, said it would just be such a fundamental change from what the Supreme Court had ever done before.

Obviously, he was not aware of recent cases like *Marbury v. Madison*. I think that was around 1803. Not all schools have copies of those newer cases like that.

Anyway, it's not fundamentally different from what the Supreme Court has done in the past. What's fundamentally different is to have a Congress push through a bill like ObamaCare that's about one thing, the "GRE," the government running everything, with a majority, a big majority of Americans saying, Please, don't do this. So it was done.

In looking for ways to pay for this bill today, it seemed to many of us that a good and appropriate course would be to say let's take some of that money, a tiny, tiny bit of that money from ObamaCare that many of us think will be struck down, that shouldn't be spent till we find out if it's going to be struck down, and let's use that to pay for the \$6 billion for this program. It made sense to some of us.

But as I have already read, there were 13 Democrats that stood up and said, Okay, we can go along with that. Let's wait and see if ObamaCare is struck down or not before we spend any more of that money on ObamaCare. In the meantime, we will use it to pay for the student loan rates that we're out there blasting Republicans for not caring about.

This was a way to be bipartisan, and 13 Democrats were bipartisan, and we appreciate them reaching across the aisle to pass this bill with us with a big majority. The President, on the other hand, apparently did get word that despite all his rhetoric that we don't care about the student loan rates on our side of the aisle, we don't care about students, as he runs around the country condemning us, somebody at the White House got word, because there was the issue of a veto threat if we passed this bill that keeps student interest rates where they are.

Now, when I first heard that we were going to potentially pass a student loan bill that would affect interest rates, I considered that I may have to vote "present" because my wife and I have student loans for our children that we are paying back. Well, it turns out this bill will not help me one bit. My interest rates are still way above this.

My wife and I took out student loans for our children. They're way above this. This doesn't affect our loans that we have, and, therefore, I was able to vote for this bill to help those students that are getting loans in the present.

The reason I feel compelled, my wife and I felt compelled to start taking out student loans and to take responsibility for paying those loans, was because, before I ever ran for office as a judge, my wife and I had set aside money in accounts that would pay for our kids' college when they got there, would increase in value, increase in value. By the time they got ready for college, the money would be there to pay for it.

But when we took, we believed it was, a calling for me to run for judge—they badly needed a new judge—we knew it would be a big hit financially. Just as when I ran for Congress, we had to really feel compelled that this was the course for our lives.

□ 1450

Once we felt that, we cashed out every asset except our home, our retirement accounts, everything. Now, a little scarier to some than others, I knew I could make a lot more money because I did before. I made a number of times more in the private sector a couple years before I started running. The practice was going good. I didn't want my children to have to be encumbered with massive college debt for one reason, because I felt called to be a public servant. So we've taken on those student loans.

So it doesn't go over too well with a person like me who has sacrificed all our assets except our home to come be a part of Congress and to try to get things on track. It doesn't make me feel too pleasant when people say that I don't care about students, student loans and their rates. We get it. We understand. We want students to do well. But more than that, we want them to have a vibrant economy and a job waiting for them when they get out of college.

And it should be an exciting time of renaissance and economic boon in America, except for this President. If he would simply get out of the way. We have found that we can be energy independent, and we don't have to send billions and billions of dollars, 42 cents out of every dollar of which we're borrowing, we don't have to send all that money to the Solyndras and all the cronies of this administration, if he could just get out of the way and allow the market to work and collect the revenue that comes pouring in from the income tax, from the businesses, including the oil companies and the independent oil and gas companies as they start producing more of our own energy.

It should be a new day in America. It should be a time of renaissance here.

Instead, people are struggling to figure out how much food can I afford for my family when I'm paying \$70 and \$80 to fill up my gas tank when it shouldn't be more than \$40, because this administration has given every indication by its actions—not its words but by its actions—that it will do nothing to help us become energy independent.

We talk about, gee, natural gas, from this administration, natural gas can really help out. I'm for all of the above. Well, apparently that means the President is for all of the above up in the sky somewhere because he's doing everything he can to keep us from drilling and producing the energy we've got.

We should be thanking God every day for blessing this country with more energy than any country in the world. And people like the Chinese are wondering: What is going on with these people? They've got more energy than anybody in the world. We're having to run to South America, Africa, and other places to buy their energy because we just don't have enough. They've got all they'll need, but they're putting it off-limits and won't produce it.

It's kind of strange to thinking people that we're not utilizing the blessings that are found in this country. Well, it's time we started, and if we do that, then the students will have jobs, and they can pay them back more quickly. We do care, and this bill today shows that.

Now, I want to take up another topic right quickly here, something called the United States Post Office. Now, there are some who think we ought to just get the government out of the post office business altogether, and normally I'm a guy that believes, if a private entity can do a better job than the government, then let's let the private entity do it. But there's a problem here, and it's called the U.S. Constitution, article 1, section 8: The Congress shall have power to—and you go through the listed empowerments—establish post offices and post roads.

If you go through our history, you will find out that actually they were quite concerned about the King being able to prevent them from sending newspapers, news and messages around that could inform people of what was really going on. They thought it was so important that there be a government post office, and I do think. But we can't be stupid about the way it's running, and we have people in management positions in the United States Post Office who have been worse than stupid. Incompetent doesn't begin to touch what some in management of the U.S. Post Office have been doing. It's as if they want to kill it off.

Now, there are a lot of issues, but I think the biggest issue is in the middle and upper management of the post office. Because I've seen, on more than

one occasion, an announcement by the United States Post Office that we are going to close this post office, we're going to close this facility, and that was followed with a statement that, and therefore we are going to pay for an independent study to show that we should close these facilities.

Well, duh. If you go pay somebody to do a study to justify the decision you've already made, you've got no business being in a management position because you're not using the facts and information at hand to make your decisions. You make your decisions willy-nilly regardless of what the facts dictate should occur.

We got a good indication of that recently in east Texas. We got a map sent out by these brilliant managers of the U.S. Post Office explaining a decision they had made.

I'm going to get this up here because it's important that the management that sent this out understands how silly and how ridiculously incompetent they are.

Now, they were making a decision with regard to a postal processing facility near Tyler, Texas. Tyler, Texas is located in Smith County. Now, in Texas, though, we do have a Tyler County, and in Tyler County you find towns like Woodville, Chester, and Warren, places like that; but you don't find Tyler, Texas, or the Tyler, Texas, processing facility in Tyler County. It's in Smith County. Yet we had a determination by the management of the U.S. Post Office that it would be more effective to shut down the Tyler processing facility, and they sent out this map to show this.

This is an exact enlargement of the map the U.S. postal management sent out to justify their closing a processing facility near Tyler, Texas. In the center of this circle is Tyler County. It's not near Tyler, Texas. It's not near the processing facility.

Now, you might say, well, surely they went out and talked to the people at the processing facility, looked to see if there were decisions that could made to make it more efficient and more economically viable, those kinds of things, and the answer would clearly be: How can they go out and talk to them when they don't even know where Tyler, Texas is? They think it's in Tyler County.

We've got some morons. Maybe they're just incompetent. Who knows?

But when we look to see, okay, how is the post office adjusting, we figure, well, as any business would know, you don't want to hurt the retail business and you don't want to make it more difficult for people to use the retail end of your business. That would be the local post offices. So what have these mental giants done? They've said, We're going to close lots of post offices and make it much more difficult for you to use our services.

□ 1500

Not only that, we're going to close processing facilities that make the mail move many times more quickly, more efficiently, and save tremendous amounts of gasoline because we do the processing close to where it occurs. They're talking about closing a processing facility in Lufkin, Texas—I'm sure they don't know where that one is either. But when you look at what they've done, it makes no sense.

Now, this is the map they sent out with Tyler County as the center. This tells you, down here is Tyler County; up here is Tyler, Texas. They're not even close. They don't cover the same areas. And yet they were using information down here about Tyler County to justify closing a facility up here. Surely, they found their error, but they don't care because they're in middle management. What difference does it make? They're not accountable. They don't have to show a profit. They don't have to show efficiency.

So what do they do? Here's part of what's going on with the post office. Well, times are tough, so let's create more senior management staff. How about that. Percent management change from 1997 to 2012, up 41.25 percent. Wow, that's some smart folks. Gee, we need more retail, we need people using our services more; let's close retail facilities, make it more difficult to use them. Let's get more senior management in there, and gee, that will make a lot of difference. We've gone up 1,006 percent on inspector generals, and local management losses have been rather dramatic. That's not the way to become more efficient.

Not only that, they could take a clue from what America is doing. It used to be that you pulled into a service station and you got service. Now you pull into a service station, the only service is what you get out of the car and do yourself. I prefer to do that anyway. I've worked in service stations, and I actually enjoyed it. So I don't want anybody else pumping my gas. When I finish and the thing clicks off, I raise the hose up and I get every bit of the gas that I've got in that hose.

Well, let's look at the routes. Right now, if you mail a letter in Tyler, Texas, to go to Lufkin, Texas, it will travel 84 miles. You mail one from Tyler to Palestine—and it is Palestine in East Texas—total is 47 miles. You mail a letter from Tyler to Longview, it's 38 miles.

Under the new plan—that's certainly not going to save any gasoline—our brilliant postal management will have you mail a letter from Tyler that's going to Longview, the 38 miles, now it will go to the Dallas area, then over to Shreveport, then back to Longview. We're not going to process it here. We're going to go from 38 miles to 389 miles to deliver a letter.

If you're going to send a letter down here, let's see, I can't tell where that

is. It looks like down 35, so maybe that's to Waco or Austin. So you want to send it there—oh, I see. If you want to mail a letter from Tyler to Palestine, instead of 50-something miles, it will go Tyler to Dallas, down here to Austin, then back to Palestine. If you want to mail a letter the short distance to Lufkin, well, we're going to make it go 10 times further. We're going to go to Dallas, and then clear down—I guess that's to Houston, and then back up to Lufkin. We're going to go about 10 times as far to deliver a letter as we did before. This is nuts.

What we've seen in America is, as times got tough, service stations said, you know what, we're going to let you do your own pumping. That will help us save and be more efficient. As time has gone on, they said you know what, let's put other services in this gas station, so you see banks, you see other things. In some post offices, they were beginning to do that. They have agreements with the State. Let's let the State lease or pay us to do some of the State services here. Let's allow them to come in and get passports here. There were some people that were thinking—and thinking right—you combine other services, this post office will be the center of the community. It will be efficient, it will be local, it will bring people to our retail outlet, and they will have more people using our services at the post office.

Not the way these mental giants figure it; oh, no. We're going to close post offices. We're going to close processing facilities and make it cost a tremendous amount more. We're going to make these decisions, and then we're going to go out, and we're going to hire people to do a study to come to a conclusion—we tell them, all in the name of making the post office more efficient. That is nuts.

It's time to clean out the management of the United States Post Office. I've dealt with postal employees all my adult life. Those are hardworking folks. People that deliver the mail, people that stand there behind the counter, take abuse all day, lines getting longer because we're not replacing the people when they leave, they're good people. They're hardworking people. There are some issues with pensions, we can deal with those. But for heaven's sake, it's time to get rid of top-heavy management making ridiculous decisions, and we can improve our lot here.

One other thing. Last night, I was on a telephone town hall with Rusty Humphries and a lot of Tea Party folks. A question was asked—they slipped in a ringer in there, a Democrat, who said: Gee, you say you're a Christian. How could you vote to take money away from helping seniors with their health care? And how could you help the major oil companies by giving money to them? Quickly let me just say, a

subsidy is a gift or grant of money. Look it up. No oil company is getting a gift or grant of money. They're getting deductions.

If you forget what the President said, he said he's going after major oil, declaring war on them. Ridiculous. We have, in the President's jobs bill, exactly what he's doing. He's eliminating the deductions that will bankrupt the independent oil and gas companies in America. It won't affect the major oil companies. He says he's declaring war on the major oil and big evil oil, but the truth is he's going to bankrupt the independent oil and gas producers that produce and drill and maintain 95 percent of the wells in America.

So what will be the effect of this President's so-called "war" on major oil? It will put the independents out of business, 95 percent of the wells will not be drilled and maintained. That will mean more profit than any time in the history of the world for the major oil companies. It's time to get that under control.

And to the gentleman that we got cut off with last night because we were out of time, let me just say: Son, dumb, dependent, and Democrat is no way to go through life.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to others in the second person.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, pursuant to Senate Concurrent Resolution 43, 112th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 8 minutes p.m.), the House adjourned until Monday, May 7, 2012, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5827. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Ethyl-1-hexanol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-0604; FRL-9342-5] received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5828. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acibenzolar-S-methyl; Pesticide Tolerances [EPA-HQ-OPP-2011-0086; FRL-9343-3] received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5829. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter regarding the results of the pilot program for Foreign Language Proficiency

Training, pursuant to Public Law 110-417, section 619(c)(3) (122 Stat. 4489); to the Committee on Armed Services.

5830. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's March 2012 Semi-Annual Report providing the progress toward destruction of the U.S. stockpile of lethal chemical agents and munitions by the Chemical Weapons Convention (CWC) deadline of April 29, 2012, but not later than December 31, 2017; to the Committee on Armed Services.

5831. A letter from the Acting Under Secretary, Department of Defense, transmitting a notice that the Department is taking essential steps to award a Joint Service multiyear contract for 98 V-22 aircraft; to the Committee on Armed Services.

5832. A letter from the Acting Under Secretary, Department of Defense, transmitting that the Department is taking essential steps to award a multiyear contract for 155 CH-47F aircraft; to the Committee on Armed Services.

5833. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a proposed change to the U.S. Army Reserve Fiscal Year 2011 National Guard and Reserve Equipment Appropriation procurement; to the Committee on Armed Services.

5834. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William T. Lord, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

5835. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General Donald J. Hoffman, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

5836. A letter from the Acting Assistant Secretary, Department of Defense, transmitting the Department's annual report for 2011 on the STARBASE Program, pursuant to 10 U.S.C. 2193b(g); to the Committee on Armed Services.

5837. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Threshold for Peer Reviews of Noncompetitive Contracts (DFARS Case 2012-D018) (RIN: 0750-AH66) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5838. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5839. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Colorado; Procedural Rules; Conflicts of Interest [EPA-R08-OAR-2011-0963; FRL-9640-3] received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5840. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to New Source Review Rules [EPA-R08-OAR-2005-CO-0003; FRL-9616-7] received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5841. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Leisure Properties LLC/D/B/A Crownline Boats; Adjusted Standard [EPA-R05-OAR-2011-0944; FRL-9648-6] received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5842. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2011-0942; FRL-9333-3] (RIN: 2070-AB27) received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5843. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Part 15 of the Commission's Rules Regarding Unlicensed Personal Communications Service Devices in the 1920-1930 MHz Band [ET Docket No.: 10-97; FCC 12-33] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5844. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In Creation of a Low Power Radio Service; Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations [Docket No.: 99-25; MB Docket No. 07-172, RM-11338, FCC 12-29] received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5845. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Electric Reliability Organization Proposal for Protection and Control Reliability Standard [Docket No.: RM11-16-000] received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5846. A letter from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5847. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5848. A letter from the Administrator, General Services Administration, transmitting the Administration's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5849. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals for the 1st Quarter of Fiscal Year 2012"; to the Committee on Oversight and Government Reform.

5850. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Production Measurement Documents Incorporated by Reference [Docket ID: BSEE-2012-0003] (RIN: 1014-AA01) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5851. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendment to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2075; (H. Doc. No. 112—103); to the Committee on the Judiciary and ordered to be printed.

5852. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report on the activities of the Community Relations Service (CRS) for Fiscal Year 2011, pursuant to 42 U.S.C. 2000g-3; to the Committee on the Judiciary.

5853. A letter from the Interdiction Coordinator, Office of National Drug Control Policy, transmitting National Interdiction Command and Control Plan effective 17 March 2012; to the Committee on the Judiciary.

5854. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Fringe Benefits Aircraft Valuation Formula (Rev. Rul. 2012-10) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5855. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Fractional Aircraft Ownership Programs Fuel Surtax [Notice 2012-27] April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5856. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Announcement and Report Concerning Advance Pricing Agreements [Announcement 2012-13] received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5857. A letter from the Assistant Secretary, Department of Defense, transmitting a joint report that describes activities related to the Proliferation Security Initiative (PSI) Budget Plan and Review for FY 2013-2015; jointly to the Committees on Foreign Affairs and Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 3556. A bill to designate the new United States courthouse in Buffalo, New York, as the "Robert H. Jackson United States Courthouse" (Rept. 112-456). Referred to the House Calendar.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 4097. A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes (Rept. 112-457). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 3989. A bill to support State and local accountability for public

education, inform parents of their schools' performance, and for other purposes; with an amendment (Rept. 112-458). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 3990. A bill to encourage effective teachers in the classrooms of the United States and innovative education programs in our Nation's schools; with an amendment (Rept. 112-459, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 3534. A bill to amend title 31, United States Code, to revise requirements related to assets pledged by a surety, and for other purposes; with an amendment (Rept. 112-460). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4078. A bill to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 6.0 percent; with an amendment (Rept. 112-461, Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Armed Services and Financial Services discharged from further consideration. H.R. 3990 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA (for himself, Mr. RAHALL, Mr. LUCAS, Mr. PETERSON, Mr. GIBBS, and Mrs. NOEM):

H.R. 4965. A bill to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RYAN of Wisconsin:

H.R. 4966. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. COHEN, Mr. COBLE, and Mr. CONYERS):

H.R. 4967. A bill to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts; to the Committee on the Judiciary.

By Mr. GUINTA:

H.R. 4968. A bill to extend the temporary suspension of duty on bitolyene diisocyanate; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself and Ms. WOOLSEY):

H.R. 4969. A bill to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Natural Resources.

By Mrs. ADAMS (for herself, Mrs. NOEM, Mrs. BLACKBURN, Mrs. BONO

MACK, Mrs. MCMORRIS RODGERS, Mrs. CAPITO, Ms. FOX, Ms. BUEKLE, Mrs. ELLMERS, Ms. JENKINS, Mrs. EMERSON, Mrs. BLACK, Mrs. MYRICK, Mrs. SCHMIDT, Ms. GRANGER, Mrs. MILLER of Michigan, Mrs. LUMMIS, Mrs. HARTZLER, Mrs. ROBY, Mr. SMITH of Texas, Mr. SENSENBRENNER, Mr. MCCARTHY of California, Mr. GOWDY, Mr. ROSS of Florida, Mr. LATHAM, Mr. JOHNSON of Ohio, Mr. WEST, Mr. MILLER of Florida, Mr. NUGENT, Mr. AMODEI, Mr. BARLETTA, Mr. KELLY, Mr. WEBSTER, Mr. STIVERS, Mr. RENACCI, and Mr. DANIEL E. LUNGREN of California):

H.R. 4970. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AKIN (for himself, Mr. ALEXANDER, Mrs. BACHMANN, Mr. BARTLETT, Mr. BENISHEK, Mrs. BLACK, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BURTON of Indiana, Mr. CANSECO, Mr. CHABOT, Mr. COLE, Mr. CONAWAY, Mr. CRAVAACK, Mr. CRAWFORD, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FLEMING, Mr. FLORES, Mr. FORTENBERRY, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. GRAVES of Missouri, Mr. GRAVES of Georgia, Mr. HARRIS, Mrs. HARTZLER, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. JOHNSON of Ohio, Mr. JONES, Mr. JORDAN, Mr. KELLY, Mr. KINGSTON, Mr. KLINE, Mr. LAMBORN, Mr. LANDRY, Mr. LANKFORD, Mr. LIPINSKI, Mr. LUEPKEMEYER, Mr. MARCHANT, Mr. MCCOTTER, Mr. MILLER of Florida, Mrs. MILLER of Michigan, Mr. MULVANEY, Mr. NEUGEBAUER, Mr. PAUL, Mr. QUAYLE, Mrs. ROBY, Mr. ROSS of Florida, Mr. RYAN of Wisconsin, Mrs. SCHMIDT, Mr. SCHWEIKERT, Mr. SCOTT of South Carolina, Mr. SMITH of New Jersey, Mr. SMITH of Nebraska, Mr. SOUTHERLAND, Mr. STIVERS, Mr. WALBERG, Mr. WESTMORELAND, Mr. WILSON of South Carolina, and Mr. BILIRAKIS):

H.R. 4971. A bill to amend title I of the Patient Protection and Affordable Care Act to ensure that the coverage offered under multi-State qualified health plans offered in Exchanges is consistent with the Federal abortion funding ban; to the Committee on Energy and Commerce.

By Mr. RYAN of Ohio (for himself and Mrs. LOWEY):

H.R. 4972. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the label of drugs intended for human use to contain a parenthetical statement identifying the source of any ingredient constituting or derived from a grain or starch-containing ingredient; to the Committee on Energy and Commerce.

By Mr. ADERHOLT:

H.R. 4973. A bill to suspend temporarily the rate of duty on certain sleeping bag carry cases; to the Committee on Ways and Means.

By Mr. ADERHOLT:

H.R. 4974. A bill to suspend temporarily the duty on certain nonwoven polypropylene zippered sleeping bag carry cases, not under 77.5 cm in circumference and not exceeding

127.7 cm in circumference; to the Committee on Ways and Means.

By Mr. ADERHOLT:

H.R. 4975. A bill to suspend temporarily the duty on man-made shells used in the manufacture of sleeping bags; to the Committee on Ways and Means.

By Mr. AMODEI:

H.R. 4976. A bill to provide for the conveyance of small parcels of National Forest System land and small parcels of public lands administered by the Bureau of Land Management to landowners whose lands share a boundary with the National Forest System land or public lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 4977. A bill to extend the temporary suspension of duty on 1-Propene, 1,1,2,3,3,3-hexafluoro-, oxidized, polymerized; to the Committee on Ways and Means.

By Mr. BACA:

H.R. 4978. A bill to amend title 38, United States Code, to remove the maximum payment amount for certain qualified losses under the Traumatic Injury Protection under the Servicemembers' Group Life Insurance program; to the Committee on Veterans' Affairs.

By Ms. BALDWIN:

H.R. 4979. A bill to establish a grant program to enhance training and services to prevent abuse in later life; to the Committee on the Judiciary.

By Mr. BENISHEK:

H.R. 4980. A bill to suspend temporarily the duty on 1.3G grade fireworks; to the Committee on Ways and Means.

By Mr. BENISHEK:

H.R. 4981. A bill to suspend temporarily the duty on 1.4G grade fireworks; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself and Mr. DOLD):

H.R. 4982. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Financial Services, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER:

H.R. 4983. A bill to suspend temporarily the duty on women's sports bras of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to compatible monitor; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4984. A bill to suspend temporarily the duty on knit tank tops of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4985. A bill to suspend temporarily the duty on knit garments of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incor-

porate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4986. A bill to suspend temporarily the duty on baby or child carriers designed for use on bicycles; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4987. A bill to suspend temporarily the duty on wide angle reflectors; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4988. A bill to suspend temporarily the duty on bicycle speedometers; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4989. A bill to suspend temporarily the duty on bicycle speedometer parts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4990. A bill to suspend temporarily the duty on certain brakes designed for bicycles; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4991. A bill to suspend temporarily the duty on bicycle wheel rims; to the Committee on Ways and Means.

By Ms. BONAMICI:

H.R. 4992. A bill to suspend temporarily the rate of duty on certain leathered footwear for women; to the Committee on Ways and Means.

By Ms. BONAMICI:

H.R. 4993. A bill to suspend temporarily the rate of duty on certain leathered footwear for women; to the Committee on Ways and Means.

By Ms. BONAMICI:

H.R. 4994. A bill to suspend temporarily the rate of duty on certain leathered footwear for men; to the Committee on Ways and Means.

By Ms. BONAMICI:

H.R. 4995. A bill to suspend temporarily the rate of duty on certain leathered footwear for men; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 4996. A bill to extend the temporary suspension of duty on quinoline; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 4997. A bill to extend and modify the temporary suspension of duty on 2-Cyanopyridine; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 4998. A bill to extend the temporary reduction of duty on DAT intermediate; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 4999. A bill to extend the temporary reduction of duty on DMDS; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5000. A bill to extend the temporary reduction of duty on methoxyfenozide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5001. A bill to extend the temporary suspension of duty on Quintec; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5002. A bill to suspend temporarily the duty on Benzamide, N[[[3,5-Dichloro-2-fluoro-

4-1,1,2,3,3,3-hexafluoropropoxy)phenyl] amino] carbonyl] 2,6 difluoro - (9Cl); to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5003. A bill to extend the temporary suspension of duty on Dimethyl malonate; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5004. A bill to extend the temporary suspension of duty on diphenyl sulfide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5005. A bill to extend the temporary suspension of duty on 2,6-Dichloroaniline; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5006. A bill to extend the temporary suspension of duty on DEPCT; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5007. A bill to suspend temporarily the duty on 2-methoxy-4-trifluoromethylpyridine; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5008. A bill to extend the temporary suspension of duty on fenbuconazole; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5009. A bill to extend the temporary suspension of duty on 1,3-Dimethyl-2-imidazolidinone; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5010. A bill to suspend temporarily the duty on 2-Amino-5,7-dimethoxy-1,2,4-triazolo[1,5-a]pyrimidine; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5011. A bill to suspend temporarily the duty on a Formulated product containing Propyzamide as the active ingredient; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5012. A bill to extend the temporary suspension of duty on MCPA-2-ethylhexyl; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5013. A bill to suspend temporarily the duty on Tebuthiuron; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5014. A bill to suspend temporarily the duty on 4 Ethoxy 1,1,1 trifluoro 3 butene-2-one; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5015. A bill to extend the temporary suspension of duty on Ethalfluralin; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5016. A bill to suspend temporarily the duty on 2 Chloro 1 (3 ethoxy 4 nitrophenoxy) 4 (trifluoromethyl) Benzene; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5017. A bill to suspend temporarily the duty on Dichlorimid; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5018. A bill to extend the temporary suspension of duty on Propiconazole; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5019. A bill to extend the temporary suspension of duty on Gallery; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5020. A bill to extend the temporary suspension of duty on mixtures of fungicide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5021. A bill to extend the temporary suspension of duty on myclobutanil; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5022. A bill to suspend temporarily the duty on (R)-(+)-2-(4 hydroxyphenoxy) propionic acid; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5023. A bill to suspend temporarily the duty on Acetic Acid, 5 Chloro-8-quinolinoxy, 1 Methylhexylester; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5024. A bill to extend the temporary suspension of duty on Benfluralin; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5025. A bill to extend the temporary suspension of duty on trifluralin; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5026. A bill to extend the temporary suspension of duty on 4,4-Dimethoxy-2-butanone; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5027. A bill to extend the temporary suspension of duty on mixed isomers of 1,3-dichloropropene; to the Committee on Ways and Means.

By Mr. CANSECO (for himself and Mr. CONAWAY):

H.R. 5028. A bill to extend the temporary suspension of duty on nylon woolpacks used to package wool; to the Committee on Ways and Means.

By Mrs. CAPPS:

H.R. 5029. A bill to suspend temporarily the duty on certain women's footwear not covering the ankle; to the Committee on Ways and Means.

By Mrs. CAPPS:

H.R. 5030. A bill to suspend temporarily the duty on certain women's footwear covering the ankle; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 5031. A bill to suspend temporarily the duty on 2-chlorobenzenesulfonyl isocyanate; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 5032. A bill to suspend temporarily the duty on mixtures of cymoxanil and inert ingredients; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 5033. A bill to reduce temporarily the duty on mixtures of 6-amino-5-chloro-2-cyclopropyl-pyrimidine-4-carboxylic acid and inert ingredients; to the Committee on Ways and Means.

By Ms. DeLAURO:

H.R. 5034. A bill to suspend temporarily the duty on certain rooftop cargo bags; to the Committee on Ways and Means.

By Ms. DeLAURO:

H.R. 5035. A bill to suspend temporarily the duty on certain magnetic snaps; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5036. A bill to suspend temporarily the duty on certain knitted or crocheted fabrics containing elastomeric yarn; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5037. A bill to suspend temporarily the duty on chocolate crumb imported in bulk quantities; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5038. A bill to suspend temporarily the duty on chocolate confectionery products filled with caramel or sugar-based paste imported in bulk quantities but ready for consumption in their condition as imported; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5039. A bill to suspend temporarily the duty on Triethylenediamine; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5040. A bill to extend the suspension of duty on certain mixtures of alkene polymers; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5041. A bill to extend the suspension of duty on mixtures of formaldehyde polymers with aniline and with 4,4'-methylendianiline; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5042. A bill to suspend temporarily the duty on Ancamine 2432; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5043. A bill to suspend temporarily the duty on Ancamine 2422; to the Committee on Ways and Means.

By Mr. DESJARLAIS (for himself, Mr. ROE of Tennessee, Mr. WEST, Mr. WALZ of Minnesota, Mrs. BLACKBURN, Mr. COOPER, Mr. HUNTER, Mr. DUNCAN of Tennessee, Mr. FINCHER, Mr. KLINE, Mr. FLEISCHMANN, Mr. MCKEON, and Mrs. BLACK):

H.R. 5044. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans; to the Committee on Ways and Means.

By Mr. DEUTCH:

H.R. 5045. A bill to suspend temporarily the duty on certain coffee brewers with milk frothing capacity; to the Committee on Ways and Means.

By Mr. DEUTCH:

H.R. 5046. A bill to extend the temporary suspension of duty on electromechanical ice shavers, with self-contained electric motor; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina:

H.R. 5047. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina:

H.R. 5048. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina:

H.R. 5049. A bill to suspend temporarily the duty on certain sector molds and tooling; to the Committee on Ways and Means.

By Mr. ENGEL (for himself and Ms. SCHAKOWSKY):

H.R. 5050. A bill to prohibit employers and certain other entities from requiring or requesting that employees and certain other individuals provide a user name, password,

or other means for accessing a personal account on any social networking website; to the Committee on Education and the Workforce.

By Mr. FRANK of Massachusetts:

H.R. 5051. A bill to extend the temporary suspension of duty on certain synthetic filament yarns; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5052. A bill to extend the temporary suspension of duty on certain untwisted filament yarns; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5053. A bill to extend the suspension of duty on Basic Red 1; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5054. A bill to extend the suspension of duty on Acetoacetyl-2,5-dimethoxy-4-chloroanilide; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5055. A bill to extend the suspension of duty on 3-Amino-4-methylbenzamide; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5056. A bill to extend the suspension of duty on Basic Blue 7; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5057. A bill to extend the suspension of duty on 5-Chloro-3-hydroxy-2-methyl-2-naphthanilide; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5058. A bill to extend the suspension of duty on Basic Violet 1; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5059. A bill to extend the suspension of duty on 5-Chloro-3-hydroxy-2-methoxy-2-naphthanilide; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5060. A bill to extend the suspension of duty on p-Aminobenzamide (4-aminobenzamide); to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5061. A bill to extend the suspension of duty on Basic Red 1:1; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5062. A bill to extend and modify the temporary reduction of duty on 3,3N-Dichlorobenzidine dihydrochloride; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5063. A bill to extend the suspension of duty on certain organic pigments and dyes; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5064. A bill to extend the suspension of duty on 4-Hexylresorcinol; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5065. A bill to suspend temporarily the duty on Hexadecyl; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5066. A bill to suspend temporarily the duty on 3-Amino-1,2-propanediol; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5067. A bill to suspend temporarily the duty on 2-phenyl-1H-benzimidazole-5-sulfonic acid; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5068. A bill to suspend temporarily the duty on 2-ethylhexyl salicylate; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5069. A bill to extend the temporary reduction of duty on artichokes, prepared or

preserved by vinegar or acetic acid; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5070. A bill to extend the temporary reduction of duty on artichokes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5071. A bill to extend the temporary suspension of duty on oysters (other than smoked), prepared or preserved; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5072. A bill to suspend temporarily the duty on 1,3-Isobenzofurandione, 5,5'-sulfonylbis-, polymer with 4,4'-methylenebis[2,6-dimethylbenzenamine]; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5073. A bill to extend the suspension of duty on styrene, ar-ethyl-, polymer with divinylbenzene and styrene beads having low ash content and specifically manufactured for use as a specialty filler in lost wax mold casting applications in a variety of other specialty filler applications; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5074. A bill to extend the suspension of duty on 2 propenoic acid, polymer with diethenylbenzene; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5075. A bill to extend the temporary suspension of duty on helium; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5076. A bill to suspend temporarily the duty on ion-exchange resin of Benzene, diethenyl, polymer with ethenylbenzene and ethenylethylbenzene, chloromethylated, trimethylaminoquaternized; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5077. A bill to extend the suspension of duty on ion-exchange resin powder comprised of a copolymer of methacrylic acid cross-linked with divinylbenzene, in the potassium ionic form, of a nominal particle size between 0.025 mm and 0.150 mm, dried to less than 10% moisture; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5078. A bill to suspend temporarily the duty on Acephate formulation; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5079. A bill to extend the temporary suspension of duty on asulam sodium salt and mixed application adjuvants; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5080. A bill to suspend temporarily the duty on Strong Base Anionic Resin; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5081. A bill to suspend temporarily the duty on ion-exchange resin-Methanamine, N Methyl reaction products with chloromethylated divinylbenzene-styrene polymer; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5082. A bill to suspend temporarily the duty on ion-exchange resin and adsorbent; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5083. A bill to extend the suspension of duty on macroporous ion-exchange resin comprising a copolymer of styrene crosslinked with divinylbenzene, thiol functionalized; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5084. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5085. A bill to suspend temporarily the duty on Oxyfluorfen; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5086. A bill to extend the temporary suspension of duty on Thiophanate methyl; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5087. A bill to suspend temporarily the rate of duty on 5(1,1-Dimethylheptyl) Resorcinol; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5088. A bill to suspend temporarily the rate of duty on 4-Bromobenzyl Bromide; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5089. A bill to suspend temporarily the rate of duty on 1-(2-ChloroEthyl)-4-Ethyl-1,4-dihydro-5H-Tetrazol-5-one; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5090. A bill to suspend temporarily the rate of duty on 1,1-Cyclobutanedicarboxylic acid; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5091. A bill to suspend temporarily the rate of duty on 2-butyl-5-chloro-3H-imidazole-4-carbaldehyde; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5092. A bill to suspend temporarily the rate of duty on Phenyl-2-Pyridyl Acetamide; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5093. A bill to suspend temporarily the rate of duty on alpha-threo Phenyl-2-piperidyl acetamide; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5094. A bill to reduce temporarily the duty on certain AC electric motors of an output exceeding 74.6 W equipped with a capacitor rated not over 4 microfarads; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5095. A bill to extend the temporary suspension of duty on AC electric motors of an output exceeding 74.6 W but not exceeding 85 W; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5096. A bill to suspend temporarily the rate of duty on 1-Benzyl-4-phenyl-4-piperidine carboxylic acid ethyl ester HCl; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5097. A bill to suspend temporarily the rate of duty on N-[(4-methoxymethyl)-1-phenylmethyl-4-piperidinyl]N-phenylpropanamide-ethanedioate; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5098. A bill to renew the temporary suspension of duty on AC electric motors of an output exceeding 74.6 W but not exceeding 95 W; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5099. A bill to reduce temporarily the duty on certain AC electric motors of an output exceeding 37.5 W but not exceeding 72 W; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5100. A bill to suspend temporarily the rate of duty on alpha-Phenyl-2-piperidylacetic acid; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5101. A bill to reduce temporarily the duty on certain AC electric motors of an output exceeding 37.5 W but not exceeding 72 W

designed to be operated by means of an infrared remote control; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5102. A bill to reduce temporarily the duty on certain AC electric motors of an output exceeding 74.6 W equipped with a capacitor rated over 4 microfarads; to the Committee on Ways and Means.

By Mr. GINGREY of Georgia (for himself and Mr. LEWIS of Georgia):

H.R. 5103. A bill to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes; to the Committee on Natural Resources.

By Mr. HERGER:

H.R. 5104. A bill to suspend temporarily the duty on ski poles and parts and accessories thereof; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5105. A bill to suspend temporarily the duty on carbonic dihydrazide; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5106. A bill to suspend temporarily the duty on hydrazine hydrate, aqueous solution; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5107. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5108. A bill to suspend temporarily the duty on 2-benzothiazolythio butanedioic acid (2BBA); to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5109. A bill to suspend temporarily the duty on 4-oxo-4-p-tolylbutyric acid adduct with 4-ethylmorpholine (NEM Salt); to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5110. A bill to suspend temporarily the duty on 1-Methylimidazole; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5111. A bill to suspend temporarily the duty on copper peptide (AHK-Cu); to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5112. A bill to suspend temporarily the duty on copper peptide (GHK-Cu 1:1); to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5113. A bill to extend the temporary suspension of duty on a compound of strontium chloroapatite-europium; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5114. A bill to extend the temporary suspension of duty on strontium magnesium phosphate-tin doped inorganic products of a kind used as luminophores; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5115. A bill to extend the temporary suspension of duty on resin cement based on calcium carbonate and silicone resins; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5116. A bill to extend the temporary suspension of duty on zinc silicate phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5117. A bill to extend the temporary suspension of duty on a mixture of barium carbonate, strontium carbonate, calcium carbonate, and 1-methoxy-2-propanol acetate, for use as emitter suspension cathode coating; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5118. A bill to suspend temporarily the duty on a Phosphor blend of Yttrium Oxide

doped with Europium and Lanthanum Phosphate luminophores; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5119. A bill to extend the temporary suspension of duty on calcium chloride phosphate phosphor activated by manganese and antimony; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5120. A bill to extend the temporary suspension of duty on calcium chloride phosphate phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5121. A bill to extend the temporary suspension of duty on small particle calcium chloride phosphate phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5122. A bill to suspend temporarily the duty on lanthanum phosphate phosphor, activated by cerium and terbium; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5123. A bill to suspend temporarily the duty on a Phosphor Blend of Yttrium Oxide doped with Europium, Cerium Aluminate doped with Terbium and Barium Aluminate doped with Europium; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5124. A bill to extend the temporary suspension of duty on strontium halophosphate doped with europium; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5125. A bill to extend and modify the temporary suspension of duty on lanthanum phosphate phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5126. A bill to extend the temporary suspension of duty on barium magnesium aluminate phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5127. A bill to extend and modify the temporary suspension of duty on coarse yttrium oxide phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5128. A bill to extend and modify the temporary suspension of duty on ultrafine yttrium oxide phosphor; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5129. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts paid by an employer on an employee's student loans; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5130. A bill to suspend temporarily the duty on certain time switches; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5131. A bill to extend the temporary suspension of duty on certain porcelain lamp-holder housings; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5132. A bill to extend the temporary suspension of duty on certain aluminum lamp-holder housings; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5133. A bill to suspend temporarily the duty on certain occupancy sensors; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5134. A bill to suspend temporarily the duty on certain surge protectors; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5135. A bill to suspend temporarily the duty on certain tamper resistant ground fault circuit interrupters; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5136. A bill to suspend temporarily the duty on banana jack connectors; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5137. A bill to extend the temporary suspension of duty on certain brass lamp-holder housings; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5138. A bill to extend the temporary suspension of duty on certain plastic lamp-holder housings; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5139. A bill to extend the temporary reduction of duty on certain 12-volt batteries; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5140. A bill to extend the temporary suspension of duty on certain electrical transformers; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5141. A bill to extend the temporary suspension of duty on certain 6-volt batteries; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5142. A bill to extend the temporary suspension of duty on certain color video monitors with flat panel screens; to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. FLAKE, Mr. BLUMENAUER, Mr. DEFAZIO, and Mr. FRANK of Massachusetts):

H.R. 5143. A bill to prohibit the Secretary of Agriculture from making payments to the Brazilian Cotton Institute; to the Committee on Agriculture.

By Mr. KING of New York (for himself, Mr. CUELLAR, Mr. ROGERS of Alabama, Ms. HAHN, Mr. MCCAUL, Ms. RICHARDSON, Mrs. MILLER of Michigan, Mr. CRAVAACK, Mr. TURNER of New York, Mr. ROSS of Arkansas, Mr. GRIFFIN of Arkansas, and Mr. CARTER):

H.R. 5144. A bill to amend title 10, United States Code, to provide for the award of the Purple Heart to members of the Armed Forces who are killed or wounded in a terrorist attack perpetrated within the United States; to the Committee on Armed Services.

By Mr. KISSELL:

H.R. 5145. A bill to suspend temporarily the duty on Reactive Black 31; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5146. A bill to suspend temporarily the duty on Chromate(4-), [7-amino-3-[(3-chloro-2-hydroxy-5-nitrophenyl)azo]-4-hydroxy-2-naphthalenesulfonato(3-)]-[6-amino-4-hydroxy-3-[(2-hydroxy-5-nitro-3-sulfophenyl)azo]-2-naphthalenesulfonato(4-)]-, tetrasodium (P 96-1335); to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5147. A bill to extend the temporary suspension of duty on reaction products of phosphorous trichloride with 1,1'-biphenyl and 2,4-bis(1,1-dimethylethyl)phenol; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5148. A bill to extend the temporary suspension of duty on ethanediamide, N-(2-ethoxyphenyl)-N'-(4-isodecylphenyl)-; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5149. A bill to extend the temporary suspension of duty on Pigment Brown 25; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5150. A bill to suspend temporarily the duty on Pigment Orange 62; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5151. A bill to extend the temporary suspension of duty on 3-Dodecyl-1-(2,2,6,6-tetramethyl-4-piperidinyl)-2,5-pyrrolidinedione; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5152. A bill to extend the temporary suspension of duty on 1,3-Benzenedicarboxamide, N, N'-bis-(2,2,6,6-tetramethyl-4-piperidinyl)-; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5153. A bill to extend the temporary suspension of duty on 1-Acetyl-4-(3-dodecyl-2,5-dioxo-1-pyrrolidinyl)-2,2,6,6-tetramethylpiperidine; to the Committee on Ways and Means.

By Mr. LOBIONDO (for himself and Mr. PASCRELL):

H.R. 5154. A bill to provide for the reliquidation of certain entries of high-density, fiberboard-core laminate wall and floor panels, and for other purposes; to the Committee on Ways and Means.

By Mr. LOEBSACK:

H.R. 5155. A bill to suspend temporarily the duty on orthotoluidine; to the Committee on Ways and Means.

By Ms. ZOE LOFGREN of California (for herself, Mr. CONYERS, Ms. LORETTA SANCHEZ of California, Mr. MCDERMOTT, Mr. HONDA, and Mr. CONNOLLY of Virginia):

H.R. 5156. A bill to amend the Immigration and Nationality Act to provide citizenship for certain children of United States servicemen born overseas during the Vietnam and Korean Wars; to the Committee on the Judiciary.

By Ms. ZOE LOFGREN of California (for herself, Ms. LORETTA SANCHEZ of California, Mr. WOLF, Mr. CONNOLLY of Virginia, and Mrs. DAVIS of California):

H.R. 5157. A bill to prohibit the designation of Vietnam under title V of the Trade Act of 1974; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 5158. A bill to reduce temporarily the duty on 2,3-Pyridinedicarboxylic acid; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 5159. A bill to suspend temporarily the duty on 2-butyne-1,4-diol, polymer with (chloromethyl)oxirane, brominated, dehydrochlorinated, methoxylated and triethyl phosphor; to the Committee on Ways and Means.

By Mrs. LUMMIS:

H.R. 5160. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mrs. LUMMIS:

H.R. 5161. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mrs. LUMMIS:

H.R. 5162. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. CHABOT, Ms. ZOE LOFGREN of California, and Mr. DEUTCH):

H.R. 5163. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

By Mrs. MALONEY:

H.R. 5164. A bill to suspend temporarily the duty on nonenumerated footwear with textile uppers for women, other than house slippers, valued \$13/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5165. A bill to suspend temporarily the duty on footwear other than house slippers, for women, valued \$9.00/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5166. A bill to suspend temporarily the duty on nonenumerated footwear for women, valued \$25/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5167. A bill to extend the temporary suspension of duty on magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) and magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) coated with stearic acid; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5168. A bill to extend the temporary suspension of duty on magnesium zinc aluminum hydroxide carbonate coated with stearic acid; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5169. A bill to extend the temporary suspension of duty on Helional; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5170. A bill to extend the temporary suspension of duty on cis-3-Hexen-1-ol; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5171. A bill to suspend temporarily the duty on imitation jewelry necklaces or bracelets, valued \$10 each or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5172. A bill to suspend temporarily the duty on necklaces or bracelets, other than necklaces or bracelets containing jadeites or rubies, valued \$10 each or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5173. A bill to suspend temporarily the duty on women's belts of leather or composition leather, each valued \$7.00 or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5174. A bill to extend the temporary suspension of duty on C12-18 alkenes, polymers (TPX) with 4-methyl-1-pentene; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5175. A bill to suspend temporarily the duty on leather footwear for women with uppers other than of pigskin (other than house slippers, work footwear, tennis shoes, basketball shoes and the like), valued \$20/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5176. A bill to suspend temporarily the duty on footwear for women (other than house slippers, tennis shoes, basketball shoes, gym shoes, training shoes and the like and other than work footwear), valued \$15/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5177. A bill to suspend temporarily the duty on leather footwear for women with uppers other than of pigskin, valued \$35/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5178. A bill to suspend temporarily the duty on imitation jewelry earrings; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5179. A bill to extend the temporary suspension of duty on europium oxide; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5180. A bill to extend and modify the temporary suspension of duty on mixtures or coprecipitates of lanthanum, cerium, and terbium phosphates; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5181. A bill to extend and modify the temporary suspension of duty on mixtures or coprecipitates of yttrium oxide and europium oxide; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5182. A bill to suspend temporarily the duty on cerium nitrate; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5183. A bill to suspend temporarily the duty on gadolinium oxide; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5184. A bill to suspend temporarily the duty on lanthanum oxide; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5185. A bill to extend and modify the temporary suspension of duty on yttrium oxide; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Mr. FRANK of Massachusetts, Ms. DELAURO, Ms. EDWARDS, Mr. LARSON of Connecticut, Mr. MORAN, Mr. PASCRELL, and Mr. SCOTT of Virginia):

H.R. 5186. A bill to prevent excessive speculation in energy commodities, and for other purposes; to the Committee on Agriculture.

By Mr. MARKEY (for himself, Mr. WAXMAN, Mr. BLUMENAUER, Mr. LARSON of Connecticut, and Mr. PASCRELL):

H.R. 5187. A bill to amend the Internal Revenue Code of 1986 to provide incentives for clean energy and to repeal fossil fuel subsidies for big oil companies; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McDERMOTT (for himself, Mr. GEORGE MILLER of California, Mr. STARK, Mr. LEWIS of Georgia, and Ms. MOORE):

H.R. 5188. A bill to provide guaranteed child care assistance for low-income families; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McKEON:

H.R. 5189. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Ways and Means.

By Mr. McKEON:

H.R. 5190. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Ways and Means.

By Mr. McKEON:

H.R. 5191. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Ways and Means.

By Mr. McKEON:

H.R. 5192. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Ways and Means.

By Mr. McKEON:

H.R. 5193. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Ways and Means.

By Mrs. McMORRIS RODGERS (for herself and Mr. THOMPSON of California):

H.R. 5194. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, to amend title III of the Public Health Service Act to extend discounts under the 340B program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN (for himself and Mr. DOYLE):

H.R. 5195. A bill to establish a 5-year demonstration program to provide skills to classroom teachers and staff who work with children with autism spectrum disorders; to the Committee on Education and the Workforce.

By Mr. MULVANEY:

H.R. 5196. A bill to suspend temporarily the duty on Microcrystalline anatase-type titanium dioxide; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5197. A bill to extend the temporary suspension of duty on polytetramethylene ether glycol; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5198. A bill to extend the temporary suspension of duty on sodium hypophosphite monohydrate; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5199. A bill to suspend temporarily the duty on certain filament polyester window shade material in a modified basket weave; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5200. A bill to suspend temporarily the duty on anatase titanium dioxide; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5201. A bill to suspend temporarily the duty on certain filament polyester, foam-backed window shade material in a plain weave; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5202. A bill to suspend temporarily the duty on certain PCBTF; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5203. A bill to suspend temporarily the duty on certain woven fiberglass window shade material with acrylic coating; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5204. A bill to extend and modify the temporary suspension of duty on certain PCBTF with an acid acceptor; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5205. A bill to suspend temporarily the duty on certain PCBTF with antioxidant; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5206. A bill to suspend temporarily the duty on window shade material composed of woven fiberglass coated with ethyl vinyl acetate; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5207. A bill to suspend temporarily the duty on certain PCBTF with antistatic; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5208. A bill to suspend temporarily the duty on certain PCBTF with a corrosion inhibitor; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5209. A bill to suspend temporarily the duty on certain window shade material composed of 100% polyester filaments; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5210. A bill to suspend temporarily the duty on Dianil; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5211. A bill to suspend temporarily the duty on benzenesulfonyl chloride; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5212. A bill to suspend temporarily the duty on amino ethyl carbazole; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5213. A bill to extend the temporary suspension of duty on p-Toluenesulfonyl chloride; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5214. A bill to suspend temporarily the duty on Himic Anhydride; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5215. A bill to suspend temporarily the duty on liquid dielectric transformers having a power handling capacity exceeding 100,000 kVA; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5216. A bill to suspend temporarily the duty on helical springs not suitable for use in motor-vehicle suspension, of iron or steel wire having a cross-sectional dimension of 12.7 mm or more; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5217. A bill to suspend temporarily the duty on vibration dampeners; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5218. A bill to suspend temporarily the duty on complete digital process control systems designed for use with steam turbine generator sets for use in AP 1000 nuclear powerplants certified by the Nuclear Regulatory Commission; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5219. A bill to suspend temporarily the duty on check valves of steel, having an opening approximately 7.62 cm. or more in diameter and certified by the importer as meeting ASME B16.34 certification requirements as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5220. A bill to suspend temporarily the duty on stop valves each designed to be actuated by steam turbine hydraulic control systems and thermostatically controlled by an electrohydraulic actuator, and parts thereof; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5221. A bill to suspend temporarily the duty on economizers for use with boilers of heading 8402 or 8403; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5222. A bill to suspend temporarily the duty on hand operated globe type valves of steel, having an opening less than approximately 7.62 cm. in diameter and certified by the importer as meeting ASME III certification requirements (but not meeting ASME B16.34 certification requirements) as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5223. A bill to suspend temporarily the duty on hand operated globe type valves of steel, having an opening less than approxi-

mately 7.62 cm. in diameter and certified by the importer as meeting ASME B16.34 certification requirements as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5224. A bill to suspend temporarily the duty on hand operated globe type valves of steel, having an opening approximately 7.62 cm. or more in diameter and certified by the importer as meeting ASME B16.34 certification requirements as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5225. A bill to suspend temporarily the duty on check valves of steel, having an opening approximately 7.62 cm. or more in diameter and certified by the importer as meeting ASME B16.34 certification requirements as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5226. A bill to suspend temporarily the duty on check valves of steel, having an opening less than approximately 7.62 cm. in diameter and certified by the importer as meeting ASME III certification requirements (but not meeting ASME B16.34 certification requirements) as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut (for himself and Mr. HIMES):

H.R. 5227. A bill to suspend temporarily the duty on 2-Aminopyridine; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut (for himself and Mr. HIMES):

H.R. 5228. A bill to suspend temporarily the duty on 4-Chloro-3-nitrobenzoic acid; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5229. A bill to suspend temporarily the duty on 1,6-Diisocyanato-hexane homopolymer, polyethylene-polypropylene glycol mono-Bu ether blocked; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5230. A bill to extend the temporary suspension of duty on Desmodur E 14; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5231. A bill to extend and modify the temporary suspension of duty on Desmodur HL BA; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5232. A bill to extend the temporary suspension of duty on 1,2,2,3,3,4,4,4-Nonafluorobutanesulfonic acid, potassium salt; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5233. A bill to suspend temporarily the duty on Desmodur VP LS 2078/2; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5234. A bill to suspend temporarily the duty on Bayhydur XP 2547; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5235. A bill to suspend temporarily the duty on Bayhydur BL 5335; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5236. A bill to suspend temporarily the duty on Desmodur BL 1100/1; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5237. A bill to extend the temporary suspension of duty on Tetraethylammonium perfluorooctanesulfonate; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5238. A bill to reduce temporarily the duty on Chlorobenzene; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5239. A bill to reduce temporarily the duty on *P*-Dichlorobenzene; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5240. A bill to suspend temporarily the duty on Dimethyl dicarbonate; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5241. A bill to extend the temporary suspension of duty on certain plasticizers; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5242. A bill to extend the temporary suspension of duty on Phosphoric acid, tris (2-ethylhexyl)ester; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5243. A bill to extend the temporary suspension of duty on 2-Phenylphenol sodium salt; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5244. A bill to suspend temporarily the duty on Phosphorus Sulfochloride; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5245. A bill to extend the temporary suspension of duty on Thionyl chloride; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5246. A bill to extend the temporary suspension of duty on 2-Oxepanone polymer with 1,4-butanediol and 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, 2-ethyl-1-hexanol-blocked; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5247. A bill to extend and modify the temporary suspension of duty on Desmodur R-E; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5248. A bill to extend and modify the temporary suspension of duty on Poly(toluene diisocyanate); to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5249. A bill to extend and modify the temporary suspension of duty on Desmodur RF-E; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5250. A bill to suspend temporarily the rate of duty on 1,6-Hexanediol-dimethyl carbonate copolymer; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5251. A bill to suspend temporarily the rate of duty on 1,6-Hexanediol-dimethyl carbonate copolymer; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5252. A bill to suspend temporarily the rate of duty on dimethyl carbonate polymer with 1,6-hexanediol copolymer and 2-oxepanone; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5253. A bill to suspend temporarily the duty on reaction product of 3,5-dimethyl-1,2-diazole with polymer of hexane-1,6-diyl diisocyanate in organic solvent; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 5254. A bill to suspend temporarily the duty on Efka 6225; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 5255. A bill to reduce temporarily the duty on fasteners, in clips suitable for use in a mechanical attaching device; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 5256. A bill to suspend temporarily the duty on hand tools designed for securing

plastic fasteners; to the Committee on Ways and Means.

By Mr. NEUGEBAUER:

H.R. 5257. A bill to extend the temporary suspension of duty on product mixtures containing mesosulfuron-methyl; to the Committee on Ways and Means.

By Mr. NEUGEBAUER:

H.R. 5258. A bill to suspend temporarily the duty on certain mixtures containing Fenoxaprop-p-ethyl, Pyrasulfotole, Bromoxynil octanoate, Bromoxynil heptanoate, and Mefenpyr-diethyl; to the Committee on Ways and Means.

By Mr. NUNES:

H.R. 5259. A bill to suspend temporarily the duty on Fungaflor Technical (Imazalil); to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5260. A bill to extend the temporary suspension of duty on Dilauroyl peroxide; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5261. A bill to extend the temporary suspension of duty on Didecanoyl peroxide; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5262. A bill to extend the temporary suspension of duty on Bis(4-*t*-butylcyclohexyl) peroxydicarbonate; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5263. A bill to extend the temporary suspension of duty on 3,3',4,4'-Biphenyltetracarboxylic dianhydride; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5264. A bill to extend the temporary reduction of duty on 4,4'-Oxydianiline; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5265. A bill to extend the temporary suspension of duty on RODA; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5266. A bill to extend the temporary suspension of duty on 4,4'-Oxydiphthalic anhydride; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5267. A bill to suspend temporarily the duty on 4,4'-Sulfonyldiphenol; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5268. A bill to suspend temporarily the duty on mixtures of fatty acids, C12-21 and C18-unsatd., 2,2,6,6-tetramethyl-4-piperidol esters and polyethylene or polypropylene or 3,5-di-*tert*-butyl-4-hydroxybenzoic acid, hexadecyl ester; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5269. A bill to suspend temporarily the duty on 1,6-Hexanediamine, N,N'-Bis(2,2,6,6-tetramethyl-4-piperidinyl)-, P/W 2,4-Dichloro-6-(4-morpholinyl)-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5270. A bill to suspend temporarily the duty on 2-(4,6-Bis-(2,4-dimethylphenyl)-1,3,5-triazin-2-yl)-5-(octyloxy)-phenol; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5271. A bill to suspend temporarily the duty on Hydroxylamine sulfate; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5272. A bill to extend the temporary suspension of duty on capers, prepared or preserved by vinegar or acetic acid, in containers holding 3.4 kg or less; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5273. A bill to extend the temporary reduction of duty on pepperoncini, prepared

or preserved by vinegar; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5274. A bill to extend the temporary suspension of duty on pepperoncini, prepared or preserved otherwise than by vinegar or acetic acid, not frozen; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5275. A bill to extend the temporary suspension of duty on capers, prepared or preserved by vinegar or acetic acid, in immediate containers holding more than 3.4 kg; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5276. A bill to extend and modify the temporary reduction of duty on *o*-Acetylsalicylic acid (Aspirin); to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5277. A bill to extend the temporary suspension of duty on D-Mannose; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5278. A bill to extend the temporary suspension of duty on propoxur (2-(1-methylethoxy)phenol methylcarbamate); to the Committee on Ways and Means.

By Mr. PETRI:

H.R. 5279. A bill to suspend temporarily the duty on certain portable personal area mosquito repellents; to the Committee on Ways and Means.

By Ms. PINGREE of Maine:

H.R. 5280. A bill to suspend temporarily the duty on certain alginates; to the Committee on Ways and Means.

By Ms. PINGREE of Maine:

H.R. 5281. A bill to suspend temporarily the duty on propylene glycol alginates; to the Committee on Ways and Means.

By Ms. PINGREE of Maine:

H.R. 5282. A bill to reduce temporarily the duty on sodium alginate; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5283. A bill to amend the Public Health Service Act to enhance the clinical trial registry data bank reporting requirements and enforcement measures; to the Committee on Energy and Commerce.

By Mr. REICHERT (for himself and Mr. THOMPSON of California):

H.R. 5284. A bill to amend section 1862 of the Social Security Act with respect to the application of Medicare secondary payer rules to workers' compensation settlement agreements and Medicare set-asides under such agreements; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee:

H.R. 5285. A bill to extend the suspension of duty on *o*-Anisidine; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5286. A bill to extend the suspension of duty on Titanium mononitride; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5287. A bill to extend the suspension of duty on Phenyl salicylate (benzoic acid, 2-hydroxy-, phenyl ester); to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5288. A bill to extend the suspension of duty on 2,4-Xylidine; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5289. A bill to suspend temporarily the duty on 4-Chloro-1,8-naphthalic anhydride; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5290. A bill to suspend temporarily the duty on Ester gum 10D 25KG BG China; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5291. A bill to suspend temporarily the duty on Poly-Pale, 25 KG Bag, China; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5292. A bill to suspend temporarily the duty on Syloboc K-200; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5293. A bill to suspend temporarily the duty on HPHP; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5294. A bill to suspend temporarily the duty on 2-Ethylhexanol; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5295. A bill to suspend temporarily the duty on Sodium Benzoate, ODR/FLV Comp; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5296. A bill to suspend temporarily the duty on Isophthalic acid; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5297. A bill to suspend temporarily the duty on rosin and resin acids and derivatives thereof; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5298. A bill to suspend temporarily the duty on petroleum resins, coumarone, indene or coumarone-indene resins; polyterpenes; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5299. A bill to suspend temporarily the duty on Ortho Toluidine; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5300. A bill to extend the temporary suspension of duty on certain single yarns of viscose rayon; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5301. A bill to extend the temporary suspension of duty on certain single yarns of viscose rayon; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5302. A bill to extend the temporary suspension of duty on certain artificial filament single yarns; to the Committee on Ways and Means.

By Mr. ROYCE (for himself, Mr. BERMAN, Mr. ENGEL, Mr. BURTON of Indiana, Mr. CHABOT, Mr. DEUTCH, Mr. MANZULLO, Mr. POE of Texas, and Mr. ROTHMAN of New Jersey):

H.R. 5303. A bill to amend the Foreign Assistance Act of 1961 to limit assistance to the Palestinian Authority; to the Committee on Foreign Affairs.

By Ms. SCHWARTZ:

H.R. 5304. A bill to extend the temporary reduction of duty on liquid-filled glass bulbs designed for sprinkler systems and other release devices; to the Committee on Ways and Means.

By Ms. SCHWARTZ:

H.R. 5305. A bill to extend the temporary suspension of duty on aqueous emulsion of a modified aliphatic amine mixture of: decanedioic acid, compounds with 1,3-benzenedimethanamine- bisphenol A-bisphenol A diglycidyl etherdiethylenetriamine glycidyl phenyl ether reaction productepichlorohydrinformaldehyde-propylene oxidetriethylenetetramine polymer; to the Committee on Ways and Means.

By Ms. SCHWARTZ:

H.R. 5306. A bill to extend and modify the temporary suspension of duty on Cyazofamid; to the Committee on Ways and Means.

By Ms. SCHWARTZ:

H.R. 5307. A bill to extend the temporary reduction of duty on Acetamidrid Technical; to the Committee on Ways and Means.

By Ms. SCHWARTZ:

H.R. 5308. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 5309. A bill to extend the temporary suspension of duty on PHBA; to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 5310. A bill to extend the temporary suspension of duty on sorbic acid; to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 5311. A bill to suspend temporarily the duty on potassium sorbate; to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 5312. A bill to suspend temporarily the duty on certain screws, bolts, nuts, washers, and similar articles of steel; to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 5313. A bill to suspend temporarily the duty on certain parts suitable for use solely or principally with the apparatus of heading 8535, 8536 or 8537; to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 5314. A bill to suspend temporarily the duty on threaded articles of iron or steel nesoi (not bolts, nuts, or screws); to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 5315. A bill to suspend temporarily the duty on other non-threaded articles (fasteners) of iron or steel, nesoi; to the Committee on Ways and Means.

By Ms. SLAUGHTER:

H.R. 5316. A bill to extend the temporary suspension of duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one, 1-hydroxypyridine-2-thione, zinc salt, and application adjuncts; to the Committee on Ways and Means.

By Ms. SLAUGHTER:

H.R. 5317. A bill to extend the temporary suspension of duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one and application adjuncts; to the Committee on Ways and Means.

By Mr. SMITH of Texas:

H.R. 5318. A bill to suspend temporarily the duty on ethylhexylglycerine; to the Committee on Ways and Means.

By Ms. TSONGAS (for herself and Mr. OLVER):

H.R. 5319. A bill to amend the Wild and Scenic Rivers Act to designate segments of the mainstem of the Nashua River and its tributaries in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. WELCH (for himself and Mr. HANNA):

H.R. 5320. A bill to amend the Internal Revenue Code of 1986 to increase the quarterly wages paid threshold for classification as an agricultural labor employer for purposes of unemployment taxes; to the Committee on Ways and Means.

By Mr. WHITFIELD (for himself and Mr. GUTHRIE):

H.R. 5321. A bill to amend title 13, United States Code, to provide for the more accu-

rate and complete enumeration of members of the Armed Forces in any tabulation of total population by the Secretary of Commerce, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. WOLF:

H.R. 5322. A bill to amend the Inspector General Act of 1978 to provide for an Inspector General for the Metropolitan Washington Airports Authority, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH (for himself and Mr. FORTENBERRY):

H. Con. Res. 121. Concurrent resolution expressing the sense of Congress that as one of the world's important wetland and coastal marine ecosystems, the Niger Delta should be protected and its recovery and economic development a priority; to the Committee on Foreign Affairs.

By Mr. LANDRY (for himself and Mr. FARENTHOLD):

H. Res. 635. A resolution expressing the sense of the House of Representatives that Mr. Al Armendariz, Environmental Protection Agency Administrator for South Central Region (Region 6), is not suitable to secure domestic energy development, and, therefore should immediately resign; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Agriculture, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN (for himself, Mr. BILBRAY, Mr. FILNER, and Mr. HEINRICH):

H. Res. 636. A resolution expressing support for designation of the period beginning April 9, 2012, and ending May 6, 2012, as "Bataan-Corregidor Month"; to the Committee on Veterans' Affairs, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Illinois (for himself and Mr. GOWDY):

H. Res. 637. A resolution expressing the sense of the House of Representatives that the release of information with respect to the 1940 decennial census is a cause for celebration, that the National Archives and Records Administration and the Bureau of the Census should be commended for maintaining custody of such information, and that the citizens of the United States should use such information to learn about their family history; to the Committee on Oversight and Government Reform.

By Mr. HINOJOSA (for himself and Mr. DOLD):

H. Res. 638. A resolution supporting the efforts of the National Association of State Fire Marshals to raise awareness of proper bonding for yellow corrugated stainless steel tubing to the specifications of the National Fire Protection Association Code; to the Committee on Science, Space, and Technology.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. PALLONE, Mr. SARBANES, Ms. LEE of California, Mr.

SIRES, Mr. GRIMM, Mr. JACKSON of Illinois, and Mr. FRELINGHUYSEN):

H. Res. 639. A resolution expressing the sense of the House of Representatives that the former Yugoslav Republic of Macedonia should work within the framework of the United Nations process with Greece to achieve longstanding United States and United Nations policy goals of finding a mutually acceptable composite name, with a geographical qualifier and for all uses for the former Yugoslav Republic of Macedonia; to the Committee on Foreign Affairs.

By Mrs. NAPOLITANO (for herself, Ms.

BONAMICI, Mr. BACA, Ms. BALDWIN, Ms. BERKLEY, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mrs. CAPPAS, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLYBURN, Mr. DAVIS of Illinois, Mr. DOGGETT, Ms. EDWARDS, Mr. ELLISON, Mr. FARR, Mr. FILNER, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HINOJOSA, Ms. HIRONO, Mr. HONDA, Mr. ISRAEL, Mr. CROWLEY, Ms. KAPTUR, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. LIPINSKI, Ms. ZOE LOFGRUN of California, Mrs. LOWEY, Mr. LUJAN, Mrs. MALONEY, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCNERNEY, Mr. MEEKS, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. OLVER, Mr. OWENS, Mr. PASTOR of Arizona, Mr. PIERLUISI, Mr. POLIS, Mr. RANGEL, Mr. REYES, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SANCHEZ of California, Ms. SCHWARTZ, Mr. SERRANO, Mr. SCHIFF, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. THOMPSON of Pennsylvania, Mr. THOMPSON of California, Mr. TONKO, Mr. TOWNS, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Ms. WOOLSEY, Ms. CHU, Mr. MURPHY of Pennsylvania, and Mr. AUSTRIA):

H. Res. 640. A resolution expressing support for designation of May 2012 as Mental Health Month; to the Committee on Energy and Commerce.

By Ms. NORTON (for herself and Ms. LEE of California):

H. Res. 641. A resolution expressing support for designation of April 28, 2012, as "Jon Faddis Day", and honoring his contribution as both a jazz musician and educator; to the Committee on Oversight and Government Reform.

By Mr. PEARCE:

H. Res. 642. A resolution expressing support for designation of the month of April as Parkinson's Awareness Month; to the Committee on Energy and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HIMES:

H.R. 5323. A bill to provide for the liquidation or reliquidation of certain entries of top-of-the-stove stainless steel cooking ware from the Republic of Korea; to the Committee on Ways and Means.

By Mr. PASCARELL:

H.R. 5324. A bill to liquidate or reliquidate certain entries of digital still image video cameras; to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY
STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MICA:

H.R. 4965.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of Commerce among the several States).

By Mr. RYAN of Wisconsin:

H.R. 4966.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7.

By Mr. SMITH of Texas:

H.R. 4967.

Congress has the power to enact this legislation pursuant to the following:

Article III, section 1, of the Constitution empowers Congress to create "such inferior courts as the Congress may from time to time ordain and establish." Additionally, Article I, section 8, gives Congress plenary power over the subject of bankruptcy.

By Mr. GUINTA:

H.R. 4968.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Mr. THOMPSON of California:

H.R. 4969.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. ADAMS:

H.R. 4970.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. AKIN:

H.R. 4971.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress's power under Article I, Section 8, clause 1 of the U.S. Constitution.

By Mr. RYAN of Ohio:

H.R. 4972.

Congress has the power to enact this legislation pursuant to the following:

The above mentioned legislation is based upon the following Section 8 statement:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ADERHOLT:

H.R. 4973.

Congress has the power to enact this legislation pursuant to the following:

Among other things, Article 1 Section 8 Clause 1 provides Congress with the power to lay and collect duties and prescribes that all duties shall be uniform throughout the United States. Furthermore, Article 1 Section 8 Clause 18 gives Congress the power to make all laws which shall be necessary and proper for carrying into execution these and all other powers vested by the Constitution in the Government or any Department or Officer thereof.

By Mr. ADERHOLT:

H.R. 4974.

Congress has the power to enact this legislation pursuant to the following:

Among other things, Article 1 Section 8 Clause 1 provides Congress with the power to lay and collect duties and prescribes that all duties shall be uniform throughout the United States. Furthermore, Article 1 Section 8 Clause 18 gives Congress the power to make all laws which shall be necessary and proper for carrying into execution these and all other powers vested by the Constitution in the Government or any Department or Officer thereof.

By Mr. ADERHOLT:

H.R. 4975.

Congress has the power to enact this legislation pursuant to the following:

Among other things, Article 1 Section 8 Clause 1 provides Congress with the power to lay and collect duties and prescribes that all duties shall be uniform throughout the United States. Furthermore, Article 1 Section 8 Clause 18 gives Congress the power to make all laws which shall be necessary and proper for carrying into execution these and all other powers vested by the Constitution in the Government or any Department or Officer thereof.

By Mr. AMODEI:

H.R. 4976.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. ANDREWS:

H.R. 4977.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.

By Mr. BACA:

H.R. 4978.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12, 13, 14, and 18

By Ms. BALDWIN:

H.R. 4979.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. BENISHEK:

H.R. 4980.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. BENISHEK:

H.R. 4981.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. BIGGERT:

H.R. 4982.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of the United States Constitution.

By Mr. BLUMENAUER:

H.R. 4983.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 4984.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 4985.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 4986.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 4987.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 4988.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 4989.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 4990.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 4991.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Ms. BONAMICI:

H.R. 4992.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution.

By Ms. BONAMICI:

H.R. 4993.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution.

By Ms. BONAMICI:

H.R. 4994.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution.

By Ms. BONAMICI:

H.R. 4995.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. BURTON of Indiana:

H.R. 4996.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Mr. BURTON of Indiana:

H.R. 5020.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Mr. BURTON of Indiana:

H.R. 5021.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Mr. BURTON of Indiana:

H.R. 5022.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Mr. BURTON of Indiana:

H.R. 5023.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Mr. BURTON of Indiana:

H.R. 5024.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Mr. BURTON of Indiana:

H.R. 5025.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Mr. BURTON of Indiana:

H.R. 5026.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Mr. BURTON of Indiana:

H.R. 5027.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Mr. CANSECO:

H.R. 5028.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution, which gives Congress the "Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article 1, Section 8, Clause 3 of the United States Constitution, which gives Congress the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mrs. CAPPES:

H.R. 5029.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mrs. CAPPES:

H.R. 5030.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. CARNEY:

H.R. 5031.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 & 3 of Section 8 of Article I of the Constitution

By Mr. CARNEY:

H.R. 5032.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 & 3 of Section 8 of Article I of the Constitution

By Mr. CARNEY:

H.R. 5033.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 & 3 of Section 8 of Article I of the Constitution

By Ms. DELAURO:

H.R. 5034.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution

By Ms. DELAURO:

H.R. 5035.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution

By Mr. DENT:

H.R. 5036.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DENT:

H.R. 5037.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DENT:

H.R. 5038.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DENT:

H.R. 5039.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DENT:

H.R. 5040.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DENT:

H.R. 5041.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DENT:

H.R. 5042.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DENT:

H.R. 5043.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DESJARLAIS:

H.R. 5044.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. DEUTCH:

H.R. 5045.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. DEUTCH:

H.R. 5046.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. DUNCAN of South Carolina:

H.R. 5047.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. DUNCAN of South Carolina:

H.R. 5048.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to "Lay and collect Taxes, Duties, Imposts and Excises"; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to "regulate Commerce with foreign nations."

By Mr. ISRAEL:

H.R. 5129.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. ISRAEL:

H.R. 5130.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5131.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5132.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5133.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5134.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5135.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5136.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5137.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5138.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5139.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5140.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5141.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 5142.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. KIND:

H.R. 5143.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article 1, Section 8, Clause 18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KING of New York:

H.R. 5144.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution. Specifically, clause 12, which grants Congress the authority to raise and support an Army; clause 13, which grants Congress the authority to provide and maintain a Navy; clause 14, which grants Congress the authority to make rules for the Government and Regulation of the land and naval forces; clause 16, which grants Congress the authority to provide for organizing, arming, and disciplining the militia; and clause 18, which grants Congress the authority to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. KISSELL:

H.R. 5145.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE. I. Section 1.
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. KISSELL:

H.R. 5146.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE. I. Section 1.
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. KISSELL:

H.R. 5147.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE. I. Section 1.
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. KISSELL:

H.R. 5148.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE. I. Section 1.
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. KISSELL:

H.R. 5149.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE. I. Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. KISSELL:

H.R. 5150.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE. I. Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. KISSELL:

H.R. 5151.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE. I. Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. KISSELL:

H.R. 5152.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE. I. Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. KISSELL:

H.R. 5153.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE. I. Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. LOBIONDO:

H.R. 5154.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. LOEBSACK:

H.R. 5155.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Ms. ZOE LOFGREN of California:

H.R. 5156.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution.

By Ms. ZOE LOFGREN of California:

H.R. 5157.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1, 3.

By Mr. LUETKEMEYER:

H.R. 5158.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. LUETKEMEYER:

H.R. 5159.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states,

(a) Section 8, Clause 1 of Article I of the Constitution; and

(b) Section 8, Clause 3 of Article I of the Constitution.

By Mr. MARINO:

H.R. 5185.

Congress has the power to enact this legislation pursuant to the following:

(a) Section 8, Clause 1 of Article I of the Constitution; and

(b) Section 8, Clause 3 of Article I of the Constitution.

By Mr. MARKEY:

H.R. 5186.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the United States Constitution.

By Mr. MARKEY:

H.R. 5187.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1.

By Mr. McDERMOTT:

H.R. 5188.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States: "The Congress shall have Power To . . . provide for the General Welfare of the United States . . .", also known as the General Welfare Clause, and ". . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States . . .", also known as the Necessary and Proper Clause.

By Mr. MCKEON:

H.R. 5189.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . ."

By Mr. MCKEON:

H.R. 5190.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . ."

By Mr. MCKEON:

H.R. 5191.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . ."

By Mr. MCKEON:

H.R. 5192.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . ."

By Mr. MCKEON:

H.R. 5193.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . ."

By Mrs. MCMORRIS RODGERS:

H.R. 5194.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, clause 3 to regulate Commerce among the several States.

By Mr. MORAN:

H.R. 5195.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article 1, Section 8, Clause 1, which grants Congress authority regarding Defence [sic] and general Welfare of the United States.

By Mr. MULVANEY:

H.R. 5196.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 5197.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 5198.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 5199.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 5200.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 5201.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 5202.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 5203.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. MULVANEY:

H.R. 5204.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. PASCRELL:

H.R. 5275.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. PASCRELL:

H.R. 5276.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. PASCRELL:

H.R. 5277.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. PASCRELL:

H.R. 5278.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. PETRI:

H.R. 5279.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution which states: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;"

AND

Article I, Section 8, Clause 3 of the U.S. Constitution which grants Congress the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

By Ms. PINGREE of Maine:

H.R. 5280.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. PINGREE of Maine:

H.R. 5281.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. PINGREE of Maine:

H.R. 5282.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. REED:

H.R. 5283.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. REICHERT:

H.R. 5284.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. ROE of Tennessee:

H.R. 5285.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5286.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5287.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5288.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5289.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5290.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises,

to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5291.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5292.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5293.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5294.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5295.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5296.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:

H.R. 5297.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises,

to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:
H.R. 5298.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROE of Tennessee:
H.R. 5299.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROTHMAN of New Jersey:
H.R. 5300.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. ROTHMAN of New Jersey:
H.R. 5301.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. ROTHMAN of New Jersey:
H.R. 5302.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. ROYCE:

H.R. 5303.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the United States Constitution.

By Ms. SCHWARTZ:

H.R. 5304.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Ms. SCHWARTZ:

H.R. 5305.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Ms. SCHWARTZ:

H.R. 5306.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Ms. SCHWARTZ:

H.R. 5307.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Ms. SCHWARTZ:

H.R. 5308.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. SESSIONS:

H.R. 5309.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. SESSIONS:

H.R. 5310.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. SESSIONS:

H.R. 5311.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. SESSIONS:

H.R. 5312.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. SESSIONS:

H.R. 5313.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. SESSIONS:

H.R. 5314.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. SESSIONS:

H.R. 5315.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Ms. SLAUGHTER:

H.R. 5316.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. SLAUGHTER:

H.R. 5317.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SMITH of Texas:

H.R. 5318.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution.

By Ms. TSONGAS:

H.R. 5319.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. WELCH:

H.R. 5320.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WHITFIELD:

H.R. 5321.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 2 of article I of the Constitution.

By Mr. WOLF:

H.R. 5322.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof, as enumerated in Article I, Section 8, of the United States Constitution.

By Mr. HIMES:

H.R. 5323.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . ."

By Mr. PASCRELL:

H.R. 5324.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 273: Mr. LUJÁN, Mrs. CAPPS, and Mr. PASTOR of Arizona.
- H.R. 376: Mrs. MCCARTHY of New York and Mr. TONKO.
- H.R. 409: Mr. GOSAR.
- H.R. 436: Mr. ROHRBACHER, Mr. ROGERS of Alabama, and Mr. FLAKE.
- H.R. 664: Mr. CARSON of Indiana, Mr. MICHAUD, and Mr. PETERSON.
- H.R. 860: Mr. SHULER and Mr. CROWLEY.
- H.R. 876: Ms. BONAMICI.
- H.R. 890: Mr. SOUTHERLAND.
- H.R. 905: Mr. SCHOCK.
- H.R. 1063: Mr. GOSAR, Mr. LIPINSKI, and Ms. RICHARDSON.
- H.R. 1098: Mr. POLIS.
- H.R. 1112: Mr. SHERMAN, Ms. JENKINS, and Mr. WEST.
- H.R. 1175: Ms. MOORE.
- H.R. 1193: Mr. ANDREWS and Mr. HASTINGS of Florida.
- H.R. 1195: Mr. BROOKS, Mr. BOREN, Mr. SCHOCK, Mr. COSTELLO, Mrs. MCCARTHY of New York, Mr. ROGERS of Kentucky, and Mr. MEEHAN.
- H.R. 1206: Mr. GOSAR, Mr. DAVID SCOTT of Georgia, Mrs. EMERSON, Mr. CHAFFETZ, and Mr. MCKEON.
- H.R. 1219: Mr. ROGERS of Kentucky, Mr. BOREN, Mr. MEEHAN, and Mrs. MCCARTHY of New York.
- H.R. 1327: Mr. STEARNS and Mr. CLEAVER.
- H.R. 1370: Mr. GOSAR and Mr. FLAKE.
- H.R. 1416: Ms. PINGREE of Maine, Mr. JOHN-SON of Illinois, and Ms. HIRONO.
- H.R. 1426: Mr. SCHOCK.
- H.R. 1537: Mr. NEAL.
- H.R. 1578: Ms. CASTOR of Florida.
- H.R. 1580: Mr. GOSAR, Mr. SCHOCK, and Mr. MARCHANT.
- H.R. 1639: Mr. BARROW, Mr. TIPTON, and Ms. HANABUSA.
- H.R. 1672: Mr. COSTELLO, Ms. VELÁZQUEZ, Ms. CLARKE of New York, and Mr. COURTNEY.
- H.R. 1675: Ms. MATSUI and Mr. RANGEL.
- H.R. 1733: Mr. MEEKS.
- H.R. 1753: Mr. McDERMOTT.
- H.R. 1792: Mr. GIBSON and Mr. TONKO.
- H.R. 1802: Mr. BERG and Mr. ROGERS of Kentucky.
- H.R. 1821: Mr. DAVIS of Illinois.
- H.R. 1860: Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Ms. LINDA T. SÁNCHEZ of California, and Mr. JORDAN.
- H.R. 1897: Mr. SHERMAN, Mr. PETERSON, and Mr. BRADY of Pennsylvania.
- H.R. 2104: Mr. THOMPSON of Mississippi.
- H.R. 2139: Mr. ROGERS of Kentucky, Ms. CASTOR of Florida, and Mr. FLEMING.
- H.R. 2182: Mr. BENISHEK.
- H.R. 2195: Mr. MEEHAN.
- H.R. 2197: Ms. MOORE and Ms. RICHARDSON.
- H.R. 2198: Mr. SCHILLING.
- H.R. 2353: Mr. PAUL.
- H.R. 2404: Mr. BILIRAKIS.
- H.R. 2568: Mr. CUELLAR.
- H.R. 2695: Mr. ROTHMAN of New Jersey.
- H.R. 2696: Mr. ROTHMAN of New Jersey.
- H.R. 2717: Mr. COBLE.
- H.R. 2880: Mr. PRICE of North Carolina.
- H.R. 2951: Mr. LANKFORD.
- H.R. 2957: Ms. ROYBAL-ALLARD.
- H.R. 2969: Mr. GOSAR, Mr. MEEHAN, Mrs. MILLER of Michigan, Mr. WEST, Mr. RANGEL, and Mr. CASSIDY.
- H.R. 2978: Mrs. HARTZLER.
- H.R. 3000: Mr. HARRIS, Mr. QUAYLE, and Mr. BARTLETT.
- H.R. 3053: Ms. CHU.
- H.R. 3057: Mr. GENE GREEN of Texas.
- H.R. 3065: Mr. WALSH of Illinois.
- H.R. 3067: Mr. COFFMAN of Colorado, Mr. ROSKAM, Mr. CLARKE of Michigan, Mr. MILLER of North Carolina, Mr. DOGGETT, and Mr. NADLER.
- H.R. 3264: Mr. CULBERSON.
- H.R. 3269: Mr. RANGEL, Mrs. EMERSON, Mr. GOODLATTE, Mr. CLAY, Mr. LANDRY, Mr. BISHOP of Utah, Mr. ROYCE, Mr. GALLEGLY, and Mr. COBLE.
- H.R. 3283: Mr. KINGSTON.
- H.R. 3307: Ms. DEGETTE.
- H.R. 3357: Mr. MCKINLEY.
- H.R. 3364: Mr. PETRI and Mr. MCNERNEY.
- H.R. 3423: Mrs. MILLER of Michigan, Mr. WILSON of South Carolina, Mr. CROWLEY, Mr. LUJÁN, and Mr. PASCRELL.
- H.R. 3444: Mr. SOUTHERLAND.
- H.R. 3464: Mr. BERMAN and Ms. RICHARD-SON.
- H.R. 3502: Mr. CLARKE of Michigan.
- H.R. 3506: Mr. WOMACK.
- H.R. 3526: Mr. CARSON of Indiana.
- H.R. 3591: Mr. PASCRELL.
- H.R. 3618: Mr. PASTOR of Arizona and Mr. PETERS.
- H.R. 3627: Mr. FILNER.
- H.R. 3647: Mr. HINCHEY.
- H.R. 3661: Ms. FUDGE, Mr. KILDEE, Mr. STIVERS, Ms. ROYBAL-ALLARD, Mr. TOWNS, Ms. ZOE LOFGREN of California, Mr. KISSELL, and Mr. CARSON of Indiana.
- H.R. 3665: Mr. GRIJALVA and Mr. FILNER.
- H.R. 3667: Mr. YOUNG of Alaska and Mr. HEINRICH.
- H.R. 3668: Mr. CRAVAACK.
- H.R. 3769: Mr. TOWNS and Mr. MURPHY of Connecticut.
- H.R. 3783: Mr. ROTHMAN of New Jersey and Mr. LOBIONDO.
- H.R. 3839: Mr. PETERSON.
- H.R. 3848: Mrs. ELLMERS.
- H.R. 3849: Mr. McINTYRE.
- H.R. 3862: Mr. PETERSON and Mr. SCHWEIKERT.
- H.R. 3863: Mr. HONDA.
- H.R. 3903: Ms. FUDGE and Ms. EDWARDS.
- H.R. 3987: Mrs. ELLMERS.
- H.R. 4005: Mr. SCOTT of Virginia.
- H.R. 4018: Mr. ANDREWS.
- H.R. 4045: Mr. PALAZZO.
- H.R. 4066: Mr. BROUN of Georgia.
- H.R. 4077: Mr. SMITH of New Jersey, Mr. HONDA, and Mr. HEINRICH.
- H.R. 4094: Mr. STIVERS.
- H.R. 4099: Mr. BARROW, Mr. CICILLINE, Mr. KILDEE, Mr. KING of Iowa, Mr. MCKINLEY, Ms. SCHWARTZ, and Mr. KELLY.
- H.R. 4103: Mr. OWENS.
- H.R. 4115: Mr. GIBBS.
- H.R. 4128: Mr. POE of Texas.
- H.R. 4132: Mr. HECK and Mr. DOLD.
- H.R. 4133: Mr. HALL, Mrs. CAPITO, Mr. LIPINSKI, Mr. BONNER, Ms. BONAMICI, Ms. FUDGE, Mr. NUNES, Mr. FITZPATRICK, Mrs. LUMMIS, and Mr. REICHERT.
- H.R. 4157: Ms. BALDWIN, Mrs. BLACK, Mr. LABRADOR, Mr. CRAVAACK, and Ms. HOCHUL.
- H.R. 4158: Mr. QUAYLE and Mr. MULVANEY.
- H.R. 4165: Ms. CHU, Mr. MEEHAN, and Mr. LUETKEMEYER.
- H.R. 4180: Mr. SAM JOHNSON of Texas, Mr. LUETKEMEYER, and Mr. HUIZENGA of Michi-gan.
- H.R. 4196: Mr. LUETKEMEYER.
- H.R. 4201: Mr. LOBIONDO, Mr. MCCOTTER, Mr. LATOURETTE, Mr. WHITFIELD, Mr. STIV-ERS, Mr. TURNER of New York, Mr. MEEHAN, Mr. KELLY, Mr. BARLETTA, Mr. GERLACH, Mr. DENT, Mr. OLSON, Mr. PLATTS, Mr. BROUN of Georgia, Mr. BUCHANAN, Ms. SCHAKOWSKY, Mr. HECK, Mr. BISHOP of Utah, Mr. JOHNSON of Ohio, Mr. BROOKS, Mr. CHABOT, Mr. REICHERT, Mrs. McMORRIS RODGERS, Mr. AUSTIN SCOTT of Georgia, Mrs. HARTZLER, Mr. CONAWAY, Mr. BURGESS, Mrs. MILLER of Michigan, Mr. FLEMING, Mr. WILSON of South Carolina, Mr. LANCE, Mr. WEST, Mrs. ROBY, Mr. PEARCE, Mr. POSEY, Mr. HANNA, Mr. ROSS of Florida, Mr. LUETKEMEYER, Mr. HUN-TER, Mr. SCHILLING, Mr. RIBBLE, Mr. DIAZ-BALART, Mr. GARY G. MILLER of California, Mr. RIGELL, Mr. MCKEON, Mr. CALVERT, Mr. BONNER, Mr. LEWIS of California, Mr. CAR-TER, Mr. BOUSTANY, Mr. COLE, Mr. LATTA, and Mr. SHIMKUS.
- H.R. 4203: Mrs. ELLMERS.
- H.R. 4212: Mr. WEST and Ms. CASTOR of Florida.
- H.R. 4215: Mr. WITTMAN, Ms. CHU, and Mr. PETERSON.
- H.R. 4222: Mr. QUAYLE.
- H.R. 4227: Ms. HIRONO, Mr. SCOTT of Vir-ginia, Mr. DAVIS of Illinois, Mr. ANDREWS, and Mr. RANGEL.
- H.R. 4232: Mr. HUIZENGA of Michigan.
- H.R. 4235: Mr. KINGSTON.
- H.R. 4256: Mr. MARCHANT.
- H.R. 4259: Mr. ROSKAM.
- H.R. 4269: Mr. JONES, Mr. KELLY, and Mr. MARCHANT.
- H.R. 4271: Ms. KAPTUR and Mr. ROTHMAN of New Jersey.
- H.R. 4278: Mr. CARTER and Mr. ALEXANDER.
- H.R. 4279: Mr. SCOTT of South Carolina.
- H.R. 4295: Mr. LUETKEMEYER.
- H.R. 4296: Mr. JOHNSON of Illinois, Mr. SCHILLING, Mr. TURNER of New York, Ms. RICHARDSON, Ms. BROWN of Florida, and Mr. HULTGREN.
- H.R. 4304: Mr. AMODEI.
- H.R. 4306: Mr. BERMAN, Mr. MORAN, and Ms. WOOLSEY.
- H.R. 4313: Mr. LATHAM.
- H.R. 4323: Mr. SCHOCK and Mr. MEEKS.
- H.R. 4330: Mr. KING of Iowa and Mr. LATHAM.
- H.R. 4331: Mrs. LUMMIS.
- H.R. 4341: Mrs. CAPPS.
- H.R. 4342: Mr. LOEBSACK.
- H.R. 4350: Mr. NADLER, Mr. DUFFY, Ms. BORDALLO, Mr. BOSWELL, Mr. FILNER, Mr. BLUMENAUER, Mr. GEORGE MILLER of Cali-fornia, Mr. HOLT, Mr. GARAMENDI, and Mr. LATOURETTE.
- H.R. 4367: Mr. HENSARLING, Mr. AMODEI, Mr. HUIZENGA of Michigan, and Mrs. EMER-SON.
- H.R. 4385: Mr. WESTMORELAND, Mr. LANKFORD, Mr. GINGREY of Georgia, Mr. GARDNER, Mr. LONG, and Mrs. ADAMS.
- H.R. 4386: Mr. AMASH.
- H.R. 4405: Mr. BERMAN.
- H.R. 4406: Mr. CONYERS, Mr. LEVIN, Mr. HIGGINS, Mr. ROGERS of Michigan, Mr. DIN-GELL, and Mr. UPTON.
- H.R. 4470: Ms. CLARKE of New York, Mr. GRIJALVA, Ms. CHU, Mr. HASTINGS of Florida, Mr. HINCHEY, and Mr. CLARKE of Michigan.
- H.R. 4480: Mr. LONG.
- H.R. 4481: Mr. JOHNSON of Ohio.
- H.R. 4485: Mr. FLORES, Mr. FRANKS of Ari-zona, Mr. HARRIS, Mr. KINZINGER of Illinois, Mr. LAMBORN, Mr. LOBIONDO, Mr. WALBERG, Mr. HALL, Mr. WEST, Mr. MILLER of Florida, Mr. FORBES, Mr. WITTMAN, and Mr. HUNTER.
- H.R. 4624: Mr. SCHWEIKERT and Mr. STIV-ERS.
- H.R. 4816: Mr. VAN HOLLEN, Ms. CLARKE of New York, Ms. BONAMICI, Mr. HEINRICH, Mr. CLARKE of Michigan, Mrs. MALONEY, Ms. WASSERMAN SCHULTZ, Mr. CLEAVER, Mr. DON-NELLY of Indiana, Mr. LARSEN of Washington, and Mr. DEFazio.
- H.R. 4819: Mr. REYES.
- H.R. 4820: Mr. REYES.
- H.R. 4821: Mr. REYES.
- H.J. Res. 47: Mr. WELCH.
- H.J. Res. 103: Mr. SAM JOHNSON of Texas and Mr. GARDNER.
- H.J. Res. 104: Mr. KINGSTON.

H.J. Res. 105: Mr. SCOTT of South Carolina.
H.J. Res. 106: Mr. SCHWEIKERT.
H. Con. Res. 87: Mr. WOLF.
H. Con. Res. 107: Mr. RIBBLE.
H. Con. Res. 110: Mr. MARCHANT.
H. Con. Res. 116: Mr. PETRI.

H. Res. 246: Mr. RYAN of Ohio.
H. Res. 282: Mr. PASCRELL and Mr. BURTON
of Indiana.
H. Res. 568: Mrs. CAPITO, Mr. LIPINSKI, Mr.
RICHMOND, Mr. NUNES, and Mr. REICHERT.
H. Res. 609: Ms. SPEIER.

H. Res. 618: Mr. ACKERMAN and Mr. TURNER
of New York.
H. Res. 623: Mr. JONES.
H. Res. 624: Mr. MILLER of Florida.
H. Res. 627: Mr. GRIMM, Mr. JACKSON of Illi-
nois, and Mr. FRELINGHUYSEN.

EXTENSIONS OF REMARKS

HONORING CHARLEY DIAZ, USCG

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. FARENTHOLD. Mr. Speaker, it is my honor to recognize the career achievements of Charley L. Diaz as he retires from the United States Coast Guard. Charley has dedicated over thirty years to serving this great nation in the United States Coast Guard.

As a second generation American, he answered the call to serve by attending the United States Coast Guard Academy in 1982. Quickly rising up the ranks, he thwarted narcotic, terrorist, and other maritime threats. He returned to school and attained high honors at both the United States Naval War College and Harvard University. His work even caught the attention of Hollywood and authors alike; he briefed famed spy novel/military author Tom Clancy on maritime drug smuggling techniques for his book and later turned movie, "Clear and Present Danger." Under his leadership, the crew rescued the distressed fishermen of "The Perfect Storm." To top it all off, Charley is a proud recipient of four Meritorious Service medals, three United States Coast Guard Commendation medals, the Humanitarian Service medal, and the Legion of Merit.

Mr. Speaker, fellow members, please join me in congratulating Charley, who is retiring with over thirty years of service. Charley, we wish you and your family all the best!

IN RECOGNITION OF THE MARCUS HIGH SCHOOL BASKETBALL TEAM

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. BURGESS. Mr. Speaker, I rise today to recognize the outstanding players of Marcus High School's boys' basketball team as they celebrate their second consecutive title as 5A state champions. Capably led by Head Coach Danny Henderson, the team's history is a story of success.

The Marcus Marauders demonstrated their determination last year by winning the 2011 state championship. This year, I am very pleased to see they have retained the title of 5A state champions. In the last three seasons, Marcus High School won 115 of its 121 games, proof that the team's drive is matched by its athletic ability. Teammates Phil Forte and Marcus Smart scored 39 points defending their Class 5A championship with a 56-52 victory over Fort Bend Travis. The Marauders closed out the 2011-2012 season with a four point victory. Forte was named the Most Valuable Player of the 2012 Class 5A state championship game.

I am proud of these young men and their coaches; they have been excellent athletic ambassadors for the Town of Flower Mound and the Lewisville Independent School District. Joining me in saluting their tremendous achievement are their fellow Marcus High School students and the LISD administrators, staff and teachers who have supported their efforts. I am pleased to recognize the Marcus High School boys' basketball team of Flower Mound, Texas as 5A state champions for 2012.

HONORING CANDY O'DONEL-BROWNE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. COSTA. Mr. Speaker, I rise to recognize Candy O'Donel-Browne, a tireless advocate for victims of domestic abuse in California's San Joaquin Valley. As we observe National Crime Victims' Rights Week, this is a fitting time to honor Mrs. O'Donel-Browne. As a Co-Chair of the Congressional Victims' Rights Caucus, VRC, I was proud to nominate Mrs. O'Donel-Browne for the Ed Stout Memorial Award for Outstanding Victim Advocacy, one of five annual awards given by the VRC. Each year, the Ed Stout Award honors professionals or volunteers whose efforts directly benefit victims and survivors of crime. Mrs. O'Donel-Browne has spent her life doing just that.

After seeing the lack of services for victims in our Valley's rural communities, Mrs. O'Donel-Browne and a few other concerned community members created Mountain Crisis Services, Inc., MCS, in Mariposa, California, in 1990. Since the beginning of MCS, she served as a dedicated and innovative board member and now serves as President of the Board of Directors. Though the work is challenging both physically and mentally, Mrs. O'Donel-Browne has shown exceptional creativity and flexibility, easily filling the role of Executive Director when needed. Due to her diligence and dedication, the life saving services offered by MCS never cease.

In 2008, Mrs. O'Donel-Browne again noticed a void in victims' services in Merced County. After a sister agency was forced to close its doors, MCS opened a fully functioning office and shelter in only six weeks. When the agency finally shut down its services, the Valley Crisis Center stood at the ready to assist victims in Merced County. During this time, she often articulated the need to ensure that no victim should be left without services or access to safety.

MCS has transformed from a single domestic violence agency with a staff of 12 to a dual domestic violence and rape crisis agency with a staff of 30, serving two counties with vastly

different populations. Although this transition occurred in a time of economic recession and tight state and federal budgets, she surmounted the odds and did so with professionalism, passion and grace.

Mr. Speaker, it is with great appreciation that I ask my colleagues to stand with me in thanking Mrs. Candy O'Donel-Browne for her devotion to the domestic violence movement and to the victims she so faithfully serves. Please join me today in recognizing her remarkable achievements and wish her and the communities she serves many more years of success.

RECOGNIZING NATIONAL MILITARY APPRECIATION MONTH

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to honor the extraordinary bravery and sacrifice of our service men and women by celebrating National Military Appreciation Month.

Since 1999, veteran and service organizations have held events around the country to demonstrate to current and former men and women in uniform and their families that we honor their service. From Military Spouse Appreciation Day to Victory in Europe Day, and from Loyalty Day to Armed Forces Day and Memorial Day, the month of May is a time for our Nation to come together. It is important for all of us to recognize the tremendous service of military members and families across the globe.

The men and women who serve in uniform are guided by their tremendous sense of duty to America and their fellow citizens. In California's 37th District, we've had over 190,000 troops deployed to either Iraq or Afghanistan since 2001. It has been my honor to represent these constituents and I am extremely proud of their service.

In my district, we suffered the loss of 12 remarkable servicemen. We remember Long Beach residents: Pfc. Stephen A. Castellano, Sgt. 1st Class Randy D. Collins, Sgt. Anthony J. Davis, Jr., Sgt. Israel Garcia, Pvt. Ernesto R. Guerra, Pfc. Lyndon A. Marcus, Jr., Spec. Roberto L. Martinez Salazar, Spec. Astor A. Sunsin-Pineda, Pfc. David T. Toomalatai, Pfc. George D. Torres and Staff Sgt. Joshua Whitaker, as well as Carson resident Pfc. Daniel P. Cagle, who were all killed in action.

As we acknowledge our former, current and future military men and women, it is essential that we provide the resources necessary to help wounded warriors and their families adjust to life outside of the military. I am extremely proud that from 2007-2010, under

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Democratic Leadership, Congress showed unprecedented support for the troops, their families, and veterans by strengthening health care for more than 5 million veterans, giving troops a pay raise, and strengthening support for military families.

Mr. Speaker I rise today to praise our most heroic citizens. I hope you'll all join me in reflecting on the valor and courage our solemn warriors display in defense of our freedom.

ISRAEL'S INDEPENDENCE DAY 2012

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mrs. MALONEY. Mr. Speaker, Israel is celebrating the 64th Anniversary of its declaration of Independence, issued one day before the expiration of the British Mandate. For 64 years, Israel has grown from an agricultural nation of pioneers to an ultra-modern high tech powerhouse.

Israel has repeatedly absorbed hundreds of thousands of immigrants, found employment for them and used their skills and ingenuity to build a remarkable country. Since its founding, Israel's population has grown tenfold, thanks in part to the arrival of Jewish populations fleeing discrimination in Europe, Arab countries, Africa and the Soviet Union. As a nation of immigrants, Israel draws its strength from the diversity of its people, much as the United States does.

Against all odds, Israel has grown into an economic powerhouse. It was welcomed in 2010 as a member of the Organisation for Economic Co-operation and Development (OECD), marking it as one of the world's most highly developed economies. Israel has shown that a small country with few natural resources can succeed by investing in its people and supporting its emerging companies. Israel has more high tech start-ups than any other country in the world other than the United States, and it attracts more venture capital per capita than any other nation.

Israel has succeeded by transforming its challenges into assets. Adversity has made it innovative. Lacking potable water, it is at the forefront of desalination efforts. Lacking arable land, it developed innovative ways to grow produce in a desert. Lacking energy, it has pioneered advances in solar and wind energy. Lacking security, it has built one of the world's best militaries and produces some of the most effective security products. Lacking space, Israel has invested in developing information technology which requires intellectual capital but little land. Some say that Israel's culture is ideal for innovation, with its lack of hierarchy, comfort with risk-taking and drive for individualism.

Despite Israel's great advances, Israel continues to face a hostile neighborhood and is surrounded by hostile nations that deny its right to exist. In my view, the bond between the United States and Israel is unbreakable. As the only true democracy in the Middle East, Israel faces the challenges of a pluralistic society. Israel shares our devotion to a free press, freedom of association and adherence to the rule of law.

Although Israel's economy is currently thriving, it has spent its entire existence in a state of war. In light of the challenges that confront it, Israel has the absolute right and sole discretion to take whatever steps may be necessary to defend itself and its citizens.

Today on Yom Ha'atzmaut we rejoice in Israel's successes and renew our commitment to support the right of Israel's citizens to live in safety and security.

TRIBUTE TO LIEUTENANT COLONEL THOMAS H. MAYFIELD

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. RUNYAN. Mr. Speaker, I rise this evening to pay tribute to one of my constituents, Lieutenant Colonel Thomas H. Mayfield of Willingboro, New Jersey for his courageous and dedicated service to our Nation. Lieutenant Colonel Mayfield entered the U.S. Army Air Corps in 1941 and was one of the first members of the 332d Fighter Group, more commonly known as the Tuskegee Airmen, an African-American aviation unit which provided critical support for the Allied campaign during World War II.

Tuskegee Airmen like Lieutenant Colonel Mayfield were called upon to serve their country at a time when the armed forces were segregated, yet they persevered in the face of discrimination and proved themselves to be valiant and indispensable warriors. Their example paved the way for future generations of African Americans to serve honorably in the military.

For his outstanding service to the United States as one of the original Tuskegee Airmen, Lieutenant Colonel Mayfield was awarded the Congressional Gold Medal—the highest civilian honor Congress can bestow. This historic unit's unparalleled record also led to a Presidential Unit Citation.

Lieutenant Colonel Thomas H. Mayfield retired from the United States Air Force in 1970 with over 29 years of distinguished service. Throughout his military career he received numerous accolades, decorations and awards for outstanding service, most notably, the Silver Pilot Wings and promotion to Second Lieutenant in the U.S. Army Air Corps after completing flight training school in Tuskegee, Alabama.

I thank Lieutenant Colonel Mayfield for his patriotism, and his continued service to his community and his country. I urge my colleagues to join me in recognition of this trail-blazing American aviator.

CELEBRATING THE LIFE OF REGINALD E. GILLIAM, JR.

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. VAN HOLLEN. Mr. Speaker, it is with a heavy heart that I rise today to recognize and

celebrate the life of Reginald E. Gilliam, Jr. After a brave battle against lymphoma, Reg—as he was known—passed away on March 28, 2012 at the age of sixty-seven. Reg had an extraordinary career, honorably serving his country, mentoring students, and paving an inclusive path in politics and in life for all Americans.

Reg served our country proudly and with distinction. As Legislative Counsel to Senator John Glenn, Reg developed legislation on education, economic development and urban safety and fire prevention, all of which were enacted into law. Reg also served in the sub-cabinet of New York Governor Mario Cuomo as his chief official in charge of surface transportation, and then as Chief of Staff to Congressman Louis Stokes. The breadth of his knowledge and the depth of his dedication to the people he served were always apparent, and his efforts led to his enriching the lives of countless people.

As Vice Chairman and Commissioner of the U.S. Interstate Commerce Commission (ICC) under President Jimmy Carter, Reg promoted the inclusion of minorities throughout the transportation industry. No one was more proud of his appointment to this important position than his father, one of the original members of A. Philip Randolph's Brotherhood of Sleeping Car Porters and an employee of the railroad industry, which was closely regulated by the ICC. Reg was sworn into office by his father in an emotional and moving ceremony.

Reg's influence was not limited to the public sector. As Senior Managing Director at Hill & Knowlton Worldwide Public Affairs, he represented large and small companies alike on legislative and regulatory policy. For the past ten years, he was Senior Vice President of Government Affairs at Sodexo, Inc., playing a vital role in shaping the company into the significant enterprise that it is today.

Perhaps most notable was Reg's commitment to education. He was one of the founders of the Harvard Black Student Association, became its first Chairman and would eventually serve on the Board of Trustees for several colleges and universities. He also taught at the State University of New York and at Williams College.

In addition to pursuing his own education, Reg always made sure to give back. During his time at Harvard, Reg served as a Voting Rights Act poll watcher in the South, volunteered on neighborhood safety patrols in Harlem, and wrote his final legal thesis on the Newark riots.

Reg was dedicated to utilizing his own success to help others and spent countless hours mentoring and counseling young people. His service was recognized on numerous occasions, including his receipt of the Lifetime Achievement Award from the Harvard Black Law Association and the President's Award for Leadership & Excellence from the Washington Government Relations Group.

Reg was a significant presence in our community. It takes an extraordinary person to approach every situation with the grace and compassion that Reg did. His good work made a difference in the lives of many, and he will always be remembered for his kindness, dedication and tireless efforts to help others.

On a personal note, I had the privilege of working with Reg on a number of issues important to workers and businesses in our community. He always conducted himself with the highest degree of integrity and professionalism. He was careful to present all sides of an issue and explain what he was seeking to accomplish. In addition, Reg regularly took the time to ask how others were doing even as he was struggling with his own personal health challenges. I will miss his warm personality, good humor and sense of humanity.

I send my deepest condolences to his wife Arleen and to his many friends, and I ask my colleagues to join me in remembering this remarkable man.

SALUTING THE WORLD WAR II
VETERANS OF TENNESSEE

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. COOPER. Mr. Speaker, I rise to honor the World War II veterans who are flying to Washington, DC., today from Nashville, TN with Music City Honor Flight. This Honor Flight is part of a nation-wide effort to bring as many World War II veterans as possible to the memorial created here in honor of their service and in memorial of their fallen peers.

Through their selflessness, the brave men and women who served in World War II protected our country and changed the course of history. We can never adequately thank them for their great sacrifice. Whether Soldiers, Airmen, Sailors, Marines, or Coast Guardsman, they heroically stood up for their Nation during a turbulent time of great need. It is my great privilege to welcome them to the Nation's Capital and to honor them here today.

I am proud to present the names of these distinguished veterans so that they can be recognized for their brave service and so my colleagues and I can express our gratitude.

Orville Jerome Aasen, Lyttleton C. Anderson Jr., Clarence Arand, James L. Bass, James B. Batey Jr., Douglas Beard, Dempsey G. Binkley, Winston Bowling, Eugene W. Brock, Charles J. Brown, Edward L. Buquo, Roger L. Burgess, Hugh Lafayette Callens, Russell M. Campbell, Frank A. Cantwell, James W. Carroll, Francis A. Centimole, Robert E. Chadwell, James Robert Clower, Alfred Damon Corley, James D. Craig, Fred M. Creasy, Rayford H. Danley, James L. Davis, Gerald Alvin Davis, Lloyd F. Driver, James W. Duke, Edward Eugene Durham, Lloyd C. Fisher, David Ray Fussell, Murray O. Fussell, Charles H. Gannon, Gerald Allen Gilman, Harry R. Guttridge, Herald D. Hackett, Thomas Hall Jr., Jones B. Hamlett, Wesley W. Harmon, Jackson Harris, Samuel A. Harris, William J. Harvey, Eldon H. Hatcher Jr., Harley Walter Heilman, Irvan Hardeman Hendon, Wayne Hill, Vernard E. Hixson, Leonard Hollender, Edward L. Holton, Lawrence H. Horn, Edward W. Hudson, Robert W. Hull, Nathaniel B. Johnson Jr., Robert C. Jones, Clinton D. Keel, John W. King, James Fowler Lancaster, Earl Eugene Lerch, George Lukon, Nelson Lyne, Dock H. Lyons, Joseph O. Maddux, Harry Eugene Margrave,

Carl M. Martin, Henry C. McCall, Jr., Carl E. Meeks, Ledlie J. Miller Jr., Charles A. Mitchell, Dr. John Myers, Robert M. Nabors Jr., James J. Panipinto, Andrew S. Parker, Baxter Lewis Perry, David M. Pettus, Carlos F. Plott, W H Reeves, Samuel Ralph Rehorn, Eugene R. Rhue, Clarence Richards, Robert McCulloch Rock, Elmer Julius Sager, David Y. Sharpe, Milton Shearer, Robert Love Simpson, William Paul Sitton, Fred L. Stacey, John E. Stephens, Robert Merrill Stoops, Harry Richard Sturm, Glenn Swanson, James F. Tacker Jr., Denison Taylor, W. Glenn Tinsley, Jess Titus, Glenn Tompkins, Eddie G. Wall, James E. Waugaman, Robert Conway Wilhite, Ross Williams, William E. Wingo, Henry C. Winstead, Talmadge R. Woodall, Charles Richard Zartman.

IN RECOGNITION OF FIRE CHIEF
ANDY JONES

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. BURGESS. Mr. Speaker, I rise today to honor a brave and dedicated leader, North Richland Hills Fire Chief Andy Jones. Chief Jones has spent more than 38 years serving the North Richland Hills Fire Department, including 24 years at the command level, and 14 years as Fire Chief.

To help fulfill the growing needs of the community, Chief Jones helped add new fire stations, equipment, employees, and programs. By improving the department's Insurance Services Office Property Protection Classification from a "4" to a "2," Chief Jones helped lower insurance premiums.

Under Chief Jones' leadership, the department has received numerous awards and honors from the Texas Fire Chiefs Association and the International Association of Fire Chiefs. In 2008, The North Richland Hills Fire Department won the prestigious Fire Service Award for Excellence due to implementation of the life-saving Cardiac Catheterization Lab Field Activation Program. The Fire Department was presented a \$2,000 grant for fire education and prevention programs. North Richland Hills' cutting edge efforts to improve heart attack treatment times were used by the International Association of Fire Chiefs as a model program for other fire departments to follow.

Chief Jones has led by example with exemplary conduct and dedication in serving the public and has been personally recognized on numerous occasions. In 2006, The Texas Fire Chiefs Association honored him with the title of "Texas Fire Chief of the Year." In 2007, he was designated as a "Chief Fire Officer" from the Commission on Professional Credentialing. In addition, Chief Jones has continually made an effort to say informed and involved in the community. He is currently serving as the Texas Municipal League Representative for the Texas Fire Chiefs Association. He is also a member of the International Association of Fire Chiefs and is the past President of both the Texas Fire Chiefs Association and the Tarrant County Fire Chief's Association.

On May 4, Chief Jones will retire from the North Richland Hills Fire Department. Not only

has Chief Jones saved lives, he has introduced programs to the North Richland Hills Fire Department that will continue to save lives long past his retirement. After 14 years as Fire Chief, his leadership will be missed. It is my great privilege to recognize North Richland Hills Fire Chief Andy Jones for the leadership and excellence of his service to the people of North Richland Hills and the surrounding communities. I am pleased to recognize Fire Chief Andy Jones and am privileged to represent the city of North Richland Hills in the U.S. House of Representatives.

REMARKS BY AMBASSADOR JOHN
BOLTON ON THE ANNIVERSARY
OF THE APRIL 8, 2011 MASSACRE
AT CAMP ASHRAF

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. McCLINTOCK. Mr. Speaker, I submit remarks made by Ambassador John Bolton at a conference on U.S. Obligations and Policy Options on Iran held at the Mayflower Hotel in Washington, DC on Friday, April 6, 2012.

Thank you very much. It's a great pleasure to be here today with all of you. It's sad that we're on the first anniversary of the attack at Camp Ashraf. It's a brutal reminder of the danger the people at Ashraf and Camp Liberty live in. And a continuing representation and a failure of American policy.

But I do think that we are coming to potentially decisive points on a number of fronts. Number one, on the status of the MEK listed on the list of foreign terrorist organizations and on the question of the regime and Tehran's nuclear weapons program. Both absolutely critical in how they're resolved.

So I just want to take a few minutes here today to talk about that and specifically to talk a little bit about why this designation of the MEK as a foreign terrorist organization has been wrong from the outset, wrong throughout the duration of its being on the list and wrong for it to continue.

You know, this is a, as Judge Mukasey and Professor Dershowitz said, this question of listing organizations is a statutory question. It's not a question of whether you like the group, you know, we could go out on double dates with its members? Would they win an election in their home country? Do they have customs that are a little bit different from yours? If those were criteria to be listed on the list of foreign terrorist organizations, that would be a pretty long list, but it's not.

And the list, the criteria that Congress has given is very, very specific and those criteria have not been met.

I know this in part from my own personal knowledge. I think I first heard of the MEK early during the George W. Bush administration when we were concerned, among other things, about the efforts by the regime in Tehran to acquire a variety of weapons of mass destruction and specifically and in particular nuclear weapons.

As we looked at what the regime was doing, the progress it was making, the steps it was taking to conceal its effort, I read from time to time about information that came from Iranian exiles in the United

States, in Europe disclosing aspects of the regime's nuclear weapons program. And that was the first time that I saw the name MEK. I didn't know what it was. That it was perhaps a profession of ignorance of history, but that's the fact.

So I was quite interested in the information that was being released over a period of time. Some of it was information that the government of the United States already knew about, but had not disclosed publicly. Some of it was information we hadn't learned about, but learned about later. Some of it was just information we didn't know about.

And I can say with considerable force that because of the importance of understanding the progress that the nuclear program is making, that all sources of information were potentially important to us and the accuracy of the information, even more so. I never saw any information that the MEK disclosed that was in any material respect inaccurate as far as we knew. And I thought this was significant in many respects because within the U.S. Government there was a disagreement about how to deal with Iran and how much of the information that we knew about to make public. How much to share with the International Atomic Energy Agency. How much to talk about in public. I generally felt that more public discussion was useful because the threat of a nuclear weapons program in Iran was a very real one to me.

So I have to say I lost a lot of battles in the immediate administration about what to talk about publicly. I was not unhappy to see someone else making that information public so that the rest of the world could appreciate the progress the regime was making towards its long sought objective of nuclear weapons and how dangerous it was.

What I think was really striking came in the days after U.S. invasion of Iraq and part of our effort to overthrow Saddam Hussein's regime. I remember in particular one staff meeting that Secretary Powell had as the military action was under way when someone around the table said that the U.S. military had arrived at someplace called Camp Ashraf and had secured the location and was providing protection for the residents. Make sure they didn't suffer from reprisals.

I said to myself, I'm not going to listen anymore just to what's being said in the newspaper. I want to find out more about what the MEK is and why this group that seems to know so much about Iran's illicit nuclear weapons program is listed as a foreign terrorist organization.

So I did what you would expect. I asked around. I asked career civil servants and diplomats. I looked into the records. And I was stunned that the uniform response was that the MEK had been put on the list of terrorist organizations in the late 1990s in the hope that it would be a signal to the regime in Tehran of the bona fides days of the Clinton administration's desire to open active negotiations with the government of Iran. That that was the reason. Over and over again that was the reason.

So I asked for information about the MEK. And there were facts back in the late '70s and early '80s that were pretty unappetizing, but there was no having to deal with the regime of the Shah and its overthrow.

But nothing in nearly 20 years since then. Nothing that I saw during my time at the State Department that would justify listing the MEK as a foreign terrorist organization.

Then we came to find in late 2008 that Secretary Rice was given the opportunity whether to decide to de-list the MEK and she

chose not to because she hoped that that would give the incoming Obama administration flexibility to deal with the government of Iran. It would be an occasion of continued interest in trying to deal with the regime.

Now, both of these decisions were political decisions. You can agree with them or disagree with them. I disagree with them. But they were political. They were not based on facts. They were not based on the criteria in the statute.

I think that does a disservice to the whole concept of having a list of foreign terrorist organizations. If you don't allow the facts to fall where they will, then the list itself is discredited.

I think this problem of politicization isn't limited to the FTO list. I felt one of the Bush Administration's worst mistakes was taking the government of North Korea off the list of state sponsors of terrorism. A government that to this day has never provided satisfaction to the government of Japan and South Korea for kidnapping their innocent civilians and holding them in North Korea. And why was North Korea taken off the list of state sponsored terrorism? In hopes of negotiating with North Korea about its nuclear weapons program. You see a pattern here?

This is the State Department making decisions not intended by Congress but for political and diplomatic purposes.

Now, it's interesting in all of these cases the political and diplomatic purpose has not been achieved. You would think that would teach people something. But I'm not that much of an optimist.

But even worse, we had seen within the past weeks Secretary Clinton say that the conduct of the MEK in transferring residents from Ashraf to Camp Liberty would be a factor in deciding whether the MEK would stay on the list of foreign terrorist organizations.

Now we have all heard she's very busy, not busy enough, though, not busy enough that she couldn't make that point. Another fundamentally political point.

So if the original designation was bad and it was, and if the decision in 2008 to continue the listing was worse, this is worst of all. This isn't just political, this is using a humanitarian catastrophe to attempt to achieve political objectives.

Governor Rendell just asked what I think is a very pertinent question and providing some telling insights into why there is no good answer. Why does the State Department keep doing this? What is the rationale here?

I think the rationale emerges from what we know about the State Department's history dealing with this regime. They are convinced to this day that you can negotiate with this authoritarian regime.

I believe you cannot. But I believe what's going on here is that the State Department is fearful that if it does what it's supposed to do that the government in Tehran will cut off the last chance to negotiate a peaceful resolution to the nuclear weapons program. Now, I don't think there's any chance that we're going to get a satisfactory, diplomatic resolution anyway. But I think what's happening now is that the State Department knows it doesn't have a shred of evidence to continue this designation. If they did, and I'll steal this point from Louis Freeh who made it before, but not here, if there was information that justified the continuing listing of the MEK on the foreign terrorist list in Washington as we know it, it would have leaked out, we'd be reading about it. And the silence is deafening.

And it's because if the State Department can say to the regime in Tehran, we didn't

take them off the list, that court made us do it, that they hope the regime will say, oh, it's okay, now we'll talk to you.

I just find that completely irresponsible. I'm perfectly content to say that if there are facts to justify a listing on the FTO list, list the organization. If the organization is on a list for political purposes, or it's taken off for political purposes, that's wrong. I don't personally know any reason why the MEK should be listed and I'll guarantee you neither does the State Department or it would have presented the evidence to the court.

So the issue here turns not just on this abuse of our legal process, not just on the humanitarian tragedy that we see unfolding in Ashraf, but on our country's ability to deal effectively with the growing threat of the ayatollahs in control of the world's most dangerous weapon. And every day that goes by that we take our eye off that eventuality is a day that makes the world much less safe.

It is time, if the State Department won't act, then the court should act. I think it will. And I think hopefully in a few months we'll be back here having a very different kind of conversation. Thank you very much.

JOHN CASSIDY TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. TIPTON. Mr. Speaker, I rise today in honor of John Cassidy of Montrose, Colorado, who is celebrating his 30th anniversary as a volunteer for the Civil Air Patrol.

A man of wide-ranging experience and talents, John Cassidy served in the U.S. Navy before obtaining his bachelor's and master's degrees, and becoming a highly respected Montrose High School teacher. John was active in Habitat for Humanity where he helped with numerous projects, including his students in many home renovations.

As an aircraft owner, John looked for an additional way to serve the community, finding it when he joined the Civil Air Patrol (CAP). He is a superb mountain search and rescue pilot, flying countless missions searching for lost hikers, hunters, snowmobilers, and crashed aircraft.

During the course of his 30 years with the Civil Air Patrol, John has held every leadership position in the Montrose squadron, and is a role model for the hundreds of cadets who have known him. Many of those cadets have gone on to successful careers in law enforcement, the military (including USAFA, USMA and USNA), teaching, engineering, technical and medical fields.

Mr. Speaker, it is an honor to recognize not just John's 30 years as a volunteer for the Civil Air Patrol, but all of the ways that John Cassidy has added to the quality of life for those who live and work in Montrose County.

TRIBUTE TO ED LEIGH McMILLAN

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. BONNER. Mr. Speaker, I rise to pay tribute to Mr. Ed Leigh McMillan II, of Brewton,

a distinguished and much beloved South Alabama businessman who recently passed away at the age of 71.

A native of Brewton, Ed Leigh graduated from T.R. Miller High School before earning college degrees in forest management from North Carolina State University and in finance from the University of Alabama.

After college, he returned to Brewton to assume the position of first forester of the T.R. Miller Mill Company, a role that helped to launch his lifelong extensive forestry career.

He served as past president and past director of Cedar Creek Land & Timber Inc. in Brewton, which owns timberland in South Alabama; and as past corporate secretary and director of the T.R. Miller Mill Company overseeing their timberland in South Alabama and Florida. Additionally, he held the position of president of Neal Land & Timber Company Inc. in Blountstown, Florida, and served on the Board of Directors.

His vast business experience was not limited to timber, however. He was also general partner of McMillan, Ltd., of Brewton, which has holdings in oil and gas interests as well as timber in Alabama, Florida, Louisiana and Mississippi. Another role he enjoyed was that of owner of Double "M" Farms of Brewton, where he raised commercial cross-bred cows and calves.

Throughout his life, being a good steward of the land was always of utmost importance. Ed Leigh generously supported the Alabama Wildlife Association, the Nature Conservancy, and the Boy Scouts of America, among others, and received many honors and recognitions for his contributions.

In 1981, Mr. McMillan received the W. Kelly Mosley Environmental Award for Achievements in Forestry, Wildlife and Related Resources. He was also recognized as an American Tree Farmer, and was honored by the Forest Landowner's Association as Forest Landowner of the Year in 2010. A year later, he was spotlighted by his alma mater, North Carolina State University, as the 2011 Distinguished Alumnus by the College of Natural Resources.

Managing trustee of the D.W. McMillan Trust and the D.W. McMillan Foundation in Brewton, he was instrumental in building and strengthening the community through his stewardship. The Brewton Library, the D.W. McMillan Memorial Hospital, the Brewton YMCA, Jefferson Davis Community College and countless individuals have been the recipients of the charitable generosity under his leadership. Fittingly, he was honored by the Brewton Chamber of Commerce as the 1983 Man of the Year.

On behalf of the people of South Alabama, I offer condolences to his wife, Elizabeth Ann; their two sons, Ed Leigh McMillan III, and Daniel W. McMillan; his step-daughter, Christina Johnson; and their ten grandchildren; six great-grandchildren and entire family. You are all in our thoughts and prayers.

COMMEMORATING THE PASSING
OF SERGEANT MAXWELL DORLEY

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. LANGEVIN. Mr. Speaker, I was terribly saddened by the recent passing of a Rhode Island resident and a dedicated, 15-year veteran of the Providence Police Department, Sergeant Maxwell Dorley. I join his family, his colleagues and the people of Rhode Island in mourning this great loss.

Though he was always mindful of the dangers of his profession, Sergeant Dorley lived to serve and protect his family and his community. He emigrated from Liberia to the United States as a child. Throughout his life, he regularly gave back to his native country by donating supplies, law enforcement uniforms, and equipment to improve Liberian public safety and wellbeing. As a law enforcement officer and a beloved member of the Rhode Island community, Sergeant Dorley epitomized a dedicated public servant. One of my own staff members was fortunate enough to serve with Sergeant Dorley and has spoken with great admiration and affection of his kind, generous and courageous spirit.

On Thursday, April 19th, Sergeant Dorley died tragically in the line of duty. While responding to a call to assist fellow officers, he tried to avoid a car that had turned in front of him, resulting in his cruiser crashing into a pole. I share the shock and sadness of the Providence Police Department and so many Rhode Islanders with his untimely passing. Sergeant Dorley is survived by his wife, Lou, a daughter, Amanda, and son, Robert. I offer them my deepest condolences at this time of tremendous loss, and I hope they will take great comfort in knowing how fondly Max will be remembered by those whose lives he touched.

WARREN COALITION'S FIRST
ANNUAL CELEBRATE KIDS DAY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. WOLF. Mr. Speaker, I rise today to recognize the awardees of the Warren Coalition's Youth Hero medal: James Brogan, Austin Farley, Logan Putman, Chayanne Villalobos, Adrianna Nesbitt and Kaylee Williams. These awardees will be honored at the Warren Coalition's first annual Celebrate Kids Day on April 28.

The Warren Coalition is a drug, alcohol and violence prevention agency supporting the youth of Warren County, Virginia. The theme for the event is "We Can Be Drug-Free" and will highlight all the wonderful things that young people do in our community.

I want to congratulate these award winners who selflessly serve their community without seeking recognition, and often overcome disabilities or difficult odds. I sincerely appreciate their hard work and service to Warren County.

I commend these students for their strong commitment to staying healthy and building a better, safer community.

HONORING FORTUNE MAGAZINE'S
FORTUNE 500 LIST AND EFFORTS
TO HELP MILITARY HEROES
LEAD IN THE BUSINESS SECTOR

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mrs. MALONEY. Mr. Speaker, I rise today to commend Fortune, the venerable and leading business magazine, as it plans to release its 58th Fortune 500, the definitive list of the country's largest public corporations, on Monday May 7. The companies on the very prestigious Fortune 500 list are putting America to work with a collective 17 million U.S. jobs and are a major force in driving economic growth in this country; their combined revenues exceeded \$11.7 trillion last year.

To mark the release of this list, Fortune magazine is convening Fortune 500 CEOs and military leaders, including former Chairman of the Joint Chiefs of Staff Admiral Mike Mullen, on Fortune 500 Day, for a forum at the New York Stock Exchange to put a spotlight on one of this nation's greatest resources: our military veterans. As Fortune reported in a recent cover story, U.S. companies are quickly realizing the value of hiring talented veterans with their special set of leadership skills, and the goal of the event is to bolster this positive trend in corporate America.

Mr. Speaker, I am proud and honored that Fortune, a New York-based institution, headquartered in my congressional district, is continuing to set the gold standard for American business with the release of its Fortune 500 list, and is turning this high-profile platform into an opportunity to help our military heroes become the next generation of American business leaders.

A TRIBUTE TO THE LIFE OF
JAMES WESLEY ANDREAS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. COSTA. Mr. Speaker, I rise today to honor the life of Mr. James Wesley "Jim" Andreas, who passed away on April 21, 2012 at the age of eighty. Jim was a farmer, a community leader and a veteran, who lived an exemplary life. Most importantly, Jim will be remembered for being a loving family man and loyal friend.

Born into a proud farming family, Jim was born on December 28, 1931 at the Andreas home just outside of Delano, California. A son of John David "Dave" and Emma Andreas, he grew up working on the family farm diligently along with his siblings—Frank, John, Mary, Virginia, and Roger. Jim demonstrated his leadership, athletic and scholastic abilities throughout his school years, participating in

Key Club, Band, Tennis and 4-H Club, where he was selected as a County All-Star. He graduated from Delano High School in 1949 and was voted as "the Brains" senior superlative.

While studying at Stanford University, the family home was destroyed during a fire and Jim returned to Delano to help rebuild the ranch. Upon the completion of the J.D. Andreas and Sons ranch base of operations, Jim finished his studies at University of California, Davis, earning a Bachelor of Science degree in Agricultural Economics with honors in 1954. Following graduation, Jim enlisted in the United States Navy, earning a commission in the Naval Reserve as an Ensign and trained to be a skilled and decorated naval pilot. On April 28, 1962 and during his time of service to our country, Jim married Jill Marie Taggart. After completing his active duty service, Jim and Jill returned to Delano to the family business in agriculture.

Jim worked alongside his father and brothers at the J.D. Andreas and Sons farming operation. Under his management, the business grew from 300 acres to 2,000 acres of field crops and grape vineyards. Through his role at J.D. Andreas and Sons, Jim was a true leader in California agriculture, serving 33 years as a member of the California Dry Bean Advisory Board and as chairman for six years. He was also a Director of the Cal-Bean and Grain Cooperative, Inc. and the Raisin Bargaining Association, where his expertise and knowledge were recognized both domestically and internationally.

Jim also immersed himself in our community and was active in a number of organizations. He served on the Delano Joint Union High School Board of Trustees, the Delano High Ag Advisory Group and volunteered as 4-H Club leader for over 15 years. Jim was a devoted member and past president of the Kiwanis Club of Delano, where he was a supporter of the Key Club and started the Builders' Club for 7th and 8th grade students at Cecil Avenue Junior High. Jim also served as Secretary of Our Saviour Lutheran Church and Director of the Valley Production Credit Association. He was honored as Delano's Man of the Year in 1987, received the UC Davis Award of Distinction in 1995 for his service to California Agriculture, and was selected as the Grand Marshal of the 2003 Delano Harvest Holidays Festival.

Jim's legacy will live on through his service to our nation, his work in our Valley, and through his children, LCDR Mark J. Andreas, USN Ret and Dr. Jennifer Andreas, and his four grandchildren, Mark J. Andreas, Jr., Austin Williamson, John W. Andreas, and Ashley Williamson. Perhaps what was most telling of Jim's character was the importance he placed on family and friendship. Jim leaves his many family members with many warm and cherished memories.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the life of James Wesley Andreas, an honorable and respected man with an unwavering commitment to his loving family and our nation.

HONORING THE LIFE OF LIEUTENANT COMMANDER BILLIE DIXON, U.S. NAVY (RETIRED)

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. MARCHANT. Mr. Speaker, it is with great pride that I recognize Lieutenant Commander Billy Dixon, U.S. Navy (Retired), for his long life of public service. LCDR Dixon proudly served his country for 26 years as a Navy pilot, and later worked 30 years for the Federal Aviation Administration, FAA.

LCDR Dixon was the epitome of a patriot, selflessly serving his country for over two decades as a fighter pilot and dive bomber. He fought in World War II, Korea and Vietnam, and later flew thousands of hours during the Cold War. In addition to his hours spent flying in combat, LCDR Dixon flew as a test pilot, global transport pilot and an instructor and inspector pilot in large jet aircraft.

After retiring from the Navy, LCDR Dixon began working for the Federal Aviation Administration. His 30 year tenure at the FAA included working as a check pilot where he participated in the certification of thousands of civilian and military pilots and flight engineers.

When LCDR Dixon's life-long career as a pilot finally came to a close, he would leave having flown over 19,000 hours in 26 different aircraft. With his passing on March 30, 2012, the Coppell community loses an incredible man who, throughout his life, worked tirelessly to better his country. I cannot thank LCDR Dixon enough.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in honoring the life of Lieutenant Commander Billie Dixon, U.S. Navy (Retired). We must always remember those who devoted their lives to protecting our freedom. Old pilots never die, they just fly away.

TRIBUTE TO ANGELA PIERCE

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. TURNER of Ohio. Mr. Speaker, I ask my colleagues to join me paying tribute to the courageous actions of Ms. Angela from my hometown of Dayton, Ohio.

On the night of December 11, 2010, Jonathan Seiter, a police officer, stopped a male motorist and was attempting to pat him down on the highway shoulder. The man resisted, and during the intense scuffle that followed, he attempted to remove Officer Seiter's weapon from its holster. At one point, he pinned the officer against the trunk of his car.

Angela was a passenger in a vehicle that drove upon the scene. Seeing the assault, she left the vehicle and ran to where the two men were struggling. Over the course of several seconds, she repeatedly struck the attacker over the head, giving Officer Seiter the opportunity to gain control of him. Another officer

then arrived on the scene and took the assailant to the pavement and secured him.

For her actions, Angela Pierce was awarded the Carnegie Medal by the Carnegie Hero Fund Commission, given to those who put their own life at risk while saving, or attempting to save, the lives of others.

Mr. Speaker, this young woman put herself in harm's way to come to the aid of another, and without her quick response, this story could have easily had a tragic ending. I ask my colleagues to join me in congratulating Angela Pierce on receiving this prestigious award.

A TRIBUTE TO THE WALTER D. PALMER LEADERSHIP PREPARATORY ACADEMY CLASS OF 2013

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor the Walter D. Palmer Leadership Preparatory Academy Foundations of Leadership Class of 2013.

These young men and women are completing a rigorous curriculum that ensures the highest level of student performance while fostering lifelong learning and growth. In addition to their academic curriculum, these students also mentor elementary and middle school students and participate in several peer activities. This unique combination of academics and community service puts them in a great position to not only be productive members of the Philadelphia community, but also be community leaders.

On behalf of the first district, I would like to congratulate these young adults for their academic and civic progress, and anxiously await the contributions these young Philadelphians will make to our city and country in the future.

TRIBUTE TO ED VULEVICH, FORMER FEDERAL PROSECUTOR

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. BONNER. Mr. Speaker, I rise to pay tribute to a dedicated public servant and good friend to many in the Alabama legal community, former Mobile federal prosecutor Edward J. Vulevich, Jr., who recently passed away at the age of 78.

A native of South Alabama, Ed Vulevich spent four decades guiding—and, at one time leading—the U.S. Attorney's office in Mobile. Throughout, he was a trusted advocate for justice and a steady force in the U.S. Attorney's office.

A graduate of McGill Institute, Ed Vulevich earned his undergraduate and law degrees from the University of Alabama. After law school, he joined the Air Force where he served in the Judge Advocate General's Corps in Japan during the late 1950s.

After serving his country, Ed Vulevich returned to Mobile to clerk for U.S. District Judge Daniel Thomas before joining the Tonsmeire, McFadden law firm. In 1969, he left private practice to become a federal prosecutor in the Mobile U.S. Attorney's office.

At the Mobile office, Ed Vulevich served as Chief of the Civil Division for 25 years and held the post of First Assistant U.S. Attorney. From 1993 to 1995, he rose to the position of interim U.S. Attorney in Mobile during the transition between the administrations of President George H.W. Bush and President Bill Clinton.

According to the Mobile Press-Register, Ed Vulevich was among the first group of federal prosecutors in the late 1960s who held career posts that carried over from one presidential administration to the next.

He was an able administrator helping guide the U.S. Attorney's office during his four decades of service. Over the same period, the office saw growth in the number of prosecutors from less than ten to more than 50 and witnessed a marked caseload increase.

A devoted legal scholar and defender of the people, Ed Vulevich was well-liked and respected by his colleagues and many others in the legal profession. He retired from federal service in 2006.

Mr. Speaker, on behalf of the people of South Alabama, I join this House in extending heartfelt condolences to Ed's wife of forty years, Diane; their daughters, Erin and Jan; their son, Edward; their three grandchildren; as well as his sisters Ann, Jane and Helen. You are all in our thoughts and prayers.

**LRA, BOKO HARAM, AL-SHABAAB,
AQIM AND OTHER SOURCES OF
INSTABILITY IN AFRICA**

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. SMITH of New Jersey. Mr. Speaker, conflict in Africa had been winding down in recent years, except in Libya, Mali, Somalia, Sudan and the Democratic Republic of the Congo. These conflicts, as well as simmering tensions and sporadic violence in countries like Algeria and Nigeria, offered opportunities for al-Qaeda, still the world's leading organizer of global terrorist attacks. This jihadist organization has repeatedly found allies involved in what started out as local quarrels and is attempting to internationalize them.

Africa, like the rest of the developing world, has been a successful recruiting area for al-Qaeda. The so-called "underwear bomber," Umar Farouk Abdulmutallab of Nigeria, was recruited by al-Qaeda in the Arabian Peninsula (AQAP) to detonate a bomb on a Northwest Airlines flight as it approached Detroit on December 25, 2009. In its effort to become the leading al-Qaeda affiliate, AQAP has aligned itself with Islamic extremists beyond its native Yemen. Across the Gulf of Aden, the longstanding chaos in Somalia created a likely ally in al-Shabaab.

This designated Foreign Terrorist Organization was created by young Islamic jihadists who sought to establish a "Greater Somalia"

under sharia law as a reaction to a transitional government run by former warlords, who to this day are believed to be engaged in corrupt activity. Despite its alliance with al-Qaeda, al-Shabaab still appears to be focused more on attacking the Transitional Federal Government, African Union peacekeepers and Somali citizens than foreigners not in their country.

Could that change? Of course it could. Some of the many young Somalis who left the United States to fight for what they believed was the sovereignty of their homeland are returning to this country, and one must wonder to what extent they have adopted a jihadist mentality. They could be merely disillusioned young men returning from an idealistic adventure, or they could be sleepers ready and willing to strike inside our homeland at some future point.

Boko Haram in Nigeria has gained significant attention recently for its well-publicized attacks on Christians. There was the Christmas Eve 2010 bombing in Jos; the February 15, 2011, shootings at a church in Maiduguri, and the April 8, 2012, suicide car bombing at a church in Kaduna. However, to say that Boko Haram is strictly an anti-Christian terrorist organization would be to mischaracterize this violent movement.

Boko Haram objects to moderate Muslims, as embodied for them by the Sultan of Sokoto. The Sultan's religious authority over Nigeria's Muslims was established by the British during colonialism, and he is now seen as a tool of the central government in Nigeria and by extension America and the West—both of which would be considered as being under Christian control. Boko Haram has killed Muslim leaders it considers insufficiently fundamentalist and still seems focused on opposing and embarrassing before the world a central government it considers to be worldly and neglectful of development in northern Nigeria. There are credible reports that Boko Haram is training with al-Qaeda in the Maghreb (AQIM) in northern Mali along with Tuareg rebel groups that have taken over that region.

Could they pose a threat to the American homeland? Perhaps at some future date.

AQIM itself is a homegrown African terrorist organization. This Foreign Terrorist Organization was established as the Salafist Group for Preaching and Combat in 1998 when other Islamic extremists laid down their arms in their fight against the Government of Algeria. That fight stemmed from the 1992 nullification by the Algerian government of a second series of parliamentary elections that appeared to be poised to empower the Islamic Salvation Front political alliance. Since then, the group declared allegiance to al-Qaeda and in 2006 became Al-Qaeda in the Maghreb.

This group has repeatedly declared its intention to attack Algerian, Spanish, French and American targets. It has taken advantage of the revolt in Libya and the unrest in northern Mali to expand its affiliations among African internally-focused terrorists. As an active al-Qaeda affiliate, it definitely has international aims beyond its original Algeria targets. The Tuareg groups now concentrating on declaring a homeland in northern Mali (and perhaps other parts of the Sahel) and Boko Haram certainly offer allies who may provide recruits for more global attacks.

As for the Lord's Resistance Army, it is an outlier in this group of terrorist organizations. The LRA emerged in northern Uganda in 1987, the year after Yoweri Museveni, a rebel leader from southern Uganda, seized power and ended nearly a decade of rule by north-erners. Following Museveni's victory, Alice Lakwena, a spiritual leader from the northern Acholi tribe, emerged as a key figure among northern rebel factions seeking to overthrow the government. Lakwena's Holy Spirit Movement was defeated by the Ugandan military in 1987, and Lakwena fled to Kenya. Joseph Kony, a reported relative of Lakwena, emerged and laid claim to Lakwena's legacy with the LRA.

Kony's LRA began to target civilians in northern Uganda and sought support and protection from the Government of Sudan. This Ugandan member of the State Department's Terrorist Exclusion List killed more than 2,400 people and kidnapped more than 3,400 others between 2008 and 2011 alone. This has included people from not only Uganda, but also South Sudan, the Democratic Republic of Congo and the Central African Republic. However, the LRA is not known to be affiliated with any element of al-Qaeda, and their cross-border terrorist activities are more a function of being chased by regional militaries, and now a U.S. advisory group, than any effort to take over territory.

Whatever their motivations, these terrorist organizations pose a great challenge to governance, peace and security in Africa. We must be concerned about the possibility of future attacks on U.S. citizens and interests abroad and even the U.S. homeland. However, to end the threat these terrorist groups pose, we must understand their origins and determine what can be done to reduce their base of support in their home countries. In doing so, we not only help add to the stability of those countries, but also minimize the large threat to peace and security globally.

**TRIBUTE TO BRONX COMMUNITY
COLLEGE'S 34TH ANNIVERSARY
HALL OF FAME RACE**

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. SERRANO. Mr. Speaker, I rise to pay tribute to Bronx Community College, which will hold its 34th Anniversary Hall of Fame 10K-5K Run & 2 Mile Fitness Walk on Saturday, May 5, 2012.

The Hall of Fame Race was founded in 1978 by Bronx Community College's third President, Dr. Roscoe C. Brown, Jr., who was recently given the Congressional Medal of Honor as one of the famed Tuskegee Airmen. This important tradition continues under the leadership of Dr. Carole M. Berotte Joseph, the new President of Bronx Community College. The race's mission is to promote physical well-being and higher education, as well as highlight the Hall of Fame for Great Americans, a national institution on the BCC campus that is dedicated to those who have helped to make America great.

I have had the pleasure of running this race many times before, and I can attest to the excitement it generates throughout the Bronx. It is truly wonderful to see several hundred people run along the Grand Concourse, University Avenue, and West 181st Street. There is no better way to see our Bronx community and to underscore the importance of fitness.

The Annual Hall of Fame Race has three components: a 10K run, a 5K run, and a 2 Mile Fitness Walk. The 2 Mile Fitness Walk is dedicated to Professor Michael Steuerman, a committed and loyal faculty member at Bronx Community College for more than 30 years who passed away in 2006. This event also recognizes the contributions of David Hernandez, who was an avid runner and served Bronx Community College's grants officer.

Mr. Speaker, I ask my colleagues to join me in recognizing the individuals and participants who are making the Bronx Community College's 34th Annual Hall of Fame 10K-5K Run & 2 Mile Fitness Walk possible.

JUSTICE IS SERVED

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. WOLF. Mr. Speaker, I rise today to mark a historic occurrence—the first conviction of a head of state in an international war crimes court since World War II. Of course Adolph Hitler, convicted at the Nuremberg Trials, had committed suicide prior to the verdict.

Charles Taylor organized and ordered armed attacks throughout Sierra Leone to terrorize the civilian population and ultimately punish them for failing to provide sufficient support to the Revolutionary United Front (RUF), or for supporting the legitimate government. The attacks were brutal in nature and routinely included unlawful killings, abductions, forced labor, physical and sexual violence, the use of child soldiers, looting and Taylor's trademark—mass amputations.

I visited Sierra Leone in 1999 with my good friend, former Member of Congress Tony Hall. I heard the tales of horror with my own ears and witnessed with my own eyes the nightmare Taylor left in his wake. Taylor's interest in promoting and supporting the RUF insurgency was driven by greed—specifically Sierra Leone's vast diamond resources. Victims told us that when the RUF would arrive in a village, they would ask their victims if they wanted "a long sleeve" or "a short sleeve" and amputate accordingly.

While it was years in the making, this week's historic verdict marks a triumph for justice. I especially want to note the dedication of Dr. Alan W. White, chief investigator responsible for putting the case together, David M. Crane, chief prosecutor at the Hague, and my former staffer Chris Santoro who served as a trial attorney in the Taylor case.

Perhaps most significantly, Taylor's conviction, in the words of an Associated Press story that I submit for the RECORD, sends a "warning to tyrants." Foremost among them is Sudanese president Omar Bashir—himself an

internationally indicted war criminal with blood on his hands. Furthermore, this verdict ought to be a wake-up call to the countries and governments that persist in hosting Bashir on official travel—they will find themselves on the wrong side of history.

CHARLES TAYLOR CONVICTION SENDS WARNING TO TYRANTS

(By Mike Corder)

LEIDSCHENDAM, Netherlands.—Former Liberian President Charles Taylor became the first head of state since World War II to be convicted by an international war crimes court, a historic verdict that sends a message that tyrants worldwide will be tracked down and brought to justice.

The warlord-turned-president was found guilty on Thursday of 11 counts of war crimes and crimes against humanity for arming Sierra Leone rebels in exchange for "blood diamonds" mined by slave laborers and smuggled across the border.

Judges at the Special Court for Sierra Leone said Taylor played a crucial role in allowing the rebels to continue a bloody rampage during that West African nation's 11-year civil war, which ended in 2002 with more than 50,000 dead. Ten years after the war ended, Sierra Leone is still struggling to rebuild.

The rebels gained international notoriety for hacking off the limbs of their victims and carving their groups' initials into opponents and even children they kidnapped, drugged and turned into killers. The rebels developed gruesome terms for the mutilations that became their chilling trademark: They would offer their victims the choice of "long sleeves" or "short sleeves"—having their hands hacked off or their arms sliced off above the elbow.

The 64-year-old Taylor will be sentenced next month after a separate hearing.

The court has no death penalty and no life sentence. Judges have given eight other rebels as much as 52 years in prison.

The verdict was hailed by prosecutors, victims and rights activists as a watershed moment in efforts to end impunity for leaders responsible for atrocities.

The ruling "permanently locks in and solidifies the idea that heads of state are now accountable for what they do to their own people," said David Crane, the former prosecutor who indicted Taylor in 2003 and is now a professor of international law at Syracuse University. "This is a bell that has been rung and clearly rings throughout the world. If you are a head of state and you are killing your own people, you could be next."

U.N. Secretary General Ban Ki-moon hailed the judgment as "a significant milestone for international criminal justice" that "sends a strong signal to all leaders that they are and will be held accountable for their actions," said U.N. deputy spokesman Eduardo del Buey.

U.S. State Department spokeswoman Victoria Nuland said Taylor's prosecution "delivers a strong message to all perpetrators of atrocities, including those in the highest positions of power, that they will be held accountable."

Despite optimism over the verdict, international efforts to prosecute leaders have been spotty at best. Slobodan Milosevic died in his cell before a verdict could be reached on charges of fomenting the Balkan wars. Moammar Gadhafi was killed by rebels last year before he could be turned over for trial. Sudanese President Omar al-Bashir is openly defying attempts to arrest him on international genocide charges.

In one success story, prosecutors at the U.N.'s Yugoslav war crimes tribunal are close to wrapping up their case against former Bosnian Serb leader Radovan Karadzic although it took more than a decade to have him arrested.

The global implications meant little to survivors of the war in Sierra Leone who celebrated Taylor's conviction.

"I am happy that the truth has come out . . . that Charles Taylor is fully and solely responsible for the crimes committed against the people of Sierra Leone," said Jusu Jarka, who had both his arms hacked off by rebels in 1999 and who now runs a support group for fellow amputees.

Crowds that gathered to watch the verdict live on television in the Sierra Leone capital, Freetown, sighed with relief when the conviction was announced. Some carried posters that exposed still-simmering anger. "Shame on you Charles Taylor. Give us your diamonds before going to prison," one read.

Prosecuting Taylor proved how hard it is to bring leaders to justice. He fled into exile in Nigeria after being indicted in 2003 and wasn't arrested for three years. And while the Sierra Leone court is based in that country's capital, Taylor's trial was staged in the Netherlands for fear it could destabilize the region.

There was no clear paper trail linking Taylor to rebels, and the three-judge panel wound up convicting him of aiding and abetting the fighters. He was cleared of direct command responsibility over the rebels.

In their verdict, reached after 13 months of deliberations, the judges said Taylor regularly received diamonds from rebels. But they made no mention of the most famous witness to testify about the gems—supermodel Naomi Campbell, who recalled being given a bag of "very small, dirty-looking stones" at a 1997 dinner at Nelson Mandela's official mansion in South Africa.

Taylor attended the dinner, and prosecutors had hoped Campbell would testify that he gave her the diamonds. But Campbell did not, and Taylor's lawyer, Courtenay Griffiths, dismissed the testimony on Thursday as "a large, fat zero."

Taylor, impeccably dressed as usual in suit and tie, said nothing in court and showed no emotion as the verdict was read.

There was emotion enough during the five-year trial as 91 prosecution witnesses outlined the horrors of Sierra Leone's war, many of them describing murders, mutilations, torture and acts of cannibalism by rebels and the children they turned into merciless killers.

Taylor insisted he was an innocent victim of neocolonialism and a political process aimed at preventing him from returning to power in Liberia. In seven months of testimony in his own defense, he cast himself as a peacemaker and statesman in West Africa.

Crane—a vocal supporter of efforts to hold leaders accountable—concedes that while war crimes tribunals are independent, they are hard to separate from geopolitical realities.

Syrian President Bashar Assad's regime is widely accused of atrocities as it battles to put down a popular revolt, and yet the prospect that he or any of his generals will be indicted anytime soon appears remote. Syria does not recognize the International Criminal Court, meaning prosecutors there cannot intervene unless the U.N. Security Council asks them to. Russia and China would likely veto any such move.

The ICC has indicted al-Bashir for genocide in Darfur, Sudan, but he has openly defied an

international arrest warrant by flying to friendly nations and has recently cranked up war rhetoric in his country's border dispute with South Sudan.

Most likely the next former leader to face justice will be former Ivory Coast President Laurent Gbagbo, who is jailed in The Hague on charges of attacking political opponents as he attempted to cling to power following elections last year.

Edward Songo Conteh, of Sierra Leone's Amputee and War Wounded Association, was in court Thursday to watch the verdict. His only regret was that Taylor was not immediately sentenced.

"I want to see this man behind bars for the rest of his life," said Conteh, who had one of his hands hacked off by child soldiers.

IN HONOR OF GEORGE RATHMANN

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. STARK. Mr. Speaker, I rise today to honor the memory of the father of biotechnology. On Sunday, April 22, 2012 George B. Rathmann passed away due to complications from pneumonia at the age of 84. He is survived by his wife, Joy, of 61 years, his five children, and thirteen grandchildren. Dr. Rathmann had the vision to see how biotechnology could revolutionize the practice of medicine and he brought that vision to life.

Dr. Rathmann and I were both born in Milwaukee, Wisconsin. Growing up, George was drawn to science by his older brother, who was also a chemist. He received his doctorate in physical chemistry from Princeton University and went on to work for several pharmaceutical firms before venturing into the fledgling field of biotechnology. Dr. Rathmann co-founded Amgen in 1980 working out of makeshift trailers, in Thousand Oaks, California. Today, Amgen works to discover, develop, manufacture and deliver innovative human therapeutics. Under Dr. Rathmann's leadership, Amgen was one of the first companies to realize biotechnology's promise by bringing safe, effective medicine from the lab to the manufacturing plant and, finally, to the patient.

In 1990, Dr. Rathmann retired from Amgen. He quickly became bored with sedentary life. He returned to the biotech industry the following year, when he founded Seattle based ICOS Corporation. In addition to his successful career, George was a philanthropist. He created the Rathmann Foundation, which donates to worthy causes in the health, education, arts, and environmental arenas.

I invite my colleagues to join me in remembering a man who dedicated his life to science and discovery. Dr. Rathmann was a brilliant man whose work in biotechnology revolutionized the industry, produced countless scientific breakthroughs, and saved many lives. He has rightfully earned the title of the Father of Biotechnology.

HONORING MRS. GEORGIA
MCGLORY OF COMPTON, CALI-
FORNIA ON THE OCCASION OF
HER 90TH BIRTHDAY

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Ms. RICHARDSON. Mr. Speaker, I am happy to announce that one of my constituents, Mrs. Georgia McGlory of Compton, California, celebrated her 90th birthday this past Monday, April 23. Mrs. McGlory was born in Oklahoma in 1922. She moved to California in 1956. Like so many other families during that time, including mine, Mrs. McGlory was attracted to the promise of a better life offered by the Golden State. She settled in Compton and has resided in the same home for the last 56 years.

Mrs. McGlory labored at Paramount Cleaners for many years, but her desire to further her education was unstoppable. She went back to school to learn Office Administration and enjoyed a productive career in the field. But her hard work and accomplishments did not end there. She saw the importance, and had the need, to be of service to community. So Mrs. McGlory volunteered at Compton High school, and has been an active member of Avalon Church in Compton for over 40 years.

Mr. Speaker, Mrs. McGlory has achieved all of this while raising ten wonderful children, and she shows no signs of slowing down as she moves gracefully into her nineties. Mrs. McGlory has already held several elected offices at the Friendship Club at the Dollarhide Senior Center, and is continuously working to make the Senior Center a fun and inviting place to be.

So on her 90th birthday, I say to Mrs. McGlory, my dear friend Georgia: Happy Birthday! Keep going strong for many years to come.

PENSACOLA CHRISTIAN COLLEGE
COMMUNITY HONORS RETIRING
PRESIDENT DR. ARLIN HORTON

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to recognize the exemplary career of a great leader, scholar and mentor, Pensacola Christian College's Founder and President, Dr. Arlin Horton. After 38 years of exceptional leadership at Pensacola Christian College and nearly 60 years at Pensacola Christian Academy, we celebrate Dr. Horton's retirement and reflect back on a career of distinguished accomplishments.

As the Founder of my alma mater, Pensacola Christian College, Dr. Horton created one of the finest institutions of higher learning in America—and a ministry serving God's work with leadership, responsibility and faith. After he and his wife Beka graduated from college in 1951, they came to Pensacola to start this ministry. And their success was extraordinary.

In 1954, they opened the doors to Pensacola Christian School—which began with only 35 students—and since 1970, over 2,000 students from kindergarten through twelfth grade have received an education at Pensacola Christian School. With over 93,000 Christian school principals and teachers attending clinics in Pensacola, the work President Horton and his wife began paved the way for generations of students, teachers and leaders.

Years later, Dr. Horton's influence expanded from the Christian School to a broad network of Christian radio stations all across the country. He also began publishing unique curriculums for Christian Schools, which revolutionized Christian education in America. Today, over 10,000 Christian schools and daycares use their books.

Most notably though, in 1974, Dr. Horton founded Pensacola Christian College, from which I was honored to receive my Bachelor's Degree in 1990. Beginning with only 100 students in the fall of 1974, Pensacola Christian College now recognizes over 16,600 alumni all over the world. To say that his influence was incalculable is an understatement.

So today I join Dr. Arlin and Beka Horton in celebrating a long life of dedication to education, devotion to Christ, and commitment to making a difference in the lives of others. While Dr. Horton's retirement is sad for the PCC community, we will all—PCC students and alumni alike—continue to carry his legacy with us forever. He taught us: "To God be the Glory!"—and this we will most certainly remember.

IN HONOR OF YOM HA-SHOAH

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mrs. MALONEY. Mr. Speaker, on Holocaust Remembrance Day—we remember the 6 million Jews who were brutally murdered by the Nazis and their allies.

The world stood silent while Jews were rounded up and shot, while families were taken from their homes while entire communities were "liquidated"—and Jews were transported to concentration camps or murdered.

While millions perished in the gas chambers. There was no outrage. There were no protests.

And the world stood by while one-third of the Jewish community was murdered. The numbers are almost incomprehensible. And perhaps the world stayed silent because the threat was simply unbelievable. Who could believe that civilized Germany, with its musicians and philosophers, could possibly mean to murder so many?

But now we know better—we know that when a dictator rises up—when he swears that he will destroy Israel—when he denies that the Holocaust ever took place—when he murders his own people and suppresses democracy—should not be allowed to develop the capability to murder millions of people with a single bomb.

We know that we have an obligation to stand up—we know we have an obligation to

act. We know that a nuclear Iran can blackmail the world, threaten oil supplies and carry out its threat to wipe Israel off the face of the map. If Iran develops nuclear bombs, it will have the ability to do in a matter of minutes what it took the Nazis six years to do.

The best way to ensure that there's no possibility of a new, deadlier holocaust is to make sure Iran does not develop nuclear weapons.

I support efforts in Congress and by this administration to implement strong sanctions to force Iran to give up its nuclear ambitions.

But above all, Israel has an absolute right and sole discretion to take whatever steps may be necessary to defend itself and its citizens.

A nuclear Iran is a threat to the entire world and we all have a responsibility to act.

We cannot afford to stand by in silence.

THE INTRODUCTION OF THE AUTISM UNDERSTANDING AND TRAINING IN SCHOOL METHODOLOGIES FOR EDUCATORS ACT (AUTISM EDUCATORS ACT)

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. MORAN. Mr. Speaker, I rise today to introduce the Autism Understanding and Training In School Methodologies for Educators Act (AUTISM Educators Act) of 2012. This legislation would create a demonstration program to train mainstream teachers in effective communications skills and in turn improve the learning experience for children on the autism spectrum. Autism Spectrum Disorder (ASD) is the fastest growing developmental disability in the United States.

The Centers for Disease Control and Prevention (CDC) recently announced updated statistics on the incidence of Autism Spectrum Disorder in the U.S. They are staggering. One in 88 children is diagnosed on the autism spectrum by age 8, and boys are five times more likely to have an ASD. These findings are based on 2008 data and reflect a 78 percent increase from the 2002 data. Although we are better at diagnosing ASD, the increase cannot be wholly attributed to better and earlier diagnosis.

We do not know the causes of ASD, but many in the field of research suggest environmental factors are at play.

While scientists work on the causes of and treatments for ASD, children on the spectrum deserve the best possible education. Many of these children are placed in special classes with trained special education instructors, but a number of "high functioning" children on the spectrum are enrolled in mainstream classrooms.

Unfortunately due to the rapid growth in ASD, many teachers have not had the opportunity to receive training in communicating with autistic children. Teachers want this training. And the AUTISM Educators Act will facilitate and implement qualified training programs in school settings.

There is a large demand for this legislation. I know this because the issue first came to me

from families in my district who desperately need the public education system to work better for their children's special needs. These committed parents know that communications skills are paramount in working with children on the spectrum. The AUTISM Educators Act establishes a demonstration grant to a local education agency (LEA) in partnership with a university school of education to develop and implement a program to deliver in-service training to practicing teachers.

My constituents—parents, teachers, principals and school board members—are in agreement that this is a remedy they seek. It is a small investment, but it can make an enormous improvement in educational success for our special needs children.

I am pleased that the cochair of the House Autism Caucus, MIKE DOYLE, is joining me as an original cosponsor of this bill.

I have been overwhelmed with the support of my local school community. I include their letters of support.

ARLINGTON SEPTA,
Arlington, VA, April 9, 2012.

Hon. JIM MORAN,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN MORAN: The Arlington Special Education Parent Teacher Association (Arlington SEPTA) enthusiastically supports your legislative initiative to establish a demonstration program to train classroom teachers and school staff on how to implement evidence-based practices for educating students with autism spectrum disorders.

Arlington has a highly organized community of families who actively collaborate with schools to support students with special needs. Two years ago, Arlington families established the first Special Education PTA in Virginia. The Arlington SEPTA is a county-wide Parent Teacher Association organized for the specific purpose of providing information and support to the families of children with special needs. Our organization's mission is to enhance the educational experience of children with special needs by creating a collaborative network of parents, educators, and community members. For example, we have developed a program to competitively award mini-grants of up to \$500 to classroom teachers and school staff, who use the mini-grants to purchase the materials needed to pilot enrichment activities for students with autism spectrum disorders and other disabilities.

The National Research Council's 2001 report on Educating Children with Autism concluded that teachers, paraprofessionals and others educating children with autism spectrum disorders "must be familiar with theory and research concerning best practices for children with autistic spectrum disorders, including methods of applied behavior analysis, naturalistic learning, assistive technology, socialization, communication, inclusion, adaptation of the environment, language interventions, assessment, and the effective use of data collection systems" (p. 225). Unfortunately, few teachers, paraprofessionals and related staff receive such training and the resulting knowledge gap is becoming a crisis as the number of children with autism spectrum disorders continues to rise. The Center for Disease Control and Prevention estimates that the number of children identified as having an autism spectrum disorder in the United States now is roughly 1 in 88, with boys four times more likely to have autism at an estimated rate of 1 in 54.

Congressman Moran, your legislative initiative brings hope to many families who are doing everything they can to support their children with special needs. Not only students with autism spectrum disorders, but also students with other types of disabilities, will benefit from training classroom teachers and school staff on how to implement evidence-based practices for educating students with autism spectrum disorders. Thank you for listening to the calls of this unique community and dedicating time and resources to support these special students.

Sincerely,

JOHN E. TONER,
President.

MARCH 30, 2012.

Congressman JIM MORAN,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN MORAN: On behalf of the Arlington School Board, thank you for working closely with us and with Arlington families to help address the educational needs of the growing population of students with Autism Spectrum Disorder (ASD). We truly appreciate your leadership and vision.

Students with ASD are valued members of the community and many are placed in the general education classroom. These students are uniquely skilled and can make important contributions in the future. The Arlington School Board is committed to ensuring that students on the autism spectrum are provided the services they need in the classroom and in related settings to reach their full potential.

As you know, Arlington has an especially active parent community that works side-by-side with Arlington Public School staff. Families are key partners and advocates for improving services for students with ASD. This joint initiative has the potential of enabling Arlington to become a model for the country and also of making a great difference to help students on the autism spectrum succeed in their education.

We thank you for listening to the calls from local families and community leaders, which has culminated in the legislation that you are now introducing. Providing federal grants to fund training for classroom teachers and others who work with students with ASD will help ensure that students are receiving the support they need to be successful.

Thank you for your continued commitment to students with ASD and their families. Please let us know what we can do to help you in achieving passage of this important legislation.

Sincerely,

ABBY RAPHAEL.

ARLINGTON SPECIAL EDUCATION
ADVISORY COMMITTEE,
Arlington, VA, April 5, 2012.

Hon. JIM MORAN,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN MORAN: Thank you for attending a recent meeting of the Arlington Special Education Advisory Committee (ASEAC) and presenting your legislative proposal to help improve educational outcomes for students with Autism Spectrum Disorders (ASD). The ASEAC is a parent-led advisory committee mandated by the Virginia Department of Education to advise the school board regarding the unmet needs of students with disabilities and to assist in developing plans and solutions. The ASEAC fully supports your legislative initiative,

which could make an enormous difference for a growing population of students with ASD.

Congressman Moran, your legislation comes at a critical time. Recently the Centers for Disease Control and Prevention (CDC), reported a continued rise in the numbers of students with ASD. The CDC report estimates the national incidence of ASD to now be 1 in 88 children, an increase of 23% since the previous report in 2009. In Arlington County over the same reporting period, the growth rates are even higher—with an increase of 35%. To accommodate the surge in the population of students with ASD, Arlington Public Schools (APS) has expanded autism services programs over the past two years. However, it is clear to everyone that the need is greater than current capacity.

As you know, the Individuals with Disabilities Act (IDEA), stipulates that all students should receive free, appropriate public education (FAPE) in the least restrictive environment. For many students with ASD this means being educated in the general education classroom with proper support. Teachers and paraprofessionals are critical resources for providing the structured, predictable, organized environment that all children need to learn and which is even more important for those with ASD.

Having more informed and well-trained teachers and paraprofessionals in general education settings will undoubtedly improve academic and behavioral outcomes for students with ASD. The role of paraprofessionals is especially noteworthy as they frequently are assigned to implement the strategies for educating students with ASD and often are the educators who accompany and provide the most direct support to students with ASD. Your legislation can make a crucial difference in the ability to provide training in evidence-based practices for instructing students with ASD, giving educators the specific skills needed to work effectively.

We appreciate that your legislation also recognizes the importance of family involvement in the successful education of children with ASD. A close collaboration between educators and families is the right recipe for achieving the best outcomes for students with ASD. This is made clear in the Virginia Department of Education Office of Special Education and Student Services 2010 report on Guidelines for Educating Students with Autism Spectrum Disorders, which states, that "Family members can be the most stable, influential and valuable people in a student's environment . . . The pervasive nature of ASD and difficulties generalizing from school to home and community environments make parents essential partners in the education of students with ASD." The ASEAC supports this approach wholeheartedly.

Congressman Moran, thank you for the many years you have worked in support of children with special needs and thank you now for specifically championing the needs of the growing population of students with Autism Spectrum Disorders.

Sincerely,

J. TERRIG THOMAS,
Autism Subcommittee.
M. ALEXANDRA ARRIAGA,
Autism Subcommittee,
ASEAC Co-Chair.
ALISA COWEN,
ASEAC Chair.
NADINE ASEF-SARGENT,
ASEAC Secretary.

ARLINGTON PUBLIC SCHOOLS,
Arlington, VA, April 24, 2012.

Hon. JAMES P. MORAN,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE MORAN: On behalf of Arlington Public Schools (APS), thank you for the opportunity to collaborate with you and your office to better meet the needs of students with Autism. APS remains committed to providing a challenging and engaging educational program to all students regardless of disability or learning difference. Though we have made great strides in providing high quality services to students with disabilities, as the number of students with ASD continues to grow, we welcome and embrace efforts to better meet their educational needs.

APS has experienced exponential growth in the number of students with Autism in recent years. Between December 2007 and December 2011, the number of students with Autism receiving special education services in APS increased by 70 percent, bringing over 100 new students into our schools and classrooms. A report released by the Centers for Disease Control (CDC) on March 30, 2012, echoed those increases estimating that one in 88 children in the United States had been diagnosed with Autism in 2008, up from one in 150 children in 2000. As we continue to encounter these and other national and local trends, APS continues to work diligently to plan for increased student needs at all grade levels.

While budget constraints have made this work difficult, school divisions must continue to strengthen their efforts to provide educators with the training, tools, and other resources necessary to implement research-based instructional practices that effectively challenge and engage students with Autism regardless of classroom setting. APS currently forecasts a substantial increase in student needs in the upper grades, particularly related to providing support to students with Autism in the general education setting and to providing high quality post-secondary transition services. While many educational programs to serve students with Autism already exist, current educational investments focus heavily on early intervention and require expansion. Thus the prospect of a grant for a demonstration project in Arlington is extremely welcomed.

The demonstration project you propose would allow APS to collaborate and partner with families, institutions of higher learning, and educational experts to take the next critical steps to meeting our goal of challenging and engaging all students. On behalf of APS, the Arlington School Board, and the Arlington Community, we thank you for your dedication to meeting the needs of diverse learners. Your leadership and support for this critical initiative is commendable and we are proud and honored to be a partner with you in serving the community.

Sincerely,

PATRICK K. MURPHY, ED.D.
Superintendent.

THE NORTH-SOUTH SUDAN
CONFLICT 2012

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. SMITH of New Jersey. Mr. Speaker, yesterday, I chaired a hearing of the Sub-

committee on Africa, Global Health, and Human Rights that examined the current conflict between the Republic of the Sudan and the Republic of South Sudan and the policy options for forestalling a full-blown war that are available to the United States and the rest of the international community. As we met yesterday, the two countries move ever closer to all-out war, and some strategy to avert this eventuality must be devised soon if it is not created already. Our hearing should reveal what such a strategy is or will be.

The United States is one of the guarantors of the peace process that ended the second North-South civil war in 2005, but it is not our responsibility alone to prevent what everyone believes would be disaster for two nations and their populations and likely for the welfare of their neighbors. The United Nations and the African Union certainly bear some responsibility for working to restore peace. However, no lasting peace will be likely if other interested parties fail to play a positive role in this crisis.

The Khartoum government is now talking about "the spirit of jihad" rising in the North. Jihad is often interpreted as a call for all true believers to help in the fight against one's enemy. Sudan reportedly reached out to the Arab League to initiate discussions on the current crisis, and the Arab League might be able to convince Sudan's leaders to calm down their rhetoric and help them see the negative end result of their warmongering. If Arab nations can support a workable plan to fulfill the provisions of the Comprehensive Peace Agreement, CPA, that ended the second Sudan civil war, then they will have helped a nation led by people who consider themselves Arabs to create a sustainable future with peace and security.

China imports five percent of its oil from Sudan currently, and according to the Chinese Academy of Social Sciences, that total could rise soon to 10 percent due to regional tensions in the Persian Gulf. Oil shipments from Sudan depend on both the southern supply and the northern pipelines. War between the two would have a significant impact on China's ability to continue importing Sudanese oil, and as a result, Beijing has been trying to mediate the current dispute. South Sudan President Salva Kiir Mayardit has been in Beijing this week for discussions on ending the dispute between the two countries.

But while all nations must join in the effort to end the Sudan-South Sudan conflict, the difficulty of achieving a lasting peace is evident from the long history of North-South enmity, mistrust and war. During colonial times, the northerners and southerners were treated differently, and when independence finally came in 1956, the continuing estrangement of Muslim northerners and Christian and animist southerners was established.

The first civil war that began in 1955 was the result of an Arab-led government in Khartoum that broke promises of inclusion and marginalized southerners. The massacre of northerners in the South only exacerbated the growing hatred between them. After 11 years of relative peace, the second civil war broke out in 1983 when the Sudan People's Liberation Army fought for the independence of the South. The CPA not only ended the second

civil war, it set the South on the road to independence, which was finally achieved in 2011.

Unfortunately, the peace agreement which laid out the path to a sustainable peace, was never fully implemented. The genocide in Darfur distracted the international community from fulfilling the CPA, and nearly a year after South Sudan became a nation, there is no agreed-upon border, the Abyei region remains in dispute, citizenship remains in dispute for those in border areas and there is no agreement on how oil revenues are to be divided. With all these unresolved issues, significant tensions, and even some form of conflict was inevitable, especially between antagonists with a long history of mistrust.

The animosity between leaders from both sides does not bode well for peace talks or a peace accord that will be sustainable. Both sides have taken actions that have made the situation we now face more difficult to resolve, but a false equivalency will not help us achieve a lasting peace. Whatever the international community thinks of the South's capture of the oil junction town of Heglig, no nation will allow an antagonist to use a location as a staging ground for repeated attacks without retaliation. Sudan's government has been brutally oppressing Darfur, and more recently has relentlessly attacked Southern Kordofan and Blue Nile states for months. We have held multiple hearings on the destruction in Sudan since last August. To equate months of vicious attacks that have killed or displaced thousands with the short-term occupation of a strategic town will neither placate the North into ending its cruelty against its own citizens nor shame the South into withdrawing from the staging ground for assaults against it.

I have met both Sudan President Omar Bashir and South Sudan President Kiir. I found President Bashir to be obstinate and uncaring about the destruction his armed forces have unleashed on his own citizens. President Kiir has been single-minded in pursuing independence over Sudanese unity since he assumed leadership of South Sudan in 2005. There have been numerous cease-fires and peace accords between the North and South over the years—none of them enduring. If we cannot devise a means of achieving a lasting peace, we may gain a brief halt in the fighting, but the war will inevitably resume at some point.

Our witnesses yesterday provided Congress an update on what is happening on the ground in Sudan and South Sudan and help us understand more fully the situation we now face.

HONORING THE TOWN OF DUNLAY

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. CANSECO. Mr. Speaker, I am proud to rise today to recognize and honor the extraordinary history of the town of Dunlay. Dunlay, located in West Texas, was originally established to service the Galveston, Harrisburg, and San Antonio Railroad, GH & SA RR CO, that came through Medina County in 1881. Ini-

tially named Enterprise, the town's name was changed in 1895 to Dunlay, after railroad conductor Jerry Dunlay. The town's primary purpose was to house railroad section crews who were responsible for a ten-mile stretch of track between Dunlay and Hondo.

During its heyday, Dunlay had a cotton gin, general store, lumber yard, restaurant, depot, grist mill, blacksmith shop, butcher shop, saloon, boarding house, school, and a Hermann Sons Hall. When the railroad left, many of the businesses in Dunlay dismantled and followed the railroad. The general store continued, as well as, a filling station and post office.

Today, Dunlay is still home to many families and new businesses. Dunlay's history symbolizes a special time in America and I am proud to represent this town and their great people.

HONORING DR. STEVEN K. HUMPHREY

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate Dr. Steven K. Humphrey on his upcoming retirement after serving 42 years as an educator.

Having earned his bachelor's and master's degree from Western Illinois University, Dr. Humphrey went on to receive his doctorate from Illinois State University. Over the past four decades, Dr. Humphrey has served the students of Illinois as a teacher, a building administrator, a district administrator, and as a superintendent.

In 1970, Dr. Humphrey began his career in Mt. Sterling, Illinois, at Brown County High School teaching social studies and history. Three years later, he started his administrative career as principal of Seymour High School in Payson, Illinois. For the next eleven years, Dr. Humphrey served as administrative assistant and then assistant principal of Thornridge High School in Dolton, Illinois. He became assistant superintendent of Thornton High School District 205 in 1987, where he served until 1993 when he became superintendent of Crete-Monee School District 201U. He began his current post as superintendent of DuPage High School District 88 in 2001.

Throughout his career, Dr. Humphrey has set high expectations for his students, and has championed his belief that all students can learn at high levels. He has built important partnerships between businesses and educators, and has always put students first. Of particular note, Dr. Humphrey successfully led the nine communities in District 88 to support a referendum to modernize the infrastructure and environment of District 88's Addison Trail High School and Willowbrook High School. When both high schools made the Top Schools in America list in 2008, it was a testament to his leadership. Additionally, he has served as a member of several professional and community organizations. Dr. Humphrey's service and commitment to the community has helped strengthen the Illinois school system.

Mr. Speaker and Distinguished Colleagues, please join me in honoring Dr. Humphrey for

his remarkable career and in wishing him the best of luck in all of his future endeavors.

CONGRATULATING LAKE TIRE AND AUTO ON 25 YEARS OF BUSINESS

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. WEBSTER. Mr. Speaker, I am pleased to recognize the 25th anniversary of Lake Tire and Auto, Inc. of Tavares, Florida. For a quarter of a century, the good people of Lake Tire and Auto have provided quality tire and auto service to residents across central Florida.

Owned and operated by the father and son team of Ralph and Matt Smith, Lake Tire and Auto is the oldest family-owned business in the Golden Triangle area of Lake County. The Smiths' dedication to their customers and community is evident not only in their commitment to superior vehicle service, but through their involvement in community organizations and activities, such as Kiwanis and the Tavares Chamber of Commerce.

Local small and family-owned businesses like this are the backbone of our economy, and I am pleased to congratulate Ralph and Matt Smith for their hard work and tireless efforts in serving their customers and their community. May their actions inspire others to follow in their footsteps.

RECOGNIZING HERB WEITZMAN

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the accomplishments of Mr. Herb Weitzman, a Dallas-born commercial real estate professional who has been in business for over 51 years. Mr. Weitzman is 72 years old, the owner and chief executive of the Weitzman Group and Cencor Realty Services, and he shows no signs of slowing down any time soon.

Texas is widely known for its thriving economy and deeply-rooted culture. Over the past five decades, Mr. Weitzman's contributions have added considerable value to the Texas economy, and he has helped to define the dynamic culture found in cities all across Texas.

In North Texas, Mr. Weitzman established the first locations for a number of retail chains including Kentucky Fried Chicken, Toys R Us, and T.J. Maxx. Mr. Weitzman has also brought newfound prominence and economic diversity to various shopping centers throughout Texas by bringing anchor stores like Whole Foods and Krogers, among many others. In addition to the economic benefits enjoyed by many Texans through the creation of jobs, Mr. Weitzman has helped to breathe new life into a number of Texas communities.

Mr. Speaker, Herb Weitzman is a man who understands the importance of building lasting relationships with his clients. In doing so,

those relationships have helped Mr. Weitzman launch a long and successful career in real estate, and has had such a keen insight in business that he has weathered the difficult times in the economy. Mr. Weitzman is a model of what it takes to lead a successful business, and I am pleased to recognize his accomplishments and integrity in commercial real estate.

HONORING HOWARD CHAPMAN
MORRIS

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. GRIFFITH of Virginia. Mr. Speaker, I honor Howard Chapman Morris, a devoted public servant to the people of Giles and the Greater New River Valley, who passed away on Wednesday, April 11, 2012.

A World War II Army Veteran, the first Giles County Voter Registrar, an active member of Christ Episcopal Church in Pearisburg, and a member of the American Legion Post in Narrows, the American Legion Post in Pembroke and the VFW Post in Narrows, Howard truly loved to serve.

He was active in the Giles County community serving as a member and past chairman of both the Giles County Board of Supervisors and the Giles County Republican Party. He was a proud member, volunteer, and past president of the Giles County Chamber of Commerce. He was named the Giles County Citizen of the Year in 2006. And, he served on the Agency On Aging Board, the New River Valley Airport Commission. Howard also spent time on the Board at the Fairview Home in Dublin, where the dining room was dedicated in his honor.

A man whose legacy and influence will be long remembered across the Greater New River Valley and throughout Southwest Virginia, Howard will be greatly missed. My thoughts and prayers go out to Howard's wife, Brenda; his four daughters; and all his family and friends. A husband, father, grandfather, public servant, and veteran, I am honored to pay tribute to Howard's many contributions to the community.

THE HEROISM OF JOSE DANIEL
FERRER GARCIA

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. DIAZ-BALART. Mr. Speaker, today, I call attention to the brutal, unjustifiable imprisonment of pro-democracy activist and member of the Patriotic Union of Cuba (UNPACU), Jose Daniel Ferrer Garcia, who was once again arrested on April 2, 2012 and remains in prison more than three weeks later.

Ferrer was one of the seventy-five pro-democracy activists arrested during the infamous Black Spring of 2003, when Castro's thugs brutally arrested and imprisoned those who

dared to speak out against oppression. Ferrer works closely with Cuba's well-known pro-democracy group, the Ladies in White, and has often documented the details of their arrests, beatings and other harassment to disseminate to the international community.

On April 2, at the time of the arrest, Ferrer's 14-year-old daughter, Martha Beatriz Ferrer Cantillo, reported that Ferrer and his wife, Belkis Cantillo, a Lady in White, were arrested in their home in Palmarito de Cauto in the province of Santiago de Cuba. Both Ferrer and Belkis were brutally beaten and removed from their house, and several of their personal items, including a picture of Laura Pollan, the courageous founder of the Ladies in White murdered by the regime, were taken by Castro's thugs. Their minor daughter was also beaten and threatened by Castro's thugs.

Ferrer remains confined in abhorrent conditions in the Versailles Police Unit prison used for violent criminals. His wife was able to visit him in prison for a few minutes on April 10, and she said that Ferrer was covered in insect bites and had become very thin. Earlier this week, Ferrer began a hunger strike to protest his imprisonment. He told his wife that, "they are killing me slowly."

Amnesty International once again listed Ferrer as a prisoner of conscience and called for his release, saying that he was "detained only for peacefully exercising [the] right to free speech." Prior to his arrest, Ferrer was offered the chance to go into exile and escape the regime's brutality. However, he bravely chose to stay in Cuba and continue the struggle for freedom.

Regrettably, the arrest of Ferrer is not an isolated instance, but a common tactic of the regime. These arrests are part of an increasingly brutal campaign of oppression meant to silence Cuba's growing pro-freedom movement. For example, we remember the daring protest of Andres Carrion Alvarez, the "mysterious" protester who dared to speak against the regime's oppression during the Pope's visit last month. Like Ferrer, he also languishes in prison for exercising his fundamental right to speak.

In fact, according to the Cuban Commission on Human Rights and National Reconciliation, the number of political arrests more than doubled in 2011 from those in 2010. This year, the regime is on course to make even more arrests. For the first three months in 2012, the Castro dictatorship has made 2,393 political arrests.

The days of the aging Castro dictatorship are numbered, and soon the real criminals will be held accountable for their crimes. Until then, we must call on the international community to stand with brave pro-democracy activists like Ferrer, and we must continue to recognize those who refuse to stay silent in the face of brutal oppression.

The Cuban people are demanding freedom, and many pay a high price for their courage. Here in the halls of Congress, the Cuban people are never forgotten. While Ferrer waits in a dark, humid cell covered with insect bites and growing thinner each day, he is never alone.

RECOGNIZING THE NATIONAL DAY
OF REASON

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. STARK. Mr. Speaker, I rise today to recognize Thursday, May 3, 2012 as the 2012 National Day of Reason.

The National Day of Reason celebrates the application of reason and the positive impact it has had on humanity. It is also an opportunity to reaffirm the Constitutional separation of religion and government.

On March 24, I was proud to address the tens of thousands of Americans who gathered on the Mall for the Reason Rally. These individuals came from all around the country to deliver a simple message: Reason must be the guiding principle of our democracy. In a nation of citizens from so many different backgrounds and beliefs, the only way we can solve our problems is through cultivating intelligent, moral, and ethical interactions among all people.

Our Nation faces many problems—bringing our troops home from Afghanistan, creating jobs, educating our children, and protecting our safety net from irresponsible cuts. We will solve these issues through the application of reason. We must also protect women's reproductive choices, the integrity of scientific research, and our public education system from those who would hide behind religious dogma to undermine them.

Finally, the National Day of Reason is about taking time to improve our communities. Every year, events are held on this day that demonstrate the desire of secular Americans to help their fellow citizens and our Nation as a whole. Community service events, such as food drives and blood drives, are just some of the ways that people will be working to help those in need on the Day of Reason and throughout the year.

I encourage everyone to join in observing this day and focusing upon the employment of reason, critical thinking, the scientific method, and free inquiry to improve our world and our Nation.

IN RECOGNITION OF WORKERS'
MEMORIAL DAY

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to observe April 28 as Workers' Memorial Day and to commemorate all the workers who have suffered or died from workplace injury and disease. April 28 marks a day of solidarity with workers around the world and of renewed commitment to occupational safety and health.

Since the creation of the Occupational Safety and Health Administration in 1970, the safety and rights of workers has become a high priority. Workplace fatalities have dropped by 65 percent. We have made significant

progress in protecting Americans' right to a safe and healthy workplace. However, we can and must do more to protect our workers and hold accountable employers who do not comply with safety standards and regulations. Even one death or injury is one too many.

According to the U.S. Department of Labor, 3.3 million people in the United States suffer a workplace injury each year, and 12 Americans are killed each day on the job. The direct and indirect costs of these occupational injuries in the year 2010 alone are estimated to fall between \$159 and \$318 billion. The sad truth is that these injuries and deaths are entirely preventable.

As a proud member of the Congressional Labor and Working Families Caucus, I have strongly supported legislation to protect the safety and wellbeing of American workers and their families. I was a cosponsor of the "Protecting America's Workers Act," which would increase protections for whistle-blowers, increase the penalties for certain violations, and give more rights to injured workers. I have opposed any effort to repeal, delay, or weaken the enactment of any health and safety standards.

Mr. Speaker, I urge my colleagues to join workers and union members across the country in recognizing Workers' Memorial Day and keeping in mind its slogan: "Remember the dead, fight for the living." On this day, I would like to honor those who have lost their lives simply by going to work and their families who have sacrificed so much.

TRIBUTE TO HAROLD PHILLIPS

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. RUNYAN. Mr. Speaker, I rise this evening to pay tribute to a true American hero, Harold Phillips of Moorestown, New Jersey for his courageous and dedicated service to our Nation.

In 1942, President Roosevelt established a presidential directive giving African Americans an opportunity to be recruited into the United States Marine Corps, USMC. These African Americans, from all states, were not sent to the traditional Marine Corps boot camps of Parris Island, South Carolina and San Diego, California. Instead, African American Marines were segregated—experiencing basic training at Montford Point—a facility at Camp Lejeune near Jacksonville, North Carolina. Approximately twenty thousand African American Marines received basic training at Camp Montford Point between 1942 and 1949. The Montford Point Marines fought courageously during World War II in key battles such as Iwo Jima, Okinawa and Saipan.

Harold Phillips, a lifelong Burlington County resident, joined the Marines right out of high school in 1943, and went to Montford Point for Marine Corps boot camp. Harold went on to serve as a member of the Marine Corps' first African-American combat unit, the 51st Defense Battalion. Like other African American servicemen, he served during a period of considerable racial discrimination but persevered

and his example paved the way for future generations of African Americans to serve their country honorably in the military.

I was proud to cosponsor H.R. 2447, a bill to grant the Congressional Gold Medal to the Montford Point Marines, which was signed into law November 23, 2011. For their dedicated service to our Nation, I hope Harold Phillips and the other Montford Point Marines will soon be awarded the Congressional Gold Medal, the highest civilian honor Congress can bestow.

Harold has lived a life of patriotism and service to his community, his state and his country. He is a pioneer who forged a path for future generations of African American men and women to serve their country in the Armed Services. I am proud to call Harold Phillips my constituent and I urge my colleagues to join me in thanking him for his service.

CONGRATULATING LT. COLONEL
FREDRICK L. SPAULDING FOR
WINNING THE DISTINGUISHED
SERVICE CROSS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. BURTON of Indiana. Mr. Speaker, I am honored and humbled to rise today to honor a fellow Hoosier, Lt. Colonel Fredrick L. Spaulding, who was recently awarded the Distinguished Service Cross, our Nation's second highest award for military valor, for his extraordinary heroism at the Battle of Fire Base Ripcord during the Vietnam War.

Between April and July 1970, the United States and North Vietnamese forces fought for control of Fire Support Base Ripcord in the A Shau Valley. July of that year saw the heaviest fighting for control of the base. This battle would mark the last major confrontation between U.S. ground forces and North Vietnamese forces in the war. Then-Captain Spaulding was tasked with planning and coordinating all air assets involved in the orderly withdrawal of the two U.S. Companies being besieged at the Base by elements of four North Vietnamese Army divisions.

Although our soldiers fought bravely they were significantly outnumbered by the North Vietnamese. By July 22nd, the United States' position became completely untenable; and due to heavy anti-aircraft fire from the enemy, extraction of U.S. soldiers had to be suspended. Throughout the night the U.S. troops hung on often being forced to engage in hand to hand combat to defend themselves.

On July 23rd—the last day of the battle—Captain Spaulding voluntarily left the safety of Camp Evans to provide direct aid to his besieged comrades and over the course of the day—at great personal risk—he helped safely extract the final U.S. personnel.

According to the official account, Captain Spaulding "took command of a Scout helicopter to locate, mark and direct fire from all available land and air assets against enemy positions. While taking intense fire, Captain Spaulding directly exposed himself to enemy

fire while marking enemy positions with smoke grenades. . . . Once the grenades were exhausted Captain Spaulding fired his sidearm at the enemy until his helicopter was rendered inoperable by the mounting enemy fire. When the pilot refused to continue the mission, Captain Spaulding procured a second helicopter. The second aircraft was subsequently damaged by enemy fire, as was the third helicopter that Spaulding obtained. In a fourth helicopter, Captain Spaulding returned to the area of operations to successfully continue the evacuation of the two besieged companies by continuing to draw fire upon himself and the aircraft."

Major General Benjamin L. Harrison who was Colonel and Commanding Officer of the 3rd Brigade 101st Airborne Division at the time of the Battle of Ripcord, described Captain Spaulding as: ". . . one of the most outstanding combat officers I have observed during my two tours in Vietnam . . . his battle skill was instrumental in saving many lives that day."

Four years ago, with the support of some of Colonel Spaulding's old comrades, I petitioned the Army to recommend the Colonel for the Congressional Medal of Honor for his action during the Battle of Ripcord. Although the Army concurred that Colonel Spaulding's actions were extraordinary and worthy of suitable recognition, they declined to support the petition for the Congressional Medal of Honor. I personally believe that the Army is wrong in this instance. There is no doubt in my mind that Colonel Spaulding earned the Congressional Medal of Honor that day. Nevertheless, it is my distinct honor to congratulate Colonel Spaulding on his receiving the Distinguished Service Cross.

In addition to his military honors, Colonel Spaulding's leadership and mentoring abilities has been recognized by his peers through membership in the Army Ranger Hall of Fame, the Officer Candidate School (OCS) Hall of Fame, Distinguished Member of the Regiment (506th Airborne Infantry Regiment), and the presidency of the 82nd Airborne Division Association.

Even after his retirement from the Army, and with the unwavering support of his wife Micki, Colonel Spaulding continued to serve his community, state and country. To his community he donated his time to coach the local high school golf team, and he frequently speaks at various school and association events about the value of military service. To his beloved state of Indiana, he has shared his extensive military experience and knowledge by helping to train the men and women of the Indiana National Guard. To his country, he was instrumental in launching a new company dedicated to national defense and the training of veterans.

Colonel Spaulding's life of service, and his unselfish heroism and acts of bravery while in combat, are an inspiration to all Americans. I ask all of my colleagues to join me in recognizing this outstanding Hoosier! Thank you and congratulations, Colonel.

IN HONOR OF THOMAS L.P.
O'DONNELL OF HINGHAM, MA

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. LYNCH. Mr. Speaker, I rise today in honor of Mr. Thomas L.P. O'Donnell, in recognition of his outstanding contributions to his hometown of Hingham, MA, and to commend him for over fifty years of dedicated service to his community.

Tom is a graduate of Harvard College and Harvard Law School. He was elected First Marshall of his class and has served as an elected director of the Harvard Alumni Association as well as an Overseer of Harvard University. He currently is a retired partner at Ropes & Gray LLP in Boston, where he has practiced law since 1949.

Tom and his wife Carol moved to Hingham in 1955, just three years after they were married. Tom served as a member and chairman of the Advisory Committee and of the Board of Appeals. Mr. O'Donnell was first elected Town Moderator in 1967, and he has been re-elected every year since then. Mr. O'Donnell served in the United States Navy during World War II, and was recalled during the Korean War, attaining the rank of Lieutenant.

Tom has been active in educational, charitable, and civic affairs. He helped in the effort by the Trustees of Reservations to acquire World's End in 1967. This is perhaps the most visited place in Hingham. In 2001, both Tom and his wife, Carol, were recipients of the Alexis de Tocqueville award from the United Way of Massachusetts Bay.

Mr. Speaker, Tom is known for his quick wit, his sense of humor, his loyalty to his friends, and his unquestioned integrity. He had the good fortune to marry Carol in 1952, and they were married for 58 years. They raised four children and have been blessed with nine grandchildren and three great-grandchildren.

Mr. Speaker, it is my distinct honor to take the floor of the House today to join with Thomas L.P. O'Donnell's family, friends, and contemporaries to thank him for his remarkable service to his community of Hingham and to the United States of America.

CELEBRATING THE LIFE AND
LEGACY OF DR. LEROY T. WALKER

G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. BUTTERFIELD. Mr. Speaker, I rise to honor the life of my dear friend, American coaching legend and pioneer, Dr. LeRoy T. Walker or "Doc" as he was affectionately known. Dr. Walker's life touched countless athletes, students and loved ones worldwide before he entered into eternal rest on April 23, at the age of 93.

Born the youngest of 13 children and the grandson of slaves, Dr. Walker's inherent goodwill and tenacity catapulted him to unknown heights, breaking athletic records and

color barriers. He excelled at Benedict College as an honor student and varsity tri-athlete in football, basketball and track. Initially, Dr. Walker sought to pursue a career in medicine, but due to extremely long wait lists at medical colleges that would admit African-Americans, he chose another path instead. With his heart set on service, he went on to earn a master's in health and physical education from Columbia University and a doctorate in exercise physiology and biomechanics from New York University.

Dr. Walker knew that his education was not only for his personal betterment, but would benefit his surrounding community as well. Instead of accepting lucrative offers upon graduating, he chose to use his skills in academia in hopes of extending the same opportunities afforded to him.

He began his coaching career in 1945 as the basketball and football coach for N.C. College for Negroes—now known as North Carolina Central University (NCCU). He later founded the college's first track and field team as a way to keep his athletes in shape during the off-season.

It was during his tenure at NCCU, I had the pleasure of meeting and befriending the man with a golden heart. Upon the news of his passing, many of his former athletes expressed condolences, referring to him as the smartest individual they've ever known and always "ahead of the game."

At the Montreal games in 1976, Dr. Walker placed NCCU and Durham, North Carolina in the public eye, when he was named the first African-American U.S. Olympic track and field coach. The American team brought home 22 medals that year. In total, Dr. Walker coached and mentored 11 Olympic medalists, 30 national champions, and 100 All-Americans.

A man dedicated to both athletics and academics, he served as Vice-Chancellor and Chancellor of the NCCU. His relentless devotion to students in the classroom and on the sports fields compelled the NCCU to grant Dr. Walker the title of Chancellor Emeritus of the university.

In 1986, his dynamic leadership and knack for coaching athletes into medalists led to his induction into the U.S. Olympic Hall of Fame. He later would be named U.S. Olympic Committee President in 1996, the first African-American to hold the position. When the 1996 Olympic Games took place in his hometown of Atlanta, Dr. Walker as U.S. Olympic Committee President, proudly led the parade of 654 U.S. athletes into the stadium.

Though Dr. Walker is no longer with us in physical presence, his remarkable legacy will be a reminder of what one can achieve if they dare to dream. I hope the full breadth of his life gives his family comfort as they celebrate the legacy of Dr. LeRoy T. Walker.

A TRIBUTE TO THE LIFE OF
JUDGE ROBERT M. FALASCO

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. COSTA. Mr. Speaker, I rise today with my colleague Mr. CARDOZA to honor the life

and service of Judge Robert M. Falasco who passed away on March 30, 2012 at the age of 89. Judge Falasco was a true community treasure who served as a mentor, respected leader, and loyal friend. He touched the lives of many in the San Joaquin Valley. His legacy will live on through the numerous contributions he made to Central California, as well as his commitment to justice, fairness, and the law.

Born in 1922 to Dominic and Theresa Falasco, Judge Falasco understood the value of public service early in his life. From 1943 to 1946, he served our nation in the United States Army Air Corps. He then went on to study at Santa Clara University School of Law in California, where he graduated in 1951 and was admitted to the California State Bar in 1952. Judge Falasco was elected to the Merced County Justice Court in 1958, where he served until 1977. He was then appointed to Merced County's Municipal Court, and finally to the Merced County Superior Court in 1982. He retired in 1985.

During his distinguished career, Judge Falasco served the people of Central California admirably. He could always be relied upon to provide fair-minded and knowledgeable rulings. Through his leadership, Judge Falasco became a role model for his friends and neighbors. His compassion and concern for our community served as a testament to his extraordinary character. Judge Falasco not only fulfilled his judicial duties, he also worked for our Valley in a number of capacities. From 1955–1958, he served as a trustee for the Los Banos Elementary School District. For 15 years, Judge Falasco was director of the Merced County Fair Board. He was also a member of the Board of Fellows for Santa Clara University, and played an active role in the building of Our Lady of Fatima Catholic School and Memorial Hospital in Los Banos.

Recognizing his honesty and intelligence, as well as his incredible impact on the Valley, the Merced County courthouse in Los Banos was renamed the "Merced County Robert M. Falasco Justice Center" by the City of Los Banos in 2007.

Judge Falasco was a devout Catholic and his good works were often inspired by his faith. In 1975, Pope Paul VI made him a Knight of St. Gregory for his civic and religious contributions.

His innovative spirit was exemplified by his early support of the University of California, Merced. He cared deeply about the San Joaquin Valley and often looked for ways to improve and serve his community. Judge Falasco regarded this as one of the highest honors in his life.

Judge Falasco led an extraordinary life filled with compassion, stewardship, and a deep appreciation for the law. He is survived by his loving wife of 63 years, Yvonne; four children, Michael, Joan, Anne, and Sally; two sons-in-law; one daughter-in-law; and 11 grandchildren.

Mr. Speaker, we ask our colleagues to join us in honoring the life and outstanding service of the honorable Robert M. Falasco, a beloved leader and admired scholar.

COMMEMORATING THE LAUNCH OF U.S. NAVY SHIP "CESAR E. CHAVEZ"

CELEBRATING THE 64TH ANNIVERSARY OF ISRAEL'S REBIRTH

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to commemorate the Christening and Launch of the United States Navy Ship *Cesar E. Chavez*. May 5, 2012, will mark a historical tribute to Chavez as the United States Navy christens a new dry cargo, ammunition ship in his honor in San Diego, California.

For my colleagues who may not be familiar with the ship's namesake, let me explain who he is. Cesar Chavez has been a symbol of civil rights and fair treatment for workers both within the Latino community, and beyond. However, he was not only a labor leader; Cesar enlisted in the U.S. Navy and proudly served his country throughout the Western Pacific.

Born in the southwest town of Yuma, Arizona on March 31, 1927, Chavez was a first generation American. Like many Mexican-Americans at that time, Cesar Chavez labored in the fields of California farms where he witnessed, firsthand, the injustices and severe conditions of farm worker life. From his experiences, Chavez founded the National Farm Workers Association; which later became the United Farm Workers of America. As a policy leader and advocate; Chavez impacted many lives with his commitment and dedication to the movement. Chavez empowered an entire generation and continues to inspire millions of Americans.

Last year, I introduced House Resolution 404, which recognizes the service and sacrifice of Latino members of the Armed Forces as well as Latino veterans. I wish to remember these war heroes, including Cesar E. Chavez, and the stalwart and selfless service of all Latinos who served their country in the 70 years after the start of WWII.

Today, we celebrate and pay tribute to Cesar Chavez, a man whom Senator Robert F. Kennedy described as "one of the heroic figures of our time." Throughout this great nation; many parks, streets, schools and cultural centers have been named in his honor. In my district alone, there is Cesar Chavez Campesino Park and Cesar Chavez High School, both located in Santa Ana, California.

Though not yet a federal holiday, California is proud to be one of only eight states to recognize March 31 as Cesar Chavez Day; A day dedicated to honoring a man of vision, a man that inspired hope and change, and a man whose enduring legacy will live on long past his years. Today, I applaud the United States Navy and their decision to commemorate Cesar Chavez's contributions to this great nation in such a prolific and appropriate display of the respect and recognition he deserves.

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. HOLT. Mr. Speaker, it is with great pleasure that I rise today to congratulate our friend and ally, the State of Israel, on the 64th anniversary of her founding.

A week ago, I had the honor of attending the National Days of Remembrance ceremony in the U.S. Capitol Rotunda. As I listened to the program, I was reminded again that there was nothing pre-ordained about the rebirth of the State of Israel. When he was President, Dwight Eisenhower said, "Our forces saved the remnants of the Jewish people of Europe for a new life and a new hope in the reborn land of Israel." Even upon its founding 64 years ago Israel's survival was not assured. That is still the case today, but we must commit to a lasting State of Israel, for all that she represents and stands for.

I have seen Israeli families terrorized by rocket attacks, so I understand the daily threat they face. The political movements sweeping the region from Libya to Syria have the potential—if hijacked by extremists—to pose mortal threats to Israel's existence. I am ever mindful of Israel's precarious position, which is why I have voted for over \$35 billion in economic and military assistance for Israel during my time in Congress, and I will continue to support such measures in the future.

Ultimately, the only way to achieve lasting peace and security for the citizens of Israel is to secure a just, permanent, and peaceful settlement between Israelis and Palestinians, and their neighbors. In the past, genuine, measurable progress towards that goal has come when the United States has been most directly engaged in trying to bring the parties together. The Camp David and Oslo accords are examples. I remain convinced that real progress can be made towards peace—but our country must take the lead in bringing the two sides together. Just as our unshakeable commitment to our friendship and partnership with Israel should not be questioned by the PA, neither should the world community be allowed to doubt that our nation understands that resolving this conflict is essential to achieving peace throughout the Middle East.

On Israel's 64th anniversary, my hope remains that the future of Israel and the Middle East is one of peace, cooperation, security, and prosperity. I am pleased to join the Jewish community of New Jersey and all Americans in celebrating Israel's national successes, her great contributions to the international community, and her continued existence as an inspiration not only to Jews, but to all people.

ENSURING CHILD CARE FOR WORKING FAMILIES ACT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. McDERMOTT. Mr. Speaker, today I and my colleagues are introducing the "Ensuring

Child Care for Working Families Act of 2012." This bill creates an entitlement to the states to provide guaranteed child care assistance for children up to age 13 for low-income families with incomes up to 200 percent of the poverty level. In the context of growing poverty, declining incomes, and high unemployment, we must invest in child care.

Working families today are faced with the challenge of finding stable, high quality child care to enable them to work. This challenge is compounded for low-income working families who are severely impacted by federal and state cuts to child care assistance. These cuts have profound economic and social costs. Research is clear that child care assistance helps low-income mothers afford the reliable child care they need to get and keep a job. Child care helps children, families and communities prosper. It gives children the opportunity to learn and develop the skills they need to succeed in school and in life. It gives parents the support and peace of mind they need to be productive at work.

Yet today, only one in six children eligible for federal child care assistance receives help. Twenty-two states have waiting lists for child care assistance. Despite the importance of child care assistance, families in thirty-seven states were worse off in February 2011 than in February 2010 under one or more key child care assistance policies.

In 13 states, a family with an income above 150 percent of poverty cannot qualify for child care assistance. Yet in the majority of communities across the country, a family needs an income equal to at least 200 percent of poverty to meet its basic needs, including housing food, child care, transportation, health care, and other necessities, based on a study by the Economic Policy Institute. What we define as poverty no longer reflects what it really means to be poor in this country.

Reliable high quality child care makes the difference in the economic health and survival of families and in the educational development of children. Too many families are forced to find ways to pay for child care assistance while they struggle to put food on the table and pay their rent. Child care assistance enables us to have a stable work force, with fewer absences and more productivity. Yet, absent an increase in funding in 2013, as few as 1.4 million children might be served in 2013. This would result in the smallest number of children served since 1998.

According to the National Women's Law Center 8th annual review of key child care subsidy policies in all 50 states and the District of Columbia, families were worse off in 2011 than they were in 2010, but they are also worse off than they were a decade ago. Although the American Recovery and Reinvestment Act provided an additional \$2 billion for child care, states had used most of that money by the end of 2010 and were battling severe budget deficits.

Enacting the "Ensuring Child Care for Working Families Act of 2012" will help lessen the burden of struggling parents as it will:

Maintain state investments in child care prior to the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, including existing provisions relating to federal matching of state expenditures.

Provide federal grants to States and qualified Indian tribes and tribal organizations in amounts necessary to provide child care assistance to any family with a dependent child requiring such care in which: family income does not exceed 200 percent of the federal poverty line, and child care assistance will enable a family member to work or participate in an education or training program.

Require States and Indian tribes/tribal organizations receiving such grants to guarantee the provision of child care assistance to all families meeting the specified criteria.

Ensure that States continue to comply with the Child Care and Development Block Grant Act of 1990, including the requirement to set aside a minimum of 4 percent of funding for quality.

Direct the Secretary to promulgate regulations to implement the bill's provisions.

Provide that such amendments are effective on the first day of the first fiscal year that begins after the 12-month period beginning upon enactment.

This legislation is based on a 2007 paper presented at the Center for American Progress entitled "Next Steps for Federal Child Care Policy." Our federal child care policy must catch up to the economic and social reality of the world in which we live. The number of families falling further into poverty, but don't yet qualify for child care assistance, is increasing. This costs our society billions in lost productivity and increased spending on health care. This bill helps ensure our society will be strong and prosperous well into the 21st century.

ENSURING CHILD CARE FOR WORKING FAMILIES ACT

SECTION-BY-SECTION SUMMARY

Section 1—Short Title. The "Ensuring Child Care for Working Families Act of 2012."

Section 2—Child Care Funding. Amends Section 418 of the Social Security Act to:

Maintain state investments in child care prior to the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, including existing provisions relating to federal matching of state expenditures.

Provide federal grants to States and qualified Indian tribes and tribal organizations in amounts necessary to provide child care assistance to any family with a dependent child requiring such care in which: family income does not exceed 200 percent of the federal poverty line, and child care assistance will enable a family member to work or participate in an education or training program.

Require States and Indian tribes/tribal organizations receiving such grants to guarantee the provision of child care assistance to all families meeting the specified criteria.

Ensure that States continue to comply with the Child Care and Development Block Grant Act of 1990, including the 4 percent quality set-aside.

Direct the Secretary to promulgate regulations to implement the bill's provisions.

Provide that such amendments are effective on the first day of the first fiscal year that begins after the 12-month period beginning upon enactment.

HONORING THE LIFE AND LEGACY OF HUNTER LANE, JR.

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. COHEN. Mr. Speaker, I rise today to pay tribute to the life and legacy of Hunter Lane, Jr., a volunteer, attorney and political leader who dedicated his career to improving government and promoting civil rights. Born in Memphis, TN on July 6, 1929, Hunter attended Central High School in Memphis, where he earned outstanding recognition in academics and also as the quarterback of the football team. After high school, he attended Washington and Lee University in Lexington, VA on an academic scholarship, graduating in 1951 magna cum laude. He earned his law degree from Washington and Lee in 1953. Mr. Lane entered the U.S. Marine Corps as an Officer Candidate in 1953 and served as a legal officer in the Republic of Korea and Japan. Though released from active duty in 1955, he continued to serve with various units of the Marine Corps Reserve until he retired as Lt. Col. in 1978.

Mr. Lane's involvement with the community began when he was elected Commissioner of Public Service in 1964, a position he held for the next three years. He was a leading advocate for a progressive agenda that ultimately led to the city's conversion from the commission system to a strong mayor and city council local government model. He served on the Board of Education from 1972 to 1975, where he promoted the desegregation of public facilities. Hunter was very active with the Civil Rights Movement in Memphis and worked diligently in many behind the scenes activities with renowned civil rights attorney Lucius Burch, who represented Dr. Martin Luther King, Jr. in a successful attempt to lift an injunction against a planned march in support of the striking workers in the Memphis Sanitation Strike. He then served as Director of the Memphis Better Schools Committee from 1976 to 1979.

Hunter dedicated a great deal of time to performing volunteer work. He worked as a volunteer mentor at the Memphis City Schools for many years and mentored children at the Dream Academy for several years. He also volunteered at the Community Legal Center after his retirement, helping people who could not afford an attorney. For most of his adult life, he was a member of the Downtown Kiwanis Club, a service organization dedicated to helping the children of our community.

An avid outdoorsman, Hunter was a lifelong member of the Wolf River Society and a supporter of the Wolf River Conservancy, a non-profit group dedicated to the protection and enhancement of the Wolf River corridor and watershed as a sustainable natural resource. He was an active member of a canoe club and enjoyed canoe trips on the rivers of Arkansas and Missouri. As a member of the Grey Eagles Hiking Club, he climbed many mountains in the U.S. and Canada during his retirement. His passion for travel took him on trips with his wife, Susan, to 49 of the 50 states and to countries on five continents.

Hunter was a lifelong member of Idlewild Presbyterian Church, where he served on the Board of Elders from 1978 to 2012. He supported the University of Memphis football and basketball programs as a member of the High Hundred and the Rebounders Club.

Hunter Lane, Jr. passed away on April 22, 2012 at 82 years of age. He is survived by his loving wife, Susan; three children, Dorothy Lane McClure, James Hunter Lane III, and William Martin Lane; two stepsons, Charles Michael Bowen and Robert Kenneth Bowen; four grandchildren, and two stepgrandchildren. His was a life well lived.

A TRIBUTE TO THE SERVICE OF SENIOR MASTER SERGEANT BILL DIETZEL

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. COSTA. Mr. Speaker, I rise today with my colleague, Mr. DENHAM, to pay tribute to Senior Master Sergeant Bill Dietzel and his service to the United States and our veterans. His selfless and honorable work for our nation and its men and women in uniform make him a source of pride for our community and our country.

Bill entered the service on September 23, 1952. During his time in the United States Air Force, he was a flight engineer for B 29s and other four engine aircrafts. In 1957, he worked as a crew chief/flight engineer at the 420th Air Refueling Squadron. In September 1957, he deployed to the Sculthorpe RAF station in England, and the SAC Headquarters in Omaha, Nebraska in 1961. He served our nation proudly in the Air Force until his retirement on September 30, 1972. His loyalty and devotion to our country is remarkable and highly commendable.

A tireless advocate for all veterans, Bill has accomplished much throughout his distinguished military and civilian career. He is the publisher and managing editor of the U.S. Veterans Magazine, through which he seeks to honor all who have served. Additionally, he has been the director of the annual Fresno Veterans Day Parade for the past 11 years. The Fresno Veterans Day Parade is one of the largest in the country and is broadcast to about 2.6 million members of the U.S. Armed Forces—Active Duty, National Guard and Reserve—through the Pentagon Channel. The channel also reaches more than 18 million households through satellite and cable systems nationwide. Further demonstrating his commitment to our nation's veterans, Bill founded the "Wall of Honor" at the Veterans Affairs Central California Health Care System in Fresno, California.

A veteran, friend, mentor, and great American, Bill's longstanding dedication to service is truly a reflection of his superior moral character. He has consistently worked side by side with elected officials and Valley leaders to ensure that the needs of our veterans and their families are met. There has never been a challenge too daunting for Bill; he has always maintained a positive and confident attitude.

His contributions to Central California and our nation are truly extraordinary.

In addition to his significant work, Bill is a loving husband and father. He and his wife Marilyn have been married for 59 years. Together they have 5 children: Linda Leigh, Jeanette, Susan, Barbara Ann, Cynthia Marie, and William Keith.

Mr. Speaker, I ask my colleagues to join Mr. DENHAM and me in recognizing Senior Master Sergeant Bill Dietzel for his unwavering allegiance to our veterans and his reverence for our country. He truly exemplifies the best of what America has to offer.

TRIBUTE TO COACH LEROY
WALKER

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to honor the life and legacy of an inspirational and beloved North Carolinian, Dr. LeRoy Walker. Coach Walker, as most of us knew him, passed away on Monday at the age of 93 in Durham, the North Carolina community he made his home for six decades. He achieved many firsts during a lifetime dedicated to excellence in athletics, character-building, and service to the community.

Coach Walker was born in Atlanta in 1918. He was the youngest of 13 children and went on to become the first from his family to graduate from college, earning eleven letters in athletics and All-American honors in football at Benedict College. After earning a master's degree at Columbia University, he came to North Carolina Central University in Durham, where he would serve as track coach for 38 years.

At NCCU, Coach Walker trained All-Americans, National Champions and Olympians. In 1976, he was the first African-American to coach the United States Olympic track team, helping American athletes bring home over 20 medals. This is a remarkable record of achievement, but for Coach Walker it was not merely about athletics; what made him happiest, he said, was seeing his former athletes succeed as strong citizens in their communities.

While serving as track coach, Coach Walker worked his way through a doctoral program at New York University, becoming the first African-American to earn a Ph.D. in biomechanics. He went on to serve as NCCU's Chancellor and as the President of the National Association of Intercollegiate Athletics. According to the Associated Press, even though he'd earned other titles—Doctor and Chancellor—Coach Walker still asked people to call him “Coach.” “When you call me that, it means you're my friend,” he said.

Having touched so many lives in our state, Coach Walker went on to touch lives across the world. After retiring from NCCU, he served a distinguished term as the head of the U.S. Olympic Committee, extending through the 1996 Atlanta Olympics. He was the first African-American to fill this post. As he brought the games to the city where he was born, Coach Walker reflected that his life—from a

childhood spent in the segregated South to a professional life of great distinction—seemed like a Hollywood movie. But his was also a story that embodied the ideals of the Olympic Games—competition paired with sportsmanship, perseverance, universal respect, understanding and peace between peoples. The Committee could not have chosen a better leader.

We mourn the loss of Coach Walker, but we give thanks for the generous and exemplary life he lived. I extend the condolences of this House to Coach Walker's family, to the NC Central community and to all across the world who called him “Coach.” And I request, Mr. Speaker, that the fuller accounts of his life and work contained this week in the Raleigh News and Observer and the New York Times be included.

[From the News & Observer, Apr. 24, 2012]
FORMER NCCU CHANCELLOR, USOC HEAD
LEROY WALKER, DIES AT 93

(By Ned Barnett)

Dr. LeRoy Walker, a historic leader in the U.S. Olympic movement and a hugely accomplished coach and educator in North Carolina, died Monday in Durham, his home for more than 60 years. He was 93.

Walker was the first African-American to head the U.S. Olympic Committee and was instrumental in bringing the Olympic Games to his native Atlanta in 1996.

In his long life, he overcame poverty and discrimination to earn honors as an athlete and coach, but he also was an academic. He was the first African-American to earn a doctorate in biomechanics, and he went on to become chancellor of N.C. Central University.

“LeRoy Walker was truly a remarkable human being, a great teacher, a great leader as chancellor, and a great international figure in competitive sport, especially the Olympics,” said William Friday, president emeritus of the UNC system and a friend of Walker for 40 years. “I don't know of a man who has had a greater impact in his world than did LeRoy. He will be greatly missed.”

WALKER AS AN INSPIRATION

Walker was a member of more than a dozen halls of fame, but his admirers said his most impressive legacy may be not in what he accomplished, but in what he inspired and enabled others to achieve.

George Williams, who followed in Walker's path to become coach of the U.S. Olympic track and field team, met Walker in 1976 when he sought him out for advice. Williams had just been hired at as track coach at St. Augustine's College in Raleigh, and Walker, then coach at N.C. Central, gave him guidance on coaching and his book on biomechanics. Williams' teams went on to win 32 national titles and produced 36 Olympians.

“Every championship I won was Dr. Walker's championship,” said Williams, who learned of Walker's death while at track practice at St. Aug's. “With all the lives he touched, Dr. Walker's life will go on and on. He taught us, and we'll teach others.”

During his track coaching career at N.C. Central from 1945 to 1983, Walker coached athletes to 11 Olympic medals and coached athletes to every Olympic Games from 1956 to 1976.

Williams said Walker died in hospice care after a brief illness, but had been alert and engaged until recently, smiling regularly with Williams and others during lunches.

“It's a sad day,” Williams said. “We lost an ambassador and a great track coach. I

lost a dad and a friend. But the legend will continue.”

BUILDING CHARACTER

A product of an earlier era in sport, long before the taint of steroids and college players routinely leaving school early for the pros, Walker saw athletics not as an exclusive activity, but as part of developing a strong overall character.

At Benedict College in South Carolina, Walker earned 11 letters in athletics and All-America honors in football as a quarterback and still graduated in 1940 magna cum laude.

“It's probably shaped my attitude toward athletics and academics,” Walker told The News & Observer in 1996. “Don't tell me because you are an athlete you can't ...”

Can't wasn't a word that Walker paid much attention to, even in a time when African-Americans faced open discrimination.

“I have lived through some terrible pains of segregation,” he told The N&O, “but I never talk about them. I just tried to overcome whatever pains were there.”

Walker said at the time of his being named president of the U.S. Olympic Committee, “There are a lot of disenfranchised blacks, women and Hispanics in our country who feel they will never get their just due no matter what they accomplish. I think I serve as a model of the idea that if you constantly pursue excellence, in spite of everything you have suffered, there are enough fair-minded people out there who will eventually recognize your talents.”

ATLANTA AND HARLEM

LeRoy Tashreau Walker was born in a poor area of Atlanta as the youngest of 13 children. He grew up in Harlem after the death of his father when he was about 9 years old. He was the only one in his family to go to college. He would later earn advanced degrees, lead the Olympic movement and shape thousands of lives as an N.C. Central track coach and chancellor from 1983 to 1986.

Walker was proud of helping to bring the Olympics to Atlanta, but he also insisted that the Olympic torch be carried through Durham. When it got to N.C. Central, he carried it himself and lit a gold cauldron in front of 500 cheering people before the gymnasium that bears his name.

“I wanted to share this with you, wanted to make sure you got to witness and be part of this,” he told the crowd. “I knew you'd be as overwhelmed by this as I am.”

[From the New York Times, Apr. 24, 2012]

LEROY T. WALKER, A PIONEER OF U.S.
OLYMPICS, DIES AT 93

(By Richard Goldstein)

LeRoy T. Walker, a leading American track and field coach who was the first African-American to coach a United States men's Olympic track team and to serve as the president of the United States Olympic Committee, died Monday in Durham, N.C. He was 93.

His death was announced by North Carolina Central University, where he gained coaching renown and was later the chancellor.

When he marched into Atlanta's Olympic Stadium as U.S.O.C. president at the head of the 645-member American delegation to the 1996 Summer Games, Mr. Walker achieved a celebrated homecoming in an America far removed from his boyhood.

He was born in a segregated Atlanta, the youngest of 13 children. He was the only member of his family to attend college, receiving a bachelor's degree from a historically black college, Benedict College of Columbia, S.C. He was thwarted in his hopes of

becoming a physician because medical school spots for blacks were severely limited and his family was poor.

Nonetheless, he received a master's degree from Columbia University and a doctorate from New York University in physical education and allied fields.

As the head track and field coach at the historically black North Carolina Central in Durham, known as North Carolina College when he arrived there in 1945, Mr. Walker developed Olympic medalists and numerous national champions and all-Americans. (He was the chancellor of the college from 1983 to 1986.)

The best known of those athletes, Lee Calhoun, won gold medals in the 110-meter hurdles at the 1956 Melbourne and 1960 Rome Games, and Larry Black, Julius Sang and Robert Ouko won gold in relay events at the 1972 Munich Games.

When Mr. Walker was named the Olympic men's track and field coach in 1974, in anticipation of the 1976 Montreal Games, he looked back on an era in which black coaches received limited exposure.

"We didn't get to the major track meets and we were living in a separate world," he said. "In 1956, when Lee Calhoun won a gold medal, they thought of Calhoun as a great athlete but not necessarily of LeRoy Walker helping to produce a Calhoun."

Mr. Walker coached his 1976 American squad, featuring the hurdler Edwin Moses and the decathlete Bruce Jenner, to gold medals in six events at Montreal.

He was treasurer of the United States Olympic Committee from 1988 to 1992 and a senior executive who helped lead preparations for the 1996 Atlanta Games, with a six-figure salary, a post he gave up when he was named the unpaid president of the U.S.O.C. in October 1992.

Beyond his technical knowledge of track, Mr. Walker was respected for his insistence on discipline and his motivational skills. He was known as Doc or Dr. Walker.

"Not that other coaches didn't have Ph.D.'s, but Dr. Walker's title had become a handle over the years," Vince Matthews, the 1972 Olympic 400 meter champion, once said. "He looked more like a business executive than a track coach, with glasses and distinguished streaks of gray in his dark hair."

"I like to think of the Doc tag as something in terms of closeness," Mr. Walker said, "not something different from everybody else."

LeRoy Tashreau Walker was born on June 14, 1918, the son of a railroad firefighter. When his father died, his mother, Mary, sent him to live in Harlem with a brother who owned a window-cleaning business and restaurants, and who became his surrogate father. Returning to the South, he played football and basketball and sprinted at Benedict College, graduating in 1940. He received his master's degree from Columbia the next year.

Mr. Walker was named the football and basketball coach at North Carolina College in 1945 and developed a track team as a means of conditioning his athletes. He received a doctorate in biomechanics from N.Y.U. in 1957 while continuing to coach.

He was president of the Athletics Congress (now USA Track & Field), the national governing body, from 1984 to 1988. He advised or coached Olympic teams from Ethiopia, Kenya, Israel, Jamaica, and Trinidad and Tobago; helped organize an American-Pan African meet; and took an American track squad to China.

Mr. Walker is survived by his son, LeRoy Jr.; his daughter, Carolyn Walker Hoppe;

three grandchildren; and three great-grandchildren. His wife, Katherine, died in 1978.

Before he drew national attention, Mr. Walker often faced dispiriting times in the South, especially when he took his teams on the road. "We would go down into rural Alabama, and I'd have to drive 200 miles before I could find somebody who would serve us," he told *Ebony* magazine.

When he was named the president of the U.S.O.C., he told *The New York Times* that he marveled at the road he had taken as "a guy born in Atlanta, where segregation was rampant."

He added, "It sounds Hollywoodish, yet there it is."

BOSNIA TWENTY YEARS AFTER THE WAR BEGAN

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. HOYER. Mr. Speaker, this month marks the twentieth anniversary of the conflict in Bosnia-Herzegovina, which was launched with full force by militants under the direction of Serbian leader Slobodan Milosevic. It was as a result of this conflict that the phrase "ethnic cleansing" entered our vocabulary. Pictures from mass graves in Europe were no longer confined to history books but to the front pages of our daily newspapers.

As a Co-Chairman of the Helsinki Commission during most of that time, I participated in the efforts to document the atrocities taking place in Bosnia as well as in the efforts to develop effective policy responses. The Commission, as many of you know well, is mandated to monitor and encourage compliance with the Helsinki Final Act, and the aggression against Bosnia unquestionably constituted a significant violation of Helsinki principles. And it occurred, not during the Cold War, but when Europe was in the process of re-uniting and becoming more democratic.

Unfortunately, despite the many Members of Congress from both chambers and both parties who worked tirelessly for decisive action, for too long the international community was slow to respond. While outside intervention was ruled out, an arms embargo denied a UN member its right to self-defense. Ongoing diplomatic negotiations muted official outrage over the killing of innocent civilians. The senseless shelling of cities and sniper attacks on pedestrians were blamed not on the individuals committing those acts but on history itself and presumed ancient hatreds. Ultimately, it took the genocide in Srebrenica in July 1995 to compel action on the part of the international community and to create a consensus in this country on the need for U.S. leadership.

The twentieth anniversary of the Bosnian conflict should not, however, be remembered only with remorse. It should also be a time for renewed commitment by all of us to learn from the past. In response to the Bosnian conflict, NATO made a decision to transition from a purely defensive alliance to one that operates "out-of-area" in a peacemaking and peace-keeping capacity for the sake of international security. In response to the conflict, the inter-

national community decided for the first time since World War II to bring to justice those who committed war crimes, crimes against humanity, and genocide. In response to what happened in Bosnia, we decided to start the technically difficult and emotionally agonizing task of locating missing persons, in order to bring closure to surviving friends and family and the traumatized communities and societies in which they live.

Joined by some of my colleagues still serving in this chamber, I stood over a mass grave in Bosnia as it was being excavated in 1998, and the experience is something I will never forget.

I want to conclude by offering the Bosnian conflict as a good example of the Congressional role in foreign policy making and why we cannot ignore foreign policy responsibilities. Congress played a key role in eventually getting the policy back on track, which ultimately led to the American leadership that brought the Bosnian conflict to an end with the Dayton Agreement. We, in this chamber, give our foreign policy its democratic context and ensure that human rights, free elections, the rule of law, and other issues are key elements in how we approach foreign policy. I ask all my colleagues, regardless of party affiliation, to keep this in mind as we respond to the global challenges of today.

TAIWAN PRESIDENT MA YING-JEU'S SECOND INAUGURATION

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to congratulate Taiwan President Ma Ying-Jeu on his second inauguration, to take place on May 20, 2012.

The free and fair January election continued Taiwan's long tradition of being a strong and stable democracy. On October 10, 2011, Taiwan celebrated the 100th anniversary of its founding. In the past century, Taiwan has matured into a free market, multi-party democracy that is a model for the world. Taiwan is an important partner in maintaining peace and stability in the region, and channels of communication have been open and smooth between Washington and Taipei.

As a proud member of the Congressional Taiwan Caucus, I have had the privilege to travel to Taiwan last year as part of a bipartisan delegation. I had the pleasure of meeting President Ma Ying-Jeu and other government officials. I was strongly encouraged by their commitment to maintaining strong ties with the United States.

As a member of the Homeland Security Committee, I am also pleased to note Taiwan's nomination for inclusion in the U.S. Visa Waiver, VWP, program in December 2011. A key step towards their VWP status came when a U.S. Department of Homeland Security team recently visited Taiwan to inspect the island's anti-terrorism and immigration procedures. I continue to support Taiwan's inclusion in key international organizations, and I believe we can set a strong example at home by granting these privileges.

Mr. Speaker, I urge my colleagues to join me in congratulating President Ma on his upcoming inauguration. I look forward to maintaining the strong U.S.-Taiwan relations under his leadership.

PERSONAL EXPLANATION

HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. DAVIS of Kentucky. Mr. Speaker, on Thursday, April 26 and Friday, April 27, I was unable to vote due to a personal event.

Had I been present, I would have voted:

On rollcall No. 182—"yes"—H. Res. 631, On Ordering the Previous Question for consideration of H.R. 3523.

On rollcall No. 183—"yes"—H. Res. 631, On Agreeing to the Resolution for consideration of H.R. 3523.

On rollcall No. 184—"no"—Langevin Amendment to H.R. 3523.

On rollcall No. 185—"yes"—Rogers (MI) Amendment to H.R. 3523.

On rollcall No. 186—"yes"—Quayle Amendment to H.R. 3523.

On rollcall No. 187—"yes"—Amash Amendment to H.R. 3523.

On rollcall No. 188—"yes"—Mulvaney Amendment to H.R. 3523.

On rollcall No. 189—"yes"—Goodlatte Amendment to H.R. 3523.

On rollcall No. 190—"yes"—Mulvaney Amendment #15 to H.R. 3523.

On rollcall No. 191—"no"—Democrat Motion to Recommit on H.R. 3523.

On rollcall No. 192—"yes"—H.R. 3523, Cyber Intelligence Sharing and Protection Act.

On rollcall No. 193—"yes"—H.R. 2096, Cybersecurity Enhancement Act.

On rollcall No. 194—"no"—Motion to Recommit for H.R. 4628.

On rollcall No. 195—"yes"—H.R. 4628, Interest Rate Reduction Act.

RECOGNIZING THE IMPORTANCE OF PREVENTING MASS ATROCITIES ON THE ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. JACKSON of Illinois. Mr. Speaker, I rise today in somber recognition of the lives lost through heinous acts of violence against Armenian civilians following World War I. April 24th marked the symbolic recognition of a period in history when over 1 million Armenian people were killed.

Mr. Speaker, the atrocities committed during this period must never be forgotten. We cannot allow events such as these to be swept under the rug or we face the sad outcome of denying ourselves the ability to learn from the mistakes of our past. We must shape a brighter future for the global community. It is an absolute injustice to the Armenian people, as

well as the global community, to refer to this atrocity as anything other than what it was: genocide. And the unfortunate truth is that the Armenian people are not the only ethnic group to be subjected to such an experience.

Mr. Speaker, this week we saw Charles Taylor brought to justice for his unspeakable crimes against humanity. After nine years in the International Criminal Court Charles Taylor was found guilty on 11 counts of war crimes and crimes against humanity today, including terror, murder, and rape and conscription of child soldiers. Taylor gave soldiers of the Revolutionary United Front arms in exchange for blood diamonds, giving them means to slaughter approximately 50,000 people in Sierra Leone. Yet, again, this is not an isolated incident in history.

Mr. Speaker: In Nazi Germany and Nazi occupied Europe approximately 6 million Jewish citizens were killed during World War II. In 1975 and through 1979 over 1.5 million were slaughtered by the Khmer Rouge in Vietnam. In the Rwandan Spring/Summer of 1994 over 800,000 Rwandans were killed in a span of about 100 days.

And today, as we speak, civilians are being massacred in the Darfur region of Sudan, with estimates saying over 300,000 have been killed to date.

Mr. Speaker, I believe we have allowed too many heinous crimes against humanity to occur and this must stop. It's past time that we take a stand against all types of discrimination and expose the wrongs of the past so that we may grow from them. In remembering the victims, the families torn apart, the orphans left behind, and the generations lost, we learn from the past, and ensure a future free of such violence.

I commend President Obama for establishing the Atrocities Prevention Board (APB). Comprised of experts from Universities and government agencies, the APB will assess our current capabilities, while developing new strategies to prevent genocide and mass atrocities. This is the first step of many to ensure a safe future for every human being, regardless of origin, race, culture, language, appearance or any other trait that makes each of us a unique member of the global community.

COMMENDING MIKE GLOVER

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to commend Mike Glover of Windsor Heights, Iowa. For more than three decades, Mike Glover has been as familiar a feature of the Iowa statehouse as its golden dome. Today marks a bittersweet occasion: its Mike's last day of work for the Associated Press as its chief political reporter in Iowa before he retires.

After serving his country in Vietnam, Mike continued serving his community as a journalist. After working for newspapers in Burlington, Illinois and Fort Dodge, Iowa, Mike made Des Moines his home when he took a job with the Associated Press.

For the past 32 years at the AP, Mike has been writing the first draft of Iowa's political history.

He's covered state legislators, governors, senators, presidents, and candidates alike with the same meticulous reporting and low tolerance for spin. He's watched the Iowa caucuses grow from a curiosity to an international news event. He's traveled with presidential candidates as they crisscrossed the country. And he's challenged them all to be more specific about their plans to improve America.

Mike has the ability to slice through prepared talking points with a pointed question. You knew you were in the crosshairs when you sat opposite of Mike at a taping of Iowa Press, Iowa Public Television's long-running public affairs program.

I'll never forget my first time in the hotseat. Mike came out with his guns blazing—he asked tough, fair, and provocative questions.

As the next election season draws closer, Iowa will be missing a familiar face.

Mike Glover was and is a genuine article. Iowans will miss his sharp mind and his sharp wit. I will miss seeing him at events. I thank him for his years of hard work and wish him the best in retirement.

RECOGNIZING PROFESSOR KENNETH C. FUGELSAANG

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. COSTA. Mr. Speaker, I rise today to recognize Professor Kenneth C. Fugelsang on the occasion of his retirement from California State University, Fresno. Professor Fugelsang served the university as an Enology professor for 40 years and as University Winemaker for the award-winning Fresno State Winery. The Viticulture and Enology Department at Fresno State is a one-of-a-kind, world renowned program, which serves approximately 200 students every year.

A proud product of the California State University system, Professor Fugelsang earned his bachelor's and master's degrees from Fresno State. He then furthered his education at the University of California, Davis where he was a visiting research scholar.

Since 1971, Professor Fugelsang has served the university in a number of capacities. In every one of his endeavors, he has been instrumental in ensuring the success of Fresno State students, as well as the grape and wine industry.

His impact on the grape and wine industry has been paramount. He is recognized as one of the world's leading experts on Brettanomyces—spoilage yeast that grows on grapes and in wineries. Recognizing his expertise, his colleagues have trusted him to coordinate and present at a number of regional, national, and international conferences.

Professor Fugelsang's guidance has continually been an asset to his students, many of whom have gone on to win acclaim in their own right. In 1997, he helped establish the commercial winery at Fresno State. The winery has the distinction of being the first bonded winery on a university campus in the

United States. Operated by students, the Fresno State Winery produces almost 10,000 cases a year, including wine cultivated from the university campus farm. His students consistently received real-world, hands-on experience which led them to be job-ready upon graduation. Professor Fugelsang has always worked to provide the best for his students throughout his career. He secured donations exceeding \$2 million in facilities, equipment, supplies, grapes, and technical services that have helped students directly.

In 2011, Professor Fugelsang was conferred professor emeritus status. During his impressive career, he published more than 150 technical papers, 18 books, and made editorial contributions to domestic and international journals. Additionally, he was the recipient of nearly 50 research grants, amounting to approximately \$5 million.

Mr. Speaker, I ask my colleagues to join me in recognizing Professor Kenneth C. Fugelsang for his meaningful contributions to our Valley and Fresno State students. His legacy will live on for years to come, through the success of his students, tomorrow's winemakers.

REMEMBERING THE VICTIMS OF
THE APRIL TORNADOES

**HON. CHARLES J. "CHUCK"
FLEISCHMANN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. FLEISCHMANN. Mr. Speaker, I rise today to remember the victims of the April tornadoes, which killed 33 people in East Tennessee and over 300 nationwide. On April 27th, a tornado touched down in Ringgold, Georgia before traveling to Hamilton County and damaging the town of Apison. From there, the storm moved on to Cleveland, devastating homes and killing 5 people before going to Polk County and finally scattering. Similar storms were reported throughout the southern and Midwestern United States.

As I toured the damage and volunteered the following days, I couldn't help but be heartbroken by the devastation. Power lines were torn down by trees, leaving thousands without electricity, and homes had been reduced to piles of debris. Thirty-three Tennesseans were killed in the storms.

And yet, people pulled through. Everywhere I went I saw neighbor helping neighbor, and total strangers giving each other food and clothing. Our churches, charities, and neighborhood organizations came out in force to help out. These were the small miracles everyday as we rebuilt. Nature dished out her worst, and the people of Tennessee responded with their best.

On this day I join my fellow East Tennesseans in praying for the victims of the tornadoes and honoring the memories of those that lost their lives.

ARMENIAN GENOCIDE
ANNIVERSARY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. WOLF. Mr. Speaker, Armenian Genocide Remembrance Day occurred earlier this week.

For many years I have cosponsored a resolution, introduced in multiple sessions of Congress, affirming the United States Record on the Armenian genocide.

From 1915 to 1923, over 1,500,000 people were murdered by the Turkish Ottoman Empire because of their Christian faith and Armenian ethnicity. To this day, Turkey continues to deny that the mass murder, rape, forced marches and deportations that occurred actually constituted genocide.

Raphael Lemkin, the Jewish legal scholar who coined the word genocide and tirelessly advocated for international law defining it and preventing it, was driven largely by what happened to the Armenians. He, and others after him, recognized that there is power in accurately describing these events so that future horrors, like the Nazi-perpetuated Holocaust and genocides in Bosnia, Cambodia, Rwanda and Darfur are prevented. Sadly, genocide and crimes against humanity are hardly relegated to the past—even today we see racially and ethnically motivated violence in Sudan's Nuba Mountains perpetrated by an internationally indicted war criminal—and the world does little.

This year's observance of the anniversary of the Armenian genocide is especially meaningful. In December 2011, the House of Representatives adopted H. Res 306, which I was pleased to cosponsor. The resolution calls on the Secretary of State to urge Turkey to end religious discrimination and return all Christian places of worship and religious artifacts to their rightful owners. Thousands of these sacred sites and artifacts were confiscated by the Ottoman Empire during and after the Armenian Genocide.

It is important that we take this time to remember the Armenian genocide, even though it occurred nearly a century ago. Only through such acts of remembrance can we hope to prevent future acts of genocide.

COMMEMORATION OF THE 64TH
ANNIVERSARY OF ISRAEL'S
INDEPENDENCE

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. AL GREEN of Texas. Mr. Speaker, the State of Israel is the premiere functioning democracy in the Middle East and has been a steadfast ally of our great nation since its inception. I would like to congratulate the state of Israel on the 64th anniversary of its independence. The citizens of Israel have persevered in the face of great adversity to establish and maintain a free and democratic nation in their homeland.

Israel was founded on the principles of a shared destiny of the Jewish people and their cultural heritage. Despite the acts of violence and wars that have ensued, Israel has persisted in its pursuit of its right to exist in the Middle East. Israel has also played the important role of a refuge for the Jewish people, as well as African peoples, who have suffered great atrocities.

I speak from my heart, having personally witnessed the beauty and majesty of Israel and its people. I have prayed before the Wailing Wall and gazed at the skyline of Jerusalem. Let us today reaffirm our unwavering commitment to our great friend and ally, Israel.

A TRIBUTE TO THE SERVICE OF
AL PERRY

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. COSTA. Mr. Speaker, I rise today with my colleague Mr. DENHAM to pay tribute to the service of Mr. Al Perry on the occasion of his retirement from the Veterans Affairs (VA) Central California Healthcare System. His years of dedicated service to United States veterans exemplifies his reverence for our country and demonstrates the best of what America has to offer.

After earning a Bachelor of Arts degree in Political Science from Middlebury College in 1970, Mr. Perry served in the United States Medical Service Corps from 1971 to 1973. This service marked the beginning of his unwavering commitment to promoting and protecting the welfare and safety of our nation. Following his service, Mr. Perry attended Northeastern University where he obtained a Master's Degree in Public Administration, and the Medical College of Virginia where he earned a Master's Degree in Healthcare Administration.

During his career with the VA, he has served as a friend and counselor to many of our nation's service men and women. As a coach and mentor for the VA's career and development programs, Mr. Perry served as a guide and moral paradigm for countless veterans by steering and advising them through difficult decisions. Prior to this, Mr. Perry served as adjunct faculty at California State University, Long Beach and Boston University.

A tireless advocate for all veterans, Mr. Perry has held a number of leadership positions within the VA. He served as Co-Chair, Chair, Acting Director, and eventually Director of several national taskforces and healthcare systems, including the VA National Workload Realignment Taskforce, the CARES Livermore Realignment Taskforce, and the federal medical disaster stations during Hurricanes Katrina, Ike, and Gustav.

Under his management, the VA Central California Healthcare System was widely recognized. In 2003, the VA Central California Healthcare System received the "Central California Excellence in Business Award" from the Fresno Chamber of Commerce and the Fresno Bee. In 2006, they received the VA Secretary's Annual Labor-Management Partnership Award and were recognized by the VA

Under Secretary with the Annual Diversity Award. They also received the Robert W. Carey Performance Achievement Award and were ranked among "America's 100 Most Wired Hospitals" in 2009, 2006, and 2004. In 2010, they received the Robert W. Carey Performance Achievement Award.

Mr. Perry's longstanding commitment to U.S. veterans is truly a reflection of his character and has not gone unrecognized. He is the recipient of numerous awards and honors, including the OPM "HERO" Award for Community Service in the Federal Non-Military Division the Presidential Rank "Meritorious Executive" Award, the "Distinguished Executive" Award, and the 2011 Veterans Health Administration Certified Mentor of the Year Award.

Mr. Perry has been a true champion for veterans of the Central Valley. He and his team have consistently and effectively partnered with local elected officials in efforts to better serve and care for Central Valley veterans.

We applaud Mr. Perry for his many years of work on behalf of our nation's veterans and their families. His retirement marks a bitter-sweet milestone for the VA Central California Healthcare System. We wish him the best of success as he begins the next chapter of his life.

Mr. Perry is looking forward to enjoying more time with his wife, Susan-Jean Perry, and his daughters and son-in-law, Amanda Perry, Meredith Kohl, and Kristoffer Kohl.

Mr. Speaker, Mr. DENHAM and I ask our colleagues to join us in congratulating Mr. Al Perry on his successful career as a leader in the Veterans Affairs Central California Healthcare System, and honoring for his lifelong service to the United States of America and its veterans.

THE HOLOCAUST

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. COHEN. Mr. Speaker, today, there was a Yom HaShoah service held in the United States Capitol as they are being held in State Capitals throughout the Nation, to remember the victims of the Holocaust—the loss of six million lives. It is imperative that we remember the loss of those six million people and, also, the people who survived and those who helped them survive.

In 1984, as a young State Senator, I sponsored legislation to create the Tennessee Holocaust Commission, one of the first such state Commissions. I'm very proud of the work of the Tennessee Holocaust Commission, much of which is educating Tennessee teachers so they can teach children about the Holocaust.

The Commission has been very successful and has benefitted from great leadership. Then Commission Chair Reverend Beverly Asbury, also Chaplain at Vanderbilt University, worked tirelessly to get the Commission off the ground and current Chairwoman Felicia Anchor, born in the Bergen-Belsen camp, uses her passion and personal experience to continue to do great things.

I wear a button to honor Raoul Wallenberg, a great diplomat who helped save 100,000

Jews. This morning HRH Princess Madeleine and Swedish Parliamentary Leaders met with the Congressional Swedish Caucus and talked about the efforts of Swedish Diplomats to engage the United States to help save lives.

U.S. Treasury Secretary Morgenthau and two people in his administration, Mr. Pehle and Mr. DuBois, implored our President to help rescue Jews, and the United States certainly helped. Unfortunately, many lives were lost because we didn't get involved soon enough. We should never meet evil with silence.

Yom HaShoah is about remembering. As we remember the lives lost, we should also remember those who survived and, also, the military that liberated the camps and the hundreds of thousands of righteous gentiles who risked their own lives to save Jews.

I urge all Americans visiting Washington to visit the U.S. Holocaust Museum and I urge all Tennesseans and those visiting Nashville to go to the Memorial on the State Capitol Grounds, situated alongside six cedar trees representing six million people, to remember and to understand why we must always remember.

IN RECOGNITION OF ISRAEL'S 64TH INDEPENDENCE DAY

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. ISRAEL. Mr. Speaker, this week Israel celebrated its 64th Independence Day. Since its founding on May 14, 1948, Israel has become America's greatest ally in the Middle East and our commitment to the U.S.-Israel relationship remains, today, stronger than ever.

Despite years of intermittent war and overwhelming odds, Israel has developed into a thriving democracy representing many of the same democratic principles that we enjoy in the United States today. Israel's vibrant democracy includes a very active free press representing a diverse set of opinions throughout society and a robust and fair legal system guaranteeing citizens' civil rights. Israel respects the freedom of religion for all of those who worship within her state and is a leader in the protection and promotion of gay rights in the Middle East region.

Israel has also become a leader in the fields of agriculture technology and high-tech, developing a drip irrigation system used all over the world and tech devices used in many households and businesses with the same reach. Israel's medical technologies and military advancements have also protected U.S. soldiers on the battlefield and saved many lives.

Israel's many accomplishments are truly inspiring and I am honored to recognize our greatest ally's 64th Independence Day.

IN RECOGNITION OF THE 70TH ANNIVERSARY OF THE EVACUATION AND INTERNMENT OF JAPANESE AMERICANS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Ms. SPEIER. Mr. Speaker, I rise to commemorate the 70th Anniversary of the evacuation and internment of Japanese-Americans during World War II.

The philosopher George Santayana once said: "Those who cannot remember the past are condemned to repeat it." Yet, during wartime, our nation repeatedly sacrifices civil liberties to appease unwarranted fears. As the United States fought against tyranny abroad, our government detained American citizens of Japanese descent, solely because of their race.

In 1942 Franklin Delano Roosevelt signed Executive Order 9066, calling for the exclusion and internment of all Japanese Americans on the West Coast. Kiyo Yoshimura was one of the people interned. In 1942 government officials ordered Yoshimura and her family to board a bus, without telling them where it would take them. They arrived at Tanforan, a horse stable, where they would live for about six months before being shipped off to a more permanent internment camp in Utah. At Tanforan they lived behind barbed wire, smelling the manure from the horses that had previously inhabited the same space. They were denied the dignity of privacy as they bathed or used the bathroom in public latrines. They were treated like enemies of the state and debased like animals.

The United States government interned 8,000 families at Tanforan, and 120,000 people of Japanese ancestry were sent to internment camps along the Pacific Coast. These Japanese-Americans were hardworking, law-abiding people. Some of them served in the military and fought in Europe.

Most Japanese Americans chose to remain silent about their experiences at internment camps, but it had a lasting impact on them. The government took their homes and their possessions. They had to find new jobs, build new communities and pick up the pieces of their broken lives.

In 1988 Ronald Reagan signed legislation apologizing for the internment of Japanese Americans. The law stated that government actions were based on race prejudice, war hysteria and a failure of political leadership. Japanese Americans received reparations.

Mr. Speaker, I ask that the House of Representatives join me in commemorating the internment of Japanese Americans during World War II. During this dark period of our nation's history fear eclipsed freedom and as national leaders, it is our duty to ensure that this never happens again.

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OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. COFFMAN of Colorado. Mr. Speaker,
on January 20, 2009, the day President

Obama took office, the national debt was
\$10,626,877,048,913.08.

Today, it is \$15,624,347,610,476.87. We've
added \$4,997,470,561,563.79 to our debt in

just over 3 years. This is debt our nation, our
economy, and our children could have avoided
with a balanced budget amendment.